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**CITY COUNCIL AGENDA
WEDNESDAY, NOVEMBER 6, 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, Invocation

Collbran Congregational Church Pastor Anne Djokic

The invocation is offered for the use and benefit of the City Council. The invocation is intended to solemnize the occasion of the meeting, express confidence in the future, and encourage recognition of what is worthy of appreciation in our society. During the invocation you may choose to sit, stand, or leave the room.

Presentations

Summary of November Election Results: Ballot Questions Related to Funding Transportation Projects and a Charter Amendment Regarding Leases

Proclamations

Proclaiming November 11, 2019 as A Salute to All Veterans

Appointments

To the Grand Junction Housing Authority

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.

City Manager Report

Council Reports

CONSENT AGENDA

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

1. Approval of Minutes

- a. Summary of the October 14, 2019 Workshop
- b. Minutes of the October 16, 2019 Regular Meeting
- c. Minutes of the October 16, 2019 Special Session
- d. Summary of the October 28, 2019 Workshop

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 to Residential Low 0.5 to 2 Units Per Acre and Rezoning to R-1 (Residential 1 Unit Per Acre) a 23.16-Acre Portion of a Property Located at 400 23 Road, More Particularly Described as a Site at the East End of Canyon Rim Drive and Set a Public Hearing for November 20, 2019
 - ii. Introduction of an Ordinance Amending Various Sections of the Zoning and Development Code (Title 21), Greater Downtown Overlay (Title 24), 24 Road Corridor Design Standards (Title 25), and Transportation Engineering Design Standards (Title 29) to Clarify Administrative Procedures, Remove Inconsistencies and Modify Standards and Set a Public Hearing for November 20, 2019
- b. Legislative

- i. Introduction of an Ordinance Making Supplemental Appropriation for Grand Valley Catholic Outreach Property Acquisition and Set a Public Hearing for November 20, 2019

3. Contracts

- a. An Amendment to an Agreement Between the City of Grand Junction, the Grand Junction Rural Fire Protection District and the Redlands Subdistrict

4. Resolutions

- a. A Resolution Supporting the Application for a Bureau of Reclamation Grant for Pressure Control Tank Project
- b. Resolution Vacating a Portion of a 20-Foot Wide Public Sanitary Sewer Easement Located at 2424 Hwy 6 & 50
- c. Resolution Authorizing the City Manager to Submit a Grant Application for CDOT's Transportation Alternatives Program for the Riverfront at Dos Rios to Downtown Pedestrian Bridge
- d. Resolution Adopting the Strategic Plan

REGULAR AGENDA

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

5. Contracts

- a. Contract Approval for Construction Management/General Contractor for the City of Grand Junction Fire Station #6

6. Public Hearings

- a. Quasi-judicial
 - i. An Ordinance Amending Industrial Pretreatment Regulations (Title 13) of the Grand Junction Municipal Code Section 13.04.370 Regarding Limits for Metals in Industrial Wastewater Discharge

- ii. An Ordinance to Adopt the 2019 Grand Junction, Colorado, Downtown Development Authority Plan of Development Entitled “Vibrant Together”
 - iii. A Resolution Accepting the Petition for Annexation of 1.999-Acres of Land and Ordinances Annexing and Zoning the Adams II Annexation to R-8 (Residential - 8 du/ac), Located at 216 27 ½ Road
 - iv. A Resolution Accepting the Petition for Annexation of 2.00 Acres of Land and Ordinances Annexing and Zoning Zona’s Annexation to C-1 (Light Commercial), Located at 408 29 Road
- b. Legislative
 - i. An Ordinance Amending Title 3, Chapter 8 of the Grand Junction Municipal Code Pertaining to Lodging Tax for Online Travel Companies and Short Term Rentals and the Three Percent Lodging Tax Increase as Approved by the Voters in the November 6, 2018 Election
 - ii. An Ordinance Amending Section 3.12.030 of Chapter 3 of the Grand Junction Municipal Code Concerning the Imposition, Collection and Enforcement of the Sales and Use Tax and Amending the Tax Rate

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: November 6, 2019

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

Summary of November Election Results: Ballot Questions Related to Funding Transportation Projects and a Charter Amendment Regarding Leases

RECOMMENDATION:

For City Council information.

EXECUTIVE SUMMARY:

Review the election results of the Transportation Funding and Charter Amendment Ballot Questions.

BACKGROUND OR DETAILED INFORMATION:

At the August 21, 2019 Regular City Council meeting, a resolution was adopted to place a question on the November ballot to fund transportation projects. Additionally, an ordinance was adopted on September 4, 2019 to place a question on the November ballot to extend the length of leases for property near the Las Colonias Business Park from 25 years to 99 years. As election results will be available after the packet deadline, staff will present them at the November 6, 2019 City Council meeting.

FISCAL IMPACT:

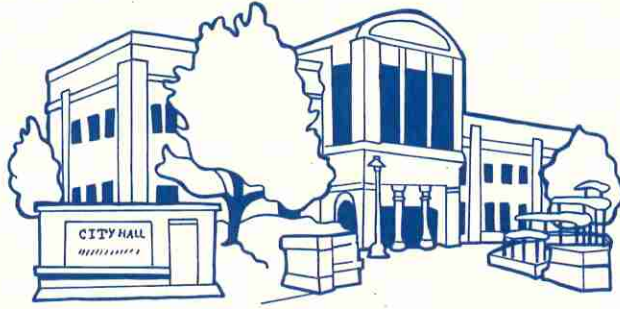
N/A

SUGGESTED MOTION:

N/A

Attachments

None



City of Grand Junction, State of Colorado

Proclamation

Whereas, our Veterans have made sacrifices and worked diligently to keep our nation free; and

Whereas, it is right for our community and our Nation to seek ways in which to recognize and show our appreciation for those men and women who have faithfully served our country; and

Whereas, the citizens across the United States will be celebrating Veteran's Day on November 11, 2019; and

Whereas, it is proper for citizens to honor our Veteran's service to our country and there will be a Veterans Day parade on Saturday, November 9, 2019 in Grand Junction beginning at 2:00 pm on Main Street; and

Whereas, this event will be the 27th annual local parade and salute to our Veterans.

NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim November 11, 2019 as

"A Salute to All Veterans 2019"

in the City of Grand Junction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 6th day of November, 2019.

A handwritten signature in black ink.

Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: November 6, 2019

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Grand Junction Housing Authority

RECOMMENDATION:

Appoint members to the Grand Junction Housing Authority.

EXECUTIVE SUMMARY:

There is one vacancy on the Grand Junction Housing Authority.

BACKGROUND OR DETAILED INFORMATION:

Vacancy is due to a resignation.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the interview committee's recommendations to the Grand Junction Housing Authority.

Attachments

None

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
October 14, 2019

Meeting Convened: 4:00 p.m. in the City Hall Auditorium

Meeting Adjourned: 6:21 p.m.

City Councilmembers present: Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phil Pe'a, Anna Stout, Duke Wortmann (left at 6:02 p.m.), and Mayor Rick Taggart.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Finance Director Jodi Romero, Budget Coordinator Linda Longenecker, Director of General Services Jay Valentine, Financial Analyst Brett Bergman, Accountant/Analyst II Ashley McGowen, Senior Assistant to the City Manager Greg LeBlanc, Visit Grand Junction Director Elizabeth Fogarty, Visit Grand Junction Administrative/Financial Analyst Kim Machado, Public Works Director Trent Prall, Fire Chief Ken Watkins, Utilities Director Randi Kim, Parks & Recreation Director Ken Sherbenou, Community Development Director Tamra Allen, Police Chief Doug Shoemaker, and Deputy City Clerk Janet Harrell.

Mayor Taggart called the meeting to order.

Agenda Topic 1. Discussion Topics

a. Visit Grand Junction, Non-Profit Funding, Economic Development Funding and Capital Budget Presentations

Visit Grand Junction Director Fogarty reviewed tourism data from the past year and provided an overview of their 2020 recommended budget.

City Manager Caton reviewed the City's 2020 recommended funding for non-profit organizations (\$554,291), economic development partners (\$1.5 million) and the capital budget (\$47 million).

A break was called at 5:08 p.m. The meeting resumed at 5:24 p.m.

There was discussion regarding funding changes to HopeWest, Grand Junction Housing Authority and Colorado Mesa University.

Agenda Topic 2. Next Workshop Topics

The October 28 Workshop will be a Comprehensive Plan Update with the Planning Commission and Budget Presentations from Economic Development Partners: Downtown Development Authority, Grand Junction Downtown Business Improvement District and Horizon Drive Association Business Improvement District. The Workshop will begin at 4:00 p.m.

3. Other Business

Discussion ensued regarding the future makeup of the 5-2-1 Drainage Authority.

Adjournment

The Workshop adjourned at 6:21 p.m.

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING
October 16, 2019**

The City Council of the City of Grand Junction convened into regular session on the 16th day of October, 2019 at 6:00 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Duke Wortmann and Council President Rick Taggart. Also present were City Manager Greg Caton, City Attorney John Shaver, Records Manager Debbie Kemp and Deputy City Clerk Selestina Sandoval. Council President Taggart called the meeting to order. Student Leobardo Marin led the Pledge of Allegiance which was followed by a moment of silence.

Citizen Comments

Don Bell spoke about property inspection procedures.

Randy Spydell spoke about Section 37 of the City Charter.

City Manager Report

City Manager Caton invited everyone to the upcoming Community Vision and Values Workshop Tuesday, October 29, 2019 at 5:30 p.m. at Two Rivers Convention Center and on October 30, 2019 at 5:30 p.m. at the Lincoln Park Barn.

Council Reports

Councilmember Wortmann gave an update on the Parks Improvement Advisory Board.

Councilmember Stout spoke about the Downtown Arts Festival and the Colorado Discover Ability Gala Event.

CONSENT AGENDA

Councilmember Norris moved to adopt Consent Agenda items #1 - #4. Councilmember Stout seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the September 30, 2019 Workshop
- b. Minutes of the October 2, 2019 Regular Meeting
- c. Minutes of the October 2, 2019 Special Session

2. Set Public Hearings**a. Legislative**

- i. Introduce an Ordinance Amending Title 3 Chapter 8 of the Grand Junction Municipal Code Pertaining to Lodging Tax for Online Travel Companies and Short Term Rentals and the Three Percent Lodging Tax Increase as Approved by the Voters in the November 6, 2018 Election and Set a Public Hearing for November 6, 2019
- ii. Introduce an Ordinance Amending Section 3.12.030 of Chapter 3 of the Grand Junction Municipal Code Concerning the Imposition, Collection and Enforcement of the Sales and Use Tax and Amending the Tax Rate and Set a Public Hearing for November 6, 2019

b. Quasi-judicial

- i. Introduce an Ordinance to Adopt the 2019 Grand Junction, Colorado, Downtown Development Authority Plan of Development Entitled “Vibrant Together” and Set a Public Hearing for November 6, 2019
- ii. Introduce an Ordinance Zoning the Adams II Annexation R8 (Residential 8 du/ac), Located at 216 27 1/2 Road and Set a Public Hearing for November 6, 2019
- iii. Introduce an Ordinance Zoning Zona’s Annexation C1 (Light Commercial), Located at 408 29 Road and Set a Public Hearing for November 6, 2019

3. Contracts

- a. 2019 Fire Training Facility Burn Slab

4. Resolutions

- a. A Resolution Authorizing the City Manager to Submit a Grant Application for the Multimodal Options Fund (MMOF) Grant program
- b. A Resolution Supporting the Grant Application for a Bureau of Reclamation Grant for Advanced Metering Infrastructure Project
- c. A Resolution on Behalf of the Downtown Development Authority

Authorizing the City Manager to Submit a Great Outdoors Colorado MiniGrant Request for the Active ArtLine

REGULAR AGENDA

Public Hearing - Consider a Group of Actions Including 1) An Ordinance to Amend Multiple Sections of the Zoning and Development Code to Update the Transportation Capacity Payment and the Parks and Recreation Impact Fee and to Adopt New Impact Fees for Police, Fire and Municipal Facilities; and 2) An Ordinance Amending Ordinance No. 3641 Regarding the Growth and Development Related Streets Policy

In July 2018, City Council provided direction to staff to conduct a study for the impact fees related to a variety of city capital facilities. In the Fall of 2018, the City contracted with TischlerBise a consultancy that conducts impact fee studies across the country. TischlerBise has provided a study for the maximum fee potential new impact fees related to police, fire and municipal facilities. Included in their study is an update for Parks Impact Fees, fees that have not been updated for more than 35 years.

Prior to the work with TischlerBise, the Grand Valley Metropolitan Planning Organization (GVMPO) had contracted with Duncan Associates to update the Transportation Impact Fees within the Grand Valley, including Mesa County, the City of Grand Junction, the City of Fruita and the Town of Palisade. An impact fee study was last conducted for transportation in 2002 and were, at that time, adopted at 52 percent of the recommended rate.

Community Development Director Tamra Allen introduced these items. Public Works Director Trent Prall spoke about the Transportation Impact Fees & Street Policies. Fire Chief Ken Watkins spoke about Fire Impact Fees. Police Chief Doug Shoemaker spoke about Police Impact Fees. General Services Director Jay Valentine spoke about the Municipal Facilities Impact Fees. Parks and Recreation Director Ken Sherbenou spoke about Parks & Recreation Impact Fees. Finance Director Jodi Romero presented Impact Fees as related to the City's budget. City Manager Greg Caton closed the presentations with a summary of staff recommendations.

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

The following spoke against the item: Joe Kuda, Pam Olson, Zach Pomeroy, Rebecca Scarrow, Darren Carey, (Ross Anthony asked a question), Traci Weinbrecht, Ken Elliott, Aaron Young, Shauna Grieger, Nina Anderson, Ron Sechrist, Rick Hamm, Mike Foster, Mark Austin, Kelly Maves, David Armendariz, Dick Pennington, Steve Voytilla, Jorge

Pantoja, Lois Dunn, Michael Maves, Ann Hayes, Ron Avalo, Doug Pettigrew, Carlos Ruiz, Diane Schwenke, and Merritt Sixbey.

The following spoke for the item: Abram Herman, Bruce Gregg, Carl Zimmerman, and Barbara Traylor Smith.

The public hearing was closed at 8:50 p.m.

Discussion ensued regarding: the proposed boundary area and the potential of changing it, offsite improvement fees as an additional fee, impact fees for additions over 500 feet, the requirement that impact fees be invested in infrastructure and where that can occur, accounting requirements to track where the fees come from and their expenditures, ballot issue 2A and if that duplicates projects these fees contribute to, the studies that were completed and whether they take an individual's capacity or ability to pay the increases, 2B and what it covered, why impact fee comparisons to other cities are difficult to align, keeping the economic impact of these fees in mind, reserve balance availability, the stakeholders group's recommendations, and the consultants' recommendations.

Councilmember Norris moved to adopt 50% reduction of the proposed increase, without adding any new fees (Municipal, Fire, Police) over three years. Councilmember Wortmann seconded the motion. Motion failed by roll call vote with Councilmembers McDaniel, Pe'a, Stout, and Taggart voting NO.

Councilmember Wortmann moved to adopt 75% of the proposed increased over four years and eliminate the municipality fee, with the other new fees being implemented in January of 2022. Councilmember Andrews seconded the motion. Motion carried with Councilmembers Norris, Stout, and McDaniel voting NO.

Councilmember Wortmann moved to adopt and amend Ordinance No. 4878, an ordinance amending Section 21.06 and adding Chapter 21.11 of the Grand Junction Zoning and Development Code concerning the updating of and adoption of new Development Impact Fees, according to the schedule stated in the previous motion on final passage and ordered final publication in pamphlet form. Motion carried with Councilmember Norris voting NO.

Councilmember Wortmann moved to adopt Ordinance No. 4879, an ordinance amending Ordinance No. 3641 concerning growth and development related Street Policy on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by roll call vote with Councilmembers Andrews and Norris voting NO.

Council President Taggart called for a break at 9:50 p.m.

The meeting resumed at 9:58 p.m.

Resolutions - A Resolution Adopting Plant Investment Fees for Water Utility

In July 2018, TischlerBise was contracted to provide recommendation regarding the City's Water Plant Investment Fees. The Plant Investment Fee is intended to recover a share of the capital cost of water system infrastructure. The current Plant Investment Fee was adopted in the early 1990s and has not been adjusted for inflation. TischlerBise recommended that the City adopt Plant Investment Fees adjusted for inflation.

Utilities Director Randi Kim presented the item.

Councilmember Wortmann moved to adopt Resolution No. 68-19, a resolution adopting Plant Investment Fees for Water Utility. Councilmember Stout seconded the motion. Motion carried by roll call vote with Councilmember Norris voting NO.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 10:10 p.m.

Selestina Sandoval, Deputy City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

October 16, 2019

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, October 16, 2019 at 4:47 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 North 5th Street. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Duke Wortmann, and Mayor Rick Taggart.

Staff present for the Executive Session were City Manager Greg Caton, Parks and Recreation Director Ken Sherbenou, General Services Director Jay Valentine, Community Development Director Tamra Allen, Public Works Director Trent Prall, Senior Assistant to the City Manager Greg LeBlanc, and City Attorney John Shaver.

Councilmember Norris moved to go into Executive Session:

TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402 (4)(e) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE SALE(S) OF REAL PROPERTY LOCATED ON DOS RIOS DRIVE; AND POSSIBLE DISCUSSION OF THE SALE OF THE PROPERTY AT 2980/2982 PATTERSON AND DISCUSSION OF THE POSSIBLE PURCHASE OF PROPERTY(IES) LOCATED NEAR THE RIVERSIDE PARKWAY AND SOUTH OF HALE AVENUE, THE EXACT LOCATION OF WHICH WILL NOT BE DISCLOSED AS SUCH COULD COMPROMISE THE PURPOSE OF THE EXECUTIVE SESSION; THE EXECUTIVE SESSION IS AUTHORIZED AS ALLOWED BY AND PURSUANT TO SECTION 24-6-402(4) OF COLORADO'S OPEN MEETINGS LAW

Councilmember Andrews seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session at 4:48 p.m.

Councilmember Wortmann moved to adjourn. Councilmember Norris seconded. Motion carried unanimously.

The meeting adjourned at 5:26 p.m.

Debra Kemp
Records Manager

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
October 28, 2019

Meeting Convened: 4:34 p.m. in the City Hall Auditorium

Meeting Adjourned: 5:30 p.m.

City Councilmembers present: Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phil Pe'a, Anna Stout, Duke Wortmann, and Mayor Rick Taggart.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Finance Director Jodi Romero, Senior Assistant to the City Manager Greg LeBlanc, Visit Grand Junction Director Elizabeth Fogarty, Fire Chief Ken Watkins, Human Resources Director Melisa Geringer, Public Works Trent Prall, Parks & Recreation Director Ken Sherbenou, Deputy Police Chief Mike Nordine, Financial Analyst Katherine Boozell, City Clerk Wanda Winkelmann.

Mayor Taggart called the meeting to order.

Agenda Topic 1. Discussion Topics

a. Comprehensive Plan Update - POSTPONED

Due to weather, the consultant was unable to travel to Grand Junction to deliver the update. This item was postponed to a workshop on Wednesday, October 30 at noon.

b. Budget Presentation: Downtown Development Authority, Grand Junction Downtown Business Improvement District, Horizon Drive Association Business Improvement District

Brandon Stam, Director of the DDA, provided a 2019 activity snapshot. Highlights include:

- Downtown Plan of Development
- Partnership with Kaart to develop 701 and 734 Main
- Launch of Tru Hotel, which added 96 rooms to Downtown
- Three new properties
- Creative District rollout
- Partnership with City on Two Rivers Convention remodel and development of the Riverfront
- Partnerships to develop the DASH, Downtown Speaker Series and modify existing grant programs and identify barriers to Downtown development

The 2020 goals are identified in the Plan of Development, and include a flex space on Colorado Avenue, enhancements of alleyways and breezeways, 2nd Street Promenade, Active Artline, development of wayfinding plan, reconfiguration of 4th and 5th streets to two-way streets, and identifying catalytic infill development projects.

The 2020 fund balance of \$4.3 million was reviewed.

Next, Mr. Stam reviewed the Business Improvement District (BID) Activity Snapshot:

- Rhythm and Brews Concert Series
- Rebranded Farmers Market to Market on Main
- Developed an Art Festival Weekend
- 7th Annual FJ Off-road and Music Festival
- Tour of the Moon to provide additional amenities
- Further developed partnerships with Mesa County Library, COPMOBA, the Arts Commission, and CMU

Mr. Stam reviewed the growth for BID revenues, sponsorships, and sales tax revenues.

The goals for the BID include growth in Downtown events, grant opportunities, digital marketing, continued education and awareness for businesses working with partners, wayfinding and placemaking efforts identified in the Plan of Development (POD).

The BID fund balance for 2020 is projected at \$133,338.

Discussion ensued about the difference between the DDA and the BID; TIF revenue; and the County's participation.

Vara Kusal Horizon Drive BID Executive Director discussed the budget for the Horizon Drive BID and reviewed the following:

- Partnership in DASH
- Art on Horizon Drive
- Wayfinding project
- Revenues from sales tax
- Infill projects in Horizon Drive district
- Debt repayment for Phase I roundabouts

Discussion ensued about the use of the crosswalks, projects included in the transportation ballot question, and a good Samaritan picking up garbage on Horizon Drive.

Agenda Topic 2. Next Workshop Topics

Mr. Caton reviewed the upcoming topics for November 4:

- a. Budget Reconciling from Previous Workshops. Staff will present several items regarding the budget.
- b. Fire Department Stakeholder Discussion & Survey. This is part of the Fire Department's efforts towards accreditation.
- c. Catholic Outreach Presentation by Sister Karen Bland.

3. Other Business

Mayor Taggart noted:

- a. The reviews for the City Manager and City Attorney are upcoming and Council will need to complete the forms by November 8.
- b. A discussion regarding the Redevelopment Boundary, including infill, will occur at a future workshop (possibly November 18).

Adjournment

The Workshop adjourned at 5:30 p.m.



Grand Junction Planning Commission

Regular Session

Item #2.a.i.

Meeting Date: November 6, 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 to Residential Low 0.5 to 2 Units Per Acre and Rezoning to R-1 (Residential 1 Unit Per Acre) a 23.16-Acre Portion of a Property Located at 400 23 Road, More Particularly Described as a Site at the East End of Canyon Rim Drive and Set a Public Hearing for November 20, 2019

RECOMMENDATION:

The Planning Commission heard these requests at its October 22, 2019 meeting and recommended approval of both actions (5-1).

EXECUTIVE SUMMARY:

The Applicant, La Plata Communities, is requesting multiple actions on a 23.2-acre portion of a larger parcel with the address of 400 23 Road, more particularly described as a site at the east end of Canyon Rim Drive. The property is presently vacant. The proposed actions are to: 1) amend the Comprehensive Plan from Conservation/Mineral Extraction to Residential Low .5 to 2 dwelling units per acre; and 2) Rezone a portion of the property from PD (Planned Development without a Plan) to R-1 (Residential 1 dwelling unit per acre).

The proposed changes are intended to allow for completion of residential development at the east end Canyon Rim Drive. The remainder of the property, along with other adjacent parcels are reserved are not a part of this request.

BACKGROUND OR DETAILED INFORMATION:

Grand Junction Land Company, LLC currently owns the large, 370.8-acre property

("parent parcel") that is presently addressed as 400 23 Road. Many decades ago (in the mid-to late-1970s), the property was originally intended to be included in The Ridges development. When the City annexed the Ridges in 1992 (Ridges Majority #3), the plan for this portion of the development was not recognized so it lapsed at that time. Since then, this property has carried forward a Planned Development (PD) zone district but without a Plan. La Plata Communities is the developer pursuing the request, with consent from the property owner, for a Comprehensive Plan Amendment and Rezone of approximately 23.2 acres on the southwest corner of the parent parcel, at the east end of Canyon Rim Drive. Grand Junction Land Company, LLC also owns the adjacent 347.6-acre parcel but is not a part of this request.

The parcel is located east of South Camp Road where Canyon Rim Drive and underground utility mains were stubbed into it at the time the Canyon Rim subdivision was constructed in anticipation of development expanding to the east. The 23.2-acre parcel abuts existing subdivisions on the east and south, and is topographically associated with this existing development as it is enclosed by mesa slopes to the east and north. These mesa slopes are not developable due to their steepness (approximately 20% to 30% slopes) however, approximately 13 acres of the 23.2 maintain a sloping but gentle grade (majority of remaining area approximately 0-10% grades) and are generally considerable developable land. Because this acreage is surrounded by steep slopes, this property is a natural extension of the Canyon Rim Subdivision area and could be considered infill in this area.

To the west is Canyon Rim Subdivision Phase 4, zoned R-2 (Residential 2 units per acre) in the City; to the south is Monument Valley Subdivision Filing 6, zoned PD in the County with lots approximately 1 acre in size; to the east is a 5-acre private parcel zoned RSF-R in the County, and BLM property; and to the north is vacant land zoned PD in the City and is the remainder of the 370.8-acre parent parcel. The property is currently within the City limits.

The parent parcel currently has three different land use designations on the Comprehensive Plan Future Land Use Map – Conservation/Mineral Extraction, Residential Medium Low and Residential Medium. Given this mix of land use designations, the Comprehensive Plan clearly recognizes the natural constraints but also envisions the unique opportunities in this area to conserve open space as well as develop residential opportunities of varied types and densities. In addition, since Canyon Rim Drive and main utility lines stub to the southwest corner of the parent parcel, it appears it was intended that development would continue to the east based on the utility stubs as well as the road that terminates (not in a cul-de-sac) at the property line. La Plata Communities has been working with the Grand Junction Land Company LLC towards completing as the first step the potential development of the southwest corner of the large parcel while simultaneously working on an overall plan for the remainder of the property.

There is a provision in the Zoning and Development Code (section 21.02.130(d)(v) that allows for a rezone application to proceed without a plan amendment when the proposed zoning (in this case R-1) is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district (in this case the property is next to a Residential Low land use designation). However, in order to recognize a requested change to the Future Land Use Map, Staff has advised the Applicant to seek both an amendment to the Comprehensive Plan as well as a subsequent rezoning of the property.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was conducted consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code on April 22, 2019. The public was notified for the meeting was in a much larger area than just within 500 feet of the 23.2-acre parcel. Notification included all addresses within 500 feet of all properties under the same ownership that are anticipated to be part of the future Planned Development as well as all of the properties potentially to be developed in the first phase – the east end of Renaissance Boulevard and the east end of Canyon Rim Drive. Approximately 88 citizens attended the meeting. Comments primarily concerned natural conditions in the area such as slopes, drainage and soils and traffic and trail access concerns.

An attendance roster as well as a summary of comments received from the meeting are attached. Also attached are numerous letters and email correspondence received immediately following the Neighborhood Meeting as well as received more recently. Mailed notice of the Public Hearing, in the form of notification cards was again sent to property owners within 500 feet, HOAs within 1,000 feet of the 23.2-acre parcel, and those in attendance at the Neighborhood Meeting. The subject property was posted with an application sign on September 5, 2019 and notice of the public hearing was published October 15, 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 the large property with three different land use categories – Conservation/Mineral Extraction, Residential Medium Low and Residential Medium. The particular portion of

the southwest corner of the large parcel is included in the Conservation/Mineral Extraction area. The purpose of the Conservation/Mineral Extraction Future Land Use category is for public or private lands reserved for open space, wildlife habitat, sensitive or hazardous land protection, and other environmental or conservation purposes. It does allow for mining and sand or gravel extraction operations.

It is important to note that the Future Land Use Map only portrays a broad-brush application of potential land use of an area that is not generally defined by parcel lines or necessarily underlying geography and topography. Certainly, there are other areas of the parent parcel and other lands along this ridge that parallels South Camp Road that are conducive to ultimately being conserved as open space that are not shown as Conservation/Mineral Extraction (refer to map in attachments). Similarly, there are areas of this 23.2-acre site that are conducive to residential development that are not shown with a Residential land use category.

Therefore, a subsequent event that invalidates the original premise of the Comprehensive Plan is a more detailed analysis of the specific site that indicates there is capacity for development on this property. The more detailed analysis of a piece of property better informs potential future land use of it. It appears from the more detailed analysis of the portion of the property proposed to be changed from Conservation/Mineral Extraction to Residential Low is that it is not unlike adjacent areas that have been developed and that the property could support a Residential land use rather than being entirely within a Conservation/Mineral Extraction land use category.

Therefore, Staff finds this criterion has 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 site is adjacent to established residential neighborhoods to the south and west. The majority of the homes in these neighborhoods were constructed prior to adoption of the Comprehensive Plan in 2010. Therefore, the character and conditions of the area have not changed since the Plan was adopted and staff finds this criterion has not 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 adjacent to lower density urban development to the south and west. Public facilities in the form of utilities and an improved road were stubbed to this property at the time the subdivision to the west (Canyon Rim) was constructed. The road to the property, Canyon Rim Drive, was developed as a Residential Collector

intended to serve the balance of the parent parcel as shown on the City's Circulation Plan, so it has and was designed with capacity for over 1,000 trips per day, thus able to carry vehicle trips for additional residential units. The existing utility services stubbed to or in close proximity with the ability for extension to the subject site include Ute Water, Persigo 201 sewer service, 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

A recently-completed inventory of Vacant Residential Zone Properties (map included in attachments) shows that there are very limited areas in the Redlands Planning Area upon which future development may occur, particularly other than the subject parcel and the larger area to be developed in the future. The Comprehensive Plan suggests that growth occur in each Planning Area to afford housing choices throughout the community. Consequently, it is prudent to consider residential land use on parcels such as this which have the capacity to absorb some of the future residential development. Consideration of a residential designation that is consistent with the adjacent residential land use designation will afford the opportunity to help address future needs and specifically future needs within the Redlands Planning Area. As such, Staff finds this criterion has 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 request enabling efficient development of property adjacent to existing City services (street, water and sewer service infrastructure) stubbed to the property at the east end of Canyon Rim Drive. In addition, future development of the property will provide an extension of Canyon Rim Drive per the current Grand Junction Circulation Plan which seeks road interconnectivity to the east and north. Beyond better utilization of infrastructure, staff also believes the area will derive benefits from providing opportunities for additional residential development in a highly desirable area of the community. Therefore, Staff finds this criterion has been met.

Consistency with Comprehensive Plan

The proposed amendment implements the following guiding principles, goals and policies:

Guiding Principle 2: Sustainable Growth Patterns – The Comprehensive Plan calls for

fiscal sustainability where the community grows efficiently and cost-effectively. It encourages infill and redevelopment and discourages growth patterns that cause disproportionate increases to cost of services. The subject property is an infill site with existing urban infrastructure which meets this principle.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community. The proposed amendment and subsequent rezone will allow for expansion of an existing neighborhood in the Redlands, where, as previously discussed, there are limited opportunities to provide for such growth in this Planning Area of the City.

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

As stated in the analysis of this criterion for the Comprehensive Plan Amendment, Staff believes a subsequent event that invalidates the original premise of the Comprehensive Plan is the more detailed analysis of the site itself and its capacity for potential development. The more detailed analysis of a piece of property better informs potential use of that property. It appears from more detailed analysis of the portion of the property proposed to be changed from Planned Development without a plan to R-1 (Residential 1 unit per acre) is not unlike development that has occurred in similar adjacent subdivisions as well as other developments along the east side of South Camp Road below and on the lower slopes of the bluffs. This property appears to have similar capacity for development. Therefore, Staff finds 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

As stated in the analysis of this criterion for the Comprehensive Plan Amendment, the subject site is adjacent to established residential neighborhoods to the south and west. The majority of the homes in these neighborhoods were constructed prior to adoption of the Comprehensive Plan in 2010. Therefore, the character and conditions of the area have not changed since the Plan was adopted and staff finds 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

As stated in the analysis of this criterion for the Comprehensive Plan Amendment, the

subject property is adjacent to lower density urban development to the south and west. Public facilities in the form of utilities and an improved road were stubbed to this property at the time the Canyon Rim subdivision to the west was constructed. The road to the property Canyon Rim Drive was developed as was developed as a Residential Collector intended to serve the balance of the parent parcel as shown on the City's Circulation Plan, so it has and was designed with capacity for over 1,000 trips per day, thus able to carry vehicle trips for additional residential units. In addition, all other utilities are available or can be extended to this property and public safety services can adequately serve the potential development. Based on the provision and concurrency of public utilities and community facilities to serve the site of the proposed 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

Referring again to the recent inventory of Vacant Residential Zone Properties that illustrates there are very limited areas in the Redlands Planning Area upon which future development may occur, particularly other than the subject parcel and the larger area to be developed in the future Planned Development. The Comprehensive Plan suggests that growth occur in each Planning Area to afford housing choices within the community. Consequently, it is prudent to consider a zoning category that is consistent with the density of R-1 (Residential 1 unit per acre) proposed for this property. Consideration of a residential zone district will afford the opportunity to help address future needs and specifically the future needs within the Redlands Planning Area. Staff has therefore found there to be an inadequate supply of suitably designated available in this area of the community and finds this criterion has been met.

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

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 rezone by replacing the current PD (Planned Development) zoning without a plan with conventional zoning that defines allowable uses and standards that are compatible with adjacent residential development. Therefore, staff finds this criterion has been met.

Consistency with Comprehensive Plan

The proposed rezone is consistent with the same principles, goals and policies of the Comprehensive Plan that are listed in the Plan Amendment analysis section.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing file CPA-2019-468, a Comprehensive Plan Amendment from Conservation to Residential Low .5 to 2 units per acre; and RZN-2019-450, a Rezone

from PD to R-1 (Residential 1 unit per acre), for a 23.2-acre portion of the property located at 400 23 Road, more particularly described as a parcel at the east end of Canyon Rim Drive, the following findings of fact have been made:

- 1) The requests are consistent with the intent, goals and policies of the Comprehensive Plan;
- 2) The request has met one or more of the criteria as required in Section 21.02.130 of the Zoning and Development Code for a Comprehensive Plan Amendment; and
- 3) The request has met one or more of the criteria as required in Section 21.02.130 of the Zoning and Development Code for a Rezone.

Therefore, Staff recommends approval of both requests.

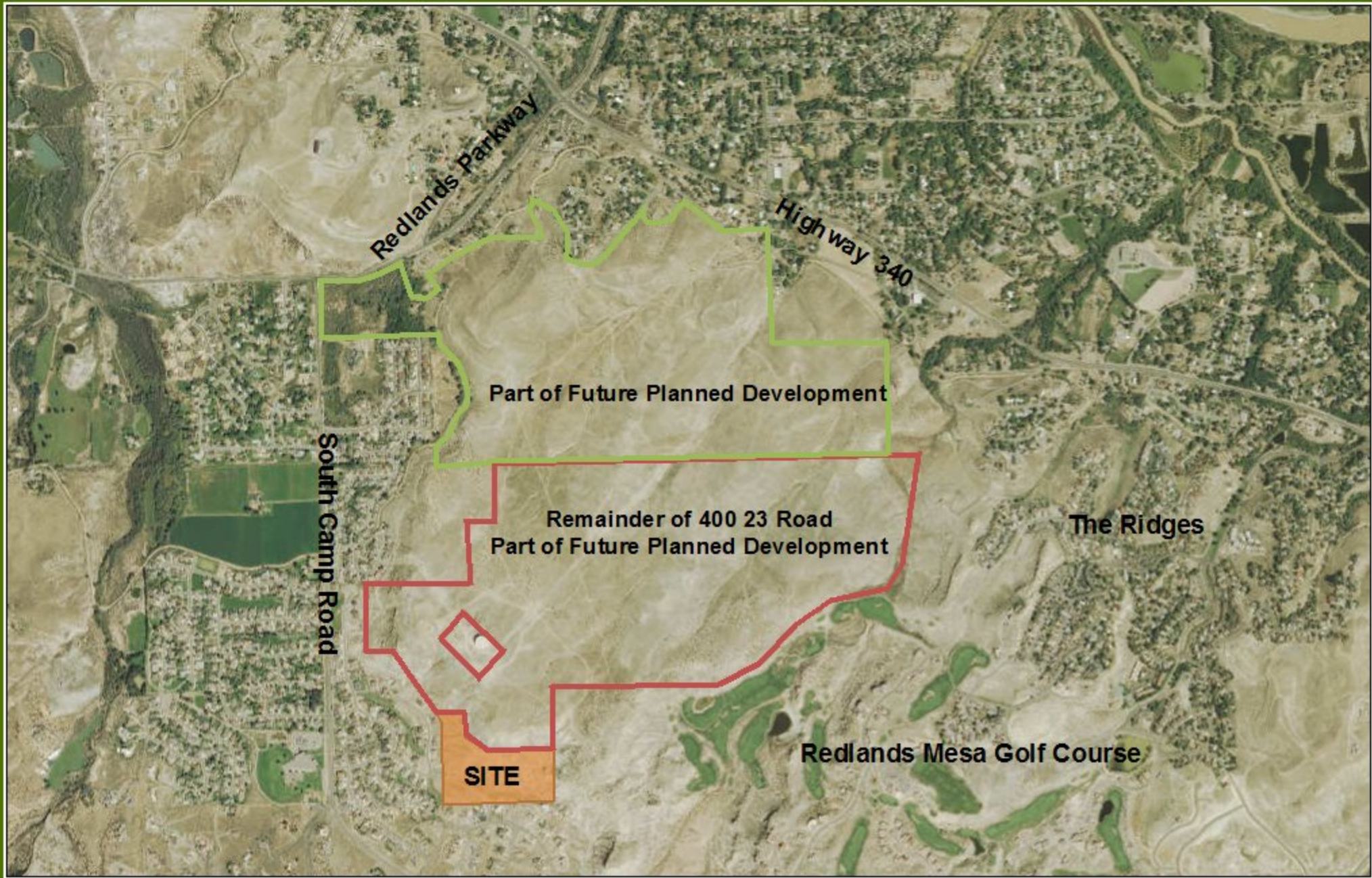
SUGGESTED MOTION:

I move to introduce an ordinance amending the Comprehensive Plan Future Land Use Map designation to Residential Low and rezoning to R-1 (Residential 1 unit per acre) for a 23.16-acre portion of a property located at 400 23 Road, more particularly described as a site at the east end of Canyon Rim Drive and set a public hearing for November 20, 2019.

Attachments

1. Canyon Rim 360 Maps
2. Canyon Rim 360 Site Photos
3. Application and Neighborhood Meeting Information
4. Inventory of Vacant Residential Zoned Properties
5. Canyon Rim 360 CPA RZN Correspondence from Concerned Citizens
6. Additional Letters from Concerned Citizens
7. Canyon Rim 360 CPA RZN Ordinance

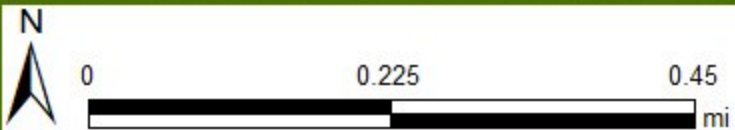
Canyon Rim 360 Vicinity Map



Printed: 10/2/2019

1 inch = 1,505 feet

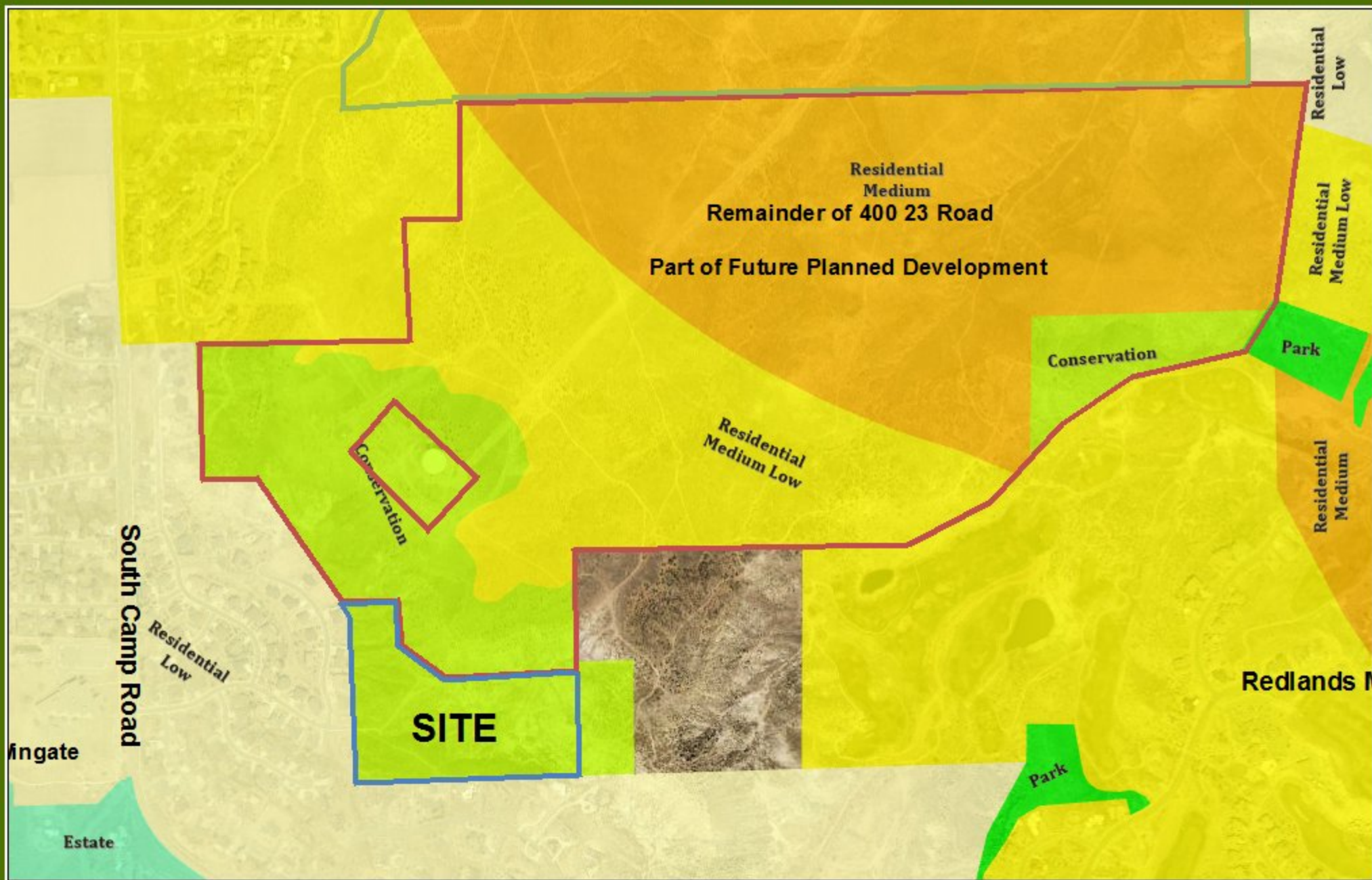
Canyon Rim 360 Location Map



Printed: 10/2/2019

1 inch = 752 feet

Canyon Rim 360 Future Land Use Map

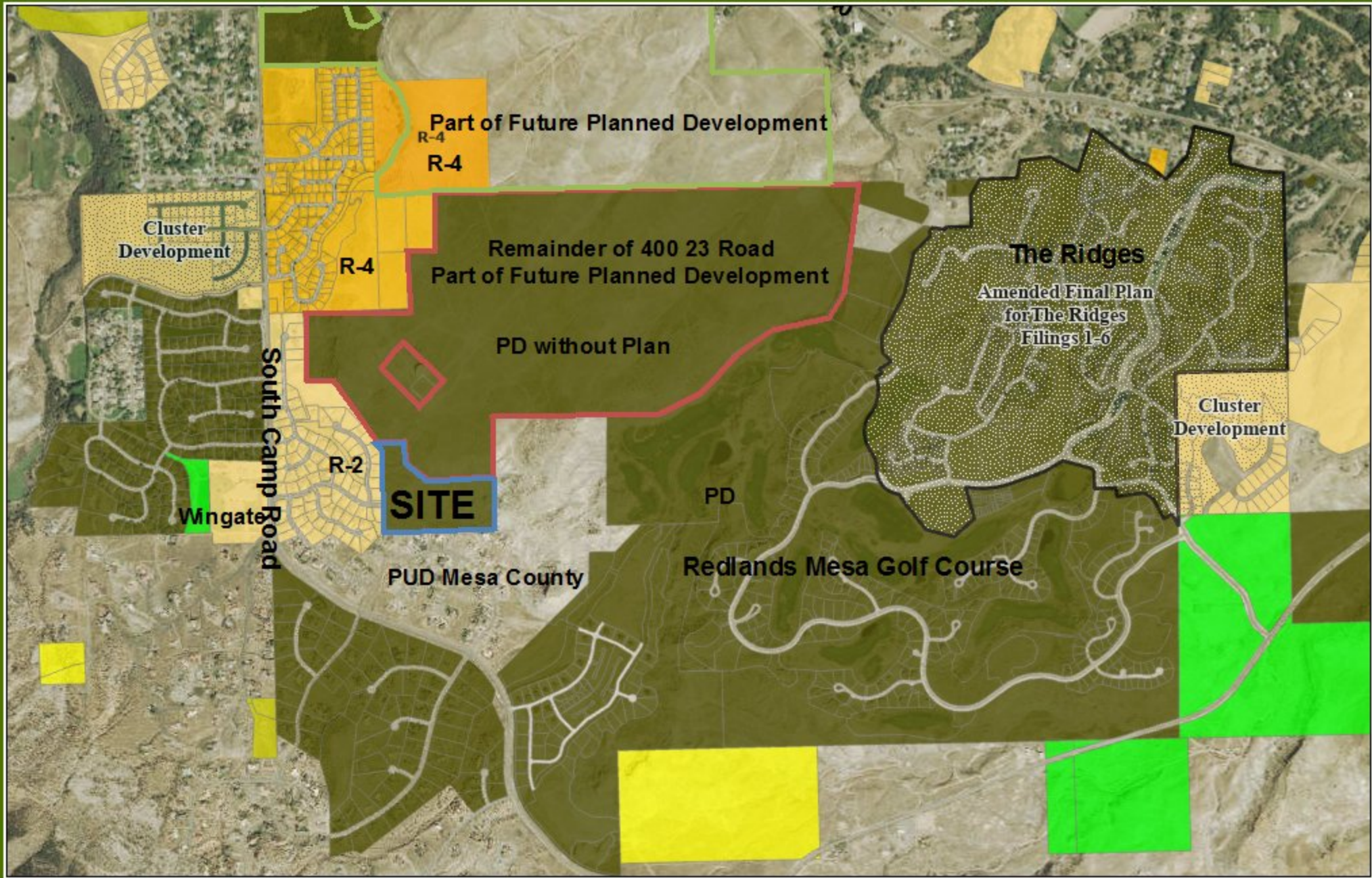


Printed: 10/2/2019

1 inch = 752 feet

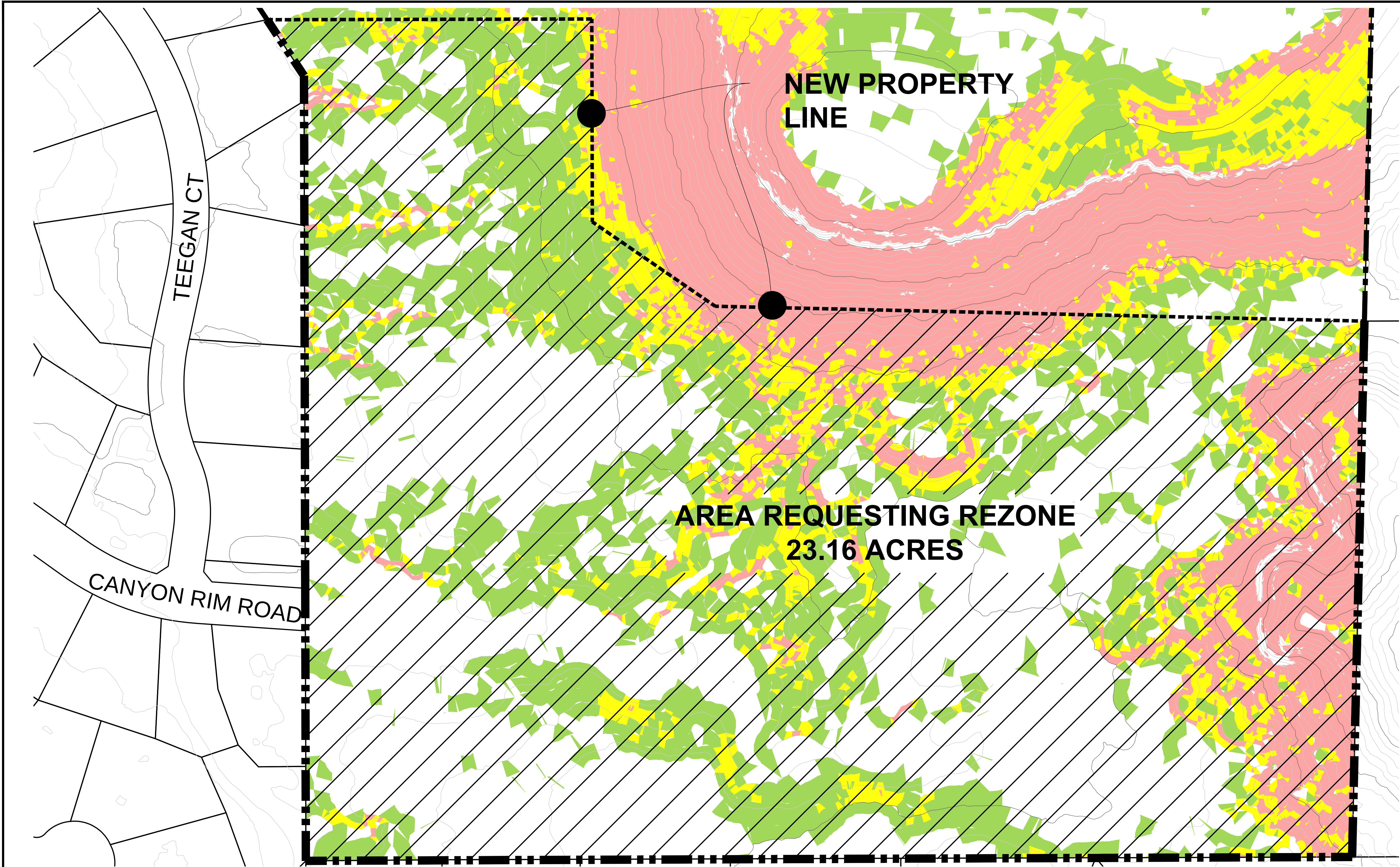


Canyon Rim 360 Zoning Map



Printed: 10/2/2019

1 inch = 1,505 feet



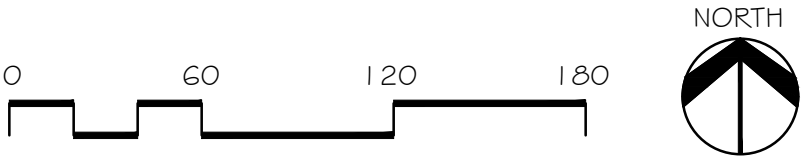
**NEW PROPERTY
LINE**

**AREA REQUESTING REZONE
23.16 ACRES**

TEEGAN CT

CANYON RIM ROAD

Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	Black
2	10.00%	20.00%	Green
3	20.00%	30.00%	Yellow
4	30.00%	100.00%	Pink



DRAWN BY MR
CHECKED TC
JOB NO. 1912
DATE 08-7-2019
REVISIONS

CANYON RIM
SW CORNER OF 400 23 ROAD



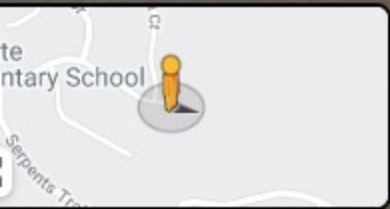
CLAVONNE, ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND
LANDSCAPE ARCHITECTURE
222 N. 7TH STREET
GRAND JUNCTION, CO 81501
970-241-0765 F
www.clavonne.com

CANYON RIM

SITE SKETCH

SHEET NO.

1





Development Application

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

Petition For: **REZONE / COMP PLAN AMENDMENT**

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

Existing Land Use Designation **Livestock**

Existing Zoning **PD**

Proposed Land Use Designation **Single Family Residence**

Proposed Zoning **R-1**

Property Information

Site Location: **SW Corner 400 23 Road**

Site Acreage: **370.8 (Rezoning only 23.16)**

Site Tax No(s): **2945-184-00-098**

Site Zoning: **PD (ALSO HAS 40 AC WITH MULTI-ZONING)**

Project Description: **REZONE ONLY 23.16 AC EAST OF CANYON RIM DR. + CHANGE COMP PLAN**

Property Owner Information

Name: **GRAND JUNCTION LAND COMPANY LLC**

Street Address: **710 E DURANT AVE STE W-6**

City/State/Zip: **ASPEN, CO 81611-2070**

Business Phone #: **970-925-9046**

E-Mail: **rmac@dunrene.com**

Fax #: **n/a**

Contact Person: **Robert Macgregor**

Contact Phone #: **970-925-9046**

Applicant Information

Name: **La Plata Communities**

Street Address: **1755 TELSTAR DRIVE SUITE 211**

City/State/Zip: **COLORADO SPRINGS CO, 80920**

Business Phone #: **719-963-3236**

E-Mail: **DGravette@laplatallc.com**

Fax #: **n/a**

Contact Person: **Don Gravette**

Contact Phone #: **719-963-3236**

Representative Information

Name: **Ciavonne, Roberts Assoc**

Street Address: **222 Nth 7th St**

City/State/Zip: **GJ, CO 81501**

Business Phone #: **241-0745**

E-Mail: **ted@ciavonne.com**

Fax #: **n/a**

Contact Person: **Ted Ciavonne**

Contact Phone #: **241-0745**

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

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

Signature of Person Completing the Application

[Signature]

Date **4-1-19**

Signature of Legal Property Owner

[Signature]

Date **APR 1 2019**

**PRESIDENT, DUNRENE MANAGEMENT, INC.
MANAGER OF GRAND JUNCTION LAND COMPANY, LLC**

Canyon Rim 360 Rezone
Comp Plan Amendment and Rezone
August 7, 2019 (Revised 10-2-2019)
Project Description

Project Overview

Grand Junction Land Company LLC presently owns the 370.8 acre parcel located at 400 23 Road. It is currently annexed into the city and zoned PD, but the plan has lapsed. La Plata Communities is the developer and pursuing a rezone and comp plan amendment of approximately 23.2 acres on the southwest corner of the 370 acre parcel, east of the end of Canyon Rim Drive. The remaining 347.6 acres are not a part of this submittal. La Plata Communities plans to rezone the 23.2 acres to R-1 in coordination with amending the Comp Plan from Conservation to Residential Low.

This is an infill project at the east end of Canyon Rim Drive. To the west is Canyon Rim Subdivision Phase 4, zoned R-2 in the City; to the south is Monument Valley Subdivision Filing 6, zoned PD in the County; to the east is a 5 acre private parcel zoned RSF-R in the County, and BLM property; and to the north is vacant land zoned PD in the City and is the remainder of the 370.8 acre parcel noted above.

The Future Land Use promotes Conservation (1DU/5AC) and Residential Medium Low (2-4 DU/AC) on this property; and the Blended Land Use (adjacent to and within the subject area) is Residential Low (2-4 DU/Acre). In addition, on the west and south the property abuts a FLU designation of Residential Low (.5-2 DU/AC).

Based on adjacency we can seek a Comp Plan Amendment to either Residential Medium Low (2-4 DU/AC) or Residential Low (.5-2 DU/AC); we are requesting the Residential Low designation in association with R-1 Zoning.

A. Project Description

Location and Site Features

- The parcel is located east of South Camp Road where Canyon Rim Drive stubs into it. The 23.2 acre parcel abuts existing subdivisions on the east and south, and is topographically associated with this existing development as it is enclosed by mesa slopes to the east and north. These mesa slopes are not developable, but will provide a natural backdrop to forthcoming development.
- There is an 8" sewer main and a Ute Water Main in Canyon Rim Drive.
- Surrounding land use /zoning:
 - to the west is Single Family Residential zone R-2 in the City;
 - to the south is Single Family Residential zoned PD in the County;
 - to the east is a vacant parcel zoned RSF-R, as well as BLM Land;
 - to the north is vacant land zoned PD in the City.
- Canyon Rim Drive will remain the only access to this property until future connectivity occurs (see Grand Junction Circulation Map).
- Within the 23.2 acres being rezoned the site generally slopes southwest with a grade variation of about 25 feet in the developable area at the base of the mesa slopes.

Existing Zoning

- The parcel is zoned PD in the city, but a plan does not exist.
- This submittal amends the comp plan and rezones the existing PD zoning in the city to an R-1 in the city. This only applies to the 23.2 acres of the larger 370 acre parcel. The remainder of the larger parcel will remain PD for now.

B. Public Benefit:

- Infill development on vacant developable land within the city;
- The efficient development of property adjacent to existing City services (infrastructure is stubbed to the property at the east end of Canyon Rim Drive);
- Extension of Canyon Rim Drive per the current Grand Junction Circulation Plan, which seeks road interconnectivity to the north;
- Replacement of the current PD zoning without a plan, with conventional zoning that defines uses and standards;
- The request for R-1 zoning with regards to compatibility to adjacent developed subdivisions.

C. Neighborhood Meeting

A neighborhood meeting was held on April 24, 2019 at 5:30 p.m. and approximately 88 neighbors attended the meeting. Neighborhood Meeting Notes are attached separately with this submittal.

D. Project Compliance, Compatibility, and Impact

1. Adopted Plans and/or Policies

The Future Land Use Plan; the Blended Land Use Policy; the Land Development Code. See Item F. below for Comp Plan Amendment compliance.

2. Surrounding Land Use

Surrounding land use /zoning: to the west is Single Family Residential zone R-2 in the City; to the south is Single Family Residential zoned PD in the County; to the east is a vacant parcel zoned RSF-R, as well as BLM Land; to the north is vacant land zoned PD in the City.

3. Site Access and Traffic

Canyon Rim Drive will remain the only access to this property until future connectivity occurs (see Grand Junction Circulation Map). R-1 zoning on a 23.2 acre site will limit traffic to that normally produced by a maximum of 23 homes.

4 & 5. Availability of Utilities and Unusual Demands

Sanitary Sewer: Sewer is provided by the City of Grand Junction. It is an existing 8" line and it is located in Canyon Rim Drive.

Storm Sewer: Per the City of Grand Junction's guidelines, the storm system will be engineered to collect the storm water in the street gutters and drainage basins and be

graded to drain towards the south west corner of the site, where exiting drainage easements and offsite drainage facilities exist.

Domestic water is provided by Ute Water via the existing line in Canyon Rim Drive.

6. Effects On Public Facilities

Zoning of R-1 on 23 acres will allow the addition of residential lots that will have expected, but not unusual impacts on the fire department, police department, and the public school system.

7. Site Soils N/A for Rezone

8. Site Geology and Geologic Hazards N/A for Rezone

9. Hours of Operation N/A

10. Number of Employees N/A

11. Signage Plans N/A

12. Irrigation No

E. Development Schedule and Phasing

- Submit rezone - Summer 2019
- Submit Major Subdivision - Fall 2019
- Begin Construction – Spring of 2020.
- The project will be constructed in a single phase.

F. Additional General Report Discussion Items

21.02.130 Comprehensive Plan Amendment (CPA).

We are seeking a Comprehensive Plan Amendment (CPA) from Conservation to Residential Low, and a Rezone to R-1. As noted above, the property has both Conservation and Residential Medium Low FLU designations on it, but is abutted by Residential Low on the west and south sides. To make it more compatible with adjacent properties, and to better match its desired R-1 zoning designation with an appropriate Comprehensive Plan density range, Residential Low is being requested.

(c) Criteria for Plan Amendments.

(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:

- (i) Subsequent events have invalidated the original premises and findings; and/or*
 - The adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events

- that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;
- The irregular boundary of the interface between Residential Medium Low and Conservation appears to have been somewhat associated with mesa tops and steep slopes. Current, more accurate topography, along with Hillside Regulations will preserve much of the area that was designated for Conservation.
- (ii) *The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or*
 - The character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on the more developable slopes.
- (iii) *Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*
 - Public facilities, in the form of utilities and an improved road, were stubbed to the property for its development.
- (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*
 - Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres, and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.
- (v) *The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*
 - The Grand Junction Circulation Plan can be realized;
 - On and off-site drainage improvements will benefit the surrounding subdivisions.
 - Current trail use on private land can be formalized with forthcoming development.

21.02.140 Code amendment and rezoning.

We are seeking a Rezone to R-1.

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

- (1) *Subsequent events have invalidated the original premises and findings; and/or*
 - The adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;
 - The entirety of a +/- 370 acre parcel was zoned PD in the County, but has a lapsed plan. This 23.2 acre parcel is topographically separated

from the larger parcel, and is better associated with the residential development that now resides on its west and south boundaries which is City R-2 and County PD (having lots that approximate R-1 in size).

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

- The character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on the more developable slopes.

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

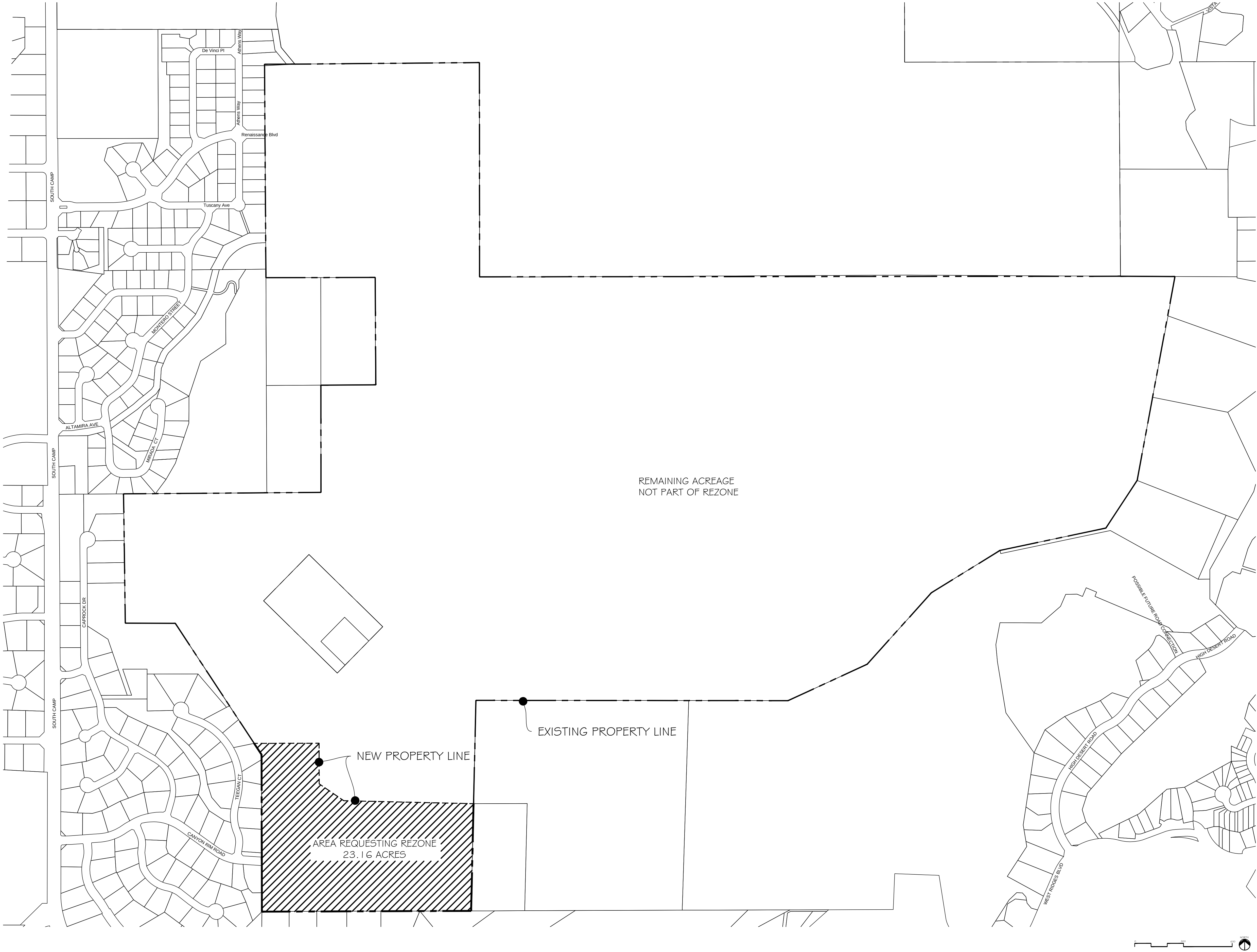
- Public facilities, in the form of utilities and an improved road, were stubbed to the property for its development.

(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*

- Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres, and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.

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

- The Grand Junction Circulation Plan can be realized;
- On and off-site drainage improvements will benefit the surrounding subdivisions;
- Current trail use on private land can be formalized with forthcoming development.



DRAWN BY	MR
CHECKED	TC
JOB NO.	1912
DATE	08-7-2019
REVISIONS	

CANYON RIM
SW CORNER OF 400 23 ROAD



CAVONNE, ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND
LANDSCAPE ARCHITECTURE
222 N. 7TH STREET
GRAND JUNCTION, CO 81501
970-241-0745 P
970-241-0755 F
www.cavonne.com

CANYON RIM

SITE SKETCH

SHEET NO.

1

Neighborhood Meeting Notice Letter

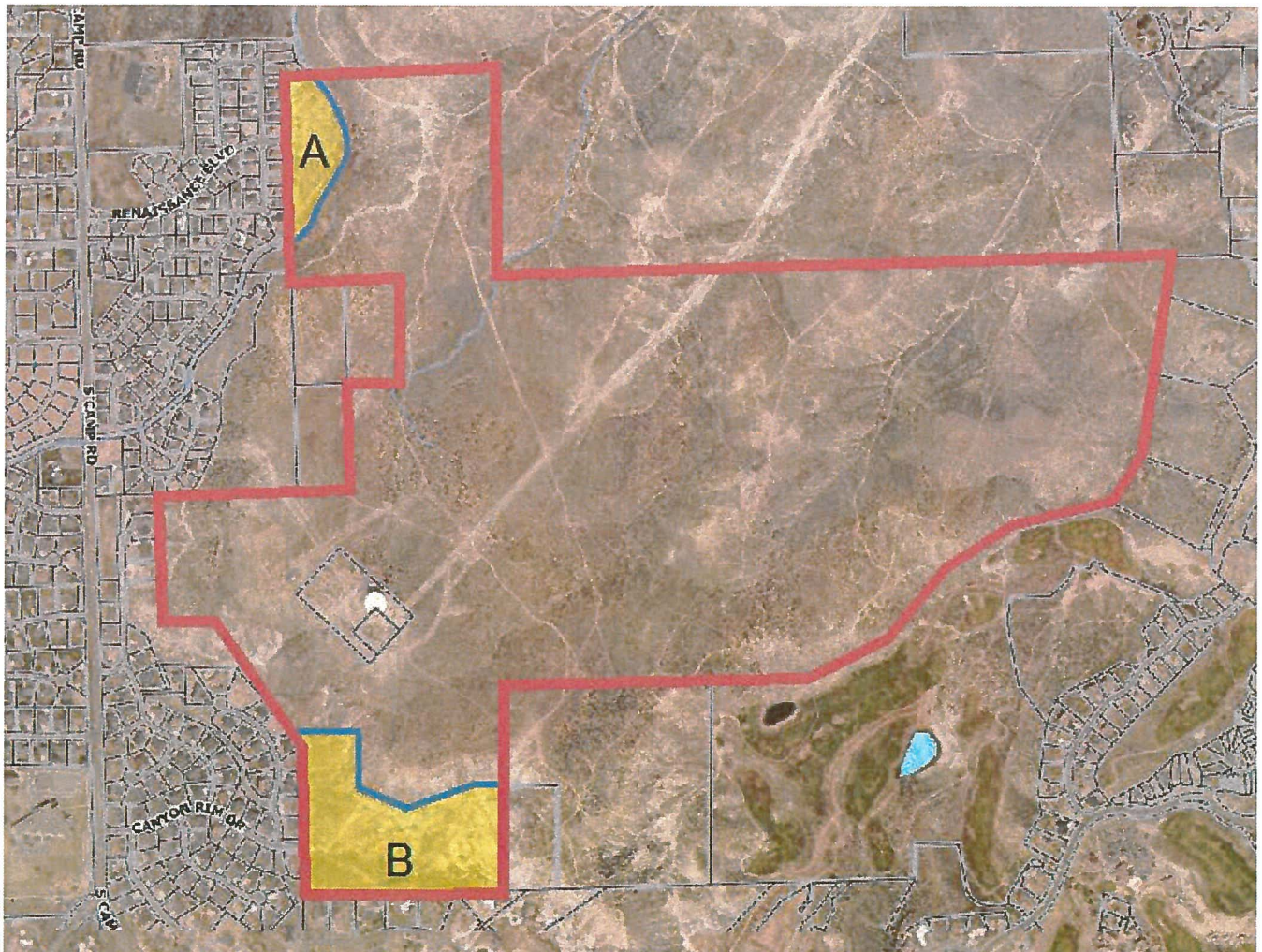
Mailing Date: April 5, 2019

RE: A Neighborhood Meeting for a Major Subdivision at the east end of Renaissance Blvd., and a Comprehensive Plan Amendment / Rezone / and Major Subdivision at the east end of Canyon Rim Drive (both projects on one property currently addressed as 400 23 Road).

Dear Property Owner:

This letter is to notify you that on **Monday (April 22nd), starting at 5:30 pm**, a neighborhood meeting will be held to update you on a proposed **Major Subdivision at the northwest corner and a Comprehensive Plan Amendment / Rezone / Major Subdivision at the southwest corner of 400 23 Road**, Grand Junction, Colorado. This meeting will be held in the **Sanctuary at Redlands United Methodist Church, 527 Village Way, Grand Junction Colorado 81507.**

The applicant will be submitting two applications with the City of Grand Junction on one piece of property (see the property in red below).



One of the applications is a Prelim/Final Major Subdivision on the northwest corner connecting to the Renaissance Blvd. neighborhood (A). This piece has a multi-zone of PD and R-4. The proposal is to respect the R-4 Zone and subdivide 6.55 acres into 15 single family lots connecting to the Renaissance neighborhood. The second application is a Comprehensive Plan Amendment/ Rezone/ Preliminary / Final Major Subdivision on the southwest corner connecting to the Canyon Rim Drive neighborhood (B). The proposal is to Rezone from a Planned Development Zone (with a lapsed plan) to an R-2 zone, as well as subdivide +/- 22 acres into 22 single family lots connecting to the Canyon Rim neighborhood. The remaining area outlined in red is not being considered with these submittals.

The neighborhood meeting is an opportunity for adjacent property owners to learn more about the project, ask questions, and submit written statements to the developer **La Plata Communities LLC**, its representative **Ciavonne Roberts & Associates, Inc.**, and the **City of Grand Junction** staff.

The list of property owners being notified for this neighborhood meeting was supplied by the City of Grand Junction and derived from current records of the Mesa County Assessors. As those records are not always current, please feel free to notify your neighbors of this meeting date so all may have the opportunity to participate.

If you are not available to attend this meeting, you can provide written comment to ted@ciavonne.com or the City of Grand Junction Planning Department at kristena@gjcity.org

We look forward to seeing you at this meeting.

Sincerely,



Ted Ciavonne, PLA
Ciavonne, Roberts and Associates, Inc

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Monday April 22, 2019 @ 5:30pm

FOR: Major Sub @ Renaissance Blvd & Comp Plan

Amendment/Rezone/Major Sub @ Canyon Rim Drive

NAME	ADDRESS	PHONE # OR EMAIL
Kathy Murdock	2213 CANYON RIM DR	murdocklab@netzero.com
BRITTA CZAPLA	2337 S. FAUCON POINT CT.	
JACK & JUDY ROGAN	67 434 ATHENS WAY	bcseppi@gmail.com johnfroogan@yahoo.com
Betty Baltzer	120 MRSu Grande Dr	bbaltzer@centurylink.net
Chuck Robison	355 Dakota Circle	c.robison7@sbcglobal.net
Monica Solawetz	447 Tuscany Ct	msolawetz@gmail.com
Cherie Wibbelsman	370 Caprock Dr.	cheriewibbelsman@gmail.com
Jason Laible	436 Athens Way	jelaible@hotmail.com
Susan Sayes	2121 Buffalo Dr	susayes@bresnan.net
Kristen Ashbeck	City	kristenae@jcity.org

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Monday April 22, 2019 @ 5:30pm

FOR: Major Sub @ Renaissance Blvd & Comp Plan
Amendment/Rezone/Major Sub @ Canyon Rim Drive

NAME

ADDRESS

PHONE # OR

EMAIL

Dan & Joan Lacy	335 Canyon Rim CT.	danandjoanlacy@gmail.com
MIKE BAKER	354 TEEGAN	ALBAKER0404@GMAIL.COM
Pete & Sandy Petersen	2219 Canyon Rim Dr.	Hb22@Comcast.net
BILL MURKISTEDT	338 CANYON RIM CT.	
MARY ANN GREINER	" " "	
Helen & Glen Arnold	340 Canyon Rim Ct	
Cindy Williams	358 TEEGAN CT	cliffncindy@gmail.com
Don & Julie KENDALL	360 TEEGAN CT	donkentall1954@gmail.com
Scott & Kathy Gustin	342 Canyon Rim ct	Scottgustin@yckoo.cc
Martha & Istvan Potyondy	452 Athens Way	
Bill Findlay	412 Bookcliff Dr 65	
Ben Hughes	347 Canyon Rim Ct	benjamin.h.hughes@gmail.com
RICHARD LIPPOTH	RENO, NV.	rlipboth@msn.com
VERONIC TOFE	2216 MESCALERO AVE	J.TOFEL@YAHOO.COM
MARY TOFE	2216 MESCALERO AVE	MARY.TOFEL@YAHOO.COM
PAUL COWAN	371 CARROCK DR 81507	PAULCOWAN@GMAIL.COM
Diek/Judy WIBBELMAN	446 ATHENS WAY 6581507	RDWIBBEL@YAHOO.COM
Marcus & Kellie Straub	444 Athens Way	marcusstraub@breshan.net
David & Lorna McIlhenny	438 Athens Way	dilmcilhenny@breshan.net

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Monday April 22, 2019 @ 5:30pm

FOR: Major Sub @ Renaissance Blvd & Comp Plan
Amendment/Rezone/Major Sub @ Canyon Rim Drive

NAME	ADDRESS	PHONE # OR EMAIL
Jee/Joan Hoelscher	2200 Canyon Rim Dr	256-1777
Daniel Brennen	2210 Canyon Rim Dr	256-1777
S Fitzgerald	441 Athens	studebakerstev@brennen.net
Michael Ridy	380 Taylor Ct	mdrook@brennen.net
Suzi Addison	Suzi	suzi-addison@yahoo.com
Mike Foster	639 Pinetree Ct Grand Jct, CO 81506	mfoster@CBCWPST.com
Mike Spangler	450 Athens Way 81507	Spanglerm@gmail.com
GREG DYON	525 MEADOWLARK LIX	249-1668
Janeen Johnson	352 Canyon Rim Ct	pacificslope@outlook.com
Ron Shulman	"	"
Jay Gonyea	381 Carrock Dr	Jay.gonyea@gmail.com
David & Debra Caldwell	345 Dakota Cir	davidc@brennen.net
Susan & Cal Wylie	2205 Avenel Ct.	gjsusan.wylie@gmail.com
Chink Reece	354 Hill View Dr A 81507	christi@christireece.com
Richard Schweizer	3917 S. CAMP	RJ9@Brennen.net
Tisha Gullam	2223 Tusany	tagullam@icloud.com
RICK DORRIS	CITY OF GJ	256-4034
James W. W. W.	CITY OF GJ	JamesW@G-jct.org
Judi & Dennis DeVore	353 Dakota Circle GJ	ddv48@mac.com

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Monday April 22, 2019 @ 5:30pm

FOR: Major Sub @ Renaissance Blvd & Comp Plan
Amendment/Rezone/Major Sub @ Canyon Rim Drive

PHONE # OR

NAME

ADDRESS

EMAIL

DR. Curtis C. mean	2206 Canyon Rim Dr.	comedian@ad.com
Jim Kyle	2210 Canyon Rim Dr.	KYLE HISEWIS@com
THOMAS HOFFMAN	358 Caprock Dr	THOMAS.HOFFMAN@ALUMNA.USC.EDU
Suzi Addison	386 Teegan Ct	suzi.addison@yahoo.com
JAN SIGNER	2288 Rock Valley Rd	jsigner001@gmail.com
Jarrod Psencik	341 Dakota Cir	jpsencik72@gmail.com
Kristen Lummis	347 Dakota Cir	j.lummiscme.com
JUDY + JOE SALAMON	350 Serpents Trail Dr	GJ Props@Bresnan.net
MECCA SSA COORD DOUGLAS SCOTT	2219 RENAISSANCE BLVD	MACOMORI@aol.com
Patricia G Whistler	2209 Desert Varnish	patricia.whistler@gmail.com
Lorin Mcnitt Kinsay	356 Teegan Ct	hmkinsay@gmail.com
Richard + Samantha Swingle	443 Mediterranean Way	raswingle@aol.com
Linda McLean	385 Caprock Dr.	midwifecrisis@hotmail.com
Reggie Farlino	2217 Renaissance Blvd	rfarlino@gmail.com
Shawn Barber	341 Canyon Rim Ct.	970-201-6920
John Barber	341 Canyon Rim Ct.	970-201-6920
Ray + Kelly Phonen	2265 Desert Varnish Ct	970-640-5327
Sue Barry Chamberlain	346 Serpents Trail Dr.	970-243-1041
Shari Steie	2435 Rock Ridge Rd	chamberlain4@bresnan.net
Dont Sue Smith	2216 Canyon Rim Dr.	shari.stee@yahoo.com
	turn over	Kelsey - S - 2000@yahoo.com

Steph shrago Steph@daveandstephanie.com
575 Sunny Meadow Ln 81507

LA PLATA NEIGHBORHOOD MEETING
On Canyon Rim & Renaissance
April 24, 2019 @ 5:30pm
NOTES

A Neighborhood Meeting was held on April 24, 2019 regarding a proposed a Major Subdivision at the east end of Renaissance Blvd., and a Comprehensive Plan Amendment/Rezone/ and Major Subdivision at the east end of Canyon Rim Drive (both projects on one property currently addressed as 400 23 Road).

In Attendance:

Representatives: Don Gravette, Doug Quimby, Cody Humphrey (La Plata Communités)
Ted Ciavonne, Mallory Reams (Ciavonne, Roberts & Associates Inc.)
Mark Austin (Austin Civil Group)
Kathy Portner (City of Grand Junction)
Jarrod Whelan, Rick Dorris (City of Grand Junction)

About 88 Neighbors and spouses attended the meeting and had the following comments and concerns:

- How many lots will there be? – 15 lots @ Renaissance and 22 lots @ Canyon Rim
- What is the timeline for Canyon Rim? – It takes 4 months for the Rezone after submittal. Within that time we will design Canyon Rim (3 months) and then submit for Major Sub which that is only a 60 day process.
- Are you going to blast that hill? – We haven't completed soil research yet, but we don't anticipate any blasting needed to be done.
- Utilities? – City requires all overhead utilities to be underground now
- Construction Traffic? –BMP regulations are put in place by the City of Grand Junction to help minimize the effects of construction traffic.
- There is a 3rd Neighborhood (Monument Valley) that gets effected on the south end of "B". They were curious why we didn't color their neighborhood on the zoning map. They also requested a buffer between the two neighborhoods. – We explained that the reason their neighborhood wasn't colored was because they were in the county and this is only representative of city zoning. We also said we will take a look into buffering if we can.
- A neighbor that lived in the Renaissance neighborhood was concerned with the future construction traffic. She explained the roads are in pretty bad shape already and may not hold up. – Rick Dorris with the City of Grand Junction explained that most likely the construction traffic won't tear the roads up, but if they do the city and the developers could work together and come up with a plan to fix the damage.
- There are three drainage areas that go through the proposed subdivision, are you aware of that? – We are having real contours being shot right now. We can confirm the slopes then. We do know they exist just from the city GIS maps and we tried to line them up with property lines

as best we could. The water will go to a detention basin now and then be released at the historic rates. Also utilities have been stubbed here planning for future development and the storm drain put in was planned for a 2 year and 100 year storm event.

- A neighbor at Canyon Rim explained they just redid the drainage area a couple of years ago and it still got plugged up. Whatever got put in is inadequate. – Noted.
- Why build in a conservation area/open space area? – This is private property and the owner has the right to build here if desired.
- South Camp Rd shoulders are inadequate for recreation. – The city is widening S Camp Rd and putting in bike lanes.
- A neighbor at Canyon Rim also thinks the drainage is failing and inadequate. The few storms that happen 1-2 times a year are significant and worried what future development would do to that. – There are water quality and drainage studies that are put in place by the city.
- One neighbor was worried about the trail accesses during construction since a lot of people use them. – We will look into a way for keeping trail accesses open. There is also a way to access them on 23 Road.
- A neighbor in Renaissance agrees that the storm water is a major problem. She also commented it will be sad to see homes in her backyard now instead of open space. – We will make it a point to address drainage and so will the city.
- Does Renaissance absorb this subdivision in their HOA? – They will be their own entity.
- One neighbor expressed his concern about the Circulation Plan. He thinks Canyon Rim will no longer be a minor collector if it went all the way up to 23 Road. – We explained the Circulation Plan is made by the city and we as a community have to adapt to whatever changes are made.
- The neighbors deeply expressed the problems with the drainage on both Renaissance and Canyon Rim. . – We explained we will make it a point to address it and so will the city
- Why did you pick Canyon Rim when there are all kinds of vacant lots to build on? -We explained this is private property and the owner of the property searched far and long for quality developers. This parcel will be developed in a matter of time.
- The neighbors expressed their concern about the bad soils. The soils are full of bentonite and the neighbors are concerned the foundations won't be sound. A handful of neighbors shared stories of their own foundations cracking and what they had to do to fix it. – We have to rely on experts to tell us what to do.
- The proposed subdivision on the Renaissance area gets covered with water 1-2 times per year. – Noted. We have experts looking into the grading and drainage problems before design gets finalized.
- The neighbor in Renaissance explained he has micropiles under his house and they still failed. It was a \$50,000 problem. A handful of neighbors spoke up after that explaining their failed foundations.
- A trail user that is not a direct neighbor, but lives nearby shared her thoughts: "there is an access on 23 Road and S Broadway to solve the problem of access during construction."
- One neighbor asked about the trail system (knowing its private property, but still curious if the trails will remain). – We explained the trails at the base of Canyon Rim will go away because of the subdivision, but the subdivision will continue to allow multiple accesses to the remaining trails up above. Those trails will remain as they are.

- One neighbor got up to express his opinion that S Camp Road is messy, bumpy, and in bad shape. He believes the neighbors that are here now are enough and that they don't need more.
- One of the neighbors with a bad foundation lives to the south of what would be the proposed Canyon Rim subdivision. She is not only concerned about the bad foundations, but also new homes towering over hers and her neighbors as Canyon Rim sits up higher than them.
- Neighbors are not convinced the developers will address the bentonite issue.
- Will there be any irrigation? – No irrigation shares that we know of, but they will have Ute water.
- Is it up to the developers or the builders on restrictions on 1-2 story homes as well as regulating them to be "dry land lots"? – There will be covenants made by the developers that will address all of these issues.
- A Renaissance neighbor explained that their neighborhood has several children as well as developmental disabled neighbors that won't be aware of additional traffic. She was wondering what could be done to slow traffic down. – The city or developers can put in the covenants to install a "slow sign" at the entrance of Renaissance and whatever else feels necessary.
- Neighbors are concerned with the Developers being from out of town and not local. They have not had good luck with developers in the past, but no disrespect.
- All surrounding neighborhoods would like to see some buffering between them and the two proposed subdivisions.
- One neighbor didn't understand how there can only be one road in and one road out to these new subdivisions. With the bentonite issue, the additional traffic could shake the existing foundations.
- What is the style of homes going to be? – Similar or better than surrounding subdivisions.
- How long to develop? – Would like to see as soon as possible, but in realistically its market driven.
- What's the easement going to be between the new and existing subdivision? – There is currently no easement between subdivisions. Will be lot next to lot, but there are required setbacks that do need to be followed as well as we will look into buffering.
- Neighbors behind Canyon Rim & Renaissance said they would rather see the new lots staggered behind them instead of directly behind them to protect the views.
- The neighbors asked if they would get to see the covenants. – Yes. Once we submit to the city, the covenants will be public record.
- Neighbors asked if the houses be custom or cookie cutter. – Probably custom.
- Will there be an HOA? Will the HOA do anything about light pollution? – Yes there will be an HOA, it is required with new subdivisions. The city already has a night sky ordinance put in place, but for the nature of this project, we will request to have no street lights.
- Do the trees on the plan mean you are keeping the existing cottonwoods? – Yes we are going to try to save as much as possible.
- One neighbor heard the city was passing an ordinance for subdivisions to now have street lights? – No that we know of. City staff chimed in and said nothing new is being passed at this time.

- They asked what the timeline was for the parent parcel in red. – Unclear at this time, but it - will require another neighborhood meeting after some planning has been done.
- The neighbors expressed this would be a good opportunity for the Renaissance HOA and the Canyon Rim HOA to give the developers guidance when they start to develop their covenants. – We agree. We already got access to old covenants of both subdivisions, but we realize they probably have changed by now. Good suggestion.
- The president of Canyon Rim HOA stood up and said the following:
 - The water tank gets dumped every year and FYI it sends a lot of water down to the areas of the proposed subdivision.
 - The new subdivisions should have to help pay if the drainage goes into existing subdivisions not at the historic rate and does damage.
- One neighbor explained he has seen so many people use the stub street on Renaissance as parking for the trails. What will we do to mitigate the parking? – It will still be a problem, but we will look at it.
- The neighbors were curious how they will get notified for area B (Canyon Rim) – You will get a mailing card with both Planning Commission and City Council meeting dates.
- Canyon Rim is a nice quiet neighborhood. It is one thing to add 22 homes and another thing to connect to 23 Road. Do you care? You are going to split this neighborhood. – Yes we do care. We did not plan for this road to connect to 23 Road. The city requires interconnectivity so we have to plan for it.
- It's an insult for La Plata to come in and design this subdivision when they don't live here.
- Why does the city not make you show a plan for the big parcel instead of allowing to do little pockets?
- Plans for schools? They are already at capacity. – Schools are part of Review agencies and this project will have to pay into the school system as part of their fees.
- One neighbor in Renaissance expressed how nice their entry sign is and wondered if this new neighborhood will have their own sign? – Yes.
- You said you took core samples. Are the results back? – Not back yet.
- How many core samples on Canyon Rim? – Don't know how many, but geotech engineers will inform us. They will also get more samples if they are not satisfied with the results.
- So can "A" move forward? – Yes. B still needs to go through a Rezone/Comp Plan Amendment so it will take longer.
- So "A" will just proceed and this meeting won't change the decision? – If the city deems it acceptable after review comments then yes.
- People new to this valley might not know what bentonite is. Will the developers be upfront about informing new homeowners that there is bentonite? – Yes they will.

From: Ted
To: ["William Findlay"](#)
Cc: [Doug Quimby](#)
Bcc: ["Cody Humphrey"](#); ["Don Gravette"](#)
Subject: RE: canyon rim and renaissance project meeting 4/22/19
Date: Tuesday, April 23, 2019 11:51:00 AM
Attachments: [Renaissance GRAPHIC.PDF](#)
[Canyon Rim GRAPHIC.PDF](#)

Bill,

Attached are the graphics we showed last night; they are specific to these two subdivisions, and show little about the larger 'parent' piece. I am comfortable in saying that the developer, La Plata Communities, is sensitive to the trail usage on the 'parent' property, which is displayed by the multiple accesses provided in both subdivisions.

By way of this email I am copying the developer to keep them abreast of the potential interest by the groups you represent.

Ted Ciavonne, PLA

Ciavonne Roberts & Associates, Inc.
LAND PLANNING AND LANDSCAPE ARCHITECTURE
222 N. 7th Street
Grand Junction, CO 81501
Ph (970) 241-0745
ted@ciavonne.com
www.ciavonne.com

From: William Findlay [mailto:williamafindlay@gmail.com]
Sent: Tuesday, April 23, 2019 10:55 AM
To: info@ciavonne.com
Subject: canyon rim and renaissance project meeting 4/22/19

I had to leave early due to length of meeting but had wanted to take photos of the maps but didn't get chance. Is there anyway Ted or someone could send me email attachments? I am involved with both the GJ Park and Rec Advisory Board and the Colorado West Land Trust and both have an interest in how this and the project above by the water tower area can be developed with some preservation of trails and access. Having these maps could help me pass on what I have learned to both the above groups. Thanks

From: [Linda Spinner](#)
To: kristena@gjcity.org
Cc: [Ted](#)
Subject: Renaissance and Canyon Rim development
Date: Monday, April 22, 2019 11:29:29 AM

Hopefully you can address traffic impact at the corner of South Camp and South Broadway. This has not been addressed with prior development (Granite Falls). The traffic at this intersection is increasing rapidly. With the blind curve heading west toward that intersection, it will be a short time before there is a rear end crash as cars round that curve and approach backed up vehicles waiting to turn. Vehicles coming from west need to slow down so turning is possible. Time for a round a bout at that intersection?

Linda Spinner
970-596-4522
spinnerlinda@gmail.com
Renaissance subdivision

April 18, 2019

Ted Ciavonne – Ciavonne, Roberts and Associates, Inc
Kristena – City of Grand Junction Planning Department

Re: Subdivision Development
400 23 Road
Grand Junction, CO

Dear Ted and Kristena,

My name is Don Kendall. I reside at 360 Teegan Ct. I was surprised and a little shocked to receive your letter in the mail. We bought this lot and had our dream home built here in 2008. We were aware that the property behind us was privately owned but also knew it was inconceivable for the land behind us could be developed. It's uneven landscape, dramatic elevation grade and several natural water drainages, would make it very difficult to level and build homes. Also, the presence of expansive soils, which we in Canyon Rim and in neighboring subdivisions all know too much about. Numerous foundations have had to be repaired in this area. I can make sense about the land to the south of us at the end of Canyon Rim Drive and then to the east and south being developed, even though I still don't like it. In addition, by allowing this land to be open to public use for 25 plus years even though it's privately owned has set a precedence. Hundreds of mountain bikers and hikers use the trail behind us. After hard rains the 3 waters drainages above us turn into creeks. I'm not against the development of open property. We wouldn't be living in our home now if Canyon Rim wasn't local developers John Thomas and Dave Bagg. But this new development doesn't fit here. The Renaissance, Trails West and Canyon Rim all were developed along South Camp Road and were developed up to the current foothills and fit the natural landscape and topography. Houses and streets behind Teegan Court don't. My fear is that I will see a street, houses and retaining walls that tower above us removing views, peace and quiet, and decreasing property values for the existing homes along Teegan Court. If this project moves forward, I am prepared to gather a great number of signatures on a petition from neighbors in Canyon Rim Subdivision, Monument Valley and those who recreate in this area. I will again list the reasons I'm against this development:

- *Dramatic and aggressive uphill elevation
- *Natural water drainages will have to be altered.
- * Expansive soils conditions not conducive to home foundations
- * Doesn't fit the natural topography
- *Established biking and hiking trails are present

In closing, I feel that we are going to have to heavily rely on The City of Grand Junction Planning Department, starting with you Kristena, to have a professional and mindful discernment about the construction of this subdivision. The owner of this property doesn't live here, know about us or really care about us. Their goal in the end is financial gain and then will just move on to the next project. But the City of Grand Junction should and hopefully will care.

Sincerely,

Don and Julie Kendall

From: [LeAnn Klinetobe](#)
To: [Ted; kristena@gjcity.org](mailto:kristena@gjcity.org)
Subject: Subdivision - Renaissance Blvd
Date: Monday, April 22, 2019 9:00:05 PM

This email is to let you know the concerns we have regarding the proposed subdivision in the Renaissance Blvd. area. We live on Athens Way and very much oppose the new subdivision being proposed. Our reasons are:

1. Foundation stability because of bentonite soil, an unstable slope, natural erosion, and ground water levels.
2. Drainage challenges from natural seepage, irrigation runoff, rapid erosion, and ground water levels.
3. Construction disruption and results from traffic volumes during and after construction, increased erosion and dust, unmitigated drainage problems, impeded views, and damage to existing homes due to drainage and erosion from uphill construction.

The home owners on the west side of Athens Way have spent a tremendous amount of time and money on their yards that are against the hill. Construction above them, along with the new drainage, will no doubt have an effect on their beautiful backyards. None of us who built on Athens Way had any idea that homes would be built in such close proximity. It will ruin the quiet neighborhood where we live and there are many other places where this developer could build. We really hope you will reconsider this development location!!

LeAnn Klinetobe

From: [angela kurtz](#)
To: [Ted](#)
Cc: kristena@gjcity.com
Subject: Subdivision proposal east end of Canyon Rim Dr, property addressed as 400 23 Rd
Date: Monday, April 22, 2019 10:48:10 PM

Dear City of Grand Junction Planning and LaPlata Communities, LLC,

We were unable to attend the Canyon Rim Drive neighborhood meeting on 4.22.19.

We live several houses from the proposed site for the new development “detention” which we assume will be an irrigation pond. We are very concerned about the potential of this development and proposed drainage to create foundation instability for our house. A house across the street from us and bordering the proposed development has recently had foundation issues requiring expensive repair. We would obviously not want drainage issues compromising our tenuous soil. We would prefer this development proceed at another location due to these concerns and construction disruption. If development is to proceed, to reduce liability and potential damage to our house, alternative drainage and restricted (or no) irrigation plans would be essential.

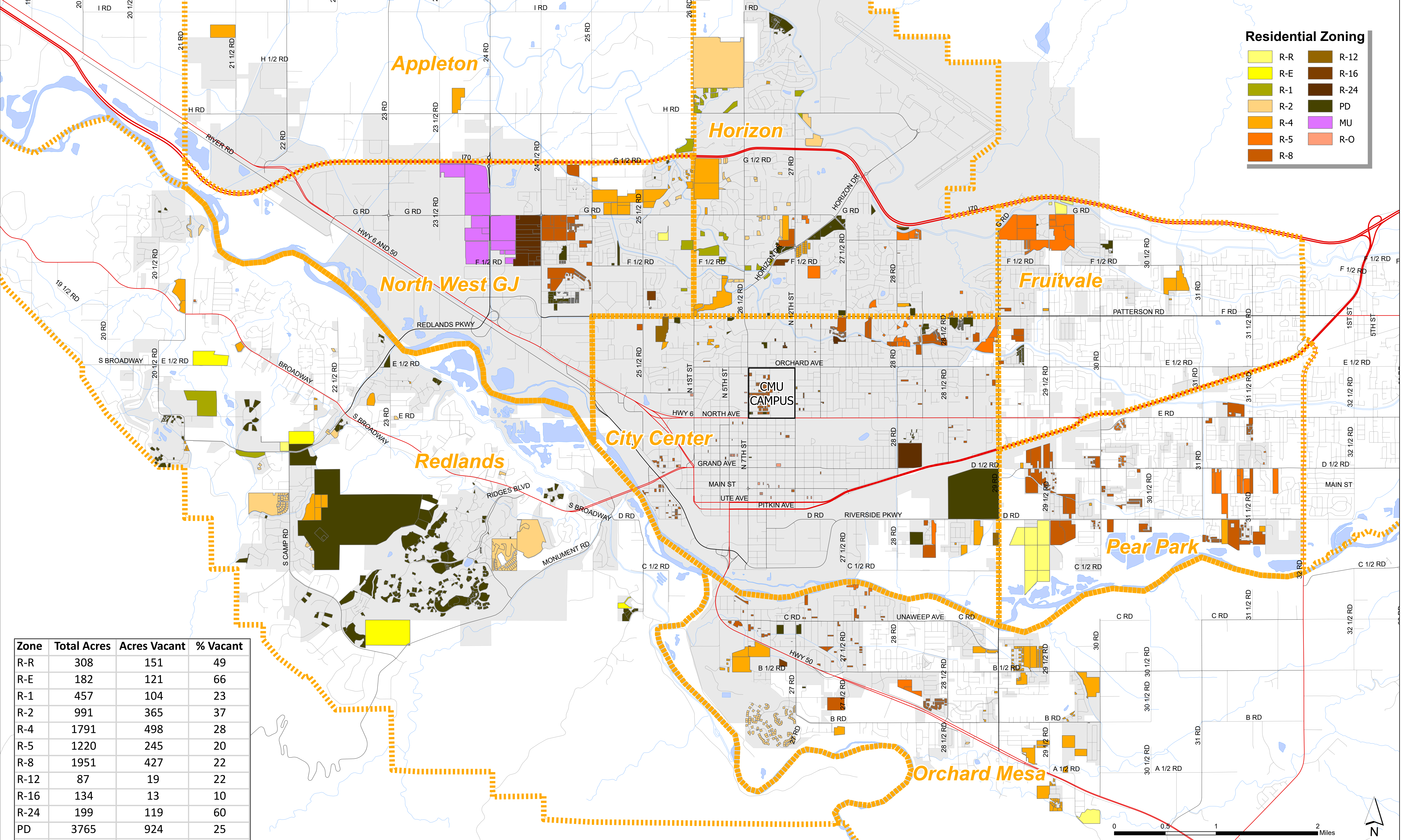
Thank you for addressing these concerns.

Sincerely,

Matt Donaldson
Angela Kurtz
2214 Canyon Rim Dr

[Sent from Yahoo Mail for iPhone](#)

Inventory of Vacant Residential Zoned Properties – City Limits (Map 1)



Zone	Total Acres	Acres Vacant	% Vacant
R-R	308	151	49
R-E	182	121	66
R-1	457	104	23
R-2	991	365	37
R-4	1791	498	28
R-5	1220	245	20
R-8	1951	427	22
R-12	87	19	22
R-16	134	13	10
R-24	199	119	60
PD	3765	924	25
MU	299	221	74
R-O	120	5	5

Planning Areas City Limits

October 14, 2019

Principal Planner Kristen Ashbeck
Grand Junction Planning Commission
Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

Dear Kristen,

With this letter we are commenting on the Canyon Rim 360 subdivision request for rezone. We reside at 345 Dakota Circle, in the Monument Valley Estates Filing 6 subdivision. We built our house there a little over twenty years ago on a one acre lot. In fact, ours was the first house built in the Monument Valley Estates Filing 6 subdivision. Hopefully it can be seen how this new subdivision on our rear property line is of great concern to us.

In general, we think this project is a really bad idea. Regardless of whether the property owner has the right to develop this property, its development is not in keeping with the type of properties that are in our subdivision and will only lower our property values if allowed.

It seems that the City Planning Department is keen on making accommodations to the land owner and developer and ramming the project through, but the City Planning Department actually works for the citizens of the City and not the land owner or developer. Yes we actually live in the County, but that does not take away our rights to challenge this project as it would adversely affect our property.

The developer claims to have "Grand Junction values". We notice that he hasn't lived in this city for many years, preferring instead Colorado Springs, where he can make money building large subdivisions. We don't believe that he cares at all about our city and just says that to make people feel good about him. We are not fooled.

Much of the land the development will be situated on is highly unstable, as it contains copious amounts of shale and bentonite. The land directly behind our house is a large bentonite basin, with lots of drainage channels running through it. It has been said that the developer's engineers will surely figure out a way to build on this type of material and that it has been done before successfully. We don't believe this. Look at the infamous "falling house" that can be seen from the Redlands Parkway bridge. I'm sure everything about it was signed off on by registered engineers and it still ended up being a disaster. The houses in Canyon Rim, as well as some in our subdivision have suffered greatly from these unstable soils and it would be completely unethical to foist off new lots on any unsuspecting persons that will have even worse soil issues.

In addition to the unstable soils of this proposed subdivision, there is the hazard of rock fall from the cliffs above, especially since the ground below will be disturbed.

The Comprehensive Plan 2009 designates the development property as Conversation, 1DU/Acre. We see no benefits to be derived by the community to change this designation. We see nothing that has changed substantially to invalidate the original designation. We do see many benefits to keep this designation as it is. Many people hike and bike in that area and it is a major wildlife corridor for deer and other animals.

Contrary to what is stated by the Planning Department documents, there is no shortage of home sites in the projected size and price range of this new subdivision. A new subdivision, Granite Falls, is a good example. It is short distance down the road and is built on relatively flat terrain without many of the hazards that would befall Canyon Rim 360.

Much is made of satisfying the Grand Junction or Mesa County Circulation Plans. These documents are treated as absolutes that must be adhered to. We reject that notion. It seems that once something gets on paper, it must be done. One has to ask who is the master and who is the slave here. David served on the Mesa County Planning Commission for several years about fifteen years ago, and the extension of Canyon Rim Drive to the Easter Hill area was talked about then. He voted against it then and is still against it now, as an impractical and expensive project and as disruptive to the relative peace of the South Camp corridor.

Thank you for accepting our comments about this project. We look forward to the Planning Commission and City Council doing the right thing and keeping this area as Conservation and thereby maintaining the peace and character of the existing neighborhoods.

David and Debi Caldwell

David B. Caldwell
Debi Caldwell

345 Dakota Circle
Grand junction, CO 81507
970-256-9621

October 13, 2019

Kristen Ashbeck
City Planner, City of Grand Junction
250 N. 5th Street
Grand Junction CO 81501

Dear Kristen,

I am writing regarding the proposed rezoning of the 23-acre parcel of land at the end of Canyon Rim Drive being called "Canyon Rim 360". As I understand it, for new zoning to be approved, an amendment to the 2009 Comprehensive Plan adopted by the City of Grand Junction must be approved. The following is my rebuttal to LaPlata's comments on the Comprehensive Plan Amendment:

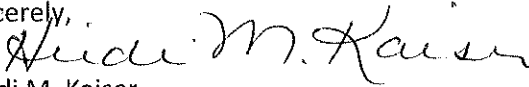
The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

- Subsequent events have invalidated the original premises and findings: (a) there haven't been any events that have invalidated the original findings. The rhetoric provided by LaPlata simply states there have been regulatory changes, but they can't confirm or disprove any impact. A lack of findings aren't findings! (b) Additionally, the idea that the area they aren't proposing to develop is being "preserved" because of their generosity, is inaccurate. It's being preserved because it is too unstable and steep to be built on. Trust me, if they could build on it, they would.
- The character and/or conditions of the area have changed such that the amendment is consistent with the plan: Nothing has changed in this area since the adoption of the 2009 Comprehensive Plan. Filing 4 of Canyon Rim was complete long before 2009 as were the homes on Dakota Circle. If the "Conservation" zoning was appropriate in 2009, it is appropriate now.
- Public and Community facilities are adequate to serve the type and scope of land use proposed: Who knows? Have the comments of Matt Sewalson been addressed – because they were numerous and significant on the preapplication review. Have Rick Dorris's comments regarding the impact on transportation been addressed – not just to his satisfaction but to the satisfaction of the existing homeowners?
- An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use: The only inadequate supply of land or homes in Grand Junction is in the \$300,000 range according to GJARA and the county assessor's office. Homes in Canyon Rim are \$500,000 plus, and on Dakota Circle upwards of \$600,000. It would be inconsistent with the surrounding neighborhood to allow \$300,000 homes in this area. Otherwise, there are homes in the \$500,000 range with 100 plus days on the market in this area. Granite Falls sales are flat and are mostly spec homes, rather than presold to homebuyers. Additionally, Red Rocks Valley still has lots already zoned that can be built on – demonstrating there is an existing, adequate supply of suitably designated lands.
- The community or area as defined by the presiding body will derive benefits from the proposed amendment: LaPlata's comments basically state that Canyon Rim will benefit from increased traffic and congestion. Additionally, the on and off-site drainage improvements are non-existent as evident by their drainage report. They are proposing to build homes on non-absorbent, clay soil

ABOVE the elevation of existing homes. They are stating that because there is no irrigation water, that lands will be xeriscaped and there will be no runoff. How will they control this? Even in neighborhoods without irrigation water, homeowners with deep pockets put in large expanses of Kentucky blue grass and water with domestic water. Right now, the Canyon Rim neighborhood suffers from huge volumes of water during monsoon season and anytime there is rain of any significance. EVERYTHING from this proposed development will run down into Canyon Rim's already taxed drainage area. This hasn't been adequately addressed!

In conclusion, there isn't evidence that the Comprehensive Plan can be or should be amended at this time. I respect the rights of the landowner, but his rights do not invalidate my rights as a homeowner and taxpayer in Grand Junction to have existing zoning regulations "protect and maintain the integrity and character of established neighborhoods". There are a significant number of loose ends and unanswered questions about this development and I am respectfully asking that rezoning not be approved at this time.

Sincerely,

A handwritten signature in cursive script that reads "Heidi M. Kaiser".

Heidi M. Kaiser

2215 Canyon Rim Drive

Grand Junction CO 81507

October 12, 2019

Grand Junction City Planning
Grand Junction City Council

Re: 2009 Comprehensive Plan / Rezoning Request
23-acre plot at Canyon Rim Drive

My family and I moved to the Canyon View Subdivision in 1995. We were the 5th house built in the first filing. Needless to say, we have seen all the housing development in this area in the last 24 years firsthand. Since then we have seen 6 filings of homes in Canyon View, then Canyon Vista, then Trails West, then The Renaissance, then Canyon Rim and now see the new house construction in Granite Falls subdivision. Add it this, the new homes built in the northern filing of Monument Valley. We moved across South Camp Road to the Canyon Rim subdivision in 2008. If there was ever a time have a "Conservation" open space in this immediate area, it's now. This 23-acre open area has been enjoyed by us and thousands of others for its natural beauty, biking and hiking trails and wildlife for decades. It is critical that we preserve the "Conservation" zoning that was designated to these 23 acres in the 2009 Comprehensive Plan. This zoning plan cannot have more than 1 dwelling per acre.

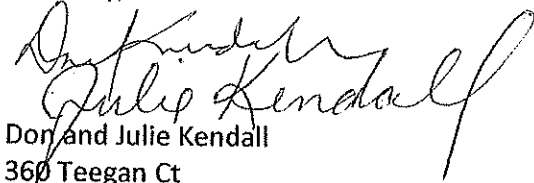
In order to amend the Comprehensive Plan, La Plata Development must show:

1. "Subsequent events have invalidated the original premises or findings of the plan", i.e. Has the area changed enough that the land should no longer be protected? No, they haven't. With all the existing subdivisions and new home construction in the area, we need this protected area more than ever.
2. "The character and/or conditions of the area have changed such that the amendment (proposed rezoning) is consistent with the Comprehensive Plan", i.e. Has the geography, development, use and character of the land has changed significantly since 2009? No, the character and the conditions have not changed.
3. "Public and Community facilities are adequate to serve the type and scope of land use proposed", i.e. In our area, are there adequate schools, fire departments, infrastructure to support more homes? Utility Infrastructure, yes, but Wingate Elementary is at capacity and our Grand Junction Fire Station #5 has had hundreds of new homes added on the Redlands to service.
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." No, there is an adequate supply of homes near by at the new Granite Falls subdivision in the \$5-650K range.

5. "The Community or area as defined by the presiding body will derive benefits from the proposed amendment (development). " Absolutely not. The Canyon Rim neighborhood will not benefit from increased traffic, congestion and development.

In closing, for the reasons above, the 23-acre area is clearly not suitable for home development and rezoning. Add to this list - unstable bentonite soil conditions, water drainage issues from the existing hillside and an aggressive elevation slope which will require retention walls. All these issues will be burdened on to the new homeowners and negatively impact the existing home sites especially on Teegan Ct. We strongly request that you deny the proposed rezoning of 23-acre plot at the end of Canyon Rim Drive and that it will remain a Conservation and Open space as originally designated in 2009.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don and Julie Kendall", written in a cursive style.

Don and Julie Kendall

360 Teegan Ct

Email: donkendall1954@gmail.com

354 Teegan Court
Grand Junction, CO 81507
October 11, 2019

Principal Planner Kristen Ashbeck
Planning Director Tamara Allen
City of Grand Junction Planning Commission
250 North 5th Street
Grand Junction, CO 81501

Subject: Comments regarding the Canyon Rim 360 Project - Comp PLAN Amendment and Rezone

To whom it may concern:

MAJOR POINT NO. 1 -- The applicant's Project proposal DOES NOT satisfy the Criteria for Plan Amendments in the City Code 21.02.130 and rezoning in 21.02.140. Our (mine and many of my Canyon Rim neighbors) response and rebuttals to the applicant's claims are contained in Attachment A, and it is vital for you to read this.

MAJOR POINT NO. 2 -- What I and many of my Canyon Rim neighbors support.

While we all believe in the landowner's rights to develop his larger 600+ acre property, we believe the amending of the 2010 Comprehensive PLAN (shortened to PLAN in the following) to remove the CONSERVATION designation on this 23-acre portion of the 360-acre parcel to be totally unjustified and unwise. Additionally, the locating of 23 homes on these lands is both dangerous and reckless given the hazards that exist. Continuing the CONSERVATION designation and application of the associated criteria of 1 dwelling unit per 5 acres is much more appropriate and is our recommendation. This density allows homes to be sited on the better soils and avoid the more sensitive areas of the property, thus reducing potential impacts to both lot owners of this new development and their neighbors.

Thinking and Reasoning supporting our position.

- A. The CONSERVATION designation is common sense and should be maintained.** The PLAN identifies CONSERVATION for public or private lands which are reserved for "open space, wildlife habitat, sensitive or hazardous land protection, and other environmental or conservation purposes". In the PLAN, this property received that CONSERVATION designation (1 DU/5 acres). There are real and serious reasons behind the designation which have not changed since the development of the PLAN:
- a. There are *Geologic Hazards* which make it unsuitable for development. The City code (34.20.150) states "every effort should be made to avoid, minimize, and mitigate development in mapped hazard areas". It is easily visible that the following issues and reasons were the basis for this area to be mapped and identified as hazardous:
 - i. Rock outfall issues
 - ii. Steeper slope erosion potential
 - iii. Poor building soils
 - iv. Numerous small drainage channels and depressions
 - b. With development and existing downstream floodway issues and restrictions, new irrigation & runoff impacts would have adverse impacts on adjacent existing properties.
 - c. The PLAN may have also envisioned this CONSERVATION zone as a buffer for the big development in the old, original Planned Development area (AKA the 600+ acres).

Without it, we have no or very little break between Canyon Rim subdivision and the landowner's new development on top of the hill.

- d. Some Canyon Rim subdivision property owners looked at this CONSERVATION designation when considering the purchase of their home. Their landscaping was designed based on it. Allowing major changes would seem to be pulling the rug out from existing owners who saw that designation as a plus.
- e. To nearby property owners this designation seems consistent with the steeper slopes and rolling nature of the property and poor building soils in that area. The CONSERVATION designation should remain in place, especially since the landowner and developers have alternatives in excess of 600 adjacent acres with many other sites more readily suitable for development.
- f. The Project does not meet the stated criteria for amending the Comprehensive Plan.

B. The topography, drainage patterns and soils in this area are not conducive to smaller lots.

- a. Forcing houses onto smaller lots reduces opportunities to place houses in more environmentally suitable locations.
- b. The slope of the land east of Teegan Court (where this developer wishes to build) is significant. Disturbance of soils on this portion of the parcel is likely to have adverse effects on the existing Teegan Court homes.
- c. There are presently existing drainage problems originating from the landowner's property and apparently allowed by him. Recently, drainage and sediment movement from these properties was found to be causing the clogging of the existing Teegan Court storm sewer. The city of Grand Junction expanded a significant effort to clean the drain, and one adjacent landowner spent \$5,000 on drainage improvements directly due to this storm sewer problem.
- d. Smaller lot (less than 1 acre) development is likely to cause a net loss of infiltration capacity of this property during storm events and create issues for neighboring properties and the existing storm drainage system. Preliminary layout shows several lots bisected by sometimes more than one drainage channel.
- e. Much of this can be avoided or reduced with larger lots.

C. R-1 "Clustered" housing is inconsistent with existing surrounding housing and lot arrangements. If rezoning is to be done, it should match well with existing adjacent properties.

- a. The developer says he wants to match the Canyon Rim subdivision. But actually, it would be more appropriate to match the Dakota Circle (south) side of the property as it is the longest side of the parcel (with most of the building lots) proposed for rezoning. The Teegan Court side being almost 20% shorter. The properties on Dakota Circle are in excess of 1 acre with well-spaced structures. The developer has proposed tightly spaced lots backing up to and adjacent to these larger lots. This is inconsistent. With 30-foot setbacks, it's even more inconsistent.
- b. On Teegan Court, we have staggered lots/structures with consideration of existing drainage paths, and these drainage depressions also exist on the proposed new subdivision land. Houses on the west and east sides of Teegan Court are on staggered lots which allow for improved views and the valuable open space feeling of our neighborhood. And, this lot layout does have value, making our area more desirable. Small lots and clustering of homes, and some elevated structures on the proposed development property with the existing drainage depressions would thus be inconsistent with the adjacent development and potentially lower our property values.

In Conclusion: With an abundance of land to accommodate growth, why should we destroy the wise set-aside of this CONSERVATION zone and possibly its future ability to provide a buffer for the landowner's planned 600+ acre development? Do you really want to shoot for a win-lose situation, or should we be tending towards a **win-win**? If development of this property is to occur, it should not be a loss for the existing Canyon Rim and Dakota Circle neighbors and for the community in general. Please respect our neighborhood and do this project in such a way that we can all call it a win-win situation.

Sincerely,

A handwritten signature in blue ink that reads "Michael Baker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael L. Baker

ATTACHMENT A

EXCERPT FROM APPLICANT'S 8-7-19 AMENDMENT/REZONE APPLICATION

Applicant's responses in black square bullets with OUR (Canyon Rim residents) comments/rebuttals in Red

21.02.130 Comprehensive Plan Amendment (CPA).

(c) Criteria for Plan Amendments. (shown below in italics)

(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:

OUR comment: We do not believe the proposed Canyon Rim 360 Project is consistent with the vision (intent), goals and policies of the Comprehensive Plan. That Plan calls for, but the proposed Project does not:

- ❖ Fit the vision of "Becoming the Most Livable Community West of the Rockies". To us, "Livable" means keeping CONSERVATION as it is designated and allowing open space in what can easily be called a sensitive area.
- ❖ Provide for - "a broad and balanced range of land uses"
- ❖ "Preserve areas of scenic and/or natural beauty and, where possible, include these areas in a permanent open space system."
- ❖ Preserve environmentally sensitive and geologic hazardous areas

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

- The adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;
- The irregular boundary of the interface between Residential Medium Low and Conservation appears to have been somewhat associated with mesa tops and steep slopes. Current, more accurate topography, along with Hillside Regulations will preserve much of the area that was designated for Conservation.

OUR comment: Subsequent events have absolutely NOT invalidated the original premises and findings.

- ❖ Their first bullet offers no evidence. Actually, subsequent events have dramatically proven the reasoning for the original Conservation designation to be true. Many, many homes in our subdivision have encountered very expensive foundation issues. Additionally, large boulders have rolled down the hillsides in the proposed Project area. We have essentially validated the 1 dwelling unit per 5 acres zoning criteria in the Comprehensive Plan makes ultimate sense.
- ❖ The second bullet appears to be incorrect. The Comprehensive Plan Future Land Use map (page 179, also better seen in the City GIS) readily shows the delineation of the Conservation zone as the Canyon Rim Filling 4 lot line on the west, the Dakota Circle properties lot lines on the south, well past the ridge line and the Ute Water property on the east, and Parcel 2945-184-00-098 on the north. All or most of this is mapped as a Geologic Hazard area, a primary reason for the CONSERVATION designation.

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

- The character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on the more developable slopes.

OUR comments: The character of the area has not changed since the adoption of the 2009 Comprehensive Plan.

- ❖ *How does annexation change the character?*
- ❖ *Canyon Rim Filling 4 was replatted in 2003. Seven houses had been developed along Teegan Court by 2009. The character of the neighbor had been established and is not at all consistent with clustering on smaller lots. We don't know what "adjacent residential subdivisions they are referring to. The nearest newer developments are Red Rock Valley and Granite Falls. Those developments have not changed the character of our Canyon Rim neighborhood.*
- ❖ *Amendment of the Plan for some unknown changed conditions would be Inconsistent.*
- ❖ *Again, it has been shown by experience, the best plan for this area is very low density.*

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

- Public facilities, in the form of utilities and an improved road, were stubbed to the property for its development.

OUR comments: Other facilities, as in the storm sewer system and floodway, and a local street leading to this area may be inadequate.

- ❖ *Problems are currently occurring with plugging of the storm sewer with sediment from Mr. MacGregor's property (of which Project area is being split off). The floodway is already deficient downstream as noted in the Drainage Report by Williams Engineering. Insufficient capacity and ponding along this floodway are already threatening some developed lots even without this new development.*
- ❖ *Canyon Rim Drive is inadequate to support the new (Circulation Plan) connector road to the larger subdivision the applicant wishes to build on his other 600+ acres.*

(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*

- Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres, and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.

OUR comments: In fact, there is not an inadequate supply for the price range the applicant is planning to build.

- ❖ *There presently exist large subdivisions at Granite Falls (104 homesites) and a newly county approved subdivision at the corner of South Camp and Monument Road. These provide a significant and possibly an oversupply in this particular price range. There are some 1200 'Vacant Platted Parcels' (totaling 846 acres) in the Grand Junction jurisdiction in the Mesa County Vacant Land Inventory. Also, there are presently 118 MLS listings in the Redlands area (93 are over \$400k).*

- ❖ Additionally, as the applicant states he has another 343 acres in this parcel, and we know he has another adjacent 238 acre parcel. Their development work on these lands is presently underway with City staff.
- ❖ Thus, with such an abundance of land to accommodate growth, why should we destroy the wise set-aside of this CONSERVATION zone and possibly its future ability to provide a buffer for the planned 600+ acre development?

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

- The Grand Junction Circulation Plan can be realized;
- On and off-site drainage improvements will benefit the surrounding subdivisions.

OUR comment: *The Canyon Rim and South Camp community will not realize significant benefits from this development; in fact, there are likely to be more negative impacts.*

- ❖ *The Circulation Plan proposal for this area would not benefit the residents of Canyon Rim Drive and our subdivision. As is, this is a low use residential street, with on street parking, low speeds, children walking and playing, etc. This proposal would actually damage home values and could easily lead to many residents wanting to sell and vacate their properties. It may already be happening. Is this what you call a benefit?*
- ❖ *As far as we can tell, no on- or off-site drainage improvements are in the plan for the 360 Project. In fact, they claim no additional runoff and no need for detention, which is a bit unbelievable. Our HOA believes the development of this project may have damaging effects on our existing drainage system and possibly serious impacts on the foundations of some of our homes (particularly on Teegan Court).*
- ❖ *In fact, we can identify many negative impacts which include building in a geologic hazard zone and insisting on clustering of lots, which will be a detriment to our community.*

October 5, 2019

Principal Planner Kristen Ashbeck
Planning Director Tamara Allen
City of Grand Junction Planning Commission
250 North 5th Street
Grand Junction, CO 81501

Dear Kristen:

The following are our comments on the Canyon Rim 360 application to amend the Grand Junction Comprehensive Plan 2009 and Rezone request of the 22 Acre parcel at existing end of Canyon Rim Drive. We are adjoining landowners at 347 Dakota Circle and the parcel in question is adjacent to our property.

According to the Grand Junction Comprehensive Plan 2009 this parcel of land is designated Conservation Mineral Extraction (CON) (1DU/5 ACRE). The following are the criteria for Comprehensive Plan Amendment and Rezoning Requests, and the application by the owners of this parcel do not meet these Criteria. We expect the Grand Junction Planning Commission to maintain the Comprehensive Plan designation of this parcel at the current Conservation with 1 Dwelling Unit per 5 Acres.

Following is the section of the City of GJ Development Code regarding Amendment of the Comprehensive Plan and my comments regarding each:

21.02.130 Comprehensive Plan amendment (CPA).

(c) Criteria for Plan Amendments.

- (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:
 - (i) Subsequent events have invalidated the original premises and findings; and/or
 - (ii) The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or
 - (iii) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
 - (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
 - (v) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.
- (i) There have not been any events that have invalidated the original premises and findings which determined this parcel to have conservation significance.
- (ii) The existing neighborhoods adjacent to this parcel were established prior to the 2009 Comprehensive Planning Process so there are no changes to the character and/or conditions of the area which require a change of the current Conservation designation.
- (iii) Due to the existing difficult and challenging drainage and soil conditions in this parcel the adjoining land owners have already had significant impacts on their properties. For this reason the current public and community resources are not adequate, and significant study and mitigation would have to be incurred to develop this area in densities greater than the planned 1 Dwelling Unit per 5 Acres. In addition, due to existing homes located on substantially similar soils as the new development, future excavation and piling required to build sustainable building foundations in the requested higher density will have a large likelihood of causing damage to existing properties and improvements made by adjoining landowners.

(iv) There is no shortage of lots currently available in the size and density this application is requesting in the area, including 104 lots approved at Granite Falls in sight of this parcel. There is an inadequate supply of 1 Dwelling Unit per 5 Acres in the community, which is the current designated density.

(v) There are no foreseeable benefits from a change in density for the community or area if the Conservation designation changes.

Following is the section of the City of GJ Development Code regarding Rezone request and my comments regarding each:

21.02.140 Code amendment and rezoning.

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

- (1) Subsequent events have invalidated the original premises and findings; and/or
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
- (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
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

(1) There have not been any events that have invalidated the original premises and findings which determined this parcel to have conservation significance.

(2) The existing neighborhoods adjacent to this parcel were established prior to the 2009 Comprehensive Planning Process so there are no changes to the character and/or conditions of the area which require a change of the current Conservation designation.

(3) Due to the existing difficult and challenging drainage and soil conditions in this parcel the adjoining land owners have already had significant impacts on their properties. For this reason the current public and community resources are not adequate, and significant study and mitigation would have to be incurred to develop this area in densities greater than the planned 1 Dwelling Unit per 5 Acres. In addition, due to existing homes located on substantially similar soils as the new development, future excavation and piling required to build sustainable building foundations in the requested higher density will have a large likelihood of causing damage to existing properties and improvements made by adjoining landowners.

(4) There is no shortage of lots currently available in the size and density this application is requesting, including 104 approved at Granite Falls in sight of this parcel. There is an inadequate supply of 1 Dwelling Unit per 5 Acres, which is the current designated density.

(5) There are no foreseeable benefits from a change in density for the community or area if the Conservation designation changes.

In addition the application states "The Future Land Use promotes Conservation (1DU/5AC) and Residential Medium Low (2-4 DU/AC) on this property" – this statement is factually incorrect as the Grand Junction Comprehensive Plan 2009 Future Land Use Map has no sign of a blended or overlapping densities as described by the applicant above. See Figure 1 below.

Lastly on Page 12 of the Grand Junction Comprehensive Plan 2009 Executive Summary - Key Concepts - Implementing the Vision and Guiding Principles is the following:

5. Transitioning Density

The Comprehensive Plan coordinates future land uses so that compatible uses adjoin. When significantly different densities or uses are proposed near each other, they are shown to transition from high to low intensity by incorporating appropriate buffering.

The change requested by Canyon Rim 360 for either R-2 or R-1 with Clustering does not meet the stated position of the Grand Junction Comprehensive Plan 2009 because there is no buffering between the existing density of Monument Valley Filing 6 and the proposed densities above. If the current designated Conservation Mineral Extraction (CON) (1DU/5 ACRE) density is maintained the transitions density goal will be met.

Thank you very much for your review of our comments and as we stated we expect the recommendation to the Planning Commission to be to maintain the Conservation Designation with 1 Dwelling Unit per 5 Acres on this parcel of land.

Sincerely,

James & Kristen Lummis

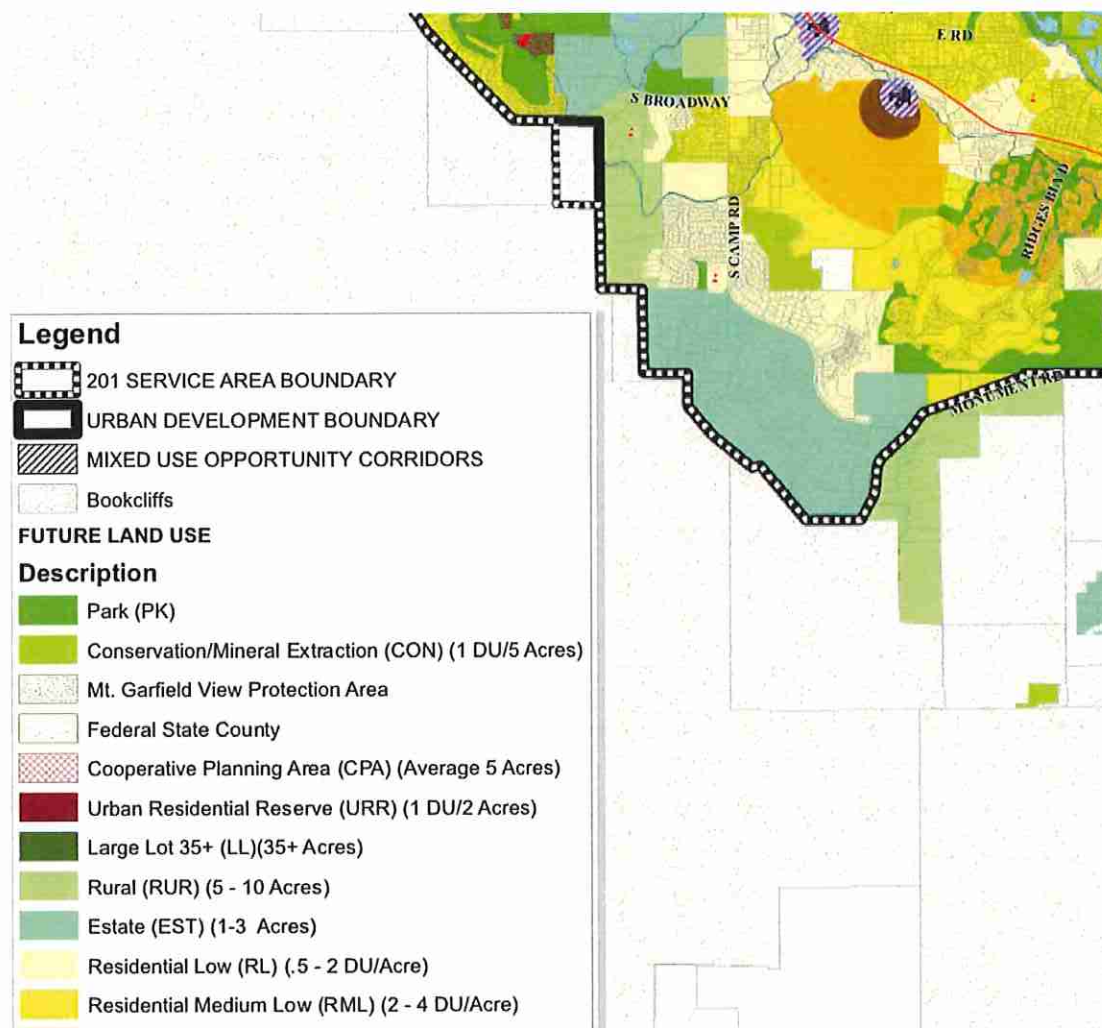
347 Dakota Circle

Grand Junction, CO 81507

Attachments: Figures 1 and Figure 2

CC: Grand Junction City Council

COMPREHENSIVE PLAN – FUTURE LAND USE MAP (Page 179 MCCP 2009) –
Figure 1



Conservation/Mineral Extraction

Public or private lands reserved for open space, wildlife habitat, sensitive or hazardous land protection, and other environmental or conservation purposes. Mining and sand/gravel operations may be permitted as a temporary use.

Applicable Zones CSR

GRAND JUNCTION MUNICIPAL CODE

VOLUME III: COMPREHENSIVE PLAN – Figure 2

A Codification of the Plan Documents that Guide Growth and Development in the City of Grand Junction, Colorado

34.20.040 Future land use and zoning.

The Redlands area is a joint planning area of Mesa County, the City of Grand Junction, and the City of Fruita. Much of the planning area is located within the joint urban planning area as depicted in the Mesa Countywide Land Use Plan and the Grand Junction Growth Plan. (The western portion of the planning area includes the GJ/Fruita/Mesa County Cooperative Planning Area (buffer or community separator) and the City of Fruita's Community Planning area (three-mile radius from City limits). The area within the joint urban planning area has a more detailed land use classification system than the more rural areas of Mesa County because of the more intense urban pressures it experiences. The planning area has 16 future land use classifications. The City's and County's development codes implement these classifications. The City's and County's zoning districts are used to establish the conditions for the use and development of land in each of the future land use categories. Lands that lie within the Redlands Planning Area and within the joint urban planning area of the City and County use the same Future Land Use Map for reference. However, the City's interpretation of the map has a regulatory effect, while the County's interpretation of the map has an advisory effect.

(f) **Areas Shown as Conservation Areas on Map.** Parcels of land that are designated as Conservation are generally properties that have limited development potential due to one or more of the following issues: floodplain, steep slopes, wetlands or major drainage issues. Properties that have such constraints with little buildable area are shown as conservation on the Future Land Use Map. Several properties previously shown as Conservation were identified as being in error and should be designated the same land use classification as other adjacent properties. These properties include:

- (1) One parcel located at 2067 E 1/2 Road from Conservation to Estate (Lots = two to five acres).
- (2) Two parcels located at 120 Mesa Grande Drive and 2336 S. Broadway respectively from Conservation to Residential Low (lots = one-half to two acres).
- (3) One parcel located at 2525 D Road from Conservation to Residential Medium-Low (two to four dwelling units per acre)

Kristen Ashbeck

From: Ray <raypl2558@gmail.com>
Sent: Sunday, September 15, 2019 10:18 AM
To: Kristen Ashbeck
Subject: Re: Canyon Rim 360

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Kristen thank you. My concern is that as you indicated in the paper the process can't be piece meal and I interpret the planning requirement GJMC 21.02.080(e) to attempt to avoid that by indicating planning of the "entire property". Unless there is a different interpretation of entire, the concept for all of parcel designated as 400 23 Road (at least the Canyon Rim section is part of the large parcel) would be required to be discussed or indeed the developers can piece meal the planning as they deem appropriate.

I really do appreciate you responding rapidly and directly, but I really think the whole process eliminates the opportunity for critical public input of the planning process if development of entire property isn't discussed. We collectively lose the opportunity to evaluate emergency response considerations, public safety, transportation, and overall impacts if the developer isn't required to provide at least a concept of the entire property. Thanks again for your service and time.

Ray

Sent from my iPhone

On Sep 15, 2019, at 9:30 AM, Kristen Ashbeck <kristena@gjcity.org> wrote:

Hi Ray,

Yes, I have your comments and thank you for submitting those. The written comments have been forwarded to the applicant's design team and they will be part of the record provided to the Planning Commission and City Council at the time the proposal is scheduled for hearings. The meeting you attended was not intended to include the "entire property" – it was for the specific purpose of the two smaller projects that are currently in the planning review process. As the developer moves forward on the "entire property", neighbors will be notified and new public meetings will be required. As far as I know, the design team is not far enough along in that process for the "entire property" to be able to have concepts, hold the public meetings and make a submittal to the City for consideration.

Please let me know if you have further questions,

Kristen Ashbeck AICP
Principal Planner

City of Grand Junction
250 North 5th Street
Grand Junction CO 81501

970-244-1491
kristena@gjcity.org

From: Ray [<mailto:raypl2558@gmail.com>]
Sent: Saturday, September 14, 2019 8:08 PM
To: Michael Baker <mbaker0404@gmail.com>
Cc: Kristen Ashbeck <kristena@gjcity.org>; Kristen Lummis <jkummis1@me.com>; Canyon Rim HOA <yourcanyonrimhoa@gmail.com>; canyonrimhoa@aol.com
Subject: Re: Canyon Rim 360

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

Kristen this is Ray Plieness. You have my comments. Does the planning department address comments as a matter of practice before they send them to the Commissioners or not? If so are those responses public ally available? I am particularly interested in how your team address the "entire property". Thank you. Ray Plieness

Sent from my iPhone

On Sep 11, 2019, at 2:49 PM, Michael Baker <mbaker0404@gmail.com> wrote:

Kristen A. -- I think you need to let us know whether our comments are lost or not. I assume the planning commissioners normally wish to review some or all of the neighbors' comments. When we wrote them and contributed our "unpaid" time, we expected the decision makers would consider our comments. Do we need to re-submit them?

I would suggest you need to make a list of all the comments you have in your possession (names, addresses and dates) and send it to us so can be sure our views are at least in the commissioners' packet (whether someone actually considers them or not).

This really doesn't look good for your process.

mike baker

On Mon, Sep 9, 2019 at 11:04 AM Kristen Ashbeck <kristena@gjcity.org> wrote:

I think the ones they included were those that went directly to the consultant. All of the others were forwarded to the developer's representative or we still have them. However, my computer crashed and was rebuilt this summer and I may have lost some of them. I can ask the developer's representative if they still have the old ones.

From: Michael Baker [mailto:mbaker0404@gmail.com]
Sent: Monday, September 9, 2019 10:24 AM
To: Kristen Ashbeck <kristena@gjcity.org>
Cc: Kristen Lummis <jkllummis1@me.com>
Subject: Re: Canyon Rim 360

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

My neighbor, Kristen Lummis, and I both noted that the attachment you sent me entitled "Letters from Neighbors" did not include the letters that we sent during the neighborhood meeting phase. Have they been lost or are they captured somewhere else?

Please reply to all.

mike baker

On Thu, Sep 5, 2019 at 9:36 AM Kristen Ashbeck <kristena@gjcity.org> wrote:

Hi Mike,

See attached information and let me know if you have further questions.

My mailing address is below – please put any correspondence to my attention.

Kristen Ashbeck AICP

Principal Planner

City of Grand Junction

250 North 5th Street

Grand Junction CO 81501

970-244-1491

kristena@gjcity.org

April 18, 2019

Ted Ciavonne – Ciavonne, Roberts and Associates, Inc
Kristena – City of Grand Junction Planning Department

Re: Subdivision Development
400 23 Road
Grand Junction, CO

Dear Ted and Kristena,

My name is Don Kendall. I reside at 360 Teegan Ct. I was surprised and a little shocked to receive your letter in the mail. We bought this lot and had our dream home built here in 2008. We were aware that the property behind us was privately owned but also knew it was inconceivable for the land behind us could be developed. It's uneven landscape, dramatic elevation grade and several natural water drainages, would make it very difficult to level and build homes. Also, the presence of expansive soils, which we in Canyon Rim and in neighboring subdivisions all know too much about. Numerous foundations have had to be repaired in this area. I can make sense about the land to the south of us at the end of Canyon Rim Drive and then to the east and south being developed, even though I still don't like it. In addition, by allowing this land to be open to public use for 25 plus years even though it's privately owned has set a precedence. Hundreds of mountain bikers and hikers use the trail behind us. After hard rains the 3 waters drainages above us turn into creeks. I'm not against the development of open property. We wouldn't be living in our home now if Canyon Rim wasn't local developers John Thomas and Dave Bagg. But this new development doesn't fit here. The Renaissance, Trails West and Canyon Rim all were developed along South Camp Road and were developed up to the current foothills and fit the natural landscape and topography. Houses and streets behind Teegan Court don't. My fear is that I will see a street, houses and retaining walls that tower above us removing views, peace and quiet, and decreasing property values for the existing homes along Teegan Court. If this project moves forward, I am prepared to gather a great number of signatures on a petition from neighbors in Canyon Rim Subdivision, Monument Valley and those who recreate in this area. I will again list the reasons I'm against this development:

- *Dramatic and aggressive uphill elevation
- *Natural water drainages will have to be altered.
- * Expansive soils conditions not conducive to home foundations
- * Doesn't fit the natural topography
- *Established biking and hiking trails are present

In closing, I feel that we are going to have to heavily rely on The City of Grand Junction Planning Department, starting with you Kristena, to have a professional and mindful discernment about the construction of this subdivision. The owner of this property doesn't live here, know about us or really care about us. Their goal in the end is financial gain and then will just move on to the next project. But the City of Grand Junction should and hopefully will care.

Sincerely,

Don and Julie Kendall

Kristen Ashbeck

From: Linda Spinner <spinnerlinda@gmail.com>
Sent: Monday, April 22, 2019 10:37 AM
To: Kristen Ashbeck
Cc: ted@ciavonne.com
Subject: Renaissance and Canyon Rim development

Hopefully you can address traffic impact at the corner of South Camp and South Broadway. This has not been addressed with prior development (Granite Falls). The traffic at this intersection is increasing rapidly. With the blind curve heading west toward that intersection, it will be a short time before there is a rear end crash as cars round that curve and approach backed up vehicles waiting to turn. Vehicles coming from west need to slow down so turning is possible. Time for a round a bout at that intersection?

Linda Spinner
970-596-4522
spinnerlinda@gmail.com
Renaissance subdivision

MARCUS P. STRAUB KELLIE R. CALDWELL STRAUB

444 Athens Way • Grand Junction, CO • 81507

M: 970.208.3150, marcusstraub@bresnan.net | K: 970.261.8455, kelliestraub@charter.net

To:

Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org
Tamra Allen Community Development Director, City of Grand Junction | TamraA@gjcity.org
Ted Ciavonne PLA, Ciavonne, Roberts & Associates, Inc | Ted@ciavonne.com

City Council of Grand Junction

Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org
Councilmember Phillip Pe'a, District B | PhillipP@gjcity.org
Councilmember Anna Stout, District C | AnnaS@gjcity.org
Councilmember Duke Wortmann, District D | DukeW@gjcity.org
Councilmember Duncan McArthur, District E | DuncanM@gjcity.org
Councilmember Rick Taggart, District at Large | RickT@gjcity.org
Councilmember Chuck McDaniel, District at Large | ChuckMc@gjcity.org
General Mail | BelindaW@gjcity.org

Greetings,

This letter is intended to provide direct feedback on proposed Developments A and B located at 400 23 Road and the Neighborhood Meeting that took place on Monday, April 22, 2019. As adjacent neighbors to the Major Subdivision located at the end of Renaissance Boulevard, long-term contributing citizens to our community, and a native resident of the Grand Valley, we have many important and pressing concerns about these imminent developments and future plans for the parcel as a whole.

First and foremost, it is important to point out that we do not dispute the rights of any private property owner to develop their land in accordance with all city, county, and state laws. We are also deeply grateful to the current land owner for allowing members of our community to, over the years, use and enjoy the countless walking, hiking, and biking trails that currently exist on this property.

At the same time, we do dispute the notion that any land owner and their chosen developer(s) have rights that supersede those of adjacent and existing property owners.

In an effort to ensure fair short and long-term consideration to all individuals affected by any pending and future developments proposed for 400 23 Road, we respectfully submit the following input and concerns based in part on the responsibilities of the City of Grand Junction Planning Director and Planning Department, and as outlined in the City of Grand Junction development codes referenced below:

21.02.070 Administrative development permits.

(q) Subdivision.

- (9) Safeguard the interests of the public, the homeowner, and the subdivider;
- (13) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface water;
- (14) Prevent flood damage to persons and properties;
- (15) Restrict building in areas poorly suited for building or construction;
- (16) Prevent loss and injury from landslides, mudflows, and other geologic hazards;

- (17) Ensure adequate public facilities and services are available or will be available concurrent with the projected impacts of the subdivision; and
- (18) Ensure the proposal will not impose hardship or substantial inconvenience to nearby landowners or residents.

(r) Preliminary Subdivision Plan.

- (2) Approval Criteria. A preliminary subdivision plan shall not be approved unless the applicant proves compliance with the purpose portion of this section and with all of the following criteria:
 - (i) The preliminary subdivision plan will be in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans;
 - (iv) Other standards and requirements of this code and other City policies and regulations;
 - (v) Adequate public facilities and services will be available concurrent with the subdivision;
 - (vi) The project will have little or no adverse or negative impacts upon the natural or social environment;
 - (vii) Compatibility with existing and proposed development on adjacent properties;
 - (xi) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

21.03.010 Purpose.

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

- (e) Protect and maintain the integrity and character of established neighborhoods;

Item #1: Soil Quality, Soil Stability, and Drainage

This area of the valley has already experienced significant and ongoing issues related to soil quality, soil stability, and drainage. Many of the existing homeowners in surrounding neighborhoods (including, but not limited to, The Renaissance and Canyon Rim Subdivisions) have been required to invest tens and hundreds of thousands of private dollars post-construction to mitigate critical errors and/or oversights made by previous engineers, developers, and builders.

Bentonite soil, unstable slopes, natural erosion, and ground water levels are directly responsible for significant and ongoing foundation and structural issues. These same conditions exist for the lands that will house both proposed subdivisions (Development A at the end of Renaissance Boulevard and Development B at the end of Canyon Rim Drive). In addition, drainage factors from natural sources, canal seepage, irrigation runoff, and erosion from surrounding hills continue to pose serious foundation and structural issues for existing homeowners. These factors will only increase once the proposed development projects begin and 37 new homes are constructed on 29 acres of already-unstable grounds.

Colorado Law, in an effort to avoid adverse impact to downstream or downhill properties, currently requires land owners to adequately control runoff from their properties. Due to the existing landscape of privately-held land directly adjacent to proposed Developments A and B, and the structure of the entire 400 23 Road parcel, a number of valid concerns exist for current property owners. The addition of new homes and roads will only increase the potential for natural and irrigation runoff. The breadth of these impacts must be thoroughly researched, understood, and addressed prior to approval and construction.

Per the stated development codes above, it is the responsibility of the Planning Director, the City of Grand Junction Planning Department, and involved personnel to ensure that land owners, developers, and all associated parties

undertake development projects that are structurally sound, of high quality, enhance the existing and surrounding communities, address associated growth (i.e. maintenance of roads and infrastructure, police, fire, schools, etc), and minimize negative or financial impacts to existing land and homeowners.

Simply stated, ANY development that has the potential of causing structural damage, geological harm, or financial strain to existing homes, homeowners, or surrounding neighborhoods should be paused or stopped until reasonable studies and adequate solutions can be created.

Given these immediate and pressing concerns, we respectfully request that the City of Grand Junction and Planning Department act in good faith, place the development of these projects on hold, and:

1. Commit to a comprehensive soil and drainage analysis of the proposed development areas to determine:
 - How the proposed developments will directly impact the properties of existing homeowners, and
 - Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.
2. Provide detailed information to the public about all future housing developments planned for the entire 400 23 Road parcel and be transparent with any potential soil, stability, drainage, and/or runoff issues that may exist for lower elevation subdivisions during the development process. Understanding future impact is both reasonable and fair to avoid potential harm and financial impact to existing homeowners.
3. Provide detailed information to the public about plans for two future “Unclassified Roads” that will connect Minor Collectors Renaissance Boulevard (Development A) and Canyon Rim Drive (Development B) to Major Collector 23 Road on the eastern edge of the 400 23 Road parcel. Any potential issues directly related to the construction of these roads must be thoroughly understood and revealed prior to development.
 - In fact, on prior circulation plans and planning discussions, the City required this issue be addressed before any development would be allowed. We would like a thorough explanation of why that policy was changed for this development and the legal standing to support it
 - It has also been noted that the Circulation Plan for the 400 23 Road Parcel and the Renaissance Concept Plan do not align. While the Circulation Plan calls for an Unclassified Road that will connect to Minor Collector Renaissance Boulevard (Development A), the Concept Plan does not.
4. Provide a comprehensive and public explanation as to why the “lower” sections of the 400 23 Road parcel (Development A and Development B) are being expedited through the development process when the “upper” sections nearer Major Collector 23 Road have fewer soil quality, stability issues, and drainage concerns to address, and greater potential property and value to the existing land owner and developer.
5. Provide all adjacent homeowners and HOAs (not just those within 500 feet of the proposed development property lines) with historical documentation about all previous zoning changes to both Development A and Development B.
 - The original PUD for the area located at the end of Canyon Rim Drive (Development B) called for just four homesites? When was this changed? What was the original PUD for the area located at the end of Renaissance Boulevard (Development A)? Why have countless homeowners in both areas been repeatedly told by local real estate agents during the sales process that “there won’t be any development behind you?” These questions deserve to be investigated and understood.

Item #2: Subdivision Covenants and Aesthetics

It was clearly stated by Ted Ciavonne during the one required “neighborhood meeting” that the new homes planned for development would be of “better” quality and/or construction than the existing adjacent homes. This was a deeply offensive statement to those in attendance. Existing homeowners take great pride in their homes and have had to make significant structural and aesthetic improvements, including landscape design, standard maintenance, internal construction, and repairs to mitigate structural damage resulting from existing soil and foundation issues. We are proud of our homes and surrounding neighbors, for the most part, take great pride in the homes they have built and/or bought throughout the years.

In regard to Development A at the end of Renaissance Boulevard, the ground elevation of the proposed neighborhood is between 6 and 15 feet higher (running north to south) than the adjacent homes on the east side of Athens Way. For homeowners who back up to the proposed development, this raises several critical and very serious concerns – from all points raised previously regarding soil quality, stability, drainage, and runoff issues, and the impact all will have on existing landscapes and foundations – in addition to privacy, noise, and aesthetics.

In regard to Development B at the end of Canyon Rim Drive, existing ephemeral streams that capture runoff from surrounding hills and the extensive presence of bentonite soils pose serious structural and foundational issues. Adjacent neighbors, like those who live in Monument Valley, have much larger lots than those proposed in the new neighborhood and have a strong desire to maintain the quality of their existing landscape.

In an effort to ensure that any new developments adhere to the City of Grand Junction development codes referenced above, we respectfully request that:

1. A complete engineering and geological evaluation of Development A and Development B, plus all adjacent properties, be undertaken to fully understand any potential current and future potential effects to soil quality and stability due to increased disturbance from construction and added drainage from natural sources and/or irrigation.
2. All HOA covenants for the new proposed subdivisions be written and released prior to development being approved and started.
3. Covenants require single story homes to help preserve views, protect privacy, and maintain aesthetics consistent with surrounding neighborhoods.
4. Covenants require xeriscaping to help minimize the risks and negative effects associated with increased soil instability and poor drainage from increased irrigation and runoff.
5. New lot lines be strategically staggered against existing lot lines.
6. Adequate buffer zones be added to proposed development plans for both neighborhoods.
7. Input from Redlands Water and Power Company about the proposed projects and plans for the existing water canal running along the western edge of proposed Development A be made public.
8. The existing covenants for the northern-most homes on Athens Way in The Renaissance be reviewed and extended to any new proposed subdivision. These properties have a 30-foot “no build” zone at the eastern edge of their property lines and adjacent to the Redlands Water and Power Company canal road.

Item #3: Creating and Protecting Open Spaces

It is the responsibility of any community to thoughtfully and strategically create, maintain, and protect adequate open space for its contributing citizens. This is especially important for the Grand Valley as our population continues to grow and development needs continue to expand. In order to preserve the native look, feel, and culture of this historic area – including nature, animals, and items of historical relevance – private citizens and public officials must be willing to work together toward collaborative and mutually agreeable solutions.

The “Future Land Use Map,” “Circulation Plan,” and “Existing Zoning Map” for the 400 23 Road parcel displayed by Ciavonne, Roberts & Associates, Inc at the April 22nd Neighborhood Meeting clearly demonstrate that all land included in the parcel is targeted for immediate and near-term development, all but eliminating any possibility of future outdoor and recreational use.

As it currently exists, and at the generosity of the existing land owner, this tract of land has grown as a popular recreational area within the City of Grand Junction. Countless individuals respectfully enjoy this landscape as a place to exercise, engage in physical activity, take in views, share time together, commune with nature, and improve their lives. The ability and freedom to do so has been a core tenant of our community, marketed extensively, and is now one reason our area continues to grow in popularity. Complete development of this parcel will eliminate one of the last remaining centrally-located open spaces in our valley and will also result in the destruction of countless animals, trees, and the mysterious hand-carved gnomes that line the western ridge adjacent to existing BLM land.

With the goal of protecting and preserving a fair volume of open space available for use by those who live here now and the many generations that will come, we respectfully request the City take a “time out” to adequately:

1. Study the possibility of purchasing and/or placing the land in a conservation trust.
2. Study the possibility of working in collaboration with the BLM and other organizations (i.e the Trust for Public Land and the Colorado West Land Trust, among others) to preserve the land as open space.
3. Consider the creation of a conversation easement that would include and connect the lands currently slated for development (A and B) with the western ridge of land adjacent to BLM land. This action would preserve all lower lands, eliminate expensive and extensive soil, drainage, and runoff mitigation complications associated with the Renaissance and Canyon Rim extensions, save existing nature preserves – including the beautiful Cottonwood trees lining the canal at the end of Renaissance Boulevard – and maintain some of the oldest juniper trees and hand-carved gnomes placed by one our valley’s most beloved citizens and artists. The preservation of a wide “greenbelt” of land, with easy trail access, would also result in lower development costs and higher home values for future development of 400 23 Road.

In closing, we offer the following summary comments:

- The right of the existing landowner to develop his property is not under dispute.
- The rights of existing and adjacent property and homeowners carry equal weight and must be thoroughly considered before any development plans are finalized and construction projects commence.
- Development that is inappropriate for the current geographic conditions and/or directly violates the existing City of Grand Junction development codes will cause irreparable harm and financial hardship to existing homeowners.

- Thorough studies must be taken to fully understand the potential impact of current and future proposed development in this area, especially as it relates to soil quality, soil stability, drainage, and runoff, and the affect on existing and future homeowners.
- The full and/or partial development of this parcel into family-centered neighborhoods will require extensive contributions from the City of Grand Junction, both short and long-term, to provide adequate personnel to address population growth. What plans exist for the addition of staff to maintain roads and infrastructure? How many additional police and fire department employees will need to be hired? How will this development impact all existing (and already overcrowded) schools? What plans are in place, if any, to build new schools to offset this growth? Where will new schools and fire stations be located? These are important and thoughtful considerations that need to be understood and explained prior to approval and construction.
- The reconsideration of full and/or partial conversation areas, easements, and greenbelt areas adjacent to existing BLM land to maintain open space and ensure the community's continued ability to use, enjoy, and recreate on lands within the City of Grand Junction is fair and reasonable.
- The rights and reasonable expectations of all involved parties – including the existing landowner, his chosen developer(s), nearby and adjacent homeowners, and the community at large – have a legitimate place in the discussion about what ultimately happens to this parcel of land, both short and long-term.
- It is the core responsibility of the City of Grand Junction and all associated representatives to ensure that all developments within the city limits are handled appropriately, respectfully, and in a way that demonstrate care for its community and honor for its existing codes. The number of existing developments taking place within our city's limits, and the number of planning department personnel carrying out review and approval of these developments, along with the speed at which Developments A and B of the 400 23 Road parcel are being pushed through, raises significant concern.

Personal Comments:

As adjacent homeowners to proposed Development A, we have a number of significant concerns regarding the plan for housing directly behind our homes. Homes on the east side of Athens Way, running north and south of Renaissance Boulevard are topographically much lower in elevation (from 5 to 15 feet or more) from the land proposed for development. It is important for the City of Grand Junction to review, adequately address, and build solutions into their plans for these potential concerns – and communicate them to homeowners – prior to developments being approved.

- Have planning departments representatives from the City been on-site to adequately review and understand the impact to adjacent homeowners from building so close in proximity?
- How will the City manage the potential negative effects to existing homeowners from excessive drainage due to construction, irrigation, natural seepage, runoff, and more?

Thank you for your time and consideration,

Marcus P. Straub

Kellie R. Caldwell Straub

Marcus P. Straub
p: 970.261.8455 | e: marcusstraub@bresnan.net

Kellie R. Caldwell Straub
p: 970.261.8455 | e: kelliestraub@charter.net

From: Karen Combs 7kcombs@gmail.com
Subject: 400 23 Road Proposed Developments

KC

Date: May 20, 2019 at 8:26 AM

To: KristenA@gjcity.org, TamraA@gjcity.org, Ted@ciavonne.com, PhyllisN@gjcity.org

Cc: PhillipP@gjcity.org, AnnaS@gjcity.org, DukeW@gjcity.org, DuncanM@gjcity.org, RickT@gjcity.org, ChuckMc@gjcity.org, BelindaW@gjcity.org, Rob Bleiberg rob@cowestlandtrust.org, SouthCampNeighbors@gmail.com, yourcanyonrimhoa@gmail.com

Bcc: Libby Collins libby@cowestlandtrust.org, Karen Combs 7kcombs@gmail.com, Lynn Wegener lynnwegener@gmail.com

Dear Kristen Ashbeck, Tamra Allen, Ted Ciavonne, and Honorable Grand Junction City Councilwoman Phyllis Norris

We are writing in strong support of the recent Open Letter to you regarding 400 23 Road proposed developments submitted by Kelli Straub. We'd like to relate our personal comments. At the end of last year, we moved from East Orchard Mesa/Palisade to what we have nicknamed our "last home" on Caprock Drive. We loved our rural life among the orchards and vineyards, enjoyed biking the Fruit Loop plus the activities of Palisade. However, we consciously choose to stay in our treasured valley and to move close to the Monument for the following reasons:

- As we are seniors, having safe walking and bicycle paths adjacent to neighborhood roads is now more important to us. We look forward to the new bike path extension to Lunch Loop and hope that the path will eventually extend to South Camp Road.
- "Easter Hill" aka "Water Tank" offers readily accessible walking paths with unparalleled spectacular 360 views of our valley. Thank you Robert Macgregor for allowing this area to be enjoyed and valued by so many residents, young and old. These trails were a key factor in deciding our home location.
- Our home location is closer to Main St and the richness of activities that downtown offers, especially the Avalon.
- We were ready to have neighbors next door to us - versus down a 1/4 mile driveway and beyond.
- Finally, we love the dark sky at night.

Our immediate concerns with Renaissance Boulevard Extension (Development A):

Due diligence. It concerns us that the Renaissance development seems to be happening most rapidly with minimal involvement of the adjacent homeowners who have the most at stake with problematic soils, drainage concerns and other issues which jeopardize their homes and neighborhood - with potentially significant financial repercussions. We feel the city planners need to be transparent and open to working with existing residents, not just developers. We dispute the notion that any land owner and their chosen developer(s) have rights that supersede those of adjacent and existing property owners.

Given development codes ([21.02.070](#) sections q and r), it is the responsibility of the Planning Director, the City of Grand Junction Planning Department, and involved personnel to ensure that land owners, developers, and all associated parties undertake development projects that are structurally sound, of high quality, enhance the existing and surrounding communities, address associated growth and minimize negative or financial impacts to existing land and homeowners.

Simply, ANY development that has the potential of causing structural damage, geological harm, or financial strain to existing homes, homeowners, or surrounding neighborhoods should be paused or stopped until reasonable studies and adequate solutions can be created.

Given these immediate and pressing concerns, we respectfully request that the City of Grand Junction and Planning Department act in good faith, place the development of these projects on hold, and commit to a comprehensive soil and drainage analysis of the proposed development areas to determine:

- How the proposed developments will directly impact the properties of existing homeowners, and
- Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.

Our immediate concerns with Canyon Rim Drive Extension (Development B):

From our Soils Report 5/6/2008, produced by Grand Junction Lincoln DeVore, Inc:

"While it is believed that under the existing conditions at the time of this exploration, the construction process would not be affected by any free-flow waters, it is very possible that several years after development is initiated, a troublesome perched water condition may develop that will provide construction difficulties. In addition, this potential perched water could create some problems for existing or future foundations on the tract. Therefore, it is recommended that the future presence of a perched water table be considered in all design and construction of both the proposed residential structures and any subdivision improvements." We underlined for emphasis. Perched water is "groundwater occurring in a

saturated zone separated from the main body of groundwater by unsaturated rock" according to Merriam-Webster.

Our soils report additionally referenced Senate Bill 13 (CRS 6-6.5-101) that the developer provide the owner a copy of Special Publication 43, "A Guide to Swelling Soils for Colorado Homebuyers and Homeowners".

We live close to the "low end" of Caprock Dr. with an easement behind our home for drainage from higher areas, i.e., Teegan Court area and the Water Tank hillside to the east. But will that easement of green space be enough to drain the proposed "upstream" development too? With more homes, more land will be disturbed with fewer paths of runoff and soil to accommodate drainage. The issues of Development B are very similar to those above for Renaissance Development A. Let us all pause to take stock, research, and work together.

Our immediate concerns with the larger 400 23 Road Parcel:

1) Protecting Open Spaces per the City Development Standards (code 21.06.020 Public and private parks and open spaces, section b. and Trails, section c.)

We would like to see the development plans to retain a minimum of 10% of gross acreage as "open" - or understand the plan for equivalency on these proposed projects.

2) Landscape, buffering and screening standards. (21.06.040 - b.8.)

"Preservation of Significant Landscape Features. Existing landscape features such as escarpments, large or old trees or stands, heavy vegetative cover, ponds and bluffs shall be identified by the Director as part of the development review process. To the extent the Director deems practicable, such features shall be preserved by the final plans and to such extent, count toward landscape and open space area requirements. Features to be preserved shall be protected throughout site development."

How does the development plan include retaining some of our oldest juniper trees in the valley?

Can we preserve the aesthetics of the unique ridge line bluff to the west - unlike what has happened on Monument Road?

See 21.06.060 Subdivision standards, section h on Location and Use of Open and Undeveloped Space.

3) The 400 23 Road parcel is the last remaining undeveloped central jewel of our valley. Given its magnitude, natural beauty, and varied opportunities for development, green space and trails, the city council, planners and developer should take time for input and smart planning. With the work underway on the Grand Junction 2020 Comprehensive Plan, it seems reasonable that 2020 work should address this parcel as part of the "big picture" of our valley development. Further, we would like to see the 400 23 Road owner/developer work closely with the Western Colorado Land Trust, the BLM, and Trust for Public Land on creative trail and open space conservations.

4) Last but not least, wildlife activity and corridors need to be taken into account. Regardless of development of 400 23 Road, wildlife in the greater Monument area will continue to move to access food, water, the river - all vital to them. We need to proactively consider their impact as we impact them.

With sincere respect and hope for engagement,

Lynn Wegener

Karen Combs

Lynn Wegener and Karen Combs
372 Caprock Drive
Grand Junction, CO 81507
970-523-4364

Kristen Ashbeck, City of Grand Junction Planning Department
kristena@gjcity.org

Tamra Allen, Planning Director City of Grand Junction
Tamraa@gjcity.org

Ted Ciavonne, Ciavonne, Roberts and Associates
ted@ciavonne.com

April 26, 2019

Thank you for the opportunity to provide comments regarding development on two parcels at 400 23 Road.

We do not dispute the landowner's right to develop this parcel. However, as adjacent landowners, we dispute the notion that he and his chosen developer can develop their plans without consideration of the private property rights of neighboring landowners and in a manner which accommodates the property concerns of impacted neighbors and conforms with City of Grand Junction Development Codes and Standards.

To this point, we offer the following suggestions.

1. Soils and drainage

There are significant, legitimate concerns regarding soils and drainage in the parcels, especially regarding the extension of Canyon Rim Drive into 22 acres of variable, largely bentonite soils, containing two ephemeral streams that capture runoff from surrounding hills.

The City of Grand Junction should undertake a comprehensive soils and drainage analysis to determine how development in this area will impact existing homeowners, many of whom have already had to undergo expensive and extensive mitigation. It would also help determine which party bears (City of GJ, developer, homebuilder, or property owner) liability for damages that occur to existing and future homeowners.

With this information, the City could determine how many homesites are appropriate for this land as well as require infrastructure to avoid damages to current existing neighborhoods and to homeowners within the proposed new neighborhoods.

Additionally, we think it is important that the developer be transparent about future development. The development of a potentially busy road, extending Canyon Rim Drive up onto the top of the 400 23 Road parcel will have significant runoff, soils and drainage issues. It makes sense that these issues be known before proceeding with development. If they are not known, this will only cause harm to homeowners in the future.

The current Grand Junction Circulation Plan specifies an "Unclassified Road" to connect the Minor Collector Canyon Rim Drive to the Major Collector 23 Road on the eastern edge of the owner's parcel. The city should address this road now for the reasons stated above. Also on prior circulation plans and planning discussions for the current Parcel B the city required this issue be addressed before any development was allowed. Why has this changed for this development?

The landowner, developer and the City bear responsibility for ensuring that any development be of high quality, structurally sound and safe, and that the development will not result in damage to existing homeowners, thus requiring them to spend thousands of dollars on repairs.

Furthermore, under Colorado law landowners are required to control runoff from their property, not allowing it to impact those downhill or downstream from them. The City should hold the current landowner and developer to this standard in order to ensure no one suffers material harm in the developers' pursuit of profit.

Lastly from current City of GJ development code it is the Planning Director's responsibility to:

21.02.070 Administrative development permits.

(q) Subdivision.

- 9) Safeguard the interests of the public, the homeowner, and the subdivider;
- (13) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface water;
- (14) Prevent flood damage to persons and properties;
- (15) Restrict building in areas poorly suited for building or construction;
- (16) Prevent loss and injury from landslides, mudflows, and other geologic hazards;
- (17) Ensure adequate public facilities and services are available or will be available concurrent with the projected impacts of the subdivision; and
- (18) Ensure the proposal will not impose hardship or substantial inconvenience to nearby landowners or residents.

(r) Preliminary Subdivision Plan.

- (2) Approval Criteria. A preliminary subdivision plan shall not be approved unless the applicant proves compliance with the purpose portion of this section and with all of the following criteria:
 - (i) The preliminary subdivision plan will be in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans;
 - (iv) Other standards and requirements of this code and other City policies and regulations;
 - (v) Adequate public facilities and services will be available concurrent with the subdivision;
 - (vi) The project will have little or no adverse or negative impacts upon the natural or social environment;
 - (vii) Compatibility with existing and proposed development on adjacent properties;

(xi) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

We expect a rigorous adherence to these responsibilities by the planning director for this development application.

2. Mitigation of impacts to the Monument Valley neighborhood

We believe Monument Valley, including Dakota Circle, was developed as a PUD and the lot size (greater than 1 acre going up to 2+ acres) is equivalent to R-E zoning. Therefore, it is appropriate, and included in the City's development code, that R-1 zoning provide a buffer/transition zone before moving to R-2 zoning. This could be accomplished by creating open space or one-acre lots on the south side of the Canyon Rim extension, and then allowing R-2 zoning on the north side. Please note, that larger lots would have a higher value and be more desirable than the small lots currently shown on the plat, and could better take into account soils and geography, as well as remain in keeping with the character of an existing neighborhood that predates Canyon Rim.

3. Measures to improve the aesthetics and value of the new development

a) Staggered lots lines. Staggered lot lines should be required throughout both proposed developments. Houses lined up back-to-back in straight lines are largely out of character with this area. Staggered lots lines preserve and protect views, and provide desirable privacy, for all homeowners, existing and new.

b) Covenants requiring single story homes. This will help preserve and protect views of existing and new homeowners as well as provide architectural consistency within the development.

City of Grand Junction Code states the following, and is applicable to both items 2 and 3 above.

21.03.010 Purpose.

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

(e) Protect and maintain the integrity and character of established neighborhoods;

4. Open Space Considerations.

This parcel is a popular recreational area close in to the City of Grand Junction. A time out to study the possibility of the City, in conjunction with the BLM, Mesa County and organizations like the Trust for Public Land or the Colorado West Land Trust, could preserve, via an easement, the western portion of 400 23 Road, linking the two proposals slated for development with the western ridge land and adjacent BLM land.

Preserving a wide greenbelt in this area with easy trail access would result in higher values for future development of 400 23 Road, while avoiding the soils and drainage complications associated with the Renaissance and Canyon Rim extensions.

If this is not possible, we request a trail connection from open space owned by Monument Valley Filing 7, Dakota Circle and cul-de-sacs adjacent to, to existing BLM land.

As we said above, we do not dispute the right of the landowner to develop his property.

However we ask that the City of Grand Junction work diligently to ensure that the property rights of existing owners in this area are not adversely impacted.

Allowing an R-2 zoning along the southside of the property adjacent to Dakota Circle has an adverse impact upon existing property rights. It is a taking.

Likewise, allowing development that is inappropriate for the geographic conditions, resulting in harm to existing homeowners is a violation of property rights and a taking.

Existing homeowners purchased property in these neighborhoods anticipating a certain neighborhood character as well as an assumption that their property rights are given equal weight to the rights of anyone else.

These rights and expectations have a legitimate place in this discussion and we request that the City take into account all concerns and work with the landowner and developer to ensure new development that is responsible, respectful and appropriate, meeting the needs of all parties.

Thank you very much.

Sincerely,

James B Lummis

Kristen Lummis

347 Dakota Circle, Grand Junction, CO 81507
970-260-2137

Subject: Neighborhood Concerns and Community Comments re: 400 23 Road Proposed Developments A (Renaissance Boulevard) & B (Canyon Rim Drive)

To: Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org Tamra Allen Planning Director, City of Grand Junction | TamraA@gjcity.org

City Council of Grand Junction Mayor Barbara Traylor Smith, District B | BarbaraS@gjcity.org Mayor Pro Tem Bennett Boeschstein, District C | BennettB@gjcity.org Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org Councilmember Duke Wortmann, District D | DukeW@gjcity.org Councilmember Duncan McArthur, District E | DuncanM@gjcity.org Councilmember Chris Kennedy, District at Large | ChrisKen@gjcity.org Councilmember Rick Taggart, District at Large | RickT@gjcity.org General Mail | BelindaW@gjcity.org

I contend the Neighborhood meeting held on April 22, 2019 in regard to the subject development did not comply with GJMC 21.02.080(e) for neighborhood meeting requirements for the following reasons;

- 1) The city staff did not explain the rules and requirements. City staff did not provide information regarding the project's compliance with the Comprehensive Plan and any applicable adopted plan or ordinance. Even when asked specifically about transportation development for the entire property and the apparent piece meal approach of the entire property the staff did not provide information on the process for the benefits of the neighbors and impacted citizens to understand the process. The applicant did not describe any ways to mitigate impacts but rather simply stated that we will meet the legal requirements later in the process, but clearly didn't facilitate a discussion or answer questions in a way to provide any context on the approach to mitigate issues. Lastly, it indicates in the code (at a minimum) the concept plan shall delineate access to the site; internal circulation, the range of density of the entire property or the maximum intensity (square footage and stories for all buildings). The meeting did not show any internal circulation except for 2 small areas within the property (**entire property** of 400 23 Road) which clearly misses the intent of providing the neighbors an opportunity to understand the entire concept for the **entire property**.
- 2) Of major concern is transportation and emergency planning of the individual pieces of the entire property proposed on the "internal circulation". Per the 2018, Grand Junction Circulation Plan, Street Plan Functional Classification Map, it indicates that for unclassified future streets (which the entire property delineated two in the graphics shown at the meeting) requires a Traffic Impact Analysis to designate it's classification that demonstrates vehicle traffic demand within the area of interest (not limited to the particular development under consideration). It is clear, that the intent of **the entire property** development is to use existing roads developed to provide access to existing subdivisions in significantly different ways in the future, with no identified analysis of the impacts, let alone mitigations planned as required by the neighborhood meeting and planning codes.

Based on this I would request the City not approve any permits or other actions that allow the planning process to move forward until a compliant meeting is held. The City should require the applicant to host another meeting or the City should host another meeting and comply with the intent of the Neighborhood meeting and have a dialogue on the entire property to include project impacts, mitigation plans, and the results of the Traffic Impact Analysis.

Raymond Plienness, Resident Canyon Rim Subdivision, HOA Board Member

2205 Desert Varnish Court, Grand Junction, CO 81507

Kristen Ashbeck

From: Kristen Ashbeck
Sent: Thursday, May 23, 2019 9:10 AM
To: ted@ciavonne.com
Subject: FW: Proposed Developments near Canyon Rim and Renaissance Sub-Divisions

From: Paul Cowan [mailto:PaulCowan886@hotmail.com]
Sent: Wednesday, May 22, 2019 7:16 PM
To: Phyllis Norris <phyllisn@gjcity.org>; Phillip Pe'a <phillipp@gjcity.org>; Anna Stout <annas@gjcity.org>; Duke Wortmann <dukew@gjcity.org>; Rick Taggart <rickt@gjcity.org>; Belinda White <belindaw@gjcity.org>; Kristen Ashbeck <kristena@gjcity.org>; TamaraA@gjcity.org; Chuck McDaniel <chuckmc@gjcity.org>
Subject: Proposed Developments near Canyon Rim and Renaissance Sub-Divisions

Dear City Officials,

I am a resident of the Canyon Rim sub-division and have lived in the neighborhood since 2010. By now, I am sure you have received copies of the "Open Letter to the City of Grand Junction" which summarizes neighborhood concerns regarding the proposed developments in the Renaissance and Canyon Rim sub-divisions. I've been following this issue closely and agree with the points made in that letter. I would like to add some of my personal observations and concerns.

Let me premise my remarks by saying that I respect the right of the property owner to utilize and develop his property. I am also very grateful that he has allowed me to enjoy his property as a hiker, a birder, and a bike rider. It has greatly improved the quality of living in this area. It is nice to have a Pinyon and Juniper forested area so close to urban development.

I have spent a lot of time hiking and bike riding on the single track trails in the "Water Tank" Area. I also ride a road bike several times a week and my route takes me through the Canyon Rim, Renaissance and Trails West neighborhoods. On these rides, I have noticed that after a good rainstorm, mud and gravel has washed down on to the north end of Teagan Court, the north end of Canyon Rim Court and particularly near the cut-de-sac on Mirada Court. When I am on the foot path that runs above the outermost homes of the Renaissance sub-division that are on Montero Court and Mirada Court, it is obvious that those property owners are already experiencing problems with drainage and run-off from the cliffs above their property. I can see debris moving down hill towards their back yards. While I am not a geologist, it is obvious to me that there are run-off and soil stability issues from the slopes above the two existing sub-divisions. I believe future development on these cliff areas will only exacerbate the problem existing property owners are already experiencing. I am very concerned about the impacts these new developments may have on existing property owners in both sub-divisions.

It is my understanding that the original plan for the parcel adjacent to Canyon Rim was that it was to be a "conservation easement" and only a maximum of four or five homes could be built there. Surely the developer knew this when he purchased this land. Why do we have zoning if it can be so easily changed at the request of one person, especially when such a change will have a significant impact on the surrounding homeowners who purchased their homes and/or lots based on the zoning that existed at that time. I have no issue with the construction of four or five homes in this area. However, I believe that what is being proposed (23 homes) is not suitable for this geologically unstable area. If home owners are supposed to do due diligence regarding nearby zoning before purchasing their homes, why should developers be any different? There is a vacant lot for sale at the end of Canyon Rim Drive. Can I purchase that lot and then ask the city to change the zoning of my lot to allow me to operate a fire

siren testing facility as part of my new house? Obviously I am exaggerating but this example is what bothers me about zoning changes that occur right next to established neighborhoods.

Has anyone from the City planning department ever been out to this proposed development area when it is wet from rainfall? I have hiked through there many times and the bentonite soil turns in to a wet gloppy mess with slippery "goo" plastered to my hiking boots. I don't even think of taking my bike up there. Given the problems existing homeowners have had due to the soil conditions, I am very skeptical that any new development in these particular locations will fare any better than the numerous property owners in Canyon Rim who experienced serious problems with their houses (as described in the "Open" letter).

I had a recent conversation with another Canyon Rim property owner who told me that when Canyon Rim first came on the market, he considered purchasing a lot on Teagan Court which is the street closest to the new proposed subdivision B. He told me that prior to his purchasing the property, he had the building site analyzed by an engineer. This engineer told my neighbor that due to the soil conditions, it would probably cost at least \$200,000 to do the amount of excavation that would be necessary to prepare the site for a foundation. Needless to say, he decided to purchase a different lot, as far away from Teagan Court as he could get.

From the meetings that I have attended, there seems to be a rush on the part of the City and the developer to get the Canyon Rim parcel re-zoned and construction activities started as soon as possible. I believe that a more prudent course of action is to follow through with the recommendations made in the "Open" letter. A determination needs to be made that any new development is not going to have an adverse impact on existing and adjacent property owners. It is my understanding that this is required by law. And I believe it is only right that new developments must comply with existing City of Grand Junction planning codes.

No one is disputing the right of the property owner to develop his land. However, I don't think a development of the scale being proposed is an appropriate or smart use of this particular area between the existing sub-divisions and the top of the rim where the water tank and cell phone towers are. I agree with the point made in the "Open" letter that it would be good planning to acquire this area as a greenbelt which would buffer the development that will eventually occur on the rest of the property (further to the east) from the Canyon Rim and Renaissance sub-divisions. It would preclude the construction of this large number of houses on very unstable soil and minimize the impact (run-off, drainage, etc.) such a development would cause to those of us who are already living in the Canyon Rim and Renaissance sub-divisions. The developer could still build four or five houses in this particular area. It would save valuable open space that will only become scarcer as Grand Junction continues to grow. The open space would even be a nice marketing type amenity for the future development that is planned further to the east.

Thank you for your consideration and listening to our concerns.

Sincerely,

Paul Cowan
Marlyn Peterson
371 Caprock Drive
Grand Junction, Colorado 81507
435-260-1825

Kristen Ashbeck

From: Kristen Ashbeck
Sent: Thursday, May 23, 2019 11:00 AM
To: ted@ciavonne.com
Subject: FW: Canyon Rim Concept Plat

DeVore

From: Dennis DeVore [mailto:ddv48@mac.com]
Sent: Monday, April 29, 2019 1:35 PM
To: ted@ciavonne.com
Cc: Kristen Ashbeck <kristena@gjcity.org>
Subject: Canyon Rim Concept Plat

Ted & Kristena,

I would like to add a comment regarding the Canyon Rim Concept Plat that was displayed at the public meeting on April 22, 2019 at the Redlands Methodist Church. I have attached a sketch of the concept plat, from a photo taken the night of the meeting. I have annotated it to help explain our concern.

Blue Magenta = The lot where I live at 353 Dakota Circle, which will adjoin the proposed subdivision.

Red = A substantial natural arroyo that runs along the north side of my lot, with may be 40% on my property and 60% along the south boundaries of proposed Lots 7 and 8;

Green = Dedicated open space/floodplain of the existing Canyon Rim subdivision; it continues north of Canyon Rim Drive I just didn't draw it in; this is a major waterway through Canyon Rim subdivision.

My concerns are:

- 1) It appears there is no provision for including the "red" area on my sketch as part of an expanded open space/floodplain area; this would be simple and logical, because the areas are contiguous and part of the same waterway (the waterway forks at my property, this is the easterly channel);
- 2) The concept plat actually "narrows" the width of the utility easement in this area of Lot 7; I'm not sure an easement would provide any protection of the arroyo. But a narrower easement seems to imply that the lot has more buildable area further south than other lots along that south subdivision boundary.
- 3) This arroyo is marginally vegetated, and the slopes are extremely fragile; disturbing it would increase sediment, and of course building in this area would constrict or alter the channel of the seasonal flash floods that flow through this waterway every summer;
- 4) I am concerned that anything that disturbs or alters the north side, ie, south boundaries of Lots 7 & 8, could possibly alter the channel enough to cause erosion on my side.

What would I suggest?

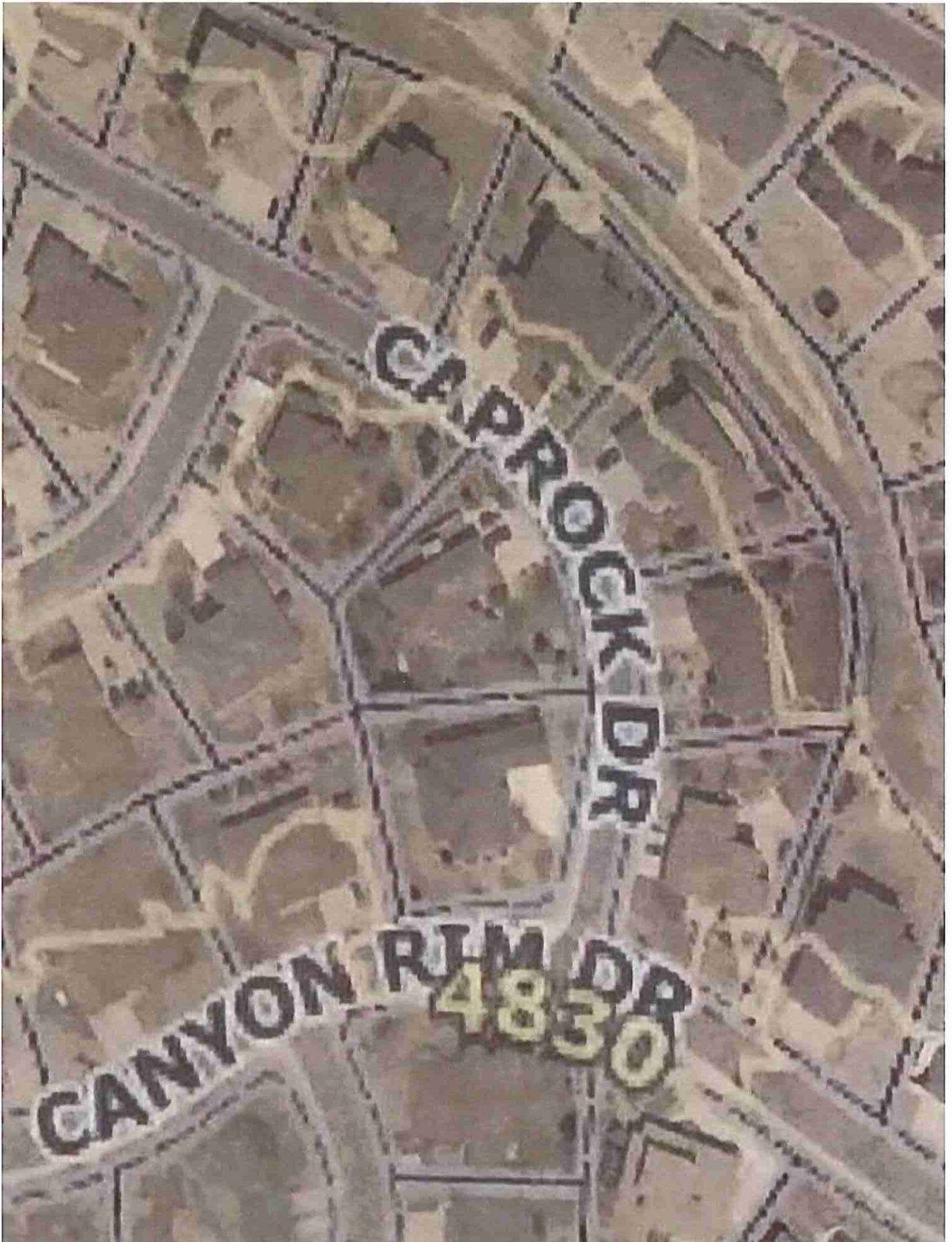
1) The best and easiest solution would be to add the arroyo area to the open space/flood plain that now exists in Canyon View, ie, combine the "red" with the "green" outline on my attached sketch. You would then establish an undisturbed, contiguous area, off limits to construction of any kind, and under the control of the HOA;

2) Another solution would be to designate a "no build" area for Lots 7 and 8, with a defined boundary; the problem is that a builder could try to challenge or skirt such wording with a walkout basement, etc. by keeping permanent improvements out of the area, but still excavating into the waterway;

3) And lastly, a possible solution would be special setback requirements for Lots 7 and 8 that would keep any improvements north of the top of the arroyo, leaving the waterway undisturbed; but again, a builder would possibly try to skirt around such wording with a walkout basement by claiming the dirtwork is just a landscaping improvement. To me, this is not an effective solution.

Thank you for your time,

Dennis & Judi DeVore
353 Dakota Circle
GJ 81507



OPEN LETTER TO THE CITY OF GRAND JUNCTION

Neighborhood Concerns and Community Comments re: 400 23 Road
Proposed Developments A (Renaissance Boulevard) & B (Canyon Rim Drive)

To:

✶ Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org
Tamra Allen Planning Director, City of Grand Junction | TamraA@gjcity.org
Ted Ciavonne PLA, Ciavonne, Roberts & Associates, Inc | Ted@ciavonne.com

Please read last
2 pages.

City Council of Grand Junction

Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org
Councilmember Phillip Pe'a, District B | PhillipP@gjcity.org
Councilmember Anna Stout, District C | AnnaS@gjcity.org
Councilmember Duke Wortmann, District D | DukeW@gjcity.org
Councilmember Duncan McArthur, District E | DuncanM@gjcity.org
Councilmember Rick Taggart, District at Large | RickT@gjcity.org
Councilmember Chuck McDaniel, District at Large | ChuckMc@gjcity.org
General Mail | BelindaW@gjcity.org

Greetings,

This letter is intended to provide direct feedback on proposed Developments A and B located at 400 23 Road and the Neighborhood Meeting that took place on Monday, April 22, 2019. As adjacent neighbors to the Major Subdivisions located at the end of Renaissance Boulevard and Canyon Rim Drive, long-term contributing citizens to our community, and native residents of the Grand Valley, we have many important and pressing concerns about these imminent developments and future plans for the parcel as a whole.

First and foremost, it is important to point out that we do not dispute the rights of any private property owner to develop their land in accordance with all city, county, and state laws. We are also deeply grateful to the current land owner for allowing members of our community to, over the years, use and enjoy the countless walking, hiking, and biking trails that currently exist on this property.

At the same time, we do dispute the notion that any land owner and their chosen developer(s) have rights that supersede those of adjacent and existing property owners.

In an effort to ensure fair short and long-term consideration to all individuals affected by any pending and future developments proposed for 400 23 Road, we respectfully submit the following input and concerns based in part on the responsibilities of the City of Grand Junction Planning Director and Planning Department, and as outlined in the City of Grand Junction development codes referenced below:

21.02.070 Administrative development permits.

(q) Subdivision.

- (9) Safeguard the interests of the public, the homeowner, and the subdivider;
- (13) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface water;
- (14) Prevent flood damage to persons and properties;
- (15) Restrict building in areas poorly suited for building or construction;
- (16) Prevent loss and injury from landslides, mudflows, and other geologic hazards;

- (17) Ensure adequate public facilities and services are available or will be available concurrent with the projected impacts of the subdivision; and
- (18) Ensure the proposal will not impose hardship or substantial inconvenience to nearby landowners or residents.

(r) Preliminary Subdivision Plan.

(2) Approval Criteria. A preliminary subdivision plan shall not be approved unless the applicant proves compliance with the purpose portion of this section and with all of the following criteria:

- (i) The preliminary subdivision plan will be in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans;
- (iv) Other standards and requirements of this code and other City policies and regulations;
- (v) Adequate public facilities and services will be available concurrent with the subdivision;
- (vi) The project will have little or no adverse or negative impacts upon the natural or social environment;
- (vii) Compatibility with existing and proposed development on adjacent properties;
- (xi) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

21.03.010 Purpose.

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

- (e) Protect and maintain the integrity and character of established neighborhoods;

Item #1: Soil Quality, Soil Stability, and Drainage

This area of the valley has already experienced significant and ongoing issues related to soil quality, soil stability, and drainage. Many of the existing homeowners in surrounding neighborhoods (including, but not limited to, The Renaissance and Canyon Rim Subdivisions) have been required to invest tens and hundreds of thousands of private dollars post-construction to mitigate critical errors and/or oversights made by previous engineers, developers, and builders.

Bentonite soil, unstable slopes, natural erosion, and ground water levels are directly responsible for significant and ongoing foundation and structural issues. These same conditions exist for the lands that will house both proposed subdivisions (Development A at the end of Renaissance Boulevard and Development B at the end of Canyon Rim Drive). In addition, drainage factors from natural sources, canal seepage, irrigation runoff, and erosion from surrounding hills continue to pose serious foundation and structural issues for existing homeowners. These factors will only increase once the proposed development projects begin and 37 new homes are constructed on 29 acres of already-unstable grounds.

Colorado Law, in an effort to avoid adverse impact to downstream or downhill properties, currently requires land owners to adequately control runoff from their properties. Due to the existing landscape of privately-held land directly adjacent to proposed Developments A and B, and the structure of the entire 400 23 Road parcel, a number of valid concerns exist for current property owners. The addition of new homes and roads will only increase the potential for natural and irrigation runoff. The breadth of these impacts must be thoroughly researched, understood, and addressed prior to approval and construction.

Per the stated development codes above, it is the responsibility of the Planning Director, the City of Grand Junction Planning Department, and involved personnel to ensure that land owners, developers, and all associated parties

undertake development projects that are structurally sound, of high quality, enhance the existing and surrounding communities, address associated growth (i.e. maintenance of roads and infrastructure, police, fire, schools, etc), and minimize negative or financial impacts to existing land and homeowners.

Simply stated, ANY development that has the potential of causing structural damage, geological harm, or financial strain to existing homes, homeowners, or surrounding neighborhoods should be paused or stopped until reasonable studies and adequate solutions can be created.

Given these immediate and pressing concerns, we respectfully request that the City of Grand Junction and Planning Department act in good faith, place the development of these projects on hold, and:

1. Commit to a comprehensive soil and drainage analysis of the proposed development areas to determine:
 - How the proposed developments will directly impact the properties of existing homeowners, and
 - Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.
2. Provide detailed information to the public about all future housing developments planned for the entire 400 23 Road parcel and be transparent with any potential soil, stability, drainage, and/or runoff issues that may exist for lower elevation subdivisions during the development process. Understanding future impact is both reasonable and fair to avoid potential harm and financial impact to existing homeowners.
3. Provide detailed information to the public about plans for two future "Unclassified Roads" that will connect Minor Collectors Renaissance Boulevard (Development A) and Canyon Rim Drive (Development B) to Major Collector 23 Road on the eastern edge of the 400 23 Road parcel. Any potential issues directly related to the construction of these roads must be thoroughly understood and revealed prior to development.
 - In fact, on prior circulation plans and planning discussions, the City required this issue be addressed before any development would be allowed. We would like a thorough explanation of why that policy was changed for this development and the legal standing to support it
 - It has also been noted that the Circulation Plan for the 400 23 Road Parcel and the Renaissance Concept Plan do not align. While the Circulation Plan calls for an Unclassified Road that will connect to Minor Collector Renaissance Boulevard (Development A), the Concept Plan does not.
4. Provide a comprehensive and public explanation as to why the "lower" sections of the 400 23 Road parcel (Development A and Development B) are being expedited through the development process when the "upper" sections nearer Major Collector 23 Road have fewer soil quality, stability issues, and drainage concerns to address, and greater potential property and value to the existing land owner and developer.
5. Provide all adjacent homeowners and HOAs (not just those within 500 feet of the proposed development property lines) with historical documentation about all previous zoning changes to both Development A and Development B.
 - The original PUD for the area located at the end of Canyon Rim Drive (Development B) called for just four homesites? When was this changed? What was the original PUD for the area located at the end of Renaissance Boulevard (Development A)? Why have countless homeowners in both areas been repeatedly told by local real estate agents during the sales process that "there won't be any development behind you?" These questions deserve to be investigated and understood.

Item #2: Subdivision Covenants and Aesthetics

It was clearly stated by Ted Ciavonne during the one required “neighborhood meeting” that the new homes planned for development would be of “better” quality and/or construction than the existing adjacent homes. This was a deeply offensive statement to those in attendance. Existing homeowners take great pride in their homes and have had to make significant structural and aesthetic improvements, including landscape design, standard maintenance, internal construction, and repairs to mitigate structural damage resulting from existing soil and foundation issues. We are proud of our homes and surrounding neighbors, for the most part, take great pride in the homes they have built and/or bought throughout the years.

In regard to Development A at the end of Renaissance Boulevard, the ground elevation of the proposed neighborhood is between 6 and 15 feet higher (running north to south) than the adjacent homes on the east side of Athens Way. For homeowners who back up to the proposed development, this raises several critical and very serious concerns – from all points raised previously regarding soil quality, stability, drainage, and runoff issues, and the impact all will have on existing landscapes and foundations – in addition to privacy, noise, and aesthetics.

In regard to Development B at the end of Canyon Rim Drive, existing ephemeral streams that capture runoff from surrounding hills and the extensive presence of bentonite soils pose serious structural and foundational issues. Adjacent neighbors, like those who live in Monument Valley, have much larger lots than those proposed in the new neighborhood and have a strong desire to maintain the quality of their existing landscape.

In an effort to ensure that any new developments adhere to the City of Grand Junction development codes referenced above, we respectfully request that:

1. A complete engineering and geological evaluation of Development A and Development B, plus all adjacent properties, be undertaken to fully understand any potential current and future potential effects to soil quality and stability due to increased disturbance from construction and added drainage from natural sources and/or irrigation.
2. All HOA covenants for the new proposed subdivisions be written and released prior to development being approved and started.
3. Covenants require single story homes to help preserve views, protect privacy, and maintain aesthetics consistent with surrounding neighborhoods.
4. Covenants require xeriscaping to help minimize the risks and negative effects associated with increased soil instability and poor drainage from increased irrigation and runoff.
5. New lot lines be strategically staggered against existing lot lines.
6. Adequate buffer zones be added to proposed development plans for both neighborhoods.
7. Input from Redlands Water and Power Company about the proposed projects and plans for the existing water canal running along the western edge of proposed Development A be made public.
8. The existing covenants for the northern-most homes on Athens Way in The Renaissance be reviewed and extended to any new proposed subdivision. These properties have a 30-foot “no build” zone at the eastern edge of their property lines and adjacent to the Redlands Water and Power Company canal road.

Item #3: Creating and Protecting Open Spaces

It is the responsibility of any community to thoughtfully and strategically create, maintain, and protect adequate open space for its contributing citizens. This is especially important for the Grand Valley as our population continues to grow and development needs continue to expand. In order to preserve the native look, feel, and culture of this historic area – including nature, animals, and items of historical relevance – private citizens and public officials must be willing to work together toward collaborative and mutually agreeable solutions.

The “Future Land Use Map,” “Circulation Plan,” and “Existing Zoning Map” for the 400 23 Road parcel displayed by Ciavonne, Roberts & Associates, Inc at the April 22nd Neighborhood Meeting clearly demonstrate that all land included in the parcel is targeted for immediate and near-term development, all but eliminating any possibility of future outdoor and recreational use.

As it currently exists, and at the generosity of the existing land owner, this tract of land has grown as a popular recreational area within the City of Grand Junction. Countless individuals respectfully enjoy this landscape as a place to exercise, engage in physical activity, take in views, share time together, commune with nature, and improve their lives. The ability and freedom to do so has been a core tenant of our community, marketed extensively, and is now one reason our area continues to grow in popularity. Complete development of this parcel will eliminate one of the last remaining centrally-located open spaces in our valley and will also result in the destruction of countless animals, trees, and the mysterious hand-carved gnomes that line the western ridge adjacent to existing BLM land.

With the goal of protecting and preserving a fair volume of open space available for use by those who live here now and the many generations that will come, we respectfully request the City take a “time out” to adequately:

1. Study the possibility of purchasing and/or placing the land in a conservation trust.
2. Study the possibility of working in collaboration with the BLM and other organizations (i.e the Trust for Public Land and the Colorado West Land Trust, among others) to preserve the land as open space.
3. Consider the creation of a conservation easement that would include and connect the lands currently slated for development (A and B) with the western ridge of land adjacent to BLM land. This action would preserve all lower lands, eliminate expensive and extensive soil, drainage, and runoff mitigation complications associated with the Renaissance and Canyon Rim extensions, save existing nature preserves – including the beautiful Cottonwood trees lining the canal at the end of Renaissance Boulevard – and maintain some of the oldest juniper trees and hand-carved gnomes placed by one of our valley’s most beloved citizens and artists. The preservation of a wide “greenbelt” of land, with easy trail access, would also result in lower development costs and higher home values for future development of 400 23 Road.

In closing, we offer the following summary comments:

- The right of the existing landowner to develop his property is not under dispute.
- The rights of existing and adjacent property and homeowners carry equal weight and must be thoroughly considered before any development plans are finalized and construction projects commence.
- Development that is inappropriate for the current geographic conditions and/or directly violates the existing City of Grand Junction development codes will cause irreparable harm and financial hardship to existing homeowners.

- Thorough studies must be taken to fully understand the potential impact of current and future proposed development in this area, especially as it relates to soil quality, soil stability, drainage, and runoff, and the affect on existing and future homeowners.
- The full and/or partial development of this parcel into family-centered neighborhoods will require extensive contributions from the City of Grand Junction, both short and long-term, to provide adequate personnel to address population growth. What plans exist for the addition of staff to maintain roads and infrastructure? How many additional police and fire department employees will need to be hired? How will this development impact all existing (and already overcrowded) schools? What plans are in place, if any, to build new schools to offset this growth? Where will new schools and fire stations be located? These are important and thoughtful considerations that need to be understood and explained prior to approval and construction.
- The reconsideration of full and/or partial conversation areas, easements, and greenbelt areas adjacent to existing BLM land to maintain open space and ensure the community's continued ability to use, enjoy, and recreate on lands within the City of Grand Junction is fair and reasonable.
- The rights and reasonable expectations of all involved parties – including the existing landowner, his chosen developer(s), nearby and adjacent homeowners, and the community at large – have a legitimate place in the discussion about what ultimately happens to this parcel of land, both short and long-term.
- It is the core responsibility of the City of Grand Junction and all associated representatives to ensure that all developments within the city limits are handled appropriately, respectfully, and in a way that demonstrate care for its community and honor for its existing codes. The number of existing developments taking place within our city's limits, and the number of planning department personnel carrying out review and approval of these developments, along with the speed at which Developments A and B of the 400 23 Road parcel are being pushed through, raises significant concern.

Personal Comments:

See the attached last page

Lee A. Hoelscher
 Name
2200 Canyon Rim Dr
 Address
970-256-1777
 Phone

Joan C. Hoelscher
 Name
2200 Canyon Rim Dr.
 Address
970-256-1777
 Phone

Attachment for Personal Comments:

We are the homeowners on the NW corner of Canyon Rim Drive and South Camp Road directly across from Wingate Elementary School and Park. We are extremely concerned about how the increased traffic flow from this proposed Development B would have on this intersection. The main issues of concern would be traffic increase and flow, child and pedestrian safety, a noisier neighborhood, and loss of house selling possibilities.

Presently with school buses and parents dropping off and picking up children at the school around the hours of 8-9:00 am, noon, 2-4:30pm plus any evening activities has created parking issues on Canyon Rim Dr. These times have also created of bottleneck traffic situation at our intersection and more safety issues because of the too small school parking lot overflow. Many pedestrians, dog walkers and bike riders use Canyon Rim Drive as an extension of the Park now too. In our opinion this particular intersection already is too busy especially with speeding motorists heading north on South Camp coming down the hill before Wingate's school warning lights. So, which city/county entity will be willing and responsible for this extra traffic flow, road maintenance, school safety issues and increased population problems just at this corner due to this new housing development project, not to restate all the other people's concerns mentioned above.

OPEN LETTER TO THE CITY OF GRAND JUNCTION

Neighborhood Concerns and Community Comments re: 400 23 Road Proposed Developments A (Renaissance Boulevard) & B (Canyon Rim Drive)

To:

Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org
Tamra Allen Planning Director, City of Grand Junction | TamraA@gjcity.org
Ted Ciavonne PLA, Ciavonne, Roberts & Associates, Inc | Ted@ciavonne.com

City Council of Grand Junction

Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org
Councilmember Phillip Pe'a, District B | PhillipP@gjcity.org
Councilmember Anna Stout, District C | AnnaS@gjcity.org
Councilmember Duke Wortmann, District D | DukeW@gjcity.org
Councilmember Duncan McArthur, District E | DuncanM@gjcity.org
Councilmember Rick Taggart, District at Large | RickT@gjcity.org
Councilmember Chuck McDaniel, District at Large | ChuckMc@gjcity.org
General Mail | BelindaW@gjcity.org

Greetings,

This letter is intended to provide direct feedback on proposed Developments A and B located at 400 23 Road and the Neighborhood Meeting that took place on Monday, April 22, 2019. As adjacent neighbors to the Major Subdivisions located at the end of Renaissance Boulevard and Canyon Rim Drive, long-term contributing citizens to our community, and native residents of the Grand Valley, we have many important and pressing concerns about these imminent developments and future plans for the parcel as a whole.

First and foremost, it is important to point out that we do not dispute the rights of any private property owner to develop their land in accordance with all city, county, and state laws. We are also deeply grateful to the current land owner for allowing members of our community to, over the years, use and enjoy the countless walking, hiking, and biking trails that currently exist on this property.

At the same time, we do dispute the notion that any land owner and their chosen developer(s) have rights that supersede those of adjacent and existing property owners.

In an effort to ensure fair short and long-term consideration to all individuals affected by any pending and future developments proposed for 400 23 Road, we respectfully submit the following input and concerns based in part on the responsibilities of the City of Grand Junction Planning Director and Planning Department, and as outlined in the City of Grand Junction development codes referenced below:

21.02.070 Administrative development permits.

(q) Subdivision.

- (9) Safeguard the interests of the public, the homeowner, and the subdivider;
- (13) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface water;
- (14) Prevent flood damage to persons and properties;
- (15) Restrict building in areas poorly suited for building or construction;
- (16) Prevent loss and injury from landslides, mudflows, and other geologic hazards;

- (17) Ensure adequate public facilities and services are available or will be available concurrent with the projected impacts of the subdivision; and
- (18) Ensure the proposal will not impose hardship or substantial inconvenience to nearby landowners or residents.

(r) Preliminary Subdivision Plan.

(2) Approval Criteria. A preliminary subdivision plan shall not be approved unless the applicant proves compliance with the purpose portion of this section and with all of the following criteria:

- (i) The preliminary subdivision plan will be in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans;
- (iv) Other standards and requirements of this code and other City policies and regulations;
- (v) Adequate public facilities and services will be available concurrent with the subdivision;
- (vi) The project will have little or no adverse or negative impacts upon the natural or social environment;
- (vii) Compatibility with existing and proposed development on adjacent properties;
- (xi) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

21.03.010 Purpose.

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

- (e) Protect and maintain the integrity and character of established neighborhoods;

Item #1: Soil Quality, Soil Stability, and Drainage

This area of the valley has already experienced significant and ongoing issues related to soil quality, soil stability, and drainage. Many of the existing homeowners in surrounding neighborhoods (including, but not limited to, The Renaissance and Canyon Rim Subdivisions) have been required to invest tens and hundreds of thousands of private dollars post-construction to mitigate critical errors and/or oversights made by previous engineers, developers, and builders.

Bentonite soil, unstable slopes, natural erosion, and ground water levels are directly responsible for significant and ongoing foundation and structural issues. These same conditions exist for the lands that will house both proposed subdivisions (Development A at the end of Renaissance Boulevard and Development B at the end of Canyon Rim Drive). In addition, drainage factors from natural sources, canal seepage, irrigation runoff, and erosion from surrounding hills continue to pose serious foundation and structural issues for existing homeowners. These factors will only increase once the proposed development projects begin and 37 new homes are constructed on 29 acres of already-unstable grounds.

Colorado Law, in an effort to avoid adverse impact to downstream or downhill properties, currently requires land owners to adequately control runoff from their properties. Due to the existing landscape of privately-held land directly adjacent to proposed Developments A and B, and the structure of the entire 400 23 Road parcel, a number of valid concerns exist for current property owners. The addition of new homes and roads will only increase the potential for natural and irrigation runoff. The breadth of these impacts must be thoroughly researched, understood, and addressed prior to approval and construction.

Per the stated development codes above, it is the responsibility of the Planning Director, the City of Grand Junction Planning Department, and involved personnel to ensure that land owners, developers, and all associated parties

undertake development projects that are structurally sound, of high quality, enhance the existing and surrounding communities, address associated growth (i.e. maintenance of roads and infrastructure, police, fire, schools, etc), and minimize negative or financial impacts to existing land and homeowners.

Simply stated, ANY development that has the potential of causing structural damage, geological harm, or financial strain to existing homes, homeowners, or surrounding neighborhoods should be paused or stopped until reasonable studies and adequate solutions can be created.

Given these immediate and pressing concerns, we respectfully request that the City of Grand Junction and Planning Department act in good faith, place the development of these projects on hold, and:

1. Commit to a comprehensive soil and drainage analysis of the proposed development areas to determine:
 - How the proposed developments will directly impact the properties of existing homeowners, and
 - Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.
2. Provide detailed information to the public about all future housing developments planned for the entire 400 23 Road parcel and be transparent with any potential soil, stability, drainage, and/or runoff issues that may exist for lower elevation subdivisions during the development process. Understanding future impact is both reasonable and fair to avoid potential harm and financial impact to existing homeowners.
3. Provide detailed information to the public about plans for two future “Unclassified Roads” that will connect Minor Collectors Renaissance Boulevard (Development A) and Canyon Rim Drive (Development B) to Major Collector 23 Road on the eastern edge of the 400 23 Road parcel. Any potential issues directly related to the construction of these roads must be thoroughly understood and revealed prior to development.
 - In fact, on prior circulation plans and planning discussions, the City required this issue be addressed before any development would be allowed. We would like a thorough explanation of why that policy was changed for this development and the legal standing to support it
 - It has also been noted that the Circulation Plan for the 400 23 Road Parcel and the Renaissance Concept Plan do not align. While the Circulation Plan calls for an Unclassified Road that will connect to Minor Collector Renaissance Boulevard (Development A), the Concept Plan does not.
4. Provide a comprehensive and public explanation as to why the “lower” sections of the 400 23 Road parcel (Development A and Development B) are being expedited through the development process when the “upper” sections nearer Major Collector 23 Road have fewer soil quality, stability issues, and drainage concerns to address, and greater potential property and value to the existing land owner and developer.
5. Provide all adjacent homeowners and HOAs (not just those within 500 feet of the proposed development property lines) with historical documentation about all previous zoning changes to both Development A and Development B.
 - The original PUD for the area located at the end of Canyon Rim Drive (Development B) called for just four homesites? When was this changed? What was the original PUD for the area located at the end of Renaissance Boulevard (Development A)? Why have countless homeowners in both areas been repeatedly told by local real estate agents during the sales process that “there won’t be any development behind you?” These questions deserve to be investigated and understood.

Item #2: Subdivision Covenants and Aesthetics

It was clearly stated by Ted Ciavonne during the one required “neighborhood meeting” that the new homes planned for development would be of “better” quality and/or construction than the existing adjacent homes. This was a deeply offensive statement to those in attendance. Existing homeowners take great pride in their homes and have had to make significant structural and aesthetic improvements, including landscape design, standard maintenance, internal construction, and repairs to mitigate structural damage resulting from existing soil and foundation issues. We are proud of our homes and surrounding neighbors, for the most part, take great pride in the homes they have built and/or bought throughout the years.

In regard to Development A at the end of Renaissance Boulevard, the ground elevation of the proposed neighborhood is between 6 and 15 feet higher (running north to south) than the adjacent homes on the east side of Athens Way. For homeowners who back up to the proposed development, this raises several critical and very serious concerns – from all points raised previously regarding soil quality, stability, drainage, and runoff issues, and the impact all will have on existing landscapes and foundations – in addition to privacy, noise, and aesthetics.

In regard to Development B at the end of Canyon Rim Drive, existing ephemeral streams that capture runoff from surrounding hills and the extensive presence of bentonite soils pose serious structural and foundational issues. Adjacent neighbors, like those who live in Monument Valley, have much larger lots than those proposed in the new neighborhood and have a strong desire to maintain the quality of their existing landscape.

In an effort to ensure that any new developments adhere to the City of Grand Junction development codes referenced above, we respectfully request that:

1. A complete engineering and geological evaluation of Development A and Development B, plus all adjacent properties, be undertaken to fully understand any potential current and future potential effects to soil quality and stability due to increased disturbance from construction and added drainage from natural sources and/or irrigation.
2. All HOA covenants for the new proposed subdivisions be written and released prior to development being approved and started.
3. Covenants require single story homes to help preserve views, protect privacy, and maintain aesthetics consistent with surrounding neighborhoods.
4. Covenants require xeriscaping to help minimize the risks and negative effects associated with increased soil instability and poor drainage from increased irrigation and runoff.
5. New lot lines be strategically staggered against existing lot lines.
6. Adequate buffer zones be added to proposed development plans for both neighborhoods.
7. Input from Redlands Water and Power Company about the proposed projects and plans for the existing water canal running along the western edge of proposed Development A be made public.
8. The existing covenants for the northern-most homes on Athens Way in The Renaissance be reviewed and extended to any new proposed subdivision. These properties have a 30-foot “no build” zone at the eastern edge of their property lines and adjacent to the Redlands Water and Power Company canal road.

Item #3: Creating and Protecting Open Spaces

It is the responsibility of any community to thoughtfully and strategically create, maintain, and protect adequate open space for its contributing citizens. This is especially important for the Grand Valley as our population continues to grow and development needs continue to expand. In order to preserve the native look, feel, and culture of this historic area – including nature, animals, and items of historical relevance – private citizens and public officials must be willing to work together toward collaborative and mutually agreeable solutions.

The “Future Land Use Map,” “Circulation Plan,” and “Existing Zoning Map” for the 400 23 Road parcel displayed by Ciavonne, Roberts & Associates, Inc at the April 22nd Neighborhood Meeting clearly demonstrate that all land included in the parcel is targeted for immediate and near-term development, all but eliminating any possibility of future outdoor and recreational use.

As it currently exists, and at the generosity of the existing land owner, this tract of land has grown as a popular recreational area within the City of Grand Junction. Countless individuals respectfully enjoy this landscape as a place to exercise, engage in physical activity, take in views, share time together, commune with nature, and improve their lives. The ability and freedom to do so has been a core tenant of our community, marketed extensively, and is now one reason our area continues to grow in popularity. Complete development of this parcel will eliminate one of the last remaining centrally-located open spaces in our valley and will also result in the destruction of countless animals, trees, and the mysterious hand-carved gnomes that line the western ridge adjacent to existing BLM land.

With the goal of protecting and preserving a fair volume of open space available for use by those who live here now and the many generations that will come, we respectfully request the City take a “time out” to adequately:

1. Study the possibility of purchasing and/or placing the land in a conservation trust.
2. Study the possibility of working in collaboration with the BLM and other organizations (i.e the Trust for Public Land and the Colorado West Land Trust, among others) to preserve the land as open space.
3. Consider the creation of a conservation easement that would include and connect the lands currently slated for development (A and B) with the western ridge of land adjacent to BLM land. This action would preserve all lower lands, eliminate expensive and extensive soil, drainage, and runoff mitigation complications associated with the Renaissance and Canyon Rim extensions, save existing nature preserves – including the beautiful Cottonwood trees lining the canal at the end of Renaissance Boulevard – and maintain some of the oldest juniper trees and hand-carved gnomes placed by one of our valley’s most beloved citizens and artists. The preservation of a wide “greenbelt” of land, with easy trail access, would also result in lower development costs and higher home values for future development of 400 23 Road.

In closing, we offer the following summary comments:

- The right of the existing landowner to develop his property is not under dispute.
- The rights of existing and adjacent property and homeowners carry equal weight and must be thoroughly considered before any development plans are finalized and construction projects commence.
- Development that is inappropriate for the current geographic conditions and/or directly violates the existing City of Grand Junction development codes will cause irreparable harm and financial hardship to existing homeowners.

- Thorough studies must be taken to fully understand the potential impact of current and future proposed development in this area, especially as it relates to soil quality, soil stability, drainage, and runoff, and the affect on existing and future homeowners.
- The full and/or partial development of this parcel into family-centered neighborhoods will require extensive contributions from the City of Grand Junction, both short and long-term, to provide adequate personnel to address population growth. What plans exist for the addition of staff to maintain roads and infrastructure? How many additional police and fire department employees will need to be hired? How will this development impact all existing (and already overcrowded) schools? What plans are in place, if any, to build new schools to offset this growth? Where will new schools and fire stations be located? These are important and thoughtful considerations that need to be understood and explained prior to approval and construction.
- The reconsideration of full and/or partial conversation areas, easements, and greenbelt areas adjacent to existing BLM land to maintain open space and ensure the community's continued ability to use, enjoy, and recreate on lands within the City of Grand Junction is fair and reasonable.
- The rights and reasonable expectations of all involved parties – including the existing landowner, his chosen developer(s), nearby and adjacent homeowners, and the community at large – have a legitimate place in the discussion about what ultimately happens to this parcel of land, both short and long-term.
- It is the core responsibility of the City of Grand Junction and all associated representatives to ensure that all developments within the city limits are handled appropriately, respectfully, and in a way that demonstrate care for its community and honor for its existing codes. The number of existing developments taking place within our city's limits, and the number of planning department personnel carrying out review and approval of these developments, along with the speed at which Developments A and B of the 400 23 Road parcel are being pushed through, raises significant concern.

Personal Comments:

Michael Rooks
 Name
386 Teegan Ct g.J 81507
 Address
(970) 639-5520
 Phone

Susan Addison
 Name
386 Teegan Ct g.J 81507
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(970) 639-5520
 Phone

April 22, 2019

To: City of Grand Junction Planning Department

Ciavonne Roberts and Associates, Inc

RE: proposed subdivisions connected to Canyon Rim (and Renaissance)

From: Michael Whistler, resident Canyon Rim Subdivision

Patrice Whistler, President Canyon Rim HOA (patrice.whistler@gmail.com)

We have many worries and concerns about the proposed developments beyond the Canyon Rim subdivision (and similar concerns for the Renaissance area). Below are listed the major areas of concern.

1. Unstable soil: the area for proposed homes is mostly unstable soil composed largely of bentonite and clay. This has been discovered with the core drillings in the area. Our HOA has been aware of this due to many existing homes in Canyon Rim with cracked and shifted foundations.

There will need to be enormous amounts of soil removal and replacement with risks for dust, mud and road destruction due to multiple and endless transport in and out of the construction areas.

The proposed building sites are in areas of elevation and dramatic surrounding slopes, where water rushes down from the hillside on a regular basis. This means that new homes located in the proposed construction areas will be at risk for significant foundation issues and water damage.

2. Water run off: water was found in one core drill at 25 ft. water run off and mud is already an existing issue in Canyon Rim. Water is only absorbed 2 inches in to the soil in this area. There are basements adjacent to the proposed construction filled with water, requiring sump pumps and other relief. The new streets will also push run off directly in to the existing streets below.
3. Dust/mud run off: during construction, dust will blow down into the existing homes, clogging the swamp coolers most of us have (and most are Australian type with very expensive filters). With rain and construction water there will be mud rushing into yards and possibly homes, as well as into the streets below.

4. Traffic: we have fairly low traffic in our neighborhood, except for the increase due to open trail access in the proposed building locations. Our streets are already cracked and not holding up to low traffic let alone increase from 22 homes on an extended Canyon Rim and other street extensions.
5. Recreation: this area, though privately owned, has been graciously open for access to neighbors and others from across the city for walking, hiking, mountain biking and dog walking. It would be a wonderful area to be bought by conservation or other groups for maintaining multipurpose public use. The proposed construction would destroy many existing trails and severely limit access to others.
6. Water tower: Ute water empties the water tank yearly to get a clean fill. In the past they would just DUMP the water and the run off would send mud rushing down in to the existing Canyon Rim homes. In recent years we have reminded them of this concern and they have allowed for a slower and more controlled release, which never the less still presents run off complications.
7. Ecological effects: The geological structures of the hillside are maintained by the desert ecosystem that currently resides there, including miles of native scrubland, local animal habitats, and cryptobiotic soil. The effects of the proposed construction would disastrously disrupt this precious ecosystem, and thereby compromise the fragile silt and clay structures below, increasing the frequency of erosion and mudslides, and putting both newly constructed homes and existing ones at risk.

4/22/2019

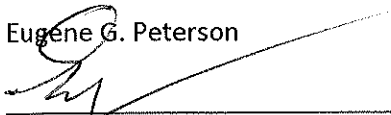
To whom it may concern,

As a current homeowner in the Canyon Rim subdivision, we would like to voice our concerns as to the new proposed development to the east. I'm the last house before the open space where the development is to be built. We understand that this is private land and could be developed at any time, but our hope is that the developer would take into consideration the surrounding communities. Our concerns are as follows:

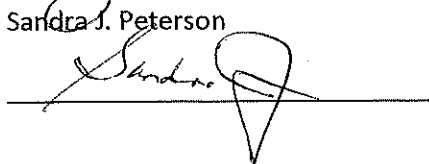
- Increased traffic through our subdivision.
 - The number of cars for 22 houses would equate to a minimum of 44 cars which would mean at least 88 additional cars will travel down Canyon Rim Drive. This will:
 - Increase noise
 - Increase speeds which will affect children and pets in our HOA.
 - Increased noise
 - Increased dust which would not only affect the inside living conditions, but also the swamp cooler pads will need to be changed more frequently.
 - Additional wear and tear of the asphalt
 - The construction traffic will bring a tremendous amount of dirt, dust, mud and disruption to our neighborhood for months, maybe even years to come.
 - If the road is eventually continued over the ridge, this then could be a major thoroughfare for traffic and eventually drive the property values down for our houses.
- Additional Drainage through our HOA
 - We already have issues with our main gulley getting sediment buildup which we are addressing, but can't help but see the potential of additional sediment getting washed into the gulley therefore causing additional financial burdens for our communities.
 - The potential for flash flooding with additional impervious surfaces above our development.
- The houses along the east side of Teegan Court:
 - Could experience landscaping issues with runoff from the new houses built above them which could cause them to spend additional money in landscaping.
 - Since this area has an extremely high concentration of Bentonite, the potential for foundation issues with these houses would increase drastically now that the water table is altered.
- Light pollution:
 - Canyon Rim hasn't any street lights and homeowners are required to turn off lights by 11 pm and only up/down lighting in the neighborhood.

Sincerely,

Eugene G. Peterson



Sandra J. Peterson



EMAIL - TTBR@COMCAST.NET

April 18, 2019

Ted Ciavonne – Ciavonne, Roberts and Associates, Inc
Kristena – City of Grand Junction Planning Department

Re: Subdivision Development
400 23 Road
Grand Junction, CO

Dear Ted and Kristena,

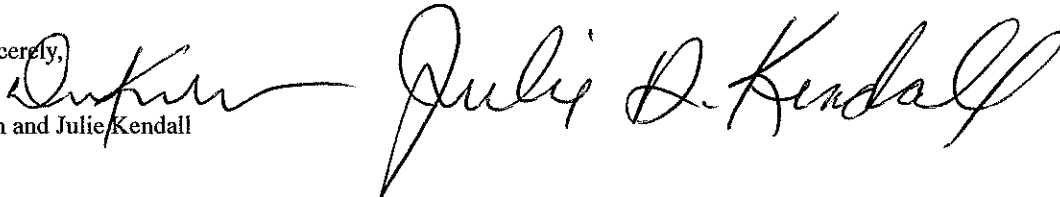
My name is Don Kendall. I reside at 360 Teegan Ct. I was surprised and a little shocked to receive your letter in the mail. We bought this lot and had our dream home built here in 2008. We were aware that the property behind us was privately owned but also knew it was inconceivable for the land behind us could be developed. It's uneven landscape, dramatic elevation grade and several natural water drainages, would make it very difficult to level and build homes. Also, the presence of expansive soils, which we in Canyon Rim and in neighboring subdivisions all know too much about. Numerous foundations have had to be repaired in this area. I can make sense about the land to the south of us at the end of Canyon Rim Drive and then to the east and south being developed, even though I still don't like it. In addition, by allowing this land to be open to public use for 25 plus years even though it's privately owned has set a precedence. Hundreds of mountain bikers and hikers use the trail behind us. After hard rains the 3 waters drainages above us turn into creeks. I'm not against the development of open property. We wouldn't be living in our home now if Canyon Rim wasn't local developers John Thomas and Dave Bagg. But this new development doesn't fit here. The Renaissance, Trails West and Canyon Rim all were developed along South Camp Road and were developed up to the current foothills and fit the natural landscape and topography. Houses and streets behind Teegan Court don't. My fear is that I will see a street, houses and retaining walls that tower above us removing views, peace and quiet, and decreasing property values for the existing homes along Teegan Court. If this project moves forward, I am prepared to gather a great number of signatures on a petition from neighbors in Canyon Rim Subdivision, Monument Valley and those who recreate in this area. I will again list the reasons I'm against this development:

- *Dramatic and aggressive uphill elevation
- *Natural water drainages will have to be altered.
- * Expansive soils conditions not conducive to home foundations
- * Doesn't fit the natural topography
- *Established biking and hiking trails are present

In closing, I feel that we are going to have to heavily rely on The City of Grand Junction Planning Department, starting with you Kristena, to have a professional and mindful discernment about the construction of this subdivision. The owner of this property doesn't live here, know about us or really care about us. Their goal in the end is financial gain and then will just move on to the next project. But the City of Grand Junction should and hopefully will care.

Sincerely,

Don and Julie Kendall



April 22, 2019

Ted Ciavonne – Ciavonne, Roberts and Associates, Inc
Kristena – City of Grand Junction Planning Department

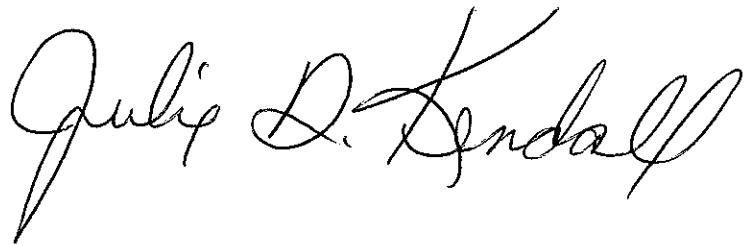
Re: Subdivision Development
400 23 Road
Grand Junction, CO

Dear Ted and Kristena,

My name is Don Kendall. I reside at 360 Teegan Ct. I will address additional issues I have with this proposed development. After reviewing the street and lot layout given to me the our HOA, I feel that the houses along Teegan Court will suffer the most from this subdivision, as we each will have a new house directly behind and way above us. Views, peace and quiet gone, not to mention decreased property values. I noticed that you didn't even have the consideration to at least stagger the lot layout behind us. That's been the standard in our subdivision. That shows me that you are not concerned about how we are impacted by this development. Yu are only concerned about packing as many lots in this area as possible. We have one road in and one road out, meaning the residences along Canyon Rim Drive will bear the impact of all the development construction. Dump trucks, earthmovers, graders, excavators, backhoes, water trucks, concrete trucks along with the supply od concrete pipe, manholes, water pipe utility wiring and piping. And of course, all the dirt, mud, dust and noise for months. And we haven't even got to the 22 home construction contractors, equipment and suppliers. Then 45-60 more vehicles along Canyon Rim Drive. South Camp can't handle the additional traffic. It a bad, beat up road right now. Kistena, you don't have to take my word for it, just drive it yourself. The city of GJ has not improved or maintained South Camp well more may years. I know, I have driven on it for 25 years now. Please consider the issues in your planning meetings. I would like to see no houses behind Teegan Court at all. The other part of the development makes more sense.

Sincerely,

Don and Julie Kendall



OPEN LETTER TO THE CITY OF GRAND JUNCTION

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 - How the proposed developments will directly impact the properties of existing homeowners, and
 - Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.
2. Provide detailed information to the public about all future housing developments planned for the entire 400 23 Road parcel and be transparent with any potential soil, stability, drainage, and/or runoff issues that may exist for lower elevation subdivisions during the development process. Understanding future impact is both reasonable and fair to avoid potential harm and financial impact to existing homeowners.
3. Provide detailed information to the public about plans for two future "Unclassified Roads" that will connect Minor Collectors Renaissance Boulevard (Development A) and Canyon Rim Drive (Development B) to Major Collector 23 Road on the eastern edge of the 400 23 Road parcel. Any potential issues directly related to the construction of these roads must be thoroughly understood and revealed prior to development.
 - In fact, on prior circulation plans and planning discussions, the City required this issue be addressed before any development would be allowed. We would like a thorough explanation of why that policy was changed for this development and the legal standing to support it
 - It has also been noted that the Circulation Plan for the 400 23 Road Parcel and the Renaissance Concept Plan do not align. While the Circulation Plan calls for an Unclassified Road that will connect to Minor Collector Renaissance Boulevard (Development A), the Concept Plan does not.
4. Provide a comprehensive and public explanation as to why the "lower" sections of the 400 23 Road parcel (Development A and Development B) are being expedited through the development process when the "upper" sections nearer Major Collector 23 Road have fewer soil quality, stability issues, and drainage concerns to address, and greater potential property and value to the existing land owner and developer.
5. Provide all adjacent homeowners and HOAs (not just those within 500 feet of the proposed development property lines) with historical documentation about all previous zoning changes to both Development A and Development B.
 - The original PUD for the area located at the end of Canyon Rim Drive (Development B) called for just four homesites? When was this changed? What was the original PUD for the area located at the end of Renaissance Boulevard (Development A)? Why have countless homeowners in both

areas been repeatedly told by local real estate agents during the sales process that “there won’t be any development behind you?” These questions deserve to be investigated and understood.

Item #2: Subdivision Covenants and Aesthetics

It was clearly stated by Ted Ciavonne during the one required “neighborhood meeting” that the new homes planned for development would be of “better” quality and/or construction than the existing adjacent homes. This was a deeply offensive statement to those in attendance. Existing homeowners take great pride in their homes and have had to make significant structural and aesthetic improvements, including landscape design, standard maintenance, internal construction, and repairs to mitigate structural damage resulting from existing soil and foundation issues. We are proud of our homes and surrounding neighbors, for the most part, take great pride in the homes they have built and/or bought throughout the years.

In regard to Development A at the end of Renaissance Boulevard, the ground elevation of the proposed neighborhood is between 6 and 15 feet higher (running north to south) than the adjacent homes on the east side of Athens Way. For homeowners who back up to the proposed development, this raises several critical and very serious concerns – from all points raised previously regarding soil quality, stability, drainage, and runoff issues, and the impact all will have on existing landscapes and foundations – in addition to privacy, noise, and aesthetics.

In regard to Development B at the end of Canyon Rim Drive, existing ephemeral streams that capture runoff from surrounding hills and the extensive presence of bentonite soils pose serious structural and foundational issues. Adjacent neighbors, like those who live in Monument Valley, have much larger lots than those proposed in the new neighborhood and have a strong desire to maintain the quality of their existing landscape.

In an effort to ensure that any new developments adhere to the City of Grand Junction development codes referenced above, we respectfully request that:

1. A complete engineering and geological evaluation of Development A and Development B, plus all adjacent properties, be undertaken to fully understand any potential current and future potential effects to soil quality and stability due to increased disturbance from construction and added drainage from natural sources and/or irrigation.
2. All HOA covenants for the new proposed subdivisions be written and released prior to development being approved and started.
3. Covenants require single story homes to help preserve views, protect privacy, and maintain aesthetics consistent with surrounding neighborhoods.
4. Covenants require xeriscaping to help minimize the risks and negative effects associated with increased soil instability and poor drainage from increased irrigation and runoff.
5. New lot lines be strategically staggered against existing lot lines.
6. Adequate buffer zones be added to proposed development plans for both neighborhoods.
7. Input from Redlands Water and Power Company about the proposed projects and plans for the existing water canal running along the western edge of proposed Development A be made public.
8. The existing covenants for the northern-most homes on Athens Way in The Renaissance be reviewed and extended to any new proposed subdivision. These properties have a 30-foot “no build” zone at the eastern edge of their property lines and adjacent to the Redlands Water and Power Company canal road.

Item #3: Creating and Protecting Open Spaces

It is the responsibility of any community to thoughtfully and strategically create, maintain, and protect adequate open space for its contributing citizens. This is especially important for the Grand Valley as our population continues to grow and development needs continue to expand. In order to preserve the native look, feel, and culture of this historic area – including nature, animals, and items of historical relevance – private citizens and public officials must be willing to work together toward collaborative and mutually agreeable solutions.

The “Future Land Use Map,” “Circulation Plan,” and “Existing Zoning Map” for the 400 23 Road parcel displayed by Ciavonne, Roberts & Associates, Inc at the April 22nd Neighborhood Meeting clearly demonstrate that all land included in the parcel is targeted for immediate and near-term development, all but eliminating any possibility of future outdoor and recreational use.

As it currently exists, and at the generosity of the existing land owner, this tract of land has grown as a popular recreational area within the City of Grand Junction. Countless individuals respectfully enjoy this landscape as a place to exercise, engage in physical activity, take in views, share time together, commune with nature, and improve their lives. The ability and freedom to do so has been a core tenant of our community, marketed extensively, and is now one reason our area continues to grow in popularity. Complete development of this parcel will eliminate one of the last remaining centrally-located open spaces in our valley and will also result in the destruction of countless animals, trees, and the mysterious hand-carved gnomes that line the western ridge adjacent to existing BLM land.

With the goal of protecting and preserving a fair volume of open space available for use by those who live here now and the many generations that will come, we respectfully request the City take a “time out” to adequately:

1. Study the possibility of purchasing and/or placing the land in a conservation trust.
2. Study the possibility of working in collaboration with the BLM and other organizations (i.e the Trust for Public Land and the Colorado West Land Trust, among others) to preserve the land as open space.
3. Consider the creation of a conservation easement that would include and connect the lands currently slated for development (A and B) with the western ridge of land adjacent to BLM land. This action would preserve all lower lands, eliminate expensive and extensive soil, drainage, and runoff mitigation complications associated with the Renaissance and Canyon Rim extensions, save existing nature preserves – including the beautiful Cottonwood trees lining the canal at the end of Renaissance Boulevard – and maintain some of the oldest juniper trees and hand-carved gnomes placed by one of our valley’s most beloved citizens and artists. The preservation of a wide “greenbelt” of land, with easy trail access, would also result in lower development costs and higher home values for future development of 400 23 Road.

In closing, we offer the following summary comments:

- The right of the existing landowner to develop his property is not under dispute.
- The rights of existing and adjacent property and homeowners carry equal weight and must be thoroughly considered before any development plans are finalized and construction projects commence.

- Development that is inappropriate for the current geographic conditions and/or directly violates the existing City of Grand Junction development codes will cause irreparable harm and financial hardship to existing homeowners.
- Thorough studies must be taken to fully understand the potential impact of current and future proposed development in this area, especially as it relates to soil quality, soil stability, drainage, and runoff, and the affect on existing and future homeowners.
- The full and/or partial development of this parcel into family-centered neighborhoods will require extensive contributions from the City of Grand Junction, both short and long-term, to provide adequate personnel to address population growth. What plans exist for the addition of staff to maintain roads and infrastructure? How many additional police and fire department employees will need to be hired? How will this development impact all existing (and already overcrowded) schools? What plans are in place, if any, to build new schools to offset this growth? Where will new schools and fire stations be located? These are important and thoughtful considerations that need to be understood and explained prior to approval and construction.
- The reconsideration of full and/or partial conversation areas, easements, and greenbelt areas adjacent to existing BLM land to maintain open space and ensure the community's continued ability to use, enjoy, and recreate on lands within the City of Grand Junction is fair and reasonable.
- The rights and reasonable expectations of all involved parties – including the existing landowner, his chosen developer(s), nearby and adjacent homeowners, and the community at large – have a legitimate place in the discussion about what ultimately happens to this parcel of land, both short and long-term.
- It is the core responsibility of the City of Grand Junction and all associated representatives to ensure that all developments within the city limits are handled appropriately, respectfully, and in a way that demonstrate care for its community and honor for its existing codes. The number of existing developments taking place within our city's limits, and the number of planning department personnel carrying out review and approval of these developments, along with the speed at which Developments A and B of the 400 23 Road parcel are being pushed through, raises significant concern.

Personal Comments:

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

- Margaret Mead -

Jim Kamm
Heidi Kaiser

Name

2215 Canyon Rim Dr.
Grand Junction CO
81507

Name

354 Teegan Court
Grand Junction, CO 81507
April 22, 2019

Subject: Concerns associated with Canyon Rim Drive neighborhood development proposal

To whom it may concern:

Let me first say, you have the right to develop property you own, but it should not be to the detriment and potential expense of your neighbors. They should not incur additional costs of maintaining and repairing their properties due to your development. I am the landowner underlying a drainage easement and pipe inlet at the corner of Canyon Rim Drive and Teegan Court that drains a majority of the proposed development property, and thus, I have significant concerns about additional flow of runoff and sediment through my property and the possibility of an increased water table in this area.

I have some background in these issues from 30+ years' experience with working in flooding and ground water issues with the US Army Corps of Engineers and Bureau of Reclamation. Although I'm have not thoroughly examined the potential issues with this development, some items are easily worrisome:

1. Runoff and sediment issues. Development of this property with new extensive impervious areas will increase construction and post construction runoff and is likely to impact the downstream existing floodway through the Canyon Rim subdivision. During construction, increased runoff and sediment movement from disturbed areas would likely exasperate existing runoff and sediment deposition issues in that channel. Past sediment deposition has blocked the outlets of several pipelines carrying runoff from the proposed development property. Additional sediment could decrease the capacity of the channel, raising the invert elevation, and exasperate problems with existing pipe lines flowing into this channel.
2. Potential establishment of new ground water table. If irrigation is allowed on new lawns and gardens, up gradient of existing Canyon Rim homes (particularly, Teegan Court and east Canyon Rim Drive properties), groundwater table issues for existing homesites could arise. Establishment of a new ground water table based on irrigation in this area would likely impact

foundations of these homes. Currently, problems already exist with water and foundation movement for several of these homes.

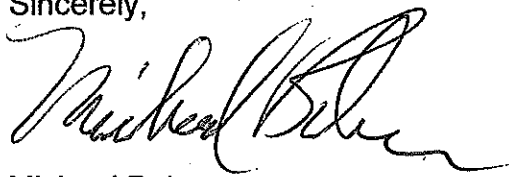
Below are some questions I have at this point:

1. Will you be destroying the natural drainage channels?
2. Will irrigation be allowed on these properties?
3. Will intercepts be installed to prevent irrigation water infiltration/induced ground water tables from affecting adjacent properties?
4. What are the design criteria for the detention basin? (frequency of runoff design event, invert elevation, top of flood pool, spillway requirements, basin lining, etc.)
5. How do you expect to prevent any lateral water movement into my foundation area from this detention basin?
6. Will you commit to insuring this development has no impact on the integrity of my foundation?
7. Will I, as the adjacent landowner, be able to comment on specifics of this detention basin? Will you commit to satisfy my concerns?
8. Do you plan to address soil piping issues on the south side of the property?
9. Will there be screening/fencing from adjacent properties?

The City and the developer should be prepared to explain the regulations and development requirements for drainage, including runoff retention/detention, sediment control, and establishment/increases in the ground water tables in previously in-irrigated areas.

Existing homeowners should be entitled to recover damages inflicted by any unthoughtful development of adjacent lands.

Sincerely,



Michael Baker
Retired Professional Engineer

Phone: 970-270-6184

PS: Since we just received this planned layout today, April 22, 2019, 3 hours prior to the "Neighborhood Meeting", there was not time to fully review and evaluate this proposal. I may have additional comments at a later date.

Kristen Ashbeck

From: Cindy Williams <cliffncindy@gmail.com>
Sent: Monday, October 21, 2019 2:34 PM
To: Kristen Ashbeck; citymanager; engineering; comdev; visitgj; Rick Taggart
Cc: Chuck McDaniel; kraiga@gjcity.ort; Phyllis Norris; Phillip Pe'a; Anna Stout
Subject: Canyon Rim 360 - 23 Acre Development - Planning Meeting

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I was surprised and a little shocked to receive your letter in the mail. I bought this lot and had my dream home built here in 2007. I was aware that the property behind us was privately owned, but understood that it was inconceivable that it could be developed. It's uneven landscape, dramatic elevation grade, and several natural water drainages, would make it very difficult to level and build homes. Also, the presence of expansive soils, which we in Canyon Rim and in neighboring subdivisions all know too much about. Numerous foundations have had to be repaired in this area.

In addition, by allowing this land to be open to public use for 25 plus years even though it's privately owned has set a precedence. Hundreds of mountain bikers and hikers use the trail behind us.

After hard rains the 3 water drainages above us turn into creeks. I'm not against the development of open property. I wouldn't be living in my home now if Canyon Rim hadn't been developed by local developers. But this new development doesn't fit here. The Renaissance, Trails West and Canyon Rim all were developed along South Camp Road and were developed up to the current foothills and fit the natural landscape and topography. Houses and streets behind Teegan Court don't. My fear is that I will see a street, houses and retaining walls that tower above us removing views, peace and quiet, and decreasing property values for the existing homes along Teegan Court. I will again list the reasons I'm against this development:

- *Dramatic and aggressive uphill elevation
- *Natural water drainages will have to be altered.
- * Expansive soils conditions not conducive to home foundations
- *Doesn't fit the natural topography
- *Established biking and hiking trails are present

In closing, I feel that we have to heavily rely on The City of Grand Junction Planning Department, starting with Kristen, to have a professional and mindful discernment about the construction of this subdivision. The owner of this property doesn't live here, know about us or really care about us. Their goal in the end is financial gain and then will just move on to the next project. But the City of Grand Junction should and hopefully will care.

Sincerely,

Cynthia Williams

358 Teegan Ct

Grand Junction, CO 81507

Begin forwarded message:

From: "Nextdoor Redlands Monument" <reply@hs.email.nextdoor.com>

Date: October 20, 2019 at 4:07:46 PM MDT

Subject: Urgent alert: EASTER HILL DEVELOPMENT GJ Planning...

Reply-To:

reply+GQYTCMZZGM2F64DSN5SHKY3UNFXW4X2QJ5JVIXZRG13TEOJUGMYTC===@reply.nextdoor.com

■ ☐ Lois Kinsey, Redlands Monument

EASTER HILL DEVELOPMENT

GJ Planning Commission is meeting 10/22 to decide whether the 600+ acres of Easter Hill and 23 acres behind Canyon Rim will be given permission to go forward with development. Our best offense is a standing room crowd and a deluge of letters to City Commissioners.

Tuesday 10/22 6:00pm GJ City Hall Auditorium

[View or reply](#)

[Thank](#) · [Private message](#)

You can also reply to this email or use Nextdoor for [iPhone](#) or [Android](#)

Kristen Ashbeck

From: Tamra Allen
Sent: Thursday, October 17, 2019 3:57 PM
To: Lynn Wegener
Cc: Kristen Ashbeck
Subject: RE: LaPlata development proposal - Canyon Rim 360

Ms. Wegener - I wanted to confirm that we are in receipt of your correspondence regarding the Canyon Rim project. Thank you for taking the time to submit your comments.

Respectfully,

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



From: Lynn Wegener [mailto:lynnwegener@gmail.com]
Sent: Thursday, October 17, 2019 2:51 PM
To: Kristen Ashbeck <kristena@gjcity.org>; Tamra Allen <tamraa@gjcity.org>; Rick Taggart <rickt@gjcity.org>; Phyllis Norris <phyllisn@gjcity.org>; Phillip Pe'a <phillipp@gjcity.org>; Anna Stout <annas@gjcity.org>; Duke Wortmann <dukew@gjcity.org>; Kraig Andrews <kraiga@gjcity.org>; Chuck McDaniel <chuckmc@gjcity.org>
Subject: LaPlata development proposal - Canyon Rim 360

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Dear Kristen Ashbeck, Tamra Allen, and Honorable Grand Junction City Council Members,

I am writing concerning the proposed development known as Canyon Rim 360, the extension of Canyon Rim Drive and development of a 22-house subdivision.

I understand the current Comprehensive Plan designates this property as "Conservation". It has been used for that purpose for years with all ages enjoying hiking, biking, dog walking and recreation by our total community. I feel that the area has not changed to warrant an exception to the current designation. This open space has continued to be used for recreational purposes and the adjacent subdivision remains as originally designed and built. The Comprehensive Plan was adopted in 2009 with this conservation designation after most of the Canyon Rim subdivision was built in the mid 2000's.

Canyon Rim Drive provides access to several dozen houses along that street and Teegan Court. The proposed development would double the number of houses served by this access road. The proposal also shows that the Canyon Rim Drive extension would then be further developed to add even more traffic to an access road that was original

designed with traffic calming curves for local access to the current subdivision. This development will also add students to the nearby Wingate School, which has already been impacted by the existing development in the Granite Falls Subdivision to the west of South Camp Road, in the old Farmland pasture property.

It is difficult to understand yet another subdivision is warranted in this area. The Granite Falls subdivision development a mile away off South Camp Road is not yet a third completed in the last 1 ½ years and a number of completed houses and lots remain for sale. Also, there are three houses and vacant land in the Canyon Rim Subdivision for sale adjacent to this proposed development indicating there is sufficient housing availability in this area.

I respectfully request that in the interest of the community and our local neighborhood, this request be denied.

Sincerely,

Lynn Wegener
372 Caprock Drive
Grand Junction, Colorado 81507

Kristen Ashbeck

From: Tamra Allen
Sent: Thursday, October 17, 2019 3:54 PM
To: Karen Combs
Cc: Kristen Ashbeck
Subject: RE: Do NOT modify our Comprehensive Plan for the 23-acre development at Canyon Rim Drive by LaPlata

Ms. Combs – I wanted to confirm that we are in receipt of your correspondence regarding the Canyon Rim project. Thank you for taking the time to submit your comments.

Respectfully,

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



From: Karen Combs [mailto:7kcombs@gmail.com]
Sent: Thursday, October 17, 2019 3:02 PM
To: Kristen Ashbeck <kristena@gjcity.org>; Tamra Allen <tamraa@gjcity.org>; Rick Taggart <rickt@gjcity.org>; Phyllis Norris <phyllisn@gjcity.org>; Phillip Pe'a <phillipp@gjcity.org>; Anna Stout <annas@gjcity.org>; Duke Wortmann <dukew@gjcity.org>; Kraig Andrews <kraiga@gjcity.org>; Chuck McDaniel <chuckmc@gjcity.org>; comdev <comdev@gjcity.org>
Subject: Do NOT modify our Comprehensive Plan for the 23-acre development at Canyon Rim Drive by LaPlata

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Dear Kristen Ashbeck, Tamra Allen, and Honorable Grand Junction City Council Members,

We strongly encourage you to **reject** the LaPlata proposed amendment of change to our Comprehensive Plan for their 23 acres at the end of Canyon Rim Drive. Their current zoning status of "Conservation" should remain in place for the following reasons:

1) Nothing has changed since the 2009 Comprehensive Plan regarding this parcel. It was deemed then to be "sensitive, hazardous land". It needs our continued protection as nothing has changed. The surrounding Canyon Rim neighborhood was 99% built out by 2009 with LaPlata property conserved as an environmental buffer, so to speak. The LaPlata property is at the base of steep, high hillsides of unstable, expansive soils. Drainage is a serious concern not just for the proposed LaPlata neighborhood, but existing Canyon Rim neighborhood. The LaPlata development will cover up more surface area for drainage and disrupt soil

percolation - which the Canyon Rim subdivision did not take into account years ago when it was established. [Criteria for Plan Amendments, (1) (i) and (ii)]

2) The Dakota Circle area to the south of La Plata property is adjacent to similar "sensitive, hazardous" land forms. The lots backing up to the land forms are 1 - 3 acres in size, versus the proposed LaPlata lot size of well under an acre. Can LaPlata's difficult, lousy housing location truly support the density that LaPlata proposes given the soil and other environmental concerns?

325 Dakota Cir - 1.96 acres
335 Dakota Cir - 2.53 acres
339 Dakota Cir - 3.11 acres
347 Dakota Cir - 1.05 acres
349 Dakota Cir - 1.04 acres
351 Dakota Cir - 1.08 acres
355 Dakota Cir - 1.17 acres

3) For this amendment, LaPlata cannot prove that "The community or area, as defined by the presiding body, will derive benefits from the proposed amendment." Ask any realtor - there is a surplus of homes on the market > \$500k, which move very slowly. The Canyon Rim neighborhood has one lot for sale and multiple homes for sale. Plus, the Canyon View neighborhood across South Camp Rd. has several of homes for sale. Within the city, we should focus on more environmentally suitable areas for housing developments than LaPlata's tight, hazardous acreage. [Criteria for Plan Amendments, (1) (iv) and (v)]

Thank you for your consideration of my comments.

Karen Combs
372 Caprock Drive
Grand Junction, CO 81507

Kristen Ashbeck

From: Paul Cowan <PaulCowan886@hotmail.com>
Sent: Thursday, October 17, 2019 11:26 AM
To: Kristen Ashbeck; TamaraA@gjcity.org; Phillip Pe'a; Anna Stout; Phyllis Norris; Duke Wortmann; Kraig Andrews; Rick Taggart
Subject: Canyon Rim Re-Zoning

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Dear City Officials,

I would like to submit my comments regarding the proposed rezoning of the 23 acres of land near the Canyon Rim sub-division. I've been a resident of this sub-division since 2010. I don't believe that the Comprehensive Plan that currently governs zoning in this area is invalid. The current plan zones those 23 acres for "conservation" and that designation should stand. It is my understanding that lands currently zoned "Conservation" means they are reserved for open space, wildlife habitat, sensitive or hazardous land protection, etc. My wife and I are frequent users of this open space as hikers, bird-watchers, and cyclists and we believe that any change to the zoning of this area would be greatly detrimental to maintaining the goals of providing citizens with opportunities for open space and conservation areas. Visit this area on a weekend and you will see that many people who live in this area are utilizing this area.

I was at an urban planning meeting a few years ago and someone made the comment that "they don't make open space anymore." This is especially applicable to this 23 acres. This is the largest piece of open space left on the Redlands that is immediately adjacent to the urbanized area of Grand Junction. It is one of the few places near Grand Junction where one can still visit a Pinyon-Juniper Forest without having to go up in to the Monument or to the Colorado Canyons Conservation Area. It is a great area to go for a walk with your dog, to bird-watch, or to trail run. It has some of the best "easy" single track mountain bike riding in Mesa County; much easier than the trails found at the Lunch Loops area. Once this resource is gone, it can never be re-claimed.

This is a "quality of life" issue." Grand Junction was recently named by "Where to Retire" magazine as one of the top retirement town in the country. The Economic Development office is trying to market Grand Junction as a center for outdoor recreation and outdoor related industries. We are trying to attract people and diversified industries to move here. So why would the Planning Commission and City Council allow this last chunk of open land to be re-zoned for a dense housing development?

Has there been a change in character and conditions here in this part of the Redlands that would justify this change? In my opinion, there has not. There are still three unbuilt lots in the currently developed part of Canyon Rim; two on Teegan Court and one on Canyon Rim. I also understand that there are unsold lots in Red Rocks Valley. I drove through that new Granite Falls sub-division this past weekend. Most of the new homes have "For Sale" signs in their front yards from either real estate agents or contractors so it appears that most of these new houses are spec homes and not pre-purchased

homes. A friend who is a real estate agent told me that sales in this development are "slow." There are also many unbuilt vacant lots in this new sub-division. There are several houses in the Canyon Rim subdivision that have been on the market for some time, especially the larger ones with the walk-out basements that are at a much higher price-point (around 500K and up) than what most new home buyers are looking for (around \$300K according to my real estate friends). For those buyers who can afford a more expensive house, there would appear to be an adequate supply existing right now.

If one drives west on Monument Drive towards South Camp Road, there are at least two large signs put up by local real estate companies that advertise the availability of residential acreage for future housing developments. There is another similar sign on South Camp Road just north of the Red Rocks development. Those signs have been up for months. The land has evidently not sold. What does this tell us? Perhaps there is not a large market for homes that would be in the \$400K and up price range? Perhaps most local developers and contractors know about the soils that exist around this area, hence their lack of interest. A neighbor here in Canyon Rim told me that when this sub-division was first being developed, he looked in to buying a lot on Teegan Drive. He had the building site analyzed by an engineer who told him that because of the expansive soil issue, it would probably cost about \$100K just to prepare the building site. So one can assume that any new houses built in the hilly topography overlooking Canyon Rim area will be significantly more expensive than what the market seems to be at right now.

The Red Rock Valley and Granite Falls sub-divisions, as well as the current availability of residential real estate along Monument and South Camp Roads indicate that there is already an adequate supply of suitably designated land available right now to accommodate the proposed land use.

Have any studies been done on the existing traffic flows on South Camp Road? During the day, it is already difficult to make a left turn on to South Camp Road from the Canyon Rim sub-division. Northbound traffic on South Camp Road coming around the blind curve just south of Wingate Elementary School is frequently traveling way too fast, considering the fact Wingate Elementary School is directly across the street from where the entrance to Canyon Rim is located. Even the flashing lights of the pedestrian signal fail to get many drivers to slow down. An expansion of 23 road would empty out on to South Camp Road right by the school. This would only exacerbate the dangerous situation that already exists there now. An expanded 23 road would certainly destroy the ambiance and character of the Canyon Rim neighborhood and certainly cause much more traffic by Wingate Elementary School.

Does the planning commission and city council even care about these concerns? **There is no way that this proposed development is going to provide any benefits to the existing Canyon Rim neighborhood, unless the planning commission and city council think that more traffic, more noise, more congestion, and more clogged roads are a good thing. The unstable geology of this area is not going to change and in fact, could impact already existing homes by altering drainage patterns, the water table, etc. Has this been adequately studied? Approving this change will destroy the character of our nice neighborhood and lower our property values.**

The issue of expansive soils in this area has not changed in the last ten years, nor the fact that whenever there is hard rainfall here, there is run-off from the hills overlooking Teegan Court down in to the homes that are already there. When I walk or ride my bike on the trail overlooking those homes after a good

rainstorm, I can see the debris and runoff heading downhill right towards the back of these houses. Sometimes there is even run-off of mud and gravel on to the streets. This has been especially noticeable at the far north end of Caprock Drive.

Finally, I'd like to make a few comments about the concept of zoning. Most of us who moved out here and bought our property did so because of the zoning that existed then and still does now. I assume that when the developer purchased this land, he knew what the existing zoning was, ie., "conservation". What is the point of even having zoning if it can be so easily changed whenever someone makes a request? I understand that the developer wants a return on his investment but I can only assume that he knew what the existing zoning was when the land was purchased. I have no problem with one house per five acres. This would still maintain the open nature of this fine piece of natural beauty and still allow the property owner the opportunity to receive a return on their investment. Ideally, the city would recognize the value of this open space and work with other organizations to purchase this land and keep it as city owned open space.

I urge the Planning Commission to deny this change. I submitted similar comment several months ago to city planning staff and city council. I did not receive one reply from anyone in city government. Thank you for listening to my concerns.

Sincerely,

Paul Cowan
371 Caprock Drive

Kristen Ashbeck

From: comdev
Sent: Wednesday, October 16, 2019 4:50 PM
To: Kristen Ashbeck
Subject: FW: Canyon Rim 360 Project

From comdev email.

Pat

From: Merritt & Lois Kinsey [mailto:hmkinsey@gmail.com]
Sent: Wednesday, October 16, 2019 8:24 AM
To: comdev <comdev@gjcity.org>
Subject: Canyon Rim 360 Project

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Attention: Kristen Ashbeck and Tamara Allen

Dear City Planners

Following is the text of a letter sent today objecting to the proposal building of housing in an area designated by the 2009 Comprehensive Plan as a conservation area. We believe approval of a rezoning for such a plan would not be in the city's best interests.

H. Merritt Kinsey

There is a Project titled "Canyon Rim 360" coming up for a Planning Department and City Council review shortly. My neighbors and I have some very serious concerns about this plan.

First, the City is still operating under the 2009 Comprehensive Plan, and for this Plan to be proceed, the existing Comprehensive Plan would need to be amended. In this plan that is STILL current, this area is designated as a Conservation Area, and for good reasons.

- The area in consideration is Geologically unstable, with significant deposits of Bentonite soils. The City Code states that 'every effort should be made to avoid, mitigate, and minimize development in the mapped hazard areas'
- The 23 acres in question are within a mapped hazardous area. There are likely rock falls, steep slope erosion, poor building soils, and many small drainage channels throughout this acreage.

- The Conservation designation area allows for 1 Dwelling Unit per 5 acres, a reasonable number. The Developer claims that the City should amend the Comprehensive Plan of 2009 to a much higher density of dwelling units, in an R-1 request with 'clustered' homes. This is totally inconsistent with the adjoining areas along Teegan Court and Dakota Drive and will adversely affect values in those areas.
- Current homes on Teegan and Dakota are located on staggered lots, which allows for improved views and natural drainages. Even with this, there are several homes whose foundations have shifted due to unstable soils.
- The developer claims that character and conditions of the area have changed such that the amendment they desire is consistent with the Comprehensive plan. This is patently untrue.
- Canyon Rim was completed in 2009. Most purchasers on Teegan and on Dakota were told by their realtors that the area behind their homes was a Conservation Area due to unbuildable soils and the conservation designation. It needs to stay that way!
- There is an abundance of building sites available to developers in the Redlands area without amending the Comprehensive Plan and Conservation designation, i.e.: Granite Falls, with more suitable soil conditions that are NOT in designated Conservation areas.
- Presently, there is a large inventory of high-end housing available in the Redlands, as well as open buildable areas. Adding to that inventory is unwise, especially when adding would involve changing a designated Conservation area.
- The overall plat that the owner has includes some 600 acres of property, mostly on top of the bluff in the Easter Hill/23 Road areas. Why would the city want to destroy the safety-wise set aside of the Conservation area over a 23 unit piece, which will also provide a buffer for the landowners planned 600 acre development?

In summary, Please respect our neighborhood and the conservation set aside originally passed as part of the 2009 Comprehensive plan. This development should NOT be approved at the expense of the existing neighborhoods, who will be placed at risk for flooding and soils clogging up the drainages that currently exit.

Very truly yours,
 H. Merritt Kinsey
 356 Teegan Court
 Grand Junction, CO 81507
hmkkinsey@gmail.com; 970-210-6364

Kristen Ashbeck

From: comdev
Sent: Wednesday, October 16, 2019 4:50 PM
To: Kristen Ashbeck; Tamra Allen
Subject: FW: 360 Project

From comdev email.

Pat

From: Lois Kinsey [mailto:loiskinsey@gmail.com]
Sent: Wednesday, October 16, 2019 9:08 AM
To: comdev <comdev@gjcity.org>
Subject: 360 Project

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

Dear Ms. Ashbeck & Ms. Allen,

I have concerns regarding the Canyon Rim 360 Project.

As I understand it, the City is still operating under the 2009 Comprehensive Plan. Consequently, in order for the 360 Project to proceed, the existing Comprehensive Plan would need to be amended. I object to removing the **Conservation** designation from the current Comprehensive Plan.

1. I applaud those who developed the 2009 Comprehensive Plan and designated the Conservation Area. I am sure they studied the current science of the area and acted accordingly to not only protect the open space but also to protect future homeowners from building/buying a home on unstable and hazardous land.

2. The Conservation designation allows for **1DU/5** acres. The developer is asking for 22 houses on 23 acres.

3. There are real and serious reasons behind the Conservation designation which have not changed since the development of the Comprehensive Plan. There are Geologic Hazards which make the area unsuitable for development and the City Code states 'every effort should be made to avoid, minimize and mitigate development in mapped hazard areas'. The 23 acres in question are within a mapped hazardous area. There is potential for rock outfall issues, steep slope erosion, poor building soils (i.e. bentonite), and many, many small drainage channels.

4. **"The City may amend the Comprehensive Plan if the proposed change is consistent with the vision, goals and policies of the Comprehensive Plan and"** In my view the 360 Project does not fit the vision of "Becoming the Most Livable Community West of the Rockies". The area in question is the last large open space in the City between the Colorado River & the Colorado National Monument. Hundreds of bikers, walkers, joggers from all over the valley use the area daily. We, who live here, know this from talking to many, many people/families/bikers over the last 6 months.

5. **"Subsequent events have invalidated the original premises and findings; and/or"**

From the developer: the adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;

Response: I would argue that subsequent events have proven the need to retain the Conservation designation and, with effort, an assessment could be made. Many, many homes in our subdivision have encountered significant foundation issues & subsequent costs. Large boulders have also been known to roll down the hillsides. Canyon Rim Filing 4 was approved for development in 2003, Teegan Court was developed by 2009. Houses with engineered foundations are still moving in 2019. Ask any house inspector or builder familiar with this subdivision. Take a look at Red Rocks Valley....

6. "The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or"

From the developer: the character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on more developable slopes.

Response: Again, Canyon Rim was essentially complete by 2009. I don't have a date for Dakota Circle but it is of similar construction and even larger lots than Canyon Rim (generally ½ acre+).

What adjacent subdivisions is the developer referring to? - Granite Falls in a field on the other side of South Camp and at least ¼ mile north? Red Rocks Valley, two subdivisions to our south and somewhat of a disaster due to unstable ground? Buffalo Drive and Canyon Vista directly across South Camp and built in the 1990's? How are 23 clustered homes going to fit in with Canyon Rim and enhance the area?

7. "An inadequate supply of suitable designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use: and/or"

From the developer: Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.

Response: I question whether the above statement is accurate. Granite Falls (104 homes) on South Camp and a county approved subdivision at the corner of South Camp & Monument Road will provide a significant & possible oversupply in \$400+ price range. Currently there are 93 listings in the Redlands at \$400+.

In addition, the City is currently looking for money to mitigate traffic on Patterson Road. There are 3 access points to the Redlands - has anyone ever experienced 'rush hour' traffic on Redlands Parkway? Approving additional large developments on South Camp, Broadway, and Monument Roads will put major pressure on the 2 lane Redlands Parkway bridge.

I could go on and on: soil erosion, increased pressure on Canyon Rim culverts which we maintain at our own expense and the developer means to use without any recompense, the comments we've heard from builders/inspectors familiar with this area, the comments we heard when core drilling of the area occurred in April, etc.

In Conclusion: In the overall 600+ acre plan, how financially important to the overall proposal are the 23 acres within the **CONSERVATION ZONE**. Why should we destroy the safety-wise **CONSERVATION ZONE** and possibly its future ability to provide a buffer for the landowners planned 600+ development? Do you really want to shoot for a **win-lose** situation, or should we be aiming for a **win-win**? Please respect our neighborhood and do this project in such a way that we can all call it a **win-win**.

Respectfully yours,
Lois J Kinsey
356 Teegan Court
Grand Junction, CO 81507
loiskinsey@gmail.com

356 Teegan Court
Grand Junction, CO 81507
October 14, 2019

Kristen Ashbeck, City Planner
Grand Junction Planning Dept.
250 North Fifth Street
Grand Junction CO 81501

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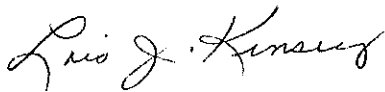
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Respectfully yours,



Lois J Kinsey

City Planner Kristen Ashbeck
Grand Junction City Council
250 North Fifth Street
Grand Junction, CO 81501

Dear Ms. Ashbeck

There is a Project titled "Canyon Rim 360" coming up for a Planning Department and City Council review shortly. My neighbors and I have some very serious concerns about this plan.

First, the City is still operating under the 2009 Comprehensive Plan, and for this Plan to be proceed, the existing Comprehensive Plan would need to be amended. In this plan that is STILL current, this area is designated as a Conservation Area, and for good reasons.

- The area in consideration is Geologically unstable, with significant deposits of Bentonite soils. The City Code states that 'every effort should be made to avoid, mitigate, and minimize development in the mapped hazard areas'
- The 23 acres in question are within a mapped hazardous area. There are likely rock falls, steep slope erosion, poor building soils, and many small drainage channels throughout this acreage.
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- The overall plat that the owner has includes some 600 acres of property, mostly on top of the bluff in the Easter Hill/23 Road areas. Why would the city want to destroy the safety-wise set aside of the Conservation area over a 23 unit piece, which will also provide a buffer for the landowners planned 600 acre development?

In summary, Please respect our neighborhood and the conservation set aside originally passed as part of the 2009 Comprehensive plan. This development should NOT be approved at the expense of the existing neighborhoods, who will be placed at risk for flooding and soils clogging up the drainages that currently exit.

Very truly yours,



H. Merritt Kinsey
356 Teegan Court
Grand Junction, CO 81507
hmkinsey@gmail.com; 970-210-6364

Petition to Grand Junction City Council to Purchase Easter Hill for an Open Space Park

The undersigned citizens do hereby respectively call upon City Council to enter into negotiations to purchase, or otherwise preserve the Easter Hill property, or critical portions thereof, for an open space park. This includes all the currently undeveloped lands surrounding the Redlands Ute Water storage tank. The hiking, biking and expansive views of the Grand Mesa, the Monument and the Book Cliffs it avails are located on this last large open space between the River and the Monument that is within the city. It is over 600 acres of high desert emptiness crisscrossed with trails. Grand Junction is projected to double in population over the next 25 years. The actions we take now to preserve open space will determine what we pass along to future generations. Once it is gone, it is gone forever. To fully appreciate the need, it is pertinent to understand the demographics of the current users. The petition author has witnessed hundreds of hikers, bikers and dog walkers from the unofficial trailhead at the end of Canyon Rim Drive which is but one of at least 5 entry points. He has spoken with many. Who are they? They are young children with their parents. They are teens and young adults attending area schools and CMU. They are workers getting in some exercise before or after work. They are retirees. They are high school and CMU cycling teams. They are cross country running teams. They are from all over the valley. Grand Junction, Fruita, Palisade, Clifton, Orchard Mesa. And they all share one common bond. The love of open space where they can get their heads clear. The current property owner has graciously allowed the use of his property for years. As is his right, he is now moving to profit on his investment by developing it. There is another way forward. We urge City Council to collaborate with The Colorado West Land Trust and other interested parties to purchase Easter Hill for an open space wilderness park. It will be a legacy befitting the outdoor lifestyle Grand Junction epitomizes. Thank you.



Name: David B. Caldwell

Address: 345 Dakota Circle

City & zip: Grand Junction, CO 81507

Signature: David B. Caldwell

E mail(optional): davidcaldwell@bresnan.net

Are you at least 18? ☒ Yes ☐ No

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Name: Deborah J. Caldwell

Address: 345 Dakota Circle

City Grand Junction

&zip 81507

Signature: Deborah J. Caldwell

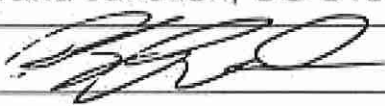
E mail(optional) debald@brennan.net

Are you at least 18? Y or N

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Name: Robert Bristol
Address: 448 Athens Way
City Grand Junction, CO 81507
&zip
Signature: 
E mail(optional) sky@wispertel.net
Are you at least 18? Y or N Yes

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE
MAP DESIGNATION TO RESIDENTIAL LOW AND REZONING TO R-1 (RESIDENTIAL
1 UNIT PER ACRE) FOR A 23.16-ACRE PORTION OF A PROPERTY LOCATED AT
400 23 ROAD, MORE PARTICULARLY DESCRIBED AS A SITE AT THE EAST END
OF CANYON RIM DRIVE**

Recitals:

The applicant and owner, Grand Junction Land Company, LLC, of a 23.16-acre portion of the property located at 400 23 Road, more particularly described as a site at the east end of Canyon Rim Drive, (referred to herein and more fully described below as the "Property"), proposes a Comprehensive Plan Amendment from Conservation/Mineral Extraction to Residential Low and rezone from Planned Development (PD) without a plan to Residential 1 unit per acre (R-1).

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 Low and the rezone request to Residential 1 unit per acre (R-1).

The City Council, after a public hearing and review of the proposed Comprehensive Plan Amendment (CPA-2019-468) to Residential Low and Rezone (RZN-2019-450) to Residential 1 unit per acre (R-1), 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 AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION TO RESIDENTIAL LOW AND THE REZONE TO R-1 (RESIDENTIAL 1 UNIT PER ACRE) ARE APPROVED.

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

Beginning at the Southeast corner of the Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$ of Section 19, Township 1 South, Range 1 West of the Ute Meridian, Grand Junction, Mesa County, Colorado whence the Northeast corner of the Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$ of said Section 19 bears N 01°18'39" East a distance of 1292.81 feet for a basis of bearings with all

bearings contained herein being relative thereto; thence along the South line of the Southeast ¼ Northwest ¼ S 89°49'19" W a distance of 1284.71 feet to the Southwest corner of the Southeast ¼ Northwest ¼; thence along the East line of Canyon Rim Phase 1 and 4, N 00°11'50" W a distance of 962.21 feet; thence N 33°18'34" W a distance of 82.64 feet; thence N 90°00'00" E a distance of 400.00feet; thence S 00°08'05" E a distance of 207.47 feet; thence S 55°30'24" E a distance of 261.30 feet; thence S 89°41'10" E a distance of 732.73 feet to a point on the East line of said Southeast ¼ Northwest ¼ Section 19; thence S 01°18'59" W a distance of 660.53 feet to the Point of Beginning.

Containing 23.16 acres as described and depicted on Exhibit A.

Introduced for first reading on this _____ day of _____, 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

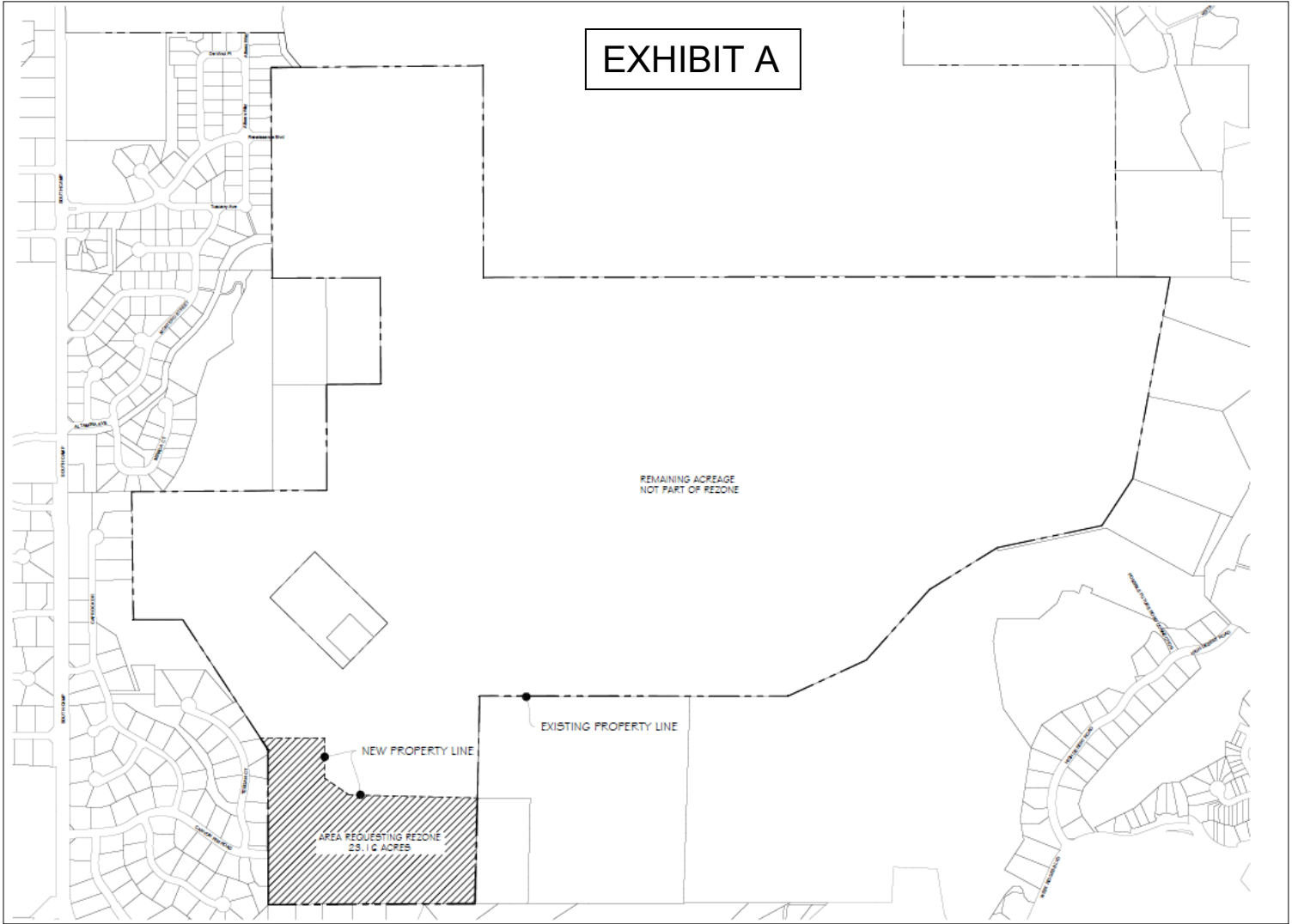
EXHIBIT A

REMAINING ACREAGE
NOT PART OF REZONE

EXISTING PROPERTY LINE

NEW PROPERTY LINE

AREA REQUESTING REZONE
25.14 ACRES





Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: November 6, 2019

Presented By: Senta Costello, Planner

Department: Community Development

Submitted By: Senta Costello, Associate Planner

Information

SUBJECT:

Introduction of an Ordinance Amending Various Sections of the Zoning and Development Code (Title 21), Greater Downtown Overlay (Title 24), 24 Road Corridor Design Standards (Title 25), and Transportation Engineering Design Standards (Title 29) to Clarify Administrative Procedures, Remove Inconsistencies and Modify Standards and Set a Public Hearing for November 20, 2019

RECOMMENDATION:

Staff recommends approval of the proposed text amendments.

EXECUTIVE SUMMARY:

Staff is proposing amendments to various sections of the Zoning and Development Code (Title 21), the Greater Downtown Overlay (Title 24), the 24 Road Corridor Design Standards (Title 25), and the Transportation Engineering Design Standards (Title 29) to address the following:

Organizational changes for the appeals process for ease of administration and location of text regarding garage setbacks in the Downtown; Modification of Bulk Standards for the R-5 zone district rear yard setback, removing minimum lot size for multi-family development, and removing the required 15 foot first floor height in the B-2 zone district; Clarification of parking lot setbacks in the B-2 zone district and sign type in the 24 Road corridor Design Standards; and Clarifying procedures and criteria related to variance criteria, fences requiring special permits, and accessory dwelling units.

BACKGROUND OR DETAILED INFORMATION:

In an effort to keep the Zoning and Development Code current and relevant, staff is proposing a number of amendments to modify standards, clarify sections and processes, and eliminate inconsistencies. The Planning Commission discussed several of these topics at its July 18, 2019 workshop and supported staff proceeding with the proposed changes. The proposed amendments are summarized as follows:

Section 21.02.120. Special Permit

Section 21.02.120(b)(2)(i). provides that fences over 6 feet in height require a Special Permit as issued by the City Council. With recent changes made to the Code by Ordinances 4778 and 4831, fences over 6 feet can now be considered by the Director through an Administrative Adjustment process and requires specific findings related to unique conditions, compatibility and lack of right-of-way/easement/neighborhood property encroachments. In order to make the Code consistent between sections specifically the administrative adjustment process, this section needs to be removed.

Section 21.02.120(b)(2). A special permit is allowed in all zone districts for the following uses and shall be required prior to:

- (i) Allowing a fence over six feet in height in any district;

Section 21.02.200(c)(3). Variance, Approval Criteria.

This section provides one of the criterion for considering a variance. The language, as shown below appears to have an error in that it is missing a word and as currently reads is nonsensical. Staff is recommending to replace the unclear and confusing text so that the sentence is both grammatically correct and meets the intent of the criteria to be evaluated, as follows:

Section 21.02.200(c)(3). The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work cause unnecessary and undue hardship on the applicant;

Section 21.02.210 – Administrative Permit, Rehearing and Appeal Procedures

Currently, Section 21.02.070(a)(8) Administrative development permits provides the requisite time period for which one can file and appeal of a decision on an Administrative Permit. The Code in Section 21.02.210 provides a specific section on Appeals, however this section does not include information regarding the requisite time period. This time period should be moved from 21.02.070 to the Appeal section in 21.02.210 to provide for ease of finding and use. The time period and language would remain unchanged. Additional renumbering of subsections would need to occur. The

proposed changes are as follows:

Section 21.02.210(b). An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.

Section 21.02.070(a)(8). An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.

Re-letter (b) through (e).

21.03.040 Residential districts. Residential District Summary Table

Currently the R-8 and R-12 zone districts have a note that states "Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily." Other zone districts that allow for multi-family including the R-5, R-16, R-24, R-O, B-1, C-1, M-U and BP zone districts do not contain this note and have instead a minimum lot size of designated. This is very limiting for various multi-family developments. For example, if a developer wanted to build a townhome in a R-5 zone district, the townhome would be required to have a minimum lot size of 20,000 square feet and as a result likely precluding townhomes to develop on the property or creating undesirability long narrow lots in order to utilize the shared wall type of construction of a townhome development. See attached Exhibit 2.

Staff recommends adding language to exempt all multi-family from having a minimum lot size. The Code changes would be as follows:

Add note to Residential District Summary Table: Note: Minimum Lot Area, Lot Width and Lot Frontage do not apply to two family dwellings or multifamily.

Remove notes from Residential District Summary Table:

R-5: Min. lot area varies by building type; detached single-family – 4,000 sf, two-family attached – 6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft.

R-8: Min. lot area varies by building type; detached single-family – 3,000 sf and two-family attached – 6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft

R-12: Min. lot width varies by building type; two-family – 45 ft., all other types – 30 ft.

Remove text from sections

21.03.040(g)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.

21.03.040(h)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.

21.03.040 Residential districts. Residential District Summary Table

The Residential District Summary Table provides for the bulk standards for all residential zone districts. Staff has been approached by members of the development community requesting a reduction in the R-5 rear yard setback dimension. The request has included a reduction from 25 feet to something smaller and has been suggested to be 15 feet. They have cited challenges regarding being able to meet this minimum setback and provide for the size of home they would like to be constructing on these lots. The current R-5 rear yard setback is equivalent to the rear yard setback in the R-4 zone district (25 feet), but is greater than the R-8 zone district rear yard setback of 10 feet. The benefit of reducing the rear yard setback is potentially providing for larger building envelopes on each 4,000 square foot lot (minimum lot size), however there may be undesirable results of this reduction including less yard space and buffering between the rear yards of homes in areas zoned R-5.

Should this reduction be considered the table would be amended to replace R-5, rear yard setback of 25 feet to 15 feet. Other rear yard setback dimensions could also be considered (e.g. 20 feet). See attached Exhibit 3.

Section 21.03.070. Mixed use districts. Mixed Use and Industrial Bulk Standard Summary Table

The Mixed Use and Industrial Bulk Standard Summary Table provides a note in the table, Note: B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft”. This note is confusing in that there are not structures, as defined in the Code, generally related to or a part of a parking lot. Staff has interpreted this section to mean that if parking is being provided as the sole or primary use on a lot in the B-2 Zone District, the lot must be setback 30 feet from the property line. As well, the note includes “for accessory 6 ft.” Staff has interpreted this subsequent section to mean that if the parking lot is accessory to a primary use (usually a building), the parking lot must be setback 6 feet from the property line. See attached Exhibit 4.

Staff recommends clarifying this code language, as follows:

Note: B-2: Parking front setback for principal structure parking as a principal use, 30

feet, for as an accessory use 6 feet.

Section 21.03.070. Mixed use districts. Mixed Use and Industrial Bulk Standard Summary Table.

The Mixed Use and Industrial Bulk Standard Summary Table provides a note in the table, “B-2: first Floor min. height – 15 ft.” This issue recently arose in a request for a redevelopment project in the downtown area that was unable/uninterested in providing a first floor height of 15 feet. The project sought and ultimately received a variance due to the unique circumstances related to the project, however it brought to light some of the challenges of requiring a 15 foot first floor height for all buildings located in the B-2 zone district. As was provided in the testimony in the variance hearing, most of the buildings on the historic main street do not have a 15 feet first floor height while most range between 10 feet and 14 feet.

It is staff’s understanding that this code provision was put in place for two reasons. The primary reason being the desire for buildings to be constructed that could be re-purposed to commercial uses in the future should they be constructed as residential (or other) initially. The 15 feet would allow for higher ceilings as well as necessary building systems such as ventilation, fire sprinkling, or other modifications to the mechanical components in a more cost efficient manner. The second intent of the code provision was aesthetics that were more in line with typical high ceiling and historic building façade elevations. See attached Exhibit 4.

Staff generally recommends that this type of standard is not necessary and may preclude creativity in architectural style and building design and recommends removing this note from the Table.

Note: B-2: first floor min. height – 15 ft.

Section 21.02.070(f)(2)(vi). Accessory Dwelling Units Review process.

Section 21.04.040(f) was recently amended by Ordinance 4831 to update standards for Accessory Dwelling Units. Part of this amendment including removing the requirement for a proposed ADU to be reviewed through a Minor Site Plan Review process and replacing it with a simplified process that requires the review and issuance of a planning clearance. There exists an additional reference to this requirement in Section 21.02.070 that now needs to be removed.

Staff is recommending removal of text as follows:

Section 21.02.070(f)(2)(vi) The Director may use this review process if the proposed project is limited to: A proposed residential subunit or accessory unit.”

Staff has identified other provisions of the code regarding ADUs that will also be considered for modification in the future, specifically sections regarding accessory structures allowed to be a maximum of 75 percent of the square foot of the principal structure as well as a standard requiring all ADUs to be located behind a principle structure.

Section 25.05.010 - 24 Road Corridor Design Standards - Sign standards.

The standards for 24 Road Corridor only allow for freestanding signs and flush wall signs. It further provides that all freestanding signs shall be single- or double-faced and constructed of a metal panel with stone or veneer base. In essence, this means that all freestanding signs will be monument style signs. Adding more clear language in the code would benefit the understanding and intent of these sign standards. Staff recommends the following clarification to the code.

Section 25.05.010(a) Only the following sign types are permitted: freestanding monument signs, flush wall signs, exempt signs, and temporary signs as allowed/regulating by GJMC 21.06.070 Sign regulation, except as further restricted in this chapter.

Section 29.56.020 - Alley Standards, Garage Setbacks and Section 24.12.130(a)(2) – Downtown District Standards and Guidelines – Residential Areas

Section 29.56.020 of the TEDS Manual has a standard that requires garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for backing and turning. The Greater Downtown Plan adopted in 2018 has language that allows any accessory structure to have a zero-foot rear yard setback. The intent was to accommodate and allow for accessory structures to continue to exist and be built in a similar fashion to historical accessory buildings in the downtown area. Because these requirements are in two different sections of the municipal code, they appear contradictory and are confusing as to the interplay between the regulations. As such, staff recommends that the standard in TEDs is moved into the downtown standards which is a more typical location to find setback standards. The proposed changes are as follows:

Section 24.12.130(a)(2). The setback for accessory structures is a zero-foot setback from the alley and three feet from neighboring property line(s). Garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater.

Section 29.56.020 - Building setbacks. - Garages with overhead doors facing the alley

must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for backing and turning.

IV. NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on August 20, 2019, in the Grand Junction Daily Sentinel.

V. ANALYSIS

In accordance with Section 21.02.140(c), a proposed text amendment shall address in writing the reasons for the proposed amendment. There are no specific criteria for review because a code amendment is a legislative act and within the discretion of the City Council to decide with a recommendation from the Planning Commission. Reasons for the proposed amendments are provided in the Background section of this report.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

Staff finds that the proposed amendments to the Zoning and Development Code are useful in that they eliminate inconsistencies within the code, provide necessary clarification for the administration of the code, eliminate unnecessary regulations and modify standards to provide regulations that assist in logical and orderly development.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to introduce an ordinance amending parts of the Zoning and Development Code, Greater Downtown Overlay, 24 Road Corridor Design Standards and Transportation Engineering Design Standards to clarify administrative procedures, remove inconsistencies and modify bulk standards and set a public hearing for November 20, 2019.

Attachments

1. Exhibit List - Zoning Code Amendments
2. Staff Report
3. Exhibit 2 - Residential District Summary Table
4. Exhibit 3 - Residential District Summary Table
5. Exhibit 4 - Mixed Use & Industrial Summary Table
6. OrdinanceMisc 2019

[illegible]

PLANNING COMMISSION AGENDA ITEM

Project Name: Zoning Code Text Amendment, Title 21, Chapters 2, 3, 4 and 10; Title 24 Chapter 12, Title 25 Chapter 5 and Title 29 Chapter 56
Applicant: City of Grand Junction
Address: City Wide
Zoning: N/A
Staff: Senta Costello
File No. ZCA-2019-421
Date: August 27, 2019

I. SUBJECT

Consider a request by the City of Grand Junction to amend various sections of the Zoning and Development Code (Title 21), Greater Downtown Overlay (Title 24), 24 Road Corridor Design Standards (Title 25), and Transportation Engineering Design Standards (Title 29) to clarify administrative procedures, remove inconsistencies and modify bulk standards.

II. EXECUTIVE SUMMARY

Staff is proposing amendments to various sections of the Zoning and Development Code (Title 21), the Greater Downtown Overlay (Title 24), the 24 Road Corridor Design Standards (Title 25), and the Transportation Engineering Design Standards (Title 29) to address the following:

- 1) Organizational changes for the appeals process for ease of administration and location of text regarding garage setbacks in the Downtown;
- 2) Modification of Bulk Standards for the R-5 zone district rear yard setback, removing minimum lot size for multi-family development, and removing the required 15 foot first floor height in the B-2 zone district;
- 3) Clarification of parking lot setbacks in the B-2 zone district and sign type in the 24 Road corridor Design Standards; and
- 4) Clarifying procedures and criteria related to variance criteria, fences requiring special permits, and accessory dwelling units.

III. BACKGROUND

In an effort to keep the Zoning and Development Code current and relevant, staff is proposing a number of amendments to modify standards, clarify sections and processes, and eliminate inconsistencies. The Planning Commission discussed several of these topics at its July 18, 2019 workshop and supported staff proceeding with the proposed changes. The proposed amendments are summarized as follows:

Section 21.02.120. Special Permit

Section 21.02.120(b)(2)(i). provides that fences over 6 feet in height require a Special Permit as issued by the City Council. With recent changes made to the Code by Ordinances 4778 and 4831, fences over 6 feet can now be considered by the Director through an Administrative Adjustment process and requires specific findings related to unique conditions, compatibility and lack of right-of-way/easement/neighboring property encroachments. In order to make the Code consistent between sections specifically the administrative adjustment process, this section needs to be removed.

Section 21.02.120(b)(2). A special permit is allowed in all zone districts for the following uses and shall be required prior to:

(i) ~~Allowing a fence over six feet in height in any district;~~

Section 21.02.200(c)(3). Variance, Approval Criteria.

This section provides one of the criterion for considering a variance. The language, as shown below appears to have an error in that it is missing a word and as currently reads is nonsensical. Staff is recommending to replace the unclear and confusing text so that the sentence is both grammatically correct and meets the intent of the criteria to be evaluated, as follows:

Section 21.02.200(c)(3). The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would ~~work~~ cause unnecessary and undue hardship on the applicant;

Section 21.02.210 – Administrative Permit, Rehearing and Appeal Procedures

Currently, Section 21.02.070(a)(8) Administrative development permits provides the requisite time period for which one can file and appeal of a decision on an Administrative Permit. The Code in Section 21.02.210 provides a specific section on Appeals, however this section does not include information regarding the requisite time period. This time period should be moved from 21.02.070 to the Appeal section in 21.02.210 to provide for ease of finding and use. The time period and language would remain unchanged. Additional renumbering of subsections would need to occur. The proposed changes are as follows:

Section 21.02.210(b). An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.

~~Section 21.02.070(a)(8). An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.~~

Re-letter (b) through (e).

21.03.040 Residential districts. Residential District Summary Table

Currently the R-8 and R-12 zone districts have a note that states “Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.” Other zone districts that allow for multi-family including the R-5, R-16, R-24, R-O, B-1, C-1, M-U and BP zone districts do not contain this note and have instead a minimum lot size of designated. This is very limiting for various multi-family developments. For example, if a developer wanted to build a townhome in a R-5 zone district, the townhome would be required to have a minimum lot size of 20,000 square feet and as a result likely precluding townhomes to develop on the property or creating undesirability long narrow lots in order to utilize the shared wall type of construction of a townhome development.

Residential District Summary Table

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	25	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5
Bulk										
Lot coverage (max.)	5%	15%	20%	30%	50%	60%	70%	75%	75%	80%
Height (max. ft.)	35	35	35	35	40	40	40	60	60	72
Density (min. units per acre)	n/a	n/a	n/a	n/a	2	3	5.5	8	12	16
Density (max. units per acre)	1 unit / 5 acres	1	1	2	4	5.5	8	12	16	n/a
Cluster allowed	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Notes										
*20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure. R-5: Min. lot area varies by building type; detached single-family – 4,000 sf, two-family attached – 6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft. R-8: Min. lot area varies by building type; detached single-family – 3,000 sf and two-family attached – 6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft. R-12: Min. lot width varies by building type; two-family – 45 ft., all other types – 30 ft.										

Staff recommends adding language to exempt all multi-family from having a minimum lot size. The Code changes would be as follows:

Add note to Residential District Summary Table: Note: Minimum Lot Area, Lot Width and Lot Frontage do not apply to two family dwellings or multifamily.

Remove notes from Residential District Summary Table:

~~R-5: Min. lot area varies by building type; detached single family — 4,000 sf, two-family attached — 6,000 sf, multifamily — 20,000 sf, civic — 20,000 sf. Min. lot width varies by building type; two-family — 60 ft., all other types — 40 ft.~~

~~R-8: Min. lot area varies by building type; detached single family — 3,000 sf and two-family attached — 6,000 sf, multifamily — 20,000 sf, civic — 20,000 sf. Min. lot width varies by building type; two-family — 60 ft., all other types — 40 ft.~~

~~R-12: Min. lot width varies by building type; two-family — 45 ft., all other types — 30 ft.~~

Remove text from sections

~~21.03.040(g)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.~~

~~21.03.040(h)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.~~

21.03.040 Residential districts. Residential District Summary Table

The Residential District Summary Table provides for the bulk standards for all residential zone districts. Staff has been approached by members of the development community requesting a reduction in the R-5 rear yard setback dimension. The request has included a reduction from 25 feet to something smaller and has been suggested to be 15 feet. They have cited challenges regarding being able to meet this minimum setback and provide for the size of home they would like to be constructing on these lots. The current R-5 rear yard setback is equivalent to the rear yard setback in the R-4 zone district (25 feet), but is greater than the R-8 zone district rear yard setback of 10 feet. The benefit of reducing the rear yard setback is potentially providing for larger building envelopes on each 4,000 square foot lot (minimum lot size), however there may be undesirable results of this reduction including less yard space and buffering between the rear yards of homes in areas zoned R-5.

Should this reduction be considered the table would be amended to replace R-5, rear yard setback of 25 feet to 15 feet. Other rear yard setback dimensions could also be considered (eg. 20 feet).

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	25	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5

Section 21.03.070. Mixed use districts. Mixed Use and Industrial Bulk Standard Summary Table

The Mixed Use and Industrial Bulk Standard Summary Table provides a note in the table, Note: B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft”. This note is confusing in that there are not structures, as defined in the Code, generally related to or a part of a parking lot. Staff has interpreted this section to mean that if parking is being provided as the sole or primary use on a lot in the B-2 Zone District, the lot must be setback 30 feet from the property line. As well, the note includes “for accessory 6 ft.” Staff has interpreted this subsequent section to mean that if the parking lot is accessory to a primary use (usually a building), the parking lot must be setback 6 feet from the property line.

Notes
B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000
B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.
C-1: Min. rear setback – 0 if an alley is present
CSR: Maximum building height abutting residential – 40 ft.

Staff recommends clarifying this code language, as follows:

Note: B-2: Parking front setback for principal structure parking as a principal use, 30 feet, ~~for~~ as an accessory use 6 feet.

Section 21.03.070. Mixed use districts. Mixed Use and Industrial Bulk Standard Summary Table.

The Mixed Use and Industrial Bulk Standard Summary Table provides a note in the table, “B-2: first Floor min. height – 15 ft.” This issue recently arose in a request for a redevelopment project in the downtown area that was unable/uninterested in providing a first floor height of 15 feet. The project sought and ultimately received a variance due to the unique circumstances related to the project, however it brought to light some of the challenges of requiring a 15 foot first floor height for all buildings located in the B-2 zone district. As was provided in the testimony in the variance hearing, most of the buildings on the historic main street do not have a 15 feet first floor height while most range between 10 feet and 14 feet.

It is staff’s understanding that this code provision was put in place for two reasons. The primary reason being the desire for buildings to be constructed that could be repurposed to commercial uses in the future should they be constructed as residential (or other) initially. The 15 feet would allow for higher ceilings as well as necessary building systems such as ventilation, fire sprinkling, or other modifications to the mechanical components in a more cost efficient manner. The second intent of the code provision was aesthetics that were more in line with typical high ceiling and historic building façade elevations.

Notes
B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000
B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.
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CSR: Maximum building height abutting residential – 40 ft.

Staff generally recommends that this type of standard is not necessary and may preclude creativity in architectural style and building design and recommends removing this note from the Table.

Note: B-2: first floor min. height — 15 ft.

Section 21.02.070(f)(2)(vi). Accessory Dwelling Units Review process.

Section 21.04.040(f) was recently amended by Ordinance 4831 to update standards for Accessory Dwelling Units. Part of this amendment including removing the requirement for a proposed ADU to be reviewed through a Minor Site Plan Review process and replacing it with a simplified process that requires the review and issuance of a planning

clearance. There exists an additional reference to this requirement in Section 21.02.070 that now needs to be removed.

Staff is recommending removal of text as follows:

~~Section 21.02.070(f)(2)(vi) The Director may use this review process if the proposed project is limited to: A proposed residential subunit or accessory unit."~~

Staff has identified other provisions of the code regarding ADUs that will also be considered for modification in the future, specifically sections regarding accessory structures allowed to be a maximum of 75 percent of the square foot of the principal structure as well as a standard requiring all ADUs to be located behind a principle structure.

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The standards for 24 Road Corridor only allow for freestanding signs and flush wall signs. It further provides that all freestanding signs shall be single- or double-faced and constructed of a metal panel with stone or veneer base. In essence, this means that all freestanding signs will be monument style signs. Adding more clear language in the code would benefit the understanding and intent of these sign standards. Staff recommends the following clarification to the code.

Section 25.05.010(a) Only the following sign types are permitted: freestanding monument signs, flush wall signs, exempt signs, and temporary signs as allowed/regulated by GJMC 21.06.070 Sign regulation, except as further restricted in this chapter.

Section 29.56.020 - Alley Standards, Garage Setbacks and Section 24.12.130(a)(2) – Downtown District Standards and Guidelines – Residential Areas

Section 29.56.020 of the TEDS Manual has a standard that requires garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for backing and turning. The Greater Downtown Plan adopted in 2018 has language that allows any accessory structure to have a zero-foot rear yard setback. The intent was to accommodate and allow for accessory structures to continue to exist and be built in a similar fashion to historical accessory buildings in the downtown area. Because these requirements are in two different sections of the municipal code, they appear contradictory and are confusing as to the interplay between the regulations. As such, staff recommends that the standard in TEDs is moved into the downtown standards which is a more typical location to find setback standards. The proposed changes are as follows:

Section 24.12.130(a)(2). The setback for accessory structures is a zero-foot setback from the alley and three feet from neighboring property line(s). Garages with

overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater.

~~Section 29.56.020—Building setbacks.—Garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for backing and turning.~~

IV. NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on August 20, 2019, in the Grand Junction Daily Sentinel.

V. ANALYSIS

In accordance with Section 21.02.140(c), a proposed text amendment shall address in writing the reasons for the proposed amendment. There are no specific criteria for review because a code amendment is a legislative act and within the discretion of the City Council to decide with a recommendation from the Planning Commission. Reasons for the proposed amendments are provided in the Background section of this report.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

Staff finds that the proposed amendments to the Zoning and Development Code are useful in that they eliminate inconsistencies within the code, provide necessary clarification for the administration of the code, eliminate unnecessary regulations and modify standards to provide regulations that assist in logical and orderly development.

VII. RECOMMENDED MOTION

Madam Chairman, on the Zoning and Development Code Amendments, ZCA-2019-421, I move that the Planning Commission forward a recommendation of approval finding that the amendments as recommended by staff as well as change the R-5 rear yard setback from 25 feet to ____ feet, work to eliminate inconsistencies within the code, provide necessary clarification for the administration of the code, eliminate unnecessary regulations and modify standards to provide regulations that assist in logical and orderly development.

Attachments:

Proposed Ordinance

Exhibit 2

Residential District Summary Table

[illegible]

Exhibit 3

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
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Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	25	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5

Exhibit 4

Notes

B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000

B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.

C-1: Min. rear setback – 0 if an alley is present

CSR: Maximum building height abutting residential – 40 ft.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING PARTS OF THE ZONING AND DEVELOPMENT CODE, GREATER DOWNTOWN OVERLAY, 24 ROAD CORRIDOR DESIGN STANDARDS AND TRANSPORTATION ENGINEERING DESIGN STANDARDS TO CLARIFY ADMINISTRATIVE PROCEDURES, REMOVE INCONSISTENCIES AND MODIFY BULK STANDARDS.

Recitals:

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

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

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

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

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

Section 21.02.120(b)(2) is amended as follows (deletions struck through):

Section 21.02.120(b)(2). A special permit is allowed in all zone districts for the following uses and shall be required prior to:

- (i) ~~Allowing a fence over six feet in height in any district;~~

Section 21.02.200(c)(3) is amended as follows (additions underlined, deletions struck through):

Section 21.02.200(c)(3). The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would ~~work~~ cause unnecessary and undue hardship on the applicant;

Section 21.02.210(b) shall be amended as follows (additions underlined, deletions struck through):

An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.

~~Section 21.02.070(a)(8). An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.~~

Re-letter (b) through (e).

Residential District Summary table, Section 21.03.040(g)(2)(iii) and Section 21.03.040(h)(2)(iii) shall be amended as follows (additions underlined, deletions struck through):

Note: Minimum Lot Area, Lot Width and Lot Frontage do not apply to two family dwellings or multifamily.

~~R-5: Min. lot area varies by building type; detached single family — 4,000 sf, two-family attached — 6,000 sf, multifamily — 20,000 sf, civic — 20,000 sf. Min. lot width varies by building type; two-family — 60 ft., all other types — 40 ft.~~

~~R-8: Min. lot area varies by building type; detached single family — 3,000 sf and two-family attached — 6,000 sf, multifamily — 20,000 sf, civic — 20,000 sf. Min. lot width varies by building type; two-family — 60 ft., all other types — 40 ft~~

~~R-12: Min. lot width varies by building type; two-family — 45 ft., all other types — 30 ft.~~

~~21.03.040(g)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.~~

~~21.03.040(h)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.~~

Residential District Summary table shall be amended as follows (additions underlined, deletions struck through):

Highlighted area showing the required rear yard setback shall be changed from 25' to 15' as depicted below.

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	15	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5

Section 21.03.070(b)(2)(ii) shall be amended as follows (deletions struck through):

~~**Section 21.03.070(b)(2)(ii) Hours of Business.** No use in this district shall open or accept deliveries earlier than 5:00 a.m. nor close later than 11:00 p.m. "Close" includes no customers on site and no deliveries.~~

Re-number (iii) through (iv).

Section 21.03.070. Mixed use districts. Mixed Use and Industrial Bulk Standard Summary Table shall be amended as follows (additions underlined, deletions struck through):

Note: B-2: Parking front setback for principal structure parking as a principal use, 30 feet, for as an accessory use 6 feet; first floor min. height — 15 ft.

Section 21.02.070(f)(2)(vi) shall be amended as follows (deletions struck through):

~~Section 21.02.070(f)(2)(vi) The Director may use this review process if the proposed project is limited to: A proposed residential subunit or accessory unit."~~

Section 25.05.010 - 24 Road Corridor Design Standards - Sign standards shall be amended as follows (additions underlined):

Section 25.05.010(a) Only the following sign types are permitted: freestanding monument signs, flush wall signs, exempt signs, and temporary signs as allowed/regulated by GJMC 21.06.070 Sign regulation, except as further restricted in this chapter.

Section 29.56.020 - Alley Standards, Garage Setbacks and Section 24.12.130(a)(2) – Downtown District Standards and Guidelines – Residential Areas shall be amended as follows (additions underlined, deletions struck through):

Section 24.12.130(a)(2). The setback for accessory structures is a zero-foot setback from the alley and three feet from neighboring property line(s). Garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater.

~~Section 29.56.020 – Building setbacks. – Garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for backing and turning.~~

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:

City Clerk

Mayor



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: November 6, 2019

Presented By: Jodi Romero, Finance Director, Greg Caton, City Manager

Department: City Manager's Office

Submitted By: Jodi Romero, Finance Director

Information

SUBJECT:

Introduction of an Ordinance Making Supplemental Appropriation for Grand Valley Catholic Outreach Property Acquisition and Set a Public Hearing for November 20, 2019

RECOMMENDATION:

Staff recommends approval of the ordinance making supplemental appropriations for Grand Valley Catholic Outreach property acquisition and set a public hearing for November 20, 2019.

EXECUTIVE SUMMARY:

This request is to appropriate funds and authorize spending for Grand Valley Catholic Outreach to acquire the real property at 104 White Avenue. 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.

At the City Council workshop on November 4, 2019 City Council heard a request from Grand Valley Catholic Outreach (GVCO) for the City to contribute \$500,000 towards the purchase of 104 White Avenue for the project named Mother Teresa Place. GVCO

describes using the property for affordable housing for men and women who are homeless and have disabilities. The Attached is the request letter from GVCO to the City Manager.

At the workshop, GVCO indicated an asking price for the property of \$4.7 million with the following sources of funding:

- Grand Valley Catholic Outreach \$1,200,000
- Colorado Housing Finance Authority \$1,000,000
- City of Grand Junction \$500,000
- Department of Local Affairs \$2,000,000

City Council directed staff to bring forward a supplemental appropriation to the 2019 budget regarding this request.

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 20% Minimum Reserve are projected to be \$2.9 million at 12/31/2019 and \$8.4 million at 12/31/2020 based on the 2020 Recommended Budget. Grand Valley Catholic Outreach is requesting \$500,000.

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 introduce a proposed 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 and set a public hearing for November 20, 2019.

Attachments

1. Grand Valley Catholic Outreach Ltr to City Manager
2. Third Supplemental Appropriation-Grand Valley Catholic Outreach



Grand Valley Catholic Outreach

245 S. First Street
Grand Junction, Colorado 81501
970-241-3658

September 27, 2019

Greg Caton
Administrator
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Dear Greg:

Thank you for the time you and Tamara gave me and several of Grand Valley Catholic Outreach's board members this afternoon. We are pleased that the project we are considering falls within the scope of the comprehensive planning that is currently in progress. Thank you for your interest in, acknowledgement of, and support of our efforts.

The project we are considering is the purchase of 104 White Avenue, currently named the Downtown Suites, for affordable housing for men and women who are homeless and have disabilities (mental and behavioral). 104 White has 45 small apartments that include kitchen utilities (stove, refrigerator, microwave, sink) as well as private bathrooms. These units are currently being leased as individual apartments.

For the well-being of the future occupants, we will provide whatever services individuals may need to enhance their self-sufficiency in collaboration with other service agencies in our community.

The suites are on the market for \$4,800,000 which we hope to see reduced in a final offer. The Department of Local Affairs is willing to consider a matching grant for a part of the cost to help acquire the property. If we have city financial support for this project it would be a great assist toward achieving our goal.

We are asking the City of Grand Junction to consider a grant to this project of \$500,000. If so we will have met DOLA's requirement for the match. Knowing the limitations the City may be facing we would be able to work with this amount if you decided you could give half the amount in 2019 and the rest in 2020. Finally, we hope the City of Grand Junction's Council will generously consider this request and open their hands and hearts so that we may open doors for those most vulnerable in our community.

Blessings on each of you for your work for the betterment of all in our community.

Sincerely,

Sr. Karen Bland, OSB, PhD
Executive Director

Anthony Prinster
Board Chair

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	\$ 500,000

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 #3.a.

Meeting Date: November 6, 2019

Presented By: Ken Watkins, Fire Chief, John Shaver, City Attorney

Department: Fire

Submitted By: Ken Watkins

Information

SUBJECT:

An Amendment to an Agreement Between the City of Grand Junction, the Grand Junction Rural Fire Protection District and the Redlands Subdistrict

RECOMMENDATION:

Authorize the City Manager to sign an amendment to the 2008 agreement between the City of Grand Junction and the Grand Junction Rural Fire Protection District and the Redlands Subdistrict.

EXECUTIVE SUMMARY:

The City has provided fire and emergency medical services to the Grand Junction Rural Fire Protection District since 1944 and the Redlands Subdistrict since 2002. The District and the Subdistrict have notified the City of their desire to desolve the Subdistrict at a future election in order to standardize the mill levy across the District and the Subdistrict. This amendment is to continue the agreement of service between the City and the District and Subdistrict areas in lieu of changes to the District resulting from the election.

A map of the Grand Valley Fire Districts is attached showing the Grand Junction Rural Fire Protection District and the Redlands Subdistrict in relation to the City boundaries.

BACKGROUND OR DETAILED INFORMATION:

The City has provided fire and emergency medical services to the Grand Junction Rural Fire Protection District since 1944. In 2002 the Redlands Subdistrict was

established separate from, but wholly within the District for the purpose of assessing a separate, additional general operating mill levy to support the City's costs of operating and maintaining Fire Station 5 in the Redlands. Of the over 32,000 incidents that the Fire Department responded to in 2017 & 2018, 4,815 were in the Grand Junction Rural Fire Protection District or Redlands Subdistrict.

The City has provided emergency response services to the District/Subdistrict through a contract for service. Prior to 2008 the contract was based on the number of incidents that the Grand Junction Fire Department responded to within the District or Subdistrict. The agreement was difficult to manage and the District/Subdistrict Board was concerned with meeting its obligation to the City under the agreement. As a result, in 2008 the parties established a new agreement whereby the City would provide emergency response services to the District/Subdistrict and in return the District/Subdistrict will pay to the City all revenue received minus a minimal amount for operating expenses. In 2019, this amount is estimated to be over \$1.9 million.

The District/Subdistrict have notified the City that they desire to standardize the mill levy between the District and Subdistrict and are in the process to dissolve the Subdistrict at a mail ballot election to be held on May 5, 2020. The new mill levy has not been established at this time. This amendment provides language for continuation of emergency response service and maintains the service agreement if the voters approve dissolution of the Subdistrict.

FISCAL IMPACT:

Since 2008 when the current agreement was put in place, the District/Subdistrict has paid the City over \$23,000,000, averaging \$1,953,251 per year for providing service.

The intent of the amendment to the agreement between the City and the District/Subdistrict is that the revenue paid to the City would remain the same. The amendment stipulates that as a result of dissolution of the Subdistrict the property tax revenue received by the District must be equal to the total property tax revenue generated by both the District and the Subdistrict. This can occur through the assessed valuation of property or through an additional ballot question at the same election for a general operating mill levy increase in the District. In this case the passage of the Subdistrict dissolution is contingent upon passage of the District's concurrent mill levy increase. The District/Subdistrict Board will make a decision on whether to propose a new mill levy in the District when they receive the latest assessed valuation of properties in the District/Subdistrict.

SUGGESTED MOTION:

I move to adopt Resolution No. 69-19, a resolution authorizing the City Manager to

approve an amendment to the agreement between the City of Grand Junction and the Grand Junction Rural Fire Protection District and the Redlands Subdistrict.

Attachments

1. RES-Amendment to GJRFPD Contract 11-2019
2. First Amendment to 2008 Agreement between the City of Grand Junction and the District & Subdistrict
3. GrandValley_FireDistricts11x17

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE AN AMENDMENT TO
THE AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE GRAND JUNCTION
RURAL FIRE PROTECTION DISTRICT AND THE REDLANDS SUBDISTRICT

The City of Grand Junction has provided fire and emergency medical services to the Grand Junction Rural Fire Protection District (GJRFPD) since 1944. In 2002 the Redlands sub-district was established separate from but wholly within the District for the purpose of assessing a separate, additional general operating mill levy to support the City's costs of constructing, operating and maintaining Fire Station 5. During those years the City and the GJRFPD have had various written agreements defining and describing service delivery and business relationships.

The 2008 agreement established that the City would provide emergency response services to the District/Subdistrict and in return the District/Subdistrict will pay to the City all revenue received minus an amount necessary for operating expenses.

The District/Sub-district have notified the City that they desire to standardize the mill levy between the District and Sub-district and intending to dissolve the Subdistrict at a mail ballot election to be held on May 5, 2020. The amendment to the 2008 agreement provides for continuation of emergency response service and maintains the service agreement if the voters approve dissolution of the Subdistrict.

NOW THEREFORE, be it resolved by the City Council of the City of Grand Junction, Colorado that the First Amendment to the 2008 Agreement Regarding Fire Protection Services Between the City of Grand Junction and the Grand Junction Rural Fire Protection District and the Redlands Subdistrict is hereby approved and shall be given full and immediate effect.

PASSED AND ADOPTED this 6TH day of November 2019.

Rick Taggart
Mayor and President of the City Council

ATTEST:

Wanda Winkelmann
City Clerk

**First Amendment to
2008 Agreement Regarding Fire Protection Services Between the City of Grand Junction and the Grand
Junction Rural Fire Protection District and the Redlands Subdistrict**

This First Amendment ("First Amendment") to the 2008 Agreement Regarding Fire Protection Services ("2008 Agreement") is entered into between the City of Grand Junction ("City") and the Grand Junction Rural Fire Protection District ("District") and the Redlands Subdistrict ("Subdistrict") as of the 12th day of November, 2019. Collectively the City, the District, and the Subdistrict may be referred to as the "Parties".

Recitals

The Parties entered into the 2008 Agreement on July 1, 2008. In general, the 2008 Agreement provides that the City, through its fire department, will provide emergency response services to the District and Subdistrict on a reasonably equivalent basis to the emergency response services that the City provides to the incorporated areas of the City, and will provide staffing at Fire Station 5 (the Redlands Fire Station) at a level that is reasonably equivalent to that provided at other City fire stations. In return for such services and staffing, the 2008 Agreement generally provides that the District and the Subdistrict will pay to the City all revenues received by them, except for reasonable amounts retained by the District and Subdistrict for the cost of their operations, not to exceed \$25,000.00 each calendar year unless otherwise agreed to by the City. In accordance with a separate written agreement, the Parties have agreed that the District and Subdistrict may retain up to \$80,000 in 2020 for operational expenditures.

The Subdistrict is wholly located within the boundaries and jurisdiction of the District, and was established by the District in 2002 for the purpose of assessing a separate, additional general operating mill levy to support the City's costs of operating and maintaining Fire Station 5, to be constructed by the City. The construction of Fire Station 5 was completed in 2004, and in the 15 years since, the boundaries of the City and Fire District, the response patterns for dispatching emergency services, and the Fire District and Subdistrict's tax base have evolved. Accordingly, the District and Subdistrict have notified the City of their desire to standardize the mill levy across the District and Subdistrict, seek eligible elector approval to dissolve the Subdistrict at a mail ballot election to be held on May 5, 2020, and pay the financial obligations to the City under the 2008 Agreement solely from District revenue. By this First Amendment, the Parties memorialize their agreement regarding the dissolution of the Subdistrict, and the interpretation of the 2008 Agreement in the event the Subdistrict's eligible electors approve the ballot issue.

Agreement

NOW, THEREFORE, the Parties agree as follows:

1. **Subdistrict Dissolution:** The Subdistrict shall submit the question of its dissolution to the eligible electors of the Subdistrict at the May 5, 2020 election, or at any other election (collectively, "Election"), only if:

(a) the Assessed Valuation of all real property within the District's jurisdiction, as set forth in the County Assessor's Assessed Valuation report received by the District in December of the calendar year immediately preceding the year that the dissolution question is to be submitted to the Subdistrict's eligible electors, multiplied by the District's general operating mill levy, would result in property tax revenue that is at least equal to the total property tax revenue generated by both the District's and Subdistrict's general operating mill levies in the immediately preceding calendar year;

OR

(b) the District submits to the District's eligible electors, at the same Election as the Subdistrict submits the question of its dissolution to the Subdistrict's eligible electors, a ballot issue for a general operating mill levy increase in such amount as is necessary for the District to generate the amount of property tax revenue set forth in paragraph 1(a) above, with a concurrent de-brucing of such mill levy

increase, and the passage of the Subdistrict's dissolution ballot question is made expressly contingent upon the passage of the District's mill levy increase and de-brucing ballot issue.

2. **Continuation of Emergency Response Services:** In the event that (i) the conditions set forth in paragraph 1 above are met, (ii) the Subdistrict submits the question of its dissolution to the eligible electors of the Subdistrict at the Election, and (iii) the Subdistrict's dissolution question passes and the dissolution is ordered by the District Court, then on and after the date of the Subdistrict's dissolution:

(a) The City shall continue to provide emergency response services to all areas within the District's jurisdiction, including the former Subdistrict area. The City shall also continue to perform all of its other duties and obligations under the 2008 Agreement; to this end, any duty or obligation owed by the City to the Subdistrict under the 2008 Agreement shall be read and interpreted as being owed by the City to the District.

(b) The District shall continue to pay to the City all revenues received by the District, including from within the former Subdistrict area, less and except such amounts as are permitted by the 2008 Agreement to be retained by the District. The District shall also continue to perform all of its other duties and obligations, and the duties and obligations of the Subdistrict, under the 2008 Agreement; to this end, any duty or obligation owed by the Subdistrict to the City or otherwise under the 2008 Agreement shall be read and interpreted as being owed by the District, except as provided pursuant to paragraph 2(c) below.

(c) Paragraph 6 of the 2008 Agreement is hereby amended in its entirety to provide that the District shall impose its general operating mill levy at the maximum amount authorized by its eligible electors and permitted by applicable law each year during the term of the Agreement, and shall take such actions and steps to assure that the District revenues are assessed, collected, and paid to the City as provided under the 2008 Agreement. The District will not reduce its general operating mill levy unless required by Colorado law and until the City has been notified in writing of any proposed reduction and given a reasonable opportunity (not less than 30 days) to protest or otherwise respond to any proposed decrease.

3. **Subdistrict Removed As A Party:** On and after the date of the Subdistrict's dissolution, the Subdistrict shall be deemed removed as a party and signatory to the Agreement.

4. **Other Provisions:** All other provisions of the 2008 Agreement shall remain in full force and effect as written and are unaffected by this First Amendment.

IN WITNESS WHEREOF, the Parties have signed this agreement effective the year and day first above written.

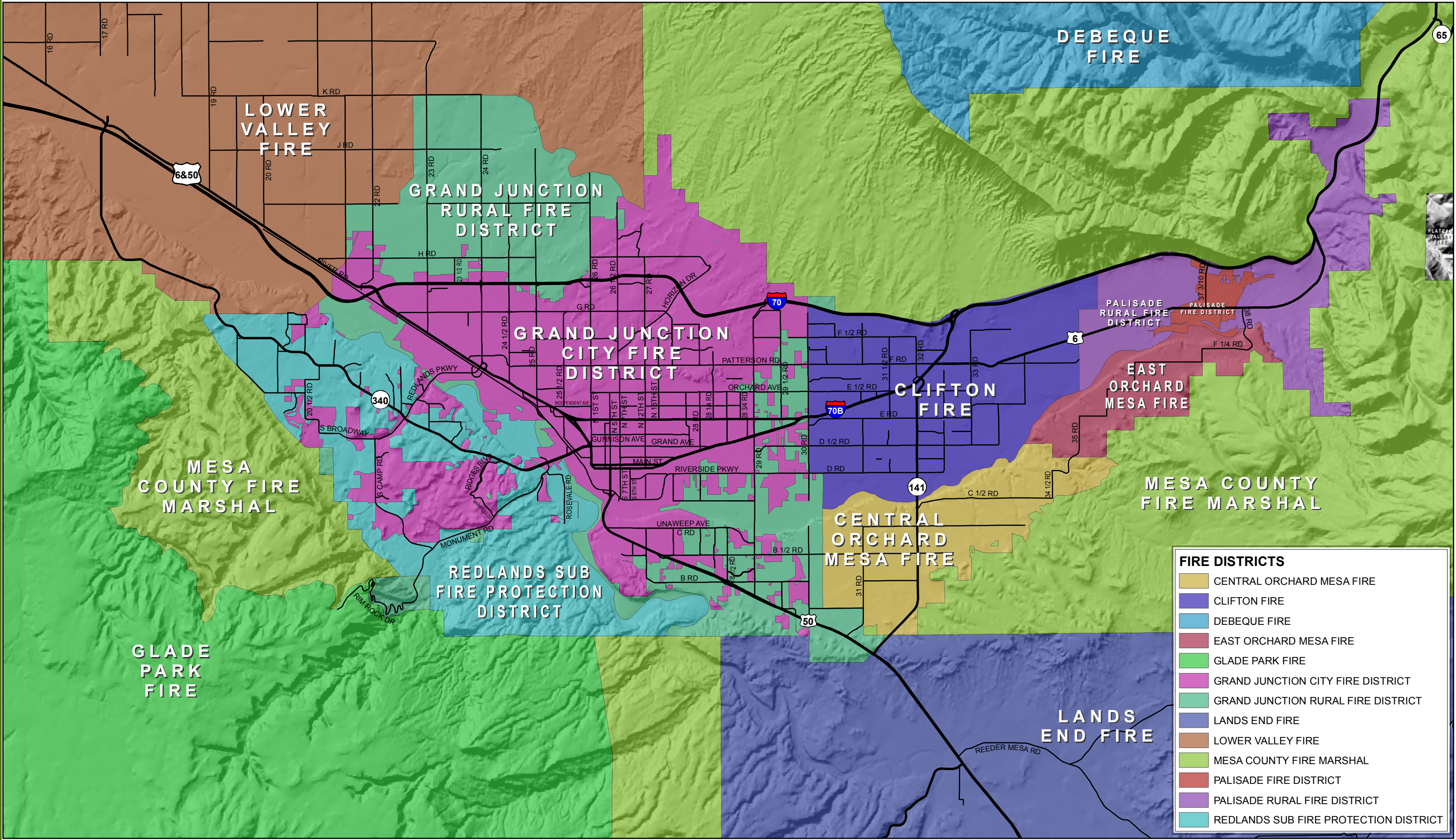
CITY OF GRAND JUNCTION

By: _____ Attest: _____
Greg Caton, City Manager Wanda Winkelmann , City Clerk

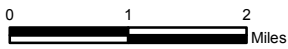
**GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT
and the
GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT
REDLANDS SUBDISTRICT**

By: _____ Attest: _____
Lynn Ensley, Chairman Secretary of the Board

Grand Valley Fire Districts



FIRE DISTRICTS	
	CENTRAL ORCHARD MESA FIRE
	CLIFTON FIRE
	DEBEQUE FIRE
	EAST ORCHARD MESA FIRE
	GLADE PARK FIRE
	GRAND JUNCTION CITY FIRE DISTRICT
	GRAND JUNCTION RURAL FIRE DISTRICT
	LANDS END FIRE
	LOWER VALLEY FIRE
	MESA COUNTY FIRE MARSHAL
	PALISADE FIRE DISTRICT
	PALISADE RURAL FIRE DISTRICT
	REDLANDS SUB FIRE PROTECTION DISTRICT





Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: November 6, 2019

Presented By: Randi Kim, Utilities Director

Department: Utilities

Submitted By: Randi Kim, Utilities Director

Information

SUBJECT:

A Resolution Supporting the Application for a Bureau of Reclamation Grant for Pressure Control Tank Project

RECOMMENDATION:

Staff recommends adoption of the resolution supporting the grant application for a Bureau of Reclamation Grant for Pressure Control Tank Project.

EXECUTIVE SUMMARY:

City staff is seeking Bureau of Reclamation grant funding in the amount of \$300,000. The City Utilities Department proposes to construct a new Pressure Control Tank with a total volume of 510,000 gallons to replace the existing undersized flow control tower which will allow the City to operate the Purdy Mesa Flow Line at maximum flow capacity (9.8 million gallons per day) thereby increasing the reliability of water supplies, improving drought resiliency, and conserving water.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction operates two water supply lines that convey water from its diversion and storage reservoirs on the Grand Mesa to its water treatment plant. The City's primary supply line, the Purdy Mesa Flow Line, is a gravity transmission main of approximately 17.5 miles which currently conveys raw water from the Juniata Reservoir to the Grand Junction Water Treatment Plant. The Purdy Mesa Flow Line is hydraulically constrained by an undersized flow control tower (1,760 gallons). The proposed project includes installation of a new Pressure Control Tank with a total volume of 510,000 gallons to replace the existing flow control tower which will allow the

City to operate the Purdy Mesa Flow Line at maximum flow capacity (9.8 mgd) thereby increasing the reliability of water supplies, improving drought resiliency, and conserving water.

The City is requesting grant funding for the Pressure Control Tank Project under the Bureau of Reclamation's Drought Resiliency Program with the objective of increasing the reliability of water supplies through infrastructure improvements. The Pressure Control Tank is a new conveyance system component that would increase flexibility to deliver water from the Juniata Reservoir, facilitating access to water supplies in times of drought.

Engineering design and permitting of the Pressure Control Tank was completed in 2018 and the project is ready for construction bidding in FY20.

FISCAL IMPACT:

Total project costs are \$1,440,234 and is planned for 2020. The City is applying for a federal grant of \$300,000. The City is required to provide matching funding in the amount of \$1,125,000 which is included in the 2020 recommended capital budget for the Water enterprise fund. In addition, the City is required to provide in-kind engineering and project management services in the amount of \$15,234.

SUGGESTED MOTION:

I move to adopt Resolution No. 70-19, a resolution supporting the grant application for a Bureau of Reclamation Grant for the Pressure Control Tank Project.

Attachments

1. Resolution

Resolution No. __-19

A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A BUREAU OF RECLAMATION GRANT FOR THE PRESSURE CONTROL TANK PROJECT

Be it resolved by the City Council of the City of Grand Junction, Colorado that:

The City of Grand Junction by, with and through this Resolution of the City Council supports the WaterSMART Drought Response Program, Drought Resiliency Project Grant application that the City of Grand Junction has made to the United States Bureau of Reclamation (BOR). The application will assist the City in construct the Pressure Control Tank Project to increase the drought resiliency of the City's Purdy Mesa water supply line.

Through WaterSMART, the Bureau of Reclamation (Reclamation) leverages Federal and non-Federal funding to work cooperatively with states, tribes, and local entities as they plan for and implement actions to increase water supply reliability through investments in existing infrastructure and attention to local water conflicts. The WaterSMART Drought Response Program supports a proactive approach to drought by providing financial assistance to water managers to implement projects that will build long-term resilience to drought (Drought Resiliency Projects).

In accordance with the grant purposes, the City Utilities Department proposes to construct a new Pressure Control Tank with a total volume of 510,000 gallons to replace the existing flow control tower which will allow the City to operate the Purdy Mesa Flow Line at maximum flow capacity (9.8 mgd) thereby increasing the reliability of water supplies, improving drought resiliency, and conserving water.

The City staff is seeking Bureau of Reclamation grant funding in the amount of \$300,000 over a period of 2 years. The City Council of the City of Grand Junction authorizes the expenditure of funds necessary to meet the terms and obligations, including established deadlines, of any Grant awarded.

If the grant is awarded, the City Council hereby authorizes the City Manager to sign the grant agreement with Bureau of Reclamation for the Water Marketing Strategy grant program.

The City staff has recommended that the City Council support the grant application and if awarded that the grant be utilized for the important purposes of continuing to carefully manage the water resources.

PASSED and ADOPTED this 6th day of November 2019

Rick Taggart
President of the Council
ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: November 6, 2019

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Resolution Vacating a Portion of a 20-Foot Wide Public Sanitary Sewer Easement
Located at 2424 Hwy 6 & 50

RECOMMENDATION:

The Planning Commission heard this item at their October 22, 2019 meeting and recommended approval (6 - 0).

EXECUTIVE SUMMARY:

The Applicant, SM Mesa Mall LLC, is requesting the vacation of a portion (1,972 sq. ft.) of a public Sanitary Sewer Easement on the property located at 2424 Hwy. 6 & 50. The Applicant recently completed the process of a Site Plan Review application (SPN-2019-234) to construct a Dillard's Department Store at Mesa Mall, however after the review process, it was determined that a portion of an existing 20-foot wide Sanitary Sewer Easement would encroach into the proposed location of a masonry screen wall to be constructed at the truck loading dock area at the north end of the building. There is currently an 8-inch sanitary sewer pipe located within the easement, however, the requested easement vacation area is located at the end of the line/easement and the applicant intends to cap and eliminate that portion of the sanitary sewer line within the easement, which will have no effect on the existing users of this sanitary sewer line within the Mesa Mall campus.

BACKGROUND OR DETAILED INFORMATION:

The subject property located at Mesa Mall currently contains a 20-foot wide Sanitary Sewer Easement that bisects the mall properties. This existing 20-foot wide Sanitary

Sewer Easement was dedicated by separate instrument to the City of Grand Junction in 1981 (Book 1311, Page 824) in order to establish a sanitary sewer line that serves Mesa Mall properties. The property formally contained the Sears Department Store, but that building has since been demolished and the applicant is currently under construction for a new Dillard's Department Store. The Applicant's representative has explained that due to the current location of a portion of this sanitary sewer easement, this easement would interfere with the desired placement of a masonry screen wall at the truck loading dock location. Therefore, the Applicant is requesting to vacate a small portion (1,972 sq. ft.) of this existing 20' wide sanitary sewer easement located on the property and cap and eliminate that portion of the sanitary sewer line within the easement, which will have no effect on the existing users of this sanitary sewer line within the Mesa Mall campus since the area requested to be vacated is located at the west end of the sewer line and easement.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting is not required for an easement vacation and no utility companies voiced opposition to the proposed portion of the sanitary sewer easement vacation.

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 September 13, 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 October 9, 2019. The notice of the Planning Commission public hearing was published October 15, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review is set forth in Section 21.02.100 (c) of the Zoning & Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

(1) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City;

The request to vacate a portion of an existing 20-foot wide Sanitary Sewer Easement does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan or other adopted plans and policies of the City. Vacation of a portion of this easement will have no impact on public facilities or services provided to the general public since the area requested for vacation is located at the west end of the line and easement. Therefore,

staff has found this criterion has been met.

- (2) No parcel shall be landlocked as a result of the vacation;

This is a request to only vacate a portion of an existing sanitary sewer easement. As such no parcels will be landlocked as a result of the proposed vacation. Therefore, staff has found this criterion has been met.

- (3) Access to any parcel shall be not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

No adverse comments concerning the proposed vacation was received from the utility review agencies or the adjacent property owners indicating that the requested vacation will restrict access or reduce or devalue any property. This request does not impact access to any parcel and as such, staff finds this criterion has been met.

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

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the proposed vacation as the portion of the sanitary sewer easement and line requested to be eliminated would not affect any other adjacent property or use. Staff does not anticipate any adverse impacts, therefore finding this criterion has been met.

- (5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

The provision of adequate public facilities and services shall not be inhibited to any property as a result of the proposed vacation request as the portion of the sanitary sewer easement and line requested to be eliminated would not affect any other adjacent property or use. Also, no adverse comments concerning the proposed vacation were received from the utility review agencies or adjacent property owners during the staff review process. Therefore, Staff finds that this criterion has been met.

- (6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements for the City will not substantially change as a result of the proposed vacation as only a small portion of the existing sanitary sewer line will be eliminated. The addition of the masonry screen wall over this requested vacation area

can then be accommodated with the requested vacation which will benefit the Applicant's overall site development and community to help visually screen the truck loading dock area. Therefore, Staff finds that this criterion has been met.

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

Goal 1 / Policy C: The City will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

Goal 11 / Policy A: The City will plan for the locations and construct new public facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Dillard's Sanitary Sewer Easement Vacation request, VAC-2019-475, located at 2424 Hwy 6 & 50, the following findings of fact have been made:

The request conforms with Section 21.02.100 (c) of the Zoning & Development Code.

The requested vacation does not conflict with the goals and policies of the Comprehensive Plan.

Therefore, Staff recommends approval of the requested vacation.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Maintenance requirements for the City will not substantially change as a result of the proposed vacation as only a small portion of the existing sanitary sewer line will be eliminated.

SUGGESTED MOTION:

I move to adopt Resolution No. 71-19, a resolution vacating a portion of a 20-foot wide Sanitary Sewer Easement located within Lot A, Mesa Mall's Second Minor Subdivision, located at 2424 Hwy 6 & 50.

Attachments

1. Site Location & Aerial Photo Maps
2. Development Application dated August 21, 2019
3. Vacation Resolution





Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Date

Signature of Legal Property Owner

See attached signature page

Date

DEVELOPMENT APPLICATION

LEGAL PROPERTY OWNER SIGNATURE PAGE

SM MESA MALL, LLC
a Delaware limited liability company

By: Washington Prime Group, L.P.,
an Indiana limited partnership, its sole member

By: Washington Prime Group Inc.,
an Indiana corporation, its general partner

By: 
Stephen H. Harris, VP, Development

Dated: 8.19.19

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) SM Mesa Mall, LLC ("Entity") is the owner of the following property:

(b) See legal description attached hereto as "Exhibit A".

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

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

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

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

VP, Development for purposes of executing development, plan application, construction and/or permitting doc

☒ The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) vacation of a portion of 20' sanitary sewer easement

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

(e) None

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

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

Signature of Entity representative: See attached signature page

Printed name of person signing: Stephen H. Harris

State of OHIO)

County of FRANKLIN) ss.

Subscribed and sworn to before me on this 19th day of August, 20 19

by Stephen H. Harris, VP-Development

Witness my hand and seal.

My Notary Commission expires on 10-31-2022

SHELLEY L. STEVENS
Notary Public, State of Ohio
My Commission Expires 10-31-2022

Shelley L. Stevens
Notary Public Signature



OWNERSHIP STATEMENT
SIGNATURE PAGE

SM MESA MALL, LLC
a Delaware limited liability company

By: Washington Prime Group, L.P.,
an Indiana limited partnership, its sole member

By: Washington Prime Group Inc.,
an Indiana corporation, its general partner

By:



Stephen H. Harris, VP, Development

Dated: 8.19.19.

SPECIAL WARRANTY DEED

2317056 BK 4156 PG 977-987
05/15/2006 02:01 PM
Janice Ward CLK&REC Mesa County, CO
RecFee \$55.00 SurChg \$1.00
DocFee NO FEE

NO CONSIDERATION

THIS DEED, made and entered into this 10th day of May, 2006, by and between SDG MACERICH PROPERTIES, L.P., a Delaware limited partnership ("Grantor"), and SM MESA MALL, LLC, a Delaware limited liability company, whose legal address is c/o 401 Wilshire Blvd., Ste. 700, Santa Monica, California 90401 ("Grantee"):

WITNESSETH: That Grantor, for and in consideration of the sum of TEN DOLLARS the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by the presents does grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, all of the real property, together with improvements, if any, situate, lying and being in the County of Mesa, State of Colorado, and more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"),

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the Property, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the Property above bargained and described, with the appurtenances unto Grantee, its heirs, successors and assigns forever. Grantor, its successors and assigns, does covenant and agree that it shall and will warrant or forever defend the Property in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof by, through, or under Grantor.

SUBJECT TO:

- (i) all streets and public rights of way;
- (ii) all laws, rules and/or regulations (federal, state and/or local) now in effect;
- (iii) restrictions, encumbrances, reservations, limitations, conditions, easements, agreements and/or other matters affecting the Property, if of public record; and
- (iv) all real estate taxes and assessments not due and payable as of the date hereof.

[SIGNATURE PAGE TO FOLLOW]

Return to:
Elaine L. Edgeman
LandAmerica Commercial Services
915 Wilshire Blvd., Suite 2100
Los Angeles, CA 90017

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by and through its duly authorized officer the day and year first above written.

SDG MACERICH PROPERTIES, L.P.,
a Delaware limited partnership

By: **MACERICH PROPERTY EQ GP CORP.**
a Delaware corporation
its authorized general partner

By: _____

Name: Thomas E. O'Hern
Executive Vice President

Title: _____ and Chief Financial Officer _____

ACKNOWLEDGMENT

State of California
County of Los Angeles

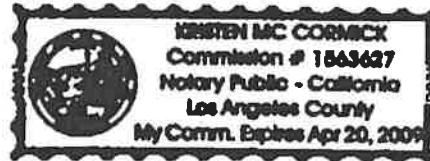
On 1 May 2006 before me, Kristen McCormick Notary Public,
(here insert name and title of the officer)
personally appeared Thomas E. O'Hern

_____, personally
known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Kristen McCormick



(Seal)

EXHIBIT A

Legal Description

Four tracts of land situate in the Southwest $\frac{1}{4}$ of Section Four and in the Northwest $\frac{1}{4}$ of Section Nine, Township One South, Range One West of the Ute Meridian, Grand Junction, Mesa County, Colorado; said tracts having previously been described in Book 1519, Pages 196-199 of the Mesa County Clerk and Recorder and being described herewith by the following metes and bounds:

TRACT ONE:

Being Lot A, Mesa Mall's Second Minor Subdivision as recorded in Plat Book 14, Pages 351 and 352 Mesa County Records and being part of Lot 2, Mesa Mall Minor Subdivision as recorded in Plat Book 14, Page 64, Mesa County records described as follows:

Commencing at a Mesa County Brass Cap at the Southwest Corner of said Section Four and considering the line to a Mesa County Brass Cap at the Northwest Corner of the Southwest $\frac{1}{4}$ Southwest $\frac{1}{4}$ of said Section Four to bear North 00 deg. 04 min. 49 sec. East (formerly a record bearing of North 00 deg. 06 min. 21 sec. East) 1,319.78 feet with all bearings herein contained relative thereto:

Thence North 89 deg. 56 min. 13 sec. East on the South line of said Section Four 458.66 feet (formerly a record distance of 459.17 feet) to a 5/8" rebar, aluminum cap and the True Point of Beginning;

Thence North 89 deg. 56 min. 13 sec. East on the South line of said Section Four 47.08 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 585.00 feet and a chord of which bears North 19 deg. 13 min. 43 sec. West 181.97 feet;

Thence on the line of said Lot A, Mesa Malls Second Minor Subdivision, on the arc of said curve, through a central angle of 17 deg. 53 min. 42 sec., 182.71 feet to a rebar 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 295.00 feet and a chord of, which bears North 00 deg. 11 min. 33 sec. West, 103.35 feet;

Thence on the arc of said curve, through a central angle of 20 deg. 10 min. 37 sec., 103.89 feet to a point;

Thence North 09 deg. 53 min. 49 sec. East 146.61 feet to a point and the beginning of a curve to the right, having a radius of 195.00 feet and a chord of which bears North 23 deg. 11 min. 45 sec. East 90.20 feet;

Thence on the arc of said non-tangent curve, through a central angle of 26 deg. 44 min. 42 sec., 91.02 feet to a point and the beginning of a curve to the right, having a radius of 238.00 feet and a chord of which bears North 47 deg. 03 min. 20 sec. East 78.38 feet;

Thence on the arc of said non-tangent curve, through a central angle of 18 deg. 57 min. 19 sec., 78.73 feet to a 5/8" rebar and aluminum cap;

Thence North 56 deg. 31 min. 58 sec. East 162.16 feet to a 5/8" rebar and aluminum cap;

Thence North 33 deg. 28 min. 02 sec. West 34.89 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 508.00 feet and a chord of which bears North 16 deg. 44 min. 11 sec. West 292.48 feet;

Thence on the arc of said curve, through a central angle of 33 deg. 27 min. 42 sec., 296.68 feet to a 5/8" rebar and aluminum cap;

Thence North 00 deg. 00 min. 20 sec. West 25.00 feet to a 5/8" rebar and aluminum cap on the South right-of-way line of Patterson Road;

Thence on said South line, North 89 deg. 59 min. 40 sec. East 75.00 feet to a 5/8" rebar and aluminum cap;

Thence leaving said South right-of-way line South 00 deg. 00 min. 20 sec. East 25.00 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 433.00 feet and the chord of which bears South 16 deg. 44 min. 11 sec. East, 249.30 feet;

Thence on the arc of said curve, through a central angle of 33 deg. 27 min. 42 sec., 252.88 feet to a 5/8" rebar and aluminum cap;

Thence South 33 deg. 28 min. 02 sec. East 34.88 feet to a 5/8" rebar;

Thence North 47 deg. 12 min. 30 sec. East 386.96 feet to a 5/8" rebar;

Thence North 00 deg. 00 min. 20 sec. West 30.00 feet to a 5/8" rebar and aluminum cap on the South right-of-way line of Patterson Road;

Thence on said South right-of-way line, North 89 deg. 59 min. 40 sec. East 510.80 feet to a 5/8" rebar and aluminum cap;

Thence leaving said South right-of-way line South 00 deg. 00 min. 20 sec. East 63.20 feet to a 5/8" rebar;

Thence North 86 deg. 17 min. 28 sec. East, 293.94 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 406.63 feet and the chord of which bears South 88 deg. 43 min. 23 sec. East, 70.68 feet;

Thence on the arc of said curve through a central angle of 09 deg. 58 min. 18 sec., 70.77 feet to a 5/8" rebar and aluminum cap;

Thence South 10 deg. 00 min. 00 sec. West 175.21 feet to a point;

Thence North 80 deg. 00 min. 00 sec. West 170.65 feet to a point;

Thence South 10 deg. 00 min. 00 sec. West 451.00 feet to a nail and washer;

Thence South 80 deg. 00 min. 00 sec. East 34.30 feet to an existing wall;

Thence on said wall South 10 deg. 00 min. 00 sec. West, 0.75 feet;

Thence continuing on said wall, South 80 deg. 00 min. 00 sec. East 91.95 feet;

Thence South 10 deg. 00 min. 00 sec. West, 0.50 feet;

Thence South 80 deg. 00 min. 00 sec. East, 162.66 feet;

Thence North 10 deg. 00 min. 00 sec. East 1.25 feet to the beginning of the last course along the building wall;

Thence South 80 deg. 00 min. 00 sec. East, in line with said building wall 43.09 feet to a chiseled "X" in a concrete curb;

Thence South 10 deg. 00 min. 00 sec. West, 94.48 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left having a radius 88.00 feet and the chord of which bears South 17 deg. 30 min. 00 sec. East 81.27 feet;

Thence on the arc of said curve through a central angle of 55 deg. 00 min. 00 sec., 84.47 feet to a 5/8" rebar and aluminum cap;

Thence South 45 deg. 00 min. 00 sec. East, 126.26 feet to a 5/8" rebar and aluminum cap;

Thence North 45 deg. 00 min. 00 sec. East, 320.36 feet to a 5/8" rebar and aluminum cap;

Thence North 08 deg. 00 min. 20 sec. West, 329.39 feet to a chiseled "X" in a concrete curb;

Thence North 81 deg. 59 min. 40 sec. East, 73.87 feet to a 5/8" rebar and aluminum cap on the Westerly right-of-way line of said Patterson Road;

Thence on said right-of-way line South 08 deg. 00 min. 20 sec. East 298.47 feet to a 5/8" rebar and aluminum cap at the beginning of a curve to the left having a radius of 450.00 feet and the chord of which bears South 12 deg. 54 min. 52 sec. East, 77.01 feet;

Thence on the arc of said curve, through a central angle of 09 deg. 49 min. 04 sec., 77.11 feet to a 5/8" rebar and aluminum cap;

Thence leaving said right-of-way line, South 45 deg. 00 min. 00 sec. West, 298.23 feet to a point;

Thence South 45 deg. 00 min. 00 sec. East, 19.00 feet to a point;

Thence South 45 deg. 00 min. 00 sec. West, 130.0 feet to an existing building corner;

Thence on the wall of said building South 45 deg. 00 min. 00 sec. East, 42.00 feet to a corner of said building;

Thence along a dividing wall South 45 deg. 00 min. 00 sec. West, 394.27 feet to a chiseled "X" in a concrete curb;

Thence North 45 deg. 00 min. 00 sec. West, along another dividing wall 417.55 feet (formerly a record distance of 417.72 feet) to a 5/8" rebar and aluminum cap;

Thence South 45 deg. 00 min. 00 sec. West 565.67 feet (formerly a record distance of 565.72 feet) to a "PK" nail and washer;

Thence South 45 deg. 00 min. 00 sec. East 45.14 feet to a chiseled "X" in a concrete curb and the beginning of a curve to the left having a radius of 405.00 feet and the chord of which bears South 56 deg. 11 min. 15 sec. East, 157.16 feet;

Thence on the arc of said curve, through a central angle of 22 deg. 22 min. 30 sec., 158.16 feet to a 5/8" rebar and aluminum cap;

Thence South 67 deg. 22 min. 30 sec. East 309.24 feet to a 5/8" rebar and aluminum cap;

Thence South 22 deg. 37 min. 30 sec. West, 49.96 feet to a 5/8" rebar and aluminum cap;

Thence leaving said Lot A, Mesa Malls Second Minor Subdivision, South 22 deg. 37 min. 30 sec., West 179.88 feet to a 5/8" rebar and aluminum cap on the Northerly right-of-way line of U.S. Highway 6 and 50;

Thence on said right-of-way line North 67 deg. 21 min. 55 sec. West, 131.98 feet (formerly a record bearing and a distance of North 67 deg. 22 min. 30 sec. West, 131.80 feet) to a 5/8" rebar and aluminum cap at the beginning of a non-tangent curve to the right, having a radius of 5,630.00 feet and the chord of which bears North 61 deg. 47 min. 58 sec. West, 1,081.37 feet;

Thence on the arc of said non-tangent curve, through a central angle of 11 deg. 01 min. 19 sec., 1,083.04 feet to a 5/8" rebar and aluminum cap;

Thence North 56 deg. 21 min. 00 sec. West, 20.82 feet (formerly a record distance of 20.77 feet) to a 5/8" rebar and aluminum cap at the beginning of a non-tangent curve to the right, having a radius of 232.00 feet and the chord of which bears North 00 deg. 41 min. 30 sec. West, 261.61 feet;

Thence leaving said Highway right-of-way line on the arc of said non-tangent curve and the County right-of-way line, through a central angle of 68 deg. 38 min. 29 sec., 277.94 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 308.00 feet and the chord of which bears North 21 deg. 13 min. 48 sec. East, 132.27 feet;

Thence on the arc of said curve, through a central angle of 24 deg. 47 min. 50 sec., 133.30 feet to a 5/8" rebar, aluminum cap and the True Point of Beginning.

TRACT TWO:

Being part of Mesa Mall Subdivision as recorded in Plat Book 12, Page 233, Mesa County Records and part of Lot Two (2), Mesa Mall Minor Subdivision as recorded in Plat Book 14, Page 64, Mesa County Records, described as follows:

Commencing at a Mesa County Brass Cap at the Southeast Corner of the Northeast ¼ Northwest ¼ of said Section Nine, and considering the line to a Mesa County Brass Cap at the North ¼ Corner of said Section Nine to bear North 00 deg. 11 min. 55 sec. East, 1,317.87 feet with all bearings herein contained relative thereto;

Thence North 89 deg. 48 min. 05 sec. West, 50.00 feet to a point and the True Point of Beginning;

Thence on the West right-of-way line of 24 ½ Road, South 00 deg. 08 min. 56 sec. West, 126.58 feet to a point;

Thence South 67 deg. 02 min. 41 sec. West, 28.34 feet to a point on the Northerly right-of-way line of U.S. Highways 6 and 50 and the beginning of a non-tangent curve to the left, having a radius of 5,830.00 feet and the chord of which bears North 63 deg. 32 min. 25 sec. West, 789.53 feet (formerly a record chord bearing and distance of North 63 deg. 29 min. 29 sec. West, 789.67 feet);

Thence on the arc of said non-tangent curve, through a central angle of 07 deg. 46 min. 00 sec., 790.28 feet to a 5/8" rebar and aluminum cap;

Thence North 67 deg. 17 min. 33 sec. West, 333.78 feet (formerly a record bearing and distance of North 67 deg. 22 min. 30 sec. West, 333.50 feet) to a "PK" nail and washer;

Thence leaving said Highway right-of-way line, North 22 deg. 37 min. 30 sec. East, 154.84 feet to a 5/8" rebar and beginning of a curve to the right having a radius of 25.00 feet and the chord of which bears North 67 deg. 37 min. 30 sec. East, 35.36 feet;

Thence on the arc of said curve, through a central angle of 90 deg. 00 min. 00 sec., 39.27 feet to a 5/8" rebar and the Northerly line of said Lot Two (2), Mesa Mall Minor Subdivision;

Thence on said line of Lot Two (2), Mesa Mall Minor Subdivision, South 67 deg. 22 min. 30 sec. East, 58.24 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left having a radius of 605.00 feet and the chord of which bears South 68 deg. 40 min. 03 sec. East, 27.30 feet;

Thence on the arc of said curve, through a central angle of 02 deg. 35 min. 07 sec., 27.30 feet to a 5/8" rebar and aluminum cap;

Thence leaving said Lot Two (2), North 45 deg. 00 min. 00 sec. East, 285.44 feet (formerly a record distance of 285.48 feet) to a 5/8" rebar and aluminum cap;

Thence South 45 deg. 00 min. 00 sec. East, 298.50 feet (formerly a record distance of 298.57 feet) to a 5/8" rebar and aluminum cap and the beginning of a non-tangent curve to the left having a radius of 25.00 feet and the chord of which bears South 03 deg. 05 min. 53 sec. West, 16.11 feet;

Thence on the arc of said non-tangent curve on the line of Lot One (1) of said Mesa Mall Minor Subdivision, through a central angle of 37 deg. 35 min. 46 sec., 16.40 feet to a point;

Thence South 15 deg. 42 min. 00 sec. East, 62.50 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right having a radius of 305.00 feet and the chord of which bears South 10 deg. 17 min. 42 sec. East, 57.46 feet;

Thence on the arc of said curve, through a central angle of 10 deg. 48 min. 37 sec., 57.55 feet to a point;

Thence South 63 deg. 31 min. 52 sec. East, 230.51 feet to a point;

Thence North 26 deg. 28 min. 08 sec. East, 104.69 feet to a point;

Thence South 89 deg. 48 min. 05 sec. East, 178.28 feet to a chiseled "X" in concrete and the West right-of-way line of said 24 1/2 Road;

Thence leaving said Lot One (1), South 00 deg. 11 min. 55 sec. West, 315.48 feet to a point and the True Point of Beginning.

TRACT THREE:

Being Lot One (1) of Fisher Subdivision as recorded in Plat Book 12, Page 161, Mesa County Records, also described as follows:

Commencing at a Mesa County Brass Cap at the Southwest Corner of said Section Four (4) and considering the line to a Mesa County Brass Cap at the Northwest Corner of the Southwest $\frac{1}{4}$ said Section Four (4) to bear North 00 deg. 04 min. 49 sec. East (formerly a record bearing of North 00 deg. 06 min. 21 sec. East), 1,319.78 feet with all bearings herein contained relative thereto;

Thence North 00 deg. 04 min. 49 sec. East, 1,079.78 feet (formerly a record bearing and distance of North 00 deg. 06 min. 21 sec. East, 1,080.02 feet); thence on the North right-of-way line of F Road, North 89 deg. 59 min. 40 sec. East, 1,049.84 feet (formerly a record of 1,050.00 feet) to a 5/8" rebar, aluminum cap and the True Point of Beginning;

Thence leaving said North right-of-way line on the West line of said Lot One (1), North 00 deg. 06 min. 21 sec. East, 240.00 feet to a point;

Thence on the North line of said Lot One (1), North 89 deg. 59 min. 40 sec. East, 181.50 feet to a 5/8" rebar and aluminum cap;

Thence on the East line of said Lot One (1), South 00 deg. 06 min. 21 sec. West, 240.00 feet to a 5/8" rebar and aluminum cap and the North line of said right-of-way;

Thence on the South line of said Lot One (1), and said North right-of-way line, South 89 deg. 59 min. 40 sec. West, 181.50 feet to a 5/8" rebar, aluminum cap and the True Point of Beginning.

TRACT FOUR:

Being Lot B of Mesa Mall's Second Minor Subdivision as recorded in Plat Book 14, Pages 351 and 352, Mesa County Records also described as follows:

Commencing at a Mesa County Brass Cap at the Southwest Corner of said Section Four (4) and considering the line to a Mesa County Brass Cap at the Northwest corner of the Southwest $\frac{1}{4}$ said Section Four (4) to bear North 00 deg. 04 min. 49 sec. East (formerly a record bearing of North 00 deg. 06 min. 21 sec. East), 1,319.78 feet with all bearings herein contained relative thereto;

Thence on the South line of said Section Four (4), North 89 deg. 56 min. 13 sec. East, 458.66 feet (formerly a record distance of 459.17 feet) to a 5/8" rebar, aluminum cap and the True Point of Beginning;

Thence on the County right-of-way line along a curve to the left having a radius of 308.00 feet, the chord of which bears North 35 deg. 38 min. 20 sec. West, 431.53 feet;

Thence on said arc of said curve, through a central angle of 88 deg. 56 min. 28 sec., 478.11 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 232.00 feet and the chord of which bears North 61 deg. 13 min. 34 sec. West, 150.17 feet (formerly a record bearing and distance of North 61 deg. 10 min. 08 sec. West, 150.61 feet);

Thence on said arc through a central angle of 37 deg. 45 min. 57 sec. (formerly a record central angle of 37 deg. 52 min. 46 sec.), 152.92 feet (formerly a record distance of 153.38 feet), to a 5/8" rebar and aluminum cap;

Thence North 00 deg. 04 min. 49 sec. East, 79.56 feet (formerly a record bearing and distance of North 00 deg. 06 min. 21 sec. East, 79.19 feet) to a point;

Thence South 89 deg. 59 min. 40 sec. West, 25.00 feet to a 5/8" rebar and aluminum cap;

Thence North 00 deg. 04 min. 49 sec. East (formerly a record bearing of North 00 deg. 06 min. 21 sec. East), 477.00 feet to a 5/8" rebar at the intersection of the East right-of-way line of 24 Road with the South right-of-way line of Patterson Road;

Thence on said South right-of-way line North 89 deg. 59 min. 40 sec. East, 544.00 feet (formerly a record distance of 544.20 feet) to a 5/8" rebar and aluminum cap;

Thence leaving said South right-of-way line, South 00 deg. 00 min. 20 sec. East, 25.00 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 508.00 feet and the chord of which bears South 16 deg. 44 min. 11 sec., 292.48 feet;

Thence on the arc of said curve, through a central angle of 33 deg. 27 min. 42 sec., 296.68 feet to a 5/8" rebar and aluminum cap;

Thence South 33 deg. 28 min. 02 sec. East, 34.89 feet to a 5/8" rebar and aluminum cap;

Thence South 56 deg. 31 min. 58 sec. West, 162.16 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 238.00 feet and a chord of which bears South 47 deg. 03 min. 20 sec. West, 78.38 feet;

Thence on the arc of said non-tangent curve, through a central angle of 18 deg. 57 min. 19 sec., 78.73 feet to a point and the beginning of a curve to the left, having a radius of 195.00 feet and a chord of which bears South 23 deg. 11 min. 45 sec. West, 90.20 feet;

Thence on the arc of said curve, through a central angle of 26 deg. 44 min. 42 sec., 91.02 feet to a point;

Thence South 09 deg. 53 min. 49 sec. West, 146.61 feet to a point and the beginning of a curve to the left, having a radius of 295.00 feet and a chord of which bears South 00 deg. 11 min. 33 sec. East, 103.35 feet;

Thence on the arc of said curve, through a central angle of 20 deg. 10 min. 37 sec., 103.89 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 585.00 feet and a chord of which bears South 19 deg. 13 min. 43 sec. East, 181.97 feet;

Thence on the arc of said curve, through a central angle of 17 deg. 53 min. 42 sec., 182.71 feet to the South line of said Section Four (4) and a 5/8" rebar and aluminum cap;

Thence on the South line of said Section Four (4), South 89 deg. 56 min. 13 sec. West, 47.08 feet to a 5/8" rebar, aluminum cap and the True Point of Beginning.

TRACT FIVE:

Together with those rights and easements constituting rights in real property created, defined and limited by that certain Operating Agreement by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota Corporation, dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, First Amendment by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota Corporation, dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, First Amendment to Supplemental Agreement by and between General Growth Properties, a

Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation, dated January 12, 1982 and recorded March 8, 1982 in Book 1360, Page 483, Second Amendment by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota corporation, dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation, recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota corporation and Mervyn's, a California corporation, dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, and Fifth Amendment by and between The Equitable Life Assurance Society of The United States, a New York corporation, successor to the right, title and interest of General Growth Properties and J.C. Penney Properties, Inc., a Delaware corporation and Dayton Hudson Corporation d/b/a Target Stores, a Minnesota corporation and Mervyn's, a California corporation, dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, all in the Clerk and Recorder Office of Mesa County, Colorado.

TRACT SIX:

Together with those rights and easements constituting rights in real property created, defined and limited by that certain Reciprocal Easement and Operation Agreement by and between The Equitable Life Assurance Society and The United States, a New York corporation and Toys "R" Us, Inc., a Delaware corporation, dated July 21, 1992 and recorded July 21, 1992 in Book 1914, Page 685, in the Clerk and Recorder Office of Mesa County, Colorado.

RECORDED AT _____ O'CLOCK ____ M., _____
FIRST AMERICAN TITLE

SPECIAL WARRANTY DEED

THIS DEED, Made this 18th day of January, 2019, between **SM MESA MALL, LLC**, a Delaware limited liability company, having an office c/o Washington Prime Group, 180 E. Broad Street, Columbus, Ohio 43215, grantor, and **FCPT HOLDINGS, LLC**, a Delaware limited liability company, whose address is c/o Four Corners Property Trust, 591 Redwood Highway, Suite 1150, Mill Valley, California 94941, grantee:

WITNESS, that the grantor, for and in consideration of the sum of (\$10.00) TEN and 00/100 DOLLARS, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the said County of Mesa and State of Colorado and legally described on the attached Exhibit A (the "Property"):

Also known by street and number as:

McDonald's	2438 Hwy 6 and 50, Grand Junction, CO 81505
Taco Bell	2428 Hwy 6 and 50, Grand Junction, CO 81505
Buffalo Wild Wings	2412 Hwy 6 and 50, Grand Junction, CO 81505
Wendy's	2430 Hwy 6 and 50, Grand Junction, CO 81505
Olive Garden	2416 Hwy 6 and 50, Grand Junction, CO 81505
Red Lobster	575 24 ½ Road, Grand Junction, CO 81505
IHOP	2420 Hwy 6 and 50, Grand Junction, CO 81505
Outback	2432 Hwy 6 and 50, Grand Junction, CO 81505

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained Property, with the hereditaments and appurtenances.

SUBJECT TO all taxes, assessments, liens, easements, encumbrances and restrictions of record and all matters which an accurate survey or physical inspection of the Property would disclose (the "Permitted Exceptions").

TO HAVE AND TO HOLD the said Property above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. The grantor, for himself, his heirs, and personal representatives or successors, do covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained Property in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor and subject to the Permitted Exceptions. The singular number shall include the plural, the plural and the singular, and the use of any gender shall be applicable to all genders.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;

SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

SM MESA MALL, LLC,
a Delaware limited liability company

By: WASHINGTON PRIME GROUP, L.P.,
an Indiana limited partnership,
its sole member

By: WASHINGTON PRIME GROUP INC.,
an Indiana corporation, its general partner

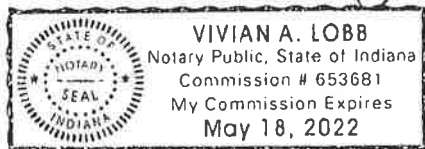
By: 
Name: Robert P. Demchak
Title: Executive Vice President,
General Counsel & Corporate Secretary

STATE OF Indiana
) ss.
COUNTY OF Marion

The foregoing instrument was acknowledged before me this 19 day of December, 2018, by Robert P. Demchak, as Executive Vice President, General Counsel and Corporate Secretary of Washington Prime Group Inc., general partner of Washington Prime Group, L.P., sole member of SM Mesa Mall, LLC, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: May 18, 2022



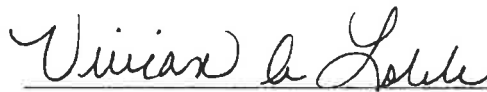

Notary Public

Exhibit "A"

Legal Description

Parcel A:

Lot 1, Mesa Mall Restaurant Row Subdivision Filing 1, as recorded at Reception No. ²⁸⁶⁷²⁷⁷ of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Red Lobster

Exhibit "A"

Legal Description

Parcel A:

Lots 3 & 4, Mesa Mall Restaurant Row Subdivision Filing 1, as recorded at Reception No. 2861277 of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel I:

Lot 5, Mesa Mall Restaurant Row Subdivision Filing 1, as recorded at Reception No. 2867277 of the Mesa County Recorder's Office.

Parcel II:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel III:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel IV:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 1, Mesa Mall Restaurant Row Subdivision Filing 2, as recorded at Reception No. ²⁸⁶⁷²⁷⁸ of the Mesa County Recorder's Office

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 2, Mesa Mall Restaurant Row Subdivision Filing 2, as recorded at Reception No. 2867278 of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 3, Mesa Mall Restaurant Row Subdivision Filing 2, as recorded at Reception No. ²⁸⁶¹²¹⁸ of the Mesa County Recorder's Office

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 4, Mesa Mall Restaurant Row Subdivision Filing 2, as recorded at Reception No. 2867278 of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 1, Mesa Mall Restaurant Row Subdivision Filing 3, as recorded at Reception No. 2867279 of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

General Project Report

To: City of Grand Junction

From: Bryce Christensen, P.E.
Kimley-Horn and Associates, Inc

Date: August 7, 2019

Subject: Sanitary Sewer Easement – Dillard's at Mesa Mall

PROJECT DESCRIPTION

Washington Prime Group is in the process of implementing a redevelopment of the old Sears anchor building at the Mesa Mall with a new Dillard's. The existing 82,907+/- SF Sears building (per ALTA Survey) has been demolished and in its place a proposed 99,750+/- SF Dillard's anchor building will be constructed. The scope of work includes site work improvements around the proposed Dillard's including new landscape islands, access drive-aisles, and utility services to the new building.

This scope of work and application request includes the vacation of a small portion of an existing sanitary sewer easement located near the northeast corner of the proposed Dillard's building. The area to be vacated is approximately 1,972 SF.

PUBLIC BENEFIT

The existing sanitary sewer easement is in place for the public entity to maintain the sanitary sewer line that goes through the Mesa Mall. Vacation of this easement should not impact the public in any way, but would allow for a clean development of the proposed improvements around the Dillard's redevelopment project, which in turn would benefit the public by providing an upgrade to the Mesa Mall. An occupied anchor will bring life back to the westside of the mall, increasing foot-traffic that should benefit all the businesses in the vicinity. Subsequently, eliminating a vacant building also helps reduce potential criminal mischief.

The proposed Dillard's will provide another great retail option for the citizens of the community. Not only will it provide a place for the public to shop, but it will occupy vacant anchor space at the Mesa Mall and be strong tax revenue generator for the City directly benefitting the citizens of Grand Junction.

NEIGHBORHOOD MEETING

No Neighborhood Meeting has been held for this project.

PROJECT COMPLIENCE, COMPATABILITY, AND IMPACT

The proposed sanitary sewer easement vacation will not impact or change the existing land use, number of employees, or hours of operation on the mall. It should not impact the ability to service or maintain the sanitary

sewer line. There should be no impact to the site geology and there are no known geological hazards in the area.

REVIEW CRITERIA

Included with this report is a Development Application, Application Fee (to be paid via credit card online/over-the-phone), Ownership Statement for the following review request:

- Sanitary Sewer Easement Vacation

LEGAL DESCRIPTION

BEING LOT A MESA WALL'S SECOND MINOR SUBDIVISION AS RECORDED IN PLAT BOOK 14, PAGES 38 AND 39, MESA COUNTY RECORDS, BEING A PORTION OF THE SW 1/4 OF SECTION 4 AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO.

NOTES CORRESPONDING TO SCHEDULE B-2 ITEMS

9. THE RIGHT OF A PROPRIETOR OF A VEH OR LODG TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES, AND A RIGHT OF WAY (HEREIN REFERRED TO AS "RIGHT OF WAY") SHALL BE GRANTED TO THE PROPRIETOR OF SAID VEH OR LODG, AS SET FORTH IN AND RESERVED BY UNITED STATES PATENT CERTIFICATE NO. 108. **(BLANKET IN NATURE).**
10. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
11. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
12. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
13. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
14. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE POWER OF ATTORNEY AND SENEWAGE SERVICE AGREEMENTS RECORDED AUGUST 29, 1979 IN BOOK 1216 AT PAGES 450 AND PAGE 452. **(DOCUMENT IS LITIGABLE).**
15. EASEMENTS, NOTES, COVENANTS, RESTRICTIONS AND RIGHTS-OF-WAY AS SHOWN ON THE PLAT OF MESA WALL SUBDIVISION, RECORDED FEBRUARY 7, 1980 IN PLAT BOOK 12 AT PAGE 233. **(BLANKET IN NATURE).**
16. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, AS SET FORTH IN AN INSTRUMENT RECORDED JANUARY 11, 1980 IN BOOK 1239 AT PAGE 215. **(NOT A FLOODABLE ITEM).**
17. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE PERMIT TO OCCUPY PREMISES RECORDED NOVEMBER 18, 1980 IN BOOK 1285 AT PAGE 316. **(BLANKET IN NATURE).**
18. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE PERMANENT EASEMENT RECORDED MAY 7, 1981 IN BOOK 1311 AT PAGE 824.

- NOTE: RESOLUTION NO. 116-01 IN CONNECTION THEREWITH RECORDED DECEMBER 6, 2001 IN BOOK 2977 AT PAGE 92. **(PLOTTED HEREON).**
19. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE OPERATING AGREEMENT RECORDED MARCH 5, 1980 IN BOOK 1247 AT PAGE 110.
- NOTE: FIRST AMENDMENT IN CONNECTION THEREWITH RECORDED JUNE 15, 1981 IN BOOK 1318 AT PAGE 580; THE FIRST AMENDMENT TO SUPPLEMENTAL AGREEMENT RECORDED MARCH 8, 1982 IN BOOK 1380 AT PAGE 483; THE SECOND AMENDMENT RECORDED OCTOBER 6, 1982 IN BOOK 1394 AT PAGE 237; THE THIRD AMENDMENT RECORDED DECEMBER 23, 1982 IN BOOK 1406 AT PAGE 123; THE FOURTH AMENDMENT RECORDED SEPTEMBER 5, 1984 IN BOOK 1508 AT PAGE 592; THE FIFTH AMENDMENT RECORDED JANUARY 10, 1997 IN BOOK 2293 AT PAGE 603; THE SIXTH AMENDMENT RECORDED JUNE 5, 2006 IN BOOK 3067 AT PAGE 218; AND THE SEVENTH AMENDMENT RECORDED SEPTEMBER 2, 2011 AT RECEPTION NO. 2593627. **(BLANKET IN NATURE).**
20. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE WARRANTY DEED RECORDED JULY 6, 1981 IN BOOK 1321 AT PAGE 928. **(BLANKET IN NATURE).**
21. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE GRANT OF EASEMENT RECORDED JULY 6, 1981 IN BOOK 1321 AT PAGE 934. **(PLOTTED HEREON).**
22. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, AS SET FORTH IN AN INSTRUMENT RECORDED JULY 10, 1981 IN BOOK 1322 AT PAGE 871. **(DOES NOT AFFECT SUBJECT PROPERTY).**
23. AN EASEMENT FOR FLOODWAY, DRAINAGE, UTILITIES AND INCIDENTAL PURPOSES GRANTED TO THE CITY OF GRAND JUNCTION, AS SET FORTH IN AN INSTRUMENT RECORDED MAY 23, 1984 IN BOOK 1494 AT PAGE 881. **(DOES NOT AFFECT SUBJECT PROPERTY).**
24. AN EASEMENT FOR FLOODWAY, DRAINAGE, UTILITIES AND INCIDENTAL PURPOSES GRANTED TO THE CITY OF GRAND JUNCTION, AS SET FORTH IN AN INSTRUMENT RECORDED MAY 23, 1984 IN BOOK 1494 AT PAGE 882. **(DOES NOT AFFECT SUBJECT PROPERTY).**

25. AN EASEMENT FOR SANITARY SEWER AND INCIDENTAL PURPOSES GRANTED TO THE CITY OF GRAND JUNCTION, AS SET FORTH IN AN INSTRUMENT RECORDED JANUARY 15, 1985 IN BOOK 1524 AT PAGE 844. **(PLOTTED HEREON).**
26. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
27. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
28. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO AND MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, AS SET FORTH IN AN INSTRUMENT RECORDED JULY 15, 1985 IN BOOK 1546 AT PAGE 773. **(DOES NOT AFFECT SUBJECT PROPERTY).**
29. LEASE BY AND BETWEEN THE EQUIPABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, AS LESSOR, AND COMMOWEALTH TRAILERS REalty, INC., A DELAWARE CORPORATION, AS LESSEE, SET FORTH IN AN INSTRUMENT OF BUREAU OF LAND MANAGEMENT AND LEASE RECORDED JANUARY 12, 1989 IN BOOK 1726 AT PAGE 231 AND AGREEMENT OF ASSASSMENT AND ASSASSMENT OF LEASE RECORDED JANUARY 12, 1989 IN BOOK 1726 AT PAGE 242.
- NOTE: FOURTH AMENDMENT TO MEMORANDUM OF LEASE IN CONNECTION THEREWITH RECORDED NOVEMBER 13, 2013 AT RECEPTION NO. 2874572. **(BLANKET IN NATURE).**
30. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE RECIPROCAL EASEMENT AND OPERATION AGREEMENT RECORDED JULY 30, 1992 IN BOOK 1914 AT PAGE 685. **(BLANKET IN NATURE).**

NOTES CORRESPONDING TO SCHEDULE B-2 ITEMS

31. EASEMENTS, NOTES, COVENANTS, RESTRICTIONS AND RIGHTS-OF-WAY AS SHOWN ON THE PLAT OF MESA WALL SUBDIVISION, RECORDED JULY 27, 1992 IN PLAT BOOK 14 AT PAGE 64. **(DOES NOT AFFECT SUBJECT PROPERTY).**
32. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
33. EASEMENTS, NOTES, COVENANTS, RESTRICTIONS AND RIGHTS-OF-WAY AS SHOWN ON THE PLAT OF MESA WALL'S SECOND MINOR SUBDIVISION, RECORDED MAY 15, 1995 IN PLAT BOOK 14 AT PAGE 351. **(PLOTTED HEREON).**
34. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE EASEMENT AND RESTRICTION AGREEMENT BY AND BETWEEN SOG MACHOP PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, AND THE BANK OF GRAND JUNCTION, A COLORADO CORPORATION, RECORDED SEPTEMBER 2, 1998 IN BOOK 2484 AT PAGE 753. **(DOES NOT AFFECT SUBJECT PROPERTY).**
35. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
36. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
37. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
38. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE ACKNOWLEDGMENT, RATIFICATION AND ABANDONMENT OF EASEMENTS RECORDED DECEMBER 2, 2003 AT RECEPTION NO. 2165073.
- NOTE: AGREEMENT IN CONNECTION THEREWITH RECORDED MARCH 29, 2007 AT RECEPTION NO. 2371822.
- NOTE: RATIFICATION OF NOVATION AGREEMENT IN CONNECTION THEREWITH RECORDED MARCH 29, 2007 AT RECEPTION NO. 2371823. **(PLOTTED HEREON).**

39. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE GRANT OF SANITARY SEWER EASEMENT RECORDED JANUARY 7, 2004 AT RECEPTION NO. 2171093. **(PLOTTED HEREON).**
40. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
41. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE ASSIGNMENT OF LESSOR'S INTEREST IN EASES RECORDED MAY 15, 2006 AT RECEPTION NO. 2371097. **(BLANKET IN NATURE).**
42. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE ASSIGNMENT OF OPERATING AGREEMENTS RECORDED MAY 15, 2006 AT RECEPTION NO. 237058. **(BLANKET IN NATURE).**
43. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
44. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE GRANT OF STORM SEWER EASEMENTS RECORDED MARCH 29, 2007 AT RECEPTION NO. 2271824. **(PLOTTED HEREON).**
45. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
46. AN EASEMENT FOR STORM DRAINAGE FACILITIES AND INCIDENTAL PURPOSES GRANTED TO DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, AS SET FORTH IN BULE AND ORDER RECORDED APRIL 22, 2011 AT RECEPTION NO. 2698461. **(DOES NOT AFFECT SUBJECT PROPERTY).**
47. LEASE BY AND BETWEEN SA MESA WALL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS LESSOR, AND 40-WAY STORES INC., AN OHIO CORPORATION, AS LESSEE, SET FORTH IN MEMORANDUM OF LEASE, RECORDED OCTOBER 19, 2011 AT RECEPTION NO. 2598467. **(BLANKET IN NATURE).**
48. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
49. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, AS SET FORTH IN AN INSTRUMENT RECORDED OCTOBER 24, 2013 AT RECEPTION NO. 2672786. **(DOES NOT AFFECT SUBJECT PROPERTY).**

50. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, AS SET FORTH IN AN INSTRUMENT RECORDED OCTOBER 24, 2013 AT RECEPTION NO. 2672787. **(PLOTTED HEREON).**
51. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE EASEMENT MAINTENANCE AGREEMENT RECORDED NOVEMBER 19, 2013 AT RECEPTION NO. 2675163. **(DOES NOT AFFECT SUBJECT PROPERTY).**
52. LEASE BY AND BETWEEN SA MESA WALL, LLC, AS LESSOR, AND SUBWAY REAL ESTATE, LLC, AS LESSEE, AS EVIDENCED BY MEMORANDUM OF LEASE, RECORDED MAY 18, 2017 AT RECEPTION NO. 2800458. **(DOES NOT AFFECT SUBJECT PROPERTY).**
53. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
54. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
55. COVENANTS, CONDITIONS, RESTRICTIONS, PROVISIONS, EASEMENTS AND ASSESSMENTS AS SET FORTH IN PAD SITE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED JANUARY 22, 2019 AT RECEPTION NO. 2867546, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, PARENTAL STATUS, OR NATIONAL ORIGIN, AND ANY AND ALL AMENDMENTS, ASSIGNMENTS, OR AMENDATIONS THERETO. **(BLANKET IN NATURE).**
56. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE SHARED EASEMENT AGREEMENT RECORDED JANUARY 22, 2019 AT RECEPTION NO. 2867688. **(DOES NOT AFFECT SUBJECT PROPERTY).**

VICINITY MAP



GENERAL NOTES

- 1) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ALTIURA LAND CONSULTANTS, LLC. TO DETERMINE RECORD TITLE, EASEMENTS OR RIGHTS-OF-WAY, TITLE COMMENT NO. NCS-946019-COL, WITH AN EFFECTIVE DATE OF MARCH 29, 2019, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY WAS RELIED UPON FOR ALL INFORMATION REGARDING TITLE OF RECORD, EASEMENTS OF RECORD AND RIGHTS-OF-WAY.
- 2) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
- 3) THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED IN THE SURVEYOR'S CERTIFICATE HEREON, SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESS WRITTEN REFERRENCE BY THE SURVEYOR OF RECORD NAMED SAID PERSON OR ENTITY.
- 4) THIS SURVEY DOES NOT SHOW THE LOCATION OF, OR ENCROACHMENTS BY, SUBSURFACE FOOTINGS AND/OR FOUNDATIONS OF ANY BUILDINGS SHOWN HEREON. IF FLOOD ZONE DATA, ZONING AND SETBACK DATA, OR BUILDING RESTRICTION LINES ARE SHOWN HEREON, IT IS FOR INFORMATIONAL PURPOSES ONLY. HAVING BEEN OBTAINED FROM RELIABLE AND RESPONSIBLE SOURCES NOT CONNECTED WITH ALTIURA LAND CONSULTANTS, LLC, NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION.
- 5) BUREAU UTILITIES AND/OR PERMITS SHOWN HEREON ARE PER VISIBLE AND APPARENT SURFACE EVIDENCE, RECORD DRAWINGS OF THE CONSTRUCTED UTILITY LINES OBTAINED FROM RELIABLE AND RESPONSIBLE SOURCES NOT CONNECTED WITH ALTIURA LAND CONSULTANTS, LLC, OR WARRANTIES PROVIDED BY AN INDEPENDENT LOCATING CONTRACTOR. NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION. IF MORE ACCURATE LOCATIONS OF UNDERGROUND UTILITIES OR PIPE LINES ARE REQUIRED, THE UTILITY OR PERMITS WILL HAVE TO BE VERIFIED BY FIELD POT-HOLING, ALTIURA LAND CONSULTANTS, LLC, AND THE SURVEYOR OF RECORD SHALL NOT BE HELD LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES OR PERMITS.
- 6) FIELD WORK FOR THIS SURVEY WAS PERFORMED ON MARCH 5-10, 2019.
- 7) THE LINEAL UNITS OF MEASURE SHOWN ON THIS SURVEY ARE BASED UPON THE U.S. SURVEY FOOT.
- 8) ALL STREETS AND/OR ALLEYS SHOWN HEREON ARE DULY DEDICATED AND MAINTAINED PUBLIC ROADWAYS.
- 9) THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN THE RECENT MONTHS.
- 10) THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AS DETERMINED FROM THE CONVEYING INSTRUMENT. THERE IS NO OBSERVATION EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

FLOOD ZONE DESIGNATION

BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 0807702801C AND DATED OCTOBER 16, 2012 - SUBJECT PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA.

BENCH MARK

MESA COUNTY BENCH MARK "740248"
LOCATED AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN.
ELEVATION = 4547.63 FEET (NAD 1988)

PARKING INFORMATION

1/735 PARKING STALLS
24 HANDICAP
1,719 TOTAL PARKING STALLS

LAND AREA

LOT A = 1713.409 SQ. FT. OR 39.334 ACRES MORE OR LESS

ZONING INFORMATION

ZONING ORDINANCES IN EFFECT AS OF THE DATE OF THIS SURVEY.
SETBACKS:
FRONT:
BACK:
SIDE:
ZONING:

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS BASED UPON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, PER THE PLAT OF MESA WALL'S SECOND MINOR SUBDIVISION, RECORDED MAY 15, 1995 AT RECEPTION NO. 177252 IN THE OFFICE OF THE CLERK AND RECORDER OF THE COUNTY OF MESA, STATE OF COLORADO, WHICH BEARS NORTH 89°59'40" EAST BETWEEN THE MONUMENTS SHOWN HEREON.

SURVEYOR'S STATEMENT

TO: SA MESA WALL, LLC, A DELAWARE LIMITED LIABILITY COMPANY
FIRST AMERICAN TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTIURA'S LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTIURA AND SURVEYORS INCLUDING MEMBERS 1, 2, 3, 4, 5, 601, 701, 701V1, 701V2, 811001, 11001, 11101, 11102, 11103, 11104, 11105, 11106, 11107 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 5-10, 2019.



JESUS A. LUJO, PLS 38081
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON THE BEHALF OF ALTIURA LAND CONSULTANTS, LLC.

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

DEPOSITING CERTIFICATE

DEPOSITED THIS _____ DAY OF _____, 20____, IN
BOOK _____ PAGE _____ OF THE COUNTY SURVEYOR'S LAND SURVEY
PLATS/RIGHT-OF-WAY SURVEYS, RECEPTION NO. _____

PROJECT INFORMATION:				NO.	DATE:	REVISION DESCRIPTION:	BY:	PREPARED BY:	PREPARED FOR:
SCALE: DATE: BY: JOB NO.	SHEET 1 OF 11	ALTA/NSPS LAND TITLE SURVEY LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA		0	4/10/18	SUBMITTAL	JT	 6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303	 2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300

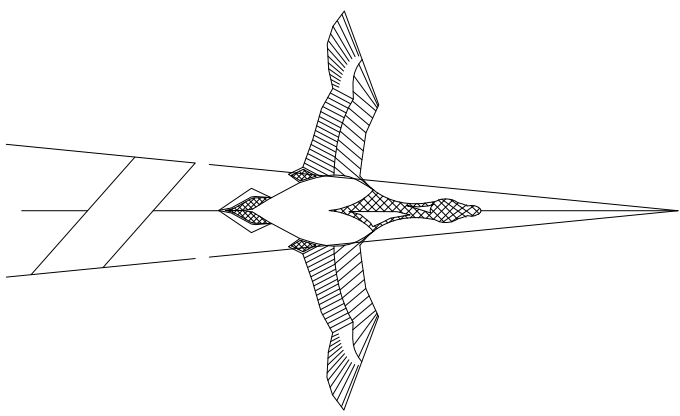


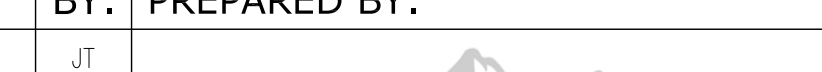
SHEET 4 OF 11	JOB NO. 19043	BY: JT	SCALE: DATE: 1" = 20' APRIL 10, 2019	PROJECT INFORMATION:		NO.	DATE:	REVISION DESCRIPTION:	BY:	PREPARED BY:	PREPARED FOR:
				ALTA/NSPS LAND TITLE SURVEY LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T15S, R11W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA		0	4/10/18	SUBMITTAL	JT	 ALTURA LAND CONSULTANTS 6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303	 2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300

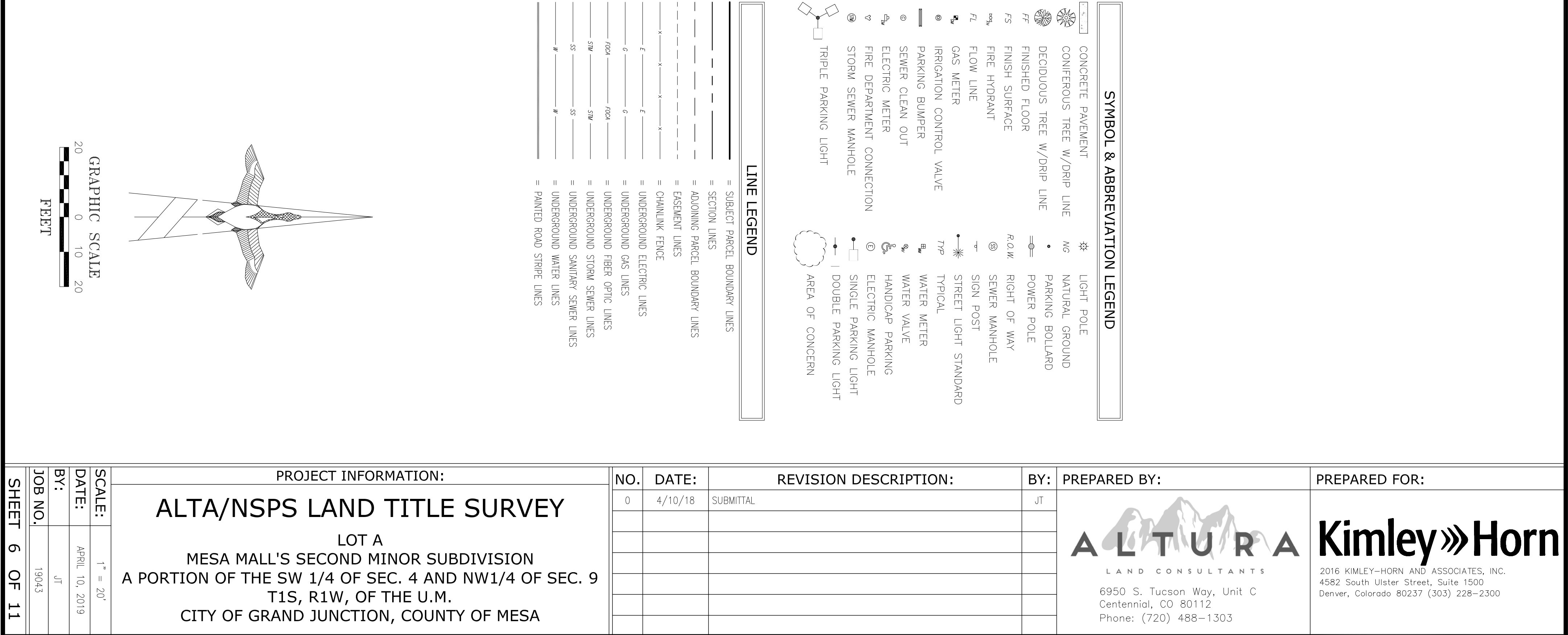


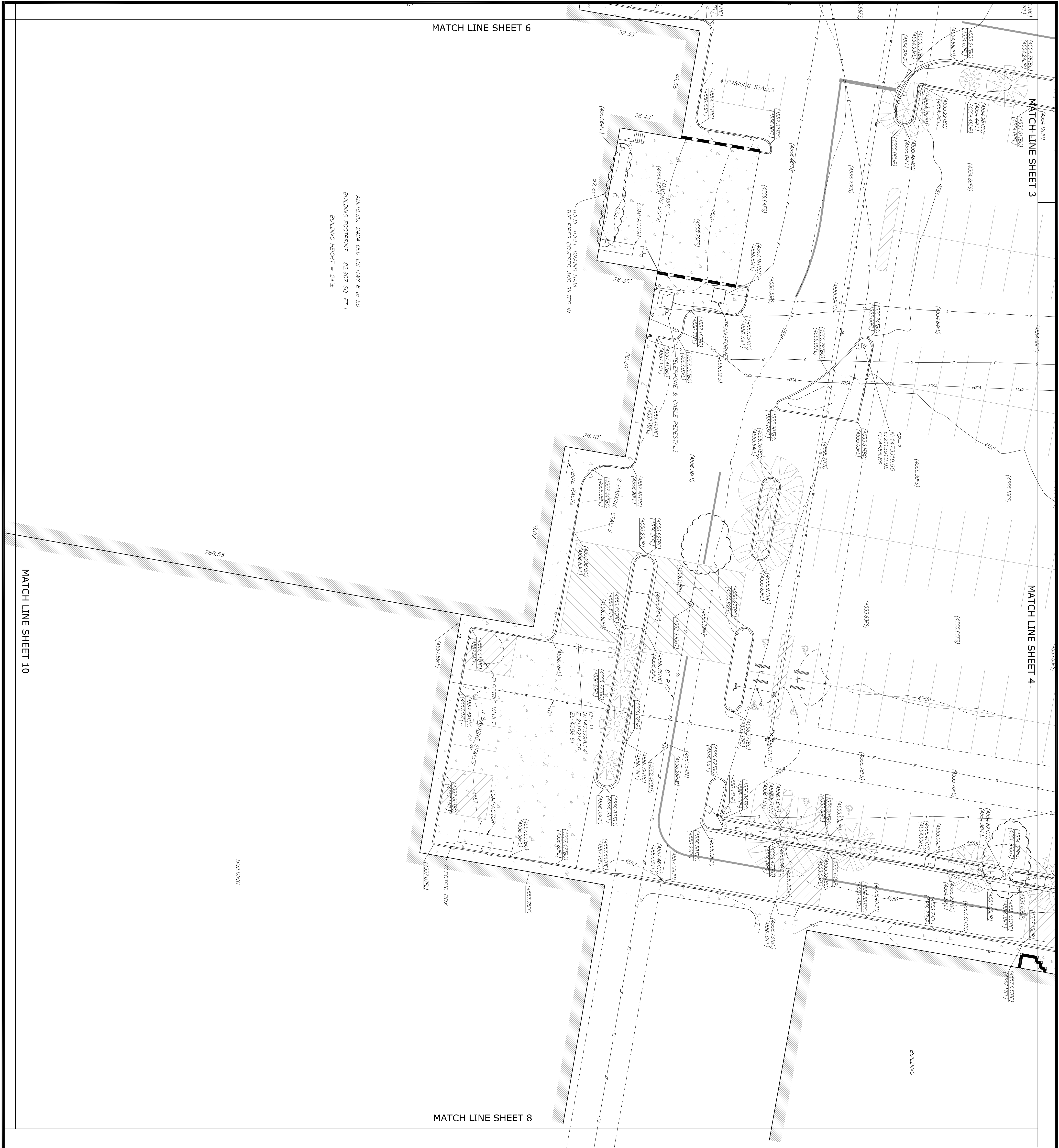
SYMBOL & ABBREVIATION LEGEND	
	CONCRETE PAVEMENT
	CONFIROUS TREE W/ DRIP LINE
	DECIDUOUS TREE W/ DRIP LINE
	FINISH FLOOR
	FINISH SURFACE
	FIRE HYDRANT
	FLOW LINE
	GAS METER
	IRRIGATION CONTROL VALVE
	PARKING BUMPER
	SEWER CLEAN OUT
	ELECTRIC METER
	FIRE DEPARTMENT CONNECTION
	STORM SEWER MANHOLE
	TRIPLE PARKING LIGHT
	LIGHT POLE
	NATURAL GROUND
	PARKING BOLLARD
	POWER POLE
	RIGHT OF WAY
	SEWER MANHOLE
	SIGN POST
	STREET LIGHT STANDARD
	TYPICAL
	WATER METER
	WATER VALVE
	HANDICAP PARKING
	ELECTRIC MANHOLE
	SINGLE PARKING LIGHT
	DOUBLE PARKING LIGHT
	AREA OF CONCERN

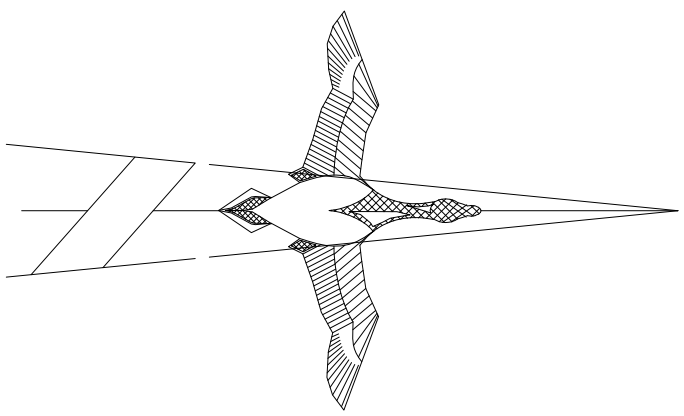
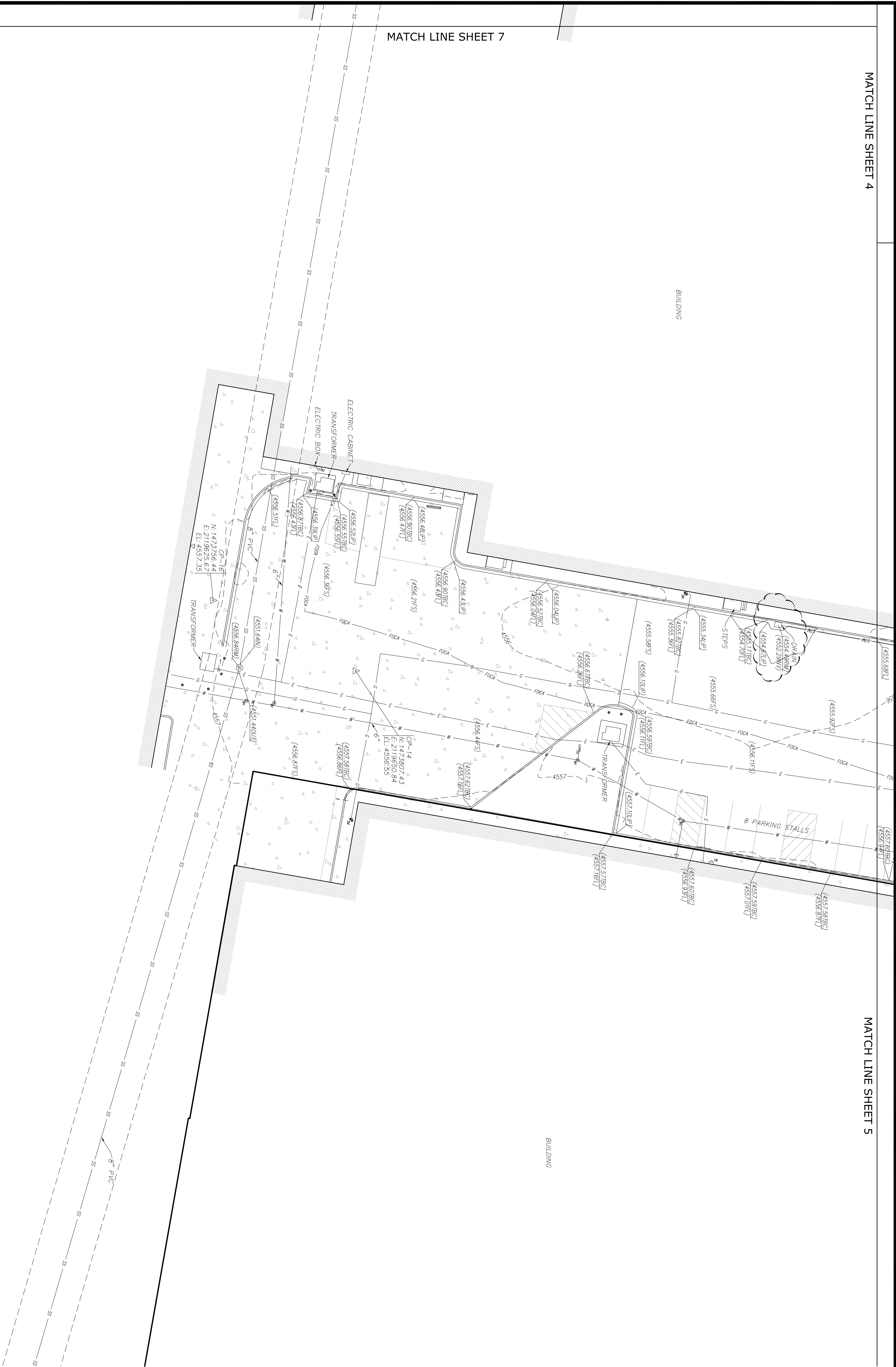
LINE LEGEND	
	SUBJECT PARCEL BOUNDARY LINES
	SECTION LINES
	ADJOINING PARCEL BOUNDARY LINES
	EASEMENT LINES
	CHAINLINK FENCE
	UNDERGROUND ELECTRIC LINES
	UNDERGROUND GAS LINES
	UNDERGROUND FIBER OPTIC LINES
	UNDERGROUND STORM SEWER LINES
	UNDERGROUND SANITARY SEWER LINES
	UNDERGROUND WATER LINES
	PAINTED ROAD STRIPE LINES



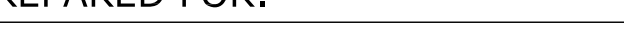
PROJECT INFORMATION:			NO.	DATE:	REVISION DESCRIPTION:	BY:	PREPARED BY:	PREPARED FOR:
SCALE: DATE: BY: JOB NO.	1" = 20' APRIL 10, 2019 JT 19043	ALTA/NSPS LAND TITLE SURVEY LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA	0	4/10/18	SUBMITTAL	JT	 ALTURA LAND CONSULTANTS 6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303	 Kimley»Horn 2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300
SHEET 5 OF 11								

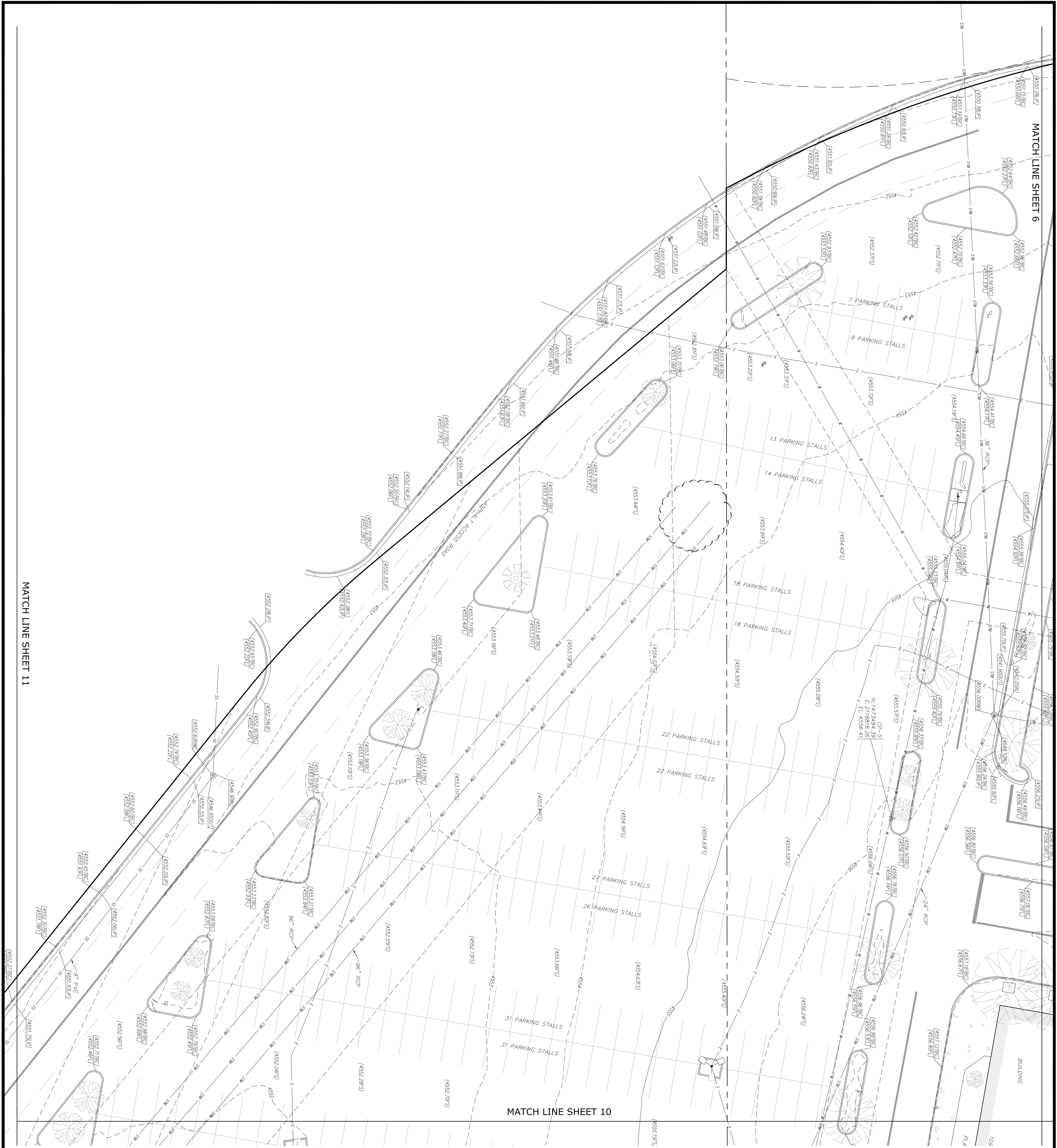


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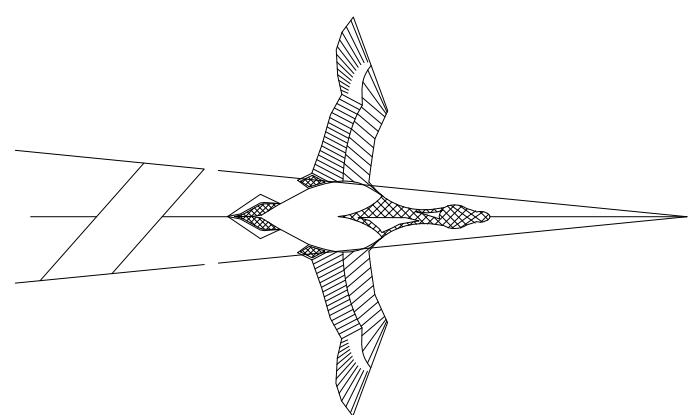
SYMBOL & ABBREVIATION LEGEND			
	CONCRETE PAVEMENT		LIGHT POLE
	CONIFEROUS TREE W/ DRIP LINE		NATURAL GROUND
	DECIDUOUS TREE W/ DRIP LINE		PARKING BOLLARD
	FINISHED FLOOR		POWER POLE
	FINISH SURFACE		RIGHT OF WAY
	FIRE HYDRANT		SEWER MANHOLE
	FLOW LINE		SIGN POST
	GAS METER		STREET LIGHT STANDARD
	IRRIGATION CONTROL VALVE		TYPICAL
	PARKING BUMPER		WATER METER
	SEWER CLEAN OUT		WATER VALVE
	ELECTRIC METER		HANDICAP PARKING
	FIRE DEPARTMENT CONNECTION		ELECTRIC MANHOLE
	STORM SEWER MANHOLE		SINGLE PARKING LIGHT
	TRIPLE PARKING LIGHT		DOUBLE PARKING LIGHT
	AREA OF CONCERN		
LINE LEGEND			
	= SUBJECT PARCEL BOUNDARY LINES		
	= SECTION LINES		
	= ADJOINING PARCEL BOUNDARY LINES		
	= EASEMENT LINES		
	= CHAINLINK FENCE		
	= UNDERGROUND ELECTRIC LINES		
	= UNDERGROUND GAS LINES		
	= UNDERGROUND FIBER OPTIC LINES		
	= UNDERGROUND STORM SEWER LINES		
	= UNDERGROUND SANITARY SEWER LINES		
	= UNDERGROUND WATER LINES		
	= PAINTED ROAD STRIPE LINES		

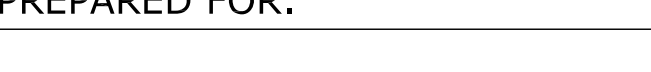
SHEET 8 OF 11	SCALE:	1" = 20'	PROJECT INFORMATION:		NO.	DATE:	REVISION DESCRIPTION:	BY:	PREPARED BY:	PREPARED FOR:
	DATE:	APRIL 10, 2019	ALTA/NSPS LAND TITLE SURVEY LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA		0	4/10/18	SUBMITTAL	JT	 ALTURA LAND CONSULTANTS 6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303	 Kimley»Horn 2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300
	BY:	JT								
	JOB NO.	19043								

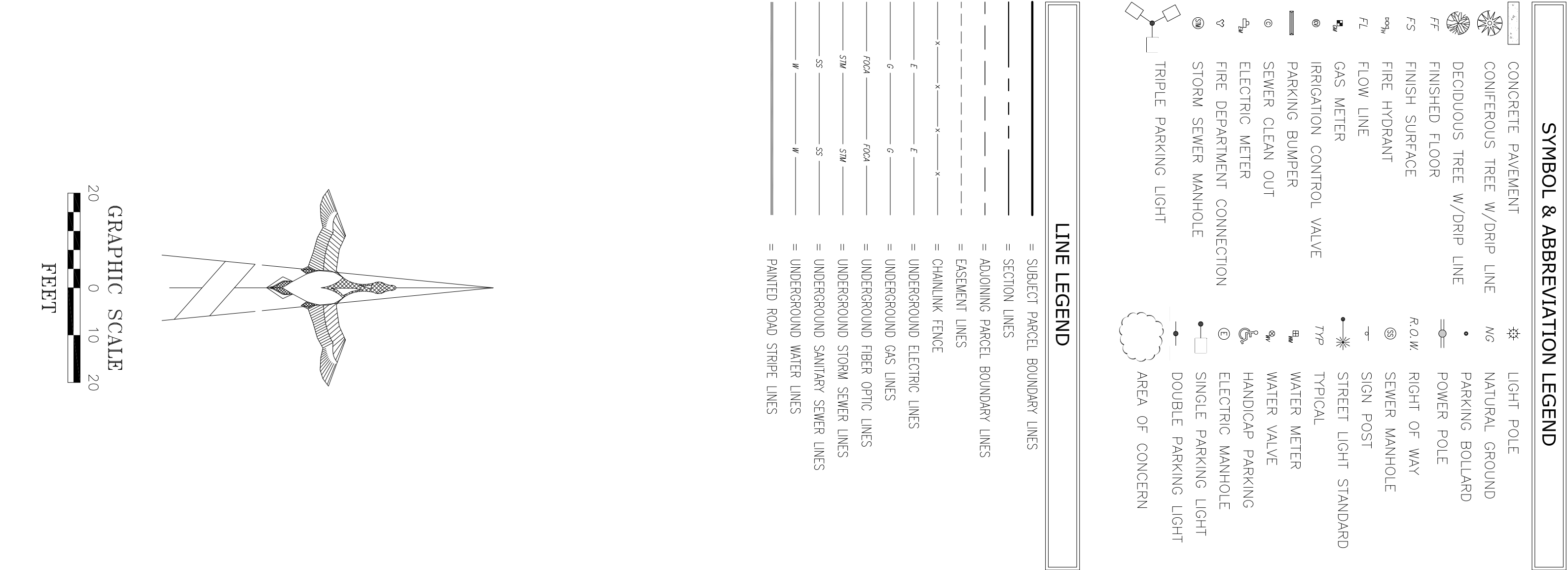


SYMBOL & ABBREVIATION LEGEND	
	CONCRETE PAVEMENT
	CONFIRIOUS TREE W/DRIP LINE
	DECIDUOUS TREE W/DRIP LINE
	FINISHED FLOOR
	FIRE HYDRANT
	FLOW LINE
	GAS METER
	IRRIGATION CONTROL VALVE
	PARKING BUMPER
	SEWER CLEAN OUT
	ELECTRIC METER
	FIRE DEPARTMENT CONNECTION
	STORM SEWER MANHOLE
	TRIPLE PARKING LIGHT
	LIGHT POLE
	NATURAL GROUND
	PARKING BOLLARD
	POWER POLE
	RIGHT OF WAY
	SEWER MANHOLE
	SIGN POST
	STREET LIGHT STANDARD
	TYPICAL
	WATER METER
	WATER VALVE
	HANDICAP PARKING
	ELECTRIC MANHOLE
	SINGLE PARKING LIGHT
	DOUBLE PARKING LIGHT
	AREA OF CONCERN

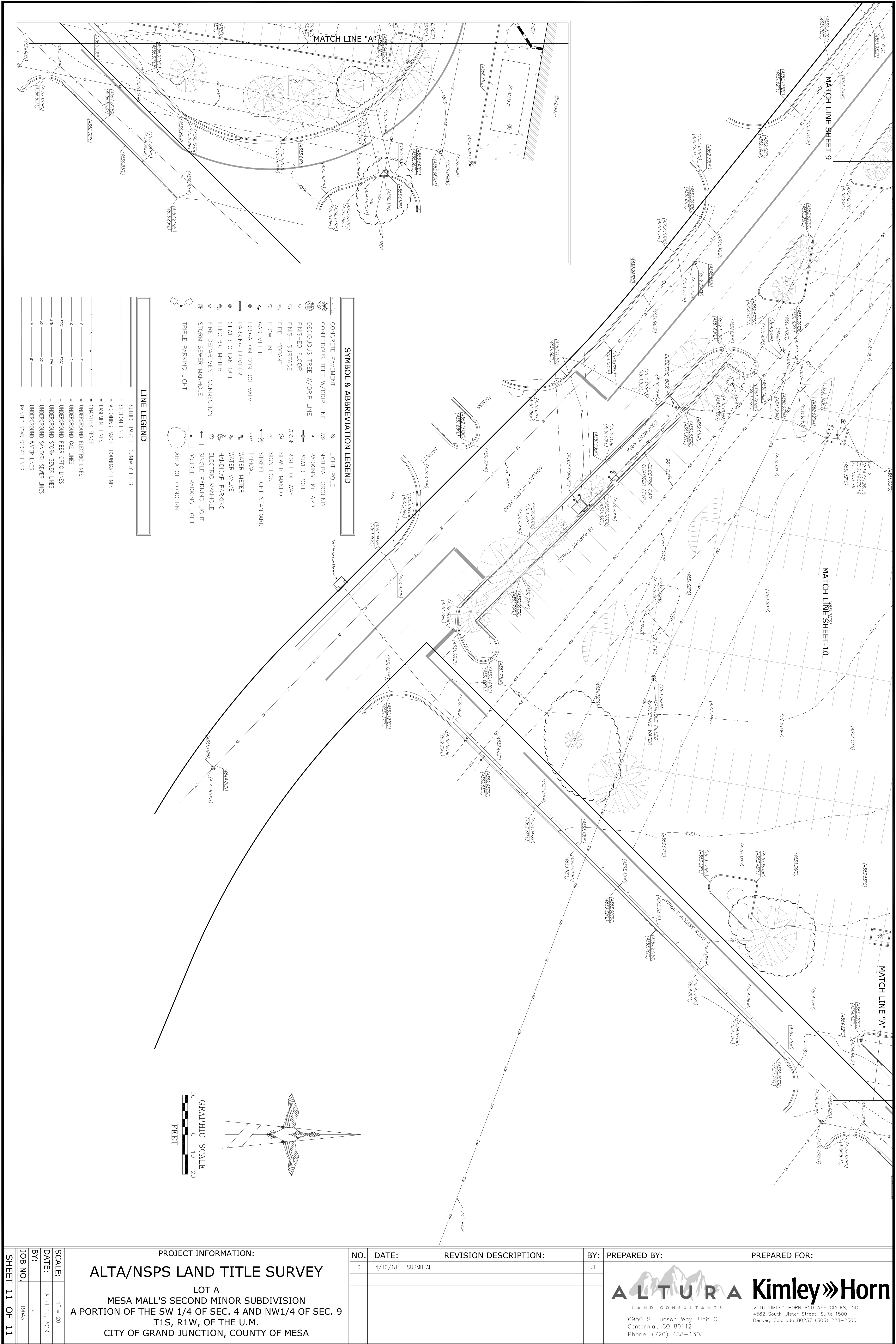
LINE LEGEND	
	= SUBJECT PARCEL BOUNDARY LINES
	= SECTION LINES
	= ADJOINING PARCEL BOUNDARY LINES
	= EASEMENT LINES
	= CHAINLINK FENCE
	= UNDERGROUND ELECTRIC LINES
	= UNDERGROUND GAS LINES
	= UNDERGROUND FIBER OPTIC LINES
	= UNDERGROUND STORM SEWER LINES
	= UNDERGROUND SANITARY SEWER LINES
	= UNDERGROUND WATER LINES
	= PAINTED ROAD STRIPE LINES



PROJECT INFORMATION:				NO.	DATE:	REVISION DESCRIPTION:	BY:	PREPARED BY:	PREPARED FOR:
ALTA/NSPS LAND TITLE SURVEY LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA				0	4/10/18	SUBMITTAL	JT	 6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303	 2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300
SCALE:	1" = 20'								
DATE:	April 10, 2019								
BY:	JT								
JOB NO.	19043								
SHEET 9 OF 11									



NO.	DATE:	REVISION DESCRIPTION:	BY:	PREPARED BY:	PREPARED FOR:
0	4/10/18	SUBMITTAL	JT	 ALTURA LAND CONSULTANTS 6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303	Kimley»Horn 2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300



1256237 MAY 7 1981

1311 824

Schedule B, Section 2

Item # 19431(c) (c)

P E R M A N E N T E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS, that General Growth Properties, ("General"), a Massachusetts voluntary association, P. O. Box 1536, Des Moines, Iowa 50306, J. C. Ferner Properties, Inc., a Delaware corporation, 1301 Avenue of the Americas, New York, New York 10019 and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota corporation, 777 Nicollet Mall, Minneapolis, Minnesota 55402; hereinafter collectively referred to as Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, in hand paid by the City of Grand Junction, a municipal corporation, Grantee, receipt of which is hereby acknowledged, has given and granted and by these presents does hereby give and grant (with respect to the portion of the premises owned by it) unto the said Grantee, its heirs, successors, and assigns a PERPETUAL EASEMENT on, along, over and across the following described premises, to-wit:

As described in Exhibit A attached hereto and made a part hereof:

for the purpose to locate, place, construct, operate, repair and maintain an underground sanitary sewer pipeline. Said pipeline shall be underground and upon completion the surface of the ground shall be returned as nearly as practicable to its original level.

And each Grantor (with respect to the portion of the premises owned by it) hereby covenants with the Grantee that it has good and lawful right to grant this Easement.

Grantee will construct, operate, repair and maintain the sanitary sewer pipeline with normal, reasonable and accepted industry practice and in accordance with the rules and regulations of any and all applicable governmental agencies.

Grantee agrees to indemnify and save harmless Grantor and its representatives, successors and assigns for all damage to property or injuries to persons caused by the negligent act or omission of Grantee, its agents or employees, and will repair or pay for any damage which may be caused to Grantor by the construction, maintenance, operation or removal of said sanitary sewer pipeline.

The location of the easements is set forth on the Drawing SD-1 attached hereto as Exhibit B and made a part hereof. Grantor may utilize the area above the underground sanitary sewer pipeline for improved parking area and building, provided however, such reserved rights or uses do not prevent Grantee's use of the rights and privileges granted by this instrument. Grantee acknowledges that it has adequate access through manholes to that portion of the easement for Line B which is covered by buildings, all as depicted on Exhibit B.

Grantor reserves the right to relocate or to require Grantee to relocate the easement and any improvements constructed by the Grantee thereon at the sole cost and expense of the Grantor so making the request upon sixty (60) days written notice to the Grantee. Upon such relocation, Grantee shall deliver to the Grantor a quit-claim of the easement and the Grantor shall deliver to the Grantee an easement relating to the relocated area.

General represents that WELLS FARGO REALTY ADVISORS, INCORPORATED is the holder of a first deed of trust on a portion of the real estate described in Exhibit A and that General, upon the written request of Grantee, will request WELLS FARGO REALTY ADVISORS, INCORPORATED to give its written consent to Grantor's execution of these easements granted herein.

General is a voluntary association established under the laws of the Commonwealth of Massachusetts by a Declaration of Trust dated May 19, 1970, which together with all Amendments thereto is on file with the Secretary of the Commonwealth of Massachusetts. The obligations of the Trust are not personally binding upon nor shall resort be had to the private property of any of the Trustees, shareholders, officers, employees or agents of the Trust, but the Trust property only shall be bound.

Signed this 31st day of MARCH, 1984.

ATTEST:

By [Signature]

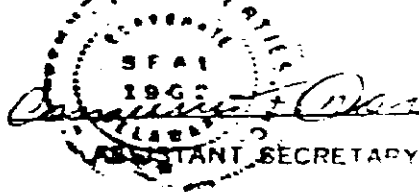
Highland, Secretary

GENERAL GROWTH PROPERTIES

By [Signature]
 [Signature], President

ATTEST:

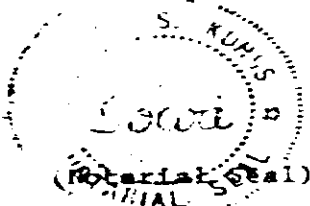
J. C. FENNEY PROPERTIES, INC.

By: [Signature]

Vice President

DAYTON-HUDSON CORPORATION d/b/a
TARGET STORESBy: [Signature]Floyd Hall Chairman & CEO
Target Stores DivisionSTATE OF IOWA)
COUNTY OF POLK) SS.

On this 31st day of March, 1981, before me, a Notary Public, in and for the State of Iowa, County of Polk, personally appeared Stanley Richards, to me personally known, who being by me duly sworn did say that he is the President of General Growth Properties, a Massachusetts voluntary association (Trust) and that said instrument was signed on behalf of said Trust by authority of its Trustees and said Stanley Richards acknowledged the execution of said instrument to be the voluntary act and deed of said Trust by it voluntarily executed.



[Signature]
Notary Public in and for Polk County, Iowa

My Commission Expires: 9-30-82STATE OF NEW YORK)
COUNTY OF New York) SS.

On this 24th day of April, 1981, before me, a Notary Public, in and for the jurisdiction aforesaid, personally appeared E. J. DEPKOVICH and Geraldine J. Deiana to me personally known, who by me duly sworn did say that they are the Vice President and Assistant respectively of J. C. FENNEY PROPERTIES, INC., a Delaware corporation; that they know the seal of said corporation, that the seal affixed to said instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said corporation; and that they acknowledged execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.



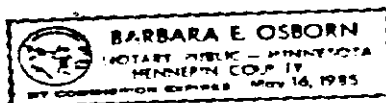
[Signature]
Notary Public in and for County, New York

My commission expires:

DONNA M. HIRSCH
NOTARY PUBLIC, State of New York
No. 414525718
Qualified in Queens County
Certificate Filed in New York County
Commission Expires March 30, 1982

STATE OF MINNESOTA)
) SS.
 COUNTY OF Hennepin)

On this 13th day of April, 1981, before me, a Notary Public, in and for the jurisdiction aforesaid, personally appeared Floyd Hall and William P. Hise to me personally known, who by me duly sworn did say that they are the Chairman & CEO, TARGET STORES Division and Assistant Secretary respectively of DAYTON-HUDSON CORPORATION d.b.a. TARGET STORES, a Minnesota corporation; that they know the seal of said corporation, that the seal affixed to said instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said corporation; and that they acknowledged execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.



(Notarial Seal)

Barbara E. Osborn
 Notary Public In and For Hennepin
 County, Minnesota

My commission expires: MAY 16, 1985

EXHIBIT A

LINE A

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point on the South Right-of-Way line of F Road from whence the St Corner of Section 4, T1S, R1W, of the Ute Meridian bears S 52°07'26" E 1321.51 feet; thence S 32°47' E 135.23 feet; thence S 40°21'41" E 117.24 feet; thence S 50°00' E 238.59 feet; thence S 10°00' W 147.42 feet; thence S 22°00' E 207.97 feet; thence South 313.05 feet; thence S 73°15'35" E 153.13 feet; thence S 13°00' W 265.2 feet; thence S 33°22' W 312.27 feet; thence N 37°03' W 580.2 feet; thence N 15°00' W 323.52 feet; thence N 11° 15' W 215.36 feet; thence N 73°45' W 375.46 feet to a point from whence the St Corner of said Section 4 bears N 88°14'38" E 1474.62 feet.

LINE B

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the St Corner of Section 4, T1S, R1W, of the Ute Meridian bears S 71°16'00" E 1545.97 feet; thence S 80°00' E 466.14 feet; thence S 71°16'45" W 317.57 feet to a point from whence the St Corner of said Section 4 bears S 69°51'54" E 547.21 feet.

LINE C

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the St Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°05'40" E 133.22 feet; thence S 30°00' E 213.85 feet to the West Right-of-Way line of 244 Road, from whence the St Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

LINE D

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the St Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°05'40" E 133.22 feet; thence N 25°36'39" E 124.12 feet to a point on the South Right-of-Way line of F Road from whence the St Corner of said Section 4 bears S 77°37'03" E 102.25 feet.

LINE E

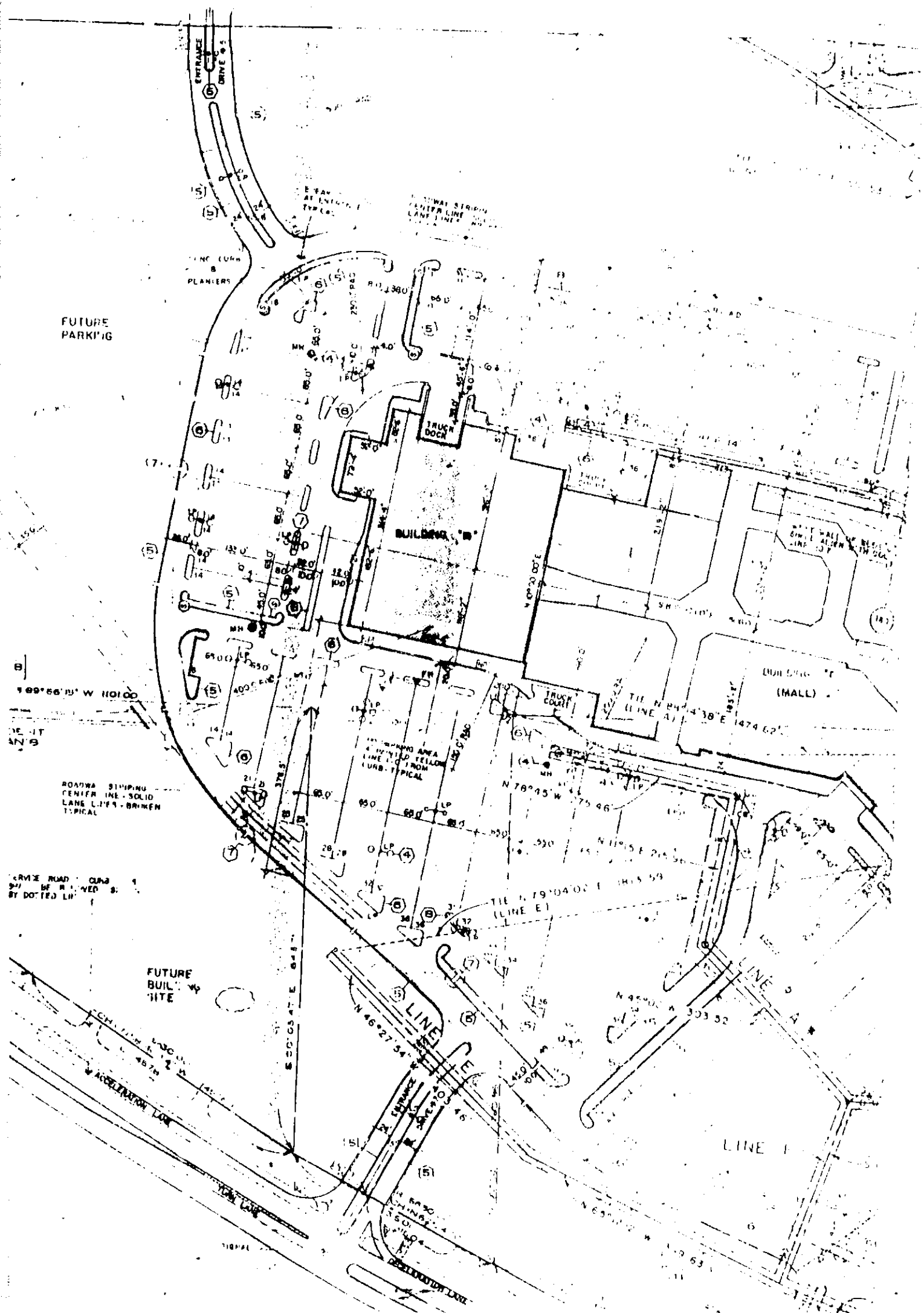
A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the St Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 24°10'37" E 393.59 feet; thence S 73°07'44" W 406.33 feet; thence N 58°43'01" W 397.18 feet; thence N 65°12'12" W 393.51 feet; thence N 45°27'54" W 403.46 feet to a point from whence the St Corner of said Section 4 bears N 72°04'02" E 1113.19 feet.

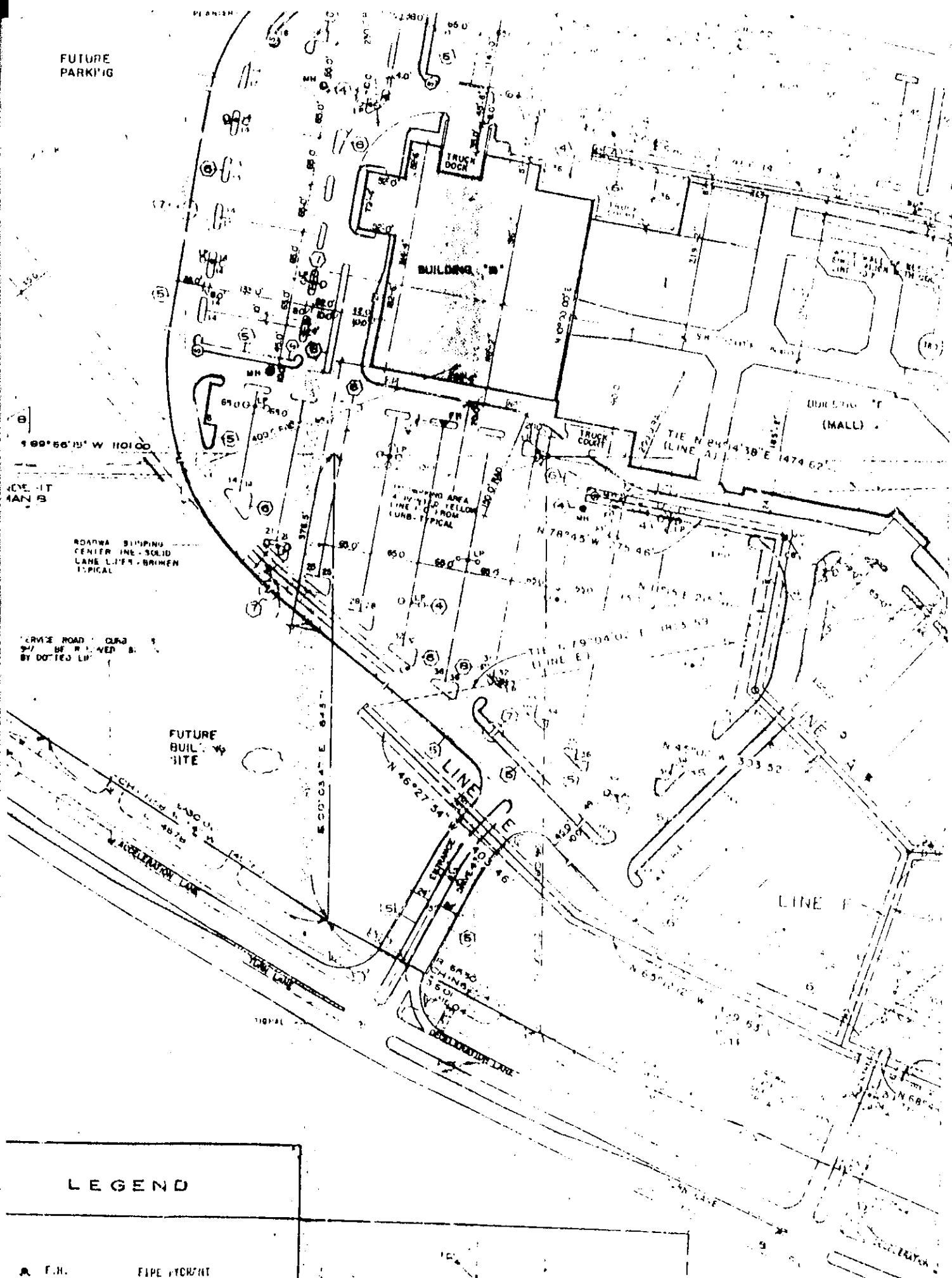
LINE F

A permanent easement 10 feet either side of the following described centerline.

beginning at a point from whence the SW Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 63°20'15" E 1137.39 feet; thence S 19°36'57" W 280.37 feet from whence the SW Corner of said Section 4 bears N 54°57'01" E 1374.63 feet.

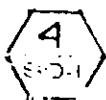


FUTURE
PARKING



LEGEND

- ⊙ F.H. PIPE HYDRANT
- ⊕ L.P. PARKING LOT LIGHTING POLE
- ⊙ C.B. CATCH BASIN
- ⊙ M.H. MANHOLE
- ⊕ P.P. POWER POLES
- ⊙ EXISTING POLES
- ⊙ STOP SIGN
- ⊙ NO PARKING
- ⊙ NO PARKING FIRE LANE
- ⊙ YIELD SIGN



CURB
DETAIL

SW COR SEC 4
T1S, R1W, U1M

ROAD

FUTURE
PARKING

FUTURE
PARKING

DITCH

14,000 GAL
BAFFLE BASIN

6 DIA INITIAL
SEDIMENT
BASIN

PUMP

IRRIGATION
EASEMENT

569°56'10" W 1101.00'

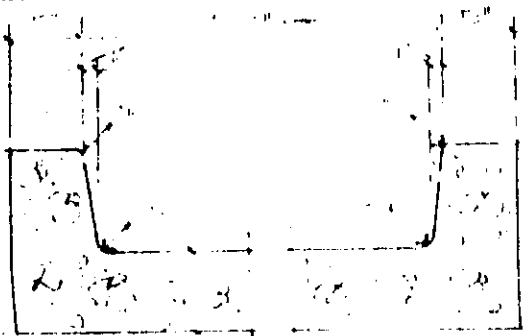
12" HEADWALL
W/ GATE VALVE
8" 20" PIPE BY
IRRIGATION
COMPANY

INDEPENDENT
RANCHMAN'S
DITCH

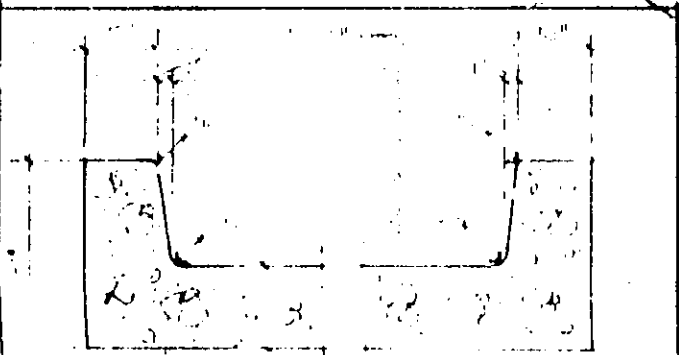
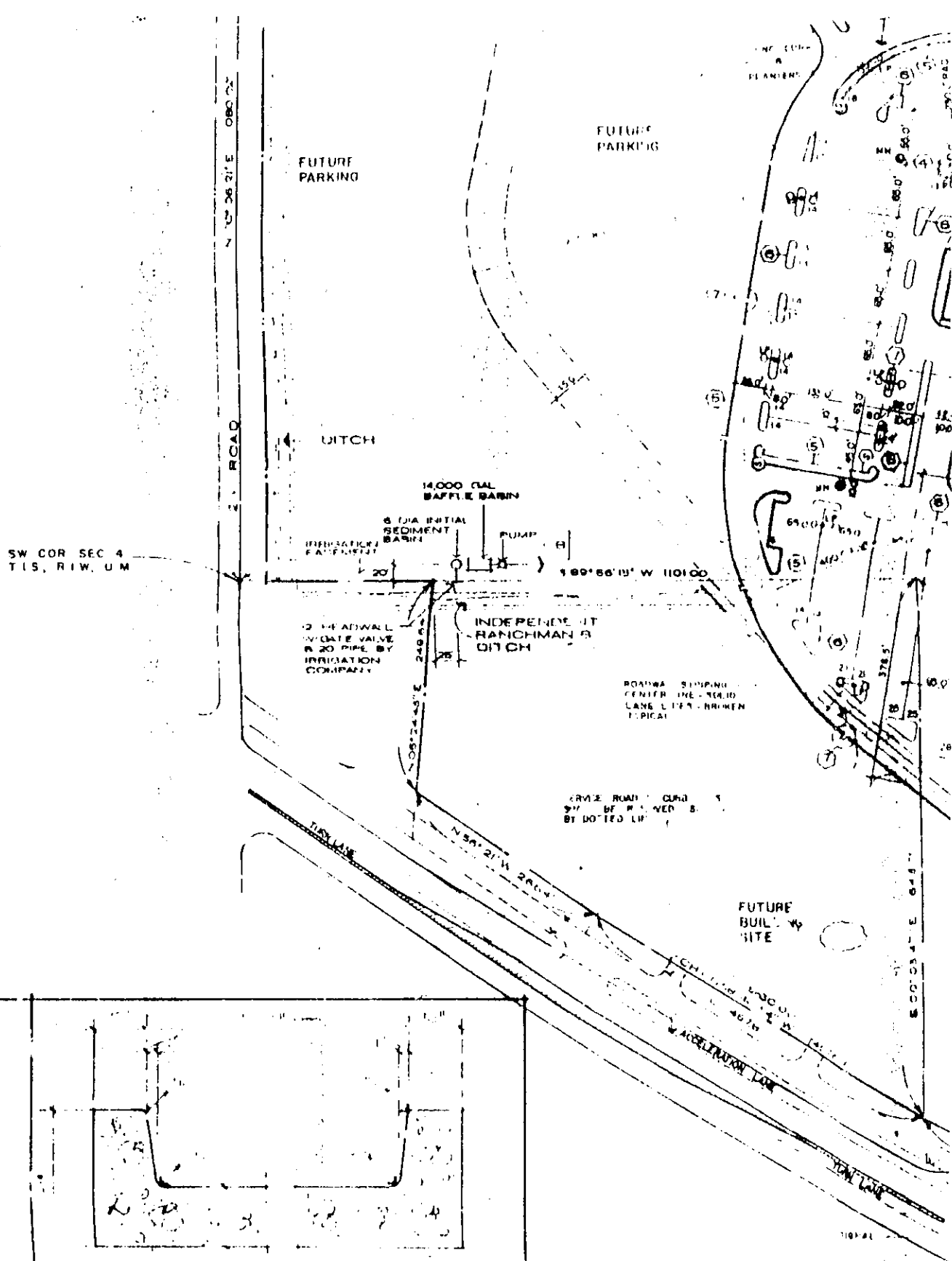
ROADWAY SIMPLIFIED
CENTER LINE - SOLID
LANE LINES - BRIMEN
TYPICAL

SERVICE ROAD - CURB
BY DOTTED LINE

FUTURE
BUILDING
SITE



5 CURB
OUTLET
DETAIL
SD-1



5 CURB
OUTLET
DETAIL
SCALE

I. GENERAL NOTES	LEGEND
1. SEE SHEET FOR ALL THE FOLLOWING LOCATIONS.	 F.H. FIRE HYDRANT
2. SEE SHEET FOR ALL THE FOLLOWING LOCATIONS AND STREET LIGHT LOCATIONS.	 L.P. PAINTING LOT LIGHT POLE
SEE SHEET FOR ALL THE FOLLOWING LOCATIONS AND STREET LIGHT LOCATIONS AND PLANTING AREAS.	 C.B. CATCH BASIN
4. SEE SHEET FOR ALL THE FOLLOWING LOCATIONS AND STREET LIGHT LOCATIONS AND PLANTING AREAS.	 M.H. MANHOLE
5. SEE SHEET FOR ALL THE FOLLOWING LOCATIONS AND STREET LIGHT LOCATIONS.	 P.P. POWER POLE
6. SEE SHEET FOR ALL THE FOLLOWING LOCATIONS AND STREET LIGHT LOCATIONS.	 EXISTING TREES
7. SEE SHEET FOR ALL THE FOLLOWING LOCATIONS AND STREET LIGHT LOCATIONS.	 STOP SIGN
8. SEE SHEET FOR ALL THE FOLLOWING LOCATIONS AND STREET LIGHT LOCATIONS.	 NO PARKING
	 NO PARKING FIRE LANE YIELD SIGN

1311 830

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°05'40" E 183.22 feet; thence N 25°36'39" E 124.19 feet to the West Right-of-Way line of 245 Road, from whence the S4 Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°05'40" E 183.22 feet; thence N 25°36'39" E 124.19 feet to the West Right-of-Way line of 245 Road, from whence the S4 Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

LINE C

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°05'40" E 183.22 feet; thence N 25°36'39" E 124.19 feet to the West Right-of-Way line of 245 Road, from whence the S4 Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

LINE D

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°05'40" E 183.22 feet; thence N 25°36'39" E 124.19 feet to the West Right-of-Way line of 245 Road, from whence the S4 Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

LINE E

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°05'40" E 183.22 feet; thence N 25°36'39" E 124.19 feet to the West Right-of-Way line of 245 Road, from whence the S4 Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

LINE F

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°05'40" E 183.22 feet; thence N 25°36'39" E 124.19 feet to the West Right-of-Way line of 245 Road, from whence the S4 Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

GENERAL GROWTH PROPERTIES

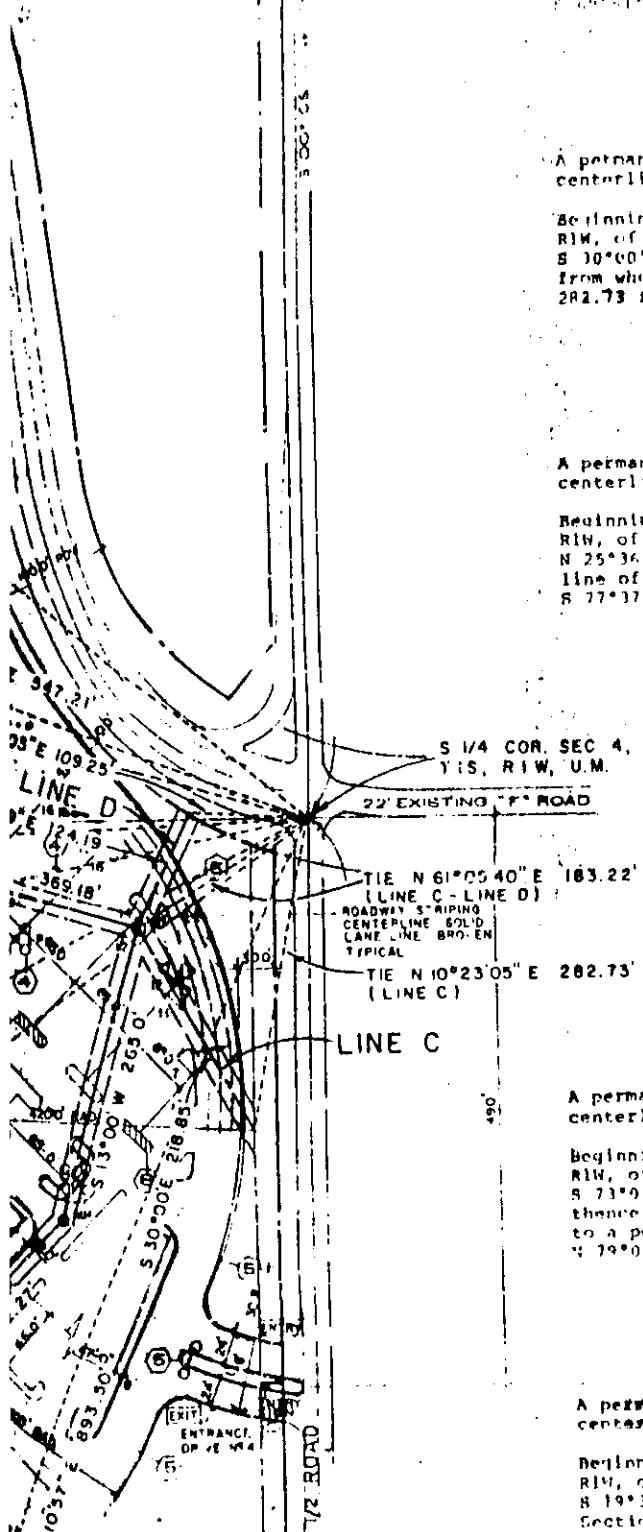
1055 6TH AVE., DES MOINES, IOWA 50314

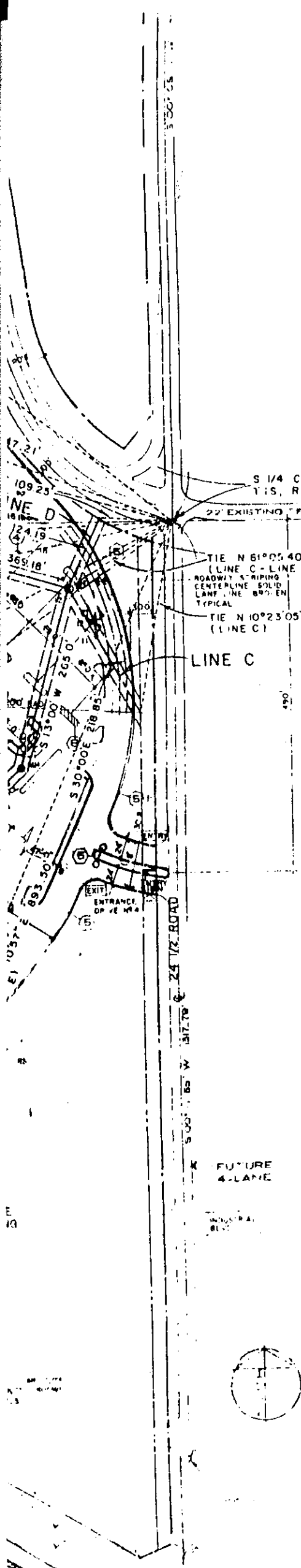
PHONE 515-288-9512

derwood j. quade

engineer

DES MOINES, IOWA





A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the 11th Meridian bears N 61°05'40" E 183.22 feet; thence S 10°00' E 215.84 feet to the West Right-of-Way line of 245 Road, from whence the S4 Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

LINE D

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the 11th Meridian bears N 61°05'40" E 183.22 feet; thence N 25°36'10" E 124.10 feet to a point on the South Right-of-Way line of F Road from whence the S4 Corner of said Section 4 bears S 77°32'03" E 197.25 feet.

LINE C

LINE E

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the 11th Meridian bears N 24°10'57" E 493.50 feet; thence S 73°07'44" E 406.58 feet; thence N 58°48'01" W 397.18 feet; thence N 65°12'12" W 397.53 feet; thence N 46°27'54" W 493.46 feet to a point from whence the S4 Corner of said Section 4 bears N 79°04'02" E 1813.54 feet.

LINE F

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S4 Corner of Section 4, T1S, R1W, of the 11th Meridian bears N 63°00'15" E 1157.38 feet; thence S 19°36'57" W 289.17 feet from whence the S4 Corner of said Section 4 bears N 51°57'01" E 1374.69 feet.

SURVEYORS STATEMENT

I, J. Boyd Peterson, do hereby certify that the newer easements as shown on this plat were plotted from notes of an actual field survey and are correct to the best of my knowledge.

J. Boyd Peterson
J. Boyd Peterson L.S. 15837



MESA MALL SHOPPING CENTER
SANITARY SEWER EASEMENT
LEGAL DESCRIPTIONS

EXHIBIT B

GENERAL GROWTH
1055 6TH AVE.
DES MOIS
PHONE 515-288

derwood j. quade
engineer
&
architect
see notes, Iowa

MESA
MALL

REVISIONS

ISSUE
DATE

PRELIM.

1st SUB.

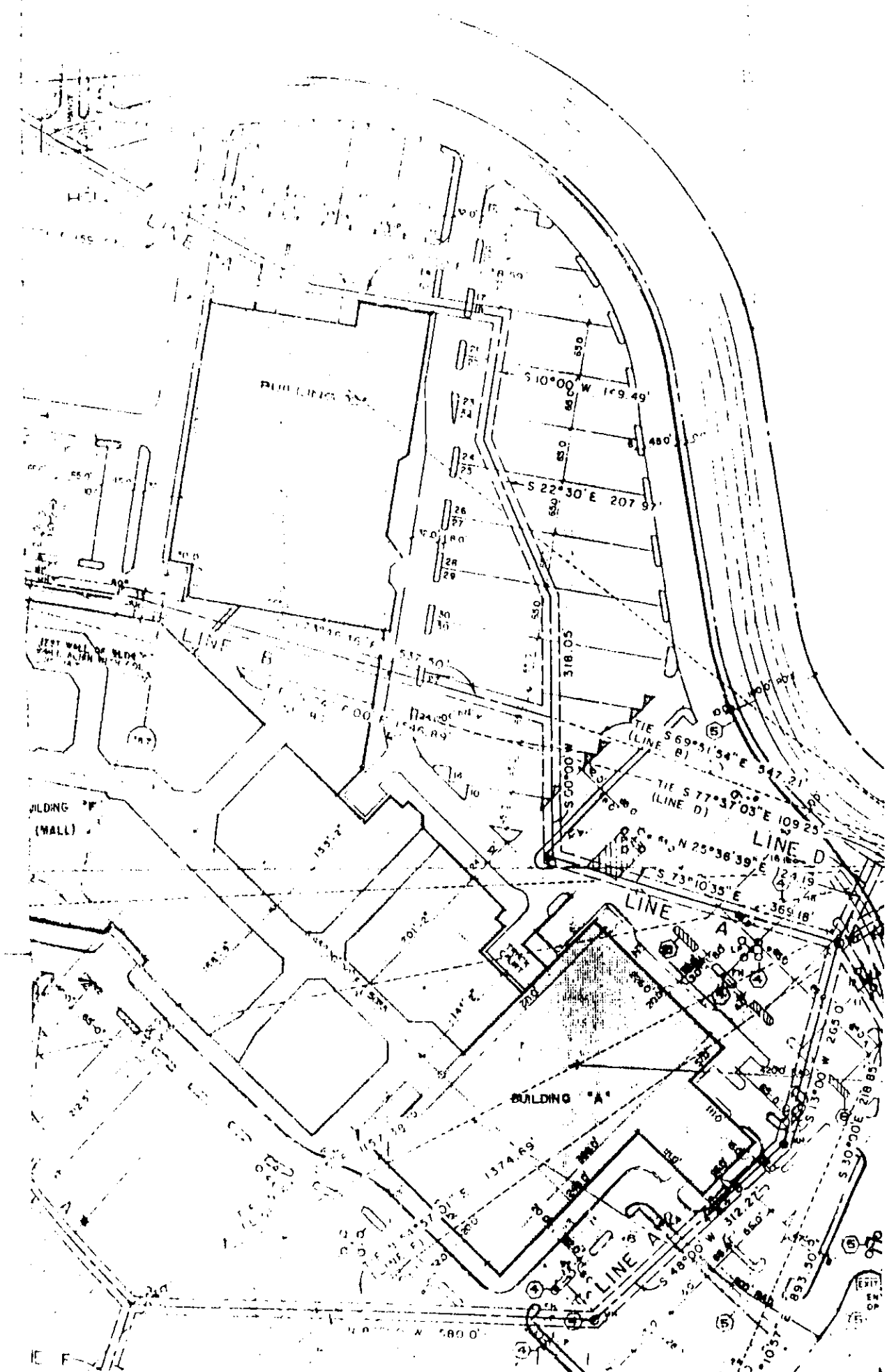
CHANGES

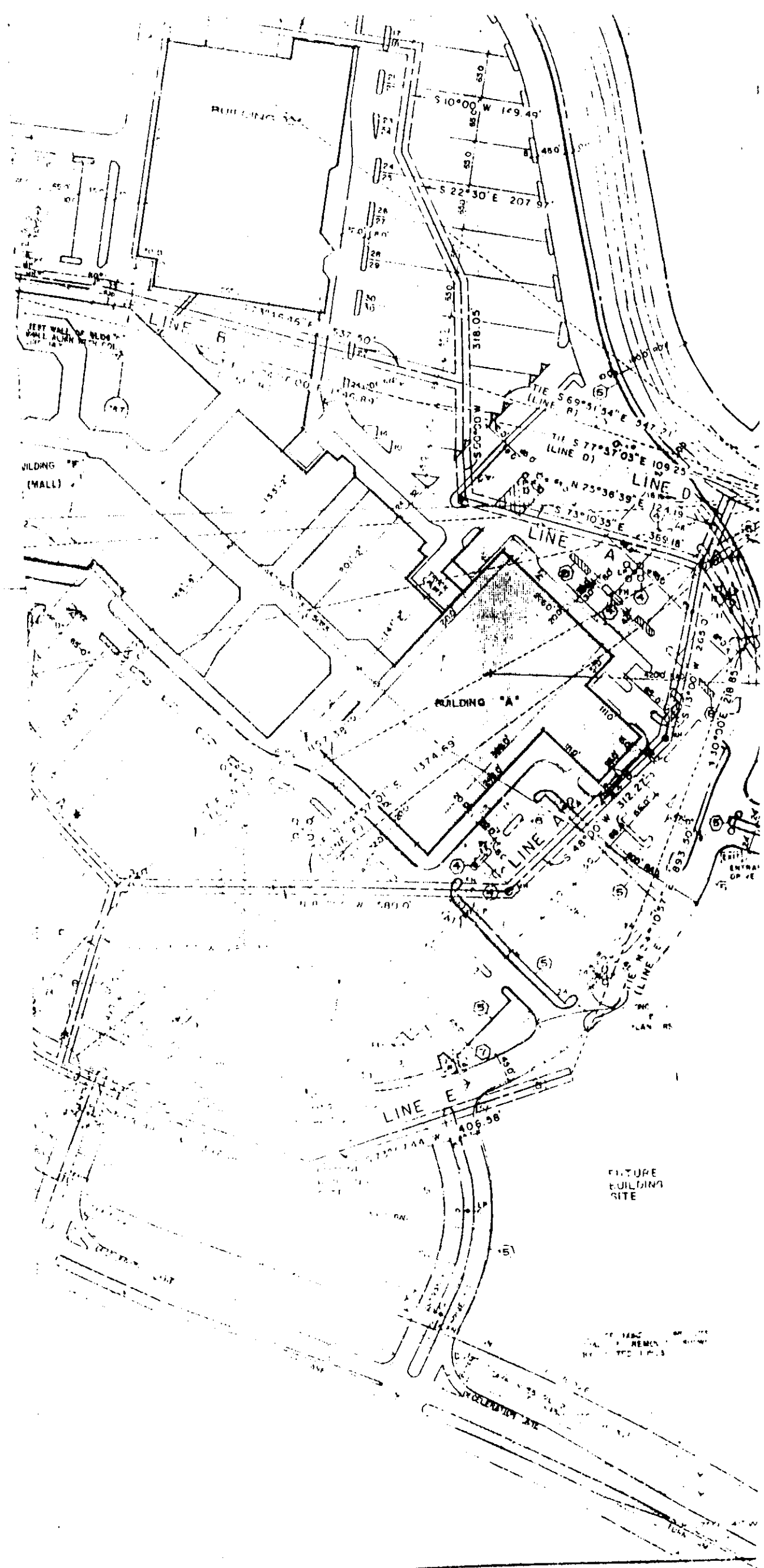
PROJECT

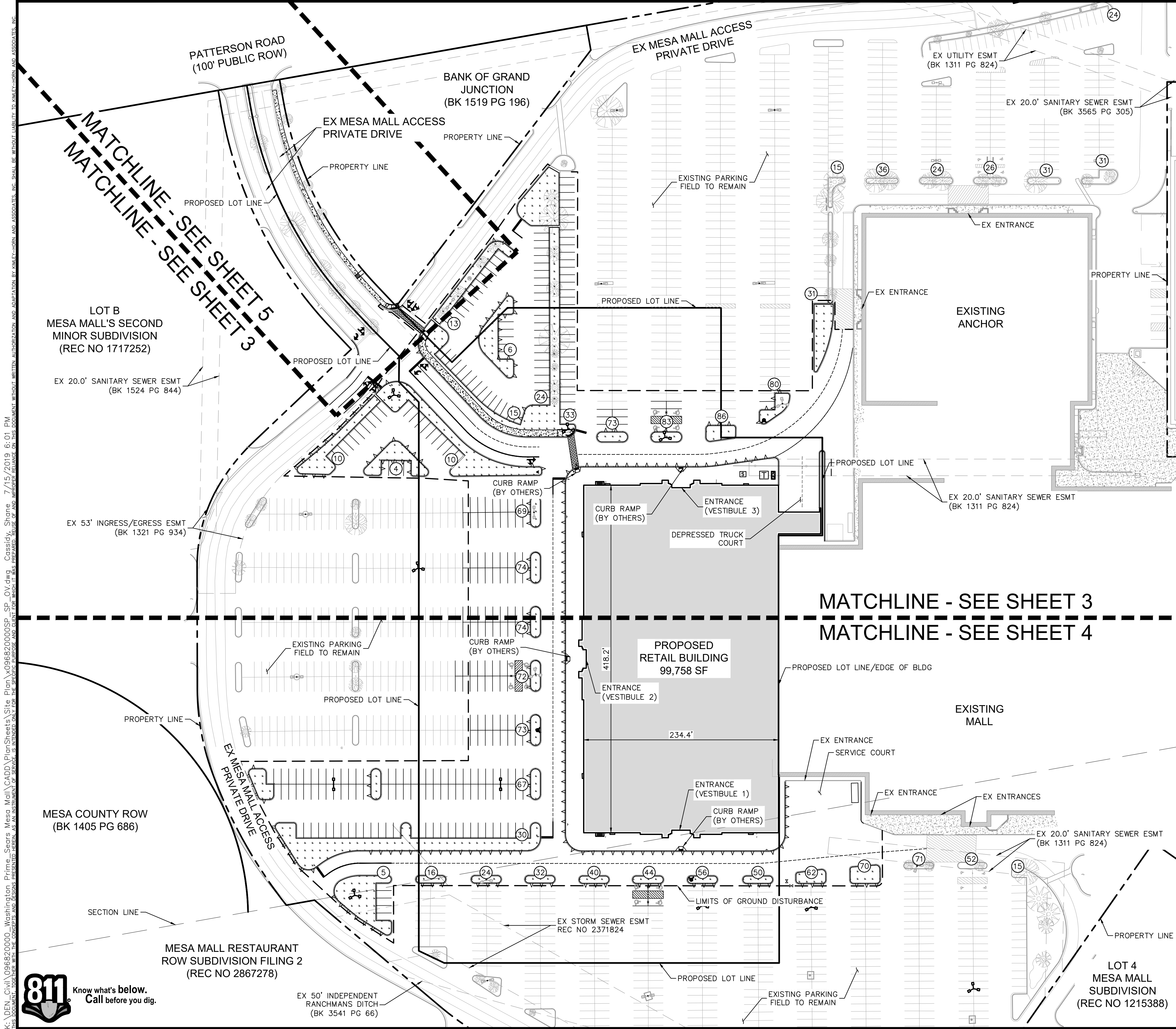
SHEET

515-1

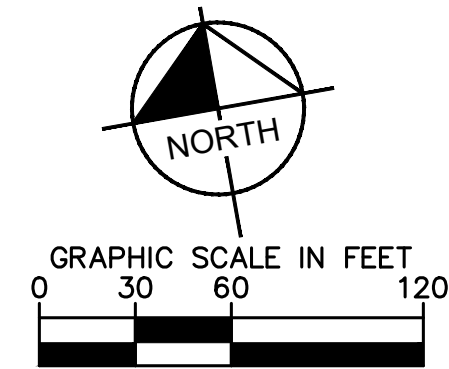
OF SHEETS







- LEGEND**
- PROPERTY LINE
 - PROPOSED LOT LINE
 - SECTION LINE
 - EXISTING EASEMENT
 - PROPOSED EASEMENT
 - LIMITS OF GROUND DISTURBANCE
 - CATCH CURB AND GUTTER
 - SPILL CURB AND GUTTER
 - LANDSCAPE (REF: LANDSCAPE PLANS)
 - CONCRETE
 - EXISTING FIRE HYDRANT
 - EXISTING LIGHT POLE
 - EXISTING/PROPOSED SIGN
 - PROPOSED FIRE HYDRANT
 - PROPOSED FIRE DEPARTMENT CONNECTION (APPROXIMATE LOCATION)
 - PROPOSED ELECTRICAL EQUIPMENT
 - PARKING STALL COUNT



ACCEPTANCE BLOCK

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER _____ DATE _____

WASHINGTON PRIME - MESA MALL DILLARD'S
SITE PLAN
GRAND JUNCTION, COLORADO
OVERALL SITE PLAN

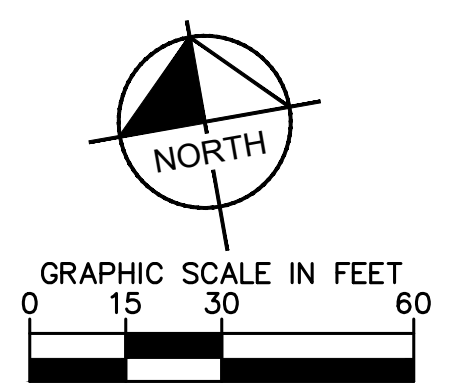
PROJECT NO.
096820000

SHEET
2

2019 KIMLEY-HORN AND ASSOCIATES, INC.
4582 South Ulster Street, Suite 1500
Denver, Colorado 80237 (303) 228-2300

DESIGNED BY: MMM
DRAWN BY: MMM
CHECKED BY: BC
DATE: 07/15/2019

K:\DEV_Civil\096820000_Washington Prime - Mesa Mall\CAD\Drawings\Sheet\SP_01.dwg 07/15/2019 5:01 PM C:\Users\j\OneDrive\Documents\096820000.dwg



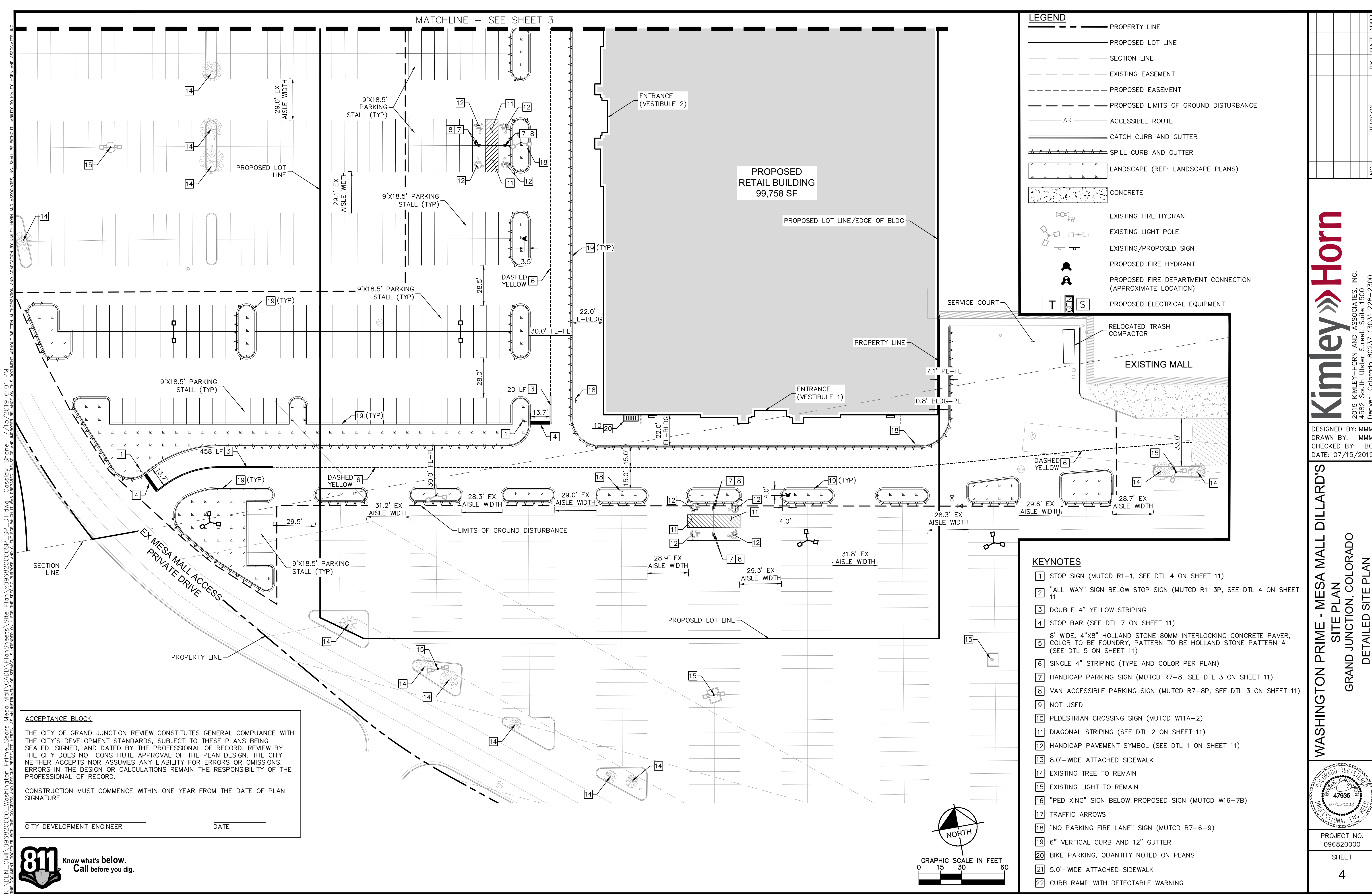
ACCEPTANCE BLOCK

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CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER

DATE



City of Grand Junction

Review Comments

Date: September 25, 2019 **Comment Round No.** 1 **Page No.** 1 of 3
Project Name: Dillards – Sanitary Sewer Easement Vac. **File No:** VAC-2019-475
Project Location: 2424 Hwy 6 & 50

Check appropriate ☒ **if comments were mailed, emailed, and/or picked up.**
Property Owner(s): SM Mesa Mall LLC – Attn: Stephen Harris
Mailing Address: 180 E. Broad Street, Columbus, OH 43215
☒ **Email:** Stephen.harris@washingtonprime.com **Telephone:** (614) 887-5984
Date Picked Up: _____ **Signature:** _____

Representative(s): Kimley Horn – Attn: Bryce Christensen
Mailing Address: 4582 S. Ulster Street, Unit 1500, Denver, CO 80237
☒ **Email:** Bryce.christensen@kimley-horn.com **Telephone:** (303) 228-2339
Date Picked Up: _____ **Signature:** _____

Developer(s):
Mailing Address:
Email: _____ **Telephone:** _____
Date Picked Up: _____ **Signature:** _____

CITY CONTACTS

Project Manager: Scott D. Peterson, Senior Planner
Email: scottp@gjcity.org **Telephone:** (970) 244-1447
Dev. Engineer: Rick Dorris
Email: rickdo@gjcity.org **Telephone:** (970) 256-4034

City of Grand Junction

REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Proposal is for Vacation of a portion, 1,972 sq. ft. total, of a 20' Sanitary Sewer Easement (as recorded in Book 1311, Page 824) as part of the Dillard's development at Mesa Mall in order to construct a masonry wall adjacent to the truck loading docks. Existing zoning for the property is C-1 (Light Commercial) and the Comprehensive Plan Future Land Use Map designates the property as Village Center. No additional response required.

Applicant's Response:
Document Reference:

2. Site Plan (Sheets 2 – 4):
See City Development Engineer review comment and revise as applicable.
Code Reference: V-22 of the SSIDS Manual.

Applicant's Response:
Document Reference:

3. Legal Description & Map Exhibit of Vacation Area:

City Surveyor has reviewed and approved submitted metes/bounds legal description and map exhibit for proposed vacation area. Submit WORD document of legal description and have applicant's Surveyor sign and stamp map exhibit and submit for review in preparation for City Resolution preparation. Once City Resolution has been reviewed and approved by City Council, document will be recorded in the office of the Mesa County Clerk & Recorder. Applicant will be responsible for all associated recording fees.

Code Reference: IV-2 of the SSIDS Manual.

Applicant's Response:

Document Reference:

4. Sanitary Sewer Easement Vacation:

FYI. Proposed vacation request is scheduled to be heard by the Planning Commission on October 22, 2019 and City Council on November 6, 2019. City Project Manager will notify applicant if for any reason this schedule would change.

Code Reference: Section 21.02.100 of the Zoning & Development Code.

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

Show the sewer line and the portion of the easement to be abandoned on the site plan.

Applicant's Response:

Document Reference:

CITY SURVEYOR – Peter Krick – peterk@gjcity.org (970) 256-4003

I have reviewed the sketch and description for the easement vacation for the Dillard's site and there are no comments or changes required.

Applicant's Response:

Document Reference:

CITY FIRE DEPARTMENT – Steve Kollar – stevenk@gjcity.org (970) 549-5852

GJFD has no objections.

Applicant's Response:

Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Mesa County Building Department

Contact Name: Darrell Bay

Email / Telephone Number: Darrell.bay@mesacounty.us (970) 244-1651

MCBD has no objections.

Applicant's Response:

Review Agency: Xcel Energy

Contact Name: Brenda Boes

Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections at this time.

Applicant's Response:

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

• No objection.

Applicant's Response:

Review Agency: Grand Valley Drainage District

Contact Name: Tim Ryan

Email / Telephone Number: tim.admin@gvdd.org (970) 242-4343

GVDD has no comment or objection.

Applicant's Response:

REVIEW AGENCIES

(Responding with “No Comment” or have not responded as of the due date)

The following Review Agencies have responded with “No Comment.”

1. Persigo Wastewater Treatment Facility

The following Review Agencies have not responded as of the comment due date.

1. Grand Valley Irrigation Company

The Petitioner is required to submit electronic responses, labeled as “**Response to Comments**” for the following agencies:

1. **City Planning**
2. **City Development Engineer**

Date due by: **Prior to the Planning Commission meeting.**

Please provide a written response for each comment and, for any changes made to other plans or documents indicate specifically where the change was made.

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.

Applicant's Signature

Date

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION VACATING A PORTION OF A 20' WIDE SANITARY SEWER
EASEMENT LOCATED WITHIN
LOT A, MESA MALL'S SECOND MINOR SUBDIVISION
LOCATED AT 2424 HIGHWAY 6 & 50**

RECITALS:

A vacation of a portion of a publicly dedicated 20' wide Sanitary Sewer Easement has been requested by the developer, SM Mesa Mall LLC in anticipation of developing the property for future commercial development in order to construct a Dillard's Department Store.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate a portion of a public 20' wide Sanitary Sewer Easement is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning & Development Code.

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

The following described portion of a publicly dedicated Sanitary Sewer Easement is hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Resolution, any easement documents and/or dedication documents.

Portion of Public Sanitary Sewer Easement to be vacated:

A PORTION OF A 20.00-FOOT-WIDE PERMANENT EASEMENT, DESCRIBED AS LINE B IN THE INSTRUMENT RECORDED MAY 7, 1981 IN BOOK 1311, PAGE 824 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE COUNTY OF MESA, STATE OF COLORADO, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, IN THE CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT FROM WHENCE THE SOUTH 1/4 CORNER OF SAID SECTION 4 BEARS SOUTH 74°16'00" EAST, A DISTANCE OF 1546.89 FEET;

THENCE SOUTH 80°00'00" EAST, A DISTANCE OF 98.59 FEET TO THE **POINT OF TERMINUS**.

THE SIDELINES OF SAID PERMANENT EASEMENT ARE TO BE PROLONGED OR SHORTENED SO AS TO ELIMINATE ANY GAPS AND/OR OVERLAPS.

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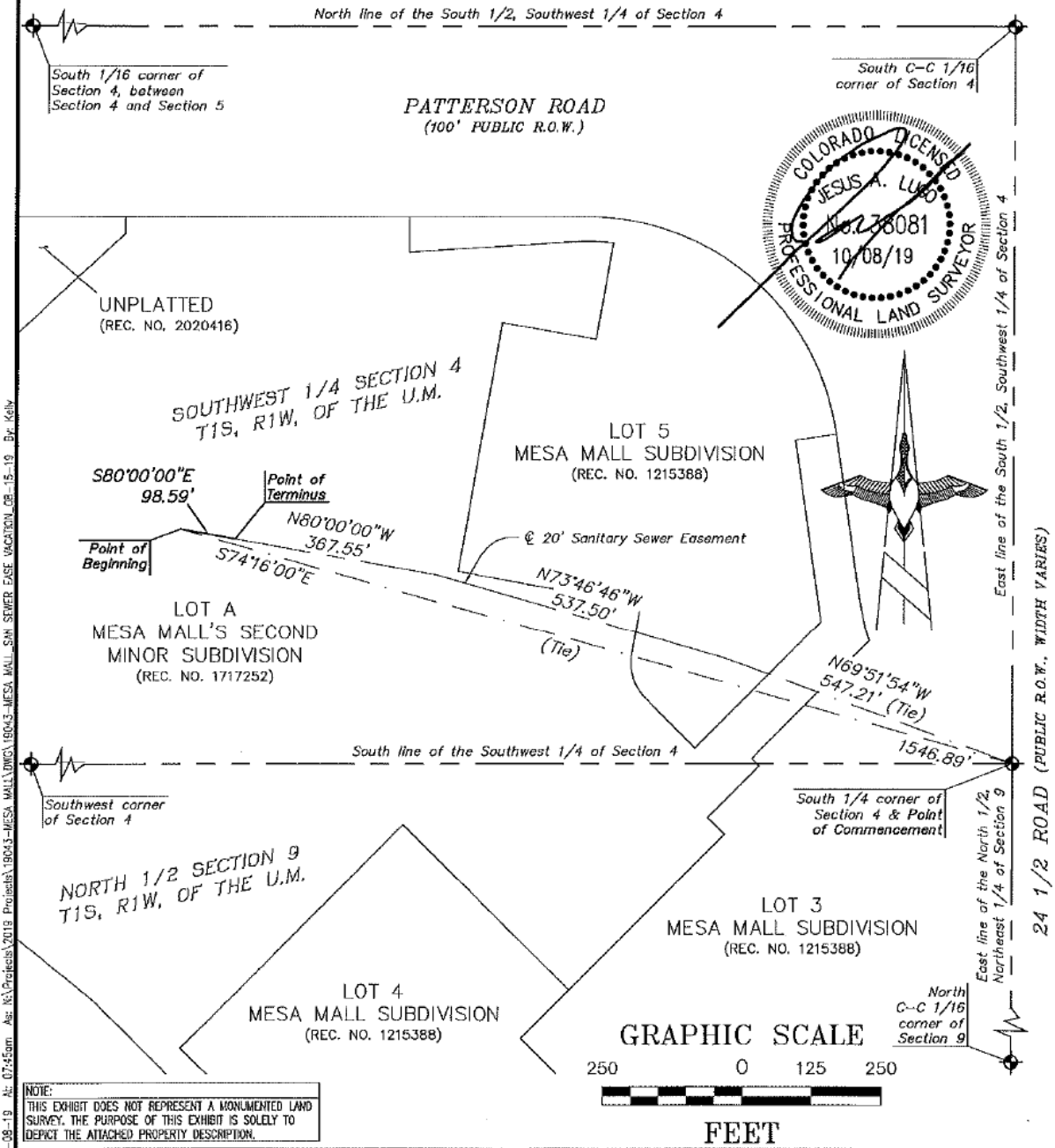
PASSED and ADOPTED this _____ day of _____, 2019

ATTEST:

President of City Council

City Clerk

EXHIBIT TO ACCOMPANY PROPERTY DESCRIPTION



ALTURA
LAND CONSULTANTS

6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303

JOB NO. 19043

DATE: 08/16/19

SCALE: 1" = 250'



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: November 6, 2019

Presented By: Trent Prall, Public Works Director

Department: Public Works - Engineering

Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

Resolution Authorizing the City Manager to Submit a Grant Application for CDOT's Transportation Alternatives Program for the Riverfront at Dos Rios to Downtown Pedestrian Bridge

RECOMMENDATION:

Authorize the City Manager to submit an application for the Riverfront at Dos Rios to Downtown Pedestrian Bridge in response to the Colorado Department of Transportation's (CDOT) call for projects for the Transportation Alternative Program (TAP).

EXECUTIVE SUMMARY:

The Transportation Alternatives Program is a federal funding program administered by the Colorado Department of Transportation. Applications for funding are due January 20, 2020.

City staff recommends the \$3.5 million Riverfront at Dos Rios to Downtown Pedestrian Bridge as the selected project. The project will provide strong multi-modal connection between the Riverfront at Dos Rios, the Depot, and Downtown.

BACKGROUND OR DETAILED INFORMATION:

Grant background:

The past federal transportation authorization bill was called Moving Ahead for Progress in the 21st Century Act (MAP-21). The Transportation Alternatives Program (TAP)

was authorized under that bill and was redefined under the Fixing America's Surface transportation (FAST) Act in 2015. TAP provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

CDOT's Region 3 has been allocated \$3.9 million for the calendar years 2021-2023. The maximum per project is \$1.2 million.

Eligible applicants are limited to local governments, transportation authorities, transit agencies, school districts, tribal governments or any other local or regional governmental entity with responsibility for transportation or recreational trails. In order to be eligible TAP funds, a project must be one of or a combination of the following for project types:

- a. Bicycle/Pedestrian, Non motorized forms of transportation activities.
- b. Environmental Mitigation Transportation Activities
- c. Historic/Scenic transportation activities,
- d. Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

Project sponsors must commit to a 20% match.

Selected project:

The City has been working on the development of the River District which includes both the Riverfront at Las Colonias and the Riverfront at Dos Rios. The Riverfront at Las Colonias will be completed later this Fall while Dos Rios is proposed for construction next year.

Union Pacific Railroad (UPRR) infrastructure bisects much of the Grand Valley creating a significant barrier from the north side to the south side. Connectivity is one of five key goals in the Downtown Development Authority's Plan of Development. With the development of Dos Rios and the redevelopment of the 2nd Street and the historic depot area, this signature bridge will provide a safe pathway for bikes and pedestrians between Downtown and the new Riverfront at Dos Rios development.

The project includes a 900 foot pedestrian bridge across the Union Pacific Railroad's West Yard connecting South Avenue to the Riverside Parkway near the Riverfront at Dos Rios Development. An accessible ramp is proposed on the west side while elevator and stairs will be provided on the east end near the historic depot.

The project will eliminate a gap in connectivity between the Riverfront at Dos Rios and Downtown including the depot, and 2nd Street. The project provides a walkable, accessible access to Downtown as well as transportation options including national rail, regional bus service and local transit systems.

The project is identified in the Downtown Development Authority's Plan of Development and specifically addresses a number of key goals in the plan:

1. Connectivity: Downtown would be connected to the 55 acre Riverfront at Dos Rios mixed use development and the outdoor amenities by a safe pathway for bike and pedestrians.
2. Identity: Downtown is recognized as the hub of regional culture for the west slope. This project would help provide a signature landmark for downtown as well as the Riverfront at Dos Rios.
3. Downtown Development: This goal is for downtown to offer a diversity of quality housing choices for all price points to bring more people to live, work, and play downtown. The bridge will help connect downtown to the broad range of housing opportunities including camping, short term rentals, as well as to 8 unit/acre to 16 unit/acre residential developments. The connection makes the Dos Rios development a viable option to augment and expand downtown housing options.

Awards are anticipated by mid-March.

If selected, the project is proposed for design and securing UPRR crossing permits in 2020 followed by construction in 2021.

FISCAL IMPACT:

The Transportation Alternative Program (TAP) requires a 20% match.

The project is estimated at \$3.5 million which includes \$300,000 for design and right-of-way acquisition which will be separated from the total grant request. The request will be for construction only to simplify contract administration with CDOT. Removing the design and right-of-way acquisition the project scoped for this grant application is \$3.2 million. Requested funding is for \$1.2 million. This represents a 63% match.

The project is included in the City's proposed 2020 Capital Improvement Program with another \$2.3 million in expected grant and partner funds (ie. Great Outdoors Colorado, Department of Local Affairs, Multi-Modal Options Fund) as well as \$500,000 from the .75% Sales Tax Capital Fund.

On October 16, 2019, City Council passed resolution 65-19 supporting the grant application for the Multi-Modal Options Fund in the amount of \$1.7 million. Awards are anticipated by January 2020.

SUGGESTED MOTION:

I move to adopt Resolution No. 72-19, a resolution supporting the grant application for Transportation Alternative Program (TAP) funds for the Riverfront at Dos Rios to Downtown Bike-Ped Bridge Project.

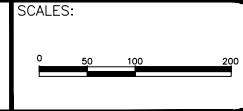
Attachments

1. Dos Rios to Downtown Ped Bridge Layout
2. Dos Rios Ped Bridge TAP Resolution

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REVISION	DESCRIPTION	DATE	DRAWN BY	JCS	DATE	2019
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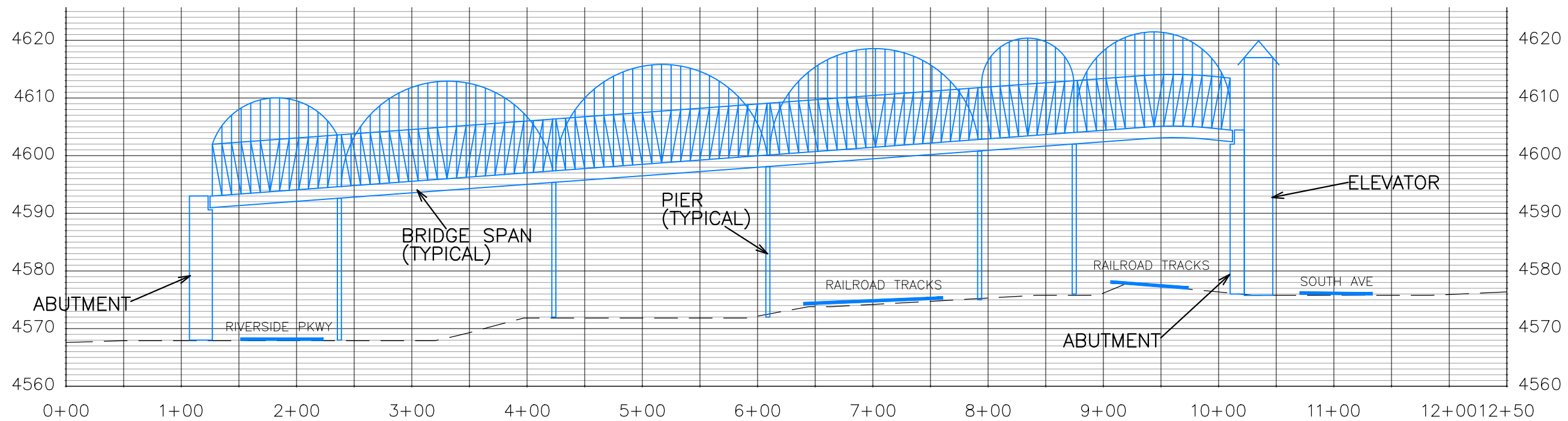
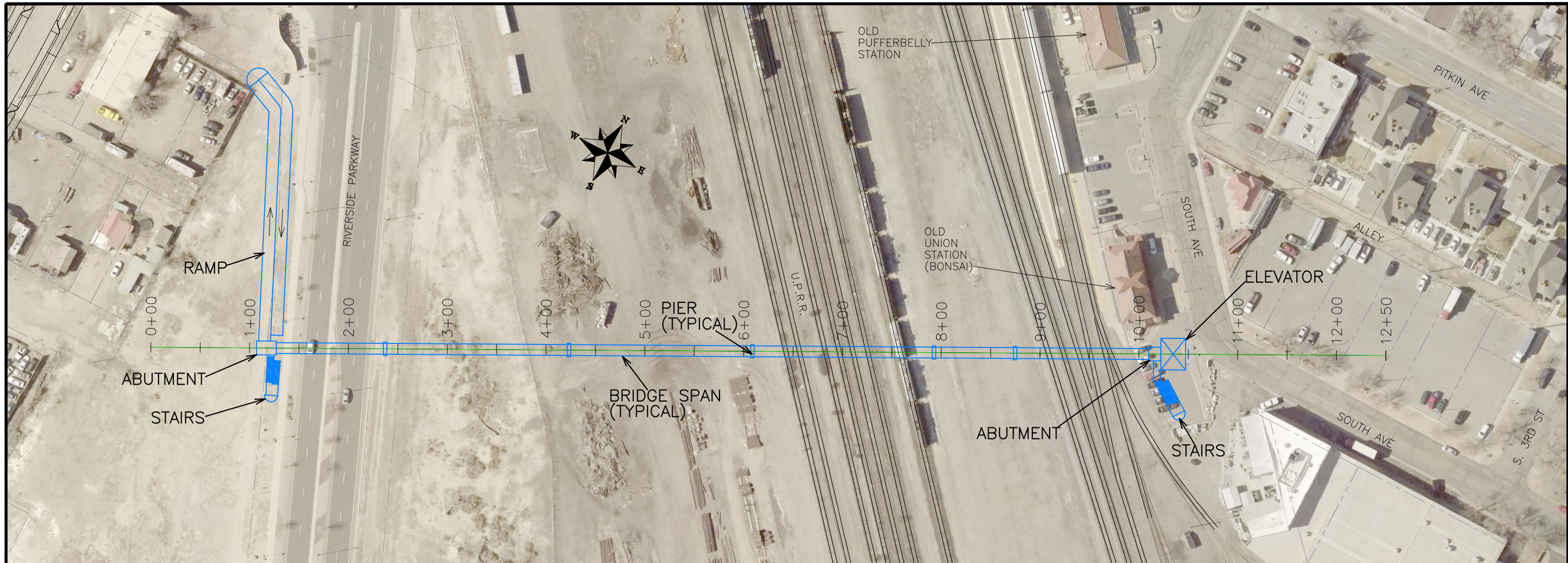


PUBLIC WORKS
ENGINEERING DIVISION

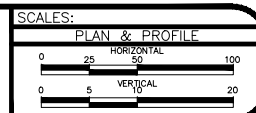
SOUTH AVE – UPRR PEDESTRIAN BRIDGE
CONCEPTUAL BRIDGE LAYOUT PLAN
OVERVIEW ALTERNATIVE A

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PUBLIC WORKS
ENGINEERING DIVISION

SOUTH AVE - UPRR PEDESTRIAN BRIDGE
CONCEPTUAL BRIDGE LAYOUT PLAN
ALTERNATIVE A

CITY OF GRAND JUNCTION, COLORADO

Resolution No. __-19

**A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR TRANSPORTATION
ALTERNATIVE PROGRAM (TAP) FUNDS FOR THE
RIVERFRONT AT DOS RIOS TO DOWNTOWN BIKE-PED BRIDGE PROJECT**

Be it resolved by the City Council of the City of Grand Junction, Colorado that:

The City of Grand Junction by, with and through this Resolution of the City Council supports the Riverfront at Dos Rios to Downtown Bike-Ped Bridge application that the City of Grand Junction has made to the Colorado Department of Transportation's (CDOT) Transportation Alternative Program (TAP) Fund. With the development of Dos Rios and the redevelopment of the 2nd Street and the historic depot area, this signature bridge will provide a safe pathway for bikes and pedestrians between Downtown and the new Riverfront at Dos Rios development.

TAP was authorized under the federal bill Moving Ahead for Progress in the 21st Century Act (MAP-21) and was redefined under the Fixing America's Surface transportation (FAST) Act in 2015. TAP provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

CDOT's Region 3 has been allocated \$3.9 million for the calendar years 2021-2023. The maximum award per project is \$1.2 million. A call for projects has been issued.

In accordance with the grant purposes, the City Public Works Department proposes to construct a 900 foot pedestrian bridge across the Union Pacific Railroad's West Yard connecting South Avenue to the Riverside Parkway near the Riverfront at Dos Rios Development. An accessible ramp is proposed on the west side while elevator and stairs will be provided on the east end near the historic depot.

Completion of the Project is scheduled for 2021.

City staff is seeking TAP funding in the amount of \$1.2 million. The City Council of the City of Grand Junction authorizes the expenditure of funds necessary to meet the terms and obligations, including established deadlines, of any Grant awarded.

If the grant is awarded, the City Council hereby authorizes the City Manager to sign the grant agreement with the Mesa County Regional Transportation Planning Office for the project.

The City staff has recommended that the City Council support the grant application and if awarded that the grant be utilized.

PASSED and ADOPTED this 6th day of November 2019.

Rick Taggart
President of the Council

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #4.d.

Meeting Date: November 6, 2019

Presented By: Greg Caton, City Manager

Department: City Manager's Office

Submitted By: Greg LeBlanc

Information

SUBJECT:

Resolution Adopting the Strategic Plan

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to adopt the Strategic Plan.

BACKGROUND OR DETAILED INFORMATION:

The Strategic Plan is a tool used by elected officials and city staff to both guide policy creation and focus efforts during the next two years. The overall purpose of the Strategic Plan is to direct decision-making and budgeting by the City of Grand Junction and to provide guidance to staff. The plan also communicates the City's priorities as set by City Council.

This plan is organized around a framework of four strategic directives. A strategic directive is a high-level priority that is articulated in a way that effectively describes a community priority. Each strategic directive is accompanied by a number of key initiatives. These key initiatives are more specific actions, programs, and ideas designed to aid in achieving the goals set by the strategic directives. These directives include:

- Public Safety
- Planning & Infrastructure

- Diversification of our Economic Base
- Connectedness through Community Building

This draft update to the plan added Connectedness through Community Building to the list of directives based on the input provided by Council. Council also indicated that the other three directions should remain as they are core to the City's mission.

Four guiding principles accompany the strategic directives. Since they do not represent specific directives or action steps, they are intended to guide the way in which specific strategic directives and initiatives are implemented. These principles include:

- Fiscal Responsibility
- Partnerships & Intergovernmental Relationships
- Communication & Engagement
- Leadership

The previous plan included two guiding principles. Through the strategic planning session, Council indicated that leadership should be added as a guiding principle and that Communication & Engagement should be removed from the list of directives and revised as a guiding principle.

The attached Strategic Plan draft is the final draft for content. Upon approval of the substantive content in the Plan, a final product will be produced with refreshed images.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to adopt Resolution No. 62-19, a resolution adopting the 2019 Strategic Plan.

Attachments

1. Resolution Strategic Plan
2. Council Draft_Grand Junction 2019 Strategic Plan Draft 110619

RESOLUTION NO. ____-19

A RESOLUTION ADOPTING THE 2019 STRATEGIC PLAN

Recitals:

In 2017 the City Council adopted a Strategic Plan, a plan that carefully and diligently considered and formulated a direction for the City to continue to grow and prosper. That plan was successfully implemented and served the City well. In 2019, following the seating of three new Councilmembers, the City Council reviewed, revised and renewed the Plan for 2019 and beyond.

The 2019 Plan continues, with some refinement, the four strategic directives of the prior plan and with its adoption and implementation will carry on the successes that resulted from the prior plan. By and with this resolution the City Council adopts, approves and endorses the 2019 Strategic Plan ("Strategic Plan.")

The strategic directives of the Strategic Plan, which are the cornerstones for developing and implementing high level and high priority policy for the City are, **Diversification of the City's economic base**, as well as a continuing emphasis on **Planning and Infrastructure, Public Safety** and **Connectedness Through Community Building**.

In addition to the strategic directives the Strategic Plan include four guiding principles, which provide overarching direction for implementation of the Plan. Those guiding principles are **Partnership and Intergovernmental Relationships, Fiscal Responsibility, Communication** and **Leadership**. The guiding principles do not provide specific mandates or actions but instead are intended to guide the way in which the specific strategic directives and initiatives are implemented

The four strategic directives, together with the four guiding principles are realized by a number of key initiatives. Those initiatives describe more specific actions, programs and ideas designed to bring about the accomplishment of the strategic directives.

The City Council and City staff will use the Strategic Plan to both guide policy creation and focus efforts during the next two years. The overall purpose of the Strategic Plan is to inform and direct decision-making and budgeting by and for the City.

The Strategic Plan communicates the City's priorities and focus; each strategic directive is designed to highlight the priorities, whether as a strength or weakness, of the City and provide an administrative structure for the Council and staff to attend to those priorities in a defined, deliberate structure. While specific actions are not outlined in the Strategic Plan, City staff will implement, track and regularly report on the progress of the implementation of the Plan.

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

The 2019 Strategic Plan is hereby approved and adopted as generally and specifically provided therein and in accordance with this resolution.

PASSED AND APPROVED this 6th day of November 2019.

J. Merrick Taggart
President of the Council

ATTEST:

Wanda Winkelmann
City Clerk

GRAND JUNCTION STRATEGIC PLAN



PC: James Alsop



PC: Visit Grand Junction

September 2019

Introduction

The central purpose of this undertaking was to provide the City of Grand Junction with a tool that can be used during the next two years by elected officials and city staff to guide goal setting and strategy. This plan incorporates the priorities identified as most important by City Council. To truly be effective, this plan must become part of how elected officials and city staff operate and think about programs and services. The test of this plan's usefulness will be defined by how effective it is in guiding decisions and how it aids in measuring success.

In the process of examining this strategic plan, the reader will encounter various terms and phrases associated with key elements of the plan. It is important that we place an understanding of the strategic plan within the context of what these elements are intended to contribute.

Guiding Principles

Four guiding principles have been added to the plan. They do not represent specific directives or action steps, but are intended instead to guide the way in which specific strategic directives and initiatives are implemented.

Strategic Directives

This plan contains four strategic directives. A strategic directive is a high-level priority that is articulated in a way that effectively describes a community priority and is not intended to describe specific initiatives, ideas, programs, or services. It merely summarizes what we believe is most important.

Key Initiatives

Each strategic directive is accompanied by a number of key initiatives which assist in bringing the directive to the level of application. In other words, key initiatives are more specific actions, programs, and ideas designed to bring about the realization of the strategic directives. We consider the directive to be the destination and the initiatives represent the path that will enable us to arrive at our destination.

What Does Success Look Like?

This section of each strategic directive is designed to describe some of the key indicators we will look to in evaluating the success of that directive. Specific actions are not outlined in this document, and city staff have internal mechanisms that will be used to implement this plan.

Guiding Principles

Partnerships & Intergovernmental Relationships

While some cities may be able to “go it alone” and find success, the City of Grand Junction must effectively partner with both public and private agencies. As a regional hub with urban challenges unique to a community of our size and composition, it will take collective action to succeed in advancing our most important initiatives. Partnerships may include, but are not limited to, organizations or agencies in these areas: government, education, economic development, transportation, and business development.

We view partnership in its broadest sense and not merely through the lens of delivering municipal services. Partnership with a common purpose is the key to success with public and private collaboration. Whether evaluating opportunities for shared services, partnering for economic development, or creating a shared vision for the future of our community, we recognize that our residents will be best served as we work together with other organizations to find solutions. We take every opportunity to celebrate past successful partnerships to build momentum for future collaboration.

Fiscal Responsibility

The foundation of effective local governance is trust. To continue to build the trust placed in us by our citizens, we must be responsible stewards of the resources entrusted to our care. In a world of scarce resources, we must be effective in prioritizing our spending to focus on the things that citizens have identified as most important.

As we establish plans and priorities, we do so with an eye to the future. It is not enough to merely find a way to fund a new project or amenity. We must also ensure that we are planning for long-term ongoing operations and maintenance with each item that we prioritize.

Communication & Engagement

We want to be a part of a community where residents are well informed about matters of local government and their involvement is encouraged. Expectations have changed over the years, and we as a City must adapt to share helpful information with our residents and stakeholders through channels that meet them where they are.

Communication is a two-way street. It is not enough for us to proclaim what we are doing and expect citizens to listen and follow along. We need to create channels for citizens to approach the city and communicate their priorities. This builds trust and ensures we continue to focus limited resources on our community’s highest priorities.

Leadership

Grand Junction was founded by innovative leaders, ready to lead the way to a new future. Our city continues in that tradition of leadership today. We are not content to wait around for the future, but rather desire to actively shape it. Our City holds a key position in the region. We must be a driving force in issues of regional importance and play a leading role in the growth occurring on the Western Slope. We will do this by setting an example of how local government should operate – in our conduct, in our words, and in our ideas. The status quo will not satisfy us, nor will it work, as we continue to push ourselves outside of our comfort zone to be innovative leaders.

Strategic Directives

1. Public Safety

Grand Junction is geographically isolated from other population centers which creates unique public safety needs, especially for a community of our size. We are a stand-alone regional hub with urban challenges not found in other communities on the Western Slope. It is critical that we ensure our public safety efforts meet current needs as well as anticipate and adapt to future public safety challenges and opportunities.

This will require us to develop a framework to evaluate effective levels of service. To do this, we will consider modeling communities that share similar challenges. Because of our unique needs, we will also analyze best practices from other agencies and assess current workloads to develop an effective staffing model. In the spirit of partnership with surrounding communities, we should also evaluate regionalization opportunities. This will include a review of our current mutual aid agreements.

Lastly, we must establish clear policy direction for new funding. With the passage of a First Responder Sales Tax (Measure 2B) to fund the expansion of our police and fire emergency services, we must continue to ensure that policies and funding mechanisms align with our public safety model and service delivery standards. Over the coming years, we will move steadily to fill open positions at a pace that allows us to make best use of the resources while maintaining a high level of professionalism in our public safety departments.



Strategic Directives

1. Public Safety

KEY INITIATIVES:

- Establish community policing efforts as the heart of our service delivery function with an emphasis on proactive policing efforts
- Promote safety in our public spaces by working with community partners to address vagrancy, homelessness, and vandalism
- Plan for, build, and staff essential public safety infrastructure
- Active enforcement of city codes to improve the physical appearance of our community
- Community risk reduction through prevention and education efforts

SUCCESS METRICS:

- Consistent staffing levels appropriate for community needs through enhanced recruiting and retention efforts
- Response Times – meeting or exceeding national standards
- Feeling of safety – satisfaction survey results for both perceptions of safety and aesthetics
- Continue implementation of community education efforts addressing vagrancy



Strategic Directives

2. Planning & Infrastructure

To fully understand the values, vision and needs of the community, the City must seek robust input from the community and distill that input into a plan. This effort is being undertaken in the Comprehensive Plan 2020: One Grand Junction, a plan that will provide guidance to the City in all that we do for the next 10+ years. Further, to support future growth in our city, we must make plans to expand infrastructure in areas where that growth is most likely to occur. In order to ensure that we are making the right infrastructure investments, the Comprehensive plan adopted in 2009, will be reviewed and updated.

A core function of the City is to maintain and expand infrastructure as needed for future growth. The City will allocate fiscal resources consistent with the Comprehensive Plan and will ensure existing infrastructure is adequately maintained. The City will continue to evaluate the current state of its infrastructure, and actively work with funding partners to implement maintenance plans and construction of core infrastructure.

Infrastructure is defined as the fundamental facilities and systems serving the city such as water and sewer lines, roads, and sidewalks. Given the potential for significant growth in the community, we must also focus on planning for future infrastructure needs that can support quality of life, economic growth, and core municipal service delivery. Many people that have moved to this area have done so and chosen to stay because of the unique quality of life we enjoy. Careful planning will ensure that our lifestyle will be both preserved and enhanced. Building and maintaining infrastructure can be a key ingredient to both attracting businesses as well as attracting and retaining workforce talent.



PC: GJVCB

Strategic Directives

2. Planning & Infrastructure

KEY INITIATIVES:

- Secure funding sources for maintenance of existing infrastructure, and building of essential new infrastructure
- Incorporate sustainable practices into City operations and encourage citizens to embrace sustainability practices
- Evaluate, construct and maintain a transportation system that supports citizen needs, including multi-modal transportation (cyclists, pedestrians, etc.)
- Develop, adopt, and implement community plans (parks, circulation, transportation, Comprehensive)
- Establish sustainable annexation criteria for new developments outside of the city and revise approach for annexing areas that are not quickly urbanizing
- Establish indices to monitor the condition of infrastructure assets (pavement condition, etc.) and build plans for maintenance of these assets

SUCCESS METRICS:

- Adoption of Comprehensive Plan 2020
- Completion and adoption of community plans
- Funding levels for needed infrastructure projects
- Substantial progress on riverfront developments in two years
- Infrastructure condition indices
- Become an AARP Age-Friendly Community

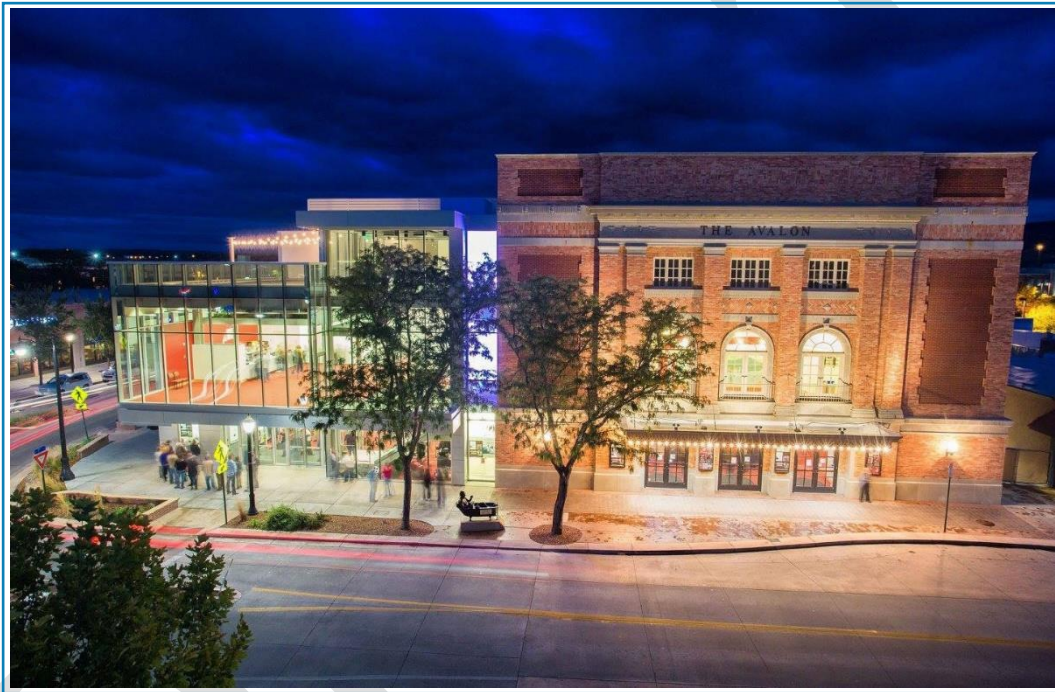


PC: Sharon Jungert

Strategic Directives

3. Diversification of our Economic Base

Throughout our history, we have experienced boom and bust cycles. In preceding decades, the boom and bust has tied to the fluctuations of volatile energy prices. Population in the Grand Valley has now grown to the point where greater economic diversity is not only possible, but imperative. We have begun to take proactive steps to diversify our economic base to moderate the peaks and valleys in economic activity that we have experienced in the past. We must continue those efforts. Because economic development is driven by factors well beyond the core services and functions of the city, we have made the choice to collaborate with other organizations and outsource the majority of our economic development activities. However, due to the importance of economic development to our community, ongoing support and monitoring of these activities is critical.



PC: Allison Blevins

Strategic Directives

3. Diversification of our Economic Base

KEY INITIATIVES:

- Develop catalytic development projects such as Riverfront at Las Colonias and Riverfront at Dos Rios
- Build City Place Brand
- Continue partnerships with Economic Development partners and encourage regular reporting
- Continue to support the economic development efforts of Visit Grand Junction
- Expand student employment opportunities from Colorado Mesa University (CMU)
- Partner with Economic Development organizations to develop and implement plans of action
- Continue progress on a Foreign Trade Zone

SUCCESS METRICS:

- Job growth and employment rates
- Wage growth to close the gap with the state average
- Development, expansion, and retention of business
- Increased sales tax revenue
- Increased number of visitors as evidenced by lodging tax revenue
- Square feet developed in catalytic development projects
- Industry specific job growth - number of new business licenses and/or positions in manufacturing, tech, and other select industries
- Occupancy rate of commercial developments



PC: GJVCB

Strategic Directives

4. Connectedness through Community Building

Bring People Together through Great Public Spaces – There is perhaps no greater way to build a community than by bringing people together for shared experiences. While the city is not the primary source of these experiences, we play a significant role in creating spaces where these experiences happen. Public parks, art exhibits, sporting competitions, and other public community events bring together individuals from every age, ethnicity, income level and background. Such activities build pride in our community, encourage volunteerism, and create a feeling of connectedness. We will invest in the resources that provide space for these shared experiences for our residents: establishing arts and culture, improving and building public parks, and hosting quality events for the public to enjoy.

Visibility & Engagement – To honor the trust placed in us by our citizens, we must continue to expand transparent sharing of information. We will communicate and celebrate our significant achievements and also share how we are actively learning from our mistakes. We will strive to ensure the accuracy of any information produced and distributed by the City. Lastly, communication is a two-way street. We need to create more opportunities for engagement with citizens. Rather than wait at City Hall to hear from our residents, we will look at ways to diversify our public outreach and expand our channels of two-way communication and engagement with members of our community.



PC: Allison Blevins

Strategic Directives

4. Connectedness through Community Building

KEY INITIATIVES:

- Plan & develop public spaces and places to serve broad, yet diverse uses
- Increase community engagement in public processes by diversifying methods of public outreach
- Engage in public relations and place-branding campaign, involving the community in the process
- Increase use of and diversify citizen engagement platforms (social media, email, public meetings, etc.)
- Plan specific events with cross-generational appeal
- Rebuild the city's neighborhood program
- Partner in the success of the Downtown Creative District
- Support recruitment of sporting events through Greater Grand Junction Sports Commission

SUCCESS METRICS:

- Attendance levels for City-sponsored community events
- Participation levels in comprehensive planning process
- Social media engagement metrics
- Community satisfaction from citizen surveys
- Usage rates of parks and other public open space
- Enhancement of existing and creation of new public spaces



PC: Callie Berkson



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: November 6, 2019

Presented By: Ken Watkins, Fire Chief

Department: Fire

Submitted By: Kirsten Armbruster

Information

SUBJECT:

Contract Approval for Construction Management/General Contractor for the City of Grand Junction Fire Station #6

RECOMMENDATION:

Staff recommends approving a contract with FCI Constructors, Inc. for Construction Manager/General Contractor services for the Grand Junction Fire Department's Fire Station #6 project.

EXECUTIVE SUMMARY:

The City is funding approximately \$3,200,000 for the design and construction of a new Fire Station #6 on 27 Road north of G Road. The chosen Construction Manager / General Contractor (CM/GC) will work with the project team, which is comprised of staff from the City (Fire Department, Engineering and Facilities) and Chamberlin Architects, to design and construct Fire Station #6.

BACKGROUND OR DETAILED INFORMATION:

This April, City of Grand Junction voters approved Measure 2B, a sales tax increase to fund safety services for the Fire Department and Police. A portion of this revenue will pay for a new Fire Station #6 located on 27 Road north of G Road at Horizon Park.

The new fire station is currently in the Design Phase, with Chamberlin Architects as the City's consultant. Chamberlin is taking the previous design of Fire Station #4 (on Orchard Mesa) and modifying it to fit the site at Horizon Park and expand the floor plan to accommodate two more bedrooms and an additional office.

The City has chosen to hire a firm to provide Construction Management / General Contractor services in order to increase the value of the Fire Station #6 project, and to fast-track its construction.

A formal request for proposals was published via the Rocky Mountain Bid System, and on-line site for government procurement, and advertised in *The Daily Sentinel*. Five firms responded as shown below:

Company Location

Asset Engineering Limited Grand Junction, CO
FCI Constructors Grand Junction, CO
PNCI Construction Grand Junction, CO
Shaw Construction Grand Junction, CO
Zwick Construction St. George, UT

An evaluation committee reviewed the submitted proposals, and determined FCI Constructors, Inc. to be the preferred proposer.

FISCAL IMPACT:

Sales Tax Revenue from the passage of Measure 2B in the amount of \$3,200,000 has been designated for the Fire Station #6 project. Construction of the fire station is planned for 2019 and 2020. The funding for CM/GC services is included in the \$3,200,000 and is budgeted in the City's Capital Improvement Fund.

SUGGESTED MOTION:

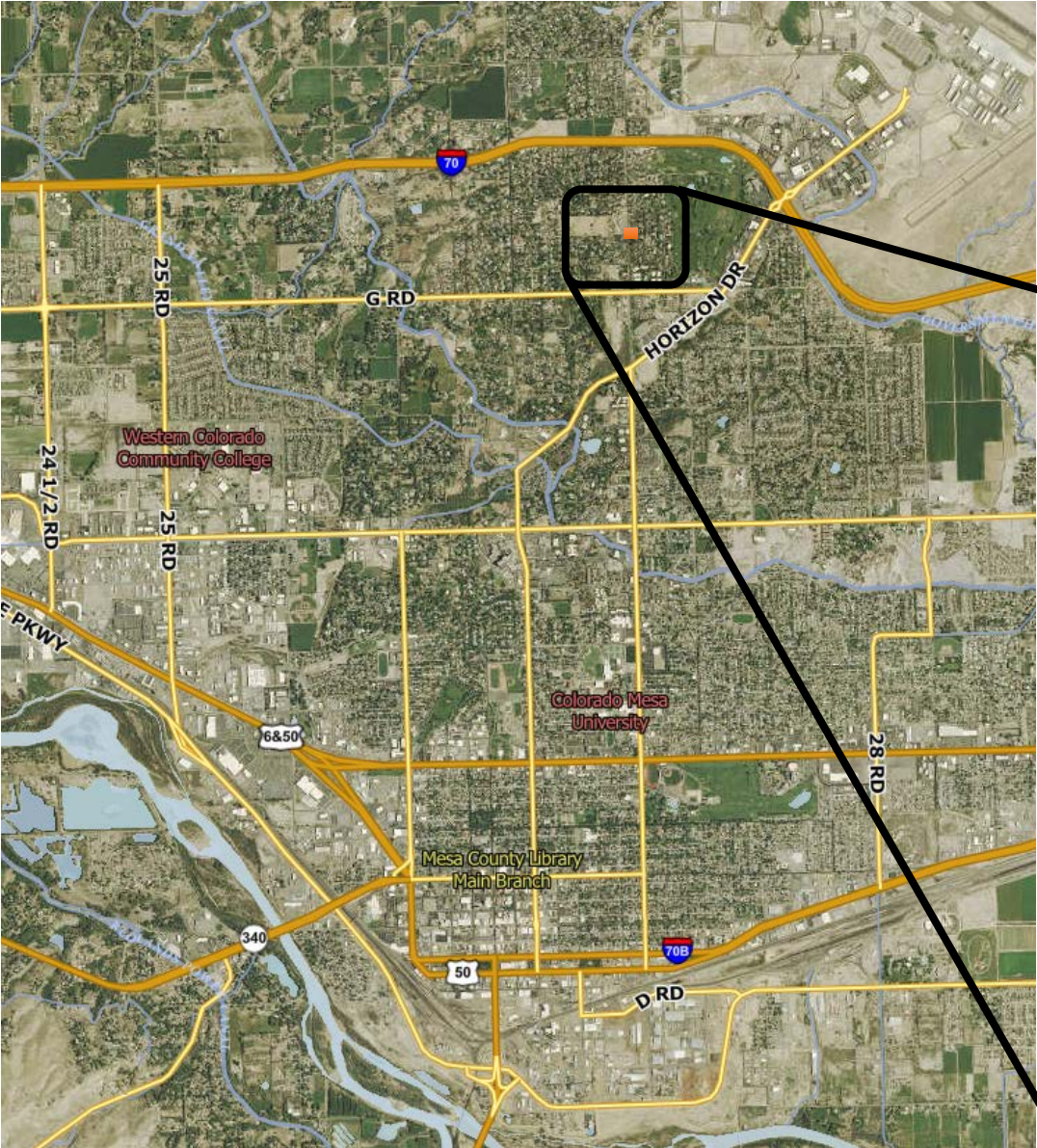
I move to (authorize/not authorize) the Purchasing Division to enter into a contract with FCI Constructors, Inc. to provide Construction Management/General Contractor services for the Fire Station #6 construction project on negotiated terms approved by the City Manager and in a form approved by the City Attorney.

Attachments

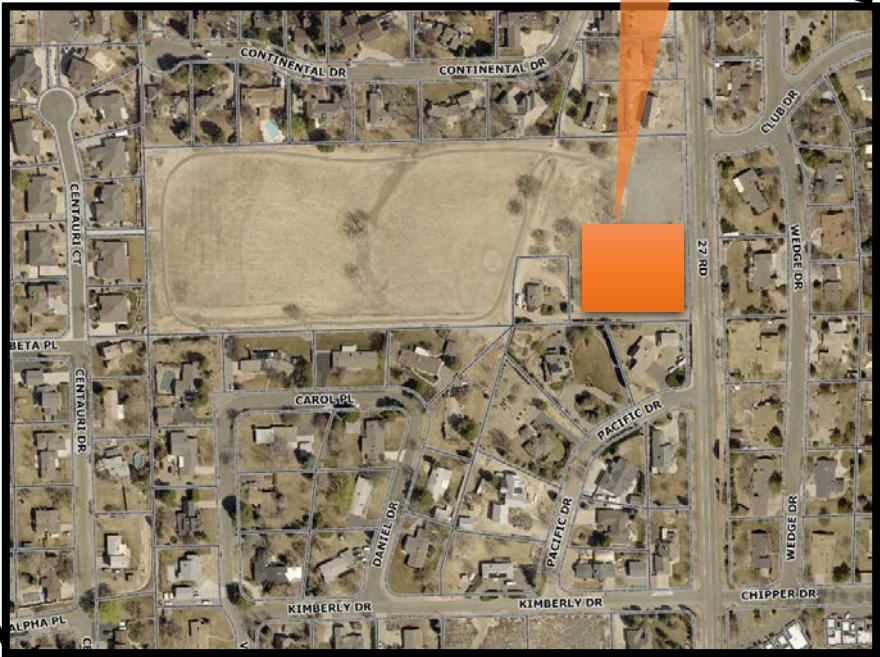
1. Vicinity Map

Fire Station #6 – Vicinity Map

RFP-4703-19-DH



Proposed Location of
Fire Station #6 at
Horizon Park



Vicinity Map

Proposed Fire Station #6 Site



Grand Junction City Council

Regular Session

Item #6.a.i.

Meeting Date: November 6, 2019

Presented By: Randi Kim, Utilities Director

Department: Utilities

Submitted By: Randi Kim, Utilities Director

Information

SUBJECT:

An Ordinance Amending Industrial Pretreatment Regulations (Title 13) of the Grand Junction Municipal Code Section 13.04.370 Regarding Limits for Metals in Industrial Wastewater Discharge

RECOMMENDATION:

Consider an ordinance amending Industrial Pretreatment Regulations (Title 13) of the Grand Junction Municipal Code.

EXECUTIVE SUMMARY:

Revisions in metals discharged to the Persigo Wastewater Treatment Facility are necessary to meet State and Federal wastewater discharge permit requirements. Federal regulations require a City Council reading of the proposed changes to the Code, public notice by the US Environmental Protection Agency and final approval in a hearing. The City adoption of the final ordinance is contingent on USEPA final approval, anticipated in the near future.

BACKGROUND OR DETAILED INFORMATION:

The US Environmental Protection Agency (USEPA) and the Colorado Department of Public Health and Environment (CDPHE) require municipalities, such as Grand Junction, that have approved Industrial Pretreatment Programs to enforce and periodically update Local Limits.

Title 13 of the Grand Junction Municipal Code (GJMC) Section 13.04.370 (d) Specific Discharge Limitations specifies the total daily maximum discharge limits for metals that

can be allocated safely to all permitted Significant Industrial Users and other Industrial Users by the City without causing harm to the Persigo Wastewater Treatment Facility (Persigo). The City includes each permitted industry's specific metals allocation in the Industrial User's Discharge Permit.

Amendment of the Industrial Pretreatment Regulations will change the Local Limits from Mass Based to Uniform Concentration Based limits. The change makes it easier for Industrial Users to understand and monitor and easier for City Staff to implement and enforce. There will not be any impacts to current Industrial Users, based on historical monitoring data.

USEPA requires Persigo to have an Industrial Pretreatment Program to prevent certain pollutants from entering the wastewater system. The pollutants of concern are those that can interfere with the operation of the wastewater treatment process, pass through the wastewater treatment system without adequate treatment or contaminate treatment plant biosolids.

The City's Industrial Pretreatment program was delegated approval authority from USEPA in 1984. The initial version of the City's Pretreatment Regulations was included in the City's Wastewater Code and approved by USEPA at that time. There are currently over 5,000 local businesses included in the Pretreatment Program's database and City Industrial Discharge Permits are issued to 15 industries and 14 waste haulers. Persigo received its renewed State of Colorado Discharge Permit (Permit) in 2018. The 2018 Permit required the City to perform an evaluation of the City's local limits for aluminum, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, zinc along with biochemical oxygen demand, total suspended solids, total dissolved solids, phosphorus and ammonia. The City performed the local limits evaluation, based on Outfall 002A which is the newly installed diffuser to the Colorado River, and is now increasing the total available amount of these metals available to Industrial Users. The diffuser installation provides the wastewater treatment plant with the capacity to increase or expand Industrial Dischargers.

City Council held the First Reading of the revised Local Limits on September 18. The revised Local Limits was then sent to the City's permitted Industrial Users for a 30-day public comment period. No comments were received.

The revised Local Limits were submitted to USEPA for formal approval after City Council's First Reading. USEPA has stated the revised Local Limits have been preliminarily approved and publicly noticed the Local Limits on October 18th in The Daily Sentinel for public comment for a 30-day period prior to final approval.

Due to the delayed federal public notice process, Staff is recommending City Council

adopt the final ordinance contingent on USEPA final approval.

FISCAL IMPACT:

There are no anticipated financial impacts to regulated industries.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4880, an ordinance amending Ordinances 4640 and 4574 relating to Chapter 13, Article 4 of the Grand Junction Municipal Code pertaining to pretreatment regulations on final passage and order final publication in pamphlet form following and subsequent to final approval by the US Environmental Protection Agency.

Attachments

1. Letter from City Attorney to U.S. Environmental Protection Agency
2. 13.04.370 New-Proposed
3. 13.04.370 Revised
4. Proposed Ordinance Amending Pretreatment Regulations
5. TheDailySentinel_USEPA Public Notice



August 15, 2019

Al Garcia
EPA Region 8 Pretreatment Coordinator
MailCode: 8P-W-WW
1595 Wynkoop
Denver, CO 80202

Re: Industrial Pretreatment -Local Limits for Metals

Dear Mr. Garcia,

Please accept this letter as a statement of my opinion that the proposed revisions to the Grand Junction Municipal Code (GJMC or Code) concerning uniform concentration based local limits for metals (attached) is in compliance with applicable law. Specifically, it is my opinion that the proposed changes to the GJMC will positively affect the ability of the Persigo Wastewater Treatment Facility to carry out the responsibilities of the Grand Junction Industrial Pretreatment Program in accordance with all applicable federal and state statutory and regulatory requirements.

In accordance with the City Charter and the rights and responsibilities established therein, the City has the legal authority to adopt Codes for the protection of the general health, safety and welfare of the citizens of Grand Junction. The content of the attachment is such a Code.

Following public notice and the required hearings on the proposed Code, the City Council will be duly authorized to adopt the Code. The professional staff of the City, including but not limited to the undersigned, will recommend to the City Council that it approve the proposed Code as written.

Approval of the proposed Code will enhance the commitment of Grand Junction to its Industrial Pretreatment Program and is consistent with the City's CDPS permit.

Should you have any questions or if I may otherwise be of assistance on this or any other matter, please let me know.

OFFICE OF THE CITY ATTORNEY

By: _____
John P. Shaver
City Attorney

Attachment

13.04.370 Industrial pretreatment program – Prohibited discharges and limitations.

(a) **General Discharge Prohibitions.** An industrial user may not introduce into a POTW any pollutant(s) which cause(s) pass through or interference. These general prohibitions and the specific prohibitions in subsection (b) of this section apply to each industrial user, unless otherwise specified, introducing pollutants into a POTW whether or not the industrial user is subject to other pretreatment standards or requirements.

(b) **Specific Prohibitions.**

(1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR Section 261.21. The City Manager may require industrial users with the potential to discharge flammable, combustible or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two successive readings on an explosion hazard meter at the point of discharge shall be more than five percent, or any one reading more than 10 percent, of the lower explosive limit (LEL) of the meter.

(2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 S.U., unless the works is specifically designed to accommodate such discharges.

(3) Any solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.

(4) Any pollutant, including oxygen demanding pollutants (BOD₅, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees Celsius (104°F) unless the EPA, upon request of the POTW, approves alternate temperature limits. No liquid or vapor having a temperature higher than 140 degrees Fahrenheit or exceeding any lower limit fixed by the City Manager to prevent odor nuisance shall be discharged.

(6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points designated by the City. The discharge of any trucked or hauled waste originating outside of Mesa County is prohibited.

(9) The following nondomestic discharge limitations are established to protect sludge quality and prevent pass through and interference with the proper operation of the POTW. These limits are shown in maximum allowable concentrations:

(i)	Benzene	50.0 µg/L
(ii)	BTEX (aggregate parameter of benzene, ethyl benzene, toluene, and xylene)	750 µg/L
(iii)	Fats, oil and grease (animal/vegetable) (HEM polar)	200 mg/L
(iv)	Total petroleum hydrocarbons (SGT-HEM-non-polar)	50 mg/L

(10) Sludge or other material from sewage or industrial waste treatment plants or from water treatment plants, unless agreed to by the City Manager.

(11) Water accumulated in excavations or accumulated as the result of grading, water taken from the ground by well points or any other drainage associated with construction without prior approval by the City Manager.

(12) Bulk, expired, outdated or concentrated prescription or nonprescription drugs. Hazardous waste pharmaceuticals or DEA controlled substances to the POTW by a healthcare facility or reverse distributor pursuant to 40 CFR Section 266.505.

(13) Any waters or wastes containing grease or oil or other substances that will solidify or become discernibly viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.

(14) Any waters or wastes that contain concentrated dye waste or other waste that is either highly colored or could become highly colored by reacting with any other waste, and which is not removable in the POTW.

(15) Any waters or wastes that contain a corrosive, noxious or malodorous gas or substance which, either singly or by reaction with other wastes, is capable of causing damage to the system or to any part thereof, of creating a public nuisance or hazard, or of preventing entry into the sewers for maintenance and repair.

(16) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Manager in compliance with applicable State or federal regulations.

(17) A slug discharge as defined in GJMC [13.04.360\(a\)](#).

(18) Stormwater drainage from ground resulting in infiltration and inflow (I&I) through the industrial user's service line(s) or surface, roof drains, catch basins, unroofed area drains (e.g., commercial car washing facilities) or any other source unless otherwise approved by the City Manager. Specifically prohibited is the connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to the City's wastewater collection system. No industrial user shall connect or discharge water from underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavation or grading or any other water associated with construction activities.

(19) Any pollutant or discharge directly into a manhole or other opening in the POTW unless specifically authorized by the City Manager or as otherwise permitted under this code. Prohibited is the opening of a manhole or discharging into any opening in violation of this code.

(20) Liquid wastes from chemical toilets and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the City to collect such wastes.

(21) No chemicals, materials, or substances, including but not limited to paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other sewer openings. Containers shall be clearly labeled and stored in a place where the chemicals, materials, substances or wastes, in case of leakage or rupture of the container, cannot enter the wastewater collection system. The storage of any chemicals, materials, substances or wastes that leak or have potential to leak or discharge into the wastewater collection system which may create an explosion hazard or in any way have a deleterious effect to the POTW or constitute a nuisance or a hazard to POTW personnel, the general public, the environment, or the receiving stream shall be prohibited.

(22) Any water contaminated as a result of discharge from aboveground and/or underground gasoline, diesel fuels, fuel oil, kerosene, and jet fuel tanks, tank accessories, and/or pipelines without applying for and obtaining a permit prior to discharge.

(23) Any wastes containing detergents, surface-active agents, or other substances in concentrations which causes or may cause excessive foaming in the POTW or cause or contribute to interference or pass through.

(24) Any pollutant or wastewater containing pollutants with UV (254 nm) absorbing substances which causes or may cause interference with UV disinfection at the WWTP.

(25) Wastes that have been collected and/or held in a tank or other container and where such wastes fail to comply with any pretreatment standard or requirement.

(26) Discharge of nonylphenol from the use of bulk or concentrated nonylphenol containing detergents as employed by some industrial or commercial laundries, car washes or asphalt manufacturers or other industrial users.

(27) Discharge of any wastewater containing perchloroethylene (PCE) (also known as tetrachloroethene and tetrachloroethylene) from any industrial user involved in the dry cleaning business.

(c) Dilution is prohibited as a substitute for treatment; dilution when used or attempted as a substitution for treatment shall be a violation of this code. Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no industrial user shall ever increase the use of process water or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or pretreatment requirement. The City may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

(d) Specific Discharge Limitations

No Significant Industrial User (SIU) or other designated non-SIU shall discharge or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Pollutant	Daily Maximum Discharge Limits ⁽¹⁾ (mg/L as Total)
Arsenic	0.244
Cadmium	0.145
Chromium	4.12
Copper	4.10
Lead	0.89
Mercury	0.0075
Nickel	4.39
Selenium	0.16
Silver	0.432
Zinc	4.05

(1) Maximum Allowable Industrial Loading (MAIL). The City may implement local limits through allocation of the MAIL to SIUs and specific permitted non-SIUs that correspond to the uniform concentration local limits shown in the table above and are hereby incorporated by reference. The MAILs are shown in the document "Persigo Wastewater Treatment Facility, Grand Junction, CO Local Limits" dated July 24, 2019.

(e) **Surcharge.** Industrial users that discharge wastewater that exceeds normal domestic strength wastewater as defined in GJMC [13.04.010](#) may be surcharged in accordance with adopted surcharge rates for flow, BOD₅ and/or TSS (see GJMC [13.04.250](#)). In no case shall a surcharge be allowed that causes a violation of the general or specific prohibitions or an industrial discharge permit, results in a mass-based local limit to be exceeded, causes the WWTP hydraulic or treatment capacity to be exceeded or results in a violation of a categorical pretreatment standard.

(f) All industrial users subject to a categorical pretreatment standard shall comply with all requirements of such standard, and shall also comply with any limitations contained in this code. Where the same pollutant is limited by more than one pretreatment standard, the limitations which are more stringent shall prevail. Compliance with categorical pretreatment standards shall be in the timeframe specified in the applicable categorical pretreatment standard.

(g) The City may establish more stringent pollutant limits, additional site-specific pollutant limits, best management practices, and/or additional pretreatment requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of this code.

(h) **Promulgation of Standards.**

(1) Upon the promulgation of the federal categorical pretreatment standard for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed by this code for sources in that subcategory, shall immediately supersede the limitations imposed by this code as required by the applicable categorical pretreatment standard.

(2) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal pretreatment standard and pretreatment requirements or those in this code.

(Ord. 4640, 11-5-14; Ord. 4574, 4-3-13)

13.04.370 Industrial pretreatment program – Prohibited discharges and limitations.

(a) **General Discharge Prohibitions.** An industrial user may not introduce into a POTW any pollutant(s) which cause(s) pass through or interference. These general prohibitions and the specific prohibitions in subsection (b) of this section apply to each industrial user, unless otherwise specified, introducing pollutants into a POTW whether or not the industrial user is subject to other pretreatment standards or requirements.

(b) **Specific Prohibitions.**

(1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR Section 261.21. The City Manager may require industrial users with the potential to discharge flammable, combustible or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two successive readings on an explosion hazard meter at the point of discharge shall be more than five percent, or any one reading more than 10 percent, of the lower explosive limit (LEL) of the meter.

(2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 S.U., unless the works is specifically designed to accommodate such discharges.

(3) Any solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.

(4) Any pollutant, including oxygen demanding pollutants (BOD₅, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees Celsius (104°F) unless the EPA, upon request of the POTW, approves alternate temperature limits. No liquid or vapor having a temperature higher than ~~150~~ 140 degrees Fahrenheit or exceeding any lower limit fixed by the City Manager to prevent odor nuisance shall be discharged.

(6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points designated by the City. The discharge of any trucked or hauled waste originating outside of Mesa County is prohibited.

(9) The following nondomestic discharge limitations are established to protect sludge quality and prevent pass through and interference with the proper operation of the POTW. These limits are shown in maximum allowable concentrations:

(i)	Cyanide	1.2 mg/L
(ii) (i)	Benzene	50.0 µg/L
(iii) (ii)	BTEX (aggregate parameter of benzene, ethyl benzene, toluene, and xylene)	750 µg/L
(iv) (iii)	Fats, oil and grease (animal/vegetable) (HEM polar)	200 mg/L
(v) (iv)	Total recoverable petroleum hydrocarbons (SGT-HEM non-polar)	50 mg/L

(10) Sludge or other material from sewage or industrial waste treatment plants or from water treatment plants, unless agreed to by the City Manager.

(11) Water accumulated in excavations or accumulated as the result of grading, water taken from the ground by well points or any other drainage associated with construction without prior approval by the City Manager.

(12) Bulk, expired, outdated or concentrated prescription or nonprescription drugs.

(13) Any waters or wastes containing grease or oil or other substances that will solidify or become discernibly viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.

(14) Any waters or wastes that contain concentrated dye waste or other waste that is either highly colored or could become highly colored by reacting with any other waste, and which is not removable in the POTW.

(15) Any waters or wastes that contain a corrosive, noxious or malodorous gas or substance which, either singly or by reaction with other wastes, is capable of causing damage to the system or to any part thereof, of creating a public nuisance or hazard, or of preventing entry into the sewers for maintenance and repair.

(16) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Manager in compliance with applicable State or federal regulations.

- (17) A slug discharge as defined in GJMC [13.04.360\(a\)](#).
- (18) Stormwater drainage from ground resulting in infiltration and inflow (I&I) through the industrial user's service line(s) or surface, roof drains, catch basins, unroofed area drains (e.g., commercial car washing facilities) or any other source unless otherwise approved by the City Manager. Specifically prohibited is the connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to the City's wastewater collection system. No industrial user shall connect or discharge water from underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavation or grading or any other water associated with construction activities.
- (19) Any pollutant or discharge directly into a manhole or other opening in the POTW unless specifically authorized by the City Manager or as otherwise permitted under this code. Prohibited is the opening of a manhole or discharging into any opening in violation of this code.
- (20) Liquid wastes from chemical toilets and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the City to collect such wastes.
- (21) No chemicals, materials, or substances, including but not limited to paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other sewer openings. Containers shall be clearly labeled and stored in a place where the chemicals, materials, substances or wastes, in case of leakage or rupture of the container, cannot enter the wastewater collection system. The storage of any chemicals, materials, substances or wastes that leak or have potential to leak or discharge into the wastewater collection system which may create an explosion hazard or in any way have a deleterious effect to the POTW or constitute a nuisance or a hazard to POTW personnel, the general public, the environment, or the receiving stream shall be prohibited.
- (22) Any water contaminated as a result of discharge from aboveground and/or underground gasoline, diesel fuels, fuel oil, kerosene, and jet fuel tanks, tank accessories, and/or pipelines without applying for and obtaining a permit prior to discharge.
- (23) Any wastes containing detergents, surface-active agents, or other substances in concentrations which causes or may cause excessive foaming in the POTW or cause or contribute to interference or pass through.
- (24) Any pollutant or wastewater containing pollutants with UV (254 nm) absorbing substances which causes or may cause interference with UV disinfection at the WWTP.
- (25) Wastes that have been collected and/or held in a tank or other container and where such wastes fail to comply with any pretreatment standard or requirement.

(26) Discharge of nonylphenol from the use of bulk or concentrated nonylphenol containing detergents as employed by some industrial or commercial laundries, car washes or asphalt manufacturers or other industrial users.

(27) Discharge of any wastewater containing perchloroethylene (PCE) (also known as tetrachloroethene and tetrachloroethylene) from any industrial user involved in the dry cleaning business.

(c) Dilution is prohibited as a substitute for treatment; dilution when used or attempted as a substitution for treatment shall be a violation of this code. Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no industrial user shall ever increase the use of process water or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or pretreatment requirement. The City may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

(d) **Specific Discharge Limitations** ~~– Mass-Based Local Limits.~~

~~The following table shows the total Maximum Allowable Industrial Load (MAIL) in pounds per day that can be allocated to all significant industrial users and other permitted industrial users. The City, at its sole discretion, will establish the industry specific allocation in the industrial user's industrial discharge permit as a mass or concentration-based limit. It shall be unlawful for any significant industrial user or other permitted industrial user to discharge or cause to be discharged any waste or wastewater that exceeds the allocations established by the City.~~

No Significant Industrial User (SIU) or other designated non-SIU shall discharge or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Pollutant	Total Maximum Allowable Industrial Load (lbs/day) <u>Daily Maximum Discharge Limits ⁽¹⁾</u> <u>(mg/L as Total)</u>
Arsenic	0.86 <u>0.244</u>
Cadmium	0.49 <u>0.145</u>
Chromium	89.92 <u>4.12</u>
Copper	12.28 <u>4.10</u>
Lead	6.57 <u>0.89</u>
Mercury	0.019 <u>0.0075</u>
Nickel	9.07 <u>4.39</u>
Selenium	0.14 <u>0.16</u>

Pollutant	Total Maximum Allowable Industrial Load (lbs/day) <u>Daily Maximum Discharge Limits ⁽¹⁾</u> <u>(mg/L as Total)</u>
Silver	1.83 <u>0.432</u>
Zinc	53.4 <u>4.05</u>

- (1) Maximum Allowable Industrial Loading (MAIL). The City may implement local limits through allocation of the MAIL to SIUs and specific permitted non-SIUs that correspond to the uniform concentration local limits shown in the table above and are hereby incorporated by reference. The MAILs are shown in the document “Persigo Wastewater Treatment Facility, Grand Junction, CO Local Limits” dated July 24, 2019.

(e) **Surcharge.** Industrial users that discharge wastewater that exceeds normal domestic strength wastewater as defined in GJMC [13.04.010](#) may be surcharged in accordance with adopted surcharge rates for flow, BOD₅ and/or TSS (see GJMC [13.04.250](#)). In no case shall a surcharge be allowed that causes a violation of the general or specific prohibitions or an industrial discharge permit, results in a mass-based local limit to be exceeded, causes the WWTP hydraulic or treatment capacity to be exceeded or results in a violation of a categorical pretreatment standard.

(f) All industrial users subject to a categorical pretreatment standard shall comply with all requirements of such standard, and shall also comply with any limitations contained in this code. Where the same pollutant is limited by more than one pretreatment standard, the limitations which are more stringent shall prevail. Compliance with categorical pretreatment standards shall be in the timeframe specified in the applicable categorical pretreatment standard.

(g) The City may establish more stringent pollutant limits, additional site-specific pollutant limits, best management practices, and/or additional pretreatment requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of this code.

(h) **Promulgation of Standards.**

(1) Upon the promulgation of the federal categorical pretreatment standard for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed by this code for sources in that subcategory, shall immediately supersede the limitations imposed by this code as required by the applicable categorical pretreatment standard.

(2) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal pretreatment standard and pretreatment requirements or those in this code.

(Ord. 4640, 11-5-14; Ord. 4574, 4-3-13)

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCES 4640 AND 4574 RELATING TO CHAPTER
13, ARTICLE 4 OF THE GRAND JUNCTION MUNICIPAL CODE PERTAINING TO
PRETREATMENT REGULATIONS

RECITALS:

The 2018 discharge permit required the City to perform an evaluation of the City's local limits for aluminum, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, zinc along with biochemical oxygen demand, total suspended solids, total dissolved solids, phosphorus and ammonia. The City performed the local limits evaluation, based on Outfall 002A which is the newly installed diffuser to the Colorado River; installation of the diffuser, among other things, increases the total amount of these metals that permitted Industrial Users may lawfully discharge.

The revised Uniform Concentration Based Local Limits for metals are subject to formal approval by the United States Environmental Protection Agency (USEPA.) The uniform concentration based Local Limits for Metals provided by this ordinance is subject to a 30-day federal public notice and public comment process. The USEPA has informally reviewed and approved the proposed Local Limits.

In compliance with the USEPA requirements, City staff has proposed the revisions relating to industrial pretreatment to the Grand Junction Municipal Code ("Code" or "GJMC") and now recommends that the City Council approve the proposed changes to the Code.

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

Chapter 13 of the Code is amended as shown below.

13.04.370 Industrial pretreatment program – Prohibited discharges and limitations.

(a) General Discharge Prohibitions. An industrial user may not introduce into a POTW any pollutant(s) which cause(s) pass through or interference. These general prohibitions and the specific prohibitions in subsection (b) of this section apply to each industrial user, unless otherwise specified, introducing pollutants into a POTW whether or not the industrial user is subject to other pretreatment standards or requirements.

(b) Specific Prohibitions.

- (1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR Section 261.21. The City Manager may require industrial users with the potential to discharge flammable, combustible or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two successive readings on an explosion hazard meter at the point of discharge shall be more than five percent, or any one reading more than 10 percent, of the lower explosive limit (LEL) of the meter.
- (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 S.U., unless the works is specifically designed to accommodate such discharges.
- (3) Any solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.
- (4) Any pollutant, including oxygen demanding pollutants (BOD5, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
- (5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees Celsius (104°F) unless the EPA, upon request of the POTW, approves alternate temperature limits. No liquid or vapor having a temperature higher than 140 degrees Fahrenheit or exceeding any lower limit fixed by the City Manager to prevent odor nuisance shall be discharged.
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (8) Any trucked or hauled pollutants, except at discharge points designated by the City. The discharge of any trucked or hauled waste originating outside of Mesa County is prohibited.
- (9) The following nondomestic discharge limitations are established to protect sludge quality and prevent pass through and interference with the proper operation of the POTW. These limits are shown in maximum allowable concentrations:
 - (i) Benzene 50.0 µg/L
 - (ii) BTEX (aggregate parameter of benzene, ethyl benzene, toluene, and xylene) 750 µg/L
 - (iii) Fats, oil and grease (animal/vegetable) (HEM polar) 200 mg/L
 - (iv) Total petroleum hydrocarbons (SGT-HEM-non-polar) 50 mg/L

(10) Sludge or other material from sewage or industrial waste treatment plants or from water treatment plants, unless agreed to by the City Manager.

(11) Water accumulated in excavations or accumulated as the result of grading, water taken from the ground by well points or any other drainage associated with construction without prior approval by the City Manager.

(12) Bulk, expired, outdated or concentrated prescription or nonprescription drugs. Hazardous waste pharmaceuticals or DEA controlled substances to the POTW by a healthcare facility or reverse distributor pursuant to 40 CFR Section 266.505.

(13) Any waters or wastes containing grease or oil or other substances that will solidify or become discernibly viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.

(14) Any waters or wastes that contain concentrated dye waste or other waste that is either highly colored or could become highly colored by reacting with any other waste, and which is not removable in the POTW.

(15) Any waters or wastes that contain a corrosive, noxious or malodorous gas or substance which, either singly or by reaction with other wastes, is capable of causing damage to the system or to any part thereof, of creating a public nuisance or hazard, or of preventing entry into the sewers for maintenance and repair.

(16) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Manager in compliance with applicable State or federal regulations.

(17) A slug discharge as defined in GJMC 13.04.360(a).

(18) Stormwater drainage from ground resulting in infiltration and inflow (I&I) through the industrial user's service line(s) or surface, roof drains, catch basins, unroofed area drains (e.g., commercial car washing facilities) or any other source unless otherwise approved by the City Manager. Specifically prohibited is the connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to the City's wastewater collection system. No industrial user shall connect or discharge water from underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavation or grading or any other water associated with construction activities.

(19) Any pollutant or discharge directly into a manhole or other opening in the POTW unless specifically authorized by the City Manager or as otherwise permitted under this code. Prohibited is the opening of a manhole or discharging into any opening in violation of this code.

(20) Liquid wastes from chemical toilets and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the City to collect such wastes.

(21) No chemicals, materials, or substances, including but not limited to paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other sewer openings. Containers shall be clearly labeled and stored in a place where the chemicals, materials, substances or wastes, in case of leakage or rupture of the container, cannot enter the wastewater collection system. The storage of any chemicals, materials, substances or wastes that leak or have potential to leak or discharge into the wastewater collection system which may create an explosion hazard or in any way have a deleterious effect to the POTW or constitute a nuisance or a hazard to POTW personnel, the general public, the environment, or the receiving stream shall be prohibited.

(22) Any water contaminated as a result of discharge from aboveground and/or underground gasoline, diesel fuels, fuel oil, kerosene, and jet fuel tanks, tank accessories, and/or pipelines without applying for and obtaining a permit prior to discharge.

(23) Any wastes containing detergents, surface-active agents, or other substances in concentrations which causes or may cause excessive foaming in the POTW or cause or contribute to interference or pass through.

(24) Any pollutant or wastewater containing pollutants with UV (254 nm) absorbing substances which causes or may cause interference with UV disinfection at the WWTP.

(25) Wastes that have been collected and/or held in a tank or other container and where such wastes fail to comply with any pretreatment standard or requirement.

(26) Discharge of nonylphenol from the use of bulk or concentrated nonylphenol containing detergents as employed by some industrial or commercial laundries, car washes or asphalt manufacturers or other industrial users.

(27) Discharge of any wastewater containing perchloroethylene (PCE) (also known as tetrachloroethene and tetrachloroethylene) from any industrial user involved in the dry cleaning business.

(c) Dilution is prohibited as a substitute for treatment; dilution when used or attempted as a substitution for treatment shall be a violation of this code. Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no industrial user shall ever increase the use of process water or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or pretreatment requirement. The City may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

(d) Specific Discharge Limitations

No Significant Industrial User (SIU) or other designated non-SIU shall discharge or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Pollutant

Daily Maximum Discharge Limits (1)

(mg/L as Total)

Arsenic 0.244

Cadmium 0.145

Chromium 4.12

Copper 4.10

Lead 0.89

Mercury 0.0075

Nickel 4.39

Selenium 0.16

Silver 0.432

Zinc 4.05

(1) Maximum Allowable Industrial Loading (MAIL). The City may implement local limits through allocation of the MAIL to SIUs and specific permitted non-SIUs that correspond to the uniform concentration local limits shown in the table above and are hereby incorporated by reference. The MAILs are shown in the document “Persigo Wastewater Treatment Facility, Grand Junction, CO Local Limits” dated July 24, 2019.

(e) Surcharge. Industrial users that discharge wastewater that exceeds normal domestic strength wastewater as defined in GJMC 13.04.010 may be surcharged in accordance with adopted surcharge rates for flow, BOD5 and/or TSS (see GJMC 13.04.250). In no case shall a surcharge be allowed that causes a violation of the general or specific prohibitions or an industrial discharge permit, results in a mass-based local limit to be exceeded, causes the WWTP hydraulic or treatment capacity to be exceeded or results in a violation of a categorical pretreatment standard.

(f) All industrial users subject to a categorical pretreatment standard shall comply with all requirements of such standard, and shall also comply with any limitations contained in this code. Where the same pollutant is limited by more than one pretreatment standard, the limitations which are more stringent shall prevail. Compliance with categorical pretreatment standards shall be in the timeframe specified in the applicable categorical pretreatment standard.

(g) The City may establish more stringent pollutant limits, additional site-specific pollutant limits, best management practices, and/or additional pretreatment requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of this code.

(h) Promulgation of Standards.

(1) Upon the promulgation of the federal categorical pretreatment standard for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed by this code for sources in that subcategory, shall immediately supersede the limitations imposed by this code as required by the applicable categorical pretreatment standard.

(2) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal pretreatment standard and pretreatment requirements or those in this code.

The remainder of Chapter 13, not specifically amended herein, shall remain in full force and effect.

INTRODUCED on this first reading and authorized for publication in pamphlet form this 18th day of September 2019.

Rick Taggart
President of the Council

ATTEST:

Wanda Winkelmann
City Clerk

UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8
Ref: 8WD-CWW

U.S. ENVIRONMENTAL PRO-
TECTION AGENCY
PUBLIC NOTICE

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to advise all interested parties of the City of Grand Junction's – National Pollutant Discharge Elimination System (NPDES) permit Number CO-0040053 request to modify its Industrial Pretreatment Program. The request for program approval includes:

Modification
Update of the technically-based local limits for the service area of the City of Grand Junction's Publicly Owned Treatment Works (POTW). The local limits are found in §13.04.370(d) of the Municipal Code.

This program approval affects the industrial users that discharge to the City of Grand Junction's POTW. An industrial user is any user that discharges non-domestic wastewater to the POTW.

The EPA has determined this approval to be "substantial" for purposes of the General Pretreatment Regulations at 40 CFR Section 403.18. Therefore, the EPA is providing this notice to afford interested persons the opportunity to provide comments on the Pretreatment program modification submitted by the City of Grand Junction and the EPA's intent to approve the modification.

This shall be the only public notice if the EPA determines that no substantial comments are received and the modification to the Pretreatment program will be approved as submitted, provided the documents submitted to the EPA are adopted, ratified, and otherwise made final and effective by the City of Grand Junction. Upon approval, this Pretreatment program modification shall be incorporated into the NPDES permit and is a minor modification of the NPDES permit as specified in 40 CFR Section 122.63(g). The EPA intends to approve all changes that reflect direct Federal authority as shown at 40 CFR Part 403.

SUMMARY INFORMATION

The federal Clean Water Act established the NPDES permit program to regulate the discharge of pollutants by persons to waters of the United States. In addition, the Act established toxic pollutant and pretreatment standards and requirements for Industrial Users (sources of non-domestic indirect discharge) of POTWs. The implementing regulations may be found at 40 CFR Part 403. POTWs with either a design flow greater than five million gallons per day, significant industrial user contributions, or otherwise designated by the NPDES program director, must actively regulate their industrial users and assure compliance by these users with all applicable federal and local Pretreatment Standards and requirements.

The requirement for a POTW to properly implement its program is an enforceable provision of its NPDES permit.

FURTHER INFORMATION AND
COMMENTS

Persons wishing to review the program modification submitted by the City of Grand Junction, may contact in writing:

Al Garcia, Pretreatment Coordinator
U.S. EPA Region 8, Wastewater Unit
Mail Code: 8WD-CWW

1595 Wynkoop
Denver, Colorado 80202-1129
Interested parties may also call Al Garcia at (303) 312-6382 or garcia.al@epa.gov. These documents are available for inspection at the address above. Comments regarding this modification must be postmarked no later than 30 days from the date of this public notice.
Published: October 18, 2019.



Grand Junction City Council

Regular Session

Item #6.a.ii.

Meeting Date: November 6, 2019
Presented By: Lance Gloss, Associate Planner
Department: Community Development
Submitted By: Lance Gloss, Associate Planner

Information

SUBJECT:

An Ordinance to Adopt the 2019 Grand Junction, Colorado, Downtown Development Authority Plan of Development Entitled "Vibrant Together"

RECOMMENDATION:

The Planning Commission heard this item at their October 8 meeting and forwarded a recommendation of approval with a unanimous vote of 5-0.

EXECUTIVE SUMMARY:

The Plan of Development (POD) for the Grand Junction, Colorado, Downtown Development Authority (DDA) was originally adopted in 1981 and needs to be updated to address evolving conditions in the Downtown. The POD is the product of public outreach, stakeholder discussions, design workshops, and the cooperation of agencies, consultants, and the City of Grand Junction. The POD identifies conditions in the Downtown area that pose negative effects on property values and the quality of residents' experiences within the Downtown. The POD also identifies means of improving the Downtown area, particularly the area within the boundary of the Downtown Partnership, which is comprised of the Grand Junction, Colorado, Downtown Development Authority and the Downtown Grand Junction Business Improvement District. The Plan identifies three core aims for improving Downtown: Connectivity; Place-making; and Infill Development. The plan specifies strategies for achievement of these aims, and includes actions, policies, and programs comprising each strategy.

The Board of the Downtown Partnership reviewed the POD at its September 26, 2019 meeting and unanimously (in a 7-0 vote) recommended its approval. C.R.S. 31-25-

807(4)(b) requires review and recommendation by the Planning Commission and adoption by the City Council.

The Planning Commission heard this item at their October 8 meeting and forwarded a recommendation of approval with a unanimous vote of 5-0.

BACKGROUND OR DETAILED INFORMATION:

The purpose of the Grand Junction DDA is to “plan and propose public facilities and other improvements to public and private property of all kinds which will aid and improve the Downtown development area with the goal of preventing and remediating slum and blight within the DDA boundaries.” Further, in cooperation with the planning board and the planning department of the municipality, the DDA is enabled to develop long-range plans designed to carry out the purposes of the authority (as stated in C.R.S. 31-25-801) and to promote the economic growth of the district and may take such steps as may be necessary to persuade property owners and business proprietors to implement such plans to the fullest extent possible.

As identified in Section V of the existing 1981 Plan of Development, the purpose of the Plan of Development is to establish a mechanism whereby the Authority and City can implement projects and programs that aid in halting the economic and physical decline of the Plan of Development area and Commercial Renovation Districts, and assist in the revitalization of and reinvestment in the Downtown generally.

Many of the projects and programs identified in the 1981 POD have been initiated and completed. Significant changes have also occurred the physical, cultural, and economic landscape of the Downtown. These conditions merit a reconsideration of priorities and the development of a new plan for the future of Downtown. Thus, the proposed 2019 Plan of Development identifies three purposes for the updated plan: To provide a unified vision for Downtown; To identify projects that advance the vision; and To bring local leaders together in pursuit of that vision.

The POD is designed and intended to function as the guiding document for the Downtown Partnership, which is comprised of the Grand Junction, Colorado, Downtown Development Authority and the Downtown Grand Junction Business Improvement District.

The POD was produced over a year, including a six-month period of community engagement from February 2018 to September 2019. Online and social media surveys, focus group meetings, stakeholder meetings, a Community Open House, and other outreach methods were employed to solicit input. Included in this effort was the work of a member Community Action Team of approximately 60 members that met regularly to review progress and to provide guidance and input on the process, deliverables and draft plan. Overall, approximately 25,000 people were reached online and over 500

community members were engaged in person. Direct links between the public outreach data collected and the aims and strategies in the Plan are evident throughout the Plan document.

Beyond identifying conditions that require remediation, the proposed POD proposes three high-level aims intended to afford maximum opportunity for improving conditions in the Downtown. These are connectivity; place-making; and infill development.

“Connectivity” as used in the POD means the safe and comfortable movement of people, bikes, and cars along and among streets. Among proposals for improving connectivity in the POD, those highlighted include: converting 4th and 5th Streets into two-way streets; improving bicycle and pedestrian infrastructure with an emphasis on access to the river; developing a promenade on 2nd Street; and initiating studies and projects to improve wayfinding.

“Place-making” as used in the POD means the impression of Downtown as a distinguishable environment, including the experiences, events, and interactions that are definitive of that area. Some proposals for encouraging place-making in the Downtown include: efforts to activate Colorado Avenue between 4th and 7th Streets; new events and event spaces Downtown; the activation of alleys through the arts and alley-facing storefronts; low-cost design interventions to reduce socially unacceptable behaviors in Whitman Park; greater efficiency of parking areas; and adaptive reuse of existing structures.

“Infill development” as used in the POD means redevelopment, new development, and adaptive reuse of existing structures within the Downtown, with an emphasis on the connections between Main Street, the largely industrial Rail District, and the presently redeveloping riverfront. Some high-priority proposals for encouraging infill development in the Downtown include: to support existing businesses and attract new ones; to develop a grant program to promote small scale local reinvestment in Downtown; to adjust codes and policies presently limiting development, such as parking requirements; to leverage the financial tools of the Downtown Partnership; and for the DDA to become involved in a catalytic development project(s).

The Board of the Downtown Partnership met on September 26, 2019 to review the new Plan of Development. Seven board members voted to approve the Vibrant Together plan, and none dissented, thus the Resolution to approve the POD passed unanimously.

V. NOTIFICATION REQUIREMENTS

As required by C.R.S. 31-25-807(4)(c), prior to its approval of a Plan of Development, notice was provided that a public hearing on this Plan of Development in the form of

one publication in the Grand Junction Daily Sentinel, the newspaper having general circulation in the municipality. The notice described the time, date, place, and purpose of the hearing, generally identified the plan of development area covered by the plan, and outlined the general scope of the projects under consideration.

VI. ANALYSIS

Pursuant to C.R.S. 31-25-807(4)(b), prior to its approval of a Plan of Development, the governing body shall submit such plan to the planning board of the municipality, if any, for review and recommendations. This planning board is recognized as the City's Planning Commission. Further, the planning board shall submit its written recommendations with respect to the proposed plan of development to the governing body within thirty days after receipt of the plan for review.

In accordance with C.R.S. 31-25-802(5.5) the governing body of the DDA is the City Council. As provided in the C.R.S., the governing body shall hold a public hearing on a plan of development or substantial modification of an approved plan of development. Following such a hearing, the governing body may approve a plan of development if it finds that there is a need to take corrective measures in order to halt or prevent deterioration of property values or structures within the plan of development area or to halt or prevent the growth of blighted areas therein, or any combination thereof, and if it further finds that the plan will afford maximum opportunity, consistent with the sound need and plans of the municipality as a whole, for the development or redevelopment of the plan of development area by the authority and by private enterprise.

Conditions in the Downtown have changed significantly since the 1981 POD was implemented 38 years ago. Whereas the 1981 POD emphasized the reversal of trends toward blight and included redevelopment goals of a relatively limited scope, the proposed 2019 POD focuses on perpetuating positive momentum in the Downtown area through projects meant to catalyze investment and participation in the area. However, conditions identified throughout the proposed POD indicate the clear need to take corrective measures to halt, prevent, and reverse blight.

A primary example of blight and potential blight include severely limited housing opportunities relative to demand, due to limited stock and deterioration in quality. A significant amount of property is also vacant and underutilized. The proposed POD demonstrates that more than 60 parcels totaling approximately 45 acres that have been identified as opportunity sites for adaptive/interim uses, urban housing, and vertical mixed use development. Small businesses in the downtown also face challenges to economic development related to deteriorating facades and high rents. Blight conditions also pose challenges to mobility within the Downtown. Likewise, Street connections between centers of activity within the DDA boundary do not afford adequate safety to pedestrians and cyclists due to lack of sidewalks and dedicated bike

lanes, damaged pavement, and inadequate signaling and striping of crosswalks.

Those measures provided for in the proposed POD that are intended to slow and reverse conditions of blight in the Downtown are comprehensive and well-substantiated. Evidence of highly detailed analysis authenticating the potential of such measures can be identified throughout the proposed POD.

VII. STAFF RECOMMENDATION AND FINDINGS OF FACT

Staff has reviewed both the proposed POD and the existing POD. The proposed POD is consistent with the City's overall vision, as included in the Comprehensive Plan, the Greater Downtown Plan, and sections of the Zoning and Development Code specifically related to Downtown. Staff finds that the proposed POD also enters into a higher level of detail than these documents, which is appropriate to enable focused and efficient actions for Downtown development by the authority and by private enterprise. Staff finds that a range of conditions in the downtown district require corrective measures to halt and/or prevent blight, including such measures as to improve housing opportunities, economic opportunities, and mobility within the downtown. Staff also finds the plan will afford maximum opportunity, consistent with the needs and plans of the municipality as a whole, for the development or redevelopment of the Downtown Development Authority's area.

Staff therefore recommends approval of this proposal to supersede and replace the Downtown Development Authority's Plan of Development with the "Vibrant Together" plan with the following findings of fact:

1. The plan complies with C.R.S. 31-25-802 in that there is a need to take corrective measures in order to halt or prevent deterioration of property values or structures within the plan of development area or to halt or prevent the growth of blighted areas therein, or any combination thereof, and
2. Further finds that the plan will afford maximum opportunity, consistent with the sound need and plans of the municipality as a whole, for the development or redevelopment of the plan of development area by the authority and by private enterprise.

FISCAL IMPACT:

There is no fiscal impact related to this planning document.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4881, an ordinance adopting the Downtown Development Authority 2019 Plan of Development entitled "Vibrant Together" on final passage and order final publication in pamphlet form.

Attachments

1. 1981 DDA Plan of Development
2. Proposed 2019 DDA Plan of Development
3. Map of DDA Boundary
4. Proposed Ordinance _ DDA POD

**EXHIBIT 2 – Grand Junction Downtown Development Authority Plan of
Development dated December 16, 1981**

POD82DDA

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	CONTRACT
NAME OF CONTRACTOR:	DOWNTOWN DEVELOPMENT AUTHORITY (DDA)
SUBJECT/PROJECT:	PLAN OF DEVELOPMENT
CITY DEPARTMENT:	GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY
YEAR:	1982
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

Grand Junction
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

DOWNTOWN DEVELOPMENT AUTHORITY

PLAN OF DEVELOPMENT

FOR GRAND JUNCTION, COLORADO

Including The Designation Of
Commercial Renovation Districts
And A Plan Of Development Area
Within Which
Tax Increment Financing Will Be Utilized

PREPARED BY:

Grand Junction

Downtown Development Authority

DERIVED FROM:

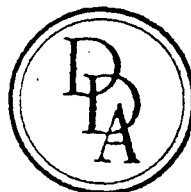
The Grand Junction Downtown

Development Strategy

Prepared By The Consulting Firm

Of Johnson, Johnson & Roy, Inc.

Ann Arbor, Michigan



EFFECTIVE DATE: DECEMBER 16, 1981

CERTIFIED RECORD
OF
PROCEEDINGS
OF
THE CITY COUNCIL
OF
THE CITY OF GRAND JUNCTION, COLORADO
RELATING TO
A RESOLUTION
APPROVING
A
PLAN OF DEVELOPMENT
FOR
GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

STATE OF COLORADO)
)
COUNTY OF MESA) ss.

CITY OF GRAND JUNCTION)

The City Council of the City of Grand Junction, Colorado, held a regular meeting open to the public at the Council Chambers at City Hall, 250 North Fifth Street, Grand Junction, Colorado, on Wednesday, the 16th day of December, 1981, at the hour of 7:30 p.m.

The following members of the City Council, constituting a quorum thereof, were present:

<u>Name</u>	<u>Title</u>
Louis R. Brach	President
Frank Dunn	President Pro-Tem
Gary Lucero	Member
Karl Johnson	Member
Robert Holmes	Member
Betsy Clark	Member

The following members of the City Council were absent:

None

The following persons were also present:

Neva B. Lockhart, City Clerk
James E. Wysocki, City Manager
Gerald J. Ashby, City Attorney

The President declared that this was the time and place for a public hearing on the proposed Plan of Development for Grand Junction, Colorado, Downtown Development Authority.

The City Clerk reported that a notice of this hearing in the form required by Section 31-25-807(4)(c), Colorado Revised Statutes 1973, as amended, was given by publication once by one publication during the week immediately preceding this hearing in The Daily Sentinel, Grand Junction, Colorado, a newspaper having a general circulation in the City. The form of the notice and the proof of publication thereof were approved by the City Council and are attached hereto as pages 16 and 17, respectively.

Thereupon all persons having comments on the proposed Plan of Development we afforded the opportunity to be heard. The names of such persons and the substance of their remarks are as follows:

Thereupon, Council Member Holmes introduced and moved the adoption of the following Resolution:

RESOLUTION

A RESOLUTION APPROVING A PLAN OF DEVELOPMENT
FOR GRAND JUNCTION, COLORADO, DOWNTOWN
DEVELOPMENT AUTHORITY.

WHEREAS, Grand Junction, Colorado, Downtown Development Authority (the Authority) has studied conditions within the central business district of the City of Grand Junction (the City); and

WHEREAS, said study has resulted in the preparation of a Downtown Development Strategy; and

WHEREAS, the Authority is authorized to plan and propose public facilities and other improvements to public and private property of all kinds which will aid and improve the downtown development area; and

WHEREAS, Johnson, Johnson & Roy, Inc., authors of the Downtown Development Strategy reported therein that blight exists within the downtown development area; and

WHEREAS, the plan of development attached hereto as Exhibit A (the Plan of Development) was presented to the Board of Directors of the Authority for its consideration; and

WHEREAS, Mesa County Valley School District No. 51, within which the entire plan of development area (the Plan of Development Area) designated in the Plan of Development lies, was permitted to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for the utilization of tax increment financing; and

WHEREAS, the Authority held a public meeting on the Plan of Development on November 13, 1981, which meeting was preceded by a notice of the meeting published in The Daily Sentinel on November 11, 1981; and

WHEREAS, the Authority adopted the Plan of Development by resolution on December 2, 1981; and

WHEREAS, the Plan of Development was presented to the City Council (the City Council) on December 2, 1981, at which time the City Council referred the Plan of Development to the City Planning Commission for its review and recommendations; and

WHEREAS, the Planning Commission has made written its recommendations to the City Council concerning the Plan of Development, which recommendations are attached hereto at page 18; and

WHEREAS, a notice of a public hearing before the City Council was given by publication once by one publication during the week immediately preceding the hearing in The Daily Sentinel, a newspaper having a general circulation in the City, on December 11, 1981; and

WHEREAS, a public hearing was held before the City Council on December 16, 1981, wherein comments were taken from those in attendance concerning the Plan of Development; and

WHEREAS, the City Council has been adequately informed in this matter because of public input prior to the completion of the Plan of Development, the public hearing on the Plan of Development, the evidence presented in the Downtown Development Strategy and the Plan of Development, a review of the Grand

Junction Downtown Development Plan Information Base, and the personal knowledge of the members of the City Council,

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

Section 1. The City Council hereby finds and determines as follows:

A) There is a presence of a substantial number of deteriorated or deteriorating structures within the Authority as shown by:

1) Of the buildings within the Authority, approximately 85% are 30 or more years old, and although generally sound, they will require various amounts of renovation to meet present fire and building codes;

2) There are presently older buildings that are vacant, and therefore deteriorating from lack of use, located at the southeast corner of Fifth and Main, the northwest corner of Fourth and Main, the southeast corner of Third and Main and the middle of the block between Second and Third on Main; and

3) Approximately 18.8% of the retail space available is vacant, even though demand is high in areas outside the central business districts;

B) There is a predominance of defective or inadequate street layout as shown by:

1) The lack of adequate long-term parking because of time limits on meters; and

2) The existence of one-way streets on Rood and Colorado and Fourth and Fifth, which cause drivers to travel

from four to six blocks out of their way to reach desired destinations because of the effect of the one-way streets combined with the effect of restricted turning intersections on Main Street; and

3) An under-utilization of parking areas to the south of Main Street while the parking areas to the north of Main Street are over-utilized;

C) There exists faulty lot layout in relation to size, adequacy, accessibility or usefulness as shown by:

1) The lot and block layout in the downtown area developed at an early date and resulted in long, narrow lots with the average lot being 25 feet by 125 feet; a size not compatible with modern architectural approaches;

2) Although west of Seventh Street significant pieces of land have been aggregated for potential development, many potential development sites are still held by a number of individual owners, including trusts and estates, and are subdivided by alleys and streets making it difficult to consolidate the needed land for redevelopment;

3) Of land within the Authority, between one-third and one-half is publicly owned and used for streets, alleys or public buildings, and, therefore, not available for private use and redevelopment;

D) There exists deterioration of site or other improvements as shown by:

1) Sidewalk repairs are necessary within the area.

2) There are deteriorating underdrains in the Shopping Park along Main Street from Third to Fifth Streets;

3) Foundation work on some of the older buildings has deteriorated in the past or is presently in a deteriorated condition, thereby making these buildings more susceptible to damage;

E) Unsanitary or unsafe conditions exist as shown by:

1) Combined sanitary and storm sewers in the downtown area have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition;

2) Older buildings are located near railroad property which encourages transients to seek shelter in or around such older buildings;

3) There is a need to improve and upgrade utilities and sewers in the downtown area before any major redevelopment, for the present system would not be adequate under increased use;

4) The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U.S. Bank Building and on the north side of the 600 block of Main Street, and by the placement of parking areas across an alley from business establishments. Many business have

encouraged the use of back doors as the most direct entrance from a parking area to their establishment. However, the alley surfaces are not adapted to pedestrian travel; there are no crosswalks, the lighting at night is inadequate, and during business hours, there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

5) The presence of older buildings and their ornate building facades encourage pigeons to nest in and around these buildings causing unsanitary conditions to exist around such nesting sites.

6) The alleys are used for utilities upon poles, and this factor, combined with the lack of adequate lighting at night, can encourage burglars to gain access to building roofs by climbing these utility poles.

F) There exist conditions which endanger life or property by fire or other causes as shown by:

1) The use of second stories of buildings as storage areas; and

2) The density of buildings of an older nature along Main Street which increases the opportunity for fire spreading from one building to another because of the lack of adequate fire walls in the design of older buildings.

3) There are no north/south water mains on Second, Third and Fourth, and the east/west mains on Grand, White and Rood are no larger than 6 inches, thereby providing

limited supplies
fire protection.

for

Section 2. The City Council hereby finds and determines that there is a deterioration of property values or structures within the Authority as shown by:

A) A decrease in sales tax revenue in the central downtown area along both sides of Main Street from \$408,088 in 1979 to \$384,140 in 1980, and \$304,338 in 1981 (in the first eight months of the year); and

B) A decrease in the total assessed valuation of the Authority of 9.02% within the last year despite approximately a 6% increase in the size of the Authority because of recent inclusions.

Section 3. Based upon the foregoing, the City Council hereby finds and determines that there exists blight in the Authority within the meaning of Section 31-25-802(1.5), Colorado Revised Statutes 1973, as amended, and that there is a need to take corrective measures in order to halt or prevent the growth of blighted areas within the Plan of Development Area and the commercial renovation districts designated in the Plan of Development.

Section 4. The City Council hereby finds and determines that the approval of the Plan of Development will serve a public use; will promote the health, safety, prosperity, security, and general welfare of the inhabitants of the City and of its central business district; will halt or prevent the deterioration of property values or structures within said

central business district; will halt or prevent the growth of blighted areas within said district; and will assist the City and the Authority in the development and redevelopment of said district and in the overall planning to restore or provide for the continuance of the health thereof; and will be of special benefit to the property within the boundaries of the Authority.

Section 5. The Plan of Development is hereby approved by the City Council, and the Authority is hereby authorized to undertake development projects as described in the Plan of Development.

Section 6. The City Council hereby finds and determines that the Plan of Development will afford maximum opportunity, consistent with the sound needs and plans of the City as a whole, for the development or redevelopment of the Plan of Development Area and the commercial renovation districts designated therein by the Authority and by private enterprise.

Section 7. In accordance with the Plan of Development, there is hereby designated the Plan of Development Area (the boundaries of which are described with particularity on page 9 of the Plan of Development), in connection with which tax increment financing shall be utilized as provided in Section 31-25-807, Colorado Revised Statutes 1973, as amended, for the purposes specified in the Plan of Development.

Section 8. There is hereby created a separate special fund of the City designated as the "Tax Increment Fund" into which shall be deposited the ad valorem and municipal sales tax

increment funds described in Section 31-25-807, Colorado Revised Statutes 1973, as amended, derived from and attributable to development and redevelopment within the Plan of Development Area. Said funds shall be held, invested, reinvested and applied as permitted by law. For the purpose of ascertaining the amount of funds to be deposited in the Tax Increment Fund as provided by law, the County Assessor is hereby requested to certify to the City Council on or before December 31, 1981, the valuation for assessment of the Plan of Development Area as of the effective date of this Resolution. For the same purpose, the City Finance Director is hereby directed to certify to the City Council on or before April 1, 1982, the amount of municipal sales taxes collected within the Plan of Development Area for the period from December 1, 1980, to November 30, 1981.

Section 9. Those parcels described on page 12 of the Plan of Development are a part of a development or redevelopment area designated by the City Council pursuant to Section 39-5-105, Colorado Revised Statutes 1973, as amended, and commercial buildings or structures on such parcels are therefore entitled to the benefits granted under said statute.

Section 10. No public servant of the City who is authorized to take part in any manner in preparing, presenting, or approving the Plan of Development or any contract contemplated thereby has a potential interest in the Plan of Development or any such contract which has not been disclosed in accordance with the requirements of Section 18-8-308, Colorado Revised Statutes 1973, as amended, and no such public servant has

received any pecuniary benefit from the Plan of Development or any such contract.

Section 11. If any provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

Section 12. This Resolution shall be effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this 16th day of December, 1981.

CITY OF GRAND JUNCTION, COLORADO

By: *Louis P. Brink*
President, City Council

(CITY)
(SEAL)

ATTEST:

Neva B. Lockhart, CMK
City Clerk



CITY - COUNTY PLANNING

grand junction-mesa county 559 white ave. rm. 60 grand jct.,colo. 8150

(303) 244-1628

December 12, 1981

TO: Grand Junction City Council

FROM: Planning Commission of Grand Junction

SUBJECT: Plan of Development of Grand Junction, Colorado
Downtown Development Authority

On December 2, 1981, the Grand Junction City Council, pursuant to C.R.S. 1973, SS 31-25-807(4)(b), submitted the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority to the Planning Commission for review and recommendations.

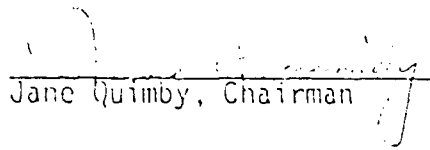
Because of such request, we have obtained copies of the Plan of Development for study and review and have also provided copies to the personnel of the Planning Department for their review. On December 12, 1981, the Planning Commission held a work session at which we considered the comments of the employees of the Planning Department, reviewed the Plan of Development in light of past policies for development and renovation, and considered the questions and comments of the members of the Commission. After this review, we offer the following comments and recommendations:

The Plan of Development, as presented, is a coherent and unified approach to redevelopment and renovation within the downtown area. The Plan of Development does call for certain projects that may require or result in changes in present use and zoning patterns. However, as constituted, the Plan of Development is consistent with the policies adopted by the Commission in the past.

The Plan of Development contains no redevelopment or renovation plans which are not feasible under current policies. Neither does the Plan of Development call for policies or development patterns in conflict with city-wide policies or patterns. It appears to be consistent with the Downtown Development Strategy which has been adopted as an element of the Master Plan for Grand Junction, as well as consistent with other current policies.

On the basis of this review, and the considerations expressed here, the Commission feels that it is not necessary that we specifically enumerate those areas of the Plan with which we are in agreement since the Plan of Development contains no items to which we specifically object. We, therefore, can endorse the Plan of Development as being consistent with existing city policies and recommend that the City hold a Public Hearing on the Plan of Development.

Respectfully submitted,


Jane Quimby, Chairman

RESOLUTION
BY THE
BOARD OF DIRECTORS
OF THE GRAND JUNCTION, COLORADO,
DOWNTOWN DEVELOPMENT AUTHORITY
ADOPTING A PLAN OF DEVELOPMENT

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority has studied conditions within the central business district, pursuant to C.R.S. 1973, § 31-25-807; and

WHEREAS, such study has resulted in the preparation of a Downtown Development Strategy; and

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority is authorized, pursuant to C.R.S. 1973, § 31-25-807, to plan and propose public facilities and other improvements to public and private property which will aid and improve the downtown development area; and

WHEREAS, Johnson, Johnson & Roy, Inc., authors of the Downtown Development Strategy, reported therein that areas of blight exist within the downtown area; and

WHEREAS, a plan of development has been presented to this Board for its consideration; and

WHEREAS, this Board has held a public meeting on such plan of development, which meeting was preceded by a notice of such meeting published in the Daily Sentinel on November 11, 1981, prior to such meeting; and

WHEREAS, Mesa County Valley School District #51, within which the entire area of development designated in the Plan of Development lies, has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for utilization of tax increment financing; and

WHEREAS, the Board has been adequately informed in this matter because of public input prior to the completion of the plan of development, the public meeting on the proposed plan of development, the evidence presented in the Downtown Development Strategy and the plan of development, a review of the Grand Junction Downtown Development Plan Information Base,

and the personal knowledge of the members of this Board;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board hereby finds;

A) There is a presence of a substantial number of deteriorated or deteriorating structures within the Downtown Development Authority as shown by:

1) Of the buildings within the Downtown Development Authority, approximately 85% are 30 or more years old, and although generally sound, will require various amounts of renovation to meet present fire and building codes;

2) There are presently older buildings that are vacant, and therefore, deteriorating from lack of use, located at the southeast corner of Fifth and Main, the northwest corner of Fourth and Main, the southeast corner of Third and Main and the middle of the block between Second and Third on Main; and

3) Approximately 18.8% of the retail space available is vacant, even though demand is high in areas outside the central business district;

B) There is a predominance of defective or inadequate street layout as shown by:

1) The lack of adequate long-term parking because of time limits on meters; and

2) The existence of one-way streets on Rood and Colorado and Fourth and Fifth, which cause drivers to travel from four to six blocks out of their way to reach desired destinations because of the effect of the one-way streets combined with the effect of restricted turning intersections on Main Street; and

3) An under-utilization of parking areas to the south of Main Street while the parking areas to the north of Main Street are over-utilized;

C) There exists faulty lot layout in relation to size, adequacy, accessibility or usefulness as shown by:

1) The lot and block layout in the downtown area developed at an early date and resulted in long, narrow lots with the average lot being 25 feet by 125 feet; a size not compatible with modern architectural approaches;

2) Although west of Seventh Street significant pieces of land have been aggregated for potential development, many potential development sites are still held by a number of individual owners, including trusts and estates, and are subdivided by alleys and streets making it difficult to consolidate the needed land for redevelopment;

3) Of land within the Downtown Development Authority, between 1/3 and 1/2 is publicly owned and used for streets, alleys, or public buildings, and, therefore, not available for private use and redevelopment;

D) There exists deterioration of site or other improvements as shown by:

1) There are sidewalks in a deteriorating condition on the southeast corner of Fifth and Rood and on the 200 block between Main and Colorado;

2) There are deteriorating underdrains in the Shopping Park along Main Street from Third to Fifth Streets;

3) Foundation work on some of the older buildings has deteriorated in the past or is presently in a deteriorated condition, thereby making these buildings more susceptible to damage;

E) Unsanitary or unsafe conditions exist as shown by:

1) Combined sanitary and storm sewers in the downtown area which have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition;

2) Older buildings are located near railroad property which encourages transients to seek shelter in or around such older buildings;

3) There is a need to improve and upgrade utilities and sewers in the downtown area before any major redevelopment, for the present system would not be adequate under increased use;

4) The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U.S. Bank building and the north side of the 600 block of Main Street, and by the placement of parking areas across alleys from business establishments. Many businesses have encouraged the use of back doors as the most direct entrance from a parking

area to their establishment. However, the alley surfaces are uneven and not adapted to pedestrian travel; there are no crosswalks, the lighting at night is inadequate, and during business hours, there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

5) The presence of older buildings and their ornate building facades encourage pigeons to nest in and around these buildings causing unsanitary conditions to exist around such nesting sites.

6) The alleys are used for utilities upon poles and this factor, combined with the lack of adequate lighting at night, encourages burglars to gain access to building roofs by climbing these utility poles.

F) There exist conditions which endanger life or property by fire or other causes as shown by:

1) The use of second stories of buildings as storage areas; and

2) The density of buildings of an older nature along Main Street which increases the opportunity for fire spreading from one building to another because of the lack of adequate firewalls and the design of older buildings; and

3) There are no north/south water mains on Second, Third, and Fourth and the east/west mains on Grand, White and Rood are no larger than 6 inches, thereby providing limited supplies which are not adequate under present codes for fire protection.

2. The Board hereby finds and determines that there is a deterioration of property values or structures within the Downtown Development Authority as shown by:

A) A decrease in sales tax revenue in the central downtown area along both sides of Main Street from \$454,727 in 1979 to \$436,598 in 1980, and \$343,484 in 1981 for the first nine months of each year; and

B) A decrease in the total assessed valuation of the Downtown Development Authority of 9.02% within the last year despite approximately a 6% increase in the size of the Downtown Development Authority because of recent inclusions,

3. Based upon the foregoing, the Board finds that there exists blight in the Downtown Development Authority, C.R.S. 931-25-802(1.5) as amended, and that action is required to halt and prevent the growth of blighted areas and to halt or prevent the decline of property values.

4. The Board hereby finds that the adoption of this Plan of Development will halt and prevent deterioration of property values and structures within the central business district, will halt and prevent the growth of blighted areas within the central business district, will assist the City of Grand Junction, Colorado, in the development and redevelopment of such central business district and in the overall planning to restore or provide for the continuance of the health thereof, and will be of especial benefit to the property within the boundaries of the Grand Junction, Colorado, Downtown Development Authority.

BE IT FURTHER RESOLVED THAT:

5. The Plan of Development, attached hereto and incorporated herein as Exhibit "A", is hereby adopted as the Plan of Development for the Grand Junction, Colorado, Downtown Development Authority, including those provisions designating a Plan of Development area within which tax increment financing will be utilized as described on Pages 8 through 10 and 49 through 52, of the Plan of Development, and creation of three commercial renovation districts as described on Pages 12, 47 and 52, of the Plan of Development, in which a five year tax deferral is allowed for renovation of commercial structures more than 30 years old.

6. Such Plan of Development shall be submitted to the City Council of Grand Junction, Colorado, with a request that they immediately submit said Plan of Development to the Planning Commission for their written recommendations; and that the City Council hold a public hearing on such Plan of Development, after public notice, and that the City Council be requested to approve such Plan of Development.

7. No Board member nor any employee of the Board with a specific financial interest, as defined in C.R.S. 1973, 931-25-819, as amended, in the adoption of the Plan of Development has voted thereon or otherwise participated in its preparation or presentation or failed to make such interest known to the Board.

8. If any part of this resolution is
unenforceable, such judgment shall not affect the remainder
it being the intention of the Board that the provisions herein be
severable.

INTRODUCED, READ, PASSED and ADOPTED this 2nd day of December, 1981.

BY: _____

Pat Gormley
Chairman of the Board
Grand Junction, Colorado
Downtown Development Authority

ATTEST: _____

Sandra Gose
Secretary
Grand Junction, Colorado
Downtown Development Authority

Grand Junction
Downtown Development Authority
200 North Sixth Street, Suite 204 P.O. Box 296
Grand Junction, Colorado 81502
Phone (303) 245-2926

EXHIBIT A

DOWNTOWN DEVELOPMENT AUTHORITY

PLAN OF DEVELOPMENT

FOR GRAND JUNCTION, COLORADO

Including The Designation Of
Commercial Renovation Districts
And A Plan Of Development Area
Within Which
Tax Increment Financing Will Be Utilized

PREPARED BY:

The Grand Junction

Downtown Development Authority

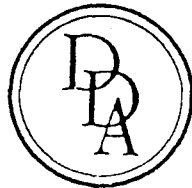


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C.	Grand Junction City Council Policy Statement on Downtown Development - April 15, 1981
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E.	Letter, Police Chief, Ed Vandertook
F.	Letter, Fire Chief, R. T. Mantlo
G.	Letter, Public Works Director, Jim Patterson
H.	Grand Junction Downtown Development Authority Interim Plan of Development Relating to Street Vendors

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SECTION I

INTRODUCTION AND RECOMMENDATIONS

A. INTRODUCTION

1. This Plan of Development is the result of the City of Grand Junction's continued interest in the revitalization of the downtown area. This interest began as early as 1962, when, in response to issues similar to today's concerns, a revitalization effort was undertaken by the City and the Main Street merchants. A General Improvement District was created to finance utilities and landscaping improvements to Main Street converting four blocks to a Shopping Park. Called Operation Foresight, this revitalization effort led to Grand Junction being named an All-American City.

2. These efforts were continued by the creation of the Grand Junction Downtown Development Authority (DDA) in April of 1977, by a 2 to 1 vote of the downtown electors. The Downtown Development Authority has had a full time director since February of 1980 and pursuant to C.R.S. 1973, S31-25-807, has been involved in the study and analysis of the impact of metropolitan growth upon the central business district. Studies of land use, urban design, parking, traffic and market conditions were made jointly by the City and DDA in 1980 and 1981.

3. As a result of such studies, a comprehensive Downtown Development Strategy was completed in November of 1981. Based upon the recommendations and evaluations contained within the Downtown Development Strategy, this Plan of Development was devised to promote the economic growth of the area encompassed by the boundaries of the DDA and to halt deterioration of existing structures and property values.

4. The Plan of Development, as presented here, attempts to rely upon the strength of the central business district to finance the public facilities, renovations, and repairs necessary to revitalize the area encompassed by the DDA boundaries. Three types of financing are of

primary importance in this Plan of Development.

5. First, a 5 mill ad valorem tax on all taxable real and personal property within the DDA has been imposed since 1978. The proceeds from such levy are used to finance the administrative and budgeted operations of the DDA, including necessary studies and promotional activities. It is anticipated that this source of funds will continue.

6. Secondly, for commercial buildings which are 30 or more years old, Colorado law (C.R.S. S39-5-105, 1973 as amended) allows an owner to defer for five years the assessment of the increased value caused by improvements made for rehabilitation or renovation. This encourages the owner to rehabilitate or renovate his property when he might otherwise not have done so. To qualify for such deferral, the renovation area must be included in a plan of development approved by the governing body of the City. However, the five year deferral of assessments may not be used for property which is included in a plan of development area wherein a tax increment financing district will be used.

7. Third, to foster development outside the areas designated for the five year deferral on assessments but within the DDA boundary, the plan of development calls for the use of tax increment financing.

8. With the adoption of a plan of development for a specific plan of development area within a city, the last certified assessment of taxable property in that area is calculated and becomes the "frozen tax base". Taxes generated from that frozen base continue to be received by the individual taxing entities within the project area; taxes collected upon the incremental assessed valuation over the frozen base are received by the entity undertaking the project to pay for project costs. That entity does not have the authority to levy any additional taxes and must rely specifically on the allocation of taxes produced by growth over the base year. The amount of allocated tax increment depends upon a combination of growth in assessed valuations and tax rates of the taxing jurisdictions. Before the funds from tax increment financing may be pledged for the payment of bonds, loans or other indebtedness, such pledge must be approved by the voters of the tax increment district at a special election.

9. Additionally, municipal sales tax revenues collected from a plan of development area can be frozen at an annual level. That level is defined as total collections in the twelve calendar months preceding the effective date of the plan of development. In subsequent years municipal sales tax collections up to the base year amount will continue to flow into the city's general fund. After the base year amount has been collected; however, all or any part of the incremental amount above the base year figure can be used to pay for bonds used to finance project costs in the same way property tax increment financing is used. Sales tax increment financing is used within the same limits as property tax increment financing. The entity does not have the authority to levy any additional taxes; the amount of increment depends upon growth in retail sales, and none of the tax increment funds can be pledged until approved by the electors of the district at a special election.

10. Revitalization of the downtown area must be a dynamic process that is flexible enough to allow for necessary changes in the plan of development. Under Colorado law, the Plan of Development may be amended by the same procedures necessary for adoption of the Plan. This provides needed flexibility for the changing downtown environment, which, at the present time, needs certain specific activities to commence if revitalization is to commence.

B. RECOMMENDATIONS

1. This Plan of Development describes the utilization of a five year property tax deferral on the increased value of commercial property due to renovation and the utilization of tax increment financing including the projects which could be funded. When adopted, this Plan will be complete and could be implemented solely with the tools described herein. However, the activities described in this Plan constitute only a few of many mechanisms that can and should be employed to effect the revitalization of Downtown Grand Junction. The following list of recommended actions, some of which are included in this Plan and some which are taken from the City Council's Policy Statement on Downtown Development dated April 15, 1981, the Downtown Development Strategy and the National Main Street

Center Resource Team Report attached hereto as exhibits C, A, and D, respectively, are suggested for consideration by the DDA and City Council. Each recommended action should be carefully considered to determine its effects on downtown revitalization activities, and the community generally, and if appropriate, implemented.

2. Continuation of the planning process for downtown redevelopment.

Once the Downtown Development Strategy Plan is in place, specific implementation plans should be pursued including:

- a. Design Guidelines for Downtown
- b. Parking Management
- c. Traffic Management
- d. Zoning and Development Control Revisions
- e. Housing Rehabilitation
- f. Landscape and Street Lighting Plan
- g. Detailed Improvement Designs
- h. Retail Mix and Recruitment

3. Adopt a parking management plan and develop, adopt, and implement a parking district and a future parking development plan. Financing mechanisms for this include parking revenue bonds. In addition, a special study should be conducted to ensure that parking is provided and financed in a way amenable to downtown redevelopment.

4. Adopt revisions to the zoning ordinance that will combine development incentives, design guidelines and zoning regulations within a group of downtown zones. The Authority should be designated as the site plan review agency for all downtown project proposals.

5. Assist the state to develop a state office building in the downtown.

6. Provide Industrial Development Revenue Bond financing to downtown developers for appropriate economically feasible projects in accordance with state and federal statute.

7. Vacate alleys to accommodate new development provided that such vacation is necessary for the successful development of a project where the developer holds title to adjacent properties and construction is imminent.

8. Vacate or provide air rights or easements over street rights-of-way provided such vacation, air right or easement is necessary for the

successful development of a project when the developer holds title to adjacent properties and construction is imminent.

9. Apply for federal and/or state financial assistance to complement private development efforts when the development and application are consistent with the conditions of the federal or state assistance program.

10. Relocate municipal utilities to accommodate new development and continue to implement the agreement with Public Service Company of Colorado and Mountain Bell to underground utilities.

11. Designate the renovation districts delineated in the Plan as "Historic Commercial Renovation Districts" for the purposes of Section 104(f) of the Uniform Building Code, 1979 edition as adopted by the City of Grand Junction as a further incentive to renovate older buildings and reduce existing life and fire safety hazards.

12. Initiate redevelopment projects by obtaining control of redevelopment sites and soliciting development proposals and agreements from qualified developers to undertake priority redevelopment projects.

13. Extend Horizon Drive from 7th to 1st Street and upgrade Horizon Drive and 1st Streets to facilitate traffic flow.

14. Contract with a hotel developer for the facility and food service management of Two Rivers Plaza when a hotel project is undertaken adjacent to Two Rivers.

15. Pursue the preliminary design and feasibility analysis on a community performing arts/civic events center for eventual location in the immediate vicinity of Two Rivers Plaza.

16. Adopt and implement a Traffic Circulation Improvement Plan that specifically addresses two way traffic on Road and Colorado Avenues and Fourth and Fifth Streets, the intersection at First and Grand, turns onto and off of Main Street, access to the many destinations in the downtown and traffic traveling through the downtown to other destinations.

17. Pursue the completion of a citywide Master Plan that recognizes the finite limits of real estate development potential in the city and that directs and manages that development for the benefit of the entire community. The downtown is an integral part of the community and what happens in the

community as a whole and what happens in the downtown are closely linked. Planning, development controls, and growth policies should reflect an awareness of those interrelationships.

SECTION II

DESCRIPTION OF DISTRICT BOUNDARIES

The Plan of Development Area within which Tax Increment Financing will be used shall be that property included within the boundaries of the Downtown Development Authority, except for that property included within the boundaries of the Commercial Renovation District.

The boundaries of the Grand Junction Downtown Authority which are:

"Exhibit A"

The description of the Plan of Development Area within which the Tax Increment Financing will be used is:

"Exhibit B"

The description of the Commercial Renovation Districts is:

"Exhibit C"

These areas are graphically displayed on the attached map.

"Exhibit D"

BOUNDARIES OF THE GRAND JUNCTION, COLORADO DOWNTOWN

Beginning at the Northwest Corner of Wilsons Subdivision of Block 2 of Mobleys Subdivision; thence East along the South right-of-way line of Grand Avenue to the North Corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16 all in Block 78, City of Grand Junction, to the North right-of-way line of White Avenue; thence East to the East right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 98; thence East along the North line of the East-West alley Block 98; City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East right-of-way line of 5th Street; thence South along the East right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction, thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction; thence along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction; thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 81; thence East along the North right-of-way line of the East-West alley in Block 82 and 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the West right-of-way line of 7th Street; thence South along the West right-of-way line of 7th Street to the South right-of-way line of White Avenue; thence East along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Blocks 93, 106, 115, and 128, City of Grand Junction, to the North right-of-way

line of Ute Avenue; thence West along said Ute Avenue to the Southwest Corner of Block 10, Mobley's First Subdivision; thence West along the Southwest line of Block 10 to the Northwest Corner of said Block 10; thence North along said East line to the North line of Spruce Street; thence North along said East line to the Northwest Corner of Block 10, Mobley Subdivision; thence Northwesterly to a point 415.8 feet West and South $41^{\circ}03'$ East 68.97 feet from the Northeast Corner of the Southeast $1/4$ and Southeast $1/4$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $89^{\circ}57'$ West for 271.8 feet along a line parallel to the North line of the Southeast $1/4$ of the Southeast $1/4$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $53^{\circ}03'$ West 16.66 feet; thence North $53^{\circ}03'$ West 70 feet to the Easterly right-of-way of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the Easterly right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the Southern right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest Corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1; thence East to a point $7\frac{1}{2}$ feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision; thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Downtown Development Authority of Grand Junction all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16, exclusive of the West 15 feet of said North 50 feet of Lot 12.

And also excluding from the boundaries of the Grand Junction Downtown Development Authority that part of Tract 8, AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS lying South and East of a line beginning at a point

on the East line of Tract 1 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North 44°11' East 901.66 feet; thence North 89°58' West 126.0 feet; thence South 0°01' East 347.5 feet to a point on the South line of said Tract 8 which is the terminal point of said line; and also excluding from the boundaries of the Downtown Development Authority of Grand Junction, all of Tract 9 except that part of said Tract 9 included within the following described parcel:

That part of Tracts 1, 2, 3, 8, and 9 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS described as follows:

Beginning at a point on the East line of said Tract 1 from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North 44°11' East 901.66 feet; thence North 89°58' West 126.0 feet; thence South 0°01' East 197.50 feet to the centerline of the railroad spur track; thence South 89°58' East 126.00 feet along said centerline; thence North 0°01' West 197.50 feet to the point of beginning.

TOGETHER with an easement over and across a strip of land extending South from the property hereby described to a line 3 feet South of and parallel to the South line of said railroad spur track.

EXHIBIT "B"

DESCRIPTION OF THE PLAN OF DEVELOPMENT AREA WITHIN
WHICH TAX INCREMENT FINANCING WILL BE USED

Beginning at the Northwest Corner of Wilsons Subdivision of Block 2 of Mobleys Subdivision; thence East along the South right-of-way line of Grand Avenue to the North Corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16 all in Block 78, City of Grand Junction, to the North right-of-way line of White Avenue; thence East to the East right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 98; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East right-of-way line of 5th Street; thence South along the East right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest Corner of Lot 13, Block 82, City of Grand Junction; thence along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction; thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 81; thence East along the North right-of-way line of the East-West alley in Block 82 and 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the West right-of-way line of 7th Street; thence South along the West right-of-way line of 7th Street to the South right-of-way line of White Avenue; thence thence East along the South right-of-way line of White Avenue to the West right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Blocks 93, 106, 115, and 128,

City of Grand Junction, to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner, Block 10, Mobley Subdivision; thence Northwest along the Southwest line of Block 10, Mobley Subdivision to the intersection with the southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest Corner, Block 10, Mobley Subdivision; thence Northwesterly to a point which lies 415.8 feet West and South $41^{\circ}03'$ East 68.97 feet from the Northeast Corner of the Southeast $1/4$ and Southeast $1/4$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $89^{\circ}57'$ West for 271.8 feet along a line parallel to the North line of the Southeast $1/4$ of the Southeast $1/4$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $53^{\circ}03'$ West 16.66 feet; thence North $53^{\circ}03'$ West 70 feet to the Easterly right-of-way of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the Easterly right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the Southern right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest Corner; thence South to the centerline of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1; thence East to a point $7\frac{1}{2}$ feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision; thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Downtown Development Authority of Grand Junction all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobleys' First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16, exclusive of the West 15 feet of said North 50 feet of Lot 12.

And also excluding from the boundaries of the Grand Junction Downtown Development Authority that part of Tract 8, AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS from which the East $1/4$ Corner of Section 15,

Township 1 South, Range 1, West of the Ute Meridian Bears North $44^{\circ}11'$ East 901.66 feet; thence North $89^{\circ}58'$ West 126.0 feet; thence South $0^{\circ}01'$ East 347.5 feet to a point on the South line of said Tract 8 which is the terminal point of said line; and also excluding from the boundaries of the Downtown Development Authority of Grand Junction, all of Tract 9 except that part of said Tract 9 included within the following described parcel:

That part of Tracts 1, 2, 3, 8, and 9 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS described as follows:

Beginning at a point on the East line of said Tract 1 from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North $44^{\circ}11'$ East 901.66 feet; thence South $0^{\circ}01'$ East 197.50 feet to the centerline of the railroad spur track; thence South $89^{\circ}58'$ East 126.00 feet along said centerline; thence North $0^{\circ}01'$ West 197.50 feet to the point of beginning.

TOGETHER with an easement over and across a strip of land extending South from the property hereby described to a line 3 feet South of and parallel to the South line of said railroad spur track.

And except the following parcels:

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, except the East 50.45 feet of Lots 11 to 15, inclusive, in Block 116; Lots 1 to 16 inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, all in the City of Grand Junction, Mesa County, Colorado.

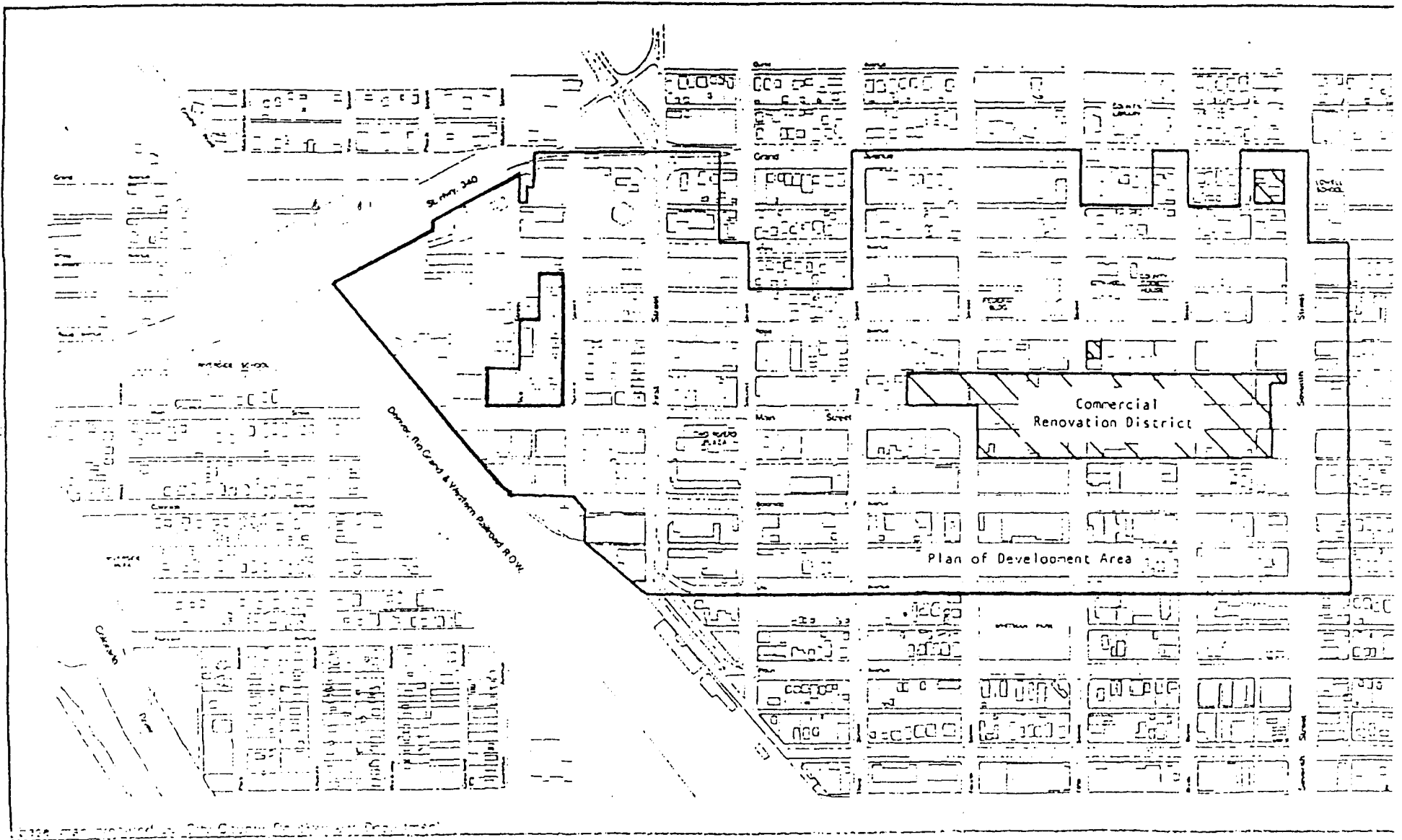
EXHIBIT "C"

DESCRIPTION OF THE COMMERCIAL RENOVATION DISTRICTS

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20, inclusive, in Block 105; Lots 1 to 15, inclusive, except the East 50.45 feet of Lots 11 to 15, inclusive, in Block 116; Lots 1 to 16 inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, all in the City of Grand Junction, Mesa County, Colorado



SECTION III

STATUTORY REQUIREMENTS FOR ADOPTION AND IMPLEMENTATION OF A DOWNTOWN DEVELOPMENT AUTHORITY PLAN OF DEVELOPMENT WHICH INCLUDES BOTH RENOVATION DISTRICTS AND A PLAN OF DEVELOPMENT AREA WITHIN WHICH TAX INCREMENT FINANCING WILL BE USED

A. GENERAL

1. Revitalization of a downtown area is a time-consuming and dynamic process. The results of the planning phase may influence the downtown environment for years, and it is, therefore, necessary that those affected by a plan of development are provided adequate opportunity to voice their suggestions and concerns for the future of "their" downtown. The minimum requirements are those dictated by Colorado law.

2. The following summarizes the statutory requirements for adoption of this Plan of Development and indicates the date of completion of this Plan. Additionally, also shown are the other opportunities provided for input into the Plan and optional activities undertaken to assure maximum public input as well as compliance with the policies of the City Council.

<u>B. DATE OF ACTION</u>	<u>C. STATUTORY REQUIREMENTS</u>	<u>D. OPTIONAL ACTIVITIES</u>
1. 1/19/77	Resolution authorizing election of formation of DDA	
2. 2/8/77	Election	
3. 3/16/77	City Ordinance No. 1669 , establishing DDA State Statute 31-25-804	
4. 6/2/80		Employment of consultants to study and analyze land use, urban design, parking, traffic, and market conditions
5. 8/21/80		Formation of Downtown Action Committee to Provide input on Plan of Development

<u>B. DATE OF ACTION</u>	<u>C. STATUTORY REQUIREMENTS</u>	<u>D. OPTIONAL ACTIVITIES</u>
(Continued)		
6. 4/15/81		Adoption by City Council of Policy Resolution for downtown
7. 10/2/81		Public presentation by Johnson, Johnson & Roy, Inc. of their conclusions concerning the downtown area
8. 10/7/81		Discussion with County Assessor and Treasurer concerning implementation of tax deferral and tax increment financing
9. 10/28/81	Meeting with school district personnel seeking their advice and comments on tax increment financing 31-25-807 (3)(d)	
10. 11/6/81		Review of Downtown Development Strategy Plan by DDA Board of Directors and invitation to Mesa County Commissioners to attend for explanation of Plan concept including tax increment financing
11. 11/11/81		Published notice of meeting of DDA Board to consider and adopt Plan of Development after public input
12. 11/11/81		Presentation of Plan to local architects, engineers, and planners
13. 11/13/81		Public meeting of DDA Board concerning Plan of Development concept

B. DATE OF ACTIONC. STATUTORY REQUIREMENTSD. OPTIONAL ACTIVITIES

(Continued)

- | | |
|--|--|
| 22. Upon adoption of Plan of Development | Freezing of Ad Valorem tax base and sales tax base as of effective date of Plan
31-25-807(3) |
| 23. To be determined during 1982 | Resolution of DDA Board to have election for pledging of tax increment funds
35-25-807(3) (b) |
| 24. To be determined during 1982 | Approval by City Council of election at least 30 days prior to election
35-25-807(3) (b) |
| 25. To be determined during 1982 | Election - qualified electors of district
35-25-807(3) (b) |
| 26. To be determined during 1982 | City Council adoption of ordinance authorizing the issuance of bonds |
| 27. To be determined during 1982 | Bonds issued for project |

SECTION IV

EXISTING CONDITIONS WITHIN THE BOUNDARIES OF THE DOWNTOWN DEVELOPMENT AUTHORITY

A. RESULTS OF THE ANALYSIS OF EXISTING CONDITIONS

1. Johnson, Johnson & Roy, Inc., concluded that a Downtown Development Strategy Plan was needed because: "Within the downtown area, there exist clear measures of blight and deterioration, which require improvements to ensure the economic well-being and quality of life of all our residents. We have a substantial number of deteriorating structures; some of these suffer from structural blight, some from functional blight. Although our street system is generally wide and adequate, we face circulation problems which call for simplification. The utility systems serving our downtown must be replaced both for our safety and our future growth. Most of all, we need to grasp the opportunity to bring life back into the downtown area through the addition of sound housing and attractive commercial and office space."

2. Among the many factors presently existing within the boundaries of the Downtown Development Authority which led Johnson, Johnson & Roy, Inc. to the above conclusion are:

a. Any increase in intensity of development or redevelopment will require replacement and upgrading of present utilities, including replacing and upgrading of water and sewer lines;

b. A present need for parking locations which provide reasonable location distribution of long and short term parking as well as effectively provide for long term parking.

c. A present combination of one-way streets and restricted turning intersections along Main Street which requires one to travel four to six blocks to find a parking space and which often prevents one from getting to visible parking lots on cross streets and inhibits the ability to reach offstreet lots;

d. Potential development sites at which ownership has not been consolidated and where the potential major development parcels are divided by alleys and streetways;

e. Present zoning classifications which do not always make it possible to attract the desired type of redevelopment;

f. Existing land use of adjacent parcels and existing zoning are not such as to encourage successful redevelopment of multiple family housing;

g. Fragmented ownership and land prices which put the area at a disadvantage in attracting new builders;

h. Lack of high quality lodging;

i. Areas adjacent to the DDA which contain areas that no longer fulfill their original function, and which are unattractive, at times unsafe, and provide a loitering spot for transients, such as Whitman Park; and

j. Upper stories of most downtown structures which are generally underutilized as activity generators for the downtown area because of their present use as storage areas.

B. ADDITIONAL FACTORS

1. In addition to the above factors, other factors indicate that, despite the traditional advantages of the central business district over other locations because of its core of governmental, financial, and related activities, the central business district is no longer able to attract new development or redevelopment.

2. The area within the boundaries of the Downtown Development Authority has traditionally been a strong retail area for the City. However, at the present time there are vacant buildings, not presently undergoing redevelopment or conversion, at the corners of 5th and Main, 2nd and Colorado, 4th and Main, and 3rd and Main. At the present time approximately one square foot of each five available for retail space is vacant since there is presently a retail vacancy rate of approximately 18.8% even though retail space is in high demand in other areas. Each square foot of vacant retail space means that there is lost revenue to the property owner, a loss in the entire spectrum of retail goods available to the consumer, and a loss of consumer-attracting businesses.

3. The downtown area is also an old area. Although there has been some new construction within the last 10 years, approximately 85% of all the structures are older than 30 years old. There have been three periods

of significant construction downtown: 1887 to 1894, 1907 to 1922, and 1946 to 1952. Because of the different building requirements during these periods, these older buildings, unless renovated, remodeled, or redeveloped, contain structural hazards to health and safety. For example, the large windows used on older buildings to provide sunlight and ventilation, now create safety problems because of the easy access they may provide for burglars and transients, and the high ceiling of many older buildings may provide more air space for combustible matter.

4. The decline of the downtown central business district can best be seen in a comparison of the sales income and assessed valuation of property in the last three years. Sales taxes collected in the central downtown area along both sides of Main Street have fallen from \$408,088 in 1979 to \$384,140 in 1980 and \$304,338 in 1981, during the first eight months of each year. This reflects that the share of the city-wide retail market in this area has fallen from 13.23% to 7.24%.

5. This reduction in sales tax revenue is not due to a change of use, for the total assessed valuation of property has also declined. Although the total assessed valuation of real property within the boundaries of the Downtown Development Authority increased by 5.85% because of substantial inclusions of new property in the Downtown Development Authority, the assessed value of personal property fell by 31.80% and the overall assessed value fell by 9.02%. This decline in tax revenues, when viewed against the massive development occurring on Horizon Drive and in other areas, indicates that the central business district is failing to keep pace with the rest of the county.

6. All of these factors indicate that the conclusion by Johnson, Johnson & Roy, Inc., that blight exists within the downtown area, applies to the property within the Downtown Development Authority. Under Colorado law, a blighted area is not equated with what is traditionally thought of as a "slum", but, rather is an area in which sound growth, adequate housing provisions and the public health and welfare are impaired because of the type of structures and the land upon which they are located as well as other unsanitary, or unsafe conditions.

C. PUBLIC INPUT

1. During public meetings and through discussion with City officials, other potential problems have been identified. These problems vary in severity. Some problems are scheduled to be remedied by work programs in the future, while others are not scheduled for corrective action. The problems include:

a. Combined sanitary and storm sewers in the downtown area have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition. Any future sewer construction would require the installation of separate lines.

b. There are deteriorating underdrains in the Shopping Park along Main Street from 3rd to 5th.

c. There are sidewalks in a deteriorating condition on the southeast corner of 5th and Rood and on the 200 block between Main and Colorado.

d. The street lighting in the Shopping Park is on tall poles, but since the vegetation is now quite large on Main Street, little light reaches the sidewalks and walkways creating a potential public safety hazard.

e. There are no north-south water mains on 2nd, 3rd, and 4th and the east/west mains on Grand, White, and Rood are no larger than 6 inches, thereby providing limited supplies which are not adequate under present codes for adequate fire protection levels.

f. Public officials are aware that the foundation work on some of the older buildings have deteriorated in the past or are presently in a deteriorated condition. For example, one of the buildings has wooden piles which rotted because of a fluctuating water table. During the Main Street water main break, extensive damage occurred because of the old style, porous foundations.

g. The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U. S. Bank building and on the northside of the 600 block, and by the placement of parking areas across an alley from business establishments. Many businesses have encouraged the use of back doors as the most direct entrance from a parking area to their establishment. However, the alley surfaces are often uneven and not adapted to pedestrian travel, there are no crosswalks, the lighting at night is inadequate.

quate, and during business hours there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

2. The combination of these problems and those identified by Johnson, Johnson & Roy, Inc., presents a picture of large scale future problems as growth occurs in the community, creating a greater demand upon downtown facilities. Both public and private development will be needed to keep the downtown from further deterioration.

m. Construction Management: This is provided by either a skilled public agency or private sector specialists. It can help to assure completion of a project on time and within budget, and on complicated projects may become an absolute necessity.

n. Supervision of Project Planning and Design: This is the responsibility of the City and DDA and calls for both the establishment of a close working relationship between public and private professionals and an understanding by both of the goals and performance needs of the other.

B. IMPLEMENTATION TOOLS

A wide variety of tools are available to the City of Grand Junction and the Downtown Development Authority for the implementation of this Plan.

1. Most important of these to the implementation of this Plan of Development is the Downtown Development Authority. Under Colorado legislation, the Downtown Development Authority has the power to acquire by purchase, lease, license, option or otherwise, any property and to improve land and to construct and operate buildings and other improvements on it as well as to act as solicitor by any property owned by or under its control. The Authority can issue revenue bonds for the purpose of financing its development facilities.

2. Industrial development bonds, issued by the City after review by the industrial bond committee, are also an extremely powerful tool, which, to date, have not been directed in significant form to the downtown area.

3. Tax increment financing is an extremely important tool for the implementation of this Plan of Development. Tax increment financing can provide for the construction of public facilities in the Plan of Development area and for property acquisition for public or private redevelopment. A Plan of Development area is established by this Plan. An election is required to authorize issuance of bonds. TIF bonds, however, cannot be expected to fund all of the projects.

4. General improvement districts offer an opportunity to fund public improvements. General improvement districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off-street parking facilities.

5. The City also has the power to establish and maintain a pedestrian mall under the Public Mall Act of 1971. This act provides for both fully

pedestrian, or pedestrian/vehicular transit malls such as the existing Shopping Park. The City could conceivably employ this act to provide for the construction and payment for improvements throughout a general improvement district or a smaller commercial renovation area. The statute authorizes the City to levy a special assessment against property within the district to be expended for the maintenance, operation, repair or improvement of the mall.

6. Parking revenue bonds can be issued by the City to provide for the construction, maintenance and operation of public parking facilities, buildings, stations or lots and to pay for their costs by a general tax levy or otherwise by the issuance of revenue bonds. The principal and interest on such revenue bonds can be paid for solely out of revenues assessed and collected as rentals, fees, or charges from the operation of such facilities or from parking meter renewals, rentals or charges.

7. The City also has the authority, under the Public Parks Act, to establish, maintain and acquire land necessary or proper for boulevards, parkways, avenues, driveways and roadways, or for park or recreational purposes for the preservation and conservation of sites, scenes, open spaces, and vistas of scientific, historic, aesthetic or other public interest. Monies in the park fund can also be used for the maintenance and improvement of parks, parkways, boulevards, avenues, driveways and roads.

8. The City and the Downtown Development Authority have the authority to enter into long-term rentals and lease-holds, both for undeveloped or improved property. In addition, intergovernmental cooperation agreements can be used to establish and provide for joint use of public services or facilities.

9. A local, nonprofit development corporation may be necessary to provide coordination for large, private, multi-property developments. Industrial Development, Inc., is currently established as a nonprofit development corporation, but additional corporations such as this may be necessary and should be encouraged if coordination can be ensured.

10. The Capital Improvements Program established by the City and the County are major tools for insuring that public improvements are installed and maintained consistent with the goals and priorities of the community. Downtown projects should be set aside in a separate category, and prioritized on an annual basis.

11. By state statute, deferral of property tax assessments is available to owners of certain older buildings who improve their property through renovation. This is available for private home owners without special designation of their areas as a renovation district. For commercial property owners, a commercial renovation district is established under this Plan.

12. Urban development action grants, and community development block grants are federal programs offering assistance for a wide range of development and renovation activities. There are strict qualification requirements, and each year's funding level is subject to changes in federal policy and national economic shifts.

13. Main Street Program technical assistance, and historic structure designation are programs under the auspices of National and State Historic groups. Incentives for the preservation and judicious re-use of historic buildings are available, and geared to the needs of private owners.

14. Conventional financing is the normal course for most development projects. Recent interest rate fluctuations have led to greater use of devices such as the reduced rate loan pool established by the Authority.

15. Various other federal and state agencies offer specialty grant or technical assistance services for public improvement. Here, these can include: Federal Highway Administration and Urban Mass Transit Administration grants; Joint Budget Committee decision and expenditure; Colorado Energy Impact Assistance funds; Housing Authorities at the local, state and federal level; Colorado highway users trust fund.

C. IMPLEMENTATION-STEPS

The following list of actions will need to be taken, not necessarily in this order to implement this Plan.

1. The first step in the implementation strategy is the adoption of the Authority's Plan of Development and the continuation of the planning process. The agencies primarily responsible for this are the City and the Downtown Development Authority. Special studies and plans need to be developed for the following:

- a. Parking Management
- b. Design Guidelines for Downtown
- c. Landscape and Street Lighting Plan

- d. Zoning and Development Control Revisions
- e. Traffic Management
- f. Retail Mix and Recruitment
- g. Detailed Improvement Designs
- h. Housing Rehabilitation

2. The City should designate the Downtown Development Authority as the planning implementation agency for these projects.

3. The City and DDA will develop a detailed downtown implementation strategy and an annual work program based on fundable projects and activities. Specific planning and improvement projects will be paired with appropriate funding mechanisms.

4. The City and the DDA will hold a tax increment financing bond election.

5. The DDA and the City will prequalify for selected state and federal assistance programs. Although the exact use of these programs at the moment may not be clear, it is important that the City establish itself as qualified and interested in these funding programs for the implementation of this Plan of Development.

6. The DDA and the City will design and implement funding mechanisms for the commercial renovation district. These include those programs currently in place, such as the Low Interest Commercial Loan Pool and others which will require research and development.

7. The City and the DDA will prepare and consider for adoption revisions to the zoning ordinance. The DDA will be included in the Site Plan Review Process for all activities in the downtown.

8. The City, with DDA assistance, will provide industrial development bond financing for projects in the downtown in accordance with state and federal law.

9. The DDA and the City will coordinate market analysis studies, site plan designs, and packaging for projects such as the multi-use office/hotel/convention center.

10. The DDA, the City, and the Grand Junction Housing Authority will coordinate the development of market analysis studies, design studies, and packaging of properties for housing redevelopment projects where appropriate.

11. The DDA and the City will coordinate the market analysis, design planning, and packaging for the entry development project area.

12. The City and the DDA will coordinate selection of the state office building site and provide planning assistance for the state office building.

13. The DDA will need to coordinate design and development in a number of other redevelopment project areas, and should be aware of and anticipating the development of these.

14. The DDA with private sector assistance, will need to design and incorporate a local, private, non-profit development corporation. This corporation may be established for special projects, or may in fact begin to serve as an overall private partner to the Downtown Development Authority. The local development corporation could begin to coordinate implementation of the development of the downtown, taking some of the burden from the publicly financed DDA.

15. The City and DDA will adopt a parking management plan and may need to develop, adopt, and implement a parking district and a future parking development plan. Financing mechanisms for this include parking revenue bonds. A special study will be conducted to ensure that parking is provided and financed in a way amenable to downtown redevelopment.

16. The City and DDA will implement parking district improvements including property acquisition and constructing structures funded by parking revenue bonds, tax increment bonds, other sources or a combination of mechanisms.

17. The City, the DDA, the County, State and Federal governments and the school district could establish intergovernmental cooperation agreements for the joint provision and use of facilities and services. Such an example may occur in the governmental office district for the provision of parking or other maintenance, or property/street improvement activities.

18. The City, with the cooperation of the County, DDA and other agencies, needs to establish priorities and funding for federal and state urban transportation systems. These may include improvements to those major state highways bypassing or going through the downtown. It may require application or involvement with the Federal Highway Administration, the State Highway Users Trust Fund, the Colorado Department of Highways, the Federal

Urban Mass Transportation Administration and perhaps the state's Energy Impact Assistance funds.

19. The City and DDA should establish financing for park, boulevard, median and landscaping improvements. The funding mechanisms for these, in addition to highway construction sources, may include the Public Parks Act which would allow this kind of construction. The City does not currently take advantage of this financing mechanism.

20. The City and the DDA should research, evaluate and develop special land development regulations for the downtown that combine development incentives and design guidelines with regulations. Considerable legal research will be necessary and modification to existing administrative systems may be necessary. This could include exploration of feasibility of transferrable development rights, condominium law applications to private home improvements, and the use of air rights in certain congested areas of the downtown.

21. The Downtown Development Authority's interim Plan of Development relating to street vendors, attached hereto as Appendix H, adopted by the Authority Board and City Council in response to Grand Junction City Ordinance Number 1989, is hereby made a part of this Plan of Development.

SECTION VII
PUBLIC FACILITIES

A. GENERAL

1. As mentioned in Section VI., the construction of public facilities and improvements can be used to support and encourage private redevelopment activities. Private redevelopment will encourage further reinvestment by the private sector. The result will be increased property values, increased tax revenues to the City, and reinforcement of land uses and business activities adjacent to the public facilities and improvements constructed as a result of this Plan.

2. A number of public works improvements will be undertaken to implement this Plan by the City and the Authority. Some of the improvements could be financed solely from tax increment revenues. Others could be financed with other available financing tools, i.e., special assessments, revenues bonds, general fund appropriations, general improvement districts, lease purchase, federal and state grant and loan programs and others. Some projects may be financed utilizing a combination of funding mechanisms.

3. The public improvements will be constructed to complement and provide incentives for private development. Scheduling the various public improvements will depend on the area and intensity of private sector redevelopment, the scheduling of the City's Capital Improvement Program, and the availability of tax increment and other financing mechanisms. The City and Authority will install and construct, or cooperate as appropriate with other public or private agencies, in the installation and construction of such public improvements, public facilities and utilities as are necessary to carry out this Plan. Such improvements, facilities, and utilities include, but are not limited to, any streets, parks, plazas, parking facilities, playgrounds, pedestrian malls, rights-of-way, structures, waterways, bridges, lakes, ponds, canals, utility lines or pipes, and buildings, including access routes to any of the foregoing, designed for use by the public generally or used by any public agency with or without charge, whether or not the same is revenue-producing. Improvements will be undertaken whenever possible in conjunction with and as an incentive for private redevelopment projects.

However, redevelopment priorities of the City and DDA, available funding and other demands, not the requests of redevelopers will determine the schedule of public improvement projects.

3. A more detailed description of the public facilities and improvements follows. Individual facilities and improvements will be further defined in the Public Improvement Design Guidelines and project specific implementation plans and specifications. The location of many of the projects listed in Section VII.B. below are identified by number in Exhibit E. on Page 43.

B. PROJECTS

1. Renovation of the Main Street Shopping Park. In addition to the improvement of facades along the shopping core being funded by the loan pool administered by the Downtown Development Authority, improvements to the landscaping, street furniture, and lighting will be accomplished.

2. Improvements to Alleyways. The improvements to alleyways include undergrounding utility systems, a general clean-up of the area, resurfacing, and improvements to pedestrian through-paths and parking areas.

3. Improvements to Rood Avenue. The 19.5 foot traffic lanes will be narrowed to 12 feet, and canopy trees and landscaping improvements will be added. The street will be returned to two-way traffic.

4. Improvements to Colorado Avenue. Traffic movement lanes will be narrowed from 19.5 to 12 feet, canopy trees and street landscaping improvements will be added. The street will be returned to two-way traffic.

5. Improvements to Seventh Street. This involves the extension of the boulevard from Grand to South. It will require minor alterations to parking along Seventh and the installation of a landscaped boulevard down the center of Seventh. It will require minor narrowing of the traffic lanes and will improve the movement of traffic along Seventh.

6. Restoration of Whitman Park. Although Whitman Park is not presently within the Authority's boundaries, it is hoped that it will become part of the DDA within the near future because of its influence upon adjacent DDA property. The improvements proposed to Whitman Park include clean-up and modification of the landscape and improvements to the lighting to improve safety and reduce loitering. These improvements will enhance its use as a neighborhood park for potential future housing development.

7. Extension of the Shopping Park. The Shopping Park will be extended into the 200 block of Main Street and a plaza could be constructed at Second and Main to include a large sculptured fountain. This project will enhance Two Rivers Plaza and provide incentive for the future development of a multi-use hotel and office facility in close proximity to Two Rivers Plaza. It will also provide incentive for a performing arts complex at that location. It will be undertaken in conjunction with private development.

8. Relocation of Regional Bus Terminal. This terminal needs to be relocated to a site more appropriate for regional transportation, and to allow improvements in the neighborhood of its current site to occur. The project will involve site selection, acquisition and development, and could include clearance and acquisition of its current property.

9. Image Improvement at Seventh and Main. This project involves improvements in parking, lighting landscape, and signage at the entry to the Shopping Park. In the future, the site can serve as a community bus transfer point, dependent upon installation of a line haul bus facility program in Grand Junction.

10. Identify, Designate and Acquire Future Parking Facility Locations. The City and Authority will identify specific locations for future parking facilities and acquire and maintain these properties as development staging areas to encourage and provide incentive to future development.

11. Construct Parking Facilities. The City and Authority will build parking facilities (surface or multi-level) on appropriate designated sites to accommodate parking demand created by new development.

12. Expansion of the Museum of Western Colorado. The City and Authority will assist the Museum in identifying and acquiring a site to permit the expansion of the Museum facility. This could involve acquisition and resale or a long term property lease.

13. Public Building Sites. The City and DDA will identify, acquire and assemble sites or key parcels appropriate for the development of public buildings individually or in cooperation with other agencies desiring to undertake projects consistent with the objectives of this Plan and within the redevelopment areas designated in this Plan. Public buildings could include a state office building, City Hall, performing arts/civic events center, County offices and others.

14. Redevelopment Sites. The City and DDA will identify, acquire and assemble sites or key parcels appropriate for redevelopment projects (commercial, office, hotel, housing, etc.) for resale or lease to public or private developers desiring to undertake projects consistent with the objectives of this Plan and within the redevelopment areas designated in this Plan.

15. Utilities. The City will expand or replace municipal utilities (water distributions, sanitary sewer, storm sewer, lighting) where necessary and appropriate, and desirable to accommodate the utilities demands of redevelopment projects provided funds are available.

16. Right-Of-Way Acquisition. The City will acquire rights-of-way or easements where necessary to accommodate utility relocations and roadway and traffic circulation improvements.

17. Parks. The City and Authority will acquire sites for and develop parks, plazas, fountains and pedestrian walkways between parking areas and activity centers in accordance with the Downtown Development Strategy Plan and subsequent landscaping, public improvement and redevelopment plans.

18. Improvements to First Street. In cooperation with the State Highway Department, First Street will be landscaped and intersections improved to accommodate pedestrian traffic across First Street without adversely affecting traffic flow.

C. PRELIMINARY COST ESTIMATES

1. The following cost estimates are for typical block or work areas for several of the public improvement projects listed and are based upon current (October 30, 1981) construction costs. The individual unit costs used are slightly inflated to include approximately 10% contingency to cover related work but not itemized. These estimates were prepared without the aid of accurate existing condition surveys or detailed development plans. The estimates do not include any allowance for major underground work except as noted, or for unforeseen construction problems.

2. TYPICAL UNIT AND PER BLOCK COSTS

a. Main Street Shopping Park Upgrade Cost Estimate - Typical Block

1.) Work Items	Units	Cost/Unit	Total
Remove dead trees	6 EA	\$ 50.00 EA	\$ 300.00
Install low plantings planters	6 EA	150.00 EA	900.00
Remove existing planters	6 EA	150.00 EA	900.00
Prune existing trees	12 EA	80.00 EA	960.00
Paint existing shelters	Allow	500.00	500.00
Reconstruct brickwork	Allow	2,000.00	2,000.00
		Subtotal	\$5,560.00
+ 25% contingency and general conditions:			1,390.00
			\$6,950.00
Say:			\$7,000.00

2.) Construct Small Fountain Feature

Allow \$12,000 to \$25,000 each

b. Typical Alley Treatment Cost Estimate - Typical Block

1.) Site Improvements

Site Preparation

Remove alley pavement	940 SY	6.00 SY	5,640.00
Miscellaneous removals	Allow	1,000.00	1,000.00
			\$6,640.00

Utilities

Adjust existing m.h. covers	5 EA	100.00 EA	500.00
New inlets	2 EA	1,500.00 EA	3,000.00
			\$3,500.00

Sitework

New bituminous paint	620 SY	15.00 SY	9,300.00
New special concrete	2,900 SF	5.00 SF	14,500.00
Screen wall	210 LF	180.00 LF	37,800.00
Curb/seat wall	210 LF	50.00 LF	10,500.00
Entry trellis	Allow	5,000.00	5,000.00
Entry directory	Allow	3,000.00	3,000.00
Pedestrian lights	7 EA	2,000.00 EA	14,000.00
			\$84,100.00

Landscape Furnishings

Flowering trees	10 EA	\$ 200.00 EA	\$ 2,000.00
Planting bed	1,260 SF	4.00 EA	5,040.00
Bench units	5 EA	400.00 EA	2,000.00
Irrigation	Allow	4,000.00	4,000.00
			\$ 13,040.00
TOTAL:			\$107,280.00

Budget ranges from \$105,000 to \$135,000 per block.

Utility
Transformers
Secondary distribution

1 EA
Allow

Budget ranges from \$45,000 to \$55,000 per block.

c. Road and Colorado Avenue Improvements Cost Estimate - Typical Block

1.) Site Improvements

Site Preparation

Remove existing street	1,130 SY	8.00 SY	9,040.00
Remove existing curb	1,040 LF	4.00 LF	4,160.00
Remove existing sidewalks	180 SY	5.00 SY	900.00
Remove existing lights	10 EA	250.00 EA	2,500.00
			<u>\$16,600.00</u>

Utilities

Adjust existing m.h. covers	16 EA	100.00 EA	1,600.00
Abandon existing inlets	6 EA	150.00 EA	9,000.00
New inlets and pipe	14 EA	1,500.00 EA	21,000.00
Miscellaneous	Allow	3,000.00	3,000.00
			<u>\$26,500.00</u>

Sitework

Concrete curbs	1,060 LF	10.00 LF	10,600.00
New brick/concrete walks	7,800 SF	4.50 LF	35,100.00
Concrete replacement	1,600 SF	2.00 SF	3,200.00
Street patching	100 SY	15.00 SY	1,500.00
30' lights	10 EA	3,000.00 EA	30,000.00
Brick crosswalks	1,600 SF	8.00 SF	12,800.00
			<u>\$93,200.00</u>

Landscape/Furnishings

Street trees	36 EA	500.00 EA	18,000.00
Tree grates	36 EA	350.00 EA	12,600.00
Benches	6 EA	800.00 EA	4,800.00
Trash receptacles	6 EA	350.00 EA	2,100.00
Low planters	8 EA	1,000.00	8,000.00
			<u>\$45,500.00</u>
		Subtotal	\$ 182,000.00

Budget ranges from \$180,000 to \$225,000 per block.

d. Seventh Street Boulevard Improvements Cost Estimate - Typical Block

1.) Site Improvements	<u>Units</u>	<u>Cost/Unit</u>	<u>Total</u>
<u>Site Preparation</u>			
Remove existing street	1,450 SY	\$ 8.00 SY	\$ 11,600.00
Remove existing curb	800 LF	4.00 LF	3,200.00
Remove existing walks (20%)	180 SY	5.00 SY	900.00
			<u>\$ 14,800.00</u>
<u>Utilities</u>			
Adjust existing m.h.	10 EA	100.00 EA	1,000.00
Abandon existing inlets	6 EA	150.00 EA	9,000.00
New inlets and pipe	8 EA	1,500.00 EA	12,000.00
Miscellaneous	Allow	2,000.00	2,000.00
			<u>\$ 24,000.00</u>
<u>Sitework</u>			
Concrete curbs	1,300 LF	10.00 LF	13,000.00
New brick/concrete walks	7,200 SF	4.50 SF	32,400.00
Brick crosswalks	2,400 SF	8.00 SF	19,200.00
30' lights	6 EA	3,000.00 EA	18,000.00
Median lights	4 EA	2,000.00 EA	8,000.00
Irrigation	Allow	4,000.00	4,000.00
			<u>\$ 94,000.00</u>
<u>Landscape/Furnishings</u>			
Street trees (5" cal.)	18 EA	500.00 EA	9,000.00
Tree grates	18 EA	350.00 EA	6,300.00
Benches	4 EA	800.00 EA	3,200.00
Trash receptacles	4 EA	350.00 EA	1,400.00
Lawn planting	300 SY	3.00 SY	900.00
Low planters	6 EA	1,000.00 EA	6,000.00
			<u>\$ 21,400.00</u>
		Subtotal:	\$154,800.00

Budget ranges from \$155,000 to \$195,000 per block.

2.) New Traffic Signalization

Budget ranges from \$25,000 to \$32,000 per block.

3. ESTIMATED TOTAL COSTS FOR SAMPLE PROJECTS

The final cost figures are given in a range from the base estimated cost to a figure escalated 25% to cover many of the unknown conditions and requirements that often occur on projects of these types. Actual costs will not be known until specific project development plans have been completed and projects are ready for construction.

- a. Shopping Park Improvements, for the four block area on Main Street between Seventh and Third, including two small fountains:

\$22,000 - \$28,000
24,000 - 50,000
\$46,000 - \$78,000

- b. Alleyway Improvements, for the four blocks of alleys north and south of Main Street between Fourth and Sixth.

\$420,000 - \$540,000

- c. Rood Avenue Improvements between Fourth and Sixth

\$360,000 - \$450,000

- d. Colorado Avenue Improvements between Fourth and Sixth

\$360,000 - \$450,000

- e. Alleyway Improvements north and South of Main between Sixth and Seventh, and Third and Fourth

\$420,000 - \$540,000

- f. Seventh Street Improvements, from Grand to Colorado, not including signal support changes

\$620,000 - \$780,000

- g. Rood Avenue Improvements between Seventh and Sixth, and First and Fourth

\$720,000 - \$900,000

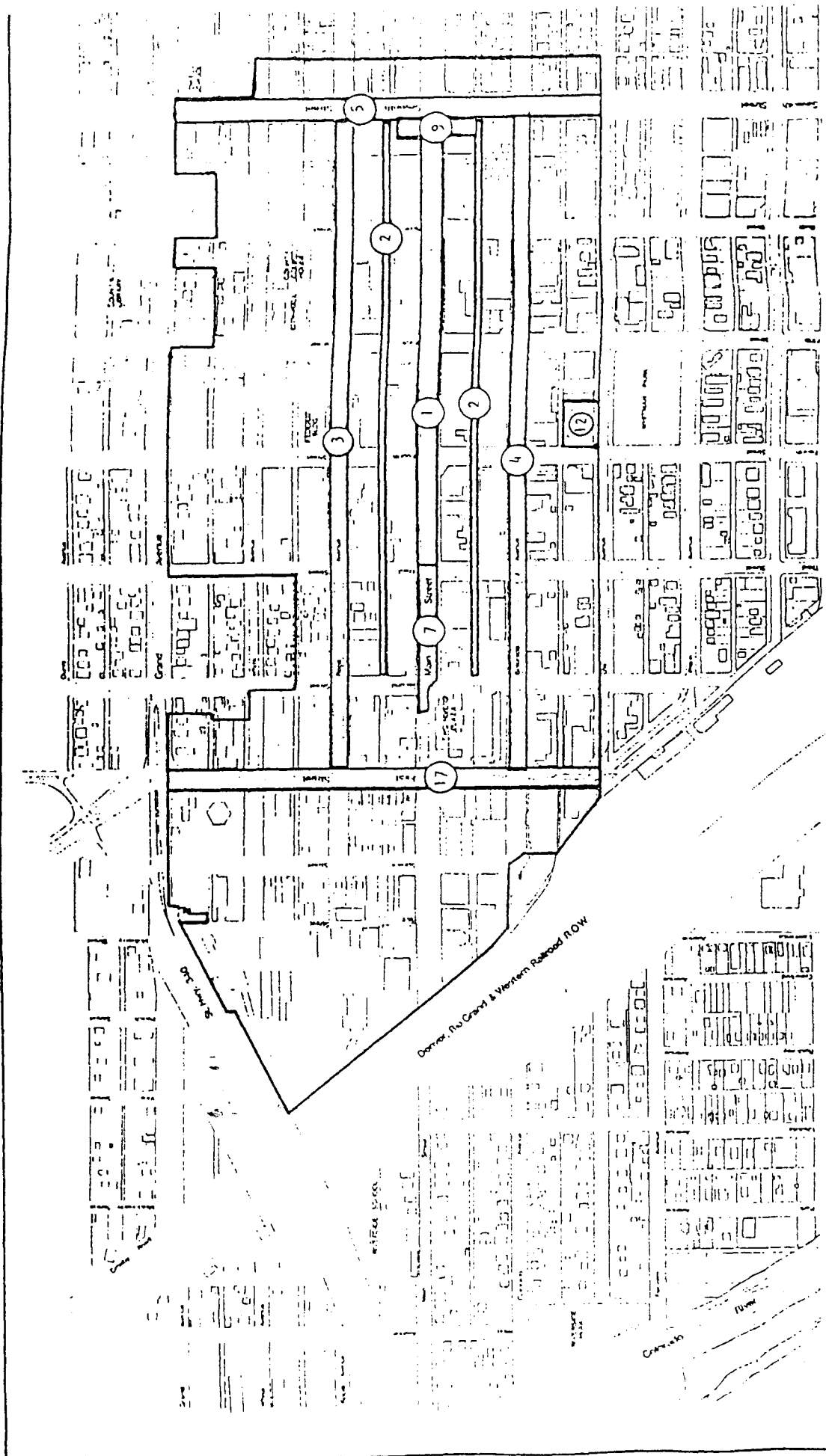
- h. Colorado Avenue Improvements between Seventh and Sixth, and First and Fourth

\$720,000 - \$900,000

- i. Seventh Street Improvements, from Colorado to Railroad Tracks

\$550,000 - \$685,000

As mentioned above, detailed costs of these and other projects will not be known until project specific planning and design has been accomplished. The cost of individual project planning and design has not been included in these estimates, but shall be included in the calculation of total cost for each project and may be financed in conjunction with the financing of the public improvement projects.



City of Denver, Department of Public Works

EXHIBIT E PUBLIC IMPROVEMENT PROJECT LOCATIONS (NUMBERS REFER TO SOME OF THE PROJECTS LISTED IN SECTION VII, B.)

DECEMBER, 1981

SECTION VIII
REDEVELOPMENT AND RENOVATION PROJECT AREAS

A. GENERAL

1. The public facilities and improvements described in Section VII will provide some, but not all, of the needed incentives to the private sector to undertake desired redevelopment projects. Because of the difficulty in assembling small parcels with mixed ownerships into the large parcels necessary for redevelopment projects, the Authority and City will acquire key parcels and entire sites for priority redevelopment projects. Property so acquired can be cleared and prepared with utilities, surface treatment, landscaping and other amenities for lease or sale at fair value to redevelopers desiring to undertake a redevelopment project. Only qualified redevelopers submitting project plans consistent with this Plan and with any project specific criteria as determined by the Authority will be allowed to participate in projects on land acquired by the Authority and City.

2. The redevelopment areas, shown on the map in Exhibit F, establish a long-range land use and circulation framework for the future of the DDA Plan of Development area. Within each of the areas shown, redevelopment, both public and private, is intended to be predominantly concentrated within a certain type and to allow and provide for the redevelopment of properties at levels of intensity and density appropriate for the commercial and office center of the community. This Plan presents a flexible management concept for the downtown; the boundaries of the proposed areas make sense in light of today's opportunities, but must be regarded as indications of an intended future, not their literal representation.

3. This Plan will accommodate growth and change in two ways; by providing for the renovation and creative use of adaptable structures and properties which continue the community's heritage; and by providing for the redevelopment of properties unsuitable to further productive use and not providing a strong link to our heritage. It will concurrently balance downtown growth along both of these paths and proposes policies and programs which provide investment opportunities and returns to the community along both tracks.

4. The placement of public facilities, services and utilities described in Section VII will reflect this dual potential and future and provide a balance of incentives and management assistance.

5. Within each of the various areas shown in Exhibit F, growth management policies need to reflect the community's interests in sound property development. Sound principles of land planning need to be applied, and development concepts for district-wide areas need to be examined and re-examined.

6. The City and Authority, in accordance with Item A. 14. in Section VI of this Plan will acquire sites or key parcels appropriate for redevelopment projects. All purchasers of said sites or key parcels shall be obligated to develop the property in accordance with the provisions of this Plan and any design or development standards or criteria subsequently established by the City or Authority, to begin and complete the development of the property within a period of time which the Authority fixes as reasonable, and to comply with such other conditions as the City or Authority deem necessary to assure the achievement of the purposes of this Plan.

B. DESCRIPTIONS OF REDEVELOPMENT AREAS

1. Commercial Renovation District. The Shopping Park along Main Street is designated as a renovation district rather than redevelopment area, since the structures on Main Street provide strong opportunities for renovation rather than replacement. Historic district designation will be investigated, with the preservation of key structures a possibility in this area. Good building rehabilitation opportunities do exist. Restorations need to preserve architectural integrity, materials, sense of color, signage and the alignment of similar buildings elements.

2. Commercial Center Redevelopment Area. The Rood and Colorado corridors between Third and Seventh should be redeveloped with high intensity commercial emphasizing retail and service uses. Some properties will be appropriate for restoration or renovation work. This area is appropriate for the compatible integration of individual different uses.

3. Mixed-Use Redevelopment Area. Two Rivers Plaza provides an appropriate focus for a mixed-use development at the western terminus of the Shopping Park. This Plan calls for the combination of hotel, office and convention facilities

in a multi-block property, and proposes the use of parking lots for the staging and phasing of development and to insure flexibility in the trade and exchange of land. A multi-block project in this location could also provide for the performing arts or new state office facility. However, major projects in the mixed-use area will require an upgrading and replacement of current utility systems.

4. Primary Government and Professional Office Redevelopment Area. The existing City Hall, County Courthouse, Federal Building, Valley Federal building and Post Office, all north of Rood between Third and Sixth, offer the opportunities for significant massing of new government and professional office related buildings, the establishment of promenades and skyways connecting these buildings, and the location of a high-rise element for the skyline.

5. Secondary Government and Professional Office Redevelopment Area. The existing Police Station, Sheriff's Office, jail and Fire Station and available land offer the opportunity for new public safety, criminal justice, general government and associated professional office development.

6. Medium and Low Density Office Redevelopment Area. These areas should be developed at a smaller scale and intensity than the more central redevelopment areas with on-site parking and setbacks to provide a transition to existing older neighborhoods. Multi-family housing would be a compatible use in this area if the design is compatible.

7. Entrance Development District. The area west of First Street, south of State Highway 340 and north of Colorado is owned primarily in large parcels and would be appropriate for a large scale planned redevelopment project. This property is well enough located and large enough for development of a research or office park, high density housing, a regional transportation center, and a downtown food market. As an office or research park, it can provide a complement to the Two Rivers Plaza area immediately to the east. As a redevelopment parcel, it should be planned as a complete unit, with full mind given to the views it can provide of the downtown to those arriving from the west. Ultimate uses in this area will depend on the market analyses and site planning for the area.

C. REDEVELOPMENT AREA BOUNDARIES

1. It should be reiterated that the boundaries and descriptions of the

renovation areas described in this section and shown in Exhibit F are general. Actual redevelopment projects may not entirely conform to the uses or areas designated for each area. Redevelopment projects, however, will be compatible with adjacent and surrounding uses. Various development incentives described in this Plan will be used to encourage redevelopment projects in appropriate locations. Revised zoning regulations called for and discussed in the Plan to be undertaken subsequent to adoption of this Plan will reference and reflect the redevelopment area boundaries and descriptions contained in this Section VIII.

2. The Commercial Renovation District, designated by the Number 1 on Exhibit F, consists of both sides of Main Street in a majority of the Shopping Park and two sites separate from Main Street. The Main Street properties and the other two sites (the IOOF Building and the two large residences on the southwest corner of Seventh and Grand) have been designated for commercial renovation because:

a. The structures therein comply with the criteria prescribed in S39-5-105 C.R.S. 1973 as amended, for the application of the five year deferral.

b. The structures therein exemplify the history of the development of Grand Junction and contribute significantly to the physical and visual character of the downtown.

c. Many of the structures therein, because of their age and lack of proper maintenance, contribute to life, health, and fire safety problems. The provision of the five year deferral on increases in assessed value resulting from renovation will provide an incentive to alleviate the safety problems and retain the visual character of the buildings.

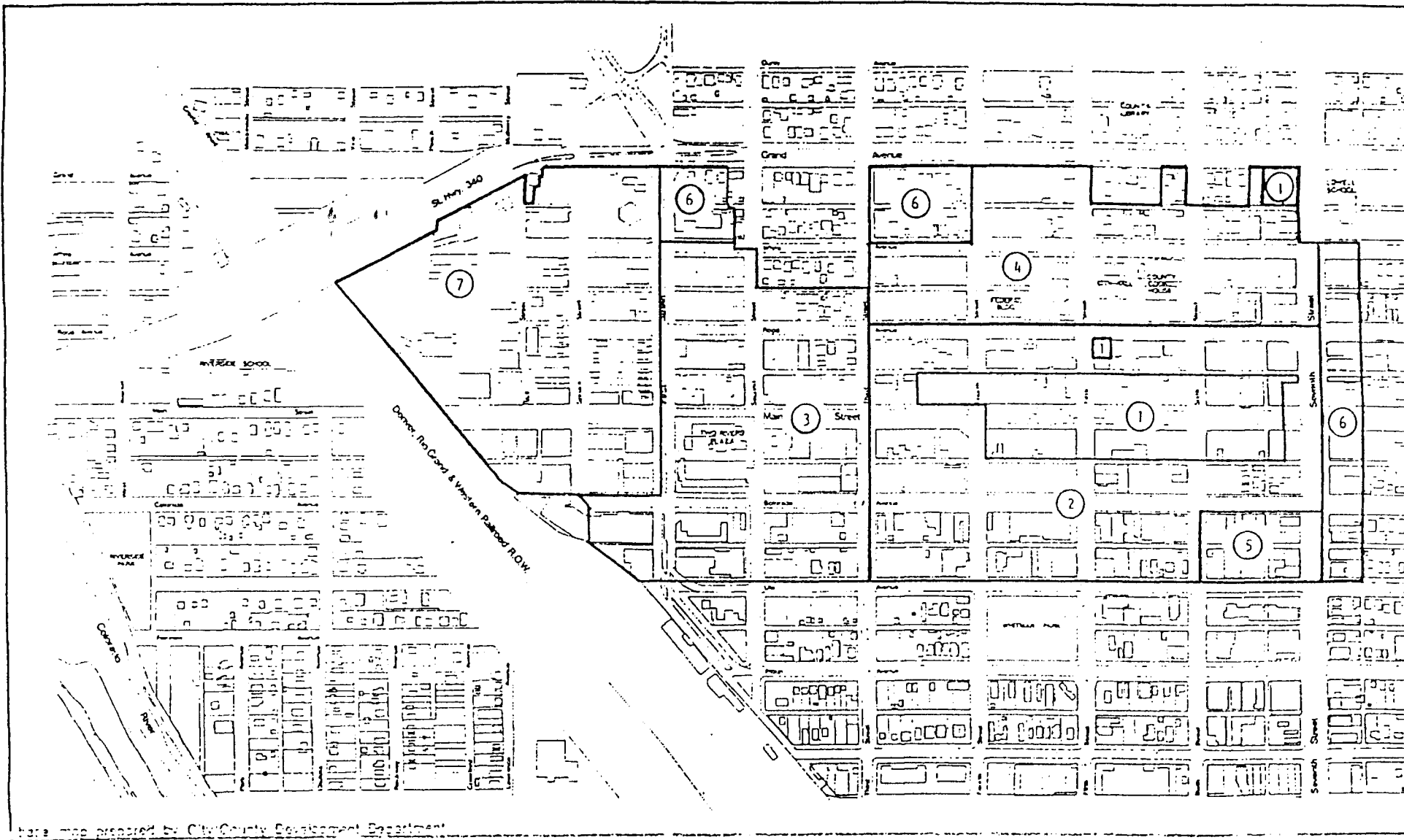


EXHIBIT F

DDA PLAN OF DEVELOPMENT REDEVELOPMENT AREAS (NUMBERS REFER TO THE DESCRIPTIONS LISTED IN SECTION VIII.B.
DECEMBER 1981

SECTION IX
PROJECT FINANCING

A. FINANCING MECHANISMS

1. Any and all methods legally available to the City and/or Authority may be used to finance the public improvements described or anticipated in this Plan. Those methods include but are not limited to:

- a. Property tax increment financing
- b. Sales tax increment financing
- c. General obligation bond financing
- d. Municipal revenue bond financing
- e. General improvement district financing
- f. Local improvement district and special assessment financing
- g. Mall improvement and maintenance district financing
- h. Tax anticipation notes and warrants
- i. Installment purchasing
- j. Short term notes and loans
- k. Tax exempt mortgage financing
- l. Industrial development revenue bond financing
- m. Conventional financing

2. These methods can be combined to finance individual portions of projects or whole projects as the City and Authority deem appropriate at the time projects are undertaken. These methods can also be used insofar as legally allowable to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the City or Authority to finance or refinance in whole or in part, the projects contained in this Plan.

B. TAX INCREMENT FINANCING

1. Colorado Statute in S31-25-807 C.R.S. 1973 as amended, provides for the Authority and City, through the adoption of a Plan of Development to create a Plan of Development area utilizing either or both property and municipal sales taxes for a period not to exceed twenty-five years. Both property and municipal sales tax increments derived from the Plan of Development area will be used to redeem bonds issued to finance all or a portion of the cost of

U
projects within the Plan of Development area as described in this Plan. The following information describes the division of funds necessary to implement the tax increment mechanism for the City of Grand Junction and Grand Junction Downtown Development Authority under this Plan. This description relates to all property and municipal sales taxes generated within the Plan of Development area.

a. The effective date of this Plan shall be December 16, 1981, that date being subsequent to September 9, 1981, the last date of certification of valuation for assessment of taxable property within the boundaries of the Plan of Development area. The base year for property tax valuation shall be 1981.

b. The City shall establish, in the first calendar quarter of 1982, a tax increment revenue fund for the deposit of all funds generated pursuant to the division of property and municipal sales tax revenue described in this Section IX.B., other funds generated by tax increment financed projects, and any other funds so designated by the City and the Authority.

c. Municipal sales taxes collected in the Plan of Development area for the twelve month period ending on the last day of the month (November 30, 1981) prior to the effective date of this Plan (December 16, 1981) shall be calculated by the City Finance Director and certified to the City and Authority prior to April 1, 1982. The twelve month period base year for the division of sales taxes shall be December 1, 1980 through November 30, 1981.

d. The property and municipal sales tax shall be divided according to S31-25-807, C.R.S. 1973 as amended, for a period of twenty-five years from the effective date of this Plan unless the City and Authority deem that all of the projects anticipated in this Plan have been accomplished and all debts incurred to finance those projects have been repaid or otherwise disposed of in which event the City and Authority may declare the Plan implemented. Thenceforward, all taxes upon taxable property and total municipal sales tax collections derived from the Plan of Development area shall be paid into the funds of the respective public bodies.

e. The division of municipal sales taxes generated and collected from within the Plan of Development area after November 30, 1981, shall be:

1.) The base year amount shall be paid into the funds of the City annually commencing on December 1, of each year.

2.) Twenty percent (20%) of the incremental amount in excess of the base year amount shall be paid into the funds of the municipality.

3.) Eighty percent (80%) of the incremental amount in excess of the base year amount shall be paid into the tax increment revenue fund.

4.) Payment of incremental funds into the tax increment revenue fund shall commence only after the base year amount has been collected and paid into the funds of the municipality. Thereafter and until November 30 of each year the percentages described in subsections 2. and 3. above shall be paid into the funds of the municipality and the tax increment revenue fund.

5.) All interest earned on the deposit or investment of funds allocated to the tax increment revenue fund shall be paid into the tax increment revenue fund.

f. All tax increment revenues described in this Section IX.B. will be irrevocably pledged by the City for the payment of the principal of the interest on and any premiums due in connection with bonds, loans, advances and indebtedness of the City and Authority only after the question of issuing such bonds or otherwise providing for such loans, advances, or indebtedness and the question of any such intended pledge are first submitted for approval to the qualified electors of the Downtown Development Authority district at a special election to be held for that purpose. Any such election shall be called by resolution of the Board of the Authority adopted at a regular or special meeting thereof and approved by the City Council by a vote of a majority of the members thereof at least 30 days prior to such election. It is anticipated that such election shall be held in the second half of calendar year 1982, or the first half of calendar year 1983. Any and all funds paid into the tax increment revenue fund prior to the approval of the debt question at a special election shall be retained in the tax increment fund until such election has been held and debt authorized.

g. Subsequent to authorization of debt and issuance of bonds, the City shall establish such other funds and accounts as may be necessary to:

- 1.) Service the debt on bonds, loans, notes and advances
- 2.) Create a debt service reserve to cover a portion of the debt service on bonds, notes, loans or advances

2. Pursuant to an election authorizing the issuance of tax increment bonds,

the City Council shall by ordinance authorize the issuance of bonds. Said ordinance shall adequately describe the flow of funds and priority of expenditures associated with each issue and relating to prior or subsequent issues.

C. COMMERCIAL RENOVATION DISTRICT DESIGNATION

1. Colorado Statute S39-5-105 C.R.S. 1973 as amended, provides for a five year deferral in the increase of assessed value of a property more than thirty years old as a result of any renovation done to the property. The commercial renovation districts called for in this Plan are described in Exhibit C and in Section VIII.C. The designation of the commercial renovation areas will result in property owners being able to save the amount their property tax liability would have increased due to the renovation for a period of five years. The amount saved could be used to amortize the cost of the renovation thereby acting as an incentive for commercial renovations within the designated areas.

2. With the adoption of this Plan, the areas described in Exhibit C shall be designated commercial renovation areas under S39-5-105 C.R.S. 1973 as amended. Any renovations undertaken to property within the commercial renovation districts after the effective date of this Plan shall not result in any increase in the assessed value of the properties so renovated for a period of five years from the date of completion of the renovation unless the property is sold.

SECTION X

AMENDMENTS TO THE PLAN OF DEVELOPMENT AND FUTURE INCLUSIONS TO THE DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT

anticipated in this Plan to be flexible and allows future decisions to deal with future problems must, therefore, be flexible and allow for minor variations and amendments.

B. MODIFICATIONS TO AND VARIATION FROM THE APPROVED PLAN

1. This Plan may be modified pursuant to the provisions of the Colorado Downtown Development Authority Law governing such modifications, including S31-25-807 C.R.S. 1973 as amended.

2. Where a literal enforcement of the provisions contained in this Plan would constitute an unreasonable limitation beyond the intent and purpose of these provisions, the Authority and City may in specific cases allow minor variances from these provisions.

C. FUTURE INCLUSIONS OF PROPERTY TO THE AUTHORITY DISTRICT

1. Colorado law allows new property to be added to the Downtown Development Authority if such property is adjacent to existing property, and the property owner requests inclusion and provides proof of ownership. The Downtown Development Authority has already included several properties at owner request.

2. As Johnson, Johnson & Roy, Inc., indicated in their Downtown Development Strategy, the problems of the Grand Junction central business district are closely tied to the Grand Junction Downtown Development Strategy Plan area, described as the area within the City limits of Grand Junction, circumscribed by Ouray Avenue on the north, Twelfth Street on the east, the alley south of South Street on the south, and the railroad tracks on the west. Hopefully, the boundaries of the two may one day coincide so that management and planning can be facilitated.

3. However, until that time, guidelines need to be established to direct the growth of the Downtown Development Authority. Therefore, future inclusions should satisfy the following criteria as much as possible.

a. Included property should be property that faces the same problems as that property already within the Downtown Development Authority.

b. Included property should be adjacent to the Downtown Development Authority, but need not be adjacent at more than one point.

c. A patchwork effect should be avoided, however, inclusions which tend to reach areas with a community of interest similar to that of property within the Downtown Development Authority will be encouraged.

d. It is anticipated that inclusions may be more rapid along corridors into the Downtown Development Authority and these should be encouraged to facilitate management of the entry areas to downtown.

e. Inclusions between corridors should be allowed when they tend to show a uniform pattern of filling the area between corridors already included.

f. Areas outside the downtown area, as defined in the Downtown Development Strategy, should not be allowed.

g. Inclusions which would strengthen the character and economic base of the central business district, even though not of commercial property, should be encouraged.

h. Each inclusion, at the time a petition is considered by the Authority Board of Directors, should be designated for inclusion as:

1.) A Commercial Renovation District

2.) An inclusion to the Plan of Development area within which tax increment financing is utilized under this Plan of Development.

3.) An inclusion without designation, which inclusion may become part of a future Plan of Development area.

4. Commercial renovation districts allowing the tax deferral and the Plan of Development area are mutually exclusive, and therefore, it is anticipated that no new renovation areas can be created within the perimeter of the initial tax increment district. However, commercial renovation areas may be created if new property is subsequently added to the Downtown Development Authority in accordance with Section X.C.3. above, provided the building conditions prescribed in C.R.S. 39-5-105, 1973 as amended, exist at the time the property is included and a commercial renovation area designation will further the purposes of and assist in the implementation of this Plan as it exists at the time of the inclusion.

5. This Plan of Development designates areas in which tax increment financing will be used. Once the district boundaries are formed, additions may be made by complying with the necessary procedures to amend the Plan of Development. However, it is anticipated that once there is an election to pledge tax increment revenues, it could become burdensome to amend the boundaries of the tax increment district. Therefore, any subsequent inclusions to the Authority district which will also be included in the initial tax increment district should be accomplished according to the procedures in C.R.S. S31-25-807 and 822 and by this Section X of this Plan.

6. With these guidelines, the Downtown Development Authority can, hopefully, grow to a size necessary to assist in meeting the challenges of the future, but do so within a framework of controlled expansion.



GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY
INTERIM PLAN OF DEVELOPMENT
RELATING TO STREET VENDORS

The Grand Junction Downtown Development Authority supports and encourages the permitting of street vendors, sidewalk cafes, and special entertainment events on the public right-of-way in the downtown Shopping Park. Vendors, sidewalk cafes, and special events assist in creating an atmosphere in the downtown that will draw people. Special street activities should appropriately be located in the Shopping Park where the public right-of-way of Main Street has been substantially altered in physical form so as to be conducive to allow for semi-permanent structures, kiosks, carts and the like, and because traffic on Main Street within the Shopping Park is controlled at low speeds with stops at intersections and at mid-block, allowing for street vendors and other activities on public property. Street activity of this nature will generate additional pedestrian and vehicular traffic into and within the downtown area. Additional traffic will enhance the image of the entire downtown area and will help to generate increased retail sales.

The Downtown Development Authority, as a separate part of the plan of development, is recommending a preferred mix of retail opportunities in the downtown area, so as to balance the city-wide and downtown retail market opportunities. The street vendors, special events, and special use permits described in this part will assist in establishing a preferred retail mix in the downtown. In the short term, street vendors will augment the availability of retail merchandise in the downtown. It is the express intent of the street vendor program to supplement and complement existing retail businesses, rather than to supplant them. The Shopping Park has been used by the City, downtown merchants, service clubs, and other organizations for parades, special fund raising events, etc. since it was constructed in 1963 for these same purposes.

1. Because of the wider sidewalks in many locations on the Shopping Park, restaurants are encouraged to expand their seating areas onto the sidewalk where space permits. Existing restaurants are encouraged to do this in order to integrate the interior of their establishments and the atmosphere of a restaurant with the Shopping Park. Because existing restaurants maintain the necessary Department of Health and Department of Revenue permits to undertake such an activity and because they maintain existing food and beverage preparation facilities, it will be relatively easy for existing establishments to expand. In no event will the width of the sidewalk be reduced beyond ten feet or will any sidewalk seating area be allowed to constrain or unnecessarily restrict pedestrian traffic. All requirements for sidewalk eating areas established by the Department of Health and the Department of Revenue shall be complied with.

2. The street vendor program encourages street vending carts, semi-permanent kiosk structures, pedestrian vendors and roving entertainers. The mode the individual vendor determines is most suitable to him and for the sale of his merchandise within these categories is acceptable provided that the number of permits for carts, kiosks, and pedestrian vendors does not exceed the number of locations specified in this part.

3. Because it is the intent of the DDA to balance the retail mix of the downtown area, it is important that the location of and merchandise sold by street vendors complement rather than conflict with businesses located in permanent structures on private property. Therefore, it would be inappropriate for a street vendor to be selling the same merchandise lines on a public right-of-way as those being sold by a business immediately adjacent located in a private permanent structure. Prior to the issuance of a permit, a vendor applying for a kiosk, mobile vending cart or sidewalk restaurant permit will be required to receive the written concurrence of not less than 2/3 of the operating businesses within a 75 foot radius of the location in which he would establish his vending operation.

4. Permits will be allowed to vendors based upon the line of merchandise a vendor proposed to sell. Any change in merchandise lines will void the permit. Types of goods sold by street vendors will be limited in accordance with the preferred retail mix. In general, because of the semi-permanent nature of street vendor operations, the lack of space for storing inventory and displaying merchandise and because the intent of the program is to complement existing retail opportunities, merchandise lines to be permitted for sale will be limited to perishable goods, foodstuffs, hand-crafted products, artworks, sundries (candy, cigarettes, newspapers, magazines, etc.), and novelty items.

5. All vendors shall sell from the specific location or zone permitted as shown on the map in this part. Merchandise lines shall be specified in the issuance of a permit. Plans and specifications, including the design, color, size, and position of carts and temporary kiosks, will be submitted and reviewed for compliance with design guidelines for the downtown prior to the issuance of a permit. Vendors will not be allowed to utilize audio inducements to advertise their merchandise or to encourage sales, because audio inducements and advertising will adversely affect the tranquility of the Shopping Park. Permitted street entertainers will be excepted from this provision.

6. Because the Downtown Development Authority is encouraging small business entrepreneurship in the downtown and a diversity in business ownership, any individual or organization may obtain only one vending permit (excluding special use permits) to be effective at the same point in time. Special use permits, because of their very short duration, will be excluded from limitation. Special use permits, however, shall be awarded in accordance with traditional special uses of the Shopping Park, i.e., Farm and Ranch Days, Pancake Breakfast, -

Art Festival, etc. Conflicting special use permits will not be issued. Coterminal special permits that will complement each other and the downtown will be issued.

7. Special use permits and vendor permits will be available at no cost to non-profit and charitable organizations undertaking their efforts with volunteers, provided that the gross proceeds are contributed to a charitable purpose.

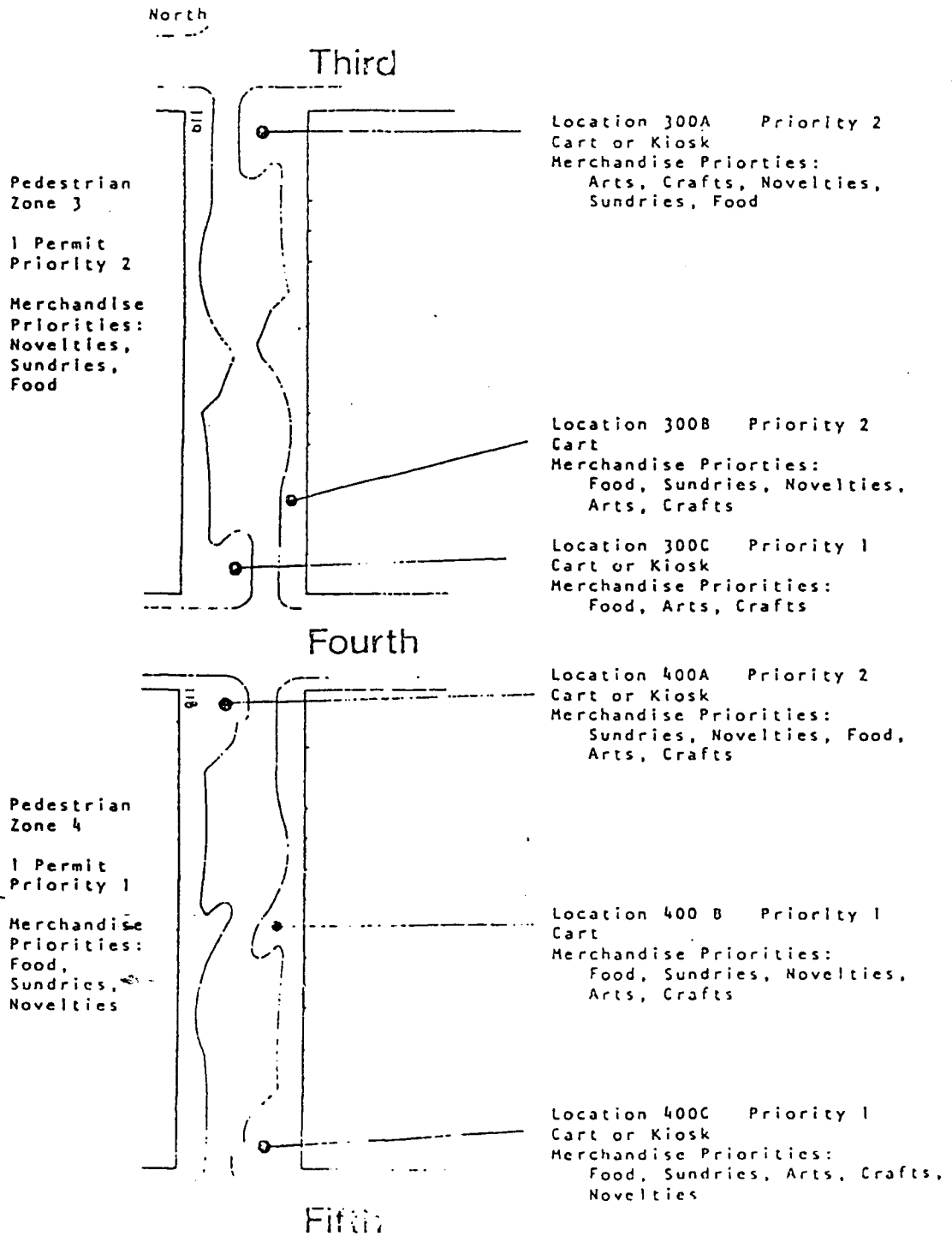
8. Individuals and/or organizations receiving permits may renew permits by reapplying and submitting the fee any number of times except: 1) when a permit has not been used for a majority of the time for which it was issued, 2) when a permit is not used in accordance with the terms of its issuance, 3) when reasonable complaints are received relating to the permittee or permitted operation, and, 4) for failure to comply with the ordained provisions relating to insurance, maintenance of the area, etc. If it is determined that a permitted vending operation creates congestion of sidewalks or streets or in any other way interferes with activity on Main Street through no fault of the vendor, a permit may be re-issued for the remaining period of time authorized by the first permit at a different location at no cost.

9. Attachment 1A indicates the locations and zones for which kiosk, cart and pedestrian vendor permits will be used. The locations for kiosk and cart permits, three per block, are those that were determined would create the least pedestrian interference and cause the least amount of interference with existing street activities. These locations may need to be changed from time to time as street activities change and needs and demands are adjusted. As retail operations relocate on the Shopping Park, the potential for conflicts with street vendors will occur; therefore, changes in the locations of the vendors will be undertaken through the relocation of the vending permit rather than revocation.

10. The priority uses by merchandise line at each vendor location are also shown on Attachment 1A. The uses listed were determined after considering the existing retail activities and pedestrian traffic generators in each area. The uses specified in each location will enhance pedestrian activities within the Shopping Park, but may need to be adjusted as the retail mix in the downtown changes or as pedestrian traffic patterns change.

ATTACHMENT 1A

Zones 3 and 4

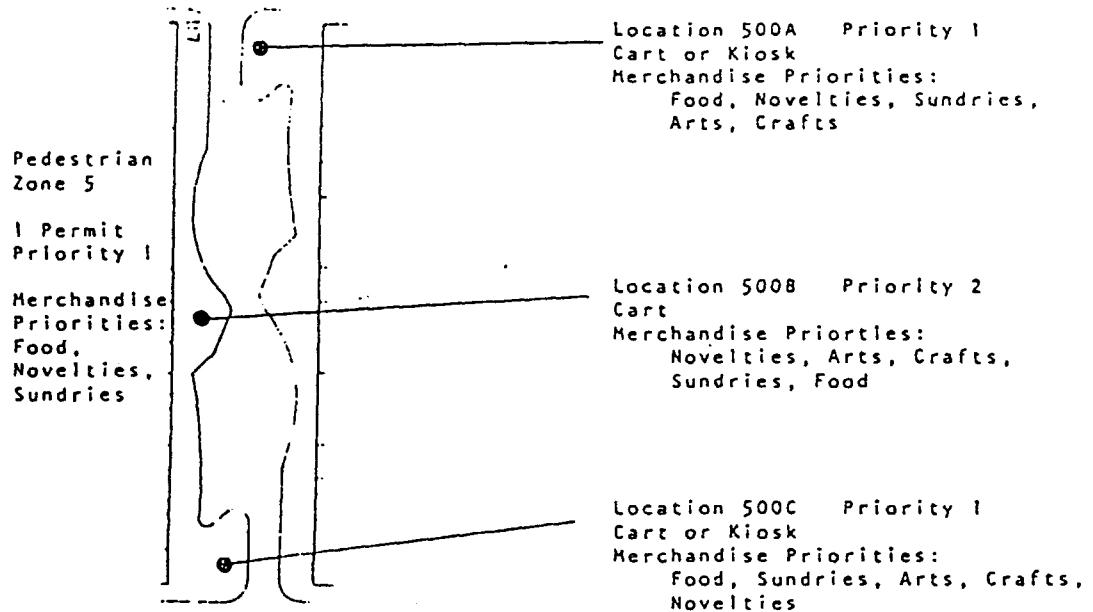


ATTACHMENT 1A

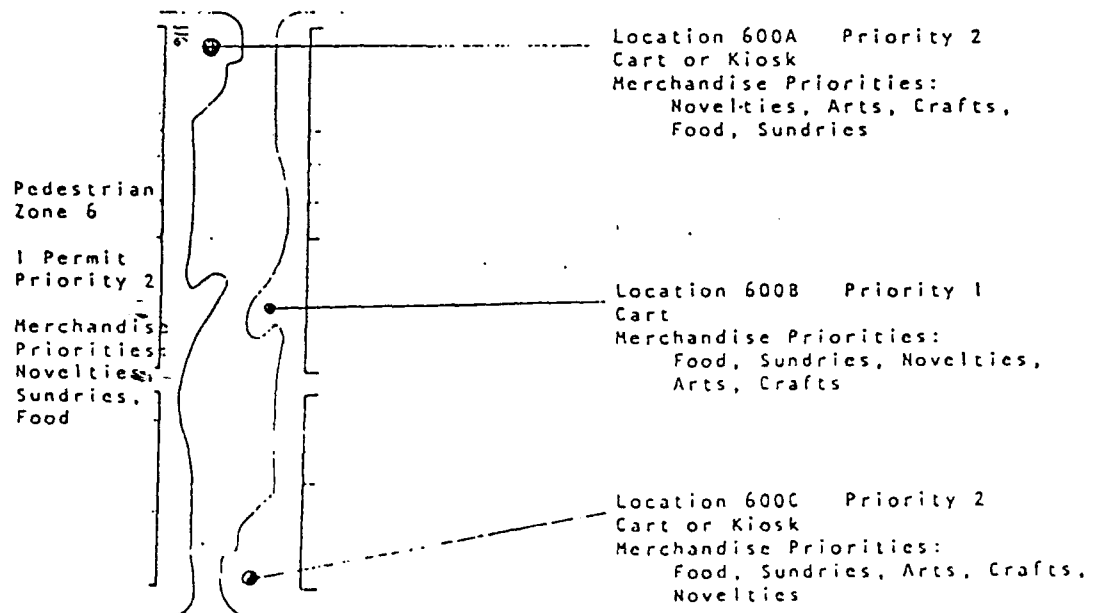
Zones 5 and 6

North

Fifth



Sixth



Seventh

Grand Junction
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

March 15, 1983

MEMO

TO: Jim Wysocki
FROM: Skip Grkovic *SG*
SUBJECT: 1983 Amendments to the DDA Plan of
Development

At the time the DDA Plan of Development was adopted, it was anticipated that periodic amendments to the Plan would be necessary as new property was included in the DDA district boundary, state laws were changed, general conditions in the downtown changed, or as project priorities were adjusted. The first amendment was made last April and, because of the long drawn out process required to amend the Plan, it was decided to amend the Plan only once a year. The amendment should occur prior to May 1 of each year because that is the annual deadline for adding property to the district tax roll in the Assessor's office. Amendments to the Plan require both an ordinance to amend the DDA boundary and a Council Resolution adopting the Plan amendments.

We would like to schedule both the ordinance and the resolution in April. The schedule is proposed as follows:

- | | |
|---------------------|--|
| Friday, March 25 | DDA Board |
| | 1) Accepts additional Petitions for Inclusion and requests City Council to amend the DDA boundary. |
| | 2) Adopts amendments to the DDA Plan of Development. |
| Wednesday, April 6 | City Council |
| | 1) Considers the ordinance amending the DDA boundary on first reading. |
| | 2) Accepts the submission of the Plan of Development amendments and refers them to the Planning Commission for review and comment. |
| Tuesday, April 12 | Planning Commission |
| | 1) Reviews and comments on DDA Plan of Development amendments. |
| Wednesday, April 20 | City Council |
| | 1) Considers the ordinance amending the DDA boundary on second reading. |
| | 2) After a public hearing, considers a resolution adopting the 1983 Amendments to the DDA Plan of Development. |

Memo to Jim Wysocki
March 15, 1983
Page 2

This year's amendments to the DDA Plan of Development include three major items,

1. Expansion of the Tax Increment District boundary to coincide with the expanded boundaries of the DDA due to new inclusions.
2. Elimination of the Commercial Renovation District designations (except for the Henry, Mayo, Berry property). The Legislature is repealing the statute which allows for Commercial Renovation Tax incentives because the constitutional amendment passed last October called for it. (Henry, Mayo and Berry are the only property owners to take advantage of the five-year renovation tax incentive and we are hoping they will be allowed to keep it.)
3. Inclusion of the property which was in the Commercial Renovation Districts into the Property and Sales Tax Increment Districts. This will probably require a modification in the base year for the Sales Tax Increment District - John Tasker is working with me on it.

If you have any questions, please give me a call.

GMG:lo

cc: DDA Board
Joe Skinner
Neva Lockhart
Jerry Ashby
John Tasker

4-26

Grand Junction
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

AMENDMENT
TO THE
DOWNTOWN DEVELOPMENT AUTHORITY
PLAN OF DEVELOPMENT
FOR GRAND JUNCTION, COLORADO

Including The Designation Of
Commercial Renovation Districts
And A Plan Of Development Area
Within Which
Tax Increment Financing Will Be Utilized

PREPARED BY:
Grand Junction
Downtown Development Authority



EFFECTIVE DATE OF PLAN: DECEMBER 16, 1981

EFFECTIVE DATE OF AMENDMENT: JUNE 2, 1982

RESOLUTION No. 35-82
APPROVING AMENDMENTS TO THE PLAN OF DEVELOPMENT
FOR THE GRAND JUNCTION, COLORADO,
DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority (the Authority) has adopted a Plan of Development for the central business district within the boundaries of the Authority and such plan of development was approved by the Grand Junction, Colorado, City Council (the Council) on December 16, 1981; and

WHEREAS, since the approval of such plan of development, several individuals, pursuant to C.R.S. 1973, §31-25-822, as amended, and Article X of the Authority's Plan of Development, have petitioned for inclusion within the boundaries of the Grand Junction, Colorado, Downtown Development Authority, and the boundaries of the Grand Junction, Colorado, Downtown Development Authority were expanded by the Council by Ordinance 2045; and

WHEREAS, on May 7, 1982, the Board of the Authority passed a Resolution amending the Plan of Development to show such boundary changes and to make other minor changes in the Plan of Development; and

WHEREAS, such amendments were submitted to the Council on May 19, 1982, at which time the Council referred the Plan of Development to the City Planning Commission for its review and recommendations; and

WHEREAS, the Planning Commission has made written its recommendations to the City Council concerning the Plan of Development, which recommendations are attached hereto as Exhibit F; and

WHEREAS, a Notice of Public Hearing before the City Council was given by publication once by one publication during the week immediately preceeding the hearing in The Daily Sentinel, a newspaper having a general circulation in the City, on May 28, 1982; and

WHEREAS, a Public Hearing was held before the City Council on June 2, 1982, wherein comments were taken from those in attendance concerning the Plan of Development; and

WHEREAS, Mesa County Valley School District #51, within which the entire Plan of Development area designated in the amendments to the Plan of Development lies, was permitted to participate in an advisory capacity with respect to the amendments of the Plan of

Development of the provision for the utilization of tax increment financing and, furthermore, has petitioned for the inclusion of its property within the boundaries of the authority; and

WHEREAS, the City Council has been adequately informed in this matter because of public input prior to the amendments of the Plan of Development, public hearing on the amendments to the Plan of Development, the evidence presented, and the Plan of Development previously adopted, a review of the previous Resolution passed, and personal knowledge of the members of the Council,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado, that:

1. The findings made by the Council in the Resolution adopting the Plan of Development on December 16, 1981, concerning the existence of blight within the authority within the meaning of §31-25-802(1.5), of Colorado Revised Statutes, 1973, as amended, still exist - there being no substantial change within such area between December 16, 1981, and June 2, 1982.

2. The Council hereby finds and determines that the approval of the amendments to the Plan of Development will serve a public use; will promote the health, safety, prosperity, security, and general welfare of the inhabitants of the City and of its central business district; will halt or prevent the deterioration of property values or structures within said central business district; will halt or prevent the growth of blighted areas within said district; will assist the City and the Authority in the development and redevelopment of said district and in the overall planning to restore or provide for the continuance of the health thereof; and will be of specific benefit to the property to be included within the amended boundaries of the Authority.

3. The amendments to the Plan of Development are hereby approved by the Council, and the Authority is authorized to undertake development projects as described in the amended Plan of Development.

4. The Plan of Development is hereby amended in the following respects:

A. The boundaries of the Grand Junction, Colorado, Downtown Development Authority, are amended to read as shown on the attached Exhibit "A", and Pages 8, 9 and 10 of the Plan of Development are amended by substituting Pages 8(a), 9(a), 10(a), 10(ab), 10(ac) and 10(ad) in the form of Exhibit "A".

B. The boundaries of the Plan of Development area within which tax increment financing will be used are amended to read as shown on the attached Exhibit "B" and Pages 11, 12 and 13 of the Plan of Development are amended by substituting pages 11(a), 12(a), 13(a), 13(ab), 13(ac), 13(ad) and 13(ae) in the form of Exhibit "B".

C. The boundaries of the Plan of Development area for commercial renovation districts are amended to read as shown on Exhibit "C" and Page 14 of the Plan of Development is amended by substituting Page 14(a) in the form of Exhibit "C".

D. The map of the boundaries of the Grand Junction, Colorado, Downtown Development Authority is amended to read as shown on the attached Exhibit "D" and Page 15 of the Plan of Development is amended by substituting Page 15(a) in the form of Exhibit "D".

E. Page 19 of the Plan of Development is amended as shown on the attached Exhibit "E" to show further statutory requirements and legal actions taken toward the implementation of the Downtown Development Authority Plan of Development and the planned events leading to the election for the authorization to pledge tax increment revenue, and Page 19 shown of the Plan of Development is amended by substituting Page 19(a) and Page 19(ab) in the form of Exhibit "E".

F. Section VI, Plan Implementation Activities, (B) Implementation Tools, Paragraph 4, Page 20 is amended to read as follows:

"4. Improvement (General Improvement) and special improvement districts offer an opportunity to fund public improvements. Such districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off street parking facilities."

5. The separate special fund of the City created by the Resolution by the Council of December 16, 1981, and designated as the "Tax Increment Fund" shall continue to receive the deposit of the ad valorem and municipal sales tax increment funds described in Section 31-25-807, Colorado Revised Statutes 1973, as amended, and derived from and attributable to development and redevelopment within the Plan of Development Area, as amended, in which tax increment financing is used. Said funds shall be held, invested, reinvested and applied as permitted by law. For the purpose of ascertaining the amount of funds to be deposited in the Tax

Increment Fund as provided by law, the County Assessor is hereby requested to certify to the City Council on September 1, 1982, the valuation for assessment of such Plan of Development Area as of the date of the last certification. For the same purpose, the City Finance Director is hereby directed to certify to the City Council on or before September 1, 1982, the amount of municipal sales taxes collected within such Plan of Development Area for the period from June 1, 1981, to May 31, 1982.

6. Those parcels described on page 14a of the amended Plan of Development are a part of a development or redevelopment area designated by the City Council pursuant to Section 39-5-105, Colorado Revised Statutes 1973, as amended, and commercial buildings or structures on such parcels are therefore entitled to the benefits granted under said statute.

7. No public servant of the City who is authorized to take part in any manner in preparing, presenting, or approving the Plan of Development or any contract contemplated thereby has a potential interest in the Plan of Development or any such contract which has not been disclosed in accordance with the requirements of Section 18-8-308, Colorado Revised Statutes 1973, as amended, and no such public servant has received any pecuniary benefit from the Plan of Development or any such contract.

8. If any provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

9. This Resolution shall be effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this 2 day of June, 1982.

CITY OF GRAND JUNCTION, COLORADO

By: James P. Brink
President, City Council

(CITY)
(SEAL)

ATTEST:

Barbara E. Blum
City Clerk

RESOLUTION
BY THE BOARD OF DIRECTORS OF THE
GRAND JUNCTION, COLORADO,
DOWNTOWN DEVELOPMENT AUTHORITY
AMENDING THE PLAN OF DEVELOPMENT

WHEREAS, the City Council of the City of Grand Junction, Colorado, on December 16, 1981, adopted and approved a resolution approving the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority; and

WHEREAS, since that time, several individuals, pursuant to C.R.S. 1973, §31-25-322, as amended, and Article X of the Downtown Development Authority Plan of Development, have petitioned for inclusion within the boundaries of the Grand Junction, Colorado, Downtown Development Authority; and

WHEREAS, such petitions have been approved by the Board of the Grand Junction Downtown Development Authority and the City Council of the City of Grand Junction, Colorado; and

WHEREAS, conditions within the Downtown Development Authority exist in substantially the same manner as described in Section IV of the Plan of Development; and

WHEREAS, it is appropriate and desirable to update the Plan of Development to show the inclusion of such property, to show further work done toward a bond election, and to show other minor changes in the Plan of Development; and

WHEREAS, Mesa County Valley School District #51, within which the entire area of development designated in the Plan of Development lies, has continued to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for utilization of tax increment financing;

IT IS, THEREFORE, RESOLVED THAT:

1. The Board finds all property included within the boundaries of the Downtown Development Authority since the adoption of the Plan of Development are subject to and exist in areas of blight within the meaning of C.R.S. 1973, §31-25-302(1.5) as amended, based upon the findings of this Board by that Resolution passed December 2, 1981, adopting a Plan of Development.

2. The boundaries of the Grand Junction, Colorado, Downtown Development Authority, are amended to read as shown on the attached

Exhibit "A", and Pages 3, 9 and 10 of the Plan of Development are amended by substituting Pages 3(a), 9(a), 10(a), 10(ab), 10(ac) and 10(ad) in the form of Exhibit "A".

3. The boundaries of the Plan of Development area within which tax increment financing will be used are amended to read as shown on the attached Exhibit "B" and Pages 11, 12 and 13 of the Plan of Development are amended by substituting pages 11(a), 12(a) 13(a), 13(ab), 13(ac), 13(ad) and 13(ae) in the form of Exhibit "B".

4. The boundaries of the Plan of Development area for commercial renovation districts are amended to read as shown on Exhibit "C" and Page 14 of the Plan of Development is amended by substituting Page 14(a) in the form of Exhibit "C".

5. The map of the boundaries of the Grand Junction, Colorado, Downtown Development Authority is amended to read as shown on the attached Exhibit "D" and Page 15 of the Plan of Development is amended by substituting Page 15(a) in the form of Exhibit "D".

6. Page 19 of the Plan of Development is amended as shown on the attached Exhibit "E" to show further statutory requirements and legal actions taken toward the implementation of the Downtown Development Authority Plan of Development and the planned events leading to the election for the authorization to pledge tax increment revenue, and Page 19 shown of the Plan of Development is amended by substituting Page 19(a) and Page 19(ab) in the form of Exhibit "E".

7. Section VI, Plan Implementation Activities, (B) Implementation Tools, Paragraph 4, Page 20 is amended to read as follows:

"4. Improvement (General Improvement) and special improvement districts offer an opportunity to fund public improvements. Such districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off street parking facilities."

3. The Plan of Development for the Grand Junction, Colorado, Downtown Development Authority is amended as stated herein subject to the approval of the City Council of Grand Junction, Colorado.

9. Such Plan of Development amendments shall be submitted to the City Council of Grand Junction, Colorado, with a request that they immediately submit said Plan of Development amendments to the Planning Commission for their written recommendations; and that the City Council hold a public hearing on such Plan of Development amendments, after public notice, and that the City council be requested to approve such

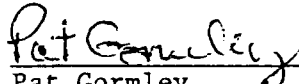
Plan of Development amendments and incorporate said amendments into the Plan of Development.

10. The City Council is requested to ask the County Assessor to certify to the City Council the valuation for assesement of the new property included within the Plan of Development area as of the date of the last certification, and the City Council is further requested to direct the City Finance Director to certify on or before September 1, 1982, the amount of municipal sales taxes collected within the new inclusions to the Plan of Development area for the period from June 1, 1981 to May 31, 1982.

11. No Board member nor any employee of the Board with a specific financial interest, as defined in C.R.S. 1973, §31-25-819, as amended, in the adoption of this Resolution has voted thereon or otherwise participated in its preparation or failed to make such interest known to the Board.

12. If any part of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not effect the remaining provisions, it being the intention of the Board that the provisions hereof are severable.

INTRODUCED, READ, PASSED AND ADOPTED this 7th day of May, 1982.



Pat Gormley,
Chairman of the Board
Grand Junction, Colorado
Downtown Development Authority

ATTEST: 

Sandra Gose, Secretary
Grand Junction, Colorado
Downtown Development Authority

EXHIBIT "A"
BOUNDARIES OF THE GRAND JUNCTION, COLORADO
DOWNTOWN DEVELOPMENT AUTHORITY

Beginning at the Northwest Corner of Wilson's Subdivision of Block 2 of Mobley's Subdivision; thence East along the South right-of-way line of Grand Avenue to the North corner point common to Lots 4 and 5 of Block 78, City of Grand Junction; thence North to a point on the North right-of-way line of Grand Avenue; which point is 15.835 feet West of the East boundary line of Lot 20, Block 77, City of Grand Junction; thence North to the North right-of-way line of the East-West alley in said Block 77; thence East to the Southernly point common to Lots 10 and 11, Block 77, City of Grand Junction; thence North along the Western boundary of said Lot 11 to the Southern right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the West right-of-way line of 3rd Street; thence South along the West right-of-way line of 3rd Street to the North right-of-way line of Grand Avenue; thence West along the North right-of-way line of Grand Avenue to the Southern point common to Lots 20 and 21, Block 76, City of Grand Junction; thence Southerly to the Northerly common corner of Lots 12 and 13 in Block 79, City of Grand Junction, thence South along the common lot line to a point on the South right-of-way line of the East-West alley in Block 79, City of Grand Junction; thence West along such South right-of-way line to a point 12 feet West of the Eastern line of Lot 7, Block 79, City of Grand Junction; thence North to the South right-of-way line of Grand Avenue; thence West to the North corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15

and 16, all in Block 78, to the South right-of-way line of White Avenue; thence East to the West right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 99, City of Grand Junction; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the Northwest corner of Lot 12, Block 80, City of Grand Junction; thence in a Northerly direction to the Southwest corner of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, to the North right-of-way of the East-West alley in Block 75; thence West along the North right-of-way of the East-West alley in Block 75 to the Southwest corner of Lot 9, Block 75, City of Grand Junction; thence North along the West line of Lot 9, Block 75, to the South right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the Northeast point of Lot 11, Block 73, which borders the alley parallel to said Lot 11, Block 73; thence South along the West right-of-way of said alley bordering Lot 11, Block 73, to the South right-of-way line of the vacated East-West alley in Block 73; thence to the Northeast corner of Lot 21, Block 73, City of Grand Junction; thence along the East line of Lot 21, Block 73, to the North right-of-way line of Grand Avenue; thence along the North right-of-way line of Grand Avenue to the Southwest corner of Lot 28, Block 73, City of Grand Junction; thence North along the West line of Lot 28, Block 73, to the North right-of-way line of the vacated East-West alley in Block 73; thence West to the West right-of-way line of 5th Street; thence South along the West right-of-way line

of 5th Street to the North right-of-way line of the East-West alley in Block 81, City of Grand Junction, thence East along the North right-of-way line of the East-West alley in Blocks 81 and 82 to the Southwest corner of Lot 9, Block 82, City of Grand Junction; thence North along the West line of Lot 9, Block 82, City of Grand Junction, to the South right-of-way line of Grand Avenue, thence East along said South right-of-way line to the East line of Lot 10, Block 82, City of Grand Junction; thence South along the East line of Lot 10, to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction, thence North along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction, thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 82; thence East along the North right-of-way line of the East-West alley in Block 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to the South right-of-way line of White Avenue; thence West along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alley in Block 93 to the South right-of-way line of the East-West alley in Block 93, City of Grand Junction; thence East to the North point common to Lots 23 and 24, Block 93,

City of Grand Junction; thence South along the common line of Lots 23 and 24 to the South right-of-way line of Rood Avenue; thence West to the North point common to Lots 14 and 15 in Block 106, City of Grand Junction; thence South along the common line of Lots 14 and 15 to the North boundary of the East-West alley in Block 106, City of Grand Junction; thence West to the South point common to Lots 12 and 13, Block 106, City of Grand Junction; thence North to the South right-of-way line of Rood Avenue; thence West to the West right-of-way line of the North-South alley in Block 106, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Block 106, 115 and 128, City of Grand Junction, to the North right-of-way line of Ute Avenue; thence East along the North right-of-way line of Ute Avenue to the South point common to Lots 25 and 26, Block 128, City of Grand Junction; thence South on the common line between Lots 13 and 14, Block 137, City of Grand Junction, to the North right-of-way line of the East-West alley in Block 137, City of Grand Junction; thence West to the West right-of-way line of the North-South alley in Block 137, City of Grand Junction; thence North along the West right-of-way line of the North-South alley in Block 137, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 7th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the West right-of-way line of 6th Street; thence North to the South right-of-way line of Ute Avenue; thence West to the North point common to Lots 12 and 13, Block 139, City of Grand Junction; thence South to the North right-of-way line of the East-West alley in Block 139, City of Grand Junction; thence West to the South point common to Lots 8 and 9, Block 139, City of Grand Junction; thence North along the West line

of Lot 9, Block 139, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 5th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the East right-of-way line of 4th Street; thence North to the South right-of-way line of Ute Avenue; thence West along the South right-of-way line of Ute Avenue to the North point separating the East one-half of Lot 9 from the West one-half of Lot 9, Block 141, City of Grand Junction; thence South to a point on the North right-of-way line of the East-West alley in Block 141; thence West along the North right-of-way line of the East-West alleys in Blocks 141 and 142 to the East right-of-way line of 2nd Street; thence North to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner Block 10 Mobley Subdivision; thence Northwest along the Southwest line of Block 10 Mobley Subdivision to the intersection with the Southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest corner Block 10, Mobley Subdivision, thence Northwesterly to a point which lies 415.8 feet West and South $41^{\circ}03'$ East 68.97 feet from the Northeast Corner of the Southeast $1/4$ Southeast $1/4$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $89^{\circ}57'$ West for 271.8 feet along a line parallel to the North line of the Southeast $1/4$ of the Southeast $1/4$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $53^{\circ}03'$ West 16.66 feet; thence North $53^{\circ}03'$ West 70 feet to the East right-of-way line of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the East right-of-way of said County Road to the South right-of-way of State Highway 340;

thence Northeasterly along the South right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 73 feet South of the North line of said Block 1, thence East to a point $7\frac{1}{2}$ feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision, thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Grand Junction, Colorado, Downtown Development Authority all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16.

And also excluding from the boundaries of the Grand Junction, Colorado, Downtown Development Authority, that part of Tract 8 and Tract 9 of the AMENDED SURVEY OF THE LITTLE BOOKCLIFF RAILROAD YARDS described as beginning at a point which is South $44^{\circ}11'$ West 901.66 feet and South $0^{\circ}01'$ East 197.50 feet from East $1/4$ corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $89^{\circ}58'$ West 126.00 feet; thence South $0^{\circ}01'$ East 150.00 feet; thence South $89^{\circ}58'$ East 126.00 feet; thence North $0^{\circ}01'$ West 150.00 feet to the point of beginning. AND ALSO excluding 14 feet adjoining said tract 9 on the East thereof.

EXHIBIT "B"

DESCRIPTION OF THE PLAN OF DEVELOPMENT AREA WITHIN
WHICH TAX INCREMENT FINANCING WILL BE USED

Beginning at the Northwest Corner of Wilson's Subdivision of Block 2 of Mobley's Subdivision; thence East along the South right-of-way line of Grand Avenue to the North corner point common to Lots 4 and 5 of Block 78, City of Grand Junction; thence North to a point on the North right-of-way line of Grand Avenue; which point is 15.835 feet West of the East boundary line of Lot 20, Block 77, City of Grand Junction; thence North to the North right-of-way line of the East-West alley in said Block 77; thence East to the Southernly point common to Lots 10 and 11, Block 77, City of Grand Junction; thence North along the Western boundary of said Lot 11 to the Southern right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the West right-of-way line of 3rd Street; thence South along the West right-of-way line of 3rd Street to the North right-of-way line of Grand Avenue; thence West along the North right-of-way line of Grand Avenue to the Southern point common to Lots 20 and 21, Block 76, City of Grand Junction; thence Southerly to the Northerly common corner of Lots 12 and 13 in Block 79, City of Grand Junction, thence South along the common lot line to a point on the South right-of-way line of the EastWest alley in Block 79, City of Grand Junction; thence West along such South right-of-way line to a point 12 feet West of the Eastern line of Lot 7, Block 79, City of Grand Junction; thence North to the South right-of-way line of Grand Avenue; thence West to the North corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16, all in Block 78, to the South right-of-way line of White Avenue; thence East to the West right-of-way line of 2nd Street;

thence South to the North right-of-way line of the East-West alley in Block 99, City of Grand Junction; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the Northwest corner of Lot 12, Block 80, City of Grand Junction; thence in a Northerly direction to the Southwest corner of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, to the North right-of-way of the East-West alley in Block 75; thence West along the North right-of-way of the East-West alley in Block 75 to the Southwest corner of Lot 9, Block 75, City of Grand Junction; thence North along the West line of Lot 9, Block 75, to the South right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the Northeast point of Lot 11, Block 73, which borders the alley parallel to said Lot 11, Block 73; thence South along the West right-of-way of said alley bordering Lot 11, Block 73, to the South right-of-way line of the vacated East-West alley in Block 73; thence to the Northeast corner of Lot 21, Block 73, City of Grand Junction; thence along the East line of Lot 21, Block 73, to the North right-of-way line of Grand Avenue; thence along the North right-of-way line of Grand Avenue to the Southwest corner of Lot 28, Block 73, City of Grand Junction; thence North along the West line of Lot 28, Block 73, to the North right-of-way line of the vacated East-West alley in Block 73; thence West to the West right-of-way line of 5th Street; thence South along the West right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 81, City of Grand Junction, thence East along the North right-of-way line of the East-West alley in Blocks 81 and 82 to the Southwest corner of Lot 9, Block 82, City of Grand Junction; thence

North along the West line of Lot 9, Block 82, City of Grand Junction, to the South right-of-way line of Grand Avenue, thence East along said South right-of-way line to the East line of Lot 10, Block 82, City of Grand Junction; thence South along the East line of Lot 10, to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction, thence North along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction, thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 82; thence East along the North right-of-way line of the East-West alley in Block 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to the South right-of-way line of White Avenue; thence West along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alley in Block 93 to the South right-of-way line of the East-West alley in Block 93, City of Grand Junction; thence East to the North point common to Lots 23 and 24, Block 93, City of Grand Junction; thence South along the common line of Lots 23 and 24 to the South right-of-way line of Rood Avenue; thence West to the North point common to Lots 14 and 15 in Block 106, City of Grand Junction; thence South along the common line of Lots 14 and 15 to the North boundary of the East-West alley in Block 106, City of Grand Junction; thence West to the South point common to Lots 12 and 13, Block 106,

City of Grand Junction; thence North to the South right-of-way line of Rood Avenue; thence West to the West right-of-way line of the North-South alley in Block 106, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Block 106, 115 and 128, City of Grand Junction, to the North right-of-way line of Ute Avenue; thence East along the North right-of-way line of Ute Avenue to the South point common to Lots 25 and 26, Block 128, City of Grand Junction; thence South on the common line between Lots 13 and 14, Block 137, City of Grand Junction, to the North right-of-way line of the East-West alley in Block 137, City of Grand Junction; thence West to the West right-of-way line of the North-South alley in Block 137, City of Grand Junction; thence North along the West right-of-way line of the North-South alley in Block 137, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 7th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the West right-of-way line of 6th Street; thence North to the South right-of-way line of Ute Avenue; thence West to the North point common to Lots 12 and 13, Block 139, City of Grand Junction; thence South to the North right-of-way line of the East-West alley in Block 139, City of Grand Junction; thence West to the South point common to Lots 8 and 9, Block 139, City of Grand Junction; thence North along the West line of Lot 9, Block 139, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 5th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the East right-of-way line of 4th Street; thence North to the South right-of-way line of Ute Avenue; thence West along the South right-of-way line of Ute Avenue to the North point separating the East one-half of Lot 9 from the West one-half of Lot 9, Block 141, City of Grand Junction; thence South to a point on the

North right-of-way line of the East-West alley in Block 141; thence West along the North right-of-way line of the East-West alleys in Blocks 141 and 142 to the East right-of-way line of 2nd Street; thence North to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner Block 10 Mobley Subdivision; thence Northwest along the Southwest line of Block 10 Mobley Subdivision to the intersection with the Southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest corner Block 10, Mobley Subdivision, thence Northwesterly to a point which lies 415.8 feet West and South $41^{\circ}03'$ East 68.97 feet from the Northeast Corner of the Southeast $1/4$ Southeast $1/4$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $89^{\circ}57'$ West for 271.8 feet along a line parallel to the North line of the Southeast $1/4$ of the Southeast $1/4$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North $53^{\circ}03'$ West 16.66 feet; thence North $53^{\circ}03'$ West 70 feet to the East right-of-way line of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the East right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the South right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1, thence East to a point $7\frac{1}{2}$ feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision, thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Grand Junction, Colorado, Downtown Development Authority all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16.

And also excluding from the boundaries of the Grand Junction, Colorado, Downtown Development Authority, that part of Tract 8 and Tract 9 of the AMENDED SURVEY OF THE LITTLE BOOKCLIFF RAILROAD YARDS described as beginning at a point which is South 44°11' West 901.66 feet and South 0°01' East 197.50 feet from East 1/4 corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 89°58' West 126.00 feet; thence South 0°01' East 150.00 feet; thence South 89°58' East 126.00 feet; thence North 0°01' West 150.00 feet to the point of beginning. AND ALSO excluding 14 feet adjoining said tract 9 on the East thereof.

And except the following parcels:

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, in Block 117; and Lots 1 to 16, inclusive, in

Block 118, and Lots 1 to 11 in Block 84, all in the City of
Grand Junction, Mesa County, Colorado.

EXHIBIT "C"

DESCRIPTION OF THE COMMERCIAL RENOVATION DISTRICTS

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, and Lots 1 to 11 in Block 84, all in the City of Grand Junction, Mesa County, Colorado.

EXHIBIT "E"

<u>B. DATE OF ACTION</u>	<u>C. STATUTORY REQUIREMENTS</u>	<u>D. OPTIONAL ACTIVITIES</u>
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(Continued)

- | | | |
|--------------|--|--|
| 22. 12-31-81 | Freezing of Ad Valorem tax base and sales tax base as of effective date of Plan 31-25-807(3) | |
| 23. 5-7-82 | Resolution of DDA Board to amend Plan of Development to show recent approved inclusions of property and make other minor changes and referral to City Council for approval | |

SCHEDULED FUTURE ACTIONS

- | | | |
|-------------|---|--|
| 24. 5-19-82 | City Council review of Plan of Development amendments and referral to Planning Commission | |
| 25. 5-25-82 | Planning Commission review and comment on Plan of Development amendments | |
| 26. 5-26-82 | Publish notice of public meeting before City Council on Plan of Development amendments | |
| 27. 6-2-82 | City Council public hearing on Plan of Development and adoption of resolution adopting Plan of Development amendments | |
| 28. 6-4-82 | Resolution of DDA Board to have election for pledging of tax increment funds 35-25-807(3)(b) | |
| 29. 6-16-82 | Approval by City Council of election at least 30 days prior to election 35-25-807(3)(b) | |
| 30. 7-23-82 | Publication of Public Notice of Election | |

- | | | |
|-----|------------------------------|--|
| 31. | 8-3-82 | Election - qualified electors of district 35-25-807(3)(b) |
| 32 | 8-4-82 | Canvass of votes |
| 33. | To be determined during 1982 | City Council adoption of ordinance authorizing the issuance of bonds |
| 34. | To be determined during 1982 | Bonds issued for project |

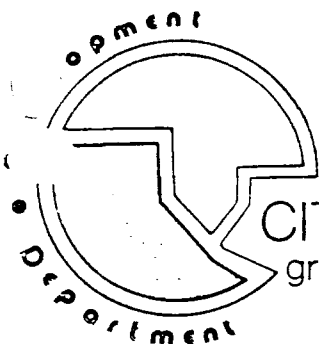


EXHIBIT "F"

CITY - COUNTY PLANNING

grand junction-mesa county 559 white ave. rm. 60 grand jct.,colo. 81501

(303) 244-1628

MEMORANDUM

TO: GRAND JUNCTION CITY COUNCIL
FROM: GRAND JUNCTION PLANNING COMMISSION
DATE: MAY 25 , 1982

RE: AMENDMENTS TO THE PLAN OF DEVELOPMENT OF THE GRAND JUNCTION,
COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

On May 19, 1982, the Grand Junction City Council, pursuant to C.R.S. 1973, S31-25-807(4) (b) submitted amendments to the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority to the Planning Commission for review and recommendations.

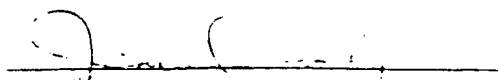
We have reviewed the proposed amendments in light of the Plan of Development as adopted by the City and the Downtown Development Authority and we have considered these amendments in light of the comments of the employees of the Planning Department, and in light of past policies for development and renovation and considered the questions and comments of the members of the Commission. After this review, we offer the following comments and recommendations:

1. The proposed amendments to the Plan of Development are consistent with the Downtown Development Strategy which has been adopted as an element of the Master Plan for Grand Junction, as well as consistent with other current policies.
2. The proposed amendments to include other areas within the boundary of the Downtown Development Authority are largely technical in nature, and the properties sought to be included are within the limits of the ultimate DDA boundary as defined in the Downtown Development Strategy and the DDA Plan of Development.

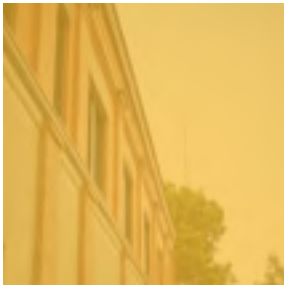
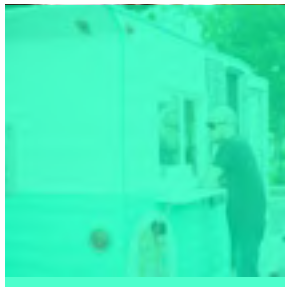
On the basis of this review, we find the proposed amendments to the Plan of Development to be consistent with existing City policies and not in conflict with development patterns on a City-wide basis.

We, therefore, endorse the proposed amendments to the Plan of Development as being consistent with existing City policies and recommend that the City Council hold a Public Hearing on these amendments to the Plan of Development.

RESPECTFULLY SUBMITTED,


Jane Quimby

**EXHIBIT 3 – Grand Junction Downtown Development Authority proposed Plan of
Development dated September 2019**



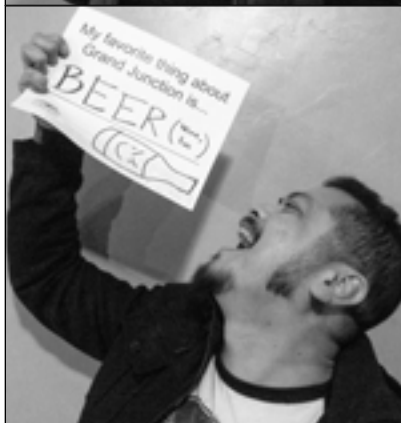
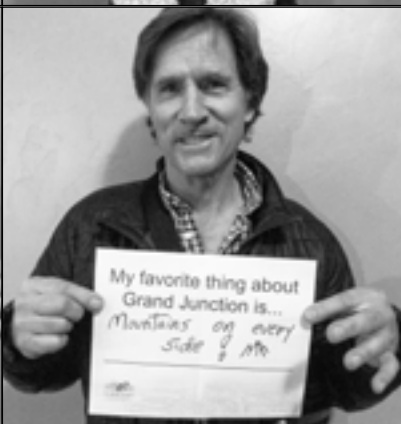
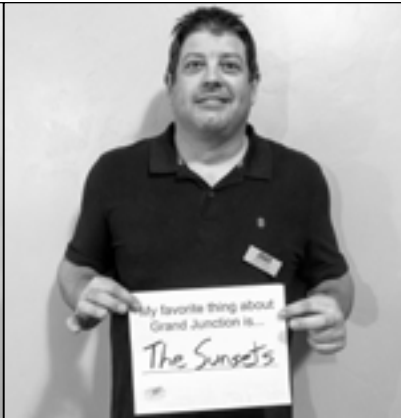


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ABOUT COMMUNITY BUILDERS

Community Builders (CB) is a non-profit dedicated to helping local leaders create strong and prosperous communities in the American West. CB provides information, analysis, assistance and trainings to support the many people and organizations working to build better places by aligning their community values to planning and economic goals.

The goal of the Community Builders Assistance Program is to provide communities with the tools and resources to spark meaningful on-the-ground progress, while building local capacity and creating success stories that inspire and transform places.

ABOUT THIS REPORT

This report is the product of a collaborative effort between the Downtown Development Authority of Grand Junction, The City of Grand Junction, Community Builders, The Community Action Team, Cascadia Partners, Jim Leggitt Studios, Swift Engineering. Special thanks to the stakeholders and the community members who provided feedback throughout the project.

PROJECT FUNDERS

Special thanks to the LOR Foundation, the Gates Family Foundation and the Downtown Development Authority for providing the funding necessary to make the Vibrant Together: A Downtown Initiative possible.

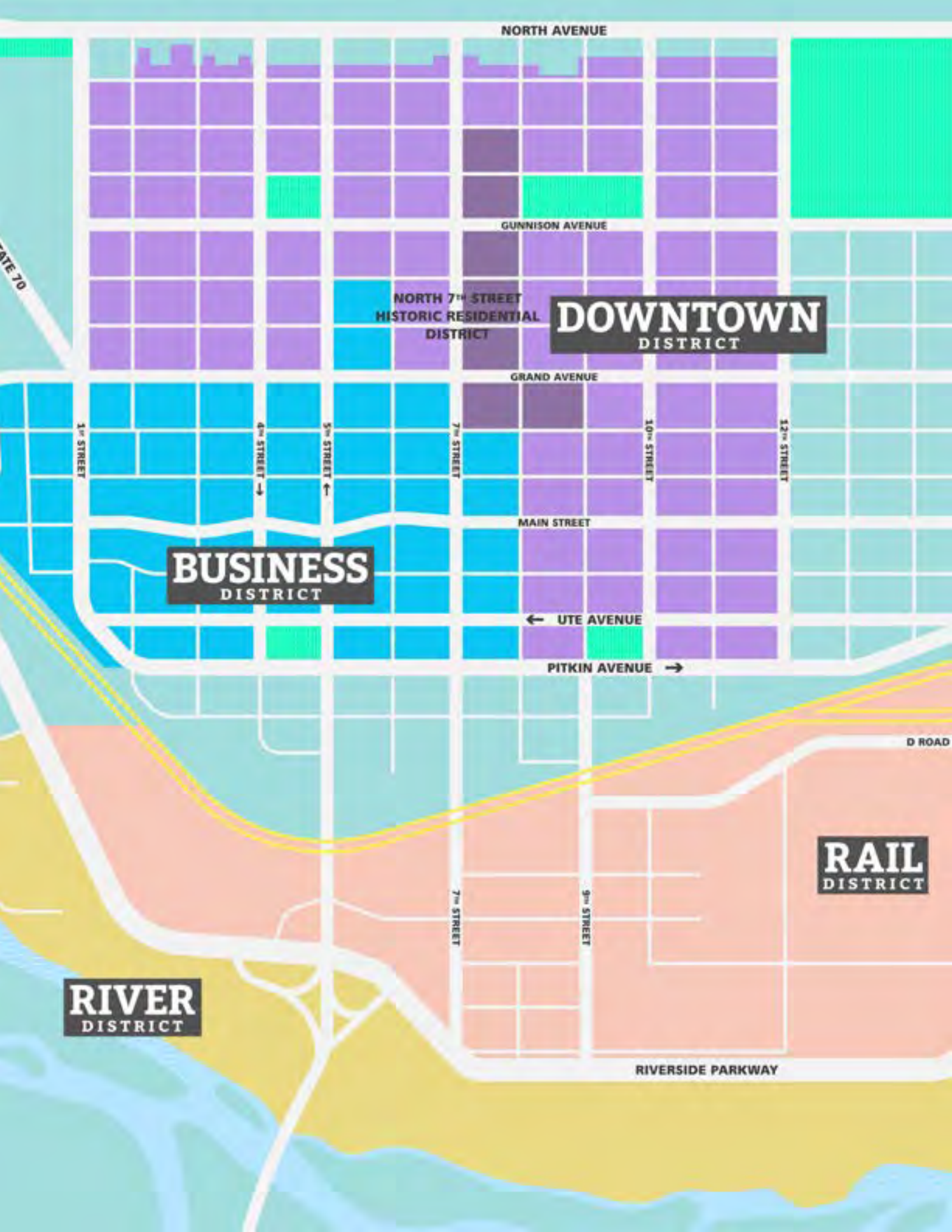
WHY A PLAN OF DEVELOPMENT?

Throughout the course of its 38-year history the DDA has been involved in a diverse array of activities with the goal of sustaining Downtown Grand Junction's role as a hub for economic activity and vibrancy that benefits the entire valley. Many of the projects over this time have involved collaboration as it takes a pooling of resources and knowledge to make progress. Some of the noteworthy projects include the development of Downtown hotels, Avalon Theatre renovation, the Mainstreet uplift and development of the riverfront.

While the DDA has had many successes one of the major hurdles the organization has had is the lack of a current road map that addresses the challenges of today while also looking at potential challenges in the future. The 1981 Plan of Development provided many great concepts and ideas for the DDA to pursue, many of which have been completed and some that are still being worked toward. The updated plan builds upon the past success and challenges of the past while identifying what the current trends, issues and solutions are. Having a current Plan of Development will provide Downtown with a vision for the future along with strategies for achieving the goals and outcomes identified in the Plan.

- **Brandon Stam**

Downtown Development Partnership Executive Director



NORTH AVENUE

GUNNISON AVENUE

NORTH 7TH STREET
HISTORIC RESIDENTIAL
DISTRICT

DOWNTOWN
DISTRICT

GRAND AVENUE

MAIN STREET

← UTE AVENUE

PITKIN AVENUE →

D ROAD

RAIL
DISTRICT

RIVER
DISTRICT

RIVERSIDE PARKWAY

STATE 20

1ST STREET

4TH STREET →

5TH STREET ←

7TH STREET

10TH STREET

12TH STREET

7TH STREET

9TH STREET

“ I love the potential of Downtown GJ. I get excited about what this place can be. ”



“ Vibrancy is characteristically Downtown Grand Junction. It has a unique character. ”



“ I tell all of out of town folks- Downtown GJ is the best downtown in the state! ”



“ I live
downtown. It
means
everything to
me and my
husband. ”



“ The downtown
is one of the
main reasons
I moved here.
It's so alive and
thriving. ”



“ Going
downtown is
my hobby...
not joking. ”



PLAN SUMMARY

GOALS & STRATEGIES

Goal setting provides an opportunity for people to work together and build consensus. These goals serve several key purposes. First, they provide direction for advancing the community's vision of building a thriving downtown for everyone. They should act as a tool for guiding future decisions, like determining if a new project or policy is in line with the vision. They are also useful for monitoring progress, to build upon successful efforts, or to identify unmet goals and gaps to address. From the input gathered and building upon priorities set by the Downtown Partnership and the City, five goals were identified for the Vibrant Together Project that will be the benchmark for future revitalization efforts.

IDENTITY

Downtown is recognized as the hub of regional culture for the western slope.



DOWNTOWN DEVELOPMENT

Downtown offers a diversity of quality housing choices for all price points to bring more people to live, work and play downtown.



VIBRANCY

Downtown is the "The heart of it all" as a 18 hour/7 days a week center of activity for all ages and income levels.



SAFETY AND COMFORT

Downtown is safe and comfortable environment that is welcoming to all.



CONNECTIVITY

Downtown is connected to local destinations and outdoor amenities through safe pathways for bikes and pedestrians.



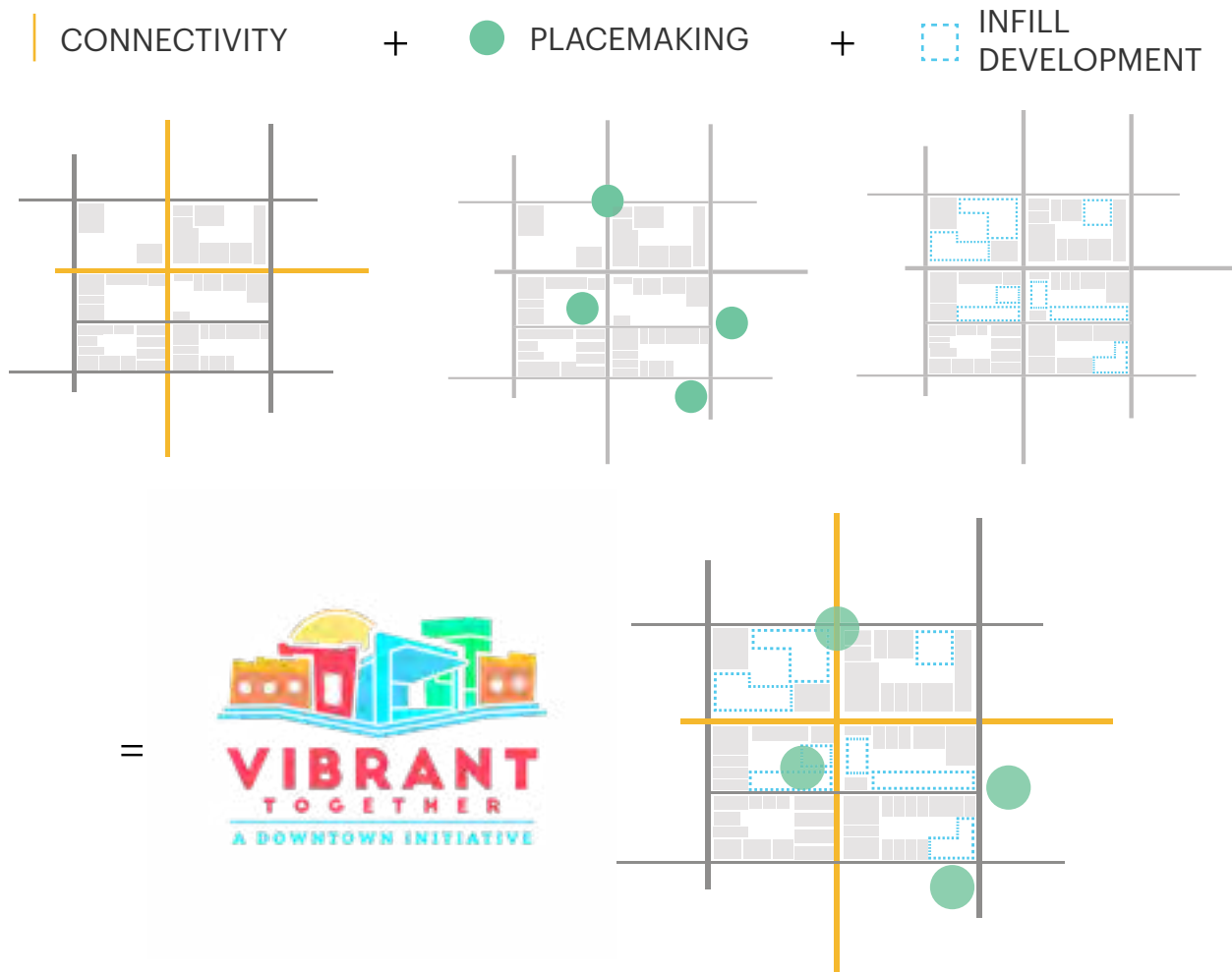
THE BIG IDEAS

The biggest of the big ideas that emerged from the process is to bring more people downtown by creating more vibe and connecting this vibe to the River. This Plan will identify different strategies for achieving this through;

CONNECTIVITY Looking at the relationships and connections between key destinations in the downtown. (Chapter 3)

PLACEMAKING Enhancing the vibe in strategic locations. (Chapter 4)

DEVELOPMENT Identifying specific opportunities for infill development to activate opportunity sites along key corridors. (Chapter 5)



PRIORITIES

CONNECTIVITY

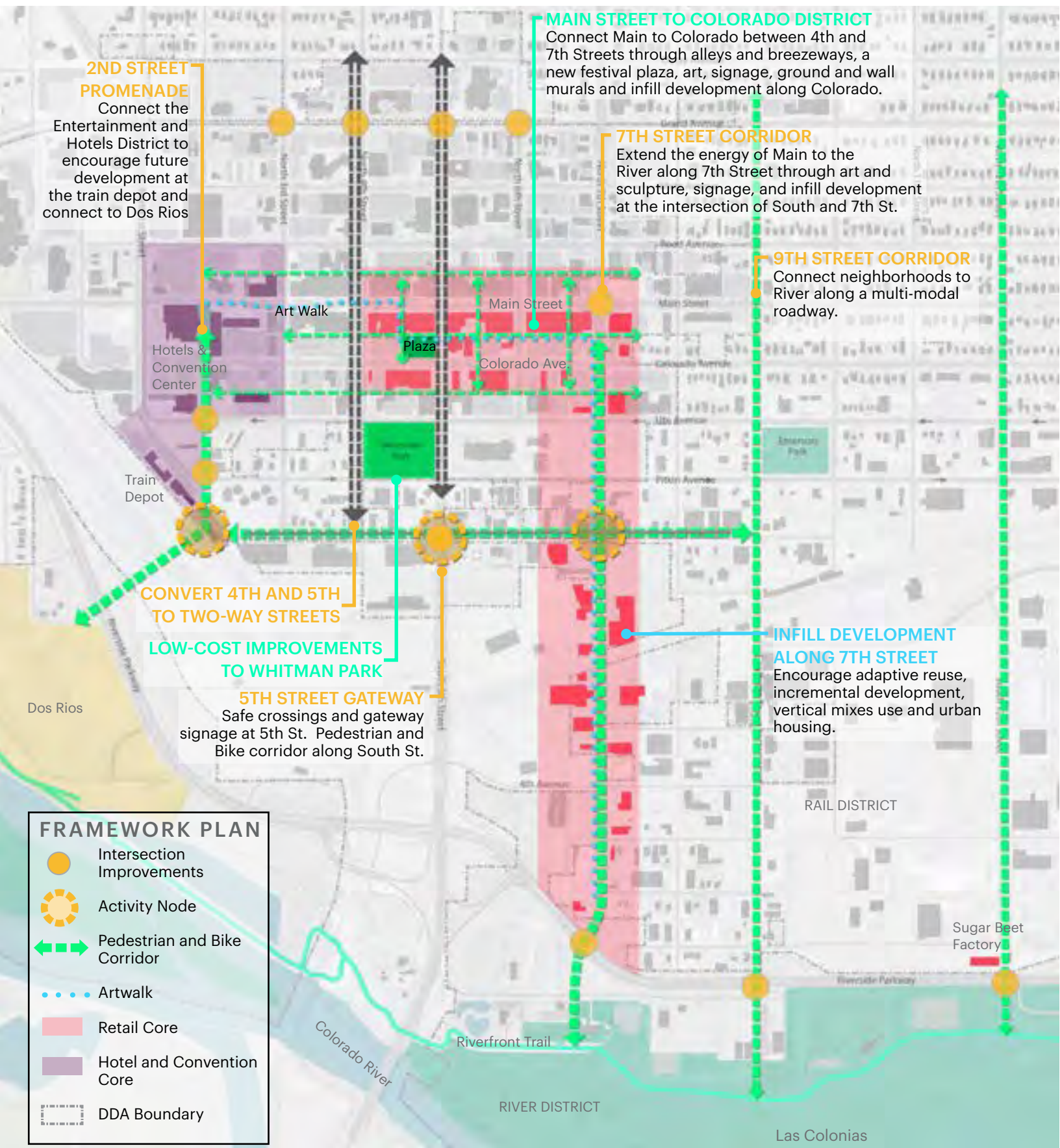
- C1: Convert 4th and 5th to Two-way Streets
- C2: Prioritize pedestrian and bike improvements to improve mobility throughout downtown and to the river.
- C3: Create a 2nd Street Promenade connecting the Train Depot to Two Rivers Plaza.
- C4: Initiate a Gateway and Wayfinding Study to improve ease of navigation for pedestrians, bike and vehicles in downtown.

PLACEMAKING

- P1: Extend the vibrancy from Main to Colorado between 4th and 7th.
- P2: Encourage more community gathering and event space in downtown.
- P3: Activate alleys and breezeways.
- P4: Low-cost design strategies for Whitman Park.
- P5: Develop a program(s) to better utilize parking.
- P6: Adaptive Reuse of Buildings and Spaces to active the street frontage

INFILL DEVELOPMENT

- D1: Support existing businesses in the downtown through programs and Attract more business diversity to downtown.
- D2: Develop (a) Grant Program(s) to incentivize small scale local reinvestment in the downtown
- D3: Adjustments to codes and policy that are barriers to development.
- D4: Leverage the DDA financial tools to incentivize development
- D5: DDA to lead a strategic catalytic development project



BACKGROUND

The current DDA Plan of Development is 38 years old, and therefore, is challenged to guide development that is reflective of both the current market or the vision of the community for what the future of greater downtown should be. In this time of growth, the DDA should have a strong governing document that is reflective of the community's wants and needs in downtown and develop strong partnerships for making a positive impact to the downtown. Future growth needs to happen in a way that protects the unique history and celebrate the local assets of the community.



This Plan will identify a vision the downtown that is aligned with the needs of the community.

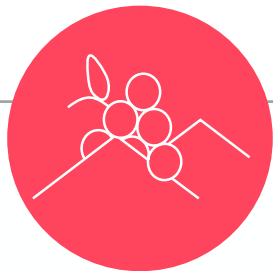
01

BACKGROUND INFORMATION

INTRODUCTION

WHAT MAKES GRAND
JUNCTION SPECIAL?

We asked you!



Agriculture &
Wine Culture



Local Bike
Scene



Arts & Creativity



Recreation Economy &
Natural Resources

“Downtown Grand Junction creates a sense of home - this is where we bring our friends when they visit - this is where we take them to show off our community.”

Local residents describe the City of Grand Junction as a welcoming community with a small-town vibe characterized by strong local arts, culture and history. At the heart of it all is the downtown. However, residents also feel there is lot of potential for improvement in downtown. Regional population and economic growth are creating a demand for development. With this growth comes the need for strategic thought about what is best for the community.

The goal of this Plan of Development, called “Vibrant Together: A Downtown Initiative,” (referred in this document as ‘the Plan’ or ‘the POD’) is to communicate our shared values for growth in Downtown Grand Junction. This Plan will be a governing document for the Downtown Partnership (DP) and will identify a clear plan of action for priority projects, strategies, and partnerships in that are aligned with the community’s vision for downtown. To achieve this the Plan will;

- Provide a unified vision for downtown;
- Identify projects that advance the vision;
- Bring local leaders together in pursuit of that vision.

WHY DO THIS NOW?

The primary responsibility of the Downtown Partnership is to support and facilitate economic development efforts to enhance the vitality of the Downtown community through capital investment and construction. While the City Comprehensive Plan, The Greater Downtown Plan and other guiding vision documents and strategic plans identify opportunities and regulate growth in the downtown, this Plan of Development will guide the types of projects and programs for downtown with the goal of sustaining Downtown Grand Junction’s role as the preeminent hub for economic activity and commerce, cultural experiences and as a vibrant place to live and visit.

ABOUT

THE DOWNTOWN PARTNERSHIP

The Downtown Partnership (DP) consists of two special districts, the Downtown Development Authority (DDA) and the Business Improvement District (BID) which share the same staff and Board of Directors. Large and small, Downtown Grand Junction is involved in a wide array of activities and projects Downtown, all with the goal of sustaining Downtown Grand Junction's role as the preeminent hub for economic activity and commerce, cultural experiences and as a vibrant place to live and visit.

The Downtown Development Authority was established in 1981 by the City of Grand Junction after receiving approval through a special election of the Downtown property owners and businesses. The DDA was established to halt and prevent deterioration of property values within its district and to assist in the development and redevelopment of its district and to use its power to promote the general welfare of the district by the use of its direct and supplemental powers. The Authority was one of the first such organizations in the State of Colorado and focuses on supporting and facilitating economic development efforts to enhance the viability of Downtown through grants, capital investment and improvements to public amenities.

In late 2005, business and property owners within the boundaries of the BID voted to impose a special assessment which would fund marketing, promotions, public relations, advertising and special events. The BID affects Downtown Grand Junction commercial property owners only and excludes residential properties. The Business Improvement District produces and supports events that attract visitors, enrich life for residents, and drive revenue to local businesses. The BID also develops advertising, marketing, and public relations campaigns that reach regional, statewide and national audiences and help brand Downtown as a regional hub.



The Downtown Development Authority (DDA) focuses on supporting and facilitating economic development efforts to enhance the viability of Downtown through grants, capital investment and improvements to public amenities.

The Downtown Partnership should have a strong governing document that is reflective of the community's wants and needs. Through the process develop strong partnerships for making a positive impact to the downtown.

ORGANIZATION

This nine-member board is appointed by the Grand Junction City Council. Eight of the members must be a resident, business lessee, or own real property within the boundaries of the DDA and BID. The City Council shall appoint one member that is exempt from the above qualifications. The four-year terms expire in June.

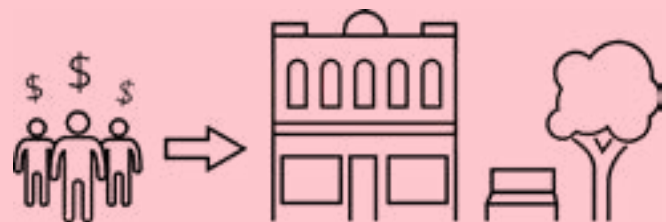
POWERS AND INITIATIVES

Downtown Grand Junction is involved in potential catalytic projects such as the Las Colonias Business Park and the Las Colonias Amphitheater that are transforming Downtown's River District into a vibrant area that will incorporate recreation, entertainment and job clustering into an area that has historically seen little investment. The Downtown Partnership is also engaged in helping bring two new hotels to downtown as well as much needed renovation to Two Rivers that will allow it to continue to operate as an economic driver for downtown. Potential new downtown housing is also on the way as the DP reached an agreement with a developer for the former R-5 building site to develop townhomes and find an adaptive reuse of the former school building. The most recent project is a public/private partnership with Kaart Group which will add four and six story class A office space to 7th and Main and add roughly 80 new jobs to Downtown.

POLICY AND DECISION MAKING

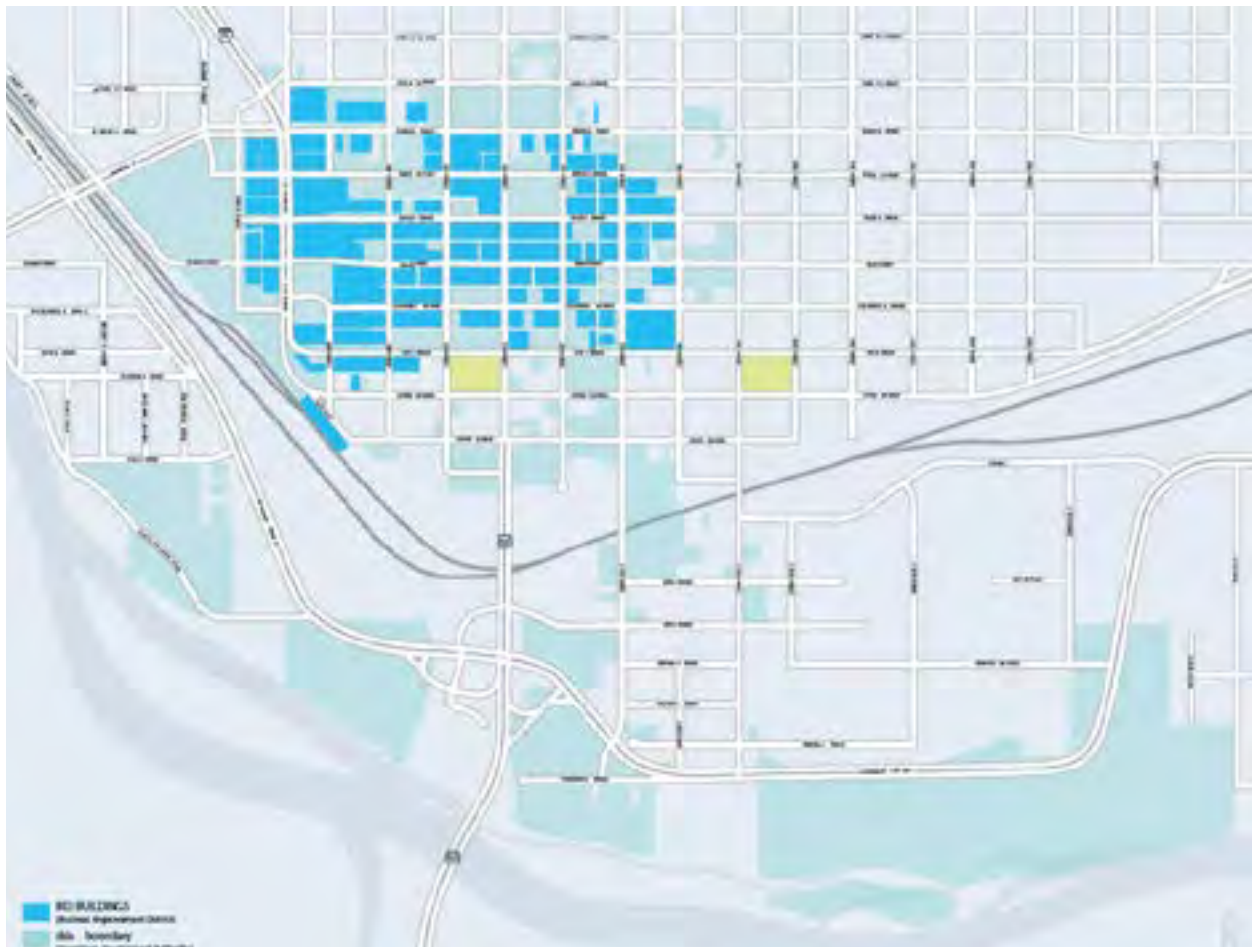
The Plan of Development will be approved by the Downtown Board. Following Board approval, the Planning Commission will review the plan and make a recommendation to City Council for final approval and adoption.

The Business Improvement District (BID) produces and supports events that attract visitors, enrich life for residents, and drive revenue to local businesses. The BID also develops advertising, marketing, and public relations campaigns that reach regional, statewide and national audiences and help brand Downtown as a regional hub.



DDA BOUNDARY

The boundary is important in that these are the properties and general areas in which the DDA has the ability to utilize its powers to assist in project, programs and policy as outlined by this Plan. Throughout this Plan, 'downtown' is used more generally to refer to the area defined by the Greater Downtown Plan, which encompasses the Central Business District, the Rail District and the River District. The DDA boundary includes properties within the DDA District that extends from the Central Business District to the Rail District and River District. The Business Improvement District largely consists of the Central Business District as well as some properties within the River District. It should be noted that properties can voluntarily incorporate into both Districts with DDA/BID and City Council approval.



PLAN CONSISTENCY

There are a number of existing plans that are of significant influence to Downtown Grand Junction, including the 1981 Plan of Development. It is important to consider how these existing plans will support and work in collaboration with this Plan of Development. Vibrant Together will work in alignment with the City's Plans such as the Great Downtown Plan and provide recommendations from this update should help to inform revisions to the Comprehensive Plan update currently underway with the City. Key considerations and potential impacts are outlined in the Appendix.

HOW THIS DOCUMENT IS ORGANIZED

CHAPTER 1: BACKGROUND

The introduction sets the stage for the ideas in the Plan. It provides background context for how history has informed current trends in Grand Junction. It provides information on the history of Downtown Partnership and how this plan is consistent with related, past planning efforts in Grand Junction.

CHAPTER 2: PROCESS

This chapter explains the planning process that was undertaken to develop the strategies in the Plan. Results from community outreach which engaged over 500 community members in person and over 25,000 people online.

CHAPTER 3, 4 & 5: BIG IDEAS, STRATEGIES AND ACTIONS

These chapters explore specific strategies to achieve the goals with recommendations for action around three overarching themes; connectivity, placemaking and development. Each strategy describes some of the background of the ideas and why it matters to downtown and outlines key action items.



ACTION

Outlines specific actions the DP should take to move ideas forward.



POLICY

The DP should coordinate with the City to modify codes and regulations.



PROGRAM

A program the DP should develop and/or coordinate with a partner to develop.



PROJECT

A specific project or study to work with partners on detailed design and costs.

CHAPTER 6: IMPLEMENTATION

This section provides a frameworks for how the Downtown Partnership and local partners can build momentum in the downtown on the strategies and specific actions, priorities to guide the actions, projects, policy and programs for the next 3 to 5 years.

UNDERSTANDING

GRAND JUNCTION

Grand Junction gets its name from its location at the confluence of the Colorado River (formerly named the Grand River) and the Gunnison River and offers sweeping views of the Grand Mesa, Colorado National Monument and the Book Cliffs. The Grand Junction town site was settled September 26, 1881, although human civilization in the area dates back thousands of years to include the Ute and Fremont tribes, among others. Grand Junction has been shaped by natural geography as well as man-made transportation connections, first by the Denver and Rio Grande Railroads in 1882 and again when the Interstate system reached the City in the 1960's. These connections supported the economic growth of agriculture across the Western Slope, and in later years wholesale goods and energy production. The River has a significant role in shaping Grand Junction and the surrounding landscapes. This powerful river provided water in the desert for the growth of both towns and agriculture. Between the river and the rail, Grand Junction became a regional hub of agricultural and mining industries that transformed the downtown.

In the 1950's, a time when many cities were looking towards pedestrian malls, Downtown Grand Junction embraced the concept of a chicane, which is a serpentine street design with pockets of green space and public art. Grand Junction's Main Street is celebrated as an innovative and successful downtown revitalization strategy, the design of which is part of the unique character and history of the community. The downtown was first recognized nationally in 1962 when Operation Foresight began to reconstruct Main Street into a 'downtown shopping park' with landscape, parking and updated streets for which the city was awarded All America City recognition by Look magazine.





GRAND JUNCTION

TODAY

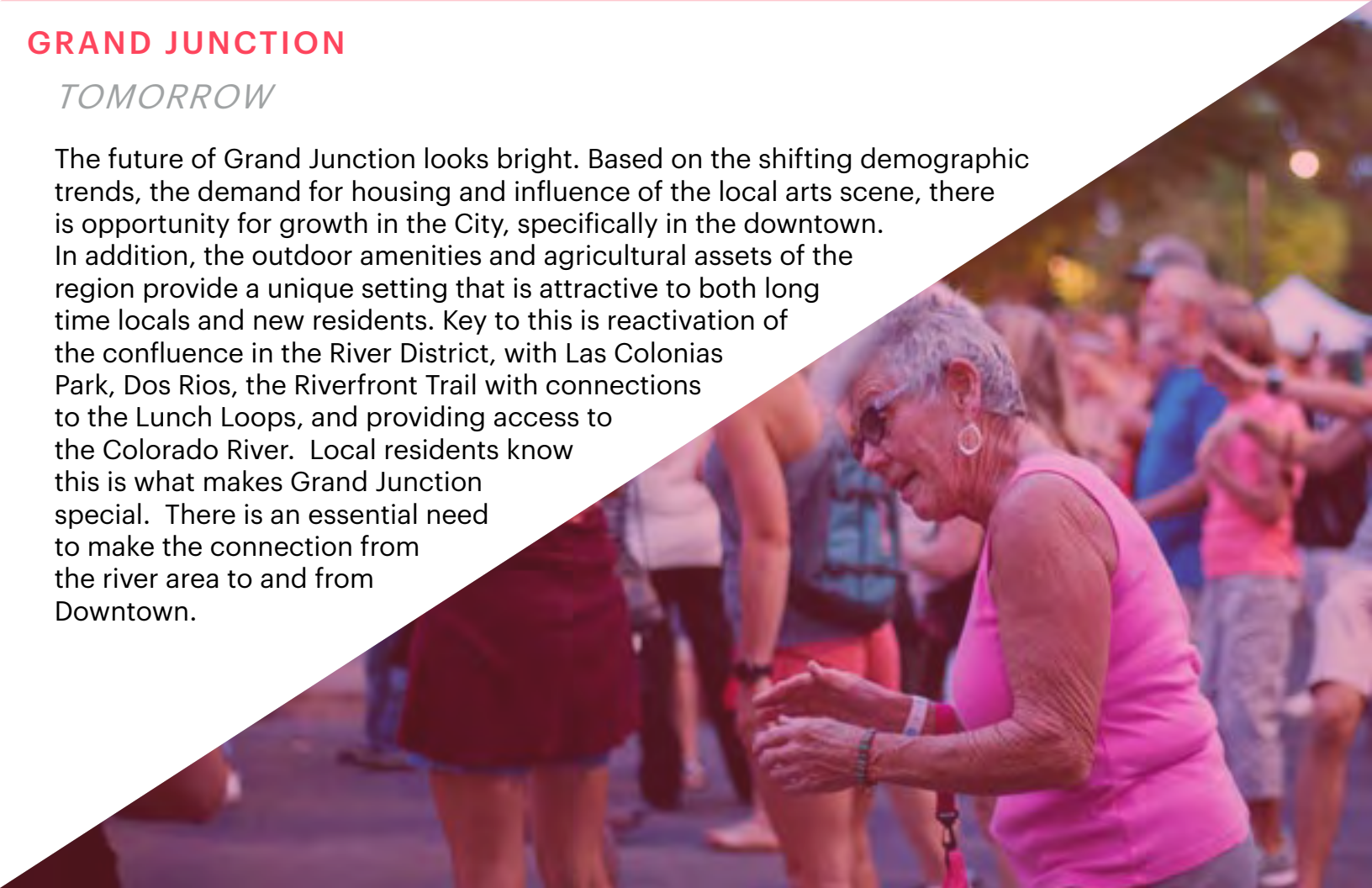
Downtown Grand Junction is now home to dozens of outstanding locally-owned shops, music venues, restaurants, galleries and area services with a large collection of public art, fountains and historic buildings.

Art on the Corner (AOTC) is a year-round outdoor sculpture exhibit which was established in 1984 by local sculptor, Dave Davis and was one of the first of its kind in the country. Art on the Corner, First Friday's, farmers markets and events at the Avalon are noted as some of people's favorite events in the downtown that make Main Street a source of pride for local residents as well as a draw for visitors.

GRAND JUNCTION

TOMORROW

The future of Grand Junction looks bright. Based on the shifting demographic trends, the demand for housing and influence of the local arts scene, there is opportunity for growth in the City, specifically in the downtown. In addition, the outdoor amenities and agricultural assets of the region provide a unique setting that is attractive to both long time locals and new residents. Key to this is reactivation of the confluence in the River District, with Las Colonias Park, Dos Rios, the Riverfront Trail with connections to the Lunch Loops, and providing access to the Colorado River. Local residents know this is what makes Grand Junction special. There is an essential need to make the connection from the river area to and from Downtown.



Understanding current trends and market shifts in the downtown assists in making informed decisions around planning and policy. While the future is always an unknown, markets can shift and change. A keen understanding is needed for how economic growth has affected development in the downtown and how current shifts in the market can inform future growth for the Plan. An understanding of the markets is included in Appendix B.

► **DEMOGRAPHICS**

Grand Junction today is the largest City along the I-70 corridor between Denver and Salt Lake City with a City population of 58,000 and a metropolitan area of 146,000 people. As the major population and employment center in the region, the City is home to county and state offices, three major hospitals and Colorado Mesa University. The downtown population represents 25,000 people with approximately 10,000 residences.

Why do you go
DOWNTOWN?



► **OFFICE MARKET**

As a regional hub, Grand Junction has a strong daytime population with downtown banks, real estate and other professional services as well as being the central location of many City and County offices. In addition, The Grand Junction Business Incubator is locally training and producing young entrepreneurs and emphasizes the creation of local jobs emerging in the downtown. The City has also focused attention on the outdoor recreation industry that is inherent to the region. To attract growth in this sector, the 15-acre business park within the Las Colonias development at the riverfront will offer outdoor recreation companies a new office submarket within the Greater Downtown.

78%

of survey respondents go
downtown

1X OR MORE PER WEEK

▶ RETAIL MARKET

Downtown serves as an important retail node for local and regional residents as well as tourists. Community input shows that 76% of people go to downtown Grand Junction once or more each week. The downtown is supported by a large regional population of people that come to downtown for work (40%), shopping (54%) and/or for dining and drinks (78%). There is a growing market potential for restaurants and bars in the downtown as this area has seen 13% growth over the last 10 years. There is also a momentum in the downtown market driven by the recreation and tourism culture in the area exemplified by the Las Colonias River Development and 15-acre business park.

▶ HOUSING MARKET

Demographic research suggests that downtown is attracting a young generation of people starting their careers, and an older generation of retirees 'empty-nesters' who are downsizing. This in addition to a strong residential rental and for sale housing market in downtown, suggests a demand for increased housing and infill development in the downtown.

28%

Residents want more **dining** and **shopping** downtown.

12%

Residents want **longer hours** for businesses.

PROCESS

The goal of Vibrant Together Project is to work with residents and local organizations to create a vision for a thriving downtown. In addition to providing strategies for the downtown, the process has built support from the community as well as local partnerships for successful implementation.



“Everything that matters most to me in GJ is downtown”

02

A COMMUNITY DRIVEN PROCESS

TO CREATE A GREAT
DOWNTOWN

DOWNTOWN TODAY

Where are we?

Understand the current conditions and trends that influence downtown. This phase will result in a market analysis and understanding of local issues and concerns.

1

DOWNTOWN TOMORROW

Where do we want to be?

Develop downtown goals that align community priorities. This phase will result in goals that provide a framework for action and guide decision making.

2

24,456

People Reached on Social Media

24

Focus Group Meetings

362

INDIVIDUAL SURVEY RESPONSES

Comment Boxes & Community Survey

7

Community Action Team Meetings

OVER

500

Engaged Community Members

The Vibrant Together process followed four distinct phases, looking broadly at the issues, developing community driven goals, and moving towards more specific strategies and actions to achieve these goals. Each phase provided a number of meaningful opportunities to engage in community dialogue to gain more awareness around the challenges in the community and provide feedback on ideas for change. Through the process there has been a perceivable shift in the community conversation around working together towards common objectives and putting ideas into action.

STRATEGIES

How will we get there?

Explore and refine ideas and strategies to advance downtown goals. This phase will result in a series of strategies that focus on achieving community goals.

3

PRIORITIES AND ACTIONS

Where and how do we start?

This phase will result in a Plan of Development update that identifies key concepts for downtown, implementation recommendations, and key partnerships for taking action.

4

METHODS

COMMUNITY ENGAGEMENT

Feedback from local residents and visitors is essential to understanding the community vision for downtown. Vibrant Together aimed at a wide variety of public engagement activities and strategies to reach a broad spectrum of the population and to make providing input easy and fun. A complete summary of the engagement process and activities is provided in the Appendix. Community engagement took place in three phases through the project;

DOWNTOWN TODAY AND TOMORROW

The first step in community engagement was working with and listening to the community to identify their perspectives on what works and what doesn't downtown. Between September 2018 and February 2019 community feedback was received at pop up events, comment boxes around town, through an online survey and Instagram surveys, focus group meetings, meetings with stakeholders, the Community Action Team and at a series of strategy workshops followed by a Community Open House. Feedback asked a series of questions that looked to better understand;

1. What downtown means to residents and visitors in Grand Junction;
2. How people get around and what challenges they face;
3. What people like to see or do in downtown now and what they would like to see or do in the future.

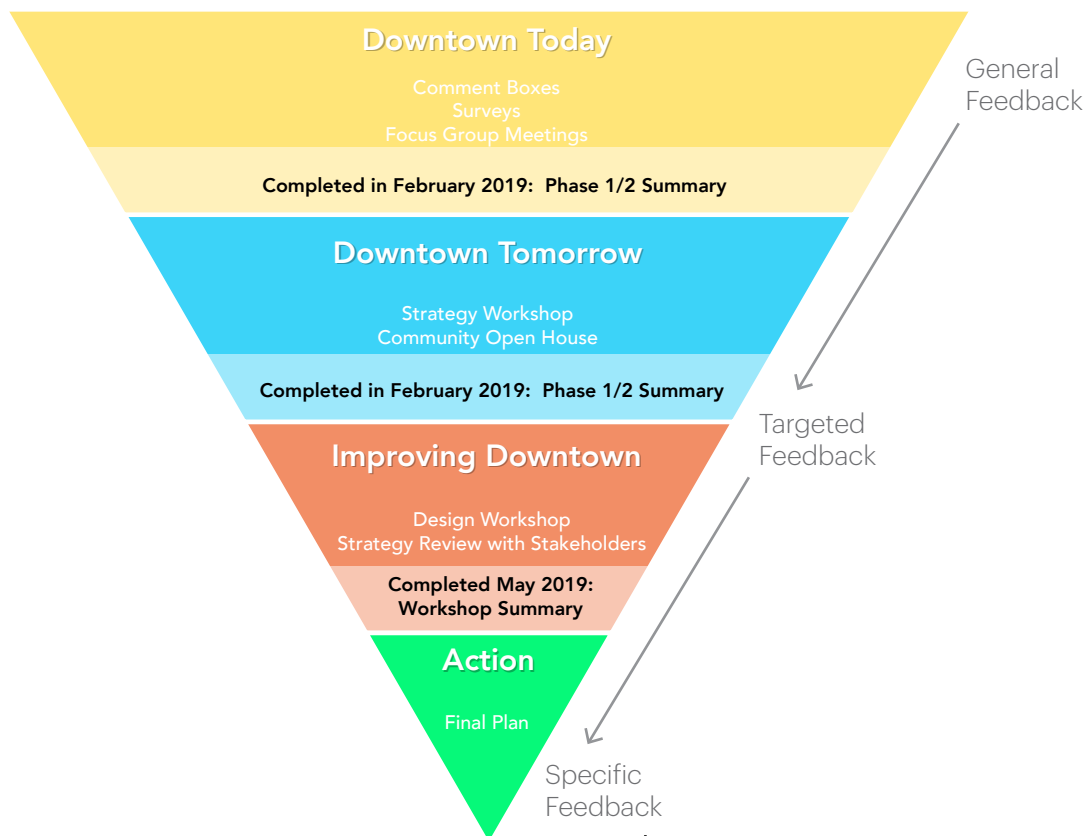
IDEAS FOR IMPROVING DOWNTOWN

The next step in the process was working with stakeholders and the public to identify specific actions to work towards achieving the goals identified in the first phase. A week-long Design Workshop took place in April 30-May 2 2019. The workshop brought together a team of experts to produce conceptual drawings and renderings while gathering immediate feedback from the DDA, CAT, stakeholders and public. This was a collaborative team-based approach that resulted in developing design concepts and strategies. Following the workshop, we met with property owners and potential project partners for review and input on the ideas and strategies encompassed in this Plan.

RECOMMENDATIONS FOR ACTION

A number of videos were produced about the big ideas the Plan would highlight that were distributed on social media. An Instagram Live and Facebook Live answered questions from the community about the ideas in the Plan. Community Action Team members provided blogs on their key takeaways from the project that were shared on the website, social media and in the Sentinel. The goal was to share the ideas in this Plan to build an understanding of these strategies and why they matter to the future of downtown.

COMMUNITY ENGAGEMENT PROCESS DIAGRAM



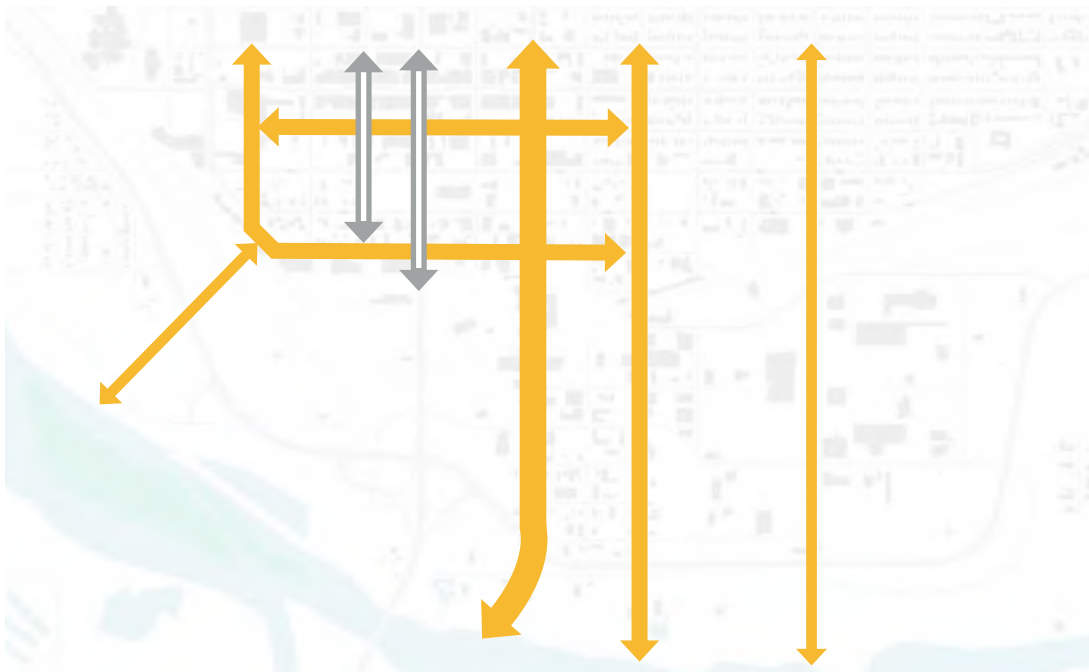


“It’s a beautiful place to hang out. I love the old buildings, trees, and walkable lifestyle.”

03

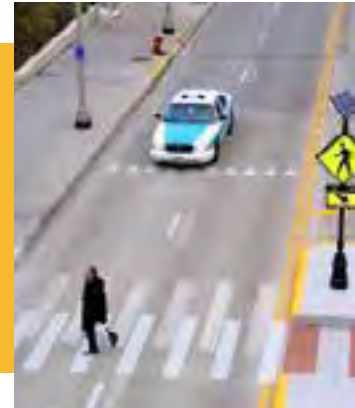
BIG IDEAS: CONNECTIVITY

CONNECT KEY
DESTINATIONS TO
DOWNTOWN



1

Convert 4th and 5th to Two Way Streets.



Prioritize pedestrian and bike improvements to improve mobility throughout downtown and to the river.

2

3

Create a 2nd Street Promenade connecting the Train Depot to Two Rivers Plaza.



Initiate a Gateway and Wayfinding Study to improve ease of navigation for pedestrians, bike and vehicles in downtown.

4

C1.

CONVERT 4TH AND 5TH TO A TWO-WAY STREET:

Converting 4th and 5th to two way streets would promote safer, more comfortable, walking and biking and support more successful businesses along these key corridors. This creates more experiential streets by attracting more foot traffic. More people walking attracts more restaurants with outdoor seating, promotes more drop-in business, and encourages more chances to meet and interact as a community. On the Vibrant Together walking tour, stakeholders noticed 5th Street is significantly noisier and feels less safe with traffic whizzing past. In comparison, walking along 6th Street which has slower traffic, street trees, and nice places to sit feels more comfortable and local residents more often choose to take this route.

Converting 4th and 5th Streets is not a new discussion for the City of Grand Junction. The 1981 Plan of Development addressed this idea and more recently in the Greater Downtown Plan in 2015. Stakeholder meetings with CDOT and the City were generally receptive to the idea of converting to two-way streets. The biggest concerns noted are how this change would be perceived by the community and increased traffic along 5th. Preliminary discussions with traffic engineers suggest that the existing grid would disperse traffic and not provide significant traffic implications to downtown.



Two-way streets are slower, safer, and quieter- which attracts more people to walk and bike along these corridors.



SAFER

STREETS

+

QUIETER

STREETS

+

SLOWER

STREETS

=

**ECONOMIC —
— DEVELOPMENT**

KEY ACTION ITEMS



ACTION

Increase awareness of the importance and value of two-way streets in downtown among business owners and residents to gather support from the community.



PROJECT

Engage a transportation engineer to model roadway design and configuration to better understand traffic impacts and costs. Explore a temporary re-striping study to 'test' the project, identify potential problem areas for further study, and gain the trust of the community before a larger infrastructure investment.



PROJECT

Following a successful launch of a test project, and with support from the local community, the City could work with the Downtown Partnership to identify a series of larger infrastructure related projects for 4th and 5th that would convert them into multi-modal streets with two-way traffic, on-street parking, bike lanes and sidewalks with street trees and furnishings.

C2.

PRIORITIZE PEDESTRIAN AND BIKE IMPROVEMENTS TO IMPROVE MOBILITY THROUGHOUT DOWNTOWN AND TO THE RIVER.

The Colorado River is an east-west spine of the community. It represents the identity and the history of Grand Junction. A consistent message heard from the community was to promote better walkable-bikable connections from downtown to the River and future development at Las Colonias and Dos Rios.

Street design has an impact on if people choose to walk or bike and how they experience a downtown. Some areas of downtown, such as Main Street, have a very comfortable walking environment. However, off Main, there is a need for safety improvements such as better lighting, improved crosswalks and better-quality sidewalks. Design elements to promote safe walking or biking and encourage more active streets include curb extensions, ramps, street trees, street furnishings art and signage as well as lighting to feel safe. Some of these strategies, such as crosswalks and bump outs, could be applied throughout the downtown- or at key intersections- as a low-cost, high-impact strategy.

People need to move safely from north to south and east to west- and everywhere in between- to create a vibrant downtown. There are opportunities to enhance existing roadway corridors to provide multiples routes to connect to key destinations in downtown and to the river.



QUICK WINS FOR MOBILITY

CROSSWALKS

Painted with white stripes or bright colors, these provide increased visibility of legal pedestrian movements to inform vehicles of shared space and inform pedestrians of safe places to cross. Crosswalks could be painted by local artists or community members within the Creative District, tie to local arts and include the history of Grand Junction.



CURB EXTENSIONS

Curb extensions (often referred to as bulb outs) are a simple strategy in downtown to improve pedestrian safety and increase the aesthetics of a street. Curb extensions increase pedestrian safety by decreasing the crossing distance and increasing visibility by extending the curb and sidewalk into streets where on-street parking exists. These can be built as a test project with paint before installing permanent curbs.



7TH STREET

7th should function as a primary connective corridor from Main Street to the Riverfront. It is critical that it be an engaging, walkable and bikeable street. The existing 7th St. corridor has recently updated infrastructure, buildings framing the street, and emerging local businesses. Redevelopment projects along the 7th St. corridor would bring the energy of downtown towards the River and encourage future redevelopment within the Rail District. An 'art trail', with art as a visual beacon, to lead people from the art on Main Street to the river is another strategy to activate the corridor.

PEDESTRIAN BRIDGES



12th Street connects north to Colorado Mesa University and to Riverside Parkway including the future development at the Sugar Beet Factory.

ILLUSTRATIVE PERSPECTIVE OF 12TH ST. BRIDGE



The City has discussed vehicular connections over the Railroad tracks to reconnect the grid along 12th Street as a major north-south thoroughfare. A different way to think about increasing connectivity at this location may be to shift the conversation towards a Pedestrian/Bike Bridge which would have less impact to rail operations and have lower infrastructure costs.

Future planning around the Dos Rios Development would benefit from a pedestrian and bike connection to downtown. It is a relatively short distance from the Dos Rios project area to downtown. However, due to high speed roads and rail lines future residents would need to walk over a mile to dine and shop. A pedestrian bridge from Dos Rios to the Train Depot and potential 2nd Street promenade would significantly increase access in this part of downtown.

7TH & SOUTH

Main Street is approximately 1 mile from 7th and Riverside Parkway. The 7th and South St. intersection is $\frac{1}{4}$ mile, commonly understood to be a comfortable 5-minute walk, from Main Street. Activating this node will help to draw people along the 7th Street corridor.

9TH STREET

ILLUSTRATIVE PERSPECTIVE OF 9TH STREET



9th Street is a great connection to the river with a lot of potential to provide a safe, walkable pathway.



Many local residents stated 9th Street is preferred walking route because it is quieter and provides a more direct connection from downtown neighborhoods to the River. This street should be a multi-modal road. Streetscape infrastructure improvements should include curb and gutter, buffered bike lanes, sidewalks and art along the corridor.

RIVERSIDE PARKWAY

Riverside Parkway is a road designed for vehicles, not pedestrians. As such it is a barrier between potential redevelopment to access to Las Colonias and the River. Efforts should be made to improve pedestrian at-grade crossings at 7th, 9th, 12th and Winters Ave, which are spaced at about $\frac{1}{4}$ mile. Pedestrian signals, high visibility crosswalks, bump outs, narrowed turn radii, and refuge islands are strategies that could help to increase pedestrian and bike safety.

SOUTH STREET

Main Street is a great east to west connection but it is a challenging route for bikes. South Street would be an east-west alternative and bike route. It is not highly trafficked, has a wide ROW that could accommodate additional infrastructure, and is a comfortable, treelined street. In addition, Ouray could be modified to accommodate bikes and provide a safe bike connection to the lanes along 10th Street. These connections would offer a safe bike and pedestrian alternatives to higher-speed streets like Grand Avenue and I-70B.

The intersection of 5th and South Street is an important arrival gateway into downtown but is challenged with heavy infrastructure. Cars travel at significant speeds, traffic merges at Ute and Pitkin, and Whitman Park does little to welcome to downtown. A median in the roadway at the 5th and South intersection restricts for east-west movement for vehicles, bikes and pedestrians. Yet this important intersection also provides access to the bus terminal and 7th Street corridor. Discussions with CDOT should identify strategies to slow vehicles and improve multi-modal access at this location. This could include as lane narrowing after the bridge to slow traffic entering downtown. Bump outs, sidewalks, signage and landscape to improvements along the roadway provide visual cues for cars to slow and increases pedestrian comfort and safety. Safe pedestrian and bike access must be provided to the bus terminal for the success of transit in the downtown.

COORDINATE WITH CDOT

SIGNAL WARRANT

A warrant is a condition that an intersection must meet to justify a signal installation. A thorough investigation of traffic conditions, accident history, and physical characteristics of the location is necessary to establish warrants for the installation of a traffic signal. The Region Traffic Engineer will conduct the signal warrant study with all the necessary calculations and shall certify that warrants have been met by documenting them in



a letter.

Traffic Control Signals can be justified when warrants are met as indicated in the Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD), Part IV. The following eight “traffic control signal needs studies”, are warrants for a new signal;

Warrant 1, Eight-Hour Vehicular Volume

Warrant 2, Four-Hour Vehicular Volume

Warrant 3, Peak Hour

Warrant 4, Pedestrian Volume

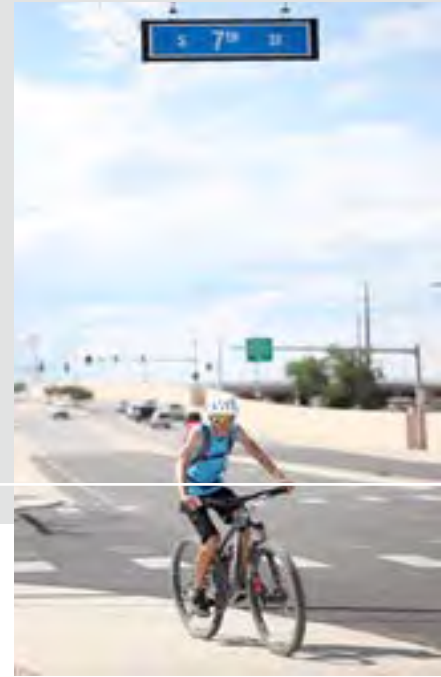
Warrant 5, School Crossing

Warrant 6, Coordinated Signal System

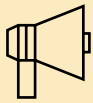
Warrant 7, Crash Experience

Warrant 8, Roadway Network

Warrant 9, Intersection Near a Grade Crossing



KEY ACTION ITEMS



POLICY

The City should amend the GDP to update the 9th Street sections to be more multimodal.



ACTION

The City and the Downtown Partnership should initiate conversations with BNSF to improve pedestrian and bike access over the Rail lines.



ACTION

The City and the Downtown Partnership should engage in discussion with CDOT for traffic calming tools and a better pedestrian crossing at 5th and South.



PROGRAM

The Downtown Partnership to coordinate a community crosswalk paint program at the intersections along Colorado as a pilot project.



PROJECT

The City, with support of the Downtown Partnership, should review intersections along Riverside Parkway, 5th and South, 7th and South, Ute and 2nd, Pitkin and 2nd, and the roundabout at 7th and Main for an improved pedestrian access.



PROJECT

The Downtown Partnership should work with City Public Works, Urban Trails Committee and Neighborhood Groups to better understand the types of bike lanes facilities the community wants. Develop a design plan and identify funding to implement bike lanes.

CREATE A 2ND STREET PROMENADE CONNECTING THE TRAIN DEPOT TO TWO RIVERS PLAZA.

Connecting the Train Depot to more active areas of downtown is an important goal. The railroad is a strong part of the history of Grand Junction and influenced how the City grew and prospered. Today, people visiting Grand Junction by train stay at the hotels along Main Street a couple of blocks north. Yet, navigating this area is both uncomfortable and confusing for local residents as well as visitors arriving to Grand Junction by train. The roadways are fast, pedestrian crossings are limited, and the sidewalks are in disrepair.

The Old Train Depot is under new ownership for potential redevelopment and was noted as many peoples favorite building in downtown. Second street is a direct connection from the Train Depot to Two Rivers Plaza on Main St. This should be a safe, visible corridor inviting visitors and locals from to the heart of Grand Junction. There is some emerging redevelopment along Second Street such as restoration of the old Train Depot, a brewery and wine bar and a new hotel. Investment along 2nd Street would likely spur additional redevelopment in the area.

For this to be a safe and viable route for pedestrians, signalized intersections are critical. Ute Street and Pitkin Street are currently State-owned highways managed and maintained by CDOT. Transportation departments across the country are increasingly recognizing the value of multi-modal streets-street that pedestrians and bicycles, as well as vehicles safely. A key focus in discussions with CDOT should emphasize the importance of moving pedestrian's safely from north to south along the I-70B corridor. This is an obtainable goal and a strong compromise for mitigating the impacts of I-70B on the downtown.



CONCEPTUAL PLAN OF 2ND STREET AND SOUTH STREET CONNECTIVITY



2ND STREET ILLUSTRATIVE PERSPECTIVE



A road diet could allocate 20' of 2nd St. to a pedestrian tree-lined promenade with signage, art, sidewalks, and street furnishings. A pedestrian crossing at South Street, a city-owned and maintained street, would provide safe access from the Train Depot to the 2nd Street promenade.



KEY ACTION ITEMS



PROJECT

The City convened a stakeholder meeting in July 2019 to get feedback about a 2nd Street promenade from nearby businesses and relevant stakeholders. The City hired local landscape architect to help develop design concepts based upon the feedback with the goal of having a completed concept for the 2nd Street Promenade by the end of 2019.



POLICY

Downtown Partnership should coordinate with CDOT to obtain a signalized intersection through a warrant study.

C4.

INITIATE A GATEWAY AND WAYFINDING STUDY TO IMPROVE EASE OF NAVIGATION FOR PEDESTRIANS, BIKE AND VEHICLES IN DOWNTOWN.

Downtown Grand Junction is bisected by highways, rail lines and vacant areas which creates divisions within downtown and makes it challenging to navigate. To encourage people to walk, shop and explore downtown needs to be safe and easy to get around for both residents and visitors. Wayfinding references how people navigate from place to place. Wayfinding is most successful when it is looked at comprehensively through a family of sign elements along key corridors to strategic destinations. Gateways, directional signs, street banners, pavement markings, public art and map kiosks are ways to direct people in a manner that is simple and understandable.

Signage should be provided at a range of scales to assist drivers, bikes and pedestrians in navigating the downtown district. Signage that designates times or distances to local destination is more motivating for people to walk or bike. A wayfinding study should look at other elements of this Plan such as providing ease of access to public parking, an 'Artline', and activation of the alleys. This is also an opportunity to collaborate with local artists and local businesses for how the brand and identity should connect to local history, the arts and culture of Grand Junction.



KEY ACTION ITEMS



ACTION

The Downtown Partnership should initiate a comprehensive wayfinding and gateway study to provide a strategy for bringing people to and navigating around downtown.

51%



of comments
would like to
see more bike
lanes and bike
racks.

78%

of survey
respondents go
downtown 1X or
more per week

73%
DRIVE



20%
WALK

7%
BIKE



Streets are an important part of getting people where they need to go- whether it is to a favorite restaurant on Main Street or a show and the Avalon. A great street moves people, bikes and cars safely and comfortably.

PLACEMAKING

People are looking for more than just a shopping in downtowns. They are looking for an experience that includes dining, events and interacting with neighbors. Placemaking key to creating a downtown experience. Interesting, interactive spaces create thriving places that people want to live and hangout. Placemaking can be creative in leveraging local arts and culture to highlight a community. It can be transformative in building character and quality of place that sparks reinvestment. It can also be low cost by looking at opportunities for small changes using minimal or reused materials. Anyone can be a placemaker; a business who builds a parklet in front of their store, a developer who adds a plaza with a park and cafe seating in their project, and community of artists that come together to paint a ground mural at an intersection.

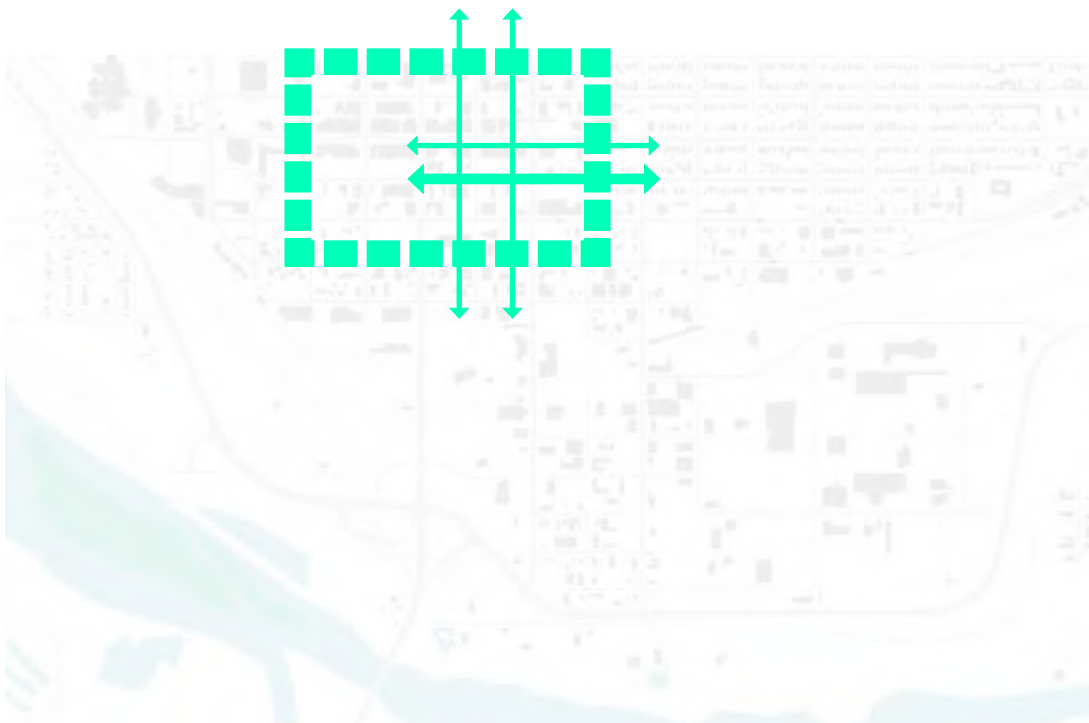


“Downtown GJ is the hip, cool, artsy, exciting part of town.”

04

BIG IDEAS: PLACEMAKING

ENHANCE THE
VIBE IN THE
DOWNTOWN



1

Extend the vibrancy from Main Street to Colorado Avenue between 4th and 7th Streets.



Encourage more community gathering and event space in downtown.

2

3

Activate alleys and breezeways.



Low-cost improvements to improve safety at Whitman Park.

4

5

Develop (a) parking program(s) to better utilize parking.



Adaptive reuse of buildings to activate the street frontage.

6

EXTEND THE VIBRANCY FROM MAIN STREET TO COLORADO AVENUE BETWEEN 4TH AND 7TH STREETS.

CONCEPT DISTRICT PLAN



ENCOURAGE MORE COMMUNITY GATHERING SPACES IN DOWNTOWN.

The community expressed interest in more spaces downtown for people of all ages to hang out. Currently, events are a huge success in downtown and do a great job of bringing people downtown - but it is cumbersome to close Main Street. An additional event space or plaza would provide a venue and the infrastructure to increase and/or improve events in the downtown as well as to provide a location for casual public gathering in downtown during off-event times.

An event plaza could be implemented incrementally. The first step would be to keep the parking and block off the space during events. A next step could be incorporating low-cost improvements such as a ground mural, temporary seating and overhead lighting. Finally, if successful based on feedback from businesses and the local community, options could be explored for dedicating a permanent event space with a stage, plaza paving, new safe-restrooms, lighting, electrical, tents spaces, sculptural/interactive art pieces and/or play equipment could be installed. Parking could be incorporated as an off-event use in any option, but could be phased out based on community and business preference.



The City-owned lot between 4th and 5th Street along Colorado would be an ideal, central location for a future event plaza. It is located central to Main Street, fronts to an active alley with strong businesses and is in the proximity of other local businesses that would benefit from increased customers in the area.



20% of people would like to see more spaces to
TO HANGOUT DOWNTOWN

of survey comments would like to see
more events including
LIVE MUSIC AND FESTIVALS

20%

KEY ACTION ITEMS



ACTION

Test the concept of a flexible use event space at 5th and Colorado within the existing Downtown Partnership programs/event schedule. Locate farmers markets, chalk art festival, adding a temporary music stage to an existing event and/or as a designated food truck location.



ACTION

Utilize the lot at 5th and Colorado for a pilot food truck program, that happens once or twice a month.



POLICY

Update the Downtown mobile vending ordinance to incorporate food trucks into Downtown and identify potential pod sites for food trucks Downtown.



PROJECT

Based on feedback from the businesses and local community, develop a plan to implement permanent improvements in the plaza.



PROGRAM

Develop a pop-up shop program to activate spaces downtown.

P3.

ACTIVATE THE ALLEYS AND BREEZEWAYS

The alley and breezeway networks are a unique part of downtown Grand Junction and could become part of the identity for the Grand Junction arts scene. Defining a of a 'sense of place' in the alleys and breezeways through specialty paving, wall and ground murals, overhead lighting, and businesses with rear entrances would enhance the permeability between Main and Colorado to boost a vibrant, creative, active district. Activating the alleys serves a dual purpose of making the alleys a safer by improving visibility and sense of comfort while maintaining function of the alleys. Local maintenance and utility companies should be coordinated with so improvements do not impede operations.



KEY ACTION ITEMS



ACTION

The Downtown Partnership and the Arts Commission should collaborate to develop a Murals Grant Program to encourage both local and regional artists and highlight the unique history and character of Grand Junction.



POLICY

Review and/or revise the existing façade grant program to include back of building improvements.



POLICY

The Downtown Partnership should partner with existing businesses and the City on revising the regulatory requirements to allow for a sizable site to be used by multiple businesses as a way to lower costs.



PROJECT

Develop a plan to implement larger scale investments such as improved paving, increased lighting, signage in the alleys.

ILLUSTRATIVE OF ALLEY IMPROVEMENTS



Businesses should be encouraged to locate entrances along the back alleys. Some local businesses have already put entrances at the back of their buildings to address the parking along Colorado.



Some Main Street business owners commented that the deep retail spaces are difficult to fill. Activating the backs of the buildings with entrances offers the additional benefit for businesses to co-share spaces, sub-divide to two separate businesses or expand their operations.



FOOD TRUCKS

Another way of activating spaces downtown and bringing people together is to bring food trucks to a central location. Food trucks are becoming an 'indicator' for cool places to hang out. A common misconception is that food trucks offer too much competition to existing restaurants. In reality, food trucks often draw people more people to a central place by offering a range of food choices that can bring more customers to nearby restaurants. Food trucks have the unique ability to activate a space temporarily or permanently for a low-cost investment. Additionally, a popular food truck will often out-grow the food truck space and find the need to move to a brick and mortar building, bringing more restaurants to activate downtown.



Murals, both on the walls and on the ground, are a great way to make alley and breezeways seem more vibrant and connect to the arts scene in Grand Junction.



WALL MURALS

Murals are associated with increased foot-traffic in an area, the colors and messaging offer positive benefits for mental health and have been linked to equitable development when derived from a community driven process. A blank wall with no street activity can be activated through wall murals, as well as other adaptive reuse strategies, to make the street frontage feel more engaging. Murals in the alleys could be a destination along the Artwalk from Main Street to the River.

ACTIVATION

KEEP IT SIMPLE

The community must own and drive ideas

Expect to vendor pod to spur permanent real estate activity

Consider some permanent vendors that are not food related

Use success to educate about the power of local retail clustering

use a lean startup model

Find community champions

Unnecessary to be slick and over-designed

Keeps things real and funky

Vendors can also cluster under a single roof

ATTRACTION

PARTNERS ARE KEY



The DP can work with The Incubator to develop programs to help incentivize food trucks and mobile vendors in downtown.

Food Preparation could be coordinate with the Business Incubator for shared commissary kitchen(s).

The DP could help to provide a tap with multi-unit adaptor or encourage the vendor to bring their own water.

Consider functional operations; access to water, food preparation, waste disposal and on-site electricity.

The DP could provide on-site dumpster or haul-away service and electricity through a truck generator or through a shared utility agreement.

P4.

LOW COST DESIGN STRATEGIES FOR WHITMAN PARK

Whitman Park has long struggled to serve the downtown as a park should, for respite, enjoyment and relaxation. The perception that the park is enclosed by streets and is cut off from the city allows for the park to serve as a haven for socially unacceptable activities. A redesign of the park is needed to encourage visibility from the street. Some simple, low-cost strategies to improve visibility include activating the edges with parking, high branching trees lining the sidewalks at the edge, removing trees and visual obstructions from the center of the park and replacing with an active lawn with moveable chairs, and encouraging development across the street to face towards the park. Critical to the success of any redesign effort will be addressing the nature of the roadways that surround the park to be more active and less of an island.



KEY ACTION ITEMS



ACTION

Bring a design competition to redesign Whitman Park. This should engage local or national experts to think creatively about low cost solutions for Whitman Park.



PROJECT

Work with the Downtown Community to build low cost safety improvements to Whitman Park.



PROGRAM

Establish a Public-private partnership oversee maintenance and a sense of ownership to protect the transformation of the uses of the park.

DEVELOP (A) PROGRAM(S) TO BETTER UTILIZE PARKING

Downtowns need the right amount of parking, in the right places, to thrive. Too much parking takes up valuable space that could be generating revenue for downtown and instead creating voids that discourage the activated streets needed for a vibrant downtown. Insufficient parking can create traffic congestion and create challenges for local businesses.

What draws people downtown is great shops, restaurants and spaces in the downtown in an active, comfortable walking environment. A more walkable and vibrant downtown is difficult to achieve when the priority is put on providing parking. Future development in downtown should aim for a better utilization of parking to encourage infill and activation of the downtown.

DOWNTOWN PARKING STUDY 2015

DOWNTOWN BUILDINGS



DOWNTOWN PARKING LOTS



A significant amount of downtown is dedicated to surface parking lots. A parking study, initiated by the City in 2016, shows most of these lots are in downtown are under-utilized.

SHARED PARKING AGREEMENTS

Shared parking utilizes parking jointly among different buildings or businesses so parking can be used at all times of day. This strategy may target providing more employee parking downtown with potential new housing in the downtown. Other agreements could provide overnight security during events/off hours. Parking Agreements with private property owners at 7th and Ute and the Elks Lodge lot could provide opportunities for increased employee parking downtown.

EASE OF ACCESS TO PARKING

Wayfinding signs should direct and inform people to underutilized parking facilities. Connecting physical wayfinding navigational signs to a smart parking app can show people how many spaces are available in a garage, lot, or along the street and direct them how to get there to make an easy, positive parking experience.

ACTIVE PARKING MANAGEMENT

Active enforcement of parking has the potential to increase revenues for parking in downtown. Parking management encourages more efficient use of parking resources and more efficient travel choices. Additional regulations on parking such as dedicated delivery times and parking durations (such as 15 minute and 2 hour parking zones) can help increase retail turnover and make parking easier to find for customers. Pricing incentives such as increased pricing for higher demand spaces or discounted parking for downtown business owners or residents can help to offset the impacts.

PARKING TECHNOLOGY

Integrating the use of apps is an effective strategy to manage parking and offer the ability to adjust parking prices based on demand or let users know where there is a vacant parking space. Providing credit card readers will capture customers that typically pay by phone or credit/debit card.

DOWNTOWN PARKING DISTRICT

A parking district defines an area to be managed holistically from a parking and transportation perspective. A district-wide parking approach allows for vehicle to utilize parking reservoirs, while taking into consideration a reduction in parking to support active modes of transportation.



PARK AND RIDES

Larger events and long-term parking strategies could look to provide park and ride options utilizing the new Dash Shuttle Route. Overflow lots for downtown events could be located at Las Colonias, the airport, CMU or on underutilized sites in the Rail District. Coordinating a parking agreement with an underutilized lot in the Rail District with a park and ride (and/or bike share) would provide a quick win strategy for increasing employee parking options in the downtown. As the Dash becomes more viable- stakeholder CMU and Airport. Look at commuter passes.

ZONING CODE UPDATES

Plan review requirements may include maximum parking requirements, flexibility in providing parking off-site, and incentives for shared parking. Parking reductions for affordable/workforce housing or transit-oriented developments could be considered.

KEY ACTION ITEMS



ACTION

Hire an app developer to update existing parking app to coordinate wayfinding and parking locations, on demand parking pricing structures.



PROJECT

Add credit card readers to downtown meters and enforce parking.



ACTION

Look at opportunities for shared use agreements in private lots and/or a pilot park and ride employee parking program utilizing the Dash.



POLICY

Review zoning code to incorporate smart parking strategies to reduce parking demands that may inhibit development.

ADAPTIVE REUSE OF BUILDINGS AND SPACES TO ACTIVATE THE STREET FRONTAGE

Incremental development is the idea that growth doesn't happen all at once, but incrementally over time. This model is focused on small projects in the scale and context of the existing neighborhood. This encourages local business owners and homeowners to take on the roles a developer usually plays through strategies such as ADUs, adding rental units over a business, building housing units or retail space on existing property, or bringing food trucks to activate a vacant space. Incremental development is tangible and even a tiny development can build value and contribute to community.

Adaptive reuse is often a first step in incremental development by re-purposing buildings from their original purposes for different functions while at the same time retaining their historic features to maintain the character of a certain area. These projects are often easier to achieve because of lower infrastructure and construction costs. Adaptive reuse can be done through reactivation of a site or maintaining portions of an existing building as a part of a large project. This provides powerful story-telling to future generations and visitors while protecting a distinct architectural identity that positively impacts the community.

ILLUSTRATIVE OF FOUND SPACES



Building improvements that are small scale and low cost can do a lot to activate the street frontage and bring more vibe to downtown. Overhead lighting, seating, rooftops and food trucks create a cool place to hangout.



ILLUSTRATIVE OF BUILDING IMPROVEMENTS



Murals, garage doors, outdoor seating, lighting and landscape are strategies building owners can do to increase their personal property value as well as create an engaging downtown experience.



BUILDING IMPROVEMENTS

Redevelopment doesn't always need to be a big project. There are opportunities to activate the street frontage through low-cost private investment. There is no shortage of unique historic buildings in downtown Grand Junction that could be rehabilitated through potential grant programs and low-interest loan programs.

FOUND SPACES

Found spaces are small or large, under-utilized spaces that private property owners can activate on their lots to provide places for respite along the street. Pallet benches, tables and chairs, picnic tables, overhead lighting, grass mats, painted asphalt, lawn games and planters are all low-cost ways to invite people to hangout. The more 'dwell time' people spend in a space or area, the more likely they are to buy something. There are many vacant spaces along downtown streets that business owners could activate the property to capture more customers.

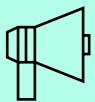
START UPS AND POP UP BUSINESS

Outdoor markets offer low-cost, low-risk entry into a small business and also serve to activate certain areas of downtown. Markets can also come together under one roof to offer food and wares, effectively creating a larger grocery store. Multiple vendors, such as the butcher, florist, baker, and dry goods vendors act as individual entities yet partner together visually and legally to provide food access for downtown residents. There should be a focus to extend this type of local small business atmosphere along 7th St to activate the corridor.

The concept of implementing a 'Holiday Pop-Up Shop' is an opportunity for growing retailers or entrepreneurs to test the Downtown Grand Junction market as a viable option for a brick-and-mortar location while contributing to the consumer experience during one of our busiest shopping seasons. It's also a creative strategy for attracting new retail concepts to Downtown and filling vacant spaces during the holidays.

This program is recommended to be carried out from October 15 - First Week of January each year. Selected retailers would be notified of their approval into the program before the short term lease start date. The Downtown Partnership would work with current property owners in vacant buildings to explore short term leases for applicants that are accepted for the particular calendar year.

KEY ACTION ITEMS



ACTION

Encourage local businesses and artist to bring temporary art/sculpture, movable seating, lighting and other temporary design ideas to activate the space.



POLICY

Remove restrictive regulations that make small business startups difficult and allow them to cluster to create a larger entity.

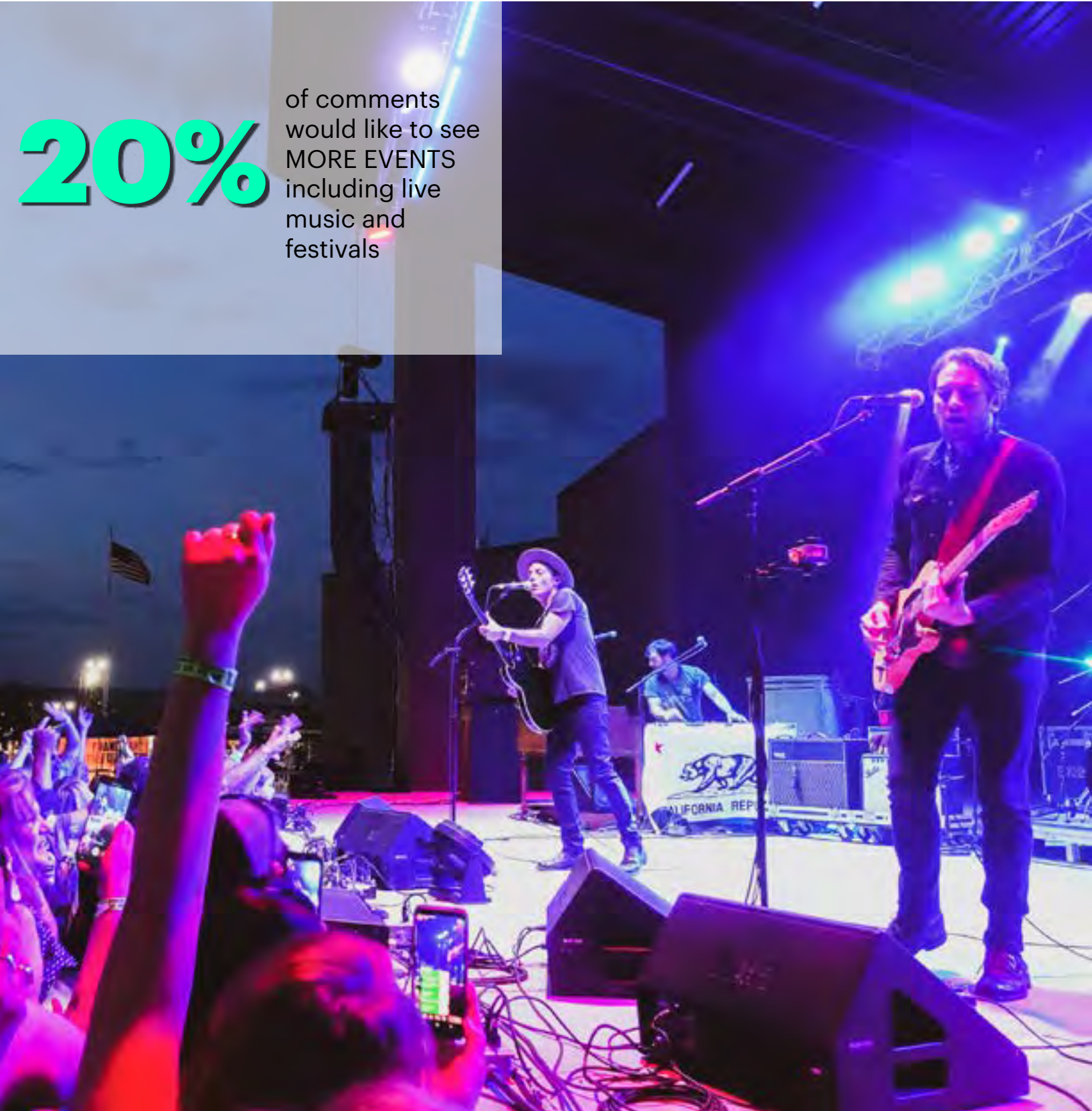


PROGRAM

Create incentives for private property improvements through grants.

20%

of comments
would like to see
MORE EVENTS
including live
music and
festivals



Placemaking is key to creating a downtown experience. Interesting, interactive spaces create thriving places that people want to live and hangout.

DEVELOPMENT

While Main Street is at the heart of downtown, there is a need to look at infill opportunities in the Rail and River Districts as a way of creating a bridge between Downtown and the River. Infill development is important to bringing more people living and working downtown, which is important for making downtown feel more active and safer. There is a significant momentum for development in Grand Junction, including redevelopment along the Riverfront at Los Colonias and Dos Rios, new infill development downtown including GIS offices and townhomes at R5, and adaptive reuse projects such as the Train Depot and Sugar Beet Buildings.



"I have lived downtown before and I loved it and miss it. I hope too again."

05

BIG IDEAS: DEVELOPMENT

BRING MORE
PEOPLE
DOWNTOWN



1

Support existing businesses in the downtown through programs and attract more business diversity downtown.



Develop (a) grant program to incentivize small scale local reinvestment.

2

3

Adjustments to codes and policy that are barriers to development.



Leverage the Downtown Partnership financial tools to incentivize development.

4

SUPPORT EXISTING BUSINESSES IN THE DOWNTOWN THROUGH PROGRAMS AND ATTRACT MORE BUSINESS DIVERSITY DOWNTOWN.

Small business owners and downtown property owners are in some cases struggling to be successful. A history of vacancies in downtown has led to a fear that expanded development around downtown will shrink business for existing shops. The truth about vibrant downtowns is that expanding activity and options creates a virtuous cycle of prosperity. People like to be in places where other people are. The DDA should work with businesses to help foster their success and to understand that more businesses is good for all businesses.



KEY ACTION ITEMS



ACTION

Contract with a Retail and/or Small Business consultant to offer to aid building owners to encourage better business marketing, trainings, and address business hours.



PROGRAM

Utilize Business Improvement District (BID) and work with GJEP on attracting business to the downtown.



PROGRAM

Coordinate with the Business Incubator on a Feasibility Study to connect local entrepreneurs, educational programs and resources to downtown.



PROGRAM

Creating Spaces for Artist/Artists in Residence, maker spaces and pop up shops.

D2.

ADJUSTMENTS TO CODES AND POLICY THAT ARE BARRIERS TO DEVELOPMENT.



The main barrier to substantial new investment in downtown that is off-street parking standards. The 7th St. corridor is a key multi-modal corridor connecting the downtown core with the new Las Colonias development and the Colorado River. While there is clearly an intent to bring new development and interesting uses to this corridor, parking requirements and limitations on what is allowed in the C-2 zone make reuse of these sites challenging. The City has taken steps to reduce barriers to development and redevelopment within the downtown core, such as on-site parking reduction allowances. These strategic zone changes should be considered beyond the downtown core, such as along 7th Street.

KEY ACTION ITEMS



POLICY

Reduce off-street parking requirements within zones in the larger downtown area. Expand off-street parking reduction allowances beyond the downtown core.



POLICY

Identify and revise code barriers that make adaptive reuse difficult to achieve. For instance, allow flexibility in achieving key life safety requirements of building code to encourage adaptive reuse of older buildings and avoid incentivizing them being torn down.



POLICY

Conduct a code audit to identify additional barriers to development and allow for greater flexibility to incentivize good projects that support the goals of this Plan.

D3.

DEVELOP (A) GRANT PROGRAM(S) TO INCENTIVIZE SMALL SCALE LOCAL REINVESTMENT IN THE DOWNTOWN

Incremental development and adaptive reuse are small scale local reinvestment strategies that can be leveraged to activate vacant areas of downtown. Some strategies to encourage this type of development in downtown would be to develop grant and loan programs administrated by the Downtown Partnership to encourage small scale investments. These would be an application process and awarded to maximize public benefit and are targeted to deliver outcomes unlikely to occur without the resources. Grants would be awarded to support business and/or property redevelopment in projects to support the goals of this Plan.



ILLUSTRATIVE OF LOCAL REINVESTMENT



Examples of potential projects include storefront improvements, upper floor retrofit grants, and “storeback” improvements.



KEY ACTION ITEMS



ACTION

Coordinate with the City to incentivize redevelopment on existing parking lots to activate the street frontage along this key section of Colorado.



PROGRAM

Develop a Storefront and “Storeback” Improvement Grant to encourage property improvements for local retailer including building facades facing the alleys and bisecting spaces for co-retail.



PROGRAM

Develop a Grant program Tenant Improvement Grants: Aimed at larger building activation strategies, making the building commercially viable or renovating historic buildings and bringing them up to code.



PROGRAM

Develop a program for start up grants or start up loans/microloans to encourage new businesses downtown. These should be aimed at small scale local investors such as food trucks, pop-ups and micro-retail entrepreneurs.

D4.

LEVERAGE THE DOWNTOWN PARTNERSHIP FINANCIAL TOOLS TO INCENTIVIZE DEVELOPMENT.

Pre-development costs are the highest risk funds in development because many well-intentioned projects fail before they get off the ground. Municipal fees, like tap fees, and property taxes can also be significant development costs that local governments can consider changing, abating or discounting in order to spur increased development. One of the benefits of downtown infill is the infrastructure is in place. This can justify a reduction of impact fees as it does not require the City to build new roads or put new utilities in place. The Downtown Partnership and City should work together evaluate establishing property tax abatement programs could be incentivize development. Term-limited property tax abatements are an increasingly common tool being used to jump-start redevelopment within downtown areas.



KEY ACTION ITEMS



POLICY

The DP and City should work together reduce, remove or reimburse impact fees to encourage development within the DP through incentive programs.



PROGRAM

The DP could work with the City to develop a Property Tax Reimbursement or a 10-year tax abatement program to jump-start redevelopment by lowering operating costs for developers.

IDENTIFY A CATALYST PROJECT FOR THE DEVELOPMENT PARTNERSHIP IN THE DOWNTOWN

The first redevelopment project in a downtown area is always the most difficult to finance, because banks rely on “comparable” projects to underwrite development loans. If there are no recent examples of new downtown projects, banks are reluctant to lend. Cities and DDAs can help jump start private investment by partnering on early projects, which make every subsequent project easier.

There is an opportunity to build momentum for downtown development through a catalytic Public-Private Partnership (PPP) development project. This would require securing a site, defining a set of incentives and partnering with a developer to build a project. The level of partnership can range from facilitation and identifying incentives, to grants and land cost discounts, to co-investing in the project depending on the risk tolerance of the Downtown Partnership.

A similar strategy has been used at R5, and the lessons learned from this project can help to improve future RFP processes. The selected site should be strategic to achieving the goals of this plan. A site along the 7th Street or Colorado St. corridors would be an ideal project to activating these key corridors. Some case studies have been identified as potential projects on the Startek site, a city owned parking lot at 7th and Colorado, and the former Flea Market site.

KEY ACTION ITEMS



ACTION

Partner with the City or private property owners on site identification/land acquisition. Prepare and issue a Request for Interest (RFI) to developers. Pro-actively market to qualified developers in and out of the local market. Marketing materials should include key goals and an identification of incentives, such as land cost discounts, pre-development funds, etc.

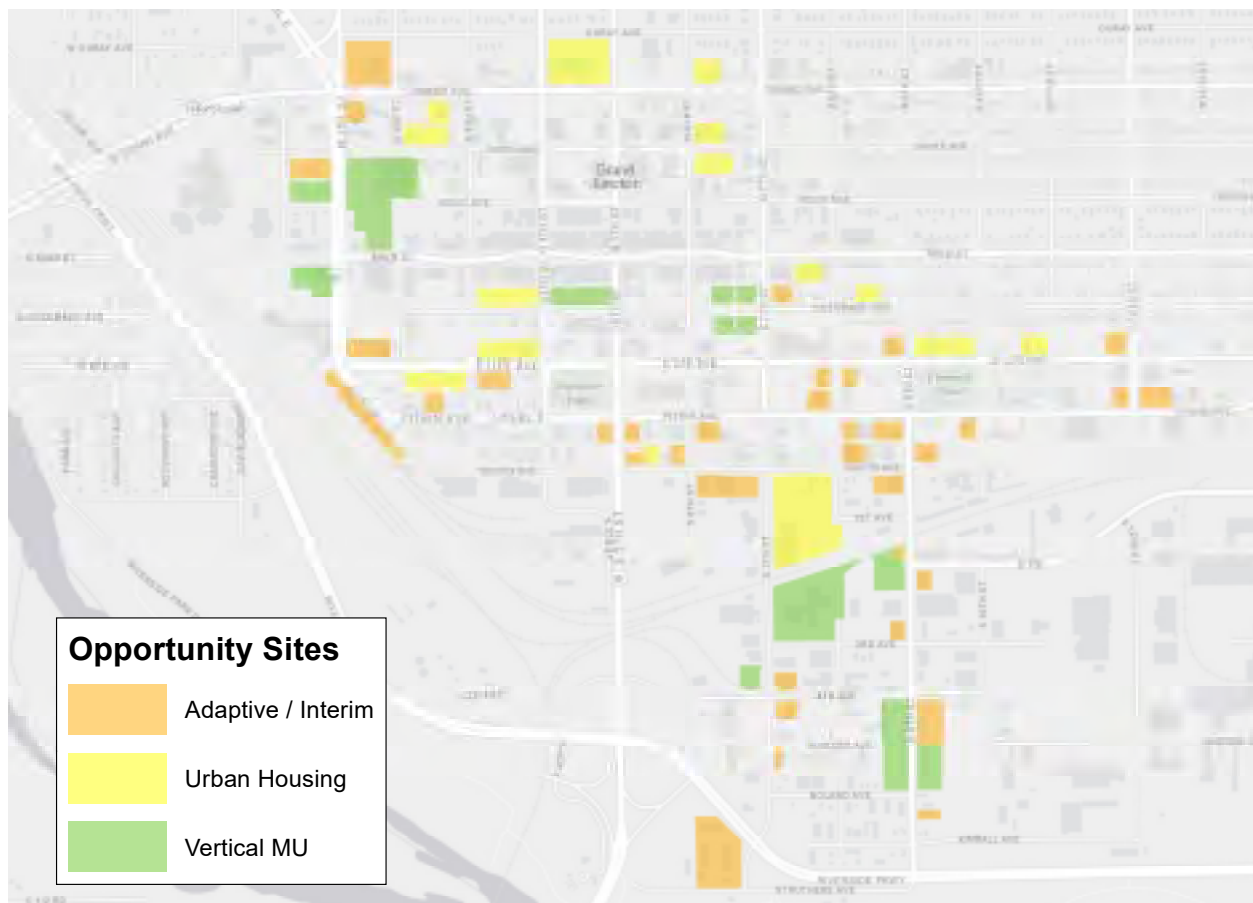
CASE STUDIES

OPPORTUNITY SITES

Three development types were identified as key opportunities for increasing activity in the downtown; adaptive reuse, vertical mixed use and urban housing. These can be applied to a broad range of opportunity sites within the downtown.

Three case studies were explored to better understand the development potential for downtown within the current market and assure that recommendations realistic and achievable. The goal is to identify roadblocks and inform recommendations for creating a more development friendly downtown.

OPPORTUNITY SITES IN DOWNTOWN GRAND JUNCTION



	 VERTICAL MIXED USE	 URBAN HOUSING	 ADAPTIVE REUSE
LOCATION	Downtown core and commercial corridors	Downtown areas without good commercial frontage, residential areas at edge of downtown	Edge of downtown core, railyards district, industrial areas
USES	Residential w/ retail ground floor	Downtown areas without good commercial frontage, residential areas at edge of downtown	Edge of downtown core, railyards district, industrial areas
BUILDING CHARACTERISTICS	4-6 stories wood frame over 1 story of parking and/or retail or 3-4 stories all wood frame with small retail component	1-3 stories wood frame	good street-frontage, historic character, covered outdoor space (Re-Use) / Parking lots, gravel lots (incremental)
LOT CONDITIONS	at least ½ acre, retail-friendly street frontage	at least 1/4 acre	at least 1/4 acre



CASE STUDY 1 - THE FLEA MARKET SITE



SITE PLAN



The Flea Market site is a 1.3acre parcel located at S. 7th St. and South Ave. It is zoned C-2 (general commercial) with a commercial corridor overlay. It features an existing 14,000 square foot industrial building as well as a large paved surface parking lot. This corner site is a prime development opportunity that is ideally located at the edge of the downtown core along a stretch of S. 7th that recently received significant public investment in the form of a streetscape treatment.

FLEA MARKET SITE | WHAT WE LEARNED

Lower barriers to entry for local entrepreneurs - lower rents

Concept can be applied broadly- many underutilized parcels throughout downtown.

Clustering spurs innovation and creates regional destination.

Cultivate future brick and mortar tenants

Opportunity to expand food access

Food carts on a vacant lot 1/10 cost of ground up retail

Work with business owners to become future owners of brick and mortar buildings through seller-financing.

CASE STUDY 2 - STARTEK SITE



SITE PLAN



The former StarTek site is a 5.25 acre parcel located at S. 7th St. and South Ave. It is zoned C-2 (general commercial) with a commercial corridor overlay. It features an existing 50,000 square foot industrial building as well as several large surface parking lots and an undeveloped area formerly occupied by several older structures. This large site is a prime development opportunity that is ideally located at the edge of the downtown core along a stretch of S. 7th that recently received significant public investment in the form of a streetscape treatment.

STARTEK SITE | WHAT WE LEARNED

Parcels are largely shovel ready - require minimal site improvements to start development

C-2 zone parking requirements restricts feasibility

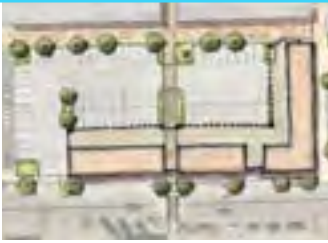
Having low-cost industrial building offers opportunity for creative adaptive reuses

Potentially streamline permitting / reduce plan review for downtown housing development projects.

Functional parking minimums for high density - .5 spaces per unit, 1 space per 1,000sf commercial

With construction costs escalating 30% over the last few years. New construction may be feasible at 120% of AMI

CASE STUDY 3 - 7TH AND COLORADO



SITE PLAN



The city-owned site at 7th and Colorado is an ideal candidate for more intense mixed-use infill development. This can take the form of a traditional development model or, with the site already in public ownership, a public-private partnership.

7TH COLORADO

WHAT WE LEARNED

B-2 zone is extremely flexible

With construction costs escalating 30% per year, new construction may be feasible at 120% of AMI

No parking required (with caveats)

Potentially streamline permitting or reduce plan review

Public-Private Partnerships should require downtown-supportive outcomes (workforce housing, lower on-site parking standards, street-activating uses and building forms)

Marketing does not support structured or underground parking

Public participation may be required to get initial projects off the ground

Infill development is important to bring more people living and working downtown, which is important for making downtown feel more active and safer.

IMPLEMENTATION

This Plan provides a roadmap for how to approach development in the downtown. It is meant to guide progress that is reflective of a community vision. The intent is to provide actionable strategies for success with enough flexibility to adapt to a market shifts and changing trends.

When it comes to development, the Downtown Partnership should serve the role of a partner and a facilitator to match resources to get people in the market to get things done. Another key outcome of these strategies will be to attract more properties by increasing the influence and strength of resources. The improvements outlined in this Plan will help the Downtown Partnership to be more effective and yield more influence which will in turn encourage additional properties to participate and expand the boundary.



"I love the potential of Downtown GJ. I get excited about what this place can be."



CONNECTIVITY

IMPLEMENTATION STRATEGIES

STRATEGY	ACTION	TIMING
C1: Convert 4th and 5th to Two Way Streets	Action. Informational sessions to increase awareness of the importance and value of two-way streets in downtown among business owners and residents to gather support from the community. City Council should vote to make this a project.	Short Term
	Project. Temporary re-striping study to 'test' the project north of Grand Avenue. Identify potential problem areas for further study, and gain the trust of the community before a larger infrastructure investment.	Mid Term
	Project. Following a successful launch of a test project, and with support from the local community, the City could work with the DP to identify a series of larger infrastructure related projects for 4th and 5th that would convert them into multi-modal streets with two-way traffic, on-street parking, bike lanes and sidewalks with street trees and furnishings.	Long Term
C2: Prioritize pedestrian and bike improvements to improve mobility throughout downtown and to the river.	Policy. Amend the GDP to update the 9th Street sections to be more multi-modal.	Short Term
	Action. Initiate conversations with BNSF to improve pedestrian and bike access over the Rail lines at 2nd Street and 12th Street.	Mid Term- (With New Projects)
	Program. Coordinate a community crosswalk paint program at the intersections along Colorado as a pilot project.	Short Term
	Project. Review intersections along Riverside Parkway, 5th and South, 7th and South, Ute and 2nd, Pitkin and 2nd, and the roundabout at 7th and Main for an improved pedestrian access. 6th and Grand, 3rd and Grand.	Long Term
	Project. Better understand the types of bike lanes facilities the community wants. Develop a design plan and identify funding to implement bike lanes.	

DP ROLE	PARTNERSHIPS	FUNDING
City Led Project, DP to assist with advocacy. Business and neighbour outreach and support.	Business Owners, Stakeholders, Neighbourhoods	
	City Lead, DP Support	
	City Lead, DP Support	Potential Funding Partnership with the DP.
		Identify CIP funding
Support implementation of multi-modal facilities in new projects.		Identify CIP funding
Facilitate with artists and City.	DP Lead, City Support, Arts and Community Support.	City and DP to partner on Funding. Look for Grant funding and Creative District Funding.
City Led Project, DP to assist with advocacy. Business and neighbour outreach and support.	City lead Pedestrian Access Plan.	Identify CIP funding
City Led Project, DP to assist with advocacy. Business and neighbour outreach and support.	Neighbourhood Organizations, City of Grand Junction, Urban Trails	Identify CIP funding

STRATEGY	ACTION	TIMING
	Action. Engage in discussion with CDOT for traffic calming tools and a better pedestrian crossing at 5th and South.	Mid Term
C3: Create a 2nd Street Promenade connecting the Train Depot to Two Rivers Plaza.	Project. As of summer, 2019, the City has initiated a study group to look at ideas for a pedestrian corridor along 2nd Street and has identified this as an important project for downtown.	Short Term
	Action. Coordinate with CDOT to obtain a signalized intersection through a warrant study to better understand the need for a signal at these intersections and the Communities support.	Short Term
C4: Initiate a Gateway and Wayfinding Study to improve ease of navigation for pedestrians, bike and vehicles in downtown.	Action. The DDA should initiate a comprehensive wayfinding and gateway study to provide a strategy for bringing people to and navigating around downtown.	Mid Term

PLACEMAKING IMPLEMENTATION STRATEGIES

STRATEGY	ACTION	TIMING
P1: Extend the vibrancy from Main to Colorado between 4th and 7th.	Action. The DDA should work with the local businesses to create a brand and marketing strategy for this area which could include the 'Artline', identity of the alleys and breezeways, murals, creative district programs and event programs.	Short Term
P2: Encourage more community gathering and event space in downtown.	Action. Test the concept of a flexible use event space at 5th and Colorado within the existing DDA programs/event schedule. Locate farmers markets, chalk art festival, adding a temporary music stage to an existing event and/or as a designated food truck location.	Short Term
	Action. Utilize the lot at 5th and Colorado for a pilot food truck program, that happens once or twice a month.	Mid Term
	Policy. Change the municipal code to allow vendors to cluster, no required distance separation of clustered vendor pods, allow a range of vendor types (truck, carts, clothing, double decker bus), allow mobile vendors to stay in place for extended periods of time.	Short Term

DP ROLE	PARTNERSHIPS	FUNDING
DP to advocate for downtown stakeholders	City lead, DP Support	Active Transportation Plan
Align Objectives	City Lead, DP Support	Potential Funding Partnership with the DDA.
DP to advocate for downtown stakeholders	City Lead, DP Support	
DP retain consultants. Coordinate stakeholders and implementation.	DP Lead with City Support. Coordinate with Local Businesses, Arts and Creative District. Visit Grand Junction Branding?	Potential Creative District Funds. Includes 2 Creative District Signs Locations.

DP ROLE	PARTNERSHIPS	FUNDING
		CGOCO Grant
DP to bring events, City to permit use.	City to support permitting and use of property.	
DP lead on enhancements and infrastructure project with support from City.	City to support permitting and use of property.	DP Funding.
DP to support/advocate for businesses.	City to Lead Code Review.	

STRATEGY	ACTION	TIMING
	Project. Based on feedback from the businesses and local community, develop a plan to implement permanent improvements in the plaza.	Mid Term
	Program. Develop a pop-up shop program to activate spaces downtown	Mid Term
P3: Activate alleys and breezeways.	Action. The DDA and the Arts Commission should collaborate to develop a Murals Grant Program to encourage both local and regional artists and highlight the unique history and character of Grand Junction.	Short Term
	Policy. Review and/or revise the existing façade grant program to include back of building improvements.	Short Term
	Project. Develop a plan to implement larger scale investments such as improved paving, increased lighting, signage in the alleys.	Mid to Long Term
P4: Design Competition for Whitman Park	Action. Bring a design competition to redesign Whitman Park. This should engage local or national experts to think creatively about low cost solutions for Whitman Park.	Mid Term
	Project. Identify low cost safety improvements to Whitman Park.	Mid Term
	Program. Establish a Public-private partnership oversee maintenance and a sense of ownership to protect the transformation of the uses of the park.	Mid Term
P5: Develop a program(s) to better utilize parking.	Action. Hire an app developer to update existing parking app to coordinate wayfinding and parking locations, on demand parking pricing structures.	Mid Term
	Project. Add credit card readers to downtown meters and enforce parking.	Short Term
	Action. Look at opportunities for shared use agreements in private lots and/or a pilot park and ride employee parking program utilizing the Dash.	Short Term
	Policy. Review zoning code to incorporate smart parking strategies to reduce parking demands.	Mid Term

DDA ROLE	PARTNERSHIPS	FUNDING
DP to lead on planning.	City to coordinate property, maintenance as a public park. Potential partnership.	CIP funding partnership or allocation of TIF (BID)
DP to lead on programs	Coordinate with Business Incubator an the DDA's in Colorado.	
DP	Arts Commission, Park Department	DP Funding. Explore Creative District Funding and Grants.
DP to review program policy.		
DP to lead on planning.	City to coordinate property. Maintenance as a public park. Coordination with Utilities. Potential funding partnership.	CIP funding partnership or allocation of TIF (BID)
DP to lead on planning.		
DP to lead on planning.	Shared costs for City, downtown agencies.	DOLA placemaking grants and/or GOCO funds
DP to lead on planning.	Public Private Partnership or coordinate a 501C3 to organize and maintain park.	
DP to hire consultant to best inform the City.	City to advocate for best practices in downtown.	
DP to lead on identifying private partners for shared use agreements.	Private property owners	
DP to support/advocate for businesses.	City to Lead Code Review.	

STRATEGY	ACTION	TIMING
P6: Adaptive Reuse of Buildings and Spaces to active the street frontage.	Action. Encourage local businesses and artist to bring temporary art/sculpture, movable seating, lighting and other temporary design ideas to activate private properties.	Short Term
	Policy. Remove restrictive regulations that make small business startups difficult and allow them to cluster to create a larger entity.	Mid Term
	Program. Create incentives for private property improvements through grants.	Mid Term

DEVELOPMENT

IMPLEMENTATION STRATEGIES

STRATEGY	ACTION	TIMING
D1: Support existing businesses in the downtown through programs and Attract more business diversity to downtown.	Action. Contract with a Retail and/or Small Business consultant to offer to aid building owners to encourage better business marketing, trainings, and address business hours.	Short Term
	Program. Develop programs and incentives for attracting business to the downtown.	Short Term
	Program. Coordinate with the Business Incubator on a Feasibility Study to connect local entrepreneurs, educational programs and resources to downtown.	Short Term
	Program. Creating Spaces for Artist/Artists in Residence, maker spaces and pop up shops.	Mid Term
D2: Develop (a) Grant Program(s) to incentivize small scale local reinvestment in the downtown.	Action. Incentivize redevelopment on existing parking lots to activate the street frontage along this key section of Colorado.	Mid Term
	Program. Develop a Storefront and "Storeback" Improvement Grant to encourage property improvements for local retailer including building façades facing the alleys and bisecting spaces for co-retail.	Short Term
	Program. Develop a Grant program Tenant Improvement Grants: Aimed at larger building activation strategies, making the building commercially viable or renovating historic buildings and bringing them up to code.	Short Term

DDA ROLE	PARTNERSHIPS	FUNDING
DP to develop programs to support.	DP, Businesses, Business Incubator	
DP to advocate for down-town stakeholders	City to Lead.	
DP to Lead.		

DDA ROLE	PARTNERSHIPS	FUNDING
	GJEP	
	Business Incubator	
	Business Incubator	
	Coordinate with City	
	Coordinate with City	
	Coordinate with City	

STRATEGY	ACTION	TIMING
	Program. Develop a program for start up grants or start up loans/microloans to encourage new businesses downtown. These should be aimed at small scale local investors such as food trucks, pop-ups and micro-retail entrepreneurs.	Short Term
D3: Adjustments to codes and policy that are barriers to development.	Policy: Reduce off-street parking requirements within zones in the larger downtown area. Expand off-street parking reduction allowances beyond the downtown core.	Short Term
	Policy: Identify and revise code barriers that make adaptive reuse difficult to achieve. For instance, allow flexibility in achieving key life safety requirements of building code to encourage adaptive reuse of older buildings and avoid incentivizing them being torn down.	Mid Term
	Policy. Conduct a code audit to identify additional barriers to development and allow for greater flexibility to incentivize good projects that support the goals of this Plan.	Mid Term
D4: Leverage the DDA financial tools to incentivize development.	Policy. Reduce, remove or reimburse impact fees to encourage development within the DP through incentive programs.	Mid Term
	Program. Develop a Property Tax Reimbursement or a 10-year tax abatement program to jump-start redevelopment by lowering operating costs for developers.	Mid Term
D5: DDA to lead a strategic catalytic development project.	Action: Partner on site identification / land acquisition and prepare and issue a Request for Interest (RFI) to developers. Pro-actively market to qualified developers in and out of the local market. Marketing materials should include key goals and an identification of incentives, such as land cost discounts and pre-development funds.	Short Term

DDA ROLE	PARTNERSHIPS	FUNDING
	Coordinate with City	
	City to Lead	
	City to Lead	
	City to Lead	
	The DP and City should work together	
	the DP and City should work together	
	Partner with City or Private Property Owners.	

The Plan of Development goals, strategies and actions are intended to provide an outline to the Downtown Partnership Board in implementing a community vision for downtown over the next 10 years. The Downtown Partnership will use the above strategies and actions in annual strategic plan containing specific programs and project focus areas for the year. The strategies and actions should be reviewed every year to identify successful outcomes, reassess the yearly priorities and problem solve future issues.

These strategies and actions should be updated as needed with input by the City, stakeholders, and elected officials.

APPENDIX

The following documents capture critical aspects of the project that cannot be entirely communicated in this Plan. These documents can be used for reference to understand how the ideas in the Plan evolved.

APPENDIX A

The Phase 1 and Phase 2 Input Summary documents the issues and opportunities from the first phases of work. This document describes the feedback received from the community and how this informed the goals of the plan. Ideas for potential strategies are also explored.

The Phase 1 and 2 Summary can be found [here](#).

APPENDIX B

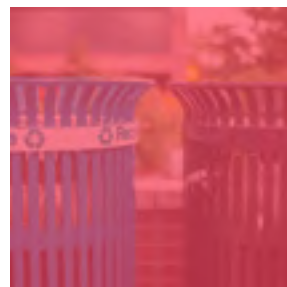
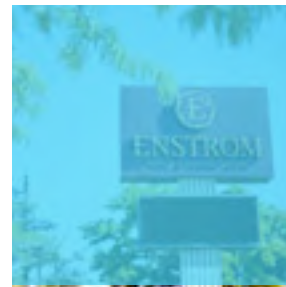
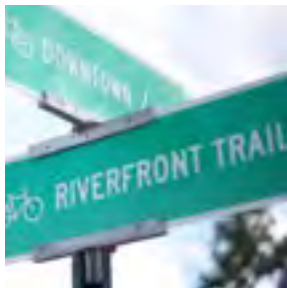
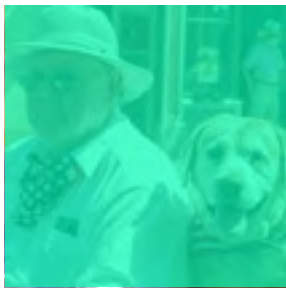
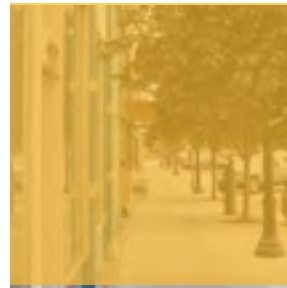
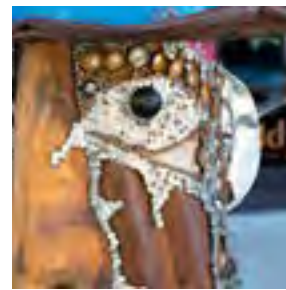
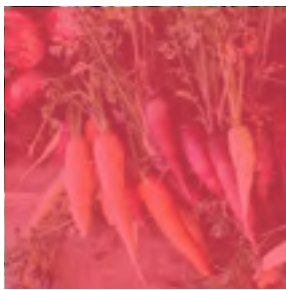
The Design Workshop took place in April 2019. The week long workshop looked at ideas and strategies to achieve the goals identified by the community. This document outlines the approach, ideas and outreach efforts that led to the strategies outlined in the Plan.

The Design Workshop Summary can be found [here](#).

APPENDIX C

The community was an essential part of the planning process. From focus groups, to surveys, to comment boxes, to online surveys, to social media engagement and in-person workshops- the community of Grand Junction had an important role in shaping the future of downtown.

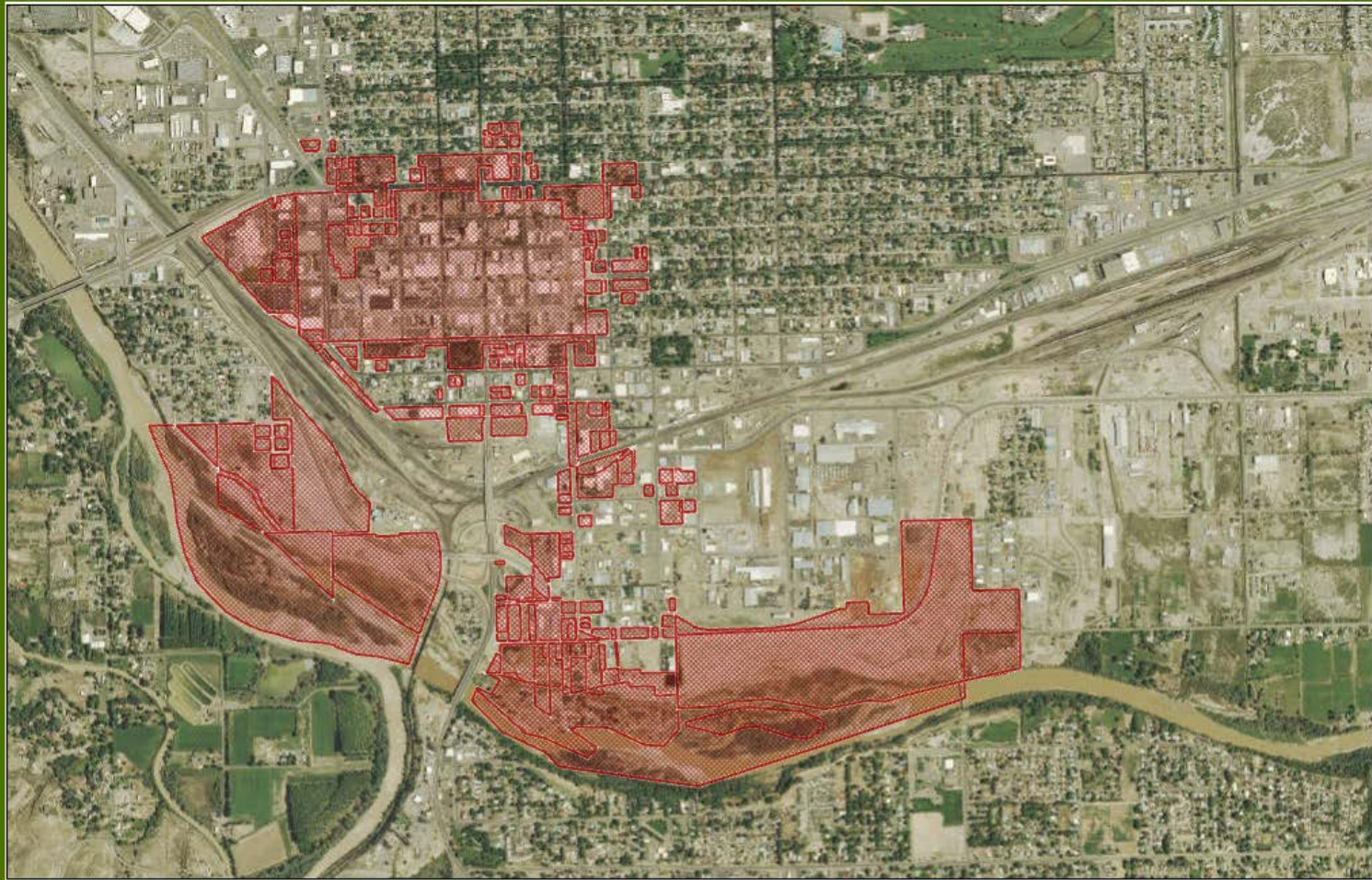
A Summary of Engagement can be found [here](#).



DOWNTOWN
GRAND JUNCTION, COLORADO
Life Happens Here

EXHIBIT 4 – Map of DDA POD Boundary

Downtown Development Authority of Grand Junction



Printed: 9/5/2019

1 inch = 1,505 feet



EXHIBIT 5 – Proposed Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ADOPTING THE DOWNTOWN DEVELOPMENT AUTHORITY 2019 PLAN OF DEVELOPMENT ENTITLED “VIBRANT TOGETHER”

Recitals

A Plan of Development for the Grand Junction, Colorado, Downtown Development Authority (DDA) was originally adopted in 1981 and has since received minor updates, most recently in 2017 in the form of updates to address public improvements to the Las Colonias area. This 2019 “Vibrant Together” Plan of Development identifies changes to conditions in the Downtown Development Authority area and explicitly delineates strategies to improve connectivity, infill development potential, and sense of place in the downtown.

Pursuant to C.R.S. 31-25-807(4)(b), prior to its approval of a plan of development, the governing body shall submit such plan to the planning board of the municipality, if any, for review and recommendations. The planning board shall submit its written recommendations with respect to the proposed plan of development to the governing body within thirty days after receipt of the plan for review.

After public notice and public hearing, the Planning Commission recommended approval of the proposal to supersede and replace the Plan of Development for the Grand Junction, Colorado, Downtown Development Authority and the City Council finds that the proposed superseding and replacement is consistent with the City’s overall vision, as included in the Comprehensive Plan, the Greater Downtown Plan, and sections of the Zoning and Development Code specifically related to Downtown. Further, the City Council finds that the plan will afford maximum opportunity, consistent with the sound need and plans of the municipality as a whole, for the development or redevelopment of the plan of development area.

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

The Plan of Development for Grand Junction, Colorado, Downtown Development Authority, as Adopted by Resolution of This City Council on December 16, 1981, be superseded,

And, that the 2019 “Vibrant Together” Plan of Development for the Grand Junction, Colorado Downtown Development Authority be Adopted in the Form of the Document Attached Hereto,

And, that the Plan of Development Shall be Applied to all Properties in the Grand Junction, Colorado Downtown Development Authority Inclusive of all Property in the Authority, Now and in the Future, Should the Boundaries of the Authority be Changed by Incorporation into the Authority, or Exclusion, of any Parcel.

INTRODUCED on first reading the ____ day of ____, 2019 and ordered published in pamphlet form.

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

ATTEST:

President of the Council

City Clerk

FINAL PLAN OF DEVELOPMENT
TO BE INSERTED HERE



Grand Junction City Council

Regular Session

Item #6.a.iii.

Meeting Date: November 6, 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 1.999-Acres of Land and Ordinances Annexing and Zoning the Adams II Annexation to R-8 (Residential - 8 du/ac), Located at 216 27 ½ Road

RECOMMENDATION:

Planning Commission heard the Zone of Annexation request at its September 24, 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, Paul Adams, is requesting to annex 1.999-acres located at 216 27 ½ Road, just west of the Mesa County Fairgrounds at the intersection of B ¼ Road and 27 ½ Road, south of Highway 50 and has a Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac). There is no publicly dedicated right-of-way proposed with this annexation request, however the Applicant's property does extend to the centerline of B ¼ and 27 ½ Roads through the use of a road easement. Upon further development of the property, the applicable rights-of-way would be dedicated. As part of this annexation, the City would take ownership & maintenance responsibilities of this combined 6400 square feet of roadway. The subject property currently contains a single-family detached house and various accessory structures. The owner is requesting annexation in anticipation of future residential subdivision development in order to market and sell the property in conjunction with the neighboring property to the west of 13.31-acres, which is also owned by the applicant and previously annexed and zoned R-8 (Residential – 8 du/ac) (Adams Annexation) in 2018, which constitutes "annexable development" and as such

is required to annex in accordance with the Persigo Agreement.

BACKGROUND OR DETAILED INFORMATION:

The Adams II Annexation consists of one 1.999-acre parcel of land located at 216 27 ½ Road. The property contains a single-family detached house and various accessory structures. The Applicant wishes to annex the property into the City limits in anticipation of future residential subdivision development in order to market and sell the property in conjunction with the neighboring property to the west which is also owned by the applicant and previously annexed and zoned R-8 (Residential – 8 du/ac) (Adams Annexation) in 2018. The Applicant will be requesting a zoning for the property of R-8 (Residential – 8 du/ac).

The property is currently in the County and retains a County zoning of RSF-4 (Residential Single Family – 4 du/ac). Surrounding and adjacent properties are also zoned RSF-4 in the County, ranging in size from 0.56 to 3.88 acres, with the exception of the Mesa County Fairgrounds property which is zoned PUD (Planned Unit Development). Adjacent property within the City limits to the west is zoned R-8 with C-2 (General Commercial) zoning to the north and contains the land use of Humphrey RV. The subject property has a Comprehensive Plan Future Land Use designation of Residential Medium (4 – 8 du/ac). The requested zone district of R-8 is in conformance with the Future Land Use designation for the area.

There is no dedicated right-of-way included in the annexation, however, the Applicant's property extends to the centerline of both B ¼ and 27 ½ Road through the use of a road easement which means the City will take ownership and maintenance obligations for this 6400 square feet of roadway. All road pavement appears fairly worn and there is no curb, gutter, sidewalk present.

The property is currently adjacent to existing city limits and 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 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 Adams II 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.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on June 10, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant and City staff were present, however no citizens attended the meeting. To date, no concerns have been voiced by the neighborhood and City staff has not received any comments from the public regarding this request. An official application for annexation and zoning was submitted to the City of Grand Junction for review on July 5, 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 July 31, 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 September 13, 2019. The notice of the Planning Commission public hearing was published September 17, 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:

(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-8 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 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 (4 – 8 du/ac). The Applicant is requesting an allowable zone district that is consistent with the higher end of the density range allowed by the Residential Medium category. The character and/or condition of the surrounding area has not changed in recent years as the area is made up of larger residential acreage that has remained undeveloped or underdeveloped and/or commercially zoned properties, however, the requested zone district of R-8 is compatible with the Comprehensive Plan designation. Further subdivision development and/or lot splits are feasible 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-8 zone district. City Sanitary Sewer and Ute Water are presently both available within the 27 ½ Road & B ¼ Road rights-of-way respectfully. Property can also be served by Xcel Energy natural gas and Grand Valley Power electric. A short distance away is Dos Rios Elementary School and further to the north along Highway 50 are commercial retail centers that includes offices, convenience stores and gas islands, restaurants, commercial businesses and a grocery store. The property is also directly west of the Mesa County Fairgrounds.

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, west and south is designated on the Comprehensive Plan Future Land Use Map as Residential Medium (4 – 8 du/ac) with Commercial to the north and Park designations to the east. The proposed zoning of R-8 meets with the intent of achieving the desired density for the property, with this request, to develop at the higher end of the Residential Medium (4 – 8 du/ac) category. The adjacent 13.31-acres, owned by the applicant was recently annexed into the City limits in 2018 and zoned R-8. The R-8 zone district comprises the largest amount of residential acreage within the City limits. However, in Orchard Mesa and south of Highway 50, there exists limited R-8 zoning. 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. Because of lack of supply in this part of the community, Staff finds this criterion to be 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 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 the community and area will benefit from this proposed request and 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-8 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 (4 – 8 du/ac) for the subject property.

R-4 (Residential – 4 du/ac)
R-5 (Residential – 5 du/ac)
R-12 (Residential – 12 du/ac)
R-16 (Residential – 16 du/ac)

R-O (Residential Office)

In reviewing the other zoning district options for the Residential Medium designation, the zoning districts of R-4, R-5, R-8 & R-O allow single-family detached residential development as an allowed land use. However, the residential zone districts of R-12, R-16 and R-O would allow multi-family residential development through the use of the Blended Land Use Map and have a higher maximum residential density than what the Comprehensive Plan anticipates for this property and area of the community.

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:

As the property is developed, property tax levies and municipal sales and use tax will be collected, as applicable. For every \$250,000 of actual value, City property tax revenue on residential property at the current assessment rate would be \$144 annually. 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 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 \$44 per year in property taxes that are passed on to the City of Grand Junction per the contract. If annexed, the Rural District mill levy will be removed and the City's 8 mills that will generate property tax revenue of \$60 per year. 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 4 at 2884 B ½ Road. Response time from Fire Station 4 is within National Fire Protection Association guidelines and any increase in calls for service based on the proposed zoning is predicted to be

minimal.

Utilities

Water and sewer services are available to this property.

This property is within the Ute Water District service area. An 8-inch water line runs along the northern boundary on B ¼ 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 16 additional dwelling units.

Plant Capacity: Based on the Future Land Use (FLU) designation, the maximum anticipated additional flow associated with 16 equivalent units (EQUs) is about 1,920 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 16 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: The property is currently served by an 8-inch sewer main on 27 ½ Road. There is available capacity in this sewer collection system to accommodate future development of this property with 16 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

To determine/anticipate what the impact may be to the GJPD in providing police services should the city proceed with this development, calls for service during 2017 and 2018 were pulled. A review of that data revealed that there were no calls for service. A review of data of like density address (Kelso Mesa Dr., Trevor Mesa Dr., and Love Mesa Dr.) revealed that there were 16 calls for service in 2017 and 23 calls for service in 2018 at (Kelso Mesa Dr., Trevor Mesa Dr., and Love Mesa Dr.) which is similar in residential density. Based on that information, we anticipate that any calls for service by GJPD for this location will equal to .1% of an officer.

With that said, at this point, the City Police Department does 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 ultimate cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide

adequate services.

Public Works

B ¼ Road was previously annexed, however additional 130 feet of open drainage facilities will be added to the City's inventory to maintain. 27 ½ Road consists of 20-foot wide asphalt pavement in poor to fair condition. Approximately 6400 square feet of asphalt is part of the annexation. No curb, gutter, sidewalk or streetlights are present. An open drain is on the east side of 27 ½ Road outside the annexation boundary that will remain Mesa County's responsibility.

As 27 ½ Road is a local road, the developer would be required to construct its half of the road and therefore there would be no future capital construction impact on the City.

Future chip seal costs for 27 ½ Road are estimated at \$1,750 for the current width and would be planned as part this area's normal chip seal cycle in the next six years. As the road is a local road there would be no striping and minimal signage. There are no street lights. Annual maintenance for the 130 feet of open drain on the south side of B ¼ Rd would run approximately \$100/year.

SUGGESTED MOTION:

I move to (adopt/deny), Resolution No. 73-19, 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 Adams II Annexation, located at 216 27 ½ Road, is eligible for annexation, Ordinance No. 4882, an ordinance annexing territory to the City of Grand Junction, Colorado, Adams II Annexation, approximately 1.999-acres, located at 216 27 ½ Road on final passage and order final publication in pamphlet form and Ordinance No. 4883, an ordinance zoning the Adams II Annexation to R-8 (Residential - 8 du/ac), located at 216 27 ½ Road on final passage and order final publication in pamphlet form.

Attachments

1. Adams II Annexation Schedule & Summary
2. Site Location & Zoning Maps, etc.
3. Planning Commission Minutes - 2019 - September 24
4. Development Application dated July 5, 2019
5. Resolution Accepting Petition for Annexation
6. Annexation Ordinance
7. Zoning Ordinance

ADAMS II ANNEXATION SCHEDULE

September 18, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 24, 2019	Planning Commission considers Zone of Annexation
October 16, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
November 6, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 8, 2019	Effective date of Annexation

ANNEXATION SUMMARY

File Number:		ANX-2019-384
Location:		216 27 ½ Road
Tax ID Numbers:		2945-253-00-048
# of Parcels:		1
Existing Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		1.999
Developable Acres Remaining:		1.999
Right-of-way in Annexation:		0
Previous County Zoning:		RSF-4 (Residential Single Family – 4 du/ac)
Proposed City Zoning:		R-8 (Residential – 8 du/ac)
Current Land Use:		Single-family house
Future Land Use:		Residential Medium (4 – 8 du/ac)
Values:	Assessed:	\$7,480
	Actual:	\$94,970
Address Ranges:		216 27 ½ Road
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Orchard Mesa Irrigation District
	School:	Grand Junction HS / Orchard Mesa Middle / Dos Rios Elementary
	Pest:	Grand River Mosquito Control District

Expanded City Limits Location Map

City Limits

Mesa County Fairgrounds

Hwy. 50

Frontage Rd

B 1/4 Rd.

B 1/2 Rd.

B Rd.

Rincon Dr

B 1/4 Rd.

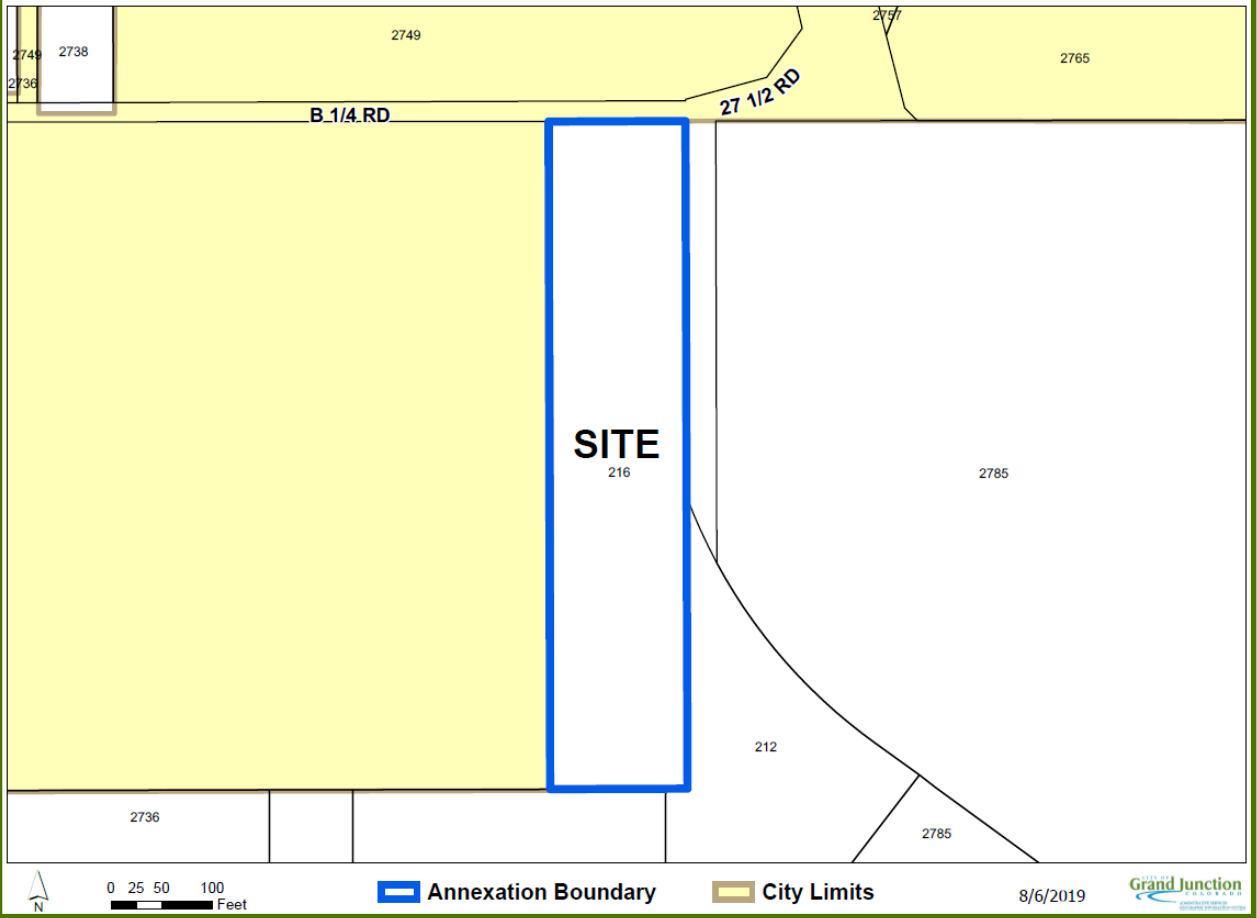
Site

Site B

**Mesa County
Fairgrounds**

B Road

Adams II Annexation



Adams II Annexation



0 25 50 100 Feet

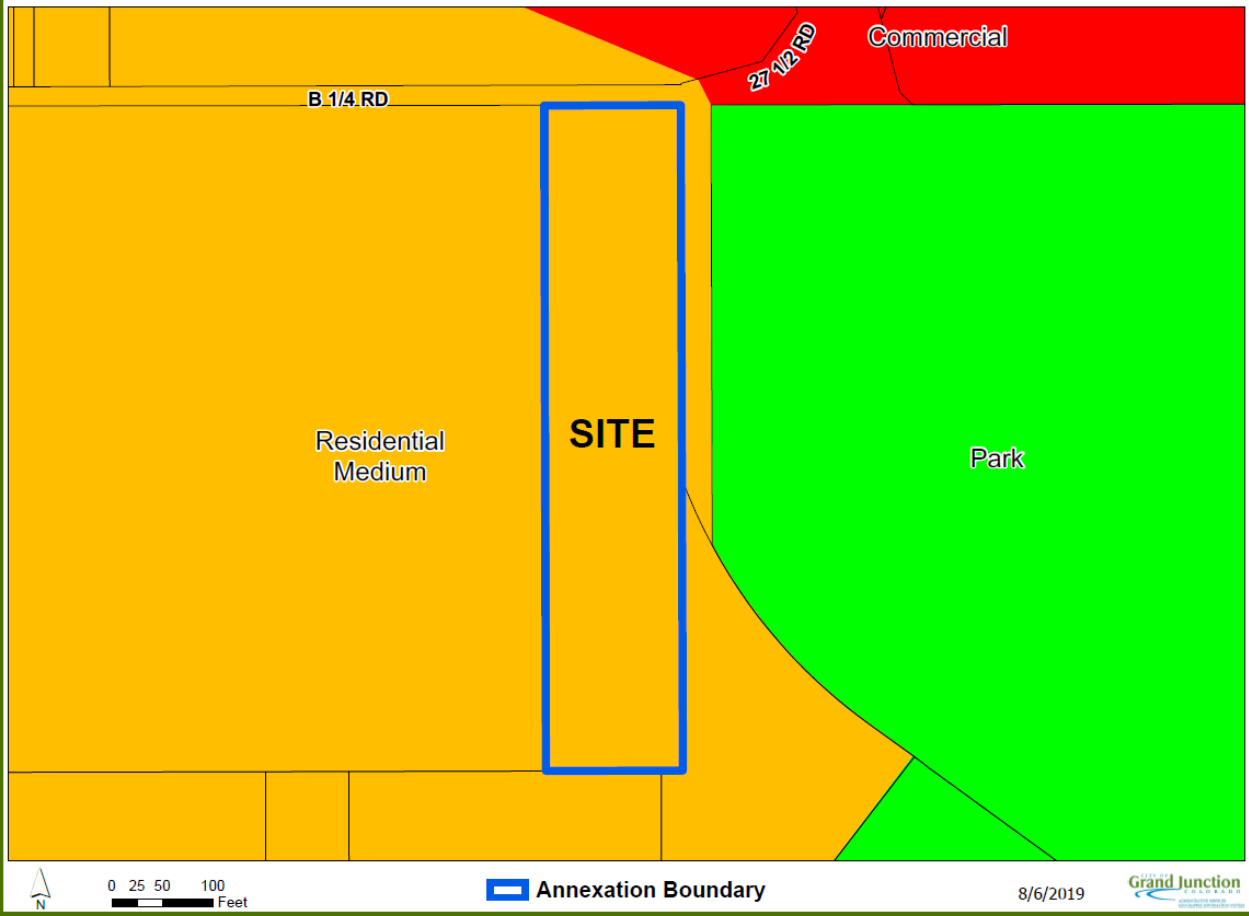
 Annexation Boundary

 City Limits

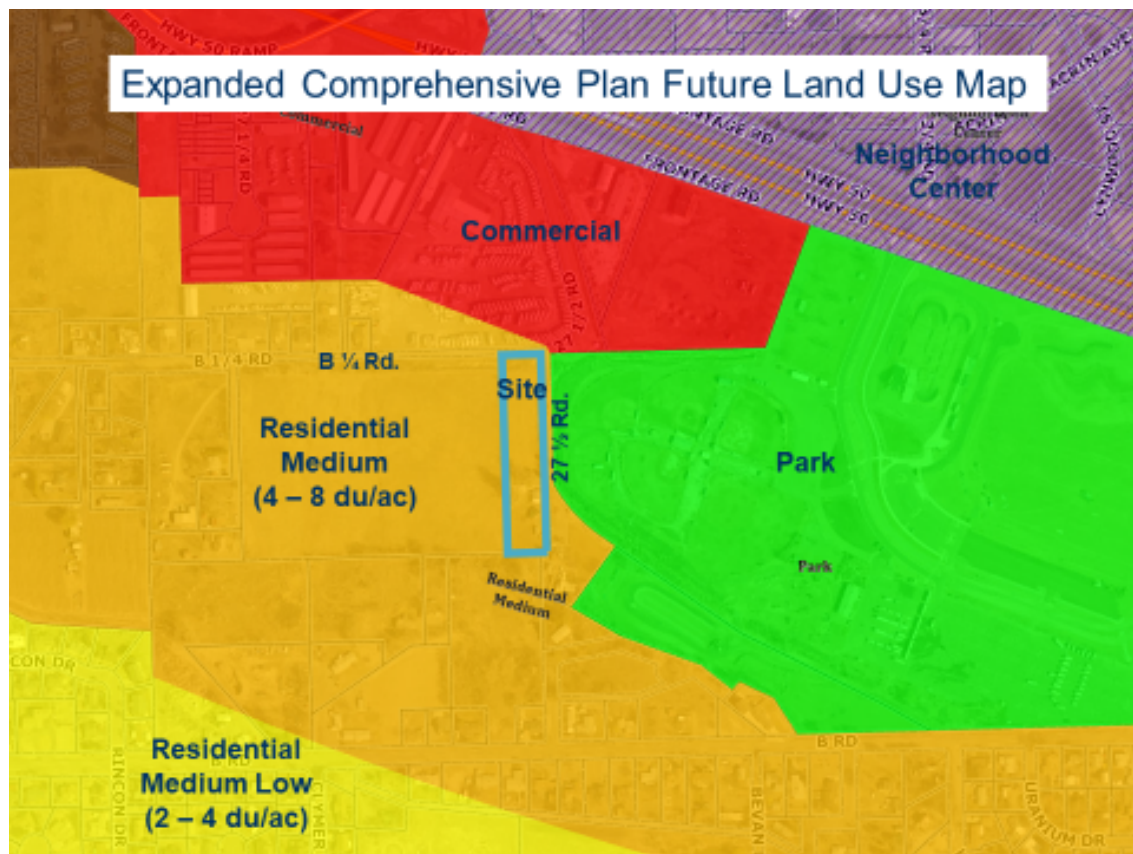
8/6/2019

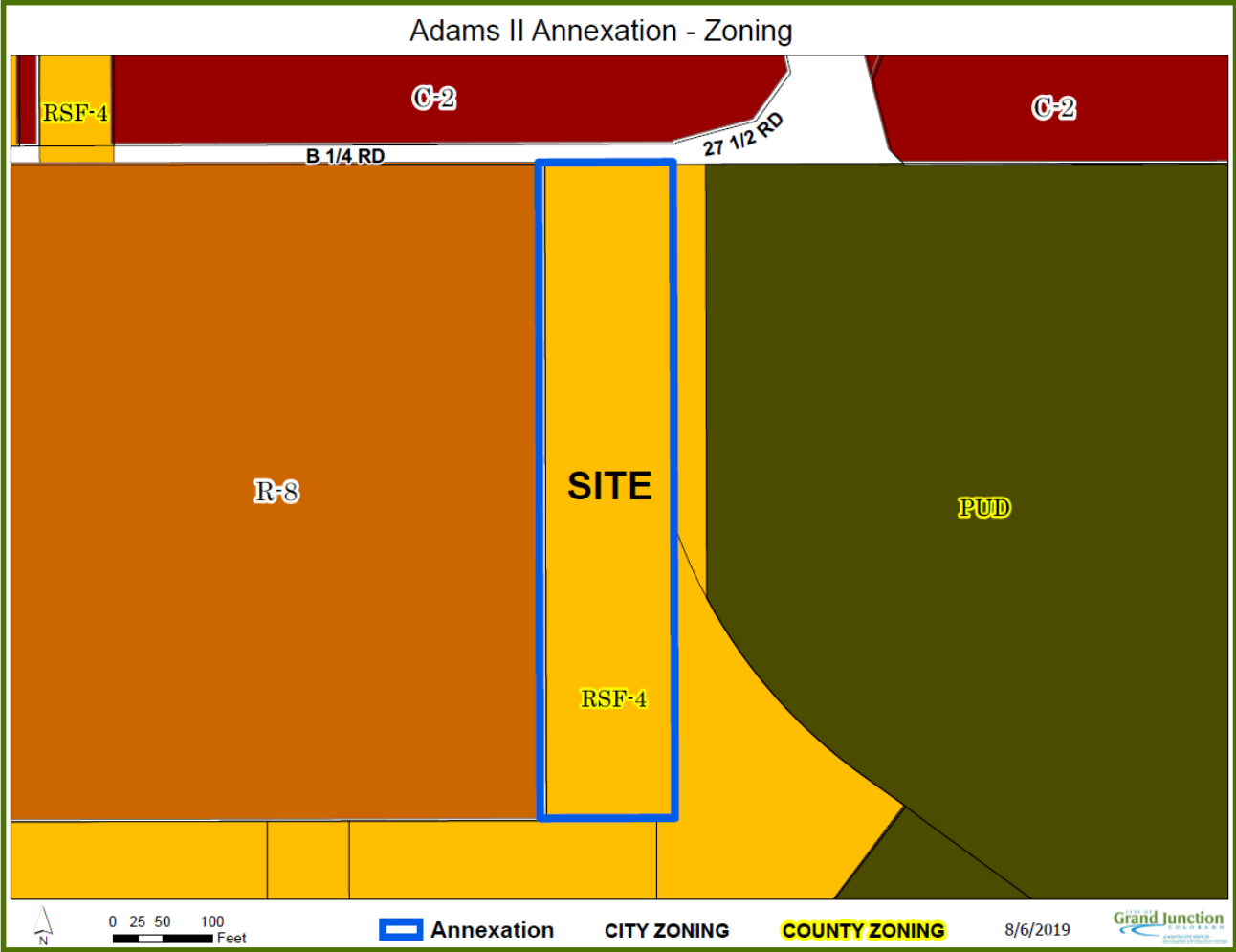
 Grand Junction
Colorado
Grand Junction, Colorado

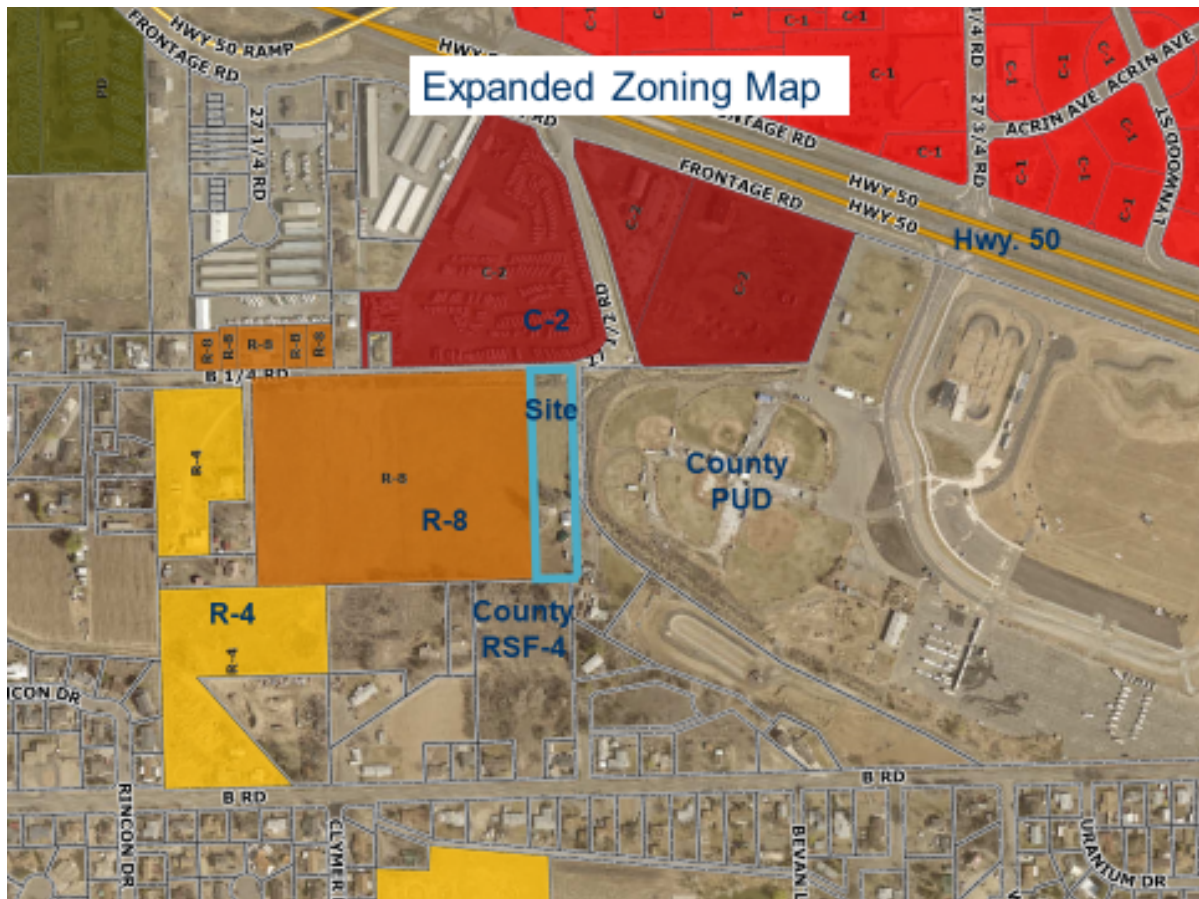
Adams II Annexation - Future Land Use



Expanded Comprehensive Plan Future Land Use Map









View of property from the intersection of B 1/4 Road & 27 1/2 Road

GRAND JUNCTION PLANNING COMMISSION
September 24, 2019 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:00pm by Chairman Christian Reece.

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

Also present were Greg Caton (City Manager), Trent Prall (Public Works Director), Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Dave Thornton (Principal Planner), Kristen Ashbeck (Principal Planner), Scott Peterson (Senior Planner), Senta Costello (Associate Planner), and Jace Hochwalt, (Associate Planner).

There were approximately 55 citizens in the audience.

1. Meeting of Previous Meeting(s)

The Planning Commission reviewed the meeting minutes from the August 27, 2019 meeting.

Commissioner Susuras moved to approve the minutes as written. Commissioner Wade seconded the motion.

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

2. Impact Fees Text Amendment **File # ZCA-2019-516**

Consider a request by the City of Grand Junction to Amend Multiple Sections of the Zoning and Development Code Regarding Traffic Capacity Payments, Parks and Recreation Impact Fees and Adoption of New Impact Fees for Police, Fire and Municipal Facilities.

Staff Presentation

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

Questions for Staff

There was discussion regarding the TischlerBise Impact Fee Study, the proposed implementation schedule, rate of economic development, fee structures, fiscal responsibility, and level of service.

Public Comment

The public hearing was opened at 6:49pm

The following spoke against the request:

Kevin Bray, Diane Schwenke (GJ Chamber of Commerce), Rebekah Scarrow (Grand Junction Area Realtors Association), Shawna Grieger (Western Colorado Contractor's Association), Kelly Maves (Coldwell Banker Distinctive Properties), Nina Anderson (Express Employment), Jorge Pentoja (Western Colorado Latino Chamber of Commerce), Virginia Brown (Berkshire Hathaway Homeservice Western Colorado Properties), Sonia Gutierrez (Western Colorado Latino Chamber of Commerce), Constance Tremblay (Berkshire Hathaway Homeservice Western Colorado Properties), Don Pettygrove (DGP Engineering), Merritt Sixbey, Aaron Young, Steve Voytilla, Ron Abeloe, Jennifer Hudson, and Bob Puckett.

The following spoke in support of the request:

Abram Herman, Scott Beilfuss, and Eric Braa.

There was discussion regarding the Stakeholder sponsored comparison study, the Western Colorado Contractor's Association, rising construction costs, the housing market, buyers of new construction in the area, and the City redevelopment area.

Planning Commission took a break at 8:05pm.

The meeting resumed at 8:14pm.

There was discussion regarding the proposal.

The public hearing was closed at 8:33pm.

Questions for Staff

There was discussion regarding the implementation schedule of the proposed impact fees, the estimated revenue from the proposed impact fees, and timeline.

Discussion

Commissioners Susuras, Deppe, Gatseos, Reece, Ehlers, Wade, and Teske made comments regarding the proposal.

Motion and Vote

Commissioner Wade made the following motion:

“Madam Chairman, on the request to consider a Group of Actions Including

1. Amend Ordinance 3641 the Growth and Development Related Street Policy. The policy included in this ordinance is largely redundant or contradictory to the Zoning and Development Code regarding same; and

2. Adopt Ordinance _____, amending multiple sections of the zoning and development code to update transportation and parks and recreation impact fees and to adopt new impact fees for Fire, Police, and Municipal Facilities and requiring development to construct street safety improvements related to the direct impacts of a development.

I move that the Planning Commission forward a recommendation of approval, with the findings of fact as listed in the staff report.”

Commissioner Teske seconded the motion.

Commissioners Ehlers, Gatseos, Reece and Teske made direct verbal recommendations to City Council regarding the proposed ordinance.

The motion failed 6-1 with Commissioners Gatseos, Wade, Reece, Teske, Susuras and Deppe voting NO.

Planning Commission took a break at 9:28pm.

The meeting resumed at 9:34pm.

3. Ciara's Café & Cantina CUP File # CUP-2019-489

Consider a request by P&L Entertainment, LLC for a Conditional Use Permit (CUP) for the property located 701 Main Street to allow for a bar/nightclub use.

Staff Presentation

Jace Hochwalt, Associate Planner, introduced all exhibits into the record and gave a presentation regarding the request and stated that because the Applicant anticipates to utilize the outdoor seating area that sits partially in the right-of-way, a “permitted lease” from the Downtown Development Authority will be required and is listed as a condition of approval.

Applicant's Presentation

The applicant, Paul Romero representing P&L Entertainment LLC, was present and made a comment in support of the request.

Questions for Staff

Commissioner Gatseos asked a question regarding the use of the public right-of-way.

Public Comment

The public hearing was opened at 9:47pm

Aaron Young and Eric Braa made statements in opposition of the request.

The Applicant, Paul Romero, responded to public comment.

The Applicant was asked about planned hours of operation and the proposed layout of the establishment.

The public hearing was closed at 9:55pm.

Questions for Staff

Chairman Reece asked Staff a question about hours of operation provided in the Staff report.

Motion and Vote

Commissioner Deppe made the following motion, "Madam Chairman, on the application for a Conditional Use Permit for Ciara's Café and Cantina located at 701 Main Street, CUP-2019-489, I move that the Planning Commission recommend conditional approval with the findings of fact and conditions as listed in the staff report."

Commissioner Susuras seconded the motion. The motion carried unanimously by a vote of 7-0.

4. Adams II Annexation File # ANX-2019-384

Consider a request by Paul Adams to zone 1.99 acres from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-8 (Residential – 8 du/ac) for the Adams II Annexation located at 216 27 ½ Road.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and gave a presentation regarding the request.

Applicant's Presentation

The Applicant, Paul Adams, was present and did not wish to make additional comments.

Public Comment

The public hearing was opened at 10:39pm.

There were no public comments.

The public hearing was closed at 10:39pm.

Motion and Vote

Commissioner Wade made the following motion, "Madam Chairman, on the Zone of Annexation for the Adams II Annexation to R-8 (Residential – 8 du/ac) zone district, file number ANX-2019-384, 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 Teske seconded the motion. The motion carried unanimously by a vote of 7-0.

5. Zona's Annexation File # ANX-2019-408

Consider a request by Roy and Marilyn Anderson to zone 1.82 acres from County RSF-R (Residential Single Family 5ac/du) to a City C-1 (Light Commercial) for Zona's Annexation located at 408 29 Road.

Staff Presentation

Senta Costello, Associate Planner, introduced exhibits into the record and gave a presentation regarding the annexation request.

Applicant's Presentation

The Applicant was not present.

Public Comment

The public hearing was opened at 10:02pm

There were no public comments.

The public hearing was closed at 10:02pm

Discussion

None.

Motion and Vote

Commissioner Gatseos made the following motion, "Madam Chairman, on the Zone of Annexation for Zona's Annexation to C-1 (Light Commercial) zone district, file number ANX-2019-408, 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 unanimously by a vote of 7-0.

6. CMU Alley Vacation File # VAC-2019-444

Consider a request by Colorado Mesa University (CMU) on behalf of the property owner, Johnny Jr. and Colleen Martin, to vacate a portion of the East-West Alley right-of-way (2,348 square feet) on the south side of the property located at 845 Orchard Avenue.

Staff Presentation

Kristen Ashbeck, Principal Planner, introduced exhibits into the record and gave a presentation regarding the request and noted that Staff recommends approval with the three conditions pertaining to finalizing the sale of the property and recording the vacation ordinance.

Applicant's Presentation

Derek Wagner, representing Colorado Mesa University, was present and made a comment regarding the request.

Public Comment

The public hearing was opened at 10:25pm

Eric Braa, property owner at 839 Orchard Avenue, had questions regarding the request and the proposed sanitation and parking abilities of surrounding properties.

There was discussion about Mr. Braa's concerns.

The public hearing closed at 10:32pm.

Questions for Staff

There was discussion about adequate sanitation availability and the estimated timeline for the development of Colorado Mesa University's track.

Motion and Vote

Commissioner Gatseos made the following motion, “Madam Chairman, on the Colorado Mesa University Vacation of Alley Right-of-Way located at the east-west alley along the south side of the property at 845 Orchard Avenue, City File VAC-2019-444, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and conditions as listed in the staff report.”

Commissioner Susuras seconded the motion. The motion carried unanimously by a vote of 7-0.

7. Fire Station No. 4 Cell Tower

File # CUP-2019-224

Consider a request by SSC representing Verizon Wireless, for a Conditional Use Permit (CUP) for a Concealed Telecommunication Facility (Cell Tower) in a Residential – 4 du/ac (R-4) zone district on 2.69862 acres at 2884 B ½ Road.

Staff Presentation

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

Applicant’s Presentation

The Applicant, Charmaine Dregalla representing SSC on behalf of Verizon Wireless, was present and made a comment in support of the request.

Public Comment

The public hearing was opened at 10:17pm.

There were no public comments.

The public hearing was closed at 10:17pm.

Motion and Vote

Commissioner Wade made the following motion, “Madam Chairman, on the request to approve a Conditional Use Permit (CUP) for an 82 ft. tall concealed telecommunication tower facility on 2.7 acres as presented in file CUP-2019-224, I move that the Planning Commission approve the Conditional Use Permit with the findings of fact, conclusions and conditions listed in the staff report.”

Commissioner Susuras seconded the motion. The motion carried unanimously by a vote of 7-0.

8. Other Business

There was discussion regarding upcoming Planning Commission meeting dates.

Commissioner Wade asked to discuss the implementation of a consent agenda at the October 3rd workshop.

9. Adjournment

The meeting was adjourned at 10:41pm.

Development Application

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

Petition For: Annexation

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

Existing Land Use Designation Ag

Existing Zoning R-4

Proposed Land Use Designation Residential

Proposed Zoning R-8

Property Information

Site Location: ~~1000000~~ 216 22¹/₂ RD

Site Acreage: 20

Site Tax No(s): 2945253 00048

Site Zoning: R-4, Ag

Project Description: Annexation

Property Owner Information

Name: Paul Adams

Street Address: 216 22¹/₂ RD

City/State/Zip: G. J 81503

Business Phone #: 970-242-0506

E-Mail: WARBIRDSLOST@AOL.COM

Fax #: NA

Contact Person: Paul

Contact Phone #: 970-242-0506

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Paul Adams

Date 10 June 19

Signature of Legal Property Owner

Paul Adams

Date 10 Jun. 19

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Paul Forrest Adams, am the owner of the following real property:

(b) Parcel No: 2945-253-00-048

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

☒ I am the sole owner of the property.

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

NA

I have reviewed the application for the (d) ANNEXATION pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) NA

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

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

Owner signature as it appears on deed:

Paul Adams Paul Adams

Printed name of owner:

Paul Adams

State of Colorado)

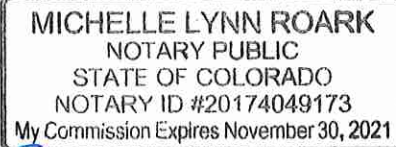
County of Mesa) ss.

Subscribed and sworn to before me on this 10th day of June, 20 19

by Paul Adams

Witness my hand and seal.

My Notary Commission expires on 11-30-21



Michelle Roark
Notary Public Signature



Warranty Deed
(Pursuant to 38-30-113 C.R.S.)

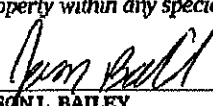
State Documentary Fee
Date: July 26, 2013
\$ 23.00

THIS DEED, made on July 26, 2013 by JASON L. BAILEY Grantor(s), of the County of MESA and State of COLORADO for the consideration of (\$230,000.00) *** Two Hundred Thirty Thousand and 00/100 *** dollars in hand paid, hereby sells and conveys to PAUL ADAMS Grantee(s), as Joint Tenants, whose street address is 216 27 1/2 RD GRAND JUNCTION, CO 81503, County of MESA, and State of COLORADO, the following real property in the County of Mesa, and State of Colorado, to wit:

THE EAST 132 FEET OF THE N¼ OF THE SE¼ OF THE SW¼ OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: 216 27 1/2 RD GRAND JUNCTION CO 81503

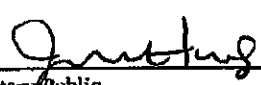
with all its appurtenances and warrants the title to the same, subject to general taxes for the year 2013 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.1) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.2) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other NONE


JASON L. BAILEY

State of COLORADO)

County of MESA) ss.

The foregoing instrument was acknowledged before me on this day of July 26, 2013
by JASON L. BAILEY


Notary Public

My commission expires 12-5-2013

JESSICA HURLEY
NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires 12/05/2013

When Recorded Return to: PAUL ADAMS
216 27 1/2 RD GRAND JUNCTION, CO 81503



Tina Peters, Clerk and Recorder of Mesa County certifies this to be a full, true and correct copy of the original recorded document in my custody.
Date: 6-10-2014 By: Ginny Baughman Deputy Clerk



**ADAMS II ANNEXATION
PETITION FOR ANNEXATION**

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 216 27 ½ Road
Tax ID # 2945-253-00-048

THE EAST 132 FEET OF THE N1/2 OF THE SE1/4 OF THE SW1/4 OF SECTION 25,
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN

County of Mesa, State of Colorado.

Containing 2.000 acres.

This foregoing description describes the parcel; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Adams II Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Paul Adams

Paul Adams
(Print Name)

216 27 ½ Road

Paul Adams

SIGNATURE

5 July 19

DATE

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

Paul Adams, of lawful age, being first duly sworn, upon oath, deposes and says:

That they are the circulator of the forgoing petition:

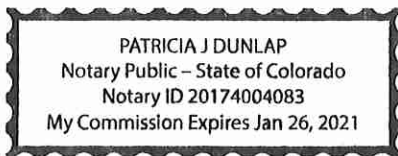
That each signature on the said petition is the signature of the person whose name it purports to be.

Paul Adams

Paul Adams

Subscribed and sworn to before me this 5 day of July, 2019.

Witness my hand and official seal.

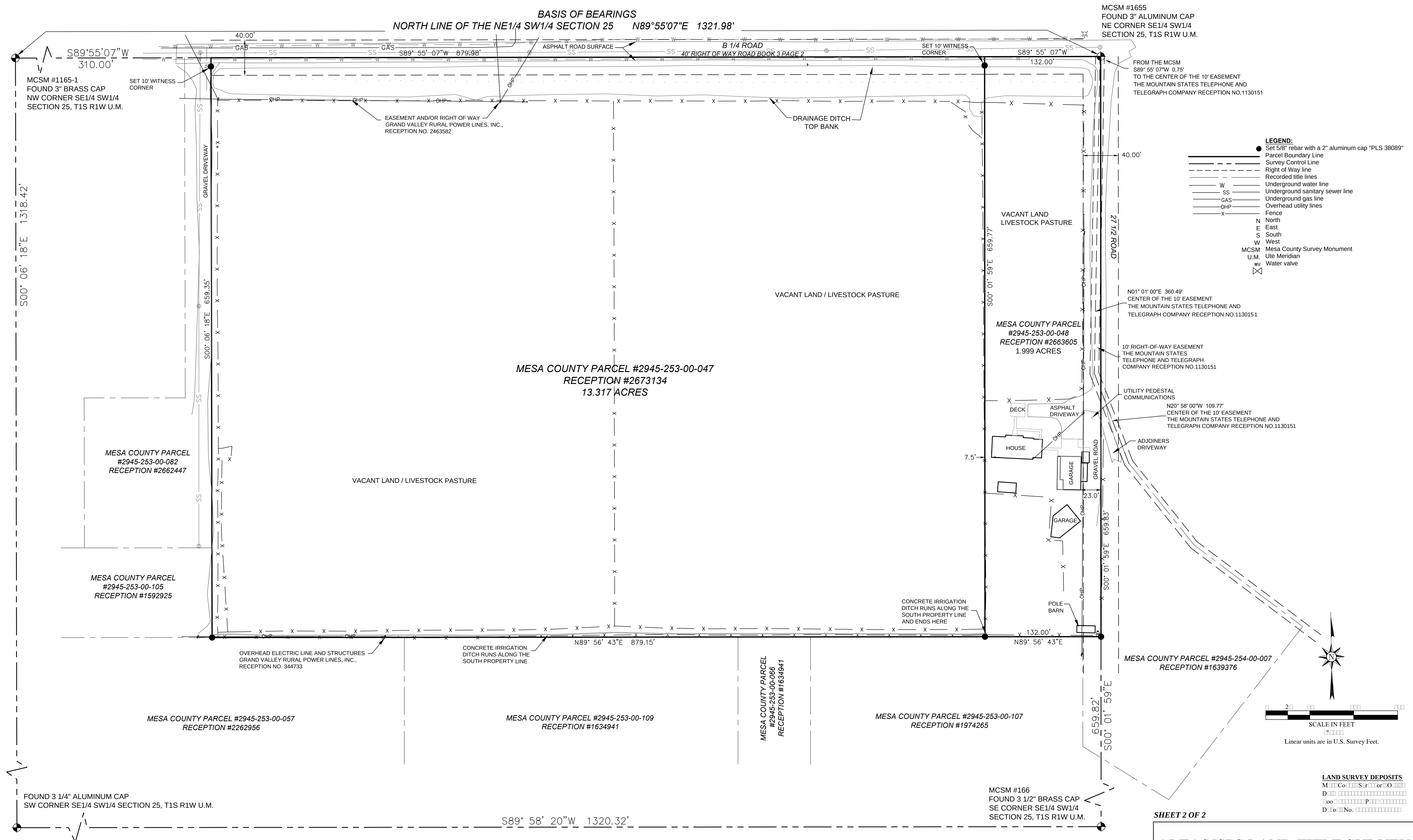


Patricia J. Dunlap
Notary Public

250 N. 5th St, Grand Junction CO 81501
Address

My commission expires: Jan. 26, 2021

ALTA/NSPS LAND TITLE SURVEY



SHEET 2 OF 2

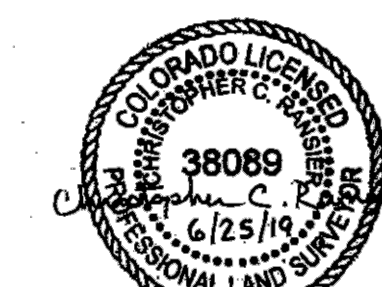
ALTA/NSPS LAND TITLE SURVEY

Lo d SE 4 o S 4 o S o 2
To So R U M r d
Co o M S o Co or do



CR SURVEYING LLC
CENTAURI DRIVE
GRAND JUNCTION COLO 81505
970.244.484

SURVEYED ☐ Y ☐ CCR	DRA ☐ N ☐ Y ☐ CCR	O ☐ ☐ ☐ ☐ 2 ☐ ☐	DATE ☐ 2 ☐ 2 ☐ ☐
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Christopher C. Ransier

To: Scott Peterson

6/24/2019

Senior Planner

City of Grand Junction

From: Paul Adams

216 27 ½ Rd.

Grand Junction, Co. 81503

I am requesting the City of Grand Junction to annex my property to the City of Grand Junction. My adjacent 13 acres parcel has already been annexed and is on the market and by annexing this 2 acre parcel, it will help with the sale of the 13 acres. I am requesting a zoning of R-8 . I have no plans for building on this parcel. Requesting zoning and annexation only.

Paul Adams



**Annexation of 216 27 ½ Road
Meeting June 10, 2019
5:30 pm**

Minutes of meeting

Present at the meeting was Paul and Nancy Adams, owners of above property. Plus, Scott Peterson, City Planner. No discussion due to no attendance.

Annexation Meeting for 216 27 1/2 Rd., GJ, CO
June 10, 2019

Present at meeting

Scott D Peterson - City Planning 244-1447

Paul Adams

Nancy Adams

OWNER

Paul Adams

Scott D. Peterson

Annexation

Legal Description for 216 27 ½ Rd. Grand
Junction, Co. 81503

THE EAST 132 FEET OF THE N1/2 OF THE
SE1/4 OF THE SW1/4 OF SECTION 25,
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF
THE UTE MERIDIAN, COUNTY OF MESA,
STATE OF COLORADO.

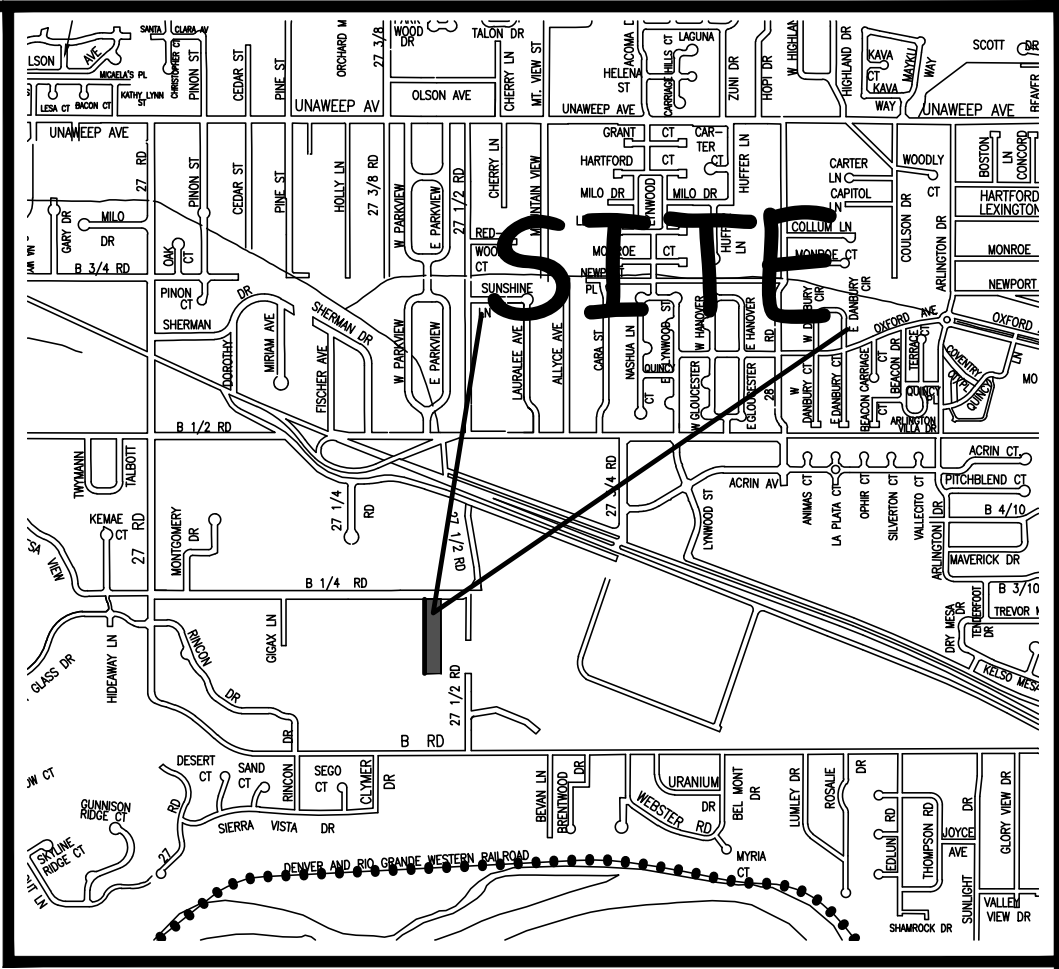
ADAMS II ANNEXATION SCHEDULE

September 18, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 24, 2019	Planning Commission considers Zone of Annexation
October 16, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
November 6, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 8, 2019	Effective date of Annexation

ANNEXATION SUMMARY

File Number:		ANX-2019-384
Location:		216 27 ½ Road
Tax ID Numbers:		2945-253-00-048
# of Parcels:		1
Existing Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		1.999
Developable Acres Remaining:		1.999
Right-of-way in Annexation:		0
Previous County Zoning:		RSF-4 (Residential Single Family – 4 du/ac)
Proposed City Zoning:		R-8 (Residential – 8 du/ac)
Current Land Use:		Single-family house
Future Land Use:		Residential Medium (4 – 8 du/ac)
Values:	Assessed:	\$7,480
	Actual:	\$94,970
Address Ranges:		216 27 ½ Road
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Orchard Mesa Irrigation District
	School:	Grand Junction HS / Orchard Mesa Middle / Dos Rios Elementary
	Pest:	Grand River Mosquito Control District

ADAMS II ANNEXATION
SITUATE IN THE SE 1/4 OF THE SW 1/4 OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

DESCRIPTION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East 132.0' of the North one-half of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian.

- 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
 - Δ= CENTRAL ANGLE
 - RAD. RADIUS
 - AL. ARC LENGTH
 - CHL. CHORD LENGTH
 - CHB. CHORD BEARING
 - BLK. BLOCK
 - PB. PLAT BOOK
 - BK. BOOK
 - PG. PAGE

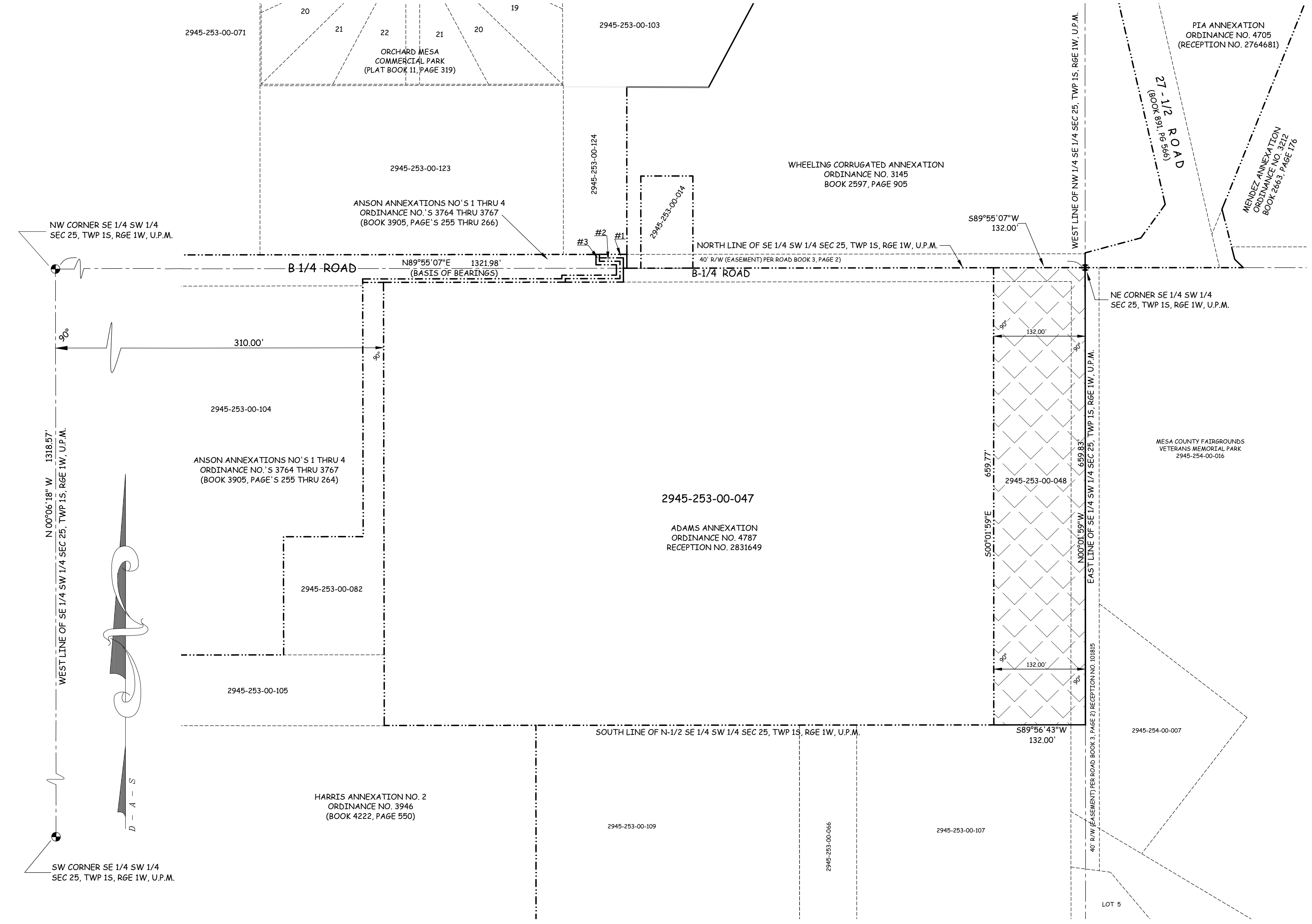
The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



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

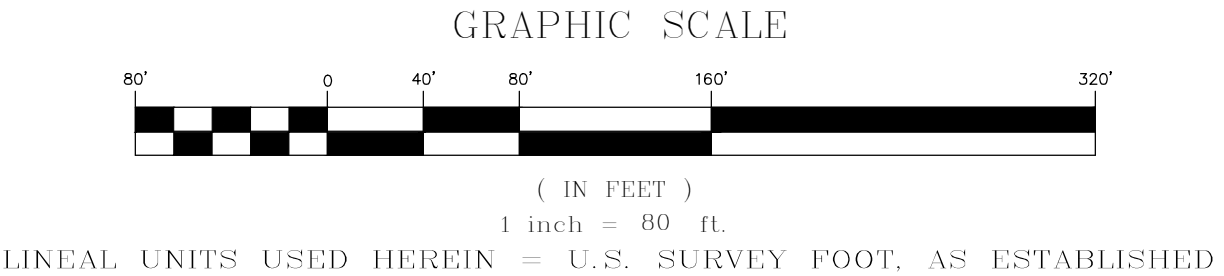
DATE: _____

ORDINANCE NO. _____
EFFECTIVE DATE _____
THIS IS NOT A BOUNDARY SURVEY



AREA OF ANNEXATION	
ANNEXATION PERIMETER	1,583.60 FT.
CONTIGUOUS PERIMETER	791.77 FT.
AREA IN SQUARE FEET	87,094***
AREA IN ACRES	1.999
*** (PARCEL INCLUDES NO PUBLIC RIGHT OF WAY)	

LEGEND	
ANNEXATION BOUNDARY	—————
EXISTING CITY LIMITS	- - - - -



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	07-09-2019
DESIGNED BY		DATE	
CHECKED BY	P.T.K.	DATE	
APPROVED BY		DATE	

SCALE
1" = 80'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

ADAMS II ANNEXATION

City of Grand Junction Review Comments

Date: August 6, 2019

Comment Round No. 1

Page No. 1 of 4

Project Name: Adams II Annexation

File No: ANX-2019-384

Project Location: 216 27 ½ Road

Check appropriate ☒ if comments were mailed, emailed, and/or picked up.

Property Owner(s): Paul Adams

Mailing Address: 216 27 ½ Road, Grand Junction, CO 81503

☒ **Email:** warbirdsloft@aol.com **Telephone:** (970) 242-0506

☐ **Date Picked Up:** _____ **Signature:** _____

Representative(s):

Mailing Address:

Email: _____ **Telephone:** _____

☐ **Date Picked Up:** _____ **Signature:** _____

Developer(s):

Mailing Address:

Email: _____ **Telephone:** _____

☐ **Date Picked Up:** _____ **Signature:** _____

CITY CONTACTS

Project Manager: Scott D. Peterson, Senior Planner

Email: scottp@gjcity.org **Telephone:** (970) 244-1447

Dev. Engineer: Jarrod Whelan

Email: jarrodw@gjcity.org **Telephone:** (970) 244-1443

City of Grand Junction REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Application is for Annexation into the City limits with a proposed zoning designation of R-8 (Residential – 8 du/ac) for the existing 2.00 +/- acre Unplatted property in anticipation of marketing the property for a future residential subdivision development. Comprehensive Plan Future Land Use Map identifies the property as Residential Medium (4 – 8 du/ac). No additional response required.

Applicant's Response:

Document Reference:

2. Planning Commission and City Council Public Hearings:

a. Planning Commission and City Council review and approval required for proposed Annexation and Zoning requests. City Project Manager will **tentatively** schedule application(s) for the following public hearing schedule:

a. City Council Referral of Petition, Land Use Jurisdiction and 1st Reading of Annexation:

September 18, 2019 (Consent Agenda – no need to attend meeting).

b. Planning Commission review of zoning designation to R-8 (Residential – 8 du/ac): **September 24, 2019** (Please plan on attending meeting in case the Planning Commission has any questions).

c. City Council review of zoning designation to R-8 (Residential – 8 du/ac) (1st Reading): **October 16, 2019** (Consent Agenda – no need to attend meeting).

d. City Council review of Annexation and R-8 zoning designation (2nd Reading): **November 6, 2019** (Please plan on attending meeting in case the City Council has any questions).

Please plan on attending the September 24th Planning Commission meeting and the November 6th City Council meeting. The Consent Agenda meetings you do not need to attend as that is only scheduling the hearing date and the item is placed on the Consent Agenda with no public testimony taken. Both the Planning Commission and City Council meetings begin at 6:00 PM at City Hall in the City Council Chambers.

If applicant cannot make the above scheduled public hearing dates, please notify City Project Manager and we can reschedule for later meeting dates.

Code Reference: Sections 21.02.140 and 160 of the Zoning & Development Code.

Applicant's Response:

Document Reference:

3. Public Correspondence Received:

FYI. As of this date, City Project Manager has not received any comments from the public concerning the proposed application.

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

No Exceptions Taken.

Applicant's Response:

Document Reference:

CITY SURVEYOR – Peter Krick – peterk@gjcity.org (970) 256-4003

The annexation map; and description has been prepared and submitted to the City Planner.

Applicant's Response:

Document Reference:

CITY FIRE DEPARTMENT – Mike Gazdak – mikega@gjcity.org (970) 549-5854

The fire department has no objections to the request for annexation.

Applicant's Response:

Document Reference:

No comments.

Applicant's Response:

Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Mesa County Building Department

Contact Name: Darrell Bay

Email / Telephone Number: Darrell.bay@mesacounty.us (970) 244-1651

No objections.

Applicant's Response:

Review Agency: Xcel Energy

Contact Name: Brenda Boes

Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections. However, owner does need to be aware that Xcel does not have utilities in this area.

Should gas be wanted in future distribution would need to be installed at developer's cost.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement.

Applicant's Response:

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

- No objection to annexation.
- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.

Applicant's Response:

Review Agency: Grand Valley Power

Contact Name: Perry Rupp

Email / Telephone Number: prupp@gvp.org (970) 242-0040

1. The project is in the Grand Valley Power (GVP) service area.

2. Single-phase power is available for this project on-site.

Applicant's Response:

REVIEW AGENCIES

(Responding with “No Comment” or have not responded as of the due date)

The following Review Agencies have responded with “No Comment.”

1. Bureau of Reclamation

The following Review Agencies have not responded as of the comment due date.

1. Mesa County Planning

2. City Transportation Engineer

3. Orchard Mesa Irrigation District

4. Mesa County Engineering

The Petitioner is required to submit electronic responses, labeled as “**Response to Comments**” for the following agencies:

1. **N/A. No further response required. See City Planning review comments for proposed public hearing schedule.**

Date due: **N/A.**

Please provide a written response for each comment and, for any changes made to other plans or documents indicate specifically where the change was made.

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.

Applicant's Signature

Date

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
ADAMS II ANNEXATION, LOCATED AT 216 27 ½ ROAD
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 18th day of September, 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:

ADAMS II ANNEXATION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East 132.0' of the North one-half of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian.

CONTAINING 87,094 Square Feet or 1.999 Acres, more or less, as described

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of November, 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**

ADAMS II ANNEXATION

APPROXIMATELY 1.999 ACRES LOCATED AT 216 27 ½ ROAD

WHEREAS, on the 18th day of September 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 6th day of November 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:

ADAMS II ANNEXATION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East 132.0' of the North one-half of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian.

CONTAINING 87,094 Square Feet or 1.999 Acres, more or less, as described

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 18th day of September, 2019 and ordered published in pamphlet form.

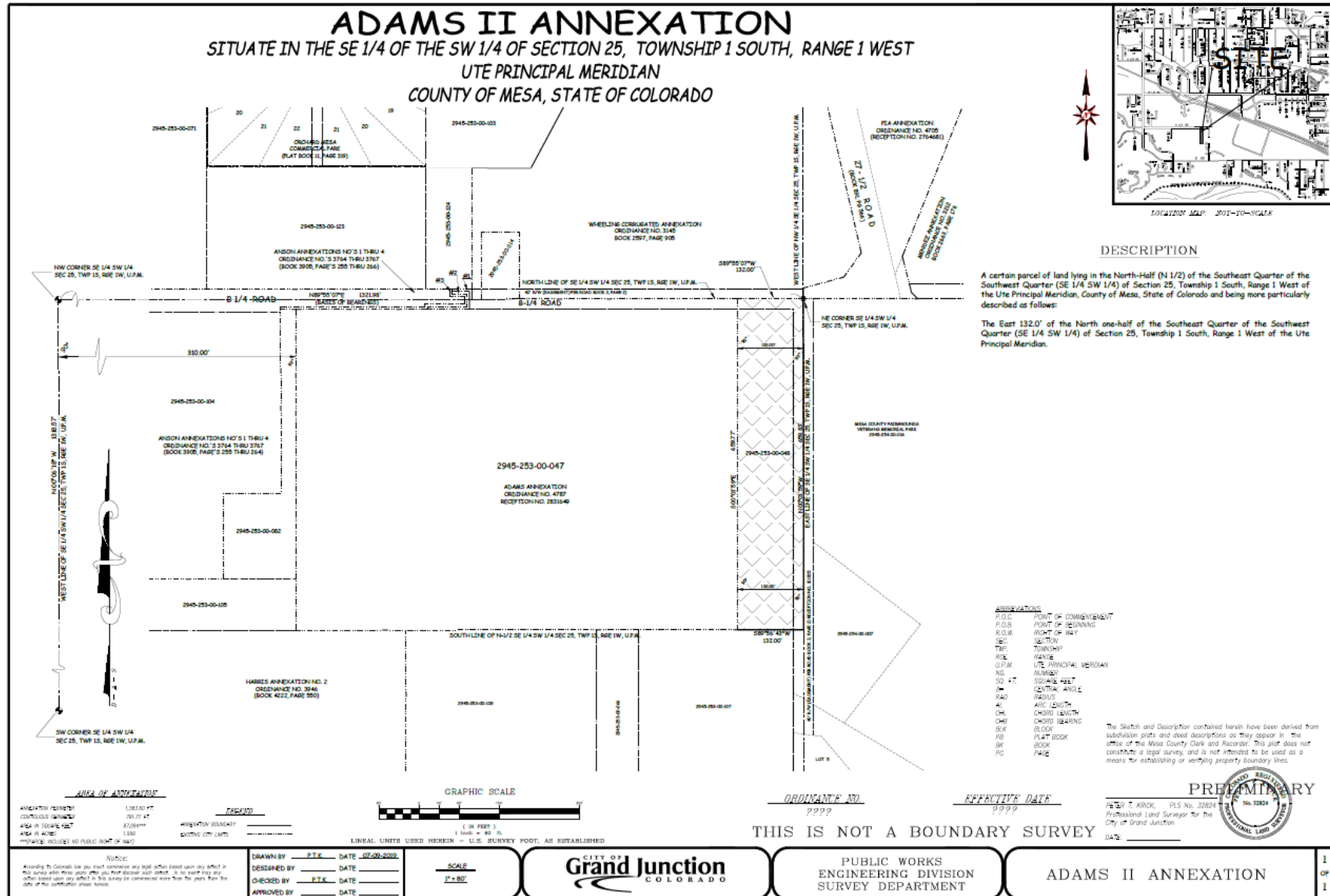
ADOPTED on second reading the _____ day of _____, 2019 and
ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE ADAMS II ANNEXATION
TO R-8 (RESIDENTIAL – 8 DU/AC)**

LOCATED AT 216 27 ½ ROAD

Recitals

The property owner has requested annexation of the 1.999-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 Adams II Annexation to the R-8 (Residential – 8 du/ac) zone district, finding that it conforms with the designation of 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 district is 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:**

ADAMS II ANNEXATION

The following property be zoned R-8 (Residential – 8 du/ac).

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East 132.0' of the North one-half of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian.

CONTAINING 87,094 Square Feet or 1.999 Acres, more or less, as described

INTRODUCED on first reading this 16th day of October, 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 #6.a.iv.

Meeting Date: November 6, 2019

Presented By: Senta Costello, Planner

Department: Community Development

Submitted By: Senta Costello, Associate Planner

Information

SUBJECT:

A Resolution Accepting the Petition for Annexation of 2.00 Acres of Land and Ordinances Annexing and Zoning Zona's Annexation to C-1 (Light Commercial), Located at 408 29 Road

RECOMMENDATION:

Planning Commission heard the Zone of Annexation request at its September 24, 2019 meeting and forwarded a unanimous recommendation of approval of the zoning designation of C-1 for the property to City Council.

EXECUTIVE SUMMARY:

The Applicant, Roy and Marilyn Anderson, are requesting annexation and zoning of one parcel of land containing 1.82 acres located at 408 29 Road. to C-1 (Light Commercial) for Zona's Annexation. The proposed annexation includes 7682 square feet of the 29 Road Right-of-Way for a total annexation area of 2.00 acres. The property currently has a single family house and an auto repair shop. The Applicant is requesting annexation into the City limits consistent with the requirements of the Persigo Agreement between Mesa County and the City of Grand Junction to be able to continue to operate an auto repair business with a business residence on the property, currently under city review, which would require a rezone. The Comprehensive Plan Future Land Use Map designates this property as Village Center and this request conforms with this designation.

BACKGROUND OR DETAILED INFORMATION:

Zona's Annexation consists of one parcel consisting of 1.82-acres located at 408 29

Road, located north of the D Road and 29 Road intersection. The property currently has a single family house and an auto repair shop. The Applicant plans to maintain the use as it currently operates and is requesting annexation at this time in anticipation of obtaining a dealer's license to sell the repaired vehicles. The license requires a non-residential/commercial zone district. The Applicant is requesting a C-1 (Light Commercial) zone district.

The parcel of land is currently in the County and has a County zoning of RSF-R (Residential Single Family – 5 acres per dwelling unit) and surrounding properties east and north are also zoned County RSF-R and C-1 in the City to the south and PD (Planned Development) across 29 Road. The subject property has a Future Land Use designation of Village Center. The Applicant's proposed zoning designation of R-8 C-1 meets with the intent of the Land Use Map achieving the desired intensity for the property.

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. There is small portion of 29 Road Right-of-Way containing 7682 square feet 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 Zona's 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 July 15, 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 one citizens. Comments expressed by the attendees centered on long term use of the property with general approval and positive feedback.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on August 8, 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 September 11, 2019. The notice of this public hearing was published September 17, 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:

(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 C-1 (Light Commercial). 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. 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 adopted Comprehensive Plan designated this property with a Future Land Use designation of Village Center. The character and/or condition of the area was mostly undeveloped agricultural land prior to the adoption of the 2010 Comprehensive Plan, although it has continued to urbanize with the addition of Maverik Convenience

Store/Gas Station to the south, elevator manufacturing business to the north and G & G Petroleum Convenience Store/Gas Station to the southwest of the subject property. The subject property is currently an infill site, part of the urbanization going on around it. Therefore, Staff finds that this criterion has been met.

(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 29 Road. This property is within the Ute Water Conservancy District service area. A $\frac{3}{4}$ -inch water line services the property. An 8-inch line is located in 29 Road. The property is currently within the Persigo 201 Sewer Service Area and the Persigo wastewater treatment plant and has current sewer service. The property can also be served by Xcel Energy natural gas and electric.

To the south along 29 Road are an existing convenience store and gas islands and one to begin construction shortly. A mile north is North Avenue with access to restaurants, commercial businesses and Walmart.

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 commercial land use proposed. This property is currently in the Grand Junction Rural Fire Protection District and fire and emergency medical response is provided from the Station 1 at 625 Ute Avenue; with Annexation, the property will still be served by the Grand Junction Fire Department from Fire Station #1. 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.

On input provide by a number of utility and service providers, staff has found that public and community facilities are adequate to serve the type of residential land use proposed and 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 has a Comprehensive Plan Future Land Use Map designation of Village Center. The site currently has a single family house and an auto repair shop. The proposed zoning designation of C-1 meets with the intent of achieving the desired overall intensity for the property. Citywide, seventeen (17) percent of existing property in the City limits with a C-1 zoning designation is vacant. The area is shown as Village Center on the Future Land Use Map; however, there are only four properties within the Village Center area currently zoned with a designation that implements the Future Land

Use designation. Staff finds that there is an inadequate supply of the requested zoning designation in the area and, therefore, has 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 further implement the Comprehensive Plan Village Center vision for this area. This principle is supported and encouraged by 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. Generally, future development should be at a density/intensity equal to or greater than the allowed density/intensity of the applicable County zoning district. The proposed C-1 zone district is of a greater intensity 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 Village Center Land Use designation and implement the Comprehensive Plan include:

- R-8
- R-12
- R-16
- R-24
- R-O
- B-1
- MXR-3,5
- MXG-3,5
- MXS-3,5
- MU

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.

FISCAL IMPACT:

Finance

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 \$640 annually. The home business operation will be subject to applicable sales tax licensing and collection requirements as well.

Fire

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 \$475 per year in property taxes that are passed on to the City of Grand Junction per the contract. If annexed, the Rural District mill levy 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.

The fire department has responded to this location three times in the last 3 years. With no immediate change in the occupancy or use of the property the department does not predict the incident volume to change substantially as a result of this annexation. Primary response is from Fire Station 1 at 625 Ute Avenue. Response time from Fire Station 1 is within National Fire Protection Association guidelines.

Utilities

Water and sewer services are available to this property.

This property is within the Ute Water District service area. An 8-inch water serves this property along 29 Road.

The property is currently within the Persigo 201 Sewer Service Area. However, the property currently has a sewer tap. No change in service is anticipated.

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 development, calls for service during 2017 and 2018 were pulled. A review of that data revealed that there were two calls for service. A review of data of like density address (2911 D Rd. and 2923 D Rd.) revealed that there were 0 calls for service in 2017 and 0 calls for service in 2018 at

(2911 D Rd. and 2923 D Rd.) which is similar in light commercial. Based on that information we anticipate that any calls for service by GJPD for this location will equal to .0% of an officer.

With that said, 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 ultimate cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide adequate services.

Public Works

This section of 29 Road was constructed in 2007 as a five lane minor arterial and therefore no additional capital construction dollars are anticipated. Additional maintenance will be limited to the existing 160 feet x 32 feet of asphalt pavement and approximately 160 feet of curb, gutter, and sidewalk. Pavement condition is in good condition with an estimated pavement condition index of 70.

Future chip seal costs for this 5,160 square feet of 29 Road are estimated at \$1,400 and would be planned as part this area's normal chip seal cycle in the next six years. Signage, striping, sweeping is anticipated at \$15/year. Streetlights are located just to the south and north of this annexation.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 74-19, 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 Zona's Annexation, located at 408 29 Road, is eligible for annexation, Ordinance No. 4884, an ordinance annexing territory to the City of Grand Junction, Colorado, Zona's Annexation, approximately 2.00 acres, located at 408 29 Road on final passage and order final publication in pamphlet form and Ordinance No. 4885, an ordinance zoning Zona's Annexation to C-1 (Light Commercial), located at 408 29 Road on final passage and order final publication in pamphlet form.

Attachments

1. Zona's Annexation - Annexation Summary and Schedule
2. Maps and Photo
3. Resolution Accepting Petition for Annexation
4. Annexation Ordinance
5. Zoning Ordinance

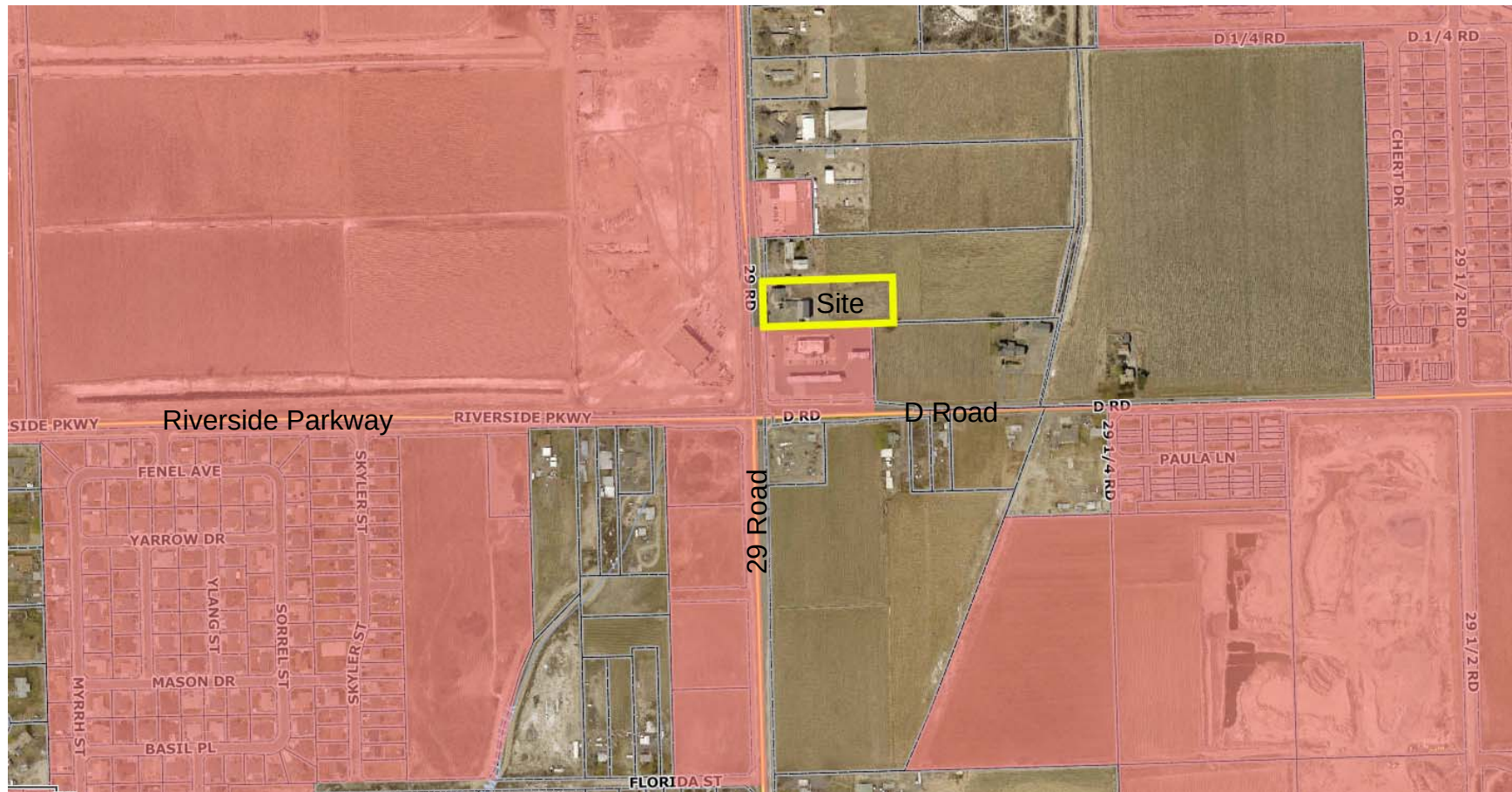
ZONA'S ANNEXATION SCHEDULE

September 18, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 24, 2019	Planning Commission considers Zone of Annexation
October 16, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
November 6, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 6, 2019	Effective date of Annexation

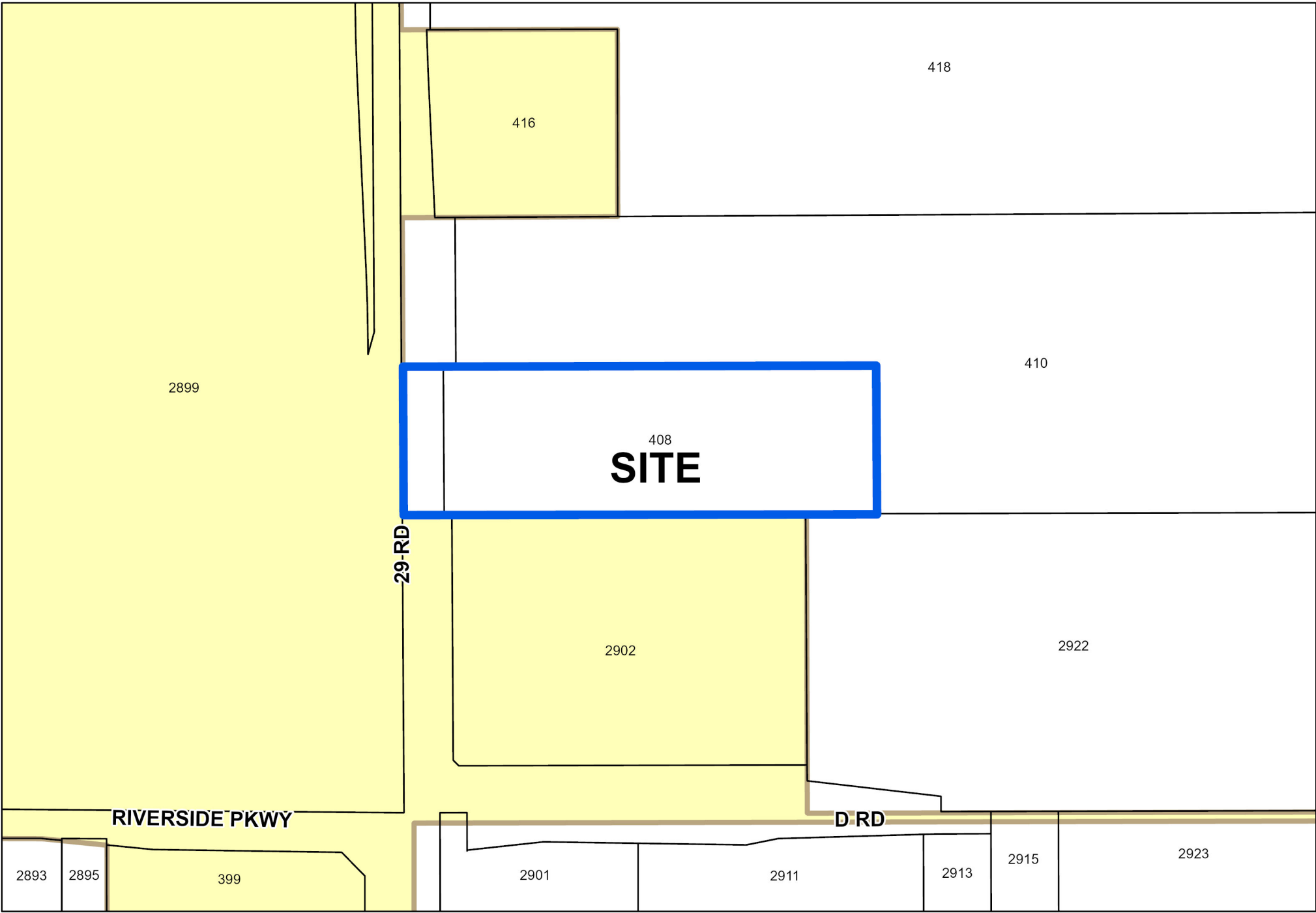
ANNEXATION SUMMARY

File Number:		ANX-2019-408
Location:		408 29 Road
Tax ID Numbers:		2943-173-00-147
# of Parcels:		1
Existing Population:		1
# of Parcels (owner occupied):		0
# of Dwelling Units:		1
Acres land annexed:		2
Developable Acres Remaining:		1.82
Right-of-way in Annexation:		7682 sf of 29 Road right-of-way
Previous County Zoning:		RSF-R (Residential Single Family - Rural)
Proposed City Zoning:		C-1 (Light Commercial)
Current Land Use:		Single Family House and Auto Shop
Future Land Use:		Village Center
Values:	Assessed:	\$79,900
	Actual:	\$453,810
Address Ranges:		408 29 Road
Special Districts:	Water:	Ute Water District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	GVIC/GVDD
	School:	GJHS / East Middle / Pear Park Elementary
	Pest:	Grand River Mosquito Control District

Zona's Annexation - Expanded City Limits Location Map



Zona's Annexation



0 50 100 200 Feet

 Annexation Boundary

 City Limits

8/15/2019

Zona's Annexation



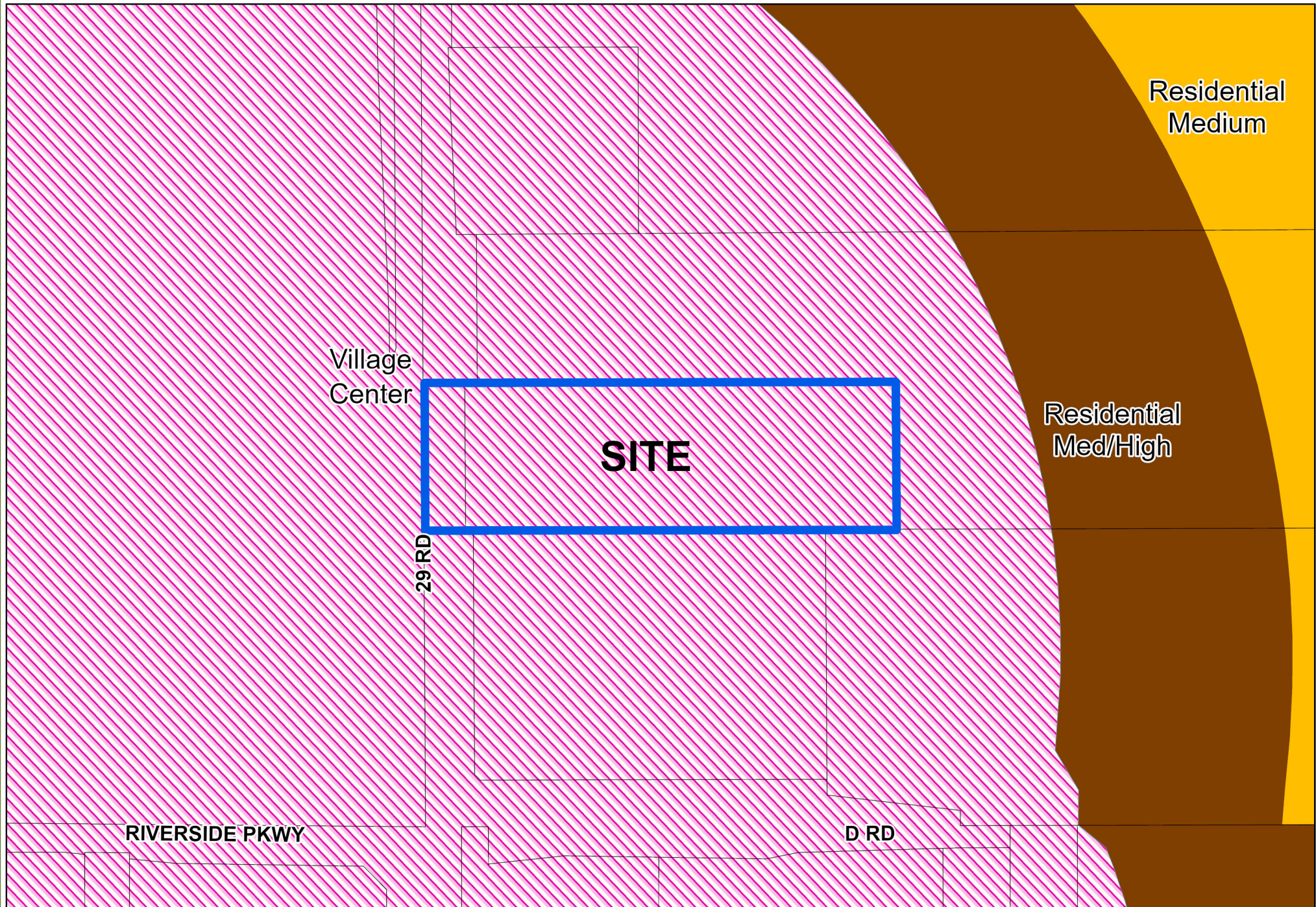
0 50 100 200
Feet

 Annexation Boundary

 City Limits

8/15/2019

Zona's Annexation - Future Land Use

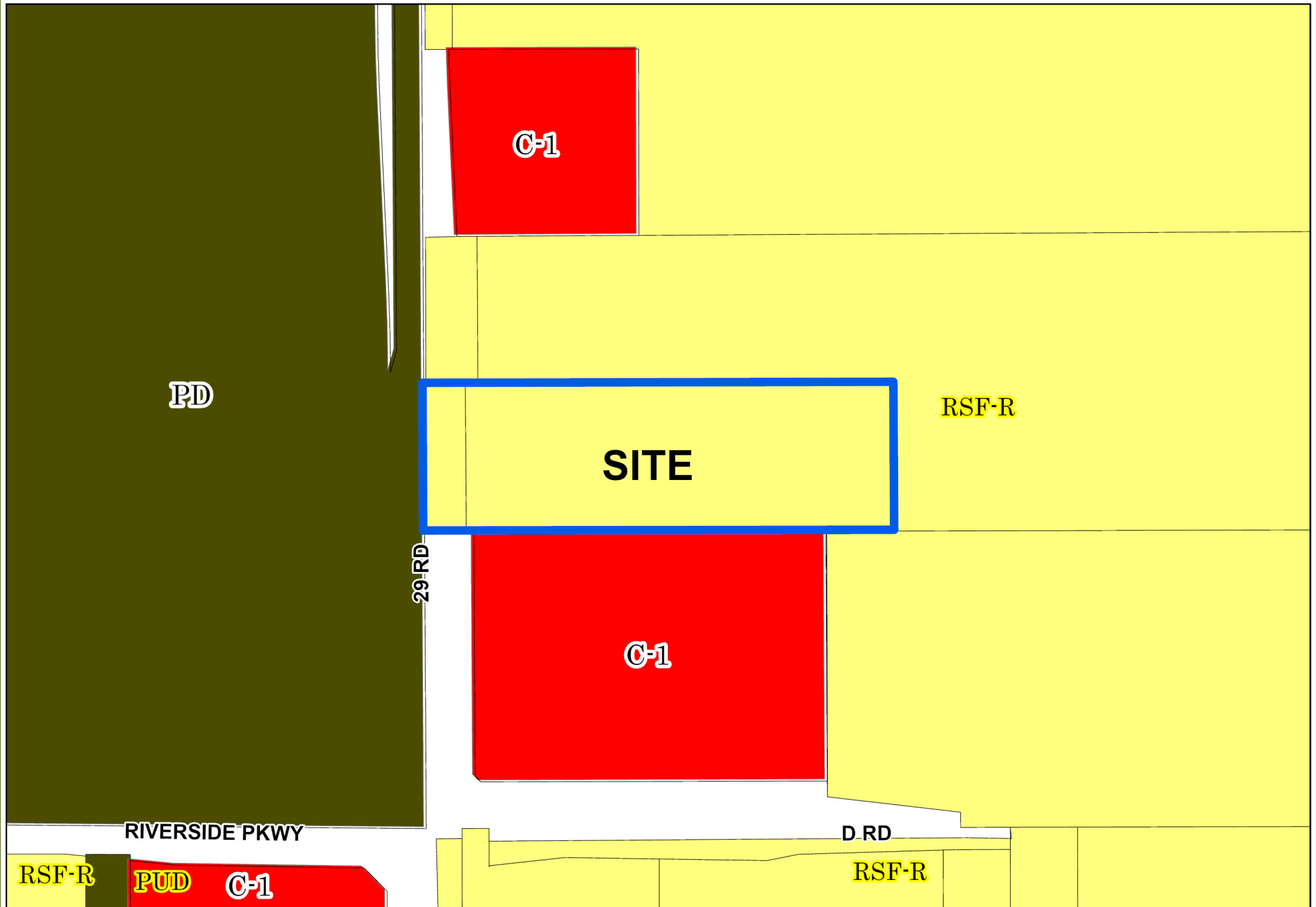


0 50 100 200
Feet

 Annexation Boundary

8/15/2019

Zona's Annexation- Zoning



0 50 100 200 Feet



Annexation

CITY ZONING

COUNTY ZONING

8/15/2019

Zona's Annexation Photo



View of property from 29 Road looking east

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 ZONA'S ANNEXATION,
LOCATED AT 408 29 ROAD
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 18th day of September, 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:

ZONA'S ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, 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 said Section 17 and assuming the West line of the SW 1/4 SW 1/4 of said Section 17 bears N 00°13'10" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 330.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 165.20 feet; thence N 89°58'45" E, along the North line of that certain parcel of land described with Reception Number 2790261, Public Records of Mesa County, Colorado, a distance of 527.36 feet; thence S 00°13'10" E, along the East line of said parcel, a distance of 165.20 feet; thence S 89°58'45" W, along the South line of said certain parcel of land, a distance of 527.36 feet, more or less, to the Point of Beginning.

CONTAINING 87,120 Square Feet or 2.000 Acres, more or less, as described

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of November, 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**

ZONA'S ANNEXATION

APPROXIMATELY 2.00 ACRES LOCATED AT 408 29 ROAD

WHEREAS, on the 18th day of September, 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 6th day of November, 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:

ZONA'S ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, 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 said Section 17 and assuming the West line of the SW 1/4 SW 1/4 of said Section 17 bears N 00°13'10" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 330.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 165.20 feet; thence N 89°58'45" E, along the North line of that certain parcel of land described with Reception Number 2790261, Public Records of Mesa County, Colorado, a distance of 527.36 feet; thence S 00°13'10" E, along the East line of said parcel, a distance of 165.20 feet; thence S 89°58'45" W, along the South line of said certain parcel of land, a distance of 527.36 feet, more or less, to the Point of Beginning.

CONTAINING 87,120 Square Feet or 2.000 Acres, more or less, as described
be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 18th day of September, 2019 and ordered
published in pamphlet form.

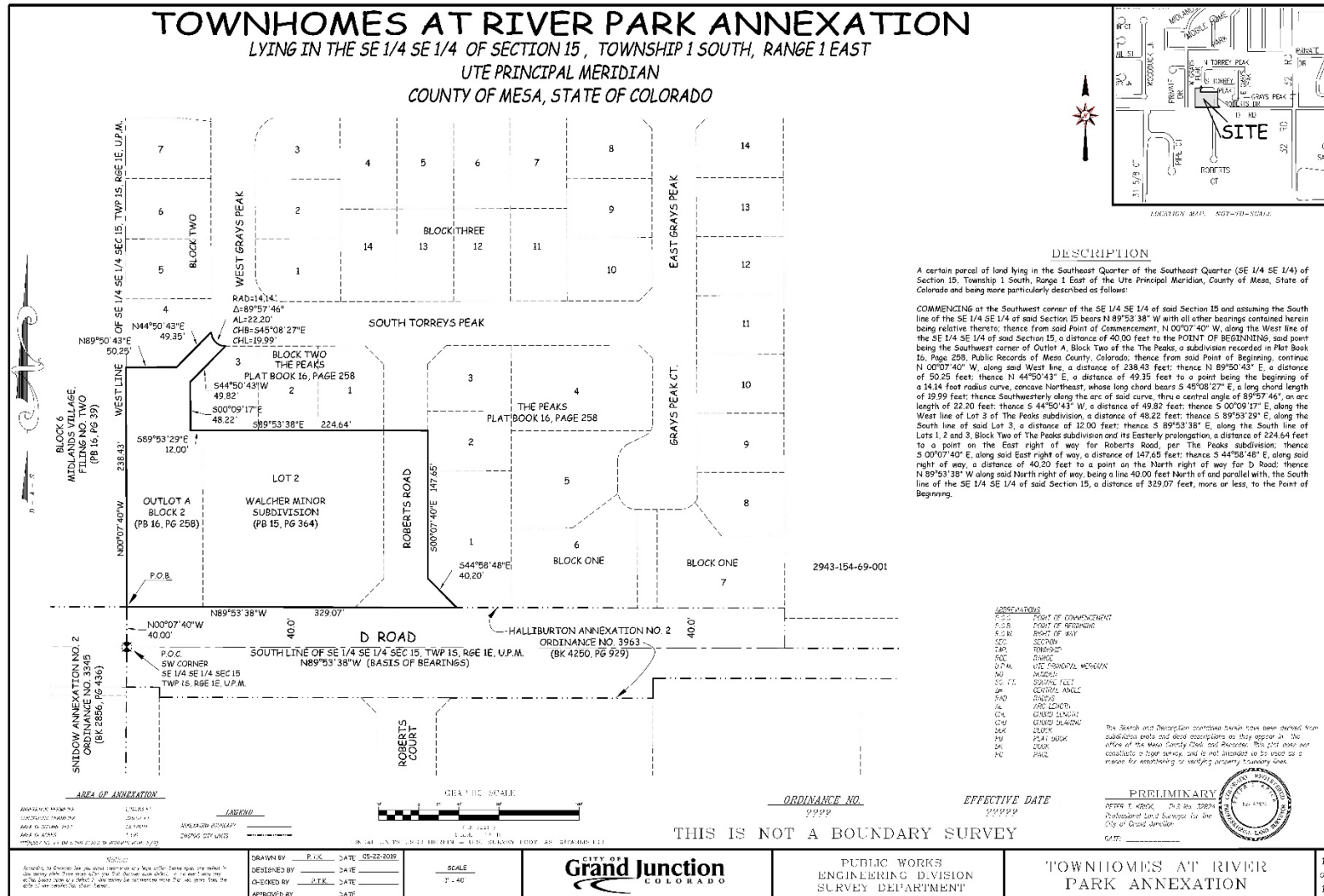
ADOPTED on second reading the _____ day of November, 2019 and ordered
published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING ZONA'S ANNEXATION
TO C-1 (LIGHT COMMERCIAL)**

LOCATED AT 408 29 ROAD

Recitals

The property owners have requested annexation of the 1.82-acre property into the City limits in anticipation of commercial use of the property

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning Zona's Annexation to the C-1 (Light Commercial) zone district respectfully, finding that it conforms with Village Center 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) zone district is 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:**

ZONA'S ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, 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 said Section 17 and assuming the West line of the SW 1/4 SW 1/4 of said Section 17 bears N 00°13'10" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 330.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 165.20 feet; thence N 89°58'45" E, along the North line of that certain parcel of land described with Reception Number 2790261, Public Records of Mesa County, Colorado, a distance of 527.36 feet; thence S 00°13'10" E, along the East line of said parcel, a

distance of 165.20 feet; thence S 89°58'45" W, along the South line of said certain parcel of land, a distance of 527.36 feet, more or less, to the Point of Beginning.

CONTAINING 87,120 Square Feet or 2.000 Acres, more or less, as described.

INTRODUCED on first reading this 16th day of October, 2019 and ordered published in pamphlet form.

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

ATTEST:

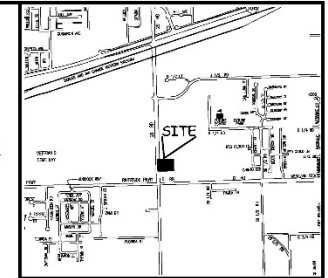
President of the Council

City Clerk

Exhibit A

ZONA'S ANNEXATION

SITUATE IN THE SW 1/4 OF THE SW 1/4
SECTION 17, TOWNSHIP 1S, RANGE 1E, UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO
SHEET 1 OF 1



LOCATION MAP: NOT TO SCALE

DESCRIPTION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, 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 said Section 17 and assuming the West line of the SW 1/4 SW 1/4 of said Section 17 bears N 00°13'10" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 330.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 165.20 feet; thence N 89°58'45" E, along the North line of that certain parcel of land described with Reception Number 2790261, Public Records of Mesa County, Colorado, a distance of 527.36 feet; thence S 00°13'10" E, along the East line of said parcel, a distance of 165.20 feet; thence S 89°58'45" W, along the South line of said certain parcel of land, a distance of 527.36 feet, more or less, to the Point of Beginning.

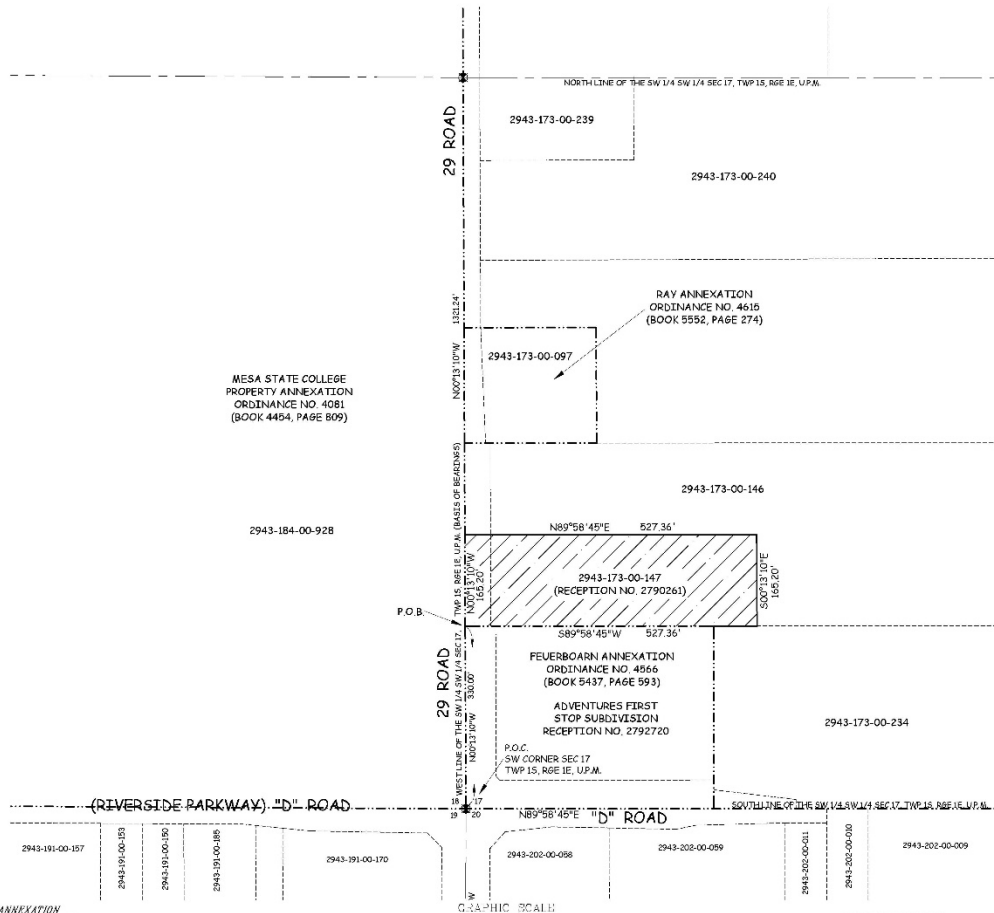
ABBREVIATIONS	MEANING OR EXPLANATION
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
S.C.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
A.	ACRES
1/4	ONE QUARTER
1/2	ONE HALF
3/4	THREE QUARTERS
1/8	ONE EIGHTH
1/16	ONE SIXTEENTH
1/32	ONE THIRTYSECOND
1/64	ONE SIXTYFOURTH
1/128	ONE THIRTYTWO EIGHTH
1/256	ONE FIFTYONE THOUSAND SIX HUNDRED FORTY EIGHTH

The Description(s) contained herein have been derived from subdivision plats and deed descriptions on file in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and it is not intended to be used as a means for establishing or verifying property boundary lines.



PRELIMINARY
07-23-2019
Professional Land Surveyor for the City of Grand Junction

DATE: 07-23-2019

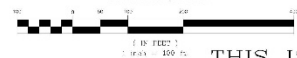


AREA OF ANNEXATION

ANNEXATION PERMITS	1,225.12 FT.
CONTRIBUTOR PERMITS	514.24 FT.
AREA IN SQUARE FEET	57,120.00
AREA IN ACRES	1.3000
UNITS/SECTION: 3600 SQ. FT. EQUALS TO 1 AC. (APPROX.)	

LEGEND

ANNEXATION PERMITS	---
CONTRIBUTOR PERMITS	---
EXISTING CITY LIMITS	---



ORDINANCE NO.
????

EFFECTIVE DATE
????

THIS IS NOT A BOUNDARY SURVEY



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

ZONA'S ANNEXATION
SW 1/4 SW 1/4 SECTION 17
TWP 1S, RGE 1E, UPM



Grand Junction City Council

Regular Session

Item #6.b.i.

Meeting Date: November 6, 2019

Presented By: John Shaver, City Attorney

Department: City Attorney

Submitted By: John Shaver

Information

SUBJECT:

An Ordinance Amending Title 3, Chapter 8 of the Grand Junction Municipal Code Pertaining to Lodging Tax for Online Travel Companies and Short Term Rentals and the Three Percent Lodging Tax Increase as Approved by the Voters in the November 6, 2018 Election

RECOMMENDATION:

Staff recommends adoption of the ordinance.

EXECUTIVE SUMMARY:

The purpose of this item is to amend the City of Grand Junction's Municipal Code regarding lodging tax.

BACKGROUND OR DETAILED INFORMATION:

On May 28, 2019, the Supreme Court of Colorado held that Expedia and other online travel companies were exempt from remitting accommodation (lodging) taxes to the Town of Breckenridge. The Supreme Court found that online travel companies were not lessors or renters with a possessory interest in renting hotel rooms for the purpose of the hotel accommodation tax ordinance. The Court held that the ruling is not dispositive; meaning, it depends upon whether or not the language of the accommodation laws of each jurisdiction exempt online travel companies from remitting accommodation taxes to the jurisdiction.

The Supreme Court did not overturn its decision in City & County of Denver v. Expedia, Inc. of 2017 that required Expedia to remit lodging taxes to the City and County of

Denver. Denver's code can be distinguished from Breckenridge's as Denver requires vendors to collect and remit the prescribed tax on the purchase price of any furnished lodging rather than limiting the collection of taxes to lessors or tenants of the accommodations.

The City has, prior to and after these Supreme Court decisions, considered transactions from online travel companies as taxable by policy and in practice. In light of the 2019 Supreme Court ruling, City staff compared Title 3 Chapter 8 of the City's current code with the laws of Breckenridge and Denver and recommend solidifying the City's position by making changes to the City's Code to clarify the obligations of online travel companies and short term rental agencies for the purpose of remitting lodging tax.

Furthermore, this ordinance includes an amendment to the definitions of "lodging" and "person" for the purpose of lodging tax. Home rule municipalities like Grand Junction can require local businesses to remit directly to the municipality, decide their own tax base, and audit local businesses directly. Many businesses are multi-jurisdictional and the variation of tax laws per jurisdiction is burdensome. The Colorado General Assembly adopted Senate Joint Resolution (SJR) 14-038, asking Colorado Municipal League to develop a package of standardized definitions. Amending the "lodging" and "person" definitions as they pertain to lodging tax will begin the move for the City towards the statewide goal of standardized definitions.

Lastly, the citizens of Grand Junction voted in favor of a lodging tax increase of three percent in the November 6, 2018 election. This ordinance includes the amendment to reflect the voter approved revenue change for the voter approved purposes (promotion and marketing for travel and tourism-related activities including but not limited to sports-related tourism and support for direct air service in Grand Junction).

FISCAL IMPACT:

This is a code amendment and has no direct fiscal impact.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4886, an ordinance amending Title 3, Chapter 8 of the Grand Junction Municipal Code pertaining to lodging tax for online travel companies and short term rentals and the three percent lodging tax increase as approved by the voters in the November 6, 2018 election on final passage and order final publication in pamphlet form.

Attachments

1. ORD - Lodging Tax- Online Travel Companies - Short Term Rentals - 060319

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 3 CHAPTER 8 OF THE GRAND JUNCTION MUNICIPAL CODE PERTAINING TO LODGING TAX FOR ONLINE TRAVEL COMPANIES AND SHORT TERM RENTALS AND THE THREE PERCENT LODGING TAX INCREASE AS APPROVED BY THE VOTERS IN THE NOVEMBER 6, 2018 ELECTION

RECITALS:

On May 28, 2019, the Supreme Court of Colorado held that Expedia and other online travel companies were exempt from remitting accommodation (lodging) taxes to the Town of Breckenridge. The Supreme Court found that online travel companies were not lessors or renters with a possessory interest in renting hotel rooms for the purpose of the hotel accommodation tax ordinance. The Court held that the ruling is not dispositive; meaning, it depends upon whether or not the language of the accommodation laws of each jurisdiction exempt online travel companies from remitting accommodation taxes to the jurisdiction.

The Supreme Court did not overturn its decision in *City & County of Denver v. Expedia, Inc.* of 2017 that required Expedia to remit lodging taxes to the City and County of Denver. Denver's code can be distinguished from Breckenridge's as Denver requires vendors to collect and remit the prescribed tax on the purchase price of any furnished lodging rather than limiting the collection of taxes to lessors or tenants of the accommodations.

The City has, prior to and after these Supreme Court decisions, considered transactions from online travel companies as taxable by policy and in practice. In light of the 2019 Supreme Court ruling, City staff compared Title 3 Chapter 8 of the City's current code with the laws of Breckenridge and Denver and recommend solidifying the City's position by making changes to the City's Code to clarify the obligations of online travel companies and short term rental agencies for the purpose of remitting lodging tax.

Furthermore, this ordinance includes an amendment to the definitions of "lodging" and "person" for the purpose of lodging tax. Home rule municipalities like Grand Junction can require local businesses to remit directly to the municipality, decide their own tax base, and audit local businesses directly. Many businesses are multi-jurisdictional and the variation of tax laws per jurisdiction is burdensome. The Colorado General Assembly adopted Senate Joint Resolution (SJR) 14-038, asking Colorado Municipal League to develop a package of standardized definitions. Amending the "lodging" and "person" definitions as they pertain to lodging tax will begin the move for the City towards the statewide goal of standardized definitions.

Lastly, the citizens of Grand Junction voted in favor of a lodging tax increase of three percent in the November 6, 2018 election. This ordinance includes the amendment to reflect the voter approved revenue change for the voter approved purposes (promotion and marketing for travel and tourism-related activities including but not limited to sports-related tourism and support for direct air service in Grand Junction).

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

Title 3 Chapter 8 shall be revised as follows (additions are shown in **bold print** and deletions marked with ~~strike-through~~ notations):

3.08.030 Definitions.

Lodging (**also referred to as lodging services**) shall mean ~~the providing of the right to use or possess, for consideration, any room or rooms for temporary occupancy, the furnishing of rooms or accommodations by any person or representative thereof to any person or representative thereof who for consideration uses, possesses, occupies or has the right to use, possess or occupy any such room or accommodation,~~ such as, but not limited to: a room in a hotel, **motor hotel**, guesthouse, hotel apartment and lodgingshouses, motel, **guest** ranch, resort, mobile home **or mobile home** park, bed and breakfast establishment, **residence, apartment**, movable structure, auto camp, trailer court **and park, trailer coach**, inn, hostel ~~or park~~, **or similar establishment** under any concession, permit, right of access, lease, contract, license to use or other arrangement or otherwise, but shall not include rentals under a written agreement for occupancy for a period of 30 consecutive days or more.

Person shall include any individual, firm, partnership, joint enterprise, corporation, **limited liability company**, estate or trust, **receiver, trustee, assignee, lessee, or any person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise**, or any group or combination acting as a unit, **or** in the plural as well as in the singular number.

3.08.040 Levy of tax – Amount – Payment – Collection, etc.

(a) Amount of Tax.

(1) There is hereby levied and shall be collected and paid a tax by every person exercising the taxable privilege of purchasing lodging **or making sales of or furnishing lodging to a purchaser** as in this chapter defined.

(2) The amount of the tax levied hereby is ~~three~~ **six** percent of the gross taxable sale paid or charged for purchasing such lodging.

(3) Any person providing lodging within the City of Grand Junction shall collect a tax from all those to whom lodging is provided amounting to ~~three~~ **six** percent of the total rental revenue received by such vendor. Such tax shall be in addition to any other tax **(including but not limited to sales and use tax)** or levy for providing such service.

(4) Any vendor making sales of or furnishing lodging to a purchaser in the City of Grand Junction shall collect a tax from all those to whom purchase such lodging amounting to six percent of the total rental revenue received by such vendor. Such tax shall be in addition to any other tax (including but not limited to sales and use tax) or levy for providing such service.

(4) (5) Additional Tax. The City of Grand Junction lodging tax shall be increased by \$1,850,000 in the first year (2019), and by whatever additional amounts are raised annually thereafter, by the adoption of an additional three percent tax on the price paid for lodging in the City, with the additional three percent tax collected in the same manner as the City's lodging tax; with all or any portion of the net proceeds of the additional three percent lodging tax, as determined by the City Council, being collected, retained and spent to fund promotion and marketing for travel and tourism-related activities such as and including but not limited to:

(i) Marketing, travel and tourism-related activities that supporting destination marketing of the area;

(ii) Marketing, supporting, and/or arranging for additional direct airline service to and from Grand Junction;

(iii) Marketing, promoting, and sponsoring sporting activities, events, tournaments, competitions and exhibitions.

Except that no vendor processing fee shall apply to the increase and shall the revenues generated by such tax increase and proceeds be collected and spent by the City as a voter approved revenue change, without regard to any spending, revenue-raising, or other limitation contained within Article X, Section 20 of the Constitution or any other law.

(e) Collection Requirement.

(1) It shall be unlawful for a person providing lodging to rent lodging without collecting, in addition to the rent thereof, the tax as provided in this chapter.

(2) It shall be unlawful for any vendor making sales of or furnishing lodging to a purchaser in the city, which are taxable under the provisions of this chapter, at the time of making such sales, to fail to collect the tax imposed by this chapter from the purchaser.

(f) Unlawful for Person/**Vendor** Providing Lodging **or Making Sales of or Furnishing Lodging** to Assume Tax. It shall be unlawful for a person providing lodging to rent lodging **or a vendor making sales of or furnishing lodging to a purchaser** without collecting, in addition to the rental thereof, the tax as provided for in this chapter.

(g) Unlawful for Person/**Vendor** Providing Lodging **or Making Sales of or Furnishing Lodging** to Refuse Payment. It shall be unlawful for the person/**vendor** providing lodging:

(1) to fail or refuse to pay to the City Finance Director the tax collected by such **person or** vendor; or

(2) to fail to file reports required of such **person or** vendor under the terms of this chapter.

3.08.050 Records – Regulations – Enforcement, etc.

(k) Vendors' Collection Fee. Vendors collecting and remitting the tax can, if such vendor is in compliance with the several provisions of this chapter, deduct three and one-third percent of the amount remitted **subject to the original lodging tax of 3% (not including the 2019 lodging tax increase of 3%)** as a collection fee.

ALL OTHER PROVISIONS OF TITLE 3 CHAPTER 8 SHALL REMAIN IN FULL FORCE AND EFFECT.

Introduced on first reading the _____ day of _____, 2019 and ordered published in pamphlet form.

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

ATTEST:

Mayor

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #6.b.ii.

Meeting Date: November 6, 2019

Presented By: John Shaver, City Attorney

Department: City Attorney

Submitted By: John Shaver

Information

SUBJECT:

An Ordinance Amending Section 3.12.030 of Chapter 3 of the Grand Junction Municipal Code Concerning the Imposition, Collection and Enforcement of the Sales and Use Tax and Amending the Tax Rate

RECOMMENDATION:

Staff recommends adoption of the ordinance.

EXECUTIVE SUMMARY:

The purpose of this item is to amend the Grand Junction Municipal Code pertaining to the sales tax code.

BACKGROUND OR DETAILED INFORMATION:

In accordance with Article X, §20 of the Colorado Constitution the City submitted to the City electors at its April 2, 2019 regular election, a ballot question to increase the City sales and use tax to 3.25% beginning January 1, 2020.

City voters approved a tax increase of 0.50%, and as an exception to the revenue and spending limits of the Article X, §20 of the Colorado Constitution, to fund police, fire and emergency medical services including without limitation, building, equipping and staffing new fire stations to improve response times/delivery of emergency medical, fire and rescue services, and hiring, employing, training and equipping police officers, firefighters and emergency medical service (EMS) personnel and employees such as 9-1-1 emergency dispatch, code enforcement and forensic laboratory personnel that support first responders and delivery of first responder services.

The City has heretofore enacted a comprehensive sales and use tax code, which is codified in Chapter 3 of the Grand Junction Municipal Code (GJMC.) With this ordinance the GJMC will be amended and reflect the voter approved revenue change for the voter approved purposes.

By amending the GJMC to reflect the voter approved sales and use tax rate and recognizing that the same is an exception to the spending and revenue limits of the Constitution, the City, commencing January 1, 2020, is authorized to impose, collect and enforce the voter approved sales and use tax increase for the approved purposes. The City Council finds that those purposes and this ordinance implementing the same are consistent with the City's Strategic Plan and the delivery of essential emergency services, the construction, operation and maintenance of facilities and personnel in support of the same and that such are is protective of the City's health and general welfare.

FISCAL IMPACT:

This is a code amendment and has no direct fiscal impact.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4887, an ordinance amending Section 3.12.030 of Chapter 3 of the Grand Junction Municipal Code concerning the imposition, collection and enforcement of the sales and use tax and amending the tax rate on final passage and order final publication in pamphlet form.

Attachments

1. ORD - Sales Use Tax Increase - 090319

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE AMENDING SECTION 3.12.030 OF CHAPTER 3 OF THE GRAND JUNCTION MUNICIPAL CODE CONCERNING THE IMPOSITION, COLLECTION AND ENFORCEMENT OF THE SALES AND USE TAX AND AMENDING THE TAX RATE

RECITALS:

In accordance with Article X, §20 of the Colorado Constitution the City submitted to the City electors at its April 2, 2019 regular election, a ballot question to increase the City sales and use tax to 3.25% beginning January 1, 2020.

City voters approved a tax increase of .50%, and as an exception to the revenue and spending limits of the Article X, §20 of the Colorado Constitution, to fund police, fire and emergency medical services including without limitation, building, equipping and staffing new fire stations to improve response times/delivery of emergency medical, fire and rescue services, and hiring, employing, training and equipping police officers, firefighters and emergency medical service (EMS) personnel and employees such as 9-1-1 emergency dispatch, code enforcement and forensic laboratory personnel that support first responders and delivery of first responder services.

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By amending the GJMC to reflect the voter approved sales and use tax rate and recognizing that the same is an exception to the spending and revenue limits of the Constitution, the City, commencing January 1, 2020, is authorized to impose, collect and enforce the voter approved sales and use tax increase for the approved purposes. The City Council finds that those purposes and this ordinance implementing the same are consistent with the City's Strategic Plan and the delivery of essential emergency services, the construction, operation and maintenance of facilities and personnel in support of the same and that such are is protective of the City's health and general welfare.

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

That Section 3.12.030 of the Grand Junction Municipal Code shall state as follows: (**amendments are shown in bold**, ~~deletions are shown in strikethrough~~)

(a) Sales Tax. There is hereby levied a tax or excise upon all sales of tangible personal property and services specified in GJMC 3.12.050. The rate levied shall be ~~2.75~~ **3.25** percent of the purchase price.

(b) Use Tax. There is hereby imposed and shall be collected from every person in the City a use tax for the privilege of storing, using, distributing, or consuming in the City any articles of tangible personal property or taxable services purchased for which no City sales tax has been paid. The rate levied shall be ~~2.75~~ **3.25** percent of the purchase price.

(c) The voter approved tax of .50%, which is an exception to the revenue and spending limits of Article X, §20 of the Colorado Constitution, shall be imposed, collected and spent to fund police, fire and emergency medical services including without limitation, building, equipping and staffing new fire stations and hiring, employing, training and equipping police officers, firefighters and emergency medical service (EMS) personnel and employees such as 9-1-1 emergency dispatch, code enforcement and forensic laboratory personnel that support first responders and delivery of first responder services.

All other provisions in Chapter 3 shall remain in full force and effect.

Introduced on first reading this ____ day of _____, 2019.

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

President of the City Council

ATTEST:

Wanda Winkelmann
City Clerk