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**CITY COUNCIL AGENDA
WEDNESDAY, AUGUST 21, 2019
250 NORTH 5TH STREET
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

To become the most livable community west of the Rockies by 2025

Call to Order, Pledge of Allegiance, Moment of Silence

Certificates of Appointment

To the Grand Junction Regional Airport Authority Board

Citizen Comments

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

- a. Supplemental Documentation

City Manager Report

Council Reports

CONSENT AGENDA

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

1. Approval of Minutes

- a. Summary of the August 5, 2019 Workshop

- b. Minutes of the August 7, 2019 Regular Meeting

2. Set Public Hearings

All ordinances require two readings. The first reading is the introduction of an ordinance and generally not discussed by City Council. Those are listed in Section 2 of the agenda. The second reading of the ordinance is a Public Hearing where public comment is taken. Those are listed below.

- a. Quasi-judicial
 - i. Introduction of an Ordinance Amending the Comprehensive Plan and Rezoning Two Properties with a Total of 18.433 Acres, Located at 2980 and 2982 Patterson Road (Currently Known as the Burkey Park Property) to R-8 (Residential 8 units per acre) and MXOC (Mixed Use Opportunity Corridor) and Set a Public Hearing for September 4, 2019
 - ii. Introduction of an Ordinance Zoning the Kiser Annexation R-2 (Residential - 2 du/ac), Located at 136 Vista Grande Road and Set a Public Hearing for September 4, 2019

3. Contracts

- a. Construction Contract for the 2019 Sewer Line Replacement Project - Phase B
- b. Design Services Contract for Improvements to the Hogchute (aka Carson) Reservoir Dam, Spillway, and Outlet Works

4. Resolutions

- a. A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the Gray and Black Market Marijuana Enforcement Program for the Year July 1, 2020 to June 30, 2021
- b. A Resolution Assigning City Councilmembers to Various Boards, Commissions, and Authorities
- c. A Resolution Authorizing the City to Approve a Grant Offer as a Co-sponsor with the Grand Junction Regional Airport Authority for the Construction of a New Runway

REGULAR AGENDA

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

5. Public Hearings**a. Quasi-judicial**

- i. A Resolution Accepting the Petition for Annexation of 19.608 Acres of Land and Ordinances Annexing and Zoning the Maverick Estates Annexation to R-4 (Residential - 4 du/ac), Located at 2428 H Road - Continued from May 1, 2019
- ii. A Resolution Accepting the Petition for Annexation of 1.336 Acres of Lands and Ordinances Annexing and Zoning the Townhomes at River Park Annexation to R-8 (Residential - 8 du/ac), Located at 3178 D Road
- iii. A Resolution Accepting the Petition for Annexation of 16.00 Acres of Lands and Ordinances Annexing and Zoning the Two Ponies Annexation to C-1 (Light Commercial) and R-8 (Residential - 8 du/ac), Located at 3095 D ½ Road

Supplemental Documentation

b. Legislative

- i. An Ordinance for Supplemental Appropriation for the Acquisition of Real Property

6. Items Relating to the November 2019 Coordinated Election

- a. A Resolution Setting a Title and Submitting to the Electorate on November 5, 2019 a Measure Concerning the Issuance of Bonds to Finance Transportation Improvements and to Retain and Spend Revenues as Defined by Article X, Section 20 of the Colorado Constitution for Payment of Transportation Debt and Providing Other Details Relating Thereto

- b. An Ordinance Placing a Charter Amendment Concerning the Authorized Length of Leases on the Election Ballot for the Regular Municipal Election and Setting a Public Hearing for September 4, 2019
- c. A Resolution Calling a Special Election for November 5, 2019

7. Non-Scheduled Citizens & Visitors

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

8. Other Business

9. Adjournment



Grand Junction City Council

Regular Session

Item #

Meeting Date: August 21, 2019

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Grand Junction Regional Airport Authority Board

RECOMMENDATION:

Present the new member with their Certificate of Appointment.

EXECUTIVE SUMMARY:

There is one new member to the Grand Junction Regional Airport Authority Board.

BACKGROUND OR DETAILED INFORMATION:

Linde Marshall was appointed at the July 16, 2019 Grand Junction Regional Airport Authority Board Meeting as an At-Large Commissioner and approved by Grand Junction City Council at the August 7, 2019 Regular meeting.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

None



Grand Junction City Council

Regular Session

Item #a.

Meeting Date: August 21, 2019

Presented By:

Department: City Clerk

Submitted By:

Information

SUBJECT:

Supplemental Documentation

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED MOTION:

Attachments

1. Citizen Comments at Aug 21 Meeting

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 8-21-2019 Pledge
Citizen's Name	Ruben Pacheco Karina Pacheco	Karina Simental Anaiah Guajardo
Subject		
Phone Number (optional)	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns.	

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 8/21/19
Citizen's Name	Bruce Holmiller	
Subject	Comprehensive Sex Ed Class & Death Knives	
Phone Number (optional)	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!	

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 21 AUG 2019
Citizen's Name	RANDY SPYDELL	
Subject	VACANCIES - RANKED CHOICE VOTING	
Phone Number (optional)	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!	

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date
Citizen's Name	DENNIS SIMPSON	
Subject		
Phone Number (optional)	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!	

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

August 5, 2019

Meeting Convened: 5:31 p.m. in the City Hall Auditorium

Meeting Adjourned: 7:08 p.m.

City Councilmembers present: Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, and Mayor Pro Tem Duke Wortmann.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Finance Director Jodi Romero, General Services Director Jay Valentine, Public Works Director Trent Prall, Assistant to the City Manager Greg LeBlanc, and City Clerk Wanda Winkelmann.

Agenda Topic 1. Discussion Topics

a. Possible Ballot Items for the November 2019 Election

Mr. Caton noted a discussion on this topic was held with City Council at the July 15 workshop and support was expressed for staff to continue to receive community feedback regarding 1) transportation funding and 2) a Charter amendment for the length of leases of public property. The community group is recommending a ballot question that would permit the use of the TABOR excess for funding for transportation projects.

Mr. Prall discussed the relationship between infrastructure and the strategic directives listed in the Strategic Plan. The possible roadway expansion projects include the I-70/29 Road interchange, proposed 24 widening, proposed F ½ Parkway, proposed 25 widening, improve Riverside Parkway interchange with 24 Road. The total estimated cost is \$184 million.

Two alternatives for the Riverside Parkway at Redlands Parkway Interchange were presented, including ramps (\$20 million) or a roundabout (\$6.5 million).

Improvements have been rated by priority by staff as either Tier I (\$36.5 million, and Tier II (\$33.5 million), for a total cost of \$70 million for ten projects.

Discussion ensued about the tiers, projects that benefit Safe Routes to School, TABOR excess, debt, and loan repayment. Support was expressed for the \$70 million of projects to be included in a ballot question.

The next ballot initiative staff is proposing is a Charter amendment to address the length of lease on public property. The Charter presently limits leases to 25 years; the initiative would adjust the lease length for just a portion of the Riverfront at Las Colonias. Support was expressed to put this Charter amendment on the November ballot.

Agenda Topic 2. Next Workshop Topics

City Manager Caton reported the City's Economic Development Partners (GJEP, the Business Incubator, the Chamber of Commerce, the Air Alliance, and the Sports Commission) are invited to attend the August 19 Workshop to provide an update on their activities.

3. Other Business

There was none.

Adjournment

The workshop adjourned at 7:08 p.m.

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

August 7, 2019

Call to Order, Pledge of Allegiance, Invocation

The City Council of the City of Grand Junction convened into regular session on the 7th day of August, 2019 at 6:00 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout and Council President Pro Tem Duke Wortmann. Council President Rick Taggart was absent. Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

Council President Pro Tem Wortmann called the meeting to order. Isabella and Siena Miller led the Pledge of Allegiance which was followed by an invocation by Grace Bible Church Elder Tom Rau.

Presentations

Progress Overview for The Center for Living Your Best from Christy Whitney, HopeWest

HopeWest President and CEO Christy Whitney provided an update on The Center for Living Your Best Project.

Presentation from Kevin Barclay, National Alliance on Mental Illness

National Alliance on Mental Illness Western Slope President Kevin Barclay provided information on the "It's OK...to not be OK" program to help de-stigmatize mental illness and reduce suicide rates.

Proclamations

Proclaiming August 9, 2019 as Coworking Day in the City of Grand Junction

Councilmember Andrews read the proclamation. Proximity Space Community Space Manager Julia Sundstrom accepted the proclamation.

Appointments

Appointment to the Grand Junction Regional Airport Authority Board

Councilmember McDaniel moved to ratify the appointment of Linde Marshall to the At large

seat on the Grand Junction Regional Airport Authority Board for a partial term ending February 2021. Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

Appointment to One Riverfront

Councilmember Norris moved to appoint Dave Bastian and reappoint Elaine Heath and Catherine Ventling to One Riverfront for three year terms expiring July 2022. Councilmember McDaniel seconded the motion. Motion carried by unanimous voice vote.

Citizen Comments

Ricki Howie spoke about the El Paso shootings.

Bruce Lohmiller said local sex education classes will soon be available and encouraged people to report online manifestos.

Ed Kowalski talked about free speech.

Randy Spydell spoke about ranked choice voting.

City Manager Report

City Manager Caton reported the Grand Junction Police Department hosted the 35th Annual National Night Out with officers taking part in 13 neighborhood block parties with approximately 500 citizens.

Council Reports

Councilmember Stout attended the following conference and meetings: Sister City International Conference, Commission on Arts and Culture and Downtown Development Authority Board meetings.

Councilmember Andrews thanked Council and staff for his warm welcome.

Councilmember Norris is very encouraged by all of the events being held in Grand Junction.

CONSENT AGENDA

Councilmember Norris moved to adopt Consent Agenda items #1 - #3. Councilmember McDaniel seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the July 15, 2019 Workshop

- b. Minutes of the July 17, 2019 Special Meeting
- c. Minutes of the July 17, 2019 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance for Supplemental Appropriation for the Acquisition of Real Property and Setting of a Public Hearing for August 21, 2019
- b. Quasi-judicial
 - i. Consider a Request by Steven W. and Susan L. Miller to Zone Approximately 14.69 Acres from County RSF-R (Residential Single Family Rural, 1 du/5 ac) to City R-8 (Residential – 8 du/ac) for 11.69 Acres and City C-1 (Light Commercial) for 3 Acres for the Two Ponies Annexation, Located at 3095 D ½ Road
 - ii. Consider a Request by Gato Development, LLC to Zone 5.72 Acres from County RMF-8 (Residential Multi Family – 8 du/ac) to City R-8 (Residential 8 du/ac) for the Townhomes at River Park Annexation, Located at 3178 D Road

3. Contracts

- a. Approve Contract for Remodel of the Communications Center Administrative Area

REGULAR AGENDA

Consider a Request by SLB Enterprises LLC, for a Comprehensive Plan Amendment from Industrial and Commercial/Industrial Future Land Use Designations to a Commercial Future Land Use Designation and a Rezone from I-1 (Light Industrial) and I-O (Industrial/Office) to C-1 (Light Commercial) for Three Properties Having a Total of 12.2 Acres and Located North of the Colorado River, South of C ½ Road and Directly East of Las Colonias Park

The Applicant, SLB Enterprises, LLC, requested: 1) an amendment to the Comprehensive Plan on a 7.23-acre parcel located at 347 27 ½ Road from its current Future Land Use designation of Industrial to Commercial/Industrial; 2) an amendment to the Comprehensive Plan on 5.15 acres for two parcels from Commercial/Industrial to Commercial located at 2757

C ½ Road and the unaddressed parcel adjacent to the west; and 3) a rezone on the 7.23 acres from Industrial (I-1) to Light Commercial (C-1) and a rezone on the 5.15 acres from Industrial/Office Park (I-O) to Light Commercial (C-1). The proposed changes are intended to provide for future development, particularly for mixed use projects that would optimize the properties' location along the Colorado River and to Las Colonias Park and Business Park. The current zone districts (I-1 and I-0) do not allow for residential and some tourist oriented uses.

Principle Planner Dave Thornton presented the item.

Discussion included clarification that the property can be rezoned since it was not developed after voter's approved the current zoning and that it is to be sold.

Ted Chiavonne of Chiavonne, Roberts and Associates represented the applicant and reviewed the proposed zoning requests.

The public hearing opened at 7:01 p.m.

Bennett Boeschstein spoke in favor of the item and submitted flood plain information for the property to the City Clerk.

The public hearing closed at 7:03 p.m.

Councilmember Stout moved to adopt Ordinance No. 4864, an ordinance amending the Comprehensive Plan Future Land Use Map Designation to Commercial and a rezone to C- 1 (light commercial) for approximately 12.38 acres located at 347 27 ½ Road, a vacant property adjacent to the East, and 2757 C ½ Road on final passage and ordered final publication in pamphlet form. Councilmember Andrews seconded the motion. Motion carried by unanimous roll call vote.

Resolution to Vacate Four Separate Public Utility, Drainage and Sanitary Sewer Easements and Ordinance to Vacate Portion of the W Indian Creek Drive Right-of-Way and Temporary Turnaround Identified in the Pepper Tree Filing No. Three Subdivision Plat, Located at the South End of W Indian Creek Drive

The Applicant, Ronald Vincent, requested vacation of portions of public right-of-way, a temporary turn around and vacation of four separate publicly dedicated utility, drainage and sanitary sewer easements located within and/or abutting the proposed Pepper Ridge Subdivision. These easements and rights-of-way were granted for the purpose of serving the Pepper Tree Subdivision which was platted and developed in 1982. Mr. Vincent is also in a plan review process to develop a residential subdivision adjacent to Pepper Tree Subdivision which is proposed to create 25 single-family attached dwelling units and lots on a total of 3.31 acres in an existing R-8 (Residential – 8 du/ac) zone district. The new development will account for any drainage and utilities that would otherwise have been included in the

easements if not vacated.

Senior Planner Scott Peterson presented the item.

Kim Kerk of Land Consulting and Development, LLC represented the applicant and noted the applicant understands and is able to meet all the conditions of approval.

The public hearing opened at 7:15 p.m.

There were no public comments.

The public hearing closed at 7:15 p.m.

Councilmember Andrews moved to adopt Ordinance No. 4865, an ordinance vacating a portion of the West Indian Creek Drive right-of-way and a temporary turnaround identified within the Pepper Tree Filing No. Three Subdivision Plat, located at the south end of West Indian Creek Drive on final passage and ordered final publication in pamphlet form and adopt Resolution No. 47-19, a resolution vacating portions of utility, drainage and sanitary sewer easements, located within the proposed Pepper Ridge Subdivision, located at the south end of West Indian Creek Drive. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Resolution Authorizing and Ratifying a Contract with Winters Avenue, LLC for the Purchase of Property

The City of Grand Junction was approached by Doug Jones a member of Winters Avenue, LLC inquiring if the City had an interest in purchasing the property located at 1441 Winters Avenue. This parcel is located west of Riverside Parkway and the Las Colonias Business Park and north of Las Colonias Park; with the development of the Las Colonias Parks, this parcel has future economic development potential. Terms were negotiated with Winters Avenue, LLC through the City Manager and the City Attorney.

City Attorney Shaver presented the item.

Discussion included how environmental phases would be included in the contract, that lease terms would include tenant conditions and the purpose of the purchase would be to enhance the future sale of neighboring City property (which are included in the Las Colonias deed) for future economic development.

Councilmember Stout moved to adopt Resolution No. 48-19, a resolution authorizing and ratifying the City Manager's actions in offering to purchase the property located at 1441 Winters Avenue. Councilmember Andrews seconded the motion. Motion carried by roll call vote with Councilmembers Norris and Pe'a voting NO.

Non-Scheduled Citizens & Visitors

Mary Jo Caldon suggested the Consent Agenda be read into the record prior to Council voting and then asked to where local mill tailings are removed. Councilmember Andrews reviewed the mill tailing removal process that ends with them being stored at the Cheney disposal site.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:31 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: August 21, 2019

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

Introduction of an Ordinance Amending the Comprehensive Plan and Rezoning Two Properties with a Total of 18.433 Acres, Located at 2980 and 2982 Patterson Road (Currently Known as the Burkey Park Property) to R-8 (Residential 8 units per acre) and MXOC (Mixed Use Opportunity Corridor) and Set a Public Hearing for September 4, 2019

RECOMMENDATION:

The Grand Junction Planning Commission will hear this item at its August 27, 2019 meeting and make a recommendation.

EXECUTIVE SUMMARY:

The Applicant, the City of Grand Junction, is requesting multiple actions on two properties that total 18.433 acres located at 2980 and 2982 Patterson Road currently known as Burkey Park. Both properties are presently vacant. The proposed actions are to: 1) amend the Comprehensive Plan from Park to Residential Medium, retaining the Mixed Use Corridor Designation along Patterson Road; and 2) rezone the properties from Community Services and Recreation (CSR) to MXOC (Mixed Use Opportunity Corridor) along the Patterson Road frontage of 4.0 acres which encompasses area of both parcels and R-8 (Residential 8 units per acre) for the remaining 14.433 acres of the 2982 Patterson Road property.

The proposed changes are intended to allow expanded options for future private development and particularly the potential for mixed use projects that optimize the properties' location along the Patterson Road Mixed Use Corridor. The City is reviewing a concurrent application to subdivide the property which would plat the

parcels into two lots that correspond to the areas in which these zone districts are being considered.

BACKGROUND OR DETAILED INFORMATION:

The City owns the two parcels that total 18.433 acres located at 2980 and 2982 Patterson Road commonly known as Burkey Park. In December of 1966, the Burkey family offered to donate approximately 17 acres of land to the City of Grand Junction for a park (2982 Patterson Road). In 2001, the City acquired an adjacent parcel (DuCray property at 2980 Patterson Road) in order to 'square up' the overall site. While the Park is City property and has been annexed into the City, it is in an area predominantly surrounded by unincorporated Mesa County. The proposed Matchett Park property is 1.2 miles to the west of this site, and Long Family Memorial Park is 1.3 miles to the east, thus, development of this site for park space by the City is not anticipated to be a city priority in either the short- or long-term.

Pursuant to Article VI, Section 48 of the City Charter, property held or used for park purposes can be sold only with approval by majority of the City's qualified electors. During the recent municipal election on April 2, 2019, voters were asked approval for the City Council to sell approximately 18 acres known as Burkey Park, with proceeds of the sale being used for the development and construction of improvements at Matchett Park. In recognition of the Burkey family, it has been proposed that the main pavilion at Matchett Park commemorate L.W. and Mildred L. Burkey. This sale was approved by the City electorate by a margin of 8,873 for and 7,915 against.

The Burkey Park property is located within the City limits of Grand Junction and has a zoning designation of CSR (Community Services and Recreation), the purpose of which is to provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. If the property were to be sold for private development, a rezone would likely be requested.

The Comprehensive Plan Future Land Use Map provides guidance as to the zone districts that could be considered. The property is designated as Park within a designated Mixed Use Corridor along Patterson Road on the Future Land Use Map. The purpose of the Mixed Use Corridor is to provide service, retail and office commercial uses that service the immediate surrounding area. The designation of Park is intended for active park and recreation sites with public access. Based on the intended sale of the property to a private entity with likely future use as something other than active park and recreation, a change to the Future Land Use Map is also being requested. Staff is recommending that the Comprehensive Plan Future Land Use Map be amended to reflect a Residential Medium (4-8 units per acre) land use category but retain the designated Mixed Use Corridor along the Patterson Road frontage.

Staff is recommending zoning for the site be split to recognize both the residential

nature of the northern portion of the site as well as the Mixed Use Corridor in the southern portion of the site. Staff recommends a zoning of Mixed Use Opportunity Center (MXOC) be considered on the front four acres of the property that abut Patterson Road. The intent of this zone district is to implement the Mixed Use Corridor land use category and create pedestrian-friendly and -scaled urban areas of mixed use that promote neighborhood walkability and would allow neighborhood service, retail and office uses.

On the remaining northern 14.433 acres of the property, City staff is recommending a zone district of R-8 (Residential 8 units per acre) be considered which is consistent with the land use designation for adjacent properties. Neighboring residential densities range from 5 dwelling units per acre to approximately 7 dwelling units per acre. R-8 allows for the property to develop at between 5.5 dwelling units to 8 dwelling units per acre.

The City is proposing the rezone at this time in order to better market the properties to potential future private developers. The City is concurrently reviewing an application for subdivision of the property to correspond to the areas of these zone districts, including one new lot along the Patterson Road corridor (to be zoned MXOC) and one lot that is the remainder of the property (to be zoned R-8).

NOTIFICATION REQUIREMENTS

A Public/Neighborhood Meeting was held on June 10, 2019 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. The purpose of the meeting was to reach out to the adjacent neighbors as well as to initiate the required outreach process related to a rezone request. Approximately 60 citizens attended the meeting. While some comments supported the sale of the property and the rezone, comments received were predominately opposed to the sale of the property and many vocalized oppositions to any use of the property beyond a public park space. A summary of comments received from the meeting is attached.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code for this public hearing. Mailed notice of the Public Hearing, in the form of notification cards was sent to surrounding property owners. The City significantly expanded the notice area for this meeting beyond the 500-foot requirement to include 1,019 neighbors being mailed notice. The subject property was posted with an application sign on August 16, 2019 and notice of the public hearing was published August 20, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

Comprehensive Plan Amendment

Pursuant to section 21.02.130(c)(1) The City may amend the Comprehensive Plan,

neighborhood plans, corridor plans, and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets at least one of the following review criteria.

- (i) Subsequent events have invalidated the original premises and findings; and/or

The 2010 Comprehensive Plan includes a Future Land Use Map which identifies these two properties as Park due to their ownership by a public entity (City of Grand Junction). A subsequent event that has occurred is the passage of Referred Measure 2D, the sale of undeveloped Burkey Park, in the election held April 2, 2019. This measure was referred to the ballot with the intention that the City would sell the property and thus would no longer be designated for park land or for other community services. The subsequent sale of the property to a private entity may invalidate the original premise of the Plan but, until then, Staff has not found a subsequent event that invalidates the Plan. As such, Staff finds this criterion has not been met.

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

The subject properties are surrounded by residential neighborhoods but with nearby neighborhood-oriented commercial development along Patterson Road (Maverick service station approximately a quarter mile to the west and Rite Aid drugstore and Family Dollar convenience store approximately 300 feet to the east). This redevelopment has occurred and will continue to occur as Patterson Road carries a heavier traffic load such that it is not conducive to single family residential or neighborhood park development and as there is demand for neighborhood-oriented commercial uses in this area of Grand Junction. The commercial uses are consistent with the Comprehensive Plan Future Land Use Map designation that Patterson Road is a Mixed Use Corridor and the recommended Residential Medium designation of the properties will be consistent with the surrounding residential land use categories. Thus, Staff finds this criterion has been met.

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

The subject property is surrounded by urban development and is located along a Principal Arterial (Patterson Road). Consequently, public and community facilities exist in the area that are adequate to serve the type and scope of land uses that could be developed on this property if designated for Residential Medium and Mixed Use Corridor. The existing utility services include Ute Water, Persigo 201 sewer service, Palisade Irrigation District, Grand Valley Power and Xcel Energy electricity and natural gas, and cable network links. Public safety, fire, EMS and police services can adequately serve this area of the City. Based on the provision and concurrency of

public utilities and community facilities to serve the Comprehensive Plan amendment request, staff finds that this criterion has been met.

(iv) 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

Since it is intended that this property transfer to private ownership, the proposed land uses will likely change to something other than a public park or facility. Thus, its designation as Park on the Future Land Use Map will no longer fit with proposed land use. Proposed uses are likely residential and neighborhood-oriented business. In the case of the residential component, there is an adequate supply of Residential Medium property within the City and there are many areas that are designated as Mixed Use Corridor. Staff finds that this criterion has not been met.

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

Public benefit will be derived from the requested Comprehensive Plan Amendment due to the potential to attract and support future private development that would not otherwise be considered for the property. In addition, the sale of the park was supported by a majority of city residents with the passage of Measure 2D in November 2018. The requested rezone will support the citizens' favorable vote as well as be consistent with the goals of the Comprehensive Plan.

However, significant public sentiment has been received that the sale and rezone of the undeveloped Burkey Park land would be detrimental to the community and surrounding area for a variety of reasons including, but not limited to, access to open space and investments made with the understanding the property would remain available for public purposes.

Staff has not provided an opinion on whether this criterion has or has not been met.

The proposed amendments implement the following guiding principle, goals and policies:

Guiding Principle 2: Sustainable Growth Patterns – Encourage infill and redevelopment.

Goal 1: To implement the Comprehensive Plan in a consistent manner.

Policy C: The City will make land use decisions consistent with the goal of supporting and encouraging the development of centers. The Subject Property is located within the City Center.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development.

Policy F: Encourage the revitalization of existing commercial and industrial areas.

Specifically, this amendment will work to encourage the revitalization of previously used but now vacant industrial sites and will complement with a lesser intense use the adjoining Riverfront at Las Colonias Park development.

Rezone

Pursuant to the rezoning criteria provided in GJMC 21.02.140, 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 criteria:

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

The 2010 Comprehensive Plan includes a Future Land Use Map which identifies these two properties as Park due to their ownership by a public entity (City of Grand Junction). A subsequent event that has occurred is the passage of Referred Measure 2D, the sale of undeveloped Burkey Park, in the election held April 2, 2019. This measure was referred to the ballot with the intention that the City would sell the property and thus would no longer be designated for park land or for other community services. The subsequent sale of the property to a private entity may invalidate the original premise of the and findings but, until then, Staff has not found a subsequent event that invalidates the Plan. As such, Staff finds this criterion has not been met.

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

The subject properties are surrounded by residential neighborhoods but with nearby neighborhood-oriented commercial development along Patterson Road (Maverick service station approximately a quarter mile to the west and Rite Aid drugstore and Family Dollar convenience store approximately 300 feet to the east). This redevelopment has occurred and will continue to occur as Patterson Road carries a heavier traffic load such that it is not conducive to single family residential or neighborhood park development and as there is demand for neighborhood-oriented commercial uses in this area of Grand Junction. The commercial uses are consistent with the Comprehensive Plan Future Land Use Map designation that Patterson Road is a Mixed Use Corridor. The requested rezoning to R-8 and MXOC will be consistent

with the Plan, as well as the current and anticipated future character of the area. Thus, Staff finds this criterion has been met.

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

The subject property is surrounded by urban development and is located along a Principal Arterial (Patterson Road). Consequently, public and community facilities exist in the area that are adequate to serve the type and scope of land uses that could be developed on this property if zoned R-8 and MXOC. The existing utility services include Ute Water, Persigo 201 sewer service, Palisade Irrigation District, Grand Valley Power and Xcel Energy electricity and natural gas, and cable network links. Public safety, fire, EMS and police services can adequately serve this area of the City. Based on the provision and concurrency of public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

The adequacy of R-8 and MXOC designated lands in the specific Patterson Road Corridor has been used to evaluate this criterion. While Patterson Road is a designated Mixed Use Corridor, there is very little land actually zoned to implement the corridor and no vacant land along the corridor currently zoned for the potential development of uses intended by the Mixed Use Corridor land use designation. The only zone district that implements the Mixed Use Corridor land use category is MXOC.

There is no land in the area in the City and County zoned R-8 but certainly the type of development that could occur in the proposed R-8 zone district (5.5-8 units per acre) is compatible with the residential densities in the area (5 to 7 units per acre). The proposed split of zoning and subsequent corresponding subdivision of the property allows for development of the Patterson Road Mixed Use Corridor but limits the encroachment of non-residential uses in the northern area of the site. As is, since both existing parcels are subject to the Mixed Use Corridor, the entire 18.45 acres could be zoned and developed for neighborhood-oriented commercial uses. Or, left as CSR, it could be developed by a private entity for a much broader range of land uses from low density single family residential and schools to general offices, correctional facilities and indoor shooting range. Staff believes the split zoning will support future land uses that are more compatible with both surrounding residential neighborhoods as well as the commercial nature of the Patterson Road corridor rather than leaving it as a CSR-zoned property. Based on these considerations, staff has found this criterion has been met.

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

the proposed amendment.

Public benefit will be derived from the requested Comprehensive Plan Amendment due to the potential to attract and support future private development that would not otherwise be considered for the property. In addition, the sale of the property was supported by a majority of city residents with the passage of Measure 2D in November 2018. The requested Comprehensive Plan Amendment will support the citizens' favorable vote as well as be consistent with the goals of the Comprehensive Plan listed below.

However, significant public sentiment has been received that the sale and rezone of the undeveloped Burkey Park land would be detrimental to the community and surrounding area for a variety of reasons including, but not limited to, access to open space and investments made with the understanding the property would remain available for public purposes.

Staff has not provided an opinion on whether this criterion has or has not been met.

This amendment is consistent with the following vision, goals and/or policies of the Comprehensive Plan:

Guiding Principle 1: concentrated Centers – The Comprehensive Plan calls for three types of centers; the City Center, Village Centers, and Neighborhood Centers. The Plan also establishes Mixed Use Corridors along some major corridors. The Subject property is located within the Patterson Road Mixed Use Corridor.

Guiding Principle 2: Sustainable Growth Patterns – Encourage infill and redevelopment.

Goal 1C: The City will make land use decisions consistent with the goal of supporting and encouraging the development of Centers/Mixed Use Corridors.

Goals 3A and 3B: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community. This includes the creation of large and small centers and mixed use corridors with walkable services and commercial areas, thereby reducing the number of trips generated and vehicle miles traveled for shopping and services.

FISCAL IMPACT:

This land use action will allow for future private development of the site through sale of the Burkey Park property as allowed by the passage of Referred Measure 2D on April 2, 2019. Proceeds from the sale will be used for future development and construction of improvements of nearby Matchett Park.

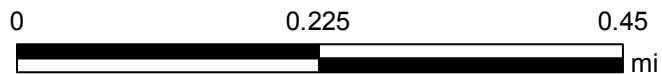
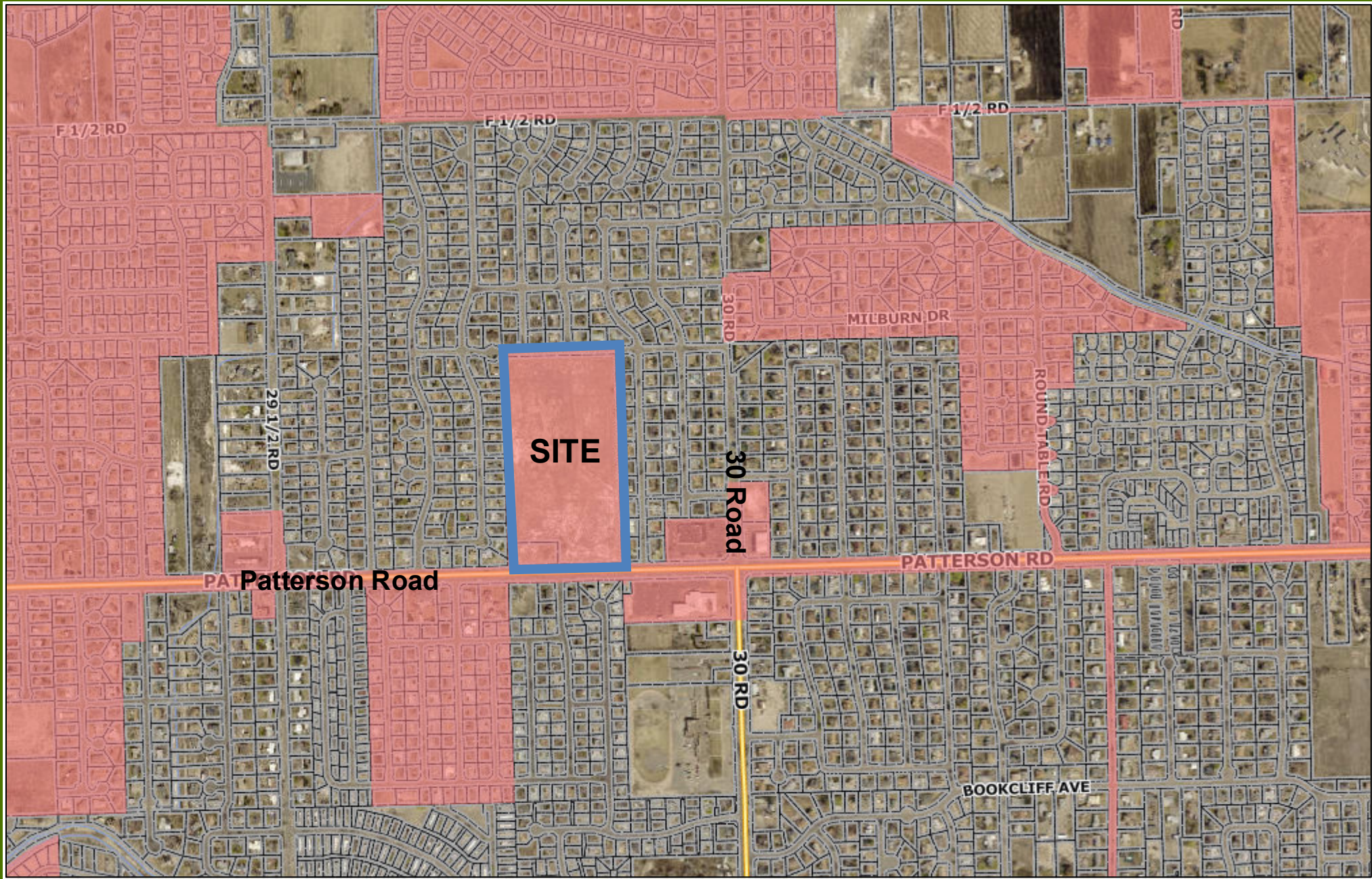
SUGGESTED MOTION:

I move to introduce an ordinance amending the Comprehensive Plan Future Land Use Map designation to Residential Medium retaining the Mixed Use Corridor and rezoning to R-8 (Residential 8 units per acre) and MXOC (Mixed Use Opportunity Corridor) for the property known as Burkey Park on 18.433 acres, located at 2980 and 2982 Patterson Road and set a public hearing for September 4, 2019.

Attachments

1. 2980 and 2982 Patterson Maps and Photographs
2. Summary of Public Comments
3. Burkey Comp Plan Amendment and Rezone Ordinance

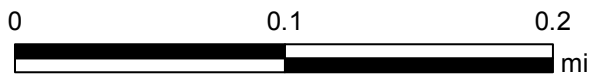
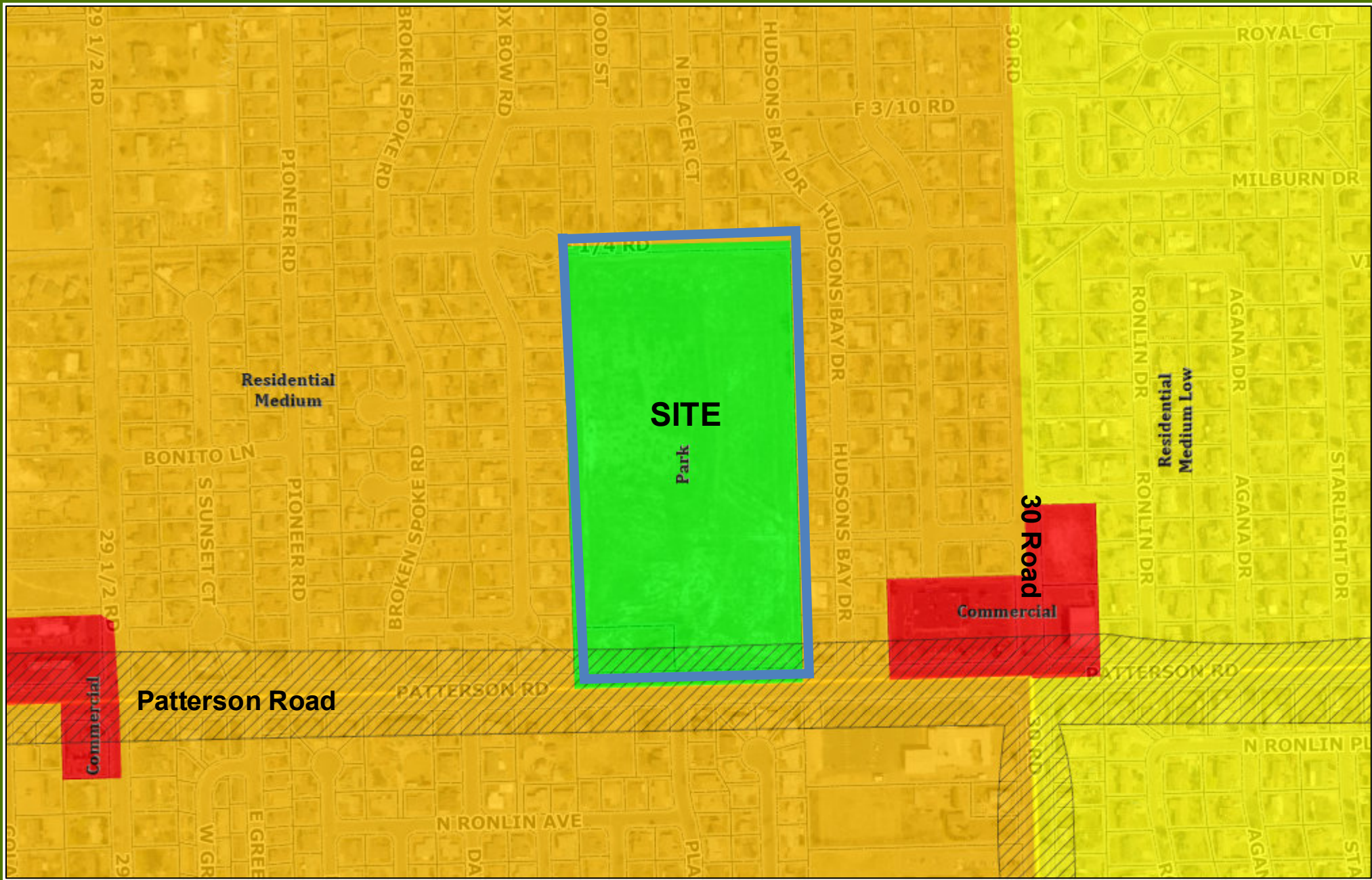
2980 and 2982 Patterson Location Map (City Limits = Pink)



Printed: 8/4/2019

1 inch = 752 feet

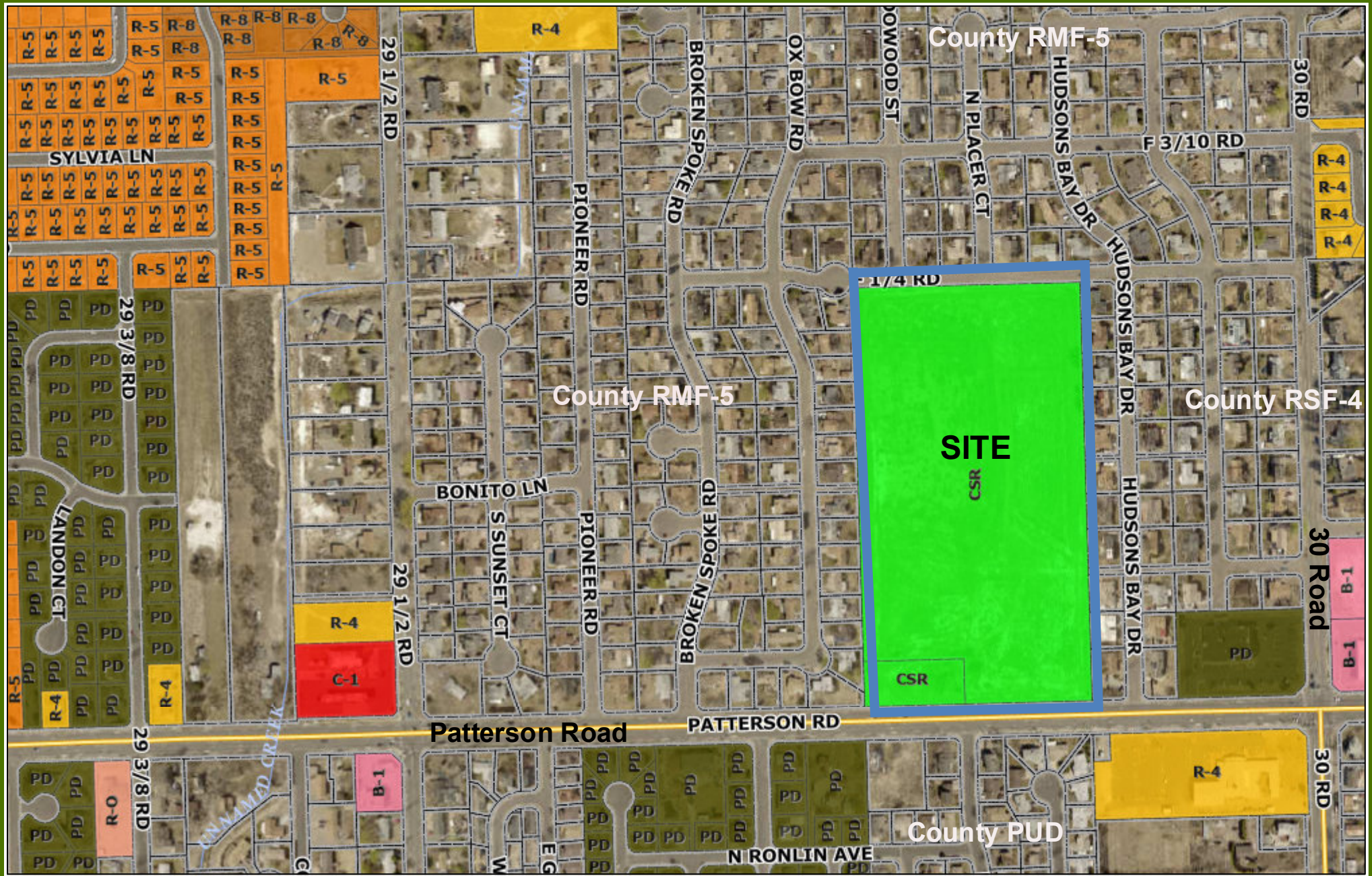
2980 and 2982 Patterson Road Future Land Use Map



Printed: 8/4/2019

1 inch = 376 feet

2980 and 2982 Patterson Road Existing Zoning Map



0 0.1 0.2
mi

Printed: 8/4/2019

1 inch = 376 feet

2980 and 2982 Patterson Road View from East



© 2018 Pictometry



2980 and 2982 Patterson Road – View Across Site From South (Patterson Road)

So unfair we didn't get to vote on something that affects us. A slap in the face for the Burkey's! I don't know why we are here for this meeting. The city have gotten what they wanted & that is that.

Thank you for your dog and pony show. I have no trust in the City of G.J.

We have lived in Oxbow for 40 years. We even had a rep come to the park are are so such a plan! We are very upset with the city! & county.

You should allow county res to vote! Burkey park should be made into entertainment park for kids, or dogs, or a rec center.

Thus meeting was for Matchett Park not Burkey. We did not get to vote on this develop a park. We do not need a liquor store another gas station – we have churches, we have been promised a park. If has to be – single family homes – no apts.

Against the sell as the people and property owners around the land were not aloud to vote on this which effects us.

Concerned about what commercial businesses will build on property. What type of homes ie \$600,000 homes, homeless shelter, low income? Will taxes go up for individual homes? Size of homes & parcel sizes.

It's hard to believe in 50 years Burkey Park has not been developed. I can fully understand the neighbors surrounding the park being upset about not being able to vote on it selling. It send a message "Don't donate to the City, it won't happen". I think it should at least be a large park for the area even if the frontage along Patterson sold.

It is very unfair that a very large population of the "county" this population being Oxbow subdivision, was completely left out of being able to express our desires for Burkey Park all because we don't live within GJ City limits. So you can imagine just how disappointed I was when I found out that Burkey was long ago since 1966 was supposed to be a beautiful recreation area is now going to be sold and will become anything but. We in my area are being cheated and basically being told that we have no say in this matter because we are not City residents and may never have a say so. It's a shame that Burkey "Park" is likely going to turn into yet another crime infested apartment complex thus ruining a nice and peaceful area. The area known as Oxbow Subdivision. It truly is a shame.

Rezone should include a green space requirement that would be used for Burkey plaque of acknowledgement.

Can we appeal this approval??? This sale of property was not right. I was sold my lot to build my house in 1978 and was told the property was to be a park. I have lived in my house all these years raised my children had home daycare for 32 years and now grandchildren and never a park. The sale was not fair my house at 618 Oxbow will have whatever now in my backyard and this sale is very up setting. The family donated this land for the neighborhood to have a park to get and keep kids out of trouble. I am my husband do not want multi level housing behind my house!!! Or commercial only single level housing.

We want absolutely no multi-family homes built on the Burkey Park Property. Single Family Only. Richard Emmert.

Laws state county residents couldn't vote on the sale of Burkey Park even though we live around it. Its time our mayor and other lawmakers decide all residents count not just the ones that help them further their agendas. City residents have no ideas about how county residents may want their communities. We should have all been able to (vote)

So when the city sell the Burkey property are the going to annex the subdivisions around it into City Limits, the Burkey property was donated as a park why not make it so the children around those neighborhood. City does what they want any way.

Thank you for the opportunity to hear directly from speakers possible plans for Burkey Park. Our hope was to develop the area into an actual park. The property is currently utilized as a recreation area.

No multi family housing!! No retail! Single family low density only – single family only! Green space on 3 sides – single family homes in the center – All traffic directed onto Patterson Road only! The neighborhoods are already mobbed with heavy traffic already! Too many little kids moving in!

What was said tonight, This is a true disgrace to the Burke Familys wished along with all the long term & current home owners of the connecting area to the park as known. I have lived and bought my house 1 block away thinking it would someday be as what the Burke Family wanted. I am concerned about out property values & taxes if this is turned into res/bus property. K.Carson. carsonkevin@gmail.com

I have lived in a house on Oxbow Road for 30 years and am not in favor of rezoning Burkey Park. Since I didn't get to vote on the issue for the option of rezoning this parcel of land I am not in favor of this at all. My option is to just keep the land the way it is so our taxes don't go up. It scares me about the property taxes from housing development or

What I feel is: We on the East side of GJ (City or County) are taxed but not given the same consideration as Redlands or west side of Grand Jct – just me feeling

Long Park doesn't have enough parking on the north. Canyon view doesn't have enough parking – it's a real problem. If you develop enough to attract people, please put in enough parking. I live in the county. I realize the City can do what it wants to Burkey. But we aren't making any more park land anymore. It's a shame to dispose of any park property.

From: Eric Farslow <nefarslow@gmail.com>
Sent: Tuesday, June 11, 2019 9:17 AM
To: gjparksandrec
Subject: Burkey Park Public Meeting 6/10/2019

Dear Sirs,

I wish to leave you my comments on this meeting,

First of all I saw no attendees that were glad to see what was happening with the land..

everyone felt betrayed by the City voting on taking the land and setting it up for sale,

To rezone the land from Park to Mixed use residential is not a need the neighborhood has. this is only being done to make the land attractive to developers. This totally disregards the quality of life the residents have enjoyed for years by trying to put a development with **twice** the density of the surrounding subdivisions smack in the middle and taking away the open area of 18 acres they had, , It was obvious to my wife and I that this was not a good faith meeting to get our views, but rather a legal requirement to meet the objective of rezoning the property.

I am familiar with the City County master plan, but there is no need for this rezone .the area should remain zoned a a park.

Good Day

Eric Farslow

613 OxBow Rd

From: Cindie Downs [<mailto:CDowns@grandvalleybank.com>]

Sent: Tuesday, June 11, 2019 7:07 AM

To: Belinda White <belindaw@gjcity.org>

Subject: Burkey Park

Proposal for development of Burkey Park

If and when this property sells to a developer please make part of the condition:

Some open green space with a paved walking path

Thank You for your consideration.

Cindie Downs

Concerned neighbor and citizen

Neighborhood Meeting concerning Burkey Park
June 10, 2019

Response from

Cindie Downs
645 ½ Broken Spoke Rd
Grand Junction Co 81504
970-254-6518
cin61die@gmail.com

The City Council placed a ballot question on the April 2019 ballot that of coarse only Grand Junction city voters could vote on but affected county residents.

Unless a citizen attends every City Council meeting or looks at the agenda on line before each meeting – how were we to be informed this question was going to be discussed for the ballot?

How ironic that this ballot question passed but not the Community Center/Machett Park question. Two issues that are in my neighborhood that I had no vote on.

Will the rezoning of Burkey Park put my neighborhood with in the City Limits?
At least then I will have a voice and vote.

But of course that is the past and now we need to deal the consequences.

The city will sale “Burkey Park”. The ballot language specifically stated the proceeds would be used for “Machett Park”. How are we as citizens to be sure that will take place? Is the city proposing to start development of “Machett Park” as soon as “Burkey Park” sales?

Will part of the new development of Burkey property require at least some green space?
For example a grassy area with a walking trail. This area and streets have few sidewalks for walking safety.

I have lived in Grand Junction all my life and have lived in Oxbow Subdivision for 20 years.
I keep waiting for Burkey Park , Matchett Park and the 29 road/I70 access to be developed- all issues that I have had no access to vote on.

I am close to retirement and would enjoy green space with walking accessibility for my health.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE
MAP DESIGNATION TO RESIDENTIAL MEDIUM RETAINING THE MIXED USED
CORRIDOR AND REZONING TO R-8 (RESIDENTIAL 8 UNITS PER ACRE) and
MXOC (MIXED USE OPPORTUNITY CORRIDOR FOR THE
PROPERTY KNOWN AS BURKEY PARK ON 18.433 ACRES**

LOCATED AT 2980 and 2982 PATTERSON ROAD

Recitals:

The applicant and owner, the City of Grand Junction, of 18.433 acres of vacant land at 2980 and 2982 Patterson Road, (referred to herein and more fully described below as the "Property"), proposes a Comprehensive Plan Amendment from Park to Residential Medium retaining the Mixed Use Corridor and rezone from Community Services and Recreation (CSR) to Residential 8 units per acre (R-8) and Mixed Use Opportunity Corridor (MXOC).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Planning Commission reviewed the request for the proposed Comprehensive Plan Amendment and Rezone, and determined that it satisfies the amendment and rezoning criteria provided in GJMC 21.02.130 and 140; applicable criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies and recommended approval of the amendment to Residential Medium and the rezone request to Residential 8 units per acre (R-8) and Mixed Use Opportunity Corridor (MXOC) and as shown in Exhibit A.

The City Council, after a public hearing and review of the proposed Comprehensive Plan Amendment (CPA-2019-433) Rezone (RZN-2019-432) to Residential 8 units per acre (R-8) and Mixed Use Opportunity Corridor (MXOC), determined that the request satisfies the applicable criteria of the Code and are consistent with the purpose and intent of the Comprehensive Plan.

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

- A. This Ordinance applies to the following described property with land use and zoning designation as noted:

Preliminary Lot 1: Future Land Use Residential Medium with Mixed Use Corridor and Zoned MXOC (2943-054-00-123 and a Portion of 2943-054-00-124) – 2980 and a Portion of 2982 Patterson Road

That certain parcel of land lying in the West-half of the Southeast Quarter of the Southeast Quarter (W 1/2 SE 1/4 SE 1/4) of Section 5, Township 1 South, Range East of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado being more particularly described as follows:

The North 263.70' of the South 313.70 feet of the West-half of the Southeast Quarter of the Southeast Quarter (W 1/2 SE 1/4 SE 1/4) of Section 5, Township 1 South, Range 1 East, Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado.

CONTAINING 4.000 Acres, more or less, as described.

Preliminary Lot 2: Future Land Use Residential Medium and Zoned R-8 (a Portion of 2943-054-00-124) – 2982 Patterson Road

That certain parcel of land lying in the West-half of the Southeast Quarter of the Southeast Quarter (W 1/2 SE 1/4 SE 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado being more particularly described as follows:

All of the West-half of the Southeast Quarter of the Southeast Quarter (W 1/2 SE 1/4 SE 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, LESS HOWEVER, the Northerly 50.00 feet thereof dedicated to Mesa County as right of way for F-1/4 Road per Book 1167, Page 728, Public Records of Mesa County, Colorado and LESS HOWEVER, the Southerly 313.70 feet thereof.

CONTAINING 14.433 Acres, more or less, as described.

Total of said two parcels containing an area of 18.433 acres, as herein described (the "Property").

Introduced for first reading on this 21st day of August, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

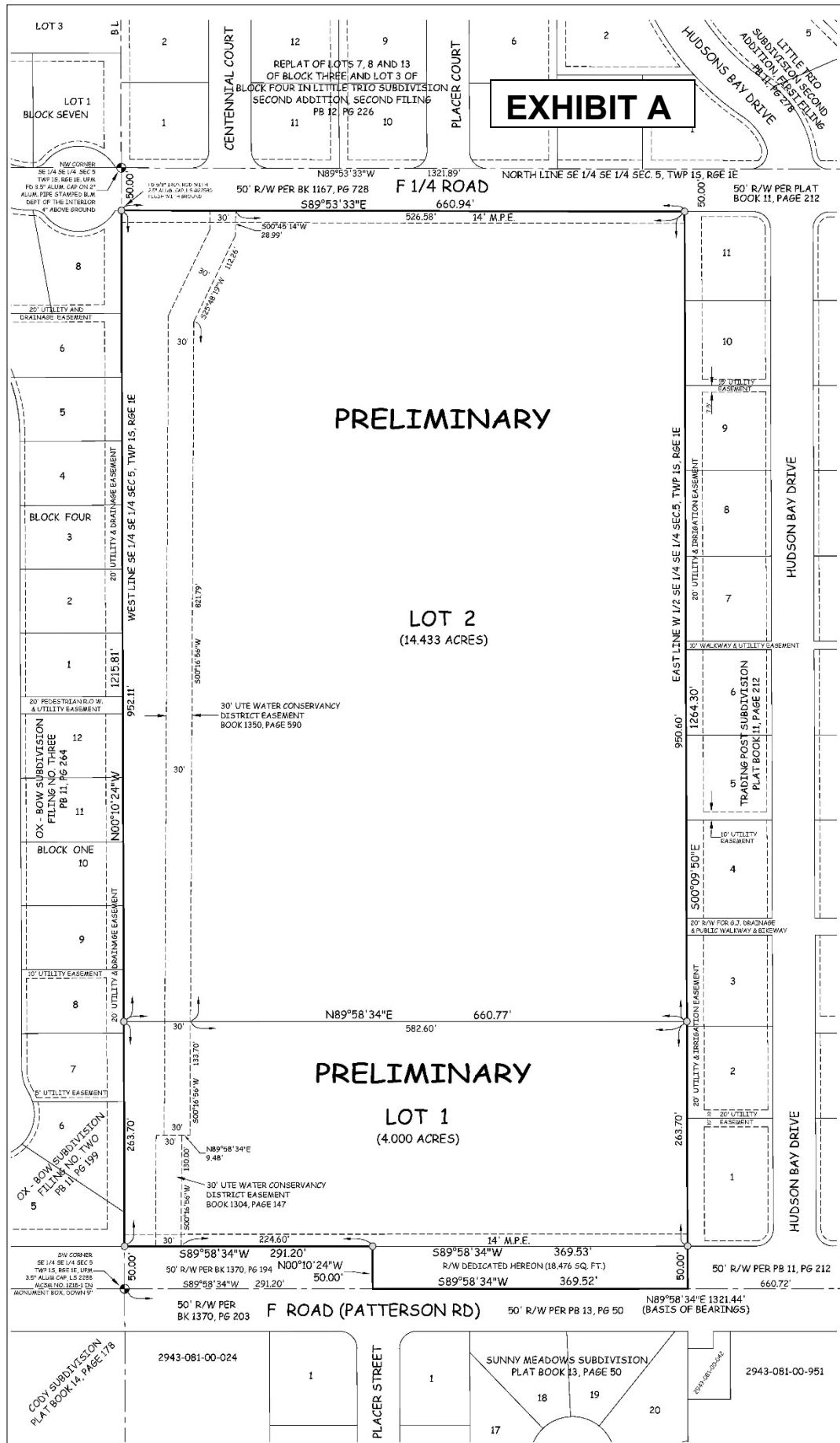


EXHIBIT A



Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: August 21, 2019

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Introduction of an Ordinance Zoning the Kiser Annexation R-2 (Residential - 2 du/ac), Located at 136 Vista Grande Road and Set a Public Hearing for September 4, 2019

RECOMMENDATION:

The Planning Commission heard this item at their July 23, 2019 meeting and recommended approval (7 - 0).

EXECUTIVE SUMMARY:

The Applicants, Stan and Judy Kiser, are requesting a zone of annexation to R-2 (Residential – 2 du/ac) for the Kiser Annexation. The approximately 2.89-acre parcel of land is located in the Redlands at the intersection of Vista Grande Road and S. San Miguel Drive, north of Broadway (Hwy. 340) and has a Comprehensive Plan Future Land Use Map designation of Residential Medium Low (2 – 4 du/ac). The property currently contains a single-family detached home along with various accessory buildings.

The Applicant is requesting annexation into the City limits per the Persigo Agreement between Mesa County and the City of Grand Junction in order to subdivide their property to create one (1) additional lot and construct another single-family detached home in the near future, in conformance with the requested R-2 zone district. The request for annexation will be considered separately by the City Council.

BACKGROUND OR DETAILED INFORMATION:

The Applicants, Stan and Judy Kiser, have requested annexation of a parcel of land

into the City limits, located at 136 Vista Grande Road, in anticipation of future residential development to create one additional lot. The property currently contains a single-family detached home and various accessory buildings and is approximately 2.89-acres in size. As part of the annexation request an additional 0.67-acres of the adjacent S. San Miguel right-of-way will also be annexed, but not zoned. The Applicants are requesting a zone of annexation to R-2 (Residential – 2 du/ac).

The property is currently in the County and retains a County zoning of RSF-4 (Residential Single Family – 4 du/ac). Surrounding properties are also zoned RSF-4 in the County, ranging in size from 0.27 to 5.09 acres. The subject property has a Comprehensive Plan Future Land Use designation of Residential Medium Low (2 – 4 du/ac). The requested zone district of R-2 is in conformance with the Future Land Use designation for the area.

The surrounding area is largely developed with single-family detached homes on each platted lot or parcel. However, further subdivision development and/or lot splits are possible in the future for other properties in the area that are large enough to accommodate such development.

This area of the Redlands has very few annexed properties, but the properties that are annexed are either zoned R-2 or R-4. Properties in the immediate area that have been annexed into the City include the McHugh Annexation in 2017 (115 & 117 Vista Grande Road) which is zoned R-4 (Residential – 4 du/ac), the Bellhouse Annexation in 2006 (2381 S. San Miguel Drive), zoned R-2 (Residential – 2 du/ac) and the Sycamore Creek Annexation in 2005 located at 2370 Broadway which is also zoned R-2.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on August 16, 2018 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's and City staff were in attendance along with two (2) citizens. No concerns were voiced by the neighbors and to date, City staff has not received any comments from the neighborhood regarding this request. An official application for annexation and zoning was submitted to the City of Grand Junction for review on May 1, 2019.

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 May 28, 2019. 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 12, 2019. The notice of the Planning Commission public hearing was published July 16, 2019 in the Grand

Junction Daily Sentinel.

ANALYSIS

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

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

The property owners have petitioned for annexation into the City limits with a requested zoning district of R-2 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium Low (2 – 4 du/ac). Since the property is currently in the County, the annexation of the property is a subsequent event that will invalidate the original premise; a county zoning designation. The requested annexation and zoning is also in accordance with the Persigo Agreement between Mesa County and the City of Grand Junction, which states that all new development shall be annexed into the City limits. Therefore, Staff has found this criterion has been met.

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

The adoption of the Comprehensive Plan in 2010, designated this property as Residential Medium Low (2 – 4 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 Medium Low category. The character and/or condition of the surrounding area has not changed in recent years as the area is largely developed with single-family detached homes on each lot or parcel, however, the requested zone district is compatible with the Comprehensive Plan designation. Further subdivision development and/or lot splits are however possible in the future for this and other properties in the area that are large enough to accommodate such development.

Because there has been no apparent change of character and/or condition and the area has not significantly changed, 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-2 zone district. City Sanitary Sewer & Ute Water are presently both available within the Vista Grande Road & S. San

Miguel Drive rights-of-way. Property can also be served by Xcel Energy electric and natural gas. A short distance away is Scenic Elementary School and further to the southeast at the intersection of Broadway (Hwy. 340) and Monument Road is a Safeway grocery store and associated restaurants and retail/office establishments.

The public and community facilities are adequate to serve the type and scope of the residential land use proposed, therefore, 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

The property and surrounding area to the north, east and west is designated on the Comprehensive Plan Future Land Use Map as Residential Medium Low (2 – 4 du/ac) with Residential Low (.5 – 2 du/ac) to the south. The proposed zoning designation of R-2 meets with the intent of achieving the desired density for the property, with this request, to develop at the low end of the Residential Medium Low (2 – 4 du/ac) category. This area of the Redlands has very few annexed properties, those that are annexed are either zoned R-2 or R-4. Because a majority of this area is zoned County RSF-4, there is currently an inadequate supply of R-2 zoning and Staff therefore finds that the criterion to has been met.

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

The community and area will benefit from this proposed request. Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with the County. The requested zone district will also provide 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. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types; a key principle in the Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Though other zone districts could be considered, the R-2 zone district is consistent with the recommendations of the Plan's Future Land Use Map.

In addition to the zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Medium Low (2 – 4 du/ac) for the subject property.

R-R (Residential - Rural)
R-E (Residential - Estate)
R-1 (Residential – 1 du/ac)
R-4 (Residential – 4 du/ac)
R-5 (Residential – 5 du/ac)

In reviewing the other zoning district options for the Residential Medium Low designation, all zoning districts allow single-family detached residential development as an allowed land use. However, the residential zone districts of R-R, R-E and R-1, would have a lower overall maximum density than what the Comprehensive Plan anticipates for this property and area of the community and the R-5 zone district would allow more density.

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

Goal 1 / Policy A: Land use decisions will be consistent with Future Land Use Map.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 5: To Provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy C: Increasing the capacity of housing developers to meet housing demand.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Kiser Annexation, ANX-2019-274, for a Zone of Annexation from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-2 (Residential – 2 du/ac), the following findings of fact have been made:

1. In accordance with Section 21.02.140 (a) of the Zoning and Development Code, the application meets one or more of the rezone criteria.
2. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the application is consistent with the adopted Comprehensive Plan.

Therefore, City Staff recommends approval of the requested Zone of Annexation.

FISCAL IMPACT:

Property tax levies and municipal sales and use tax will be collected, as applicable,

upon annexation. For every \$250,000 of actual value, City property tax revenue on residential property at the current assessment rate would be \$144 annually, and \$580 annually for commercial property. Sales and use tax revenues will be dependent on construction activity and ongoing consumer spending on City taxable items for residential and commercial uses.

Fire

Currently the area is in the Grand Junction Rural Fire Protection District (Rural District) and Redlands Sub-District which collects mill levies of 5.938 and 4.904 and generates \$331 per year. The area is served by the Grand Junction Fire Department through a contract with the Rural District and these monies are passed on to the City of Grand Junction per the contract. If annexed, the Rural Fire District and the Redlands Sub-District mill levies will be removed and the City's 8 mills will generate property tax revenue at the rates discussed above. Property tax will need to pay for not only fire and emergency medical services but also other City services provided to the area.

No changes in fire protection and emergency medical response are expected due to this annexation. Primary response is from Fire Station 5 at 2155 Broadway. Response times are within National Fire Protection Association guidelines and any increase in calls for service is predicted to be minimal.

Utilities

The Kiser Annexation consists of one (1) parcel of 2.57 acres, located at 136 Vista Grande Road; and includes a portion of the South San Miguel Drive right-of-way.

Proposed Future Land Use & Zoning for the property is R-2 (Residential – 2 du/ac) which could provide a potential of a maximum of 5 dwelling units. Currently there is one single family house on the property.

Water and sewer services are available to this property.

This property is within the Ute Water District service area. A 2-inch water line runs along the northern boundary in South San Miguel Drive and another 2-inch water line runs along the southern parcel boundary. An additional 4-inch water line runs along the western parcel boundary in Vista Grande Road.

The property is currently within the Persigo 201 Sewer Service Area and currently has sewer connection to the existing one home on the property. There is sufficient sewer collection and treatment capacity for 4 additional dwelling units.

Plant Capacity: Based on the Future Land Use (FLU) designation, the maximum anticipated additional flow associated with 5 equivalent units (EQUs) is about 835 gallons per day. The Persigo wastewater treatment plant has sufficient capacity to

accommodate this development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently only receives approximately 9 million gallons per day. Therefore, the plant has ample capacity to accommodate this additional flow. If the property constructs 4 additional dwelling units, it would be assessed the current plant investment fee (PIF) of \$4,776 per equivalent unit (2019 rate) or \$19,104. This fee is intended to pay the equivalent share of the payments due on bonds for the existing wastewater treatment plant and infrastructure.

Ability to Serve Area: A 6-inch sewer main is available on the north boundary in South San Miguel Drive. Another 6-inch sewer main is on the western boundary in Vista Grande Road. There is available capacity in this sewer collection system to accommodate future development of this property with 4 additional dwelling units.

Sewer Service Charges: Monthly sewer service rates for single family units are \$22.40. These rates have been determined sufficient to cover the cost of service.

Police

The City Police Department does not believe that the maximum number of five (5) dwelling units allowed per the requested zoning will have an impact on the existing services or need to expand such services.

Public Works

San Miguel Drive is a 22 ft wide rural road with no curb gutter and sidewalk present. Approximately 2300 square yards of asphalt is in fair condition with an approximate Pavement Condition Index (PCI) of 55.

Annual Maintenance costs for the 2,300 square yards of pavement is estimated at approximately \$53/year to sweep, stripe and sign. There are no street lights present. Future chipseal costs for this additional area is estimated at \$5,600 and is planned as part of this area's normal chip seal cycle in the next six years.

SUGGESTED MOTION:

I move to introduce an ordinance zoning the Kiser Annexation to R-2 (Residential - 2 du/ac), located at 136 Vista Grande Road and set a public hearing for September 4, 2019.

Attachments

1. Site Location & Zoning Maps
2. Zoning Ordinance

Expanded City Limits Location Map

The map displays the proposed expanded city limits of Vista Grande, NM, highlighted in red. A specific 'Site' is outlined in blue. Key roads shown include Vista Grande Rd, Broadway (Hwy. 340), and various residential streets like Carolina Dr, Vista Grande Rd, and N San Miguel Dr. The map also shows the location of the Vista Grande Elementary School and the Vista Grande Community Center.

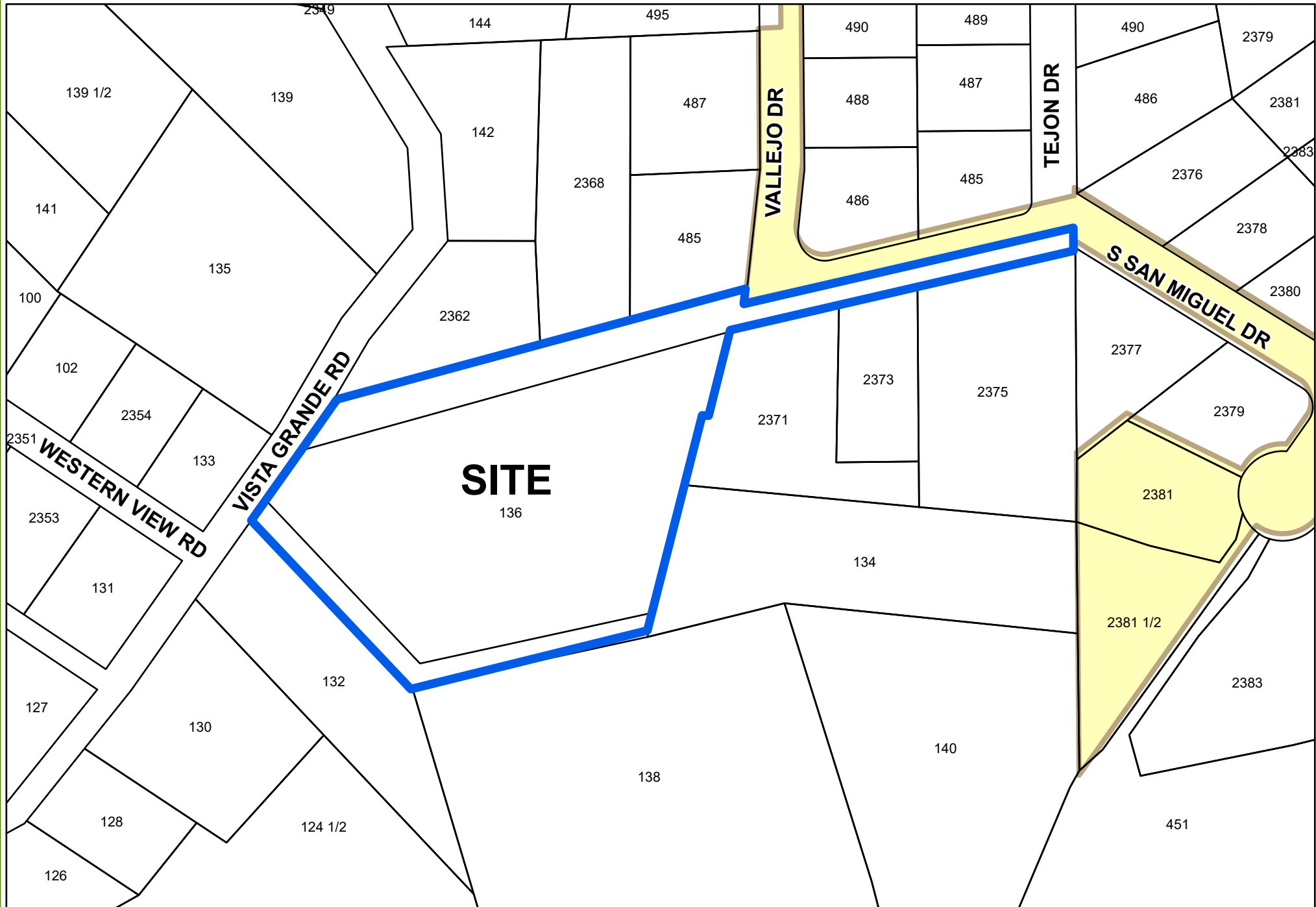
Site

City Limits

Broadway
(Hwy. 340)

LAND RD
Vista Grande Rd

Kiser Annexation



0 50 100 200
Feet

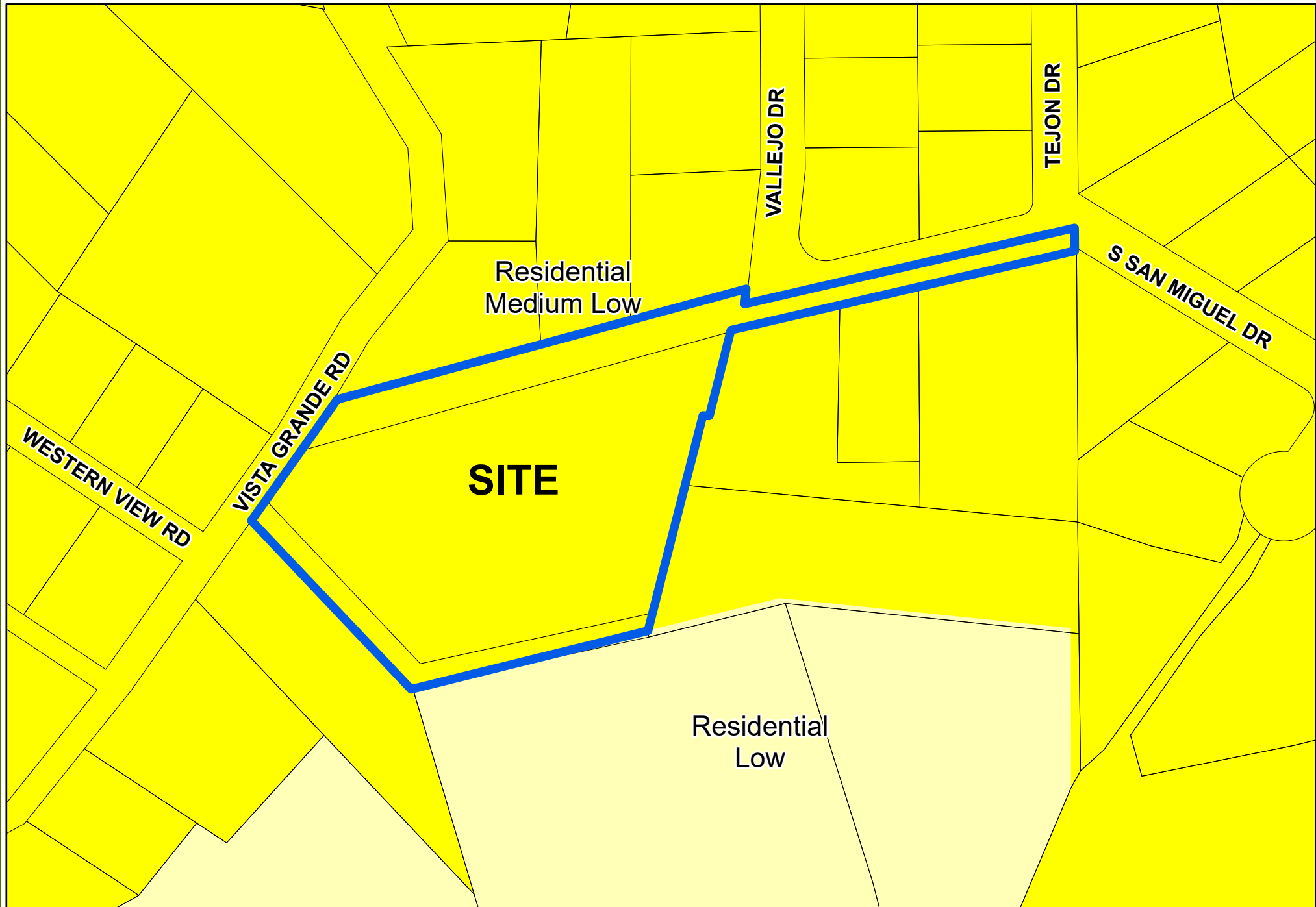
 Annexation Boundary

 City Limits

CITY OF
Grand Junction
COLORADO
ADMINISTRATIVE SERVICES
GEOGRAPHIC INFORMATION SYSTEM



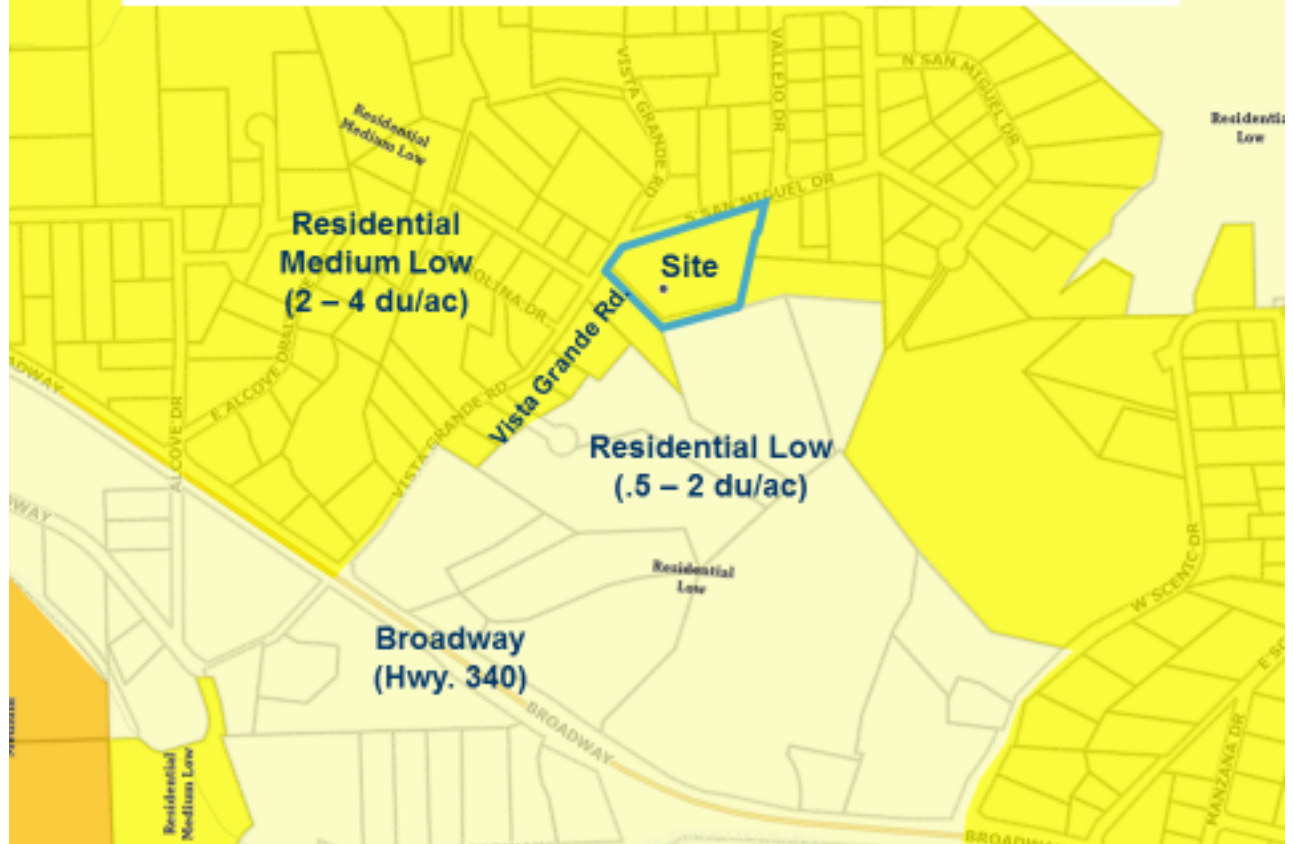
Kiser Annexation - Future Land Use



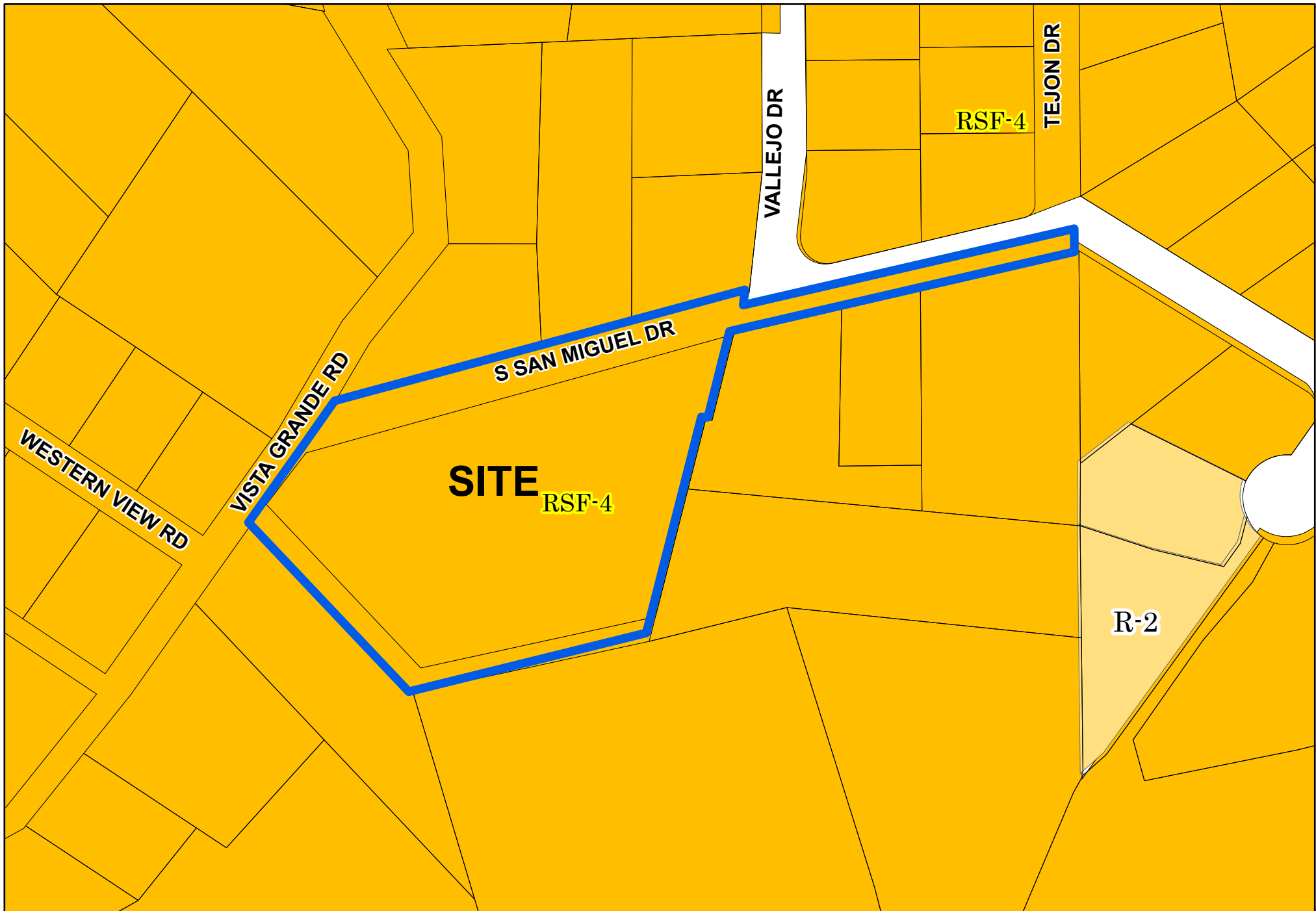
0 50 100 200
Feet

 Annexation Boundary

Expanded Comprehensive Plan Future Land Use Map



Kiser Annexation - Zoning



0 50 100 200
Feet

 Annexation Boundary

CITY ZONING

COUNTY ZONING





View of Property from Vista Grande & S. San Miguel

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE KISER ANNEXATION
TO R-2 (RESIDENTIAL – 2 DU/AC)**

LOCATED AT 136 VISTA GRANDE ROAD

Recitals

The property owners have requested annexation of the 2.89-acre property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Kiser Annexation to the R-2 (Residential – 2 du/ac) zone district, finding that it conforms with the designation of Residential Medium Low (2 – 4 du/ac) as shown on the Future Land Use Map of the 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 the R-2 (Residential – 2 du/ac) zone district are in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code.

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

KISER ANNEXATION

The following property be zoned R-2 (Residential – 2 du/ac).

A portion of the NW1/4 of the NE1/4 of Section 17, Township 1 South, Range 1 West of the Ute Meridian, described as follows: Commencing at the Southwest Corner of said NW1/4 of the NE1/4 of said Section 17; thence N89°55'57"E, a distance of 233.4 feet to an iron pipe monument capped and marked "233.4"; thence N35°30'31"E along the Southeasterly Right of way for Vista Grande Road as described at Reception Number 428431 of the Mesa County Records a distance of 234.47 feet to the Point of Beginning. thence N35°30'31"E along said Right of way a distance of 102.94 feet to the intersection of said Right of Way with the South Right of Way for South San Miguel Road as described at Reception Number 1074421 of the Mesa County Records; thence N74°58'28"E along said South Right of Way a distance of 491.74 feet to the Point of Terminus of an Agreed Boundary Line as recorded at Reception Number 2873395 of the Mesa County Records;

thence along said Agreed Boundary Line the following three (3) courses and distances;

1. S14°12'57"W a distance of 98.39 feet;

2. N87°34'57"W a distance of 7.26 feet;

3. S14°24'05"W a distance of 247.60 feet to the beginning of said Agreed Boundary Line and a point on the Northerly Line of that tract of land as described at Reception Number 520767 of the Mesa County Records;

thence S76°12'57"W along said Northerly Line a distance of 271.90 feet to a point on the Easterly Line of that tract of land as described at Reception Number 428430 of the Mesa County Records;

thence N43°19'03"W along said Easterly Line a distance of 258.95 feet to the Point of Beginning;

County of Mesa, State of Colorado.

INTRODUCED on first reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: August 21, 2019

Presented By: Randi Kim, Utilities Director

Department: Utilities

Submitted By: Lee Cooper, Project Engineer

Information

SUBJECT:

Construction Contract for the 2019 Sewer Line Replacement Project - Phase B

RECOMMENDATION:

Authorize the City Purchasing Division to execute a construction contract with K&D Construction, Inc. for the construction of the 2019 Sewer Line Replacement Project - Phase B in the amount of \$1,303,151.65.

EXECUTIVE SUMMARY:

This request is to award a Construction Contract for the 2019 Sewer Line Replacement Project - Phase B. This project will be replacing sewer lines at various locations within the Persigo 201 Service Boundary. The annual sewer replacement fund was established to replace aging sewer lines that are in poor condition or past their useful life with new Polyvinyl Chloride (PVC) sewer pipe and new sewer manholes. This 2019 Phase B sewer project will replace 6,725 lineal feet of sewer mainline pipe, install 26 new concrete sewer manholes, and replace about 2,350 lineal feet of sewer service pipe within City right-of-way.

BACKGROUND OR DETAILED INFORMATION:

The existing sewer pipes that are being replaced are made of vitrified clay pipe. These existing sewer pipes range in age with the oldest clay pipes at 80 years old in Elm Ave. The existing pipe will be replaced with new PVC sewer pipe. In addition, new concrete sanitary sewer manholes will be installed and the individual sanitary sewer services lines within the City's right-of-way will be replaced with new PVC pipe to the property boundary.

This sewer line project is scheduled to begin on September 9, 2019 with an expected completion date in March 2020. Construction will take place during the weekdays.

This project will be replacing sewer lines in Elm Ave. near Colorado Mesa University, Court Road, Sandra Ave., Formay Ave., and 31 Road between D 1/2 Road and E Road. The sewer lines in Court Road, Sandra Ave., and Formay Ave. use to be part of the old Fruitvale Sanitation District; while the sewer line in 31 Road used to be part of the old Central Grand Valley Sanitation District.

A formal Invitation for Bids was issued via BidNet (an online site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractor's Association, and advertised in The Daily Sentinel. Five local companies submitted formal bids. All five bids were found to be responsive. The bids received are shown below:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>AMOUNT</u>
K&D Construction, Inc.	Grand Jct.	\$1,303,151.65
MA Concrete Construction	Grand Jct.	\$1,468,476.00
United Companies	Grand Jct.	\$1,708,153.45
Sorter Construction	Grand Jct.	\$1,765,161.50
Dirtworks Construction	Grand Jct.	\$1,957,580.50

FISCAL IMPACT:

The Sewer Fund (902-F0016-F001636) has \$1,443,120 budgeted for this sewer construction project.

PROJECT COSTS

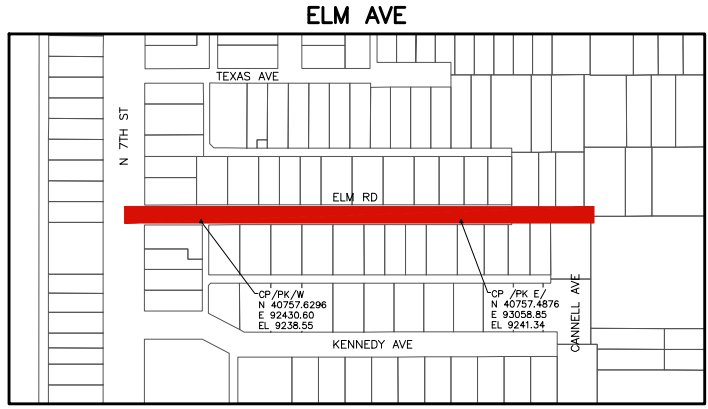
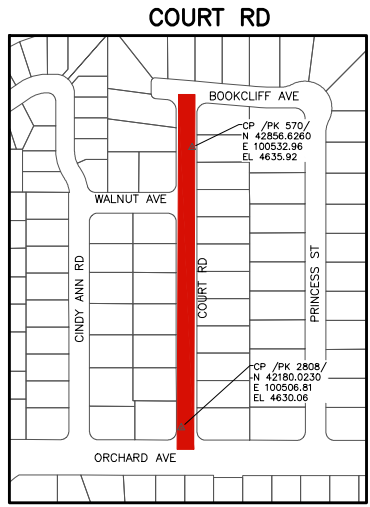
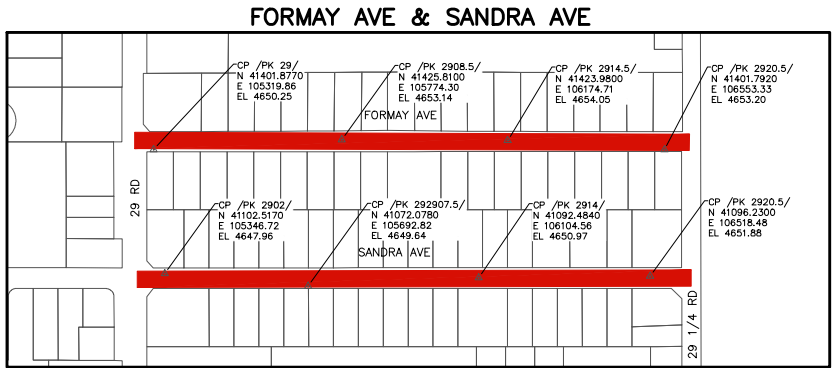
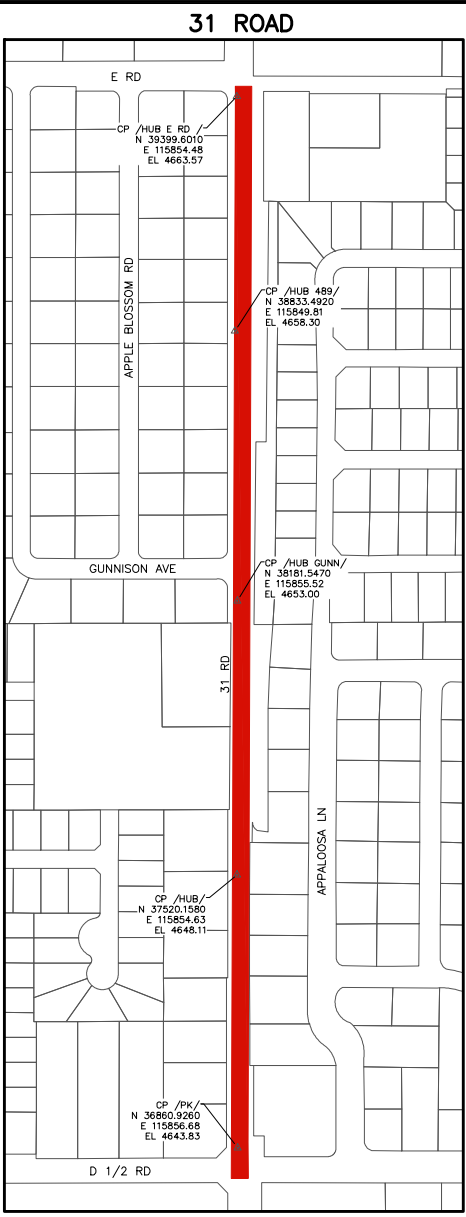
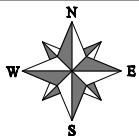
• Construction Contract Amount -	\$1,303,151.65
• City Const. Inspection & Contract Admin. (Est.) -	\$25,000.00
• Quality Assurance Testing (Est.) -	<u>\$5,000.00</u>
• TOTAL PROJECT COSTS =	\$1,333,151.65

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a contract with K&D Construction, Inc. for the 2019 Sewer Line Replacement Project - Phase B in the amount of \$1,303,151.65.

Attachments

1. 2019 Phase B Sewer Replacements Vicinity Map



REVISION	DESCRIPTION	DATE	DRAWN BY	DATE
1			ES	03/2019
2			ES	06/2019
3			BG	06/2019
4			BG	06/2019





Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: August 21, 2019

Presented By: Randi Kim, Utilities Director

Department: Utilities

Submitted By: Lee Cooper, Project Engineer

Information

SUBJECT:

Design Services Contract for Improvements to the Hogchute (aka Carson) Reservoir Dam, Spillway, and Outlet Works

RECOMMENDATION:

Authorize the City Purchasing Division to execute a design services contract with Ayres Associates for the engineering design of improvements to the Hogchute Reservoir dam, spillway, and outlet works in the amount of \$242,877.

EXECUTIVE SUMMARY:

This request is to award a Design Services Contract for the improvements needed at the City's Hogchute Reservoir dam located along Kannah Creek on the Grand Mesa. The dam is currently in good condition and is experiencing no structural issues, however, this dam was recently upgraded from a "significant hazard" dam to a "high hazard" dam classification by the State of Colorado in 2015. As a result of this new dam classification, upgrades to the dam and spillway are necessary to bring the dam structure up to the States current standards for a high hazard dam. This design project will include completing a final hydrology report, design of a new emergency spillway, new outlet structure, toe-drain seepage collection system, and rehabilitation of the outlet pipe. Construction of these improvements to the dam is currently scheduled for summer 2020, which will be done under a separate contract.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction owns and operates Hogchute Dam Reservoir (aka: Carson Lake). Hogchute Dam is located within the Grand Mesa National Forest on Kannah

Creek. The reservoir was approved for construction in May of 1947 by the State Engineer with construction of the dam being completed in November 1947.

The elevation of the reservoir site is approximately 9,800 feet above sea level. The structural height of the dam is 56-ft with a normal storage capacity of 637 acre-feet of water behind an earthen embankment situated across the natural drainage path of Kannah Creek. The reservoir provides water storage for domestic use, downstream irrigation use, and for fishing recreation.

The Hogchute Reservoir dam is classified as a high hazard jurisdictional dam as defined by Colorado Dam Safety of the Division of Water Resources. A high hazard rating was given to Hogchute in the year 2015 as a result of completion of an inundation mapping study that took into account new residential development downstream of the reservoir.

In 2018, the City contracted with RJH Consultants, Inc. to complete a "Dam Safety Evaluation Report". The overall objectives of the safety report were to investigate and address the State Engineer's Office (SEO) concerns about the safety of the dam, identify what potential failure modes (PFM) exist, and to provide a basis for the future dam rehabilitation design. RJH's report identified PFM's to be addressed immediately and long term; and in order to accomplish the objective of identifying PFM's, RJH completed a preliminary hydrology study and a seepage and geotechnical investigation. The results of the 2018 Safety Evaluation Report serve as a foundation for this next phase of the project which is to design the improvements needed, produce construction plans and specifications, and acquire all necessary permitting with the goal of construction of these improvements in the summer of 2020.

A formal Request for Proposals was issued via BidNet (an online site for government agencies to post solicitations). Two consultants submitted Proposals. The City received proposals from Ayres Associates and RJH Consultants, Inc. An evaluation committee reviewed the submittals and determined Ayres to be the preferred proposer.

<u>Company</u>	<u>City</u>	<u>Amount</u>
Ayres Associates Inc	Fort Collins, CO	\$242,877
RJH Consultants	Englewood, CO	\$358,500

*Both prices based off of Best and Final Offers.

The attached exhibit shows the location of Hogchute Reservoir in relation to other City reservoirs.

FISCAL IMPACT:

Budget:

2019 Water Enterprise Fund Budget (301) - \$200,000

Consultant Costs:

Ayres Associates Total Design & Const. Services - \$242,877*

** For purposes of managing the project within available funding, the project will be awarded in two phases: Design Phase and Construction Phase. There are sufficient funds available in the FY2019 capital budget to cover costs for Design Phase services. Construction Phase services will be awarded in FY2020 contingent upon appropriation of FY2020 funding.*

Fiscal Year 2019 Costs:

Ayres Associates Design Services - \$184,106

Fiscal Year 2020 Costs:

Ayres Associates Const. & Bidding Services - \$58,771
(Subject to approval of FY2020 Water capital budget)

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to execute a design services contract with Ayres Associates for the engineering design of improvements to the Hogchute Reservoir dam, spillway, and outlet works in the amount of \$242,877.

Attachments

1. Hogchute Vicinity Map

Hogchute Reservoir (aka Carson Lake) Vicinity Map



Printed: 8/7/2019

1 inch = 15,000 feet



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: August 21, 2019

Presented By: Doug Shoemaker, Chief of Police

Department: Police

Submitted By: Katherine Boozell

Information

SUBJECT:

A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the Gray and Black Market Marijuana Enforcement Program for the Year July 1, 2020 to June 30, 2021

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The Gray and Black Market Marijuana Grant Program's purpose is to provide financial assistance grants annually to local law enforcement for the investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations.

BACKGROUND OR DETAILED INFORMATION:

The 2020/2021 Marijuana Enforcement grant application marks the third grant award that the GJPD has pursued. The 2018/2019 year award allowed for the purchase of a Marijuana Enforcement - Enclosed Trailer and equipment to assist the GJPD Drug Task Force with illegal marijuana grow operations and seizures. The 2019/2020 year has recently been awarded and is in the planning stages of what could best serve the community relating to marijuana enforcement. The application for the 2020/2021 year award is due at the end of August 2019.

GJPD would like to apply for the grant which requires assurance of community priority. Applications cannot be submitted unless approved by City Council. The

Colorado Department of Local Affairs has total funding of \$6,000,000 available annually for the program, but it is currently unknown how much of the total would be awarded to the City. The grant would allow for personnel & overtime costs, equipment & supplies, travel, medical expenses related to injury or exposure during a marijuana investigation, and the purchase of information or evidence.

FISCAL IMPACT:

The Colorado Department of Local Affairs has total funding of \$6,000,000 available annually (including program operations.) The amount of the award is unknown at the time of application, as it is based on a formula which includes a consideration for number of applicants, the size of our jurisdiction, and the size of our community.

In 2018/2019 the City of Grand Junction was awarded \$116,759. GJPD was able to use all but \$8,203.08 which was relinquished back to the State of Colorado.

The City of Grand Junction has recently been awarded \$161,740 for the 2019/2020 year and the GJPD are currently planning how to use these monies in the next state fiscal year.

This current application is for the July 2020 - June 30, 2021 award year, and the amount of the award is unknown until DOLA notifies recipients.

SUGGESTED MOTION:

I move to adopt Resolution No. 49-19, a resolution authorizing the City Manager to submit a grant request to the Department of Local Affairs for the Gray and Black Market Marijuana Enforcement Program.

Attachments

1. GBMJ - CRS 24-32-119
2. GBMJ NOFA July 2019
3. Resolution xx-19 Gray and Black Market Grant

COLORADO REVISED STATUTES

*** Current through all laws passed during the 2017 Legislative Session. ***

TITLE 24. GOVERNMENT - STATE
PRINCIPAL DEPARTMENTS
ARTICLE 32. DEPARTMENT OF LOCAL AFFAIRS
PART 1. DIVISION OF LOCAL GOVERNMENT

C.R.S. **24-32-119** (2017)

24-32-119. Gray and black market marijuana enforcement grant program - report - definition

(1) (a) The gray and black market marijuana enforcement grant program is created in the division. The division shall award grants to local law enforcement agencies and district attorneys to cover, in part or in full, investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations conducted in violation of state law.

(b) The division shall:

(I) Solicit and review applications for grants from local law enforcement agencies and district attorneys; and

(II) Select local law enforcement agencies and district attorneys to receive grants to cover costs associated with the investigation and prosecution of unlicensed marijuana cultivation or distribution operations conducted in violation of state law.

(c) Grants awarded by the executive director of the department of local affairs pursuant to this subsection (1) shall be prioritized to:

(I) Provide necessary financial assistance to local law enforcement agencies and district attorneys in rural areas to address unlicensed marijuana cultivation or distribution operations conducted in violation of state law;

(II) Support local law enforcement agencies and district attorneys in investigating and prosecuting large-scale unlicensed marijuana cultivation or distribution operations conducted in violation of state law;

(III) Provide necessary financial assistance to local law enforcement agencies and district attorneys in the investigation and prosecution of organized crime involved in unlicensed marijuana cultivation or distribution operations conducted in violation of state law; or

(IV) Provide necessary financial assistance to local law enforcement agencies and district attorneys in the investigation and prosecution of unlicensed marijuana cultivation or distribution operations that divert marijuana outside of Colorado.

(2) The general assembly may annually appropriate money from the marijuana tax cash fund created in section 39-28.8-501 or the proposition AA refund account created in section 39-28.8-604 (1) to the division to make the grants described in subsection (1) of this section and for the division's reasonable administrative expenses related to the grants. Any unexpended and unencumbered money from an appropriation made pursuant to this subsection (2) remains available for expenditure by the division in the next fiscal year without further appropriation.

(3) The division shall adopt policies and procedures that are necessary for the administration of the grant program, including the application process and the grant award criteria.

(4) (a) On or before November 1, 2019, and on or before November 1 each year thereafter, the division

shall include an update regarding the effectiveness of the grant program in its report to the members of the applicable committees of reference in the senate and house of representatives as required by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act", part 2 of article 7 of title 2.

(b) Notwithstanding section 24-1-136 (11)(a)(I), the reports required in subsection (4)(a) of this section continue indefinitely.

(5) As used in this section, "rural area" means:

(a) A county with a population of less than two hundred thousand people, according to the most recently available population statistics of the United States bureau of the census; or

(b) A municipality with a population of less than thirty thousand people, according to the most recently available population statistics of the United States bureau of the census, that is located ten miles or more from a municipality with a population of more than fifty thousand people.

HISTORY: Source: L. 2017: Entire section added, (HB 17-1221), ch. 401, p. 2091, § 3, effective July 1.

Cross references: For the legislative declaration in HB 17-1221, see section 1 of chapter 401, Session Laws of Colorado 2017.



COLORADO

Department of Local Affairs

Division of Local Government

GRAY & BLACK MARKET MARIJUANA ENFORCEMENT GRANT PROGRAM NOTICE OF FUNDING AVAILABILITY/APPLICATION GUIDELINES

Program Purpose:

To provide financial assistance grants annually to local law enforcement agencies and district attorneys through the local governments for the investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations.

By filling out the online portal application, Colorado County and Municipality applicants are opting into the grant program. Grant amounts will be determined by population formula.

The grant program has four (4) funding priorities:

- 1.) Rural areas;
- 2.) Large scale operations;
- 3.) Organized crime operations; or
- 4.) Operations that divert marijuana outside of Colorado.

In accordance with statute, CRS 24-32-119, rural areas will receive priority funding. To achieve this, rural area population figures will be weighted heavier. Rural areas are defined in C.R.S. 24-32-119 as:

a) a county with a population of less than 200,000 people, according to the most recently available population statistics of the United States Bureau of the Census; or

b) a municipality with a population of less than 30,000 people according to the most recent available statistics of the United States Bureau of the Census, that is located 10 miles or more from a municipality with a population of more than 50,000 people.

DOLA will confirm applicants meet the “rural area” definition at the time of submittal.

Total Funding Available:

\$5,800,000 annually

Application Timeline:

- July 3, 2019: Notice of Funding Availability (NOFA) distributed and applications posted through the on-line grants portal
- August 31, 2019: Application due date

Contacts:

Gray & Black Market Marijuana Enforcement Grant Program:

<https://www.colorado.gov/pacific/dola/marijuana-grant-programs-0>

or

Directly to the grants portal application: https://dola.colorado.gov/grants_portal/

Ella Bowman

Program Administrator

(303) 864-7896

ella.bowman@state.co.us

Tamra Norton

Financial Assistance Manager

(303) 864-7734

tamra.norton@state.co.us

Online Application Process:

The grant application process is available electronically. All applications must be submitted using the online grants portal to be considered for an award. Please allow yourself plenty of time to become familiar with the new system. Local governments will need to create an account, log into the system, and complete each section of the application for electronic submittal. You will be able to save and close a completed page of your online application and return to complete at a later time.

Important Details:

- In order to receive a grant, local governments apply annually. Those that do apply must agree to:
 - Spend funds on statutory priorities,
 - Cooperate with district attorneys to cover prosecution expenses as defined in statute,
 - Report annually on how funds were spent, modeling the Conservation Trust Fund (CTF) program method of spending monitoring, and
 - Acknowledge potential TABOR implications.
- This is a financial assistance grant for investigations and/or prosecution expenses of unlicensed marijuana cultivation or distribution operations. Some examples may include:
 - Personnel / overtime
 - Contractual services
 - Equipment and supplies
 - Travel
 - Pre-trial incarceration expenses
 - Medical expenses related to injury or exposure during a marijuana investigation
 - Purchase of information (informants) or evidence (contraband)
- To ensure you develop a complete application please read:
 - C.R.S. 24-32-119

Application Overview:**A. Applicant/Contact Information**

1. Local Government name (All applicants must be county or municipal local governments).
2. Chief Elected Official/Principal Representative.
3. Designated contact person/Responsible Administrator for the application

B. Honorific / Title

C. Applicant Affirmations

D. Board Approval/Tabor

1. Official board action: Every application must provide the date the city/town/county board, council or trustees authorized the submittal of the grant application.
2. TABOR: The funds for the Gray & Black Market Enforcement Grant program are state funds and may be subject to TABOR. Local jurisdictions are responsible for their own TABOR compliance. Please consult with legal counsel regarding TABOR limits for the local government applicant(s) **before** submitting an application.

E. State Acceptance of Application

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ??-19

**A Resolution Authorizing the City Manager to Submit a Grant Request to the
Department of Local Affairs for the Gray and Black Market Marijuana
Enforcement Program**

RECITALS.

At its August 21, 2019 meeting the City Council considered and for the reasons stated, authorizes an application for a grant to provide financial assistance to the Grand Junction Police Department for the investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations.

This will be the third grant year that the GJPD would like to apply for the Gray and Black Market Marijuana Enforcement grant, which requires assurance of community priority. Applications cannot be submitted unless approved by the city council.

The Colorado Department of Local Affairs has total funding of \$6,000,000 available annually (including program operations.) Although it is unknown at this time how much of the total \$6,000,000 the City would be awarded, the fiscal impact of this grant will allow for personnel/overtime costs, equipment & supplies, travel, medical expenses related to injury or exposure during a marijuana investigation, and the purchase of information or evidence to be reimbursed to the City of Grand Junction.

In the last grant period for the Gray and Black Market Marijuana Enforcement Program, City of Grand Junction Police Department had \$161,740 awarded to it as a formula calculation based off of the number of applicants and the population of City of Grand Junction. Grand Junction Police Department would estimate another \$160,000 in formula grant award to help with the enforcement of illegal marijuana activities.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction supports and authorized submittal of a grant request to the Department of Local Affairs for an estimate of \$160,000 of costs related to marijuana enforcement, to be reimbursed to the City of Grand Junction, in accordance with and pursuant to the recitals stated above and authorizes the City Manager to enter into a grant agreement with DOLA if the grant is awarded.

PASSED and ADOPTED this 21st day of August, 2019

President of the City Council

ATTEST:

City Clerk



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: August 21, 2019

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

A Resolution Assigning City Councilmembers to Various Boards, Commissions, and Authorities

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to appoint City Councilmembers to various boards, committees, commissions, authorities, and organizations.

BACKGROUND OR DETAILED INFORMATION:

The City Council assigns its members to serve on a variety of Council appointed boards, committees, commissions, and authorities as well as a number of outside organizations.

Vacancies on several boards occurred as a result of District E Councilmember Duncan McArthur's resignation effective June 15, 2019. Kraig Andrews was appointed on July 17, 2019 to serve as District E representative and will be assigned to those board vacancies (with the exception as alternate on the Homeless Coalition as Councilmember Andrews is unavailable when the board meets).

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to adopt Resolution No. 50-19, a resolution appointing and assigning City Councilmembers to represent the City on various boards, committees, commissions, authorities, and organizations.

Attachments

1. Resolution 2019 Council Assignments

RESOLUTION NO. ____-19

**A RESOLUTION APPOINTING AND ASSIGNING
CITY COUNCILMEMBERS TO REPRESENT THE CITY
ON VARIOUS BOARDS, COMMITTEES, COMMISSIONS, AUTHORITIES, AND
ORGANIZATIONS**

Recitals:

Through various boards, committees, commissions and organizations the citizens of the City have a longstanding tradition of service to the community. The City Council by and through its creation of many of those boards and its participation there on and there with is no exception. The City is regularly and genuinely benefitted by the service performed by its boards, committees, commissions and organizations.

In order to continue that service, the City Council annually or at convenient intervals designates certain Council members to serve on various boards, committees and commissions.

Vacancies on several boards occurred as a result of District E Councilmember Duncan McArthur's resignation effective June 15, 2019. Kraig Andrews was appointed on July 17, 2019 to serve as District E representative.

At its meeting on August 21, 2019 the City Council appointed its members to serve, in accordance with the bylaws of the board and/or applicable law, on the following boards, commissions, committees and organizations.

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

Until further action by the City Council, the appointments and assignments of the members of the City Council are as attached.

PASSED AND ADOPTED THIS _____ day of _____
_____, 2019.

Mayor and President of the City Council

ATTEST:

City Clerk

CITY COUNCIL FORMAL ASSIGNMENT WORKSHEET 2019/2020

External Agencies

Board/Organization	Meeting Day/Time/Place	2018/2019 Assignments/Number of Years Served	2019/2020 Assignments
Avalon Theatre Committee*	Third Thursday at 8:00 a.m.	Bennett Boeschstein - 6 years	NA
Associated Governments of Northwest Colorado (AGNC)	3rd Wednesday of each month @ 9:00 am different municipalities	Duncan McArthur – 2 years	Duncan McArthur Kraig Andrews
Business Incubator Center	1 st Wednesday of each month @ 7:30 am, 2591 Legacy Way	Bennett Boeschstein	Phyllis Norris
Colorado Municipal League Legislative Liaison	CML Office	Duncan McArthur – 2 years	Anna Stout
Colorado Water Congress	Meets 3-4 times a year in Denver	Duncan McArthur - 4 years	Anna Stout
Downtown Development Authority/Downtown BID	2 nd and 4 th Thursdays @ 7:30 am @ DDA Offices, 437 Colorado, BID board meets monthly 2 nd Thursday	Phyllis Norris – 2 years	Anna Stout
5-2-1 Drainage Authority	Meets quarterly, generally the 4 th Wednesday of month at 3:00 p.m. in Old Courthouse in Training Rm B	Duncan McArthur – 6 years	Phyllis Norris Duncan McArthur Kraig Andrews
Grand Junction Economic Partnership	3rd Wednesday of every month @ 7:30 am @ GJEP offices, 122 N. 6 th Street	Chris Kennedy – 2 years	Duke Wortmann
Grand Junction Housing Authority	4 th Monday @ 5:00 pm @ GJHA Offices at 8 Foresight Circle	Phyllis Norris- 2 years	Rick Taggart
Grand Junction Regional Airport Authority	Usually 3 rd Tuesday @ 5:15 pm @ the Airport Terminal Building (workshops held the 1 st Tuesday)	Rick Taggart – 4 years	Chuck McDaniel

Grand Valley Regional Transportation Committee (GVRTC)	4 th Monday every other month @ 3:00 pm @ GVT Offices, 525 S. 6 th St., 2 nd Floor	Bennett Boeschstein – 2 years	Phyllis Norris
Homeless Coalition	Meets on the 3 rd Thursday of the month at 10 a.m. at St. Mary's Hospital, 5 th Floor, Saccomanno Room 3	Duncan McArthur – 3 years Bennett Boeschstein – 3 years	Phyllis Norris Duncan McArthur Chuck McDaniel
Horizon Drive Association Bus. Improvement Dist*	3 rd Wednesday of each month at 10:30 a.m.	Bennett Boeschstein – 1 year	NA
Las Colonias Development Corporation	Meets as needed and scheduled	Phyllis Norris – 1+ years	Phyllis Norris
Mesa County Separator Project Board (PDR)	Quarterly @ Mesa Land Trust, 1006 Main Street	Barbara Traylor Smith – 2 years	Mayoral Assignment
One Riverfront	3 rd Tuesday of every other month @ 5:30 p.m. in Training Room A, Old Courthouse	Duke Wortmann – 2 years	Rick Taggart

Internal Boards

* = No Council representative required or assigned - City Council either makes or ratifies appointments - may or may not interview dependent on particular board

Board Name	Meeting Day/Time/Place	2018/2019 Assignments/Number of Years Served	2019/2020 Assignments
Commission on Arts and Culture*	4 th Wednesday of each month at 4:00 p.m.	Bennett Boeschstein – 3 years	Anna Stout
Forestry Board*	First Thursday of each month at 8:00 a.m.	NA	NA
Historic Preservation Board*	1 st Tuesday of each month at 4:00 p.m.	Bennett Boeschstein – 3 years	NA
Orchard Mesa Pool Board	Meets twice a year at 8:00 a.m. at a designated location.	Duke Wortmann – 2 years	Duke Wortmann
Parks Improvement Advisory Board (PIAB)	Quarterly, 1 st Tuesday @ noon @ various locations (usually Hospitality Suite)	Barbara Traylor Smith – 2 years as alternate, 4 years as primary Alternate – Duke	Phillip Pe'a Alternate: Duke Wortmann

		Wortmann – 2 years	
Board Name	Meeting Day/Time/Place	2018/2019 Assignments/Number of Years Served	2019/2020 Assignments
Parks & Recreation Advisory Committee	1 st Thursday @ noon @ various locations (usually at Parks Administration Offices)	Duke Wortmann – 2 years	Phillip Pe'a
Persigo Board (All City and County Elected)	Annually and as needed	All	All
Planning Commission*	2 nd and 4 th Tuesday at 6:00 p.m.	NA	NA
Property Committee	Meets as needed and scheduled	Barbara Traylor Smith - 5 years Phyllis Norris – 1 year	Chuck McDaniel Phyllis Norris
Riverview Technology Corporation*	Annual meeting in January	Bennett Boeschstein – 3 years	NA
Urban Trails Committee*	2 nd Tuesday of each month at 5:30 p.m.	Bennett Boeschstein – 3 years	NA
Visit Grand Junction*	2 nd Tuesday of each month at 3:00 p.m.	Phyllis Norris – 3 years	NA
Zoning Code Board of Appeals*	As needed	NA	NA



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: August 21, 2019

Presented By: Greg Caton, City Manager

Department: City Manager's Office

Submitted By: Greg Caton, City Manager

Information

SUBJECT:

A Resolution Authorizing the City to Approve a Grant Offer as a Co-sponsor with the Grand Junction Regional Airport Authority for the Construction of a New Runway

RECOMMENDATION:

Approve the resolution adopting the recommendations of the Grand Junction Regional Airport Authority and to authorize the City Manager to sign and submit any and all applications for FAA funds and in support of full implementation of the CIP.

EXECUTIVE SUMMARY:

The Grand Junction Regional Airport Authority (Authority) began a multi-year program to relocate the primary runway in 2016. The relocation is intended to minimize impacts to community air service while modernizing the runway. The Grand Junction Regional Airport Authority has received a grant offer from the Federal Aviation Administration. Mesa County and the City of Grand Junction are required to approve the grant as Co-Sponsors to the Airport.

BACKGROUND OR DETAILED INFORMATION:

The projects to be accomplished for the 2019 Airport Improvement Program (AIP) every year going forward are included on the Airport Capital Improvement Plan are part of continuing a safe and efficient airfield and overall airport operation. The Airport Improvement Program is continually coordinated with the Federal Aviation Administration (FAA) and CDOT Aeronautics to provide a five-year plan. This project is included in the approved Airport Budget for 2019.

In 2016, the Airport began a multi-year program to relocate the primary runway. The relocation is intended to minimize impacts to community air service while modernizing the runway, originally constructed in 1958. The most effective way to meet the current FAA design standards, maintain airport operations during construction, and reduce economic impacts by the project is to build a replacement runway north of the current runway's location. The project is listed on the Authority's approved Airport Layout Plan and Capital Improvement Plan. This project will provide Xcel Utilities, Property Fence, Runway Object Free Area Road, Ponds, Earthwork, and Pipe Construction.

The FAA is willing to provide \$3,500,000 toward the estimated costs of the projects, provided the City of Grand Junction and Mesa County execute the Grant Offers as co-sponsors with the Airport Authority. The FAA is insisting that the City and County execute the Grant Offer as co-sponsors for two primary reasons. First, the City and County have taxing authority, whereas the Airport Authority does not; accordingly, the FAA is insisting that the City and County execute the Grant Offer so that public entities with taxing authority are liable for the financial commitments required of the Sponsor under the Grant Offer, should the Airport Authority not be able to satisfy said financial commitments out of the net revenues generated by the operation of the Airport. In addition, the City and County have jurisdiction over the zoning and land use regulations of the real property surrounding the Airport, whereas the Airport Authority does not enjoy such zoning and land use regulatory authority. By their execution of the Grant Offer, the City and County would be warranting to the FAA that the proposed improvements are consistent with their respective plans for the development of the area surrounding the Airport, and that they will take appropriate actions, including the adoption of zoning laws, to restrict the use of land surrounding the Airport to activities and purposes compatible with normal Airport operations. The City is willing to execute the Grant Offer, as a co-sponsor, pursuant to the FAA's request, subject to the terms and conditions of this Supplemental Co-Sponsorship Agreement between the City and Airport Authority.

These projects are consistent with Goal #9, Section 39.28.060 of the 2010 Comprehensive Plan – "Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources." These projects are also consistent with Section 1.4 of the 2014 Economic Development Plan – Providing Infrastructure that enables and Supports Private Investment, specifically the goal to "Continue to support the airport and its vital role in economic development."

FISCAL IMPACT:

No direct fiscal impact to the City resulting from this action.

SUGGESTED MOTION:

I move to adopt Resolution No. 51-19, a resolution authorizing the execution of a grant agreements(s) in support of the runway construction and related improvement projects at Grand Junction Regional Airport.

Attachments

1. Grant Agreement
2. Co-Sponsorship Agreement
3. RES-AIP2019-3-08-0027-063



U.S. Department
of Transportation
Federal Aviation
Administration

GRANT AGREEMENT

PART I – OFFER

Date of Offer	<u>August 12, 2019</u>
Airport/Planning Area	<u>Grand Junction Regional Airport</u>
AIP Grant Number	<u>3-08-0027-063-2019 (Contract No. DOT-FA19NM-1061)</u>
DUNS Number	<u>156135394</u>

TO: County of Mesa, Colorado, City of Grand Junction, Colorado, and the Grand Junction Regional Airport Authority
(herein called the "Sponsor") (For Co-Sponsors, list all Co-Sponsor names. The word "Sponsor" in this Grant Agreement also applies to a Co-Sponsor.)

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated December 4, 2018, for a grant of Federal funds for a project at or associated with the Grand Junction Regional Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Grand Junction Regional Airport (herein called the "Project") consisting of the following:

**Construct Runway 11/29 (Phase 8-runway object free area road,
fencing, drainage pond, storm drainage, and earthwork)**

which is more fully described in the Project Application.

NOW THEREFORE, according to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. § 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. § 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014, as applied and interpreted consistent with the FAA Reauthorization Act of 2018 (see 2018 Reauthorization grant condition), (b) the Sponsor's acceptance of this Offer, and (c) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided.

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay 90.00 percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$3,500,000.
The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):
\$0 for planning
\$3,500,000 for airport development or noise program implementation; and,
\$0 for land acquisition.
2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor.
The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR § 200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR § 200.343).
The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.
3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs – Sponsor.** Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application, as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies, and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies, and procedures of the Secretary. Per 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from performing the project that exceeds three months. The report must include a reason for the project stoppage. The Sponsor also agrees to comply with the assurances which are part of this agreement.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before September 13, 2019, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal

share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
11. **System for Award Management (SAM) Registration And Universal Identifier.**
 - A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
 - B. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866-705-5771) or on the web (currently at <http://fedgov.dnb.com/webform>).
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi invoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.

The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of condition No. 1.

The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

An informal letter amendment has the same force and effect as a formal grant amendment.
14. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this agreement.
15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
16. **Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.
17. **Maximum Obligation Increase for Primary Airports.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:
 - A. may not be increased for a planning project;
 - B. may be increased by not more than 15 percent for development projects;
 - C. may be increased by not more than 15 percent for a land project.

18. **Audits for Public Sponsors.** The Sponsor must provide for a Single Audit or program specific audit in accordance with 2 CFR part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Provide one copy of the completed audit to the FAA if requested.
19. **Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR § 180.200, the Sponsor must:
- A. Verify the non-federal entity is eligible to participate in this Federal program by:
 - 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-federal entity is excluded or disqualified; or
 - 2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
 - 3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.
 - B. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g. Sub-contracts).
 - C. Immediately disclose to the FAA whenever the Sponsor (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debar a contractor, person, or entity.
20. **Ban on Texting When Driving.**
- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 - 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
 - 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
 - B. The Sponsor must insert the substance of this clause on banning texting when driving in all subgrants, contracts, and subcontracts
21. **AIP Funded Work Included in a PFC Application.** Within 90 days of acceptance of this award, Sponsor must submit to the Federal Aviation Administration an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this grant award. The airport sponsor may not make any expenditure under this award until project work addressed under this award is removed from an approved PFC application by amendment.
22. **Exhibit "A" Property Map.** The Exhibit "A" Property Map dated April 2012, is incorporated herein by reference or is submitted with the project application and made part of this grant agreement.
23. **Employee Protection from Reprisal.**
- A. Prohibition of Reprisals –
 - 1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:
 - i. Gross mismanagement of a Federal grant;
 - ii. Gross waste of Federal funds;

- iii. An abuse of authority relating to implementation or use of Federal funds;
 - iv. A substantial and specific danger to public health or safety; or
 - v. A violation of law, rule, or regulation related to a Federal grant.
2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
- i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Federal office or employee responsible for oversight of a grant program;
 - v. A court or grand jury;
 - vi. A management office of the grantee or subgrantee; or
 - vii. A Federal or State regulatory enforcement agency.
3. Submission of Complaint – A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this grant term may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
4. Time Limitation for Submittal of a Complaint - A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
5. Required Actions of the Inspector General – Actions, limitations, and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b)
6. Assumption of Rights to Civil Remedy - Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).
24. **2018 FAA Reauthorization.** This grant agreement is subject to the terms and conditions contained herein including the terms known as the Grant Assurances as they were published in the Federal Register on April 3, 2014. On October 5, 2018, the FAA Reauthorization Act of 2018 made certain amendments to 49 U.S.C. chapter 471. The Reauthorization Act will require FAA to make certain amendments to the assurances in order to best achieve consistency with the statute. Federal law requires that FAA publish any amendments to the assurances in the Federal Register along with an opportunity to comment. In order not to delay the offer of this grant, the existing assurances are attached herein; however, FAA shall interpret and apply these assurances consistent with the Reauthorization Act. To the extent there is a conflict between the assurances and Federal statutes, the statutes shall apply. The full text of the Act is at <https://www.congress.gov/bill/115th-congress/house-bill/302/text>.
25. **Co-Sponsorship Agreement.** The FAA in tendering this Grant Offer on behalf of the United States recognizes the existence of a Co-Sponsorship Agreement between the County of Mesa, Colorado, the City of Grand Junction, Colorado, and the Grand Junction Regional Airport Authority. By acceptance of the Grant Offer, said parties assume their respective obligations as set forth in said Co-Sponsorship Agreement. It is understood and agreed that said Agreement will not be amended, modified, or terminated without prior written approval of the FAA.
26. **Co-Sponsor.** The Co-Sponsors understand and agree that they jointly and severally adopt and ratify the representations and assurances contained therein and that the word "Sponsor" as used in the application and other assurances is deemed to include all co-sponsors.
27. **Current FAA Advisory Circulars for AIP Projects.** The sponsor will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the *Current FAA Advisory Circulars Required For Use In AIP Funded and PFC Approved Projects*, dated April 18, 2019, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

28. **Final Project Documentation.** The Sponsor understands and agrees that in accordance with 49 USC 47111, and with the Airport District Office's (ADO) concurrence, that no payments totaling more than 90.0 percent of United States Government's share of the project's estimated allowable cost may be made before the project is complete. Completed means the following: (1) The project results in a complete, usable unit of work as defined in the grant agreement, (2) The sponsor submits all necessary closeout documentation, and (3) The sponsor receives final payment notification from the ADO.
29. **Wildlife Fence.** The Sponsor understands that the fence is being installed to prevent wildlife from entering the airfield. The Sponsor agrees that it will maintain the integrity of the fence for its useful life, but no less than 20 years from the date of the grant was issued. The Sponsor understands that maintenance of the fence includes repair of damage to the fence or gates due to any purpose.

#

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**



(Signature)
John P. Bauer

(Typed Name)
Manager, Denver Airports District Office

(Title of FAA Official)

PART II - ACCEPTANCE

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.¹

Executed this _____ day of _____, _____.

COUNTY OF MESA, COLORADO

(Name of Sponsor)

(Signature of Sponsor's Authorized Official)
By: _____
(Printed Name of Sponsor's Authorized Official)
Title: _____
(Title of Sponsor's Authorized Official)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ (location) this _____ day of _____, _____.

By _____
(Signature of Sponsor's Attorney)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.²

Executed this _____ day of _____, _____.

CITY OF GRAND JUNCTION, COLORADO

(Name of Sponsor)

(Signature of Sponsor's Authorized Official)

By:

(Printed Name of Sponsor's Authorized Official)

Title:

(Title of Sponsor's Designated Authorized Official)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ (location) this _____ day of _____, _____.

By _____

(Signature of Sponsor's Attorney)

² Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.³

Executed this _____ day of _____, _____.

GRAND JUNCTION REGIONAL AIRPORT AUTHORITY

(Name of Sponsor)

(Signature of Sponsor's Authorized Official)

By:

(Printed Name of Sponsor's Authorized Official)

Title:

(Title of Sponsor's Designated Authorized Official)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ (location) this _____ day of _____, _____.

By _____

(Signature of Sponsor's Attorney)

³ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

SUPPLEMENTAL CO-SPONSORSHIP AGREEMENT

This Supplemental Co-Sponsorship Agreement is entered into and effective this ____ day of _____, 2019, by and between the Grand Junction Regional Airport Authority (“Airport Authority”), and the **City of Grand Junction (City)**.

RECITALS

A. The Airport Authority is a political subdivision of the State of Colorado, organized pursuant to Section 41-3-101 et seq., C.R.S. The Airport Authority is a separate and distinct entity from the City.

B. The Airport Authority is the owner and operator of the Grand Junction Regional Airport, located in Grand Junction, Colorado (“Airport”).

C. Pursuant to the Title 49, U.S.C., Subtitle VII, Part B, as amended, the Airport Authority has applied for monies from the Federal Aviation Administration (“FAA”), for the construction of certain improvements upon the Airport, pursuant to the terms, plans and specifications set forth in AIP Grant No. **3-08-0027-063-2019** (“Project”).

D. The FAA is willing to provide **\$3,500,000** toward the estimated costs of the Projects, provided the City of Grand Junction and Mesa County execute the Grant Agreements as co-sponsors with the Airport Authority. The FAA is insisting that the City and County execute the Grant Agreements as co-sponsors for two primary reasons. First, the City and County have taxing authority, whereas the Airport Authority does not; accordingly, the FAA is insisting that the City and County execute the Grant Agreement so that public entities with taxing authority are liable for the financial commitments required of the Sponsor under the Grant Agreements, should the Airport Authority not be able to satisfy said financial commitments out of the net revenues generated by the operation of the Airport. In addition, the City and County have jurisdiction over the zoning and land use regulations of the real property surrounding the Airport, whereas the Airport Authority does not enjoy such zoning and land use regulatory authority. By their execution of the Grant Agreements, the City and County would be warranting to the FAA that the proposed improvements are consistent with their respective plans for the development of the area surrounding the Airport, and that they will take appropriate actions, including the adoption of zoning laws, to restrict the use of land surrounding the Airport to activities and purposes compatible with normal Airport operations.

E. The **City** is willing to execute the Grant Agreement, as a co-sponsor, pursuant to the FAA’s request, subject to the terms and conditions of this Supplemental Co-Sponsorship Agreement between the **City** and Airport Authority.

Therefore, in consideration of the above Recitals and the mutual promises and representations set forth below, the **City** and Airport Authority hereby agree as follows:

AGREEMENT

1. By its execution of this Agreement, the **City** hereby agrees to execute the Grant Agreements, as a co-sponsor, pursuant to the FAA's request.
2. In consideration of the **City's** execution of the Grant Agreement, as co-sponsor, the Airport Authority hereby agrees to hold the **City**, its officers, employees, and agents, harmless from, and to indemnify the **City**, its officers, employees, and agents for:
 - (a) Any and all claims, lawsuits, damages, or liabilities, including reasonable attorney's fees and court costs, which at any time may be or are stated, asserted, or made against the **City**, its officers, employees, or agents, by the FAA or any other third party whomsoever, in any way arising out of, or related under the Grant Agreements, or the prosecution of the Projects contemplated by the Grant Agreements, regardless of whether said claims are frivolous or groundless, other than claims related to the **City's** covenant to take appropriate action, including the adoption of zoning laws, to restrict the use of land surrounding the Airport, over which the **City** has regulatory jurisdiction, to activities and purposes compatible with normal Airport operations, set forth in paragraph 21 of the Assurances incorporated by reference into the Grant Agreements ("Assurances"); and
 - (b) The failure of the Airport Authority, or any of the Airport Authority's officers, agents, employees, or contractors, to comply in any respect with any of the requirements, obligations or duties imposed on the Sponsor by the Grant Agreements, or reasonably related to or inferred there from, other than the Sponsor's zoning and land use obligations under Paragraph 21 of the Assurances, which are the **City's** responsibility for lands surrounding the Airport over which it has regulatory jurisdiction.
3. By its execution of this Agreement, the Airport Authority hereby agrees to comply with each and every requirement of the Sponsor, set forth in the Grant Agreements, or reasonably required in connection therewith, other than the zoning and land use requirements set forth in paragraph 21 of the Assurances, in recognition of the fact that the Airport Authority does not have the power to effect the zoning and land use regulations required by said paragraph.
4. By its execution of this Agreement and the Grant Agreement, the **City** agrees to comply with the zoning and land use requirements of paragraph 21 of the Assurances, with respect to all lands surrounding the Airport that are subject to the **City's** regulatory jurisdiction. The City also hereby warrants and represents that, in accordance with paragraph 6 of the Special Assurances; the Projects contemplated by the Grant Agreements are consistent with present plans of the **City** for the development of the area surrounding the Airport.
5. The parties hereby warrant and represent that, by the **City's** execution of the Grant Agreements, as a co-sponsor, pursuant to the FAA's request, the **City** is not a co-owner, agent, partner, joint venture, or representative of the Airport Authority in the ownership, management or administration of the Airport, and the Airport Authority is, and remains, the sole owner of the Airport, and solely responsible for the operation and management of the Airport.

Done and entered into on the date first set forth above.

GRAND JUNCTION REGIONAL AIRPORT
AUTHORITY

By _____
Authorized Representative

CITY OF GRAND JUNCTION

By _____
Authorized Representative

RESOLUTION __-19

AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT(S) IN SUPPORT OF THE
RUNWAY CONSTRUCTION AND RELATED IMPROVEMENT PROJECTS AT GRAND
JUNCTION REGIONAL AIRPORT

RECITALS:

In 2016 the Grand Junction Regional Airport Authority (GJRAA) began a multi-year program to relocate the primary runway and as the runway is relocated provide certain ancillary improvements to fencing, utilities, pipe/storm water construction, earthwork, ponds and a “runway object free area road.” The Federal Aviation Administration (FAA) has offered to provide funding to assist with the completion of this work. Together, and four purposes of this Resolution, this work is referred to as the “Projects” which are individually and collectively intended to improve air service at the Airport.

The GJRAA has received a grant offer from the FAA in the amount \$3,500,00.00 for the Projects. The City and Mesa County, as co-sponsors of the GJRAA, must execute the Grant Offers. Acceptance of the grants has no direct fiscal impact or spending requirement on the City.

Having been fully advised in the premises, the City Council by and with this Resolution affirms and directs the execution of the Grant Offers and Agreement(s) from the Federal Aviation Administration in the amount of \$3,500,000.00 in support of the Projects described generally herein and in more detail in the Grant Offer and Agreement(s).

NOW THEREFORE, the City Council of the City of Grand Junction authorizes the execution of the Grant Agreements(s) in the amount of \$3,500,000.00 in support of the Grand Junction Regional Airport Authority and the Airport Improvement Program Projects, AIP Grant #3-08-0027-063-2019.

Rick Taggart
President of the Council and Mayor

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #5.a.i.

Meeting Date: August 21, 2019

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

A Resolution Accepting the Petition for Annexation of 19.608 Acres of Land and Ordinances Annexing and Zoning the Maverick Estates Annexation to R-4 (Residential - 4 du/ac), Located at 2428 H Road - Continued from May 1, 2019

RECOMMENDATION:

Planning Commission heard the Zone of Annexation request at its March 26, 2019 meeting and forwarded a recommendation (5 -2) to City Council to zone the property R-4.

EXECUTIVE SUMMARY:

GJ Maverick Investments LLC ("Applicant"), is requesting annexation and a zone of annexation to R-4 (Residential – 4 du/ac) for the Maverick Estates Annexation. The approximately 17.50-acre parcel ("Property") is located on the north side of H Road, between 24 and 24 ½ Roads. The Property is currently vacant but was once a sod farm. The Property has a Comprehensive Plan Future Land Use Map designation of Residential Medium Low (2 – 4 du/ac), R-4 zoning is consistent with this Comprehensive Plan designation.

The hearing for the annexation and zoning was continued to August 21, 2019 to ensure requisite noticing of the annexation for properties along the "flagpole" portion of the annexation. Staff re-noticed in accordance with statute and City Code.

The proposed annexation will be conducted as a five-part "Serial Annexation" as provided by State law. The proposed annexation also includes an additional 2.099-acres of the adjacent 24 ¼ Road and H Road rights-of-way. The owner is requesting

annexation in anticipation of future residential development of the property, which is anticipated to constitute "annexable development" and as such is required to annex in accordance with the 1998 Persigo Agreement.

BACKGROUND OR DETAILED INFORMATION:

The Maverick Estates Annexation consists of one, vacant 17.50-acre parcel of land located at 2428 H Road, and 2.099-acres of the 24 ¼ Road and H Road rights-of-way. The annexation area was modified from previous annexation maps to exclude a 60' wide strip along the eastern boundary of Maverick Estates Annexation No. 5, which was the vacated Green Flash Drive right-of-way, as well as slight modification to Annexation No. 3 and 4 within the 24 ¼ Road right-of-way. The Applicant wishes to annex the property into the City limits in anticipation of future residential development. The Applicant is requesting a zoning for the Property of R-4 (Residential – 4 du/ac).

The Property is currently not in City limits, however it is within the Persigo 201 boundary and is annexable development as defined in the Persigo Agreement. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation by the City. The Property owner acknowledges the necessity of annexation and has signed a petition to annex the Property.

This Property was annexed into the Persigo 201 Sewer Service Area by the Mesa County Commissioner's and City Council, acting as the Persigo Board in August, 2018. Sewer is available at the intersection of 24 and H Roads. Connection to sanitary sewer would be the responsibility of the potential developer.

Staff has found, based on review of the petition and knowledge of applicable State law, including the Municipal Annexation Act (C.R.S. 31-12-104) that the Maverick Estates Annexation is eligible to be annexed because:

a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

The Annexation Petition has been signed by the current 100% property owner.

b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;

The proposed annexation is being conducted as a five-part "Serial Annexation." This method of annexation is allowed by State law and City Staff have ensured that each of the five annexations meets the required one-sixth contiguity to existing City limits per State statute.

c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

The Property is located within the Urban Development Boundary as well as the Persigo 201 Service Area. As identified in the Comprehensive Plan, this area has been contemplated for annexation into the City and is proximate to other properties within City limits. The nearest incorporated property is approximately 1,000 feet from this Property and is located in an area logical for City expansion.

d) The area is or will be urbanized in the near future;

The Comprehensive Plan Future Land Use Map identifies the Property as Residential Medium Low (2 - 4 du/ac). The recommended zoning of R-4 is in compliance with this designation. The Property is anticipated to develop at urban level densities (greater than 1 dwelling unit per 2 acres) therefore, has been found that the Property will be urbanizing in the near future.

e) The area is capable of being integrated with the City;

The Property is located within the Persigo 201 Sewer Service Area and capable of being provided wastewater treatment services. In addition, the Property is near areas already served by City service providers and thus Staff finds the Property is capable of being integrated with the City.

f) No land held in identical ownership is being divided by the proposed annexation;

No land under the same ownership is being divided by the proposed annexation.

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

The property proposed for annexation is less than 20 acres in size.

The proposed annexation and zoning schedule with a summary is attached.

The surrounding area is largely undeveloped or under-developed consisting of larger acreage in a relatively rural setting. The property is currently in the County and retains a County zoning of AFT (Agricultural, Forestry, Transitional) and adjacent properties are also zoned AFT and RSF-E (Residential Single Family – Estate) in the County. Adjacent properties range in size from 1.41 acres to 20.7 acres that contain single-

family detached homes. The subject property has a Future Land Use designation of Residential Medium Low (2 – 4 du/ac).

A Neighborhood Meeting regarding the proposed annexation, zoning and potential subdivision design was held on January 17, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant and City staff were in attendance along with over eighteen citizens. Main comments and concerns expressed by the attendees centered on the proposed density and the additional traffic that this development will generate. The application for annexation and zoning was submitted to the City on January 18, 2019.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning & Development Code. The subject Property was posted with an application sign on February 15, 2019. 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 March 15, 2019. Public notice of the Planning Commission public hearing was published March 19, 2019 in the Grand Junction Daily Sentinel. Additional notification cards were also sent to surrounding property owners within 1000 feet of the entire annex area, including the additional annexable right-of-way areas on August 7, 2019 to provide notification of the August 21, 2019 City Council meeting.

ZONING ANALYSIS

The review criteria is set forth in Section 21.02.140 (a). The criteria 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 rezoning criteria as identified:

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

The property owner has petitioned for annexation into the City limits with a requested zoning district of R-4 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium Low (2 – 4 du/ac). Because the property is being annexed, a City zoning designation is required, based on the Future Land Use Map, R-4 is appropriate. Also, the annexation and zoning is in accordance with the Persigo Agreement between Mesa County and the City of Grand Junction, which states that all new development shall be annexed into the City limits. For these reasons, Staff has found this criterion has been met.

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

The adoption of the Comprehensive Plan in 2010, designated this Property as Residential Medium Low (2 – 4 du/ac). The Applicant is requesting a zone district that is consistent with the density range allowed by the Residential Medium Low category. Property is also located within the Urban Development Boundary and Persigo 201 Sewer Service Area which require annexation for developable properties. The character and/or condition of the area has not changed in recent years as the adjacent residential properties are currently large acreage and have not yet fully developed, however, the requested zone district is compatible with the Comprehensive Plan designation. Staff is unable to identify any apparent change of character and/or condition and therefore, staff finds that this criterion has not been met.

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

Adequate public and community facilities and services are available to the Property and are sufficient to serve land uses associated with the R-4 zone district. Ute Water is presently available within the H Road right-of-way. City sanitary sewer would need to be extended to the property from the intersection of H and 24 Roads but is viable to extend to this area. The Property can also be served by Xcel Energy natural gas and Grand Valley Power electricity. A short distance away to the west is Appleton Elementary School and further to the southwest along 24 Road is Canyon View Park. Further to the south along Patterson Road are commercial retail centers that includes Mesa Mall, offices, convenience stores with gas islands, restaurants, commercial businesses and a grocery store. Community Hospital is also nearby on G Road.

The area is served by Fire Station #3, however response times are longer than other areas due to the distance from the fire station. Response time is estimated to be 6 to 8 minutes from time of dispatch for an emergency call for service, which is longer than National Fire Protection Association response time standards. The City has been working to address the current and future fire and EMS coverage demands of this area and is planning for a new Fire Station at 23 and H Roads.

Water and sewer services are available to this Property.

This Property is within the Ute Water District service area. There is a 24-inch water line run along the H Road bordering this property.

The Property was approved for inclusion into the Persigo 201 Sewer Service Area by the Persigo Board on 8/23/18. A determination was made at that time that the Property can be served by the Persigo wastewater system. however, the Property does not currently have a sewer connection.

(4) An inadequate supply of suitably designated land is available in the community, as

defined by the presiding body, to accommodate the proposed land use; and/or

The property and surrounding area is designated on the Comprehensive Plan Future Land Use Map as Residential Medium Low (2 – 4 du/ac) with Residential Medium (4 – 8 du/ac) further to the East and West. The proposed zoning designation of R-4 meets with the intent of achieving the desired overall density as provided by the Comprehensive Plan for the property, with this request, to develop at the high end of the Residential Medium Low (2 – 4 du/ac) category. For the area east of 24 Road, currently has no R-4 zoning. The lack of supply for this zone type impedes the ability to provide a density in this area consistent with the range of density as allowed by the Comprehensive Plan. Staff therefore finds that there is an inadequate supply of the requested zoning designations in the area and that the criterion to has been met.

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

The community and area will benefit from this proposed request. Annexation and zoning of the Property will create consistent land use jurisdiction within the City in accordance with the Persigo Agreement with the County. The requested zone will also provide an opportunity for housing within a range of density that is consistent with the Comprehensive Plan to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types and densities; a key principle in the Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. Though other zone districts could also be considered, the R-4 zone district is consistent with the recommendations of the Plan's Future Land Use Map.

In addition to the zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Medium Low (2 – 4 du/ac) for the subject property.

R-R (Residential - Rural)
R-E (Residential - Estate)
R-1 (Residential – 1 du/ac)
R-2 (Residential – 2 du/ac)
R-5 (Residential – 5 du/ac)

In reviewing the other zoning options for the Residential Medium Low designation, all

zoning districts allow single-family detached residential development as an allowed land use. However, the residential zone districts of R-R, R-E and R-1, would have a lower overall maximum density than what the Comprehensive Plan anticipates for this Property and area of the community and the R-5 zone district would allow more density.

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

Goal 1 / Policy A: Land use decisions will be consistent with Future Land Use Map.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy C: Increasing the capacity of housing developers to meet housing demand.

FISCAL IMPACT:

The provision of municipal services will be consistent with properties in the City. Property tax levies and municipal sales/use tax will be collected, as applicable, upon annexation. Based on the current assessed values of the annexation area and prior to development, the City property tax revenue is estimated to be \$51.60 annually. Sales and use tax revenues will be dependent on construction activity and consumer spending on City taxable items for residential and commercial uses.

Currently the Property is in the Grand Junction Rural Fire Protection District (Rural District) which is served by the Grand Junction Fire Department through a contract with the Rural District. The Rural District collects a 5.938 mill levy that generates \$38.30 per year in property taxes that are passed on to the City of Grand Junction per the contract. If annexed, the property will be excluded from the Rural District and the City's 8 mills will generate \$51.60 per year prior to development and an estimated \$16,600 per year after full development (assuming 68 units at an average of \$425,000 per unit) will need to pay for not only fire and emergency medical services but also other City services provided to the area. City services as discussed below are supported by a combination of property taxes and sales/use taxes.

The Fire Department does not have a record of responding to this location for any incidents and with an estimated build out of 68 units, the increase in incident volume is estimated to be minimal at 5-10 fire and EMS calls annually. The area is served by Fire Station #3, however, response times are longer than other areas due to the distance from the fire station. Response time is estimated to be 6-8 minutes from time of

dispatch for an emergent call for service, which is longer than National Fire Protection Association response time standards. The City has been working to address the current and future fire and EMS coverage demands of this area and is planning for a new Fire Station at 23 and H Road.

Streets

24 ¼ Road is a half street with a cul-de-sac that was constructed in 2008 or 2009 as part of Albino Estates Subdivision. There is approximately 19,500 square feet / 850 linear feet of pavement on 24 ¼ Road along with approximately 850 linear feet of 7-foot curb, gutter and sidewalk all in good condition.

A 680 ft. section of H Road is also included in this annexation. The asphalt is approximately 22 feet in width with 2-foot road based shoulders and concluding in borrow ditches. There is presently no curb, gutter, sidewalk or street lights present on H Road. There is approximately 15,000 sq. ft. of pavement in H Road to be maintained that is estimated at a Pavement Condition Index in the low 60's.

Future chip seal costs for these roads is estimated at \$9,500 and is planned as part this area's normal chip seal cycle in the next five years. Annual maintenance cost for the annexation is estimated at approximately \$246/year to sweep, stripe and sign, and maintain the 1550 ft. of borrow ditches. There are no street lights.

The cost to construct the 680 ft. section of H Road to a collector road (3 lanes with curb, gutter, sidewalk and bike lanes both sides) is estimated at \$650,000.

Utilities

Water and sewer services are available to this Property.

This Property is within the Ute Water District service area. There is a 24-inch water line run along the H Road bordering this property.

The Property was approved for inclusion into the Persigo 201 Sewer Service Area by the Persigo Board on 8/23/18. A determination was made at that time that the Property can be served by the Persigo wastewater system. However, the Property does not currently have a sewer connection.

Plant Capacity: Based on a Future Land Use of Residential Medium Low, this 17.38-acre property could be developed with up to 68 dwelling units. The Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently receives approximately 8 million gallons per day. The anticipated additional flow associated with this project is 12,000 gallons per day.

Staff have determined that the wastewater treatment plant has sufficient capacity to treat the additional wastewater from this property when developed.

Ability to Serve Area: An existing 8-inch sanitary sewer located at H Road and 24 Road, would need to be extended approximately 1,400 feet to serve this Property. There is capacity in the sewer line to accommodate future development of this Property with 68 dwelling units.

Staff has determined that the City has the ability to serve the Property if sewer is extended from H Road and 24 Road to the subject Property.

Sewer Service Charges: Monthly sewer service rates for single family units are \$22.40. These rates have been determined sufficient to cover the cost of service.

SUGGESTED MOTION:

I move to (adopt/deny), Resolution No. 52-19, a resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that property known as the Maverick Estates Annexation, located at 2428 H Road, is eligible for annexation, Ordinance No. 4852, an ordinance annexing territory to the City of Grand Junction, Colorado, Maverick Estates Annexation approximately 19.608-acres, located at 2428 H Road, on final passage and order final publication in pamphlet form and Ordinance No. 4853, an ordinance zoning the Maverick Estates Annexation to R-4 (Residential - 4 du/ac), located at 2428 H Road, on final passage and order final publication in pamphlet form.

Attachments

1. Maverick Estates Annexation Schedule & Summary - August 2019
2. Site Location & Zoning Maps, etc.
3. Planning Commission Minutes - 2019 - March 26
4. Annexation Impact Report to Mesa County
5. Neighborhood Meeting Minutes and Public Comments Received (January - April)
6. Public Correspondence Received (April)
7. Public Correspondence Received (May - August)
8. Public Correspondence Received (8-19-19)
9. Public Correspondence Received (8-21-19)
10. Email from School District (2 - Emails)
11. Mesa County Letter of Concerns - 8-14-19
12. Public Hearing Notice Card
13. Resolution Accepting Petition for Annexation
14. Annexation Ordinance
15. Zoning Ordinance

MAVERICK ESTATES ANNEXATION SCHEDULE

July 17, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
March 26, 2019	Planning Commission considers Zone of Annexation
April 17, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
August 21, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
September 22, 2019	Effective date of Annexation

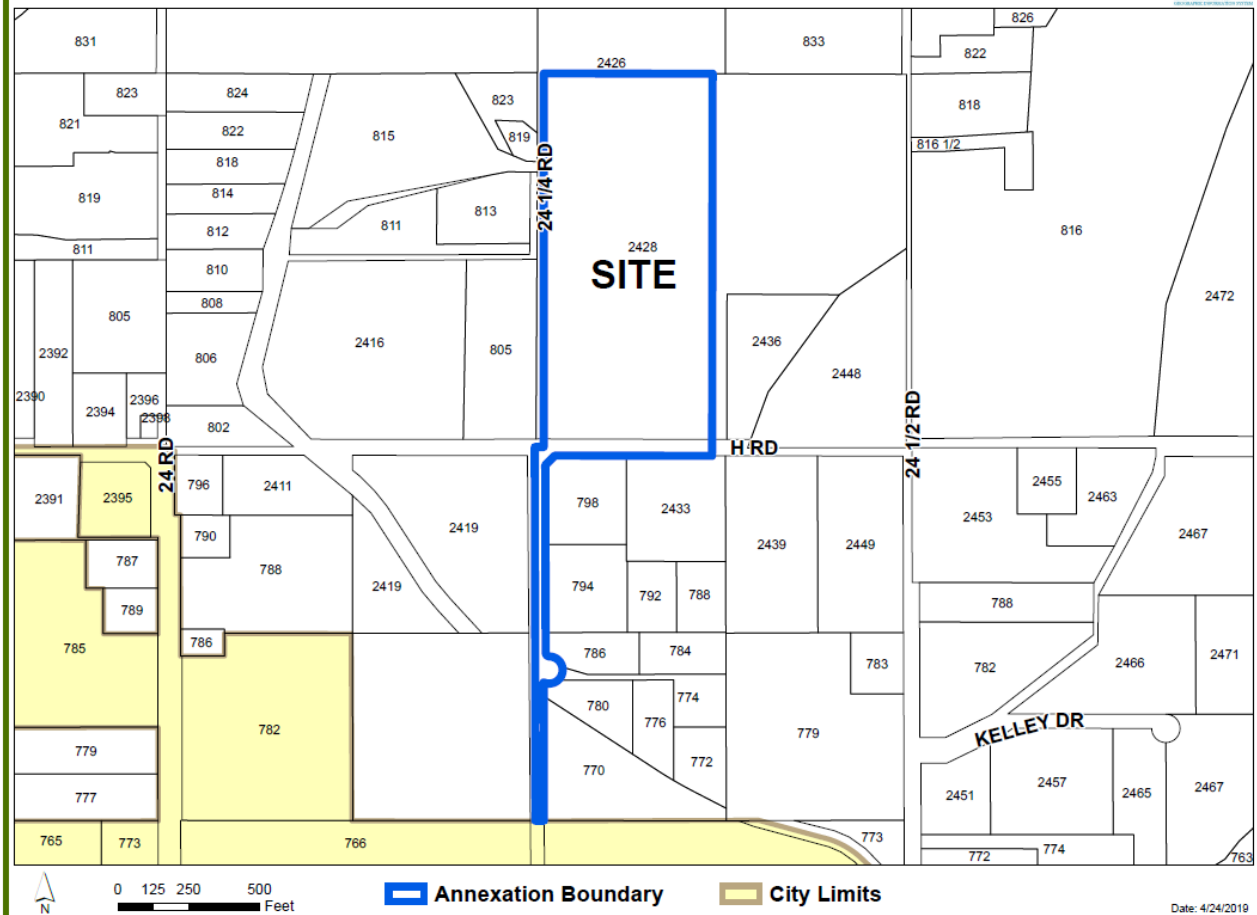
ANNEXATION SUMMARY

File Number:		ANX-2019-37
Location:		2428 H Road
Tax ID Numbers:		2701-283-04-001
# of Parcels:		1
Existing Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		19.608
Developable Acres Remaining:		17.50
Right-of-way in Annexation:		2.099 acres
Previous County Zoning:		AFT (Agricultural, Forestry, Transitional)
Proposed City Zoning:		R-4 (Residential – 4 du/ac)
Current Land Use:		Vacant land
Future Land Use:		Residential Medium Low (2 – 4 du/ac)
Values:	Assessed:	\$6,450
	Actual:	\$22,230
Address Ranges:		2428 H Road
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	GVIC/GVDD
	School:	Fruita Monument HS / Fruita Middle / Appleton Elementary
	Pest:	Grand River Mosquito Control District

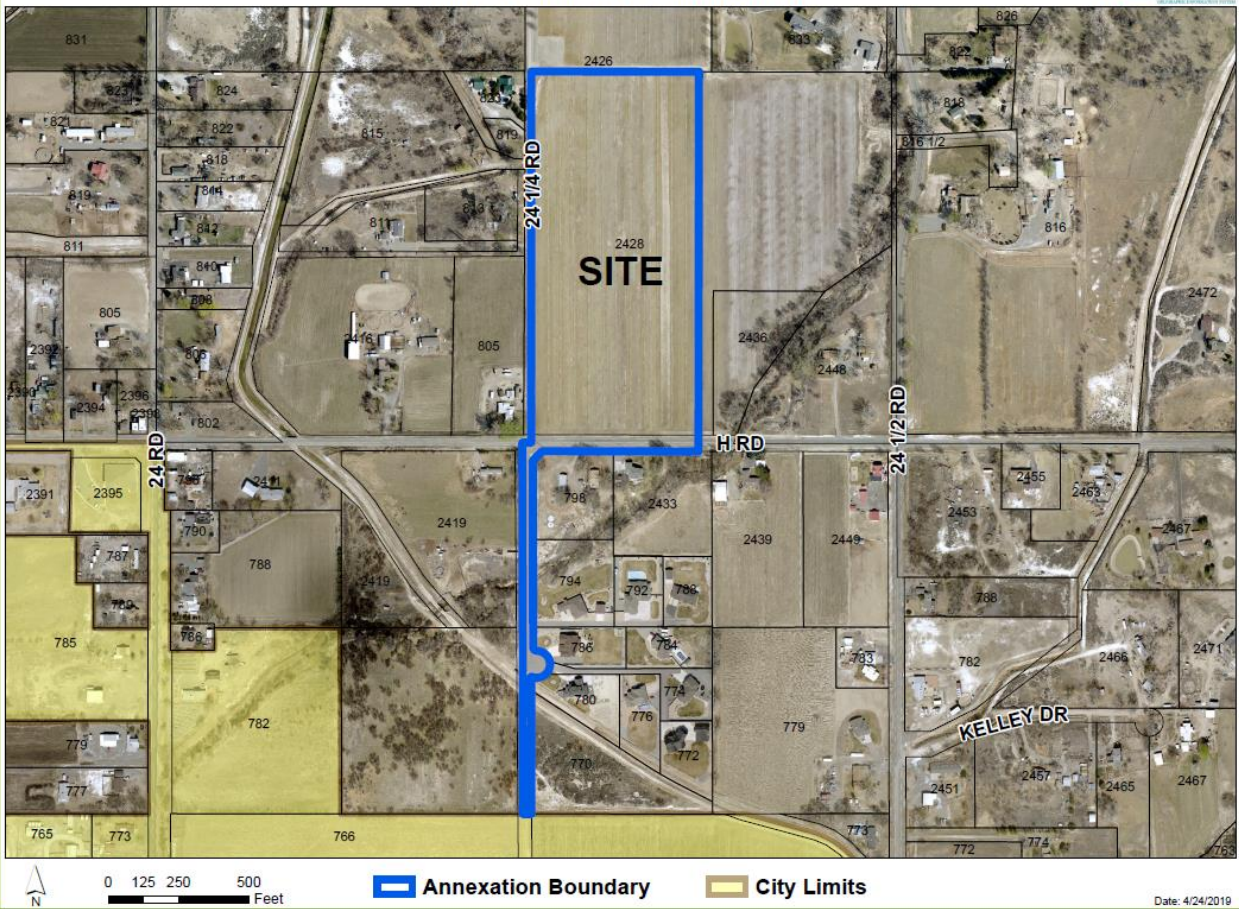
Expanded City Limits Location Map



CITY OF
Grand Junction
COLORADO
ADMINISTRATIVE SERVICES

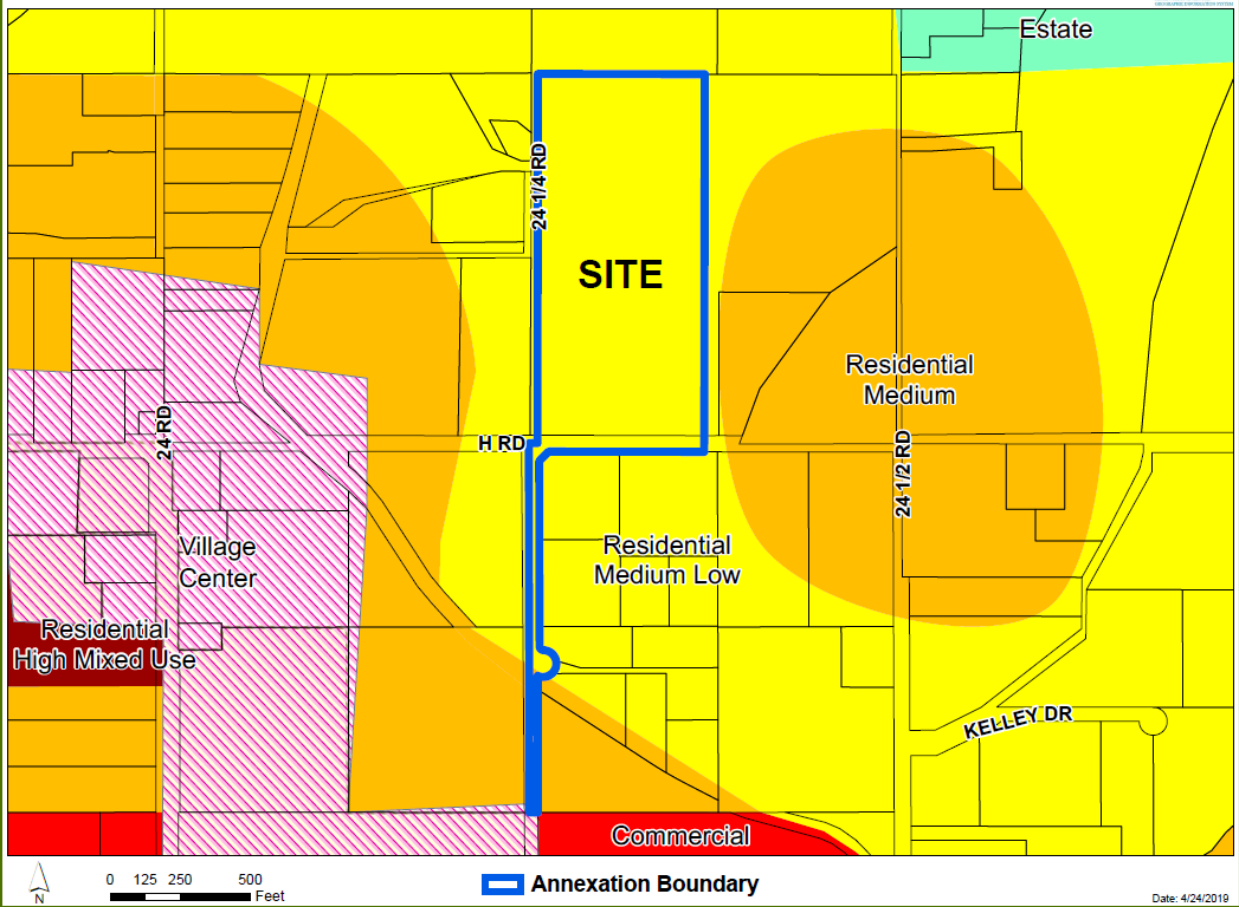


CITY OF
Grand Junction
COLORADO
ADMINISTRATIVE SERVICES



Maverick Estates Annexation - Future Land Use

City of Grand Junction
COLORADO
COMMITMENT TO EXCELLENCE
SUSTAINABLE COMMUNITIES FOR THE FUTURE



The map displays a variety of land use zones color-coded as follows:

- Residential Medium:** Yellow
- Residential Medium Low:** Orange
- Residential Low:** Light Green
- Residential Medium High:** Dark Green
- Commercial:** Red
- Industrial:** Brown
- Office:** Light Blue
- Community Center:** Dark Blue
- Park:** Green
- Water:** Blue

Key roads and features include:

- 24 Road:** A major road running vertically through the center of the map.
- H Road:** A road running horizontally across the middle of the map.
- I-70:** A major highway running horizontally at the bottom of the map.
- Site:** A specific location marked with a blue rectangle in the yellow Residential Medium zone.
- Future Land Use Map:** A map showing the planned future land use for the area.

Site

H Road

(4 – 8 du/ac)

(2 – 4 du/ac)

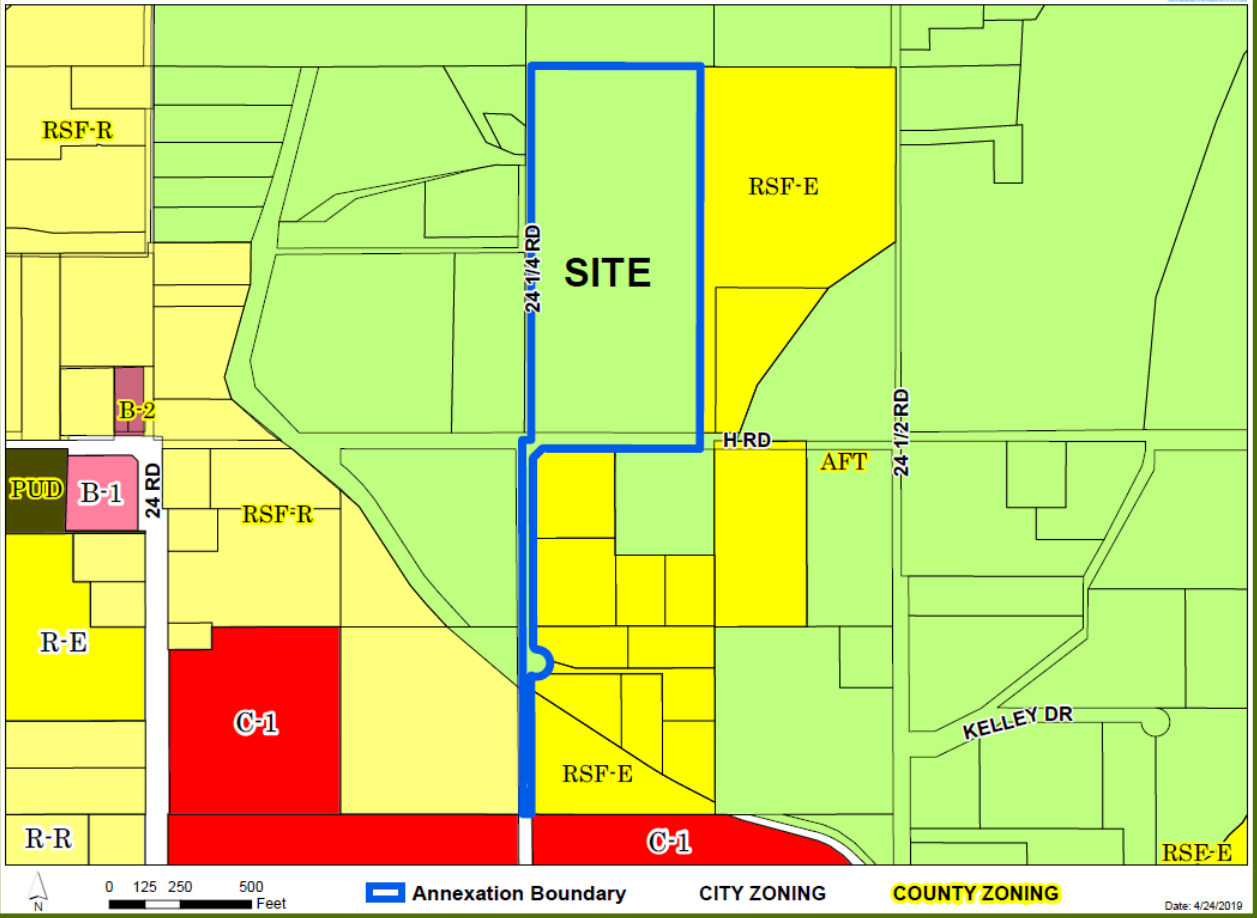
24 Road

24 1/2 Road

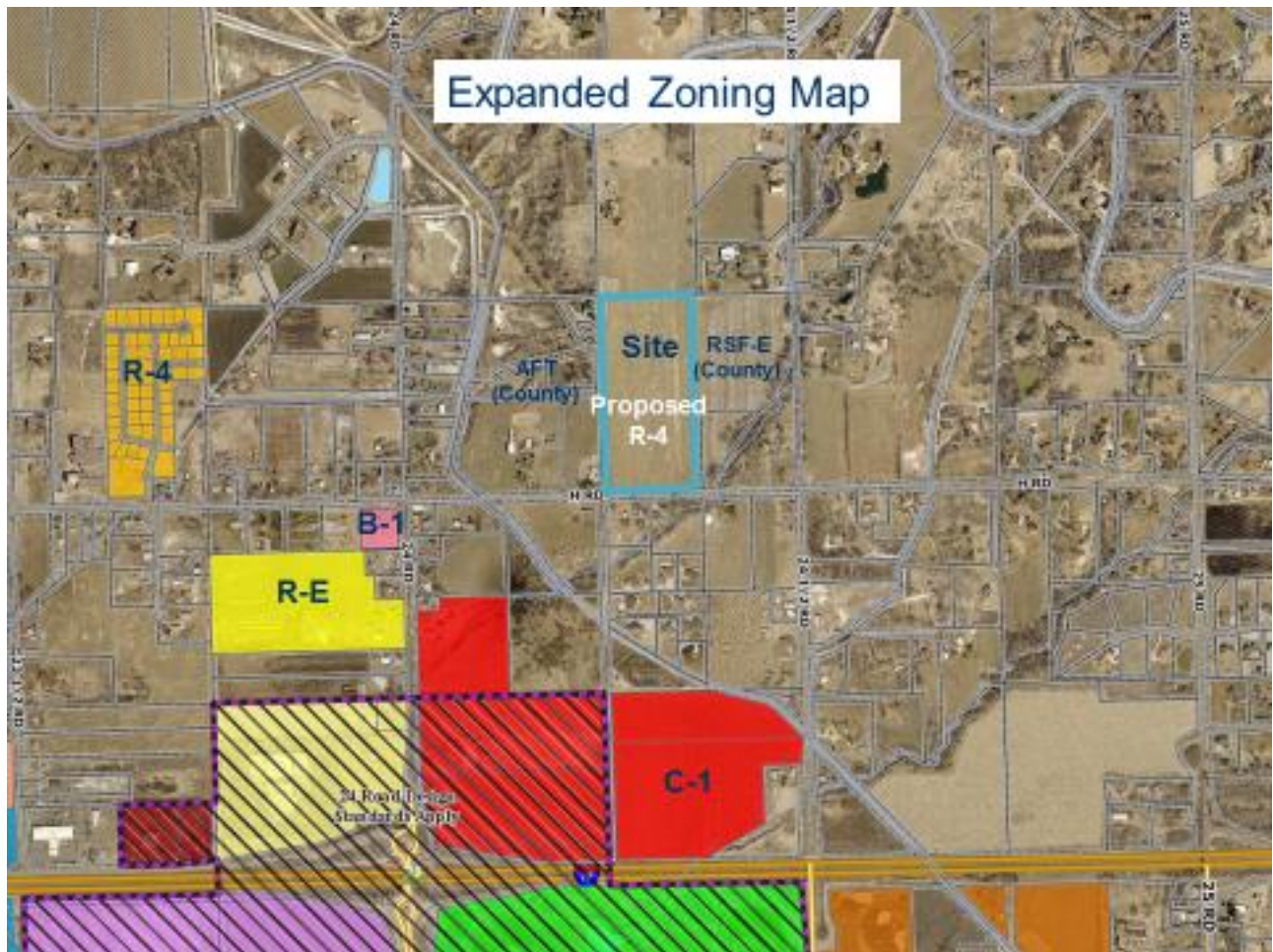
1-70

C 117 RD

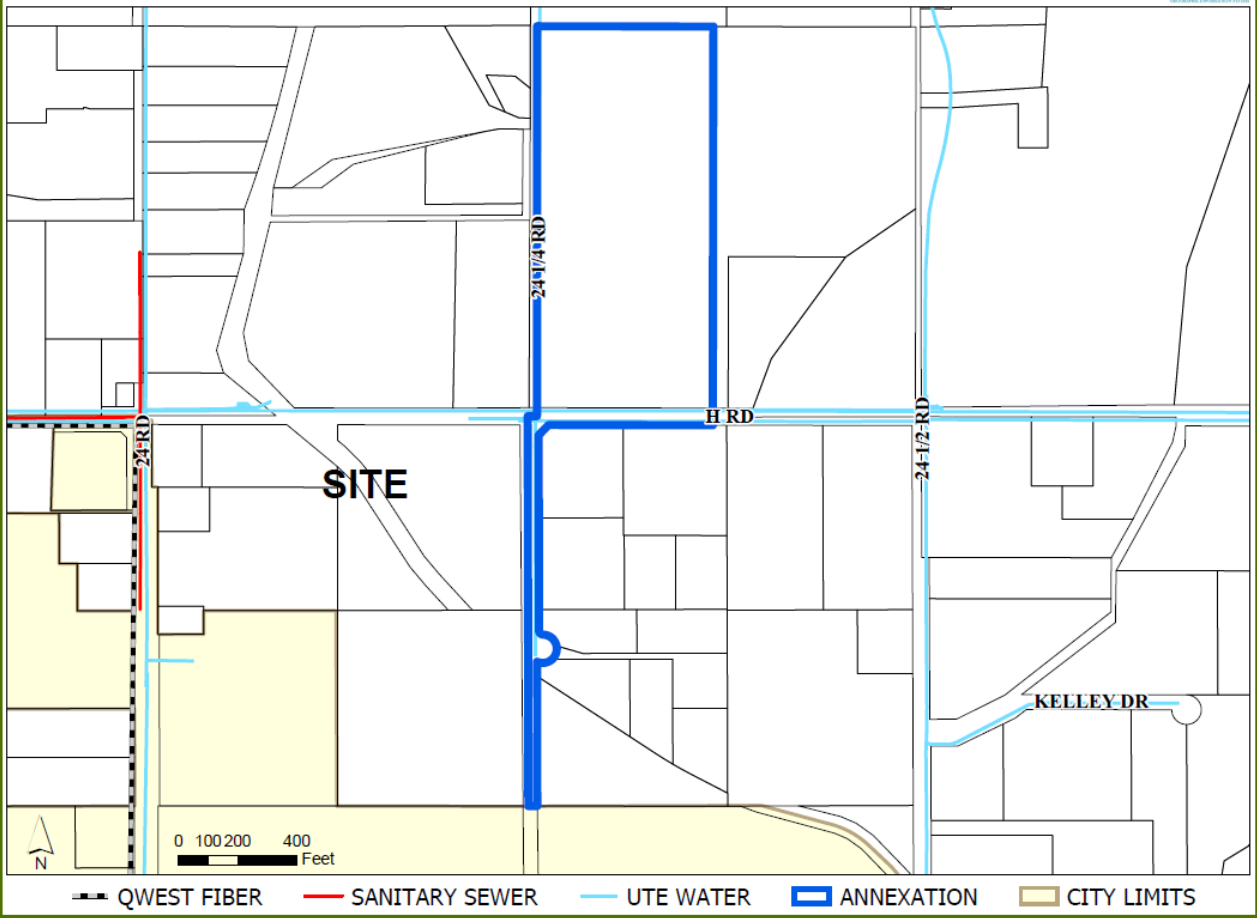
Maverick Estates Annexation - Zoning



Expanded Zoning Map



Maverick Estates Annexation - Utilities





View of property from H Road

GRAND JUNCTION PLANNING COMMISSION
March 26, 2019 MINUTES
6:10 p.m.

The meeting of the Planning Commission was called to order at 6:10 p.m. by Chair Reece.

Those present were Planning Commissioners; Christian Reece, Bill Wade, George Gatseos, Kathy Deppe, Sam Susuras, Keith Ehlers and Andrew Teske.

Also present were Community Development Department - Tamra Allen, (Community Development Director), Kathy Portner (Community Services Manager) and Andrew Gingerich, (Associate Planner).

Deputy City Attorney Jamie Beard and Secretary Lydia Reynolds.

There were approximately 90 citizens in attendance during the meeting.

1. Minutes of Previous Meetings

The Planning Commission reviewed the meeting minutes from the February 26, 2019 meeting.

Chair Reece asked for a motion to approve the minutes. Commissioner Wade moved to approve the minutes. Commissioner Gatseos seconded the motion.

The motion passed unanimously by a vote of 7-0.

2. Horizon Drive BID Trail Network Plan – CONTINUED TO THE April 23, 2019 Planning Commission Hearing FILE # CPA-2019-110

Consider a request to amend the Comprehensive Plan to include the Horizon Drive Business Improvement District (BID) Trail Network Plan as part of the Grand Junction Circulation Plan.

This item was continued to April 23, 2019.

3. Maverik Estates Zone of Annexation FILE# ANX-2019-37

Consider a request to zone 17.71 +/- acres from County AFT (Agricultural, Forestry, Transitional) to a City R-4 (Residential - 4 du/ac) zone district in anticipation of future residential subdivision development.

Staff Presentation

Kathy Portner, (Community Services Manager) gave a PowerPoint presentation of the proposed zoning of the Maverick Estates annexation.

Commissioner Questions

Commissioner Wade asked if there was a requirement for public notice for inclusion in the Persigo 201 boundary. Ms. Portner explained the notice requirement, which had been met.

Commissioner Susuras asked what the cost of the new housing would be or if it would be low-income housing. Ms. Portner explained that this is a zone of annexation request and that information is not known at this stage.

Applicant Presentation

Richard Livingston stated he was present to represent the applicant. Mr. Livingston stated that change occurs in communities and it is expected. Mr. Livingston added that the code and plans do not allow him to speak to the details of the proposed development, but he must address only the zone of annexation. Mr. Livingston stated that the next step would be to submit a subdivision application. Mr. Livingston stated that the requested R-4 is consistent with the future land use plans for Grand Junction.

Questions for Applicant

Commissioner Gatseos asked if the applicant was aware of the opposition to this zone and if so, what have they done to address those concerns.

Mr. Livingston noted that they started with the appropriate zone district for that site. Mr. Livingston stated that the market will dictate development, so even if they get the zone district of R-4, the development may not happen.

Public Comment

Bob Fuoco stated he was representing several neighbors. Mr. Fuoco presented slides of the site, housing types and Mr. Fuoco stated that they would like to see R-E or R-1 zoning for this site. Mr. Fuoco asked why the City doesn't wait until the new Master Plan is done.

Commissioner Wade noted that the Future Land Use Master Planning will take 18 months and development will not stop during that time.

Mr. Ross stated he was speaking as an educator, parent and represented a core group of neighbors and expressed concerns about the impact on the schools.

Commissioner Ehlers noted that saying no to everything will not work. Mr. Ross asked for 1 unit per acre.

Diane Gallegos stated she was representing about 12 neighbors. Ms. Gallegos stated that they do not want tract homes. Ms. Gallegos stated that the developer knew the neighborhood did not want R-4 and they want to see R-1. Ms. Gallegos noted that there had been instances in the area that were downzoned even though the Comprehensive Plan had shown more intense zoning.

Cynthia Komlo stated that she moved to Grand Junction in 1981 and that she enjoys the natural space in the area. Ms. Komlo asked if Maverick owns the entrance to the site and

addressed her concerns about traffic and emergency response times. Ms. Komlo stated she was speaking for three neighbors.

LaNona Wyatt stated that her property borders the site and she was representing a neighbor as well. Ms. Wyatt stated that if the area is built out as planned they would need more police and higher fences. Ms. Wyatt addressed concerns about irrigation water, buffering and the schools.

Jane White stated her family runs a small cattle ranch and has been there 51 years. Ms. White noted that there is not enough lighting, sidewalks or trails in the new subdivisions in the area. Ms. White stated that there is a lot of traffic off of 25 Rd. and between F and H Rds. headed to the desert and stated that she has concerns about the amount of people that recreate in the desert.

Patrick Page stated that he has concerns about the wildlife in the area. Dr. Page stated he grew up in downtown Grand Junction and now lives in the Appleton area. Dr. Page was concerned about the precedence that this density will set for the area.

Dave Zollner stated that the density does not fit the area. Mr. Zolner was concerned about the traffic capacity for the bridge.

Marcus Costopolous expressed concern about additional development that this may trigger and felt that the R-1 zoning would be more appropriate. Mr. Costopolous stated that in this day and age, public notification should be improved.

Jorden Leigh referred to the site map and pointed out a couple features that he felt was not correct.

Karen Keeter was concerned about the amount of traffic that this density will generate. Ms. Keeter stated that she grows hay and has animals and was concerned that new neighbors will complain.

Steve Hillard stated he moved here recently to enjoy a certain quality of life. Mr. Hillard stated he would like the project tabled until after the Comprehensive Plan is completed or see R-1 zoning density.

Glen Gallegos did not feel the project belongs at this location. Mr. Gallegos was concerned about government overreach.

Ron Abeloe stated that he supported the density and he understands that R-4 is a maximum and once streets and other features are laid out the density goes down. Mr. Abeloe has property that he plans to develop and wants to make sure his rights are protected as well. Mr. Abeloe noted that development needs to be thoughtful, however, more density is needed to urbanize the area.

Commissioner Gatseos asked if R-1 is not reasonable. Mr. Abeloe stated that more density is needed to make the necessary improvements.

Bret Pomrenke noted that he lives in the Appleton area and asked the Commission to recognize that the majority of the neighbors do not want an R-4 density.

Ms. Chizel was concerned about the schools, emergency services and the bridge.

Mr. Fuoco asked if Mr. Abeloe was a resident of the Appleton area as he claimed.

Applicant Rebuttal

Mr. Livingston noted that North Ave. used to be the northern border. Over the years, properties changed from rural to urban and most likely neighbors were upset at the time. Mr. Livingston noted that the only thing constant is change.

Commissioner Discussion

Commissioner Gatseos appealed to the public present to participate in the Comprehensive Planning process. Commissioner Gatseos reminded the audience that they are not the final say for the zoning, the City Council will decide.

Commissioner Deppe stated that she has been out to the site and does not feel that R-4 is appropriate. Commissioner Deppe felt there is a market for larger parcels and that she will be voting no tonight.

Commissioner Wade commented that there are school plans, infrastructure plans and other plans that are in place. Commissioner Wade reminded the audience that their duty is to make sure the criteria in the code is met and if it complies with the Comprehensive Plan. Commissioner Wade stated that he personally feels that this is not a good fit, however, it does comply with the evaluation criteria.

Commissioner Susuras stated that the proposed zoning meets the criteria and he will vote in favor of the project.

Commissioner Teske asked Commissioner Deppe why she would vote no if it meets the criteria. Commissioner Deppe stated that just because it looks one way on paper, does not make it right.

Commissioner Ehlers complimented the audience on their civility. He noted that there are constraints on many of the properties in the area to allow for the recommended density; however, he was concerned about urban sprawl and the costs of extending infrastructure. Commissioner Ehlers encouraged a diverse range of housing and stated that he looks at the whole city and if it is right for the community.

Chairman Reece stated that putting R-4 next to agriculture is not buffering. Chairman Reece stated that this is not feathering out as the Comprehensive Plan intended.

Chairman Reece stated that there are no balanced transportation systems in place other than having to drive on the rural road. Chairman Reece stated she is not in favor of this density.

Commissioner Ehlers asked Ms. Portner about the buffering. Ms. Portner responded that the Code provides for the consideration of buffering between different uses and densities through design, which might include varying lot sizes, as well as screening and buffering through the use of fencing and landscaping.

Chairman Reece stated that she did a Zillow search for ½ acre lots (with or without homes built) and there were none.

Commissioner Gatseos stated that he felt the item should go to a vote and send it on to City Council.

Commissioner Deppe stated that she is concerned with the criteria #2 that the services are not there as the staff report had indicated.

Motion and Vote

Commissioner Ehlers made the following motion: Madam Chairman, on the Zone of Annexation for the Maverick Estates Annexation to R-4 (Residential – 4 du/ac), file number ANX-2019-37, 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 Susuras seconded the motion.

The motion carried by a vote of 5-2.

4. Corner Square Pod G ODP Amendment FILE #PLD-2019-84

Consider a request to amend a Planned Development for Pod G of the Corner Square development to allow Group Living as a use, increase the maximum building size to 65,000 square feet and modify the phasing schedule.

Staff Presentation

Ms. Portner presented the request. Commissioner Ehlers asked if the building increase was just for assisted living. Ms. Portner responded that it was.

Applicant Presentation

Ted Ciavonne, representing the applicant, stated that this was a request to allow for an assisted living center that needs a larger footprint.

Public Comment

Penny Frankhouser stated that nothing in this Planned Development has gone as planned. Ms. Frankhouser asked if this assisted living was market tested.

Commissioner Ehlers asked what she didn't like about the proposal. Ms. Frankhouser expressed concern about building without a plan and that other buildings have vacancies.

Applicant Response

Mr. Ciavonne noted that the project started in 2007 and he is not aware of all the changes Ms. Frankhouser spoke of. Mr. Ciavonne feels the plan has followed the original plan over 12 years however there were some changes made due to the market.

Motion and Vote

Commissioner Gatseos made the following motion: Madam Chairman, on the request to approve the request for a Planned Development ODP amendment as presented in file PLD-2019-84, I move that the Planning Commission forward a recommendation of approval with the findings of fact as listed in the staff report. Commissioner Susuras seconded the motion.

The motion passed unanimously by a vote of 7-0.

5. The Riverfront at Dos Rios Rezone to PD and ODP FILE #PLD-2019-115

Consider a request to approve a rezone to Planned Development and an Outline Development Plan for the Riverfront at Dos Rios, located on the northeast bank of the Colorado River between Highway 50 and Hale Avenue.

Staff Presentation

Ms. Portner presented the request.

Questions for Staff

Chairman Reece noticed that some of the uses were somewhat intense and questioned if they were compatible. Ms. Portner stated that there are design standards required as well as a road separation.

Public Comments

Jen Taylor expressed support for the development of this area and recognized the cultural and historic neighborhood.

Commissioner Discussion

Commissioner Wade stated that the community would be more vibrant with this development.

Commissioner Gatseos noted that this is a perfect example of good development.

Motion and Vote

Commissioner Wade made the following motion: Madam Chairman, on the Rezone to Planned Development (PD) with a BP (Business Park) default zone district and an Outline Development Plan for a mixed use development, file number PLD-2019-115, 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 Susuras seconded the motion.

The motion passed unanimously by a vote of 7-0.

6. Halls Estates Filing 4 Rezone

FILE #RZN-2018-774

Consider a request to rezone 5.12 acres from a City PD (Planned Development) zone district to a City R-12 (Residential - 12 DU/Acre) and a City R-16 (Residential - 16 DU/Acre) zone district.

Staff Presentation

Andrew Gingerich gave a PowerPoint presentation of the proposed rezone request.

Applicant Presentation

Jeffery Fleming stated he was representing the developer. Mr. Fleming gave a brief overview of the proposal.

Questions for Staff

Commissioner Wade asked about the comment regarding parking problems on F ¾. Mr. Gingerich stated he was made aware of it through the public comment.

Motion and Vote

Commissioner Deppe made the following motion: Madam Chairman, on the Rezone request RZN-2018-774, I move that the Planning Commission forward a recommendation of approval for the Rezone of Lot 113 of Brookwillow Village Filing III from an expired PD (Planned Development) zone district to an R-12 (Residential - 12 DU/Acre) zone district and an R-16 (Residential - 16 DU/Acre) zone district, with the findings of fact listed in the staff report. Commissioner Wade seconded the motion.

The motion passed unanimously by a vote of 7-0.

7. Daughtery Easement Vacation

FILE #VAC-2019-88

Consider a request to vacate a public easement, located at 2560 Corral Dr. which is no longer needed.

Staff Presentation

Andrew Gingerich presented the request.

Questions for Staff

Commissioner Gatseos asked about the 14-foot easement. Mr. Gingerich stated that was a city standard easement dedication.

Motion and Vote

Commissioner Gatseos made the following motion: Madam Chair, on the request to vacate a 10-foot wide public utility easement located on the property at 2560 Corral

Drive, file number VAC-2019-88, I move that the Planning Commission forward a recommendation of approval with the findings of fact listed in the staff report. Commissioner Susuras seconded the motion.

The motion passed unanimously by a vote of 7-0.

8. Impact Fees Text Amendment

FILE #ZCA-2019-116

Consider a Request to Amendment the Zoning and Development Code concerning Infrastructure Standards, Transportation Capacity Payments Including Calculations Thereof, Credit and Approving Consumption-Based Calculation Methodologies.

Staff Presentation

Trent Prall, Public Works Director, presented the request on behalf of the City. Ms. Allen noted that impact fees for other components such as parks, administration, etc. are being considered and are part of a pending consultant study. Ms. Allen stated that there has been public comment that requested that the item be tabled until the study of the other fees is completed.

Questions for Staff

Commissioner Susuras asked if other fees were coming out. Mr. Prall stated that there is a June workshop that will address other fees. Commissioner Susuras asked if they considered a 4-year plan and why all the fees were not considered at the same time. Chairman Reece asked if a study was done to see if this increase will slow down development.

Commissioner Susuras asked if there was a review date as a result of this action to review to see if the city is losing construction business. Mr. Prall stated that it would be hard to separate the impact of one particular fee increase. Chairman Reece thought it was possible to use other communities that don't increase fees as benchmarks. Ms. Allen agreed with Mr. Prall that it would be difficult to compare to other communities.

Commissioner Ehlers asked if there were other options considered. Ms. Allen responded that the recommendations are based in a spirit of compromise. Ms. Allen stated that many options were considered.

Commissioner Gatseos asked how the roads would be affected if no increases were made. Mr. Prall explained the impact on the budget if no increases were made. Mr. Prall noted that the Riverside Parkway debt will be paid off in 2024 which was a major expansion project.

Commissioner Ehlers noted that road corridors have trails and other amenities that are costly.

Public Comments

Rebekah Scarrow stated that the Grand Junction Chamber of Commerce was present earlier and she was representing them as well. They recommend that all the fees are

reviewed at the same time rather than this TCP fee now. Ms. Scarrow pointed out that the fees are not scheduled to increase until 2020, so waiting to review all the fees would be timely. Ms. Scarrow pointed out a few of the commercial fees that seemed extensive and the market will need time to absorb that.

Steve Voytilla stated that as a builder, he is not opposed to an increase, but he feels that it is fair not to raise the fees on projects in the works. The cost analysis was done with the expectation of certain fees.

Commissioner Teske asked if the “fee locking” feature was what he had a concern about. Mr. Voytilla stated that he anticipated a certain amount of fees as he entered the project and he feels it is fair to allow those projects to be completed with the old schedule.

Kelly Maves stated she and her husband are both in the development business. Ms. Maves stated that there is already an affordability issue with the local wages and housing prices. Appraisals will not support this increase.

Shawna Grieger stated she is the Executive Director of the Western Colorado Contractors Association. Ms. Grieger asked the Commission to realize that the fees need to be looked at comprehensively. She would like to see a community task force to study the fees.

Commissioner Ehlers asked Ms. Grieger what she thinks the solution is. Ms. Grieger stated that the contractor would like to see an economy of scale. Commissioner Ehlers asked Ms. Grieger to provide that information. Ms. Grieger said she could provide some information however many contractors don't have the time to work on this and tax dollars support studies like this. Ms. Grieger asked for a minimum of a 4-year lead for increases.

Kevin Bray noted that he participated in a round table discussion and he sees the value of the increase, however there are benchmarks that projects have that need to be considered. Developers look for predictability in growth.

Michael Maves stated he agreed with Mr. Bray. Mr. Maves gave an overview of non-fee increases he is faced with that adds up to \$20,000 on a \$400,000 home. Mr. Maves stated that they are bumping up against appraisals.

Ron Abeloe reminded the Commission that the City takes 10% off the top. Mr. Abeloe stated that he develops entry level housing and the fees are a large line item in his budget. Mr. Abeloe would like to see a task force of industry professionals to evaluate the fee structure. Mr. Abeloe pointed out that affordable housing is important to a lot of people and maybe more important than some of the transportation improvements.

Jeffery Fleming gave an overview of all the fees that are required.

Commissioner Discussion

Commissioner Gatseos recommended that the item be tabled or go back to the drawing board. Chairman Reece said she has professional experience with the fees at a state

level and that a statewide solution for transportation needs to be part of the consideration. Commissioner Wade agreed that it would be best to table the item. Commissioner Deppe stated that she has been involved in the development of 10 neighborhoods and expressed concern about having standing housing stock because of the costs. Commissioner Deppe commented that the item should be tabled.

Motion and Vote

Commissioner Wade made a motion to remand the item back to staff for additional information. Commissioner Susuras seconded the motion.

The motion passed unanimously by a vote of 7-0.

Item 9. Other Business

There was no other business.

Adjournment

The meeting was adjourned at 11:13 p.m.

MAVERICK ESTATES ANNEXATION
Annexation Impact Report
File #ANX-2019-37

The City Clerk's copy of the Impact Report for the Maverick Estates Annexation does not include a copy of the annexation petition. The Impact Report filed with Mesa County does have a copy of the petition. To review the petition, please refer to the Maverick Estates Annexation petition that has been deposited with the City Clerk. In an effort to conserve space and not be repetitive, the City Clerk's copy of the impact report will be kept with the annexation petition allowing a person to review both at the same time and as a complete file.

July 17, 2019

To File # ANX-2019-37

The Impact Report as required by State Statute 31-12-108.5 has been deposited with the Grand Junction City Clerk for the Maverick Estates Annexation. A second copy will be filed by the City Clerk with the Board of Mesa County Commissioners.

Respectfully,

David Thornton
Principal Planner



July 17, 2019

Mesa County Board of Commissioners
PO Box 20,000
544 Rood Avenue
Grand Junction, CO 81501

RE: Annexation Impact Report

Dear Commissioners:

Enclosed is a copy of the Annexation Impact Report for the Maverick Estates Annexation. This report is required by CRS 31-12-108.5 for proposed annexations in excess of 10 acres. If you have any questions regarding this material, please contact me at (970-244-1450).

Sincerely,

David Thornton
Principal Planner
Community Development Department

MAVERICK ESTATES ANNEXATION IMPACT REPORT

Section 31-12-108.5, C.R.S. provides:

The municipality shall prepare an impact report concerning the proposed annexation at least twenty-five days before the date of the hearing established pursuant to section 31-12-108 and shall file one copy with the board of county commissioners governing the area proposed to be annexed within five days thereafter. Such report shall not be required for annexations of ten acres or less in total area or when the municipality and the board of county commissioners governing the area proposed to be annexed agree that the report may be waived. Such report shall include, as a minimum:

(a) a map or maps of the municipality and adjacent territory to show the following information:

(I) The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;

See enclosed map titled – Maverick Estates Annexation, which shows the property and its proximity to the current city limits.

(II) the present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation; and

The property is accessed from H Road, a developed road in unincorporated Mesa County. Sanitary sewer is available in H Road ¼ mile away at 24 Road and will be required to be extended to the property when urban development occurs by the developer of the property. A 24 inch Ute water line exists in H Road adjacent to the property.

See enclosed map titled – Maverick Estates Annexation - Utilities

(III) The existing and proposed land use pattern in the area to be annexed;

The existing land use pattern is agricultural. The future land use pattern as established In the 2010 Comprehensive Plan adopted by both the City of Grand Junction and Mesa County identifies this property as residential with urban densities of 2 to 4 dwelling units per acre.

See enclosed maps titled – Maverick Estates Annexation and Maverick Estates Annexation - Zoning, which map shows the current City and County zoning in the area; and Maverick Estates Annexation – Future Land Use. which shows the urban land uses planned for the future on this property and neighborhood.

(b) A copy of any draft or final pre-annexation agreement, if available;

No annexation agreements are contemplated for this annexation.

(c) A statement setting forth the plans of the municipality for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or on behalf of the municipality at the time of annexation;

Electric, gas, telephone, and cable television are provided by public utility companies and not the City of Grand Junction. Excel Energy providing gas and Grand Valley Rural Power Company will provide electric service to areas within the annexation. The utilities have represented to the City that they have adequate capacity to serve the area proposed to be annexed. No development is being proposed concurrent with this annexation. Any new development in annexed areas are reviewed at the time of development, not annexation, by the City to ensure that adequate utilities, water, sewer, drainage, and street access are provided to the development and that the provision of these services does not adversely affect existing uses.

Sewer service will continue to be provided by existing sewer service providers. In the annexed area potable water is and will continue to be provided by the Ute Water Conservancy District. Other municipal services provided to the annexed area include City Police (patrol, investigation, and response). Services also include Fire and Emergency Medical Service when annexations occur within the Grand Junction Rural Fire District. Nothing changes with existing services provided by the Fire Department. New services begin following the effective date of the annexation.

(d) A statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed;

Methods of financing extension of municipal services may vary with developed and undeveloped tracts. For undeveloped tracts, the developer will pay to extend services. Other financing mechanisms may be available. For developed areas, sewer service extension will normally be paid by a combination of the benefiting property owners, the City, and/or the Sewer Fund. If water lines are deficient in already developed areas, the developer is responsible for upgrading the system. Participation by the water provider is dependent upon its policies at the time of development.

(e) A statement identifying existing districts within the area to be annexed; and

The following districts are within the area to be annexed:

1. **School District 51**
2. **Ute Water**
3. **Grand Junction Rural Fire District**
4. **Grand Valley Irrigation**
5. **Grand Valley Drainage**

6. **Grand River Mosquito District**
7. **Grand Valley Pest Control District**
8. **Mesa County Library**
9. **Colorado River Water Conservancy**

(f) A statement on the effect of annexation upon local-public school district systems, including the estimated number of students generated and the capital construction required to educate such students.

School District 51 serves both incorporated and unincorporated areas in the Grand Valley. Annexation of any area in the Grand Valley will have no effect on the numbers or distribution of children attending School District 51 facilities. Current and historical development patterns have shown that housing density is not affected by whether a residential development occurs in the County or City. Regarding the Maverick Annexation District 51 responded with the following, "Mesa County Valley School District 51 has no questions or comments at this time regarding the Maverick Estates Annexation. We anticipate student enrollment to increase slightly as these are developed, but those are taken into account in our long range planning and future assessments."

<u>MAVERICK ESTATES ANNEXATION SCHEDULE</u>	
July 17, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
March 26, 2019	Planning Commission considers Zone of Annexation
April 17, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
August 21, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
September 22, 2019	Effective date of Annexation
<u>ANNEXATION SUMMARY</u>	
File Number:	ANX-2019-37
Location:	2428 H Road
Tax ID Numbers:	2701-283-04-001
# of Parcels:	1
Existing Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	0
Acres land annexed:	19.608
Developable Acres Remaining:	17.50

Right-of-way in Annexation:		2.099 acres
Previous County Zoning:		AFT (Agricultural, Forestry, Transitional)
Proposed City Zoning:		R-4 (Residential – 4 du/ac)
Current Land Use:		Vacant land
Future Land Use:		Residential Medium Low (2 – 4 du/ac)
Values:	Assessed:	\$6,450
	Actual:	\$22,230
Address Ranges:		2428 H Road
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	GVIC/GVDD
	School:	Fruita Monument HS / Fruita Middle / Appleton Elementary
	Pest:	Grand River Mosquito Control District

Maverick Estates Annexation



 Annexation Boundary

 City Limits

Maverick Estates Annexation - Zoning



0 125 250 500 Feet



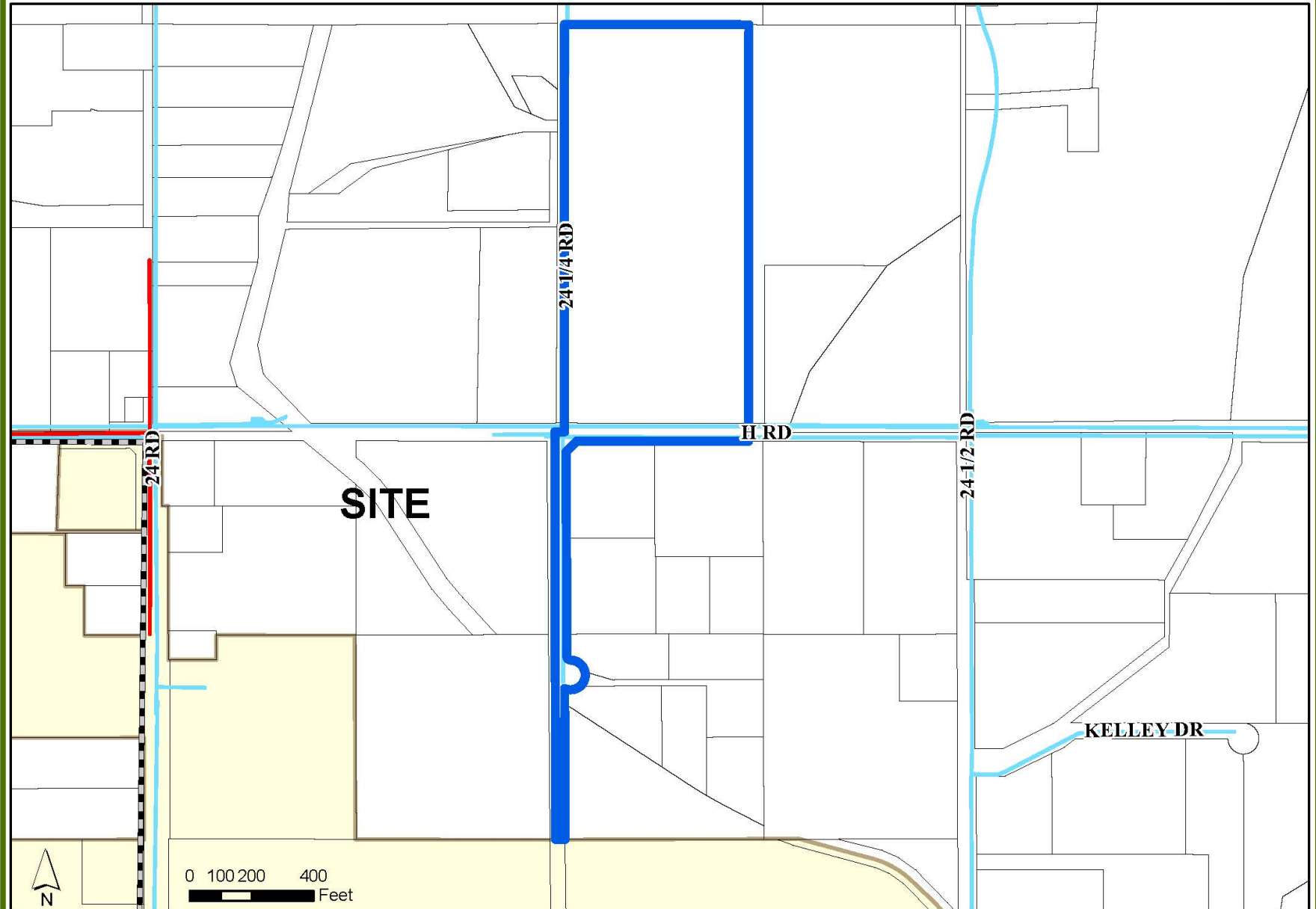
Annexation Boundary

CITY ZONING

COUNTY ZONING

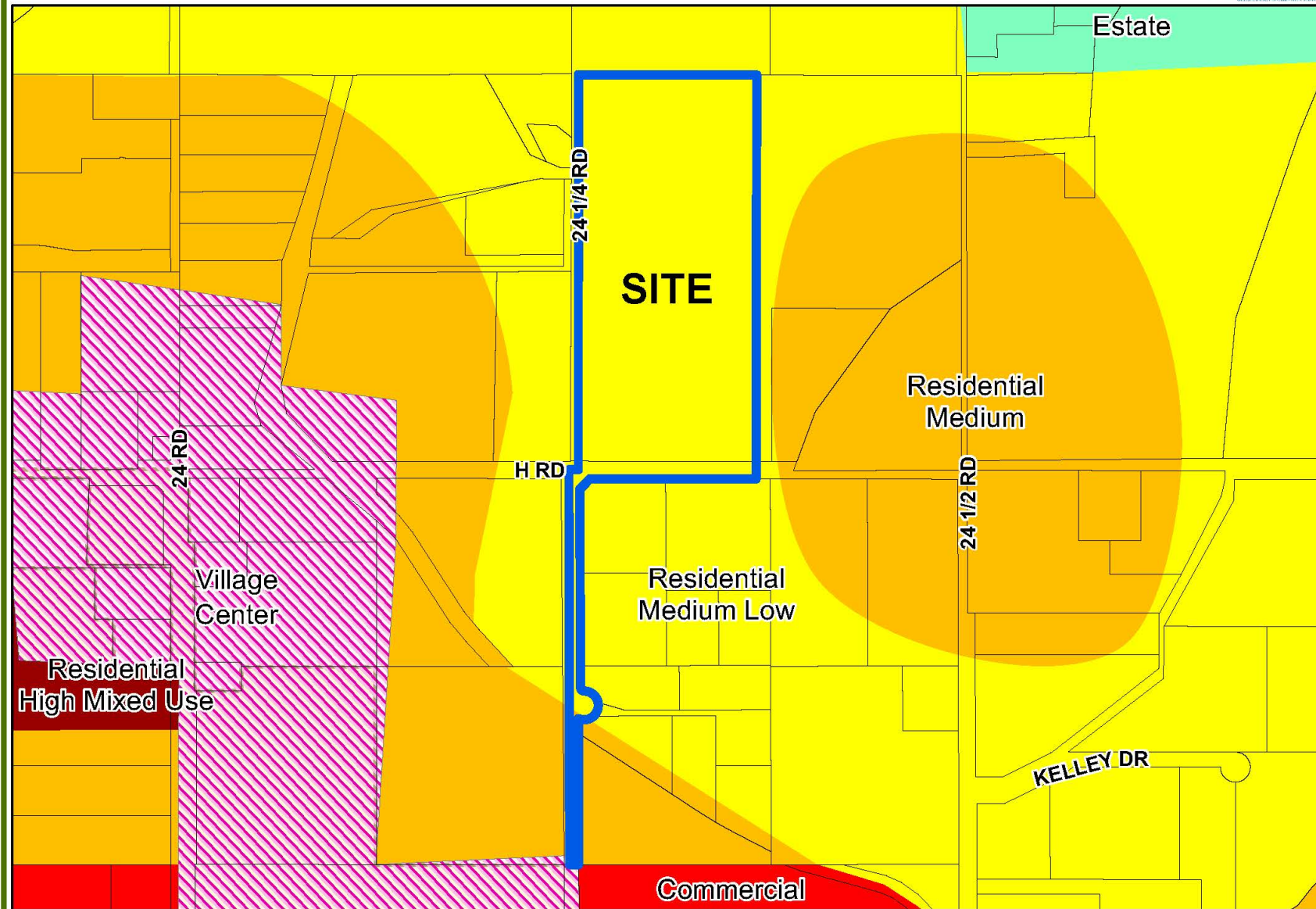
Date: 4/24/2019

Maverick Estates Annexation - Utilities



QWEST FIBER SANITARY SEWER UTE WATER ANNEXATION CITY LIMITS

Maverick Estates Annexation - Future Land Use



0 125 250 500
Feet

 Annexation Boundary

COUNTY OF MESA, STATE OF COLORADO



BEGINNING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 33 and occupying the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto, thence from said Point of Beginning, N 89°50' 30" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24'-0" Road, thence along said West right of way for 24'-0" Road, a distance of 60.00 feet to a point on the South line of the NW 1/4 NW 1/4 of said Section 33, thence N 00°00' 20" E, along said East line, a distance of 50.00 feet to a point on the NW 1/4 NW 1/4 of said Section 33, thence N 00°00' 20" E, along said East line, a distance of 50.00 feet, thence S 89°50' 30" E, a distance of 15.00 feet to a point on the East right of way for said 24'-0" Road, thence S 00°00' 20" E, along said East right of way, a distance of 60.00 feet to a point on the South line of the Northwest Quarter of the Northwest Quarter of Section 33, thence N 89°50' 30" E, along said South line, a distance of 15.00 feet, more or less, to the Point of Beginning.

MERKEL ANNEXATION
ORDINANCE NO. 3948
(BK 4222, PG 543)

[illegible]

This sketch and description contained herein have been derived from cadastral plans and street descriptions as they appear in the office of the Alameda County Clerk and Recorder. This plan does not constitute a legal survey, and is not intended to be used as a means for establishing or settling property boundaries.

PETER F. KROCK, TLS No. 32824
Professional Land Surveyor for the
City of Grand Junction
9443

PRELIMINARY
PLS No. 32824
No. 32824
Professional Land Surveyor
Surveyor for the
tion

THIS IS NOT A BOUNDARY SURVEY

MAVERICK ESTATES
ANNEXATION NO. 1

1
OF
1

GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft.

LINEAL UNITS USED HEREIN - U.S. SURVEY FOOT, AS ESTABLISHED

Remember to Consider: Are you most concerned about legal action based upon any defect in this survey and three years after you first discover such defect, or do most property owners expect legal action to be commenced more than ten years from the date of the notification about a defect?

DRAWN BY	P.T.K.	DATE	02-01-2019
DESIGNED BY		DATE	
CHECKED BY	P.T.K.	DATE	
APPROVED BY		DATE	

SCALE
1" = 30'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

CITY OF
Grand Junction
COLORADO

COUNTY OF MESA, STATE OF COLORADO



A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCEING at the Southeast corner of the Northwest Quarter of the Northeast Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 09°00'20" E; it will all other bearings contained herein being relative thereunto, thence from said Point of Commencement, N 89°50'39" E along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 100.00 feet to the POINT OF BEGINNING; thence from said point of Beginning, counterclockwise as follows: S 07°00'20" E, along said West right of way, a distance of 210.00 feet; thence S 89°50'39" E, along said East right of way, a distance of 150.00 feet; thence S 89°50'39" E, a distance of 150.00 feet to a point on the East right of way for 26-1/4 Road; thence S 07°00'20" W, along said East right of way, a distance of 100.00 feet; thence N 89°50'39" E, along said East right of way, a distance of 150.00 feet; thence S 89°50'39" E, a distance of 150.00 feet; more or less, to the Point of Beginning.

LOT 6
POMONA PARK SUBDIVISION
2701-332-00-148

POMONA PARK ANNEXATION
ORDINANCE NO. 2825
(BK 2138, PG 814)

MERKEL ANNEXATION
ORDINANCE NO. 3948
(BK 4222, PG 543)

[illegible]

The Swedish and descriptions contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Alcona County Clerk and Recorder, who said does not maintain a town survey, and is not intended to be used in a means for establishing or verifying property boundary lines.

AREA OF ANNEKATION

UNIVERSITY OF CALIFORNIA
 CONTINUING EDUCATION
 APPROVED FOR CREDIT BY
 THE BOARD OF ACCOUNTS
 100 UNIVERSITY AVENUE, SUITE 100, BERKELEY, CA 94702-1000

LEGEND

ANNEX 2: NEW MODEL

2017/06/20 12:50

GRAPHIC SCALE



(18 JULY)

LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED

ORDINANCE NO.
????

EFFECTIVE DATE
 ????

THIS IS NOT A BOUNDARY SURVEY

PRELIMINARY

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction
JG 141

244

According to Unifreeze, the gas meter equipment they used when testing was not a direct fit for the above data. Some parts of the gas flow detector had failed. It is worth noting that after testing upon the meter in the morning, he commented that that the parts from the side of the Unifreeze meter were:

DRAWN BY	
DESIGNED BY	
CHECKED BY	
APPROVED BY	

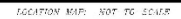
SCALE

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

MAVERICK ESTATES
ANNEXATION NO. 2

COUNTY OF MESA, STATE OF COLORADO



COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter of the NW 1/4 NW 1/4 of the Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 09°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 09°00'20" E, along said East line, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 09°00'20" E, along said East line, a distance of 150.00 feet, thence S 89°59'39" W, a distance of 15.00 feet to a point on the West right of way line of the NW 1/4 NW 1/4 of said Section 33, thence S 89°59'39" W, along said West line, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33, thence S 09°00'20" W, along said East line, a distance of 355.00 feet, thence S 89°59'39" W, a distance of 7.50 feet, thence S 09°00'20" W, a distance of 150.00 feet, thence N 89°59'39" W, a distance of 7.50 feet, more or less, to the Point of Beginning.

[illegible]

The location and description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the West County Clerk and Recorder, and this does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundaries.

PETER T. KIRK, PLS No. 32624
Professional Land Surveyor for the
City of Grand Junction

246

ANALYTICAL DATA	1,329.77
COMPOUND FORMULA	180.00
AREA IN SAMPLE (%)	66.70%
AREA IN REFERENCE	5.12

APR 27 1991

APMA-2000 (Y) OASISAP-
VOL. 2000 (Y) OASISAP-2000

$$E_{\text{eff}} = \frac{E_0}{\sqrt{1 + \frac{1}{2} \left(\frac{v}{c} \right)^2}} \approx E_0 \left(1 - \frac{1}{4} \left(\frac{v}{c} \right)^2 \right)$$

INTEL. UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED

2222

2222

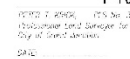
CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

MAVERICK ESTATES
ANNEXATION NO. 3

1	
DF	
1	

COUNTY OF MESA, STATE OF COLORADO

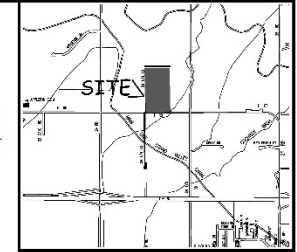


10

MAVERICK ESTATES ANNEXATION NO. 5

LYING IN THE SE 1/4 OF THE SW 1/4 OF SECTION 28 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

SHEET 1 OF 2



DESCRIPTION

A certain parcel of land lying in the South half of the Southwest Quarter (SW 1/2 SW 1/4) of Section 28 and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCEMENT at the Southwest corner of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 28 and assuming the West line of the SE 1/4 SW 1/4 of said Section 28 bears N 0°07'00" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°47'59" E, along the South line of the SE 1/4 SW 1/4 of said Section 28, a distance of 16.50 feet; thence N 0°07'00" W, along the East line of the West one rod (16.50) of the SE 1/4 SW 1/4 of said Section 28, per a Warranty Deed recorded in Book 2103, Page 577, Public Records of Mesa County, Colorado, a distance of 224.02 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 0°07'00" E along said East line, a distance of 106.05 feet to a point on the North line of the SE 1/4 SW 1/4 of said Section 28, said point being 14.50 feet East of the Northwest corner of the SE 1/4 SW 1/4 of said Section 28; thence S 89°45'37" E, along the North line of the SE 1/4 SW 1/4 of said Section 28, a distance of 596.17 feet, more or less, to a point on the West line of Lee Estates No. 2, as same is recorded in Book 4950, Page 125, Public Records of Mesa County, Colorado; thence S 0°11'35" W, along said West line and its Southerly projection, a distance of 139.66 feet to a point on the Southerly right of way for M Road; thence N 89°47'59" W, along said South right of way, a distance of 354.76 feet; thence S 40°00'49" W, a distance of 43.05 feet, more or less, to a point on the East right of way for 24-1/4 Road; thence S 0°00'00" W, along said East right of way, a distance of 662.24 feet; thence N 89°59'40" W, a distance of 22.00 feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence N 0°00'00" E, along the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County, Colorado, a distance of 254.04 feet; thence N 89°53'00" W, a distance of 8.50 feet, more or less, to the Point of Beginning.



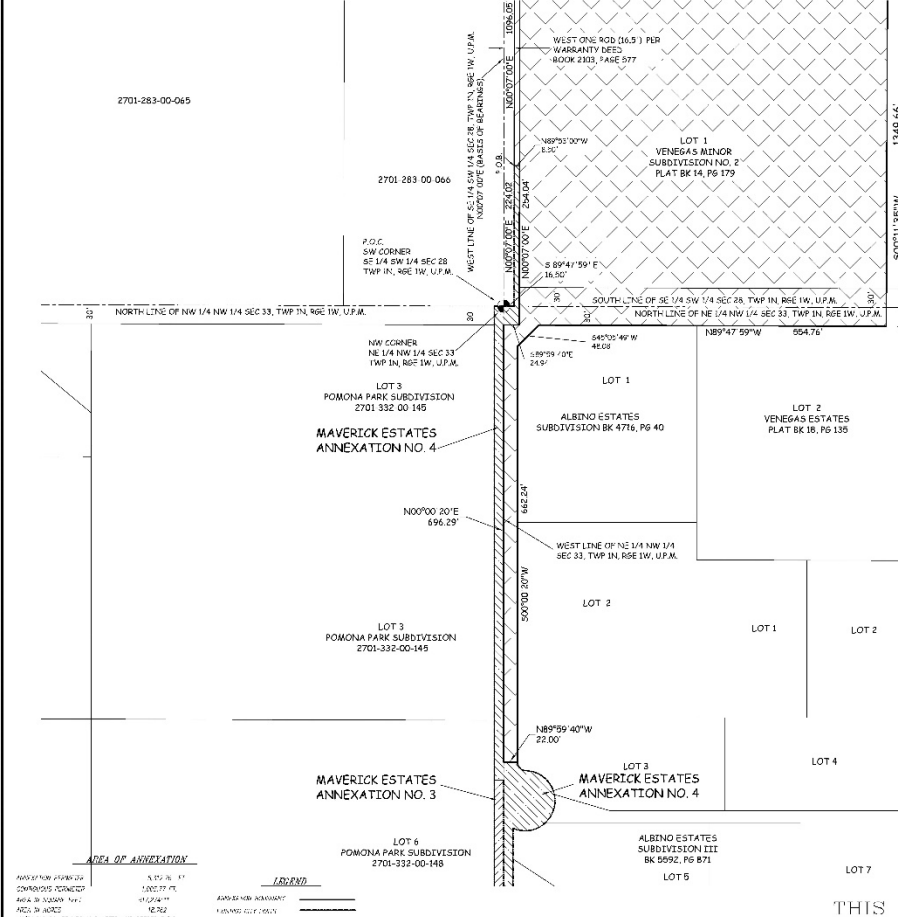
LINEAL UNITS USED HEREIN - U.S. SURVEY FOOT AS ESTABLISHED

ABBREVIATION	MEANING
P.O.B.	POINT OF COMMENCEMENT
P.O.N.	POINT OF BEGINNING
P.O.W.	POINT OF WEST
S.E.	SOUTH EAST
T.B.	TOWNSHIP
R.D.	RANGE
S.E.M.	UTE PRINCIPAL MERIDIAN
W.	WEST
S.E.	SOUTH EAST
E.	EAST
N.	NORTH
W.	WEST
G.L.	GOOD LANDS
C.R.	CORNER
W.C.	WATER COURSE
P.R.	PLAT RECORD
W.C.	WATER COURSE
P.R.	PLAT RECORD

All 34th and 35th range corners marked have been located from astronomical observations and their locations are hereby located in the office of the Mesa County Clerk and Recorder, who shall cause and constitute a legal survey, and is not intended to be used as a means for establishing or settling property boundaries.



THIS IS NOT A BOUNDARY SURVEY



AREA OF ANNEXATION
ANNEXATION NUMBER
SUBDIVISION NUMBER
AREA IN SQUARE FEET
AREA IN ACRES
AREA IN SQUARE FEET AND ACRES

LEGEND
ANNEXATION NUMBER
SUBDIVISION NUMBER

NOTES:
1. All survey lines shown on this map are subject to any and all corrections that may be made by the City of Mesa, Colorado, or any other authority having jurisdiction over the same.

APPROVED BY
DATE

DRAWN BY
DESIGNED BY
CHECKED BY
APPROVED BY

DATE
DATE
DATE
DATE

SCALE
1" = 80'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

MAVERICK ESTATES
ANNEXATION NO. 5

1
OF
2

MEETING SIGN-IN SHEET

Project:
Maverick
Estates

Meeting Date:
January 17,
2019

Facilitator: GJ Maverick Investments LLC

Place: Land & Title
2454 Patterson
Road suite 100

Name	Address	Phone	Fax	E-Mail
Ross B. [Signature]	2704 Marsh Ln	260-2500		
Jane HUSTON	2448 H. Rd.	242-6380		
Sandra Holloway	813 24 1/4 Rd	243-7011		
Ron Ables	764 Continental Ct GJ Co	244-9986		ron@cwihomes.com
BRIAN HAUT	788 24 1/4 RD	243-3162		
Scott PETERSON	CITY PLANNING	244-1447		ScottP@GJATTX.org
Kent Shaffer	405 Rogers Blvd.	243-8300		Kent@fcesj.com
Roger/Patti Beaudin	833 24 1/2 Rd.	250-8859		
[Signature]	833 24 1/2 Rd.			
Brenda Leigh	PO BOX 12 Loma	260-7925		
Linda Lee	Loma	970-216-5757		LEEESSE@msn.com
Jeff Chadil	811 24 1/4	970 433-0414		
Laloua Wyatt	2416 H Rd.	970 242-1910		NT
Johnny Wyatt	"	"		"
Brane Davis	843 24 1/2 R	248-0823		N/A
MIKE DAVIS	"	"		"
Juan Venegas	PO Box 1401 G. J. Co 81502	(970) 261-0903		N/A
Tyler Mundy	2489 Josefine Lane			Tyler@highcountrylawns.com

MEETING SIGN-IN SHEET

Project: Maverick Estates

Meeting Date:
January 17,
2019

Facilitator: GJ Maverick Investments LLC

Place: Land & Title
2454Patterson
Road suite 100

[illegible]

Comment Sheet 2428 H Road

Name Sandra Holloway January 17, 2019

~~Don't want to be annexed into the city~~

Too many houses - Only 2 per acre

Really bad traffic problem

Entrances on H Rd - not 24 1/4 Rd

If there are street lights please have them the
kind that point down - not out

Comment Sheet 2428 H Road

Name Jane Huston

January 17, 2019

Traffic at 24 1/2 + H is already very dangerous. What is your plan to create a safe intersection to accommodate the increased flow of traffic? Can this happen before housing is built?

2428 H Road Annexation Application

Neighborhood Meeting Minutes

Date: January 17 2019 5:30 p.m.

Held: Land & Title Office 2454 Patterson Road, Suite 100

There were twenty people signed in on the attendance sheet including Scott Peterson of City of Grand Junction Public Works & Planning and Kent Shaffer of Rolland Consulting Engineers. There may have been attendees that didn't sign in. An explanation was given for the purpose of the meeting and the steps of the annexation approval process. The meeting lasted approximately an hour.

A concept plan was presented showing a potential road and lot layout

Some of the concerns raised by the attendees were:

1. How long would the project take to construct.
2. Many indicated that larger and fewer lots would be more palatable.
3. Immediate neighbors to the west asked about methods of screening.
4. Discussion about traffic impacts and landscaping requirements
5. Other general discussion regarding the extension of sanitary sewer in H Road east from 24 Road

Some written comments from attendees were given at the meeting, but a few indicated they would email comments directly to the Scott Peterson in City Planning.



LaNona Wyatt
2416 H Road
Grand Junction, Co.
81505

970-242-1910

Jan. 25, 2019

Grand Junction City Planner
Scott Peterson

Sir:

It is with a heavy heart and great sadness that I learned you wanted to take another piece of prime farm land and turn it into a high density housing addition and annex it into the city.

We own the property directly west and have many concerns. We are agricultural with crops and livestock that will be impacted by the people, traffic, noise and domestic animals that an urban development would bring to this area.

Your plan for Maverick Estates Subdivision off H Road at 24¹/₄ Road for fifty four houses with access only from 24¹/₄ Road would generate at a minimum of four people per house that is 216 people - each house would have at least two vehicles or 108 more vehicles at least. If each vehicle goes out and in once a day that is 216 more vehicles on that road in one day but more likely would be 432 times in one day if each goes in and out twice in one day. Then there is the trash pickup, mail delivery, meter readers, repair men, utility company's, delivery units and

it goes on and on.

If the average house cost between \$300,000.00 to \$600,000.00 and the average property tax on all property in this area will go up be it agriculture or Urban. The school will be stressed with more students - at least 108 more.

To summarize:

Who benefits?

The developer by several million

Realtors by thousands in commissions on land, lots, houses, ect.

City from property taxes, building permits, sewer fees, license fees for pets ect.

Utility company from fees monthly bills

Engineers / Surveyors

Who loses? Present landowners

Promotes more high density development in this agricultural area.

Overcrowded schools.

Changes the character of this area from rural to urban.

Increases traffic in an already very heavy traffic area of H and 24 1/4 Roads.

Loss of peace and quiet.

Encourages small agricultural operations out of business.

Effects wildlife habitats, increases noise, ect.

New people in subdivisions use excessive water.

Complain about agricultural activities, smells, ect.

Increases vandalism and crime and endangers livestock and fences.

Makes it even easier for the city to expand its boundaries.

Raises property taxes in this area.

You were elected, appointed or hired to serve the people not just the ones with money but all the people. Do your duty and deny this subdivision!

Sincerely,

LaNona Wyatt

Scott Peterson

From: pamela fox <pamelafox@hotmail.com>
Sent: Tuesday, March 12, 2019 5:17 PM
To: Scott Peterson
Subject: RSF 4 on H rd

I think if the property has sewer then I support a higher density. Pam Fox

Sent from my iPhone

Scott Peterson

From: bfuoco@fuocomotors.com
Sent: Tuesday, February 26, 2019 3:22 PM
To: Scott Peterson
Subject: 2019-37

Hello Scott,

Thanks for speaking with me regarding 2019-37. I have many concern with the project. First and utmost is traffic. I am sure you have experienced the congestion going north on First Street, 25 Road, 24 1/2 Road and 24 Road. I find it ironic the City asking for more sales tax dollars when it is approving projects adding to the City's limits which then put more strain on the City's resources. Second is the requested zoning for the project. The area east of 24 Road and north of H Road is currently unincorporated Mesa County. As such, the typical residence is on lot sizes of one acre and up. A density of four units per acre is not consistent with the surrounding area. The reason for the density, according to the developer is, it is not financially viable to go with larger lots. I am not sure it is Planning Department's mission to make sure developments are "financially viable", especially when they are contrary to the surrounding area.

Third, the surrounding area is not in the City limits. In fact it is not even contiguous with anything in the City limits. You would be creating an island of "City limit" which would increase the usage of City resources without creating a substantial increase in revenue.

Fourth is the fact the property was petitioned to be included in the Persigo service area without any notification. I would have assumed a planning sign would have been posted to notify neighbors of the petition. I have been watching the property since last summer for notice of any meetings. Can you confirm if a notice sign should have been posted on the property and if so, was it?

Fifth is the area still retains some of its agricultural characteristics. There are goats, cattle, horses and of course "chickens" within 1/2 mile of the development. Because of that, predators are not uncommon. We have seen bears, coyotes and lions on our property at 2467 H Road. Because of that we need to retain the ability to protect our animals, and that does not mean with pepper spray. My wife and I built our house in 1984. At that time the smallest parcels were 5 acres. That was lowered to two acres, then one acre. Now the proposal is 1/4 acre. I do not feel it is fair to the existing homeowners to encroach on their investments and lifestyles for the profit of someone who has no interest in the area other than "making a profit".

Please include me on any more notices regarding this project.

Thanks,

Bob Fuoco

PUBLIC COMMENT RECEIVED VIA TELEPHONE:

3-11-19: Diane Gallegos, 2491 I ½ Road. Voiced opposition to proposed annexation and zoning of R-4 (Residential – 4 du/ac).

Scott Peterson

From: Andrew Carlson <awcarlson85@gmail.com>
Sent: Friday, March 15, 2019 8:46 PM
To: Scott Peterson
Subject: Project 2019-37 on 2428 H Road

Greetings,

As a resident on H Road I wanted to voice my concern about project 2019-37 on [2428 H Road](#)

H Road is already quite busy and I'm concerned this project will bring more traffic and noise on H Road which will lower property values in the area. If a development is installed, it would be best if the homes are on larger lots, such as 1/2 an acre or larger so as to not lower local property values, and also to hopefully minimize the ultimate increase in traffic along H road. Before this development proceeds, the widening of H Road should be considered as well, since it is already dangerous with current traffic levels to walk, bike, or jog on this road.

Thank you for your consideration.

Sincerely,

Andrew Carlson

Sent from my iPad

Scott Peterson

From: Peter Carlson <pcarlson91@outlook.com>
Sent: Saturday, March 16, 2019 2:47 PM
To: Scott Peterson
Subject: Project 2019-37 on 2428 H Road

Dear Scott Tipton:

I am opposed to Project 2019-37 being completed on 2428 H Road. I like living in this location because it is a nice rural area to be in, but is still conveniently close to the city to do business.

I am opposed to having such a large number of track homes built on small lots in this area. It would turn this nice rural area into a city.

The amount of traffic that would result from this new addition would be horrendous, not to mention my property value where I live would drop.

I certainly hope you will oppose this project being completed. I would like you to let me know what decision you will make in regards to this matter.

Thank you for your understanding and I am looking forward to hearing from you.

Sincerely,
Peter Carlson
pcarlson91@outlook.com

Scott Peterson

From: rwc & cac <rmlgjco@zoho.com>
Sent: Friday, March 15, 2019 11:57 AM
To: Scott Peterson
Subject: Project 2019-37, 2428 H Rd

I strongly object to this project being in city limits.
We just moved here to be near the city but not in the city.
Now you want to make it city.

I strongly object to this project having track homes on small lots.
68 homes on 17 acres is ridiculous!
The traffic would be horrible!

17 to 34 homes might be more reasonable.
Lots should be at least one acre or larger.
If not, this would seriously affect our property value.
You might be liable for our losses.

Please advise me what you are going to decide to do.

Robert & Caroline Carlson
776 24 1/4 Road
970-260-3725

Scott Peterson

From: Sarah Abraham <dpgraves785@gmail.com>
Sent: Thursday, March 21, 2019 12:44 PM
To: Scott Peterson
Subject: Property at 2428 H Road

Dear Sirs:

We are opposed to the proposed development at 2428 H Road (the former High Country Sod Farm).

The proposed density of 2 to 4 houses per acre (potentially 34-68 houses on 17.3 acres) is far greater than the density for the immediate neighborhood (generally one house on 1+ to 5 acres). This increase will put a great strain on H Road's ability to handle the traffic flow. Already, when Appleton School is out in the afternoon, H Road traffic backs up to 10 to 12 cars deep at the intersection of 24 Road. 34-68 additional residences will also place a strain on the water allocation from the Grand Valley Canal.

Please consider carefully the negative impact on property values and lifestyle in this currently rural area.

Sincerely,

Jim and Sarah Abraham
2387 H Road
Grand Junction, CO 81505

The area between 24 and 25 Road, North of H Rd and south of I Rd takes in approximately 84 properties. The average size per parcel is 7 acres. If you subtract the ten largest parcels the average size only drops to 5 acres. There are only two separately owned parcels under one acre. Those are .57 and .88 acres. Most of the existing homes are on one to ten acre parcels. Most have been there for twenty plus years and were built in conformance with the zoning at that time and most were built with no intention of future division or splits of the property.

Maverick Estates is not compatible with the surrounding area. The lots are proposed to be less than $\frac{1}{4}$ acre. This property represents less than 3 percent of the area but increases the density of the parcel 20 times and the number of property owners by 81 percent.

This property was not included in the original Persigo Boundary and was added in a hearing last August. There was little or no notice given. Because of that, there was no ability for residents to comment. This appears to be a classic example of Spot Zoning which is I believe is not legal in Colorado. Does this not seem to be a radical change for our neighborhood?

For those on the commission who have not been able to visit the area I would like to show you a sample of the existing homes.

In November the City commissioned a Community survey which included housing. I would like to read an excerpt from that study.

10. Residents were asked to rate whether there was an appropriate amount of various housing styles in the City; for each type residents were more likely to say the amount was "just about right" than either too much or too little. Townhomes/condominiums had the highest share of "just about right" responses (68%) while mobile homes had the least (53%). A notable share of respondents indicated there were too many mobile homes (43%). For all

other housing types, a greater share of respondents indicated there were too few than too many; this was particularly the case for townhomes/ condominiums, single-family homes on large lots, and apartments. **Younger residents and newer residents would like to see more single-family homes on large lots .**

I don't think lots where your neighbor's house is a few feet away from your property would be considered large.

The Master growth plan is just a suggestion as to future plans. The commission is certainly able to recognize when a mistake has been made and rectify that mistake. This property should be developed with lower density that would be compatible with the surrounding area and also fill the housing needs requested by Grand Junction's residents. We feel the proposed zoning of R4 is inappropriate and should be changed to RE1. If the commission does not agree we ask they table their decision until the City and County have had time to update the Master Growth Plan which is currently being worked on.

A developer's profits should not be the driving factor for City planning.

Respectfully submitted,

Appleton neighbors

Scott Peterson

From: Kara Arnold <kara.kumquat21@gmail.com>
Sent: Wednesday, March 20, 2019 11:25 AM
To: Scott Peterson
Subject: Project 2019-37 (2428 H Road Proposed Development)

Hi there,

I am writing as a close neighbor in the Appleton area in regards to the old High County Sod Farm on H Road. I will be unable to attend the City meeting, but would like to give my input.

If something MUST be done to this property, and that something MUST be a housing development, then I can honestly say that putting 68 homes on that land will put houses so close together you can hear your neighbors toilet flush. We also don't want to put our area under city limits, so we'd prefer to have the property developed at the original 1 house per 1-5 acres rather than 2 - 4 houses per acre. We do not approve of the density being an R4. We want to keep it the same as surrounding areas!

Thank you.

On behalf of Penny Abney and Kara Arnold (Home owners on H Road)

We are OPPOSED to the 2428 H Rd. Annexation

[Hotdogguru <hotdogguru@aol.com>](mailto:hotdogguru@aol.com)

Tue 3/26/2019 12:43 PM

To: Katherine Portner <kathyp@gjcity.org>;

Annexation of this property and increasing the building density would be detrimental to our neighborhood. Traffic from this direction at Patterson is already clogged at 24 1/2 and 25 roads. It would also adversely affect out property values. We have a history of gladly accepting new neighbors, but increasing housing density as proposed would permanently diminish the quality of the area.

Thank you,

Bob and Colleen Brown
2478 H Court

Project 2019-37, 2428 H. Rd. petitioning the City of Grand Junction to be annexed into the city

Butterfield Ed and Judy <ejb17410@indra.com>

Mon 3/25/2019 9:28 AM

To: Katherine Portner <kathyp@gjcity.org>;

Attention: City Planning Department

Dear Kathy Portner,

The Project 2019-37, 2428 H. Rd. petitioning the City of Grand Junction to be annexed into the city appears to be contrary to the City's adaptation of planned growth that was presented, discussed in open meetings/presentations and adopted.

Unplanned expansive growth beyond the present city boundaries is unnecessary, cost imprudent and deceitful to cooperative spirit and partner planning of our city's growth future. For these reasons, we oppose this unplanned expansion of our city's boundaries and services until the City of Grand Junction and its homeowner partners mutually plan and develop a rational growth model for our future.

Thank you for your attention to our concerns,

Edward and Judy Butterfield
Greystone Estate Home owner
[2502 Greystone Drive](#)
[Grand Junction 81505](#)
970 314

From: rwc & cac [<mailto:rmlgico@zoho.com>]

Sent: Monday, March 18, 2019 12:49 PM

To: Tamra Allen <tamraa@gjcity.org>

Subject: Re: Project 2019-37, 2428 H Rd

R-1 and R-2 would definitely be more fitting the homes on this stretch of H Rd.
Some homes are sitting on as much as 10 acres and is selling for 1.1 million.

Small homes on 1/4 acre selling in the \$400s just seems out of place.

Most people I talked to seem to wish it be on R-1.

R-2 would be a good compromise and they can probably sell for in the \$500s.

From: **rwc & cac** <rmlgjc@zoho.com>
Date: Mon, Mar 18, 2019 at 4:07 AM
Subject: Project 2019-37, 2428 H Rd
To: <tori.kittel@mesacounty.us>

I strongly object to this project being in city limits.
We just moved here to be near the city but not in the city.
Now you want to make it city.
This will also raise our property taxes being in the city limits.

I strongly object to this project having track homes on small lots.
68 homes on 17 acres is ridiculous!
The traffic would be horrible!

17 to 34 homes might be more reasonable.
Lots should be at least one acre or larger.
If not, this would seriously affect our property value.
You might be liable for our losses.

Why not do home development like Greystone on 25 Road north of freeway?
This would fit into our area better.

Where on your website do I find out more about this project?

Please advise me what you are going to decide to do.

Robert & Caroline Carlson

Proposed subdivision Maverick Estates 24 1/2 and H Rd

Kelly Corn <kkdacorn@mac.com>

Mon 3/25/2019 1:01 PM

To: Katherine Portner <kathyp@gjcity.org>;

Dear Kathy,

One of my neighbors gave me your email address for input about a proposed subdivision in our area. My understanding is that they are looking to change the zoning in our area to accommodate the building of a subdivision. If you have more information I would love to have it. Since I have a conflict with Tuesday nights meeting I'd like to give you a few of my opinions about building out in this area.

1. We don't even have a shoulder on the road out here. I walk out on H rd and I walk on the dirt because there is no shoulder on the road. I don't love the idea of building past our infrastructure with the idea that we will catch it up later. Before we add subdivisions out here could we have either a 3 ft shoulder on the road or a sidewalk. The increase in traffic and one would assume, kids would warrant additional area for people to walk on the side of the road since it will no longer be a county road.

2. The existing houses in the area are all on 1-5 acre lots. It would seem fitting to stick with that density, otherwise you are fundamentally changing the entire area.

One more off topic comment if you could pass it along. They recently put in a 4 way stop sign at 24 1/2 and H Road. I just want to thank someone. I think that is going to make that intersection so much safer.

Thank you for reading my comments.

Kelly Corn

[2486 H Ct](#)

[Grand Junction CO](#)

[81505](#)

kkdacorn@mac.com

Scott Peterson

From: Diane Davis <dedavis@acsol.net>
Sent: Wednesday, March 20, 2019 10:57 AM
To: Scott Peterson
Subject: FW: Neighborhood Meeting Minutes 1-17-2019

From: Diane Davis <dedavis@acsol.net>
Sent: Wednesday, March 20, 2019 10:18 AM
To: 'scott@gjcity.org' <scott@gjcity.org>
Cc: 'kathyp@gjcity.org' <kathyp@gjcity.org>
Subject: Neighborhood Meeting Minutes 1-17-2019

March 20, 2019

Dear Mr. Peterson:

I was emailed the minutes of the Neighborhood Meeting for the 2428 H Road Annexation Application. However, stated no-where in these minutes is the opposition voiced by attendees to the annexation and/or the Maverick Estates Subdivision itself. Having attended the meeting I can attest to the fact that we were not there to applaud the proposed subdivision, but to pursue a compromise on the scope of the project.

Mr. Steve Hejl, Registered Agent for GJ Maverick Investments LLC, the developer, did not sign the attendance sheet (Exhibit 4) nor were his commentaries on the "concept plan" noted in the minutes. His statements should be recorded in these minutes as should the objections by the attendees to the annexation and development.

The format of the minutes suggests an outline that is designed for brevity and, I suspect, universally used for meetings such as this. Regrettably, this format does not provide for the expression of the very personal impact this development, and others like it, have on the adjoining community. Presumably these minutes will be part of the developer's documentation in seeking approval for the subdivision in which case, the Grand Junction City Council or Planning Commission staff or anyone reading these minutes might assume that little, if any, opposition was voiced against the annexation, and this was not the case.

If possible please amend the minutes to include the addition of Mr. Hejl's name and title to the meeting's sign-in sheet, a statement noting the attendees' overall opposition to the annexation/development and the signature of the person documenting the minutes.

Thank you,
Diane Davis
843 24 ½ Road
Grand Junction, CO 81505

Maverick Estates

Gary Dean <Gary@rmstores.com>

Mon 3/25/2019 7:17 PM

To: Katherine Portner <kathyp@gjcity.org>; scott@gjcity.org <scott@gjcity.org>;

Planning Commission,

I'm requesting that the planning commission table the Maverick Estates Project until the City of Grand Junction has done a comprehensive plan for the development between 24 Road and 26 Road as the City has done between 22 Road and 24 Road.

When that has been accomplished it will show the proper infrastructure that will be needed for the proposed project even though the developers have successfully petitioned the Persigo Sewer District. The City of Grand Junction needs to address the issue of density before approval.

The typical lot size for this area is 1 to 5 acres because of being a Rural area.

AGAIN....I will say there is NO Comprehensive plan that will allow for more density for a isolated parcel in this area that has no boundaries to the City of Grand Junction.

I'm requesting that this letter be read at the planning meeting since I will be out of the country.

Thank You

Home Owner for over 25 years

Gary & Laura Dean

[2490 H Court](#)

[Grand Junction, Colo 81505](#)

970-260-1588

Sent from my iPad

This email has been scanned by the Symantec Email Security.cloud service.

For more information please contact contact Eastland Technologies, Inc. at sdp@eastlandit.com.

Zoning change on H road.

Daniel Duffey <dufcard@gmail.com>

Mon 3/25/2019 8:21 PM

To: Katherine Portner <kathyp@gjcity.org>;

Just wanted you to know that as a 35 year resident on H road how much it would negatively impact our neighborhood to change our current zoning density. Hope you can let the planning committee know how I feel.

Thank you.

Daniel Duffey

Sent from my iPhone

Proposed Maverick Estates

Fred Fowler <fncfowler@aol.com>

Mon 3/25/2019 2:56 PM

To: Katherine Portner <kathyp@gjcity.org>;

Dear Sirs,

My name is Fred Fowler and my wife Carol and I have owned property at 2485 Sage Run Court since 1984. During the intervening 35 years we have of course seen inevitable change in the Appleton area. That being said, the change and development has always been done in the context and recognition of this area being rural by both historic character and specific contemporary planning guidelines. This character has been accomplished and largely preserved through the considerable effort and foresight of both area residents and related planners working together over many years.

The proposed Maverick Estates development is conceptually at odds with what the area presently is and what has been carefully preserved through the considerable time, energy and effort of many who live in this area as well as local planning departments. To approve the development as proposed is to disregard the history of the area as well as the ongoing desire of those who presently reside there. I would urge you to not approve what would be both anomalously incompatible with the area as well as an affront to all of us who live in the Appleton area.

Sincerely,

Fred & Carol Fowler

Scott Peterson

From: Joan Haberkorn <joaneh@acsol.net>
Sent: Thursday, March 21, 2019 2:40 PM
To: Scott Peterson
Subject: City annexation of 2428 H Road

Dear Scott,

I am writing to oppose the annexation of 17 acres located at 2428 H Road into the city of Grand Junction. A developer has successfully petitioned the city for inclusion of the property into the Persigo Sewer District and wants to be allowed to develop the acreage at a density of 2-4 houses per acre.

We have lived in the Appleton area since 1980. We have seen many changes over the years, worked with the city and county planning departments on several Appleton Plans, and have fought numerous proposed developments with a density not compatible with the area. None of them has been as incongruous as the one currently under consideration. A drive through the area should be sufficient to see why the proposed development is entirely inappropriate for the semi-rural nature of the area with its current zoning of no more than one home per acre. The proposed development is flag-pole annexation at its worst.

We urge you to deny the annexation request and suggest that the developer create a subdivision that enhances the Appleton area or find another property where high density housing is the norm.

Thank you,

Joan Haberkorn

Scott Peterson

From: Thomas Harding <lgharding@hotmail.com>
Sent: Tuesday, March 26, 2019 9:29 AM
To: Scott Peterson; Katherine Portner; dieseldanj@msn.com; Fran
Subject: Project 2019-37, 2428 H Road

Scott and Kathy,

We seem to revisit development plans for the North area over and over. The residents are not opposed to development, but they are opposed to increased density. Increased density changes the character of the area and that is why people moved to the North area. The city and county needs diversity with it's density.

Density of 1 house per acre is what it was changed to several years ago and Greystone was developed out very quickly.

Please do not increase our density !!

Sincerely,

Thomas Harding

President Red Peach Farm HOA

Sent from my iPad

Untitled

Michelle Hill <michhill@gmail.com>

Tue 3/26/2019 5:37 PM

To: Katherine Portner <kathyp@gjcity.org>;

Hi Kathy,

I've just learned I'm not going to be able to make the meeting at City Hall tonight, but feel the need to make my concerns known regarding the proposal to annex the old sod farm on H road into City limits. My husband and I and our young family moved to the north area about 4 and a half years ago because we wanted the lifestyle of more space, and country living. We have loved it out here! Progress/development is great but high density housing is not what this area is about. Please consider strongly enforcing a house per acreage limit more consistent with surrounding zoning. Thanks for your efforts to make our area what it is!

Michelle Hill
818 24 1/2 Rd
970)260-6887

Scott Peterson

From: Lynn Ibarra <Ibanena@msn.com>
Sent: Monday, March 25, 2019 7:50 PM
To: scott@gjcity.org
Subject: Appleton Development at 2428 H road

I own an acre on 24 1/2 road above H road. This email is to protest the construction of 68 homes in this development at 2428 H rd. It has always been a quiet, peaceful and low density area. This will greatly disrupt the tranquility of the neighborhood. It will create noise, traffic, affect property values and taxes and affect overall lifestyle in the community. Plus be an eyesore in such a beautiful and peaceful community.

I realize the project has been approved but hoping the city will reconsider the number of home being built on the 17 acres. I would recommend no more than 2 homes per acre at the most. No need to have the area so crowded with these homes. Sometimes its not about the money but people's quality of life. There will still be money made by the developer and the city.

I wish my comments to be added to this file in protest of 68 homes being built. Please consider an alternative. Please add my address in the event any correspondence is sent out for this project or my email address, which is ibanena@msn.com

Thank you for your consideration.

Lynn Ibarra
1034 Milwaukee Ave.
Los Angeles, CA 90042

From me to you. Lynn 

Project 2019-37, 2428 H Road

Mary Jones <maryjones7539@gmail.com>

Sun 3/24/2019 7:16 PM

To: Katherine Portner <kathyp@gjcity.org>;

No, no, no! My husband and I have lived on the corner of 25 and H Road for over 30 years. I am not an activist, just a concerned citizen who wants to maintain the integrity of my neighborhood. It has been a great place to live. The proposed density is not compatible with surrounding homes that are typically on lots of 1-5 acres. My husband and I remodeled our home based on what we thought the long range plan for the Appleton area would be. This will not only affect our property value, but taxes, traffic congestion and lifestyle in this area. Change is inevitable but this change to add high density housing will have a negative impact to most of the residents of this area and only benefit the developer of this proposed subdivision. Please consider making the zoning for this property R1 (one acre lots).

Sincerely,
Richard and Mary Jones
2495 H Rd

Sent from my iPad

March 24, 2019
Grand Junction Planning Commission
250 North 5th St.
Grand Junction, Colorado 81505

Dan Komlo
852 24 ½ Rd.
Grand Junction, CO 81505

Dear Members of the Planning Commission,

My wife and I live at 852 24 ½ Rd, we purchased our property in 1984 and have been involved in the north Grand Junction planning process since the 80s.

This letter is to urge this planning commission to limit the allowable dwelling density for the Maverick Estates located at 2428 H Rd. to RE1 or 1 acre lots.

I feel many residents in our area have been left out of the previous January 2019 meeting by not being notified through the "Notice Of Public Hearing" mailing, which was limited to only those property owners within 500 foot of the recent neighborhood meeting.

My concerns and objection for limiting the density are as follows:

1. The potential density increase dishonors the past zoning, and ignores the voices of many resident voters who have time and time again objected to higher density in area 6. As recently as August 2017 many of the local Appleton residents met with this commission to voice their concerns and object to higher density subdivision requests.
2. By allowing a density increase to R4 our local leaders will have set a precedent that will be difficult to stop, my fear is that this will open the probability of future higher density subdivisions to expand in many other directions.
3. As a homeowner we moved here to enjoy the small estate rural area in which we live. The approval of an R4 density will not favor the present homeowners nor fit with the surrounding area. It will result in increased traffic, noise, and the potential devaluation of the property values for many of our homes that had been purchased under the expectation of maintaining the current AFT zoning.
4. The existing intersections, two lane roads and narrow interstate overpasses on 24 ½ and 25 roads will not be suitable for an Appleton area that may experience this type of growth.
5. Both of our adult children attended Appleton Elementary, I am concerned with the potential of overcrowding and the potential loss of the ability to serve our local young children well.

After examining the local tax assessors records I counted approximately 84 individuals that own property within the confines of 24 and 25 Road between H & I. The records indicate between them all they own 595 Acres. This provides an average of 7.08 acres per homeowner the current density is clearly the current norm by considering this increased density to R4 will clearly alter the model many of us have worked hard to maintain.

Help us preserve Area 6 with a reasonable density zoning not to exceed RE1 or R2, this will help us maintain the unimproved open space, wildlife refuge for deer, fox, raccoon, quail, and the many other native animal species that exist here. This area also provides recreation for hundreds of bike riders and joggers the utilize the surrounding roads almost year round because of the beautiful country side, and lower vehicular traffic.

Thank you for your consideration of my request.

Dan Komlo

Cynthia Komlo
852 24 ½ Road
Grand Junction, CO 81505
(970) 270-7052

Grand Junction Planning Commission
250 North 5th St., Grand Junction, CO 81501

March 24, 2019

Dear Planning Commission,

This letter addresses my concerns and strong objection to Maverick Estates Project 2019-37, 2428 H Road, petitioning for annexation into the City of Grand Junction and a zoning change from AFT to R4, in other words, four houses per acre. My hope is the Planning Commission and the City Council will take time to reflect on my overview for our community and consider holding off voting on Maverick Estates proposal, if not, then please amend it.

My vote for Maverick Estates Project 2019-37, 2428 H Road is:

- 1) No Annexation into the City of Grand Junction
- 2) Is the city putting the cart before the horse if they agree to Maverick Estates R4 zoning and annexation when our neighborhood does not have infrastructure in place to serve the well-being of our community?
- 3) Hold off building Maverick Estates subdivision until H Rd., 24 ½ Rd. and 24 Rd. intersections, and I-70 overpasses on 24 ½ Road and 24 Road can safely handle the traffic volume
- 4) Hold off building Maverick Estates until First Responder infrastructures are in place to serve this growing area
- 5) Limit Maverick Estates, 2428 Road, housing density zoning to R1, one acre lots to decrease the volumes of people

I've been involved with the initial Grand Junction Master Plan which appears to be losing its integrity of AFT zoned areas as city leaders change over the year. My objections for the proposed Maverick petition are for numerous reason. I hope you contemplate my thoughts.

Thank you for your consideration, Cynthia W. Komlo 3/25/2019

Overview / Quotes & Stats

Hi, my name is Cynthia Komlo. I'm 57 years old, moved to Grand Junction in 1981, and celebrate 34 years of marriage to Dan Komlo. In 1984 we bought farm property at 852 24 ½ Road. We operated a shade tree farm for 25 years as a second business, built our family home on our acreage, and are currently farming quality horse hay.

My background credentials give me high concern for Maverick Estates R4 proposal. Where there are more people safety concerns become a reality. I earned my Masters degree, have four years of clinical practice and study. I'm a clinical chaplain, board certified, trained in Hospice and Palliative Care, as well as, Advance Care Planning. Professional chaplains serve the emotional and/or spiritual needs of All people, All worldviews in a variety of settings.

For 12 ½ years I was a clinical chaplain "volunteer" and a part of the interdisciplinary medical team, serving bedside in all Units of St. Mary's Hospital Acute Care Trauma II Medical Center, including in the ER. I've witnessed first hand mangled bloody bodies/faces, death, and the trauma family members and friends are suddenly faced with after a traffic accident single or with another vehicle, bicycle, and/or pedestrian, hit and runs, death of a child and multiple family members.

Have you personally experienced the devastating trauma from a car accident in some form?

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Our Neighborhood

- For the purpose of this letter, when I speak about our “neighborhood”, I’m speaking about the area between 24 Rd. and 25 Rd. (east to west) and H Rd. to I Rd. (south to north).
- Our neighborhood is estimated to be around 595 acres with approximately 84 land parcel owners (Retrieved 3/23/19 <https://emap.mesacounty.us/viewer/>)
- When 595 acres is divide between the approx..84 neighborhood landowners, it hypothetically suggests an average of 7.08 acres per landowner in our neighborhood whereas Maverick’s R4 Estate with four homes per acre is not designed to compliment the longstanding rural AFT land use in our Area 6 neighborhood. We purchased rural for a reason. Farming, privacy, living a country-lifestyle away from the congestion of the city noise and crime
- Persigo Wash borders the east side of our property and is a wetlands-refuge habitat for a vast variety of birds and other wildlife species. The Grand Valley canal borders our north-side where Blue Herons migrate back for decades. Maverick’s R4 density and population is likely to threaten our neighborhood’s environmental features

Is our City Putting the Cart Before the Horse?

Maverick Estates proposed R4 zoning will increase density in our neighborhood

Infrastructure in our Neighborhood is Not Prepared for More Housing Density in our Neighborhood: 24 Road – 25 Road, H Road to I Road

Roads and First Responder Services are Not Built, Staffed or Prepared to Serve the Well-Being of our Neighborhood

- **One neighbor, residing at 24 & I ½ Road, had a serious injury that required surgery. After calling 911 three times for emergent help, it took EMTs over 20 minutes to respond to the call**

First Responders & “2019 State of the City Video”

- According to the “**2019 State of the City Video**” Mayor Barbara Traylor Smith and City Manager Greg Caton discussed the current state of Grand Junction and projects for 2020 (retrieved 3/24/19, YouTube <http://gjcify.org/city-government/public-communications/2019-state-of-the-city-video/>).
- When Mayor Barbara Traylor Smith asked City Manager, Greg Caton, “What are some of the things that we need as far as our Public Safety and First Responders?” He said a study was completed on the needs of the city’s Fire Department approx.. “10 years ago” that identified the city needs “about three more fire stations and these have not been built.” According to the City Manager, there is about a “six minute response national standard”... they are trying to improve in areas where the city “has not added fire stations.”
- Why pack in more people in our neighborhood when the infrastructure and funding is not in place?

Cynthia Komlo’s Note: Emergency Medical Teams (EMT’s) are housed in Fire Departments.

Police

- According to Sate Manager, Greg Caton on the “2019 State of the City Video”, Grand Junction does not have a “Traffic Team” and the Grand Junction Police Department is understaffed. They go “from call to call” and don’t have enough time for “Pro-active policing” which allows them to “pick-up” some “criminal activity” before it occurs
- Annexing Maverick Estates into the city would overburden the city’s First Responders when they already do not have enough staff and they are sleep deprived. This puts more people at risk.

(retrieved 3/24/19, YouTube <http://gjcify.org/city-government/public-communications/2019-state-of-the-city-video/>)

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Safety Questions for the Planning Commission and for City Council

- Have you experienced a full night shift "ride-along" with all of our city'/county's First Responders, i.e. GJ Police Dept., Fire Dept. & EMT, Sherriff Dept., and CO State Patrol?
- I've completed Ride-alongs with ALL of them. I highly encourage this experiential learning
- Would you do their job for their take-home pay?
- Is the city putting the cart before the horse if they agree to Maverick Estates R4 density when our First Responders are already struggling with funding, low staff, and inadequate coverage?
- First responders suffer compassion fatigue, PTSDs, and burn-out due to high demands and not enough staff and sleep deprivation.
- Have you had coffee with Mike Hill, Systems Coordinator of Mesa County EMS, to hear about our city's First Responder's needs?

Safety Road Issues - Think About It

- Mesa County's Website notes: each house with one car on average takes 10 trips per day... into town or somewhere
- Think about it... IF Maverick Estates R4 zoning passes, there could potentially be 68 new homes, this could equal to 680 vehicles taking road trips per day
- If the homeowner owns two cars, it could potentially add-up to 1,360 car trips per day on our neighborhood roads

Road Infrastructure in our Neighborhood is Not Prepared for more Maverick Estates Housing Density in our Neighborhood: 24 Road – 25 Road, H Road to I Road

- H Rd. is a narrow two-lane road that does not have the proper infrastructure in place for safety
- With the dangers already at these intersections in our neighborhood, why add more population and volumes of vehicles from Maverick Estates proposed R4 subdivision?
- Why overburdens the city's First Responders when they are already understaffed and sleep deprived?

Accidents will likely increase: Safety of the Intersections at H Road and 24 and 24 ½ Roads

- **According to Saen Yates, P.E., Mesa County Traffic Engineer, a new analysis software program, collects data for safety analysis to compare 24 & H Rd. intersection and 24 ½ Rd. and H Rd. intersection safety concerns. These intersections are also referred to as "rural 4-legged intersections" and were given a grade of a "D" and "F" because they have more crash incidences than any other 4-legged rural intersection "ACROSS THE COUNTRY".**
- Mesa County's analytical data in the past 10 years between 2007-2017 reports 24 ½ Road & H Road 18 accidents occurred, 15 of these accidents were at 24 ½ & H Road intersection, 14 of those were in daylight, 14 involved 2 vehicles, 14 were broadsided, 22 people were injured and needed medical treatment, 16 accidents occurred during dry road conditions, none involved alcohol
(Mesa County Public Works Department DIExSys Roadway Safety Systems Detailed Summary of Crashes Report Job# 20190318094533)
- 24 & H Road analysis between 2007-2017 reports 28 crashes, 20 occurred at the intersection of 24 & H Road, 21 were broadsided, 11 people were injured and needed medical treatment, 19 crashes involved 2 vehicles, 22 occurred during daylight hours, 23 accidents occurred during dry road conditions, alcohol was suspected for 1 driver out of the 28 accidents reported
(Mesa County Public Works Department DIExSys Roadway Safety Systems Detailed Summary of Crashes Report Job# 20190320111854)

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Accidents will likely increase: Safety of the Intersections at H Road and 24 and 24 ½ Roads

- I cannot drive due to a visual impairment. In 2009 I was in a Taxi accident at the intersection of 24 ½ Rd. at the H Rd.. My driver drove over the 3 sets of rumble strips, past the pre-warning stop sign and through the intersection, My car door was T-boned at 45 mph.. Both vehicles were totaled. I had to go to the ER for treatment. I had a fractured bone in my neck and severe whiplash that aspirated a genetic connective tissue disorder I have. My livelihood will never be the same. I had to retire from in-house Hospital chaplaincy due to the high demands I could no longer do. That intersection terrifies me as I continue to cope with PTSDs from the accident. How would you feel if it were you or your loved one were in an car wreck?

Maverick Estate R4 proposed zoning, IF Passed, will likely:

- make H Road and the intersections through/along it more dangerous than they presently are
- R4 zoning will likely add a higher volume of traffic to H Rd., 24 Rd, Homeowner & Subdivision Entrances, 24 ½ Rd., the narrow I-70 Bridge on 24 ½ Rd., more chaos to the I-70 & 24 Rd. Double Round-a-bout, and other surrounding traffic-ways
- R4 will increase the number of people, children, teenagers, and likely their methods of transportation- cars, possibly motorcycles, and bicycles to our neighborhood
- It's likely our neighborhood will have more pedestrians, walkers, joggers, and bikers on the roads
- 24 ½ Rd. neighborhood is already known to bicyclers, joggers, walkers with/without animals as a favorite route

Schools

My husband and I have two independent adult children who grew up in Grand Junction. They attended Appleton Elementary, West Jr. High, our son attended Fruita Monument High School, and our daughter attended Grand Junction High School with Honors thanks to the "school of choice" option.

- Overcrowding Appleton Elementary seems highly likely with Maverick's "Apple Glen" R4 subdivision being built next to Appleton Elementary. How many children will reside there?
- How many additional children from Maverick Estates R4 proposal will attend Appleton Elementary and other over crowded city schools?
- Is "school of choice" at risk if Maverick's Estate is approved?
- How will you pay teachers who don't get adequate salary already?
- How will the schools receive adequate funding for the additional children from Maverick's R4 subdivision so the children's education won't be compromised due to lack of funding?
- How will our teachers and children cope with overcrowding and burnout?
- How will the city deal with a potential increase in crime at the schools and in our neighborhood when our first responders are already under staffed and at risk for burn out?

Liability

- Maverick Estates R4 density brings more people into our neighborhood creating a high likelihood for liability issues. For example, the Grand Valley Canal borders the north side of our property on 24 ½ Rd. Though the canal road is considered trespassing, people naturally are drawn to walk the canal road by the water on the homeowner's property.
- Many teenagers like to "party" involving alcohol and drugs. Children can be mischievous. If someone falls off the bridge into Persigo Wash, a person could be seriously hurt, paralyzed, and/or die. We do Not want anyone hurt or the potential liability with Maverick's R4 density
- More burden on our First Responders

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Can Grand Junction Planning Commission and City Council Save the integrity of the Rural Neighborhood Between 24 Rd. – 25 Rd. and H and I Rd.?

- Maverick Estates petition for Annexation would seemingly over extend the city's strained safety systems and plop unsightly populated subdivisions not well suited for the architecture in the rural county
- Take care of the city limits before you put the cart before the horse and overextend resources/funding beyond city limits? Why not build or re-furbish the many vacant city lots or
- Continue to restore the eye sore homes in city limits? Schools within city limits need attention and funding
- Maverick Developers will make money. Yes, if passed, the city might make money from Maverick Estates annexation BUT will Maverick Estates create bigger money projects like the safety of H Road and the broader Appleton Area?

One Grand Junction

- The city of Grand Junction has a great idea with their website below. The slogan sounds nice but can we truthfully plan "the future of our community" together? The City of Grand Junction's website it states:

2020 Comprehensive Plan

Get involved in planning the future of our community...

ONE GRAND JUNCTION COMPREHENSIVE PLAN

Get involved in planning the future of our community?

(Retrieved 3/25/19 <http://gjcity.org/city-government/public-communications/GJ2020CompPlan/>)

- How can the City of Grand Junction re-organize their seemingly inefficient notification system so we can build trust between our community and our local government?
- Minimum Notification about Maverick Estates was provided to our neighbors, only to people living within 500 ft. from the project
- Many do Not subscribe to *The Daily Sentinel*
- Many, specially the low income and the elderly do not own or use computers
- Apparently, someone posted a yellow sign on the Maverick Estates property. I'm visually impaired and cannot drive a car. I frequently take a Taxi or Uber into town on 24 ½ Road. I never saw Maverick Estates sign posted in the grass.
- How can the city better inform citizens in the city and in Mesa County?

Years back, my husband and I were invited and completed the inaugural "Citizens Public Safety Academy". They hoped to increase communication between 911, Fire Dept, and GJ Police First Responders; bring awareness to our community in hopes to build trust and work together and the city was also hoping to raise money for the desperately needed Fire/911/ GJ Police new building. Some members of the City Council were in our class, Greg Palmer our past Mayor, other government officials, people who are associated with First Responders, and business owners. We try to participate in creating a beautiful and safe Grand Valley. We wish there was a better system to inform us on a timely basis.

Continued Next Page

Cynthia Komlo / 852 24 ½ Road / Grand Junction, CO 81505 / (970) 270-7052

Notifications

- My husband and I were Not notified of Maverick Estate petition or about the Jan. 2019 or the August 2019 Planning Meetings regarding Maverick Estates petition. We would have participated. I live on 24 ½ Road across the street from my neighbor who informed me last week about the petition and of this March 26th Hearing. I learned the rules only require you to notify people within 500 ft. of the proposed land zoning change, to put two Notifications in *The Daily Sentinel*, who do not deliver newspapers on Monday and Tuesdays...and one of your "Notice of Public Hearing" notice was posted electronically on Tuesday, March 19, 2019. Many people do not

How would it be if Manhattan, New York City Planning Commission, City Council, and developers decided they needed more space to build for a growing population and started developing buildings on NYC's Central Park without the people's vote? Just imagine!!! NYC residence cherish their parks and open spaces. I cherish our rural acreage, privacy, land use with wildlife environmental features. Once the green is gone, it's gone.

I lived in Denver for seven years during 1960's -1974 in our family home zoned on 2-acre lots per property owner. It's refreshing to know those Denver zoned 2-acre neighborhoods still exist today. As Denver experiences an increase in population and expansive development, they managed to maintain the integrity of rural living in Englewood!

Can Grand Junction manage to keep natural beautification and Environmental Features of the Mesa County rural areas? One can hope.

Sincerely grateful for your consideration to my Objections to Maverick Estates R4 zoning petition and Annexation into the city,

Cynthia Komlo
852 24 ½ Road
Grand Junction, CO 81505
M: (970) 270-7052

March 25, 2019

Dear Grand Junction Planning Commissioners and Grand Junction City Council Members,

We regret we will be unable to attend the meeting on March 26, 2019, to express our **opposition** to a change in zoning from AFT to R-4 allowing 4 houses per acre by Project 2019-37, 2428 H Road.

Residents in the area affected by this proposed zoning change are opposed to the change in zoning. Owners bought and built homes on property paying premium land prices based on the original zoning. Higher prices were paid because owners wanted to live in a more rural and less dense area. By changing the zoning after the fact, you devalue our property. Development of this type seems more suitable for land south of I-70 as was originally approved by the County Commissioners.

Zoning changes have been discussed on several occasions. We would again appreciate your support to prevent the change in zoning.

Thank you for your time and consideration.

Sincerely,
Archie and Sue Magee
2517 Oleaster Court
Grand Junction, CO 81505

Scott Peterson

From: Joan Marasco <jmarasco49@gmail.com>
Sent: Tuesday, March 26, 2019 2:55 PM
To: Scott Peterson
Subject: Project 2019-37

This note is to address the proposed annexation and development of property at 2428 H Road. Residents of this area are deeply saddened and disturbed by this proposal. We choose to live in this rural environment for the quality of life it affords us. By adding a significant number of homes it would seriously affect that quality of life with increased traffic, noise pollution and light pollution. This area at most was supposed to have 1 home on 1-2 acres. We also enjoy an abundance of wildlife and that would disappear. Money should not be the driving issue but keeping rural life rural to enjoy the benefits of a lifestyle we cherish. I am a native of Grand Junction as was my father. I would like this beautiful valley to remain a place we can continue to cherish and not become another big city. Please listen to the wishes of your citizens and deny the proposed density of homes.

Respectfully submitted,
Joan Marasco
2325 Appleton Drive
242-2424

Sent from my iPad

Scott Peterson

From: David Mayer <davidmmayer@yahoo.com>
Sent: Tuesday, March 19, 2019 2:08 AM
To: Scott Peterson
Cc: cynthis.komlo@gmail.com
Subject: Annexation and increased density

Dear Neighbors, Unfortunately it is a continued struggle to keep the density we have all enjoyed but it is worth it. My deceased wife, Deedee was involved with the first Appleton plan and it has continued to be smaller lots approved by the planning department, now I understand it is one per acre.

My personal opinion would be one per acre, but 2 per acre would be the compromise position. If annexation is contemplated, The city must require the developer to supply impact statements from the fire departments, the police or sheriff department, what will be the impact on Appleton school district and certainly all homes including H road needs to have curb gutters and bicycle lanes on H road to Appleton school. H road certainly does not meet the specs for a city road having no existing turn lanes into a subdivision.

It appears, the city planners are not trying to inform the Appleton residents of their intentions and appear to be operating in some veil of secrecy to increase tax base. This is not in keeping with with a cooperative effort to improve relations but brings on an adversarial atmosphere. A lot of the Appleton residence have worked very hard in support of the City of Grand Junction and the programs and Grand Junction can not afford to loose this cooperation.

David Mayer, MD
970.261.8183
david@footbeat.com

Appleton neighbors and City Planners,

I wish to add my comments and opposition to the proposed density of the planned subdivision at 2428 H Road.

Currently 24 ¼ Rd, north of H Road is the access to my home and property. We had agreed with the previous designation of 1 home per 5 acres set up in the recent past. One home per acre would have less impact on us, but 4/acre would be excessive and create all of the issues previously stated. We live and work in the county for many positive reasons. It would have an impact on our current sod crop operations, established in 1999. We have lived and farmed here for many years.

Raedelle Mundy
High Country Sod Farms, Inc

Appleton zoning

Pat Page <PPage@pcpgj.com>

Sun 3/24/2019 6:29 PM

To: Katherine Portner <kathyp@gjcity.org>;

Kathy,

The Appleton area is special area with rural characteristics that would be degraded by high density housing.

I would request that any decision for a change in housing density be deferred until an updated master plan is completed.

I would further request that the residents of the area have ample input in that process.

Thanks for your consideration,

Patrick Page
827 Twenty five road

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Scott Peterson

From: Debbie Parko <dparko43@gmail.com>
Sent: Wednesday, March 20, 2019 7:16 PM
To: Scott Peterson
Subject: Development of Proposed Property (2428 H Rd.) Appleton area.

To: Scott at The City Planning Commission,

As home owners in the Appleton area who live less than 1\4 of a mile away from the 2428 H Rd. (The Old High Country Sod Farm), we are Very Opposed to this form of Development and against the Density Change to R4, and the possibility of an Annexation to our Property as well as all Farm Land properties containing several different types and sizes of farm animals into the City Limits.

The amount of homes that this Land Owner is potentially considering to put on an acre of land is Absolutely Ridiculous! and it should be reduced to 1 unit or home per acre of land.

Thank You for considering our deepest concerns and opinions for our Farming Community in Appleton.

Terry and Debbie Parko
2411 H Road
Grand Jct. Co. 81505

Fw: Potential subdivision on H Road

Lynette Richardson <richardsonranch21@yahoo.com>

Tue 3/19/2019 7:49 AM

To: Katherine Portner <kathyp@gjcity.org>;

Cc: cynthia.komlo@gmail.com <cynthia.komlo@gmail.com>;

Hi Kathy

Since Scott is out on vacation I thought I would send this (my email to him below) to you. I think I remember that you were at this meeting of the north area that I speak of.

Thank you for caring and doing the right thing. As I recall you were very supportive of sensitive and well thought out development.

When there is great density and the developer is not held accountable for schools, side walks, fire protection and puts up very unattractive units (I should say ugly as down on 25 Road near the Tillman Bishop school) then it engages the public.

Sincerely, Lynette Richardson

----- Forwarded Message -----

From: Lynette Richardson <richardsonranch21@yahoo.com>

To: scottp@gjcity.org <scottp@gjcity.org>

Cc: "cynthia.komlo@gmail.com" <cynthia.komlo@gmail.com>

Sent: Monday, March 18, 2019, 10:36:12 AM MDT

Subject: Potential subdivision on H Road

FYI (Scott P) and planning Dept.

As you know I live way north of J and 25 on our ranch which we donated to the the Mesa Land Trust. We did this to prevent a future subdivision and it would continue in agriculture and livestock.

I remember many years ago everyone north of H Road went to neighborhood gatherings with the planning department and it was voted to only allow 5 to 20 acre plots. Soon after, one of my neighbors decided to subdivide 20 acres into 8 lots. I tried everything to protest this semi-secret act and finally hired my lawyer son-in-law to take over. It is now in 4 lots (5 acres each) which is the best we could do. A few have horses and some even raise hay.

Lynette Richardson
21st Century Health Technologies

Scott Peterson

From: Lynette Richardson <richardsonranch21@yahoo.com>
Sent: Monday, March 18, 2019 10:36 AM
To: Scott Peterson
Cc: cynthia.komlo@gmail.com
Subject: Potential subdivision on H Road

FYI (Scott P) and planning Dept.

As you know I live way north of J and 25 on our ranch which we donated to the the Mesa Land Trust. We did this to prevent a future subdivision and it would continue in agriculture and livestock.

I remember many years ago everyone north of H Road went to neighborhood gatherings with the planning department and it was voted to only allow 5 to 20 acre plots . Soon after, one of my neighbors decided to subdivide 20 acres into 8 lots. I tried everything to protest this semi- secret act and finally hired my lawyer son-in-law to take over. It is now in 4 lots (5 acres each) which is the best we could do. A few have horses and some even raise hay.

Lynette Richardson
21st Century Health Technologies
970-245-8805 (home)
970-261-5100 (cell)
richardsonranch21@yahoo.com (e-mail)
www.nikken.com/richardson (website)

If you wish to understand the secrets of the universe,
think of energy, frequency and vibration.

Nikola Tesla

Scott Peterson

From: Fran Sloatman <fsloatman@hotmail.com>
Sent: Tuesday, March 26, 2019 9:36 AM
To: Scott Peterson; Katherine Portner
Cc: Tom Harding
Subject: Meeting tonight regarding Project 22019-37, 2428 H ROAD

March 26, 2019

Scott and Kathy,

I do not want to see the zoning changed on this piece of property to R-4. The zoning was changed recently in the area from 1 dwelling per 2 acres to 1 dwelling per 1 acre. Greystone Estates was developed under the 1 dwelling per 1 acre and it sold out quickly. We love the character of the north area and don't want it changed.

I am not opposed to development, but I am strongly opposed to increasing the density in the area.

Sincerely,

Fran Sloatman

2489 Red Peach Ct

Grand Junction, CO 81505

Scott Peterson

From: rodney@scottymuffler.com
Sent: Tuesday, March 26, 2019 8:28 AM
To: Scott Peterson
Subject: 2428 H Road project

Scott Peterson,

My name is Rodney K. Snider and I own the property at 805 25 Road. I have lived at this address for 25 years now. I am very concerned about the density of the sod farm project. The 25 Road corridor has become very congested heading south into town with the addition of other subdivisions over the past years. It has been my understanding the East Appleton area was to remain larger plots and the higher density does not fit this plan. With that being said, the plan must be changing if you are considering approval of this project. Please accept this as my disapproval. I am of the opinion that this project does not fit the area and will have a negative impact on my property as well as others in the North area.

Thank you for your consideration,
Rodney K Snider
805 25 Road
Grand Junction, Co 81505
rodney@scottymuffler.com

Scott Peterson

From: Summre Steury <summre.steury@gmail.com>
Sent: Monday, March 18, 2019 6:02 PM
To: Scott Peterson
Cc: Samuel Steury; Cynthia Komlo; bfuoco@fuocomotors.com
Subject: Maverick Estates Subdivision

Hello,

I live at 841 25 Rd and have recently learned of a neighborhood being built where I live. I wanted to voice that I am adamantly against the proposed annexation of 2428 H Road.

My family and I moved to this area so that we could enjoy wildlife and quiet country life away from noise and traffic. I run almost daily on 24 1/2 road. That road cannot withstand the congestion of 68 new families. It would destroy the life that my neighbors and I enjoy. It would also reduce the appeal to prospective residents of Grand Junction. There should be a location in this great city where prospective residents can still find the great wide open for which Colorado is so famous...the reason why people move to Colorado.

PLEASE reconsider this. There are many locations where these neighborhoods can be built. The lots in this area are 5-20 acres and should remain so. I understand that there has been serious effort to maintain this in the past by Deedee Mayer and others. Please don't ruin the beauty of this area. There is already so little of it left. We want to have a place to attract future residents as well as maintain the little agricultural and wildlife land left in Grand Junction.

This would be a HUGE mistake and loss for our beautiful town. Don't cheapen it.

Thank you for your consideration. I will be at the meeting on March 26 and look forward to the discussion and open minds.

Summre Steury and Sam Steury, MD
970-697-1106
970-683-1122 (cell)

2428 H road changes

Matthew Swelstad <swelstad13@gmail.com>

Tue 3/26/2019 5:05 PM

To: Katherine Portner <kathyp@gjcity.org>;

Kathy,

Thank you for your time today answering my questions regarding the 2428 H road development/changes.

My wife and I would like to be clear, that we r NOT in favor of the property being developed with 4 houses per acre. At a minimum, please consider the lower option of 2 houses per acre. This area is rural. It has a rural feel. Adding higher density will change the character. Why change the character of the area for the benefits of people who do not live here?

Please keep in mind there is a dangerous intersection at 24 1/2 road and H that would need additional changes to safely handle the traffic increase. We recognize u recently made some upgrades which we support but we believe they will be insufficient if traffic increases.

Thank you for considering this concerns,

Matthew and Katherine Swelstad
894 24 1/2 road

Sent from my iPhone

Scott Peterson

From: Shiloh White <fantacryter@gmail.com>
Sent: Tuesday, March 26, 2019 5:48 AM
To: Scott Peterson
Subject: Project 2019-37 (Proposed Development of 2428 H Rd)

To Whom It May Concern:

This is not the first time we have been in this position with the city council and county commissioners. The majority of residents in our area have asked, stated, written, *begged* this council to please, once and for all, stop trying to rezone our neighborhood to allow higher density housing developments to be built. This has been happening for so long that we have residents who scour the newspapers watching for the slightest hint that there is going to be another inconveniently timed meeting hidden in the schedule. In fact, tonight's meeting is the first one that I can remember not being in the middle of the afternoon. I have always taken time off of work to make sure I can attend, though it is my bad luck that I am out of town for this particular one.

You have expressed amazement in the past at the level of community involvement when it comes to this particular issue and that surprises us. We have done our very best to make it clear that we care what happens to our area, that we are fighting for our homes. And make no mistake; we are fighting for our homes. Our homes, our land, our right to live outside the city as we chose to do when we moved to the area. It is nothing personal against Grand Junction – in fact, one of the draws of living in our area is that we are so close to the city. However, the biggest reason people decide to live in our neighborhood is that there is room to breathe. I can build my house how I want and have land; I can have animals on that land without worrying about city regulations, which this rezoning would change.

We have mentioned in the past, in fact, had it continually shoved in our faces, that the city planners have been counting on annexing our neighborhoods for years as part of their plan for city growth. In return, we have pointed out areas of city land that developers aren't using, or even county land that wouldn't terribly affect current residents if it were to be annexed. And yet, the city planners, and even a city council member hold tightly to this plan as though it were set in stone. Why are the city planners so dead set on ruining our homes? Again and again, we have proclaimed, "Develop the land! Build your houses! But keep the zoning as it is! Keep it at one to five acres per house; do not change it so the developers can build two to four to eight houses per acre, because no matter what they say, they will always build as many houses as they can. Keep us in the county, because we do not want to be part of the city!"

Again and again, we have raised our concerns about infrastructure; our current issues with traffic are harrowing enough with two churches and a school on the city side of the bridge – you want us to be fine with a massive increase in population on the county side? What about those of us with livestock, or who rent our fields to people with livestock? What do you propose we do if we are rezoned and our herds do not fit within the city's regulations? Will you be making up the difference in our loss of income? Are we to be forced to change everything about the way we live and have lived just so some developer can make more money?

Today it is the old sod farm; tomorrow it is the Peach's old corn field. Then it is every farm, field, and parcel of land that the planners and developers can get their hands on. We don't mind new neighbors, but keep the numbers contained. Keep our zoning the same so that the people moving into our area are people that share our values and prefer to live the same way that we do – with space between our houses. This proposal terribly affects those of us already living on this land; our property values, our agricultural pursuits, the very peace we enjoy by living on the outskirts of the city, all of this is what the city planners and developers would rip away from us in the name of "progress".

Please, commissioners. Do what we depend on you to do. Represent the majority opinion of the constituents that put you in office. Vote against this rezoning plan. Put your foot down and tell the developers that they need to be happy with what they have. Tell the city planners that they need to look elsewhere to expand their borders.

The city planners would have you believe this is necessary. It is not. The developers would have you believe this is wanted. It is not. Please, vote against this rezoning and find a way to make it stick so that we are not back in this same place next year. We are counting on you and I am begging you, stop trying to destroy our homes. Support us as we have supported you and stand with us against the developers' greed.

Thank you.

Shiloh White
781 24 1/2 Rd

H Road

rwilcox555@aol.com

Thu 3/21/2019 12:55 PM

To: Katherine Portner <kathyp@gjcity.org>;

Kathy,

I am opposed to any increase in housing density that the owner has proposed on his property on H Road by going into the city of Grand Junction. My wife and I moved into our home 27 years ago because we wanted to be in the country. When we moved here the zoning was one house per five acres. That was later changed to one house per two acres and then one house per one acre. The owner of this land is only thinking of the abnormal profit that he can get by making his land into such high density and has no consideration of what his neighbors think or want. Please do not approve his request for annexation if it means increased houses per acre. We love Grand Junction but still would like to remain in a country setting.

Sincerely,

Robert J. Wilcox
848 24 1/2 Road
Grand Junction

Scott Peterson

From: rwilcox555@aol.com
Sent: Thursday, March 21, 2019 12:27 PM
To: Scott Peterson
Subject: H Road

Scott,

My wife and I moved into our house 27 years ago because we wanted to live in the country. At that time the zoning was one house per five acres. . Later it became one house per two acres and then one house per acre. Please, we do not want this trend to continue. I am 83 years old and do not want to be moved into a crowded neighborhood. Please do not annex the property on H Road. The owner only wants to gain an abnormal amount of profit on his land with no consideration for his neighbors. I am sure that Grand Junction would like to expand but please only expand in an area where the whole neighborhood is receptive to the expansion.

Sincerely,

Robert J. Wilcox
848 24 1/2 Road
Grand Junction

21 March 2019

City of Grand Junction Planning Department

RE: Development 2019-37
Maverick Estates Subdivision
Zone of Annexation: approx 2428 H Road

Dear Planning Commission and City Council members:

I encourage you to **decline** the Maverick Estates Zone of Annexation.

Why decline this request? This annexation would lead to the likely urban density of 4 units/acre which is not congruent with the largely established and long history of large parcel residential and semi-rural land use in the area. I speak **generally of the area from about 24½ Road to 26 Road and from the South side of H Road to across the North side of I Road.**

This area of Mesa County is **substantially established with mostly 5-8 acre parcels** and the occasional 2 acre or 10+ acre parcel, **developed slowly and specifically as a large parcel area, starting in the late 1970s.** This proposed annexation, intermixing of urban densities, would begin to **disrupt** this area of **quality planned growth that the residents and the County have been diligently establishing for 40 years.** I personally have lived in the area for 30 years and have been involved in most all the land use input for that period.

While it may be tempting to simply view this as the city growing in generally concentric circles in a standardized pattern, there is really no practical place to go with urbanization, as **the area of the subject annexation runs immediately into these established large residential parcels on rolling hills that would not be developed in a normal urban development pattern,** as would some of the flatter farmlands in the NW, NE, and South greater metro GJ area. Further, I suggest that this annexation is not necessary to meet the growth needs of the community, but would rather **leave a contradiction to the quality planned growth that has been is there for decades.**

Safety: I would like to point out two safety issues with the proposed dramatic increase in densities that relate to 24.5 Road, maybe the most likely used route into the heart of the city by the future residents of this subdivision:

Very poor **visibility** northbound and eastbound with the large house close to the road on the SW corner of 24.5 and H Roads. This intersection will be heavily used with this proposed increased density.

There is a very narrow **I-70 bridge** with steep inclines on all for directions. The approaching vehicle cannot be seen until nearing the top of the bridge. There are seeming 45 degree banks on each side, very close to the traffic line. It is a very primitive designed bridge built for occasional farm traffic with curbs that are amazingly close to the tire path. Assuming development standards of 10 one-way trips per day per house, this would add 680 trips to the area, with many/most using this 24.5 Road feeder back to town. I doubt any government has the funds to replace or improve this bridge to urban safety standards. I suspect the bridge is there to stay for decades, but increased densities will only increase the risk at this bridge.

Sincerely,



Dave Zollner
2562 H Road
GJ CO 81505
dzollner@gvii.net

Scott Peterson

From: Bobbi Alpha <bobbialpha@aol.com>
Sent: Tuesday, April 09, 2019 12:24 PM
To: Scott Peterson
Subject: strongly oppose proposal for R4 density zoning

Dear Grand Junction City Council Members,

We Sigma and Bobbi Alpha, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 Rd. & H Rd., who is requesting annexation into the City of Grand Junction. We also strongly oppose their proposal for R4 density zoning. We are agreeable to Estate or R2, two houses pr acre, zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs even larger planned 1/2 acre parcels as designated rural areas to enhance the Grand Valley's variety of Realestate choices.

Thank you for your consideration,
Sigma and Bobbi Alpha
843 25 Road
Grand Junction, CO
81505

From: rwc & cac [<mailto:rmlgico@zoho.com>]

Sent: Thursday, April 4, 2019 12:27 PM

To: Sam Ranguet <samr@gicity.org>

Subject: low density not high densitu

keep the rural country feel to grand junction please

Scott Peterson

From: Diane Davis <dedavis@acsol.net>
Sent: Monday, April 08, 2019 2:06 PM
To: Scott Peterson
Subject: 24 1/4 Road

Good afternoon Scott,

24 ¼ Road is the West boundary of the Maverick Estates Subdivision and there has been a question as to the ownership of this road.

Whether this road is privately owned or owned by Mesa County: 1) Can the City of Grand Junction can annex regardless of who owns the road? 2) If annexed, can the city create/declare the road to have an unrestricted easement or dedicated ROW?

Thank you,
Diane Davis

April 9, 2019

Dear Grand Junction City Council Members- Phyllis Norris, Duke Wortmann, Duncan, McArthur, Chris Kennedy, Rick Taggart, and Mayor Barbara Traylor Smith and Mayor Pro Team Bennett Boeschstein,

I/We Fred + Carol Fowler, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 Rd. & H Rd., who is requesting annexation into the City of Grand Junction. We also strongly oppose their proposal for R4 density zoning. We are agreeable to Estate or R2, two houses pr acre, zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs even larger planned 1/2 acre parcels as designated rural areas to enhance the Grand Valley's diversity of Real estate choices. **I/We want future "ESTATE and AFT" zoning in our North Neighborhood Grand Junction area, 24 Rd. to 26 Rd, H Rd. north to I Rd..** Please infill city land before you push high density housing into our County. It doesn't fit a creative sensible development plan.

Thank you for your consideration,

Print & Sign your Name &

Address:

Disclaimer: By signing the "Easy-Breezy Sample Slips" you are in agreement on your own volition with the above comments and opinions.

Fred E Fowler. 2405 Sage Run Ct. G.J. 81505
Carol Fowler

From: bfuoco@fuocomotors.com [<mailto:bfuoco@fuocomotors.com>]
Sent: Friday, April 19, 2019 9:03 AM
To: Belinda White <belindaw@gjcity.org>
Subject: Maverick Estates, LLC, ANX 2019-37

Belinda, please forward this e:mail regarding Maverick Estates annexation to all City Councilors.

Dear Councilors,

In 2010 the Master Growth Plan (MGP) was adopted by the City and County with drastic changes from the 2003 plan. In 2003 we were experiencing a period of fantastic growth, even so, the 2003 plan preserved the rural characteristics the Appleton area had always known. Then, in 2010 the new Master Growth Plan made questionable zoning changes to the East Appleton area despite the floundering economy.

As we see our economy rebound we are now feeling the effects of the past years' poor planning. Appleton did not experienced the envisioned "Village Center" nor has the infrastructure kept pace with the projected growth. Therefore, medium density housing would not seem compatible with the reality of the growth to this point in the East Appleton area which is currently comprised of estates ranging from one acre up.

In November's Community Survey, younger and newer residents requested more apartments and homes on large lots. Large lots have become a thing of the past as Grand Junction continues to insist on subdivisions of 4 units per acre and up. At R-4 density average lots are in the .16 to .20 acre size, scarcely large enough to park a boat, RV or ATV trailer. The response to the Community Survey shows the need for the Councilors to rectify a growing problem for Grand Junction by providing an area fulfilling the requests of Grand Junction's residents without overburdening the roads and bridges to and within the area.

The area North of I-70 from 24 Road to 26 Road should be zoned as estates only. Please decline Maverick Estates' annexation request with R-4 zoning and send it back to the developer for a plan more compatible with the area.

Thank you,

Bob and Anna Maria Fuoco
2467 H Road

From: Joan Haberkorn <joaneh@acsol.net>
Date: April 9, 2019 at 8:57:56 PM MDT
To: belindaw@gjcity.org
Subject: Message to City Council members

Dear City Council Members,

We wish to state our strong opposition to the proposed annexation of the property known as Maverick Estates. What would be flagpole annexation of a property with urban zoning is totally out of character with the Estate and AFT zoning of Appleton area neighborhoods.

The Appleton area has gone through many revised comprehensive plans, and each one has preserved its low-density zoning. There are many valid reasons to reject the Maverick Subdivision. The existing infrastructure is not designed to support urban development, the roads are two-lane "country" roads, the fire and medical response times do not meet national standards, Appleton Elementary is at capacity, and this property was not originally intended to be included in the Persigo Sewer District.

There is still much open land between Grand Junction and the Appleton area. It seems like common sense to build on that space before approving an incongruous flagpole subdivision in an area that has already developed with a rural character. The high-density proposal does not provide a buffer zone between city zoning and the rural Appleton neighborhoods in which we have chosen to live.

The Appleton area is a unique blend of neighborhoods and open space. It is a favorite of bike riders and walkers who enjoy the scenery, rolling hills, and lack of traffic. Time after time the residents of this area have stated their emphatic desire that it retain its low density zoning.

Please insure that development in the Appleton area is in keeping with its current character and deny the Maverick Subdivision's urban zoning proposal.

Sincerely,

Joan and Dennis Haberkorn

877 25 Road

Sent from my iPhone

Scott Peterson

From: Sandra Holloway <sandsourdough@gmail.com>
Sent: Tuesday, April 09, 2019 1:21 PM
To: Scott Peterson
Subject: Objection to Maverick Estates Subdivision proposal

Dear Grand Junction City Council Members,

I, Sandra M. Holloway, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 Rd. & H Rd., who is requesting annexation into the City of Grand Junction. I also strongly oppose their proposal for R4 density zoning. I am agreeable to Estate or R2, two houses per acre at the most, zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs more planned 1/2 acre parcels as designated rural areas to enhance the Grand Valley's variety of real estate choices.

I moved here with my family in 1968 so I have been witness to the growth of the Appleton area for 51 years. I understand the fact that the population of the Grand Valley is growing as this is such a lovely place to live, but urbanizing this area of Appleton ruins the reason many people have chosen to live here in the first place.

I can understand that developers, builders and real estate companies are in the business to make money which is good for the economy and they create jobs, but I hope the City will also take into consideration all the residents interests instead of a minority that care little for our way of life.

The "Appleton Center" is planned for urbanization West of 24 Road. not east of 24 Road. There are plenty of properties west of 24 Road that could be developed instead. There are also places in and around the city such as Orchard Mesa that could be considered for high density development. Please keep this urbanization to a minimum in our area, we live here because it's rural. If we wanted to live in the city that's where we would move to!

Thank you for your consideration,

Sandra M. Holloway
813 24 1/4 Road
Grand Junction, CO 81505

--

Sandra M. Holloway

From: Keith Kump [<mailto:keithkump@gmail.com>]
Sent: Friday, April 19, 2019 7:30 AM
To: Belinda White <belindaw@gjcity.org>
Subject: MAVERICK ESTATES ANNEXATION 2019-37

Keith Kump at 2451 Kelley Drive 81505. Ph. 462-2997

I support the annexation if it will me developments and growth. Any increase in an area such as the GJ valley is a good thing. If the people can't live here they go some place else. Their presence here helps the economy, property values, and the tax base for added growth all around. The 24 & 1/2 bridge, no concern, other equally accessible routes. Thanks K.K.

From: Sue Magee [<mailto:suemagee10@gmail.com>]

Sent: Friday, April 05, 2019 3:00 PM

To: Council <council@gjcity.org>

Subject: Please vote NO on Project 2019-37, 2428 H Road request to change zoning

April 5, 2019

To: Mayor Smith and Council Members Boeschstein, Norris, Wortmann, McArthur, Kennedy, and Taggart

We own a home at 2517 Oleaster Court off 25 Road between H and I Roads. We purchased our property in 1995 and paid a premium for our acreage since we knew the zoning would not allow high density development nearby.

This location is desirable due to its acreage and proximity to town.

The developer of the proposed Maverick Estates Subdivision (Project 2019-37, 2428 H Road) is asking to be annexed into the city and to change the zoning from AFT to R-4 which would allow 68 homes on the 17 acres under consideration. We are opposed to this change of zoning.

In years past, most recently in 2016, another developer petitioned to be allowed inclusion into the Persigo Sewer District to allow high density development. The property owners in the area wrote letters, emails, made phone calls, and attended meetings to prevent that from happening in 2016. All realize that property values would decrease by changing the zoning to high density. The high density development request was denied, and the area was not included in the Persigo Sewer District.

We were shocked to learn that last summer (2018), the Maverick Estates Subdivision was included in the Persigo Sewer District. No one in the area realized that this was even being discussed. In the past when inclusion to the Persigo Sewer District is being discussed at County or City Council meetings, owners get involved to state their views. Due to lack of notification, no one showed up at this meeting, and the subdivision was included in the Sewer District. There were no signs posted. Two notices were in the Daily Sentinel which we did not see and from the lack of response, no one else did either. Now the developer wants to change the zoning to high density.

A high-density subdivision will increase traffic causing congestion on small rural county roads. The intersection of H Road and 25 Road will be greatly impacted by traffic from a high density subdivision. This area's zoning was designated and approved Rural before people bought and built their homes. There are other areas where high density is already approved. Driving around the neighborhoods north of the Interstate between 24 and 26 Roads, one sees homes on acreage. It will not be attractive to see pockets of high density subdivisions interspersed.

The City Council and or County are going to develop another Master Plan for development by 2020. In doing so, please consider the unique community we have. There are high density areas, but planners in the past realized the value of saving acreage property close to town north of I-70. This is a very attractive area of town that is an asset to the community and desirable for present as well as future owners.

To prevent devaluation of property and increased traffic congestion on small rural county roads, please do not approve a change in zoning for the Project 2019-37, 2428 H Road Maverick Estates Subdivision.

This is scheduled to be discussed and voted on at the May 1st City Council meeting.

Thank you for your time and consideration in this matter.

Sincerely,

Archie and Sue Magee

2517 Oleaster Court

Grand Junction, CO 81505

From: Sue Magee [<mailto:suemagee10@gmail.com>]

Sent: Thursday, April 18, 2019 2:40 PM

To: Belinda White <belindaw@gjcity.org>

Cc: Council <council@gjcity.org>

Subject: Oppose Maverick Estates Annexation 2019-37; Archie and Sue Magee, 2517 Oleaster Ct

April 18, 2019

To: Belinda White, GJ City Manager

We **oppose** the annexation of Maverick Estates 2019-37.

We own a home at 2517 Oleaster Court off 25 Road between H and I Roads. We purchased our property in 1995 and paid a premium for our acreage since we knew the zoning would not allow high density development nearby. This location is desirable due to its acreage and proximity to town.

The developer of the proposed Maverick Estates Subdivision (Project 2019-37, 2428 H Road) is asking to be annexed into the city and to change the zoning from AFT to R-4 to allow 54 homes on the 17 acres under consideration. We are **opposed** to this change of zoning.

In years past, most recently in 2016, another developer petitioned to be allowed inclusion into the Persigo Sewer District to allow high density development. The property owners in the area wrote letters, emails, made phone calls, and attended meetings to prevent that from happening in 2016. All realize that property values would decrease by changing the zoning to high density. The high density development request was denied, and the area was not included in the Persigo Sewer District.

We were shocked to learn that last summer (2018), the Maverick Estates Subdivision was included in the Persigo Sewer District. No one in the area realized that this was even being discussed. In the past when inclusion to the Persigo Sewer District is being discussed at County or City Council meetings, owners get involved to state their views. Due to lack of notification, no one showed up at this meeting, and the subdivision was included in the Sewer District. There were no signs posted. Two notices were in the Daily Sentinel which we did not see and from the lack of response, no one else did either. Now the developer wants annexation and to change the zoning to high density.

A high-density subdivision will increase traffic causing congestion on small rural county roads. The intersection of H Road and 25 Road will be greatly impacted by traffic from a high density subdivision. This area's zoning was designated and approved Rural before people bought and built their homes. There are other areas where high density is already approved. Driving around the neighborhoods north of the Interstate between 24 and 26 Roads, one sees homes on acreage. It will not be attractive to see pockets of high density subdivisions interspersed and will devalue current owners' properties.

The City Council and or County are going to develop another Master Plan for development by 2020. In doing so, please consider the unique community we have. There are high density areas, but planners in the past realized the value of saving acreage property close to town north of I-70. This is a very attractive area of town that is an asset to the community and desirable for present as well as future owners.

To prevent devaluation of property and increased traffic congestion on small rural county roads, please do not approve a change in zoning for the Project 2019-37, 2428 H Road Maverick Estates Subdivision.

This is scheduled to be discussed and voted on at the May 1st City Council meeting. Thank you for your time and consideration in this matter.

Sincerely,
Archie and Sue Magee
2517 Oleaster Court
Grand Junction, CO 81505

April 9, 2019

Dear Grand Junction City Council Members – Phyllis Norris, Duke Wortmann, Duncan McArthur, Chris Kennedy, Rick Taggart, and Mayor Barbara Traylor Smith, and Mayor Boeschstein,

We, Mark and Missy Smith, respectfully strongly oppose the Maverick Estates LLC subdivision at 241/2 Rd & H road that has been presented to the City of Grand Junction. The prospect of 2 to 4 houses per acre is totally incongruent for our neighborhood. It does not fit in any way in the beautiful rural area. At this time the area has mostly an estate zoning which we are agreeable to. Even 2 houses per acre could uphold the area's integrity. Of course development has to happen but it needs to happen with a plan that fits into our county as a whole. Please vote for future zoning between 24 and 26 roads and between H rd north to I road to be "Estate or AFT zoning".

Please do not allow the Maverick Estates subdivision to happen at the proposed density of 2 to 4 houses per acre. If needed, please put this development on hold until you have finished reviewing and updating our comprehensive plan.

We are strongly asking you to vote to protect the rural diversity that is important to our whole community. The Grand Valley is defined by and desired by people wanting to move out of big cities for the very reason that we have some beautiful rural neighborhoods. We do not want to become an overpopulated, polluted mini-Denver

Please urbanize west of 24 road, where there is already density that fits with this development plan. Please infill city areas rather than pushing out into the county. There are many areas in the valley that have room for development that are far more appropriate and would "fit" in regard to traffic, schools, and overall zoning.

Thank you for your time, your service and your serious consideration concerning this development. It's a big deal to many people and I believe to our Grand Valley community.

Sincerely,

Mark and Missy Smith
822 241/2 Rd. (for 24 years)

From: **Missy Smith** <missy.msb@gmail.com>
Date: Tue, Apr 16, 2019 at 5:44 PM
Subject: Maverick Estates Proposal
To: <belindaw@gjcity.org>

Dear Scott Peterson,

We, Mark and Missy Smith, are writing to ask you to vote no on the Maverick Estates LLC subdivision, 24 1/4 Rd. & H rd. who is requesting annexation into the City of Grand Junction. We also oppose their proposal for 4/8 houses per acre density zoning. We are agreeable to 2 houses per acre zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs even larger planned 1/2 parcels as designated rural areas to enhance the Grand Valley's variety of Real Estate choices. In future zoning between 24 and 26 Rd. H Rd. North to I Rd., we ask to please AFT or Estate zoning.

Thank you for your time and consideration and for your service to our community. Sincerely
Mark and Missy Smith

From: Summre Steury [<mailto:summre.steury@gmail.com>]

Sent: Thursday, April 18, 2019 9:36 AM

To: Belinda White <belindaw@gjcity.org>; Scott Peterson <scottp@gjcity.org>

Subject: Maverick Estates, LLC, ANX 2019-37, City Council Hearing

City Council members,

Please reconsider your annexation plans of the rural north. There are ample places within city limits that are available and appropriate for high density housing. Rural north does not provide an appropriate location for r2/r4/r8 housing.

- high density housing is not consistent with the surroundings
- there is not appropriate infrastructure to support the traffic
- rural north is utilized by all residents in the community for road biking, running, and other activities; high density housing will provide a major safety concern, as this area has no bike lanes

PLEASE DON'T MAKE A DECISION THAT WE WILL ALL HAVE TO LIVE WITH FOREVER, ONE THAT CANNOT BE REVERSED!

Grand Junction needs to be able to provide DIVERSITY in housing! High density housing belongs within city limits.

In the 2020 Comprehensive Plan meeting, a consistent theme of concerned citizens was **SMART GROWTH**. Keep the rural north so that you will be able to attract businesses and talent to the city. If Grand Junction only has one kind of housing option, and one big city filled with the same tract housing, we won't have anything to offer!

Thank you for your time,

Summre Steury

Scott Peterson

From: Matthew Swelstad <swelstad13@gmail.com>
Sent: Tuesday, April 16, 2019 11:01 PM
To: Scott Peterson
Subject: Annexation

Dear Mr. Peterson,

In regards to the 2420 H road annexation and proposed high density housing, my family and I would like to register our strongest disdain for the project. Developing the last remaining green space close to the heart of grand Junction seems short sighted for many reasons. We are aware of the pressures for the city to create more housing. I would hope the administrators of GJ (your self included), would learn from the mistakes of Denver and the front range and not destroy the area we love and call home to accommodate who? People that don't leave here? Developers? Please reconsider your support for this project. At least delay the decisions until after the upcoming planning meeting where our neighborhood will once again have a chance to express our concerns.

Thank you for not paving our fields and lighting up the nights' sky.

Matthew and Katherine Swelstad
894 24 1/2 Road

Sent from my iPhone

From: Doris Walck [<mailto:doris@walcknet.com>]
Sent: Tuesday, April 09, 2019 7:28 AM
To: Belinda White <belindaw@gjcity.org>
Subject: Fwd: Maverick Estates LLC subdivision, 24 1/4 RD & H RD

Begin forwarded message:

From: Doris Walck <doris@walcknet.com>
Subject: Maverick Estates LLC subdivision, 24 1/4 RD & H RD
Date: April 8, 2019 at 7:21:35 PM MDT
To: scottp@gjcity.org

Dear City Council Members,

We, Bill and Doris Walck, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 RD & H RD, who is requesting annexation into the City of Grand Junction. We also strongly oppose their proposal for R4 density zoning. We are agreeable to Estate or R2, two houses per acre, zonings as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs even larger 1/2 acre parcels as designated rural areas to enhance the Grand Valley's variety of real estate choices.

Thank you for your consideration,
Bill and Doris Walck
949 25 RD
Grand Junction, CO 81505

Mr. Peterson.

Hopefully, you won't be out of the office this time and will be able to receive the letters sent to you concerning the Maverick Estates Annexation meeting on 4/9/19.

According to the Grand Junction Municipal Code, Volume II: Development Regulations as passed in February of 2019, the purpose of the development regulations are to:

21.03.010 (d) Conserve and enhance economic, social and aesthetic values;

(which this proposed annexation does not do)

21.03.010 (e) Protect and maintain the integrity and character of established neighborhoods;

(which this proposed annexation does not do)

21.03.010 (f) Facilitate provision of adequate public facilities and services, such as transportation, water, sewerage, schools and parks;

(which this proposed annexation does not do)

21.03.010 (g) Promote the development of convenient and beneficial clusters of uses, including business and shopping facilities where satisfactory proof is made that the same are reasonably necessary and desirable for the public convenience and welfare;

(which this proposed annexation does not do)

21.03.010 (h) Provide for adequate light and clean air;

(which this proposed annexation does not do)

21.03.010 (i) Aid in preventing traffic congestion in the streets and public ways of the City;

(which this proposed annexation does not do)

21.03.010 (j) Prevent unduly noisome and/or injurious substances, conditions and operations;

(which this proposed annexation does not do)

21.03.010 (k) Secure safety from fire, panic and other dangers; and

(which this proposed annexation does not do)

21.03.010 (l) Promote the public health, safety and welfare.

(which this proposed annexation does not do)

In fact, this proposed annexation only fulfills one of the purposes in the entire list.

21.03.010 (a) Implement the Comprehensive Plan.

Granted, it is the first one on the list, but what good is the Comprehensive Plan if implementing it violates almost every other purpose of establishing zones?

Our neighborhood has been fighting annexation to the city for years. Years. How much longer do we have to repeat that we are very happy in the county, zoned as R2, for you to even pretend to listen? We. Do. Not. Want. This. Annexation. There is still plenty of land in the city boundaries for you to build on, to develop and fill with cheap cookie cutter houses that are too close together and are probably sold at a much higher price point than they are worth. Your comprehensive plan is flawed – please start listening to the majority of the residents in this area and stop trying to pull us into the city. The developers already think that all they need to do is say they want something and they can have it; please stop enabling their arrogance and sheer disregard for the current residents of our area. Leave our area alone. If the developers want to build, make them abide by the current R2 zoning. They will still make plenty of money without completely ruining our way of life, a country way of life, that we chose as opposed to living in the city. If we had wanted to live in the hustle and bustle, we would have chosen homes inside the city limits instead of outside them in the county.

Please. Stop trying to ruin our homes and our way of life. Think about the residents and what we want. Side with us, not those who would destroy an entire community out of greed.

Sincerely,

Shiloh White
781 24 ½ Rd

Scott Peterson

From: Cathy Ball <cathyjball1@gmail.com>
Sent: Tuesday, April 23, 2019 8:13 AM
To: Belinda White; Scott Peterson
Subject: Maverick Estates, LLC, ANX 2019-37

To: City Council Members

Barbara Traylor Smith - Mayor
Bennett Boeschstein - Mayor Pro Tem
Phyllis Norris
Duke Wortmann
Duncan McArthur
Chris Kennedy
Rick Taggart

From: Cathy and Troy Ball

913 23 ½ Road, Grand Junction

Subject: Maverick Estates, LLC, ANX 2019-37

Date: 23 April 2019

My husband and I moved to Grand Junction in 2014 largely because we were able to find a lovely home on the North side in a rural setting with 4 plus acres, gorgeous views, no congestion, and neighbors who all know and look after each other. Nowadays, however, all of those wonderful attributes are in jeopardy from the City's obsession with development at any price and continuing efforts to annex more and more property.

While we welcome all who move into the area to buy existing parcels or build homes that fit our rural lifestyle, a four home per acre density is a travesty and would damage the current residents by significantly reducing property values and increasing congestion on roads that are already overburdened. We urge the Council to disapprove this plan and help us keep our area's rural character for many many more years. The Council's top priorities should be to finish the most critical infrastructure projects first, such as, sidewalks, roads, bike lanes, and abandoned buildings before expanding city territory. Please leave the North side alone and allow us to keep our neighborhood friendly, safe, and neighborly.

We look forward to the discussion at the meeting on May 1.

From: rwc & cac [<mailto:rmlgjco@zoho.com>]
Sent: Wednesday, April 10, 2019 5:18 PM
To: citymanager <citymanager@gjcity.org>
Subject: [SPAM] Maverick homes on Project 2019-37, 2428 H Rd

Do we want crime in GJ like Denver?

<https://crime.denverpost.com/>

Or would we rather attract people who desire living in a healthy environment?

A home development like Greystone Estates, homes north of H on Mease, or Quail Meadows on I Rd near 26 Rd that has 1 acre home sites.

We are north of the freeway not south. Most home have one acre or more.

If you permit R-4 home development north of the freeway, it will be like throwing a wrench into the gears.

I am concerned it will have a negative impact on our home's property value.
Since you have been warned, and if you decide to proceed, I wonder if the city will be liable for such.

Scott Peterson

From: Diane Davis <dedavis@acsol.net>
Sent: Tuesday, April 23, 2019 10:20 AM
To: Brett Bergman
Cc: Scott Peterson
Subject: FW: Maverick Estates Annexation 2019-37

Below are photos of the average traffic volume on H Road mid -morning. These photos were taken within a few seconds of each other. The traffic is a mix of family vehicles, trucks, trailers and commercial vehicles including trash compactor trucks and semi-trucks.

Should Maverick Estates be annexed at four lots per acre, the traffic will be non-stop, looking much like Patterson at noon. This subdivision, in addition to Apple Glen, just ½ mile away from the proposed Maverick Estates, will have added over 100 homes on H Road within a year.

Has a traffic count been done on H Road? It seems that there should be some monitoring to determine if the road can accommodate such traffic without improved infrastructure. People in these subdivisions will pick the Grand Valley Irrigation Company's canal for recreational activities before attempting H Road and the traffic hazards is presents.

Please limit the Maverick Estates to two lots per acre. This would be a prudent step in the right direction.

Thank you,
Diane Davis
843 24 ½ Road
GJ







Scott Peterson

From: Diane Davis <dedavis@acsol.net>
Sent: Monday, April 22, 2019 2:58 PM
To: Scott Peterson
Subject: FW: Maverick Estates Annexation 2019-37 Canal Hazards

Belinda White is out of the office. It was suggested by Diane Gallegos that I send this email to you.

From: Diane Davis <dedavis@acsol.net>
Sent: Monday, April 22, 2019 12:13 PM
To: 'belindaw@gjcity.org' <belindaw@gjcity.org>
Cc: 'gvic@sprynet.com' <gvic@sprynet.com>
Subject: Maverick Estates Annexation 2019-37 Canal Hazards

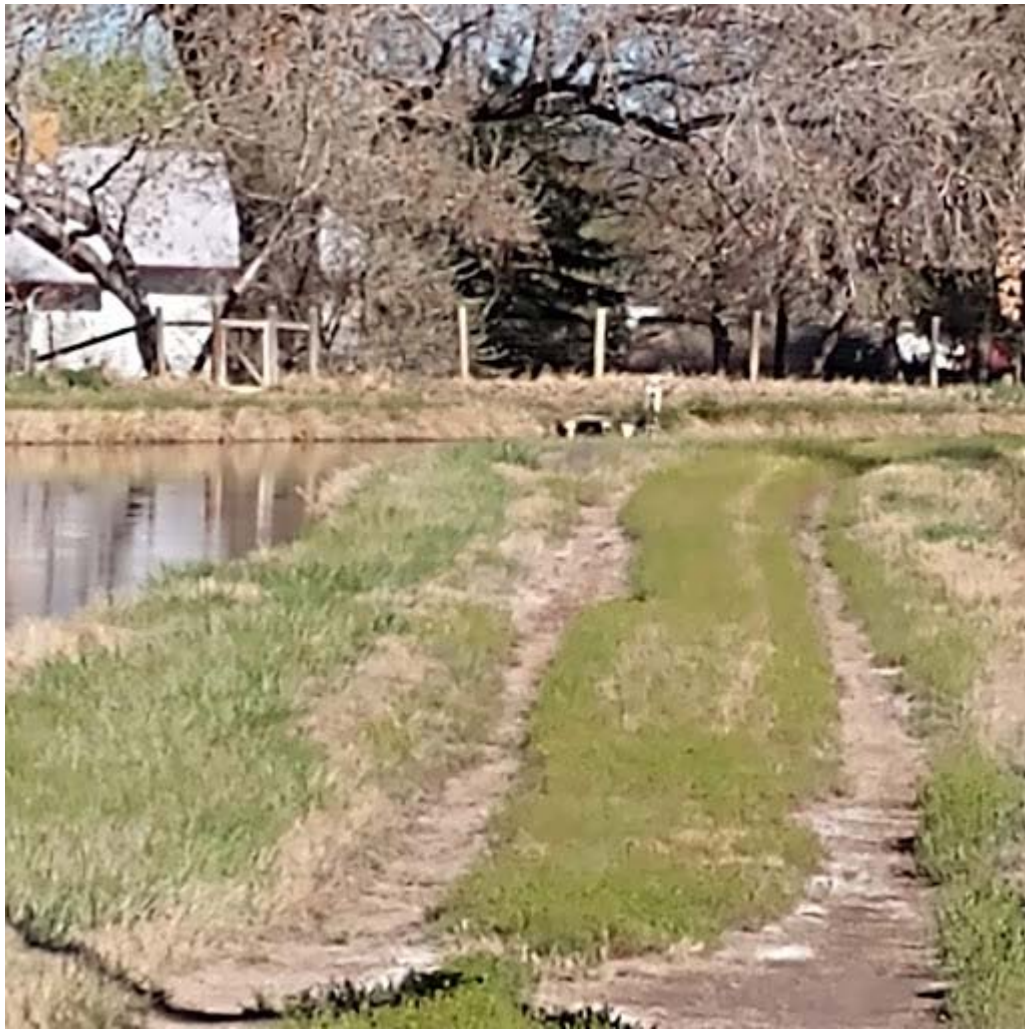
Dear Grand Junction City Council:

The photos below show the Grand Valley Irrigation Company's canal that nearly surrounds the Maverick Estates Subdivision, soon to be annexed. The roads on both sides of the canal are an attractive nuisance which will be taken as an opportunity for the residents of both Maverick Estates and Apple Glen to walk dogs, jog, ride bikes and motorcycles, fish, party, drinking and any other manner of entertainment. The canal is just a short walk from these subdivisions. The canal runs north, west and south of Maverick Estates and is far easier to travel than the narrow easement and heavy traffic hazards of the county roads for these activities.

Please consider these safety risks when the annexation vote comes before your council on May 1. Please moderate the impact to this area with a density of only two lots per acre.

Thank you,
Diane Davis
843 24 ½







Scott Peterson

From: GLEN H DIANE H GALLEGOS <DHGALLEGOS@msn.com>
Sent: Thursday, April 25, 2019 1:57 PM
To: Barbara Traylor Smith; Bennett Boeschstein; Phyllis Norris; Duke Wortmann; Duncan McArthur; Chris Kennedy; Rick Taggart; Scott Peterson; Belinda White
Subject: Maverick Estates, LLC ANX 2019-37

Glen and Diane Gallegos
2491 I /12 Road
Grand Junction, Co. 81505

Dear Mayor Barbara Traylor Smith and City Council Members,

We are writing you today to adamantly object to the annexation and density of 4 lots per acre for Maverick Estates.

The Grand Junction Comprehensive Plan starts with this quote: **"Becoming the most Livable Community West of the Rockies."** That is what we want and Grand Junction wants. It goes on to say **"It establishes a vision that focuses the community on what it should do to sustain the quality of life that ALL residents desire and expect."**

We know this Comprehensive Plan took a long time to develop. The circle and numbers on the Future Land Use Map you been told by the planners is just a guide, a plan, it does not restrict you to zone a property only one way with 2-4 lots per acre. As the Comprehensive Plan says it is an **"official document but not a regulatory document"** it is not a zoning map. The Comprehensive Plan also says the **"Comprehensive Plan is advisory" meaning it can and should be tailored to specific circumstances and not written in rock** That is why Scott Peterson in his report said **"Maverick Estates can also be zoned Residential Rural (which it is presently one house per 5 acres,) estate, R1, R2, R4, R5, R8, R12 or R16 and that would be consistent with the Comprehensive Plan of Residential Medium Low."**

Please don't look at the proposed Comprehensive Plan Future Zoning **Map** and think that is your only choice. It is just one part of the plan. According to Comprehensive Plan other maps The Appleton Area has the second to the lowest density dot and shows all of the Appleton area as agriculture and residences and the soils map of the Appleton area as prime farm soils. What these maps and the NW sub-area concept plan tells us that the Future land Use Map density for the Maverick parcel is not consistent with the other parts of the Comprehensive Plan. As presented the Maverick proposal undermines the Comprehensive Plan's goal to preserve agricultural land and maintain low density development.

The Comprehensive Plan Future Zoning Map has not held up to the test of time in the real world within the Appleton area. Every time projects presented that matched the Future Zoning Map, but didn't match the vision of the Appleton community(between 24 and 26 roads), they were turned down by the county and the city. **Why** was there such controversy and objections by both the community and our county and city officials? Because the people of the Appleton area did not have a say in its making and it didn't represent the area or the residents.

Now with the New Comprehensive Plan hopefully we will have say. As Greg Caton said at the first community meetings the New Plan **"will not** be built by planners but built by the community." The presenter also said that the present Future Planning Map has been wiped clean and that they going to start all over from scratch. We are excited that a new plan is being developed as we speak and hopefully the New Future Zoning Map will represent our community and the Goals and Policies of the Comprehensive Plan this time.

In the 2018 Grand Junction survey it said there was not enough homes with land. Maverick Estates can fill this need at one or two houses per acre. This will also accomplish goal number 5 of the Comprehensive plan. **"To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages."** The Comprehensive Plan says, **"The northwest Sub area indicates the future growth is to include preservation of agriculture land and low density of one dwelling unit per acre or more."**

In the Comprehensive Plan Goals and Policies 5, 6, and 7 all say. **"In making land use and development decisions, the city and county will balance the needs of the community."** Since it said it three times it should be of utmost importance in making your decision. That is why we have these meetings. So we as a community can express our needs and so you can take in all the information and then make a decision that is right for the community. That decision will ultimately affect everyone in the room and the future of the Appleton area and Grand Junction as whole. Hopefully that decision will **"sustain the quality of life that all residents desire and expect."**

Also 7 of the Goals and Policies states **"New development adjacent to existing development (of a different density/unit type/land use type) SHOULD transition itself incorporating appropriate buffering."** This leap frog development of four houses per acre is not an appropriate transition or provide any buffering when there is an average of one house per 5 acres and the land around it is zoned AFT.

The comprehensive plan also says **"Rezone the 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 rezone criteria."**

Maverick Estates at 4 lots per acre does not meet all the vision, goals and policies of the Comprehensive Plan. On this premise you can turn this proposal down. Do what's right. Please vote no on four houses per acre. Once the green is gone it is gone.

Best Regards,
Glen and Diane Gallegos
2491 I 1/2 Road
Grand Junction, 81505
dhgallegos@msn.com
243-1565

Scott Peterson

From: Rob <robwhn@yahoo.com>
Sent: Saturday, April 20, 2019 1:43 PM
To: Belinda White
Cc: Scott Peterson
Subject: Maverick estates ANX 2019-37, city council hearing

My name is Robert Hann, and I live at 2416 H road.

I strongly oppose the R-4 proposal at the maverick estates LLC, 2428 H road. I encourage you to only allow 1-2 homes per acre NOT 4.

I have several reasons for this. First off it's a rural area with homes on larger acreages. I don't believe four homes per acre would fit in this neighborhood. Our areas infrastructure has a hard time dealing with the impact we have now, not to mention what the impact of an additional 50-60 homes would do. The 24.5 road bridge over I-70 is so narrow that I won't allow my daughter to ride her bike over it, it's dangerous!

There is an extensively long list of reasons not to allow this in our neighborhood, as you well know, and are being made aware of. But the bottom line in my opinion is that it just would not fit in the neighborhood. I believe it would decrease value in people wanting to live around it. Most importantly listen to the neighbors! There isn't anyone who is in favor of this happening that I am aware of! So are you going to completely go against all of the property owners wishes on this planned subdivision? I hope & pray not. If you do allow 4 homes per acre I think you've just opened the doors for other property owners selling their land to developers. Then that quiet rural area is nothing but a bunch of houses & traffic. I think this area needs re zoned R1 / R2. There is a huge demand for lots of that size in the valley.

Thank you for your consideration in this matter.

Sincerely
Rob Hann

Sent from my iPhone

Scott Peterson

From: Thomas Harding <lgharding@hotmail.com>
Sent: Sunday, April 21, 2019 11:39 AM
To: Belinda White; Scott Peterson
Subject: Maverick Estates LLC Subdivision at 2428 H Road

Dear Grand Junction City Council Members, I am offering some reasons why the Maverick Estates Subdivision at 2428 H Road should be denied.

The opening paragraph of the current comprehensive plan states several concepts which this proposal does not meet.

- The proposal is NOT compatible with the surrounding area.
 - There is NO buffer to the surrounding low density properties.
 - Appleton school will become overcrowded and/or insufficient for the new demand.
 - The roads and bridges will become insufficient for the traffic increase.
 - The city has a large capacity for infill before needing to expand with an "Island" of higher density in the present rural area.
 - When I developed Red Peach Farm on 25 Road I conformed to a 2a/unit density, created open space, was required to give money for a bike lane, and kept true to the neighborhood character. This proposal is all about money with NO buffering of it's density, no neighborhood parks or open areas, and NO compatibility to its surroundings.
 - Approval would set a precedent for larger parcels a stones throw away which would turn the area into a "nightmare" of density without adequate infrastructure.
 - I also feel compelled to add this comment. S. Susuras vote on the Planning Commission, when his wife has the Appleton LLC, 40 plus acres across the road was really BAD and a dangerous precedent for government transparency. Please think this proposal through. A new plan of lower density would sell well, ie Greystone Estates - 48 houses. The compatibility and desirability of the area could still be maintained without overwhelming the current infrastructure.
- Thank you for your consideration.

Sincerely,
Tom Harding
Red Peach Farm HOA

Sent from my iPad

STEPHEN C. HILLARD
887 25 ROAD
GRAND JUNCTION, CO 81505

Re: Legal Issues — Maverick Estates Annexation

To the City Council of Grand Junction:

Please consider the following comments with respect to the public hearing for the pending annexation petition for the Maverick Estates. [1]

This letter addresses four legal problems with the proposed annexation:

(1) The Petition and Notices Were Based on Maps That Are No Longer Valid.

The Colorado Municipal Annexation Act provides that a petition for annexation must be accompanied by, inter alia, (a) map(s) “showing the boundary of the area proposed to be annexed,” and (b) a “written legal description of the area proposed to be annexed.” See C.R.S. 31-12-107 (d).

The maps and the written legal description were changed in material respects at the eleventh hour of this proceeding, on or about April 22, 2019. [2]

Given the late nature of these changes, it has not been possible to fully review the new maps and legal descriptions. Nonetheless, it does appear that substantial and material changes have been made, including changes to three of the five annexations (Numbers 3, 4, and 5), and altering the boundary for approximately 1,000 feet along the entire west side of the primary annexation tract in Annexation No. 5. and apparently reducing the width of the “pole” at the north end of Annexation No. 4 by 60%-plus. These are clearly not mere matters of correction, but are substantive changes.

The changes to the petition thus void the following:

- Any prior finding of substantial compliance
- Resolution of Intent
- Notice of Hearing
- Published Notices
- Mailed Notices
- Notice to the County
- Annexation Impact Report
- Hearing dates

To allow substantial changes in a petition after its filing would open the door to runaway annexations where the public, the County, and the various service providers have no idea where the annexation will finally land, and where the City would lack accountability for “floating” annexation parcels. Small changes can make big differences.

A new finding of substantial compliance would require restarting the petition process. See C.R.S. 31-12-108 (1).

(2) The Annexation Cannot Proceed Because the City Has Neither Adopted Nor Updated a Three Mile Plan.

C.R.S. 31-12-105 (1)(e)(I) requires the City to have a Three Mile Plan that is updated annually:

“Prior to completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the

proposed land uses for the area. Such plan shall be updated at least once annually." (Emphasis added)

A search of city records at the city website, plus records produced by the City pursuant to a specific request under the Municipal Open Records ordinance, have failed to show any such plan.

The City's Comprehensive Plan was adopted in 2010 and is not scheduled for an update until 2020. The Persigo Agreement similarly was adopted years ago and does not address the matters required for a valid Three Mile Plan.

The Three Mile Plan is an important tool for the City Council, for Mesa County, for institutions that provide public services, for developers, and, most importantly, for the public. For example, it allows the public to see how development may occur and gauge the impact on land use, the City's budget and its institutional capacity for services for schools, law enforcement and fire protection.

It appears that the last Three Mile Plan adopted by the City was in 1997 (the "1997 Plan"). See City Resolution 27-97. The detailed 1997 Plan was recognized by the City as an important tool as well as being necessary for compliance with the Municipal Annexation Code. It

specifically noted the annual update requirement. It was a detailed 24-page document. [2]

(3) The Annexation Impact Statement is Inadequate.

A key statutory requirement for annexation to proceed is for an Annexation Impact Statement to be prepared and filed with the County and made available for public review in advance of the public hearing. C.R.S. 31-12-108.5.

Like other legally mandated “impact plans”, such as Victim Impact Plans and Environmental Impact Statements, the purpose of such documents is to provide to decision-makers and the public a realistic assessment of community impacts.

While a document entitled “Impact Statement” was filed, the document is a mere six pages — only two pages of impact analysis and four pages of maps. It is substantively deficient. It provides no real basis for County and public review and input to the City. It has the appearance of a standard form of boilerplate for annexations, rather than a considered analysis.

Here are three examples of this deficiency:

(a) Impact on Schools. The Planning Commission received substantial input from area residents that the proposed annexation and subsequent development would have a substantial impact on the Appleton school as well as other schools. The Impact Report dismisses these concerns not by any impact analysis but by the cursory conclusion:

“Annexation of any area in the Grand Valley will have no effect on the numbers or distribution of children attending School District 51 facilities.” Impact Statement (f) (emphasis added).

It is respectfully suggested that this statement is on its face false.

There has been substantial public input that the addition of the development contemplated by this annexation will have a dramatic impact on the numbers and particularly the distribution of students, especially with respect to the Appleton School. [3]

(b) Impact on “the existing and proposed land use pattern in the areas to be annexed. C.R.S. 31-12-108.5 (1)(a)(III) (emphasis added). The Impact Statement simply does not address, as required, the

“existing” land use pattern in the area to be annexed. It instead refers the reader to a one-page map entitled “Maverick Estates Annexation — Future Land Use”. To state the obvious, the future land use is not the same as the existing land use. In fact, the single biggest objection voiced by the overflow crowd at the Planning Commission was that the contemplated future use was incompatible with the existing uses. The Impact Statement clearly fails to address a key statutory requirement that the City is aware of and that the public is demanding be properly assessed.

(c) Impact on Transportation and Public Safety. The Impact Statement completely fails to address the issue of public safety as it will be impacted by the annexation and proposed development. This was another issue of key concern as raised by the public at the Planning Commission meeting.

(d) Fiscal Impact. C.R.S. 31-12-108.5 (1)(d) requires a “statement setting forth the method under which the municipality plans to finance the extension of the municipal services in the area to be annexed.” The Impact Statement sidesteps the obligation by summarily stating “Methods of financing extension of municipal services may vary with developed and undeveloped tracts.” There is simply no fiscal or operational analysis of the impact of this annexation of

five different tracts on budgeting for municipal services. Will the developer be required to pay *all* of the costs for *which* services? Will the annexed area be a net drain on City resources? Who knows? The public cannot tell from reading the Impact Statement.

It is relevant that the City has previously considered a detailed fiscal analysis to be an important part of these Impact Statements. Notably, the last Three Mile Plan adopted by the City, in 1997, provided:

“In accordance with C.R.S. 31-12-101, et seq. the City will prepare an impact statement on all proposed annexations over ten acres. Such impact statement will address the provision of city services to the annexed area including the type of services provided and the timing of those services. *In addition, where practicable, for each proposed annexation, the City will prepare an accurate, itemized fiscal impact statement and recapture analysis, of the proposed annexation to the City.*” 1997 Plan at D (emphasis added).

Among its other deficiencies, the current Impact Statement makes no attempt to address the fiscal impacts of the pending annexation, much less one that is “accurate” and “itemized.” The public, the County and various public service institutions are thus left in the dark as to the true fiscal impact of the annexation.

Please note that there appears to be no provision under the Annexation Act to authorize a finding of “substantial compliance” by the City that would excuse the particular legal issues described in items (2) (no Three Mile Plan) and (3) (inadequate Impact Statement) above.

(4) The City, County and Public All Have an Important Interest in Insuring that Annexations Proceed in Compliance with the Persigo Agreement and the Municipal Annexation Code.

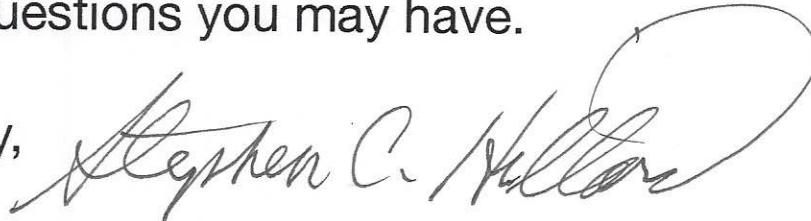
While the Persigo Agreement apparently covers this annexation, and limits the County’s rights to object, the same agreement repeatedly reserves key exceptions to this limitation on the County’s voice. See Persigo Agreement at (8) (annexation to occur “unless prohibited by applicable law”); (17) (a) (County may “intervene, sue or otherwise take action against . . . any City effort to annex any property within the 201 . . . if the City is not complying with or reasonably attempting to comply with the Annexation Act.”); (17) (c) (County retains right to contest annexation if it is “inconsistent with the Annexation Act”).

The compliance failures described herein constitute violations of the Municipal Annexation Code and thus provide a basis for an objection by the County.

Conclusion: The Petition should be denied. The Petitioner can presumably restart the process and address defects in the Petition. The City, with appropriate public input, can develop a valid Three Mile Plan and an adequate Annexation Impact Statement.

Thank you for considering these points. I will be speaking briefly at the public hearing and look forward to any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen C. Hillard", with a large, stylized loop at the end.

Stephen C. Hillard

cc: Council Members:

Mayor Barbara Traylor Smith

Mayor Pro Tem Bennett Boeschenstein

Councilmember Phyllis Norris
Councilmember Duke Wortmann
Councilmember Duncan McArthur
Councilmember Chris Kennedy
Councilmember Rick Taggart
City Manager Greg Caton
City Attorney John Shaver
Scott Peterson
Belinda White

Mesa County Commissioners:
Commissioner John Justman
Commissioner Scott McInness
Commissioner Rose Pugliese
County Attorney Patrick Coleman

Notes:

[1] I am an attorney registered in the State of Colorado. My current status is "Inactive" because I run a company. Accordingly, my comments are my own and not the result of representation of others. I have experience in the practice of public land law.

[2] The 1997 Plan was adopted the year before the 1998 Persigo Agreement. Perhaps the City felt that there was no need for compliance with the statute after that date, but that is not the case. The Persigo Agreement does not and could not waive this statutory requirement.

[3] The Impact Statement concludes with an irrelevant point: "Current and historical development patterns have shown that housing density is not affected by whether a residential development occurs in the County or City." Impact Statement at (f). The question to be analyzed is what is the impact of a particular housing density on local schools, not the general effect of development in the City or County on housing density.

Scott Peterson

From: Cynthia Komlo <cynthia.komlo@gmail.com>
Sent: Thursday, April 25, 2019 12:42 PM
To: Barbara Traylor Smith
Cc: Scott Peterson; Belinda White
Subject: Maverick Estates, LLC ANX 2019-37 City Council

Dear Mayor Barbara Traylor Smith,

My husband Dan and I purchased 5 1/2 acres at 852 24 1/2 road in 1984 before many of our neighbors built in the North area. We agreed with the 5-10 acre parcels at the first Master Plan Meeting then somehow the larger parcels in the rural North area keep disappearing. We purchased a larger parcel to farm. We still farm it. Many people in the North purchase acreage because they simply want the rural lifestyle. All of us living in the county spend our dollars in the city of Grand Junction.

We strongly oppose the proposed Maverick Estates 4 homes per acres for more reasons than I can list here. One primary community concern regarding the North area is safety and infrastructure. They may not live North but they have friends who do.

Every city seems to have zoning with larger land parcels. Even Denver has kept my old neighborhood as a kid in Englewood zoned as 2 houses per acre. We had horses. Neighbors had other farm animals. Aren't we a modern culture who supports farm to table healthy lifestyles? It's odd that the city of Grand Junction markets itself with pictures of nature and rural lands, when in reality, the community in our North area is fighting to save one of Grand Junction's gems in the North rural area.

Who on the City Council sees keeping part of our North Neighborhood zoned as AFT or Estate with bigger land parcels and open spaces close to town as an asset to attract buyers, business owners, employers, entrepreneurs to Grand Junction?

Maverick Estates proposed 68 homes on 17 acre is an "Island" development that will compound our county's current safety issues by adding volumes of more people and cars on our narrow, two lane roads with no shoulder. Currently, walkers, dog walkers, joggers, and even bicyclists already have to step-off 24, 24 1/2, 25, H, & I roads into the ditch when cars goes by in order not to get hit. Drivers seem not to care about pedestrians, including children, or bicyclists sharing the road anymore. Also, I-70 & 24 1/2 bridge is, in my opinion, a death trap. Mark my words- someone will be either killed or severely disabled as the volume of people travel over this interpass. Not your problem?... but can you help prevent it? What if it's your child? Your spouse, or you? Will it be time to make infrastructure safety changes after the incident? Not your monkey? OR is it?

As our city grows, the land owners in the North consistently have to defend the integrity of the North area. Master Plans are changed without us being contacted. The current Maverick Estates, LLC proposed "Island" development is another example of the outdated city system for notifying neighbors of a proposed zone change. Ethically, how can it be "ok" to contact neighbors who only live within 500 ft. when we have 1-20 acreage lots out here? How can it be ethically ok to meet the "minimum" requirements to list a Notice twice in *The Daily Sentinel*? Are people obliged to subscribe to *The Daily Sentinel*? People who don't happen to drive by the yellow development sign or are Not computer users (all economic levels) are, in my opinion, not ethically informed by our city officials or by the developers to have their voice heard on a matter that will change their lifestyle forever.

There are many creative talented people across multigenerations in our North area with forward-thinking vision to sustain the integrity of our valley and still grow. Many people have been voicing over the years about improving our infrastructure for multi-transportational needs, bicycling, walking, jogging, motorcycles, and public transportation and the lack of current "safe" infrastructure within the city of Grand Junction and yet the city wants to expand where safe infrastructure is non-existent in our North area.

Is the artist's paint brush, pallet, and canvas regarding the development of our North area only in the hands of a few... being the City Council and the developers? The North is Not the only area in our valley to expand growth~ why do you want to destroy the gem of our valley for many land buyers who seek a rural lifestyle and yet employment requires them to live close to town?

Infrastructure & safety is no joke. I have a visual impairment, highly functional, but do not have the eyesight to drive a car. I was in a Taxi accident heading south on 24 1/2 Road when my driver drove over three sets of rumble strips, past a pre-warning stop sign, and through the stop sign at the 24 1/2 & H Road intersection when my door was broadsided 45 miles an hour. Both vehicles were totaled. I suffered a fractured bone in my neck and severe whiplash which aspirated an existing connective tissue genetic disorder and also created an imbalance disorder. Though I went through extensive rehabilitation for four years, my injuries forced me into retirement from bedside clinical chaplaincy vocation at St. Mary's Hospital where I served patients-families & staff as part of the interdisciplinary medical team. I covered for Spiritual Care staff chaplains for 12 1/2 years. I'm highly trained with a Masters degree, four years of clinical pastoral education, and I'm dual board certified as a clinical chaplain. I'm also trained in Hospice & Palliative Care. Can you imagine how my husband feels about my life changing injuries?

A car crash at the intersection of H RD. & 24 1/2 RD changed my life forever. I chose to volunteer my time as a clinical chaplain. Presently, I cannot volunteer in organizations because I never know when I wake up in the morning if I'm going to have a high function or Non-functioning day due to the accident, chronic pain and/ or imbalance where I literally lose my balance. Will blinking stop lights help the intersections? Maybe but what about all the people exiting directly onto H, I, 24, 24 1/2 & 25 road? We do not have safe infrastructure in place for volumes of people. Our North area comprehensive plan is not being honored.

It seems the city can build West of 24 road. The city can infill and also improve the current city zoned infrastructure, i.e., sidewalks, roads, safety for different multi-transportational needs- walking & biking, expand & improve public transportation, clean up or tear down run down buildings, help Mesa Mall modernize, improve city schools & youth education, enhance existing gems like connect the River Front trail to Downtown, maintain the charm of Downtown.

We strongly oppose the proposed Maverick Estates. It seems like a greed disaster that "does Not fit" our rural area. If this North green gem area, 24 Rd. to 25 Rd., I-70 to the Bookcliffs is allowed to be developed with low, medium to high density including Maverick Estates, LLC with four houses per acre, I fear we will lose an important feature of Grand Junction.

I'll look for your Reply.

Grateful for your service to help maintain a beautiful outdoor focused community,

Cynthia

Cynthia Komlo
852 24 1/2 Road
cynthia.komlo@gmail.com
(970) 270-7052

Dear City Council Members,

Thank you for your willing service to the community.

I apologize, as family matters prohibit my presence at the May 1 council meeting.

I write to support the concerns of other Appleton residents, that R4 designation, in the proposed Maverick subdivision, creates a significant detriment to the character of that community.

I was born in Grand Junction in 1954, living on 17th Street north of Orchard until 1959, when that neighborhood was full of small family tomato farms.

I lived in the 7th Street historic district from 1964 until 1994.

Just as 7th Street embodies our communities' history and should not be altered to another purpose, Appleton is a community that demonstrates our agricultural heritage.

The great grandson of a Missouri homestead farmer, that heritage is expressed in Appleton.

Appleton's citizens support smart growth.

Others will speak to the strain on infrastructure, school crowding and traffic safety, if the growth rate is accelerated beyond the ability of the community to assimilate that growth.

I am particularly motivated, as an R8 designation adjacent to my property, would be encouraged by the Maverick subdivision, as an implied precedent.

I asked Dale Beede to find me a rural home site, two contractions in time from St. Mary's delivery room.

I live on that 10 acres at 827 Twenty Five road

I bought the property in 1989, making payments to American National Bank for five years, while planning our current home.

I designed the home, anticipating two to three houses on the five or ten acres to my west, congruent with the estate designation of that time.

An overgrown Russian olive grove and a natural creek create a habitat that supports deer, owls, skunks, raccoons, over fifty species of birds, intermittently fox, coyote, bears, a mountain lion, and last summer, four new bobcat kittens.

The wildlife migrate across the estate designated properties to and from the wash to the west.

The good soil supports the hay crop that feed Wilbur and Karl, my donkeys, just as other neighbors run cattle, chickens, sheep, and goats.

Their aromatic output reminds us that we live in the country.

My tomato crop is stellar.

Working the property, cutting and raking hay, stacking bales, gardening, and canning healthy, flavorful food, was part of my planning process for my choice of a healthy life in Appleton.

The counties' planning designation has migrated gradually from 10 acres; first to 5-10 acres, then 1-2 acres.

The Greystone subdivision, developed on one acre parcels, with input of the neighbors, doubled the number of houses in the ½ mile near my property.

This was an abrupt change, but assimilated and accepted, as the neighborhood assisted in that planning process.

Our neighborhood citizens did not do their job in monitoring the Persigo agenda; but the notification process favored those with inside information or a vested interest in development.

Certainly gravity determines where a sewer line runs.

Certainly our community will grow.

A 3% growth rate will create a doubling every 35 years.

Appleton should not be expected to grow at a rate that is exponentially greater than our historical growth rate.

Our community planning is particularly challenging, as our boom bust economic cycles create wholesale conversion of neighborhoods that are incongruent.

I look south from my front porch, adjacent to 40 acres slated for R8 development, on the right of my fence line and the drainage ditch beyond.

To the left sit four properties on 10 to 18 acres.

320 new houses to the west, adjacent to the four properties, creates an incongruence to the community, and a roughly 20 fold increase of the population.

The challenge to council members, is to weigh unrestrained growth against enhancing each neighborhood's character.

Naturally, a property owner, intent on development, would like to maximize the profit based on their property rights.

In Appleton, we resist boom bust growth as a detriment to maintaining neighborhood cohesion and character.

The Persigo notification process has created a mistrust among the Appleton residents.

We hope that the city council members will wisely reconsider, and reverse the Maverick planning decision.

As a metaphor, the current proposal is the equivalent of bulldozing the west side of the seventh street district to make way for more profitable car washes, pot shops, tattoo and massage parlors.

The Appleton neighbors are not against all growth.

We favor smart growth.

Many of our residents are participating in the new growth planning process.

We realize that our neighborhood will share in Mesa Counties' growth rate.

We merely ask that the growth rate makes sense, and enhances the community, rather than overwhelming it.

R4 and R8 designations would alter the Appleton community character in a harmful direction.

Thank you for your consideration,

Patrick Page

827 Twenty Five Road

MAVERICK ESTATES, LLC PETITION

We the residents between 24 and 25 Rd and H and I Rd strongly oppose the annexation of 2428 H Rd to the city and the change of zoning from AFT to R-4.

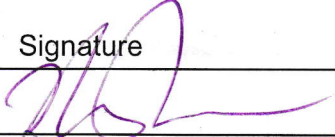
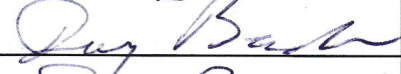
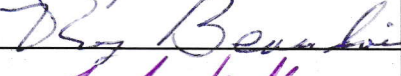
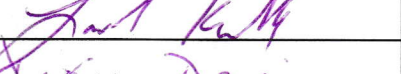
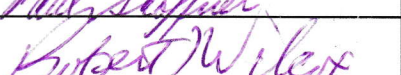
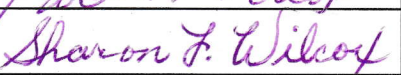
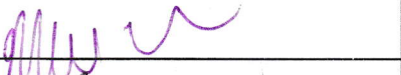
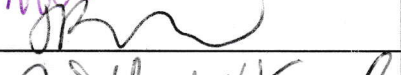
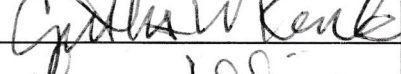
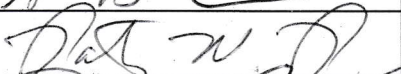
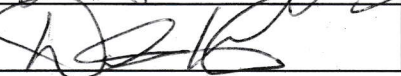
We ask City Planner Scott Peterson to consider the concerns of the residents and deny the petition to annex and rezone 2428 H Rd.

Name	Address	Signature	Email
MICHAEL F. JOHNS	2421 I Rd	Michael F. Johns	
CW M. Galtz	2491 1/2 Rd	CW M. Galtz	
Bret Pommerle	2479 H Rd.	Bret Pommerle	
ROBERT GUICO Robert Guico	2467 H Rd	Robert Guico	
Patricia Amrine	805 24 1/4 Rd	Patricia Amrine	richlogt1@chaparral.net
Dr. John J. Wyatt	2416 H Rd.	John J. Wyatt	
Lanora Wyatt	2416 H Rd.	Lanora Wyatt	
Lanora Wyatt	2416 H Rd.	Lanora Wyatt	
Rob Hann	2416 H Rd.	Rob Hann	
PAT BAIR	2449 H Rd	Pat Bair	
Richard Connell	816 24 1/2 Rd	Richard W. Connell	richard@colorado6.org
Michelle Hill	818 24 1/2 Rd	Michelle Hill	
Burke Hill	818 24 1/2 Rd	Burke Hill	
Caree Snedden	895 24 1/2 Rd	Caree Snedden	
JIM EDIANA CATTARELLO	2452 I ROAD	James L. Cattarello	
Holly Smith	822 24 1/2 Rd.	Holly Smith	
Mittie C Smith	822 24 1/2 Rd	Mittie Smith	
Mark Smith	822 24 1/2 Rd	Mark Smith	
off school	825 25 Rd	Mark Smith	
Mark	823 25 Rd	Mark	

MAVERICK ESTATES, LLC PETITION

We the residents between 24 and 25 Rd and H and I Rd strongly oppose the annexation of 2428 H Rd to the city and the change of zoning from AFT to R-4.

We ask City Planner Scott Peterson to consider the concerns of the residents and deny the petition to annex and rezone 2428 H Rd.

Name	Address	Signature	Email
Matt Rossman	826 24 1/2 Rd		
Patti Beaudoin	833 24 1/2 Rd.		
Patti Beaudoin	"		
Roger Beaudoin	"		
Leonard Kunkle	833 24 1/2 Rd		
Diane Dario	843 24 1/2 Rd		
Michael Dario	"		
Paul Shaffer	845 24 1/2 Rd		
Robert Wilcox	848 24 1/2 Rd		
Sharon F. Wilcox	848 24 1/2 Rd		
Carol Costopoulos	855 24 1/2 Rd		
Marcus Costopoulos	855 24 1/2 Rd		
Jennifer Rossman	820 24 1/2 Rd		
Cynthia Komlo	852 24 1/2 Rd		
Lynn Gillespie	2494 Relay Mesa Ct		
Diane Gillespie	2491 I 1/2 Road		
ANNA MARIA FUOCO	2467 H Rd.		
Al Laase	2421 H Rd		
Patrick Page	827 25 Rd		
Dan Komlo	852 24 1/2 Rd		

MAVERICK ESTATES, LLC PETITION

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Name	Address	Signature
Diane Y. DeRosier	815 25 Rd ^{G.T. Co 81505}	Diane Y. DeRosier
Chuck Jones	2495 H. Rd	Chuck Jones
D. J. Duffey	2489 H. Rd.	Daniel J. Duffey
KEVIN DAVIS	2485 H ROAD	KEVIN DAVIS
Kelly Corn	2486 H Ct	Kelly Corn
Marci O'Gara	2482 H Ct	Marci O'Gara
Bob Brown	2478 H Ct	Bob Brown
Stephanie Pomrenke	2479 H Rd	Stephanie Pomrenke
Daniel C Johnson	2472 H Rd	Daniel C Johnson
Jane Johnson	2472 H Rd.	Jane Johnson
TERRY K. PARKO	2411 H.Rd.	Terry K. Parko
Debbie K. Parko	2411 H Rd.	Debbie K. Parko
Duane White	810 24 Rd	Duane White
Sandra Allemang	818 24 Rd	Sandra Allemang
Lynne Young	824 24 Rd	Lynne Young
D. Young	840 24 Rd	D. Young
Loyanne Beesley	2409 I Rd.	Loyanne Beesley
Mary Reekie	2411 I Rd	Mary Reekie
OREW REEKIE	2411 I RD.	OREW REEKIE
Stephen C. Hilford	887 25 Rd.	Stephen C. Hilford
Thermon Handley	2482 Red Pk.	Thermon Handley
Summre Stenry	841 25 Rd	Summre Stenry

Dear City Council Member,

I could speak to you about the beauty and character of the Appleton area north of town; about the wildlife and heritage of the area and how residential neighborhoods will ruin these things. Instead I feel that speaking as an educator about the impact high density residential areas will have on Appleton Elementary is more critical. Currently Maverick LLC is petitioning to rezone 2428 H Rd from ATF to R-4. This will have a terrible impact on Appleton Elementary, the students, and the families.

Currently Appleton serves a large rural (ATF) attendance area. While the district impact report states that annexing areas into the city will have no direct effect on students/schools(this is true since it is a county district serving all students of the valley), it will have a huge indirect impact creating overcrowding of Appleton Elementary through rezoning to R-4 which is only possible through annexation. Currently the school has 414 students=24 students per classroom. With the completion of **Apple Glen subdivision next door, another 47-60 students could be attending Appleton increasing the total number to 461 (27 per class).** If **2428 H Rd is kept at ATF** that would only add a handful of students to an already highly populated school. **This is acceptable. If it is rezoned to R-1, it would add a potential 17 new kids** to Appleton increasing the population to **478 students (28 per class.)** If the proposed **rezoning to R-4 is allowed it could potentially add 60 new students** to Appleton, increasing the it's numbers to around **515 students (30 per class).** Consequently, class sizes will be much too large for effective learning to take place. This is unacceptable.

Another problem with higher density housing development is the change in attendance areas this causes. Fruita is already having this conflict with Rimrock Elementary and Loma. High density housing caused the district to rezone attendance areas to send families to Loma. Now the district is being forced to build another elementary school at the cost of \$25 million because even rezoning attendance areas did not solve the problem. We do not need this same dilemma in the Appleton area because of insufficient planning and high density housing.

We need to really think carefully about the impact not only on this historic area and the integrity of this area, but also the impact on our schools, families and children before making a decision, which is why as a teacher and resident, we ask you to only zone 1 house per acre on the proposed lot, or keep the area as ATF.

Thank you,
Matt Rossman

Scott Peterson

From: Jean Sewell <710bjs@gmail.com>
Sent: Wednesday, April 24, 2019 10:06 AM
To: Belinda White
Cc: Scott Peterson
Subject: Maverick Estates, LLC, ANX 2019-37, City Council Hearing

From: Ralph & B. Jean Sewell, 884 Quail Run Drive, 81505 970-243-8151

Re: Maverick Estates Annexation 2019-37

- The recent subdivisions off the west side of 25 Road between F ¼ and G Roads have hundreds of new homes with no turn lanes, sidewalks or bike lanes.
- People walk & bike on 25 Road where there is not much of a shoulder & lots of traffic.
- Northbound traffic on 25 Road in this area is slowed significantly by lack of turn lanes.
- Planning and permitting could have required sidewalks, turn lanes and bike lanes to be funded or installed by the developer rather than hoping a millage tax would be passed for to fund these improvements.
- Funding for amenities of the nature described in the bullet points above should be addressed in the annexing and permitting process for the referenced project above and other future projects in similar areas.

Scott Peterson

From: Fran Sloatman <fsloatman@hotmail.com>
Sent: Friday, April 19, 2019 11:01 PM
To: Scott Peterson; Belinda White
Subject: Maverick Estates Annexation

To Grand Junction City Council Members, Mayor and Planner for the City of Grand Junction

I, Frances B Sloatman, oppose the Maverick Estates LLC Subdivison, 24 1/4 Rd & H Rd, that is requesting annexation into the City of Grand Junction. I also oppose their proposal for R-4 density zoning. The area surrounding the proposed subdivision is rural, either agricultural or rural estate. I would be in favor of a subdivision of R2, but not R4. The property wasn't in the Persigo Sewer District until recently. The approval for that happened without the neighborhood residents knowing about it. I know that growth is inevitable, but it should occur in a way that gives respect to all property owners.

Also the infrastructure needed for this project density is absent. (ie. roads, schools etc.) The bridge at 24 1/2 Rd and I-70 is scary at best. I also understand that the Appleton Elementary School is at capacity. In closing I hope you vote NO on the Maverick Estates LLC subdivision as it is currently proposed. Thank you for your consideration.

Sincerely,
Frances B Sloatman
Resident
2489 Red Peach Ct
Grand Junction, Colorado 81505
970 901-2753

Sent from my iPad

Scott Peterson

From: Mark Smith <info@mainstreetbagels.net>
Sent: Tuesday, April 23, 2019 4:54 PM
To: Scott Peterson
Subject: Maverick Estates 2428 H Rd

Concerning; Maverick Estates, 2428 H Rd. City Council Hearing

Scott Petterson,

I am urging the city council and planners to not allow a high density development in this rural and agricultural area. The proposed development is certainly not welcomed by any home owners in this area and would create many problems. I will list a few.

1. The main roads that will be used by the 68 proposed houses on the now undeveloped farm parcel of 17 acres would be H. Rd, 24 ½ Rd and 24 Road. My family has lived at 822 24 ½ Rd for 23 years and major traffic problems have already developed in the North GJ area and especially at several areas South of H. Road. On 24 ½ Rd south of H Rd, there are two schools and two churches, all of which have inadequate turn lanes to access them from the narrow two lane road. Back ups occur daily. The bridge over I-70 is a death trap for children and adult bicycle riders alike. Bicycle riding in much of the North area has become a dangerous activity that my family will no longer risk. Road and bridge widening, bike lanes and round-a-bouts should be built before adding more development in the area

2. I have doubts that Appleton school will be able to accommodate the overcrowding likely to occur.

3. The emergency service response time to that area is already very much below acceptable standards. Greatly increased traffic will slow it even further while emergency service needs will greatly increase.

For the three reasons above, I feel that a high density development in this area at this time would be putting the cart before the horse and would obviously badly damage the quality of life for North GJ residents.

Finally, a development of this density just flat out does not fit this particular area. (Like a pooch turd left behind on a lovely landscape.) There are other more appropriate areas for high density developments. This area should not have, at this time, more than one house per one or even two acres. This type of density would allow the developer to build 8-17 houses on this

agricultural parcel. I think most residents in the area would be happy with that kind of a well planned and attractive development.

Thank you for your attention to my thoughts and concerns.

Sincerely,

Mark & Missy Smith

822 24 ½ Rd. Grand Junction Co. 81505

970 433-1496 info@mainstreetbagels.net

25 April 2019

TO: **GJ City Council Members**
FROM: Dave Zollner

RE: Development **2019-37**
Maverick Estates Subdivision
Zone of Annexation: approx 2428 H Road

I suspect that you may well see this proposed annexation as **just another development request.**

But I pray you look beyond what is billed here.

I suggest that **this is not like an annexation request you may have seen** at 23.75/H Roads, or 25/G Roads or 30/D Roads or 30/F Roads or on South Camp Road. Those areas have **gone directly from AFT to urban densities, as a typical and historical expectation.** Sure, some neighbors there may have had gripes about their view being blocked, increased traffic, shrinking open space, etc. ... general resistance to development. But, I submit that is not the case with the area of this proposed request, but rather that **this area has had a 4 decade development plan** that has been fighting for its life ... and is again here.

The area from **roughly 24.25 Road to 26 Road generally North of I-70** has been materially developed, largely 10-40 years ago. I have lived there for 30 years and most of the residents are 20-50 year residents. And I have been involved in the area for 38 years and have upwards of 1500 hours in land-use related issue for this area in that time.

The neighbors knew this as 5 acre minimum parcels during the 1970s, 80s, and 90s, until an outside the area developer pushed for the county to increase density and to establish a 2 acre 'Estate' lots in about 2000. And the neighbors lived with that. Then [according to County Planning] the City Development Department in 2009 pushed the County to match their 'Estate' lot size to the City's Development Code at 1 acres, so this area was reduced again [hence the 1 acre lots of Greystone Subdivision].

Through all this, the area has retained an average lot size of about 6-8 acres, because this area is about 70+% developed, and with mostly residents that have lived there for decades.

This neighborhood is not resisting development. **This neighborhood is resisting the ever increasing density pushed on them over the past 20 years.** This annexation would quadruple density from existing Code and would be about **25-30 times greater than the existing lot average.** This land of proposed annexation can already be well developed within the County Code and at the same time **maintain a quality land use that is fitting for this neighborhood.**

I'm sorry, I am not able to attend the meeting in person as I will be out of town, but I encourage you to **decline** the Maverick Estates Zone of Annexation .

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Zollner", with a stylized flourish at the end.

Dave Zollner
2562 H Road
dzollner@gvii.net

Scott Peterson

From: Bobbi Alpha <bobbialpha@aol.com>
Sent: Tuesday, April 09, 2019 12:24 PM
To: Scott Peterson
Subject: strongly oppose proposal for R4 density zoning

Dear Grand Junction City Council Members,

We Sigma and Bobbi Alpha, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 Rd. & H Rd., who is requesting annexation into the City of Grand Junction. We also strongly oppose their proposal for R4 density zoning. We are agreeable to Estate or R2, two houses pr acre, zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs even larger planned 1/2 acre parcels as designated rural areas to enhance the Grand Valley's variety of Realestate choices.

Thank you for your consideration,
Sigma and Bobbi Alpha
843 25 Road
Grand Junction, CO
81505

From: rwc & cac [<mailto:rmlgico@zoho.com>]

Sent: Thursday, April 4, 2019 12:27 PM

To: Sam Ranguet <samr@gcity.org>

Subject: low density not high densitu

keep the rural country feel to grand junction please

Scott Peterson

From: Diane Davis <dedavis@acsol.net>
Sent: Monday, April 08, 2019 2:06 PM
To: Scott Peterson
Subject: 24 1/4 Road

Good afternoon Scott,

24 ¼ Road is the West boundary of the Maverick Estates Subdivision and there has been a question as to the ownership of this road.

Whether this road is privately owned or owned by Mesa County: 1) Can the City of Grand Junction can annex regardless of who owns the road? 2) If annexed, can the city create/declare the road to have an unrestricted easement or dedicated ROW?

Thank you,
Diane Davis

April 9, 2019

Dear Grand Junction City Council Members- Phyllis Norris, Duke Wortmann, Duncan, McArthur, Chris Kennedy, Rick Taggart, and Mayor Barbara Traylor Smith and Mayor Pro Team Bennett Boeschstein,

I/We Fred + Carol Fowler, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 Rd. & H Rd., who is requesting annexation into the City of Grand Junction. We also strongly oppose their proposal for R4 density zoning. We are agreeable to Estate or R2, two houses pr acre, zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs even larger planned 1/2 acre parcels as designated rural areas to enhance the Grand Valley's diversity of Real estate choices. **I/We want future "ESTATE and AFT" zoning in our North Neighborhood Grand Junction area, 24 Rd. to 26 Rd, H Rd. north to I Rd..** Please infill city land before you push high density housing into our County. It doesn't fit a creative sensible development plan.

Thank you for your consideration,

Print & Sign your Name &

Address:

Disclaimer: By signing the "Easy-Breezy Sample Slips" you are in agreement on your own volition with the above comments and opinions.

Fred E Fowler. 2405 Sage Run Ct. G.J. 81505
Carol Fowler

From: bfuoco@fuocomotors.com [<mailto:bfuoco@fuocomotors.com>]
Sent: Friday, April 19, 2019 9:03 AM
To: Belinda White <belindaw@gjcity.org>
Subject: Maverick Estates, LLC, ANX 2019-37

Belinda, please forward this e:mail regarding Maverick Estates annexation to all City Councilors.

Dear Councilors,

In 2010 the Master Growth Plan (MGP) was adopted by the City and County with drastic changes from the 2003 plan. In 2003 we were experiencing a period of fantastic growth, even so, the 2003 plan preserved the rural characteristics the Appleton area had always known. Then, in 2010 the new Master Growth Plan made questionable zoning changes to the East Appleton area despite the floundering economy.

As we see our economy rebound we are now feeling the effects of the past years' poor planning. Appleton did not experienced the envisioned "Village Center" nor has the infrastructure kept pace with the projected growth. Therefore, medium density housing would not seem compatible with the reality of the growth to this point in the East Appleton area which is currently comprised of estates ranging from one acre up.

In November's Community Survey, younger and newer residents requested more apartments and homes on large lots. Large lots have become a thing of the past as Grand Junction continues to insist on subdivisions of 4 units per acre and up. At R-4 density average lots are in the .16 to .20 acre size, scarcely large enough to park a boat, RV or ATV trailer. The response to the Community Survey shows the need for the Councilors to rectify a growing problem for Grand Junction by providing an area fulfilling the requests of Grand Junction's residents without overburdening the roads and bridges to and within the area.

The area North of I-70 from 24 Road to 26 Road should be zoned as estates only. Please decline Maverick Estates' annexation request with R-4 zoning and send it back to the developer for a plan more compatible with the area.

Thank you,

Bob and Anna Maria Fuoco
2467 H Road

From: Joan Haberkorn <joaneh@acsol.net>
Date: April 9, 2019 at 8:57:56 PM MDT
To: belindaw@gjcity.org
Subject: Message to City Council members

Dear City Council Members,

We wish to state our strong opposition to the proposed annexation of the property known as Maverick Estates. What would be flagpole annexation of a property with urban zoning is totally out of character with the Estate and AFT zoning of Appleton area neighborhoods.

The Appleton area has gone through many revised comprehensive plans, and each one has preserved its low-density zoning. There are many valid reasons to reject the Maverick Subdivision. The existing infrastructure is not designed to support urban development, the roads are two-lane "country" roads, the fire and medical response times do not meet national standards, Appleton Elementary is at capacity, and this property was not originally intended to be included in the Persigo Sewer District.

There is still much open land between Grand Junction and the Appleton area. It seems like common sense to build on that space before approving an incongruous flagpole subdivision in an area that has already developed with a rural character. The high-density proposal does not provide a buffer zone between city zoning and the rural Appleton neighborhoods in which we have chosen to live.

The Appleton area is a unique blend of neighborhoods and open space. It is a favorite of bike riders and walkers who enjoy the scenery, rolling hills, and lack of traffic. Time after time the residents of this area have stated their emphatic desire that it retain its low density zoning.

Please insure that development in the Appleton area is in keeping with its current character and deny the Maverick Subdivision's urban zoning proposal.

Sincerely,

Joan and Dennis Haberkorn

877 25 Road

Sent from my iPhone

Scott Peterson

From: Sandra Holloway <sandsourdough@gmail.com>
Sent: Tuesday, April 09, 2019 1:21 PM
To: Scott Peterson
Subject: Objection to Maverick Estates Subdivision proposal

Dear Grand Junction City Council Members,

I, Sandra M. Holloway, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 Rd. & H Rd., who is requesting annexation into the City of Grand Junction. I also strongly oppose their proposal for R4 density zoning. I am agreeable to Estate or R2, two houses per acre at the most, zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs more planned 1/2 acre parcels as designated rural areas to enhance the Grand Valley's variety of real estate choices.

I moved here with my family in 1968 so I have been witness to the growth of the Appleton area for 51 years. I understand the fact that the population of the Grand Valley is growing as this is such a lovely place to live, but urbanizing this area of Appleton ruins the reason many people have chosen to live here in the first place.

I can understand that developers, builders and real estate companies are in the business to make money which is good for the economy and they create jobs, but I hope the City will also take into consideration all the residents interests instead of a minority that care little for our way of life.

The "Appleton Center" is planned for urbanization West of 24 Road. not east of 24 Road. There are plenty of properties west of 24 Road that could be developed instead. There are also places in and around the city such as Orchard Mesa that could be considered for high density development. Please keep this urbanization to a minimum in our area, we live here because it's rural. If we wanted to live in the city that's where we would move to!

Thank you for your consideration,

Sandra M. Holloway
813 24 1/4 Road
Grand Junction, CO 81505

--

Sandra M. Holloway

From: Keith Kump [<mailto:keithkump@gmail.com>]
Sent: Friday, April 19, 2019 7:30 AM
To: Belinda White <belindaw@gjcity.org>
Subject: MAVERICK ESTATES ANNEXATION 2019-37

Keith Kump at 2451 Kelley Drive 81505. Ph. 462-2997

I support the annexation if it will me developments and growth. Any increase in an area such as the GJ valley is a good thing. If the people can't live here they go some place else. Their presence here helps the economy, property values, and the tax base for added growth all around. The 24 & 1/2 bridge, no concern, other equally accessible routes. Thanks K.K.

From: Sue Magee [<mailto:suemagee10@gmail.com>]

Sent: Friday, April 05, 2019 3:00 PM

To: Council <council@gjcity.org>

Subject: Please vote NO on Project 2019-37, 2428 H Road request to change zoning

April 5, 2019

To: Mayor Smith and Council Members Boeschstein, Norris, Wortmann, McArthur, Kennedy, and Taggart

We own a home at 2517 Oleaster Court off 25 Road between H and I Roads. We purchased our property in 1995 and paid a premium for our acreage since we knew the zoning would not allow high density development nearby.

This location is desirable due to its acreage and proximity to town.

The developer of the proposed Maverick Estates Subdivision (Project 2019-37, 2428 H Road) is asking to be annexed into the city and to change the zoning from AFT to R-4 which would allow 68 homes on the 17 acres under consideration. We are opposed to this change of zoning.

In years past, most recently in 2016, another developer petitioned to be allowed inclusion into the Persigo Sewer District to allow high density development. The property owners in the area wrote letters, emails, made phone calls, and attended meetings to prevent that from happening in 2016. All realize that property values would decrease by changing the zoning to high density. The high density development request was denied, and the area was not included in the Persigo Sewer District.

We were shocked to learn that last summer (2018), the Maverick Estates Subdivision was included in the Persigo Sewer District. No one in the area realized that this was even being discussed. In the past when inclusion to the Persigo Sewer District is being discussed at County or City Council meetings, owners get involved to state their views. Due to lack of notification, no one showed up at this meeting, and the subdivision was included in the Sewer District. There were no signs posted. Two notices were in the Daily Sentinel which we did not see and from the lack of response, no one else did either. Now the developer wants to change the zoning to high density.

A high-density subdivision will increase traffic causing congestion on small rural county roads. The intersection of H Road and 25 Road will be greatly impacted by traffic from a high density subdivision. This area's zoning was designated and approved Rural before people bought and built their homes. There are other areas where high density is already approved. Driving around the neighborhoods north of the Interstate between 24 and 26 Roads, one sees homes on acreage. It will not be attractive to see pockets of high density subdivisions interspersed.

The City Council and or County are going to develop another Master Plan for development by 2020. In doing so, please consider the unique community we have. There are high density areas, but planners in the past realized the value of saving acreage property close to town north of I-70. This is a very attractive area of town that is an asset to the community and desirable for present as well as future owners.

To prevent devaluation of property and increased traffic congestion on small rural county roads, please do not approve a change in zoning for the Project 2019-37, 2428 H Road Maverick Estates Subdivision.

This is scheduled to be discussed and voted on at the May 1st City Council meeting.

Thank you for your time and consideration in this matter.

Sincerely,

Archie and Sue Magee

2517 Oleaster Court

Grand Junction, CO 81505

From: Sue Magee [<mailto:suemagee10@gmail.com>]

Sent: Thursday, April 18, 2019 2:40 PM

To: Belinda White <belindaw@gjcity.org>

Cc: Council <council@gjcity.org>

Subject: Oppose Maverick Estates Annexation 2019-37; Archie and Sue Magee, 2517 Oleaster Ct

April 18, 2019

To: Belinda White, GJ City Manager

We **oppose** the annexation of Maverick Estates 2019-37.

We own a home at 2517 Oleaster Court off 25 Road between H and I Roads. We purchased our property in 1995 and paid a premium for our acreage since we knew the zoning would not allow high density development nearby. This location is desirable due to its acreage and proximity to town.

The developer of the proposed Maverick Estates Subdivision (Project 2019-37, 2428 H Road) is asking to be annexed into the city and to change the zoning from AFT to R-4 to allow 54 homes on the 17 acres under consideration. We are **opposed** to this change of zoning.

In years past, most recently in 2016, another developer petitioned to be allowed inclusion into the Persigo Sewer District to allow high density development. The property owners in the area wrote letters, emails, made phone calls, and attended meetings to prevent that from happening in 2016. All realize that property values would decrease by changing the zoning to high density. The high density development request was denied, and the area was not included in the Persigo Sewer District.

We were shocked to learn that last summer (2018), the Maverick Estates Subdivision was included in the Persigo Sewer District. No one in the area realized that this was even being discussed. In the past when inclusion to the Persigo Sewer District is being discussed at County or City Council meetings, owners get involved to state their views. Due to lack of notification, no one showed up at this meeting, and the subdivision was included in the Sewer District. There were no signs posted. Two notices were in the Daily Sentinel which we did not see and from the lack of response, no one else did either. Now the developer wants annexation and to change the zoning to high density.

A high-density subdivision will increase traffic causing congestion on small rural county roads. The intersection of H Road and 25 Road will be greatly impacted by traffic from a high density subdivision. This area's zoning was designated and approved Rural before people bought and built their homes. There are other areas where high density is already approved. Driving around the neighborhoods north of the Interstate between 24 and 26 Roads, one sees homes on acreage. It will not be attractive to see pockets of high density subdivisions interspersed and will devalue current owners' properties.

The City Council and or County are going to develop another Master Plan for development by 2020. In doing so, please consider the unique community we have. There are high density areas, but planners in the past realized the value of saving acreage property close to town north of I-70. This is a very attractive area of town that is an asset to the community and desirable for present as well as future owners.

To prevent devaluation of property and increased traffic congestion on small rural county roads, please do not approve a change in zoning for the Project 2019-37, 2428 H Road Maverick Estates Subdivision.

This is scheduled to be discussed and voted on at the May 1st City Council meeting. Thank you for your time and consideration in this matter.

Sincerely,
Archie and Sue Magee
2517 Oleaster Court
Grand Junction, CO 81505

April 9, 2019

Dear Grand Junction City Council Members – Phyllis Norris, Duke Wortmann, Duncan McArthur, Chris Kennedy, Rick Taggart, and Mayor Barbara Traylor Smith, and Mayor Boeschstein,

We, Mark and Missy Smith, respectfully strongly oppose the Maverick Estates LLC subdivision at 241/2 Rd & H road that has been presented to the City of Grand Junction. The prospect of 2 to 4 houses per acre is totally incongruent for our neighborhood. It does not fit in any way in the beautiful rural area. At this time the area has mostly an estate zoning which we are agreeable to. Even 2 houses per acre could uphold the area's integrity. Of course development has to happen but it needs to happen with a plan that fits into our county as a whole. Please vote for future zoning between 24 and 26 roads and between H rd north to I road to be "Estate or AFT zoning".

Please do not allow the Maverick Estates subdivision to happen at the proposed density of 2 to 4 houses per acre. If needed, please put this development on hold until you have finished reviewing and updating our comprehensive plan.

We are strongly asking you to vote to protect the rural diversity that is important to our whole community. The Grand Valley is defined by and desired by people wanting to move out of big cities for the very reason that we have some beautiful rural neighborhoods. We do not want to become an overpopulated, polluted mini-Denver

Please urbanize west of 24 road, where there is already density that fits with this development plan. Please infill city areas rather than pushing out into the county. There are many areas in the valley that have room for development that are far more appropriate and would "fit" in regard to traffic, schools, and overall zoning.

Thank you for your time, your service and your serious consideration concerning this development. It's a big deal to many people and I believe to our Grand Valley community.

Sincerely,

Mark and Missy Smith
822 241/2 Rd. (for 24 years)

From: **Missy Smith** <missy.msb@gmail.com>
Date: Tue, Apr 16, 2019 at 5:44 PM
Subject: Maverick Estates Proposal
To: <belindaw@gjcity.org>

Dear Scott Peterson,

We, Mark and Missy Smith, are writing to ask you to vote no on the Maverick Estates LLC subdivision, 24 1/4 Rd. & H rd. who is requesting annexation into the City of Grand Junction. We also oppose their proposal for 4/8 houses per acre density zoning. We are agreeable to 2 houses per acre zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs even larger planned 1/2 parcels as designated rural areas to enhance the Grand Valley's variety of Real Estate choices. In future zoning between 24 and 26 Rd. H Rd. North to I Rd., we ask to please AFT or Estate zoning.

Thank you for your time and consideration and for your service to our community. Sincerely
Mark and Missy Smith

From: Summre Steury [<mailto:summre.steury@gmail.com>]

Sent: Thursday, April 18, 2019 9:36 AM

To: Belinda White <belindaw@gjcity.org>; Scott Peterson <scottp@gjcity.org>

Subject: Maverick Estates, LLC, ANX 2019-37, City Council Hearing

City Council members,

Please reconsider your annexation plans of the rural north. There are ample places within city limits that are available and appropriate for high density housing. Rural north does not provide an appropriate location for r2/r4/r8 housing.

- high density housing is not consistent with the surroundings
- there is not appropriate infrastructure to support the traffic
- rural north is utilized by all residents in the community for road biking, running, and other activities; high density housing will provide a major safety concern, as this area has no bike lanes

PLEASE DON'T MAKE A DECISION THAT WE WILL ALL HAVE TO LIVE WITH FOREVER, ONE THAT CANNOT BE REVERSED!

Grand Junction needs to be able to provide DIVERSITY in housing! High density housing belongs within city limits.

In the 2020 Comprehensive Plan meeting, a consistent theme of concerned citizens was **SMART GROWTH**. Keep the rural north so that you will be able to attract businesses and talent to the city. If Grand Junction only has one kind of housing option, and one big city filled with the same tract housing, we won't have anything to offer!

Thank you for your time,

Summre Steury

Scott Peterson

From: Matthew Swelstad <swelstad13@gmail.com>
Sent: Tuesday, April 16, 2019 11:01 PM
To: Scott Peterson
Subject: Annexation

Dear Mr. Peterson,

In regards to the 2420 H road annexation and proposed high density housing, my family and I would like to register our strongest disdain for the project. Developing the last remaining green space close to the heart of grand Junction seems short sighted for many reasons. We are aware of the pressures for the city to create more housing. I would hope the administrators of GJ (your self included), would learn from the mistakes of Denver and the front range and not destroy the area we love and call home to accommodate who? People that don't leave here? Developers? Please reconsider your support for this project. At least delay the decisions until after the upcoming planning meeting where our neighborhood will once again have a chance to express our concerns.

Thank you for not paving our fields and lighting up the nights' sky.

Matthew and Katherine Swelstad
894 24 1/2 Road

Sent from my iPhone

From: Doris Walck [<mailto:doris@walcknet.com>]
Sent: Tuesday, April 09, 2019 7:28 AM
To: Belinda White <belindaw@gjcity.org>
Subject: Fwd: Maverick Estates LLC subdivision, 24 1/4 RD & H RD

Begin forwarded message:

From: Doris Walck <doris@walcknet.com>
Subject: Maverick Estates LLC subdivision, 24 1/4 RD & H RD
Date: April 8, 2019 at 7:21:35 PM MDT
To: scottp@gjcity.org

Dear City Council Members,

We, Bill and Doris Walck, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 RD & H RD, who is requesting annexation into the City of Grand Junction. We also strongly oppose their proposal for R4 density zoning. We are agreeable to Estate or R2, two houses per acre, zonings as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs even larger 1/2 acre parcels as designated rural areas to enhance the Grand Valley's variety of real estate choices.

Thank you for your consideration,
Bill and Doris Walck
949 25 RD
Grand Junction, CO 81505

Mr. Peterson.

Hopefully, you won't be out of the office this time and will be able to receive the letters sent to you concerning the Maverick Estates Annexation meeting on 4/9/19.

According to the Grand Junction Municipal Code, Volume II: Development Regulations as passed in February of 2019, the purpose of the development regulations are to:

21.03.010 (d) Conserve and enhance economic, social and aesthetic values;

(which this proposed annexation does not do)

21.03.010 (e) Protect and maintain the integrity and character of established neighborhoods;

(which this proposed annexation does not do)

21.03.010 (f) Facilitate provision of adequate public facilities and services, such as transportation, water, sewerage, schools and parks;

(which this proposed annexation does not do)

21.03.010 (g) Promote the development of convenient and beneficial clusters of uses, including business and shopping facilities where satisfactory proof is made that the same are reasonably necessary and desirable for the public convenience and welfare;

(which this proposed annexation does not do)

21.03.010 (h) Provide for adequate light and clean air;

(which this proposed annexation does not do)

21.03.010 (i) Aid in preventing traffic congestion in the streets and public ways of the City;

(which this proposed annexation does not do)

21.03.010 (j) Prevent unduly noisome and/or injurious substances, conditions and operations;

(which this proposed annexation does not do)

21.03.010 (k) Secure safety from fire, panic and other dangers; and

(which this proposed annexation does not do)

21.03.010 (l) Promote the public health, safety and welfare.

(which this proposed annexation does not do)

In fact, this proposed annexation only fulfills one of the purposes in the entire list.

21.03.010 (a) Implement the Comprehensive Plan.

Granted, it is the first one on the list, but what good is the Comprehensive Plan if implementing it violates almost every other purpose of establishing zones?

Our neighborhood has been fighting annexation to the city for years. Years. How much longer do we have to repeat that we are very happy in the county, zoned as R2, for you to even pretend to listen? We. Do. Not. Want. This. Annexation. There is still plenty of land in the city boundaries for you to build on, to develop and fill with cheap cookie cutter houses that are too close together and are probably sold at a much higher price point than they are worth. Your comprehensive plan is flawed – please start listening to the majority of the residents in this area and stop trying to pull us into the city. The developers already think that all they need to do is say they want something and they can have it; please stop enabling their arrogance and sheer disregard for the current residents of our area. Leave our area alone. If the developers want to build, make them abide by the current R2 zoning. They will still make plenty of money without completely ruining our way of life, a country way of life, that we chose as opposed to living in the city. If we had wanted to live in the hustle and bustle, we would have chosen homes inside the city limits instead of outside them in the county.

Please. Stop trying to ruin our homes and our way of life. Think about the residents and what we want. Side with us, not those who would destroy an entire community out of greed.

Sincerely,

Shiloh White
781 24 ½ Rd

Scott Peterson

From: Cathy Ball <cathyjball1@gmail.com>
Sent: Tuesday, April 23, 2019 8:13 AM
To: Belinda White; Scott Peterson
Subject: Maverick Estates, LLC, ANX 2019-37

To: City Council Members

Barbara Traylor Smith - Mayor
Bennett Boeschstein - Mayor Pro Tem
Phyllis Norris
Duke Wortmann
Duncan McArthur
Chris Kennedy
Rick Taggart

From: Cathy and Troy Ball

913 23 ½ Road, Grand Junction

Subject: Maverick Estates, LLC, ANX 2019-37

Date: 23 April 2019

My husband and I moved to Grand Junction in 2014 largely because we were able to find a lovely home on the North side in a rural setting with 4 plus acres, gorgeous views, no congestion, and neighbors who all know and look after each other. Nowadays, however, all of those wonderful attributes are in jeopardy from the City's obsession with development at any price and continuing efforts to annex more and more property.

While we welcome all who move into the area to buy existing parcels or build homes that fit our rural lifestyle, a four home per acre density is a travesty and would damage the current residents by significantly reducing property values and increasing congestion on roads that are already overburdened. We urge the Council to disapprove this plan and help us keep our area's rural character for many many more years. The Council's top priorities should be to finish the most critical infrastructure projects first, such as, sidewalks, roads, bike lanes, and abandoned buildings before expanding city territory. Please leave the North side alone and allow us to keep our neighborhood friendly, safe, and neighborly.

We look forward to the discussion at the meeting on May 1.

From: rwc & cac [<mailto:rmlgjco@zoho.com>]
Sent: Wednesday, April 10, 2019 5:18 PM
To: citymanager <citymanager@gjcity.org>
Subject: [SPAM] Maverick homes on Project 2019-37, 2428 H Rd

Do we want crime in GJ like Denver?

<https://crime.denverpost.com/>

Or would we rather attract people who desire living in a healthy environment?

A home development like Greystone Estates, homes north of H on Mease, or Quail Meadows on I Rd near 26 Rd that has 1 acre home sites.

We are north of the freeway not south. Most home have one acre or more.

If you permit R-4 home development north of the freeway, it will be like throwing a wrench into the gears.

I am concerned it will have a negative impact on our home's property value.
Since you have been warned, and if you decide to proceed, I wonder if the city will be liable for such.

Scott Peterson

From: Diane Davis <dedavis@acsol.net>
Sent: Tuesday, April 23, 2019 10:20 AM
To: Brett Bergman
Cc: Scott Peterson
Subject: FW: Maverick Estates Annexation 2019-37

Below are photos of the average traffic volume on H Road mid -morning. These photos were taken within a few seconds of each other. The traffic is a mix of family vehicles, trucks, trailers and commercial vehicles including trash compactor trucks and semi-trucks.

Should Maverick Estates be annexed at four lots per acre, the traffic will be non-stop, looking much like Patterson at noon. This subdivision, in addition to Apple Glen, just ½ mile away from the proposed Maverick Estates, will have added over 100 homes on H Road within a year.

Has a traffic count been done on H Road? It seems that there should be some monitoring to determine if the road can accommodate such traffic without improved infrastructure. People in these subdivisions will pick the Grand Valley Irrigation Company's canal for recreational activities before attempting H Road and the traffic hazards is presents.

Please limit the Maverick Estates to two lots per acre. This would be a prudent step in the right direction.

Thank you,
Diane Davis
843 24 ½ Road
GJ







Scott Peterson

From: Diane Davis <dedavis@acsol.net>
Sent: Monday, April 22, 2019 2:58 PM
To: Scott Peterson
Subject: FW: Maverick Estates Annexation 2019-37 Canal Hazards

Belinda White is out of the office. It was suggested by Diane Gallegos that I send this email to you.

From: Diane Davis <dedavis@acsol.net>
Sent: Monday, April 22, 2019 12:13 PM
To: 'belindaw@gjcity.org' <belindaw@gjcity.org>
Cc: 'gvic@sprynet.com' <gvic@sprynet.com>
Subject: Maverick Estates Annexation 2019-37 Canal Hazards

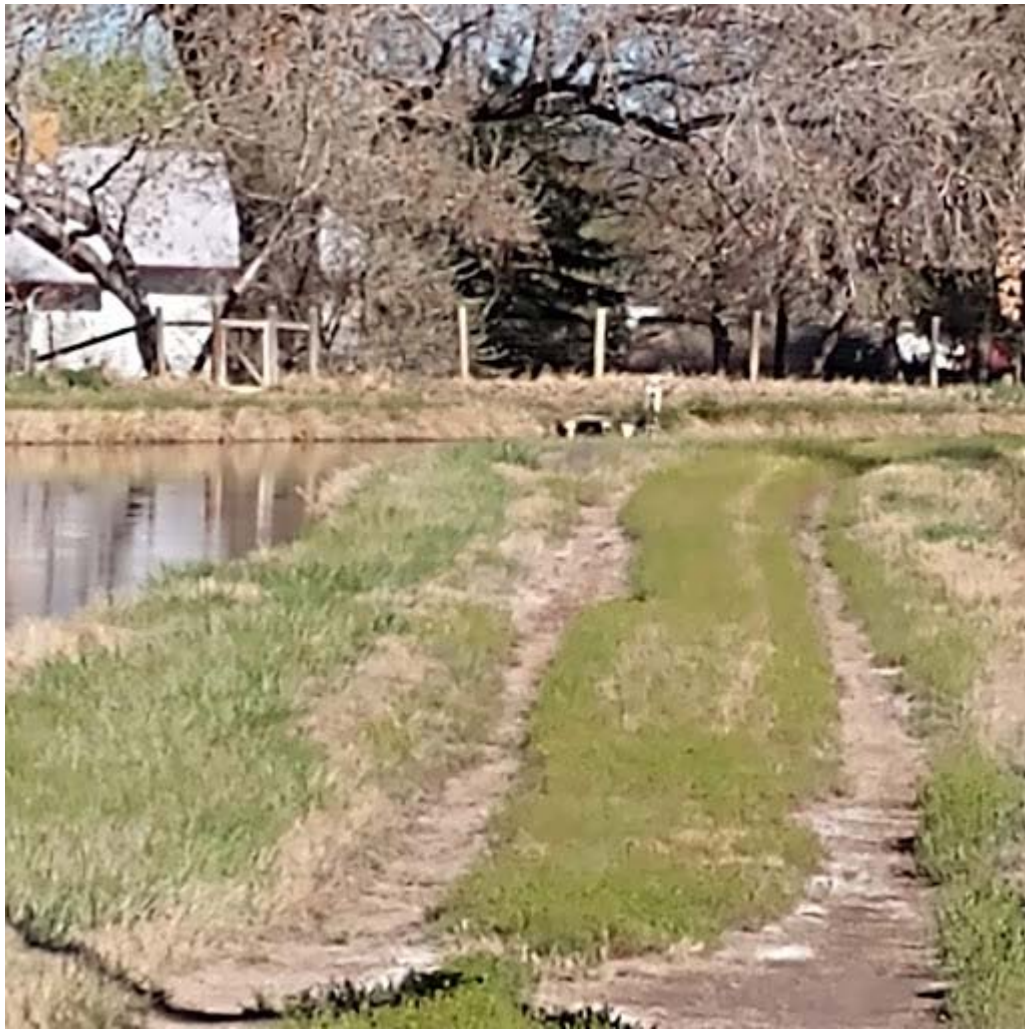
Dear Grand Junction City Council:

The photos below show the Grand Valley Irrigation Company's canal that nearly surrounds the Maverick Estates Subdivision, soon to be annexed. The roads on both sides of the canal are an attractive nuisance which will be taken as an opportunity for the residents of both Maverick Estates and Apple Glen to walk dogs, jog, ride bikes and motorcycles, fish, party, drinking and any other manner of entertainment. The canal is just a short walk from these subdivisions. The canal runs north, west and south of Maverick Estates and is far easier to travel than the narrow easement and heavy traffic hazards of the county roads for these activities.

Please consider these safety risks when the annexation vote comes before your council on May 1. Please moderate the impact to this area with a density of only two lots per acre.

Thank you,
Diane Davis
843 24 ½







Scott Peterson

From: GLEN H DIANE H GALLEGOS <DHGALLEGOS@msn.com>
Sent: Thursday, April 25, 2019 1:57 PM
To: Barbara Traylor Smith; Bennett Boeschstein; Phyllis Norris; Duke Wortmann; Duncan McArthur; Chris Kennedy; Rick Taggart; Scott Peterson; Belinda White
Subject: Maverick Estates, LLC ANX 2019-37

Glen and Diane Gallegos
2491 I /12 Road
Grand Junction, Co. 81505

Dear Mayor Barbara Traylor Smith and City Council Members,

We are writing you today to adamantly object to the annexation and density of 4 lots per acre for Maverick Estates.

The Grand Junction Comprehensive Plan starts with this quote: **"Becoming the most Livable Community West of the Rockies."** That is what we want and Grand Junction wants. It goes on to say **"It establishes a vision that focuses the community on what it should do to sustain the quality of life that ALL residents desire and expect."**

We know this Comprehensive Plan took a long time to develop. The circle and numbers on the Future Land Use Map you been told by the planners is just a guide, a plan, it does not restrict you to zone a property only one way with 2-4 lots per acre. As the Comprehensive Plan says it is an **"official document but not a regulatory document"** it is not a zoning map. The Comprehensive Plan also says the **"Comprehensive Plan is advisory" meaning it can and should be tailored to specific circumstances and not written in rock** That is why Scott Peterson in his report said **"Maverick Estates can also be zoned Residential Rural (which it is presently one house per 5 acres,) estate, R1, R2, R4, R5, R8, R12 or R16 and that would be consistent with the Comprehensive Plan of Residential Medium Low."**

Please don't look at the proposed Comprehensive Plan Future Zoning **Map** and think that is your only choice. It is just one part of the plan. According to Comprehensive Plan other maps The Appleton Area has the second to the lowest density dot and shows all of the Appleton area as agriculture and residences and the soils map of the Appleton area as prime farm soils. What these maps and the NW sub-area concept plan tells us that the Future land Use Map density for the Maverick parcel is not consistent with the other parts of the Comprehensive Plan. As presented the Maverick proposal undermines the Comprehensive Plan's goal to preserve agricultural land and maintain low density development.

The Comprehensive Plan Future Zoning Map has not held up to the test of time in the real world within the Appleton area. Every time projects presented that matched the Future Zoning Map, but didn't match the vision of the Appleton community(between 24 and 26 roads), they were turned down by the county and the city. **Why** was there such controversy and objections by both the community and our county and city officials? Because the people of the Appleton area did not have a say in its making and it didn't represent the area or the residents.

Now with the New Comprehensive Plan hopefully we will have say. As Greg Caton said at the first community meetings the New Plan **"will not** be built by planners but built by the community." The presenter also said that the present Future Planning Map has been wiped clean and that they going to start all over from scratch. We are excited that a new plan is being developed as we speak and hopefully the New Future Zoning Map will represent our community and the Goals and Policies of the Comprehensive Plan this time.

In the 2018 Grand Junction survey it said there was not enough homes with land. Maverick Estates can fill this need at one or two houses per acre. This will also accomplish goal number 5 of the Comprehensive plan. **"To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages."** The Comprehensive Plan says, **"The northwest Sub area indicates the future growth is to include preservation of agriculture land and low density of one dwelling unit per acre or more."**

In the Comprehensive Plan Goals and Policies 5, 6, and 7 all say. **"In making land use and development decisions, the city and county will balance the needs of the community."** Since it said it three times it should be of utmost importance in making your decision. That is why we have these meetings. So we as a community can express our needs and so you can take in all the information and then make a decision that is right for the community. That decision will ultimately affect everyone in the room and the future of the Appleton area and Grand Junction as whole. Hopefully that decision will **"sustain the quality of life that all residents desire and expect."**

Also 7 of the Goals and Policies states **"New development adjacent to existing development (of a different density/unit type/land use type) SHOULD transition itself incorporating appropriate buffering."** This leap frog development of four houses per acre is not an appropriate transition or provide any buffering when there is an average of one house per 5 acres and the land around it is zoned AFT.

The comprehensive plan also says **"Rezone the 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 rezone criteria."**

Maverick Estates at 4 lots per acre does not meet all the vision, goals and policies of the Comprehensive Plan. On this premise you can turn this proposal down. Do what's right. Please vote no on four houses per acre. Once the green is gone it is gone.

Best Regards,
Glen and Diane Gallegos
2491 I 1/2 Road
Grand Junction, 81505
dhgallegos@msn.com
243-1565

Scott Peterson

From: Rob <robwhn@yahoo.com>
Sent: Saturday, April 20, 2019 1:43 PM
To: Belinda White
Cc: Scott Peterson
Subject: Maverick estates ANX 2019-37, city council hearing

My name is Robert Hann, and I live at 2416 H road.

I strongly oppose the R-4 proposal at the maverick estates LLC, 2428 H road. I encourage you to only allow 1-2 homes per acre NOT 4.

I have several reasons for this. First off it's a rural area with homes on larger acreages. I don't believe four homes per acre would fit in this neighborhood. Our areas infrastructure has a hard time dealing with the impact we have now, not to mention what the impact of an additional 50-60 homes would do. The 24.5 road bridge over I-70 is so narrow that I won't allow my daughter to ride her bike over it, it's dangerous!

There is an extensively long list of reasons not to allow this in our neighborhood, as you well know, and are being made aware of. But the bottom line in my opinion is that it just would not fit in the neighborhood. I believe it would decrease value in people wanting to live around it. Most importantly listen to the neighbors! There isn't anyone who is in favor of this happening that I am aware of! So are you going to completely go against all of the property owners wishes on this planned subdivision? I hope & pray not. If you do allow 4 homes per acre I think you've just opened the doors for other property owners selling their land to developers. Then that quiet rural area is nothing but a bunch of houses & traffic. I think this area needs re zoned R1 / R2. There is a huge demand for lots of that size in the valley.

Thank you for your consideration in this matter.

Sincerely
Rob Hann

Sent from my iPhone

Scott Peterson

From: Thomas Harding <lgharding@hotmail.com>
Sent: Sunday, April 21, 2019 11:39 AM
To: Belinda White; Scott Peterson
Subject: Maverick Estates LLC Subdivision at 2428 H Road

Dear Grand Junction City Council Members, I am offering some reasons why the Maverick Estates Subdivision at 2428 H Road should be denied.

The opening paragraph of the current comprehensive plan states several concepts which this proposal does not meet.

- The proposal is NOT compatible with the surrounding area.
- There is NO buffer to the surrounding low density properties.
- Appleton school will become overcrowded and/or insufficient for the new demand.
- The roads and bridges will become insufficient for the traffic increase.
- The city has a large capacity for infill before needing to expand with an "Island" of higher density in the present rural area.
- When I developed Red Peach Farm on 25 Road I conformed to a 2a/unit density, created open space, was required to give money for a bike lane, and kept true to the neighborhood character. This proposal is all about money with NO buffering of it's density, no neighborhood parks or open areas, and NO compatibility to its surroundings.
- Approval would set a precedent for larger parcels a stones throw away which would turn the area into a "nightmare" of density without adequate infrastructure.
- I also feel compelled to add this comment. S. Susuras vote on the Planning Commission, when his wife has the Appleton LLC, 40 plus acres across the road was really BAD and a dangerous precedent for government transparency. Please think this proposal through. A new plan of lower density would sell well, ie Greystone Estates - 48 houses. The compatibility and desirability of the area could still be maintained without overwhelming the current infrastructure.

Thank you for your consideration.

Sincerely,

Tom Harding

Red Peach Farm HOA

Sent from my iPad

STEPHEN C. HILLARD
887 25 ROAD
GRAND JUNCTION, CO 81505

Re: Legal Issues — Maverick Estates Annexation

To the City Council of Grand Junction:

Please consider the following comments with respect to the public hearing for the pending annexation petition for the Maverick Estates. [1]

This letter addresses four legal problems with the proposed annexation:

(1) The Petition and Notices Were Based on Maps That Are No Longer Valid.

The Colorado Municipal Annexation Act provides that a petition for annexation must be accompanied by, inter alia, (a) map(s) “showing the boundary of the area proposed to be annexed,” and (b) a “written legal description of the area proposed to be annexed.” See C.R.S. 31-12-107 (d).

The maps and the written legal description were changed in material respects at the eleventh hour of this proceeding, on or about April 22, 2019. [2]

Given the late nature of these changes, it has not been possible to fully review the new maps and legal descriptions. Nonetheless, it does appear that substantial and material changes have been made, including changes to three of the five annexations (Numbers 3, 4, and 5), and altering the boundary for approximately 1,000 feet along the entire west side of the primary annexation tract in Annexation No. 5. and apparently reducing the width of the “pole” at the north end of Annexation No. 4 by 60%-plus. These are clearly not mere matters of correction, but are substantive changes.

The changes to the petition thus void the following:

- Any prior finding of substantial compliance
- Resolution of Intent
- Notice of Hearing
- Published Notices
- Mailed Notices
- Notice to the County
- Annexation Impact Report
- Hearing dates

To allow substantial changes in a petition after its filing would open the door to runaway annexations where the public, the County, and the various service providers have no idea where the annexation will finally land, and where the City would lack accountability for “floating” annexation parcels. Small changes can make big differences.

A new finding of substantial compliance would require restarting the petition process. See C.R.S. 31-12-108 (1).

(2) The Annexation Cannot Proceed Because the City Has Neither Adopted Nor Updated a Three Mile Plan.

C.R.S. 31-12-105 (1)(e)(I) requires the City to have a Three Mile Plan that is updated annually:

“Prior to completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the

proposed land uses for the area. Such plan shall be updated at least once annually." (Emphasis added)

A search of city records at the city website, plus records produced by the City pursuant to a specific request under the Municipal Open Records ordinance, have failed to show any such plan.

The City's Comprehensive Plan was adopted in 2010 and is not scheduled for an update until 2020. The Persigo Agreement similarly was adopted years ago and does not address the matters required for a valid Three Mile Plan.

The Three Mile Plan is an important tool for the City Council, for Mesa County, for institutions that provide public services, for developers, and, most importantly, for the public. For example, it allows the public to see how development may occur and gauge the impact on land use, the City's budget and its institutional capacity for services for schools, law enforcement and fire protection.

It appears that the last Three Mile Plan adopted by the City was in 1997 (the "1997 Plan"). See City Resolution 27-97. The detailed 1997 Plan was recognized by the City as an important tool as well as being necessary for compliance with the Municipal Annexation Code. It

specifically noted the annual update requirement. It was a detailed 24-page document. [2]

(3) The Annexation Impact Statement is Inadequate.

A key statutory requirement for annexation to proceed is for an Annexation Impact Statement to be prepared and filed with the County and made available for public review in advance of the public hearing. C.R.S. 31-12-108.5.

Like other legally mandated “impact plans”, such as Victim Impact Plans and Environmental Impact Statements, the purpose of such documents is to provide to decision-makers and the public a realistic assessment of community impacts.

While a document entitled “Impact Statement” was filed, the document is a mere six pages — only two pages of impact analysis and four pages of maps. It is substantively deficient. It provides no real basis for County and public review and input to the City. It has the appearance of a standard form of boilerplate for annexations, rather than a considered analysis.

Here are three examples of this deficiency:

(a) Impact on Schools. The Planning Commission received substantial input from area residents that the proposed annexation and subsequent development would have a substantial impact on the Appleton school as well as other schools. The Impact Report dismisses these concerns not by any impact analysis but by the cursory conclusion:

“Annexation of any area in the Grand Valley will have no effect on the numbers or distribution of children attending School District 51 facilities.” Impact Statement (f) (emphasis added).

It is respectfully suggested that this statement is on its face false.

There has been substantial public input that the addition of the development contemplated by this annexation will have a dramatic impact on the numbers and particularly the distribution of students, especially with respect to the Appleton School. [3]

(b) Impact on “the existing and proposed land use pattern in the areas to be annexed. C.R.S. 31-12-108.5 (1)(a)(III) (emphasis added). The Impact Statement simply does not address, as required, the

“existing” land use pattern in the area to be annexed. It instead refers the reader to a one-page map entitled “Maverick Estates Annexation — Future Land Use”. To state the obvious, the future land use is not the same as the existing land use. In fact, the single biggest objection voiced by the overflow crowd at the Planning Commission was that the contemplated future use was incompatible with the existing uses. The Impact Statement clearly fails to address a key statutory requirement that the City is aware of and that the public is demanding be properly assessed.

(c) Impact on Transportation and Public Safety. The Impact Statement completely fails to address the issue of public safety as it will be impacted by the annexation and proposed development. This was another issue of key concern as raised by the public at the Planning Commission meeting.

(d) Fiscal Impact. C.R.S. 31-12-108.5 (1)(d) requires a “statement setting forth the method under which the municipality plans to finance the extension of the municipal services in the area to be annexed.” The Impact Statement sidesteps the obligation by summarily stating “Methods of financing extension of municipal services may vary with developed and undeveloped tracts.” There is simply no fiscal or operational analysis of the impact of this annexation of

five different tracts on budgeting for municipal services. Will the developer be required to pay *all* of the costs for *which* services? Will the annexed area be a net drain on City resources? Who knows? The public cannot tell from reading the Impact Statement.

It is relevant that the City has previously considered a detailed fiscal analysis to be an important part of these Impact Statements. Notably, the last Three Mile Plan adopted by the City, in 1997, provided:

“In accordance with C.R.S. 31-12-101, et seq. the City will prepare an impact statement on all proposed annexations over ten acres. Such impact statement will address the provision of city services to the annexed area including the type of services provided and the timing of those services. *In addition, where practicable, for each proposed annexation, the City will prepare an accurate, itemized fiscal impact statement and recapture analysis, of the proposed annexation to the City.*” 1997 Plan at D (emphasis added).

Among its other deficiencies, the current Impact Statement makes no attempt to address the fiscal impacts of the pending annexation, much less one that is “accurate” and “itemized.” The public, the County and various public service institutions are thus left in the dark as to the true fiscal impact of the annexation.

Please note that there appears to be no provision under the Annexation Act to authorize a finding of “substantial compliance” by the City that would excuse the particular legal issues described in items (2) (no Three Mile Plan) and (3) (inadequate Impact Statement) above.

(4) The City, County and Public All Have an Important Interest in Insuring that Annexations Proceed in Compliance with the Persigo Agreement and the Municipal Annexation Code.

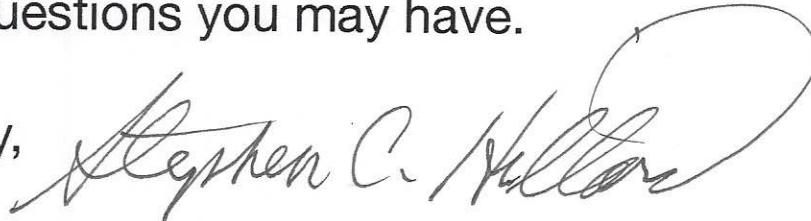
While the Persigo Agreement apparently covers this annexation, and limits the County’s rights to object, the same agreement repeatedly reserves key exceptions to this limitation on the County’s voice. See Persigo Agreement at (8) (annexation to occur “unless prohibited by applicable law”); (17) (a) (County may “intervene, sue or otherwise take action against . . . any City effort to annex any property within the 201 . . . if the City is not complying with or reasonably attempting to comply with the Annexation Act.”); (17) (c) (County retains right to contest annexation if it is “inconsistent with the Annexation Act”).

The compliance failures described herein constitute violations of the Municipal Annexation Code and thus provide a basis for an objection by the County.

Conclusion: The Petition should be denied. The Petitioner can presumably restart the process and address defects in the Petition. The City, with appropriate public input, can develop a valid Three Mile Plan and an adequate Annexation Impact Statement.

Thank you for considering these points. I will be speaking briefly at the public hearing and look forward to any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen C. Hillard". The signature is fluid and cursive, with a large loop at the end.

Stephen C. Hillard

cc: Council Members:

Mayor Barbara Traylor Smith

Mayor Pro Tem Bennett Boeschenstein

Councilmember Phyllis Norris
Councilmember Duke Wortmann
Councilmember Duncan McArthur
Councilmember Chris Kennedy
Councilmember Rick Taggart
City Manager Greg Caton
City Attorney John Shaver
Scott Peterson
Belinda White

Mesa County Commissioners:
Commissioner John Justman
Commissioner Scott McInness
Commissioner Rose Pugliese
County Attorney Patrick Coleman

Notes:

[1] I am an attorney registered in the State of Colorado. My current status is "Inactive" because I run a company. Accordingly, my comments are my own and not the result of representation of others. I have experience in the practice of public land law.

[2] The 1997 Plan was adopted the year before the 1998 Persigo Agreement. Perhaps the City felt that there was no need for compliance with the statute after that date, but that is not the case. The Persigo Agreement does not and could not waive this statutory requirement.

[3] The Impact Statement concludes with an irrelevant point: "Current and historical development patterns have shown that housing density is not affected by whether a residential development occurs in the County or City." Impact Statement at (f). The question to be analyzed is what is the impact of a particular housing density on local schools, not the general effect of development in the City or County on housing density.

Scott Peterson

From: Cynthia Komlo <cynthia.komlo@gmail.com>
Sent: Thursday, April 25, 2019 12:42 PM
To: Barbara Traylor Smith
Cc: Scott Peterson; Belinda White
Subject: Maverick Estates, LLC ANX 2019-37 City Council

Dear Mayor Barbara Traylor Smith,

My husband Dan and I purchased 5 1/2 acres at 852 24 1/2 road in 1984 before many of our neighbors built in the North area. We agreed with the 5-10 acre parcels at the first Master Plan Meeting then somehow the larger parcels in the rural North area keep disappearing. We purchased a larger parcel to farm. We still farm it. Many people in the North purchase acreage because they simply want the rural lifestyle. All of us living in the county spend our dollars in the city of Grand Junction.

We strongly oppose the proposed Maverick Estates 4 homes per acres for more reasons than I can list here. One primary community concern regarding the North area is safety and infrastructure. They may not live North but they have friends who do.

Every city seems to have zoning with larger land parcels. Even Denver has kept my old neighborhood as a kid in Englewood zoned as 2 houses per acre. We had horses. Neighbors had other farm animals. Aren't we a modern culture who supports farm to table healthy lifestyles? It's odd that the city of Grand Junction markets itself with pictures of nature and rural lands, when in reality, the community in our North area is fighting to save one of Grand Junction's gems in the North rural area.

Who on the City Council sees keeping part of our North Neighborhood zoned as AFT or Estate with bigger land parcels and open spaces close to town as an asset to attract buyers, business owners, employers, entrepreneurs to Grand Junction?

Maverick Estates proposed 68 homes on 17 acre is an "Island" development that will compound our county's current safety issues by adding volumes of more people and cars on our narrow, two lane roads with no shoulder. Currently, walkers, dog walkers, joggers, and even bicyclists already have to step-off 24, 24 1/2, 25, H, & I roads into the ditch when cars goes by in order not to get hit. Drivers seem not to care about pedestrians, including children, or bicyclists sharing the road anymore. Also, I-70 & 24 1/2 bridge is, in my opinion, a death trap. Mark my words- someone will be either killed or severely disabled as the volume of people travel over this interpass. Not your problem?... but can you help prevent it? What if it's your child? Your spouse, or you? Will it be time to make infrastructure safety changes after the incident? Not your monkey? OR is it?

As our city grows, the land owners in the North consistently have to defend the integrity of the North area. Master Plans are changed without us being contacted. The current Maverick Estates, LLC proposed "Island" development is another example of the outdated city system for notifying neighbors of a proposed zone change. Ethically, how can it be "ok" to contact neighbors who only live within 500 ft. when we have 1-20 acreage lots out here? How can it be ethically ok to meet the "minimum" requirements to list a Notice twice in *The Daily Sentinel*? Are people obliged to subscribe to *The Daily Sentinel*? People who don't happen to drive by the yellow development sign or are Not computer users (all economic levels) are, in my opinion, not ethically informed by our city officials or by the developers to have their voice heard on a matter that will change their lifestyle forever.

There are many creative talented people across multigenerations in our North area with forward-thinking vision to sustain the integrity of our valley and still grow. Many people have been voicing over the years about improving our infrastructure for multi-transportational needs, bicycling, walking, jogging, motorcycles, and public transportation and the lack of current "safe" infrastructure within the city of Grand Junction and yet the city wants to expand where safe infrastructure is non-existent in our North area.

Is the artist's paint brush, pallet, and canvas regarding the development of our North area only in the hands of a few... being the City Council and the developers? The North is Not the only area in our valley to expand growth~ why do you want to destroy the gem of our valley for many land buyers who seek a rural lifestyle and yet employment requires them to live close to town?

Infrastructure & safety is no joke. I have a visual impairment, highly functional, but do not have the eyesight to drive a car. I was in a Taxi accident heading south on 24 1/2 Road when my driver drove over three sets of rumble strips, past a pre-warning stop sign, and through the stop sign at the 24 1/2 & H Road intersection when my door was broadsided 45 miles an hour. Both vehicles were totaled. I suffered a fractured bone in my neck and severe whiplash which aspirated an existing connective tissue genetic disorder and also created an imbalance disorder. Though I went through extensive rehabilitation for four years, my injuries forced me into retirement from bedside clinical chaplaincy vocation at St. Mary's Hospital where I served patients-families & staff as part of the interdisciplinary medical team. I covered for Spiritual Care staff chaplains for 12 1/2 years. I'm highly trained with a Masters degree, four years of clinical pastoral education, and I'm dual board certified as a clinical chaplain. I'm also trained in Hospice & Palliative Care. Can you imagine how my husband feels about my life changing injuries?

A car crash at the intersection of H RD. & 24 1/2 RD changed my life forever. I chose to volunteer my time as a clinical chaplain. Presently, I cannot volunteer in organizations because I never know when I wake up in the morning if I'm going to have a high function or Non-functioning day due to the accident, chronic pain and/ or imbalance where I literally lose my balance. Will blinking stop lights help the intersections? Maybe but what about all the people exiting directly onto H, I, 24, 24 1/2 & 25 road? We do not have safe infrastructure in place for volumes of people. Our North area comprehensive plan is not being honored.

It seems the city can build West of 24 road. The city can infill and also improve the current city zoned infrastructure, i.e., sidewalks, roads, safety for different multi-transportational needs- walking & biking, expand & improve public transportation, clean up or tear down run down buildings, help Mesa Mall modernize, improve city schools & youth education, enhance existing gems like connect the River Front trail to Downtown, maintain the charm of Downtown.

We strongly oppose the proposed Maverick Estates. It seems like a greed disaster that "does Not fit" our rural area. If this North green gem area, 24 Rd. to 25 Rd., I-70 to the Bookcliffs is allowed to be developed with low, medium to high density including Maverick Estates, LLC with four houses per acre, I fear we will lose an important feature of Grand Junction.

I'll look for your Reply.

Grateful for your service to help maintain a beautiful outdoor focused community,

Cynthia

Cynthia Komlo
852 24 1/2 Road
cynthia.komlo@gmail.com
(970) 270-7052

Dear City Council Members,

Thank you for your willing service to the community.

I apologize, as family matters prohibit my presence at the May 1 council meeting.

I write to support the concerns of other Appleton residents, that R4 designation, in the proposed Maverick subdivision, creates a significant detriment to the character of that community.

I was born in Grand Junction in 1954, living on 17th Street north of Orchard until 1959, when that neighborhood was full of small family tomato farms.

I lived in the 7th Street historic district from 1964 until 1994.

Just as 7th Street embodies our communities' history and should not be altered to another purpose, Appleton is a community that demonstrates our agricultural heritage.

The great grandson of a Missouri homestead farmer, that heritage is expressed in Appleton.

Appleton's citizens support smart growth.

Others will speak to the strain on infrastructure, school crowding and traffic safety, if the growth rate is accelerated beyond the ability of the community to assimilate that growth.

I am particularly motivated, as an R8 designation adjacent to my property, would be encouraged by the Maverick subdivision, as an implied precedent.

I asked Dale Beede to find me a rural home site, two contractions in time from St. Mary's delivery room.

I live on that 10 acres at 827 Twenty Five road

I bought the property in 1989, making payments to American National Bank for five years, while planning our current home.

I designed the home, anticipating two to three houses on the five or ten acres to my west, congruent with the estate designation of that time.

An overgrown Russian olive grove and a natural creek create a habitat that supports deer, owls, skunks, raccoons, over fifty species of birds, intermittently fox, coyote, bears, a mountain lion, and last summer, four new bobcat kittens.

The wildlife migrate across the estate designated properties to and from the wash to the west.

The good soil supports the hay crop that feed Wilbur and Karl, my donkeys, just as other neighbors run cattle, chickens, sheep, and goats.

Their aromatic output reminds us that we live in the country.

My tomato crop is stellar.

Working the property, cutting and raking hay, stacking bales, gardening, and canning healthy, flavorful food, was part of my planning process for my choice of a healthy life in Appleton.

The counties' planning designation has migrated gradually from 10 acres; first to 5-10 acres, then 1-2 acres.

The Greystone subdivision, developed on one acre parcels, with input of the neighbors, doubled the number of houses in the ½ mile near my property.

This was an abrupt change, but assimilated and accepted, as the neighborhood assisted in that planning process.

Our neighborhood citizens did not do their job in monitoring the Persigo agenda; but the notification process favored those with inside information or a vested interest in development.

Certainly gravity determines where a sewer line runs.

Certainly our community will grow.

A 3% growth rate will create a doubling every 35 years.

Appleton should not be expected to grow at a rate that is exponentially greater than our historical growth rate.

Our community planning is particularly challenging, as our boom bust economic cycles create wholesale conversion of neighborhoods that are incongruent.

I look south from my front porch, adjacent to 40 acres slated for R8 development, on the right of my fence line and the drainage ditch beyond.

To the left sit four properties on 10 to 18 acres.

320 new houses to the west, adjacent to the four properties, creates an incongruence to the community, and a roughly 20 fold increase of the population.

The challenge to council members, is to weigh unrestrained growth against enhancing each neighborhood's character.

Naturally, a property owner, intent on development, would like to maximize the profit based on their property rights.

In Appleton, we resist boom bust growth as a detriment to maintaining neighborhood cohesion and character.

The Persigo notification process has created a mistrust among the Appleton residents.

We hope that the city council members will wisely reconsider, and reverse the Maverick planning decision.

As a metaphor, the current proposal is the equivalent of bulldozing the west side of the seventh street district to make way for more profitable car washes, pot shops, tattoo and massage parlors.

The Appleton neighbors are not against all growth.

We favor smart growth.

Many of our residents are participating in the new growth planning process.

We realize that our neighborhood will share in Mesa Counties' growth rate.

We merely ask that the growth rate makes sense, and enhances the community, rather than overwhelming it.

R4 and R8 designations would alter the Appleton community character in a harmful direction.

Thank you for your consideration,

Patrick Page

827 Twenty Five Road

MAVERICK ESTATES, LLC PETITION

We the residents between 24 and 25 Rd and H and I Rd strongly oppose the annexation of 2428 H Rd to the city and the change of zoning from AFT to R-4.

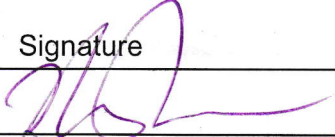
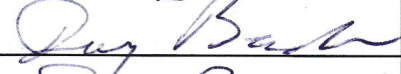
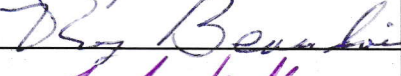
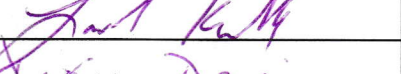
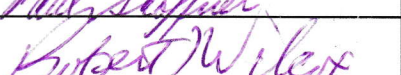
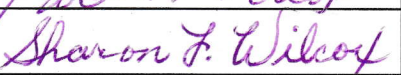
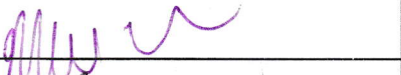
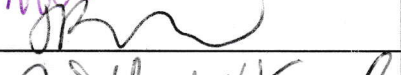
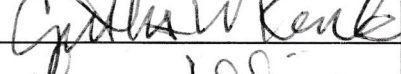
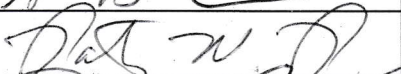
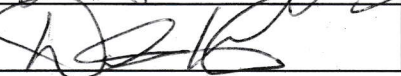
We ask City Planner Scott Peterson to consider the concerns of the residents and deny the petition to annex and rezone 2428 H Rd.

Name	Address	Signature	Email
MICHAEL F. JOHNS	2421 I Rd	Michael F. Johns	
CW H. Galtz	2491 1/2 Rd	CW H. Galtz	
Bret Pommerle	2479 H Rd.	Bret Pommerle	
ROBERT GUICO Robert Guico	2467 H Rd	Robert Guico	
Patricia Amrine	805 24 1/4 Rd	Patricia Amrine	richlogt1@chaparral.net
Dr. John J. Wyatt	2416 H Rd.	John J. Wyatt	
Lanora Wyatt	2416 H Rd.	Lanora Wyatt	
Lanora Wyatt	2416 H Rd.	Lanora Wyatt	
Rob Hann	2416 H Rd.	Rob Hann	
PAT BAIR	2449 H Rd	Pat Bair	
Richard Connell	816 24 1/2 Rd	Richard W. Connell	richard@colorado6.org
Michelle Hill	818 24 1/2 Rd	Michelle Hill	
Burke Hill	818 24 1/2 Rd	Burke Hill	
Caree Snedden	895 24 1/2 Rd	Caree Snedden	
JIM EDIANA COTARELLO	2452 I ROAD	James L. Cotarell	
Holly Smith	822 24 1/2 Rd.	Holly Smith	
Mittie C Smith	822 24 1/2 Rd	Mittie Smith	
Mark Smith	822 24 1/2 Rd	Mark Smith	
off school	825 25 Rd	Mark Smith	
Mark	823 25 Rd	Mark	

MAVERICK ESTATES, LLC PETITION

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We ask City Planner Scott Peterson to consider the concerns of the residents and deny the petition to annex and rezone 2428 H Rd.

Name	Address	Signature	Email
Matt Rossman	826 24 1/2 Rd		
Patti Beaudoin	833 24 1/2 Rd.		
Patti Beaudoin	"		
Roger Beaudoin	"		
Leonard Kunkle	833 24 1/2 Rd		
Diane Dario	843 24 1/2 Rd		
Michael Dario	"		
Paul Shaffer	845 24 1/2 Rd		
Robert Wilcox	848 24 1/2 Rd		
Sharon F. Wilcox	848 24 1/2 Rd		
Carol Costopoulos	855 24 1/2 Rd		
Marcus Costopoulos	855 24 1/2 Rd		
Jennifer Rossman	820 24 1/2 Rd		
Cynthia Komlo	852 24 1/2 Rd		
Lynn Gillespie	2494 Relay Mesa Ct		
Diane Gillespie	2491 I 1/2 Road		
ANNA MARIA FUOCO	2467 H Rd.		
Al Laase	2421 H Rd		
Patrick Page	827 25 Rd		
Dan Komlo	852 24 1/2 Rd		

MAVERICK ESTATES, LLC PETITION

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We ask City Planner Scott Peterson to consider the concerns of the residents and deny the petition to annex and rezone 2428 H Rd.

Name	Address	Signature
Diane Y. DeRosier	815 25 Rd ^{G.T.} Co 81505	Diane Y. DeRosier
Chuck Jones	2495 H. Rd	Chuck Jones
D. J. Duffey	2489 H. Rd.	Daniel J. Duffey
KEVIN DAVIS	2485 H ROAD	KEVIN DAVIS
Kelly Corn	2486 H Ct	Kelly Corn
Marci O'Gara	2482 H Ct	Marci O'Gara
Bob Brown	2478 H Ct	Bob Brown
Stephanie Pomrenke	2479 H Rd	Stephanie Pomrenke
Daniel C Johnson	2472 H Rd	Daniel C Johnson
Jane Johnson	2472 H Rd.	Jane Johnson
TERRY K. PARKO	2411 H.Rd.	Terry K. Parko
Debbie K. Parko	2411 H Rd.	Debbie K. Parko
Duane White	810 24 Rd	Duane White
Sandra Allemang	818 24 Rd	Sandra Allemang
Lynne Young	824 24 Rd	Lynne Young
D. Young	840 24 Rd	D. Young
Loyanne Beesley	2409 I Rd.	Loyanne Beesley
Mary Reekie	2411 I Rd	Mary Reekie
OREW REEKIE	2411 I RD.	OREW REEKIE
Stephen C. Hilford	887 25 Rd.	Stephen C. Hilford
Thermon Handing	2482 Red Pk.	Thermon Handing
Summre Stenry	841 25 Rd	Summre Stenry

Dear City Council Member,

I could speak to you about the beauty and character of the appleton area north of town; about the wildlife and heritage of the area and how residential neighborhoods will ruin these things. Instead I feel that speaking as an educator about the impact high density residential areas will have on Appleton Elementary is more critical. Currently Maverick LLC is petitioning to rezone 2428 H Rd from ATF to R-4. This will have a terrible impact on Appleton Elementary, the students, and the families.

Currently Appleton serves a large rural (ATF) attendance area. While the district impact report states that annexing areas into the city will have no direct effect on students/schools(this is true since it is a county district serving all students of the valley), it will have a huge indirect impact creating overcrowding of Appleton Elementary through rezoning to R-4 which is only possible through annexation. Currently the school has 414 students=24 students per classroom. With the completion of **Apple Glen subdivision next door, another 47-60 students could be attending Appleton increasing the total number to 461 (27 per class).** If **2428 H Rd is kept at ATF** that would only add a handful of students to an already highly populated school. **This is acceptable. If it is rezoned to R-1, it would add a potential 17 new kids** to Appleton increasing the population to **478 students (28 per class.)** If the proposed **rezoning to R-4 is allowed it could potentially add 60 new students** to Appleton, increasing the it's numbers to around **515 students (30 per class).** Consequently, class sizes will be much too large for effective learning to take place. This is unacceptable.

Another problem with higher density housing development is the change in attendance areas this causes. Fruita is already having this conflict with Rimrock Elementary and Loma. High density housing caused the district to rezone attendance areas to send families to Loma. Now the district is being forced to build another elementary school at the cost of \$25 million because even rezoning attendance areas did not solve the problem. We do not need this same dilemma in the appleton area because of insufficient planning and high density housing.

We need to really think carefully about the impact not only on this historic area and the integrity of this area, but also the impact on our schools, families and children before making a decision, which is why as a teacher and resident, we ask you to only zone 1 house per acre on the proposed lot, or keep the area as ATF.

Thank you,
Matt Rossman

Scott Peterson

From: Jean Sewell <710bjs@gmail.com>
Sent: Wednesday, April 24, 2019 10:06 AM
To: Belinda White
Cc: Scott Peterson
Subject: Maverick Estates, LLC, ANX 2019-37, City Council Hearing

From: Ralph & B. Jean Sewell, 884 Quail Run Drive, 81505 970-243-8151

Re: Maverick Estates Annexation 2019-37

- The recent subdivisions off the west side of 25 Road between F ¼ and G Roads have hundreds of new homes with no turn lanes, sidewalks or bike lanes.
- People walk & bike on 25 Road where there is not much of a shoulder & lots of traffic.
- Northbound traffic on 25 Road in this area is slowed significantly by lack of turn lanes.
- Planning and permitting could have required sidewalks, turn lanes and bike lanes to be funded or installed by the developer rather than hoping a millage tax would be passed for to fund these improvements.
- Funding for amenities of the nature described in the bullet points above should be addressed in the annexing and permitting process for the referenced project above and other future projects in similar areas.

Scott Peterson

From: Fran Sloatman <fsloatman@hotmail.com>
Sent: Friday, April 19, 2019 11:01 PM
To: Scott Peterson; Belinda White
Subject: Maverick Estates Annexation

To Grand Junction City Council Members, Mayor and Planner for the City of Grand Junction

I, Frances B Sloatman, oppose the Maverick Estates LLC Subdivison, 24 1/4 Rd & H Rd, that is requesting annexation into the City of Grand Junction. I also oppose their proposal for R-4 density zoning. The area surrounding the proposed subdivision is rural, either agricultural or rural estate. I would be in favor of a subdivision of R2, but not R4. The property wasn't in the Persigo Sewer District until recently. The approval for that happened without the neighborhood residents knowing about it. I know that growth is inevitable, but it should occur in a way that gives respect to all property owners.

Also the infrastructure needed for this project density is absent. (ie. roads, schools etc.) The bridge at 24 1/2 Rd and I-70 is scary at best. I also understand that the Appleton Elementary School is at capacity. In closing I hope you vote NO on the Maverick Estates LLC subdivision as it is currently proposed. Thank you for your consideration.

Sincerely,
Frances B Sloatman
Resident
2489 Red Peach Ct
Grand Junction, Colorado 81505
970 901-2753

Sent from my iPad

Scott Peterson

From: Mark Smith <info@mainstreetbagels.net>
Sent: Tuesday, April 23, 2019 4:54 PM
To: Scott Peterson
Subject: Maverick Estates 2428 H Rd

Concerning; Maverick Estates, 2428 H Rd. City Council Hearing

Scott Petterson,

I am urging the city council and planners to not allow a high density development in this rural and agricultural area. The proposed development is certainly not welcomed by any home owners in this area and would create many problems. I will list a few.

1. The main roads that will be used by the 68 proposed houses on the now undeveloped farm parcel of 17 acres would be H. Rd, 24 ½ Rd and 24 Road. My family has lived at 822 24 ½ Rd for 23 years and major traffic problems have already developed in the North GJ area and especially at several areas South of H. Road. On 24 ½ Rd south of H Rd, there are two schools and two churches, all of which have inadequate turn lanes to access them from the narrow two lane road. Back ups occur daily. The bridge over I-70 is a death trap for children and adult bicycle riders alike. Bicycle riding in much of the North area has become a dangerous activity that my family will no longer risk. Road and bridge widening, bike lanes and round-a-bouts should be built before adding more development in the area

2. I have doubts that Appleton school will be able to accommodate the overcrowding likely to occur.

3. The emergency service response time to that area is already very much below acceptable standards. Greatly increased traffic will slow it even further while emergency service needs will greatly increase.

For the three reasons above, I feel that a high density development in this area at this time would be putting the cart before the horse and would obviously badly damage the quality of life for North GJ residents.

Finally, a development of this density just flat out does not fit this particular area. (Like a pooch turd left behind on a lovely landscape.) There are other more appropriate areas for high density developments. This area should not have, at this time, more than one house per one or even two acres. This type of density would allow the developer to build 8-17 houses on this

agricultural parcel. I think most residents in the area would be happy with that kind of a well planned and attractive development.

Thank you for your attention to my thoughts and concerns.

Sincerely,

Mark & Missy Smith

822 24 ½ Rd. Grand Junction Co. 81505

970 433-1496 info@mainstreetbagels.net

25 April 2019

TO: **GJ City Council Members**
FROM: Dave Zollner

RE: Development **2019-37**
Maverick Estates Subdivision
Zone of Annexation: approx 2428 H Road

I suspect that you may well see this proposed annexation as **just another development request.**

But I pray you look beyond what is billed here.

I suggest that **this is not like an annexation request you may have seen** at 23.75/H Roads, or 25/G Roads or 30/D Roads or 30/F Roads or on South Camp Road. Those areas have **gone directly from AFT to urban densities, as a typical and historical expectation.** Sure, some neighbors there may have had gripes about their view being blocked, increased traffic, shrinking open space, etc. ... general resistance to development. But, I submit that is not the case with the area of this proposed request, but rather that **this area has had a 4 decade development plan** that has been fighting for its life ... and is again here.

The area from **roughly 24.25 Road to 26 Road generally North of I-70** has been materially developed, largely 10-40 years ago. I have lived there for 30 years and most of the residents are 20-50 year residents. And I have been involved in the area for 38 years and have upwards of 1500 hours in land-use related issue for this area in that time.

The neighbors knew this as 5 acre minimum parcels during the 1970s, 80s, and 90s, until an outside the area developer pushed for the county to increase density and to establish a 2 acre 'Estate' lots in about 2000. And the neighbors lived with that. Then [according to County Planning] the City Development Department in 2009 pushed the County to match their 'Estate' lot size to the City's Development Code at 1 acres, so this area was reduced again [hence the 1 acre lots of Greystone Subdivision].

Through all this, the area has retained an average lot size of about 6-8 acres, because this area is about 70+% developed, and with mostly residents that have lived there for decades.

This neighborhood is not resisting development. **This neighborhood is resisting the ever increasing density pushed on them over the past 20 years.** This annexation would quadruple density from existing Code and would be about **25-30 times greater than the existing lot average.** This land of proposed annexation can already be well developed within the County Code and at the same time **maintain a quality land use that is fitting for this neighborhood.**

I'm sorry, I am not able to attend the meeting in person as I will be out of town, but I encourage you to **decline** the Maverick Estates Zone of Annexation .

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Zollner", with a stylized flourish at the end.

Dave Zollner
2562 H Road
dzollner@gvii.net

Scott Peterson

From: Patti Beaudoin <pattibeaudoin@gmail.com>
Sent: Monday, August 5, 2019 2:58 PM
To: Rick Taggart
Cc: Scott Peterson
Subject: Maverick-Anx-2019-37

Dear City Council Members:

I am a resident of the Grand Junction North Neighborhood. As it exists now, the rural character of this area is a jewel and asset for the City and County.

Along with the substantial majority of my neighbors, I strenuously “oppose” the proposed annexation and high-density rezoning of the property known as the “Maverick Estates” on H and 24 1/4 Road.

I believe the City Council is well aware of the many flaws with this annexation and the substantial public opposition to it.

The Council should exercise its discretion and deny the annexation based on the following:

- It runs counter to the wishes of the Neighborhood.
- It does not adequately assess severe traffic safety problems and local school overcrowding.
- It would fracture the low-density, rural character of our neighborhood in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a tentacle-like annexation process that violates the City’s 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a failure to first develop in-fill properties within the City, also in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
- By the City’s own admission, it is a money-loser for the City, which already has \$189 million in backed-up infrastructure needs.
- A better path exists: disallow the annexation and let the property be developed in the County consistent with the area’s rural character.
- It has been a hurry-up process with too many procedural short-cuts.

In the event the Council decides to approve the annexation notwithstanding the neighborhood opposition and the above noted flaws, it should require proper buffering and designate the property as zoned either “Estate” (one house per one acre) or AFT (one house per five acres). This will partially mitigate the intrusion of high-density housing into an established neighborhood that is already substantially developed with multi-acre lots as the norm.

Thank you for considering these comments,
Roger & Patricia Beaudoin
833 24 1/2 Rd GJ Co. 81505

Scott Peterson

From: rwc & cac <rmlgjco@zoho.com>
Sent: Sunday, May 26, 2019 9:11 AM
To: Phillip Pe'a; Chuck McDaniel; Phyllis Norris; Duke Wortmann; Duncan McArthur; Anna Stout; Rick Taggart; Scott Peterson
Subject: Emailing: Annexation Plats Identifying Contiguity
Attachments: Annexation Plats Identifying Contiguity.pdf

Someone explain to me the reasoning about annexing 24 1/4 south of H Road and over the canal?
We, the residents of Albino Estates, are the only ones using this road.
Why not enter the property south of canal and north of freeway via 24 Road.

You are basically stealing our peace and privacy by doing this.
This would be a commercial road with high traffic and very noisy.

What does this have to do with the Maverick Estate proposal?
This annexation seems to me to be highly irregular.

Please exclude this from your Maverick Estate project annexation.

From: GLEN H DIANE H GALLEGOS
Sent: Saturday, May 25, 2019 11:01 AM
To: rwc & cac
Subject: Fw: Emailing: Annexation Plats Identifying Contiguity

Annexation Map

From: Diane Davis <dedavis@acsol.net>
Sent: Friday, April 26, 2019 8:27 PM
To: 'GLEN H DIANE H GALLEGOS'
Subject: Emailing: Annexation Plats Identifying Contiguity

Your message is ready to be sent with the following file or link attachments:

Annexation Plats Identifying Contiguity

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Scott Peterson

From: rwc & cac <rmlgjco@zoho.com>
Sent: Friday, May 24, 2019 3:38 PM
To: Phillip Pe'a; Chuck McDaniel; Phyllis Norris; Duke Wortmann; Duncan McArthur; Anna Stout; Rick Taggart; Scott Peterson; Council
Subject: Maverick Project on H Road

I am opposed to the high density development on H Road called Maverick

Seems city of GJ is depriving us of our property value without "due process" in the 5th Amendment.

That the zone change will be consistent with surrounding uses. This may require the applicant to show the zone change will not result in property values going down, or interfere with existing development. For example, rezoning a neighborhood from low density residential to heavy industrial or commercial, when the neighborhood is surrounded by other residential uses, is likely to be found inconsistent with surrounding uses.

Will being in the city limits affect my property value? Will properties have to be reappraised?

How will annexation affect my taxes?

I am especially opposed to you creating an entrance of our private cul-de-sac across the irrigation canal to a commercial development south of us.

- H Road already has too much traffic. People use H Road to take kids to Appleton Elementary, Cap Rock and Juniper Ridge as well as getting on freeway.
- Land use compatibility and especially density are very real concerns.
- The additional traffic will create more noise, smog and therefore be unhealthy. Perhaps an environmental impact study is needed?
- Many people, like us, will not buy homes in this area if high density tract homes are there. This would affect our property value. Perhaps if you approve, then city would be liable for our losses.
- This will create overcrowding at Appleton Elementary and traffic hazards.
- Needed infrastructure improvement to accommodate new residents who bike, jog, walk dogs, etc. There are no bike lanes nor room to provide for H Road is too narrow.
- Condition of 24 ½ Road and 25 Road bridges to handle the additional traffic are a very real concern.
- Property and personal liability issues.

Lastly if you are serving the people, and not some special interest, I wonder why you would even consider this.

Why annexing to city? Did county already refuse him doing such high density?

Pr 29:4 ¶ The king by judgment establisheth the land: but he that receiveth gifts overthroweth it.

Please advise me what you are going to do?

Here is a very brief primer on Agenda 21.

Please watch before your meeting Wednesday night, July 16th.

<https://www.youtube.com/watch?v=TzEEgtOFFIM>

Scott Peterson

From: rwc & cac <rmlgjco@zoho.com>
Sent: Friday, May 31, 2019 6:39 AM
To: Phillip Pe'a; Chuck McDaniel; Phyllis Norris; Duke Wortmann; Duncan McArthur; Anna Stout; Rick Taggart; Scott Peterson
Subject: Maverick and 24 1/4 Annexation Letter to City Council

GROWTH does not equal GOOD.

People are fleeing the Denver area, and other urban cities, to escape the crime, traffic, overcrowding.

GROWTH equals lower quality of life in the long run.

Gangs move in (Orange County in CA is one prime example).

City of Grand Junction is shooting herself in the foot.

People come here, like we did, to escape urban life.

We want a quality rural life.

Stop this high density drive in north county.

No homes on less than one acre such as Greystone Estates.

Summary:

City starts growing leads to attracting lower income families.

Both parents working so children are not raised correctly.

More crime develops and crowded traffic.

People will then start leaving.

Businesses start to fail as we are already seeing in GJ (Mall).

The boom becomes a bust!

Scott Peterson

From: rwc & cac <rmlgjco@zoho.com>
Sent: Thursday, June 06, 2019 12:46 PM
To: Phillip Pe'a; Chuck McDaniel; Phyllis Norris; Duke Wortmann; Duncan McArthur; Anna Stout; Rick Taggart; Scott Peterson
Subject: Re: Maverick and 24 1/4 Annexation Letter to City Council

Who stands to benefit from this high density project on H Road called Maverick?

The developers.
Realtors
City by taxes, permits, sewer fees, license fee, etc.
Utility companies
Engineers and surveyors
City expanding its border more.
Etc.

Who is hurt and loses?

Present land owners in area.
Forcing annexation on residents that do not want it.
Promotes and leads to more high density development in a rural neighborhood.
Schools will become more crowded.
Changes character of this area from rural to urban.
Increases traffic on an already heavy traffic road on H Road.
(H Road really needs to be expanded to three lanes if this project is approved.)
Encourages small agricultural operations out of business.
Effects wildlife habitats and the wildlife that lives here.
Raises property taxes.
Will ultimately lead to less privacy, peace and quiet, more crime and vandalism.

You were elected, appointed or hired to serve the people.
Not just the ones with money but all the people.
Do your duty and deny this subdivision.
It is out of place in this location.
All homes should be on one acre or larger lots.
That is the way Greystone, Quail, and Meese are.
This north county area is the Beverly Hills of Grand Junction.
Why destroy it?

1Ti 6:10 For the love of money is the root of all evil:
which while some coveted after, they have erred from the faith,
and pierced themselves through with many sorrows.

RW Carlson

Scott Peterson

From: rwc & cac <rmlgjco@zoho.com>
Sent: Thursday, June 13, 2019 3:54 PM
To: Phillip Pe'a; Chuck McDaniel; Phyllis Norris; Duke Wortmann; Duncan McArthur; Anna Stout; Rick Taggart; Scott Peterson
Cc: Dan & Diane Gallegos; Cynthia Komlo
Subject: Re: Maverick and 24 1/4 Annexation Letter to City Council



Scott Peterson

From: rwc & cac <rmlgjco@zoho.com>
Sent: Friday, June 21, 2019 1:58 PM
To: Phillip Pe'a; Chuck McDaniel; Phyllis Norris; Duke Wortmann; Duncan McArthur; Anna Stout; Rick Taggart; Scott Peterson
Cc: Dan & Diane Gallegos; Cynthia Komlo
Subject: Re: Maverick and 24 1/4 Annexation Letter to City Council

Please try to understand what you are doing. Please do not submit Grand Junction to the will of UN and Globalists.

Globalists, operating in concert with the United Nations, **are in a war against rural and suburban America**. This war, known as "*Agenda 21*," is largely considered a "conspiracy theory" by apologists of globalization, thus the origin of group 1 above. Yet *Agenda 21* is not just a theory for its flagship term -- "sustainable development" -- crops up in thousands of federal, state and local government laws, regulations, policies and documents across America.

The UN says "sustainable development" is simply the "Environmental Movement" being used to shepherd the world into a safe, green place that will provide for our current needs without sacrificing the needs of our children. Others maintain *Agenda 21* is the forced inventory and control of all land, water, minerals, plants, animals, building projects and human beings on the Planet Earth. But what many fear is *Agenda 21* is the blueprint for what could morph into a Communist World Government where property rights and the right to keep and bear arms are ceded to the state.

Decide for yourself. Is *Agenda 21* fulfilling the 10 Planks of Communism as set forth in the *The Communist Manifesto* written by Karl Marx in 1848 or is it an innocent *New Green Deal*? Here's an excerpt from [page 26](#) of the *Manifesto*:

"The Communist revolution is the most radical rupture with traditional property relations; The proletariat will use its political supremacy to wrest ... all capital from the bourgeoisie, to centralise all instruments of production in the hands of the State ... in the beginning, this cannot be effected except by means of despotic inroads on the rights of property Nevertheless, in most advanced countries, the following will be pretty generally applicable....

1. Abolition of property in land and application of all rents of land to public purposes.
2. A heavy progressive or graduated income tax.
3. Abolition of all rights of inheritance.
4. Confiscation of the property of all emigrants and rebels.
5. Centralisation of credit in the hands of the state, by means of a national bank with State capital and an exclusive monopoly.
6. Centralisation of the means of communication and transport in the hands of the State.
7. Extension of factories and instruments of production owned by the State; the bringing into cultivation of waste-lands, and the improvement of the soil generally in accordance with a common plan.
8. Equal liability of all to work. Establishment of industrial armies, especially for agriculture.

9. Combination of agriculture with manufacturing industries; gradual abolition of all the distinction between town and country by a more equable distribution of the populace over the country.
10. Free education for all children in public schools. Abolition of children's factory labour in its present form. Combination of education with industrial production”

One could argue that not all of the planks of Communism have been translated into *Agenda 21*, but many, if not most, of them have. For instance, when Marx says things like (my notes added) -- ‘The Communist revolution will be a radical rupture with traditional property relations’ (private property rights) and that ‘the proletariat (mostly Democrats) will use their political supremacy to wrest (tax), by degree (confiscate), all capital (wealth) from the bourgeoisie’ (mostly Republicans) and will ‘centralise all instruments of production (manufacturing base) in the hands of the State’ (Federal Government in DC) and increase the total productive forces (outsourced U.S. Manufacturing base) as rapidly as possible ... by means of despotic inroads (sustainable development) on the rights of property (ICLEI, COGs, conservation, historic trusts)’ – it’s difficult to write all this off as mere “conspiracy theory.”

So again, many Americans don’t know what *Agenda 21* is or how it will affect them. They don’t understand that *Agenda 21* is the advancement of Communism by means other than just “cultural Marxism” and Lenin’s aggressive, political and economic Communism. *Agenda 21* is the advancement of Communism through private property control and gun control. Since private property is the means by which wealth is generated and the Second Amendment is the means by which private property is protected, it would only be natural that these two institutions are the primary targets of Marxism and *Agenda 21*.

And where is the most private property to be found? Rural America. Rural American comprises 95% of the U.S. land mass – replete with water, plants, animals and mineral wealth – all targets of *Agenda 21* and the Globalists’ war on rural America. Yes, the United Nations – the embryonic World Government – is attempting to control, rezone and confiscate real estate across America, especially rural and suburban America. This is an assault on the most fundamental of Americans’ rights guaranteed by the U.S. Constitution. This is why Citizens who understand what *Agenda 21* is are freaking out that so many remain ignorant or in denial.

From: rwc & cac [<mailto:rmlgjco@zoho.com>]
Sent: Monday, August 05, 2019 9:18 AM
To: Council <council@gjcity.org>
Subject: Maverick Annexation

SAVE THE NORTH GRAND JUNCTION RURAL AREA

To: The Board of County Commissioners of Mesa County (the “County”),
and

The City Council of Grand Junction (the “City Council”)

North Grand Junction Neighbors and Supporters, please sign this Petition for the following reasons:

1. The Neighborhood

The North Grand Junction Rural Neighborhood (“Neighborhood”) is a unique, historical, and distinctly rural neighborhood located in Mesa County. It is bounded by 24 Road on the west, 26 Road on the east, I-70 on the south, and extending north to the boundary of the BLM lands.

2. Questionable Procedures

In 2018, in a proceeding without effective public notice, and in violation of the rules of the “Persigo” agreement between the City and the County, an extension of the City’s jurisdiction to annex land in the Neighborhood was approved.

3. The Annexation and Its Flaws

As a result, the “Maverick Estates Annexation” (“MEA”) now seeks to establish high-density housing in the Neighborhood. If allowed, the MEA would fracture the Neighborhood and be substantially out of character with the rest of area. It is also contrary to the 2010 Comprehensive Plan (“2010 Plan”). Some examples of the project’s flaws:

- Public Opposition. The vast majority of residents of the Neighborhood oppose this project,

- Density. Placing a large (60-plus), high density subdivision (17 acres at up to 4 units per acre) into a rural, low-density (average of 1 unit per 5 acres) neighborhood is fundamentally contrary to the 2010 Plan.
- No Buffer. The complete absence of a buffer zone, as required by the 2010 Plan at p. 12,
- Traffic Increase. Substantial increase in traffic on the two-lane H Road, along with the narrow two-lane roads that service the Neighborhood.
- Public Safety Impact. With increased auto and pedestrian traffic, especially with limited funnels unto H Road, and an already-dangerous unguarded overpass on 24 1/2 Road, come inevitable negative public safety impacts. This particularly includes risks to children in the Neighborhood. The 2010 Plan requires a “balanced” transportation plan.
- Appleton School Overcrowding. There will be a substantial increase in the number of students at this facility, without clear advance planning,
- Disfavored “Flagpole” Annexation. Use of a contrived annexation procedure that is clearly disfavored under the 2010 Plan at p. 23 (“[D]evelopment has “leap-frogged” out into the countryside. The annexation pattern that has resulted is an irregular, tentacle-like city limit.”),
- Public Money-Loser. According to discussions with the City, the additional costs will make this project a net money-loser for the City, and most likely the County. This is disfavored. See 2010 Plan at p. 53 (“avoid growth patterns that cause disproportionate increases in the cost of service such as irregular boundaries that force police, street sweepers, parks maintenance, and other service providers to travel long distances.”),

- Bypassing In-Fill. Failure of the City to use substantial in-fill capacity within the City limits, as repeatedly emphasized in the 2010 Plan. (p. 53: “future growth is [to be] focused inward, with an emphasis on infill and redevelopment of underutilized land”),
- Use of Invalid, “Backdated” Three Mile Plan. The law requires an annually-updated, publicly-reviewed Three Mile Plan. Instead, the City has cut corners again, relying on the outdated, nine year old 2010 Plan, which itself disapproves of using outdated plans. See 2010 Plan at p. 16 (“The Plan needs to be kept current . . . It is important that the Plan be kept current.”),
- Sprawl Replacing A City and County Asset. The project will destroy a traditional neighborhood which is a long-term economic asset for the area. See 2010 Plan at p. 24 (“[N]eighborhoods will continue to exist as they do today. These are ‘areas of stability’.”) Similar annexations are slated to follow if this project is approved.

4. Procedural Corner-Cutting

The MEA deserves close scrutiny. Thus far it has had procedural flaws, erroneous property descriptions, lack of proper notices, and substantial failures to follow state laws. As a result, the City was forced to pull the matter from the last City Council meeting.

5. County Jurisdiction

The County has substantial authority to halt and/or condition the MEA and any follow up annexations under the terms of the “Persigo” agreement. This authority includes the power to withhold approval of the “backdated” Three Mile Plan that is a condition to any annexation by the City.

6. The County Should Exercise Its Authority To:

- Preserve the Neighborhood with its historical and rural character intact,

- Prevent further misguided and poorly-planned urban sprawl into the Neighborhood,
- Insure that the existing and the new Comprehensive Plans meet the above criteria,
- Require meaningful notice procedures for boundary changes under the “Persigo” agreement, including signage and mailed notices to affected county residents.

7. The City Council Should Deny the MEA For Many Substantial Reasons:

1. Opposition by the residents of the Neighborhood.
2. Reliance on invalid, “backdated” Three-Mile Plan
3. Failure to meet even the 2010 Plan standards,
4. Creation of urban sprawl,
5. Negative effect on the attractiveness of the City,
6. Contrary to the character of the Neighborhood,
7. Failure to use available in-fill capacity,
8. Use of disfavored “flagpole” annexation,
9. No buffer zones,
10. Adverse public safety Impact,
11. School overcrowding,
12. Traffic congestion,
13. Negative financial impact on the City.

8. Further Annexations in the Neighborhood Should Await the New Comprehensive Plan.

The 2010 Plan is outdated and no longer in synch with the Neighborhood. Further annexation should wait for completion of the 2020 Comprehensive Plan. This will provide timely, informed guidance to the City Council and the Planning Commission on issues that deserve the full vetting of a public planning process.

9. We Welcome Reasonable Growth Consistent With the Neighborhood.

This would be based on Estate (1 unit per acre) or AFT (1 unit per 5 acres) zoning, which is consistent with the Neighborhood.

10. Mark Your Calendars and Attend the City Council Meeting on August 21, 2019!

Be present and speak up to preserve our Neighborhood!

Note: further background and contact information can be found at:

<https://northgineighbors.wixsite.com/mysite>.

Respectfully submitted,

RW Carlson

From: Kevin Davis [<mailto:kdavis@westernslopeauto.com>]

Sent: Wednesday, May 01, 2019 11:57 AM

To: Belinda White <belindaw@gjcity.org>

Cc: Katherine Portner <kathyp@gjcity.org>

Subject: MAVERICK ESTATES ANNEXATION 2019-37 , KEVIN DAVIS, 2485 H RD, 970-261-2800, OBJECT ANNEXATION

Hello Ladies,

I am writing my OBJECTIONS towards the proposed subdivision at 2428 H road because I am unable to attend tonight. I do not feel the area's infrastructure is ready or up to date to handle such a dense housing community because:

1. APPLETON ELEMENTARY CAN NOT HANDLE THE INFLUX OF NEW STUDENTS
2. WE DO NOT HAVE SIDEWALKS OR STREET LIGHTS ON H ROAD.
3. 24 1/2 ROAD BRIDGE IS TOO NARROW, NO SIDEWALKS. KIDS WILL WANT TO WALK OR RIDE TO CANYON VIEW PARK. THEY ARE AT RISK OF GETTING HIT BY VEHICLES
4. WE USE IRRIGATION WATER THAT COMES FROM DITCHES IN FRONT OF OUR HOMES THAT ARE NOT COVERED. THIS CAN CREATE POTENTIAL DROWNING ISSUES
5. POTENTIALLY DEVALUES SOME OF THE BIGGER HOMES IN THE AREA.
6. STREETS ARE NOT SET UP TO HANDLE THE ADDED TRAFFIC

In conclusion the area is not set up for such a dense community . The way it is now puts people in harm's way. I would hate to see an adult, a child or a pet get injured or killed by a vehicle because the proper infrastructure is not in place.

Best,

Kevin Davis
General Manager
Western Slope Auto
970.243.0843
kdavis@westernslopeauto.com



Scott Peterson

From: BUD KATHY GLOVER <bgllover76@msn.com>
Sent: Monday, August 5, 2019 6:56 AM
To: Scott Peterson
Subject: Just hoping that counsel will hear the voices of our neighborhood and not accept the proposal.
Thanks Bud and Kathy Glover

Scott Peterson

From: Mackenzie Hartman <doctor.hartman17@gmail.com>
Sent: Tuesday, April 30, 2019 12:36 PM
To: Barbara Traylor Smith; Bennett Boeschstein; Phyllis Norris; Duke Wortmann; Duncan McArthur; Chris Kennedy; Rick Taggart; Scott Peterson; Council
Subject: Maverick Estates

To all it may concern,

Please take all of our concerns about this annexation with the upmost seriousness. We are all very concerned about this proposed annexation, and would appreciate re-consideration of the lot sizes.

- The residents in this area live there and moved there specifically to be in a rural area.
- The majority of new developments in the area are 1 acre lots, not 4 per acre. Please re-consider this annexation for the benefit of the community and to maintain the rural land we so dearly love.
- H road would not be able to withstand the traffic of 68 additional families. The new stop signs on H road were a great addition, however appropriate for the current traffic pattern and NOT for additional 68 families, potentially 136 cars traveling if each home is a 2 car family. 24 road is already extremely busy and there is no easy way around this.
- With the City Market closing downtown, there is already an influx of new customers to the City Market on 24 rd.
- how will the schools handle this influx of families?
- our real estates comps will suffer
- This type of urbanization is not appropriate for our community

If you have any questions or would like to follow up, please email me or call 970-712-3505.

Thank you for your consideration in this matter.

Best regards,
Mackenzie Hartman, DO

From: vegavistaman@aol.com [<mailto:vegavistaman@aol.com>]

Sent: Tuesday, April 30, 2019 2:34 PM

To: Belinda White <belindaw@gjcity.org>

Subject: Maverick Estates Annexation 2019-37

Just want to voice my opposition to the annexation and development of this property at 2428 H Road.

1. This is a rural area, not a high density area. That is why we built a home out here.
2. The traffic on H Road will increase dramatically. There have many accidents at the intersection of H Road and 24 and 24 1/2 Road. I applaud the decision to make these intersections 4 way stops.
3. H Road is also used by bicyclists, farm equipment, runners, joggers, and walkers. More traffic is just asking for trouble.
4. Appleton Elementary school is just west of this development. It has a high density development right next to it. I don't understand how that was ever approved.
5. I assume city sewer line would have to be extended from 24 road and H road would have to be improved.
6. A high density development is just not compatible with our rural area.
7. I worry about property values going down.

Thank you.

Brian and Madalyn Haut
788 24 1/4 Road
970-243-3162

STEPHEN C. HILLARD
887 25 ROAD
GRAND JUNCTION, CO 81505

Re: Maverick Estates — Additional Legal Issues

To the City Council of Grand Junction:

Please consider the following additional comments with respect to the public hearing for the pending annexation petition for the Maverick Estates.

(1) The Notices to Landowners Failed to Meet Statutory Requirements.

In an annexation proceeding such as this, C.R.S 31-12-105(e.3.) provides:

“[T]he municipality shall provide, by regular mail to the owner of any abutting parcel as reflected in the records of the county assessor, written notice of the annexation”

Examining the City’s list of landowners who were mailed notices, it appears that the proper notice was not mailed to the landowners of record abutting the

street or right of way to be annexed in Annexation No. 4. (along the south portion of 24 1/2 Road).

Annexation No. 4 is a critical part of the “flagpole” that provides continuity for this petition. Please see the attached city mailing list, map of landowners and list of incorrectly omitted notices. [2]

It is highly unlikely that this annexation, which has drawn so much public opposition, would be one where errors in basic notice procedures were “inadvertent” — i.e., the result of simple mistake or negligence.

Petitioner has been represented by able counsel.

Moreover, there is no factual indication in the record that the error was inadvertent. Given the knowing, strategic changes in the described lands (see below) there is little room to think that this error was inadvertent. The best indication is that the choice was deliberate.

(2) Failure of Annexation No. 4 For Lack of Notice Invalidates the Entire Annexation.

To have failed to provide statutorily-required notice to the entire group (or at least 2/3rds) of landowners abutting Annexation No. 4 is a fundamental error that invalidates that annexation. 66% to 100% failure of

notice cannot be excused as substantial compliance. It is, in fact, substantial non-compliance.

With that failure the entire annexation fails because there is not the required contiguity (1/6 or otherwise).

(3) The Four Notices by Publication Contain Materially Erroneous Legal Descriptions and Therefore Are Invalid.

There have been three materially different legal descriptions and maps of the properties to be annexed. C.R.S. 31-12-108 provides:

“(2) The clerk shall give notice as follows: A copy of the resolution or the petition **as filed** . . . together with a notice that, on the given date and at the given time and place set by the governing body, the governing body shall hold a hearing upon said resolution of the annexing municipality or upon the petition for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of section 30 of article II of the state constitution and sections 31-12-104 and 31-12-105 and is considered eligible for annexation. Said notice shall be published once a week for four successive

weeks in some newspaper of general circulation in the area proposed to be annexed.

The statute is clear that the hearing is to be held on the original petition and described land as filed, not on a parcel that has been materially altered two more times.

A copy of the Public Notices that were published in the Daily sentinel is attached. They were published on four consecutive weeks. The public notices are invalid in two ways:

- 1st Defect. The Notices published prior to on or about April 2, 2019 had the original annexation descriptions. The legal descriptions attached to this petition were thereafter materially changed by deletion of the "Green Flash Drive" property. See AIR cover letter dated April 2, 2019.
- 2d Defect. The above error was compounded on or about April 22, 2019 by additional material changes to the maps and legal descriptions. These errors were described in my prior letter to the City Council.

Public notice is one of the most important parts of the statutorily-defined annexation process. It is well established that significant defects in public notice are to be taken seriously. See, e.g., 31-12-102 (1)

(“procedures in [the Municipal Annexation Act] are necessary”).

(4) The Multiple Errors, Taken Together, Cannot be Excused as Either Inadvertent or Constituting Substantial Compliance.

From the perspective of this petition, as it has finally arrived before the City Council, the errors are multiple, repeated, and compounding in effect: [1]

- 3/20/19 — Petition — Invalid Maps & Descriptions
- 3/22/19 — 1st Pub. Notice — Invalid Descriptions
- 3/25/19 — Failed Notice to Landowners for Annexation No. 4
- 3/28/19 — 2nd Pub. Notice — Invalid Descriptions
- 4/2/19 — Invalid Maps & Descriptions Filed (Drops “Green Flash Drive”)
- 4/2/19 — Insufficient AIR filed
- 4/4/19 — 3rd Pub. Notice — Invalid Descriptions

- 4/11/ 19 — 4th Pub. Notice — Invalid Descriptions
- 4/22/19 — Invalid Maps and Descriptions Filed (Changing Western Boundary for 1000')
- 5/1/19 — No Updated Three Mile Plan.

It is respectfully submitted that the changes in the legal descriptions are not the result of any correction of error. They indicate a strategic decision by the developer to change the external boundaries of the annexation to avoid issues with adjacent parcels and landowners. In particular, the issues with respect to 24 1/4 Road and Green Flash Drive that apparently drove these changes are clearly not matters of error correction or inadvertence.

Nor can the strategic changes be excused by substantial compliance. The two principal changes constitute major changes to the main parcel. Indeed they constitute up to a majority of the external boundaries of the main parcel. The Colorado Supreme Court has indicated that, while changes to internal lines may in certain cases be excused by the doctrine of substantial compliance, significant changes to external boundaries, especially deliberate changes that are not error corrections, are much less likely to be excused by this doctrine. See Board of County

April 28, 2019

Comm'rs v City & County of Denver, 193 Colo. 325, 566 335 (1977) (applying substantial compliance where the altered parcel did not effect the external boundaries).

Conclusion: When the petition's legal and procedural flaws are coupled with the significant public opposition, the result should favor a re-do that follows a sound process.

It is recognized that the City Council has a level of discretion in applying the annexation rules.

The final question, however, is simple: **Is disregarding so many substantial errors the best way to conduct the City's business?** The better path is to deny this petition on the basis of the errors and let the petitioner refile should it so desire.

Thank you for considering these important additional points.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve C. Hillard".

Stephen C. Hillard

cc: City Council Members:

Mayor Barbara Traylor Smith
Mayor Pro Tem Bennett Boeschstein
Councilmember Phyllis Norris
Councilmember Duke Wortmann
Councilmember Duncan McArthur
Councilmember Chris Kennedy
Councilmember Rick Taggart

City Manager Greg Caton
City Attorney John Shaver
Scott Peterson
Belinda White

Mesa County Commissioners:

Commissioner John Justman
Commissioner Scott McIness
Commissioner Rose Pugliese
County Attorney Patrick Coleman

Note:

[1] The dates that follow are approximate, but do not change the merits of the positions stated.

[2] The mailing list was provided through a request under the City Open Records Ordinance. The list of landowners who are not on that list but own property abutting the right of way that is the lower portion of 24 1/2 Road was determined by looking at county ownership records. The names of the landowners omitted are Hartman and Klements. Landowner Vanegas received separate notice pursuant to other lands abutting the annexed parcel.

STEPHEN C. HILLARD
887 25 ROAD
GRAND JUNCTION, CO 81505

Re: Maverick Estates — Issues Concerning
Continuation

To the City Council of Grand Junction:

In the wake of the continuation of the Maverick Estates petition on the City Council agenda, the following is a list of suggestions for consideration by the City:

(1) The petition must be refiled and the process started over for two key reasons:

(a) Fair Notice. This matter is clearly one of substantial public concern. The public will be even further confused about a petition that is already in its third iteration. Rather than attempts at piecemeal fixes, fair notice to the public means advance notice as prescribed by statute (both by mail and by publication) and a genuine opportunity to review and comment from the beginning.

(b) Legal Requirement. For the numerous reasons contained in previous comments, the petition that

is the subject of the continuance is legally flawed. To cite one example, the hearing must be on the petition "as filed", not a subsequent material alteration never revealed to the public by notice, and not one where the public notices that did exist were incorrect.

(2) The Required Three-Mile Plan Should Involve Comment from the County and the Public.

The 1977 Three-Mile Plan (addressed in prior comments) is a reasonable template that has precedent with the City. The principles stated in the current Comprehensive Plan should also be part of the process. Those principles include:

- (a) Priority to In-Fill Within the City Rather than New Development in the County.
- (b) Assessment of Current Housing Inventory To Establish That In-Fill is Inadequate.
- (c) "Feathering" In" New Development.
- (d) Consistency with Existing Land Use Patterns,
and

(e) The Limitations on Future Development as Designated in the Comprehensive Plan.

Rather than an ad hoc “update” to something that doesn’t currently exist, a genuine effort to have a newly-created Three-Mile Plan should have input from the effected constituents.

(3) The County Must “Formally Adopt” the New Three-Mile Plan.

As a matter of law, the County must not only be involved in the Three-Mile Plan under the Persigo Agreement, it must “formally adopt” it. In other words, it has a veto. See, inter alia, Persigo Agreement at B:

“2. No policy shall be effective until formally adopted by both the Council and the Board of County Commissioners.

3. Policy means:

(a) Setting goals and objectives;”

The Three-Mile Plan fits squarely within this provision. Such plan, when created, would be a policy statement of goals and objectives. It obviously effects lands under the jurisdiction of the County. As noted in previous letters, it also is obviously an independent pre-condition to any annexation process by the City.

(4) The Impact Plan Should Fully Address the Key Issues Raised by the Public.

These include but are not limited to:

(a) The Effect on Local Schools. The single letter from a school district employee is generic and does not really address the public input already received about the substantial impact of a high density development on local schools.

(b) The Effect on Public Safety. Increased traffic congestion, forced unto already-busy H Road and other streets will increase risks to the public, including school children. Increased traffic using the narrow, low-guardrail 24 1/2 Road bridge over the interstate will clearly be unsafe.

(c) The Effect on the Character of the “Existing” Neighborhood. This was discussed in prior comments.

(d) The Fiscal Impact of the Annexation, at the Level of Detail Adopted by the City in the 1977 Plan.

MAY 1, 2019

We understand that the City is meeting with a representative for the developer. It seems appropriate, and is respectfully requested, that before any further steps or decisions are taken with respect to this annexation, a meeting between the City and representatives of the neighborhood should occur.

Thank you for considering these important points.

Sincerely, 

Stephen C. Hillard

cc: City Council Members:

Mayor Barbara Traylor Smith

Mayor Pro Tem Bennett Boeschstein

Councilmember Phyllis Norris

Councilmember Duke Wortmann

Councilmember Duncan McArthur

Councilmember Chris Kennedy

Councilmember Rick Taggart

City Manager Greg Caton

City Attorney John Shaver

Scott Peterson

MAY 1, 2019

Belinda White

Mesa County Commissioners:

Commissioner John Justman

Commissioner Scott McIness

Commissioner Rose Pugliese

County Attorney Patrick Coleman

STEPHEN C. HILLARD
887 25 ROAD
GRAND JUNCTION, CO 81505

Re: Recommendations Regarding Maverick Estates
Annexation and Persigo Agreement ("PA")

To the Board of County Commissioners of Mesa
County:

As you are aware, a majority of citizens of Mesa County in the Appleton area have expressed substantial opposition to the proposed Maverick Estates annexation. After a meeting by citizens this week with the City of Grand Junction [1], it has become clear that the County has the authority to, and should, play a pivotal role in this process.

Accordingly, this letter provides:

- (a) An update of the status of the above annexation petition,
- (b) The authority of the County under the Persigo Agreement,

(c) The County's stake in the process and outcome of this annexation, and

(d) Recommendations from County citizens to the County Commissioners regarding the Maverick Estates annexation and the Persigo Agreement.

I. Status: The City Intends to Proceed with the Annexation Despite Substantial Errors and Public Opposition.

Based on our meeting with the City, it appears that, while the City is prepared to acknowledge certain errors of process, it is otherwise not prepared to follow our recommendation of a total do-over of the annexation process that would have corrected errors such as multiple incorrect descriptions of the property and, most importantly, brought clear focus to the public policy issues raised by the County citizens.

Instead, in our view, the City intends to do a patch-over of only some of the process issues and then proceed forward to presentation to the City Council.

It is unclear whether the City presently sees any substantive role for the County in this process. [2]

Ironically, but importantly (see below), those of us who attended the meeting understood the City to acknowledge that the annexation would be a money loser for the City (based on sewer and other infrastructure costs) as well as for the County (based on the burden of potential road improvements serving the flagpole annexation parcel).

We understand that the clock for this revised process will run for ninety (90) days. Operating under that understanding, we respectfully offer the following observations and recommendations to the Board of County Commissioners.

II. The County Has Substantial Authority To Control Annexation Under the Persigo Agreement (“PA”).

Our review of the Persigo Agreement indicates that the County retains substantial oversight, input and approval authority over the annexation.

(1) The County Has a Veto Over Growth Inconsistent with the Comprehensive Plan.

“So that the integrity of the City and the County planning efforts is not threatened in the Joint Planning Areas . . . the parties will not allow growth inconsistent with the Master Plan adopted by each entity or by the Planning Commission of each, or existing zoning”

PA at A. (d).

The “Master Plan” referred to above seems to have many names, but it is assumed here, for purposes of discussion, that it can be applied to the current (2010) Comprehensive Plan. In that case, the annexation, insofar as it would allow the City to rezone the parcel at a much higher density than currently exists, is inconsistent with numerous key goals of the the Comprehensive Plan. These include:

“Transitioning of Densities.

On the Future Land Use Map, residential densities are proposed to gradually transition to higher or lower surrounding densities. That is, in order to keep incompatible land uses from being adjacent to each other, higher and lower densities are usually separated by intermediate densities. There are other techniques such as “buffering” that can also be used to soften the impacts between two land uses.”

Comprehensive Plan at 27 (emphasis added).

This concern with inconsistent uses is also established in Goal 7 of the Comprehensive Plan, which seems foursquare on point for the proposed annexation:

“New development adjacent to existing development (of a different density / unit type / land use type) should transition itself incorporating appropriate buffering.”

The proposed Maverick Estates annexation, by leap-frogging an unbuffered, high density development into the middle of a rural, low-density neighborhood, clearly violates the letter and principles of the Comprehensive Plan.

Interestingly, the Comprehensive Plan also prioritizes in-fill as an alternative to leap-frogging to denser development as is the case here. The truth is that what happens inside the City has an effect on pressures for denser development outside the City. An important factor not addressed by the City to date in either a Three-Mile Plan or the prior Impact Report is whether in-fill has been adequately utilized before considering inconsistent, high-density annexations into

the County. The Comprehensive Plan at 11 makes this factor an important consideration:

“Growing inward (infill and redevelopment) allows us to take advantage of land with existing services, reduces sprawl, reinvests and revitalizes our City Center area.” (Emphasis added.)

Accordingly, based on a key provision of the Persigo Agreement, “growth” (such as unbuffered housing that is of a much higher density than currently exists in the neighborhood) cannot be allowed and is a basis for objection by the County.

(2) The County Must Formally Adopt the City’s (Proposed But Currently Undrafted) 2019 Three-Mile Plan Before the Annexation Can Proceed.

The PA provides:

“2. No policy shall be effective until formally adopted by both the Council and the Board of County Commissioners.

3. Policy means:

(a) Setting goals and objectives:”

PA at B. See also PA at Exhibit 1 (Definitions) at 18.

It is difficult to think of a more appropriate example of a “Policy” as defined in the PA than the Three-Mile Plan.

In exercising its authority under the Persigo Agreement, the County has several options to insure that its role is respected. [3]

III. The County Has Substantial Policy Reasons to Require Its Consent for This Annexation.

These include:

(1) Substantial Opposition By County Residents. Overflow crowds and statements in opposition at the City Planning Commission are indicators of this factor, which will be bolstered in coming weeks.

(2) Annexation Act Violations. At least four categories of violations have been identified in prior letters to the City: no Three-Mile Plan, multiple incorrect property descriptions, inadequate Impact Report, and defective notice. While the City may contend that these have been “patched-up” or need not be addressed, the County has every right under the Persigo Agreement to insist on a high standard of

performance for these and other rules for proper annexation.

This oversight and approval function by the County is especially important where the City has such a poor track record, and a series of undisputed errors, in this proceeding so far.

(3) Impact On Traffic And Public Safety. The inevitable and substantial increase in automobile, pedestrian, and probably bicycle traffic on H Road and other two-lane streets that serve the area will have serious implications for public safety. Those effected certainly include many children.

(4) Burdens On County Infrastructure. This includes County roads outside of but serving the annexed area.

(5) Burdens On County Finances. This goes hand in hand with the infrastructure burdens.

(6) Burdens On Appleton School. The existing record of substantial new demands on the local school occasioned by dense development requires detailed examination of this issue.

(7) The Inconsistency Of A City Annexation That Is A Money-Loser For The City. This incongruity deserves explanation in light of the policies of good government that underlie the Persigo Agreement. What is going on with the City, and why?

(8) The 201 Boundary Extension Upon Which This Annexation Is Premised Is Invalid. There are three reasons for this invalidity:

First, the City / County meeting at which the boundary extension was approved had no effective public notice. Publication twice in a local paper, with no mailings, no signs and no public outreach, is in truth not designed to let the public be aware of the meeting or its agenda.

The notice certainly must conform to standards that give a reasonable opportunity for the public to be aware of the matter and to provide input to their government representatives. This matter, which is a precursor to annexation and fundamentally changes potential jurisdictions for zoning, deserves at least the same level of notice as the annexation itself, see CRS 31-12-108, and the requirements of the City and County for zoning matters.

Second, the meeting itself and the decision made therein were unlawful. The Persigo Agreement provides:

“Policy decisions and guidance shall be provided at joint meetings which shall occur at least annually. At least one of these meetings shall occur before July of each year”

PA at G. 34.

A change to the 201 boundary is explicitly included as a policy decision. Id. (“any policy decisions (including changes to the boundary of the 201)”)

The meeting occurred on August 22, 2018. We understand that there was no joint board meeting prior to July of that year. [4] Accordingly, the meeting was in violation of the Persigo Agreement and the decision to extend the 201 boundary was invalid.

This point is far more than a mere technicality. The public, in expressing its views, is often stymied by technical legal obstacles of timing, notice, etc. In fairness, that approach should be a two-way street. A meeting conducted in clear violation of an express provision of the PA should not be the basis for an

annexation and development that is so contrary to the will of the affected citizens and so clearly inconsistent with the directives of the Comprehensive Plan.

Accordingly, the County has a substantial interest in the prior and upcoming Maverick Estates annexation process.

III. Recommendations to the County:

Based on the above, the following are recommended to the County as reasonable next steps:

(1) Object to the current Maverick Estates annexation based on the factors discussed above (e.g., notice defects, inadequate impact assessment, no Three-Mile Plan, incorrect land descriptions).

(2) Insist on the County's clear right of approval for the 2019 Three-Mile Plan insofar as it effects the Persigo Agreement, including changes and conditions that insure compliance with the Annexation Act, the

Comprehensive Plan, and the input of the citizens of the County.

(3) Review the forthcoming “updated” annexation process, including the Impact Report, for errors and inadequacies, and object as appropriate.

(4) As a condition for any approval of the Maverick Estates annexation, require that it be developed at no greater density than two houses per acre, so as to insure compliance with the Comprehensive Plan.

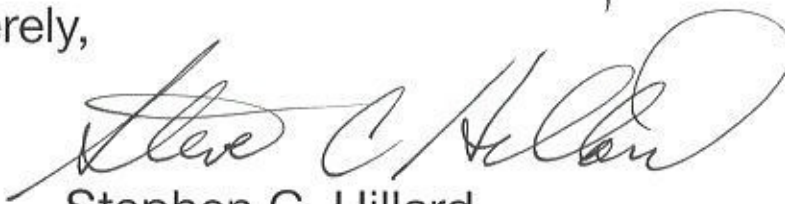
(5) Consider a rescission and / or change to the August 22, 2018 modification to the 201 boundary based on the invalidity of the prior action by the Joint Persigo Board. A petition requesting such action will be filed in the following weeks.

(6) Create a “Persigo Changes Committee” of County citizens to propose modifications to the Persigo Agreement.

Thank you for considering these important points.

I, along with other County citizens, look forward to meeting with you and answering any questions which you or the County Attorney may have.

Sincerely,



Stephen C. Hillard

Mesa County Commissioners:

Commissioner John Justman

Commissioner Scott McIness

Commissioner Rose Pugliese

County Attorney Patrick Coleman

cc: City Council Members:

Mayor Rick Taggart

Mayor Pro Temp Duke Wortmann

Councilmember Phyllis Norris

Councilmember Phillip Pe'a

Councilmember Anna Stout

Councilmember Duncan McArthur

Councilmember Chuck McDaniel

City Manager Greg Caton

City Attorney John Shaver

Scott Peterson

Belinda White

Notes:

[1] The meeting occurred on Monday May 13, 2019 and included representatives of County citizens, the City Manager, the City Attorney, and a representative from the City Planning Department.

[2] Interestingly, our understanding from the meeting is that the City did acknowledge the right of the County to object to the adequacy of the Impact Report.

[3] If necessary, the County has recourse to these remedial tools:

- Requiring the City to “Reasonably Negotiate”
- Mediation and Arbitration
- Written Statement Process

(a) The City is Required to “Negotiate Reasonably” Regarding Annexation and Zoning.

“[T]o continue the County’s role as a co-manager of the System and as a policy decider of the System, the parties agree to negotiate reasonably.”

PA at F. (e) (emphasis added).

The “System” includes extension of, and the level of additional capacity in, the sewer system pursuant to an annexation and higher-density zoning. See PA at Exhibit 1 (Definitions) at 26.(5). “Policy” is very broadly defined under the PA. See PA at B. 2,3, and Exhibit 1 (Definitions) at 18.

(b) The County Can Require Mediation.

“[I]n the event of a dispute of any matter determined by either party to be necessary to effectuate this Agreement or to establish any policy, the parties shall first mediate the dispute.”

PA at B. 6 (detailing further process).

A “dispute” does not indicate a breach, but rather a difference of views on interpretation or application of the agreement.

(c) Written Statement Process.

The County may initiate a process that requires the City to respond to its concerns in writing.

“[A] party desiring to declare a breach shall first, in writing, inform the other party of the basis for the breach, including as much detail and specificity as possible. The other party shall have 120 calendar days to either cure the breach or to inform the other party what steps are being taken, in a reasonable time and with reasonable efforts, to cure the breach.”

PA at G. at (34)(b).

[4] An informal “workshop”, not an official joint board meeting, was conducted in May, 2018. It appears that there was no notice given for this “workshop.”

Members of the County Board of Commissioners and the Grand Junction City Council, please note the following opposition to the upcoming “Maverick Estates Annexation”

Further Information: <https://northgineighbors.wixsite.com/mysite>

SAVE THE NORTH GRAND JUNCTION RURAL AREA

To: The Board of County Commissioners of Mesa County (the “County”),
and
The City Council of Grand Junction (the “City Council”)

North Grand Junction Neighbors and Supporters, please sign this Petition for the following reasons:

1. The Neighborhood

The North Grand Junction Rural Neighborhood (“Neighborhood”) is a unique, historical, and distinctly rural neighborhood located in Mesa County. It is bounded by 24 Road on the west, 26 Road on the east, I-70 on the south, and extending north to the boundary of the BLM lands.

2. Questionable Procedures

In 2018, in a proceeding without effective public notice, and in violation of the rules of the “Persigo” agreement between the City and the County, an extension of the City’s jurisdiction to annex land in the Neighborhood was approved.

3. The Annexation and Its Flaws

As a result, the “Maverick Estates Annexation” (“MEA”) now seeks to establish high-density housing in the Neighborhood. If allowed, the MEA would fracture the Neighborhood and be substantially out of character with the rest of area. It is also contrary to the 2010 Comprehensive Plan (“2010 Plan”). Some examples of the project’s flaws:

- Public Opposition. The vast majority of residents of the Neighborhood oppose this project,

- Density. Placing a large (60-plus), high density subdivision (17 acres at up to 4 units per acre) into a rural, low-density (average of 1 unit per 5 acres) neighborhood is fundamentally contrary to the 2010 Plan.
- No Buffer. The complete absence of a buffer zone, as required by the 2010 Plan at p. 12,
- Traffic Increase. Substantial increase in traffic on the two-lane H Road, along with the narrow two-lane roads that service the Neighborhood.
- Public Safety Impact. With increased auto and pedestrian traffic, especially with limited funnels unto H Road, and an already-dangerous unguarded overpass on 24 1/2 Road, come inevitable negative public safety impacts. This particularly includes risks to children in the Neighborhood. The 2010 Plan requires a “balanced” transportation plan.
- Appleton School Overcrowding. There will be a substantial increase in the number of students at this facility, without clear advance planning,
- Disfavored “Flagpole” Annexation. Use of a contrived annexation procedure that is clearly disfavored under the 2010 Plan at p. 23 (“[D]evelopment has “leap-frogged” out into the countryside. The annexation pattern that has resulted is an irregular, tentacle-like city limit.”),
- Public Money-Loser. According to discussions with the City, the additional costs will make this project a net money-loser for the City, and most likely the County. This is disfavored. See 2010 Plan at p. 53 (“avoid growth patterns that cause disproportionate increases in the cost of service such as irregular boundaries that force police, street sweepers, parks maintenance, and other service providers to travel long distances.”),
- Bypassing In-Fill. Failure of the City to use substantial in-fill capacity within the City limits, as repeatedly emphasized in the 2010 Plan. (p. 53: “future growth is [to be] focused inward, with an emphasis on infill and redevelopment of underutilized land”),
- Use of Invalid, “Backdated” Three Mile Plan. The law requires an annually-updated, publicly-reviewed Three Mile Plan. Instead, the City has cut corners again, relying on the outdated, nine year old 2010 Plan, which itself disapproves of using outdated plans. See 2010 Plan at p. 16 (“The Plan needs to be kept current . . . It is important that the Plan be kept current.”),
- Sprawl Replacing A City and County Asset. The project will destroy a traditional neighborhood which is a long-term economic asset for the area. See 2010 Plan at p. 24 (“[N]eighborhoods will continue to exist as they do today. These are ‘areas of stability’.”) Similar annexations are slated to follow if this project is approved.

4. Procedural Corner-Cutting

The MEA deserves close scrutiny. Thus far it has had procedural flaws, erroneous property descriptions, lack of proper notices, and substantial failures to follow state laws. As a result, the City was forced to pull the matter from the last City Council meeting.

5. County Jurisdiction

The County has substantial authority to halt and/or condition the MEA and any follow up annexations under the terms of the “Persigo” agreement. This authority includes the power to withhold approval of the “backdated” Three Mile Plan that is a condition to any annexation by the City.

6. The County Should Exercise Its Authority To:

- Object to the Three Mile Plan and the MEA,
- Require County Consent for the same,
- Preserve the Neighborhood with its historical and rural character intact,
- Prevent further misguided and poorly-planned urban sprawl into the Neighborhood,
- Insure that the existing and the new Comprehensive Plans meet the above criteria,
- Adopt meaningful notice procedures for boundary changes under the “Persigo” agreement, including signage and mailed notices to affected county residents.

7. The City Council Should Deny the MEA For Many Substantial Reasons:

1. Opposition by the residents of the Neighborhood.
2. Reliance on invalid, “backdated” Three-Mile Plan
3. Failure to meet even the 2010 Plan standards,
4. Creation of urban sprawl,
5. Negative effect on the attractiveness of the City,
6. Contrary to the character of the Neighborhood,
7. Failure to use available in-fill capacity,
8. Use of disfavored “flagpole” annexation,
9. No buffer zones,
10. Adverse public safety Impact,
11. School overcrowding,
12. Traffic congestion,
13. Negative financial impact on the City.

8. Further Annexations in the Neighborhood Should Await the New Comprehensive Plan.

The 2010 Plan is outdated and no longer in synch with the Neighborhood. Further annexation should wait for completion of the 2020 Comprehensive Plan. This will provide timely, informed guidance to the City Council and the Planning Commission on issues that deserve the full vetting of a public planning process.

9. We Welcome Reasonable Growth Consistent With the Neighborhood.

This would be based on Estate (1 unit per acre) or AFT (1 unit per 5 acres) zoning, which is consistent with the Neighborhood.

10. Mark Your Calendars and Attend the City Council Meeting on August 21, 2019!

Be present and speak up to preserve our Neighborhood!

Note: further background and contact information can be found at:

[https://northgjneighbors.wixsite.com/mysite.](https://northgjneighbors.wixsite.com/mysite)

Respectfully submitted,

North Grand Junction Neighbors

From: Sandra Holloway [<mailto:sandsourdough@gmail.com>]
Sent: Tuesday, June 11, 2019 8:09 AM
To: Council <council@gjcity.org>
Subject: Maverick Subdivision Proposal

Dear Grand Junction City Council Members,

I, Sandra M. Holloway, strongly oppose the Maverick Estates LLC subdivision, 24 1/4 Rd. & H Rd., who is requesting annexation into the City of Grand Junction. I also strongly oppose their proposal for R4 density zoning. I am agreeable to Estate or R2, two houses per acre at the most, zoning as an alternative to maintain the rural integrity and environmental features of our North Grand Junction Neighborhood. Grand Junction needs more planned 1 acre parcels as designated rural areas to enhance the Grand Valley's variety of real estate choices.

I moved here with my family in 1968 so I have been witness to the growth of the Appleton area for 51 years. I understand the fact that the population of the Grand Valley is growing as this is such a lovely place to live, but urbanizing this area of Appleton ruins the reason many people have chosen to live here in the first place.

I can understand that developers, builders and real estate companies are in the business to make money which is good for the economy and they create jobs, but I hope the City will also take into consideration all the residents interests instead of a minority that care little for our way of life.

The "Appleton Center" is planned for urbanization West of 24 Road. not east of 24 Road. There are plenty of properties west of 24 Road that could be developed instead. There are also places in and around the city such as Orchard Mesa that could be considered for high density development. Please keep this urbanization to a minimum in our area, we live here because it's rural. If we wanted to live in the city that's where we would move to!

Thank you for your consideration,

Sandra M. Holloway
813 24 1/4 Road
Grand Junction, CO 81505
970-243-7011

--

Sandra M. Holloway

Scott Peterson

From: Jane Huston <jane.e.huston@gmail.com>
Sent: Saturday, May 25, 2019 7:19 AM
To: Scott Peterson
Subject: Maverick Estates

I live at 2448 H Road, in very close proximity to the proposed Maverick Estates. I fully recognize the need for planned growth in Mesa County, and in fact I bought my property hoping to eventually sell it for development.

That being said, I believe the density proposed for Maverick Estates and the re-zoning of my property is not consistent with the north residential area. The proposed density of 4 homes per acre would create a huge burden on the traffic, schools, EMS response and rural nature of this area.

I would support the growth in this area with lower density with 1-2 homes per acre. Please consider the numerous requests from the residents of this area when making your decision in the near future.

Respectfully,
Jane Huston
2448 H Road
Grand Junction, CO

April 26, 2019

Scott D. Peterson, Senior Planner
City of Grand Junction
250 N. 5th St.
Grand Junction, CO 81501



Dear Mr. Peterson

I am writing in regard to the possible annexation of some properties northeast of approx H Rd and 24 Rd area. There will be a meeting on May 1st regarding this matter. My opinion is such that I support the annexation fully. With such massive building going on south of the interstate, it would seem logical to me to allow property owners just north of there to split some of their ground. The valley is expected to grow substantially in population in the near future. The county is allowing nothing to prepare for this, so, the City

annexing properties would be the best idea to me.
I have lived here for 42 years at I Rd
and 24 and welcome gradual land splits.

Thank you for this consideration -

Jon Kerr

911 24 Rd.

Grand Jet, CO 81505

(970) 640-2875

Scott Peterson

From: Cynthia Komlo <cynthia.komlo@gmail.com>
Sent: Monday, August 5, 2019 4:23 PM
To: Rick Taggart; Duke Wortmann; Chuck McDaniel; Phillip Pe'a; Anna Stout; Phyllis Norris; Kraig Andrews
Cc: Scott Peterson
Subject: MAVERICK-ANX-2019-37

SUBJECT: **Maverick-ANX-2019-37** ("Maverick Estates Annexation")

Dear City Council Members,

I am a resident of the Grand Junction North Neighborhood since 1984. As it exists now, the rural character of this area is a jewel and asset for the City and County.

Along with the substantial majority of my neighbors, I strenuously "oppose" the proposed annexation and high-density rezoning of the property known as the "Maverick Estates" on H and 24 1/4 Road.

I believe the City Council is well aware of the many flaws with this annexation and the substantial public opposition to it.

The Council should exercise its discretion and deny the annexation based on the following:

- It runs counter to the wishes of the Neighborhood.
- It does not adequately assess severe traffic safety problems and local school overcrowding.
- It would fracture the low-density, rural character of our neighborhood in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a tentacle-like annexation process that violates the City's 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a failure to first develop in-fill properties within the City, also in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
- By the City's own admission, it is a money-loser for the City, which already has \$189 million in backed-up infrastructure needs.
- A better path exists: disallow the annexation and let the property be developed in the County consistent with the area's rural character.
- It has been a hurry-up process with too many procedural short-cuts.

In the event the Council decides to approve the annexation notwithstanding the neighborhood opposition and the above noted flaws, it should require proper buffering and designate the property as zoned either "Estate" (one house per one acre) or AFT (one house per five acres). This will partially mitigate the intrusion of high-density housing into an established neighborhood that is already substantially developed with multi-acre lots as the norm.

Thank you for considering these comments,

Cynthia

Cynthia Komlo
852 24 1/2 Road
cynthia.komlo@gmail.com
(970) 270-7052

CC: Scott Peterson scottp@gjcity.org (970) 244-1504

Grand Junction City Council:

Rick Taggart, Mayor rickt@gjcity.org
Duke Wortmann, Mayor Pro Tem dukew@gjcity.org
Chuck McDaniel chuckmc@gjcity.org
Phillip Pe'a phillipp@gjcity.org
Anna Stout annas@gjcity.org
Phyllis Norris phyllisn@gjcity.org
Kraig Andrews kraiga@gjcity.org

Scott Peterson

From: Cynthia Komlo <cynthia.komlo@gmail.com>
Sent: Tuesday, June 25, 2019 2:40 PM
To: Scott Peterson
Subject: Apology

Dear Scott,

I was HORRIFIED when I saw my name cc'd to Robert Carlson's rmlgjco@zoho.com email to the City Council members. In fact, he included me in a string of emails with an outrageous insinuation that the City Council members are "communists". I want you to know I have never met Robert Carlson or his wife. I do not know them. I am strongly opposed to his life philosophy and his hate-filled actions toward you. I'm so very sorry this occurred.

I called Robert Carlson and addressed him directly that his opinions are Not the opinions of the North area and to "stop writing emails to the city with his negative tone" while including the North area in his "personal opinions". And to Stop cc'ing me on his emails. Apparently, Robert is new to Grand Junction. I took the opportunity to inform him that I appreciate all the GJ City Council members, his emails are out of line, and his tone is NOT how our Grand Junction community communicates.

I'm still horrified and upset by this man's actions and words. Please know I'm grateful for the work each City Council member does for our community. It's not an easy role. My life philosophy is kindness and courtesy. If you want to contact me please do.

Sincerely grateful for all members of GJ City Council and for all of our civil servants,

Cynthia

Cynthia Komlo
852 24 1/2 Road
cynthia.komlo@gmail.com
(970) 270-7052

Scott Peterson

From: Pat Page <PPage@pcpgj.com>
Sent: Monday, August 5, 2019 12:08 PM
To: Scott Peterson; Rick Taggart; Duke Wortmann; Chuck McDaniel; Phillip Pe'a; Anna Stout; Phyllis Norris; Kraig Andrews
Cc: cynthia.komlo@gmail.com
Subject: SUBJECT: Maverick-ANX-2019-37 ("Maverick Estates Annexation")

Dear City Council Members:

The following letter expresses my concerns about the proposed Maverick annexation and the subdivision. The Appleton community has come together with near unanimity over maintaining our neighborhood's character.

The proposed subdivision and its ramifications would be the equivalent of bulldozing the west side of the 7th street historic district, or removing of the main street shopping park. Appleton is the quintessential rural neighborhood in our valley.

Thank you for your consideration and willingness to serve our great community.

I am a resident of the Grand Junction North Neighborhood. As it exists now, the rural character of this area is a jewel and asset for the City and County.

Along with the substantial majority of my neighbors, I strenuously "oppose" the proposed annexation and high-density rezoning of the property known as the "Maverick Estates" on H and 24 1/4 Road.

I believe the City Council is well aware of the many flaws with this annexation and the substantial public opposition to it.

The Council should exercise its discretion and deny the annexation based on the following:

- It runs counter to the wishes of the Neighborhood.
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- A better path exists: disallow the annexation and let the property be developed in the County consistent with the area's rural character.
- It has been a hurry-up process with too many procedural short-cuts.

In the event the Council decides to approve the annexation notwithstanding the neighborhood opposition and the above noted flaws, it should require proper buffering and designate the property as zoned either "Estate" (one house per one acre) or AFT (one house per five acres). This will partially mitigate the intrusion of high-density housing into an established neighborhood that is already substantially developed with multi-acre lots as the norm.

Thank you for considering these comments,

Patrick Page
827 Twenty five road
Appleton area of Grand Junction, CO
81505
970-242-8405

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Scott Peterson

From: nancy@gaitn.com
Sent: Sunday, April 28, 2019 9:32 PM
To: Duncan McArthur; Chris Kennedy; Rick Taggart; Council; Bennett Boeschstein; Phyllis Norris; Duke Wortmann
Cc: Scott Peterson; Council
Subject: May 1 GJ City Council Session: Apposed to Annexation and rezoning of Maverick Estates to R4 -- 2 Units per Acre MAX Must be Considered
Attachments: Maverick Site Maps 4_5.pdf; City OF GJ Community Survey final 2019 results_P22_P28.pdf

Dear GJ City Council Members, City Council and City Planner

My husband and I (W. M. Petty and Nancy Petty) go on record opposing the proposed annexation and development of Maverick Estates at 4 du/acre. We are not opposed to annexation at 2 du/acre if the City really is aggressively bent on coming across I70 at that location.

I am not going to give you all the same song and dance regarding density, traffic, neighborhood integrity and safety that most of our neighbors present (although they are valid).

We are looking specifically at the fairness of density changes in the area and the feedback provided by your constituents to the City from the recently completed Community Survey completed by RRC.

A. Survey Feedback: Points of Interest

1. No specific questions directed to the respondents regarding their views on growth—annexation, expansion or increased density of current city footprint.
2. Page 22 On Housing Types indicates strongly that the respondents perceive the need for single family homes on lots greater than 1/3 acre vs lots of less than 1/3 acre. (34% vs 19% feel too little of larger lots vs smaller lots). It will make sense when you review the attached page.
Attached are Page 22 and Page 28 of the GJC Survey for your review.
3. This is an argument that 2 u/ac max would be more in line with the community survey respondents feedback to the City. It would also fit more appropriately in line with the future planned density of the area (no sidewalks, access to trails, etc.)
4. On Page 28 RRC Associates recommends the full listing of responses provided in the appendix should be read in their entirety for the full depth and breadth of respondent feedback. I was unable to find the appendix on the City website.

Two of the 8 suggestions included in the survey results express concerns specifically about growth. That is 25% of the posted responses.

I am requesting the full listing and will review it upon successfully obtaining it.

B. Point of interest regarding the Community Development findings on Maverick Estates Annexation to R-4 submitted by Scott D Peterson, Senior Planner for May 1st Meeting.

Site Maps #4 & 5 submitted with the attachments shows the Maverick Site as Residential Medium Low (2-4 du/ac) in yellow but more disturbing is the brown orange circle just to the east of the Maverick site indicating Residential Medium (4-8 du/ac).

It clearly does not fit the balance of the neighborhood proposed Future Land Use for the area. It sticks out like a sore thumb. If I am reading the report correctly, this area was designated previously by the County as RSF-E Residential Estate—WOW!

We realize the owner of the acreage on the NE corner of 24 ½ and H Rd is a long term influential member of the community but a 4-8 du/acre it is incompatible with the area. We live across the canal from the North end of the property and find it totally unacceptable.

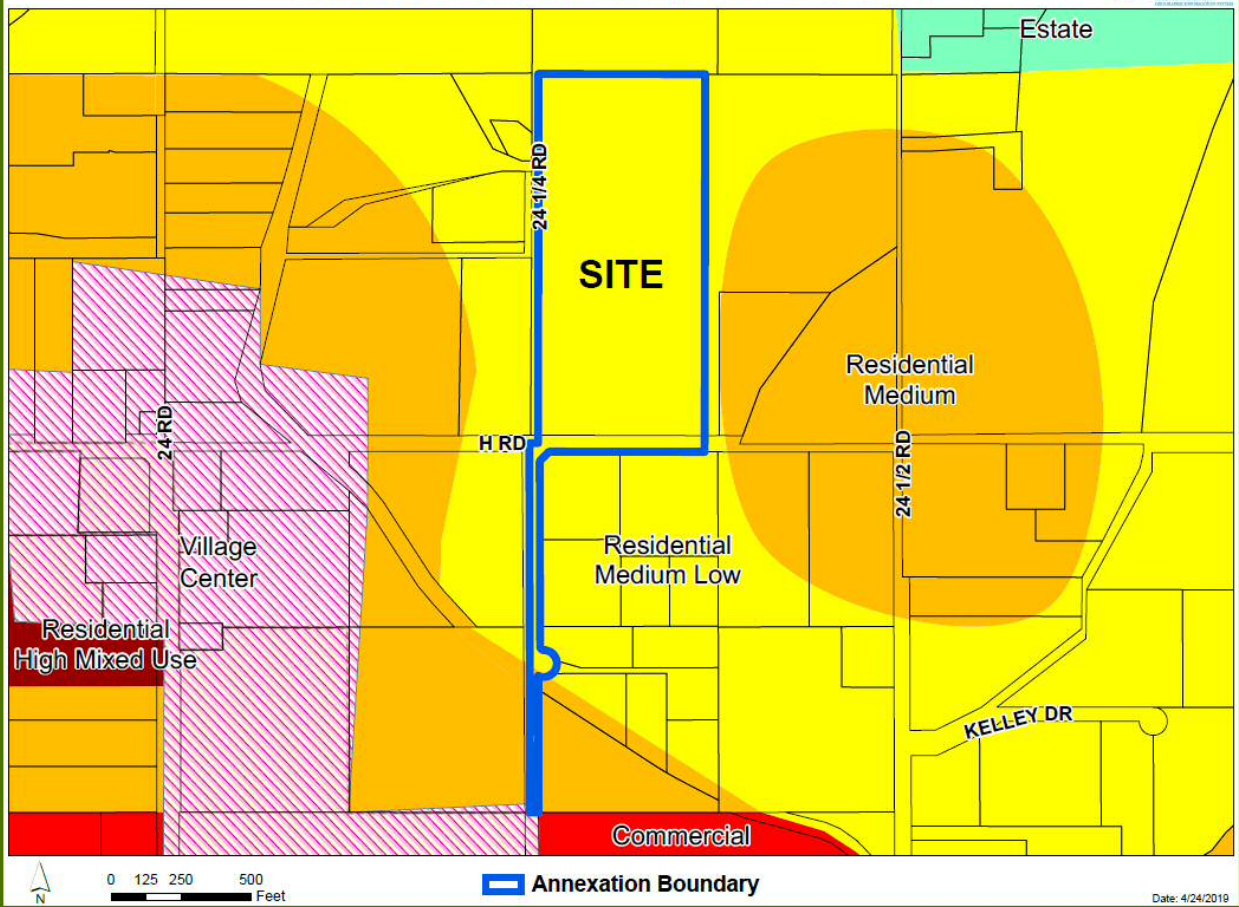
We are not antidevelopment nor against the City generating revenue from development, we just would like to see it fair and equitable.

We are within 500 feet of the Dunn property and have received no notifications of any considerations or decision on this property.

Respectfully Submitted,
Nancy Petty
849 25 RD
970-270-7855

Maverick Estates Annexation - Future Land Use

Grand Junction
COLORADO
PLANNING AND DEVELOPMENT
DEPARTMENT OF PUBLIC WORKS



[illegible]

Site

H Road

(4 – 8 du/ac)

(2 – 4 du/ac)

24 Road

24 1/2 Road

1-70

6112 RD

City of Grand Junction Community Survey Final Results

February 2019



Prepared for:

City of Grand Junction

Prepared by:

RRC Associates

4770 Baseline Road, Suite 360

Boulder, CO 80303

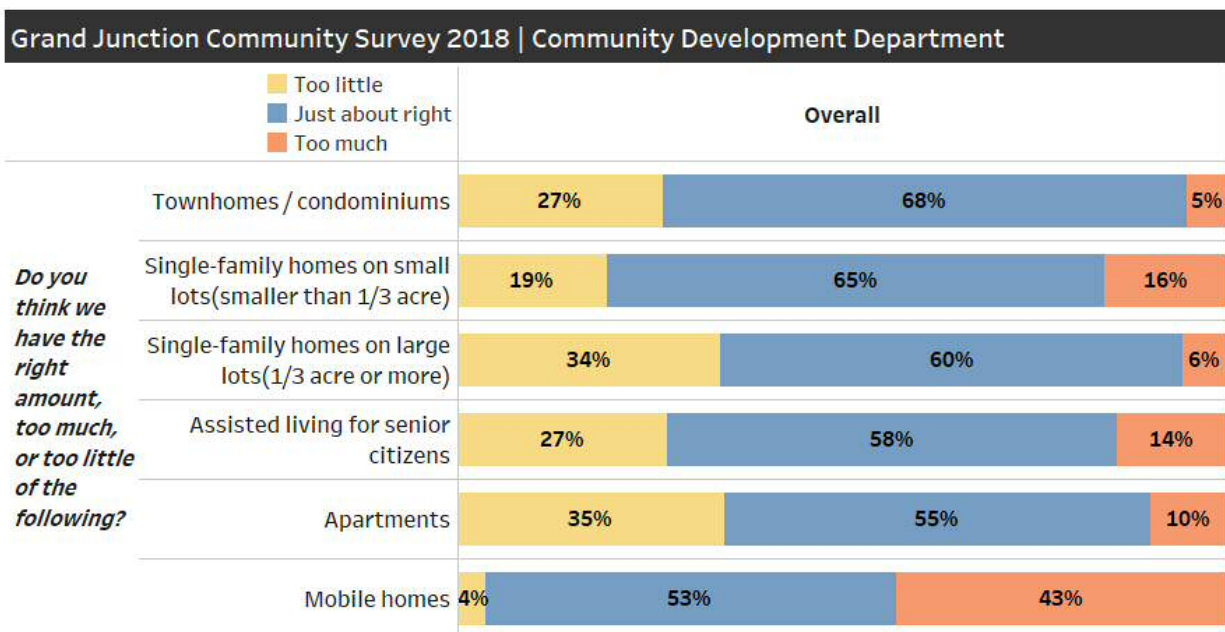
303.449.6558

www.rrcassociates.com



Housing Type Perceptions

For each housing style, residents were more likely to say the amount was “just about right” than either too much or too little. Townhomes/condominiums had the highest share of “just about right” responses (68%) while mobile homes had the least (53%). A notable share of respondents indicated there were too many mobile homes (43%). For all other housing types, a greater share of respondents selected “too little” than “too much”; this was particularly the case for townhomes/condominiums, single-family homes on large lots, and apartments.



Source: RRC Associates

Direction of Neighborhood

About half of all respondents indicated that their neighborhood has stayed the same since they have lived there (49%). Relatively similar shares said it has improved (17%), gotten worse (13%), or that some things have improved and others have gotten worse (14%). Six percent didn't have an opinion.

Suggestions

At the end of the survey, respondents were given the opportunity to provide specific comments related to their survey responses. Themes that came up throughout the survey were again prominent in this comment field, including concerns around increased taxes, homelessness, rapid growth, quality of internet access, recycling services, and lack of infrastructure like sidewalks. A random selection of verbatim responses is shown below. The full listing of responses is provided in the appendix and should be read in their entirety for the full depth and breadth of respondent feedback.

I am reluctant to fund taxes to support city police because I live in area 5 and we do not get much of a police presence. Recycling is a priority and should be mandatory. I'm willing to pay for this service (curbside recycling and composting) more than any other.

We love Grand Junction, but wish more quality shopping in Valley. We have expressed our feelings about growth and density- seems no one listens to us.

I enjoy Grand Junction and would not live anywhere else, it's just right.

I have lived here for 40 years and have been continually surprised about how many areas of the city have unimproved streets- esp. lack of sidewalks. It's a safety issue in my mind.

There were no questions touching on the heart of the city. How we help our poor deal with poverty, etc. I'd like to see us grow a bigger heart AND look forward to solving issues coming: water, homelessness, health care, and inclusiveness.

We are taxed too much already, wages haven't increased as quickly as taxes have. For people on a fixed income, it is extremely difficult.

Grand Junction is growing too fast- traffic is terrible. Attracting new businesses is bringing in people from large cities who do not appreciate our way of life.

I work in the tech industry. Our internet options in the area are abysmal. Related jobs are also very hard to find that offer proper pay. I feel we need to improve recycling of all refuse, and especially make it easier to recycle electronics as it is hard to find and then execute recycling of items. Keep up the recreation activities, this is our strong point!

From: j rankk [<mailto:jrankk@gmail.com>]
Sent: Wednesday, May 01, 2019 5:26 PM
To: Belinda White <belindaw@gjcity.org>
Subject: Maverick Estates Annexation 2019-37

To whom it may concern,

Our names are Jeremy and Hiriam Rank and we live in the Albino Subdivision on H rd and 24 1/4rd directly adjacent to the Maverick Estates subdivision proposal.

We strongly object to the zoning proposal for the new subdivision. We have 2 kids currently attending Appleton Elementary and another soon to start and the school is already overcrowded. We are concerned about the increased traffic as a safety concern for our kids being their bus stop is on the corner of H road and 24 1/4rd.

We believe the proposal will negatively impact the property value of our homes. We put our life savings into buying our dream home in a ideal rural area, the new Maverick estates will also negatively impact this part of our life.

We have many other concerns but our children safety and quality of schooling are the most important points we would like to voice our concern about.

Thank you for your consideration.

Respectfully,

Jeremy and Hiriam Rank
774 24 1/4rd
GJ, CO 81505
970-317-7828
jrankk@gmail.com

Scott Peterson

From: Matthew Swelstad <swelstad13@gmail.com>
Sent: Sunday, August 4, 2019 10:48 PM
To: Scott Peterson
Cc: Kathy Swelstad
Subject: Maverick Estates

Dear Mr. Peterson,

Please forward our disapproval of the City Council's plan to approve the Maverick Estates Annexation to the City Council. A list of reasons follows below. Thank you for your help. Please feel free to contact us with any questions.

Matthew and Katherine Swelstad
894 24 1/4 Road
Grand Junction, CO

SUBJECT: Maverick-ANX-2019

Dear City Council Members:

I am a resident of the Grand Junction North Neighborhood. As it exists now, the rural character of this area is a jewel and asset for the City and County.

Along with the substantial majority of my neighbors, I strenuously "oppose" the proposed annexation and high-density rezoning of the property known as the "Maverick Estates" on H and 24 1/4 Road.

I believe the City Council is well aware of the many flaws with this annexation and the substantial public opposition to it.

The Council should exercise its discretion and deny the annexation based on the following:

- It runs counter to the wishes of the Neighborhood.
- It does not adequately assess severe traffic safety problems and local school overcrowding.
- It would fracture the low-density, rural character of our neighborhood in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a tentacle-like annexation process that violates the City's 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a failure to first develop in-fill properties within the City, also in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
- By the City's own admission, it is a money-loser for the City, which already has \$189 million in backed-up infrastructure needs.
- A better path exists: disallow the annexation and let the property be developed in the County consistent with the area's rural character.
- It has been a hurry-up process with too many procedural short-cuts.

In the event the Council decides to approve the annexation notwithstanding the neighborhood opposition and the above noted flaws, it should require proper buffering and designate the property as zoned either “Estate” (one house per one acre) or AFT (one house per five acres). This will partially mitigate the intrusion of high-density housing into an established neighborhood that is already substantially developed with multi-acre lots as the norm.

Thank you for considering these comments,

Matthew and Katherine Swelstad

894 24 1/2 Road

Scott Peterson

From: Sandra Holloway <sandsourdough@gmail.com>
Sent: Thursday, August 8, 2019 8:16 PM
To: Scott Peterson
Subject: Maverick-ANX-2019-37 ("Maverick Estates Annexation")

Dear City Council Members:

I am a resident of the Grand Junction North Neighborhood. As it exists now, the rural character of this area is a jewel and asset for the City and County.

Along with the substantial majority of my neighbors, I strenuously "oppose" the proposed annexation and high-density rezoning of the property known as the "Maverick Estates" on H and 24 1/4 Road.

I believe the City Council is well aware of the many flaws with this annexation and the substantial public opposition to it.

The Council should exercise its discretion and deny the annexation based on the following:

- It runs counter to the wishes of the Neighborhood.
- It does not adequately assess severe traffic safety problems and local school overcrowding.
- It would fracture the low-density, rural character of our neighborhood in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a tentacle-like annexation process that violates the City's 2010 Comprehensive Plan and Three-Mile Plan.
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- A better path exists: disallow the annexation and let the property be developed in the County consistent with the area's rural character.
- It has been a hurry-up process with too many procedural short-cuts.

In the event the Council decides to approve the annexation notwithstanding the neighborhood opposition and the above noted flaws, it should require proper buffering and designate the property as zoned either "Estate" (one house per one acre) or AFT (one house per five acres). This will partially mitigate the intrusion of high-density housing into an established neighborhood that is already substantially developed with multi-acre lots as the norm.

Thank you for considering these comments,

--

Sandra M. Holloway

August 7, 2019

City Council Members,

I, Fran Sloatman, have lived in the North Neighborhood of Grand Junction for many years. I love living here. We chose the area to live because of its rural character. We especially like the open space and the wildlife that roams through. I would hate to see it change significantly. I know that change is inevitable, but know too that when change is made purposefully it needs to be done responsibly with lots of thought and fact searching.

I strongly oppose the proposed annexation and high density rezoning of the property known as the Maverick Estates on H and 24 1/4 RD.

I hope that you as City Council Members will use the information presented to deny the annexation and rezoning. Here are some points to consider:

- * The vast majority of the north area residents oppose the annexation and high density rezoning.
- * Infrastructure problems (traffic safety problems, local school overcrowding, traffic congestion at 25 and Patterson)
- * Does not fit with the rural character of our neighborhood.
- * Does not fit with the 2010 Comprehensive Plan.
- * The proposed annexation of Maverick Estates would create an island of city in the middle of the county.

A better path exists. Disallow the annexation and let the property be developed in the county consistent with the area's rural character.

Sincerely,

Frances B Sloatman
2489 Red Peach Ct
Grand Junction, CO 81505
970 901-2753

Scott Peterson

From: Katy Basinger <katy.basinger@gmail.com>
Sent: Monday, August 19, 2019 10:07 AM
To: Phillip Pe'a; Chuck McDaniel; Phyllis Norris; Duke Wortmann; Anna Stout; Rick Taggart; Scott Peterson; Council
Cc: Katy Basinger
Subject: SAVE THE NORTH GRAND JUNCTION RURAL AREA

Good Morning City Councilors,

My name is Katy Basinger and I have lived and worked in the North Grand Junction area for the last decade. As I am not able to attend this upcoming Wednesday evenings meeting. In lieu of, I thought it would be best to provide an email of my opinion regarding the annexation of property in the North Area of Grand Junction.

I understand that as our valley continues to grow and attract new residents and businesses, that we must provide space for these incoming residents to work and reside.

However, I am opposed to such high density residential development in the North Area of Grand Junction, specially between 23 Road and 25 Road, north of H Road. What has attracted residences to this part of town is its quiet, rural lifestyle.

The annexation plus high density will significantly impact this, by further congesting our schools which are already at capacity, limit the number of live stock / farm animals / house animals we're are allowed to have as well as continue to have a negative impact on roadways. This is not the best way for North Grand Junction to grow. We need to be more intentional.

Unfortunately, The Apple Glen estates which is located next to Appleton Elementary School, should not have been allowed 4 lots / acre. It is setting a precedence that should not be allowed. We should not continue to make this mistake and allowing for such high density without property infrastructure and following the 2010 Comprehensive Plan.

I appreciate your consideration to the citizen's input into your decision this week regarding the annexation of North Grand Junction.

Kindly,

Katy Basinger
katy.basinger@gmail.com

Scott Peterson

From: Joan Haberkorn <joaneh@acsol.net>
Sent: Saturday, August 17, 2019 9:29 AM
To: Scott Peterson
Subject: Maverick Estates Proposal

SUBJECT: **Maverick-ANX-2019-37**("Maverick Estates Annexation")

Dear City Council Members:

I am a resident of the Grand Junction North Neighborhood. As it exists now, the rural character of this area is a jewel and asset for the City and County.

Along with the substantial majority of my neighbors, I strenuously "oppose" the proposed annexation and high-density rezoning of the property known as the "Maverick Estates" on H and 24 1/4 Road.

I believe the City Council is well aware of the many flaws with this annexation and the substantial public opposition to it.

The Council should exercise its discretion and deny the annexation based on the following:

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- It would fracture the low-density, rural character of our neighborhood in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a tentacle-like annexation process that violates the City's 2010 Comprehensive Plan and Three-Mile Plan.
- It is based on a failure to first develop in-fill properties within the City, also in violation of the 2010 Comprehensive Plan and Three-Mile Plan.
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In the event the Council decides to approve the annexation notwithstanding the neighborhood opposition and the above noted flaws, it should require proper buffering and designate the property as zoned either "Estate" (one house per one acre) or AFT (one house per five acres). This will partially mitigate the intrusion of high-density housing into an established neighborhood that is already substantially developed with multi-acre lots as the norm.

Thank you for considering these comments,

Joan Haberkorn
877 25 Road
Grand Junction, CO 81505
Sent from my iPhone

Scott Peterson

From: DAVID HARTMAN <dhartman06@icloud.com>
Sent: Thursday, August 15, 2019 5:04 PM
To: Scott Peterson
Subject: Maverick estates annexation

Scott, my name is david hartman I am the president of albino estates HOA. We are the 9 house neighborhood directly south of H road on 24 1/4. We have voted and are unanimously against this proposed annexation plan. We want absolutely no part in our road being part of the city limits. This plan is an absolute land grab using 24 1/4 versus H road as the annexation. Furthermore it opens the door for development south of us and we want nothing to do with that. we are a 700k plus neighborhood and changing our road would be detrimental to our property values. We purchased our homes for the privacy they give us and will not stand for any attempt at changing that. Thank you David Hartman

August 14, 2019

To: The Grand Junction City Council

cc: The Board of Commissioners of Mesa County

Date: August 17, 2019

Re: Maverick Estates Annexation — Overview and Newly-Discovered Legal Flaws

From: Stephen Hillard, Grand Junction North Neighborhood

Overview of the Proceeding:

To people considering a move to Grand Junction, one of the City's appealing assets is that established rural neighborhoods exist close to town. The rural area north of I-70 between 24 and 25 Roads is exactly that. It has been agricultural and rural for decades. It is what the current Comprehensive Plan for the City and County describes as a protected "island of stability."

The Maverick Estates proposal has been on a tortuous path through the administrative process. It had previously been pulled from the City's agenda because of mistakes and statutory violations by the developer and the City Administration. The violations were discovered by the County and by the Grand Junction North Neighbors, a spontaneous grouping of approximately two hundred area residents. The City Administration overlooked these violations.

The flawed process of the City Administration is continuing. It affects every resident of the City and Mesa County, as well as the City Council. Some examples:

This project is opposed by public opinion. Virtually all the area residents plus the County (by letter delivered to the City this week) clearly oppose this project. Moreover, the clear majority of citizens that attended the recent comprehensive plan meeting identified preservation of rural areas and avoiding urban sprawl as key values of the community.

Ignoring the voice of the people, the City Administration has continued to bypass rules and take short-cuts in order to promote the project. Case in point: instead of developing a clear, thoughtful *updated* “Three-Mile Plan” as required by state statute, the City adopted, without public input, a nine-year old plan as a short cut. Even by this short-cut, the City only compounded its errors. As detailed in prior filings in this matter, the annexation will still flagrantly violate sound principles that were adopted in the City-County Comprehensive Plan, including:

- Preservation of existing neighborhoods as “islands of stability.”
- Prioritizing in-fill — the City is disregarding this mandate, and in fact has never even conducted an audit of the extensive existing in-fill capacity of the City. The sometimes rationale of “affordable housing” is belied by this failure.
- Avoiding “tentacle-like urban sprawl,” and “flagpole” annexations.
- Avoiding fiscal irresponsibility — this annexation, like many that intrude far outside the city limits, is by the City’s own admission a money-loser that will add to a \$189 million backlog of infrastructure needs.
- Avoiding development without a clear plan and funding for traffic and public safety needs. No such plan exists or is even contemplated in this annexation. The area to be annexed has narrow roads. This, plus the unguarded 24 1/2 Road overpass, already create serious safety hazards. Adding high-density housing will make this public safety threat a regrettable and avoidable “accident waiting to happen.”

This is exactly what the City sought to avoid in its own “Complete Streets Policy” (2018) . See attached.

A myth that may arise among Council members is the proposition that “My hands are tied” because the developer “checked the boxes.” Nothing could be further from the truth. City Council members have a solemn obligation to use their discretion in annexation proceedings — which includes denial or conditioning of the annexation proposal.

The “Maverick Estates” annexation is an unnecessary over-reach. It will generate continued opposition from residents and, now apparently, the County.

A denial by the City Council, on the other hand, will demonstrate that principles of transparency, public safety, and “following the rules” still matter.

Newly-Discovered Legal Flaws:

In addition to the many short-cuts and flaws pointed out in prior filings, new violations become evident every week. Here is an example:

The Mandatory “Complete Streets Policy”

We understand that this document was adopted by the City in 2018. (It is present on the City’s website).

It provides detailed, mandatory obligations of the City, including two key mandates:

(1) “Safety, including a reduction of hazards for pedestrians and bicyclists on Grand Junction roadways, is a fundamental consideration . . .”

Public safety and the reduction of road hazards — far from being a fundamental consideration — have been totally ignored in this annexation proposal.

(2) “The City shall make the Complete Streets practices a routine part of everyday operations.”

August 14, 2019

As a “shall” mandate, this could not be clearer. However, far from being a "routine part" of this annexation process, the Policy has been completely ignored.

Scott Peterson

From: Cynthia Komlo <cynthia.komlo@gmail.com>
Sent: Sunday, August 18, 2019 2:08 PM
To: Rick Taggart; Duke Wortmann; Chuck McDaniel; Phyllis Norris; Anna Stout; Phillip Pe'a; Kraig Andrews
Cc: Scott Peterson
Subject: Maverick-ANX-2019-37, for review prior to 8-21-19 meeting

Dear City Council members,

cc: Scott Peterson,

Please see our four points below. We thought emailing this for your review prior to the Aug. 21st meeting would be helpful. As you will see our website helped to inform people. Thank you for your service.

#1

North Grand Junction Neighbors (NGJN) website northgjneighbors.wixsite.com/mysite

Please read from the drop-down menu:

- 1) 2020 Comprehensive Plan
- 2) Maverick Annexation
- 3) Letter to City

#2 NGJN Signs

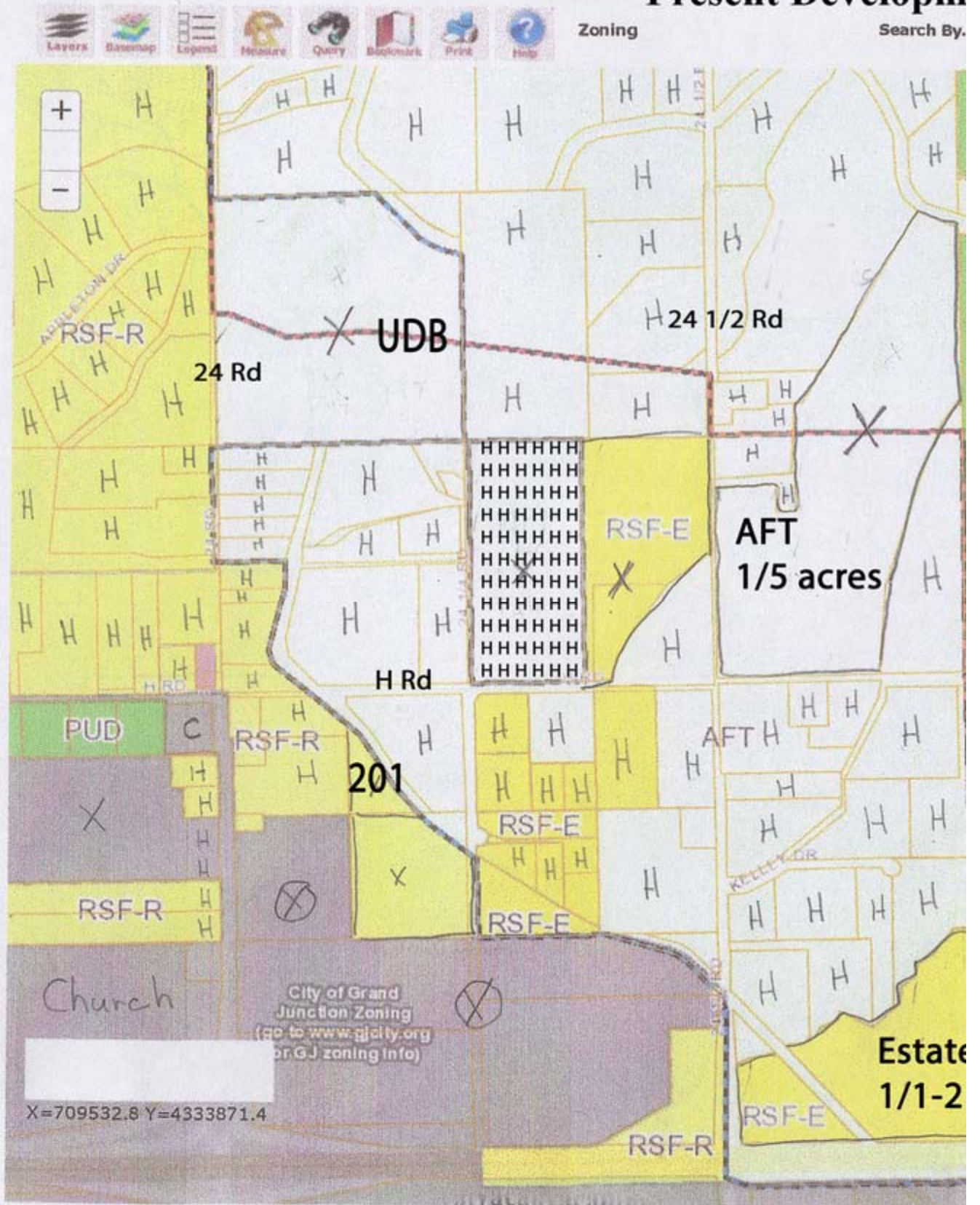


#2 MAVERICK ESTATES Proposed 4 houses per acre, 68 homes on approx. 17 acres (above)



#3 MAVERICK ESTATES, LLC "FOR SALE" Sign (above)

Present Developm



H=Home X=Vacantland White=AFT1Home/5 Acres Yellow Estate=(1Home/1-2

#4 PARCEL MAP (above) - Our research shows this established, historical Estate and AFT neighborhood has "an average" of "one house/homeowner per five acres". Most of this area is already developed.
- Maverick Estates, LLC proposes 68 homes on approx. 17 acres, four home per acre.

Thank you for your time.

Sincerely,
Cynthia Komlo, North Grand Junction Neighbors

Scott Peterson

From: Emily Mellinger <pilotemily@aol.com>
Sent: Saturday, August 17, 2019 5:02 PM
To: Rick Taggart; Duke Wortmann; Chuck McDaniel; Phillip Pe'a; Anna Stout; Phyllis Norris; Kraig Andrews
Cc: Scott Peterson
Subject: Maverick-ANX-2019-37 ("Maverick Estates Annexation")

Dear City Council Members:

I am a resident of the Grand Junction North Neighborhood. As it exists now, the rural character of this area is a jewel and asset for the City and County.

Along with the substantial majority of my neighbors, I strenuously "oppose" the proposed annexation and high-density rezoning of the property known as the "Maverick Estates" on H and 24 1/4 Road.

I believe the City Council is well aware of the many flaws with this annexation and the substantial public opposition to it.

The Council should exercise its discretion and deny the annexation based on the following:

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In the event the Council decides to approve the annexation notwithstanding the neighborhood opposition and the above noted flaws, it should require proper buffering and designate the property as zoned either "Estate" (one house per one acre) or AFT (one house per five acres). This will partially mitigate the intrusion of high-density housing into an established neighborhood that is already substantially developed with multi-acre lots as the norm.

Thank you for considering these comments,

Emily Mellinger
2424 Red Ranch Dr
Grand Junction, CO 81505

CITY COUNCIL MAVERICK MEETING
 DATE: AUGUST 21, 2019
 TIME: 6 PM
 CITY HALL AUDITORIUM
 PRESENTER: CYNTHIA KOMLO
PRESENTER ABSENT DUE TO ILLNESS,
PLEASE READ. THANK YOU.

INFRASTRUCTURE – Roads & Public Safety

INTRODUCTION & VOTE

- City Council members, mayor, thank you for giving me time to talk about Infrastructure, Road, and Public Safety.
- My name is Cynthia Komlo. In 1984 my husband and I purchased 5 ½ acres on 852 24 ½ Rd. to farm and to build our family home.
- We strongly oppose the proposed Maverick Estates Annexation, 4 house per acre approx.. 68 homes. This density “does not fit” our rural Neighborhood area.
- Appropriate Infrastructures are Not in place to keep people and safe.
- City Council, we request “Estate”, one house per acre, and “AFT”, one house per 5 acres, zoning that is more compatible with our established rural neighborhood. This will make Maverick Estates more compatible with our neighborhood and help keep people safe. In addition to helping our First Responders become overused and sleep deprived.

ROAD SAFETY

- Existing roads & bridges are already dangerous and are not adequate to serve an increase in population or protect the well-being of the people using them now
- 24 Rd., 24 ½ Rd, H & I roads and our I-70 overpasses are all “narrow 2-lane” roads without adequate shoulders There is limited visibility on the overpasses with a low guard rail. Walkers, joggers, dog-walkers, and bicyclers **have to step-off the roads to avoid getting hit by vehicles.**
- Sean Yates, Mesa County Traffic Engineer noted that 24 and H and 24 1/2 and H intersections were given **“a grade of a D and F because they have more crash incidences than ANY other 4-legged Rural intersections across the country”**. **46 accidents were reported over the last 10 years; 33 people were injured and needed medical treatment; 41 crashes were on dry road conditions. Alcohol was suspected in only one crash.**

(Resource: Telephone interview between Cynthia Komlo and Sean Yates, March 2019.) Data collected over the past 10 years report

- On average, 10 trips per day per house will result in 680 more vehicle trips per day creating safety hazards on already inadequate roads.
- Accessing **Canyon View Park** by foot or bicycle from the north over the 24 ½ bridge overpass is dangerous. Adding higher-density in this area **will highly likely create casualties over these bridges**. It is Not time to add more people here until it is safe.
- Jason, Smith of CDOT said there is “nothing in the next 4-year window to build” in our area **“We have to be careful what we’re building. We don’t want to set up a dangerous situation.”**

FIRST RESPONDERS

- **Our First Responders cannot respond within the standard 6-minute requirement by the National Fire Protection Association.**
- Scott Peterson wrote to the City Council for their Regular Session meeting on August 21, 2019, “The area is served by Fire Station #3”. He confirms response times are “longer than other areas due to the distance...”. Scott states, “Response time is estimated to be 6 to 8 minutes.” (Item #5.a.i.)
- Response time estimated 6-8 minutes is grossly underestimated. Our neighbor on two occasions response was over 20 minutes.
- Baton Fire Chief Carson said, “Fire Stations cannot keep up with the demands, if Fire Station #3 is called out to cover for another Fire Station who is already out on a call, response times can be longer.” He informed, “It depends what Fire Station is available and the closest at the time.” *(Fire Station Resource: Matt Carson, Baton Chief over Administration, telephone interview 4/22/19)*
- Yes, there are plans to build Fire Station #7. WHERE & WHEN?
- Chief Carson said, they still need to acquire the land.... **it will take years before it can be built” adding, “... each Fire station takes approx. 2 years to build.”** *(Fire Station Resource: Matt Carson, Baton Chief over Administration, telephone interview 4/22/19)*
- Chief Carson noted they’re doing a “needs assessment” between Pear Park in the East and Mosaic Development in the West for the next Fire Station to be built.” *Fire Station Resource: Matt Carson, Baton Chief over Administration, telephone interview 4/22/19)*
- Scott Peterson confirmed they have not purchased the land yet, but they have a “hand-shake agreement with Mosaic Developers up to 2 acres”. *(Research: Scott Peterson on a phone call with Cynthia on 8/20/19).*
- **Building high-density now in our North area, will overburden our First Responders and put more people at risk, including our First Responders for multiple years.**

Is Maverick Estates, 4 houses per acre with 68 homes, really a responsible city growth plan when the safety of our infrastructure is in question?

City Council, please respectfully put people's safety first.
Vote no on annexation and 4 lots per acre.

Thank you.

Cynthia Komlo, presenter (mailed from home due to sudden illness)

From: Mort, Eddie [<mailto:Eddie.Mort@d51schools.org>]
Sent: Monday, April 8, 2019 2:39 PM
To: Tamra Allen <tamraa@gjcity.org>
Cc: Nilsen, Eric <Eric.Nilsen@d51schools.org>
Subject: Maverick states Annexation

Good afternoon Tamra,
Mesa County Valley School District 51 has no questions or comments at this time regarding the Maverick Estates Annexation.
We anticipate student enrollment to increase slightly as these are developed, but those are taken into account in our long range planning and future assessments.
Thank you,
Eddie

Eddie Mort
Asst. Director of Maintenance, Grounds and Operations
(970) 254-1500 ext. 11194
Eddie.Mort@d51schools.org

From: Mort, Eddie [<mailto:eddie.mort@d51schools.org>]

Sent: Monday, August 12, 2019 2:08 PM

To: Tamra Allen <tamraa@gcity.org>

Subject: Maverick Estates

Tamra,

Mesa County Valley School District 51 has no comments regarding the Maverick Estates, Resolution No. 44-19 at this time. Although this will add to our student enrollment for the schools in that attendance area, we can accommodate those added students.

Thank you,

Eddie



Mesa County Colorado

Mailing Address: P.O. Box 20,000, Grand Junction, Colorado 81502

Physical Address: 544 Rood Ave., Grand Junction, Colorado 81501

August 14, 2019

John Shaver
City Attorney
City of Grand Junction
VIA EMAIL johns@gjcity.org

Greg Caton
City Manager
City of Grand Junction
gregc@gjcity.org

RE: Maverick Estates Annexations Nos. 1-5

Dear Messrs. Shaver and Caton:

On behalf of Board of County Commissioners of Mesa County, Colorado (the "County"), we are sending you this letter to express some concerns that Mesa County has regarding the Maverick Estates Annexations Nos. 1-5 (the "Maverick Estates Annexations").

As you are aware, pursuant to the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.* (the "Annexation Statutes"), the City of Grand Junction (the "City") has an obligation to provide the County with notice of any annexations being processed by the City, and more specifically, an annexation impact report for annexations of greater than ten acres. In addition, as set forth in the 1998 Intergovernmental Agreement Between the City of Grand Junction and Mesa County Relating to City Growth and Joint Policy Making for the Persigo Sewer System (the "Persigo Agreement"), the City and the County have certain rights and obligations concerning the processing of annexations. Pursuant to Paragraph 17(a)(i) of the Persigo Agreement, the County is authorized to intervene, sue or otherwise take action against or contrary to the City's efforts to annex any property within the 201 boundary if the City is not complying or reasonably attempting to comply with the Annexation Statutes and the Persigo Agreement.

The County appreciates the City's action of continuing the previously scheduled public hearing concerning the Maverick Estates Annexations, and it is the County's hope that the City will take seriously its obligations to ensure that the Maverick Estates Annexations are processed in compliance with the annexation statutes and the Persigo Agreement. Although there may be other instances of non-compliance, the County is specifically concerned with three instances where the City's actions may not constitute compliance or a reasonable attempt at compliance:

1. **Sufficiency of the Annexation Impact Report.** C.R.S. § 31-12-108.5 contains a list of specific minimum requirements of items that must be included in an Annexation Impact Report. The County has reviewed the Maverick Estates Annexation Impact Report dated July 17, 2019 ("Report"). The County believes that the Report fails to comply with C.R.S. § 31-12-108.5, and

particularly is deficient in the following specific areas:

1.1. The statute requires “A statement setting forth the plans of the City for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or on behalf of the municipality at the time of annexation.” (emphasis added) The City’s plan for extending services is required at the time of annexation, not at some potential future date when development may or may not occur, as is indicated in the Report.

1.2. A statement setting forth the method under which the City plans to finance the extension of the municipal services into the area to be annexed. Again, the Report identifies some possibilities for financing the extension of services, but it fails to identify the current method by which the City plans to accomplish the financing, as required by the statute.

1.3. A statement on the effect of annexation upon local-public school district systems, including the estimated number of students generated and the capital construction required to educate such students. The statement in the Report that the annexation will “have no effect on the numbers or distribution of children attending School District 51 facilities,” is directly contradicted by the fact that the maximum possible density within the City limits for the Residential Medium Low Density (per the City’s Future Land Use Map) is four units per acre, whereas under the County’s AFT zoning, the maximum allowed if the Maverick Estates property were developed in the County would be one unit per five acres. It is difficult to see how the annexation of this property and the development at a significantly higher density would not have an effect on the numbers or distribution of children attending the area schools.

2. **Lack of an annually updated Three Mile Plan.** C.R.S. § 31-12-105(1)(e)(I) requires that prior to the City completing any annexation within three miles in any direction from the City’s municipal boundary, the City shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the proposed land uses for the area, and the City is obligated to update such plan at least once annually.

While the County understands that the City has adopted various plans that may address each of the required components of the Three Mile Plan, and the City recently adopted the nearly ten year old 2010 Comprehensive Plan as its annual updated three mile plan, the County believes that although the City apparently believes that its ministerial act of adopting the 2010 Comprehensive Plan on the Council’s consent agenda, without public input, technically satisfies the statutory requirement, that effort falls short of the intent of the law, if not the letter of the law. A true three mile plan should be adopted annually with public input as the legislature intended when it passed C.R.S. § 31-12-105(1)(e)(I).

3. **Failure to notify abutting property owners to 24 ¼ Road.** C.R.S. § 31-12-105(1)(e.3) requires that upon the latter of ninety days prior to the date of the hearing set pursuant to section 31-12-108 or upon the filing of the annexation petition, the municipality shall provide, by regular mail to the owner of any abutting parcel as reflected in the records of the county assessor, written

notice of the annexation and of the landowner's right to petition for annexation pursuant to section 31-12-107. It appears that the City provided the required notification to all of the owners of land abutting 24 ¼ Road that are still in the unincorporated part of the County after rescheduling the Maverick Estates Annexation hearing.

While the County acknowledges that there has been technical compliance with the notification requirement after the fact, the City's failure to comply with the notification requirement in the first instance, along with the lax compliance with the three mile plan requirement, is symptomatic of the City's general plan of ignoring the annexation laws and regulations, or doing the bare minimum to comply those laws and regulations. This lax attitude of the City regarding the annexation process seems especially tone deaf in light of the significant, passionate and ongoing interest in, and frequent opposition to, the City's annexations by local residents. One only needs to have attended the City's visioning meeting for the 2020 Comprehensive Plan process to recognize the passionate opposition of the community.

The County encourages the City Council to review and revise its overall annexation process, and to specifically consider the concerns expressed in this letter and the overwhelming opposition expressed by residents and neighbors to the Maverick Estates Annexations, and do the correct thing and deny the Maverick Estates Annexations.

Sincerely,



J. Patrick Coleman
County Attorney



Pete Baier
Acting County Administrator

cc: City Council
Board of County Commissioners
Todd Hollenbeck, Community Development Director

NOTICE OF PUBLIC HEARING

An application for the following request has been received and tentatively scheduled for public hearings, in the **City Hall Auditorium, 250 North 5th Street**, on the dates indicated below.

If you have any questions regarding this request or to confirm the hearing date, please contact the Grand Junction Community Development Department at (970) 244-1430 or stop in our office at 250 North 5th Street.

Thank you.

CITY COUNCIL: Wednesday, August 21, 2019

MEETING TIME: 6:00 PM

ANX-2019-37 – Maverick Estates Annexation – 2428 H RD

Consider a request to annex 19.608 acres of which 2.099 acres is included in right-of-way and consider a request to zone 17.50 acres from County AFT (Agricultural, Forestry, Transitional) to a City R-4 (Residential 4 du/ac) zone district.

Planner: Scott Peterson, Phone: (970) 244-1447, Email: scottpt@gjcity.org

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A PETITION
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
MAKING CERTAIN FINDINGS,
AND DETERMINING THAT PROPERTY KNOWN AS THE
MAVERICK ESTATES ANNEXATION, LOCATED AT 2428 H ROAD
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17th day of July, 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

MAVERICK ESTATES ANNEXATION NO. 1

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°50'39" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 10.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said East line, a distance of 50.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East right of way for said 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 60.00 feet to a point on the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 33; thence N 89°50'39" W, along said South line, a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 1,050 Square Feet or 0.024 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 2

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°50'39" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 10.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'20" E, along said West right of way, a distance of 210.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 150.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 10.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 50.00 feet; thence N 89°50'39" W, a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 3,300 Square Feet or 0.075 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 3

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°00'20" E, along said East line, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'20" E, along said East line, a distance of 150.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 345.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 335.00 feet; thence S 89°50'39" E, a distance of 7.50 feet; thence S 00°00'20" W, a distance of 160.00 feet; thence N 89°50'39" W, a distance of 7.50 feet, more or less, to the Point of Beginning.

CONTAINING 6,375 Square Feet or 0.146 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 4

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 28 and the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°50'39" E along the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 33, a distance of 15.00 feet to a point on the East right of way for 24-1/4 Road; thence N 00°00'20" E, along said East right of way, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°50'39" W, a distance of 7.50 feet; thence N 00°00'20" E, a distance of 160.00 feet; thence N 89°50'39" W, a distance of 7.50 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said East line, a distance of 335.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 755.09 feet to a point on the North line of the NW 1/4 NW 1/4 of said Section 33; thence S 89°48'31" E, along said North line, a distance of 15.00 feet to a point being the Northwest corner of the NE 1/4 NW 1/4 of said Section 33; thence S 89°47'59" E, along the South line of the SE 1/4 SW 1/4 of said Section 28, a distance of 16.50 feet to a point on the East line of the West one rod (16.5') of the SE 1/4 SW 1/4 of said Section 23 per a Warranty Deed recorded in Book 2103, Page 577, Public Records of Mesa County, Colorado; thence N 00°07'00" E, along the East line of the West one rod of said SE 1/4 SW 1/4 of said Section 28, a distance of 224.02 feet; thence S 89°53'00" E, a distance of 8.50 feet to a point on the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County, Colorado; thence S 00°07'00" W, along said West line and its Southerly extension, a distance of 254.04 feet; thence N 89°59'40" W, a distance of 24.94 feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said West line, a distance of 696.29 feet; thence S 89°59'40" E, a distance of 22.00 feet to a point being the beginning of a 13.50 foot radius curve, concave Northeast, whose long chord bears S 44°17'45" E with a long chord length of 18.86 feet; thence Southeasterly along the arc of said curve, thru a central angle of 88°36'09", an arc length of 20.88 feet to a point being the beginning of a 48.00 foot radius curve, concave West, whose long chord bears S 12°21'48" W with a long chord length of 94.25 feet; thence Southerly and Westerly along the arc of said curve, thru a central angle of 201°55'13", an arc length of 169.16 feet to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 418.18 feet, more or less, to the Point of Beginning.

CONTAINING 26,189 Square Feet or 0.601 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 5

A certain parcel of land lying in the South half of the Southwest Quarter (S1/2 SW 1/4) of Section 28 and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 28 and assuming the West line of the SE 1/4 SW 1/4 of said Section 28 bears N 00°07'00" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°47'59" E, along the South line of the SE 1/4 SW 1/4 of said Section 28, a distance of 16.50 feet; thence N 00°07'00" W, along the East line of the West one rod (16.5') of the SE 1/4 SW 1/4 of said Section 28, per a Warranty Deed recorded in Book 2103, Page 577, Public Records of Mesa County, Colorado, a distance of 224.02 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°07'00" E along said East line, a distance of 1096.05 feet to a point on the North line of the SE 1/4 SW 1/4 of said Section 28, said point being 16.50 feet East of the Northwest corner of the SE 1/4 SW 1/4 of said Section 28; thence S 89°45'37" E, along the North line of the SE 1/4 SW 1/4 of said Section 28, a distance of 596.17 feet, more or less, to a point on the West line of Lee Estates No. 2, as same is recorded in Book 4950, Page 125, Public Records of Mesa County, Colorado; thence S 00°11'35" W, along said West line and its Southerly projection, a distance of 1349.66 feet to a point on the Southerly right of way for H Road; thence N 89°47'59" W, along said South right of way, a distance of 554.76 feet; thence S 45°05'49" W, a distance of 48.08 feet, more or less, to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 662.24 feet; thence N 89°59'40" W, a distance of 22.00 feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said West line, a distance of 696.29 feet; thence S 89°59'40" E, a distance of 24.94 feet; thence N 00°07'00" E, along the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County, Colorado, a distance of 254.04 feet; thence N 89°53'00" W, a distance of 8.50 feet, more or less, to the Point of Beginning.

CONTAINING 817,274 Square Feet or 18.762 Acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of August, 2019; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements

therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the _____ day of _____, 2019.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

MAVERICK ESTATES ANNEXATION

APPROXIMATELY 19.608 ACRES LOCATED AT 2428 H ROAD

WHEREAS, on the 17th day of July 2019, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of August 2019; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

MAVERICK ESTATES ANNEXATION NO. 1

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°50'39" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 10.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said East line, a distance of 50.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East right of way for said 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 60.00 feet to a point on the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 33; thence N

89°50'39" W, along said South line, a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 1,050 Square Feet or 0.024 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 2

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°50'39" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 10.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'20" E, along said West right of way, a distance of 210.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 150.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 10.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 50.00 feet; thence N 89°50'39" W, a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 3,300 Square Feet or 0.075 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 3

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°00'20" E, along said East line, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'20" E, along said East line, a distance of 150.00

feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 345.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 335.00 feet; thence S 89°50'39" E, a distance of 7.50 feet; thence S 00°00'20" W, a distance of 160.00 feet; thence N 89°50'39" W, a distance of 7.50 feet, more or less, to the Point of Beginning.

CONTAINING 6,375 Square Feet or 0.146 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 4

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 28 and the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°50'39" E along the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 33, a distance of 15.00 feet to a point on the East right of way for 24-1/4 Road; thence N 00°00'20" E, along said East right of way, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°50'39" W, a distance of 7.50 feet; thence N 00°00'20" E, a distance of 160.00 feet; thence N 89°50'39" W, a distance of 7.50 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said East line, a distance of 335.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 755.09 feet to a point on the North line of the NW 1/4 NW 1/4 of said Section 33; thence S 89°48'31" E, along said North line, a distance of 15.00 feet to a point being the Northwest corner of the NE 1/4 NW 1/4 of said Section 33; thence S 89°47'59" E, along the South line of the SE 1/4 SW 1/4 of said Section 28, a distance of 16.50 feet to a point on the East line of the West one rod (16.5') of the SE 1/4 SW 1/4 of said Section 23 per a Warranty Deed recorded in Book 2103, Page 577, Public Records of Mesa County, Colorado; thence N 00°07'00" E, along the East line of the West one rod of said SE 1/4 SW 1/4 of said Section 28, a distance of 224.02 feet; thence S 89°53'00" E, a distance of 8.50 feet to a point on the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County, Colorado; thence S 00°07'00" W, along said West line and its Southerly extension, a distance of 254.04 feet; thence N 89°59'40" W, a distance of 24.94 feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said West line, a distance of 696.29 feet; thence S 89°59'40" E, a distance of 22.00 feet to a

point being the beginning of a 13.50 foot radius curve, concave Northeast, whose long chord bears S 44°17'45" E with a long chord length of 18.86 feet; thence Southeasterly along the arc of said curve, thru a central angle of 88°36'09", an arc length of 20.88 feet to a point being the beginning of a 48.00 foot radius curve, concave West, whose long chord bears S 12°21'48" W with a long chord length of 94.25 feet; thence Southerly and Westerly along the arc of said curve, thru a central angle of 201°55'13", an arc length of 169.16 feet to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 418.18 feet, more or less, to the Point of Beginning.

CONTAINING 26,189 Square Feet or 0.601 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 5

A certain parcel of land lying in the South half of the Southwest Quarter (S1/2 SW 1/4) of Section 28 and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 28 and assuming the West line of the SE 1/4 SW 1/4 of said Section 28 bears N 00°07'00" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°47'59" E, along the South line of the SE 1/4 SW 1/4 of said Section 28, a distance of 16.50 feet; thence N 00°07'00" W, along the East line of the West one rod (16.5') of the SE 1/4 SW 1/4 of said Section 28, per a Warranty Deed recorded in Book 2103, Page 577, Public Records of Mesa County, Colorado, a distance of 224.02 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°07'00" E along said East line, a distance of 1096.05 feet to a point on the North line of the SE 1/4 SW 1/4 of said Section 28, said point being 16.50 feet East of the Northwest corner of the SE 1/4 SW 1/4 of said Section 28; thence S 89°45'37" E, along the North line of the SE 1/4 SW 1/4 of said Section 28, a distance of 596.17 feet, more or less, to a point on the West line of Lee Estates No. 2, as same is recorded in Book 4950, Page 125, Public Records of Mesa County, Colorado; thence S 00°11'35" W, along said West line and its Southerly projection, a distance of 1349.66 feet to a point on the Southerly right of way for H Road; thence N 89°47'59" W, along said South right of way, a distance of 554.76 feet; thence S 45°05'49" W, a distance of 48.08 feet, more or less, to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 662.24 feet; thence N 89°59'40" W, a distance of 22.00 feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said West line, a distance of 696.29 feet; thence S 89°59'40" E, a distance of 24.94 feet; thence N 00°07'00" E, along the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County,

Colorado, a distance of 254.04 feet; thence N 89°53'00" W, a distance of 8.50 feet, more or less, to the Point of Beginning.

CONTAINING 817,274 Square Feet or 18.762 Acres, more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 17th day of July, 2019 and ordered published in pamphlet form.

ADOPTED on second reading the _____ day of _____, 2019 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A

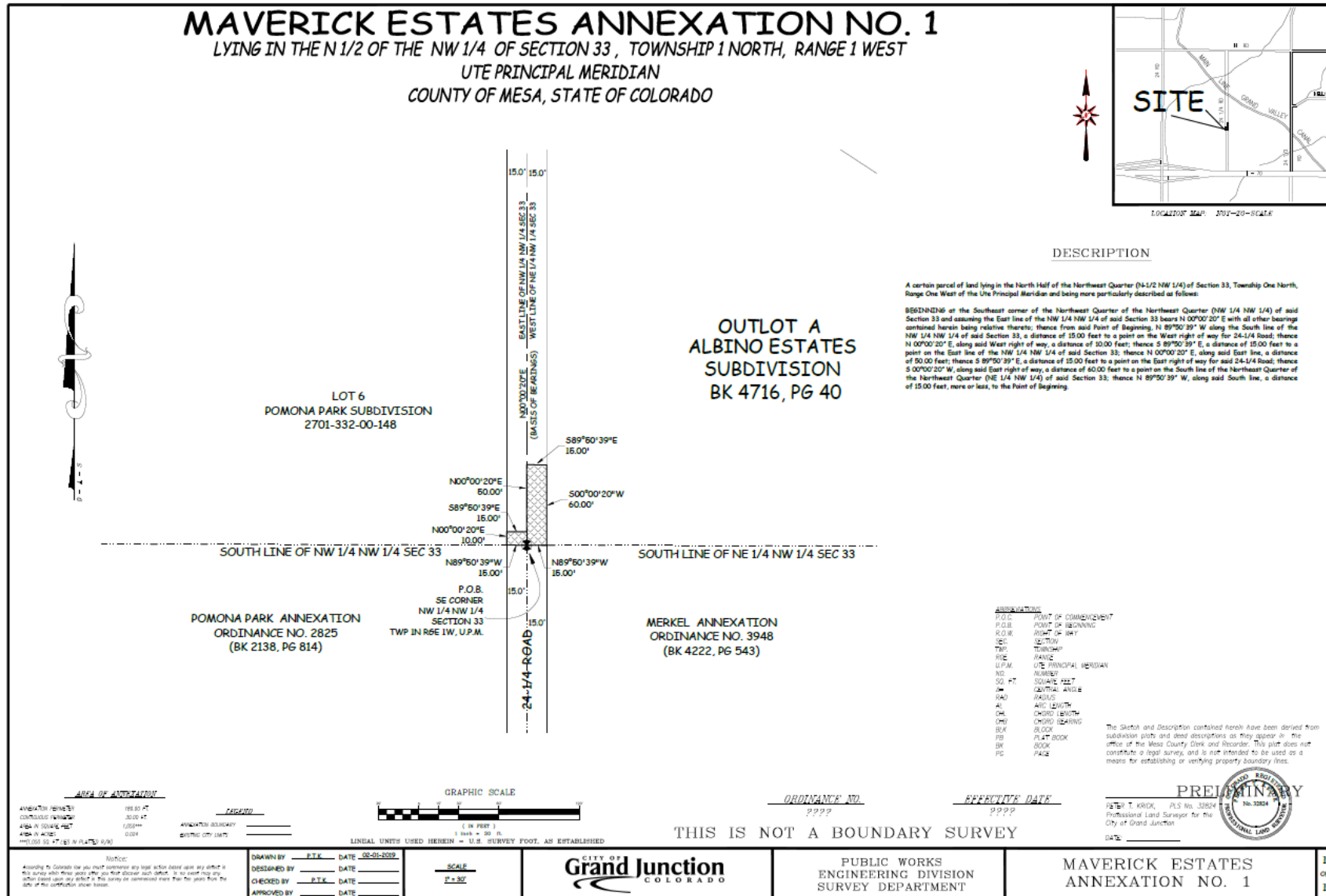


Exhibit B

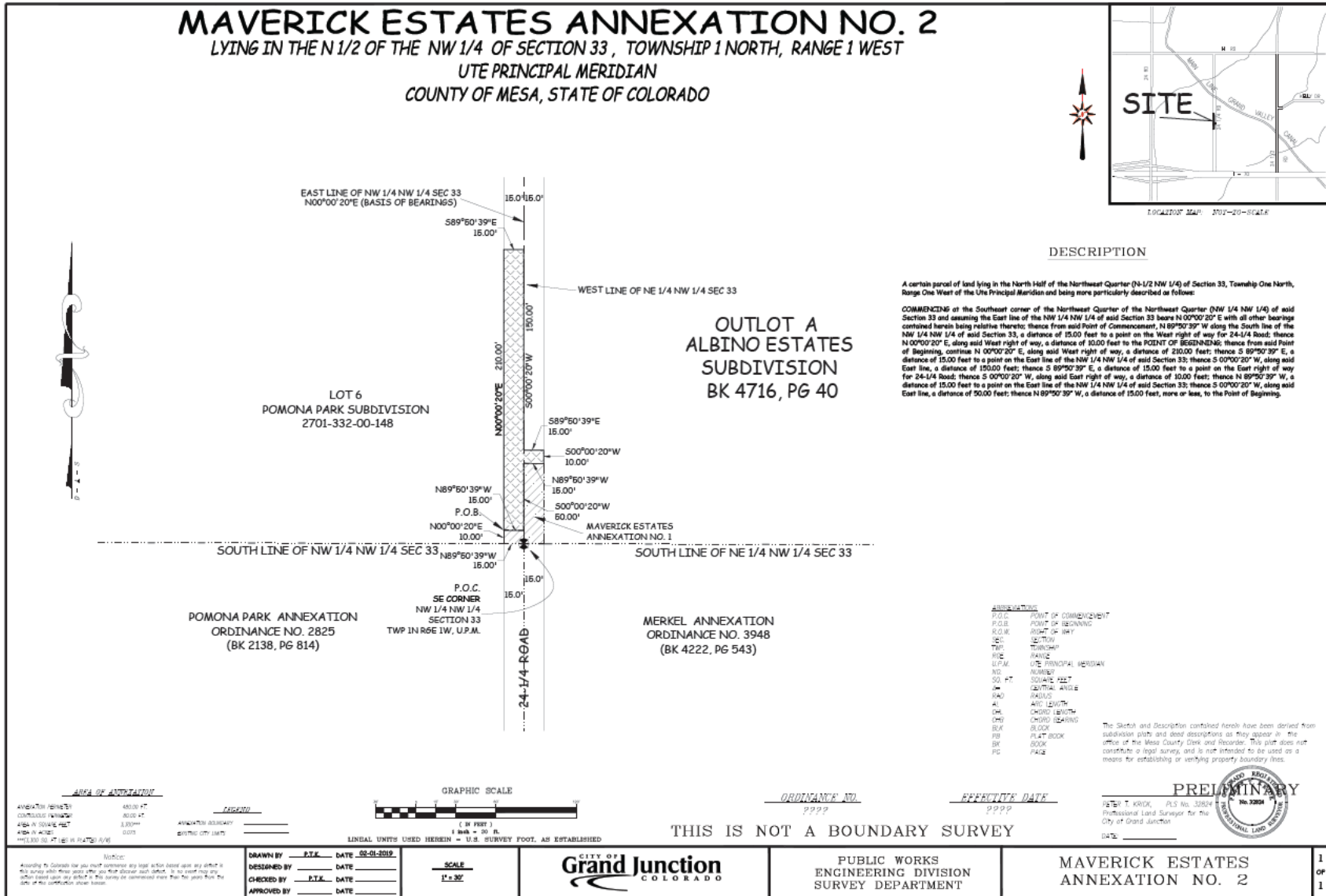


Exhibit C

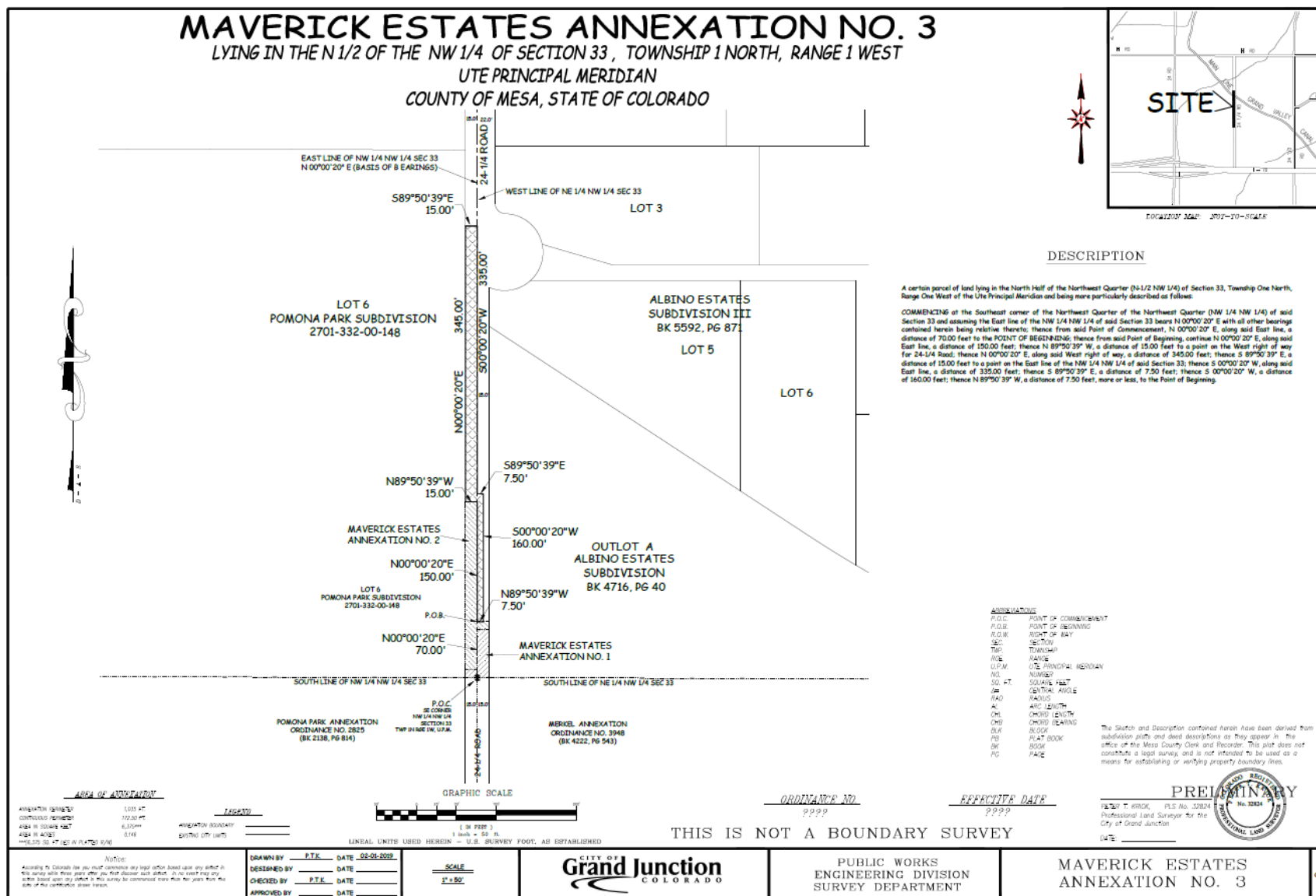


Exhibit D

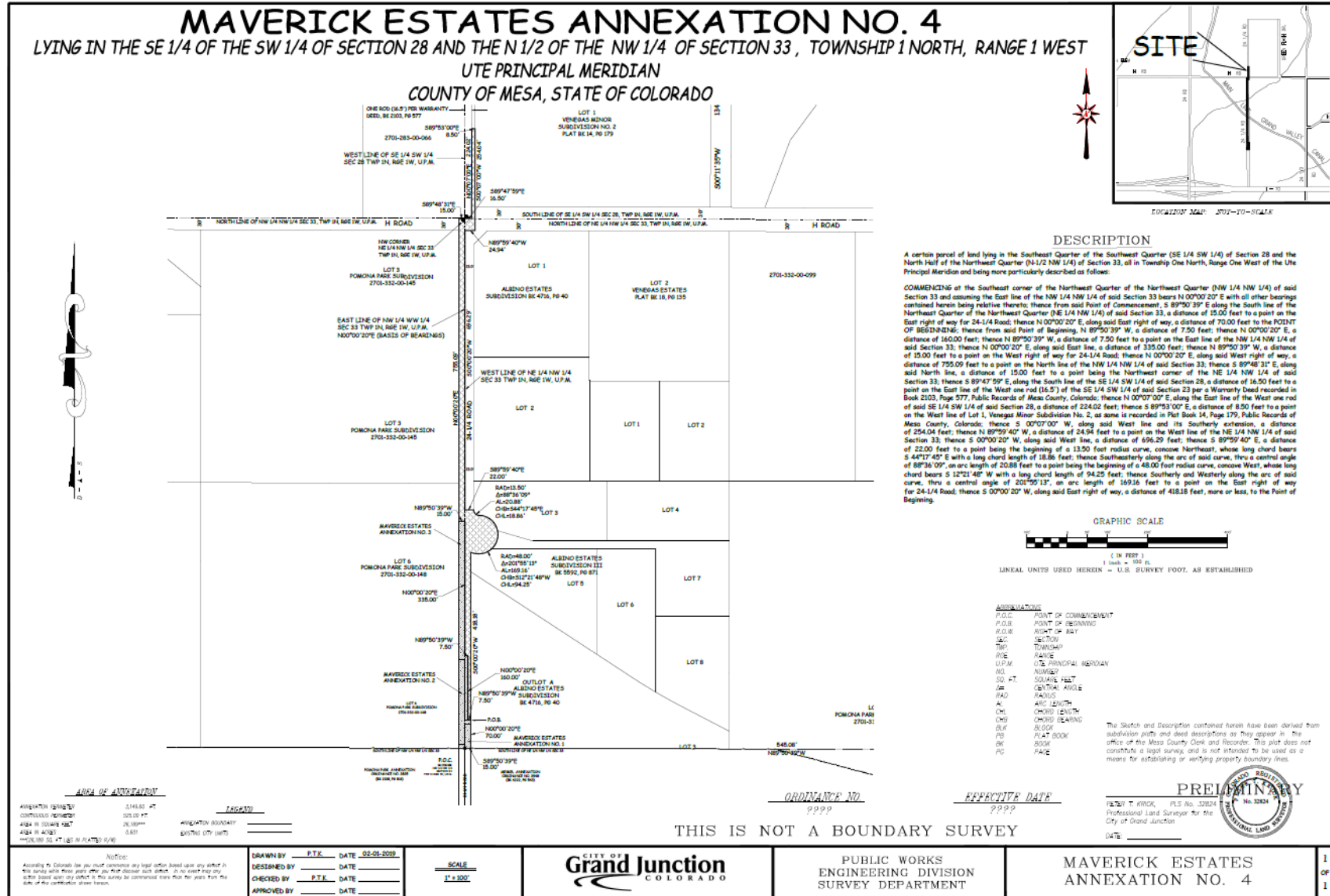


Exhibit E

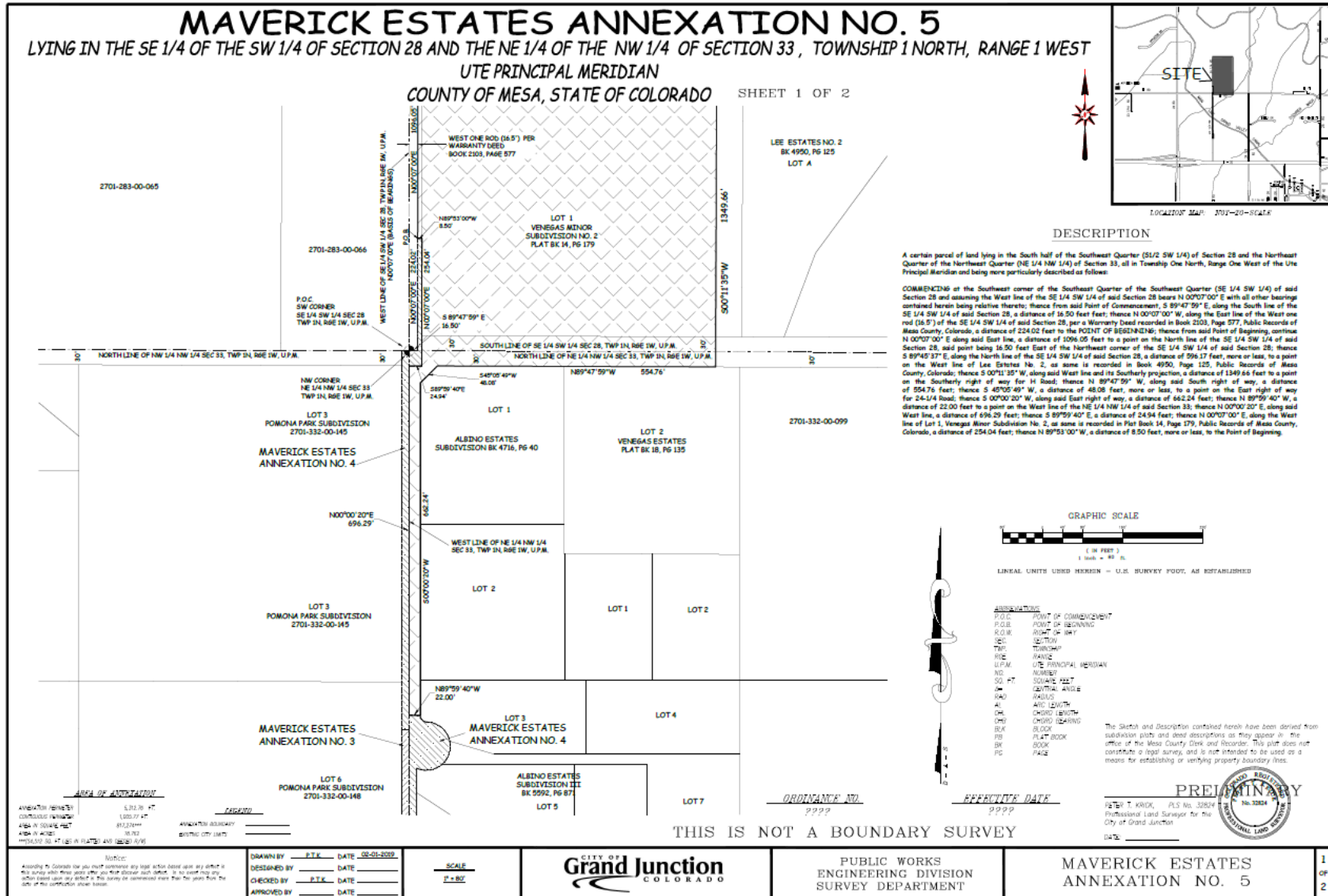
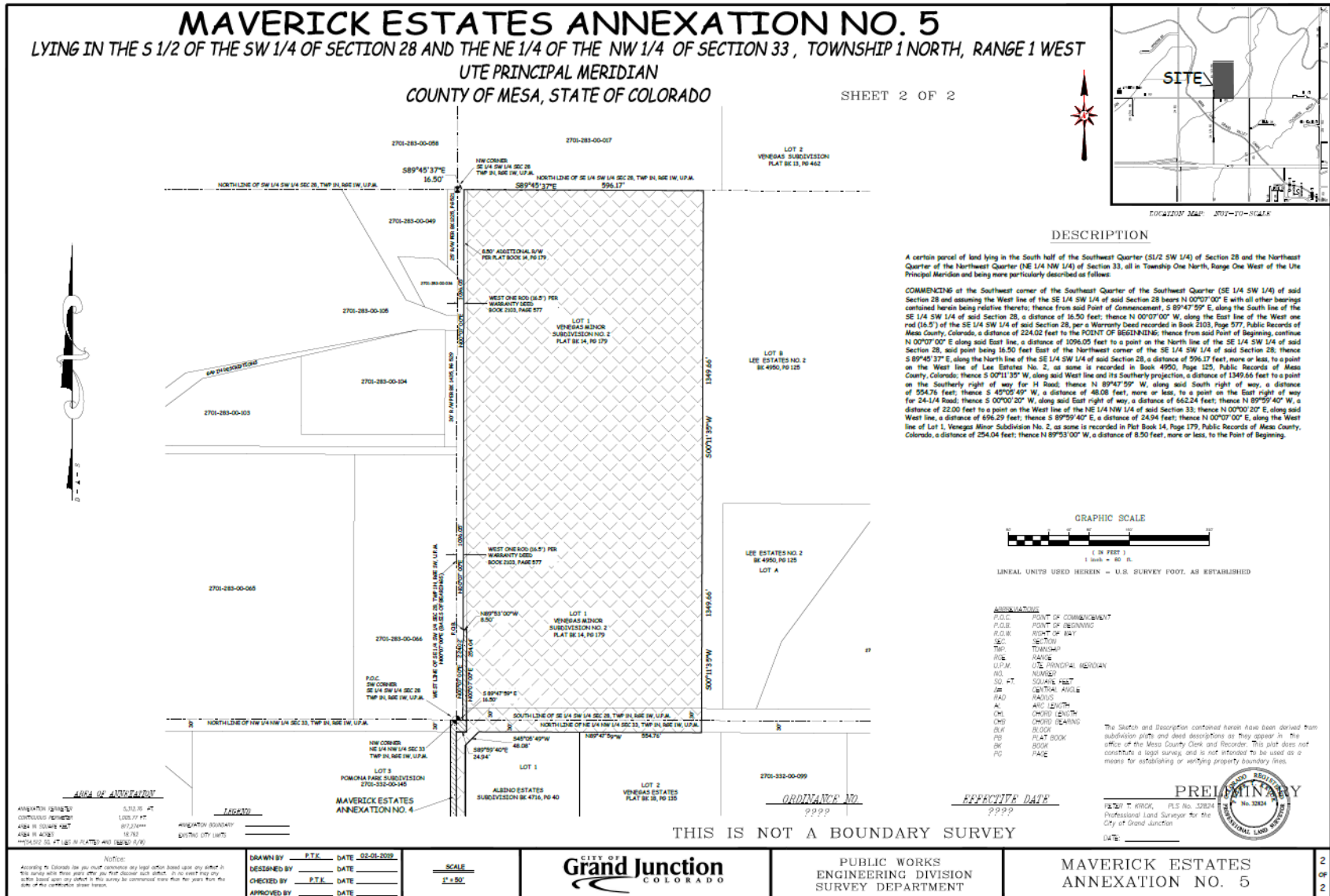


Exhibit F



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE MAVERICK ESTATES ANNEXATION
TO R-4 (RESIDENTIAL – 4 DU/AC)**

LOCATED AT 2428 H ROAD

Recitals

The property owners have requested annexation of the 17.50-acre property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Maverick Estates Annexation to the R-4 (Residential – 4 du/ac) zone district, finding that it conforms with the designation of Residential Medium Low (2 – 4 du/ac) as shown on the Future Land Use Map of the 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 the R-4 (Residential – 4 du/ac) zone district are in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code.

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

MAVERICK ESTATES ANNEXATION

The following property be zoned R-4 (Residential – 4 du/ac).

LOT 1, VENEGAS MINOR SUBDIVISION NO 2 (RECEPTION NUMBER 1667028) IN THE SE1/4, SW1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE UTE MERIDIAN, MESA COUNTY, COLORADO.

INTRODUCED on first reading this 17th day of April, 2019 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk



Grand Junction City Council

Regular Session

Item #5.a.ii.

Meeting Date: August 21, 2019

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

A Resolution Accepting the Petition for Annexation of 1.336 Acres of Lands and Ordinances Annexing and Zoning the Townhomes at River Park Annexation to R-8 (Residential - 8 du/ac), Located at 3178 D Road

RECOMMENDATION:

Planning Commission heard the Zone of Annexation request at its July 23, 2019 meeting and forwarded a recommendation of approval (7 to 0) of the zoning designation of R-8 for the property to City Council.

EXECUTIVE SUMMARY:

The Applicant, Gato Development, LLC, is requesting annexation and zoning for two parcels of land containing 1.139 acres located at 3178 D Road. The proposed annexation includes 0.197 acres of the Roberts Road Right-of-Way for a total annexation area of 1.336-acres. The site is currently vacant. The owner is requesting annexation for future residential townhome development of the property, currently under city review, which constitutes "annexable development" and as such is required to annex in accordance with the Persigo Agreement.

The Applicant is requesting an R-8 (Residential - 8 du/ac) zone district. The Comprehensive Plan Future Land Use Map designates this property as Residential Medium (4-8 du/ac) and this request conforms to this land use designation

BACKGROUND OR DETAILED INFORMATION:

The Townhomes at River Park Annexation consists of two parcels consisting of 1.139-

acres located at 3178 D Road, located at the northwest corner of D Road and Roberts Road. The property currently is vacant. The Applicant plans to subdivide the property into 8 townhome residential lots and is requesting annexation at this time in anticipation of this development. The Applicant is requesting a R-8 (residential with a maximum of 8 units per acre) zone district.

Both parcels of land are currently in the County and retain a County zoning of RMF-8 (Residential Multi Family – 8 dwelling units per acre) and surrounding properties east and north are zoned RMF-8, County Residential PUD to the west, and commercial PUD in the County and C-2 in the City south, across D Road. The subject property has a Future Land Use designations of Residential Medium (4 – 8 du/ac). The Applicant's proposed zoning designation of R-8 meets with the intent of the Land Use Map achieving the desired density for the property and is equivalent to the current Mesa County zoning of RMF-8.

The property is adjacent to existing city limits, within the Persigo 201 boundary and as proposed will constitute annexable development as defined in the Persigo Agreement. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation by the City. The property owner has signed a petition for annexation of the property. There is small portion of Robert Road Right-of-Way containing 0.197 acres being annexed as part of this annexation.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks, and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

f) No land held in identical ownership is being divided by the proposed annexation;

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

The proposed annexation and zoning schedule with a summary is attached.

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on April 26, 2018 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's and City staff were in attendance along with seven citizens. Comments and concerns expressed by the attendees centered on subdivision of the property with general approval and positive feedback and the need to clean up the 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 June 6, 2018. 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 12, 2019. The notice of this public hearing was published July 16, 2019 in the Grand Junction Daily Sentinel.

ZONING ANALYSIS

The criteria for review is 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. Planning Commission found all 5 criterion to be met.

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

The property owners have petitioned for annexation into the City limits with a requested zoning district of R-8 (Residential 8 units/acre). Since the property is currently in the County, the annexation of the property is a subsequent event that will invalidated the original premise; the property can no longer have a county zoning designation.

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

The adopted Comprehensive Plan designated this property with a Future Land Use designation of Residential Medium (4 – 8 du/ac). The character and/or condition of the area was mostly urbanized prior to the adoption of the 2010 Comprehensive Plan, although it has continued to urbanize with the expansion of the Midlands Villages residential development to the west of the subject property, the development of the

Pipe Trades Commercial Subdivision, and D Road Commercial Subdivision located on the south side of D Road. The subject property is currently an infill site, part of the urbanization going on around it.

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

Water and sewer services are available to this property in D Road. This property is within the Clifton Water District service area. A ¾ -inch water line services the property. An 8-inch line terminates at the southern property boundary on Monument View Drive. The property is currently within the Persigo 201 Sewer Service Area and the Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The property can also be served by Xcel Energy natural gas and electric.

A short distance away is Rocky Mountain Elementary. To the north along 32 Road (Hwy 141) are commercial retail centers that includes offices, convenience stores and gas islands, restaurants, commercial businesses and a grocery store in the Clifton commercial core.

Grand Junction Fire Department finds the public and community facilities regarding fire and emergency medical services are adequate to serve the type and scope of the residential land use proposed. This property is currently in the Clifton Fire Protection District and fire and emergency medical response is provided from the Clifton Fire Station at 3254 F Road however, with Annexation, the property will be served by the Grand Junction Fire Department. Fire Station #4 at 2884 B ½ Road will provide the primary response to this area and Clifton Fire Protection District will continue to provide secondary response. Evaluation of fire and EMS incident data, shows no incidents at this location and the annexation and proposed development is not predicted to add substantially to the current fire and EMS incident load. However, response times to this area, including the proposed annexation, are longer than other areas due to the distance from existing fire stations. Grand Junction and Clifton have discussed an additional fire station to serve this area.

Mesa County School District 51 commented on this annexation, "Although this will add to our student enrollment for the schools in that attendance area, we can accommodate those added students."

On input provide by a number of utility and service providers, public and community facilities are adequate to serve the type of residential land use proposed.

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

The property has a Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac). The property is currently vacant. The proposed zoning designation of R-8 meets with the intent of achieving the desired overall density for the property to be developed at the higher end of the Residential Medium designation. Citywide, fifteen (15) percent of existing property in the City limits with a R-8 zoning designation is vacant. The lack of supply for this zone type impedes the ability to provide a diverse supply of housing types; a key principle in the Comprehensive Plan. Staff finds that there is an inadequate supply of the requested zoning designations in the area.

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

Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with the County. The requested zoning will also provide an opportunity for a variety of housing allowed by the R-8 zone district including single family detached, single family attached and multi-family residential land uses, all of which are consistent with the Comprehensive plan in this area to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the Plan's goal of promoting a diverse supply of housing types; a key Guiding Principle in the Comprehensive Plan.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. The proposed R-8 zone district is equal to the existing RSF-8 zone district of Mesa County. Though other zone districts could also be considered, as listed below, this zone district comports with the recommendations of the Plan's Future Land Use Map.

Other zone districts permitted within the Residential Medium Land Use designation and implement the Comprehensive Plan include:

- R-4
- R-5
- R-12
- R-16
- R-O

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

Goal 1 / Policy A: Land use decisions will be consistent with Future Land Use Map.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 5: To Provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

FISCAL IMPACT:

The provision of municipal services will be consistent with adjacent properties already in the City. Property tax levies and municipal sales/use tax will be collected, as applicable, upon annexation. Based on the current assessed values of the annexation area, the City property tax revenue is estimated to be \$93 annually. Proposed development is for eight dwelling units with an estimated value of \$200,000 each which would generate an additional \$922 in property tax annually at the current residential assessed valuation rate. Sales and use tax revenues will be dependent on consumer spending on City taxable items for residential and commercial uses.

Fire

This property is currently in the Clifton Fire Protection District and fire and emergency medical response is provided from the Clifton Fire Station at 3254 F Road. The Clifton Fire District collects a 11.5520 mill levy that generates \$134 per year in property taxes. If annexed the Clifton Fire District mill levy will be removed and the City's 8 mills will generate \$1,015 per year and will need to pay for not only fire and emergency medical services but also other City services provided to the area. City services as discussed below are supported by a combination of property taxes and sales/use taxes.

With Annexation, the property will be served by the Grand Junction Fire Department. Fire Station #4 at 2884 B ½ Road will provide the primary response to this area and Clifton Fire Protection District will continue to provide secondary response. Evaluation of fire and EMS incident data, shows no incidents at this location and the annexation and proposed development is not predicted to add substantially to the current fire and EMS incident load. However, response times to this area, including the proposed annexation, are longer than other areas due to the distance from existing fire stations. However, as a result of the recently passed First Responder Tax this area is slated to have a closer fire station constructed within the next 5 years.

Utilities

Water and sewer service is available to this property.

This property is within the Clifton Water District service area. A water main is located along D Road and a 3/4-inch service line serves the property.

The property is currently within the Persigo 201 Sewer Service Area.

1) Plant Capacity: Based on the Future Land Use (FLU) designation of 8 dwelling units, the anticipated additional flow associated with this project is 1,400 gallons per day. The Persigo wastewater treatment plant has sufficient capacity to accommodate this

development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently receives approximately 8 million gallons per day so the plant has ample capacity to accommodate this additional flow. The property would be assessed the current plant investment fee (PIF) of \$4,637 per equivalent unit (2018 rate) or \$37,096. This fee is intended to pay the equivalent share of the payments due on bonds for the existing wastewater treatment plant and infrastructure.

2) Ability to Serve Area: An 8-inch sewer main is located along Roberts Road on the east side of the property. In addition, an 8-inch sewer main is located along the south side of D Road. There is available capacity in these sewer lines to accommodate future development of this property with 8 dwelling units.

3) Sewer Service Charges: Monthly sewer service rates for single family units are \$22.40. These rates have been determined sufficient to cover the cost of service.

Police

In an effort to determine/anticipate what the impact may be to the GJPD in providing police services should the city proceed with this annexation, calls for service during 2017 and 2018 were reviewed. The data revealed that there was one call for services. Based on that information we anticipate that any calls for service by GJPD for this location will be minimal. At this point we do not anticipate a need for an increase in personnel or equipment in order to provide law enforcement services to this proposed annexation. However, this annexation along with any future annexations/developments will no doubt have an eventual cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide adequate services.

Public Works

D Road is on the south side of this annexation and was previously annexed. The portion of Roberts Road to be annexed was constructed in the late 1990's as part of the Peaks Subdivision and is a standard residential street with 7 ft curb, gutter, and sidewalk both sides with 28 feet in width of asphalt pavement. 5,300 square feet of asphalt and 290 feet (145 ft each side) of 7 ft wide monolithic curb, gutter and sidewalk are proposed to be annexed. Curb, gutter, and sidewalk are in good condition and asphalt has a Pavement Condition Index rating in the mid 60's and is rated as good.

Future chip seal costs for Roberts Road are estimated at \$1,400 and is planned as part this area's normal chip seal cycle in the next six years. Annual maintenance cost for the annexation is estimated at approximately \$20/year to sweep, stripe and sign.

There are no street lights.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 53-19, a resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that property known as the Townhomes at River Park Annexation,

located at 3178 D Road, is eligible for annexation, Ordinance No. 4866, an ordinance annexing territory to the City of Grand Junction, Colorado, Townhomes at River Park Annexation, approximately 1.336-acres, located at 3178 D Road, on final passage and order final publication in pamphlet form and Ordinance No. 4867, an ordinance zoning the Townhomes at River Park Annexation to R-8 (Residential - 8 du/ac), located at 3178 D Road on final passage and order final publication in pamphlet form.

Attachments

1. Townhomes at River Park Annexation - Annexation Summary and Schedule
2. Maps
3. Photos
4. Resolution Accepting Petition for Annexation
5. Ordinance
6. Zoning Ordinance

TOWNHOMES AT RIVER PARK ANNEXATION SCHEDULE

July 17, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
July 23, 2019	Planning Commission considers Zone of Annexation
August 7, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
August 21, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
Sept. 22, 2019	Effective date of Annexation

ANNEXATION SUMMARY

File Number:		ANX-2019-295
Location:		3178 D Road
Tax ID Numbers:		2943-154-55-004 & 2943-154-57-019
# of Parcels:		2
Existing Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		1.336
Developable Acres Remaining:		1.139
Right-of-way in Annexation:		0.197 acres
Previous County Zoning:		RSF-8 (Residential Single Family - 8 du/ac)
Proposed City Zoning:		R-8 (Residential – 8 du/ac)
Current Land Use:		Vacant land
Future Land Use:		Residential Medium (4 – 8 du/ac)
Values:	Assessed:	\$17,400
	Actual:	\$60,000
Address Ranges:		401 and 403 Roberts Rd & 3176 and 3178 D Rd
Special Districts:	Water:	Clifton Water District
	Sewer:	City of Grand Junction
	Fire:	Clifton Fire District
	Irrigation/Drainage:	GVIC/GVDD
	School:	GJ Central HS / Grand Mesa Middle / Chatfield Elementary
	Pest:	Grand River Mosquito Control District

Townhomes at River Park Annexation - Expanded City Limits

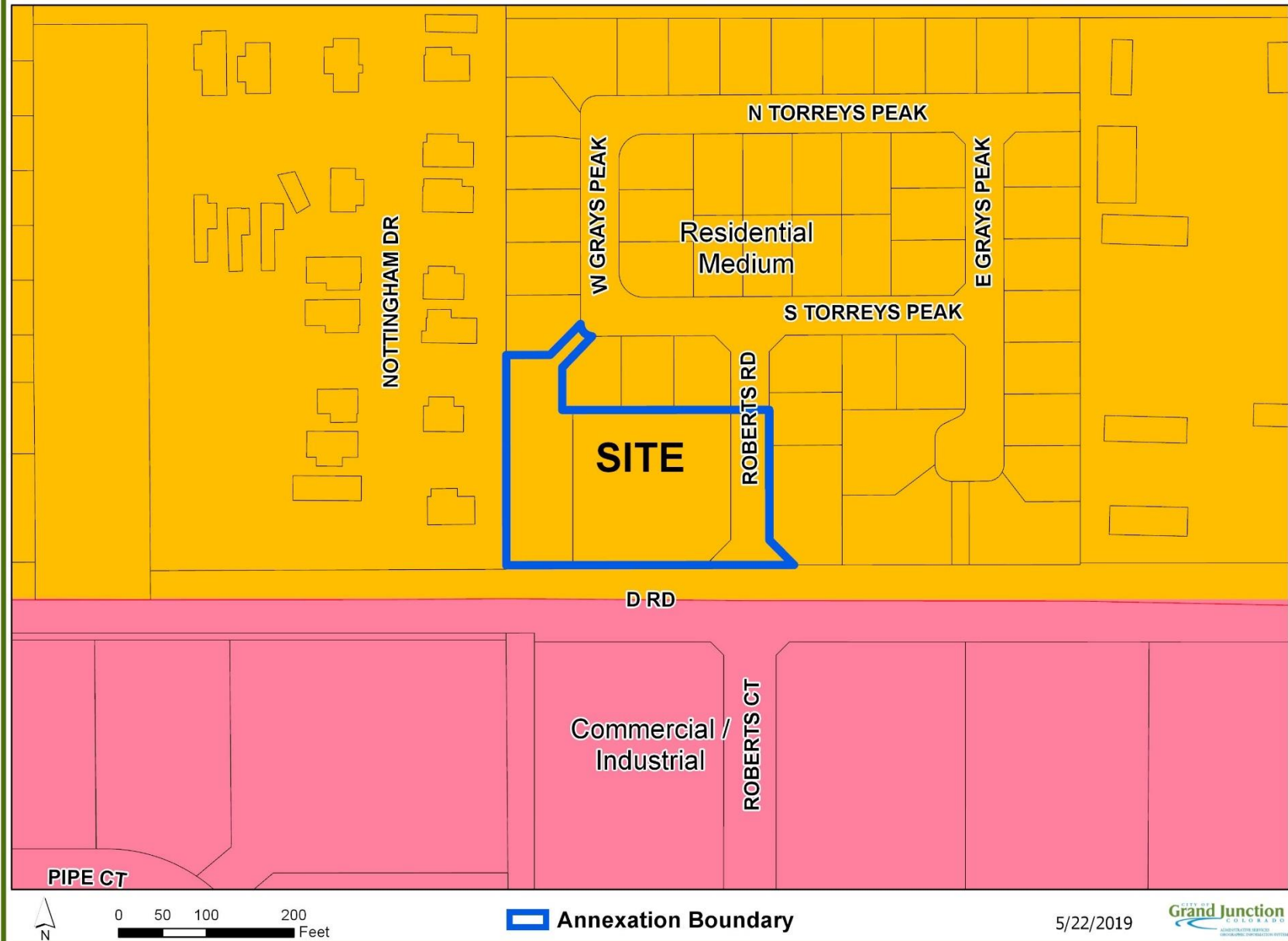


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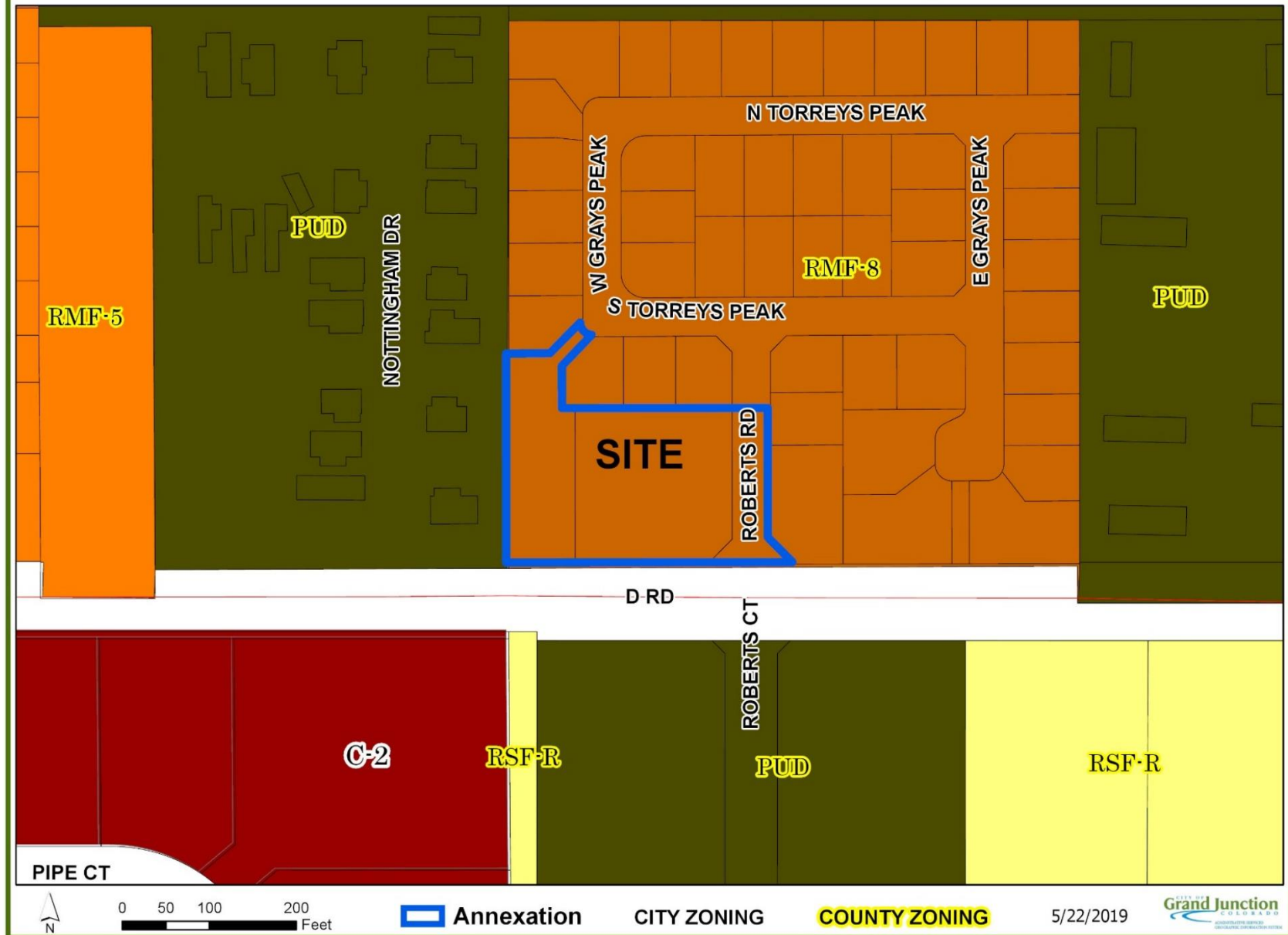
Townhomes at River Park Annexation



Townhomes at River Park Annexation - Future Land Use



Townhomes at River Park Annexation - Zoning

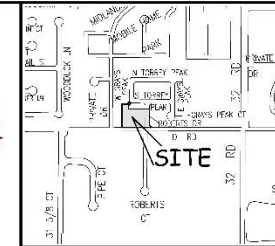


TOWNHOMES AT RIVER PARK ANNEXATION

LYING IN THE SE 1/4 SE 1/4 OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 1 EAST

UTE PRINCIPAL MERIDIAN

COUNTY OF MESA, STATE OF COLORADO



LEGEND: 1/4 SECTION 15, TWP 1S, R1E, UTM

DESCRIPTION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the SE 1/4 SE 1/4 of said Section 15 and assuming the South line of the SE 1/4 SE 1/4 of said Section 15 bears N 89°53'38" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°07'40" W along the West line of the SE 1/4 SE 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING, said point being the Southwest corner of Outlot A, Block Two of The Peaks, a subdivision recorded in Plat Book 16, Page 258, Public Records of Mesa County, Colorado; thence from said Point of Beginning, continue N 00°07'40" W, along said West line, a distance of 238.43 feet; thence N 89°50'43" E, a distance of 50.25 feet; thence N 44°50'43" E, a distance of 49.35 feet to a point being the beginning of a 14.14 foot radius curve, concave Northeast, whose long chord bears S 45°08'27" E, a long chord length of 19.99 feet; thence Southwesterly along the arc of said curve, thru a central angle of 69°57'46", an arc length of 22.20 feet; thence S 44°50'43" W, a distance of 49.82 feet; thence S 00°09'17" E, along the West line of Lot 3 of The Peaks subdivision, a distance of 48.22 feet; thence S 89°53'29" E, along the South line of said Lot 3, a distance of 12.00 feet; thence S 89°53'38" E, along the South line of Lots 1, 2 and 3, Block Two of The Peaks subdivision and its Easterly prolongation, a distance of 224.64 feet to a point on the East right of way for Roberts Road, per The Peaks subdivision; thence S 00°07'40" E, along said East right of way, a distance of 147.65 feet; thence S 44°58'48" E, along said right of way, a distance of 40.20 feet to a point on the North right of way for D Road; thence N 89°53'38" W along said North right of way, being a line 40.00 feet North and parallel with, the South line of the SE 1/4 SE 1/4 of said Section 15, a distance of 329.07 feet, more or less, to the Point of Beginning.

ADJUSTED HORIZ
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S.O.B. SOUTH OF BAY
S.D. SECTION
T.P. TOWNSHIP
R.P. RANGE
U.P. UTE PRINCIPAL MERIDIAN
N.S. NORTH
S.S. SOUTH
F.M. FOOT
C.M. CENTRAL MERIDIAN
M.S. MILE
A. AREA
L. LENGTH
C. CORNER
O. ORIGIN
S. SURFACE
B. BOUNDARY
P. PLAT BOOK
P.C. PLAT CORNER
P.L. PLAT LINE

This Station and Description contained herein have been derived from subdivision maps and deed descriptions as they appear in the office of the Mesa County Clerk and Registrar, and said data does not constitute a legal survey, and is not intended to be used as a basis for establishing or verifying property boundaries.

PRELIMINARY

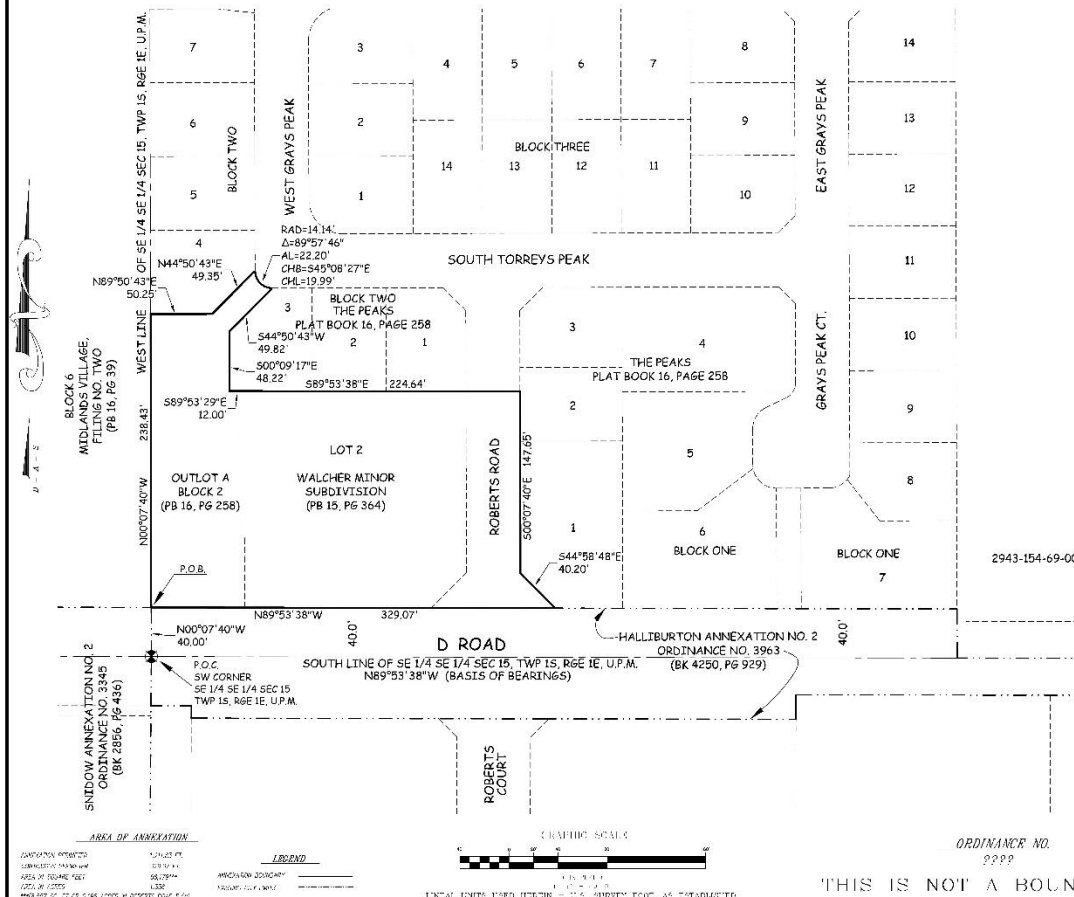
PLAT NO. 32824
PRELIMINARY PLAT SURVEY FOR THE
CITY OF GRAND JUNCTION

DATE: 06/22/2010

ORDINANCE NO.
????

EFFECTIVE DATE
????

THIS IS NOT A BOUNDARY SURVEY



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TOWNHOMES AT RIVER PARK ANNEXATION – PHOTOS



View of property from D Road looking north



View of property from Roberts Road looking west

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A PETITION
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
MAKING CERTAIN FINDINGS,
AND DETERMINING THAT PROPERTY KNOWN AS THE
TOWNHOMES AT RIVER PARK ANNEXATION, LOCATED AT 3178 D ROAD
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17th day of July, 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

TOWNHOMES AT RIVER PARK ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the SE 1/4 SE 1/4 of said Section 15 and assuming the South line of the SE 1/4 SE 1/4 of said Section 15 bears N 89°53'38" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°07'40" W, along the West line of the SE 1/4 SE 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING, said point being the Southwest corner of Outlot A, Block Two of the The Peaks, a subdivision recorded in Plat Book 16, Page 258, Public Records of Mesa County, Colorado; thence from said Point of Beginning, continue N 00°07'40" W, along said West line, a distance of 238.43 feet; thence N 89°50'43" E, a distance of 50.25 feet; thence N 44°50'43" E, a distance of 49.35 feet to a point being the beginning of a 14.14 foot radius curve, concave Northeast, whose long chord bears S 45°08'27" E, a long chord length of 19.99 feet; thence Southwesterly along the arc of said curve, thru a central angle of 89°57'46", an arc length of 22.20 feet; thence S 44°50'43" W, a distance of 49.82 feet; thence S 00°09'17" E, along the West line of Lot 3 of The Peaks subdivision, a distance of 48.22 feet; thence S 89°53'29" E, along the South line of said Lot 3, a distance of 12.00 feet; thence S 89°53'38" E, along the South line of Lots 1, 2 and 3, Block Two of The Peaks subdivision and its Easterly prolongation, a distance of 224.64 feet to a point on the East right of way for Roberts Road, per The Peaks subdivision; thence S 00°07'40" E, along said East right of way, a distance of 147.65 feet; thence S 44°58'48" E, along said right of way, a distance of 40.20 feet to a point on the North right of way for D Road; thence N 89°53'38" W along said North right of way, being a line 40.00 feet North of and parallel with, the South line of the SE 1/4 SE 1/4 of said Section 15, a distance of 329.07 feet, more or less, to the Point of Beginning.

CONTAINING 58,179 Square Feet or 1.336 Acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of August, 2019; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the _____ day of _____, 2019.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

TOWNHOMES AT RIVER PARK ANNEXATION

APPROXIMATELY 1.336 ACRES LOCATED AT 3178 D ROAD

WHEREAS, on the 17th day of July 2019, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of August 2019; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

TOWNHOMES AT RIVER PARK ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the SE 1/4 SE 1/4 of said Section 15 and assuming the South line of the SE 1/4 SE 1/4 of said Section 15 bears N 89°53'38" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°07'40" W, along the West line of the SE 1/4 SE 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING, said point being the Southwest corner of Outlot A, Block Two of the The Peaks, a subdivision recorded in Plat Book 16, Page 258, Public Records of Mesa County, Colorado; thence from said Point of Beginning, continue N 00°07'40" W, along said West line, a distance of 238.43 feet; thence N 89°50'43" E, a distance of 50.25 feet; thence N 44°50'43" E, a distance of 49.35 feet to a point being the beginning of a 14.14 foot radius curve, concave Northeast, whose long chord bears S 45°08'27" E, a long chord length of 19.99 feet; thence Southwesterly along the arc of said curve, thru a central angle of 89°57'46", an

arc length of 22.20 feet; thence S 44°50'43" W, a distance of 49.82 feet; thence S 00°09'17" E, along the West line of Lot 3 of The Peaks subdivision, a distance of 48.22 feet; thence S 89°53'29" E, along the South line of said Lot 3, a distance of 12.00 feet; thence S 89°53'38" E, along the South line of Lots 1, 2 and 3, Block Two of The Peaks subdivision and its Easterly prolongation, a distance of 224.64 feet to a point on the East right of way for Roberts Road, per The Peaks subdivision; thence S 00°07'40" E, along said East right of way, a distance of 147.65 feet; thence S 44°58'48" E, along said right of way, a distance of 40.20 feet to a point on the North right of way for D Road; thence N 89°53'38" W along said North right of way, being a line 40.00 feet North of and parallel with, the South line of the SE 1/4 SE 1/4 of said Section 15, a distance of 329.07 feet, more or less, to the Point of Beginning.

CONTAINING 58,179 Square Feet or 1.336 Acres, more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 17th day of July 2019 and ordered published in pamphlet form.

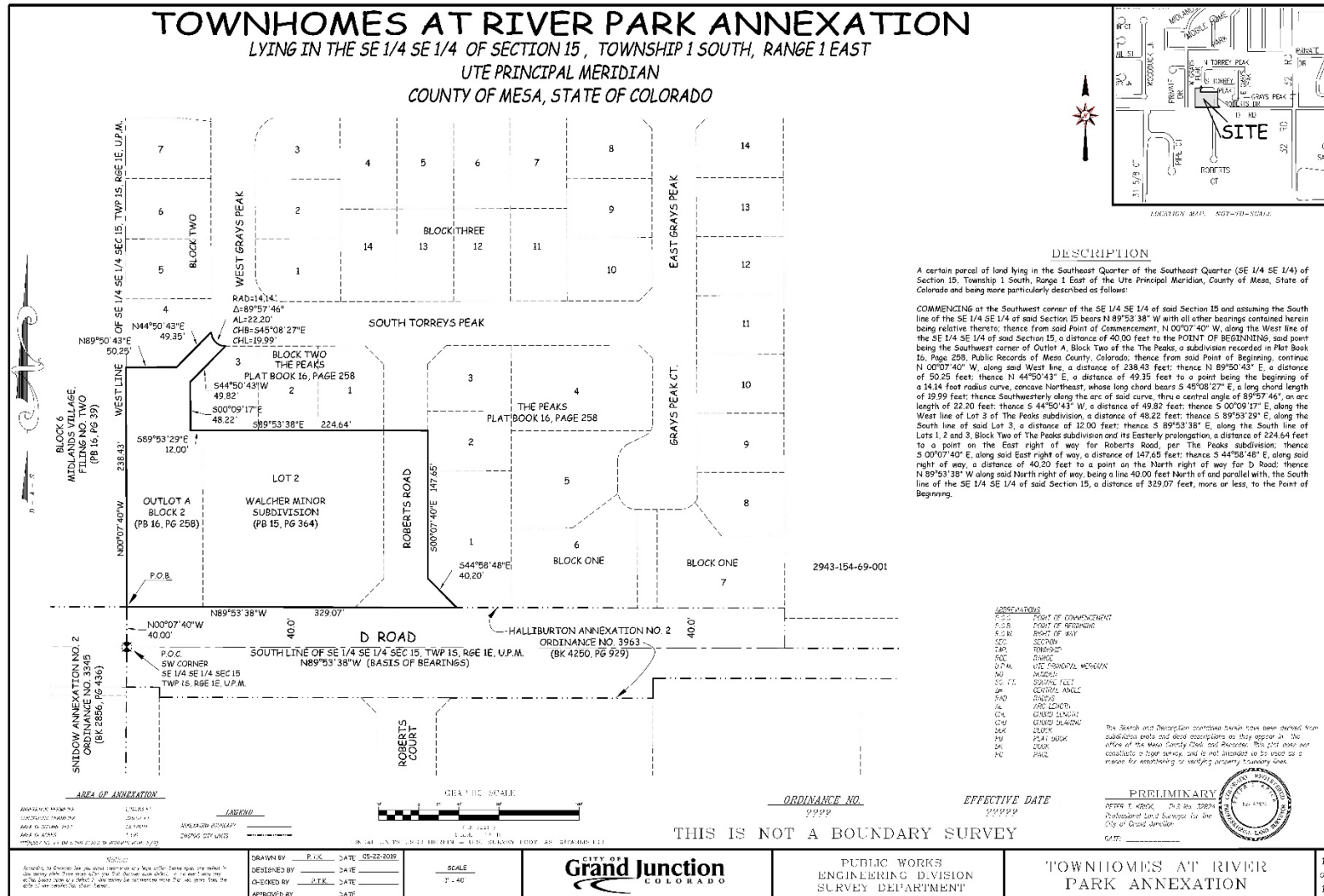
ADOPTED on second reading the _____ day of August, 2019 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE TOWNHOMES AT RIVER PARK ANNEXATION
TO R-8 (RESIDENTIAL – 8 DU/AC)**

LOCATED AT 3178 D ROAD

Recitals

The property owners have requested annexation of the 1.336-acre property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Townhomes at River Park Annexation to the R-8 (Residential – 8 du/ac) zone district respectfully, finding that it conforms with the Residential Medium (4 – 8 du/ac) as shown on the Future Land Use Map of the 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 the R-8 (Residential – 8 du/ac) zone districts are in conformance with 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 be zoned R-8 (Residential – 8 du/ac).

TOWNHOMES AT RIVER PARK ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the SE 1/4 SE 1/4 of said Section 15 and assuming the South line of the SE 1/4 SE 1/4 of said Section 15 bears N 89°53'38" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°07'40" W, along the West line of the SE 1/4 SE 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING, said point being the Southwest corner of Outlot A, Block Two of the The Peaks, a subdivision recorded in Plat Book 16, Page 258, Public Records of Mesa County, Colorado; thence from said Point of Beginning, continue N 00°07'40" W, along said West line, a distance of 238.43

feet; thence N 89°50'43" E, a distance of 50.25 feet; thence N 44°50'43" E, a distance of 49.35 feet to a point being the beginning of a 14.14 foot radius curve, concave Northeast, whose long chord bears S 45°08'27" E, a long chord length of 19.99 feet; thence Southwesterly along the arc of said curve, thru a central angle of 89°57'46", an arc length of 22.20 feet; thence S 44°50'43" W, a distance of 49.82 feet; thence S 00°09'17" E, along the West line of Lot 3 of The Peaks subdivision, a distance of 48.22 feet; thence S 89°53'29" E, along the South line of said Lot 3, a distance of 12.00 feet; thence S 89°53'38" E, along the South line of Lots 1, 2 and 3, Block Two of The Peaks subdivision and its Easterly prolongation, a distance of 224.64 feet to a point on the East right of way for Roberts Road, per The Peaks subdivision; thence S 00°07'40" E, along said East right of way, a distance of 147.65 feet; thence S 44°58'48" E, along said right of way, a distance of 40.20 feet to a point on the North right of way for D Road; thence N 89°53'38" W along said North right of way, being a line 40.00 feet North of and parallel with, the South line of the SE 1/4 SE 1/4 of said Section 15, a distance of 329.07 feet, more or less, to the Point of Beginning.

CONTAINING 58,179 Square Feet or 1.336 Acres, more or less, as described.

INTRODUCED on first reading this ____ day of ____, 2019 and ordered published in pamphlet form.

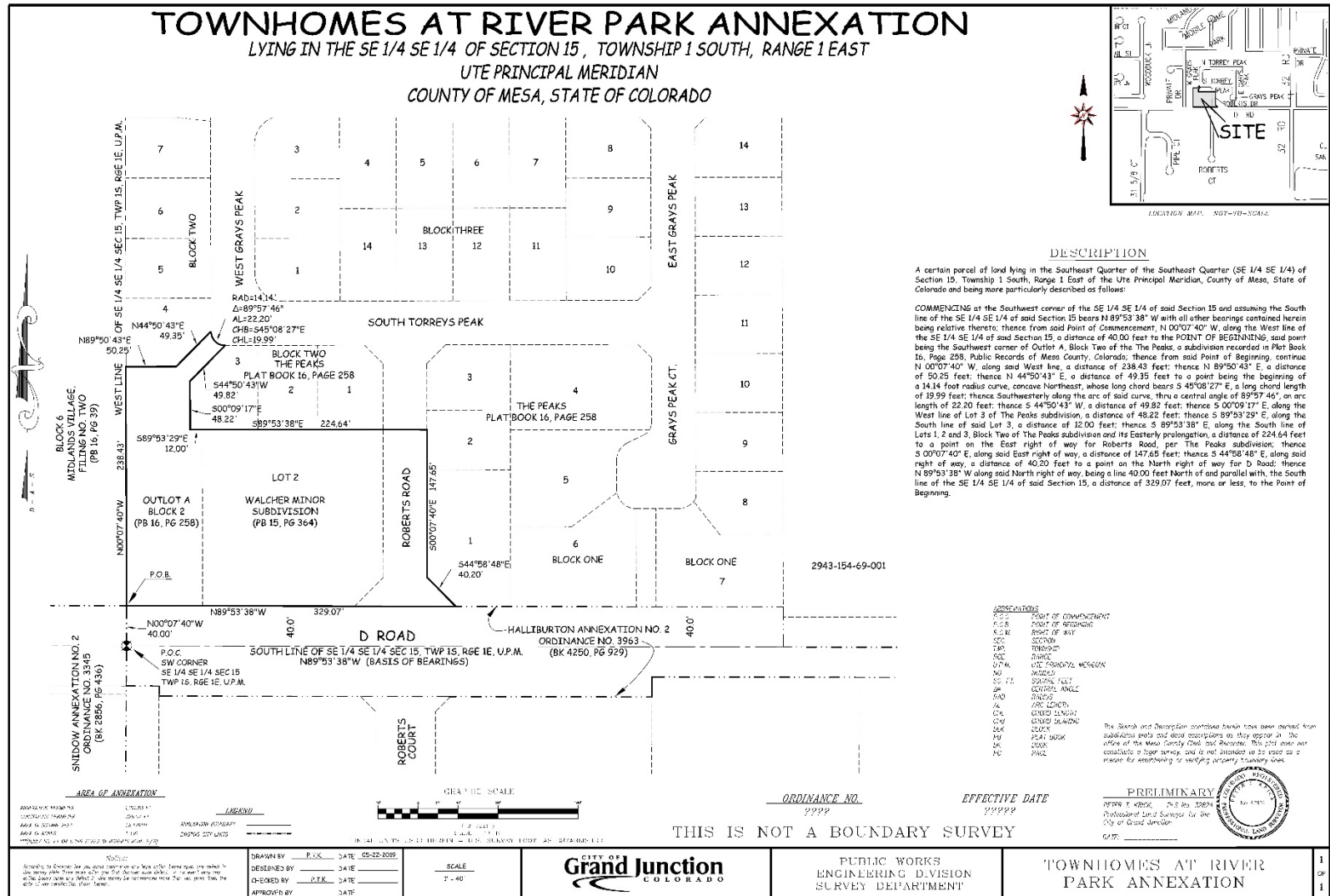
ADOPTED on second reading this ____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

Exhibit A





Grand Junction City Council

Regular Session

Item #5.a.iii.

Meeting Date: August 21, 2019

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

A Resolution Accepting the Petition for Annexation of 16.00 Acres of Lands and Ordinances Annexing and Zoning the Two Ponies Annexation to C-1 (Light Commercial) and R-8 (Residential - 8 du/ac), Located at 3095 D ½ Road

RECOMMENDATION:

Planning Commission heard the Zone of Annexation request at its July 23, 2019 meeting and forwarded a recommendation of approval (7 to 0) of the zoning designation of C-1 and R-8 for the property to City Council.

EXECUTIVE SUMMARY:

The Applicant, Steven W. and Susan L. Miller, is requesting to annex and zone land located at 3095 D ½ Road. The proposed annexation is 16 acres and includes a portion of the 31 Road and D ½ Road rights-of-way and the site currently has a single family house and several outbuildings. The owner is requesting annexation for a simple subdivision and future commercial and residential development of the property, which constitutes "annexable development" and as such is required to annex in accordance with the Persigo Agreement.

The Applicant is requesting C-1 (Light Commercial) for 3 acres of the site at the corner of D ½ Road and 31 Road and R-8 (Residential - 8 du/ac) for the remaining acreage.

BACKGROUND OR DETAILED INFORMATION:

The Two Ponies Annexation consists of one parcel of land located at 3095 D ½ Road, at the southwest corner of D ½ Road and 31 Road. The property currently has a single

family house and several outbuildings. The Applicant is currently in the Simple Subdivision process to subdivide the property into 2 lots and is requesting annexation at this time in anticipation of future development. The Applicant is requesting a C-1 (Light Commercial) for 3 acres and R-8 (Residential 8 dwelling units per acre) zone district on 11.69 acres. The remaining land area in the annexation consists of D 1/2 Road and 31 Road right-of-way containing 0.69 acres being annexed as part of this annexation and additional property (0.62 acres) that will be dedicated to these two road rights-of-way as part of the Simple Subdivisions. The entire annexation area is 16 acres.

The property is adjacent to existing city limits, within the Persigo 201 boundary and is annexable development as defined in the Persigo Agreement. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation by the City. The property owner has signed a petition for annexation of the property.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

The proposed annexation and zoning schedule with a summary is attached.

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on February 19, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's and City staff were in attendance along with eleven citizens. Comments and concerns expressed by the attendees centered on irrigation, traffic, speeding on D ½ Road and the timing of development for the 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 May 30, 2019. 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 12, 2019. The notice of this public hearing was published July 16, 2019 in the Grand Junction Daily Sentinel.

ZONING ANALYSIS

The criteria for review is 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. Planning Commission found all 5 criterion to be met.

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

The property owners have petitioned for annexation into the City limits with a requested zoning district of City R-8 (Residential – 8 du/ac) for 11.69 acres and City C-1 (Light Commercial) for 3 acres. The property is currently zoned RSF-R in Mesa County which is a residential/agricultural zone district applied to land in unincorporated Mesa County that is often in agricultural production as it waits for future rezoning to conform to the Comprehensive Plan. Since the property is currently in the County, the annexation of the property is a subsequent event that will invalidate the original premise; the property can no longer have a county zoning designation. With anticipation of urban development within the Neighborhood Center land use designation, rezoning to conform with the plan is a subsequent event that is appropriate.

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

The adopted Comprehensive Plan designated this property with a Future Land Use designation of Neighborhood Center Mixed use. The character and/or condition of the area continues to urbanize in conformance with the Comprehensive Plan. As infill urban development continues to occur, properties within unincorporated Mesa County transition from agricultural to urban land uses throughout the Pear Park neighborhood.

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

Water and sewer services are available to this property in D ½ Road and 31 Road. This property is within the Clifton Water District service area. An 8-inch water line services the property from D ½ Road and a 3-inch waterline serve the property from 31 Road. The property is currently within the Persigo 201 Sewer Service Area and the Persigo wastewater treatment plant has sufficient capacity to accommodate this development. An 8-inch sewer line is located in D ½ Road and a 10-inch sewer line is located in 31 Road. The property can also be served by Xcel Energy natural gas and electric.

A short distance away is Chatfield Elementary. To the northeast along 32 Road (Hwy 141) are commercial retail centers that include offices, convenience stores and gas islands, restaurants, commercial businesses and a grocery store in the Clifton commercial core.

Grand Junction Fire Department finds the public and community facilities regarding fire and emergency medical services are adequate to serve the type and scope of the residential land use proposed. This property is currently in the Clifton Fire Protection District and fire and emergency medical response is provided from the Clifton Fire Station at 3254 F Road however, with Annexation, the property will be served by the Grand Junction Fire Department. Fire Station #4 at 2884 B ½ Road will provide the primary response to this area and Clifton Fire Protection District will continue to provide secondary response. Response times to this area are longer than other areas due to the distance from existing fire stations. For the immediate future the area will be served by Fire Station #4 at 2884 B ½ Road. However, as a result of the recently passed First Responder Tax this area is slated to have a closer fire station constructed within the next 5 years.

From input provide by a number of utility and service providers, public and community facilities are adequate to serve the type of residential and commercial land uses allowed in the R-8 and C-1 zone districts proposed.

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

The property has a Comprehensive Plan Future Land Use Map designation of Neighborhood Center Mixed Use. The property is currently used for agricultural purposes and has one residence. The proposed zoning designation of R-8 and C-1 meet with the intent of achieving the desired overall density/intensity for the property. These zone districts implement the Neighborhood Center land use designation. Creating neighborhood centers throughout the community were identified in the Comprehensive Plan and are a key principle of the Plan. Staff finds that there is an inadequate supply of the requested zoning designations within a defined neighborhood center area, currently zoned RSF-R in Mesa County which does not allow for

neighborhood center uses, therefore, Planning Commission found this criterion to have been met.

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

Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with the County. The requested zoning will also provide an opportunity for a variety of housing allowed by the R-8 zone district including single family detached, single family attached and multi-family residential land uses, and neighborhood business and commercial uses under the proposed C-1 zoning. These zone districts are consistent with the Comprehensive plan in this area to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the Plan's goal of promoting a diverse supply of housing types, a key Guiding Principle in the Comprehensive Plan; and compact growth concentrated in neighborhood centers, a key concept of the Plan. The Comprehensive Plan includes an emphasis on mixed-use "centers" as a key growth pattern, accompanied by encouragement of infill and redevelopment more than external expansion. These concepts represent important community efforts to balance the pressures for outward growth with the desire to promote infill.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. The proposed R-8 and C-1 zone districts are greater than the existing RSF-R zone district of Mesa County. Though other zone districts could also be considered, as listed below, this zone district comports with the recommendations of the Plan's Future Land Use Map.

Other zone districts permitted within the Neighborhood Center Mixed Use Land Use designation and implement the Comprehensive Plan include:

- R-8
- R-12
- R-16
- R-O
- B-1
- MXR-3
- MXG-3
- MXS-3

Further, the zoning request is consistent with the following goals and policies of the

Comprehensive Plan:

Goal 1 / Policy A: Land use decisions will be consistent with Future Land Use Map.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 5: To Provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

FISCAL IMPACT:

Property tax levies and municipal sales and use tax will be collected, as applicable, upon annexation. For every \$250,000 of actual value, City property tax revenue on residential property at the current assessment rate would be \$144 annually, and \$580 annually for commercial property. Sales and use tax revenues will be dependent on construction activity and ongoing consumer spending on City taxable items for residential and commercial uses.

Fire

Currently the property is in the Clifton Fire Protection District. The Fire District collects a 11.5520 mill levy that generates \$154.80 per year in property taxes. If annexed, the property will be excluded from the Clifton Fire Protection District and the City's 8 mills will generate property tax revenue at the rates discussed above. Property tax revenue will need to pay for not only fire and emergency medical services but also other City services provided to the area. City services as discussed below are supported by a combination of property taxes and sales/use taxes.

Response times to this area are longer than other areas due to the distance from existing fire stations. For the immediate future the area will be served by Fire Station #4 at 2884 B ½ Road. However, as a result of the recently passed First Responder Tax this area is slated to have a closer fire station constructed within the next 5 years. At build out, we could predict an annual incident volume of 10-15 calls for service to this location.

Utilities

There is existing sewer to the property, however, an analysis will have to be conducted in the future when development is proposed to assess whether existing infrastructure is adequate. The cost of such analysis would be borne by the applicant.

For water this area is served by Clifton Water. An analysis would need to be performed by the applicant/Clifton to evaluate the adequacy of existing water infrastructure when

development is proposed.

Police

In an effort to determine/anticipate what the impact may be to the GJPD in providing police services, calls for service during 2017 and 2018 were pulled. A review of the data for this property revealed that there were four calls for service. A review of data of properties with similar density (subdivision along Duffy Dr. for residential) and intensity (541 Warrior Way a Walmart Neighborhood Market) revealed that there were 76 calls for service in 2017 and 50 calls for service in 2018. Based on that information we anticipate that any calls for service by GJPD for this location will equal to .6% of an officer.

A need for an increase in personnel or equipment in order to provide law enforcement services to this proposed annexation is not needed with this annexation. However, this annexation along with any future annexations/developments will no doubt have an ultimate cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide adequate services.

Public Works

D ½ Road was reconstructed to a three lane collector section by Mesa County in 2013 and is in good condition. Approximately 1055 square yards of D ½ Road is estimated at a Pavement Condition Index (PCI) of 88. Mesa County did not construct 640 linear feet of curb, gutter, and sidewalk representing approximately \$45,000 of future capital investment required.

The portion of 31 Road being annexed is 1500 square yards of asphalt, 12 feet in width) in fair to good condition with an average PCI of 55. The rural road section does not have any curb, gutter, sidewalk or bike lanes and will be part of a future transportation capacity project.

Annual Maintenance costs for the 2,000 square yards of pavement on both D ½ Road and 31 Road is estimated at approximately \$60/year to sweep, stripe and sign. There are no street lights present and would be part of future capital improvements. Future chipseal costs for these roads is estimated at \$4,900 and is planned as part of this area's normal chip seal cycle in the next six years.

SUGGESTED MOTION:

I move to (adopt/deny), Resolution No. 54-19, a resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that property known as the Two Ponies Annexation, located at 3095 D ½ Road, is eligible for annexation, Ordinance No. 4868, an ordinance annexing territory to the City of Grand Junction, Colorado, Two Ponies Annexation approximately 16.00 acres, located at 3095 D ½ Road, on final passage and order final publication in

pamphlet form and Ordinance No. 4869, an ordinance zoning the Two Ponies Annexation to C-1 (Light Commercial) and R-8 (Residential - 8 du/ac), located at 3095 D ½ Road on final passage and order final publication in pamphlet form.

Attachments

1. Two Ponies Annexation - Annexation Summary and Schedule
2. Maps
3. Photos
4. Resolution Accepting Petition for Annexation
5. Annexation Ordinance
6. Zoning Ordinance

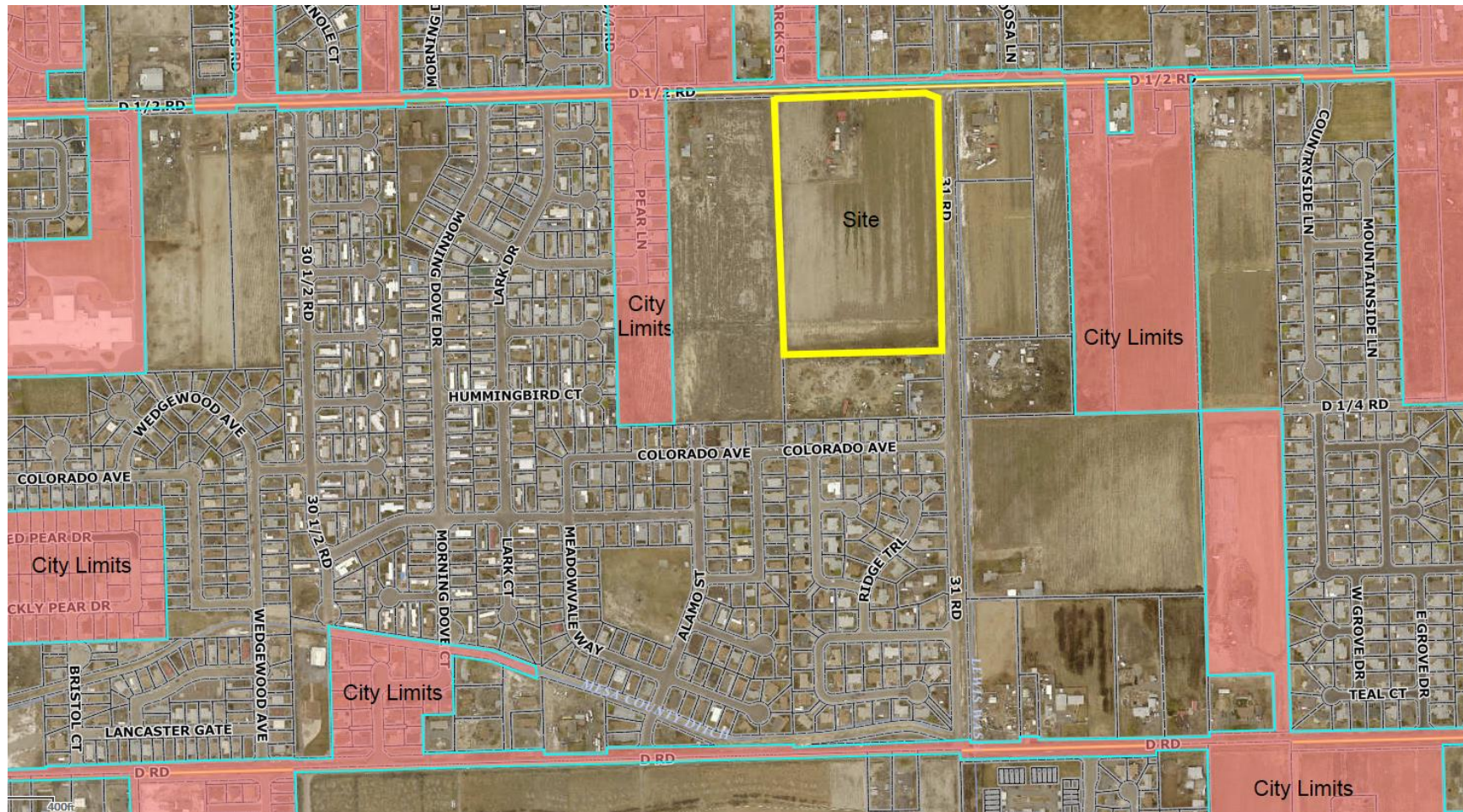
TWO PONIES ANNEXATION SCHEDULE

July 17, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
July 23, 2019	Planning Commission considers Zone of Annexation
August 7, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
August 21, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
Sept. 22, 2019	Effective date of Annexation

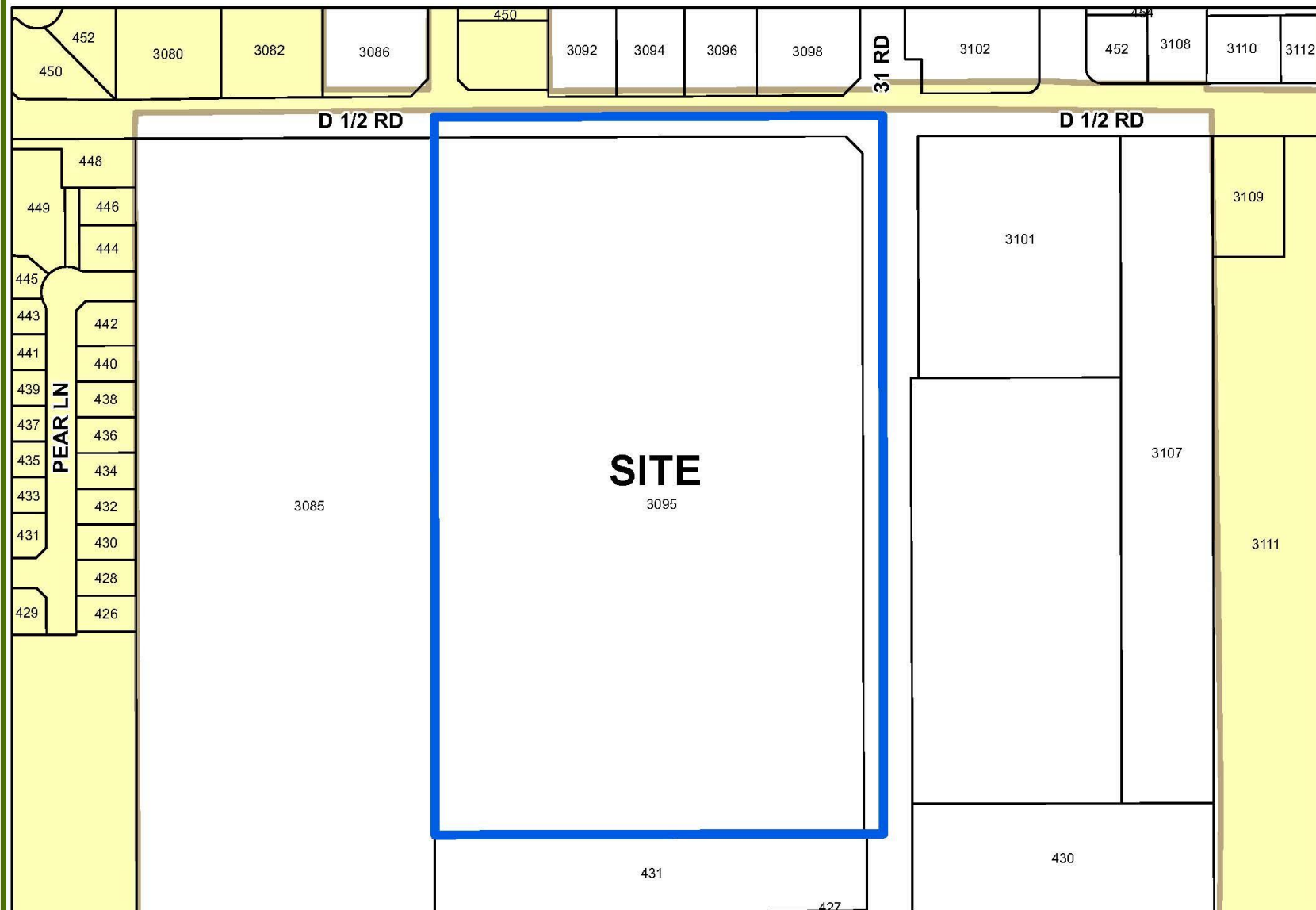
ANNEXATION SUMMARY

File Number:		ANX-2019-269
Location:		3095 D ½ Road
Tax ID Numbers:		2943-164-00-056
# of Parcels:		1
Existing Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		16
Developable Acres Remaining:		14.83
Right-of-way in Annexation:		0.69 acres (31 Rd and D ½ Rd) + future 0.62 acres with subdivision for 31 Road and D ½ Road
Previous County Zoning:		RSF-R (Residential Single Family - Rural)
Proposed City Zoning:		R-8 (Residential – 8 du/ac) for 11.69 acres and C-1 (Light Commercial) for 3 acres
Current Land Use:		Ag with one house
Future Land Use:		Neighborhood Center Mixed Use
Values:	Assessed:	\$13,400
	Actual:	\$142,559
Address Ranges:		3191-3099 D ½ Rd & 3176 and 435-449 31 Rd (odd
Special Districts:	Water:	Clifton Water District
	Sewer:	City of Grand Junction
	Fire:	Clifton Fire District
	Irrigation/Drainage:	GVIC/GVDD
	School:	GJ Central HS / Grand Mesa Middle / Chatfield Elementary
	Pest:	Grand River Mosquito Control District

Two Ponies Annexation - Expanded City Limits Location Map



Two Ponies Annexation



0 50 100 200
Feet

 Annexation Boundary

 City Limits

6/6/2019



Two Ponies Annexation



0 50 100 200
Feet

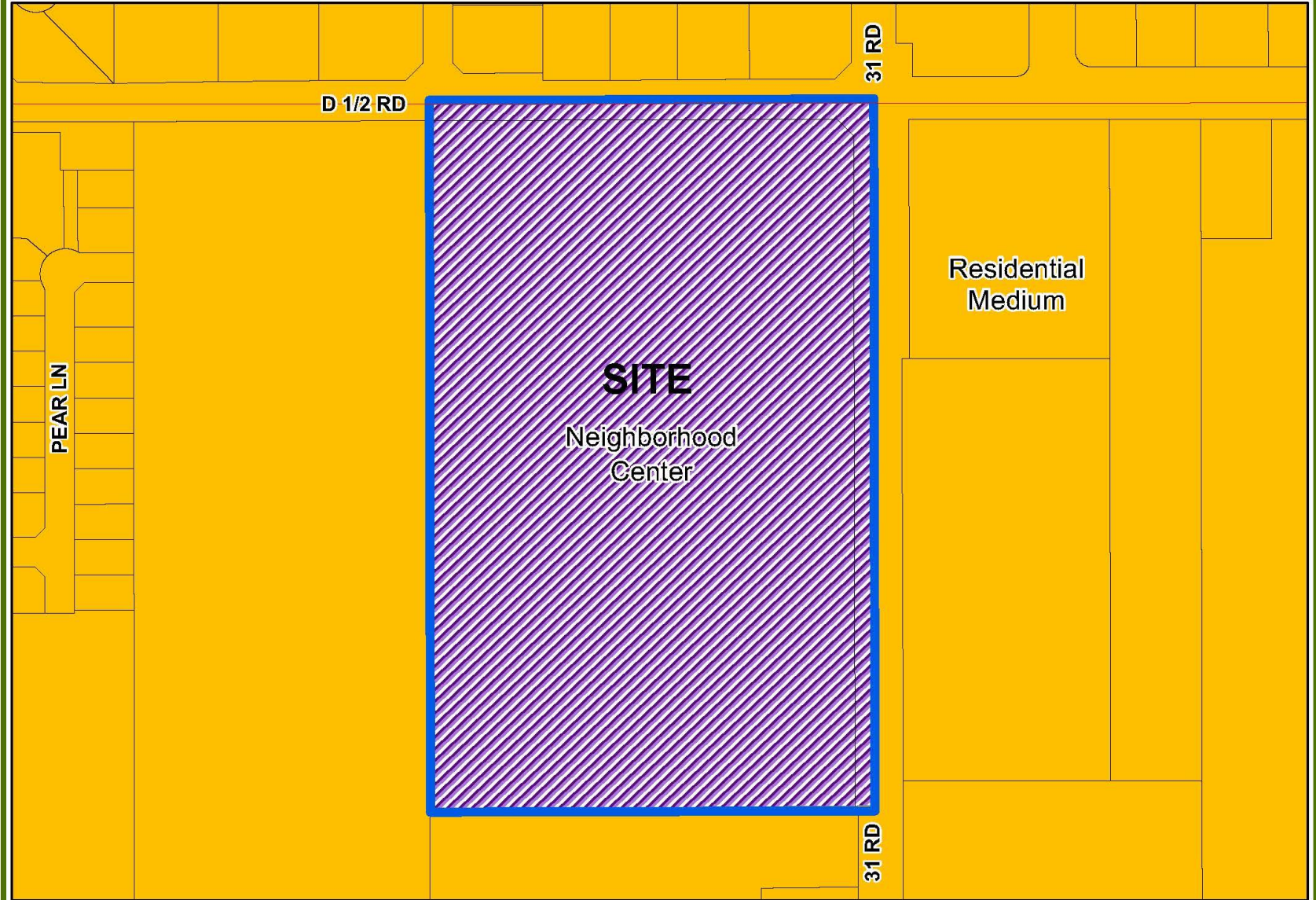
Annexation Boundary

City Limits

6/6/2019



Two Ponies Annexation - Future Land Use



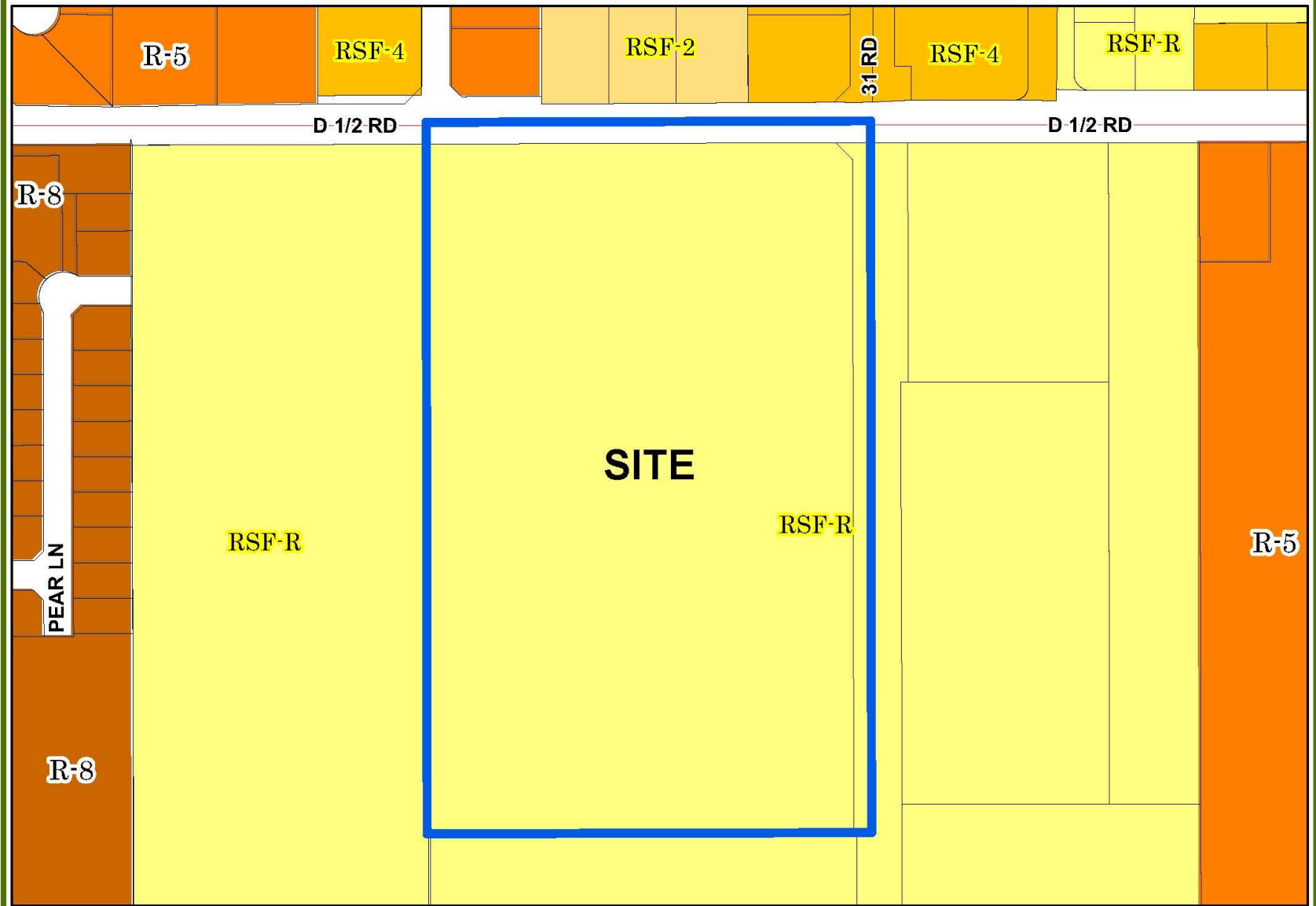
0 50 100 200 Feet

 Annexation Boundary

6/6/2019



Two Ponies Annexation - Zoning



0 50 100 200 Feet

 Annexation

CITY ZONING

COUNTY ZONING

6/6/2019



DESCRIPTION

BEGINNING at the northeast corner of the NE 1/4 SE 1/4 of said Section 16 and assuming the East line of the NE 1/4 SE 1/4 of said Section 16 bears S 00°01'50" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°01'50" W, along the East line of the NE 1/4 SE 1/4 of said Section 16, a distance of 1055.73 feet; thence S 89°56'56" E, along the South line of that certain parcel of land described in Book 1781, Page 675, Public Records of Mesa County, Colorado, a distance of 660.16 feet; thence N 00°01'36" E, along the West line of the East Half of the NE 1/4 SE 1/4 of said Section 16, a distance of 1055.41 feet, more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16; thence N 89°55'16" E, along said North line, a distance of 660.21 feet, more or less, to the Point of Beginning.

ABBREVIATIONS

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.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
∠	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PETER T. KRICK, PLS No. J2824
Professional Land Surveyor for the
City of Grand Junction

TWO PONIES ANNEXATION

<u>AREA OF ANNEXATION</u>	
ANNEXATION PERIMETER	3,431.53 FT.
CONTIGUOUS PERIMETER	688.23 FT.
AREA IN SQUARE FEET	696,804***
AREA IN ACRES	16.00
***[30,246 SQ. FT. OR 0.69 ACRES LIES IN 31 RD AND D-1/2 RD R/W	

LEGEND

ANNEXATION BOUNDARY	=====
EXISTING CITY LIMITS	=====

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

LINIAL UNITS USED HEREIN U.S. SURVEY FOOT, AS ESTABLISHED

ORDINANCE NO.
????

EFFECTIVE DATE
?????

THIS IS NOT A BOUNDARY SURVEY

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

DRAWN BY P.T.K. DATE 05-24-2019
DESIGNED BY _____ DATE _____
CHECKED BY P.T.K. DATE _____
APPROVED BY _____ DATE _____

SCALE
1" = 100'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

TWO PONIES
ANNEXATION

1
OF
1

TWO PONIES ANNEXATION – PHOTOS



View of property from D ½ Road looking south



View of property from 31 Road looking west

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A PETITION
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
MAKING CERTAIN FINDINGS,
AND DETERMINING THAT PROPERTY KNOWN AS THE
TWO PONIES ANNEXATION, LOCATED AT 3095 D ½ ROAD
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17th day of July, 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

TWO PONIES ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

BEGINNING at the Northeast corner of the NE 1/4 SE 1/4 of said Section 16 and assuming the East line of the NE 1/4 SE 1/4 of said Section 16 bears S 00°01'50" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°01'50" W, along the East line of the NE 1/4 SE 1/4 of said Section 16, a distance of 1055.73 feet; thence S 89°56'56" W, along the South line of that certain parcel of land described in Book 1781, Page 675, Public Records of Mesa County, Colorado, a distance of 660.16 feet; thence N 00°01'36" E, along the West line of the East Half of the NE 1/4 SE 1/4 of said Section 16, a distance of 1055.41 feet, more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16; thence N 89°55'16" E, along said North line, a distance of 660.23 feet, more or less, to the Point of Beginning.

CONTAINING 696,884 Square Feet or 16.00 Acres, more or less, as described hereon.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of August, 2019; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the

landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the _____ day of _____, 2019.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

TWO PONIES ANNEXATION

APPROXIMATELY 16.00 ACRES LOCATED AT 3095 D 1/2 ROAD

WHEREAS, on the 17th day of July 2019, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of August, 2019; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

TWO PONIES ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

BEGINNING at the Northeast corner of the NE 1/4 SE 1/4 of said Section 16 and assuming the East line of the NE 1/4 SE 1/4 of said Section 16 bears S 00°01'50" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°01'50" W, along the East line of the NE 1/4 SE 1/4 of said Section 16, a distance of 1055.73 feet; thence S 89°56'56" W, along the South line of that certain parcel of land described in Book 1781, Page 675, Public Records of Mesa County, Colorado, a distance of 660.16 feet; thence N 00°01'36" E, along the West line of the East Half of the NE 1/4 SE 1/4 of said Section 16, a distance of 1055.41 feet, more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16; thence N 89°55'16" E, along said North line, a distance of 660.23 feet, more or less, to the Point of Beginning.

CONTAINING 696,884 Square Feet or 16.00 Acres, more or less, as described hereon.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 17th day of July 2019 and ordered published in pamphlet form.

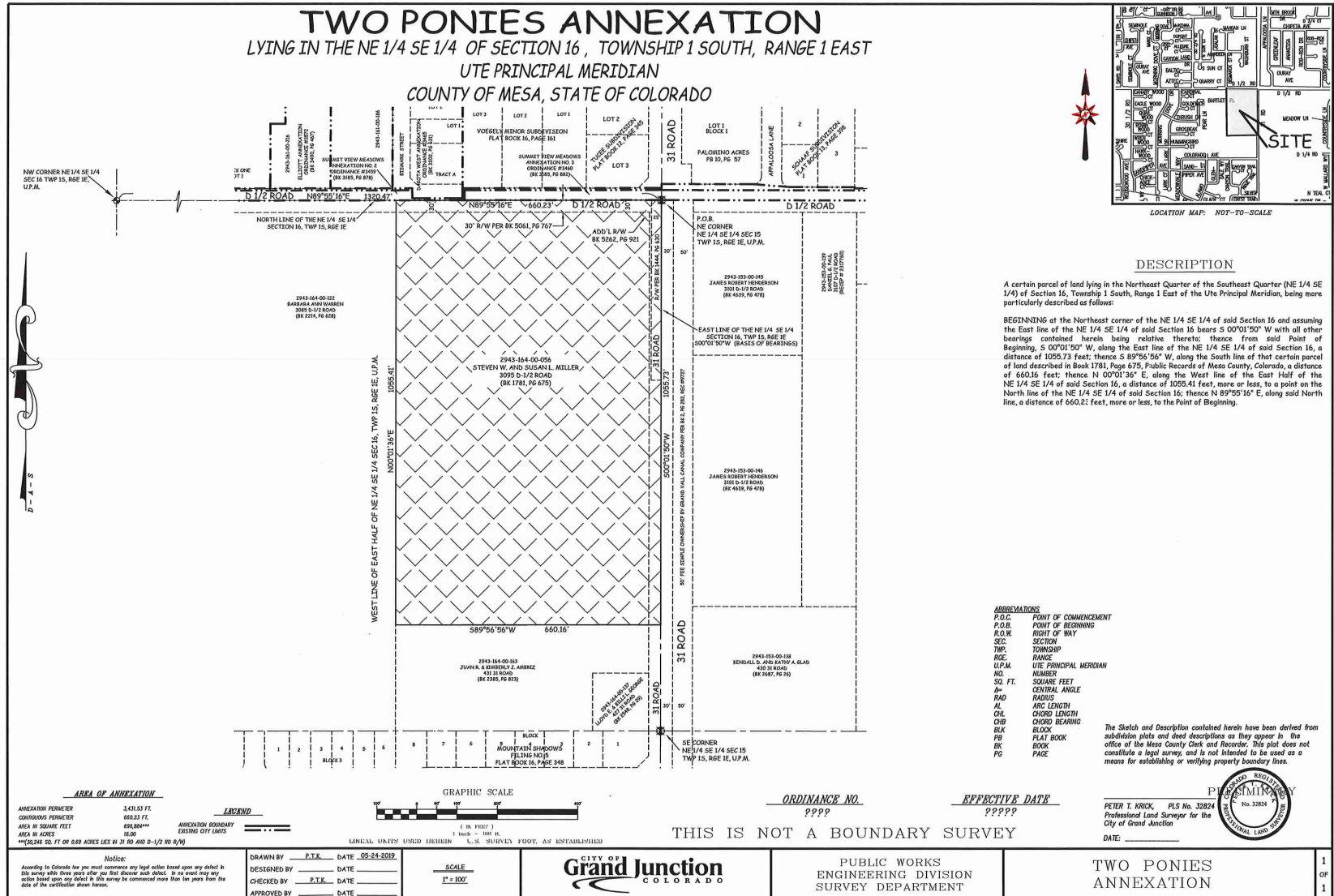
ADOPTED on second reading the _____ day of _____ 2019 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE TWO PONIES ANNEXATION
TO C-1 (Light Commercial) AND R-8 (RESIDENTIAL – 8 DU/AC)**

LOCATED AT 3095 D ½ ROAD

Recitals

The property owners have requested annexation of the 16-acre property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Two Ponies Annexation to the C-1 (Light Commercial) and R-8 (Residential – 8 du/ac) zone district respectfully, finding that they conform with the Neighborhood Center Mixed Use as shown on the Future Land Use Map of the 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 the C-1 (Light Commercial) and R-8 (Residential – 8 du/ac) zone districts are in conformance with 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 land shall be zoned C-1 (Light Commercial):

Two Ponies Subdivision, Lot 2

A parcel of land situated in the NE1/4SE1/4 of Section 16, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado, described as:

Commencing at the E1/4 corner of Section 16, from which the CE1/16 corner of Section 16 bears S89°55'12"W 1320.47 feet, running thence along the east-west center of section line S89°55'12"W 333.87 feet, thence S00°04'48"E 40.00 feet to the south right-of-way line of D ½ Road and the Point of Beginning;

Running thence along the south right-of-way line of D ½ Road N89°55'12"E 288.87 feet; thence S45°01'32"E 21.12 feet; thence S00°01'44"W 416.20 feet; thence S89°55'12"W 303.83 feet; thence N00°01'48"E 431.15 feet to the south right-of-way line of D ½ Road and the Point of Beginning.

Parcel contains 3.00 acres.

The following land shall be zoned R-8 (Residential – 8 du/ac):

Two Ponies Subdivision, Lot 1

A parcel of land situated in the NE1/4SE1/4 of Section 16, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado, described as:

Commencing at the E1/4 corner of Section 16, from which the CE1/16 corner of Section 16 bears S89°55'12"W 1320.47 feet, running thence along the east-west center of section line S89°55'12"W 660.29 feet, thence S00°04'48"E 40.00 feet to the south right-of-way line of D ½ Road and the Point of Beginning;

Running thence along the south right-of-way line of D ½ Road N89°55'12"E 326.42 feet; thence S00°01'48"W 431.15 feet; thence N89°55'12"E 303.83 feet to the west right-of-way line of 31 Road; thence along said west right-of-way line S00°01'44"W 584.56 feet; thence S89°56'59"W 630.26 feet; thence N00°01'48"E 1015.39 feet to the south right-of-way line of D ½ Road and the Point of Beginning.

Parcel contains 11.69 acres., as described hereon. See Exhibit A.

INTRODUCED on first reading this 7th day of August, 2019 and ordered published in pamphlet form.

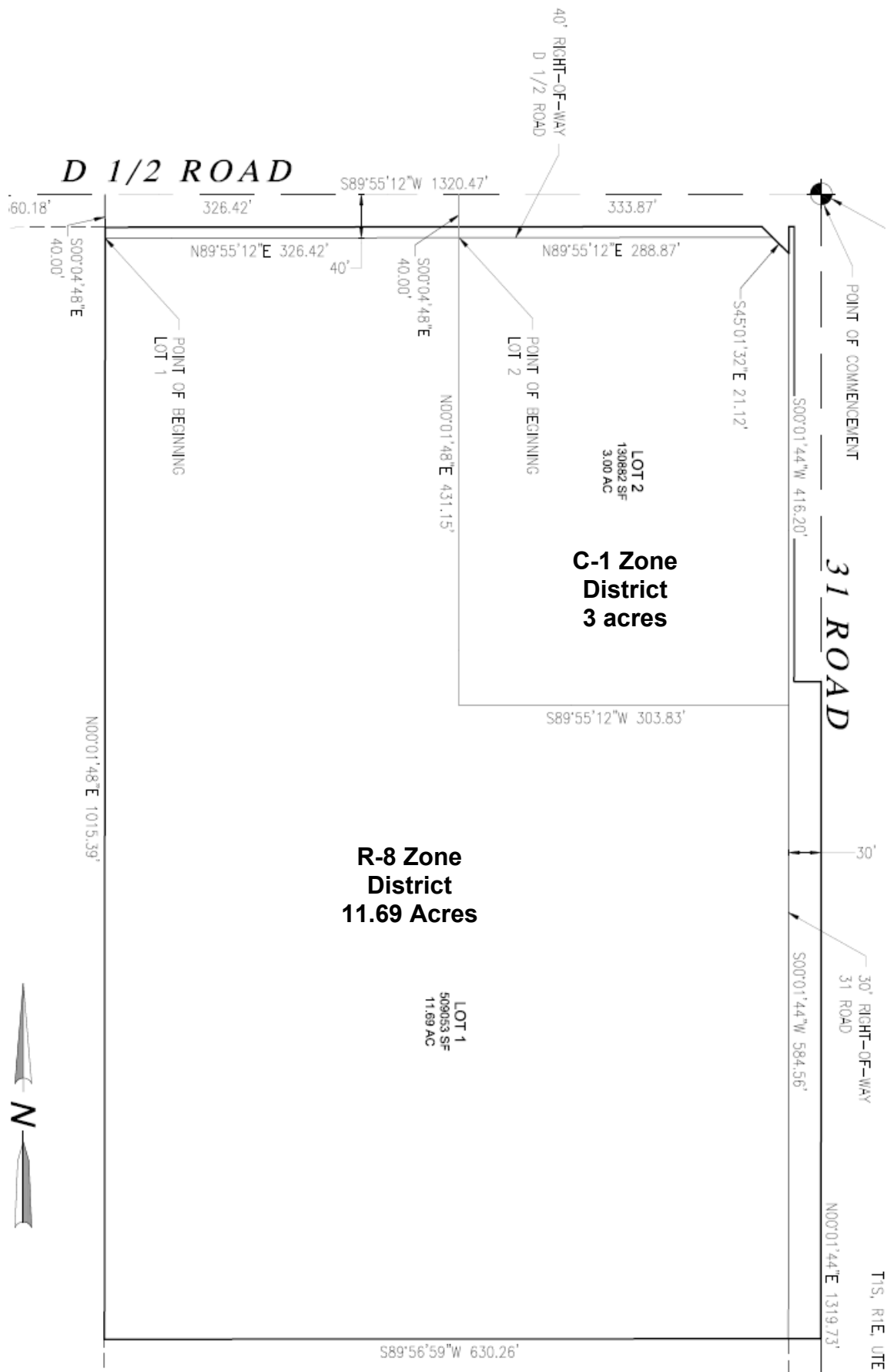
ADOPTED on second reading this ____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

Exhibit A





Grand Junction City Council

Regular Session

Item #5.a.iii.

Meeting Date: August 21, 2019

Presented By:

Department: City Clerk

Submitted By:

Information

SUBJECT:

Supplemental Documentation

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED MOTION:

Attachments

1. Vortex Engineering Presentation to City Council at Aug 21 Meeting

Two Ponies Annexation

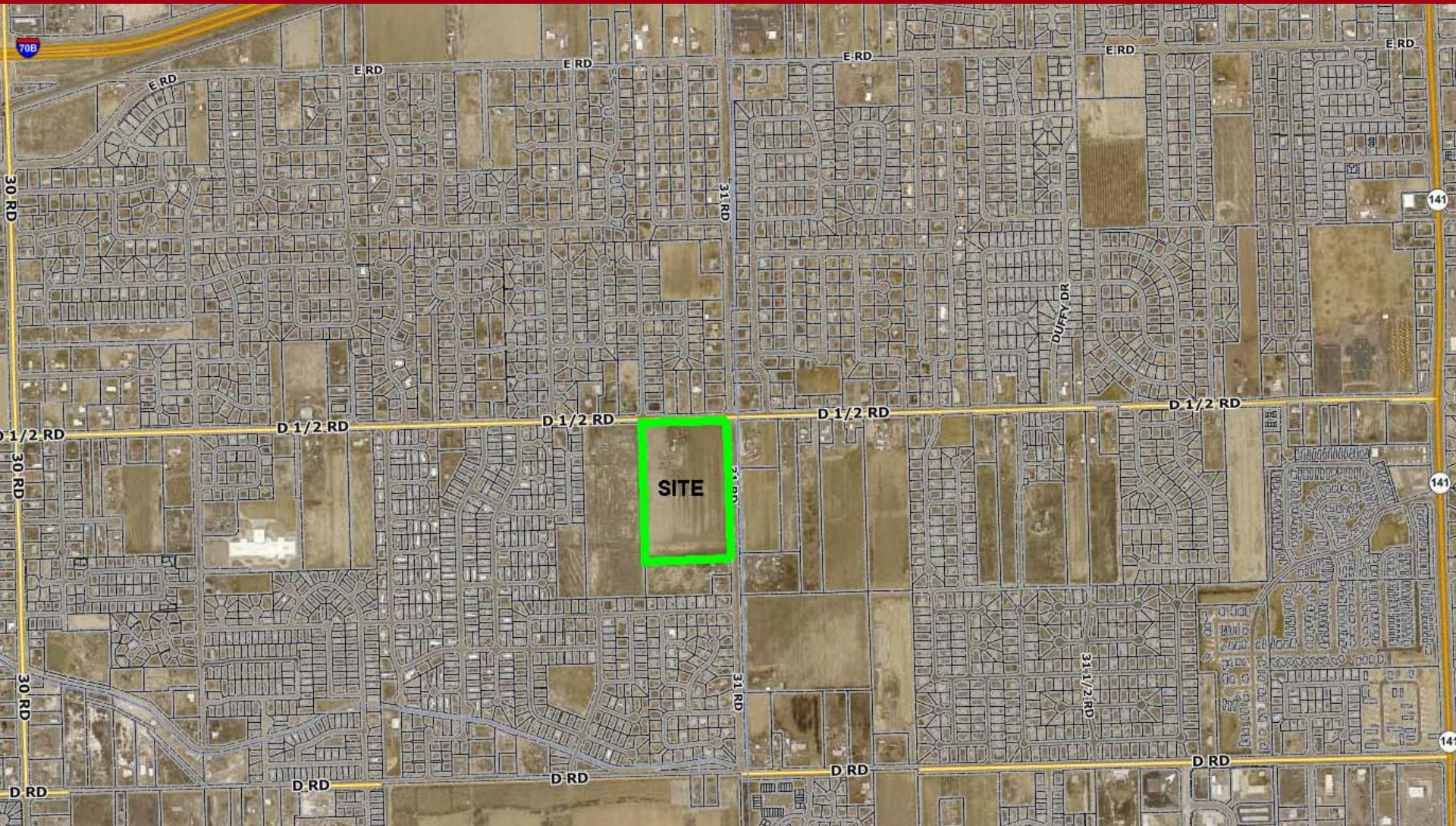
Zone of Annexation

Project # ANX-2019-269

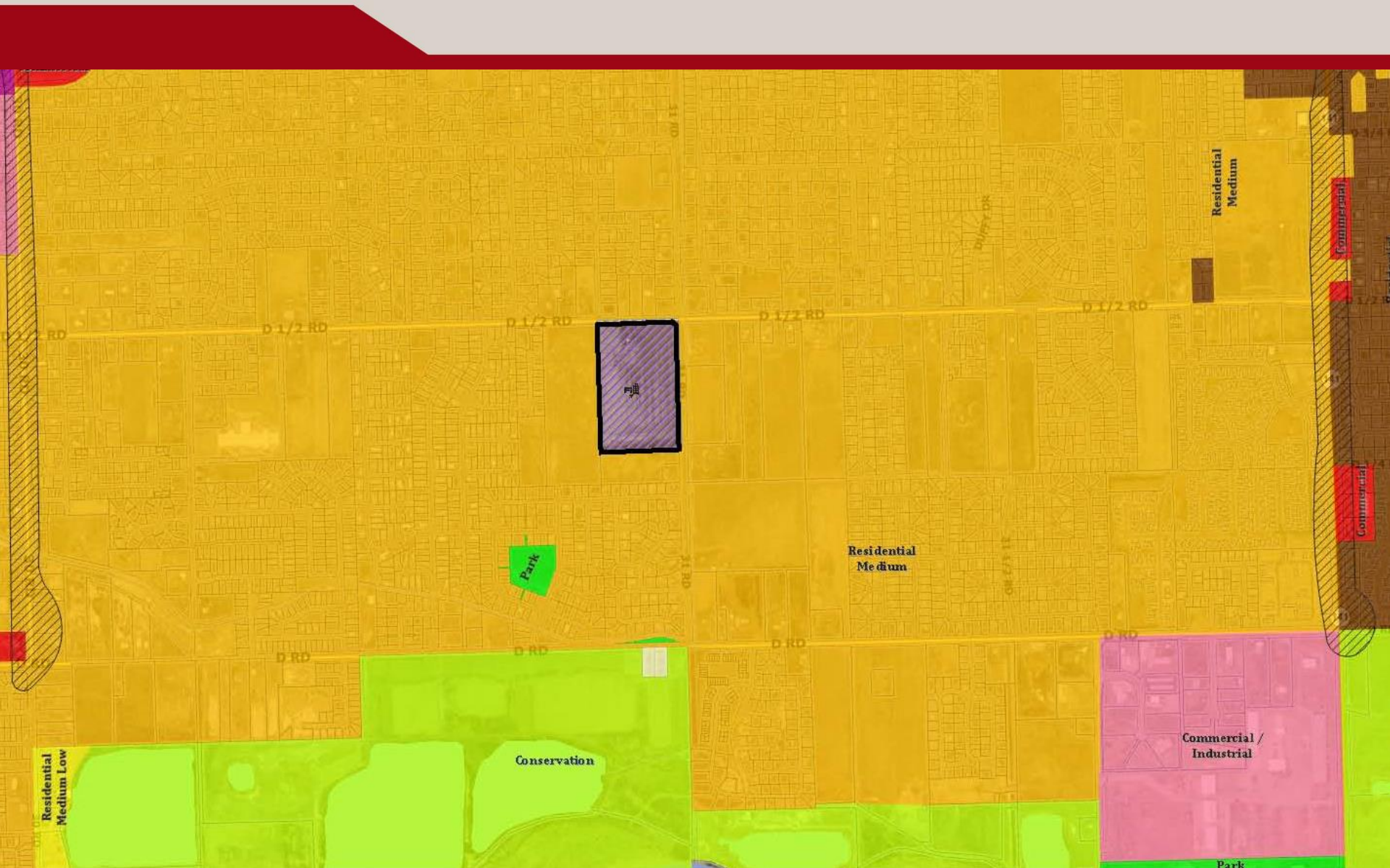
Grand Junction City Council

August 21, 2019 – 6:00 PM

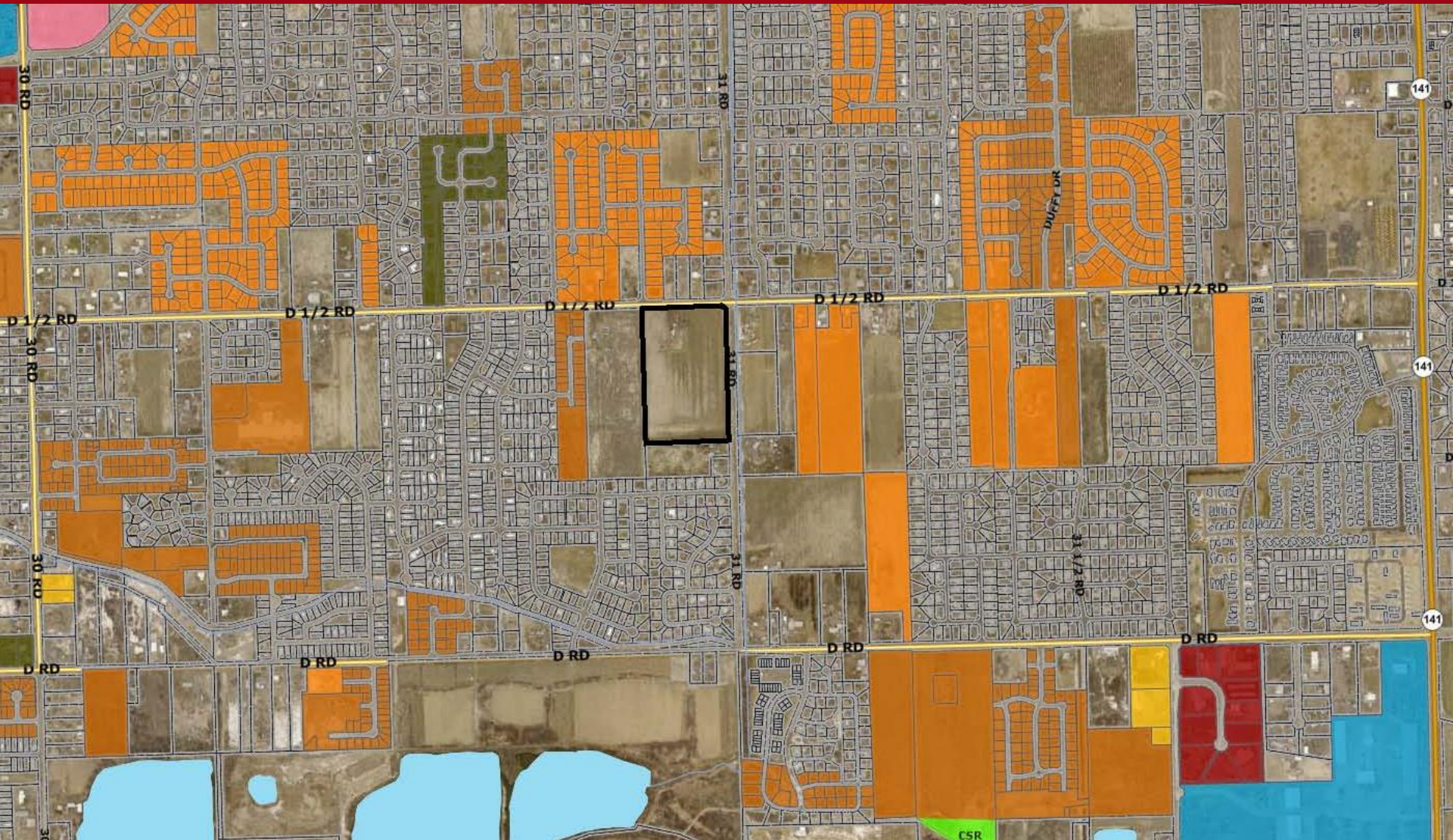
Location Map

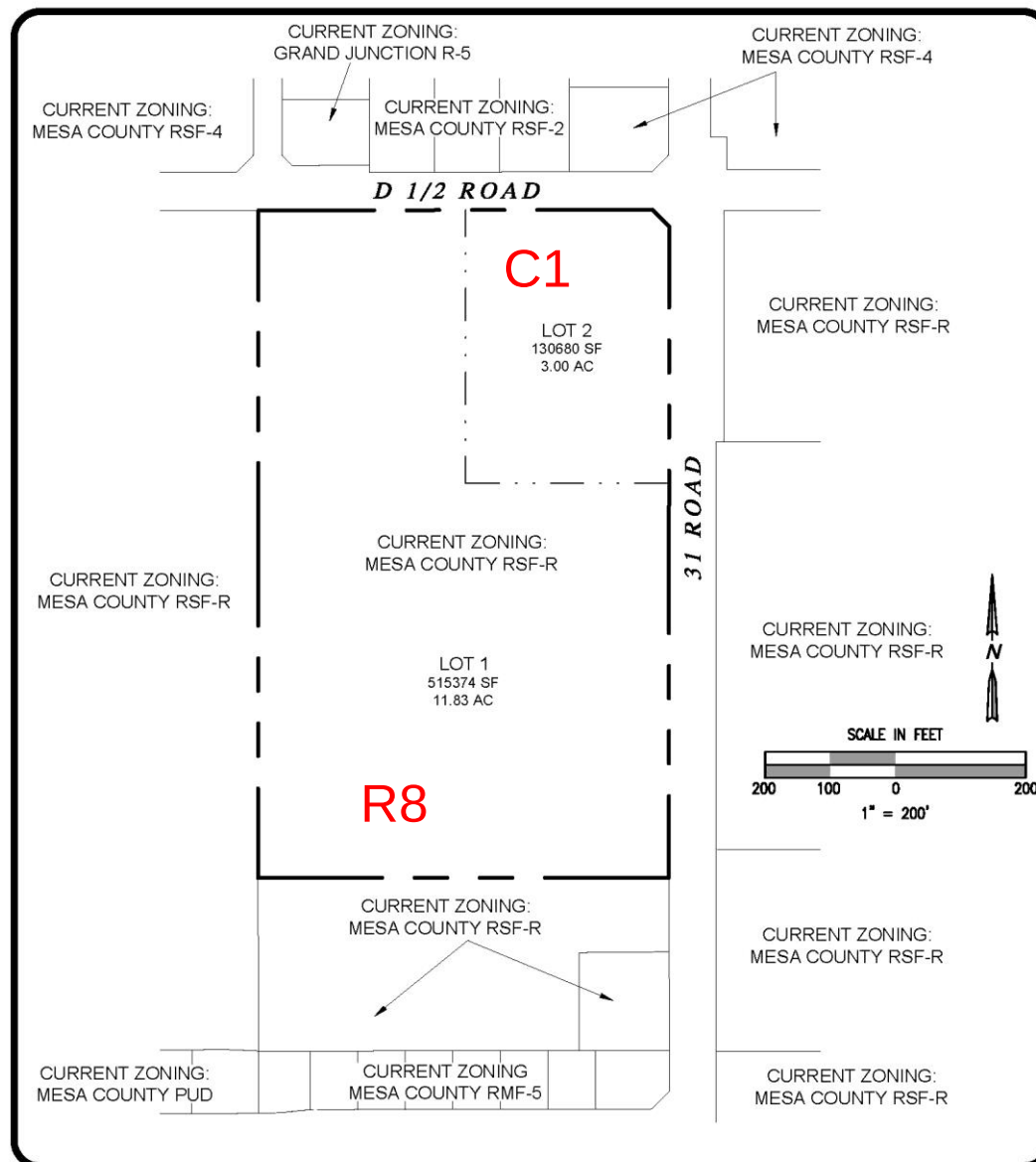


Future Land Use Map



Zoning Map





MILLER ANNEXATION
3095 D 1/2 ROAD
GRAND JUNCTION, CO

PROJECT NO:
F18-082

DATE:
02/06/19

DRAWN BY:
ABL

CHECKED BY:
RWJII

- Civil & Consulting Engineering
- Construction Management & Site Planning
- Feasibility Studies Permit Expediting
- Environmental Scientists
- Project Management
- Hydrologic Studies

Prepared By
VORTEX
ENGINEERING, INC.
 2394 Patterson Rd., Ste. 201
 Grand Junction, CO 81505
 (970) 245-9051

Approval Criteria

In the staff report dated July 23, 2019, staff found that the review criteria of Section 21.02.140(a) have been met. Staff further found that the request meets several goals and policies of the Grand Junction Comprehensive Plan.

Planning Commission Recommendation

At the July 23, 2019 meeting the Planning Commission forwarded a recommendation of **approval** to the Grand Junction City Council for the request to apply the C1 and R8 zone districts.



Conclusion

The applicant respectfully requests a recommendation of **approval** to the Grand Junction City Council of the request for the C1 and R8 zone districts for the Two Ponies Annexation.



Grand Junction City Council

Regular Session

Item #5.b.i.

Meeting Date: August 21, 2019

Presented By: Jodi Romero, Finance Director

Department: City Manager's Office

Submitted By: Jodi Romero, Finance Director

Information

SUBJECT:

An Ordinance for Supplemental Appropriation for the Acquisition of Real Property

RECOMMENDATION:

Adopt proposed ordinance regarding 2019 supplemental appropriations for property acquisition.

EXECUTIVE SUMMARY:

This request is to appropriate funds and authorize spending for the acquisition of real property at 1441 Winters Avenue from Winters Ave, LLC. for a purchase price of \$1,800,000. The funds are available in the General Fund Reserve Balance and authorized to be used for this purpose as described in the General Fund Minimum Reserve Policy adopted by City Council.

BACKGROUND OR DETAILED INFORMATION:

City Council authorizes spending at a fund level. The authorization occurs through the adoption of the Appropriations Ordinance. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures.

FISCAL IMPACT:

The funds are available in the General Fund Reserve Balance and authorized to be used for this purpose as described in the General Fund Minimum Reserve Policy adopted by City Council. Currently the funds above the Minimum Reserve are projected to be \$2.8 million at 12/31/2019, \$4.4 will be replenished into the available

reserves for Fire Station #6 from the First Responder Sales Tax revenue bringing the funds above the minimum reserves to an estimated \$7.2 million.

The purchase price is \$1,800,000 and the funds appropriated include an estimated \$5,000 for environmental testing and closing costs for a total of \$1,805,000.

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City. The ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4870, an ordinance making Supplemental Appropriations to the 2019 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2019 and ending December 31, 2019.

Attachments

1. Ordinance Supplemental Appropriation

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2019 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019.

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2019 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General Fund	100	\$ 1,805,000

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2019.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2019.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #6.a.

Meeting Date: August 21, 2019

Presented By: John Shaver, City Attorney

Department: City Attorney

Submitted By: John Shaver, City Attorney

Information

SUBJECT:

A Resolution Setting a Title and Submitting to the Electorate on November 5, 2019 a Measure Concerning the Issuance of Bonds to Finance Transportation Improvements and to Retain and Spend Revenues as Defined by Article X, Section 20 of the Colorado Constitution for Payment of Transportation Debt and Providing Other Details Relating Thereto

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to place a question on the November ballot concerning the issuance of bonds for transportation improvements.

BACKGROUND OR DETAILED INFORMATION:

The City has experienced significant growth, which coupled with aging transportation infrastructure as well as the limited resources to provide safe, effective and efficient walking, biking and driving routes on many roads requires the City Council to consider the attached measure to be referred to the voters.

The estimated cost of improving the transportation system is significant and without a commitment toward tackling the problems, the cost and impact on users will only increase. Projects proposed with this ballot question will be funded without increasing taxes; however, it is necessary to issue bonds and to use funds above limits established by Article X, Section 20 of the Colorado Constitution ("TABOR") for

purposes of the projects and to help fund the repayment of the debt.

On June 24, staff met with members of the Citizens Transportation Finance Committee to discuss the possibility of the City moving forward with a transportation funding ballot question in the Fall of 2019.

The committee recommended the City pursue a funding strategy for a series of projects around the community that would enhance transportation capacity. The committee's recommendations were as follows:

- \$50-\$70 million debt authorization
- Utilize TABOR excess (after 2022) and funds currently allocated to service the Riverside Parkway (after this debt is paid off) to service the new debt
- Ballot question November 2019

A Community Meeting was held on July 31st. The meeting was attended by several members of the community and received media coverage. Feedback was provided on the transportation options discussed.

Staff analysis as well as comments received from the Committee, Community Meeting and City Council have led to the recommendation of the following projects:

- B 1/2 Road from 29 Road to 29 3/4 Road*
- D 1/2 Road from 29 Road to 30 Road*
- F 1/2 Road Parkway from 24 Road to Patterson Road
- F 1/2 Road from 30 to 30 3/4 Road*
- G Road from 23 1/2 to 24 1/2 Road*
- 24 Road widening from Patterson to I-70
- 24 1/2 Road from Patterson to G 1/4 Road*
- 26 1/2 Road from Horizon Drive to Summerhill Way and including a bike and pedestrian bridge at I-70*
- A roundabout on Horizon Drive at the intersection of G Road / 27 1/2 Road
- Intersection and turn lane improvements at five locations on Patterson Road
- A Roundabout serving River Road and the Redlands Parkway near Junior Service League Park, including a bike and pedestrian path to connect to Canyon View Park

*Projects that also benefit Safe Routes to School.

If successful, construction could start by the latter part of 2020 with utility relocations.

FISCAL IMPACT:

The City Clerk's 2019 budget included \$33,000 for a November election. Staff has requested an estimate from the Mesa County Election's department for the cost to participate; they will have an estimate once they know how many entities plan to have a question on the November ballot.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 55-19, a resolution setting a title and submitting to the electorate on November 5, 2019 a measure concerning the issuance of bonds to finance transportation improvements and to retain and spend revenues as defined by Article X, Section 20 of the Colorado Constitution for payment of transportation debt and providing other details Relating thereto.

Attachments

1. Resolution Transportation Funding
2. Support Letter from Horizon Drive BID

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34 2. Pursuant to the Charter and all other applicable laws of the State of Colorado, the Council
35 hereby determines that an election shall be held on November 5, 2019 at which there shall be
36 submitted to the registered electors of the City the question set forth herein.

37 3. The Council hereby authorizes and directs the City Clerk to submit the following ballot title to
38 the registered electors on Tuesday, November 5, 2019.

39 *City of Grand Junction Referred Measure* __

40 ***AUTHORIZING THE CITY TO INCUR ADDITIONAL DEBT FOR TRANSPORTATION***

41 ***PROJECTS COLLECTIVELY KNOWN AND REFERRED TO AS THE KEEP GRAND***

42 ***JUNCTION MOVING WITH NO NEW TAXES PLAN ("PLAN") AND TO KEEP***

43 ***AND SPEND FUNDS IN EXCESS OF AMOUNTS WHICH THE CITY IS PERMITTED TO***
44 ***KEEP***

45 ***AND SPEND UNDER TABOR IN ORDER TO PAY DEBT SERVICE AND FINANCING***
46 ***AND***

47 ***CONSTRUCTION COSTS OF SPECIFIED TRANSPORTATION IMPROVEMENT***

48 ***PROJECTS.***

49 ***WITHOUT ANY INCREASE OF ANY EXISTING TAX RATE AND WITHOUT IMPOSING***

50 ***ANY NEW TAXES SHALL CITY OF GRAND JUNCTION, COLORADO (CITY) DEBT BE***

51 ***INCREASED UP TO \$70,000,000.00 WITH A REPAYMENT COST OF UP TO***

52 ***\$114,000,000.00 TO PROVIDE FINANCING FOR THE PURPOSE OF PAYING FOR ALL***

53 ***OR ANY PORTION OF THE COSTS OF THE DESIGN, CONSTRUCTION AND***

54 ***MAINTENANCE OF TRANSPORTATION IMPROVEMENTS WHICH INCLUDE***

55 ***SIDEWALK,***

56 ***ROAD, PEDESTRIAN AND BIKE ROUTE IMPROVEMENTS***

57 • ***TO B 1/2 ROAD FROM 29 TO 29 3/4 ROADS,***

58

59 • ***D 1/2 ROAD FROM 29 TO 30 ROAD,***

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61 • ***F 1/2 ROAD PARKWAY FROM 24 ROAD TO PATTERSON ROAD,***

62

63 • ***F 1/2 ROAD FROM 30 TO 30 3/4 ROAD,***

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- 65 • ***G ROAD FROM 23 1/2 TO 24 1/2 ROAD,***
- 66
- 67 • ***24 ROAD FROM PATTERSON ROAD TO I-70,***
- 68
- 69 • ***24 1/2 ROAD FROM PATTERSON ROAD TO G 1/4 ROAD,***
- 70
- 71 • ***26 1/2 ROAD FROM HORIZON DRIVE TO SUMMERHILL WAY AND***
- 72
- 73 ***INCLUDING A BIKE AND PEDESTRIAN BRIDGE AT I-70,***
- 74
- 75 • ***A ROUNDABOUT AT HORIZON DRIVE, G ROAD AND 27 1/2 ROAD***
- 76
- 77 ***INTERSECTION,***
- 78
- 79 • ***AND INTERSECTION AND TURN LANE IMPROVEMENTS AT FIVE***
- 80 ***LOCATIONS***
- 81
- 82 ***ON PATTERSON ROAD, AND***
- 83
- 84 • ***IMPROVEMENTS TO RIVER ROAD AND THE REDLANDS PARKWAY***
- 85
- 86 ***NEAR THE JUNIOR SERVICE LEAGUE PARK, INCLUDING A BIKE AND***
- 87
- 88 ***PEDESTRIAN PATH TO CONNECT TO CANYON VIEW PARK;***
- 89 ***SHALL SUCH DEBT BE PAYABLE FROM SUCH CITY REVENUES AS THE CITY***
- 90 ***COUNCIL MAY DETERMINE AND BE ISSUED WITH SUCH TERMS AS THE CITY***
- 91 ***COUNCIL DETERMINES TO BE NECESSARY AND IN THE BEST INTERESTS OF***
- 92 ***THE CITY; AND WITHOUT ANY INCREASE OF ANY EXISTING TAX RATE AND***
- 93 ***WITHOUT***
- 94 ***IMPOSING ANY NEW TAXES, SHALL THE CITY BE AUTHORIZED BEGINNING IN***
- 95 ***2023,***
- 96 ***TO CONTINUE TO COLLECT, RETAIN AND SPEND, UNTIL NO LATER THAN 2037,***
- 97 ***ALL***
- 98 ***REVENUES IN EXCESS OF AMOUNTS WHICH THE CITY IS PERMITTED***

99 ***TO COLLECT, RETAIN, AND SPEND UNDER ARTICLE X, SECTION 20 OF THE***
100 ***COLORADO CONSTITUTION (TABOR) FOR THE PURPOSE OF PAYING CITY DEBT***
101 ***ISSUED FOR STREET IMPROVEMENT PROJECTS AND TO MAINTAIN NEW AND***
102 ***EXISTING TRANSPORTATION INFRASTRUCTURE?***

103 _____ **YES** _____ **NO**

104 4. If a majority of the votes cast on the question to authorize the bonds and project financing
105 submitted at the election shall be in favor as provided in such question, then the City acting
106 through the Council shall be authorized to proceed with the necessary action to issue the bonds
107 and finance the project(s) in accordance with the question. Any authority to issue bonds and
108 finance the project(s), if conferred by the results of the election, shall be deemed and considered
109 a continuing authority and the partial exercise of the authority so conferred shall not be
110 considered as exhausting or limiting the full authority so conferred. If a majority of the votes cast
111 on the question to incur debt submitted at the election is in favor of incurring debt as provided in
112 such question, the City intends to issue such debt in the approximate aggregate principal amount
113 of \$70,000,000.00 to pay the costs of the projects described in the debt question, including the
114 reimbursement of certain costs incurred by the City prior to the execution and delivery of such
115 debt, upon terms acceptable to the City, as authorized in an ordinance to be hereafter adopted and
116 to take all further action which is necessary or desirable in connection therewith. The officers,
117 employees, and agents of the City shall take all action necessary or reasonably required to carry
118 out, give effect to, and consummate the transactions contemplated hereby and shall take all
119 action necessary or desirable to finance the project and to otherwise carry out the transactions
120 contemplated by this resolution. This resolution is intended to be a declaration of "official
121 intent" to reimburse expenditures within the meaning of Treasury Regulation §1.150-2. The City
122 shall not use reimbursed moneys for purposes prohibited by Treasury Regulation §1.150-2(h).

123 5. Pursuant to Article XX of the State Constitution and the Charter, all State statutes that might
124 otherwise apply in connection with the provisions of this ordinance (including, without
125 limitation, § 31-11-111, C.R.S.) are hereby superseded to the extent of any inconsistencies or
126 conflicts between the provisions of this ordinance and such statutes. Any such inconsistency or
127 conflict is intended by the City Council and shall be deemed made pursuant to the authority of
128 Article XX of the State Constitution and the Charter.

129 6. Pursuant to §1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot
130 question election concerning the order of the ballot or the form or content of the ballot title shall
131 be commenced by petition filed with the proper court within five days after the title of the ballot
132 issue or ballot question is set, and for contests concerning the order of a ballot, within five days
133 after the ballot order is set by the county clerk and recorder and not thereafter.

134 7. The officers of the City are hereby authorized and directed to take all action necessary or
135 appropriate to effectuate the provisions of this resolution.

136 8. If any section, paragraph, clause or provision of this resolution shall for any reason be held to
137 be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause
138 or provision shall in no manner affect any remaining provisions of this resolution, the intent
139 being that the same are severable.

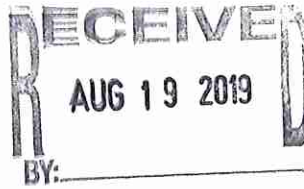
140 INTRODUCED, READ AND APPROVED this 21st day of August 2019.

141 _____
142 Rick Taggart
143 Mayor and President of the City Council
144

145 ATTEST:

146 _____
147 Wanda Winkelmann
148 City Clerk
149

August 19, 2019



City Council
250 North Fifth Street
Grand Junction, Colorado 81501

Greetings, Mayor Taggart and Council members:

The Horizon Drive Business Improvement District (HDD) supports Resolution No. 55-19 for a November 5, 2019 ballot measure to issue bonds to finance transportation improvements and to retain and spend excess TABOR revenues for payment of transportation debt. We were pleased to see the much-needed roundabout at Horizon Drive and G Road / 27 ½ Road on the list of projects to be funded by the bond issue.

This intersection has been problematic for many years. Accidents are trending up, according to reports from the Grand Junction Police Department. There were 11 accidents at Horizon Drive and G Road (27 ½ Rd) between June 2017 and June 2019, and 9 accidents between June 2015 and June 2017. Some of these accidents may have been the result of driver frustration due to lengthy wait times, as we have been receiving reports of queues stretching to Applebee's Restaurant for southbound traffic turning east on G Road. Northbound traffic has been reported backing up to the Safeway complex, and complaints have been received about the G Road traffic attempting to turn north on Horizon Drive as well. After waiting through several signal cycles, drivers have been observed running the red light and creating a hazardous situation.

In addition, two important development projects have been turned down by the City planning department because of access problems at this intersection. Developers were told these problems will be solved by a roundabout at some time in the future. Economic development is being held back at a time it is much needed, and the future is now.

We appreciate Council recognizing the need to solve this problem at the "Gateway to Grand Junction"™. Traffic flow has improved along Horizon Drive since the roundabouts were constructed at Horizon Drive and I-70 in phase 1 of our Corridor Improvement Project, and we believe the roundabout at Horizon Drive and G Road (27 ½ Road) will continue to improve traffic flow along this very busy corridor.

Best regards,

A handwritten signature in blue ink that reads "Vara Kusal".

Vara Kusal
Executive Director

VISIT THE DISTRICT
www.HORIZONDRIVEDISTRICT.COM

970.985.1833
2764 Compass Drive, Suite 205 Grand Junction, CO 81506



Grand Junction City Council

Regular Session

Item #6.b.

Meeting Date: August 21, 2019

Presented By: John Shaver, City Attorney

Department: City Attorney

Submitted By: John Shaver

Information

SUBJECT:

An Ordinance Placing a Charter Amendment Concerning the Authorized Length of Leases on the Election Ballot for the Regular Municipal Election and Setting a Public Hearing for September 4, 2019

RECOMMENDATION:

Staff recommends adoption of the ordinance.

EXECUTIVE SUMMARY:

The purpose of this item is to place a Charter amendment on the November ballot concerning the leasing of property in and near Las Colonias.

BACKGROUND OR DETAILED INFORMATION:

The City Council has considered and determined that the Charter provision limiting leases of public property to a term of twenty-five years is not conducive to continued development of the Las Colonias Business Park and are considering an ordinance to refer a question to the November 2019 ballot to amend the Charter.

The City and the DDA have made substantial investment in the Business Park and increasing the term from twenty-five up to ninety-nine years, specifically and only for approximately 20 acres of property in the Las Colonias Business Park and 2.5 acres to the East of the Las Colonias Amphitheater and for approximately 13.5 acres of City property, including 1441 Winters Avenue all North of the Park and the Riverside Parkway, will be of substantial benefit to continued development by allowing the highest and best use of that property and in turn contribute to economic development in

the community.

FISCAL IMPACT:

No direct fiscal impact of this action.

SUGGESTED MOTION:

I move to introduce an ordinance placing a Charter Amendment to change the authorized length of leases of certain public property from twenty-five up to ninety-nine years on the election ballot for the Special Municipal Election to be held the 5th day of November, 2019 and set a public hearing for September 4, 2019.

Attachments

1. Ordinance Red-lined Leases
2. Ordinance Leases

1 CITY OF GRAND JUNCTION, COLORADO

2 ORDINANCE NO. ____

3 AN ORDINANCE PLACING A CHARTER AMENDMENT TO CHANGE THE
4 AUTHORIZED LENGTH OF LEASES OF CERTAIN PUBLIC PROPERTY FROM
5 TWENTY-FIVE UP TO NINETY-NINE YEARS ON THE ELECTION BALLOT FOR THE
6 SPECIAL MUNICIPAL ELECTION TO BE HELD THE 5TH DAY OF NOVEMBER, 2019

7 Recitals.

8 Pursuant to §151 of the Grand Junction City Charter, the Charter may be amended at any time in
9 the manner provided by Article XX of the Constitution of the State of Colorado, and more than
10 one Charter amendment or measure may be submitted to the voters in any one election.

11 The City Council has determined that the Charter provision limiting leases of public property to
12 a term of twenty-five years may be unduly restrictive and that increasing the term from twenty-
13 five up to ninety-nine years, specifically and only for approximately ~~15.20~~ acres of property in
14 the Las Colonias Business Park ~~and 2.5 acres to the East of the Las Colonias Amphitheater~~ and
15 for approximately 13.5 acres of City property, including 1441 Winter Avenue all North of the
16 Park and the Riverside Parkway, will benefit the public by allowing the highest and best use of
17 that property and in turn contribute to economic development in the community.

18 The Las Colonias Business Park, including the parcels North of the Riverside Parkway, comprise
19 less than one percent of the City's total parkland holdings. The proposed Charter amendment is
20 specific in location and acreage and applies to no other City property.

21 Leasing of any public property is permissive and within the sole and sound discretion of the City
22 Council on terms it deems necessary and appropriate, including the acreage of any parcel, and
23 the compensation to be paid therefor; amending the Charter will only change the possible term of
24 the lease.

25 Therefore, the City Council desires to present to the City voters a change to the City Charter,
26 allowing the voters to determine if the change would be in the best interest of the City.

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

29 That a question of proposed amendment to Section 124 of the Charter to increase the length of
30 the allowed term of lease of property in and near the Las Colonias Business Park from twenty-
31 five to ninety-nine years, as follows, and incorporating the foregoing recitals, be placed on the
32 November 5, 2019 ballot:

33 **City of Grand Junction**

34 **Shall there be an amendment to Article XIV, Section 124 of the City Charter to increase**
35 **the authorized lease term for ~~up to 36 acres of~~ property in and ~~adjacent to the near~~ Las**
36 **Colonias Business Park from 25 years to a term not to exceed a total of 99 years?**

37 If approved, Section 124 will read, in relevant part, and without amendment of the balance
38 of the Section, as follows:

39 *124. "No franchise, lease or right to use the streets or the public places, or property of*
40 *the city, shall be granted by the city, except as in this Charter provided, for a period*
41 *longer than twenty-five years. The City may lease, for a term not to exceed 99 years,*
42 *~~approximately 22.5 acres, or all or a portion(s) thereof,~~ of property in or adjacent to*
43 *~~near~~ the Las Colonias Business Park some of which is ~~and approximately 13.5 acres,~~*
44 *~~or a portion(s) thereof,~~ North of the Riverside Parkway including the property at 1441*
45 *Winters Avenue, all as described in Ordinance No. ____."*

46 _____ FOR THE AMENDMENT

47 _____ AGAINST THE AMENDMENT

48

49 INTRODUCED ON FIRST READING AND ORDERED PUBLISHED THIS 21ST DAY OF
50 AUGUST, 2019.

51 PASSED AND ADOPTED THIS 4TH DAY OF SEPTEMBER, 2019.

1 CITY OF GRAND JUNCTION, COLORADO

2 ORDINANCE NO. ____

3 AN ORDINANCE PLACING A CHARTER AMENDMENT TO CHANGE THE
4 AUTHORIZED LENGTH OF LEASES OF CERTAIN PUBLIC PROPERTY FROM
5 TWENTY-FIVE UP TO NINETY-NINE YEARS ON THE ELECTION BALLOT FOR THE
6 SPECIAL MUNICIPAL ELECTION TO BE HELD THE 5TH DAY OF NOVEMBER, 2019

7 Recitals.

8 Pursuant to §151 of the Grand Junction City Charter, the Charter may be amended at any time in
9 the manner provided by Article XX of the Constitution of the State of Colorado, and more than
10 one Charter amendment or measure may be submitted to the voters in any one election.

11 The City Council has determined that the Charter provision limiting leases of public property to
12 a term of twenty-five years may be unduly restrictive and that increasing the term from twenty-
13 five up to ninety-nine years, specifically and only for approximately 15 acres of property in the
14 Las Colonias Business Park and for approximately 13.5 acres of City property, including 1441
15 Winter Avenue all North of the Park and the Riverside Parkway, will benefit the public by
16 allowing the highest and best use of that property and in turn contribute to economic
17 development in the community.

18 The Las Colonias Business Park, including the parcels North of the Riverside Parkway, comprise
19 less than one percent of the City's total parkland holdings. The proposed Charter amendment is
20 specific in location and acreage and applies to no other City property.

21 Leasing of any public property is permissive and within the sole and sound discretion of the City
22 Council on terms it deems necessary and appropriate, including the acreage of any parcel, and
23 the compensation to be paid therefor; amending the Charter will only change the possible term of
24 the lease.

25 Therefore, the City Council desires to present to the City voters a change to the City Charter,
26 allowing the voters to determine if the change would be in the best interest of the City.

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

29 That a question of proposed amendment to Section 124 of the Charter to increase the length of
30 the allowed term of lease of property in and near the Las Colonias Business Park from twenty-
31 five to ninety-nine years, as follows, and incorporating the foregoing recitals, be placed on the
32 November 5, 2019 ballot:

33 **City of Grand Junction**

34 **Shall there be an amendment to Article XIV, Section 124 of the City Charter to increase**
35 **the authorized lease term for property in and adjacent to the Las Colonias Business Park**
36 **from 25 years to a term not to exceed a total of 99 years?**

37 If approved, Section 124 will read, in relevant part, and without amendment of the balance
38 of the Section, as follows:

39 *124. "No franchise, lease or right to use the streets or the public places, or property of*
40 *the city, shall be granted by the city, except as in this Charter provided, for a period*
41 *longer than twenty-five years. The City may lease, for a term not to exceed 99 years,*
42 *all or a portion(s) of property in or adjacent to the Las Colonias Business Park some*
43 *of which is North of the Riverside Parkway including the property at 1441 Winters*
44 *Avenue, all as described in Ordinance No. ____."*

45 _____ FOR THE AMENDMENT

46 _____ AGAINST THE AMENDMENT

47

48 INTRODUCED ON FIRST READING AND ORDERED PUBLISHED THIS 21ST DAY OF
49 AUGUST, 2019.

50 PASSED AND ADOPTED THIS 4TH DAY OF SEPTEMBER, 2019.



Grand Junction City Council

Regular Session

Item #6.c.

Meeting Date: August 21, 2019

Presented By: Greg Caton, City Manager

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

A Resolution Calling a Special Election for November 5, 2019

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to call a Special Municipal Election to be held in conjunction with the November 5, 2019 Mesa County Coordinated Election.

BACKGROUND OR DETAILED INFORMATION:

Mesa County Clerk and Recorder Tina Peters will be conducting an election on November 5, 2019. On July 2, 2019 the City Clerk informed Ms. Peters that the City intends to participate in the November election.

If City Council decides to place any measures on the ballot, the following steps will be taken:

1. An Intergovernmental Agreement (IGA) will be entered into with Mesa County;
2. Staff will certify ballot language by Friday, September 5, 2019 to the County Clerk.

Additional actions, as required by State statute, will be conducted by the City Clerk as the Designated Election Official.

FISCAL IMPACT:

The City Clerk's 2019 budget included \$33,000 for a November 2019 Special Election.

In 2018, the cost for Grand Junction's participation in the November 2018 election was \$21,266.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 56-19, a resolution calling a Special Election in the City of Grand Junction, Colorado concerning the issuance of bonds to finance transportation improvements and a Charter amendment to increase lease terms and providing other details relating thereto.

Attachments

1. Resolution Calling Special Election November 2019

RESOLUTION NO. XX-19

A RESOLUTION CALLING A SPECIAL ELECTION IN THE CITY OF GRAND JUNCTION, COLORADO CONCERNING THE ISSUANCE OF BONDS TO FINANCE TRANSPORTATION IMPROVEMENTS AND A CHARTER AMENDMENT TO INCREASE LEASE TERMS AND PROVIDING OTHER DETAILS RELATING THERETO

WHEREAS, the City of Grand Junction, in the County of Mesa and State of Colorado (the "City"), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter (the "Charter"); and

WHEREAS, the members of the City Council of the City (the "Council") have been duly elected and qualified; and

WHEREAS, the Council hereby finds and determines that it is in the public interest to pose certain questions to the electors regarding incurring debt for transportation projects and amending the Charter to increase lease terms; and

WHEREAS, Article X, Section 20 of the Constitution ("TABOR") requires voter approval for tax and debt measures and for spending certain moneys above limits established by TABOR; and

WHEREAS, TABOR requires the City to submit ballot issues (as defined in TABOR) to the City's electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 5, 2019, is one of the election dates at which ballot issues may be submitted to the City's electors pursuant to TABOR; and

WHEREAS, the County Clerk of Mesa County (the "County Clerk") is conducting a coordinated election on November 5, 2019, pursuant to §1-7-116, C.R.S.; and

WHEREAS, the Council is of the opinion that the City should seek voter approval for the purposes provided in this resolution and each resolution setting the ballot question; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election.

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

Section 1. All actions heretofore taken (not inconsistent with the provisions of this resolution) by the City and the officers thereof, directed towards the election and the objects and purposes herein stated are hereby ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings defined in §1-1-104, C.R.S., and TABOR.

Section 2. Pursuant to the Uniform Election Code and all other applicable laws of the State of Colorado, the Council hereby determines that an election shall be held on November 5, 2019, at which there shall be submitted to the registered electors of the City the questions described in Section 3. hereof. The City shall participate in the coordinated election being conducted by the County Clerk on November 5, 2019. The officers of the City are authorized to enter into an intergovernmental agreement with the County Clerk pursuant to §1-7-116 of the Uniform Election Code. Any such intergovernmental agreements heretofore entered into in connection with the Election are hereby ratified, approved and confirmed.

Section 3. The Council hereby authorizes and directs the designated election official to certify to the County Clerk, on or before September 6, 2019, the ballot issues in substantially the form of each resolution pertaining to the same.

Section 4. The Council hereby appoints the City Clerk as the designated election official for purposes of performing acts required or permitted by law in connection with the election. Pursuant to §1-1-111(2), C.R.S., all powers and authority granted to the Council may be exercised by the designated election official, including but not limited to the power to appoint election judges.

Section 5. If a majority of the votes cast on each question are in favor, then the City shall be authorized to act as provided in the questions and if a majority of the votes cast on each question are opposed then the City shall not be authorized to act.

Section 6. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

INTRODUCED, READ, APPROVED, AND ADOPTED this ____ day of _____, 2019.

President of the Council

ATTEST:

City Clerk