To access the Agenda and Backup Materials electronically, go to www.gjcity.org

PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET

TUESDAY, JULY 28, 2020 @ 6:00 PM

Options for attending and submitting public comment for items on this agenda are listed here:

1. Provide comment in advance at www.GJSpeaks.org by 6 p.m. on July 27. Meeting information will be available online by the end of business on July 21, 2020.
2. Leave a phone message at 970-244-1590 by 4 p.m. on July 28. This message will be public testimony and will be played for the Planning Commission to consider in review of each application.
3. Attend the meeting virtually by going to https://www.gotomeet.me/Itsupport3/planning-commission-2020-july-28
4. Attend the meeting at City Hall, 250 N 5th Street. As recommended by Mesa County Public Health, those attending in person will be asked to wear a face mask. Other social distancing measures will be in place.

Call to Order - 6:00 PM

Consent Agenda

1. Minutes of Previous Meeting(s) from June 23, 2020.

2. Consider a request by the Church of Jesus Christ of Latter Day Saints to Vacate the platted Public Right-of-Way of West Cliff Drive and Public Utility and Irrigation Easements as identified on the 2nd Addition to O'Nan Subdivision Located by Horizon Drive, N. 12th Street, Midway Avenue and Budlong Street. | Staff Presentation

Regular Agenda

1. Consider a request by Doria Herek for an amendment to an existing Conditional Use Permit (CUP) for Volley's, an outdoor recreation facility, on 0.797 acres in a C 2 (General Commercial) zone district, located at 1130 N 3rd Street and 330 North Avenue. | Staff Presentation

2. Consider a request to zone approximately 19.259-acres from County RSF-4 (Residential Single Family – 4 du/ac) and PUD (Planned Unit Development) to a City R-8 (Residential – 8 du/ac) for the Fairview Glen Annexation, located at 2767 C Road and vacant properties located north of B ½ Road between Allyce Avenue and Nashua Lane/Court. | Staff Presentation

3. Consider a Request by Foothills Housing 2, LLC for Review and Approval of a Service Plan for the Proposed West Junction Metropolitan District on Approximately 177 Acres Northwest of the Highway 6 and 50 and Patterson Road Intersection. | Staff Presentation

4. Consider a request by the City of Grand Junction to amend Title 21 of the Grand Junction Municipal Code regarding use specific standards for Mini-Warehouses. | Staff Presentation

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
June 23, 2020 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:02 p.m. by Chairman Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Vice Chair Christian Reece, Bill Wade, George Gatseos, Ken Scissors and Sam Susuras.

Also present were Jamie Beard (Assistant City Attorney), Kristen Ashbeck (Principal Planner), and Senta Costello (Associate Planner).

There were 2 members of the public in attendance.

CONSENT AGENDA

Commissioner Wade moved to adopt Consent Agenda Item #1. Commissioner Susuras seconded the motion. The motion carried unanimously 6-0.

1. **Minutes of Previous Meeting(s)**

The Planning Commission reviewed the meeting minutes from the June 9, 2020 meeting.

REGULAR AGENDA

2. **Jabil Engineering Conditional Use Permit File # CUP-2020-225**

Watch item at 5:50

Consider a request by MNL Investments LLC for a Conditional Use Permit for the property located at 2790 H Road to allow for a hazardous occupancy within an I-O (Industrial Office) zone district.

Staff Presentation

Senta Costello, Associate Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Reece asked a question regarding the airport being involved in the review process.

Applicant's Presentation

The Applicant's representative, Mark Austin, was present during the hearing and made a comment regarding the request.

DRAFT

Questions for Applicant
Commissioner Reece asked a question regarding the fire crew and administration at the airport.

Commissioner Wade asked a question who was on the review agency list and if it included the airport.

Commissioner Gatseos asked a question regarding the location of the hazardous materials.

Commissioner Wade asked a question regarding the floor plan.

Public Hearing
The public hearing was opened at 5 p.m. on Tuesday, June 16, 2020 via www.GJSpeaks.org. Option for public comment via voicemail was also available starting Tuesday, June 16, 2020 as described on the meeting notice as well as the agenda.

None.

The public hearing was closed at 6:21 p.m. on June 23, 2020.

Questions for Staff
Commissioner Wade asked a question regarding the length of time it takes to review the project.

Commissioner Reece asked a question if we could add a condition of approval that the airport fire department has reviewed the request.

Discussion
Commissioner Susuras made a comment in support of the request.

Commissioner Wade made a comment in agreement with Commissioner Reece's earlier request.

Motion and Vote
Commissioner Reece made the following motion, "Chairman, on the Conditional Use Permit for the property located at 2790 H Road, City file number CUP-2020-225, I move that the Planning Commission approve the request with the findings of fact and condition as listed in the staff report and the condition of approval by the Grand Junction Regional Fire Department.

DRAFT

Commissioner Gatseos seconded the motion. The motion carried 6-0.

3. Other Business

None.

4. Adjournment

Commissioner Wade moved to adjourn the meeting. Commissioner Reece seconded the motion. The meeting adjourned at 6:28 p.m.

DRAFT

Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: July 28, 2020

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a request by the Church of Jesus Christ of Latter Day Saints to Vacate the platted Public Right-of-Way of West Cliff Drive and Public Utility and Irrigation Easements as identified on the 2nd Addition to O'Nan Subdivision Located by Horizon Drive, N. 12th Street, Midway Avenue and Budlong Street. | Staff Presentation

RECOMMENDATION:

Staff recommends approval of the requests.

EXECUTIVE SUMMARY:

The Applicant, Church of Jesus Christ of Latter Day Saints, is requesting the vacation of the platted public right-of-way of West Cliff Drive and public utility and irrigation easements in anticipation of future development of the site. The right of way and easements were originally platted as part of the 2nd Addition to the O-Nan Subdivision, however the subdivision was never developed and remains vacant land. The requested vacations are consistent with the City's Comprehensive Plan and Circulation Plan.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The existing platted right-of-way for West Cliff Drive and associated public easements were conveyed in 1960 as identified on the 2nd Addition to O'Nan Subdivision by Reception No. 764963 within Mesa County jurisdiction. Properties were then annexed into the City limits in 1980 (North 12th Street Enclave Annexation). The Applicant is requesting to vacate the existing platted right-of-way of West Cliff Drive between what is now Midway Avenue and Horizon Drive. The recorded plat for the 2nd Addition to

O'Nan Subdivision created 30 residential lots which are presently zoned R-4 (Residential – 4 du/ac) zone district, however to date, no development has taken place and no utility infrastructure has ever been installed (water, sewer, streets, etc.) within the subdivision. West Cliff Drive has never been constructed and this right-of-way contains no existing utility infrastructure. Since this platted subdivision has never developed, access to any developed existing residential lot will not be inhibited.

Upon future development of the site, new rights-of-way and/or public easements for the proposed development would be dedicated as necessary on a new subdivision plat or by separate instrument. The Applicant currently has submitted for review an administrative review of a Simple Subdivision in order to consolidate the 30 platted lots that have never been developed into one-lot of 7.48 acres (City file # SSU-2020-183), of which approval of the consolidation is contingent upon vacation of this right of way and easements.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed vacation of right-of-way and public easements was held on March 24, 2020 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's Representative and City staff were in attendance along with twenty-five area residents. Comments received regarding the two proposals centered around what the future development and/or impacts to the neighborhood would be, if any.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on April 27, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards were sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on July 17, 2020. The notice of the Planning Commission public hearing was published on July 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are set forth in Section 21.02.100 (c) of the Zoning and 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 Junction Circulation Plan and other adopted plans and policies of the City;

The vacation of this right-of-way and public easements does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. The proposed vacation of right-of-way and easements will have no

impact on public facilities or services provided to the general public since to date, no development has taken place and no utility infrastructure has ever been installed (water, sewer, streets, etc.) within the existing platted subdivision. Upon future development of the site, new internal rights-of-way and easements would be required to be granted to the City or other utility agencies as part of the development review process as applicable.

Further, the vacation requests are consistent with the following goals and policies of the Comprehensive Plan:

Goal 1 / Policy A. City and County land use decisions will be consistent with the Future Land Use Map.

Goal 1 / Policy C: The City will make land use and infrastructure decisions consistent with the goal of supporting an encouraging the development of centers.

Goal 3 / Policy A: To create large and small “centers” throughout the community that provide services and commercial areas.

Goal 7 / Policy A. In making land use and development decisions, the City and County will balance the needs of the community.

Therefore, staff has found the request to vacate existing public right-of-way and easements does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and therefore this criterion has been met.

(2) No parcel shall be landlocked as a result of the vacation;

The existing platted right-of-way for West Cliff Drive and associated public easements were conveyed in 1960 as identified on the 2nd Addition to O’Nan Subdivision but have never been developed or installed. There are currently 30 platted lots on the property in which 12 of the lots, the undeveloped right of way provides access. As noted, the Applicant is concurrently seeking the consolidation of the 30 lots into a single lot through a Simple Subdivision process. As a condition of approval, prior to recording of the Ordinance vacating West Cliff Drive, a subdivision plat or alternative document as approved by the City is required that results in no existing lot being landlocked. With the recommended condition, staff has found this criterion will be 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;

As provided in (2) above, provided the recommended condition of approval is met, the platted right-of-way of West Cliff Drive and associated public easements requested to be vacated will not impact access to any parcel and as such, staff finds this criterion will be 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;

The existing platted right-of-way for West Cliff Drive and associated public easements were conveyed in 1960 as identified on the 2nd Addition to O'Nan Subdivision but have never been developed or installed. No comments were received from utilities or other service providers that these vacation requests would impact any existing utilities, create any adverse impacts, or that facilities or services would be diminished, therefore staff has found that this criterion to be 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 existing platted right-of-way for West Cliff Drive and associated public easements were conveyed in 1960 as identified on the 2nd Addition to O'Nan Subdivision but have never been developed nor installed. Therefore, neither staff nor utility providers have identified that the requested right-of-way and easement vacations would not inhibit the provision of adequate public facilities and services, 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 change as a result of the proposed vacation requests since no right-of-way nor utility infrastructure has ever been installed. With the elimination of the existing platted right-of-way of West Cliff Drive along with the publicly dedicated utility and irrigation easements, the Applicant can develop the property as needed to avoid the impact to the anticipated building location(s) and will also serve as a general clean-up of the property by removing excess right-of-way and easements from the property that are not currently in use and presumed to be no longer necessary. Upon future development of the site, new rights-of-way and/or public easements for the proposed development would be dedicated as necessary on a new subdivision plat or by separate instrument. As such, Staff finds that this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request to vacate the platted Public Right-of-Way of West Cliff Drive

and Public Utility and Irrigation Easements as identified on the 2nd Addition to O'Nan Subdivision, City file numbers VAC-2020-184 and VAC-2020-186, for the properties located by Horizon Drive, N. 12th Street, Midway Avenue and Budlong Street, the following findings of fact and condition have been made:

1. The requests conform with Section 21.02.100 (c) of the Zoning and Development Code.

Condition 1. Prior to recording of the Ordinance vacating West Cliff Drive, a subdivision plat or alternative document as approved by the City is required that results in no existing lot being landlocked

Therefore, Staff recommends approval of the requests.

SUGGESTED MOTION:

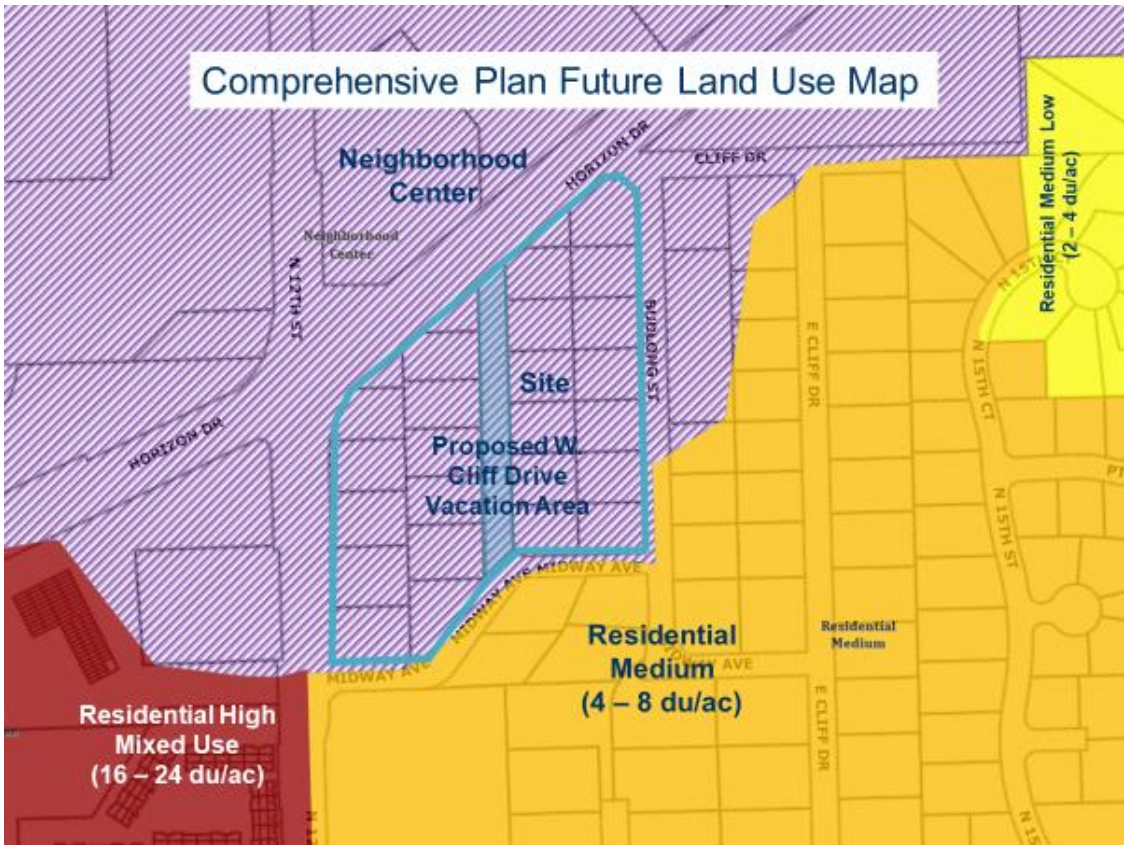
Mr. Chairman, on the request to vacate Public Right-of-Way of West Cliff Drive and Public Utility and Irrigation Easements as identified on the 2nd Addition to O'Nan Subdivision, City file numbers VAC-2020-184 and VAC-2020-186, for the properties located by Horizon Drive, N. 12th Street, Midway Avenue and Budlong Street, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and condition as listed in the staff report.

Attachments

1. Site Location, Aerial Photo & Zoning Maps, etc
2. 2nd Addition to O'Nan Subdivision Plat
3. Neighborhood Meeting Minutes
4. Public Correspondence Received
5. Vacation Resolution
6. Vacation Ordinance

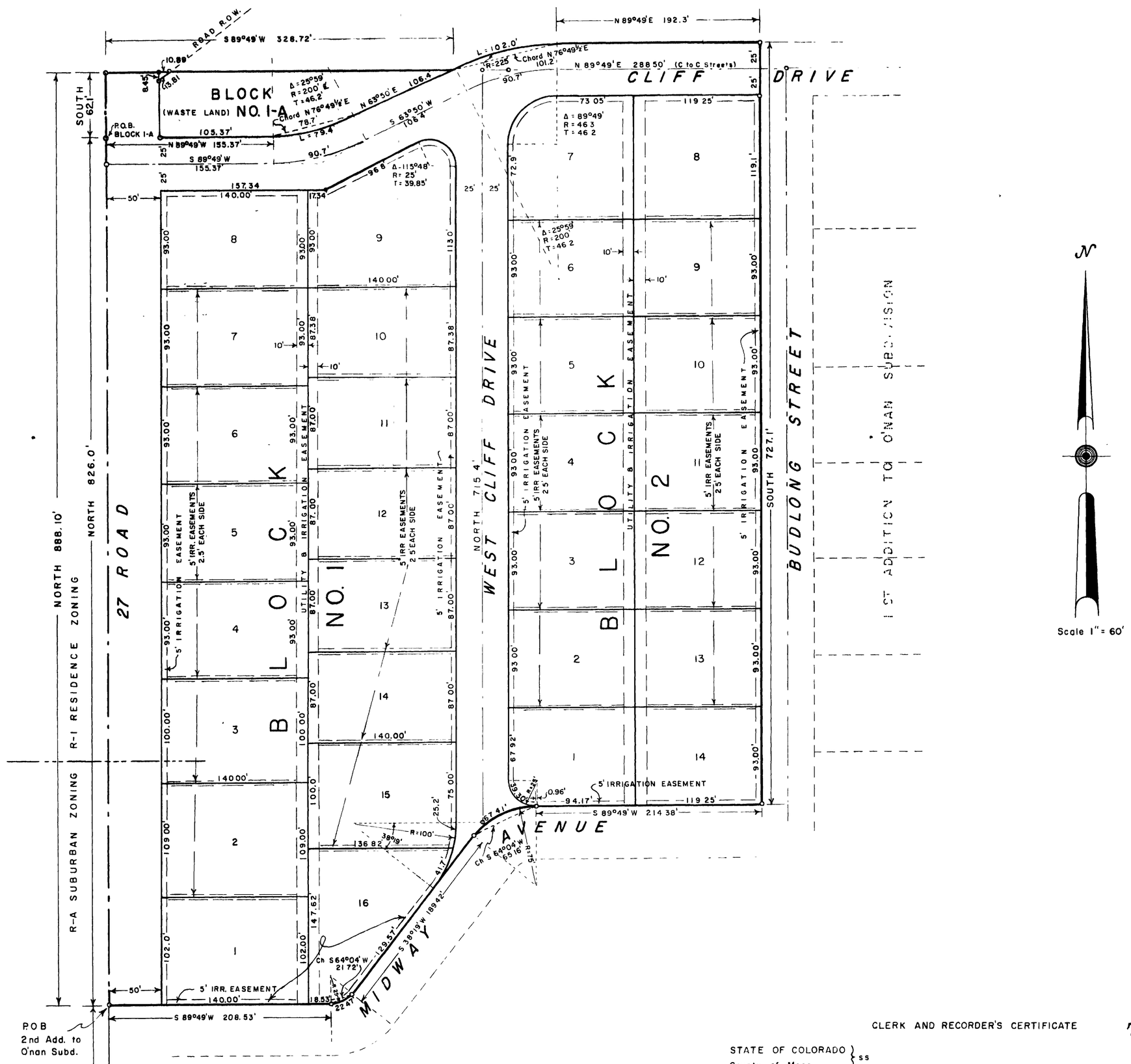
Site Location Map
G RD
G RD
TILMAN DR
CLUB CT
HORIZON DR
Safeway
N 12TH ST
CORTLAND CT
HORIZON DR
Site
BIDDING ST
E CLIFF DR
PTARMIGAN RIDGE CT
Horizon
Towers
E CLIFF DR
RIDGE DR
RIDGE DR

Aerial Photo Map
HORIZON DR
CLIFF DR
N 12TH ST
Site
BUDLONG ST
E CLIFF DR
N 15TH CT
N 15TH ST
Proposed W. Cliff
Drive Vacation Area
HORIZON DR
MIDWAY AVE
MIDWAY AVE
MIDWAY AVE
MIDWAY AVE
Horizon
Towers


Comprehensive Plan Future Land Use Map
Neighborhood Center
Neighborhood Center
HORIZON DR
CLIFF DR
N 11TH ST
RUDLONG ST
Site
Proposed W. Cliff Drive Vacation Area
HORIZON DR
MIDWAY AVE
MIDWAY AVE
MIDWAY AVE
Residential Medium
(4 – 8 du/ac)
Residential High Mixed Use
(16 – 24 du/ac)
E CLIFF DR
E CLIFF DR
Residential Medium
N 15TH CT
N 15TH ST
Residential Medium Low
(2 – 4 du/ac)

Existing Zoning Map
C-1
PD
R-8
R-16
R-4
Site
Proposed W. Cliff Drive Vacation Area
HORIZON DR
CLIFF DR
N 12TH ST
BUDLONG ST
E CLIFF DR
N 15TH CT
N 15TH ST
MIDWAY AVE

Google Street View Located at the intersection of N. 12th Street & Horizon Drive looking East (July 2019)



2 ND. ADD. TO O'NAN SUBD.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Howard Stewart, C E Livran, L S Onan and Lucy N Onan are the owners of that real property situated in the County of Mesa, State of Colorado as shown on the accompanying plat and described by metes and bounds as follows, to wit

Beginning at a point which is North 4300 feet from the West 1/4 Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, thence North 826.0' feet; thence N 89°49' E 155.37 feet; thence 79.4 feet along the arc of a 175-foot radius curve to the left, the chord of which bears N 76°49 1/2' E 78.7 feet; thence N 63°50' E 106.4 feet; thence 102.0 feet along the arc of a 225-foot radius curve to the right, the chord of which bears N 76°49 1/2' E 101 2 feet; thence N 89°49' E 192 3 feet; thence South 727.1 feet; thence S 89°49' W 214 38 feet; thence 67.41 feet along the arc of a 75-foot radius curve to the left, the chord of which bears S 64°04' W 65 16 feet, thence S 38°19' W 189.42 feet; thence 22.47 feet along the arc of a 25-foot radius curve to the right, the chord of which bears S 64°04' W 21.72-feet, thence S 89°49' W 208 53 feet to the point of beginning Also beginning 1256 0 feet North of the W 1/4 Cor. of Sec 1 T 1 S, R 1 W Ute M; thence N 89°49' E 155.37 feet, thence 79 4 feet along the arc of a 175-foot radius curve to the left, the chord of which bears N 76°49 1/2' E 78.7 feet, thence N 63°50' E 106 4 feet, thence S 89°49' W 328 72 feet; thence South 62.1 feet to the point of beginning

That the said owners have caused the said real property to be laid out and surveyed as the SECOND ADDITION TO O'NAN SUBDIVISION, a subdivision of a part of the County of Mesa

That said owners do hereby dedicate and set apart all of the streets and roads as shown on the accompanying plat to the use of the public forever and hereby dedicate those portions of said real property which are labeled as utility easements on the accompanying plat as easements for the installation and maintenance of such utilities as telephone and electric lines, poles and cables, storm and sanitary sewer mains, water mains, gas pipe lines; and those portions of said real property which are labeled as irrigation easements on the accompanying plat as easements for the installation and maintenance of irrigation ditches, flumes and conduits;

That all expenses for the installation of utilities or ditches referred to above, for grading or landscaping, and for street graveling or improvements shall be financed by the seller or purchaser --- not the County of Mesa

IN WITNESS WHEREOF, said Howard Stewart, C E Livran, L S Onan and Lucy N Onan have caused their names to be hereunto subscribed this 21st day of March, A D, 1959.

Howard Stewart — Howard Stewart
L S Onan — L S Onan
C E Livran — C E Livran
Lucy N. Onan — Lucy N Onan

STATE OF COLORADO } ss.
County of Mesa

The foregoing instrument was acknowledged before me this 21st day of March, A.D, 1959, by Howard Stewart, C E Livran, L S Onan and Lucy N Onan

My commission expires January 6, 1963

Witness my hand and official seal

L. M. Finnessey
Notary Public

CLERK AND RECORDER'S CERTIFICATE 764963

STATE OF COLORADO } ss
County of Mesa

I hereby certify that this instrument was filed in my office at 10 35 o'clock A M, MAR. 31, 1960 A D, 1960, and is duly recorded in Plat Book No 9, Page 99

Annie M. Dunston
Clerk and Recorder

Fees $6.00

Deputy

COUNTY PLANNING COMMISSION CERTIFICATE

Approved this 8 day of March, A D, 1960
County Planning Commission of the County of Mesa, Colorado

By E. Lin Gray
Chairman

CRESTRIDGE HEIGHTS DISTRICT PLANNING COMMISSION CERTIFICATE

Approved this 9th day of March, A D, 1960.
Crestridge Heights District Planning Commission

By Charlie Plank
Chairman

BOARD OF COUNTY COMMISSIONER'S CERTIFICATE

Approved this 21 day of March, A D., 1960
Board of County Commissioners of the County of Mesa, Colorado

By Henry J. Zupper
Chairman

SURVEYOR'S CERTIFICATE

I, Richard J Mandeville, do hereby certify that the accompanying plat of the SECOND ADDITION TO O'NAN SUBDIVISION, a subdivision of a part of the County of Mesa, has been prepared under my direction, and accurately represents a field survey of same

By Richard J Mandeville
Registered Engineer & Land Surveyor

CERTIFICATE OF VACATION

Due to the convenience and access needs of the public being adequately served by the platting of public land and rights of way as shown hereon, the vacation of all previous public rights of way within this Second Addition to Onan Subdivision is hereby ordered.

Approved this 21 day of March, A D 1960

By Henry J. Zupper

WESTERN ENGINEERS
MAP OF
SECOND ADDITION TO
O'NAN SUBDIVISION
MESA COUNTY, COLORADO

SURVEYED F.J.B. F.J.M. | DRAWN F.J.M. | TRACED F.A.C.
GRAND JUNCTION, COLO. | DWG. 1-137-4 | SEPT 1959

01045701.tif

Horizon Dr. & N 12th Street
Vacation of ROW, Vacation of Easements, Simple Subdivision

SUMMARY OF NEIGHBORHOOD MEETING
TUESDAY, MARCH 25, 2020
ON-SITE
LOCATED AT PARCEL 2945-012-02-001 @ 5:30 PM

A neighborhood meeting for the above-referenced Vacation of ROW, Vacation of Easements, and Simple Subdivision, was held Tuesday the 24th of March, 2020, on-site at parcel 2945-012-02-001, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet of the 27 parcels included in this project was sent on March 6, 2020, per the mailing list received from the City of Grand Junction. Due to School District 51 shutting down for COVID-19 regulations, there was a second flyer sent out on the 18th of March to reschedule the Neighborhood Meeting to Tuesday the 24th of March, 2020. The neighbors were also given the option to email or phone in questions or concerns. There were two neighbors that emailed concerns and a PDF will be included with this submittal.

The meeting included a presentation and a question and answer session. Tracy States and Bailie Tomlinson, Project Coordinator and Planner with River City Consultants presented information about the proposed Vacation of ROW, Vacation of Easements, and Simple Subdivision. In attendance for the City was Scott Peterson, Senior Planner. There were approximately 25 neighboring property owners that attended the meeting. An attendance list was not included at the meeting to ensure hygiene compliance and the attendees were asked to email Bailie Tomlinson if they attended the neighborhood meeting. While not all who attended followed up with emails, the neighbors who did email their attendance will be included in this submittal. The PDFs of the exhibits used at the meeting are also provided within this submittal.

It was reiterated multiple times that this submittal was solely for Vacation of ROW, Vacation of Easements, and Simple Subdivision and that this submittal does not call for any construction. Most concern was about a potential Site Plan submittal following the approval of the Vacation of ROW, Vacation of Easements, and Simple Subdivision submittal. Some neighbors had looked up the ownership on the Mesa County website and inquired about the potential for a church, if there would be a church built and if a church was allowed in a residential zone. No opposition to the application was expressed at this meeting.

The meeting adjourned at approximately 6:00 PM.

From: Danica Anderson <anderson.gjt@gmail.com>
Sent: Wednesday, April 15, 2020 4:53 PM
To: Bailie Tomlinson
Subject: Re: Neighborhood Meeting 12th and Horizon
Attachments: image001.jpg

Hi Bailey
The addresses that may have not gotten 2nd letter were on 15th St and I so not know their specific address. There were a couple people on E Cliff that said they didn't receive the first letter. I'm sure your next mailing will get to them.
Sorry this isn't specific. I don't know everyone but had heard them talking about not seeing the letter.
We'll see you at the next meeting.
FYI:
Re: Last standing cotttonwood.There is an old Cottonwood tree on Budlong and Midway. The only on left standing on the acreage. Could you go see it and send the church elders a photo of it. It's gorgeous and we would hate to see cut down if it isn't necessary.
Thank you
Danica Anderson

On Tue, Mar 31, 2020, 09:46 Bailie Tomlinson <btomlinson@rccwest.com> wrote:

Danica,

Thank you for attending the meeting for 12th and Horizon. What were the addresses that didn't receive an invitation?

Bailie Tomlinson

Planner

Email: btomlinson@rccwest.com

Phone: 970.241.4722 ext. 113

From: Marsha Devaux <mmdevaux@hotmail.com>
Sent: Monday, March 23, 2020 6:35 PM
To: Bailie Tomlinson
Subject: RE: Neighborhood meeting March 24

Dear Bailie,

I appreciate you taking the time to answer my questions.

Thank you,

Marsha Devaux

From: Bailie Tomlinson
Sent: Monday, March 23, 2020 4:17 PM
To: Marsha Devaux
Subject: RE: Neighborhood meeting March 24

Marsha,

Thank you for emailing me. We will be practicing social distancing at the meeting and asking everyone to stay in their vehicles as we go around and address their concerns and questions.

What street or road is involved in the vacation of right of way?
Please see the attached exhibit for the road and easements to be vacated. The road was not given a name when it was platted.

What street or road is involved in the vacation of easements?
Please see the attached exhibit for the road and easements to be vacated. The road was not given a name when it was platted.

How many houses will be in the "minor subdivision"? How many stories will these houses have?
There will be no houses built in this minor subdivision. The 27 lots will be combined.

Can a church and associated buildings be constructed on this site of if it is zoned for residential?
Yes, a church can be constructed in any zone except industrial.

What will the associated buildings be?
The associated buildings are likely going to be a maintenance shed.

If the proposed site contains approximately 6.36 acres when combined, how can the proposed site still contain approximately 6.36 acres after the right of way and easements are vacated and the lots are replatted as a single parcel as mentioned in your letter of March 17, 2020?
The platted ROW, easements, and 27 lots will be combined into one 6.36 acre parcel.

And lastly, what will the lighting situation be?
The lighting will be per code as far as building and street lighting.

Bailie Tomlinson
Planner
Email: btomlinson@rccwest.com
Phone: 970.241.4722 ext. 113

RIVERCITY
CONSULTANTS

From: Marsha Devaux <mmdevaux@hotmail.com>
Sent: Monday, March 23, 2020 3:23 PM
To: Bailie Tomlinson <btomlinson@rccwest.com>
Subject: Neighborhood meeting March 24

Dear Sir or Madame,

My husband and I will not be attending the above mentioned meeting. We do not want to jeopardize our health by a meeting of a group of most likely more than 10 people due to the seriousness of the current pandemic.

We do have a few questions:

What street or road is involved in the vacation of right of way?

What street or road is involved in the vacation of easements?

How many houses will be in the "minor subdivision"? How many stories will these houses have?

Can a church and associated buildings be constructed on this site of if it is zoned for residential?

What will the associated buildings be?

If the proposed site contains approximately 6.36 acres when combined, how can the proposed site still contain approximately 6.36 acres after the right of way and easements are vacated and the lots are replatted as a single parcel as mentioned in your letter of March 17, 2020?

And lastly, what will the lighting situation be?

Sincerely,

Marsha Devaux

From: Joann Huff <larjohuff@msn.com>
Sent: Monday, April 6, 2020 10:57 AM
To: Bailie Tomlinson
Subject: March 24th meeting

To Whom It May Concern

I attended the meeting on March 24th at parcel 2945-012-02-001 near Midway and Cliff drive. Sorry I am so slow to e-mail. I would appreciate information on up coming meetings regarding this property.

Joann Huff
3701 N 15th Ct
Grand Junction, Co 81506

From: Ivan Geer
Sent: Tuesday, March 24, 2020 4:38 PM
To: greenspring@bresnan.net
Cc: Bailie Tomlinson
Subject: inquiry on 12th and horizon

We received your inquiry below. All that is planned today is to vacate ROW and lots. These parcels are remnants from a plat and are not buildable.

Sorry you aren't feeling well and can't make the meeting. Feel free to send comments to the City planner.

Thanks!

Mr Thompson;

I had hoped to attend the meeting about the church possibly being built on the corner of 12th and Horizon backing Midway Ave. However, I don't believe I'm feeling well enough. I would like to know if you guarantee that if those lots are rezoned from 27 parcels down to one that ONLY a church will be built on that parcel? Also, I'd like to understand what "associated buildings" means? How many? What type? What size? You stand to affect the property values of the people that live in the subdivision that backs this property, what is the incentive for that subdivision; that these parcels are currently platted in, to allow this to happen?

Thank you for a response,
Leslie Schaefer

PLEASE NOTE OUR NEW ADDRESS EFFECTIVE MARCH 23, 2020 – 215 PITKIN AVE. #201, GRAND JUNCTION, CO 81501

Ivan Geer, P.E.
River City Consultants
970-241-4722 O
970-261-4420 M

From: Robert Walters <robwalt1@yahoo.com>
Sent: Wednesday, March 25, 2020 1:58 PM
To: Bailie Tomlinson
Subject: Attended Neighborhood meeting 3/24/2020 on Midway Ave

Bob & Geri Walters
666 Eastcliff Drive

robwalt1@yahoo.com

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

A RESOLUTION VACATING ALL PUBLIC UTILITY AND IRRIGATION EASEMENTS AS IDENTIFIED WITHIN 2ND ADDITION TO O'NAN SUBDIVISION AS RECORED WITHIN RECEPTION NUMBER 764963

LOCATED BY HORIZON DRIVE, N. 12th STREET, MIDWAY AVENUE AND BUDLONG STREET

RECITALS:

A vacation of all publicly dedicated Utility and Irrigation Easements has been requested by the property owner, Church of Jesus Christ of Latter Day Saints, which are no longer necessary. The existing Utility and Irrigation Easements were conveyed to the public in 1960 as identified on the 2nd Addition to O'Nan Subdivision by Reception No. 764963. The subdivision has never been constructed and contains no existing utility infrastructure.

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 all public easements as identified on the 2nd Addition to O'Nan Subdivision plat 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 publicly dedicated Utility and Irrigation Easements are 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.

All public Utility and Irrigation Easements as dedicated and identified within the 2nd Addition to O'Nan Subdivision plat as recorded within Reception No. 764963.

PASSED and ADOPTED this _____ day of _____, 2020.

ATTEST:

_____
President of City Council

_____
City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE VACATING WEST CLIFF DRIVE RIGHT-OF-WAY AS IDENTIFIED WITHIN 2ND ADDITION TO O'NAN SUBDIVISION AS RECORED WITHIN RECEPTION NUMBER 764963

LOCATED BETWEEN HORIZON DRIVE AND MIDWAY AVENUE

Recitals:

A vacation of the platted right-of-way of West Cliff Drive has been requested by the property owner, Church of Jesus Christ of Latter Day Saints in anticipation of future development of the site. The existing platted right-of-way for West Cliff Drive was conveyed in 1960 as identified on the 2nd Addition to O'Nan Subdivision by Reception No. 764963. West Cliff Drive has never been constructed and this right-of-way contains no existing utility infrastructure.

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 the platted right-of-way of West Cliff Drive as identified on the 2nd Addition to O'Nan Subdivision by Reception No. 764963 is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

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

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.

A portion of Right-of-Way known as West Cliff Drive as dedicated on 2nd Add. To O'nan Subd., a subdivision plat as recorded at Reception Number 764963, situated in the southwest quarter of the northwest quarter of Section 1 Township 1 South, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, said portion being more particularly described as follows:

Commencing at a 2" brass cap marked MESA COUNTY SURVEY MONUMENT 202-1 for the north sixteenth corner on the west line of said Section 1, whence a 3.25" aluminum cap marked LS 24306, DH SURVEYS INC, for the west quarter corner of said Section 1 bears South 00°03'21" West, with all bearings herein relative thereto,

Thence South 58°16'52" East, a distance of 387.64 feet to a point on the east line of Block 1 of said 2nd Add. to O'nan Subd and the Point of Beginning;

Thence North 52°49'03" East, a distance of 62.80 feet to a point on the west line of Block 2 of said Subdivision;

Thence South 00°02'51" West, a distance of 511.45 feet to the beginning of a curve concave to the northeast having a radius of 25.00 feet and a central angle of 88°09'29" and being subtended by a chord which bears South 44°02'17" East 34.78 feet;

Thence southerly along said curve, a distance of 38.47 feet to a point of cusp on a curve concave to the southeast having a radius of 75.00 feet and a central angle of 51°29'38" and being subtended by a chord which bears South 64°07'22" West 65.16 feet;

Thence westerly along the north right of way of Midway Avenue as recorded at Reception Number 724689 said curve, a distance of 67.41 feet;

Thence South 38°22'22" West continuing along said north line, a distance of 59.98 feet to a point of cusp on a curve concave to the west having a radius of 100.00 feet and a central angle of 38°14'47" and being subtended by a chord which bears North 19°17'52" East 65.52 feet;

Thence northeasterly along the east line of said Block 1 and along said curve, a distance of 66.75 feet;

Thence North 00°02'51" East, a distance of 512.13 feet to the Point of Beginning,

containing 0.63 acres more or less.

See Exhibit A.

Introduced on first reading this _____ day of _____, 2020 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2020 and ordered published in pamphlet form.

ATTEST:

_____ _____

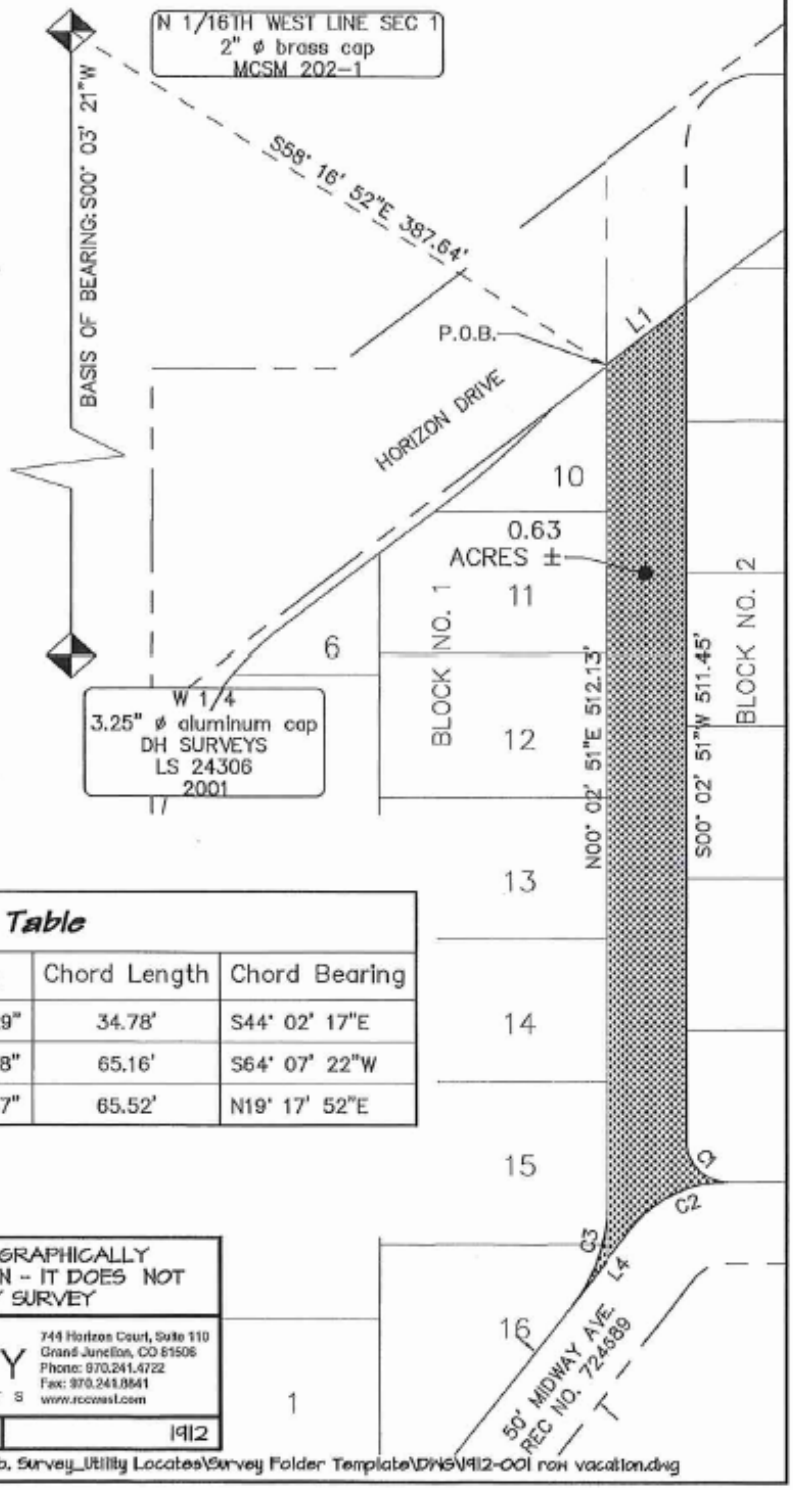
City Clerk Mayor

EXHIBIT A

1" = 100'

0 100

U.S. Survey feet



Line Table

Line #	Length	Direction
L1	62.80'	N52° 49' 03"E
L4	59.98'	S38° 22' 22"W

Curve Table

Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	38.47'	25.00'	088°09'29"	34.78'	S44° 02' 17"E
C2	67.41'	75.00'	051°29'38"	65.16'	S64° 07' 22"W
C3	66.75'	100.00'	038°14'47"	65.52'	N19° 17' 52"E

THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

RIVER CITY CONSULTANTS
744 Horizon Court, Suite 110
Grand Junction, CO 81506
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

Drawn: AKT	Checked: TPJ	4/30/20	1912

S:\PROJECTS\1912 Confidential Client\001 Onan Sub. Survey_Utility Locates\Survey Folder Template\DWG\1912-001 row vacation.dwg

Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: July 28, 2020

Presented By: Senta Costello, Planner

Department: Community Development

Submitted By: Senta Costello, Associate Planner

Information

SUBJECT:

Consider a request by Doria Herek for an amendment to an existing Conditional Use Permit (CUP) for Volley's, an outdoor recreation facility, on 0.797 acres in a C 2 (General Commercial) zone district, located at 1130 N 3rd Street and 330 North Avenue. | Staff Presentation

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Doria Herek, is requesting an amendment to an existing Conditional Use Permit (CUP) issued in 2014 for an Outdoor Recreation Facility, currently known as Volley's, located on Parcel No. 2945-113-19-002 and Parcel No. 2945-113-19-001 addressed as 304 North Avenue, 330 North Avenue, and 1130 N 3rd Street in a C-2 (General Commercial) zone district. The request includes amending the parking requirements and hours of operation for the Outdoor Recreation Facility. Volley's has been subject to complaints and subsequent code enforcement action due to parking encroachment on neighboring properties.

BACKGROUND OR DETAILED INFORMATION:

The property identified by Parcel No. 2945-113-19-002 addressed as both 1130 N 3rd Street and 330 North Avenue is home to a fireplace retailer; Parcel No. 2945-113-19-001 addressed as 304 North Avenue houses several businesses including a restaurant and a barber shop. The north half of the parcel addressed as 1130 N 3rd, is home to the Outdoor Recreation Facility ("Facility") currently operated as Volley's, an outdoor

area offering sand volleyball, food service and a small bar. A portion of the property at 304 North Ave provides 27 on-site parking spaces utilized by the Outdoor Recreation Facility.

In 2013, Paul Herek requested approval for an Outdoor Recreation Facility, including an outdoor sand volleyball area and bar comprised of approximately 9,000 square feet of court/sand (4 courts) space and an existing 960 square foot concrete block building. The CUP was approved in 2014 (CUP-2013-491) and the approval included the associated parking on the property located at 304 North Avenue. The Facility proposed to utilize all the facilities previously occupied for an in-line skating facility that operated on the site through 1996. See attached the General Project Report for information regarding the original CUP request. The City of Grand Junction Planning Commission approved the original CUP at a public hearing February 11, 2014 to operate the facility, as proposed.

The approved CUP allowed for hours of operation from 5:00 pm – 10:30 pm, Monday – Saturday, closed on Sundays. It was represented at that time that the courts would be available for league play during the season, March to November, weather permitting. The Applicant continues to operate league play during these hours, but in 2013, did not include the hours of operation outside of times dedicated for league play – thus Volley's has not been operating within the previously approved hours. The amendment is requesting amendment permitted hours to reflect their full range of hours of operation, as follows:

Monday through Friday from 3:00 p.m. to 2:00 a.m.
Saturday and Sunday from 12:00 p.m. to 2:00 a.m.

The Applicant is also requesting amendment related to their parking requirements. The approved CUP provided there would be 79 spaces available for Volley's patrons provided via shared parking leases, on-site spaces and on-street spaces. The CUP was conditioned upon executed leases being submitted that documented the 45 spaces off-site spaces could be utilized on neighboring properties. One lease for the 34 spaces on the old Harbert Lumber property located at 240 North Avenue was provided, however it expired after one year.

The Applicant is now requesting amendment to the previous parking requirement and is requesting the provision of 60 spaces in total instead of the previous 79 spaces. There is no specific requirement in the Code for the number of spaces required for Outdoor Recreation Facility as the Code provides spaces will be provided "as required by the Director." As such, Staff requested the Applicant conduct an analysis of their parking usage. The Applicant conducted an analysis of their parking needs during the 2019 season. The analysis consisted of a base comparison to other similar uses within the Zoning and Development Code, finding the closest similarity to be with a health or

fitness center, calculated at 1 space/500 square feet; the Volley's site required parking would be 30 spaces using this calculation. The two uses are not fully akin in that the Volley's use is a team-based use, not individual – though many recreation facilities offer organized league play. Volley's organizes their league play by eight teams of six players each on the four courts totaling 48 players with overlap of some teams between matches; however, team members often ride together. For additional information, the Applicant conducted a parking count during the busiest summer league week during the 2019 season. Through their review, they found that the Facility creates a demand of approximately 60 parking spaces which provides adequate parking during their business hours as well as peak events for both customers and staff. The Applicant is proposing to meet their parking needs by providing 27 spaces on-site (304 North Avenue), leasing 12 spaces from the property owner at 340 North Avenue, E & E Enterprises 22 LLC, and utilizing 21 on-street spaces that are currently available along North 3rd Avenue and on Glenwood Avenue; for a total of 60 spaces.

The City has received numerous complaints regarding parking that occurs off-site, primarily coming from the property owner located at 1251 N. 3rd Street. The issue appears largely the use of convenience versus volume of available and proximate parking. The property at 1251 N. 3rd Street is convenient and directly across the street from the entry to Volley's. To assist in remedying patron's parking at 1251 N. 3rd, the Applicant has represented that they actively notify patrons of where available parking is located as they enter the Facility.

No other amendments to the previously approved CUP are proposed.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed amended Conditional Use Permit request was held on December 2, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The meeting was held on site and lasted approximately 30 minutes. There was one (1) neighbor in attendance, the owner of Holiday Cleaners located at 1251 N 3rd Street. The discussion during the meeting centered around the off-site parking generated by the Volley's customers and the impacts to surrounding properties.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on July 14, 2020. 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, as well as neighborhood associations within 1000 feet, on July 17, 2020. The notice of this public hearing was published on July 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

(d) General Approval Criteria. No permit may be approved unless all of the following criteria are satisfied:

(1) Compliance with the Comprehensive Plan and any applicable adopted plan.

The North Avenue West Corridor Plan was adopted on November 2, 2011 as a subarea Plan. The North Avenue West Corridor Plan's vision is "for people and places, a crossroads of Grand Junction, a corridor to the City Center (see graphic on following page). A place where higher education facilities connect with medical facilities, downtown, sports facilities, historic neighborhoods, existing and future residential neighborhoods, regional retail and employment opportunities." It also included strategies to achieve the vision. Strategies included – create services ant the neighborhood level and for the student population; create a significant "neighborhood" of residential, retail, commercial, entertainment, educational and public activity areas.

The Plan identified the subject property as part of the Sherwood Park Mixed Use District. "The Sherwood Park Mixed-Use District comprising that area from 1st Street to 5th Street has many existing multifamily, office, retail and service businesses already. The Comprehensive Plan identifies this area as a Neighborhood Center and encourages infill and redevelopment, providing additional density and intensity. This plan recommends that the core area of the Neighborhood Center be established along 3rd Street from North Avenue to Sherwood Park. This location is ideal with its proximity to North Avenue, a major arterial street providing access to the core area and the park a couple of blocks to the north. Sherwood Park provides open space opportunities and public facilities for the Neighborhood Center. Parking for businesses should occur to the rear or side of businesses, and shared parking facilities are encouraged."

"Neighborhood Centers will also have a grocery store focus that will be surrounded by smaller ancillary commercial uses, smaller discount stores, craft stores, restaurants, and specialty stores. In many cases they are merely modest extensions of centers that already exist. They consist of three to ten buildings, one to three stories in height. They will be drive-to destinations, but also have medium-to-high density residential and office uses mixed in vertically or horizontally adjacent in order to provide a close-by clientele that will help sustain the retail. They will have store fronts connected and facing along public streets or around plazas and other gathering areas."

Prior to its use as some form of outdoor recreational use, the area was used for outdoor storage by the property at 330 North Avenue. The rear half of the site was redeveloped in 1996 and established for a hockey rink and now volleyball courts. The Volley's use provides an outdoor activity/sports facility opportunity for the local area students that's within walking distance to campuses as well as being centrally located within the community as a whole. Parking areas are located internal to the site, beside or behind buildings.

Subsequently, a North Avenue Overlay Zone was adopted on February 20, 2013 to implement the North Avenue Corridor Plan. This overlay includes all properties with North Avenue frontage, regardless of their size or configuration. While the subject properties are included within this overlay, the site of the Conditional Use Permit does not have frontage on, nor gains direct access (vehicular or pedestrian) to or from, North Avenue. Therefore, the North Avenue Overlay standards, such as public street dedications, improvements on North Avenue, building setbacks and façade standards, do not apply to this request.

The proposed land use furthers Goal 6 of the Comprehensive Plan: "Land use decisions will encourage preservation of existing buildings and their appropriate reuse". The continued use of the property, specifically the courts, a feature unique to this property, for recreational use is appropriate and works to help implement the Comprehensive Plan.
Staff therefore finds that this criterion has been met.

(2) Compliance with the Zoning and Development Code.
The property where Volley's is located has developed over time beginning in the 1940's, prior to any Codes being in place for development. The most recent improvements were constructed in 1996 under a Zoning and Development Code that has been entirely re-written twice since then along with multiple amendments along the way. Under the current Zoning and Development Code, principally adopted in 2010, the site is considered a "legal non-conforming site". As the Applicant proposes no changes to the site, this status remains intact. Further, the use is allowed by the Code as a conditional use and compliance with the Code would occur with the issuance of an amendment CUP.
Staff therefore finds that this criterion has been met.

(3) Conditions of any prior approvals.
The site has not been maintained in accordance with the approvals issued for the original CUP. The requirement for active off-site parking leases has not been adhered to. The Applicant does not believe the 79 spaces as previously represented can either be provided nor are necessary. As a part of this application, the applicant has provided documentation of leased spaces that, when combined with available on-site and on-street parking, will bring the use within the number of spaces that they have determined through their parking analysis, and staff supports, are adequate to provide parking for their customers and staff.

The Applicant has presented that the hours listed in the 2013 General Project Report were intended to be understood as hours for league play, not the hours of operation of the business as a whole; however, hours of operation were not specifically called out in the staff report or final approval letter. The business hours have been significantly

different than the hours as presented with the 2013 CUP and as the hours of operation can affect the potential impacts a use has on the surrounding neighborhood the Applicant is also proposing an amendment that clarifies the hours and days the business is in operation.

Currently, staff has found that conditions of prior approvals are not being met. However, should these amendments be approved, the prior conditions will be modified.

(4) Public facilities and utilities shall be available concurrent with the development.

No changes are proposed to the site and/or operations. Utility services to the site are adequate for the existing outdoor recreational use, Public safety facilities are adequate in this location, and site access and circulation have also been found to be adequate.

Staff therefore finds that this criterion has been met.

(5) Received all applicable local, State and federal permits.
The Applicant maintains a liquor license issued by the City of Grand Junction and is currently in compliance with the license. The Applicant does not propose any physical changes to the site or changes to the operation of the business other than the refined parking information and stated hours of operation. As such, there are no new or amended permits required.

Staff therefore finds this criterion has been met.

Further criteria must be met by the proposal in order to be granted a CUP Amendment. Pursuant to GJMC Section 21.02.110 (a), a Conditional Use is meant to provide an opportunity to utilize property for an activity which under usual circumstances could be detrimental to other permitted uses, and which normally is not permitted within the same district. A Conditional Use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A Conditional Use is not a use by right; it is one that is otherwise prohibited within a given zone district without approval of a CUP. The application shall therefore demonstrate that the proposed development will comply with the following:

(1) District Standards. The underlying zoning districts standards established in Chapter 21.03 of the Grand Junction Municipal Code, except density when the application is pursuant to GJMC 21.08.020(c);

The properties are zoned C-2 (General Commercial). The performance standards for the C-2 zone district specify “Outdoor storage and display areas are not allowed within the front yard setback. Permanent and portable display of retail merchandise is

permitted." Though most of the operations are outdoors, including the volleyball activities and the drinking and dining, no outdoor storage or display is proposed. The building meets the bulk standards of the C-2 zone and there are no proposed physical changes to the site.

Staff therefore finds this criterion has been met.

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

No use specific standards are established for the Outdoor Recreation Facility use.

Staff therefore finds this criterion is not applicable.

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

The site is in the heart of the Neighborhood Center identified by the Comprehensive Plan. It is located two blocks from Sherwood Park and Grand Junction High School and a little over one-half mile to Colorado Mesa University. The close proximity of North Avenue provides access to transit options, hospitals and fire protection, along with complimentary retail and entertainment businesses.

Staff therefore finds this criterion has been met.

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

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

The sand court area is surrounding on the north by a hanging mesh fabric 20 feet above grade that provides a "net" to catch errant volleyballs. The cinder block building forms the southern border of the site, along with the back of the principle structure. A storage building located on 304 North Avenue blocks the view of the facility from N. 3rd Street, except through the parking lot. The Facility is not visible from North Avenue. The entrance to the facility is through a gate accessible through this parking lot. The entrance is gated, which allows for control of patrons and fencing requirements for compliance with liquor laws. The northern border of the site is the existing alley. Further north and east is the Salvation Army building, which is oriented toward N. 4th

Street. Staff therefore finds this criterion has been met.

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

The site is largely hidden from the public and is adjacent to the back or service entrances of the adjoining businesses. The majority of the other businesses in the area have hours of operation that are either offset from Volley's or have limited overlap in the late afternoon and/or early evening. There are no other adjoining uses that operate as late as the Volley's site. The physical buffering by buildings and offset hours minimizes the potential negative visual and noise impacts created by the use.

Staff therefore finds this criterion has been met.

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

The site is located in a primarily commercial neighborhood with Sherwood Park and the surrounding residential neighborhood further north and is largely hidden from public view and is adjacent to the back or service entrances of the adjoining businesses. The four sand volleyball courts are confined by netting on the north. The cinder block building forms the southern border of the site, along with the back of the principle structure. A storage building located on 304 North Avenue blocks the view of the facility from N. 3rd Street, except through the parking lot. The entrance to the facility is through a gate accessible through this parking lot, limiting access, allowing for control of patrons and alcoholic beverages. The northern border is the existing alley. Landscaping has been added to the three planting beds located on the west side of the 304 North Avenue property. The City did receive complaints about noise prior to the 2019 season, however, the Applicant addressed the noise related issues at that time. No further complaints were received during the 2019 season. The physical buffering by buildings and offset hours minimizes the potential negative visual and noise impacts created by the use. Staff therefore finds that this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Conditional Use Permit Amendment request, CUP-2020-147, for the property located at 1130 N 3rd Street, 304 North Avenue and 330 North Avenue, the following findings of fact and condition have been made:

1. The request conforms with Sections 21.02.070(6) and 21.02.110(c) of the Zoning and Development Code.

Condition 1: A minimum of 60 parking spaces must be provided, subject to Section 21.06.050 parking standards of the Code.

Therefore, Staff recommends approval of the request with the findings of fact and conditions as provide in the staff report.

SUGGESTED MOTION:

Mr. Chairman, on the Conditional Use Permit Amendment for the property located at 1130 N 3rd Street, 304 North Avenue and 330 North Avenue, City file number CUP-2020-147, I move that the Planning Commission approve the request with the findings of fact and condition as listed in the staff report.

Attachments

1. Exhibit 1 - Application Packet
2. Exhibit 2 - Maps & Locations
3. Exhibit 3 - Original approval documents

CITY OF Grand Junction COLORADO
COMMUNITY DEVELOPMENT

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: Conditional Use Permit

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

Existing Land Use Designation	N/A	Existing Zoning	N/A
Proposed Land Use Designation	N/A	Proposed Zoning	N/A

Property Information

Site Location:	330 North Ave / 1130 N 3rd St	Site Acreage:	0.799667
Site Tax No(s):	2945-113-19-002	Site Zoning:	C-2

Project Description: CUP amendment for Volley's

Property Owner Information		Applicant Information		Representative Information	
Name:	Manchester family rentals	Name:	Doria Herek	Name:	
Street Address:	2698 Lanai Ct.	Street Address:	604 Ronlin Dr.	Street Address:	
City/State/Zip:	GJ, CO, 81506	City/State/Zip:	G.J., CO 81504	City/State/Zip:	
Business Phone #:	(970)260-7867	Business Phone #:	970-255-6666	Business Phone #:	
E-Mail:	Lionman.man@aol.com	E-Mail:	DLH0595@Gmail.com	E-Mail:	
Fax #:		Fax #:		Fax #:	
Contact Person:	Larry Manchester	Contact Person:	Doria Herek	Contact Person:	
Contact Phone #:	(970)260-7867	Contact Phone #:	402-651-5007	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	Doria L. Herek	Date	3-5-2020
Signature of Legal Property Owner		Date	3-6-2020

From: Doria Herek <dlh0595@gmail.com>
Sent: Wednesday, December 18, 2019 1:16 PM
To: Senta Costello
Subject: Volleys neighborhood meeting

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Projects

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

A neighborhood meeting was held on December 2, 2019 at 5:30 p.m. at Volleys 1130 N. 3rd St., Grand Junction, CO 81501. The purpose of the meeting is to amend volleys conditional use permit hours of operation. In attendance were Mike Sitz from Holiday Cleaners 1251 N 3rd St., Grand Junction, CO; Linda Manchester 304 North Ave, Fabricare Corner, Grand Junction, CO; Senta Costello City Planning Department, Grand Junction, CO; David Herek Volleys owner, and Doria Herek Volleys owner. The meeting started with Mr. Sitz asking about Volleys patron parking. He has concerns about the Volleys customers parking in his business parking lot. We discussed getting parking agreements with other neighboring businesses and posting signs at Volleys telling customers not to park at Holiday Cleaners. Mr. Sitz noted that the 2019 season was much better (re: parking issues) than in past years. There were no other concerns from those in attendance and the meeting adjourned at 6:00 p.m.
Thank you,
Doria L Herek

OWNERSHIP STATEMENT - LIMITED LIABILITY COMPANY

(a) Manchester Family Rentals ("LLC") is the owner of the following property:

(b) 330 North Ave / 1130 N. 3rd St.

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) Larry Manchester for the Limited Liability Company. I have the legal authority to bind the LLC regarding financial obligations and this property. I have attached the most recent recorded Statement of Authority of the LLC.

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

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

☒ LLC is the sole owner of the property.

○ LLC owns the property with other(s). The other owners of the property are:

On behalf of LLC, I have reviewed the application for the (d) conditional use permit

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

(e) _____

I understand the continuing duty of the LLC to inform the City planner of any changes regarding my authority to bind the LLC 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 corporation representative: L Manchester

Printed name of person signing: Larry Manchester

State of _____)

County of _____) ss.

Subscribed and sworn to before me on this _____ day of _____, 20____

by _____

Witness my hand and seal.

My Notary Commission expires on September 20, 2021

Allison Little
NOTARY PUBLIC
State of Colorado
Notary ID: 20174039444
My Commission Expires September 20, 2021

Allison Little
Notary Public Signature

Instructions

An ownership statement must be provided for each and every owner of the property.

(a) Insert complete name of owner LLC as it appears on deed by which it took title.

(b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries do not match those on the plat, provide an explanation.

(c) Insert title/capacity within the LLC of person who is signing.

(d) Insert the type of development application request that has been made. Include all pending applications affecting the property.

(e) Insert name of all other owners, if applicable.

(f) Insert the type of development application request(s) that has/have been made. Include all pending development applications affecting the property.

(g) Explain the conflict and/or possible conflict and describe the information and/or evidence available concerning the conflict and/or possible conflict. Attach copies of written evidence.

GENERAL PROJECT REPORT
VOLLEYS, LLC CONDITIONAL USE PERMIT AMENDMENT

A. PROJECT DESCRIPTION

LOCATION:	330 and 304 North Avenue, Grand Junction, Colorado, 81501
LOT SIZE:	_____
PROPOSED USE:	Outdoor recreation, sand volleyball courts, with 940 s.f. bar
PROPERTY OWNER:	Manchester Family Rentals, LLC
PROPERTY LESSEE:	Volleys, LLC
PRIOR APPROVALS:	CUP-2013-491, issued February 12, 2014
ZONE DISTRICT:	C-2, General Commercial. No change in zoning proposed or requested.
FUTURE LAND USE:	Neighborhood Center

B. PUBLIC BENEFIT

Volleys provides a venue for recreational team outdoor sports in the North Avenue Overlay area, near Colorado Mesa University, and makes use of property in an area of older, underutilized properties and buildings, bringing vibrancy to the area. Volleys' primary hours of activity are in the evenings when the surrounding commercial properties are closed, enhancing the vibrancy and neighborhood center character of the area.

C. NEIGHBORHOOD MEETING

A neighborhood meeting was held on Monday, December 2, 2019 at 5:30 pm at Volleys (1130 N. 3rd, located on the back of lots 304/330 North Avenue).

D. PROJECT COMPLIANCE, COMPATIBILITY, AND IMPACT

1. Adopted plans and policies.

   (a) **Comprehensive Plan.** Volleys is consistent with the Comprehensive Plan because outdoor recreation and a bar are allowed with a CUP in zone districts which implement the Neighborhood Center future land use designation. Volleys furthers Goal 6 of the Comprehensive Plan ("Land use decisions will encourage preservation of existing buildings and their appropriate reuse") by re-using a former ice-rink area.

   (b) **North Avenue Overlay**. The requirements of the North Avenue Overlay Zone do not apply because the site does not have frontage on, nor take direct access from, North Avenue.

   (c) **Dedicated alley right-of-way**. The owner dedicated alley right of way in connection with the CUP approval in 2014 and executed an alley Power of Attorney for future alley improvements as a condition of the 2014 CUP.

2. Circumstances that justify the request.

(a) **Conditional use permit**. A conditional use permit (CUP) is required for the use because the use includes a bar, which requires a CUP in the C-2 zone district, and because the use is classified as *Recreation and Entertainment, Outdoor, Other*, which requires a CUP in the C-2 zone district, pursuant to the following:

> *21.04.020(q)* ***Recreation and Entertainment, Outdoor.***
> *(1) Characteristics. Outdoor recreation and entertainment uses are large, generally commercial uses that provide continuous recreation or entertainment-oriented activities. They primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting.*
> *(2) Accessory Uses. Accessory uses may include concessions, restaurants, parking, caretaker's quarters and maintenance facilities.*
> *(3) Examples. Examples include riding academies, roping arenas, equestrian arenas, amusement parks, theme parks, golf driving ranges, miniature golf facilities and zoos.*
> *(4) Exceptions.*
> *(i) Golf courses are classified as parks and open space.*
> *(ii) Uses that draw large numbers of people to periodic events, rather than on a continuous basis, are classified as major entertainment events.*

The Site Plan and CUP were reviewed and approved in 2014. No changes to the approved Site Plan are proposed, other than the contingent demolition of part of the existing metal building on the Site, which is discussed below. The amendment to the CUP requested by the applicant is limited to the following:

(i) **Parking**. The number of required parking spaces was not specified in the CUP or staff report accompanying the CUP; rather, the staff report merely referenced the number of parking spaces that would be available to the applicant based on on-site parking, street parking, and shared parking with neighbors by agreement. Applicant proposes that 60 spaces are sufficient to support the use, based on the parking analysis and Alternative Parking Plan attached as Exhibit 1. Therefore the applicant proposes an amendment to the Conditional Use Permit specifying that 60 spaces are required for the use, to be provided as follows:

On-site parking:	27 spaces
Street parking:	21 spaces (N. 3rd & Glenwood)
Shared parking by agreement:	12 spaces
TOTAL:	60 spaces

Applicant has secured a commitment from the following for shared parking:

E and E Enterprises 22 LLC 340 North Avenue	12 spaces

Shared parking agreements will be submitted.

(ii) **Hours of operation**. Hours of operation during the 2019 season were 3:00 pm to midnight Monday through Friday and 12:00 pm to midnight Saturday and Sunday. Applicant received notice from the City that the hours of operation are not in compliance with the CUP; however hours of operation were not made a condition of approval under CUP-2013-491, so the applicant disputes that they are a condition of the CUP or could be made the basis for a revocation of the CUP or other code enforcement action. However, the applicant is willing for the amended CUP to specify the hours of operation, as follows:

Monday through Friday from 3:00 p.m. to 2:00 a.m.
Saturday and Sunday from 12:00 p.m. to 2:00 a.m.

3. Land use in the surrounding area. Volleys is surrounded by commercial uses and commercially zoned properties.

4. Site access and traffic patterns. There is no change in the site access or traffic patterns that were considered in approving the existing conditional use permit.

5. Special or unusual demands on utilities. There are no special or unusual demands on utilities.

6. Effects on public facilities. There are no negative impacts on public facilities or services.

7. Hours of operation. During the outdoor volleyball season, which is approximately May through October, with occasional games in November as weather permits. Hours of operation will be from 3:00 p.m. to 2 a.m Monday through Friday and from 12:00 p.m. to 2:00 am Saturday and Sunday. Although hours of operation were not made a condition of the CUP-2013-491 approval, the general project report provided for the CUP-2013-491 application mentioned the hours of 5:30 – 10:30 p.m. daily.

8. Number of employees. There are 3 full time and 2 part time employees at Volleys.

9. Signage plans. Signage was established in accordance with that which was approved under CUP-2013-491; no change to signage is proposed.

10. Site soils and geology. There are no unusual soil or geologic conditions. No change to the site is proposed at this time.

11. Impact of project on site soils and geology. The land use does not impact site soils or geology. No change to the site is proposed at this time.

E. REVIEW CRITERIA

1. ***21.02.110(h). Substantial change in circumstances has occurred since the approval of the permit which would justify a change in the permit.***

Circumstances have changed as follows:

a. The Zoning and Development Code does not prescribe specific off-site parking for the use. No parking requirement was established with the CUP-2014-491 approval. Therefore the applicant requests that the parking requirement be established by the Director in accordance with Section §21.06.050(a)(1) of the Grand Junction Municipal Code and that the CUP be amended to establish a parking requirement of 60 spaces, to be provided as specified above.
b. Volleys received a notice from the City of Grand Junction that the parking agreements were not in a form acceptable to the City Attorney. Volleys will provide a parking agreement to be reviewed as to form by the City Attorney.
c. Volleys received a notice of violation from the City of Grand Junction regarding the hours of operation. Hours of operation were not made a condition of the approval of the CUP, and applicant therefore disputes that its conditional use permit can be revoked or terminated based on hours of operation. However, resolution of this dispute between the applicant and the City justifies a change in the permit to clarify Volleys' hours of operation, if hours of operation are determined to be a necessary condition of approval. Applicant's hours of operation are consistent with Volleys' liquor license, as follows: Monday through Friday 3:00 pm to 2:00 am; Saturday and Sunday 12:00 p.m. to 2:00 a.m. during the outdoor volleyball season, which is approximately from May through October. If hours of operation are a required condition of approval for the CUP, applicant requests those hours be specified.

2. **21.02.110(c). Underlying zoning district standards.**

21.03.070(e) C-2: General Commercial.

(1) Purpose. To provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited outdoor operations.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards. Outdoor storage and display areas are not allowed within the front yard setback. Permanent and portable display of retail merchandise is permitted.

***Bulk standards*:**

Lot area: 20,000 s.f.
Lot width: 50ft
Frontage: n/a
Front setback: 15 ft
Side setback: 0
Rear setback: 10 ft
Height: 40 ft

This criterion has been met. The site is currently zoned C-2 (General Commercial). Though most of the operations are outdoors, including the volleyball activities and the drinking and dining, no outdoor storage or display is proposed. The building meets the bulk standards of the

C-2 zone.

Use-specific standards.

This criterion is met. There are no use-specific standards that apply to either outdoor recreation or a bar. Section 21.04.040 addresses accessory uses and includes standards for fencing. Section 21.04.040(i)(1)(iv) permits fences to vary from the standards if approved on a site as part of a conditional use permit. The proposed mesh enclosure is technically defined as a fence and exceeds the maximum height of six (6) feet for a commercial property. This enclosure is necessary to provide safety for the general public and privacy for the facility and was approved with CUP-2013-491. No changes in fencing or accessory uses are proposed.

Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, businesses and commercial facilities and transportation facilities.

The site is in the heart of the Neighborhood Center identified by the Comprehensive Plan. It is located two blocks from Sherwood Park and Grand Junction High School and a little over one-half mile to Colorado Mesa University. The close proximity of North Avenue provides access to transit options, hospitals and fire protection, along with complimentary retail and entertainment businesses. This criterion is met.

Compatibility with and protection of neighboring properties through measures such as:

> ***Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers, and/or vegetations shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.***
>
> The mesh fabric net that was approved with CUP-2013-491 remains in place and screens of the facility (and volleyballs) adequately from neighboring properties. The cinder block building screens the at the southern border of the site as well as the back of another building on the site that is not used by Volleys. A storage building located on 304 North Avenue blocks the view of the facility from N. 3rd Street, except through the parking lot. The entrance to the facility is through a gate accessible through this parking lot; this limited entrance allows for control of patrons and alcoholic beverages. No change in the screening and other privacy measures is proposed, so this criterion is still met.
>
> ***Protection of use and enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property***
>
> This criterion is met. The site is largely hidden from the public and is adjacent to the back or service entrances of the adjoining businesses, as described above. Most of

Volleys' activity takes place on weekday evenings and weekends when the majority of adjacent businesses were closed, with some youth and training camps held during the day in the summer (when schools are out). Neighboring businesses have agreed to share parking during off-peak hours. Applicant has reviewed the parking needs of the use at the busiest times (Friday night league play), and found that 60 spaces are sufficient for peak activity. The 60 needed parking spaces will be provided through a mix of exclusive on-site (22 spaces), available street parking (29 spaces on N. 3rd and on the south side of Glenwood Ave at the intersection of N. 3rd – see Exhibit 2), and shared parking (38 spaces). The applicant has a commitment from The Salvation Army for the use of its parking lot located at 1155 N. 4th, which can accommodate 38 vehicles, during Volleys' peak times, which are after-hours for the businesses located there (a food bank and a warehouse). This makes a total of 89 spaces available during Volleys' peak times, and 51 spaces available during non-peak hours when all courts are not typically being used.

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

The site is largely hidden from the public and is adjacent to the back or service entrances of the adjoining businesses. In addition, the busiest times for Volleys are during off-peak hours when the surrounding businesses are closed. There are four (4) sand volleyball courts, confined and screened by the "net" discussed above, and other buildings on site provide additional screening. This criterion was met with CUP-2013-491, and no changes to the site are proposed, so this criterion continues to be met.

Conditions of prior approvals.

The CUP-2013-491 had the following conditions of approval:

Landowner shall dedicate public right of way for that portion of the existing alley adjacent to the site. This condition has been met.

Execution of a power of attorney for future alley improvements shall be recorded prior to July 11, 2014. This condition has been met.

Parking agreement, lease or easement shall be provided as described in Staff Report in a form acceptable to the City Attorney prior to establishment of the use on the site. The applicant requests an amendment to the CUP specifying the number of parking spaces required for applicant's use. (The parking requirement was not clearly established with the prior approval; rather, the number of spaces designated in the Staff Report was the number that the applicant has on site plus the number that the applicant was able to negotiate use of with neighboring property owners at the time.) Applicant received notice from the City that parking agreements were not in

a form acceptable to the City Attorney. Applicant has submitted a parking agreement to the City Attorney's office for review as to form.

While the shared parking agreement is terminable by the property owner, notice is required to the City of Grand Junction 90 days prior to termination. This will give the applicant time to acquire other shared parking and the City will be timely informed. In addition, while the parking agreement is for a term of only five years, the applicant plans to demolish two of three sides of the U-shaped metal building on applicant's site and convert that space into parking for Volleys. This is likely to occur within the next 24 months, and would give Volleys enough parking, counting all the on-site and available street parking, to meet a 60-space requirement, in which event the shared parking would no longer be needed.

F. DEVELOPMENT SCHEDULE OR PHASING

This criterion is not applicable. There is no further development of the site planned or proposed.

G. SITE SKETCH

The site configuration approved under CUP-2013-491 on February 12, 2014 has not undergone any changes and none are proposed with this application.

All applicable site plan review criteria in Section 21.02.070(g) of the Grand Junction Zoning and Development Code and conformance with the SSID, TEDS and SWMM Manuals.

This criterion continues to be met; no changes are proposed to the site. The site is classified as nonconforming because it does not meet current landscaping requirements. However, no increase in gross building square footage is proposed, so no site upgrades are required according to Section 21.08.040 of the Zoning and Development Code. The site was approved in 2014 and no changes to the site plan are needed or proposed with this request to amend the CUP regarding parking and hours of operation.

The site abuts the east/west alley between N. 3rd and N. 4th Street. Applicant dedicated right of way for the abutting portion of the alley and executed a Power of Attorney for future alley improvements with the approval of the CUP in 2014.

The proposal was evaluated by a City Development Engineer and found to meet the requirements of the SSID, TEDS and the **SWMM** manuals.

Contingent partial demolition of metal building. The applicant plans to demolish two of three sides of the U-shaped metal building on applicant's site and convert that space into parking for Volleys. This is likely to occur within the next 24 months, and would give Volleys enough parking, counting all the on-site and available street parking, to meet a 60-space requirement, in which event the shared parking would no longer be needed. Applicant requests that the Amended Conditional Use Permit allow for (but not require) such demolition in the future.

EXHIBIT 1

PARKING ANALYSIS AND ALTERNATIVE PARKING PLAN

21.06.050 Off-street parking, loading and bicycle storage.

(a) ***Off-Street Parking Standards.***

(1) Uses Not Identified. The Director shall determine the parking requirement for a use which is not listed in subsection (c) of this section. The applicant shall provide adequate information so that the Director can make such decision by including:

(i) Type of uses; **Outdoor recreation – 4 sand volleyball courts – and bar**

(ii) Number of employees; **3 FT, 2 PT**

(iii) Building design capacity; **960 Square Feet**

(iv) Square feet of sales area, service area, etc.;

- 4 volleyball courts totaling approximately 10,000 s.f.,
- 8 picnic tables and 7 small patio tables over approximately 3500 s.f. of area for outdoor seating for the kitchen and bar services (dining/bar is accessory to the volleyball use)

(v) On-site parking spaces **22 onsite parking spaces**

(vi) Proposed off-site parking spaces;

17 on-street parking spaces (Exhibit 2)

21 shared parking spaces with neighbors

Volleys currently has the following shared parking agreement commitments:

38 spaces at 1155 N. 4th

15 spaces at 340 North Avenue

(vii) Hours of operation. **3:00 p.m. to 2:00 a.m. Monday through Friday; 12:00 p.m. to 2:00 a.m. Saturday and Sunday**

(2) Multiple Uses. If there are accessory or multiple uses within one or more structures, these standards shall apply to each use and structure, resulting in a total parking requirement for the complex or property except as provided in subsection (e) of this section (Alternative Parking Plan).

(3) General.

(i) Each parking space must be accessible independently of others. **YES**

(ii) All square feet is gross floor area unless otherwise indicated. **YES**

(iii) Spaces for seats or persons is designed capacity. **YES**

(iv) A minimum of three spaces required for all uses requiring bicycle spaces.

(v) ADA requirements are listed in GJMC 21.06.090(b).

(c) ***Off-Street Required Parking.*** *The table below shows the number of parking spaces required for the uses indicated. The number of spaces required may be modified through the alternative parking plan described.*

Recreation and Entertainment, Outdoor	*Driving Range*	*1 per 20 feet of driving area*
	Miniature Golf	*2 per hole*
	All Other Outdoor Recreation	*As determined by Director*

A parking standard for the use by Volleys is not provided in the parking table or elsewhere in the Code. Therefore pursuant to GJMC §21.06.050(a)(1) and (c), the Director shall determine the required parking based on the criteria described therein.

The parking requirement for the use that most closely resembles this use is that for a health or fitness center, which requires parking at a ratio of 1 per 500 s.f., That ratio results in a parking requirement of 30 spaces. The parking requirement for the accessory use of bar/kitchen services is 10 parking spaces (making a total of 40 spaces, if based on the most similar uses).

Volleys differs from a health or fitness center, however, in that Volleys outdoor recreation is based on use by teams rather than individuals. At Volley's busiest time, which is Friday night, there are 8 teams of 6 players each on the four sand volleyball courts (48 players). There is some overlap as team members arrive and other team members depart; however team members often ride together.

The bar/food is an accessory use to the volleyball activities and is used primarily by players and volleyball patrons. Volleys is not advertised as a bar or restaurant and typically is used by the volleyball players and league participants, so there is little, if any, general public use of the bar/food service. There are generally very few, if any, spectators.

The applicant did a parking count during its busiest summer league week in 2019 and the highest number of parking spaces used at any given time, including those for employees, was 60. Based on that analysis, applicant requests the Director to approve and establish a parking requirement of 60 spaces for Volleys, and to approve an alternative parking plan for Volleys in accordance with Exhibit 1.

21.06.050 (e) ***Alternative Parking Plan.*** *Unless an alternative parking plan is approved at the time of site plan approval, the parking ratios above shall apply.*

(1) Applicant-Submitted Parking Data. The required parking ratios may be modified where applicant-submitted parking data illustrates that required parking ratios do not accurately apply to a specific development. The data submitted for an alternative parking plan shall include, at a minimum, the size and type of the proposed development, the mix of uses, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads of all uses.

The applicant did a parking count during its busiest summer league week in 2019 and the highest number of parking spaces used at any given time, including those for employees, was 60.

(2) Credit for On-Street Parking. Credit may be provided by the Director for any on-street parking spaces abutting the subject property. Such spaces must not be located within a clear sight triangle. No fractional spaces shall be credited.

Applicant request credit for on-street parking including 29 spaces located on N. 3rd and on Glenwood Avenue at the intersection with N. 3rd, as shown in Exhibit 2.

(3) Off-Site Parking. Required off-street parking spaces may be permitted on a separate lot from the lot on which the principal use is located if the off-site parking complies with all of the following standards:

(i) Ineligible Activities. Off-site parking may not be used to satisfy the required parking ratios for residential uses (except for guest parking), as well as convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off site.

(ii) Location.

(A) Off-site parking spaces shall be located within 500 feet (1,000 for employee spaces) from the primary entrance of the use served along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the building or structure served by such parking lot). Off-site parking may not be separated from the use that it serves by a street right-of-way with a width of more than 80 feet unless a designated pedestrian crosswalk or walkway is provided.

(B) The off-site parking shall be located wholly within a district that allows commercial parking as principal use, except in the B-2 district.

Applicant has use of a parking lot located at 1155 N. 4th (The Salvation Army property) during its peak hours, from 5:30 p.m. through 2:00 a.m. The parking lot can accommodate

approximately 38 parked vehicles at any given time. Applicant also has use of shared parking on the lot next door at 340 North Avenue which can accommodate 15 parked vehicles at any given time.

(iii) Agreement.

(A) In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement between the record owners shall be required.

(B) An off-site parking agreement may be rescinded only if all required off-street parking spaces are provided in accordance with required ratios above.

(4) Shared Parking. Shared parking facilities may be permitted if the shared parking complies with all of the following standards:

(i) Ineligible Activities. Required parking spaces reserved for persons with disabilities may be located off-site with permission of the Director.

(ii) Location. Shared parking spaces shall be located within 500 feet of the primary entrance of all uses served along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the building, structure or use served by such parking lot) unless shuttle bus service is provided to the parking area.

(iii) Shared Parking Study. Applicants wishing to use shared parking as a means of reducing the total number of required spaces shall submit a shared parking analysis using the latest edition of Urban Land Institute's Shared Parking. The study shall be provided in a form established by the Director and made available to the public. It shall address, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.

(iv) Agreement.

(A) A shared parking plan shall be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Director on forms made available by the Director.

(B) A shared parking agreement may be rescinded only if all required off-street parking spaces are provided in accordance with an approved alternative parking plan. See subsection (e) of this section.

An agreement for off-site shared parking will be executed by and between applicant and the owner of the property located at 1155 N. 4th (the Salvation Army). An agreement for off-site shared parking will also be executed by the applicant and the tenant of the property next door at 340 North Avenue.

The applicant plans to demolish two of three sides of the U-shaped metal building on applicant's site and convert that space into parking for Volleys. This is likely to occur within the next 24 months, and would give Volleys enough parking, counting all the on-site and available street parking, to meet a 60-space requirement, in which event the shared parking would no longer be needed.

Shared Parking Agreement

This Shared Parking Agreement (Agreement) is entered into this 1st day of January, 2020 (Effective Date), by and between the following:

E and E Enterprises 22 LLC, a Colorado limited liability company, whose principal business address is 640 Silver Oak Dr., Grand Junction, Colorado 81505, and **Jevne R. Edwards**, whose address is 14633 W. Saint Moritz Lane, Surprise, Arizona, 85379, (collectively, **Property Owner 1**), and

Manchester Family Rentals, LLC, a Colorado limited liability company, whose address is 2698 Lanai Court, Grand Junction Colorado 81506 (**Property Owner 2**); and

Volleys, LLC, a Colorado limited liability company, whose address is 1130 N. 3rd Street, Grand Junction, Colorado 81501 (**Tenant 2**),

collectively referred to as the Parties.

RECITALS:

A. Property Owner 1 is the owner of the real property situated in the City of Grand Junction, County of Mesa, Colorado described in the attached Exhibit A, as evidenced by that certain Special Warranty Deed recorded under Reception No. 2676903 (in Mesa County official records), and addressed as 340 North Avenue, Grand Junction, Colorado 81501, Assessor's Parcel No.2945-113-19-007 (Property 1).

B. Property 1 includes a parking lot consisting of space for approximately 15 parked vehicles. The businesses conducted on Property 1 are primarily conducted during regular daytime business hours (with a closing time of 5:00 pm).

C. Property Owner 2 is the owner of that real property situated in the City of Grand Junction, County of Mesa, Colorado described in the attached Exhibit B, as evidenced by that certain Warranty Deed recorded under Reception No. 2751064 (Mesa County), and addressed as 304 North Avenue, and known by Mesa County Assessor's Parcel No. 2945-113-19-001, and that real property described in Exhibit C, as evidenced by that certain Warranty Deed recorded under Reception No. 2751063 (Mesa County), and addressed as 330 North Avenue, and known by Mesa County Assessor's Parcel No. 2945-113-19-002 (together, Property 2).

D. Property 2 is directly next door to Property 1 and shares a boundary with Property 1.

E. Tenant 2 is leasing Property 2 from Property Owner 2 for use as a seasonal outdoor team volleyball recreation facility ("Volleys"). The season runs from approximately April 1 through October 31, with possible use in November as weather permits. Volleys' facilities consist of four outdoor sand volleyball courts and a bar. The volleyball courts are used primarily for league play but during the summer may be

used for volleyball camp activities for students. The bar is available to the volleyball patrons of Volleys but not open to the general public.

F. Volleys' overall hours of operation are from noon to 2:00 am daily, with the busiest times from 5:00 to 10:30 pm. During those times the on-site and street parking available to Volleys may be insufficient for Volleys' patrons, and therefore the City of Grand Junction requires that Volleys acquire rights for additional parking.

G. The Parties agree that Volleys brings activity and vibrancy to the commercial neighborhood during the off-hours, which benefits all the Parties, and that there is mutual benefit to each Party to this Agreement of the rights and obligations granted and imposed hereby.

THEREFORE, in consideration of the covenants and mutual promises contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. **License**. Property Owner 1 hereby grants a non-exclusive license to Property Owner 2 and to and for the use and benefit of Tenant 2 and its employees, agents and business invitees (hereinafter referred to collectively as "Volleys") to use the parking lot on Property 1 between the hours of 5:00 pm and 2:00 am (the "Parking Facilities"). This license shall run with the land and be binding upon the heirs and assigns of the Property Owners and their tenants until cancelled or terminated pursuant to the terms hereof.

2. **Consent**. Property Owner 1 represents that its tenants do not object to this grant of license for shared parking.

3. **Term.** The term of this license is five years. The license is renewable thereafter upon agreement of the parties for any additional term, which can be less than one year. In any renewal period, the license can be terminated by Property Owner 1 upon 30 days' notice to Property Owner 2, Tenant 2 and the City of Grand Junction Community Development Department.

4. **Use of Facilities**. Property Owner 2 and Tenant 2 and the business invitees thereof are hereby granted a license to use the Parking Facilities seven days a week between the hours of 5:00 p.m. and 2:00 a.m. Property Owner 1 may also grant Tenant 2 license to use the Parking Facilities on other days and at other times in its sole discretion (Extra Use). Tenant 2 will seek permission from Property Owner at least ten days in advance of such Extra Use. Permission for Extra Use shall not affect the other terms of this Agreement / License.

5. **Maintenance**. Tenant 2 agrees to share maintenance costs and responsibilities with Property Owner 1 based upon a reasonable percentage of use, including relative number of vehicles and amount of time. Property Owner 1 shall document maintenance expenses to the satisfaction of Tenant 2 and provide advance notice of not less than 10 days of maintenance activities for which it expects participation, partial cost reimbursement or cost sharing. Maintenance activities can include, but are not necessarily limited to, lot sweeping, line painting

and asphalt repair. Tenant 2 agrees to be responsible for any damage to the Parking Facilities above normal wear and tear caused by patrons of Tenant 2 of the Parking Facilities.

6. **Termination**. The license may be terminated by Property Owner 1 if a change of use on the premises leased by Tenant 2 (Volleys) substantially increases the burdens on the Parking Facilities or unreasonably interferes with the business of Property Owner 1's tenants, provided that 90 days written notice is given of such termination to Property Owner 2, Tenant 2, and the City of Grand Junction Community Development Department.

7. **Utilities and Taxes**. Each Property Owners and Tenant shall not be responsible for payment of any taxes or utilities related to the property of the other.

8. **Signage**. Volleys will be responsible for parking signage, if any is needed on the Property, to designate parking areas available or restricted to Volleys.

9. **Enforcement**. Property Owner 1 and Tenant 2 reserve the right to tow, at owner's expense, vehicles improperly parked or abandoned, subject to approval by both Parties. Any Party may conduct surveillance of the Parking Facilities for safety purposes if it is deemed necessary in the discretion of any Party, subject to the consent of Property Owner 1.

10. **Cooperation**. The Parties agree to cooperate to the best of their abilities to mutually use the Parking Facilities without disrupting the lawful business and land use activities of the other parties. The Parties agree to meet on occasion in good faith to work out any problems that may arise due to the shared use.

11. **Insurance**. At their own expense, the Parties agree to maintain liability insurance for their respective properties and business activities as is standard for their own business usage.

12. **Waiver of Liability**. No party hereto will be held responsible for any damage to vehicles of the patrons using the Parking Facilities including without limitation as a result of break-ins, vandalism, stolen items, broken or damaged property, or conditions upon Property 1. Each party will assist in any investigation into such circumstances that relate to their own customer's property, if any such problem may occur.

13. **Removal of Signage**. Upon termination of this Agreement, Tenant 2 agrees to remove any signage on Property 1 or designating parking for its patrons on Property 1.

14. **Recording**. The Parties agree that this Agreement may be recorded in the real estate records of the Mesa County Clerk and Recorder.

By signing below the Parties execute this Agreement as of the Effective Date.

PROPERTY OWNERS:

Jevne R. Edwards

STATE OF Arizona)
) ss.
COUNTY OF Maricopa)

Subscribed and sworn to before me this 3 day of January, 2020, by Jevne R. Edwards.

Witness my hand and official seal.

My commission expires: 7.20.23

Notary Public

Corey Rhea
Notary Public
Maricopa County, Arizona
My Comm. Expires 07-20-2023
Commission No. 571164

E AND E ENTERPRISES 22, LLC

Lee Emmerton, Member

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

Subscribed and sworn to before me this 15th day of January, 2020, by Lee Emmerton as member of E and E Enterprises 22, LLC.

Witness my hand and official seal.

My commission expires: 01-25-2020

JACOB MADSEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20164002955
My Commission Expires 01-25-2020

Notary Public

MANCHESTER FAMILY RENTALS, LLC, a Colorado limited liability company

Larry Manchester, Member

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

Subscribed and sworn to before me this ____ day of _____, 20____, by Larry Manchester as member of Manchester Family Rentals, LLC.

Witness my hand and official seal.

My commission expires: _____

_____
Notary Public

TENANTS:

Volleys, LLC:

_____
David Allen Herek, as member of Volleys, LLC

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

Subscribed and sworn to before me this ____ day of _____, 20___, by David Allen Herek as Member of Volleys, LLC.

Witness my hand and official seal.

My commission expires: _____

_____
Notary Public

EXHIBIT "A"

To Shared Parking Agreement

Legal Description of Property on Which Shared Parking is Situated

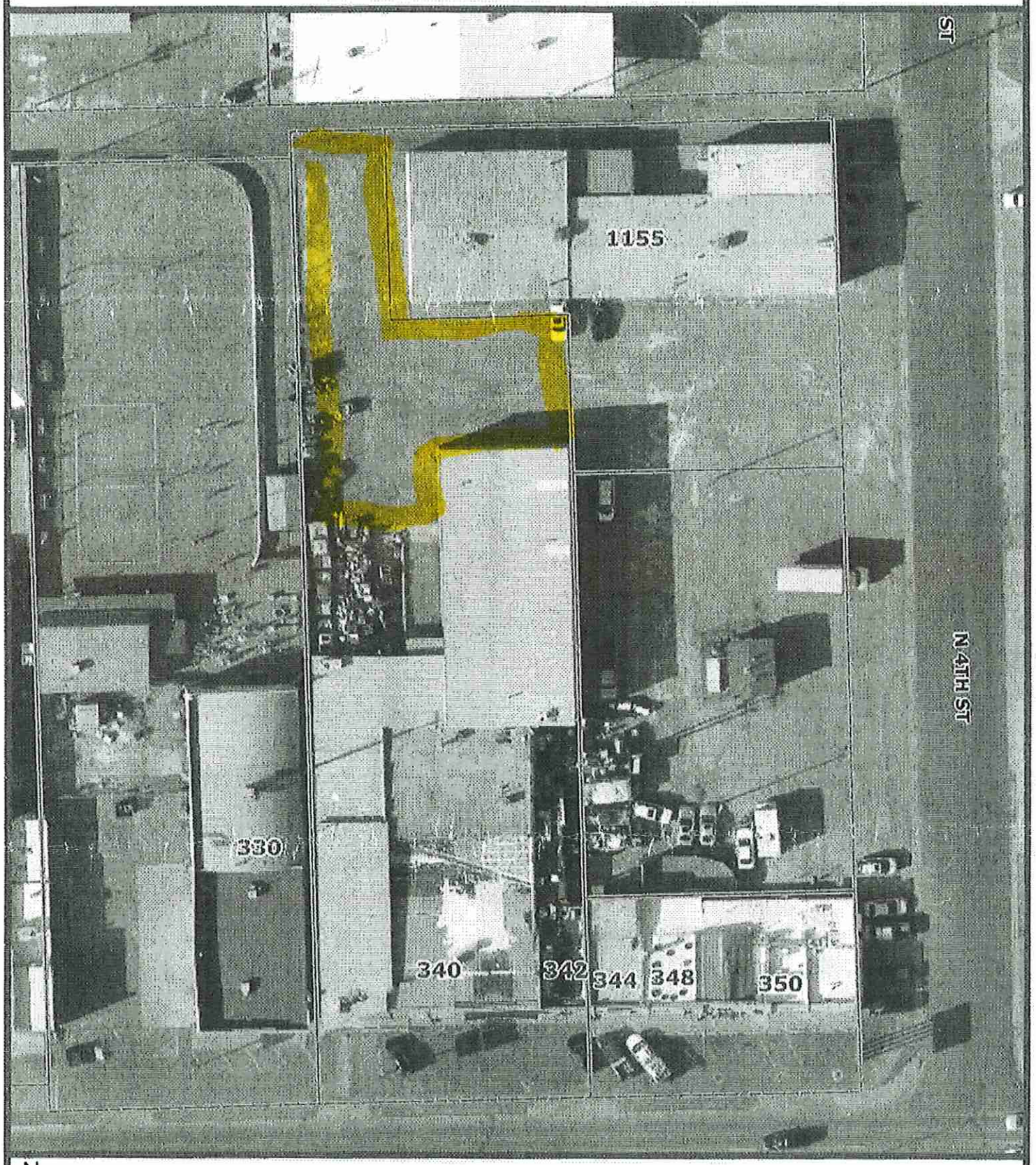
LOT 3 IN BLOCK 5 OF SHAFROTH-ROGERS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN PLAT OBOK NO. 6 AT PAGE 2 AT RECEPTION NO. 338683, OFFICIAL RECORDS OF MESA COUNTY, COLORADO; EXCEPT THE NORTH 70 FEET OF THE EAST 65 FEET THEREOF AS CONVEYED IN DEED RECORDED DECEMBER 30, 1971 IN BOOK 970 AT PAGE 65; AND EXCEPT THE SOUTH 10 FEET THEREOF AS CONVEYED TO THE CITY OF GRAND JUNCTION, A MUNICIPAL CORPRATOIN, IN DEED RECORDED JUNE 9, 1978 IN BOOK 1152 AT PAGE 868, COUNTY OF MESA, STATE OF COLORADO

EXHIBIT "B"

To Shared Parking Agreement

DEPICTION OF PARKING SPACES TO BE SHARED

340 NORTH AVE SHARED PARKING



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Printed: 12/16/2019

1 inch equals 47 feet

Scale: 1:564

CITY OF Grand Junction COLORADO

N 4TH ST
1155
7 spaces
61.0 Feet
47.0 Feet
18.6 Feet
5 spaces
N 4TH ST

1155
30
340
342
344
348
350
N 4TH ST

SITE
Parking – 21 spaces
Parking – 27 spaces
Parking – 12 spaces
GLENWOOD AVE
NORTH AVE
E SHERWOOD DR
N 2ND ST
N 3RD ST
N 4TH ST
N 5TH ST
1344
1340
1317
1301
1306
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1305
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404
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407
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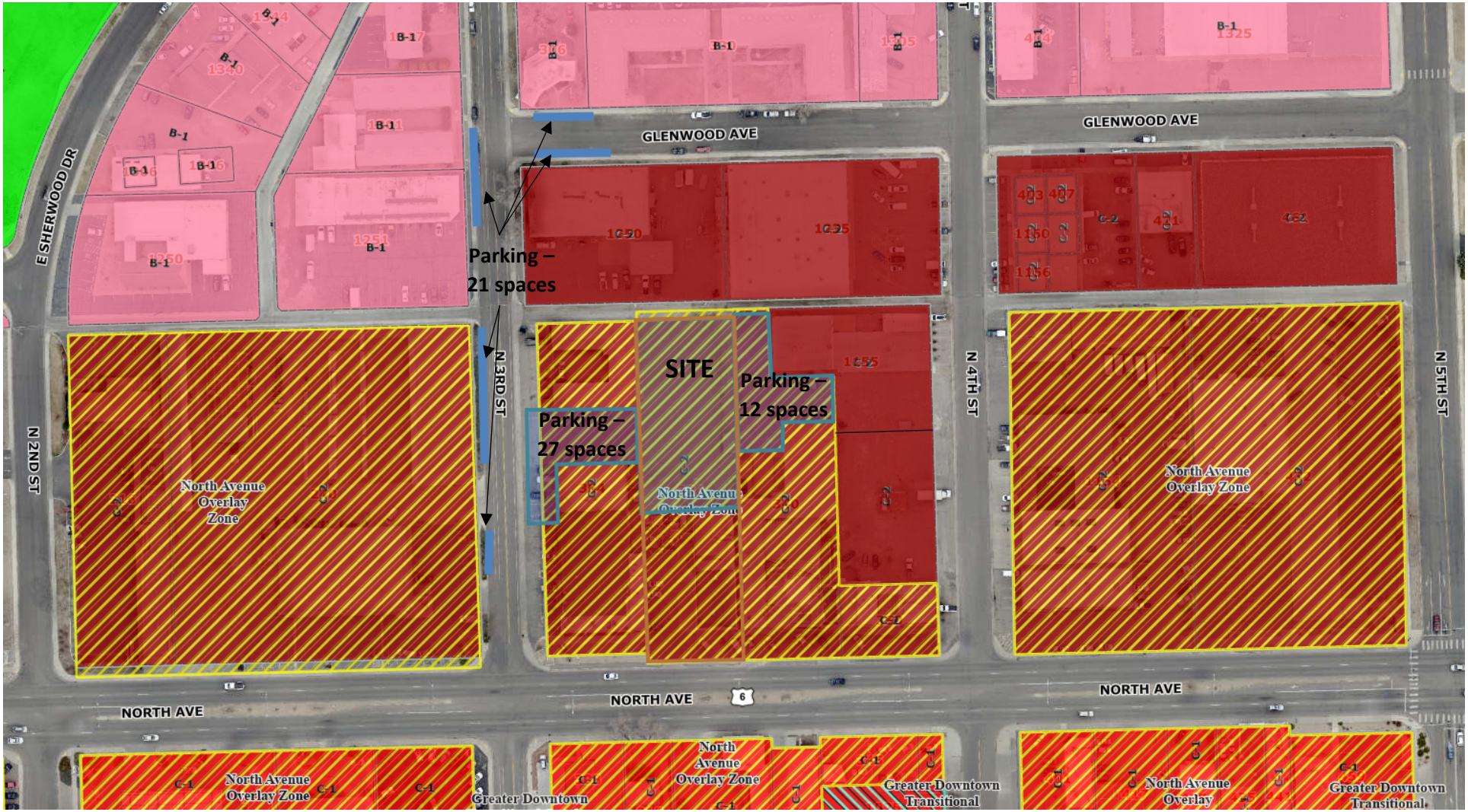
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Parking –
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12 spaces
Parking –
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North Avenue
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North Avenue
Overlay Zone
North
Avenue
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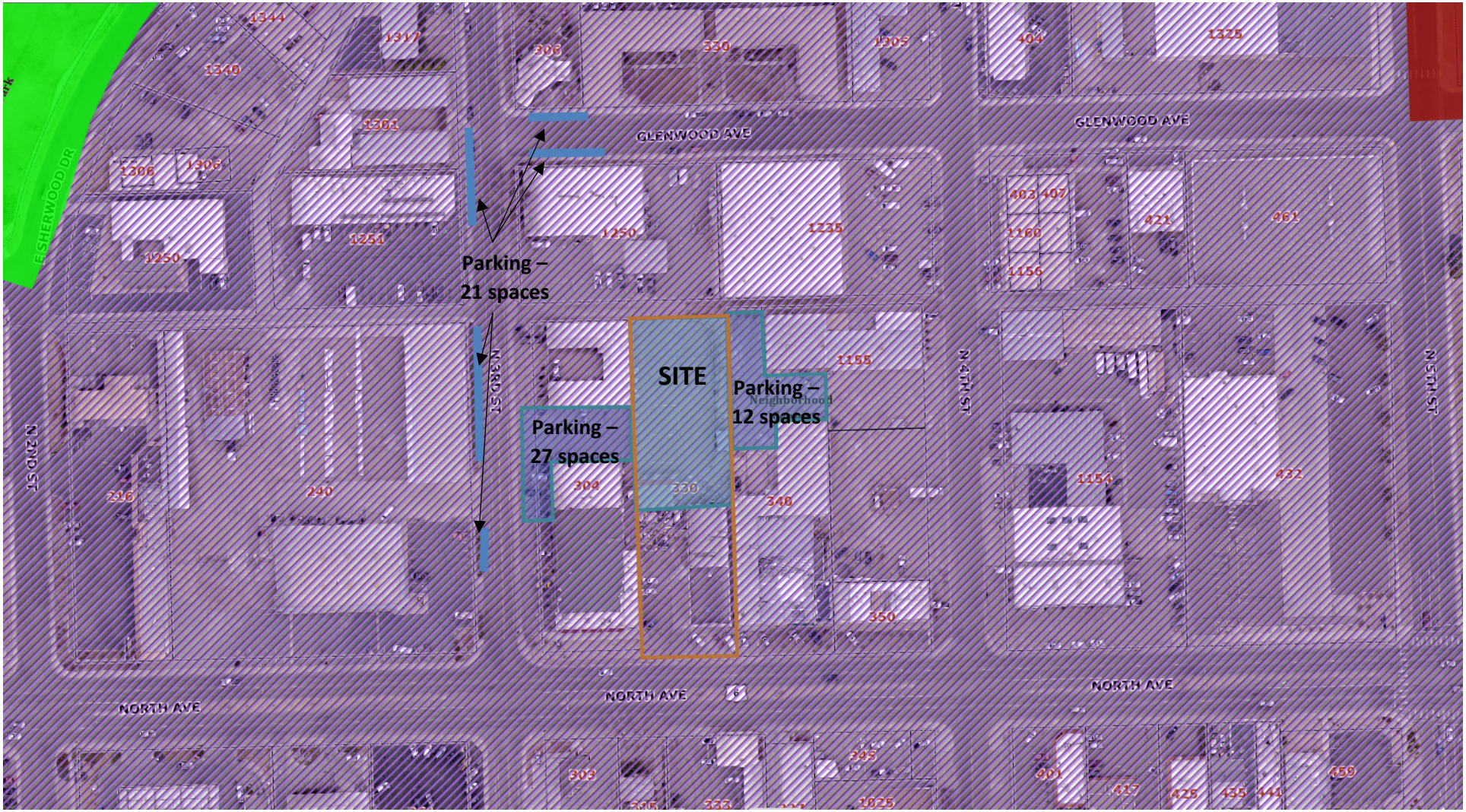
GLENWOOD AVE
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N 2ND ST
N 3RD ST
N 4TH ST
N 5TH ST
E SHERWOOD DR
SITE
Parking –
21 spaces
Parking –
27 spaces
Parking –
12 spaces

CITY OF GRAND JUNCTION PLANNING COMMISSION

MEETING DATE: February 11, 2014
PRESENTER: Brian Rusche, Senior Planner

AGENDA TOPIC: Volleys - CUP-2013-491

ACTION REQUESTED: Consider a request for a Conditional Use Permit (CUP)

BACKGROUND INFORMATION					
Location:		Portions of 304 and 330 North Avenue			
Applicants:		Paul Herek			
Existing Land Use:		Vacant outdoor rink and storage building			
Proposed Land Use:		Outdoor volleyball facility with bar			
Surrounding Land Use:	**North**	Commercial / Salvation Army			
	South	Commercial			
	East	Commercial			
	West	Commercial			
Existing Zoning:		C-2 (General Commercial) North Avenue Overlay zone			
Proposed Zoning:		C-2 (General Commercial) North Avenue Overlay zone			
Surrounding Zoning:	**North**	C-2 (General Commercial)			
	South	C-1 (Light Commercial) North Avenue Overlay zone			
	East	C-2 (General Commercial) North Avenue Overlay zone			
	West	C-2 (General Commercial) North Avenue Overlay zone			
Future Land Use Designation:		Neighborhood Center			
Zoning within intensity/density range?		X	Yes		No

PROJECT DESCRIPTION: Consider a request for a Conditional Use Permit to operate a bar in conjunction with an outdoor volleyball facility in a C-2 (General Commercial) zone district.

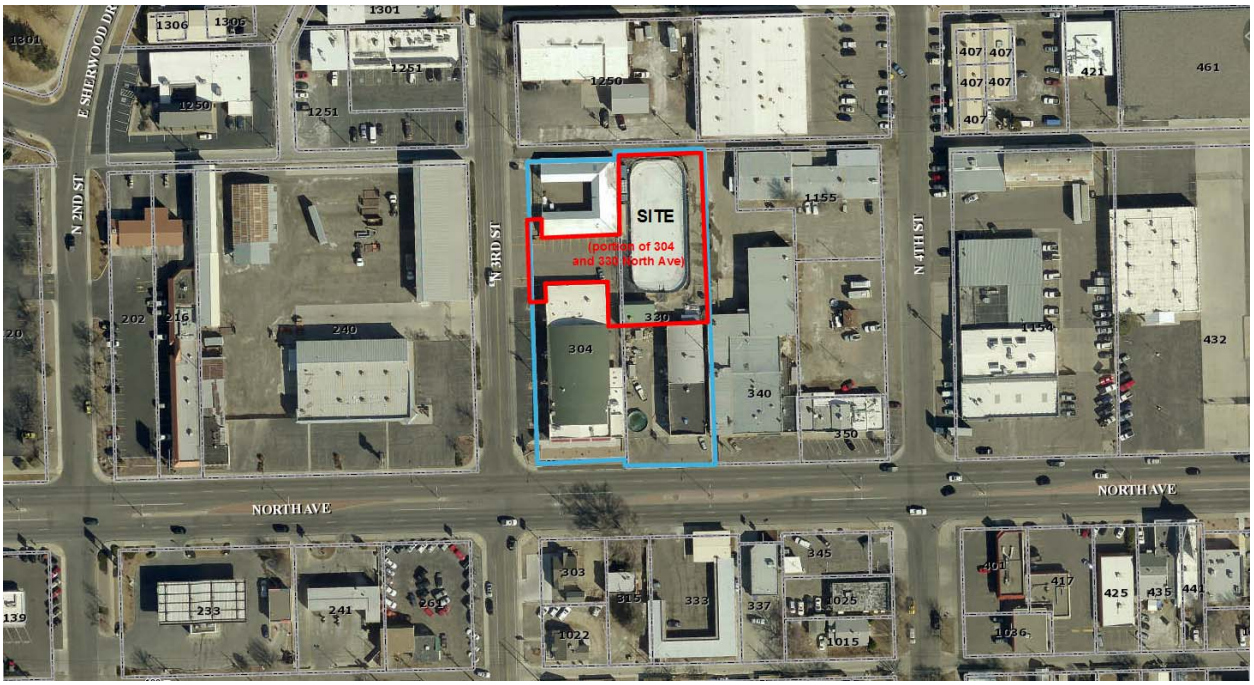
STAFF RECOMMENDATION: Approval of the Conditional Use Permit.

ANALYSIS:

Background

The property at 304 North Avenue was previously the location of the Fabricare dry cleaner, located in a building built in 1946. That building has subsequently been converted into retail space that is home to a restaurant and barber shop. The property as 330 North Avenue is home to Malibu Pool and Spa, located in a building built in 1940. Both 304 and 330 North Avenue ("subject property") are owned by Linda Manchester.

The rear portion of the property at 330 North Avenue is the location of an outdoor hard surfaced track originally constructed in 1996 for an in-line skating facility that was in use until approximately 2006. When this facility was closed, the area was used for storage until 2011 when the track was refurbished and used as an outdoor hockey/skating rink by Ice Skating Inc. for two seasons (November – March) during the closure of the Glacier Ice Arena.



The applicant is seeking approval for an outdoor volleyball facility and bar, utilizing the same track/rink area, 960 square foot concrete block building, and associated parking on 304 North Avenue, all built for the in-line skating facility in 1996 ("the site"). According to the applicant, there will be four (4) volleyball courts available for league play on weekday evenings and open play and/or tournaments on Saturday during the season, which will be March to November, weather permitting. See attached General Project Report for details.

A Conditional Use Permit (CUP) is required from the City of Grand Junction for the establishment of a "Bar" if more than 25% of the gross receipts of the business are from

alcoholic beverages within the C-2 (General Commercial) zone district. A CUP runs with the land once the use is established and remains valid until the property changes use or the use is abandoned and nonoperational for a period of 12 consecutive months.

The applicant was approved on January 15, 2014 for a liquor license (tavern), which will not be issued unless the CUP is approved.

An outdoor volleyball facility is not specifically identified as a use within the "Recreation and Entertainment, Outdoor" use category of Section 21.04.010, so a Conditional Use Permit is required for the use under the category of "All Other Outdoor Recreation."

The applicant also proposes a 20' mesh enclosure around the volleyball courts. The proposed mesh enclosure is technically defined as a fence and exceeds the maximum height of six (6) feet for a commercial property, but Section 21.04.040(i)(1)(iv) states that fences may vary from the standards if approved on a site as part of a conditional use permit.

Site Plan

The applicant is leasing the site from Linda Manchester. The site includes the former rink, a cinder block building previously used for storage and/or concessions, a parking lot accessible from N. 3rd Street and additional parking along the side of the building(s) on 304 North Avenue. See Site Plan below. No portion of the other buildings will be used in conjunction with this use.

The rink will be converted into four (4) sand volleyball courts. The existing poles around the rink, installed during the second season of the ice rink, will be used to hang a mesh fabric 20 feet above grade in order to provide a "net" for volleyballs as well as to provide privacy for the facility.

While the project report indicates that it will be black mesh, the applicant is considering a translucent earth-tone fabric instead.

The cinder block building will be converted into a commercial kitchen and bar with a service counter and restrooms. A new pergola and other shade structures are proposed adjacent to the bar. Patio seating will be available along the outside of the volleyball courts. The entrance to the facility will be through a gate accessible through the N. 3rd Street parking lot; this limited entrance will allow for control of patrons and alcoholic beverages, though two other gates will remain for emergency exit(s).

Parking

There is no specific parking standard required by the Zoning Code for this type of outdoor recreational use, because it is geared primarily for teams/leagues and the bar is for the benefit of the participants and/or spectators as opposed to the general public. Section 21.06.050(c) provides that All Other Outdoor Recreation parking is determined by the Director.

The four volleyball courts could accommodate up to 48 players (6 per team x 8 teams) at one time. There may be some overlap as one league finishes and another begins. The bar is used by the patrons of the facility and is only 960 square feet, which would require 10 parking spaces. The entire facility, if it were indoors, would be classified as a health or fitness center, with parking at a ratio of 1 per 500 square feet, which would equate to 30 spaces.

The parking lot included in the lease (which is also part of the site) has 15 spaces. There are 7 off-street spaces on the east side of N. 3rd Street adjacent to the buildings at 304 North Avenue for exclusive use of this facility, according to the leas (also included in the site). There are 10 on-street spaces on the west side of N. 3rd Street. The former Harbert Lumber site, located across N. 3rd Street from the site, has agreed to share its parking lot with the applicant, making 34 additional parking spaces available for the volleyball patrons. The Laundromat located at 1251 N. 5th Street has also agreed

to share one row of parking, a total of 13 spaces, adjacent to the east/west alley. The City Attorney has requested that the applicant provide written leases, easements or shared parking agreements in an acceptable form and requests that the provision of such be a condition of the CUP. With the shared parking arrangements, on-site parking, and on-street parking, there will be 79 spaces available for the proposed use, based on current configurations of the parking lots.

The utilization of existing parking lots within the neighborhood by businesses with different peak hours is consistent with the concept of a neighborhood center, a goal outlined by the Comprehensive Plan and subsequent North Avenue corridor plans.

A bike rack is provided inside the facility and the applicant indicates that some of the players will be drawn from nearby schools, such as Colorado Mesa University. In addition, a bus stop is available on North Avenue west of N. 3rd Street.

Neighborhood Meeting

A Neighborhood Meeting was held on September 19, 2013. No adjacent property owners or citizens attended the meeting, only the applicant and building owner. The Grand Junction Police Department did express concerns about the operation of the facility, to which the applicant has provided a response and no further comment was received from the Police Department. The applicant was approved on January 15, 2014 for a liquor license (tavern). A summary of the neighborhood "needs and desires" survey conducted for the liquor license process is attached to this report. The Salvation Army initially expressed concern about the visibility of the facility to its alcohol rehabilitation clients. The applicant has met with the Salvation Army about their concerns and they have indicated that the screening, along with the operational aspects of the facility, have satisfied their concerns (see email attached to this report).

Sign Package

The Zoning and Development Code requires that a sign package be prepared as part of the site development plan and approved as part of a conditional use permit (GJMC Section 21.06.070(g)(5)). The applicant has provided a plan that is attached to this staff report. He proposes using the existing signage along N. 3rd Street, with only the business name changing. The total square footage is within the parameters of the sign code (GJMC Section 21.06.070).

Consistency with the Comprehensive Plan:

The site is currently zoned C-2 (General Commercial). Although the C-2 zone does not implement the Comprehensive Plan Future Land Use designation of Neighborhood Center, the proposed use is consistent with the Comprehensive Plan because a bar and "All Other Outdoor Recreation" are allowed (with a CUP) in other zones which implement the Neighborhood Center designation.

The North Avenue West Corridor Plan was adopted on November 2, 2011 as a follow up to the Comprehensive Plan. The Corridor Plan identified the subject property as part of the Sherwood Park Mixed Use District; it further recommended the two block area of N. 3rd Street between North Avenue and Sherwood Park as the neighborhood core area for the Neighborhood Center established with the Comprehensive Plan.

Subsequently, a North Avenue Overlay Zone was adopted on February 20, 2013 to implement the North Avenue Corridor Plan. This overlay includes all properties with North Avenue frontage, regardless of their size or configuration. While the subject properties are included within this overlay, the site of the Conditional Use Permit does not have frontage on, nor gain direct access (vehicular or pedestrian) to or from, North Avenue. Therefore, the North Avenue Overlay standards, such as public street dedications, improvements on North Avenue, building setbacks and façade standards, do not apply to this request.

The proposed land use furthers Goal 6 of the Comprehensive Plan: "Land use decisions will encourage preservation of existing buildings and their appropriate reuse".

The reuse of the outdoor rink, a feature unique to this property, for another recreational venture is appropriate and further supports the Comprehensive Plan.

Section 21.02.110 of the Grand Junction Municipal Code:

To obtain a Conditional Use Permit, the Applicant must demonstrate compliance with the following criteria:

(1) All applicable site plan review criteria in Section 21.02.070 (g) of the Grand Junction Zoning and Development Code and conformance with the SSID, TEDS and SWMM Manuals.

The site is classified as nonconforming because it does not meet current landscaping requirements. However, since no increase in gross building square footage is proposed, no site upgrades are required according to Section 21.08.040 of the Zoning and Development Code.

The site abuts the east/west alley between N. 3rd and N. 4th Street. Though an alley has been in use there for decades, it does not appear to have been formally dedicated for public use. The property owner has agreed to dedicate right-of-way for the abutting portion of the alley and to execute a Power of Attorney (POA) for future alley improvements as a condition of approval of the CUP.

The proposal was evaluated by a City Development Engineer and found to meet the requirements of the SSID, TEDS and the SWMM manuals.

This criterion has been met.

(2) District Standards. The underlying zoning districts standards established in Chapter 21.03 Grand Junction Zoning and Development Code;

The site is currently zoned C-2 (General Commercial). Though most of the operations will be outdoors, including the volleyball activities and the drinking and dining, no outdoor storage or display is proposed. The building meets the bulk standards of the C-2 zone.

This criterion has been met.

(3) Specific Standards. The use-specific standards established in Chapter 21.04 Grand Junction Zoning and Development Code

An outdoor volleyball facility is not specifically identified as a use within the Recreation and Entertainment, Outdoor use category of Section 21.04.010, therefore a Conditional Use Permit is required for a use identified as All Other Outdoor Recreation.

An establishment that serves both food and alcoholic beverages shall be categorized as a bar if the sale of said beverages comprises more than 25 percent of the gross receipts (Section 21.10.020 – Terms defined). A Conditional Use Permit is required for a bar, per Section 21.04.010.

There are no use-specific standards for either outdoor recreation or a bar.

Section 21.04.040 addresses accessory uses and includes standards for fencing. Specifically, Section 21.04.040(i)(1)(iv) permits fences to vary from the standards if approved on a site as part of a conditional use permit. The proposed mesh enclosure is technically defined as a fence and exceeds the maximum height of six (6) feet for a commercial property. This enclosure is necessary to provide safety for the general public and privacy for the facility and is incorporated into the conditional use permit request.

This criterion has been met.

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

The site is in the heart of the Neighborhood Center identified by the Comprehensive Plan. It is located two blocks from Sherwood Park and Grand Junction High School and a little over one-half mile to Colorado Mesa University. The close proximity of North Avenue provides access to transit options, hospitals and fire protection, along with complimentary retail and entertainment businesses.

This criterion has been met.

5. Compatibility with Adjoining Properties. Compatibility with and protection of neighboring properties through measures such as:

> *(i) Protection of Privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;*
>
> The existing poles around the rink will be used to hang a mesh fabric 20 feet above grade in order to provide a “net” for volleyballs as well as screening of the facility. While the project report indicates that it will be black mesh, the applicant is considering a translucent earth-tone fabric instead. Either of these options will provide adequate screening of the facility, though the earth-tone is preferred for compatibility.

The cinder block building forms the southern border of the site, along with the back of the Malibu Pool & Spa building. A storage building located on 304 North Avenue blocks the view of the facility from N. 3rd Street, except through the parking lot. The entrance to the facility will be through a gate accessible through this parking lot; this limited entrance will allow for control of patrons and alcoholic beverages. The northern border of the site is the existing alley. Further north and east is the Salvation Army building, which is oriented toward N. 4th Street. The Salvation Army initially expressed concern about the visibility of the facility by their clients who are involved in alcohol rehabilitation programs. The applicant has met with the Salvation Army about their concerns and they have indicated that the screening, along with the operational aspects of the facility, have satisfied their concerns.

This criterion has been met.

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

The site is largely hidden from the public and is adjacent to the back or service entrances of the adjoining businesses, as visible via aerial photo.

The previous use as an outdoor ice rink operated on roughly the same schedule proposed by the applicant, with play on weekday evenings and weekends when the majority of adjacent businesses were closed. In addition, the previous business operated for two winter seasons with no known complaints. The applicant has approached the neighboring businesses who have agreed to share parking during off-peak hours. While the applicant anticipates starting with evening league sessions, he would like to reserve the opportunity to host youth and/or training camps during the summer months (during traditional school hours). The provision of parking, as discussed earlier, is a mix of exclusive (22 spaces), available (10 on-street), and shared parking (47 spaces). Use during daytime hours when school is not in session would not, in my opinion, significantly impact the parking arrangement as the adjacent businesses will serve primarily as overflow parking.

This criterion has been met.

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

The site is largely hidden from the public and is adjacent to the back or service entrances of the adjoining businesses. The rink will be converted into four (4) sand volleyball courts and will be confined by the "net" discussed earlier. The cinder block building forms the southern border of the site, along with the back of the Malibu Pool & Spa building. A storage building located on 304 North Avenue blocks the view of the facility from N. 3rd Street, except through the parking lot. The entrance to the facility will be through a gate accessible through this parking lot; this limited entrance will allow for control of patrons and alcoholic beverages. The northern border is the existing alley.

This criterion has been met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Volleys application, CUP-2013-491 for a Conditional Use Permit, I make the following findings of fact, conclusions and conditions:

1. The requested Conditional Use Permit is consistent with the Comprehensive Plan, specifically Goal 6.

2. The review criteria in Section 21.02.110 of the Grand Junction Municipal Code have all been met.

3. The Sign Plan meets the sign requirements as specified in Section 21.02.110(d) of the Grand Junction Municipal Code.

4. The following conditions of approval are applicable to this CUP:

    a. Landowner shall dedicate public right of way for that portion of the existing alley adjacent to the site;
    b. Execution of a power of attorney for future alley improvements shall be recorded prior to July 11, 2014.
    c. Parking agreement, lease or easement shall be provided as described in this Staff Report in a form acceptable to the City Attorney prior to establishment of the use on the site.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the requested Conditional Use Permit, CUP-2013-491 with the findings, conclusions and conditions of approval listed above.

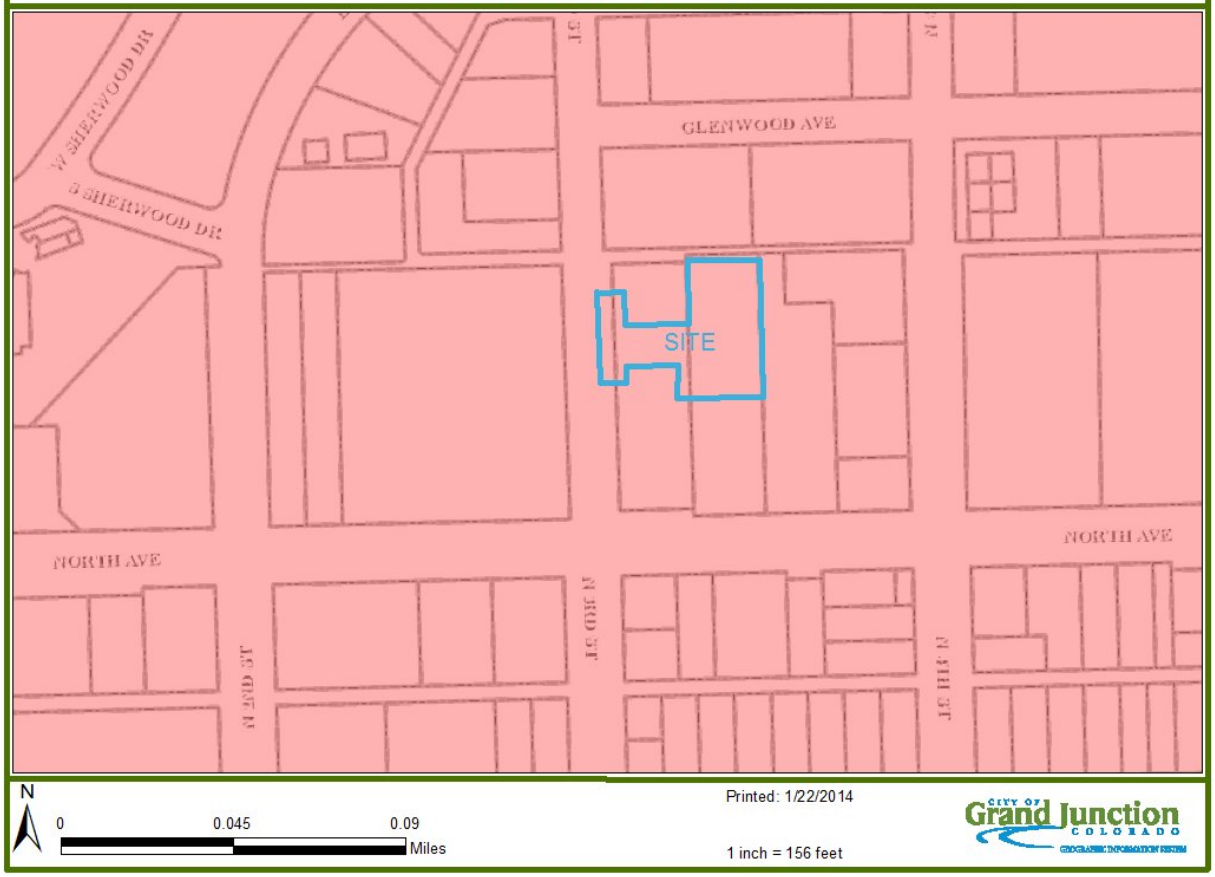
RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on the request for a Conditional Use Permit for Volleys, file number CUP-2013-491, I move that the Planning Commission approve the Conditional Use Permit with the facts, conclusions and conditions listed in the staff report.

Attachments:

Site Location Map
Aerial Photo Map
Comprehensive Plan Map
Existing City Zoning Map
General Project Report
Site Plan
Floor Plan
Sign Plan
Screening
Neighborhood Meeting summary
Letters of Support
Liquor License survey

SITE LOCATION MAP



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Printed: 1/22/2014

1 inch = 156 feet

CITY OF Grand Junction COLORADO

AERIAL PHOTO MAP

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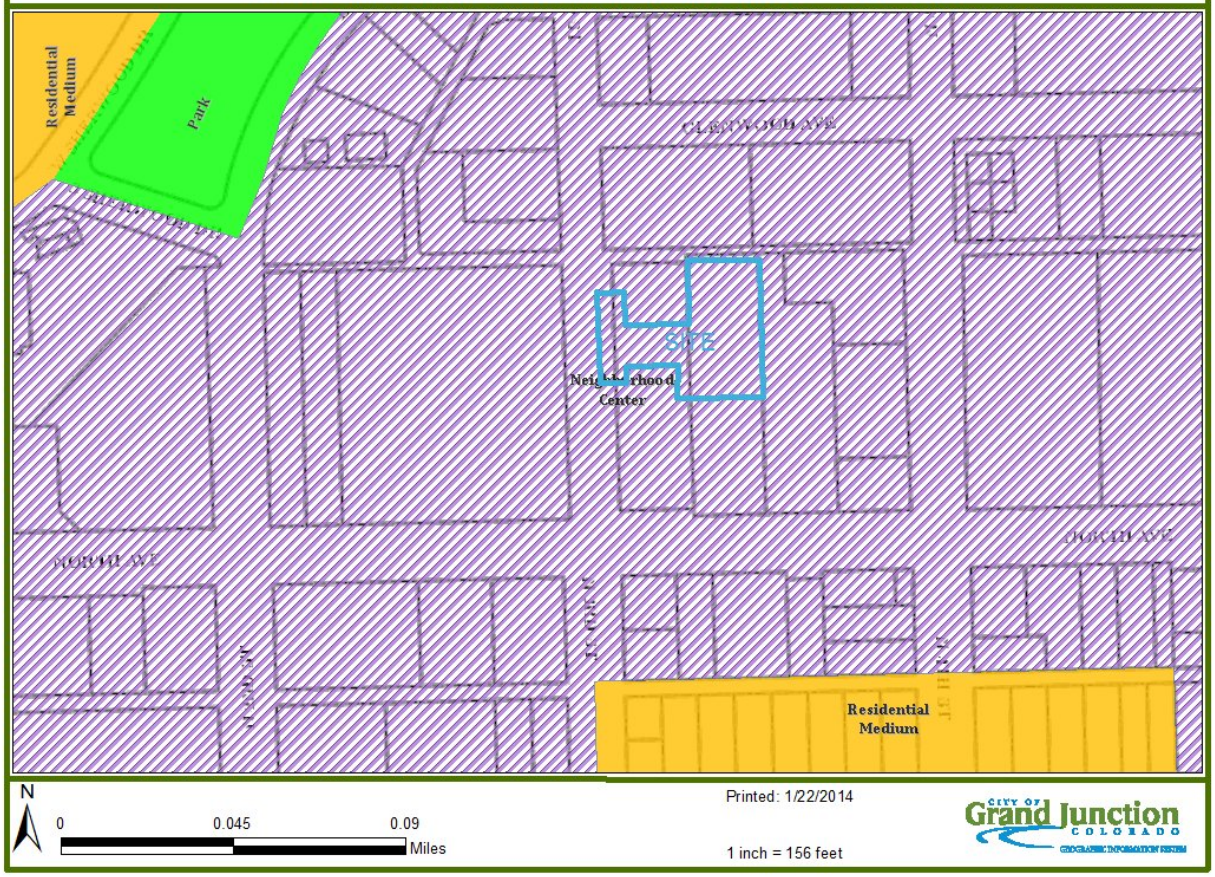
Printed: 1/22/2014

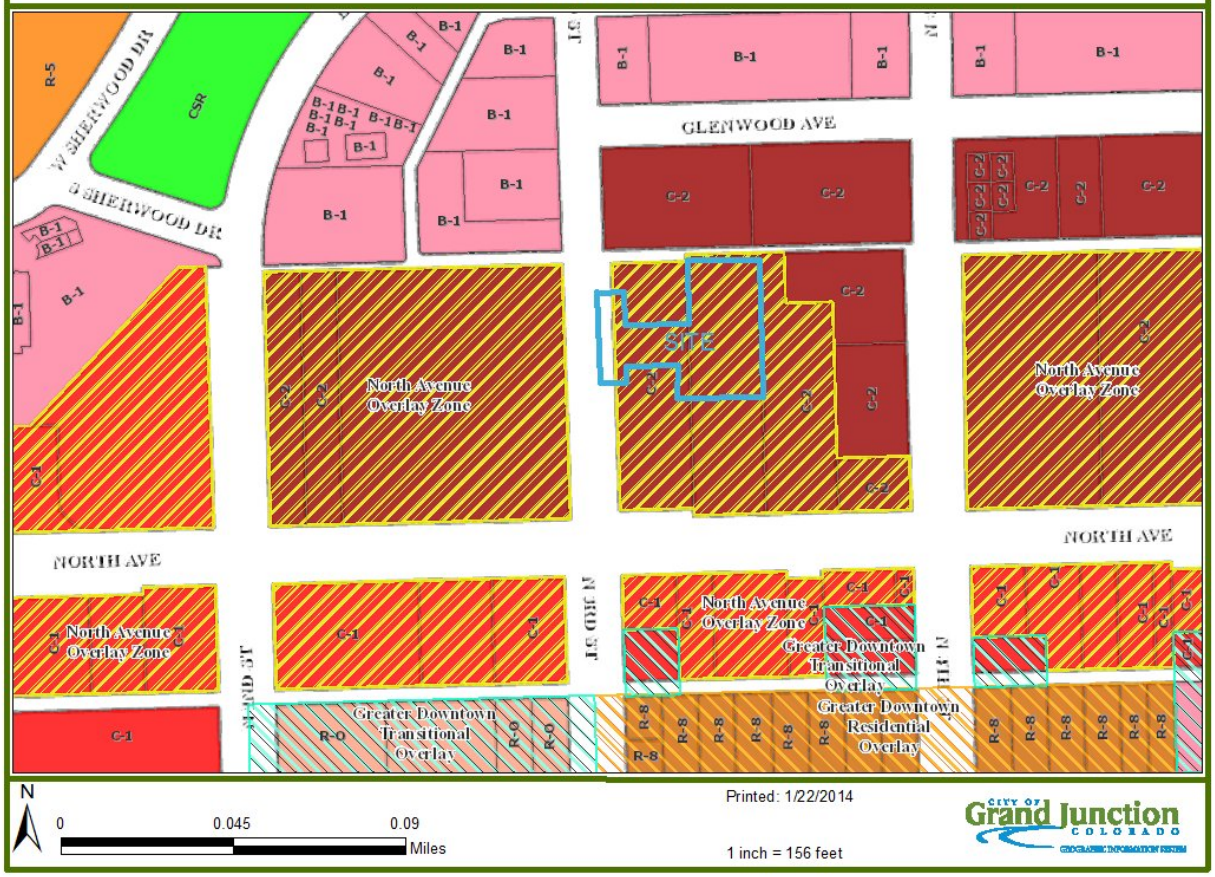
1 inch = 156 feet

City of Grand Junction Colorado

COMPREHENSIVE PLAN FUTURE LAND USE MAP



ZONING MAP



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Printed: 1/22/2014

1 inch = 156 feet

City of Grand Junction Colorado

Volleys
General Project Report

Overview of the Project:
The property being leased my David, Doria, and Paul Herek at 330 North Ave. Grand Junction, CO 81501 has been used as a seasonal outdoor Ice Skating Rink in the past. The 960 sq/ft. building on location was used as a restroom and basically a locker room, and concession stand in the past.
We propose to turn the existing location of the Ice Skating Rink into 4, outdoor sand Volleyball courts. We also propose to turn the existing building into a commercial kitchen with the ability to serve alcohol.

The way the Volleyball will be organized is as follows:
There will be 4 courts available and league play will rotate on the hour, every hour, from 5:30pm-9:30pm, Monday-Friday. We plan to be open on Saturdays for open play and occasional 1 day tournaments. As of now we plan to be closed on Sundays.
-League Play will consist of Co-Ed leagues, all Male leagues, and all Female leagues. As well as different competitive levels.
-Recreational, will be the most popular. This will be for anyone looking to just have a fun evening with friends, some good food, and some mild competition. During recreational play there will not be referees, it will be based off the honor system, teams will play a best of 3 matches, rally scoring to 25, best 2 out of 3 wins. All these rules and more will be explained to team captains in the meeting prior to the start of each league.
-Competitive play, will be for some more advanced players looking to have some fun but more concerned about winning. Rules will be more strict during competitive play and we will have experienced referees on hand.
-Must be 16 or older to participate (ID Required).
-Each team will be required to have a team captain, who will be required to attend the rules and regulations meeting that will take place before the start of each league. Team captains will also be required to fill out a waiver before each league and have the signatures of each player on their team sign it before they can begin playing.
-Leagues will be 8 week sessions.
-With 4 courts, there can be up to 48 people rotating in and out of Volleys between the hours of about 5:00-10:30. Matches generally take an hour.
-Leagues will start mid-March and could run into early November, weather permitting.

Commercial Kitchen w/ ability to serve alcohol will be as follows:
-Food and alcohol will be ready to order each night.
-ID will be required to order alcohol and everyone on the premises must be able to show ID at anytime they are asked.
-It will be a limited bar.
-There will be a 6x4 foot serving window and all food can be ordered outside of the building. Place your order and we will announce when it is ready over the PA system.
-We will be serving BBQ and BBQ side dishes (menu attached). There will be absolutely zero fried foods of any kind being made at Volleys.
-All BBQ will be cooked on a smoker on the premises but outside of the building. (All details regarding food prep, heating, cooling and storage will be explained in detail later on).

Availability of Complementary Uses
We plan to make Volleys as Community Friendly as we possibly can, we have several plans to do so.
-Since the main league play for Volleys will take place in the evenings we would like to have youth programs in the afternoons, mainly in the summer months when kids are not in school. We believe this will be a great way to keep kids active and out of trouble. We will have discounted rates for youth programs and of course alcohol will not be served during these times. With schools and parks within a few miles of Volleys we want the main focus to be on the sport at Volleys. We have actually already made some connections to some surrounding sites (Delta, Montrose, Glenwood Springs) that have trouble finding a facility to play volleyball in the summer months. Most available leagues now are only ran in the winter months when school gymnasiums are available to use.
-We also plan to help local businesses and charities as much as possible. Volleys will be a great place to host fundraisers of any kind. As well as company 'Team Building' events. With leaving weekends open from league play, this frees up Saturdays and Sundays for companies to privately use the facility for such events as well as us to host fundraisers for local causes.

Compatibility with Adjoining Properties. Compatibility with and protection of neighboring properties through measures such as:

Protection of Privacy:

Volleys will be taking measures to respect our neighboring properties privacy, as well as our own. There will be a 20 foot, black mesh fence hung around the outside of the property. This will serve multiple purposes.

-Will help keep volleyballs inside the facility.
-This will help keep noise and lighting contained.
-Will serve as a privacy fence as well.

Another benefit that we have with the location of Volleys is that we do not have residential neighbors on any side of the property. All of our neighbors are local businesses, that, for the most part, are closed during our open hours.

-North: Best Tops Counter Tops. They close at 4:30pm
-East: Salvation Army, closed at 6:00pm
Quality Meats, closed at 5:30pm
-South: Malibu Pool & Spa, closed at 4:00pm
Fellas Barber Shop, closed at 6:00pm
Polla Asado Mexican Restaurant 8:00pm
-West: Harbert Lumber Co. (this establishment is closed)

There are also a number of unoccupied establishments in a close area around Volleys, leading me to believe that noise, lighting and anything else will not be an issue especially with the measures we will be taking to protect everyones privacy.

Protection of Use and Enjoyment:

With the information I have listed above, I do not see there being an issue with Volleys having a negative impact on any of our neighboring businesses. If anything I see there being a positive impact on neighboring businesses. I have spoken to a few business owners in the area and they are excited for us to be coming in. There will be more exposure to our neighbors and our high traffic times will not affect their higher traffic times. We actually hope to use our neighbor, Quality Meats & Co., to supply the meat we serve at Volleys. Also, the Laundry Mat/Dry Cleaner Owner has agreed to share her parking lot with our overflow parking (which I will address later in this proposal) she is also excited to have another place to grab some food in the area. All in all I do not see Volleys having a negative impact on the area what so ever, and there are several upsides to having Volley in this location.

Compatible Design and Integration:

As I mentioned earlier, we will be taking action to protect our neighbors privacy in every way. The actions we plan to take are as follows:

-We will not be adding any structures or buildings to the property. We will simply be remodeling the existing structure on the property.
-We will not be adding any paving to the area as there is currently a parking lot and infrastructure from the properties previous use as a Hockey Arena.
-We will be adding some landscaping to the area where there are currently some planting beds. We will also be maintaining the area by pulling weeds, keeping the outside area free of littering and keeping our parking lot safe and clean.
-The two buildings on either side of our parking lot also look pretty run down. These are owned by the same property owner as Volleys. We plan to dress these areas up by painting them and helping the area not look as if it hasn't been used in years.
-We will have outdoor lights on while league play is going on at night. The black mesh tarp I mentioned earlier will extend above the lights and help keep the lighting central to Volleys so there will be very limited, if any, light pollution.
-The black mesh tarp will also help to keep noise pollution inside the area of Volleys.
-We plan to use the dumpsters provided and shared with neighboring businesses on site. So there should not be any additional odors due to Volleys.

Signage:

We will be replacing the old 'Ice Skating' sign with our own 'Volleys' sign not he west end of the property. We will also be placing a 'A frame' sign on the corner of 3rd and North as provided to the previous establishment. The 'A Frame' sign will be taken down at night.

As far as some additional signage, we would like to help local businesses advertise on site at Volleys and hang banner around the outside fence, inside the property. Similar to a baseball field fence. I do not see us placing any additional signage at this time.

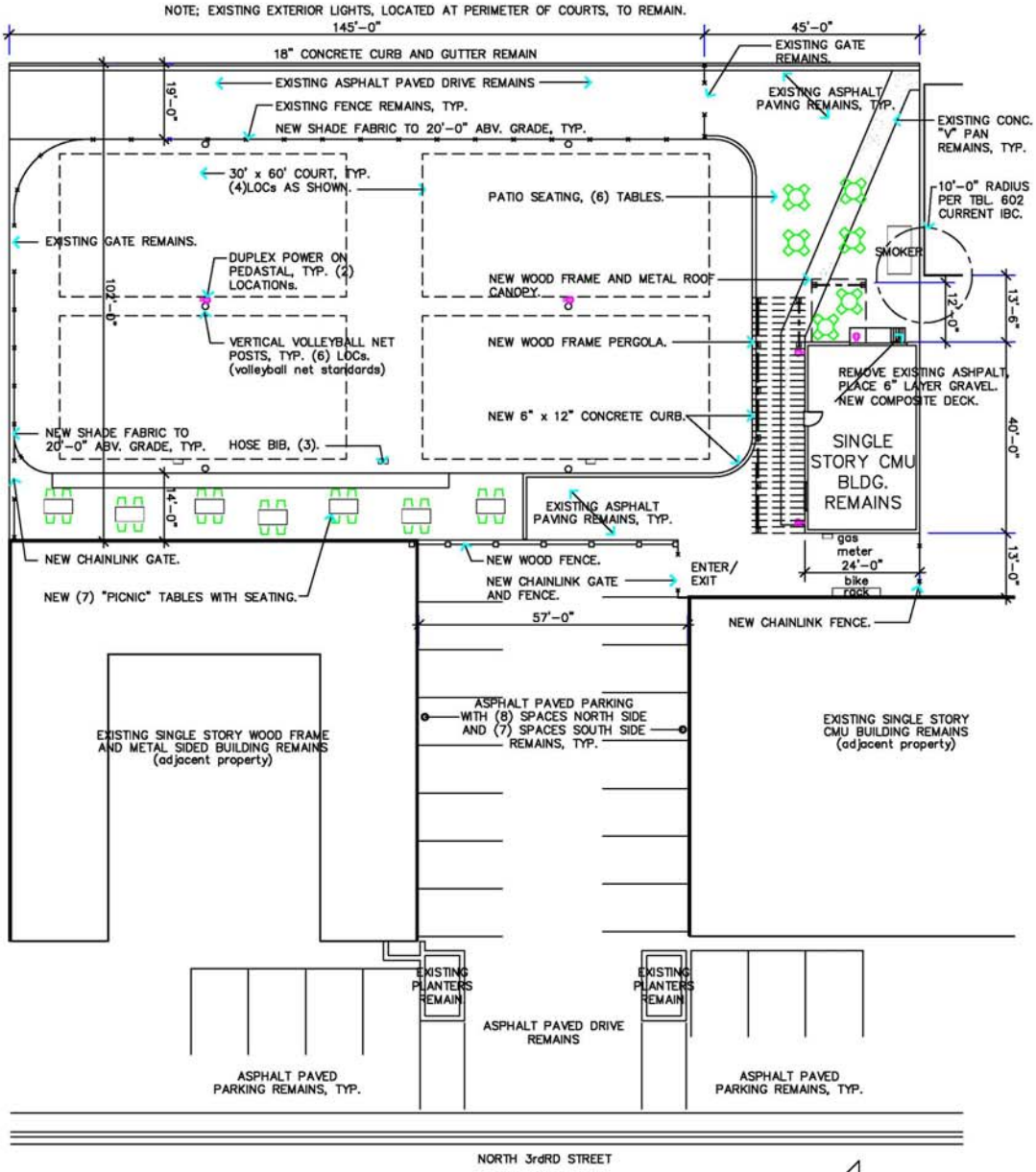
Parking:

Parking has been one of our main concerns from the beginning with this project, mainly because we don't have another business in town to compare it to. We have taken some steps to ensure that parking will not be a problem.

During a regular business day, with leagues full, we predict to have about 48 people playing and rotating each hour. Generally this will be a place that people travel together too since mostly friends/ family will be participating together. So we are estimating there to be about 30-40 cars rotating each hour, from about 5:00pm-10:00pm. During this time almost all of the businesses around us will all be closed. We have worked out an agreement with the Laundry Mat/ Dry Cleaners to the North West of Volleys (see attached agreement and Site Plan). So with the parking agreement from the Laundry Mat/ Dry Cleaners, we can account for at least 63 parking stalls. Which we predict to be almost double what we are expecting.

-12 off street parking stalls running along the East side of 3rd Street.
-Approx. 10 on street parking along the west side of 3rd Street. (Next to Herberts Lumber, which is now closed)
-15 stalls in out parking lot.
-26 available parking stalls with the Laundry Mat/Dry Cleaners shared parking.

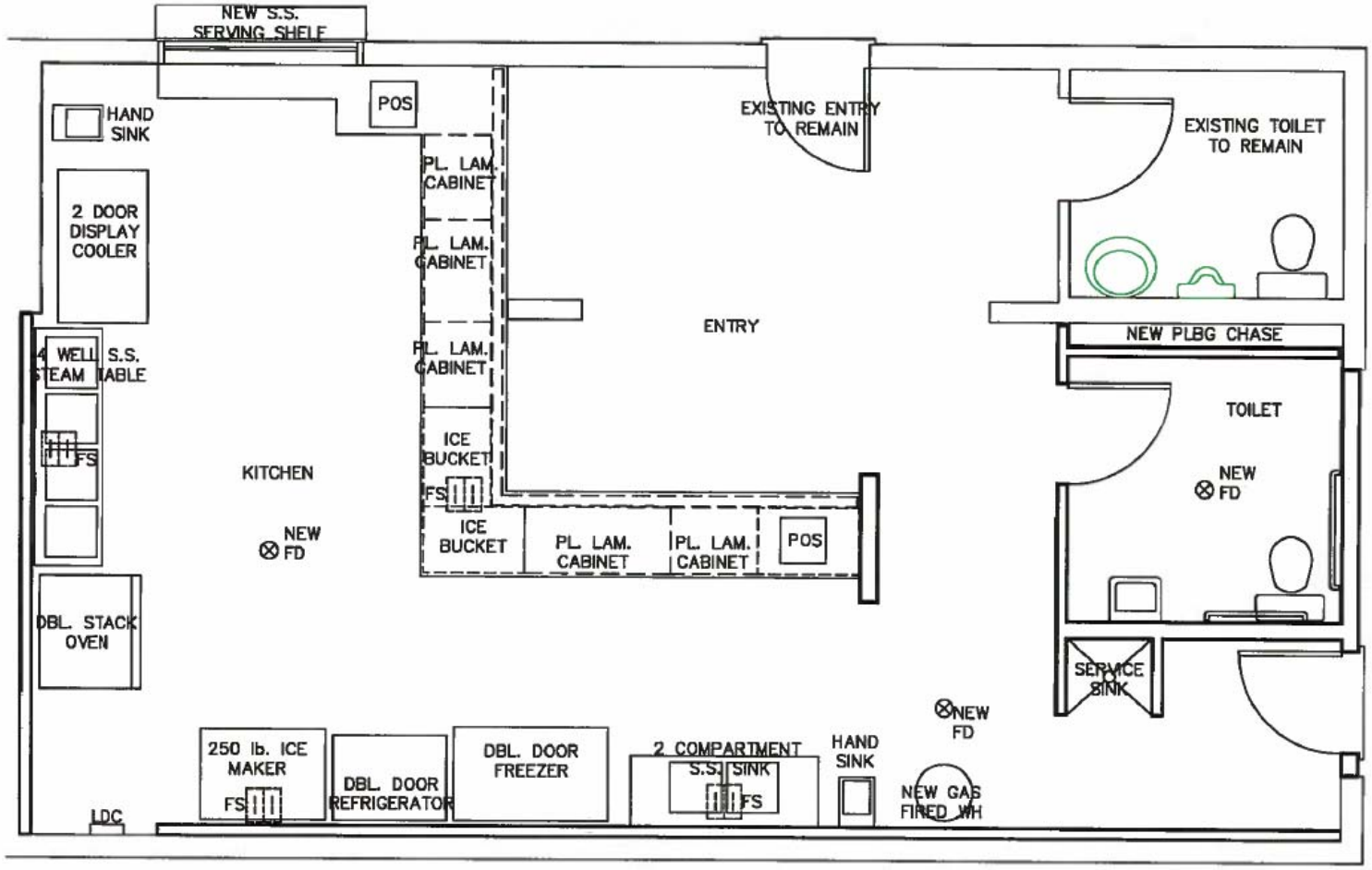
I believe that this will accommodate all the parking that we need and more. We will also be within walking/biking/boarding distance from the college which we expect to be a majority of our customers given our location to the school. We also plan to provide a bike rack and a long board rack for customers to use, to promote them not driving from such a short distance to the college.



SITE PLAN – PROPOSED MODIFICATIONS TO EXISTING

no scale

VOLLEYS 330 NORTH AVENUE, GRAND JUNCTION, CO



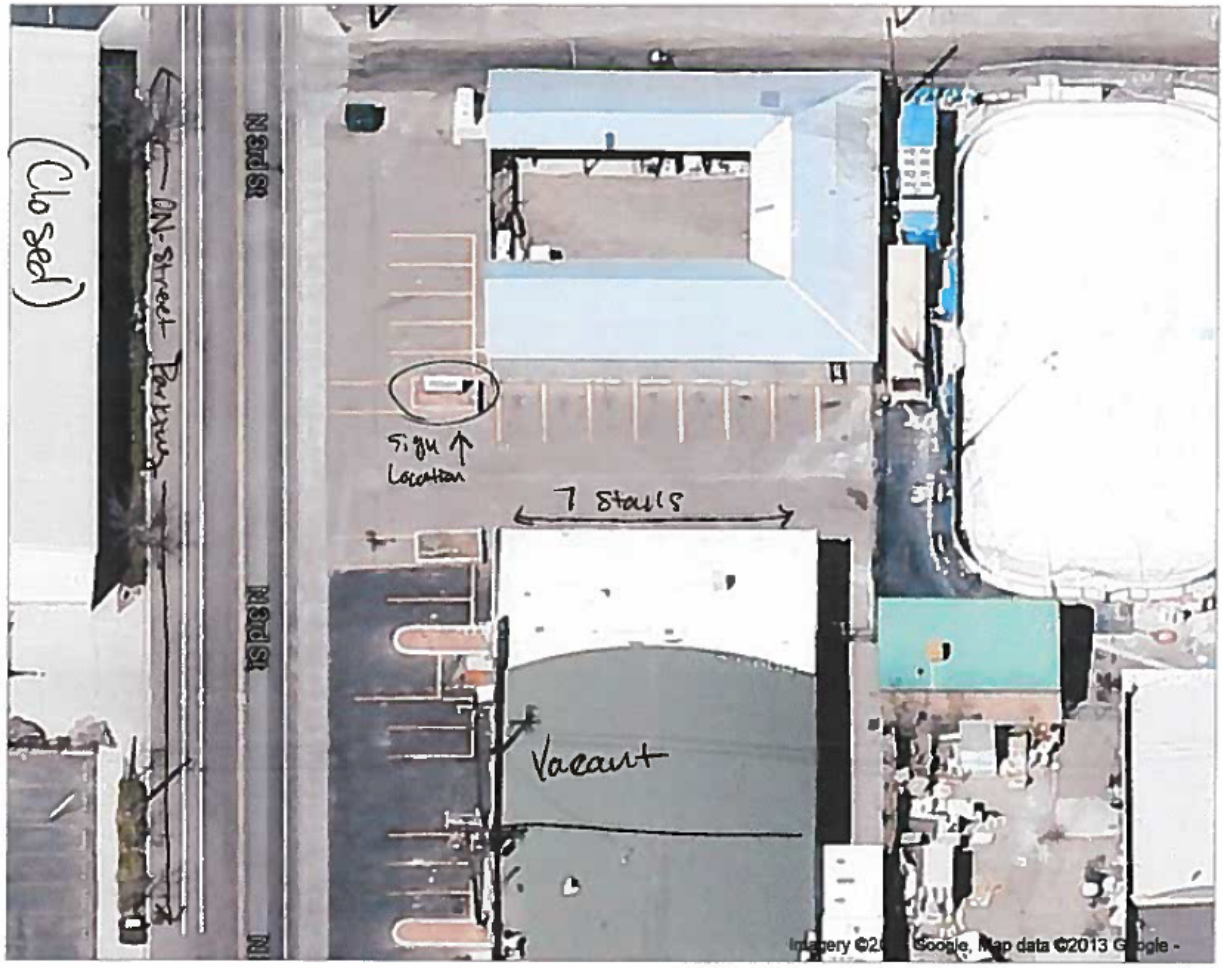
EQUIPMENT/FIXTURES PLAN

1/4" = 1'-0"

VOLLEYS 1130 NORTH THIRD STREET, GRAND JUNCTION, CO

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



SIGN LOCATION

EXISTING SIGN POSTS

VIEW OF SIGN FROM N. 3RD STREET

POLES AND TARP FOR ENCLOSURE

Neighborhood Meeting

Proposed Conditional Use Permit for Bar

Located at 304 and 330 North Avenue

Existing Zoning is C-2 w/ North Avenue Overlay

Future land Use Designation is Neighborhood Center Mixed Use

Please Sign In

Name	Address	Contact info
Brian Rusche	250 N. 5TH ST.	256-4058
Paul Herek	555½ School Ridge Rd.	(402)850-1921
Linda Manchester	2698 Lanai Ct.	970 242-3505
Britlany Moses	2444 Brookwillow loop	(970)361-5441

From: Dawn Kemena <Dawn.Kemena@usw.salvationarmy.org>
To: <brianr@gjcity.org>
Date: 1/9/2014 9:56 AM
Subject: Volleys-330 and 304 North Avenue

Brian,

Major Dan Wilson and I spoke with Paul about his intentions with the new Volleys facility; we have come to a mutual agreement and a better understanding of the future business. We support this this business at this time and they seem very open and willing to help promote our mission with recovery and community support.

Respectfully,

Dawn Kemena
Administrative Assistant
1235 N. 4th Street
Grand Junction, CO. 81501
(970)242-7513 Ext. 314 office
(719)291-9860 Cell

E-MAIL FROM THE SALVATION ARMY

22 January 2014

2698 Lanai Court
Grand Junction, CO 81506

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

Dear Commission Members;

I am the owner of two city parcels, 304 North Avenue and 330 North Avenue. I am writing to support the application of Volley, LLC. I have owned this property for over 30 years. In the past this property has successfully supported similar athletic activities. I believe that the proposed activity by Volley, LLC will be an asset to the city by providing quality recreational activities for the community. In the past when there has been this type of activity in the area, there has been a decrease in vandalism and an increase in positive energy shared throughout the neighborhood on the west North Avenue corridor.

I encourage you to approve Volley, LLC's special use application for the property. If you have any further questions, please feel free to contact me. My business phone number is 970 260-9521.

Sincerely,

Linda Manchester

Linda Manchester

RECEIVED
JAN 23 2014
CITY PLANNING DIVISION

LETTER OF SUPPORT FROM PROPERTY OWNER

CITY OF Grand Junction COLORADO

CITY CLERK

MEMO: Local Licensing Authority

FROM: Debbie Kemp, Deputy City Clerk

DATE: January 7, 2014

SUBJECT: Application for a new tavern liquor license by Volleys, LLC dba Volleys

Volleys, LLC filed an application with the Local Licensing Authority on November 27, 2013 for a new tavern liquor license permitting sales of malt, vinous, and spirituous liquors by the drink for consumption on the premises at 304/330 North Avenue under the trade name of Volleys. The application and supplementary documents were reviewed, found to be in order, and accepted. The hearing date was set for January 15, 2014. The Notice of Hearing was given by posting a sign on the property on or before January 5, 2014 and by publishing a display ad in the Daily Sentinel on January 3, 2014.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey. The neighborhood was defined as the area bounded on the North by Texas Avenue, Gunnison Avenue on the South, 7th Street on the East, and Balsam Street on the West, and includes both sides of the streets as the outer boundaries. The results of that survey are as follows:

Check the yes/no column if you support/oppose this type of license being issued because the existing outlets do/do not adequately serve the reasonable requirements of the designated area.

Business Results:	FAVOR:	42
	OPPOSE:	0
Residential Results:	FAVOR:	57
	OPPOSE:	0

There were eight responses disqualified for: three respondents did not list an address, three respondents were out of the survey boundary area, and two respondents didn't answer yes or no.

There were three "exhibit to survey petition" included that indicated one person was not 21 years of age, one person refused to sign, 41 with no answers, six with no solicitor signs, and five were marked as other.

No letters of opposition or counterpetitions have been filed to date.

250 NORTH 5TH STREET, GRAND JUNCTION, CO 81501 P [970] 244 1509 F [970] 244 1599 www.gjcity.org

NEEDS AND DESIRES SURVEY

CITY OF Grand Junction COLORADO

RECORD OF DECISION / FINDINGS OF FACT

DATE: February 12, 2014

FILE: CUP-2013-491
LOCATION: Portions of 304 and 330 North Avenue

PETITIONER: Paul Herek
PROPERTY OWNER: Linda Manchester

PROJECT IS: **APPROVED w/ Conditions**

On February 11, 2014, the Grand Junction Planning Commission **approved** the requested Conditional Use Permit (CUP) to operate a bar in conjunction with an outdoor volleyball facility in a C-2 (General Commercial) zone district. The project is located on portions of 304 and 330 North Avenue, as illustrated in the staff report.

The Planning Commission found that the request was consistent with the goals and policies of the Comprehensive Plan, specifically Goal 6; that review criteria of Section 21.02.110 of the Grand Junction Municipal Code (GJMC) have all been met; and finding that submitted Sign Plan meets with the sign requirements as specified in GJMC Section 21.02.110(d).

The Conditional Use Permit approval is **subject to the following conditions:**

- Landowner shall dedicate public right of way for that portion of the existing alley adjacent to the site;
- Execution of a power of attorney for future alley improvements shall be recorded prior to July 11, 2014.
- Parking agreement, lease or easement shall be provided as described in Staff Report in a form acceptable to the City Attorney prior to establishment of the use on the site.

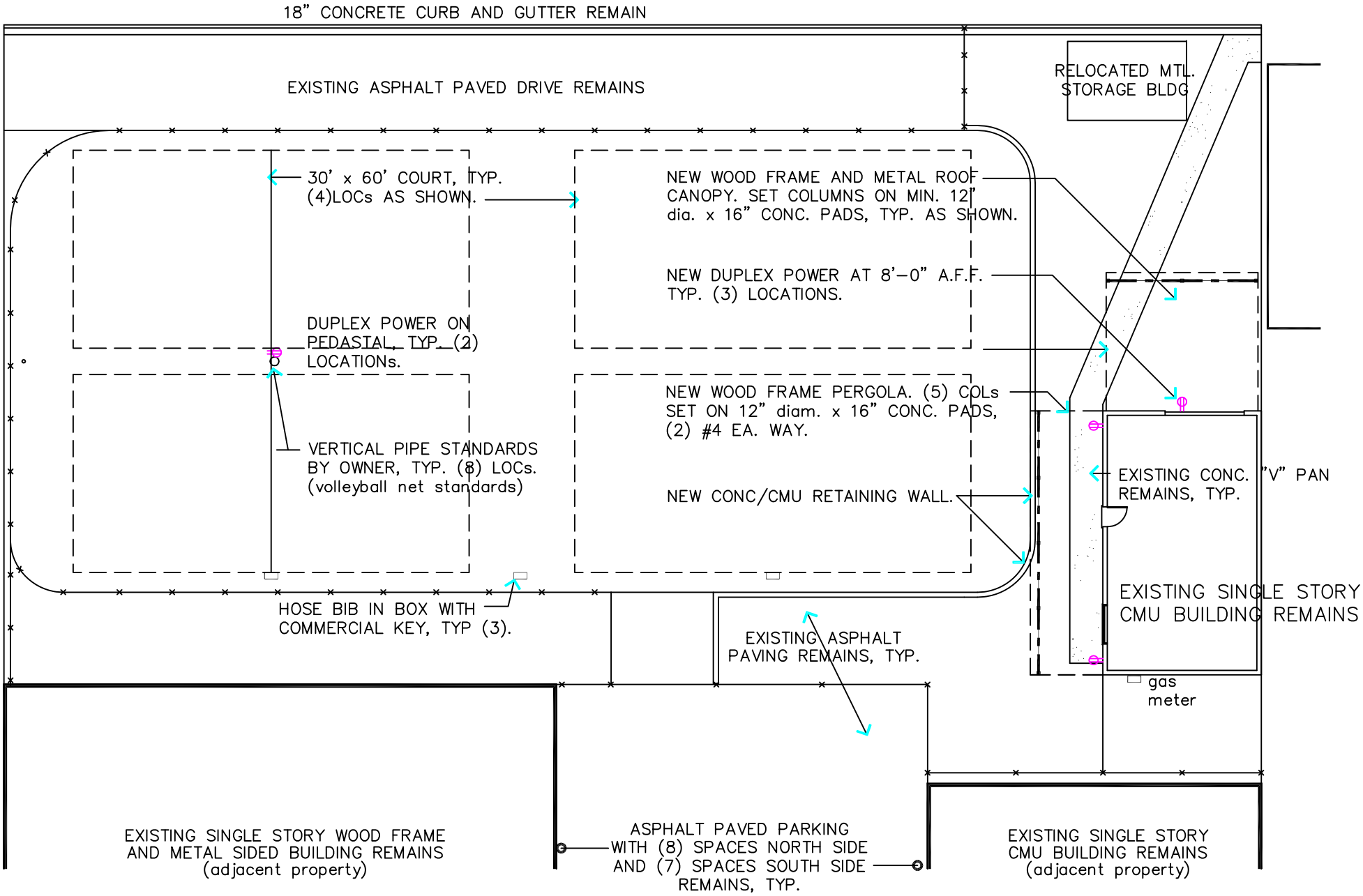
A recording fee of $11, plus $5 for each page in addition to the first, will be required for each of the above documents, payable to the Mesa County Clerk & Recorder.

Once established the conditional use approval runs with the land unless the property changes use or the use is abandoned for a period of 12 consecutive months, pursuant to GJMC Section 21.02.110(g). The applicant must develop or establish such use within one (1) year from the date of approval pursuant to GJMC Section 21.02.080(n)(1)(ii). Failure to satisfy any condition of approval shall constitute sufficient basis to revoke this approval, as described in GJMC Section 21.02.110(h)(iii) and (iv). Please note that any expansion and/or modification of the use will necessitate a new review and conditional use approval.

Before issuing a planning clearance, a Transportation Capacity Payment (TCP), is due for $1930, payable to the City of Grand Junction. The Planning Clearance (PCN-2014-113) for the interior remodel and site improvements, once issued, is valid for 180 days, pursuant to Section 31.02.070(a)(8)(i).

Sincerely,

Brian Rusche, Senior Planner
brusche@gjcity.org
(970) 256-4058



SITE PLAN – PROPOSED MODIFICATIONS TO EXISTING

no scale

VOLLEYS 1130 NORTH THIRD STREET, GRAND JUNCTION, CO

Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: July 28, 2020

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a request to zone approximately 19.259-acres from County RSF-4 (Residential Single Family – 4 du/ac) and PUD (Planned Unit Development) to a City R-8 (Residential – 8 du/ac) for the Fairview Glen Annexation, located at 2767 C Road and vacant properties located north of B ½ Road between Allyce Avenue and Nashua Lane/Court. | Staff Presentation

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicants, Five Star Homes and Development Inc. are requesting a zone of annexation to R-8 (Residential – 8 du/ac) for the Fairview Glen Annexation. The approximately 19.259-acre parcels of land are located at 2767 C Road along with additional vacant properties located north of B ½ Road between Allyce Avenue and Nashua Lane and Court in Orchard Mesa. The properties have a Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac). The subject properties currently contain one single-family detached home along with various accessory structures.

The Applicant is requesting annexation into the City limits per the Persigo Agreement between Mesa County and the City of Grand Junction in anticipation of future residential subdivision development. The zone district of R-8 is consistent with the Comprehensive Plan. The request for annexation will be considered separately by City Council.

BACKGROUND OR DETAILED INFORMATION:

The Applicants, Five Star Homes and Development Inc., have requested annexation of 19.259-acres of land into the City limits, located at 2767 C Road along with additional vacant properties located north of B ½ Road between Allyce Avenue and Nashua Lane & Court in Orchard Mesa, in anticipation of future residential subdivision development. The Fairview Glen Annexation consists of one property of 9.84-acres along with the undeveloped Birks Blue Estates Subdivision which was recorded in 1978. The Birks Blue Estates subdivision contained the platting of 30 residential lots on 10.013-acres, however, the subdivision was never developed nor infrastructure constructed and remains vacant land. At time of future residential development, the applicant would request to vacate the existing, but never developed, platted rights-of-way of Cara Street and Newport Lane along with associated utility easements as identified on the Birks Blue Estates plat which are no longer necessary and re-subdivide the lots in coordination with their new requested lot layout. The Applicant is currently only requesting a zone of annexation for all properties to R-8 (Residential – 8 du/ac).

The Applicant's properties are currently in the County and retains a County zoning of RSF-4 (Residential Single Family – 4 du/ac) and PUD (Planned Urban Development). Surrounding properties are also zoned PUD in the County and R-8 in the City ranging in size from 0.16 to 0.66-acres. The subject properties have 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.

The surrounding area both within the City limits and County are largely developed with single-family detached homes on each platted lot or parcel. Properties immediately adjacent to the west and north have been annexed into the City and are currently zoned R-8. Further subdivision development and/or lot splits are possible in the future for other properties in the area, specifically to the north of Unaweep Avenue that are large enough to accommodate such development.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on July 2, 2020 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. Public comment was also offered through the GJSpeaks platform. The Applicant, Applicant's Representative and City staff were in attendance along with eleven (11) citizens. No concerns were voiced by the neighbors concerning the proposed annexation and zoning at the Neighborhood Meeting. Questions at the Neighborhood Meeting centered mainly on the proposed future subdivision of the properties. The City has also received two (2) emails concerning the proposed residential development and are attached for reference. An official application for annexation and zoning was submitted to the City of Grand Junction for review on May 4, 2020.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on April 27, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on July 17, 2020. The notice of this public hearing was published July 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

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

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

The property 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 Applicant's properties are currently in the County, the annexation of the properties is a subsequent event that will invalidate the original premise; 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 adoption of the Comprehensive Plan in 2010, designated these properties 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. Adjacent properties to the west and north are already annexed and zoned R-8. The character and/or condition of the surrounding area has not changed in recent years as the area continues to be largely developed with single-family detached homes on each lot in a density ranging from approximately 5 to 8.

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 properties and are sufficient to serve land uses associated with the R-8 zone district. City Sanitary Sewer and City Water/Ute Water are presently both available within the

Unaweep Avenue, B ½ Road and Milo Drive rights-of-way. Properties can also be served by Xcel Energy electric and natural gas. A short distance away on Unaweep Avenue is Orchard Mesa Middle School and further to the south, across B ½ Road is a City Market grocery store and other associated restaurants and retail/office establishments along with a branch of the Mesa County Library. Further to the south is the Mesa County Fairgrounds, across Highway 50. Staff has found the public and community facilities are adequate to serve the type and scope of the residential land use proposed and therefore has found 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 properties and surrounding area to the north, east and west are designated on the Comprehensive Plan Future Land Use Map as Residential Medium (4 – 8 du/ac) with Neighborhood Center to the south. The proposed zoning designation of R-8 meets the intent of achieving the desired density for the properties, with this request, to develop at the high end of the Residential Medium (4 – 8 du/ac) category. For properties already annexed into the City limits, this area of Orchard Mesa is predominately zoned R-8. The R-8 zone district also comprises the largest amount of residential acreage within the City limits. Because a majority of this area is currently zoned R-8, staff is unable to find that an inadequate supply of R-8 zoning and therefore finds this criterion has not been met.

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

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

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Though other zone districts could be considered, the R-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 properties.

R-4 (Residential – 4 du/ac)
R-5 (Residential – 5 du/ac)

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.

Policy B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

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.

RECOMMENDATION AND FINDINGS OF FACT
After reviewing the Fairview Glen Annexation, ANX-2020-222, for a Zone of Annexation from County RSF-4 (Residential Single Family – 4 du/ac) and PUD (Planned Unit Development) to a City R-8 (Residential – 8 du/ac), the following findings of fact have been made:

1. In accordance with Section 21.02.140 (a) of the Zoning and Development Code, the application meets one or more of the rezone criteria.

2. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the application is consistent with the adopted Comprehensive Plan.

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

SUGGESTED MOTION:

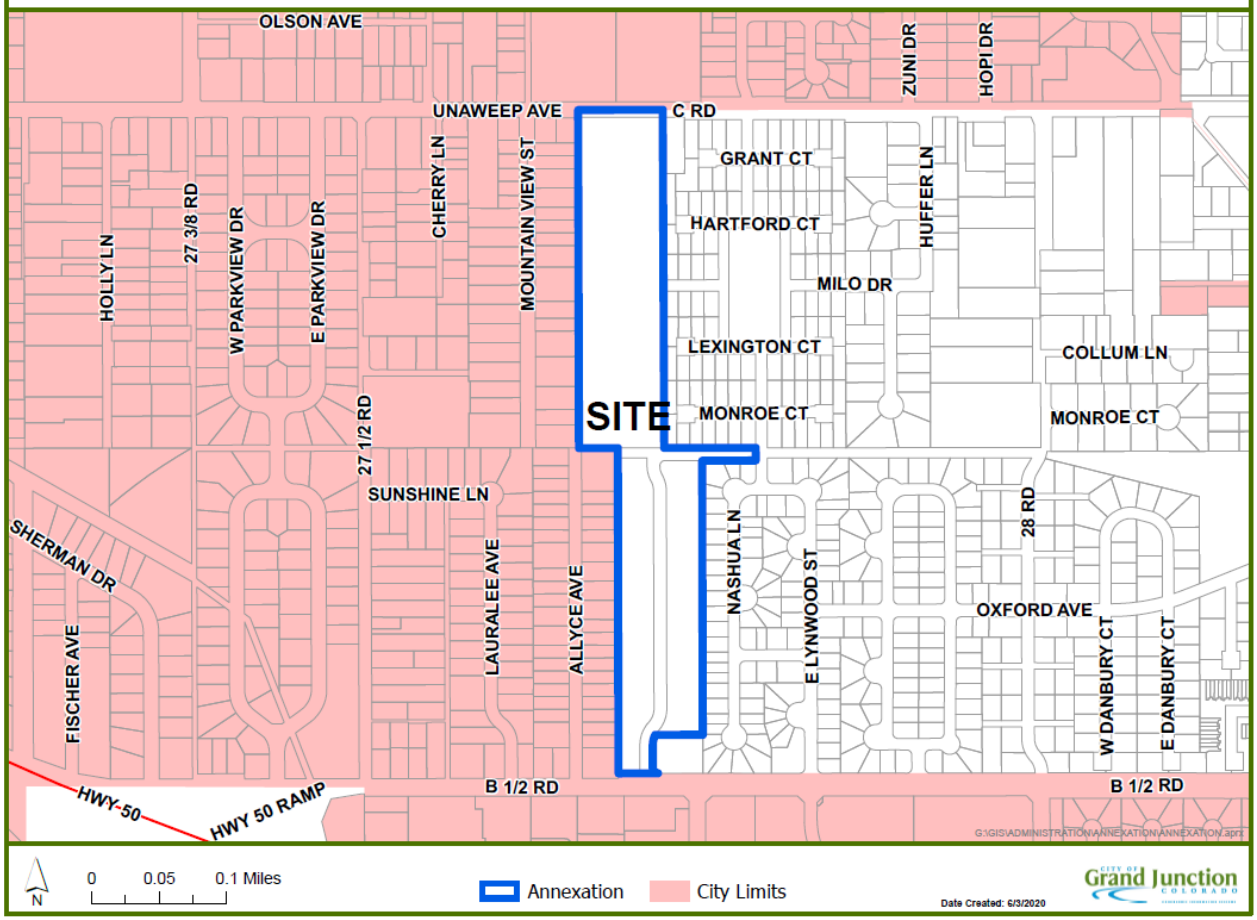
Mr. Chairman, on the Zone of Annexation for the Fairview Glen Annexation to R-8 (Residential – 8 du/ac) zone district, file number ANX-2020-222, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

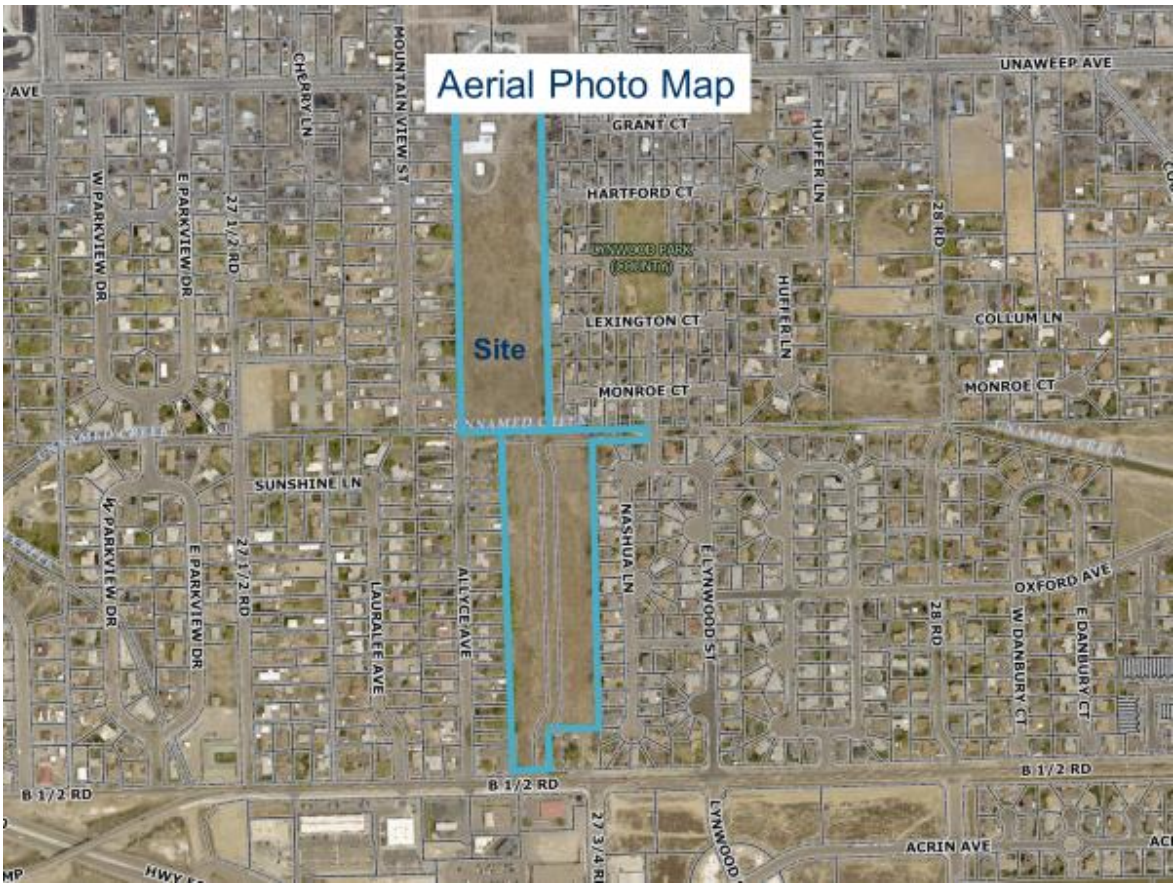
Attachments

1. Site Location, Zoning, Annexation Maps, etc
2. Neighborhood Meeting Notes & Sign-In Sheets
3. Public Correspondence Received
4. Zone of Annexation Ordinance

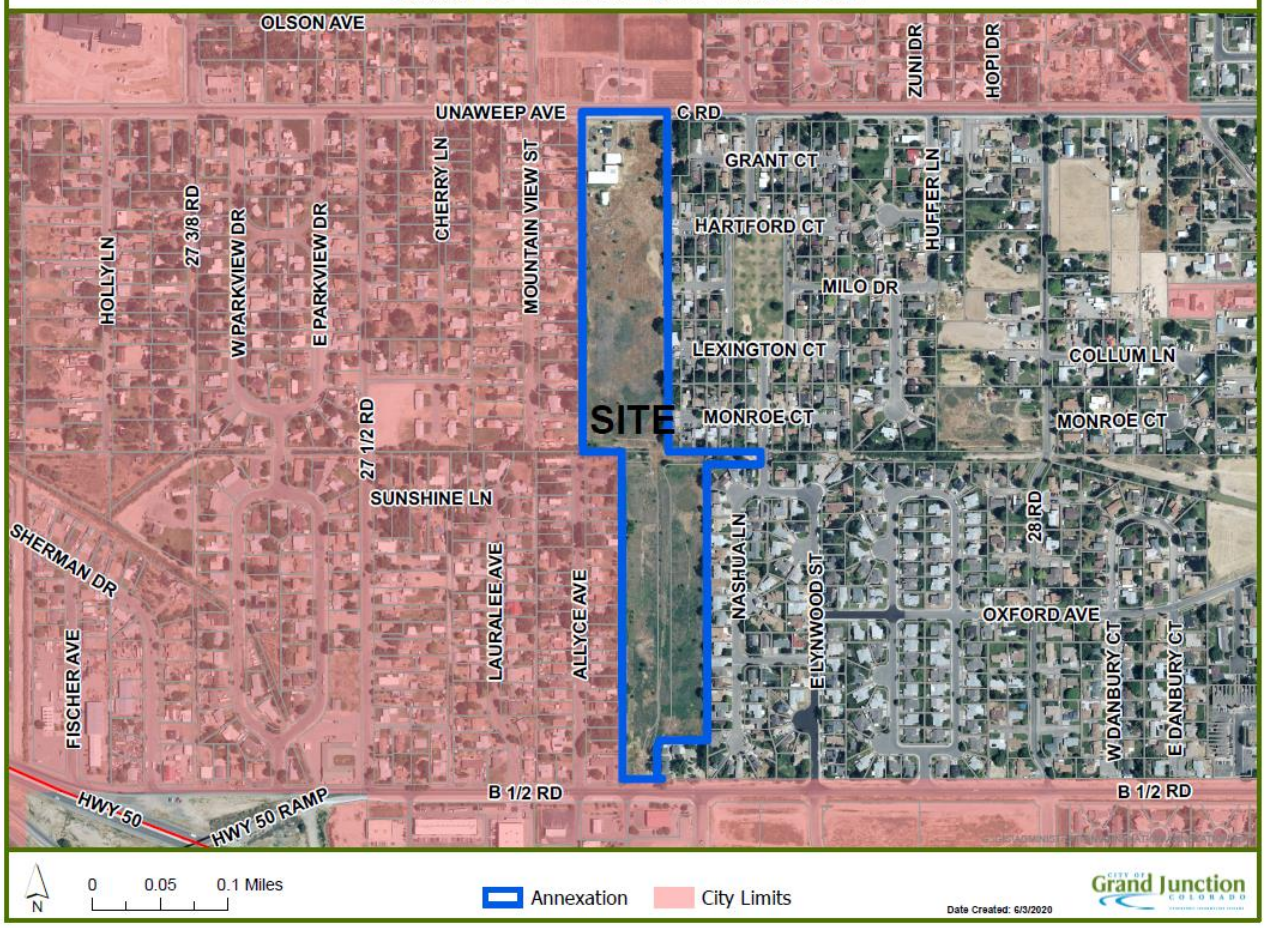
Site Location Map
Colorado River
Unaweep Ave
UNAWEEP AVE
C RD
Site
B 1/2 RD
B ½ Road
HWY 50 RAMP
Hwy 50
ARLINGTON DR
27 1/2 RD
28 RD
28 1/2 RD

FAIRVIEW GLEN ANNEXATION

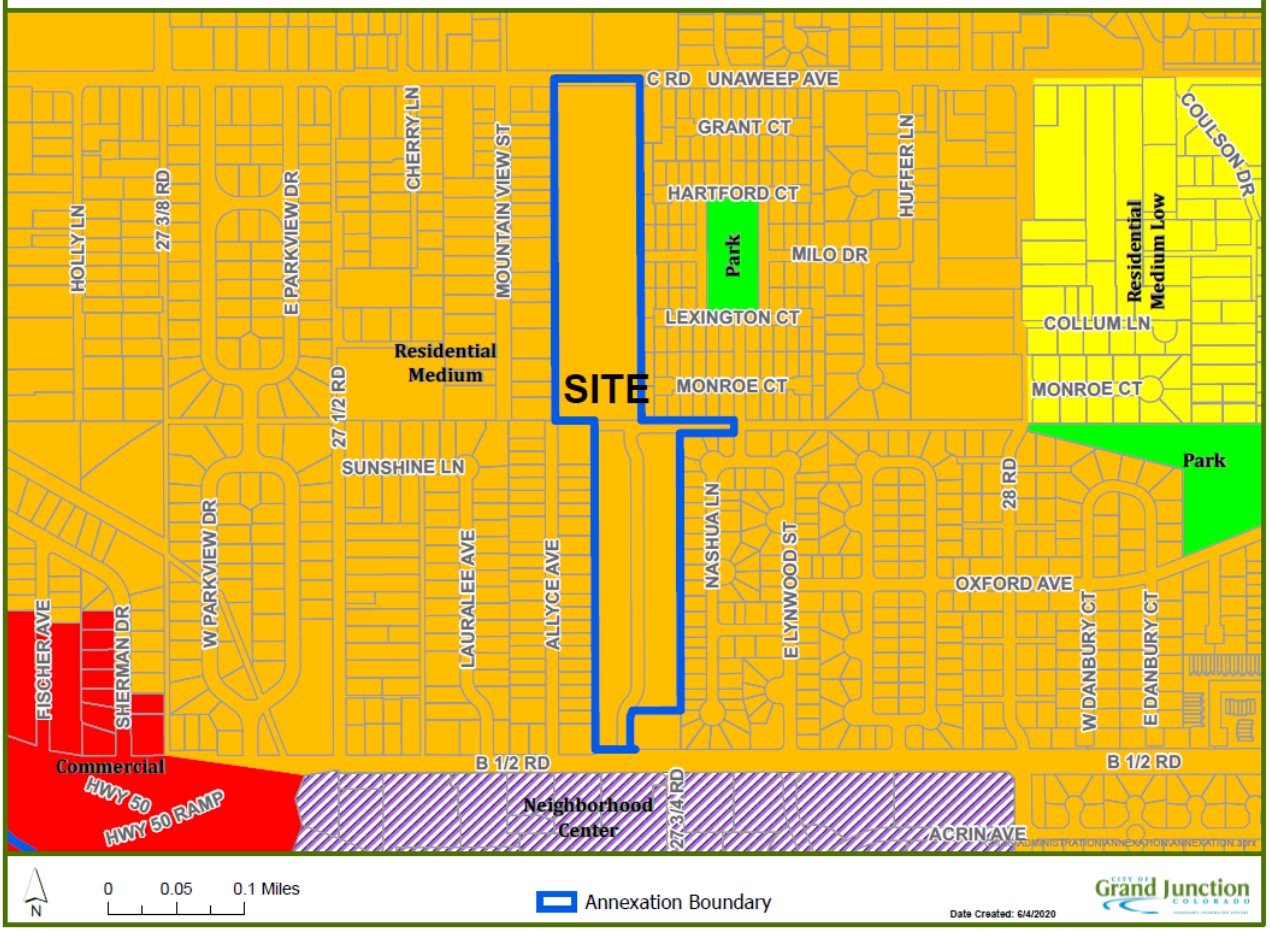


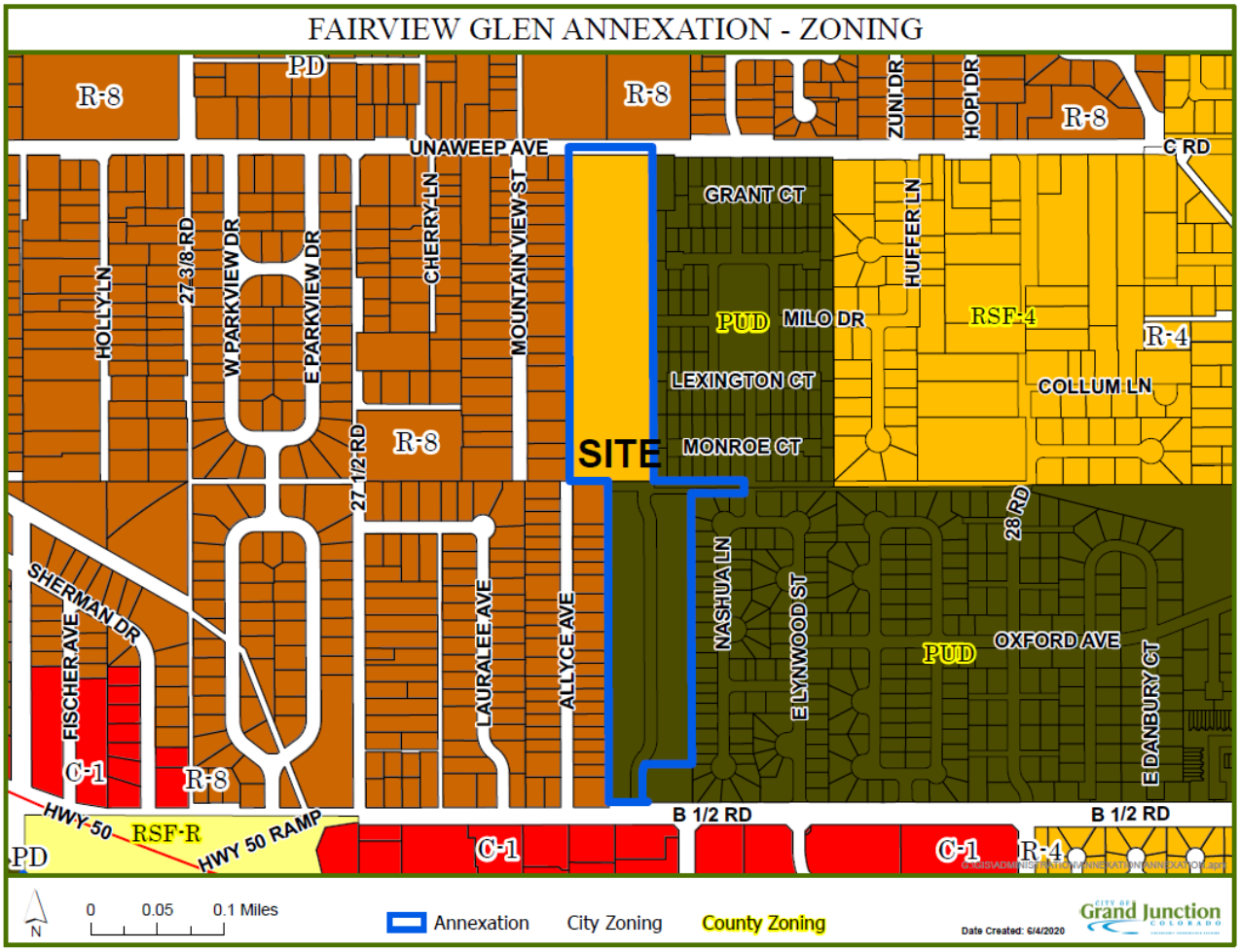

Aerial Photo Map
Site
UNAWEEP AVE
GRANT CT
HARTFORD CT
LYNWOOD PARK (SPRINTW)
LEXINGTON CT
MONROE CT
COLLUM LN
HUFFER LN
28 RD
CHERRY LN
MOUNTAIN VIEW ST
W PARKVIEW DR
E PARKVIEW DR
27 1/2 RD
SUNSHINE LN
LAURALEE AVE
ALLYCE AVE
NASHUA LN
E LYNWOOD ST
OXFORD AVE
W DANBURY CT
E DANBURY CT
B 1/2 RD
27 3/4 RD
LYNWOOD
ACRIN AVE

FAIRVIEW GLEN ANNEXATION



FAIRVIEW GLEN ANNEXATION - FUTURE LAND USE




FAIRVIEW GLEN ANNEXATION - ZONING
R-8
PD
R-8
ZUNI DR
HOPI DR
R-8
UNAWEEP AVE
C RD
GRANT CT
HUFFER LN
HOLLY LN
27 3/8 RD
W PARKVIEW DR
E PARKVIEW DR
CHERRY LN
MOUNTAIN VIEW ST
PUD
MILO DR
RSF-4
R-4
LEXINGTON CT
COLLUM LN
R-8
SITE
MONROE CT
27 1/2 RD
28 RD
SHERMAN DR
NASHUA LN
FISCHER AVE
LAURALEE AVE
ALLYCE AVE
E LYNWOOD ST
PUD
OXFORD AVE
E DANBURY CT
C-1
R-8
HWY 50
RSF-R
HWY 50 RAMP
B 1/2 RD
B 1/2 RD
PD
C-1
C-1
R-4
N
0
0.05
0.1 Miles
Annexation
City Zoning
County Zoning
Date Created: 6/4/2020
Grand Junction

Google Street View of Property looking south from C Road/Unaweep Avenue (July 2019).

Google Street View of Property looking north from B ½ Road (August 2012)

FAIRVIEW GLEN NEIGHBORHOOD MEETING NOTES
July 2nd, 2020 @ 5:30pm & 7:00pm

Two Neighborhood Meetings were held on July 2nd, 2020 regarding a proposed Annexation, Rezone, ROW Vacation, and Major Subdivision at 2767 C Road, 2945-251-26-031 & 2945-251-26-032.

In Attendance:
Representatives: Karie Padilla (Five Star Homes and Development Inc.)
Robert Padilla (Five Star Homes and Development Inc.)
Darren Davidson Five Star Homes and Development Inc.)
Ted Ciavonne (Ciavonne, Roberts & Associates Inc.)
Scott Peterson (City of Grand Junction)

5 Neighbors attended the first meeting at 5:30pm and 6 neighbors attended the second meeting at 7:00 pm and had the following comments and concerns:

5:30pm Meeting:
- Why do you have to do looped lanes? – Don't have to, we wanted to in order to get a curve in the road.
- So you won't have a connecting road on the south half going east/west? – No. Can't because there is not a road stub.
- Irrigation Request from Lynwood Subdivision – The pump house is on the back side of the property on Milo Drive. The previous owner allowed access on his property to get to the pump house. Will you continue to allow us access by easements or whatever needs to be done? – Yes, we will make sure your access remains.
- There is a 10' easement with an irrigation line on the west side of Lynwood sub and goes south all the way down your property line? – Good to know.
- FYI there is a ditch at the halfway point of your property and turns and goes south along the west property line? – Good to know.
- Will the neighborhood still have access to the ditch? – Don't know, not far along enough in design.
- Will the new neighborhood have easements? – Yes, possibly an irrigation line along their back property.
- Have you decided if you are doing fencing yet? – We are required to do perimeter fencing, but haven't decided if the developer will build it or the new homeowner.
- Will we be informed on fencing and irrigation decisions? – You will get notified when we submit for subdivision. Details will be worked out by then. You will then be able to see plans and get in touch with the developer to work out details.
- Also, there's an OVH electrical line on the east side for services to houses? – Good to know
- Will there be sidewalks? – Yes, they will be on both sides on the south half and on one side on the north half.

- What's a detention area? – For stormwater/drainage and is located where the land naturally drains.
- Obviously this will increase traffic, but where will the entrances be? – One on B ½ Road aligning with the curb cut across the street, one on Milo Dr. and one on Unaweep.
- Who's the Developer? – Five Star Development Inc.
- Is the Developer a Colorado based company? – Yes
- Will this subdivision have an HOA? – Yes, all new subdivisions have to have an HOA.
- Will there be retention? – No.
- FYI, on the north end of Allyce, some have piped their irrigation while others still have a ditch which messes up the flow. – Good to know
- For dust control, can we get your contact in case there is an issue? – Yes, we can provide that. Also the city monitors closely and will fine the developer if they don't comply.
- Will these be for sale or rentals? – No rentals, all will be for sale.
- What's the timeline? – Annexation approvals will be in September. Subdivision design will run concurrent, but can't be approved before Annexation. Hopefully plan to start construction this fall.
- Phases? – No definite on that yet, but will have to address that during the submittal process.
- What are the hours of construction? – Either 6am-8pm or 7am-7pm
- Is the purpose of this meeting to inform or is there a vote? – No vote, just want feedback from neighbors, but it is also required by the city.
- Is there a way to meet with us when you all get closer to design? – Yes we will be in touch
- What zone is the Lynwood Subdivision? – It is zoned PD in the county which is a unique zone, but there's always an underlying zone to follow for dimensional standards (setbacks)
- How did you figure out the density of the PD? – Was approximate. Drew a box around an area and did the math to figure out density.

<u>7:00pm Meeting:</u>
- Does "vacate" mean you are not going to use that road? – No, we are going to put in a new road in with a different configuration, but since this one has been platted it needs to be officially vacated.
- Does Milo Drive go through? – Yes
- So Lynwood is a 7.5/acre density? – No, came, up with 5.5 but its approximate
- So you are putting in a little bit less density than what is already there? – Yes
- Will streets and utilities be built before the homes? – Yes
- Do we get to stay in the county? – Yes
- Starting date? – September is approval date for Annexation, but late fall for construction.
- What is the process for construction? – (1) clearing and grubbing of the site or 1st phase (2) utilities (3) curb and cuter (4) asphalt (5) homes. Will have to work with the city through the entire process.
- Irrigation water? – Yes it is available but not designed yet.
- FYI the father of the previous land owner apparently gave his water rights to Lynwood Sub – Good to know, we will look into it, but we are fairly certain this land has water rights.

- How close will the houses be to surrounding subdivisions? Assuming they will put up a back fence? – Yes, there will be a perimeter fence that will be worked out with adjacent neighbors. The zone has required setbacks that the homes must follow.
- The south half used to be for sale for 21 lots? – Yes, that was old back when it was still part of a PD.
- Who is responsible for building/paying for a fence? Existing trees have damaged our fences. Huge tree trunks will have to come out if a new fence needs to be put in. – Either developer or homeowner will be paying for the new fence. As far as building it to work with adjacent neighbors, it will have to be looked at on a one on one basis.
- Will we be involved when that time comes? – Certainly, we will work with you as the design is further along.
- Will all of the existing trees be taken out? – Yes they will be removed if they are on the property, if they are elms, and if everyone is in favor for it.
- One neighbor has a back gate that opens up to the field. Will it have to go? – If the fence is on the property line, it will need to go. If it is set back a few feet, it's possible it can remain.
- Will the homes be single story or two story? – On average, 95% are single story
- Concerned if we tap into the ditch, there won't be pressure. Already have issues with that. – We will look into the pressure issues.
- We can show you where the cleanout is for the people to the south. – Sounds good.
- How will this subdivision affect the value of surrounding homes? – The intention is to build a nice, but affordable home. Certainly won't hurt the surrounding values.
- Square footage of homes? – 1200-1500sf
- Is Darren going to build all of the homes? – Yes
- What half will be built first? – Probably south half.
- Will there still be access to the Lynwood Subdivision pump house? – Yes
- Stucco? – Not sure yet
- Stem wall? – Probably

SIGN-IN SHEET

FAIRVIEW GLEN NEIGHBORHOOD MEETING

Thursday July 2nd, 2020 @ 7:00pm

FOR: Annexation, Rezone, Right of Way/Easement Vacation and Subdivision

NAME	ADDRESS	PHONE # OR EMAIL
Lucky Vidanovic	261½ Nashua Lane	970-424-0703
Connie Lynca	261 Nashua Lane	970 712 0205
Beverly Schnapp	2772 Moroe ct.	970 245-7565
Roland Smith	257½ E Lynwood St	640-0271
Kim Wallis	2772 Lexington Ct	970 210-2093

SIGN-IN SHEET

FAIRVIEW GLEN NEIGHBORHOOD MEETING

Thursday July 2nd, 2020 @ 7:00pm

FOR: Annexation, Rezone, Right of Way/Easement Vacation and Subdivision

NAME	ADDRESS	PHONE # OR EMAIL
Betty Joan White	259 Nashua Ct	970-256-7056

SIGN-IN SHEET

FAIRVIEW GLEN NEIGHBORHOOD MEETING

Thursday July 2nd, 2020 @ 5:30pm

FOR: Annexation, Rezone, Right of Way/Easement Vacation and Subdivision

NAME	ADDRESS	PHONE # OR EMAIL
Marie White	254 Allyce Ave	970-210-0513
SCOTT PETERSON	CITY PLANNING	SCOTTP@GJCITY.ORG
DIANA Gutierrez	293 Mountain View	baileybop7@msn.com
Karie Padilla	Developer	rkpadilla1@charter.net
Robert Padilla	"	"
DERREN DOBBS	"	Derren5515@AOL.COM
LINDA GARCIA	2784 GRANTCH	lindag@hlsb.com (970) 254-0845
Robyn Correia	264 Allyce Ave	~~970.819.2249~~ onountagme@yahoo.com
Dylan Correia	458 30 Rd	dylan.correia1134@gmail.com
Ted + Mallory	Ciavarne	

Scott Peterson

From: katbonnet@juno.com
Sent: Thursday, July 2, 2020 2:19 PM
To: Scott Peterson
Subject: neighborhood meeting for fairview glen subdivision

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

Dear Planning committee,

My husband and I live at 254 1/2 Allyce Ave. because of our age we would rather not attend the meeting tonight at the Courtyard Marriot in regard to the Fairview Glen Subdivision. But we have concerns.

When we purchased this property years ago it was partly due to the open field in back of us. It made us feel like we weren't closed in on all sides by neighbors. We also liked the view of the Mesa and the Bookcliffs. The current zoning for this area in back of us at 4 units per acre is bad enough but if you put 6.2 to 6.5 units in there that will be too many.

Our other concerns are these. You would need to have the Department of Wildlife come in and relocate at least 3 deer that are calling that field home plus any other wild life that might be there.
Also irrigation water. We have had problems with water getting down our ditch as it is would these people be taking water away from us and would they be responsible to take care of the ditch?

4 units would be bad enough 6.2 is too many.

Thanks for listening to us.

Sincerely,
Chuck and Kathy Bonnet
254 1/2 Allyce Ave.

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- **For Ghislaine Maxwell, 6 Counts of Wrongdoing**
- **Russia Investigation Material to Remain Secret Past Election**

Scott Peterson

From: Eddie <ehavener@aol.com>
Sent: Friday, July 3, 2020 1:31 PM
To: ted@ciavonne.com; Scott Peterson
Subject: Fairview Glen Subdivision

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

Dear Gentlemen;

We live at 2772 1/2 Milo Drive.

We are concerned with the additional traffic that will be using Milo Drive as access to the Fairview Glen subdivision. The streets in Lynwood subdivision were built to 1980 specifications. They are narrow and quite often have vehicles parked on both sides of the streets. We are concerned about the safety of these streets at this time let alone with additional traffic. Another concern is that at this time Milo Drive is a dead-end street with 8 houses on it, it is a place that is safe for the children that live here to play in the street and if it become one of three access to the Fairview Glen subdivision the additional traffic will compromise there safety.

Edwin was a firefighter and He realizes that there is a need for an emergency access on Milo Drive, but we would like to see it restricted to emergencies only.

Thank you for your time.

Edwin can be reached at EHavener@aol.com or called or texted at 970-376-3713. Nona can be reached at Nona.Wiley@ymail .com or called or texted at 970-901-8626

Edwin Havener
Nona Wiley

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING THE FAIRVIEW GLEN ANNEXATION TO R-8 (RESIDENTIAL – 8 DU/AC) ZONE DISTRICT

LOCATED AT 2767 C ROAD AND VACANT PROPERTIES NORTH OF B ½ ROAD BETWEEN ALLYCE AVENUE AND NASHUA LANE/COURT

Recitals

The property owners have requested annexation of three properties that total 19.259-acres 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 Fairview Glen 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:

FAIRVIEW GLEN ANNEXATION

The following properties be zoned R-8 (Residential – 8 du/ac) zone district.

A parcel of land located in the North Half of the Northwest Quarter (N ½ NW ¼), of Section 25, Township 1 South, Range 1 West of the Ute Meridian, being more particularly described as follows;

BEGINNING at a point on the North line of said Section 25, whence the Northeast corner of said Section 25 bears South 89°55'23" East, a distance of 1471.87 feet, with all bearings being relative thereto, thence South 00°04'10" East, a distance of 1320.58 feet, along the westerly line of Lynwood Subdivision; thence South 89°54'43" East, a distance of 149.37 feet, along the south line of Lynwood Subdivision to the northeast corner of Birks Blue Estates subdivision, Reception Number 1263633; thence South 89°54'43" East, a distance of 208.25 feet, to the westerly right-of-way of Lynwood

Street; thence along said right-of-way South 00°05'17” West, a distance of 50.00 feet; thence leaving said right-of-way, North 89°54'43” West, a distance of 208.12 feet, thence South 00°03'49” East, a distance of 1070.05 feet, tot he northeast corner of Lot 30 of said subdivision; thence along the north line of said Lot 30 South 89°55'41” West, a distance of 185.35 feet, to the northwest corner of said Lot 30; thence along the arc of a non-tangent 79.36 foot radius curve to the left for a distance of 40.29 feet, with a chord which bears South 14°28'25” West, a distance of 39.86 feet, and a central angle of 29°05'29”; thence South 00°04'19” East, a distance of 91.08 feet; thence along the arc of a 20.00 foot radius curve to the left for a distance of 31.38 feet, with a chord which bears South 45°01'05” East, a distance of 28.26 feet, and a central angle of 89°53'31", to a point on the northerly right-of-way of B1/2 Road; thence along said right-of-way North 89°57'50” West, a distance of 154.96 feet, to the southwest corner of said Birks Blue Estates subdivision; thence leaving said right-of-way along the westerly line of said subdivision North 00°04'19” West, a distance of 1270.35 feet; leaving said westerly line North 89°54'43” West, a distance of 150.74 feet; thence North 00°02'32” West, a distance of 1320.51 feet, to a point on the northerly line of said Section 25; thence South 89°55'23” East, a distance of 331.26 feet, to the Point of Beginning.
The above description contained hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This description does not constitute a legal boundary and is not intended to be used as a means for establishing or verifying property boundary lines.

INTRODUCED on first reading this _____ day of _____, 2020 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2020 and ordered published in pamphlet form.

ATTEST:

_____
President of the Council

_____
City Clerk

Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: July 28, 2020

Presented By: Jace Hochwalt, Associate Planner

Department: Community Development

Submitted By: Jace Hochwalt, Associate Planner

Information

SUBJECT:

Consider a Request by Foothills Housing 2, LLC for Review and Approval of a Service Plan for the Proposed West Junction Metropolitan District on Approximately 177 Acres Northwest of the Highway 6 and 50 and Patterson Road Intersection. | Staff Presentation

RECOMMENDATION:

Staff recommends conditional approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Foothills Housing 2, LLC is proposing to form the West Junction Metropolitan District. Per Title 32 of the Colorado Revised Statutes (C.R.S.), the first step is to develop a Service Plan for the District, which is to be considered and, if found acceptable, approved by the City. The actual composition and distribution of future development shall be reflected in site development approvals to be issued by the City and nothing in the proposed Metropolitan District Service Plan shall be construed as the City granting prior approval for any site development.

The service area encompasses approximately 177 acres of land with a northern boundary of G Road, southern boundary of Highway 6 and 50, eastern boundary of 23 ¾ Road, and western boundary of 23 ¼ Road. The service area comprises one unaddressed parcel known as Mesa County parcel number 2945-051-14-003. Uses proposed include single-family and multi-family residential, as well as commercial and industrial uses. The Service Plan will provide for the construction of infrastructure services including streets, traffic and safety controls, water, and storm and sanitary sewer. In addition, the Service Plan provides that both parks and recreation facilities

will be provided, including public parks, open space, bike paths, and a recreation facility. The District will be authorized to operate and maintain the services that are not conveyed to the City or other governmental entities having proper jurisdiction.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Special districts are quasi-municipal corporations and political subdivisions that are organized to act for a particular purpose. A metropolitan district is a special district that provides any two or more services which may include fire protection, parks and recreation, safety protection, sanitation, solid waste, street improvements or water, to name a few. A district may issue bonds for the construction of the improvements and levy taxes within the Service Plan Boundaries to repay those bonds. The financing, construction, and operation and maintenance of improvements and services to support new development is legally the responsibility of the district, if formed. In many jurisdictions, both municipalities and counties, special districts have been used as a tool to harness private investment to achieve a city's planning, redevelopment, infill, and economic goals.

The trend with special district legislation has been to allow general purpose local governments to exert greater control over the formation and operation of special districts. The service plan approval process is the key to exercising that control.

The legislative declaration found in Article 1 of Title 32 refers to "the Coordination and orderly creation of special districts and the logical extension of special district services throughout the state." It further declares that the review procedures in Part 2 (the "Control Act") are created to "prevent unnecessary proliferation and fragmentation of local government and to avoid excessive diffusion of local tax sources." Also cited as reasons for these measures are "the elimination of the overlapping services provided by local governments" and efforts to "reduce duplication, overlapping and fragmentation of the functions and facilities of special districts."

Service Plans and statements of purposes in effect create binding agreements between the special district and the approval authority. "Upon final approval by the court for the organization of the special district, the facilities, services, and financial arrangements of the special district shall conform so far as practicable to the approved Service Plan." (C.R.S. §32-1-201(1)).

The jurisdiction may request the filing of an annual report of any special district. This report must be made available to the Division of Local Affairs and to all "interested parties" as defined in C.R.S. §32-1-207(3)(c)(d). The statute does not specify what an annual report should consist of; therefore, should the jurisdiction desire an annual report, it should provide guidelines and rationale for the request. Article III of the proposed Service Plan does include the requirement for an Annual Report to be

submitted to the City no later than August 1st of each year as well as outlines requirements for its contents. This requirement will be reiterated in the Intergovernmental Agreement (IGA).

The formation of a special district entails a three-part process that requires: 1) obtaining review and approval from the local governmental jurisdiction; 2) review by district court; and 3) a special election. The Grand Junction Municipal Code does not contain specific provisions related to the review of service plans, therefore the process of submittal and review of the plans must be in compliance with requirements of Title 32 of the Colorado Revised Statutes. Those statutory requirements include submittal of the service plans to the Clerk for the City Council, referral of the plans to the Planning Commission for review and recommendation (if consistent with City policy), referral to City Council within thirty (30) days of plan submittal, and a public hearing with the City Council not more than thirty (30) days after setting the public hearing date.
In summary, metropolitan districts are formed and operated as follows:

- City Council must vote to approve a district service plan based on statutory approval criteria.
- Affected property owners must vote to approve district formation by a simple majority.
- Sale of municipal bonds generates funding for infrastructure and amenities.
- As development occurs and property values increase, bonds are repaid by homeowners within the district via the additional taxes paid by district residents. The district does not tax anyone outside of its boundaries.
- The developer maintains oversight of the district, an annual outside audit is conducted of the district, and annual transparency reports are submitted to the City and State and made publicly available.
- The City has no legal or financial liability during the life of the district; it does not reduce current or future tax revenues of other public agencies and it does not draw from the City's capital improvement budget or capital reserves.

The Applicant submitted and requested review of its proposed Service Plan on June 16, 2020 and it was provided to the City Clerk for notification to the Colorado Department of Local Affairs (DOLA) on June 17, 2020. The Service Plan proposes to serve the West Junction development, which consists of approximately 177 acres of land. This district area is also defined as Pods 1 through 4 of The Community Planned Development, which was approved in two parts as a five-pod (approximately 30-40 acres each) development of approximately 217 acres. The West Junction development is anticipated to be developed to include single-family units, multi-family units, commercial and industrial areas. The estimated population within the district boundaries at build-out is expected to be approximately 2,453 persons. In addition, the district will include various commercial and light industrial uses.

While an Outline Development Plan (ODP) does exist for the development, it is limited to zoning and allowed uses as well as basic circulation patterns, drainage and greenways. At this time, it does not include a specific site plan per pod.

As proposed, the primary purpose of the District is to provide for the Public Improvements associated with development and, if applicable, regional needs, and operate and maintain Public Improvements not conveyed to the City, other appropriate jurisdiction or an owners' association. Section §32-1-103 (10) C.R.S states that a metropolitan district may include any of the following services but is required to provide at least two of the following services that will benefit the public.

a) Fire Protection;
b) Mosquito Control;
c) Parks and recreation;
d) Safety protection;
e) Sanitation;
f) Solid Waste disposal facilities or collection and transportation of solid waste;
g) Street improvement;
h) Television relay and translation;
i) Transportation; or
j) Water

The Service Plan for the West Junction Metropolitan District is being established to finance the construction, acquisition, and/or operation of the Projects' Public Improvements and all necessary appurtenances as listed below.

- Streets and roadway rights-of-way
- Traffic and safety control facilities
- Domestic water supply systems
- Irrigation water supply systems
- Storm sewer facilities
- Sanitary sewer facilities
- Landscaping
- Parks and trails
- Recreation facilities
- Other public improvements approved by the City

Certain Public Improvements will be conveyed to the City, Ute Water, Colorado Department of Transportation (CDOT), or other governmental entities for the use and benefit of the general public. At the discretion of the Board of Directors of the District, some Public Improvements may remain with the Districts, and some Public Improvements may be deeded to one or more property owners' associations. Generally, the "public" receiving services from the districts will be the "property

owners/inhabitants of the development that are subject to the metropolitan district mill levy."

The Service Plan has been designed with sufficient flexibility to enable the District to provide required Public Improvements for the project under evolving circumstances without the need for numerous amendments. Modification of the types of Public Improvements, as well as changes in proposed configurations, locations, dimensions of facilities and improvements will be permitted to accommodate development needs consistent with City zoning and planning for the Project.

The Service Plan proposes a single district structure pursuant to the requirements of the Special District Act §32-1-101, et seq., C.R.S.. General provisions of the Service Plan will apply to the West Junction Metropolitan District except when specifically noted. The District will be responsible for the financing and construction of Public Improvements, some of which will be conveyed to the City, Ute Water, CDOT, or other governmental entities and others will either remain with the District or will be given to property owners associations for maintenance and operation.

The Service Plan states the debt is not backed by any pledge of revenue from the City and approval of the Plan is not a guarantee of debt repayment by the City. The mill levy dedicated to repayment of the bonds is 50 mills for the General Obligation (GO) bonds.

The Service Plan includes a detailed cost estimate of these improvements totaling $65,208,829 and proposes a Maximum Debt Mill Levy of 50 Mills. This rate in addition to the current rate of 64.967 mills for Tax District-10301 result in a total levy within the district boundaries of up to 114.967 mills. In addition to the Maximum Debt Mill Levy applicable to the District's debt service mill levy, an Operating Mill Levy will be imposed by the District to fund administrative, operating, and facilities maintenance expenses, including the repayment of any advances provided to the District for such purposes. This rate is anticipated to be 10 mills.

To finance Public Improvements, the Developer is requesting that the City authorize the Service Plan for the District and provide the District with the authority to utilize General Obligation Bonds. The Service Plan established the specific location and size of the District, including the legal description and boundary map.

The proposed District is organized to serve as a method by which development can occur with the City in such a way as to eliminate economic risk to the City, provide economic benefits to the property owners, and place the risk of development on property developers. The Financial Plan has been designed to assure that at no time will the City have any legal responsibility for District obligations and to assure that the risk of development remains with the developer until a sufficient tax base has been achieved to pay the District debt through mill levy assessments. Mill levy assessments

will be imposed only on properties within the boundaries of the Districts.

Land Use and Zoning
The property is currently situated in the City limits with a zoning designation of Planned Development (PD). An Outline Development Plan is in place, known as “The Community” and as further described in City Ordinance No. 4676 and amended in City Ordinance No. 4855. Allowed land uses include single-family attached and detached, duplexes, business residences, retail, landscaping (greenhouses), government and public purpose facilities, parks and open space, and agricultural uses. The Planned Development will provide a mix of manufacturing, office park employment centers, health care facilities, retail services, multifamily residential, attached residential, and detached residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as shared drainage facilities and common landscape and streetscape character.

NOTIFICATION REQUIREMENTS
In compliance with statutory requirements, the following steps have or will occur as the Service Plan review proceeds:

1) City Clerk received a petition for review of a service plan for the Halandras Metropolitan District on June 17, 2020.

2) The City Clerk reported the filing to the Colorado Department of Local Affairs on June 17, 2020.

3) The City shall provide notification of the public hearing no less than 20 days prior to the hearing.

4) City Council shall set a date for a meeting for a hearing on the Service Plan that must be within 30 days of the first meeting.

5) The City shall provide written notice of the hearing to the Department of Local Affairs.

ANALYSIS
Statutory Compliance of Submittal Elements
The required submittal elements for a Service Plan included in C.R.S. §32-1-202 (2) are listed below.

(a) A description of the proposed services;

The Service Plan provides a list of potential services, to provide public and semi-private services, but also states that these may or may not be services that the district

provides. The Service Plan provides the District to have the authority to provide for the acquisition, design, finance, construction, installation, repair, and replacement of Public Improvements and related operation and maintenance services within the boundaries of the District. The exact design, phasing of construction and location of the Public Improvements will be determined at the time of and pursuant to City approval of Approved Development Plans and such decisions shall not be considered material modifications of the Service Plan.

An estimate of the costs of the improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained or financed is based upon Preliminary Engineering Surveys and estimates. The Service Plan states that total debt issuance shall not exceed $65,000,000. The specific services proposed in the West Junction Metropolitan District Service Plan for the residential and commercial development, parks and open space include: 1) Streets and roadway rights-of-way; 2) traffic and safety controls and facilities; 3) Domestic water supply systems; 4) Irrigation water supply systems 5) Storm sewer facilities; 6) Sanitary sewer facilities; 7) Landscaping; 8) Parks and trails; 9) Recreation facilities; and 10) Such other public improvements approved by the City for the development of the project.

Exhibit D of the Service Plan includes Preliminary Utility Plans (conceptual) which adequately depict the locations of these proposed improvements throughout the District.

Staff concludes this element has been met.

(b) A financial plan showing how the proposed services are to be financed, including the proposed operating revenue derived from property taxes for the first budget year of the district, which shall not be materially exceeded except as authorized pursuant to § 32-1-207 or §29-1-302, C.R.S. All proposed indebtedness for the district shall be displayed together with a schedule indicating the year or years in which the debt is scheduled to be issued. The board of directors of the district shall notify the board of county commissioners or the governing body of the municipality of any alteration or revision of the proposed schedule of debt issuance set forth in the financial plan;

A financial plan was included in the Service Plan. It proposes the total debt that the District shall be permitted to issue shall not exceed $65,000,000 and shall be permitted to be issued on a schedule as provided in the Service Plan. The Financial Plan was reviewed by the City's Director of General Services, Jay Valentine. In his review, Mr. Valentine noted the petition states the debt is not backed by any pledge of revenue from the City and approval of the Service Plan is not a guarantee of debt repayment by the City. Mr. Valentine's summary and analysis are below.

• The public improvements will be primarily financed by the issuance of General

Obligation (GO) bonds secured by 50 mills ad valorem tax. Bonds will be issued in two separate series; Series 2021 will include a Par amount of $46,025,000 and Series 2026 will include a Par amount of $56,520,000.

- o Both Series 2021 and 2026 will be 30-year terms.
- o The proposed maximum interest rate on any debt may not exceed 12% and the maximum underwriting discount will not exceed 3%.
- o The debt service coverage on Series 2021 and 2026 are 1.3 and 1.25 respectively.
- o Net bond proceeds are expected to be $32.9 million on the 2021 series and $48.7 on 2026 series.

• Buildout of the district is anticipated in to be completed in 2025.
• A commercial building valued at $600,000 will have a property tax payment to the district in the amount of $10,440.
• A residential home valued at $300,000 will have a property tax payment to the district in the amount of $1,431.

The repayment of the debt incurred is proposed to be achieved by imposing a mill levy of up to 50 mills each, on the taxable property of this district for the repayment of General Obligation Bonds. The mill levy rate may be increased up to the maximum or decreased to the extent the actual tax revenues generated by the mill are sufficient to pay the debt. Although the mill levy will be the District's primary source of revenue for the debt, the District will also have the discretion and power to assess fees, rates or charges. The District is not pledging any revenue or property of the City as security for the debt; and approval of the Service Plan shall not be construed as a grantee by the City of payment of any of the District's obligations or as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

Staff concludes this element has been met.

(c) A preliminary engineering or architectural survey showing how the proposed services are to be provided;

Preliminary Utility Plans for Public Improvements were included as Exhibit D in the Service Plan. Conceptually, the Surveys depict the various services to be provided and generally illustrate where the improvements will occur throughout the District, as well as conceptually illustrate the ultimate build-out of the development. These general drawings provide an overall conceptual design for the construction of improvements from which cost estimates included in the financial plan of the Service Plan were developed.

The City Development Engineer reviewed the Preliminary Utility Plans included in the Service Plan and has deemed them acceptable for purposes of organization of the

District. As plans proceed for the West Junction Metropolitan District, the developer will submit plans in much greater detail to show that improvements will be constructed per City standards. The Development Plans in the Service Plan generally depict the proposed construction from which cost estimates were developed.

Staff concludes this element has been met.

(d) A map of the proposed special district boundaries and an estimate of the population and valuation for assessment of the proposed special district;

A Boundary Map and legal description was included in the Service Plan as Exhibit B. While number of residential units and total square footage of commercial and industrial space has not been provided at this point, the Service Plan provides an assessed value estimate of $80,277,979 at build out. Additionally, there will be an estimated population within the District Boundaries at build out of approximately 2,453 persons.

Staff concludes this element has been met.

(e) A general description of the facilities to be constructed and the standards of such construction, including a statement of how the facility and service standards of the proposed special district are compatible with facility and service standards of any county within which all or any portion of the proposed special district is to be located, and of municipalities and special districts which are interested parties pursuant to C.R.S. §32-1-204.

The Service Plan states, “The District will endure that the Public Improvements it finances, designs, installs and constructs are in accordance with the applicable standards and specifications of the City, including without limitation any Subdivision Improvement Agreement(s) with the City applicable to such Public Improvements, and of other governmental entities having proper jurisdiction. All facilities conveyed or otherwise dedicated to the City shall be free and clear of any lien, claim, encumbrance or demand and shall be subject to the City’s standard warranty procedures.”

As previously stated, more detailed plans such as the recreational facility(ies) will be submitted to the City for review either a part of the Intergovernmental Agreement development and/or at the time of subdivision or site plan review. Such specific facilities include those listed in criterion (a) above. The Preliminary Utility Plans conceptually depict facilities proposed in the West Junction Service Plan.

Staff concludes this element has been met.

(f) A general description of the estimated cost of acquiring land, engineering services, legal services, administrative service, initial proposed indebtedness and estimated

proposed maximum interest rates and discounts, and other major expenses related to the organization and initial operation of the district.

The estimated cost of acquiring land, engineering services, legal services and administrative services, together with the estimated costs of each District's organization and initial operations, is part of the estimated cost of Public Improvements, which will be eligible for reimbursement from Debt proceeds. In addition to the capital costs of the Public Improvements, the District will require operating funds for administration and to plan and cause the Public Improvements to be constructed and maintained. The first year's operating budget for the District is anticipated to be approximately $100,000 and will be derived from District revenues (including Developer advances and other payments). In addition to the Maximum Debt Mill Levy (of 50 Mills) applicable to the District's debt service mill levy, an Operating Mill Levy (anticipated at 10 mills) will be imposed by the District to fund administrative, operating, and facilities maintenance expenses, including the repayment of any advances provided to the District or such purposes, as shown in Exhibit D of the Service Plan.

The estimated total cost of the improvements including public sanitary sewer, water, streets, storm drainage facilities, irrigation, and landscaping excluding related soft costs (collectively the "Public Improvements") is approximately $65,208,869 (2020).

Staff concludes this element has been met.

(g) A description of any arrangement or proposed agreement with any political subdivision for the performance of any services between the proposed special district and such other political subdivision, and, if the form contract to be used is available, it shall be attached to the service plan;

The Applicant has not proposed an Intergovernmental Agreement (IGA) for the performance of services between the City and the district. The Applicant has indicated via a separate memo attached herein as "Attachment 3 – IGA Memo" that three separate IGAs will be proposed and submitted to the City for review/negotiation in the future. All proposed IGAs will be a condition of Service Plan approval, and included in the agreement(s) should be language stating that the District will dedicate the Public Improvements (as defined in the Service Plan) to the City or other appropriate jurisdiction or owners' association in a manner consistent with the Service Plan and other rules and regulations of the City and applicable provisions of the City Code. The District is expected to undertake all ownership, operations and maintenance responsibilities for the Public Improvements that are not conveyed to the City or other governmental entities as appropriate and will do so either itself or by contract with owner associations. If the District operates the facilities, revenue to pay the expenses of operations may be obtained from ad valorem tax revenues or from the assessment of rates, fees, tolls, and charges imposed pursuant to the Colorado Special District Act.

User fees for use of recreational facilities may be different for residents of the District than for outside users. Approval of the Service Plan by the City constitutes the City's agreement that the District may perform these functions. The District will acquire by easement or plat dedication all real property interests for construction of public improvements that will be conveyed to the City by the District.

In conclusion, while this element has not been met at this time, a condition of approval for the Service Plan will be the City review and approval of one or more IGAs.

(h) Information, along with other evidence presented at the hearing, satisfactory to establish that each of the criteria set forth in section 32-1-203, if applicable, is met;

This statutory requirement gives the City Council broad power to establish requirements for service plan approval that exceed or enhance those specifically cited in the statutes. The requirement that these be enacted by resolution formalizes the request for additional information and makes the demands for information uniform for all applications (where the information request is relevant to the proposed services). For this proposed Service Plan, Staff and other review agencies/reviewers did not identify the need for any additional information in order to render a sound decision on the proposed district and Service Plan.

RECOMMENDATION AND FINDINGS OF FACT

In accordance with Law, the findings of the City shall be based solely upon the Service Plan and evidence presented at the hearing by the petitioners, planning commission, and any interested party.

Pursuant to C.R.S. §32-1-203 the City Council may:

- Approve the Service Plan without condition or modification;
- Disapprove the Service Plan; or
- Conditionally approve the Service Plan subject to the submission of additional information relating to or the modification of the proposed Service Plan.

In accordance with Law, the City may conditionally approve the service plan of a proposed special district upon satisfactory evidence that it does not comply with one or more of the criteria; final approval shall be contingent upon modification of the Service Plan to include such changes or additional information as shall be specifically stated in the findings of the City Council.

After reviewing SDS-2020-322, a request to consider formation of a metropolitan district service plan for the West Junction development to be developed on 177 acres northwest of the Highway 6 and 50 and Patterson Road intersection, the following findings of fact may reasonably be made by the Planning Commission:

1. The West Junction Metropolitan District Service Plan is consistent with the Comprehensive Plan; and

2. The West Junction Metropolitan District Service Plan meets Title 32 of the Colorado Revised Statutes for formation of a metropolitan district.

SUGGESTED MOTION:

Mr. Chairman, on the request for review and approval of the Service Plan for the West Junction Metropolitan District, a metropolitan district intended to serve the proposed West Junction development, SDS-2020-322, I move that the Planning Commission forward a recommendation of conditional approval with the following condition:

Condition 1: Approval and execution of one or more Intergovernmental Agreement (IGA) describing the improvements and responsibilities of the City of Grand Junction and the West Junction Metropolitan District.

Attachments

1. West Junction Metropolitan District Service Plan
2. Maps and Exhibits
3. IGA Memo
4. Notice of Filing to DOLA
5. Organizational Calendar
6. Proposed Resolution
7. 20.07.27 Ute Water Conservancy District Comments

SERVICE PLAN

WEST JUNCTION METROPOLITAN DISTRICT

CITY OF GRAND JUNCTION, COLORADO

Prepared by:

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1888 SHERMAN STREET, SUITE 200
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Submittal: June 16, 2020
Re-Submittal July 10, 2020
Re-Submittal July 20, 2020

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EXHIBIT B	**Legal Description and Boundary Map**
EXHIBIT C	**Capital Cost Estimate**
EXHIBIT D	**Preliminary Utility Plans**
EXHIBIT E	**Financial Plan**
EXHIBIT F	**City Resolution of Approval (Certified Resolution to be inserted)**

I. INTRODUCTION

A. Purpose and Intent.

The District is an independent unit of local government, separate and distinct from the City of Grand Junction and, except as may otherwise be provided for by state or local law or this Service Plan, its activities are subject to review by the City if it deviates in a material way from the requirements of the Service Plan. It is intended that the District will provide a part or all of the various Public Improvements, as described in Section V.A.1, necessary and appropriate for the development of the Project within the City. The Public Improvements will be constructed for the use and benefit of all anticipated inhabitants and taxpayers of the District and the general public, subject to such policies, rules and regulations as may be permitted under applicable law. A primary purpose of the District will be to finance the construction and installation of the Public Improvements and to provide ongoing operations and maintenance services as specifically set forth in this Service Plan.

B. Need for the District.

There are currently no other governmental entities, including the City, located in the immediate vicinity of the District that have the means or desire to undertake the planning, design, acquisition, construction, installation, and financing of the Public Improvements needed for the Project. Formation of the District is necessary in order for the Public Improvements required for the Project to be provided in the most economical manner possible.

C. Objective of the City Regarding District Service Plan.

The City's objective in approving the Service Plan for the District is to authorize the District to provide for the financing, planning, design, acquisition, construction, and installation of the Public Improvements from the proceeds of Debt to be issued by the District. All Debt is expected to be repaid by taxes imposed and collected at a mill levy no higher than the Maximum Debt Mill Levy and from other legally available revenues. Debt, issued within these parameters and as further described in the Financial Plan, will result in a timely and reasonable discharge of the Debt. Under no circumstances is the City agreeing or undertaking to be financially responsible for the Debt or the construction of Public Improvements.

Further, the objective of the City is to authorize the District to undertake operations and maintenance functions for Public Improvements that are not dedicated to the City, Ute Water Conservation District ("Water District"), Colorado Department of Transportation ("CDOT"), or to another appropriate governmental entity to perform such functions. The District intends to own and maintain certain park and recreation improvements, including a multi-purpose recreation facility that shall be operated by the City under a separate intergovernmental agreement with the City. All of the other Public Improvements are anticipated to be dedicated to the City, Water District or CDOT for ownership, operations and maintenance.

The District shall be authorized to finance the Public Improvements that can be funded from Debt to be repaid from tax revenues collected from a mill levy which shall not exceed the

Maximum Debt Mill Levy together with other legally available revenues, which may include, without limitation, fees, rates, tolls, charges and penalties. The cost of Public Improvements beyond the Debt capacity of the District shall be considered Developer contributions.

II. DEFINITIONS

In this Service Plan, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Approved Development Plan: means a recorded plat, ODP, PD amendment or subdivision improvement agreement approved by the City.

Board: means the Board of Directors of the District.

Bond, Bonds or Debt: means bonds, notes, debentures, certificates, contracts, capital leases or other multiple-fiscal year obligations for the payment of which the District has promised to impose an ad valorem tax or pledge of fees or other revenue source, not subject to annual appropriation.

City: means the City of Grand Junction, Colorado.

C.R.S.: means the Colorado Revised Statutes.

Developer: means Foothills Housing 2, LLC or successor entities.

District: means the West Junction Metropolitan District.

District Activities: means any and all services, functions, and powers that special districts organized under the Special District Act may provide, perform or exercise as of the date of this Service Plan, except that the District shall not be authorized to provide fire protection facilities or services, nor shall it be authorized to provide operations for domestic water and/or sanitary sewer service.

External Financial Advisor: means a consultant that: (i) advises Colorado governmental entities on matters relating to the issuance of securities by Colorado governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be an underwriter, investment banker, or individual listed as a public finance advisor in the Bond Buyer's Municipal Market Place; and (iii) is not an officer or employee of the District and (iv) has not been otherwise engaged to provide services in connection with the transaction related to the applicable Debt.

Financial Plan: means the Financial Plan found in Section VI and Exhibit D of this Service Plan, which describes the following, based on current estimates which may change based on market conditions and subject to the limitations and requirements of this Service Plan: (i) how the Public Improvements are to be financed; (ii) how the Debt is expected to be

incurred; and (iii) repayment of Debt derived from property tax revenues. Any change to the Financial Plan, within the limitations of this Service Plan, shall not constitute a material modification of this Service Plan.

Maximum Debt Mill Levy: means the maximum mill levy the District is permitted to impose upon taxable property within the District for payment of Debt as set forth in Section VI.C below.

Operating Mill Levy: means the mill levy the District is permitted to impose to fund administrative, operating, and facilities maintenance expenses, as set forth in Section VI.F below.

Project: means a portion of the development or property known as The Community Planned Development and as shown on the District Boundary Map.

Public Improvements: means those improvements permitted under the Special District Act, subject to any limitations established in this Service Plan, and limitations or requirements set forth in Approved Development Plans addressing improvements required for the Project that the District is authorized to provide as described in Section V.A below.

Service Area: means the District boundaries as shown on the District Boundary Map.

Service Plan: means the District's service plan as approved by City Council.

Service Plan Amendment: means a material modification to the Service Plan approved by City Council in accordance with Section 32-1-207(2), C.R.S.

Special District Act or Act: means Sections 32-1-101, et seq., of the Colorado Revised Statutes.

State: means the State of Colorado.

TABOR: means Article X, Section 20 of the Colorado Constitution.

Total Debt Issuance Limit: means the maximum amount of general obligation Debt the District may issue, as stated in Section VI.C below.

III. BOUNDARIES

A vicinity map depicting the location of the Project is attached hereto as Exhibit A and a legal description and map of the property located within the District Boundaries is attached hereto as Exhibit B.

IV. PROPOSED LAND USE/POPULATION PROJECTIONS/ASSESSED VALUATION

The Project area and District boundaries consists of approximately one hundred seventy-seven (177) acres of land. The Project is zoned for single and multi-family residential and commercial and industrial uses. The assessed valuation of the Project area is assumed to be zero dollars for purposes of this Service Plan and, at build out, is expected to be approximately Eighty Million Two Hundred Seventy-Seven Thousand Nine Hundred Seventy-Nine Dollars ($80,277,979), which amount is expected to be sufficient to reasonably discharge the Debt to be incurred by the District. The estimated population within the District Boundaries at build out is expected to be approximately 2,453 persons.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the District and Service Plan Amendment.

The District shall have the power and authority to provide for the acquisition, design, finance, construction, installation, repair and replacement of Public Improvements and related operation and maintenance services within and without the boundaries of the District as such power and authority is described in the Special District Act, and other applicable statutes, common law and the state constitution, subject to the limitations set forth herein. The Capital Cost Estimate attached as Exhibit C lists the anticipated types of Public Improvements the District may provide with estimated costs in current dollars. The exact design, phasing of construction and location of the Public Improvements will be determined at the time of and pursuant to City approval of Approved Development Plans and such decisions shall not be considered material modifications of the Service Plan. The District shall be authorized to finance and construct such Public Improvements without the necessity to seek an amendment of this Service Plan.

1. General Powers.

Streets. Streets, curbs, gutters, culverts, other drainage facilities, sidewalks, bridges, parking facilities, paving, lighting, grading, monumentation, signage, streetscapes and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements and extensions of and improvements to such facilities.

Traffic and Safety Controls. Traffic and safety protection facilities and services provided through traffic and safety controls and devices on streets, highways and at railroad crossings, including traffic signals and signage, striping, area identification signs, directional assistance, driver information signs, lighting, and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

Water. Potable and nonpotable water supply systems, including water rights, storage facilities, transmission and distribution lines, fire hydrants, meters, facilities, equipment, and related landscaping and irrigation improvements, together with all

necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

Storm and Sanitary Sewer. Storm and sanitary sewer collection and transmission improvements, including storage facilities, collection mains and laterals, transmission lines, storm sewer, flood and surface drainage facilities and systems, and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements and extensions of and improvements to such facilities.

Parks and Recreation. Public park, open space, and recreation facilities and services, including a recreation facility with a fieldhouse, pool, and other amenities, parks, bike paths, pedestrian ways, signage, monumentation, playground areas, public area landscaping and weed control, streetscaping, perimeter fencing, outdoor lighting of all types, and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

2. Operations and Maintenance. The District shall be authorized to operate and maintain Public Improvements not conveyed to the City, Water District, CDOT or other governmental entity having proper jurisdiction. It is anticipated by the City and Developer that the District will own, operate and maintain certain parks, trails, open space and common areas, and the District will own a multi-purpose recreation facility designed in collaboration with the City's Parks and Recreation Department to be operated by the City through a separate intergovernmental agreement, and providing a separate tier schedule and pricing structure for District residents and taxpayers.

3. Construction Standards Limitation. The District will ensure that the Public Improvements it finances, designs, installs and constructs are built in accordance with the applicable standards and specifications of the City, including without limitation any development improvement agreements or to the standards and specifications of other governmental entities having proper jurisdiction. All facilities conveyed or otherwise dedicated to the City, Water District or CDOT shall be free and clear of any lien, claim, encumbrance or demand and shall be subject to the applicable jurisdiction's standard warranty procedures.

4. Privately Placed Debt Limitation. Prior to the issuance of any privately placed Debt to the Project Developer or its affiliated entities, the District shall obtain the certification of an External Financial Advisor substantially as follows:

> We are [I am] an External Financial Advisor within the meaning of the District's Service Plan. We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt],

including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

5. Inclusion/Exclusion Limitation. The District shall not include additional property within its Boundaries without the prior written consent of the City given by the City Council. For any proposed exclusion, the District shall give the City Attorney thirty (30) days advance written notice of any proposed exclusion hearing. City approval of the exclusion may be given by the City Manager and any action on such exclusion shall be completed promptly by the City Attorney following the hearing at which the District considers the exclusion.

6. Total Debt Issuance Limitation. The District shall not issue Debt, collectively, in excess of Sixty-Five Million Dollars ($65,000,000), and the District may issue Debt on a schedule and in such year or years as the District determines and phased to serve development as it occurs. Refunded Debt shall not count against the Total Debt Issuance Limitation.

7. Monies from Other Governmental Sources. The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other grant funds available from or through governmental or non-profit entities that the City is eligible to apply for and has applied for, except pursuant to approval of the City.

8. Bankruptcy Limitation. All of the limitations contained in this Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy have been established under the authority of the City to approve a Service Plan with conditions pursuant to Section 32-1-204.5, C.R.S. It is expressly intended that such limitations:

a. Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and

b. Are, together with all other requirements of Colorado law, including in the "political or governmental powers" reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the "regulatory or electoral approval necessary under applicable non-bankruptcy law" as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

9. Service Plan Amendment Requirement. This Service Plan has been designed with sufficient flexibility to enable the District to provide required services and facilities under evolving circumstances without the need for amendment. Actions of the District which violate the Service Plan shall be deemed to be material modifications to this Service Plan and the City shall be entitled to all remedies available under state and local law to enjoin such actions of the District, and to seek other remedies provided in law or in equity. The Financial Plan and specific Public Improvements presented herein are estimates only and are subject to change due to market conditions at the time of issuance. Any such change, within the limitations of this Service Plan, shall not constitute a material modification of the Service Plan.

B. Preliminary Engineering Survey.

The District shall have authority to provide for the financing, planning, design, acquisition, construction, installation and maintenance of the Public Improvements within and without the Boundaries of the District, as more specifically defined by Approved Development Plans. Such Public Improvements will benefit District taxpayers and residents through the provision of financing shared transportation access, water, wastewater, storm water systems and recreation facilities. A description of the Public Improvements necessary for the Project and eligible for District financing was prepared based upon a preliminary capital cost estimate of Sixty-Five Million Two Hundred and Eight Thousand Eight Hundred Sixty-Nine Dollars ($65,208,869), as shown in Exhibit C attached hereto. The Public Improvements and associated costs shown in Exhibit C are subject to change based on future development approvals and market costs at the time of construction and any such variations from Exhibit C shall not constitute a material modification of this Service Plan.

All Public Improvements shall meet the standards and specifications adopted and/or required by the City, Water District, CDOT or other governmental entity having jurisdiction over such Public Improvements.

VI. FINANCIAL PLAN

A. General.

The District shall be authorized to finance the planning, design, acquisition, construction, and/or installation of the Public Improvements from any lawful revenue source, including but not limited to the proceeds of Debt to be issued by the District. A Financial Plan, attached as Exhibit D, includes the estimated indebtedness, timing, and interest rates of Debt anticipated to be issued by the District. The Financial Plan is one projection of Debt to be issued by the District, and it is expected that the terms of Debt when issued by the District may vary from the Financial Plan based on market conditions and other factors at the time of issuance. Such variations shall not constitute a material modification of this Service Plan. The total Debt that the District shall be permitted to issue shall not exceed the Total Debt Issuance Limit and shall be permitted to be issued on a schedule and in such year or years as the District determines and phased to serve development as it occurs; provided, however, refundings shall not count against the Total Debt Issuance Limit. All Bonds and other Debt issued by the District may be payable from any and all legally available revenues of the District, including general *ad valorem* taxes and Fees to be imposed upon all Taxable Property of the District. The District may also rely upon various other revenue sources authorized by law. These may include, but not be limited to, revenues from fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(1)(j), C.R.S. It is anticipated that the Developer of the Project and/or other parties may incur costs for Public Improvements, either in the form of direct payments for such costs, or by means of advances to the District; these direct payments and/or advances shall be reimbursable by the District from Debt, contractual reimbursement agreements and/or any legally available revenue source.

B. Maximum Voted Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. The proposed maximum interest rate on any Debt may not exceed twelve percent (12%). The maximum underwriting discount will not exceed three percent (3%). Debt, when issued, will comply with all relevant requirements of this Service Plan and state and Federal law.

C. Maximum Debt Mill Levy.

The Maximum Debt Mill Levy shall be fifty (50) mills, provided that if, on or after January 1, 2020, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement, the mill levy limitation applicable to such Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the mill levy, as adjusted for changes occurring after January 1, 2020, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

Prior to the issuance of Debt, the District shall obtain an opinion of an underwriter, if the District has engaged an underwriter for the proposed Debt transaction, and an opinion of a nationally recognized bond counsel. All issuances of general obligation Bonds shall be deemed to be in compliance with the Financial Plan so long as the Minimum Criteria, as hereinafter defined, have been met. "Minimum Criteria" shall mean that the general obligation Bonds are: (1) subject to the Maximum Debt Mill Levy, if required by this Service Plan; (2) together with other outstanding general obligation Bonds of the District, not in excess of the Total Debt Issuance Limitation set forth in this Service Plan, as may be amended; (3) together with other outstanding general obligation Bonds of the District, not in excess of the general obligation debt authority provided by the District's electorate; and (4) issued in compliance with the applicable requirements of Section 32-1-1101(6), C.R.S. Any issuance of general obligation Bonds that does not satisfy the Minimum Criteria shall constitute a material modification of this Service Plan.

The costs of constructing the Public Improvements may be paid from available District mill levy revenues, Debt and/or advances from the Developer of the Project. The District shall be authorized to reimburse Developer advances, if any, with interest at a market reasonable rate from District mill levy revenues and/or proceeds from Debt privately placed with the Developer, and other legally available revenues of the District. Any such privately placed Debt shall be subject to the limitations set forth in Section V.A.4. and the Minimum Criteria.

In the event that the District determines that it is in the best interests of the District and its taxpayers to issue general obligation Bonds to parties other than the Developer to: (i) reimburse the Developer for Developer advances; (ii) refund or restructure Debt previously placed with the Developer; or (iii) finance Public Improvements, the District shall prepare a plan of finance for the purpose of determining whether the proposed issuance satisfies the Minimum Criteria. The plan of finance will include the amount of Bonds to be issued, uses of proceeds therefrom (including, if any, capitalized interest and costs of issuance), sources of revenues securing repayment of the

Bonds and the repayment schedule for the Bonds. At least thirty (30) calendar days prior to any such issuance, the District shall submit the plan of finance together with an opinion of an underwriter or bond counsel to the City for review to determine whether the proposed issuance satisfies the Minimum Criteria. If the City does not provide the District with written objections to the proposed issuance concerning conforming to the Minimum Criteria within the thirty (30) day review period, City consent to the proposed issuance shall be deemed given.

Any Debt issued by the District with a pledge or which results in a pledge that exceeds the Maximum Debt Mill Levy shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S. and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

D. Security for Debt.

The District shall not pledge any revenue or property of the City or infrastructure to be conveyed to the City by the District, as security for the indebtedness set forth in this Service Plan. Approval of this Service Plan shall not be construed as a guarantee by the City of payment of any of the District's obligations; nor shall anything in the Service Plan be construed so as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

E. TABOR Compliance.

The District will comply with the provisions of TABOR.

F. District Operating Costs and Operating Mill Levy.

The first year's operating budget is estimated to be $100,000, which is anticipated to be derived from other District revenues (including Developer advances or other payments). The first year's operating budget is an estimate only, and variations from this estimate shall not be considered a material modification of this Service Plan.

In addition to the Maximum Debt Mill Levy applicable to the District's debt service mill levy, an Operating Mill Levy will be imposed by the District to fund administrative, operating, and facilities maintenance expenses, including the repayment of any advances provided to the District for such purposes, as shown in Exhibit D.

VII. ANNUAL REPORT

A. General.

The District shall be responsible for submitting an annual report to the City Manager no later than August 1st of each year following the year in which the Order and Decree creating the District has been issued.

B. Reporting of Significant Events.

The annual report shall include information as to any of the following as of December 31st of the prior year:

1. Boundary changes made to the District's Boundaries.

2. Intergovernmental agreements with other governmental entities entered into.
3. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City or other governmental entity.

4. The assessed valuation of the District for the current year.

5. Current year budget including a description of the Public Improvements to be constructed in such year.

6. Audit of the District's financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles, if required by law, or an Audit Exemption.

7. Notice of any uncured events of default by the District under any Debt instrument, which continue beyond a ninety (90) day period.

8. Summary of any litigation where the District is a party (including a list of the parties or anticipated parties, claims or anticipated claims, etc.).

VIII. DISSOLUTION

The District is not intended to dissolve because it will continue to own and maintain certain park and recreation Public Improvements. However; upon an independent determination of the City Council that the purposes for which the District was created have been accomplished, the District agrees to file a petition in the appropriate District Court for dissolution, pursuant to §§ 32-1-701, et seq., C.R.S. In no event shall a dissolution occur until the District has provided for the payment or discharge of all of its outstanding indebtedness and other financial obligations as required by the Special District Act and that any ownership, operations, maintenance, repair and replacement obligations for District owned and/or operated Public Improvements have been conveyed to another public entity.

IX. DISCLOSURE TO PURCHASERS

In addition to recording the Court Order and Decree forming the District against all property within the District boundaries, the District will use reasonable efforts to assure that property owners provide written notice to initial end user purchasers regarding the Maximum Debt Mill Levy, as well as a general description of the District's authority to impose and collect rates, fees, tolls and charges. The form of notice shall be filed with the City, which filing shall be deemed satisfied upon the filing of the annual disclosure form (§ 32-1-809, C.R.S.) with the

Division of Local Government.

X. INTERGOVERNMENTAL AGREEMENTS

Upon District formation, the District and City shall execute multiple intergovernmental agreements (the "City IGAs") for the purposes of: (1) creating a contractual relationship between the parties; (2) addressing the terms of the operation and maintenance of the recreation facility; and (3) a cost allocation and district financing reimbursement agreement using City fee revenue sharing to complete in a timely manner and finance City obligation street improvements required by City Ordinance #4878. The District shall not incur any Debt or impose any taxes or fees until its Board has approved and executed the City IGAs, as applicable.

XI. CONCLUSION

It is submitted that this Service Plan for the District meets the requirements of the Special District Control Act, §§ 32-1-201, et seq., C.R.S., the applicable requirements of the Colorado Constitution, and those of the City. It is further submitted that this Service Plan meets the criteria set forth in § 32-1-203(2), C.R.S., establishing that:

A. There is sufficient existing and projected need for organized service in the area to be serviced by the District. The District will provide basic public infrastructure to service the Project and will provide a sought-after amenity in the form of the recreation facility, all of which will add value to the Project and surrounding properties.

B. The existing service in the area to be served by the District is inadequate for present and projected needs. The current status of the property is undeveloped land. No other public entity, including the City, is willing to construct and provide public services to this Project. It is cost prohibitive for the Developer to pass along the costs of public infrastructure installed to last for decades to the first home buyers and property owners. Growth should pay its way over the life of the infrastructure.

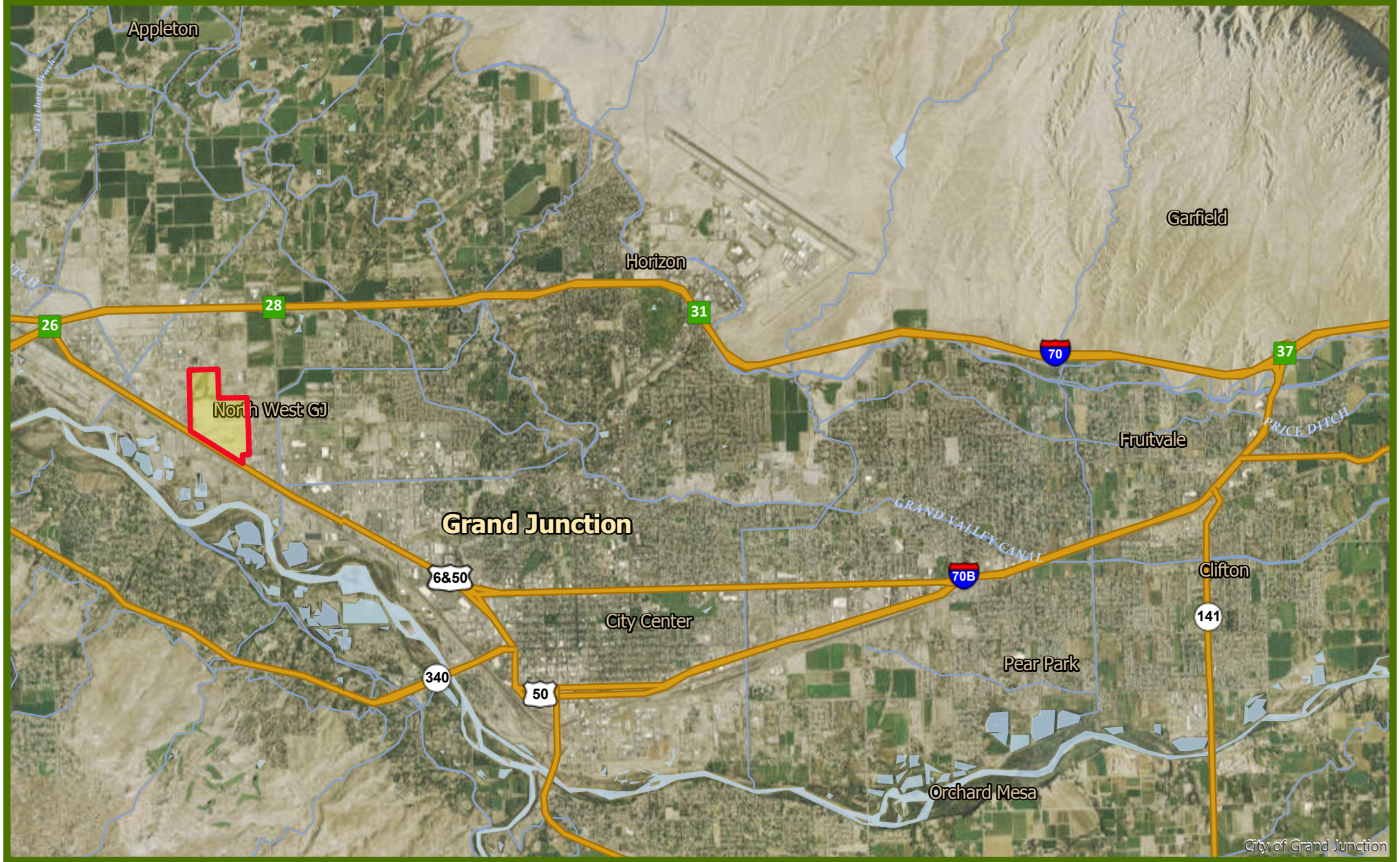
C. The District is capable of providing economical and sufficient service to the proposed development within its boundaries. The Capital Cost Estimate and Financial Plan attached as exhibits to the Service Plan demonstrate the District's ability to finance, design, construct and acquire the necessary public infrastructure in an economical and timely fashion for dedication to public entities.

D. The area to be included within the District does have and will have the financial ability to discharge the proposed indebtedness on a reasonable basis. The Financial Plan attached hereto utilizes a conservative approach to estimating the debt capacity of the District to finance the Public Infrastructure.

EXHIBIT A

VICINITY MAP

EXHIBIT A VICINITY MAP



N

0 10,000 20,000 ft

Printed: 7/7/2020

1 inch equals 6,019 feet

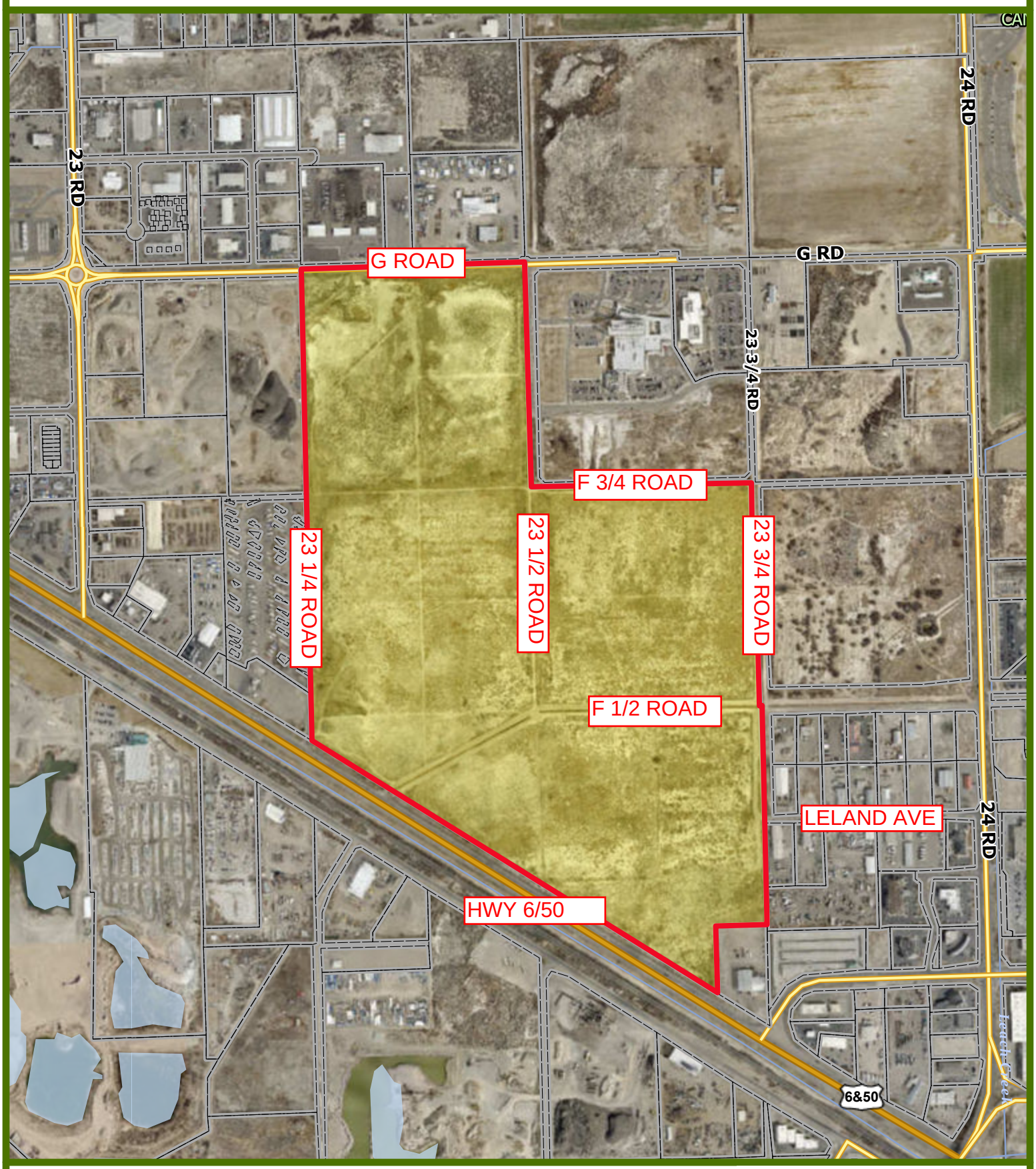
Scale: 1:72,224

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

EXHIBIT B

DISTRICT BOUNDARY MAP AND LEGAL DESCRIPTION

EXHIBIT B - BOUNDARY MAP



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0 1,000 2,000 ft

Printed: 7/6/2020

1 inch equals 752 feet

Scale: 1:9,028

CITY OF Grand Junction COLORADO

GEOGRAPHIC INFORMATION SYSTEM

LEGAL DESCRIPTION

LOT 2 OF CENTENNIAL COMMERCIAL CENTER, COUNTY OF MESA, STATE OF COLORADO.

ALSO KNOWN AS: PARCEL NO. 2945-0511-4003, COUNTY OF MESA, STATE OF COLORADO.

EXHIBIT C

CAPITAL COST ESTIMATE

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: JULY 10, 2020
LOCATION: 23 1/2 and F-1/2 Road
PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
A.	**SANITARY SEWER**				
1	12" PVC Sanitary Sewer Main	LF	1,350	$ 35.00	$ 47,250.00
2	10" PVC Sanitary Sewer Main	LF			$ -
3	8 " PVC Sanitary Sewer Main	LF	48,582	$ 32.00	$ 1,554,624.00
4	6" PVC Sanitary Sewer Main	LF			$ -
5	5' DIA Sewer Manhole	EA			$ -
6	4' DIA Sewer Manhole	EA	114	$ 4,200.00	$ 480,748.80
7	Sewer Clean Out w/Cover	EA			$ -
8	Sanitary Sewer Drop Manhole	EA			$ -
9	Sewer services	LF			$ -
10	Connection to Existing Manhole	EA	5	$ 1,500.00	$ 7,500.00
11	Manhole Stabilization (20%)	EA	46	$ 3,500.00	$ 160,249.60
12	Trench Stabilization (25%)	LF	51,215	$ 15.00	$ 768,225.00
13	Concrete Encasement	CY	300	$ 110.00	$ 33,000.00
	Subtotal Part A Sanitary Sewer				**$ 3,051,597.40**
B1.	**DOMESTIC WATER**				
1	12" PVC Water Main	LF			$ -
2	10" PVC Water Main	LF	10,018	$ 32.00	$ 320,576.00
3	8" PVC Water Main	LF	55,150	$ 28.00	$ 1,544,200.00
4	6" PVC Water Main	LF			$ -
5	4" PVC Water Main	LF			$ -
6	2" PVC Water Main	LF			$ -
7	12" Gatevalve	EA			$ -
8	10" Gatevalve	EA	28	$ 2,000.00	$ 56,000.00
9	8" Gatevalve	EA	80	$ 1,700.00	$ 136,000.00
10	6" Gatevalve	EA			$ -
11	4" Gatevalve	EA			$ -
12	2" Gatevalve	EA			$ -
13	Water Services	EA			$ -
14	Connect to Existing Water Line	EA	4	$ 1,500.00	$ 6,000.00
15	Fire Hydrant with Valve	EA	113	$ 5,100.00	$ 578,666.40
16	Wet Taps On Main By Ute	EA	4	$ 2,500.00	$ 10,000.00
17	__"Above Ground Double Check Valve w/Enclosure	EA			
18	Utility Adjustments	EA			$ -
19	Blowoff	EA			$ -
20	Flushing and Testing	EA	20	$ 1,200.00	$ 24,000.00
B2.	**IRRIGATION WATER**				
1	12" Irrigation Pipe	LF			$ -
2	10" Irrigation Pipe	LF	4,000	$ 42.00	$ 168,000.00
3	8" Irrigation Pipe	LF			$ -

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: JULY 10, 2020
LOCATION: 23 1/2 and F-1/2 Road
PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
4	6" Irrigation Pipe	LF	14,829	$ 22.00	$ 326,238.00
5	4" Irrigation Pipe	LF	4,190	$ 20.00	$ 83,800.00
6	3" Irrigation Pipe	LF			$ -
7	12" Irrigation Valve	EA			$ -
8	10" Irrigation Valve	EA	3	$ 1,100.00	$ 3,300.00
9	8" Irrigation Valve	EA			$ -
10	6" Irrigation Valve	EA	10	$ 900.00	$ 9,000.00
11	4" Irrigation Valve	EA	42	$ 400.00	$ 16,800.00
12	3" Irrigation Valve	EA			$ -
13	Irrigation Manhole	EA	15	$ 2,500.00	
14	6" Air Vac	EA	3	$ 1,200.00	$ 3,600.00
15	4" Air Vac	EA			$ -
16	Irrigation Lot Service Connections	EA	1	$ 800.00	$ 800.00
17	Concrete Sediment Pond Structure	EA	1	$ 45,000.00	$ 45,000.00
18	Pond Aeration	LS			$ -
19	Pond Edge Treatment	LF			$ -
20	Pond Liner	SF			$ -
21	Pressure Pump and Control System	EA	1	$ 65,000.00	$ 65,000.00
22	Irrigation Clock / Timer System	EA	10	$ 1,000.00	$ 10,000.00
					$ -
					$ -
	Subtotal Part B - Domestic and Irrigation Water				**$ 3,406,980.40**
C1	**STREETS**				
1	10" PVC Utility sleeves	LF			$ -
2	6" PVC Utility sleeves	LF			$ -
3	4" PVC Utility sleeves	LF	18,000	$ 7.00	$ 126,000.00
4	Subgrade Reconditioning	SY	239,430	$ 2.00	$ 478,860.67
5	Subgrade Stabilization - Remove 2' Unsuitable, Replace with 2-ft Class 3 W/Geogrid (ASSUMED 30% OF ROADS)	SY	71,829	$ 32.00	$ 2,298,531.20
6	24" Class 3 Subbase Material	SY			$ -
7	18" Class 3 Subbase Material	SY			$ -
8	14" Class 3 Subbase Material	SY	329,805	$ 12.00	$ 3,957,660.00
9	12" Class 3 Subbase Material	SY			$ -
10	Class VI-ABC - 16" Compacted Thickness	SY			$ -
11	Class VI-ABC - 13" Compacted Thickness	SY			$ -
12	Class VI-ABC - 10" Compacted Thickness	SY			$ -
13	Class VI-ABC - 8" Compacted Thickness	SY			$ -
14	Class VI-ABC - 6" Compacted Thickness	SY	329,805	$ 9.00	$ 2,968,245.00
15	5" HBP ASPHALT, PG-64-22, 75 GYRATION Arterial Street	SY	37,401	$ 34.00	$ 1,271,634.00

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: JULY 10, 2020
LOCATION: 23 1/2 and F-1/2 Road
PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
16	4" HBP ASPHALT, PG-64-22, 75 GYRATION Collectors	SY	139,390	$ 27.00	$ 3,763,539.00
17	3" HBP ASPHALT, PG-64-22, 75 GYRATION Local Streets	SY			$ -
18	8" Thk Concrete Pavement (Class P)	SY			$ -
19	6" Thk Concrete Pavement (Class P)	SY			$ -
20	4" Thk Concrete - Class GV-B	SY			$ -
21	Geotextile	SY	239,430	$ 4.00	$ 957,721.33
22	2-ft Concrete Curb and Gutter	LF	4,190	$ 13.50	$ 56,565.00
23	1.5-ft Concrete Curb and Gutter	LF			$ -
24	1.5-ft Concrete Barrier Curb (8" Tall)	LF	4,652	$ 13.50	$ 62,802.00
25	7-ft Monolithic Vertical Curb/Gutter/Walk	LF	78,155	$ 39.00	$ 3,048,045.00
26	7-ft Monolithic Commercial Driveway Section (8" Thk) Vertical Curb/Gutter/Walk	LF			$ -
27	7-ft Monolithic Residential Driveway Section (6" Thk) Vertical Curb/Gutter/Walk	LF			$ -
28	6.5-ft Monolithic Drive Over Curb/Gutter/Walk	LF			$ -
29	Concrete Corner Fillet (29 @ 1600 SF)	SY	10,310	$ 72.00	$ 742,320.00
30	Concrete Curb Ramp	EA			$ -
31	Alternate Ramp	EA			$ -
32	Sidewalk Drain Thru	LF			
33	Retaining Walls	LF			$ -
34	Stop Signs	EA	79	$ 250.00	$ 19,750.00
35	Speed Limit Signs	EA	10	$ 250.00	$ 2,500.00
36	Misc Signs	EA	30	$ 250.00	$ 7,500.00
37	Striping (New, Remove/Replace)	LF			$ -
38	Street Lights	EA	300	$ 4,000.00	$ 1,199,146.67
39	Pedestrian Street Lights	EA	256	$ 2,800.00	$ 716,856.00
40	End of Roadway Markers/Signs	EA	6	$ 250.00	$ 1,500.00
41	Flowable Fill	CY			$ -
					$ -
					$ -
C2	**BRIDGES**				
					$ -
1	Box Culvert Pre-Cast	LS			$ -
2	Box Culvert Cast-in-Place	LS			$ -
3	Wingwalls	LS			$ -
4	Parapet Wall	LS			$ -
5	Railing (handrail, guardrail)	LS			$ -
C3	**OFFSITE IMPROVEMENTS**				
8	Traffic Signal / Lanes @ F-1/2 & Hwy 50	LS	1.00	$ 1,500,000	$ 1,500,000.00
9	Right in / Right Out Highway 50	LS	1.00	$ 500,000	$ 500,000.00

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: JULY 10, 2020
LOCATION: 23 1/2 and F-1/2 Road
PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
	Subtotal Part C - Streets, Bridges, & Offsite				**$ 23,679,175.87**
D1	**EARTHWORK**				
1	Mobilization	LS	1	$ 60,000.00	$ 60,000.00
2	Clearing and Grubbing	AC	30	$ 1,500.00	$ 45,000.00
3	Unclassified Excavation - Cut	CY	209,336	$ 6.00	$ 1,256,013.42
4	Unclassified Embankment	CY			$ -
	Finish Grading	SY	239,430	$ 2.00	$ 478,860.67
5	Utility Trenching	LF	82,345	$ 6.00	$ 494,070.00
D2	**REMOVALS AND RESETTING**				
1	Removal of Asphalt	SY	1,600	$ 5.00	$ 8,000.00
2	Removal of Miscellaneous Concrete	SY			$ -
3	Remove Curb and Gutter	LF			$ -
4	Removal of Culverts	LF			$ -
5	Remove Structures	EA			$ -
6	Remove Signs	EA			$ -
7	Remove Fence	LF	4,000	$ 3.00	$ 12,000.00
8	Adjust Manhole	EA	14	$ 500.00	$ 7,000.00
9	Adjust Valvebox	EA	12	$ 200.00	$ 2,400.00
10	Relocate or Adjust Utilities	LS			$ -
D3	**EROSION CONTROL, SEEDING, AND SOIL RETENTION**				
1	Sod	SY			$ -
2	Seeding (Native)	AC	10	$ 3,500.00	$ 35,000.00
3	Seeding (Bluegrass/Lawn)	SF			$ -
4	Hydraulic Seed and Mulching	AC	15	$ 1,500.00	$ 22,500.00
5	Soil Retention Blanket	SY			$ -
6	Silt Fence	LF			$ -
7	Straw Waddles	LF			$ -
8	Temporary Berms	LF	6,000	$ 2.00	$ 12,000.00
9	Inlet Protection	EA	135	$ 300.00	$ 40,449.00
10	Sediment Trap/Basin	EA			$ -
11	Monthly Maintenance/Inspection	Month	32	$ 1,100.00	$ 35,200.00
12	Watering (Dust Control)	LS	1	$ 30,000.00	$ 30,000.00
13	Temporary Irrigation				$ -
D4	**STORM DRAINAGE FACILITIES**				

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: JULY 10, 2020
LOCATION: 23 1/2 and F-1/2 Road
PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
1	60" Storm Drain Pipe	LF	2,410	$ 200.00	$ 482,000.00
2	54" Storm Drain Pipe	LF			$ -
3	48" Storm Drain Pipe	LF			$ -
4	32" Storm Drain Pipe	LF			$ -
5	24" Storm Drain Pipe	LF	4,712	$ 74.00	$ 348,688.00
6	18" Storm Drain Pipe	LF	5,933	$ 37.00	$ 219,521.00
7	12" Storm Drain Pipe	LF			$ -
8	8" Storm Drain Pipe	LF			$ -
9	6"_Storm Drain Pipe	LF			$ -
10	60" Flared End Section	EA	1	$ 4,000.00	$ 4,000.00
11	24" Flared End Section	EA	2	$ 2,000.00	$ 4,000.00
12	18" Flared End Section	EA	2	$ 1,100.00	$ 2,200.00
13	7.5' Dia Storm Drain Manhole	EA	7	$ 5,800.00	$ 40,600.00
14	6' Storm Drain Manhole	EA			$ -
15	5' Storm Drain Manhole	EA	9	$ 3,900.00	$ 35,100.00
16	4' Storm Drain Manhole	EA	26	$ 3,200.00	$ 83,200.00
17	Connection to Existing MH	EA	2	$ 2,000.00	$ 4,000.00
18	Single Curb Opening Storm Drain	EA	33	$ 2,900.00	$ 95,700.00
19	Double Curb Opening Storm Drain	EA	5	$ 3,800.00	$ 19,000.00
20	Large Area Inlet Storm Drain	EA			$ -
21	Small Area Storm Drain	EA			$ -
22	CDOT Type R Inlet	EA			$ -
23	CDOT Type 13 Inlet	EA			$ -
24	Detention Area Outlet structure	EA	1	$ 15,000.00	$ 15,000.00
25	Rip-Rap D_{50} = ___"	CY			$ -
26	3-ft Wide Concrete V-Pan 8" Thk w/6" Class VI ABC	LF	1,000	$ 24.00	$ 24,000.00
27	2-ft Wide Concrete V-Pan 8" Thk w/6" Class VI ABC	LF			$ -
28	Stormwater Pump Systems including Electrical	LS			$ -
	Subtotal Part D - Grading and Drainage				**$ 3,915,502.08**
E1	**PARK, RECREATION AND OPEN SPACE**				
1	Shrub Beds/Rock Mulch/Fabric/Drip	SF	640,000	$ 3.75	$ 2,400,000.00
2	Trees - 2" Caliper	EA	1,129	$ 650.00	$ 733,525.00
3	Shrubs - 5 Gallon Mind	EA			$ -
4	Warranty	LS			$ -
5	Offsite Landscape Areas	SF	73,000	$ 1.00	$ 73,000.00
6	Perimeter Fencing	LF	30,000	$ 30.00	$ 900,000.00
7	Entry Monument Signs - Major Areas	LS	1	$ 60,000.00	$ 60,000.00
8	Entry Monument Signs - Minor Areas	LS	2	$ 30,000.00	$ 60,000.00
9	Clubhouse Amenity	LS			$ -
E2	**RECREATION / EVENT CENTER**				
1	SEE SEPARATE COST ESTIMATE				

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: JULY 10, 2020
LOCATION: 23 1/2 and F-1/2 Road
PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
	Subtotal Part E - Park, Recration and Open Space				**$ 4,226,525.00**
	Subtotal Construction Costs				**$ 38,279,780.75**
F.	**Miscellaneous Items**				
1	Construction staking/surveying	%	0.50	$ 38,279,781	$ 191,398.90
2	Developer's inspection cost	%	0.50	$ 38,279,781	$ 191,398.90
3	General construction supervsn	%	0.50	$ 38,279,781	$ 191,398.90
4	Quality control testing	%	0.50	$ 38,279,781	$ 191,398.90
5	Construction traffic control	%	1.00	$ 38,279,781	$ 382,797.81
6	City inspection fees	%	0.20	$ 38,279,781	$ 76,559.56
7	As-builts	%	0.10	$ 38,279,781	$ 38,279.78
	Subtotal Part F - Miscellaneous Items				**$ 1,263,232.76**
G.	**COST SUMMARY**				
1	**Total Improvement Costs**				**$ 39,543,013.51**
2	**CONTINENCY**	**20%**			**$ 7,908,602.70**
3	**Total Estimate Amount***				**$ 47,451,616.22**

F.	**CITY OF GRAND JUNCTION STREET CONTRIBUTION (ORDINANCE #: 4878)**	**$ 4,288,559.47**

1	G Road	$ 170,233.93
2	23-1/2 Rd	$ 457,809.33
3	F-3/4 Rd	$ 313,304.28
4	F-1/2 Road	$ 1,277,384.31
5	23-3/4 Road	$ 569,827.62
6	F-1/2 Rd Intersection W/ Highway 6/50	$ 1,500,000

* Estimate excludes recreation facility costs - separate estimate.

Recreation Facility - Total $17,757,253

Base Budget - $14,757,253
Recreation Activity Construction Contingency $3,000,000

City permitting cost and impact fees are not included.

Site layout is TBD and we took total area of building/parking and the remaining was allocated to landscaping. This is estimated for a full site develop of 14 acres.

- Asphalt 4" thick approx. 336,900 SF with 12" of soil improvements/9" class 6 road base
- Landscaping Budgeted approx. 89,496 SF
- Sidewalk 5" thick approx. 23,916 SF with 12" of soil improvements/6" of class 6 road base
- Bldg. Slab 5" thick approx. 100,000 SF with 12" of soil improvements/24" of pit run/6" of class 6 road base/4" of ¾ crush rock
- 8" Stemwall with Footers with 24" of pit run, approx. 600 LF
- Footing Pads at PEMB point loads
- Cross Ties approx. 4,200 LF at PEMB Steel Lines
- Slab around pool 5" thick approx. 26,080 SF with 24" of pit run and 6" of class 6 road base
- Estimated 4,000 LF of Curb/Gutter until G&D is complete
- Helical Piers, Estimated at 35' in depth
- 10" and 6" Fire Line approx. 1,750 LF
- Fire Hydrants (4ea)
- 6" Storm Sewer approx. 1,000 LF
- Catch Basins (6ea)
- 8" and 6" Sanitary Sewer approx. 1,385 LF
- 4" Elect and Tele to Bldg. approx. 750 LF each
- 4" Elect for Site Lighting approx. 2,250 LF (10ea pole bases)
- Gas Line Trench and Backfill approx. 750 LF
- Trash Enclosure (2ea)
- Bike Racks (10ea)

The main building design is budgeted with 28' eave height, insulated wall panels and metal roof, with R-30 simple saver insulation system. An additional 20,000 SF has eave height at 20', to allow for variation in the building with walls and roof line. We included a portion of the exterior building for storefront glazing for the common areas, concessions, etc. Also included a few overhead doors for the loading and unloading for events.

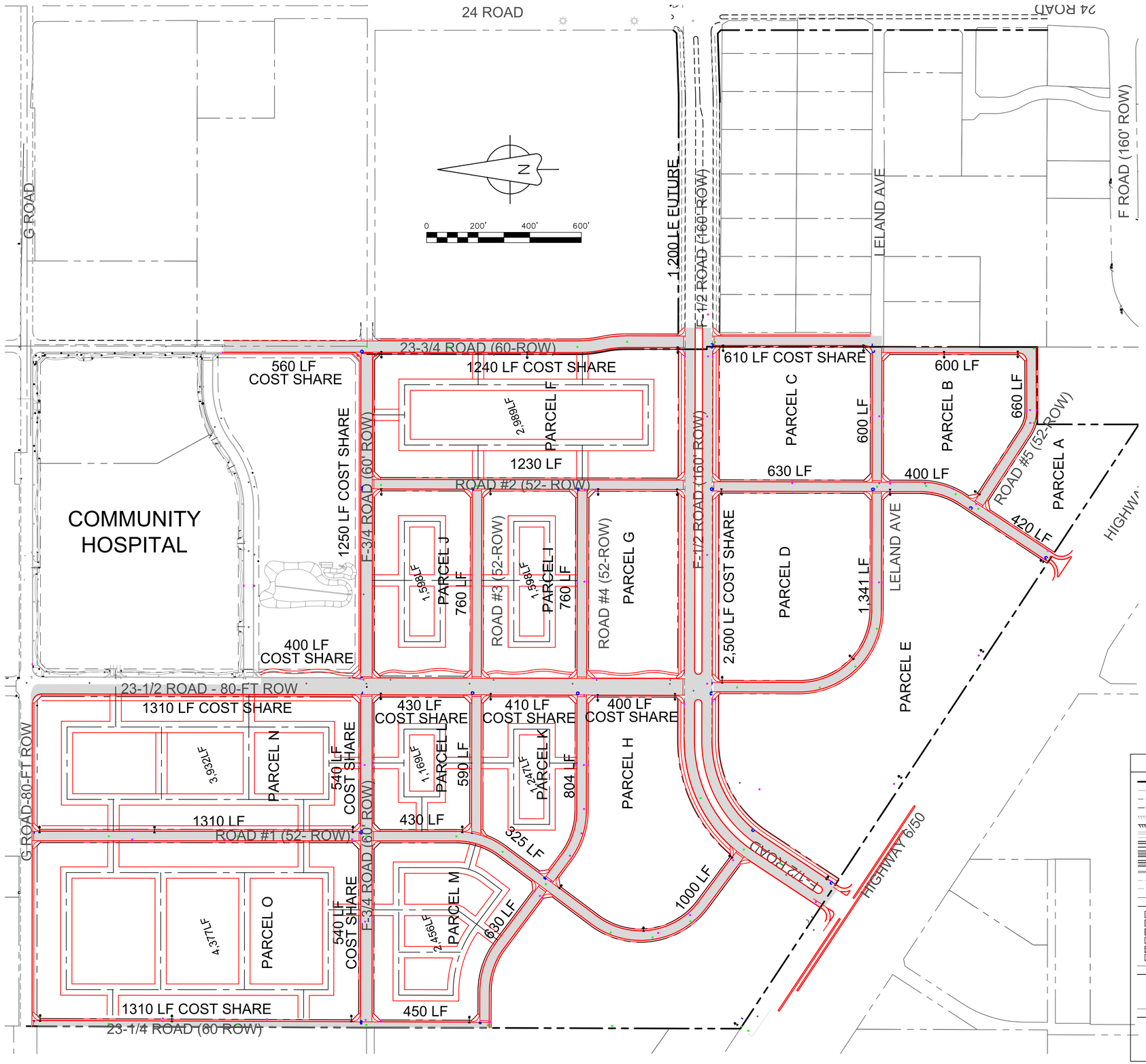
- Insulated Wall Panel 3" thick (7.2/inch = R-21.6)
- Roof Standing Seam CRF 24ga with Simple Saver R-30
- Pipe Bollards to deter damage to the building at overhead doors
- Steel Stairs/Railings (2sets)
- Storefront Drs 6070 (12ea)
- Storefront Glass Budget approx. 1,600 SF
- OVRDR 12x14 (2ea)
- HM Drs 6070 (12ea)
- Full Finish Bld. Out Allowance 48,000 SF ($28.75/SF+10% Design Allowance)
- PEMB Package Erected ($3.1 Million+10% Design Allowance), Material Package (Budget $14.50/SF)
- Plumbing Restroom Fixtures 216ea

- Plumbing Throughout Facility Allowance ($2.87/SF+10% Design Allowance)
- Ice System (Budget $287,000+10% Allowance)
- HVAC Budget ($9.20/SF+10% Design Allowance)
- De-Humidification System Budget ($287K)
- Fire Sprinkler ($5.81/SF+10% Design Allowance)
- Electrical ($10.35/SF+10% Design Allowance)
- Fire Alarm ($4.00/SF+10% Design Allowance)
- Phone/Data ($0.75/SF+10% Design Allowance)
- Pool 184 x 64 (Budget $460,000+10% Allowance)

Parking based off of area and City Code. The City Code does not define parking requirements for an outdoor pool and states decision is up to the City Planner. We have allotted 1 space/500 SF of area for budgeting purposes. We have estimated total parking spaces at approx. 1,123 spaces including handicap.

EXHIBIT D

PRELIMINARY UTILITY PLANS



UTILITIES AND AGENCIES

CITY OF GRAND JUNCTION SANITARY SEWER	TRENT PRALL	244–1554
UTE WATER – DOMESTIC AND FIRE WATER	JIM DAUGHERTY	242–7491
GRAND VALLEY IRRIGATION COMPANY –IRRIGATION	PHIL BERTRAND	242–2762
CITY OF GRAND JUNCTION STORM SEWER	TRENT PRALL	244–1554
XCEL ENERGY – GAS AND POWER ON EAST HALF OF SITE	BRENDA BOES	244–2681
GRAND VALLEY POWER – WEST HALF OF SITE	PERRY RUPP	623–8571
CENTURY LINK – TELEPHONE / INTERNET	CHRIS JOHNSON	244–4333
CHARTER – CABLE TV / INTERNET	JOHN VALDEZ	245–8750

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING CURB/GUTTER
- PROPOSED CURB/GUTTER
- PROPOSED SPILL CURB/GUTTER
- PROPOSED TRANSITION CURB/GUTTER
- EXISTING RETAINING WALL
- EXISTING 1–FT CONTOUR
- EXISTING 5–FT CONTOUR
- PROPOSED 1–FT CONTOUR
- PROPOSED 5–FT CONTOUR
- EXISTING ASPHALT
- CITY CONSTRUCTED STREET
- DEVELOPER CONSTRUCTED STREET
- EXISTING CONCRETE
- PROPOSED CONCRETE
- PROPOSED HEAVY DUTY CONCRETE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER CLEANOUT
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING STORM SEWER INLET
- PROPOSED STORM SEWER INLET
- EXISTING STORM SEWER MANHOLE
- PROPOSED STORM SEWER MANHOLE
- PROPOSED INLINE DRAIN
- EXISTING 8" WATER MAIN
- PROPOSED 2" DOMESTIC SERVICE
- PROPOSED 4" FIRE LINE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING WATER METER
- PROPOSED WATER METER
- PROPOSED METER/BACKFLOW VAULT
- PROPOSED IRRIGATION MANHOLE
- PROPOSED FENCE
- EXISTING FENCE
- PROPOSED TRAFFIC FLOW
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- ROOF DRAIN (RD)
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Know what's below. Call before you dig.

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AUSTIN CIVIL GROUP, INC.
Land Planning ▪ Civil Engineering ▪ Development Services
128 North 7th Street, Suite 300 ▪ Grand Junction, Colorado 81501
(970) 242-7540

HALANDRAS PROPERTY
description
STREET PLAN
prepared for
Denver Law Group

DRAWN BY:	MRH
DESIGNED BY:	MRH
CHECKED BY:	
APPROVED BY:	MRA
JOB NUMBER:	1399.0001
DATE:	06–10–20
SCALE:	1"=300'
SHEET NO:	C-4

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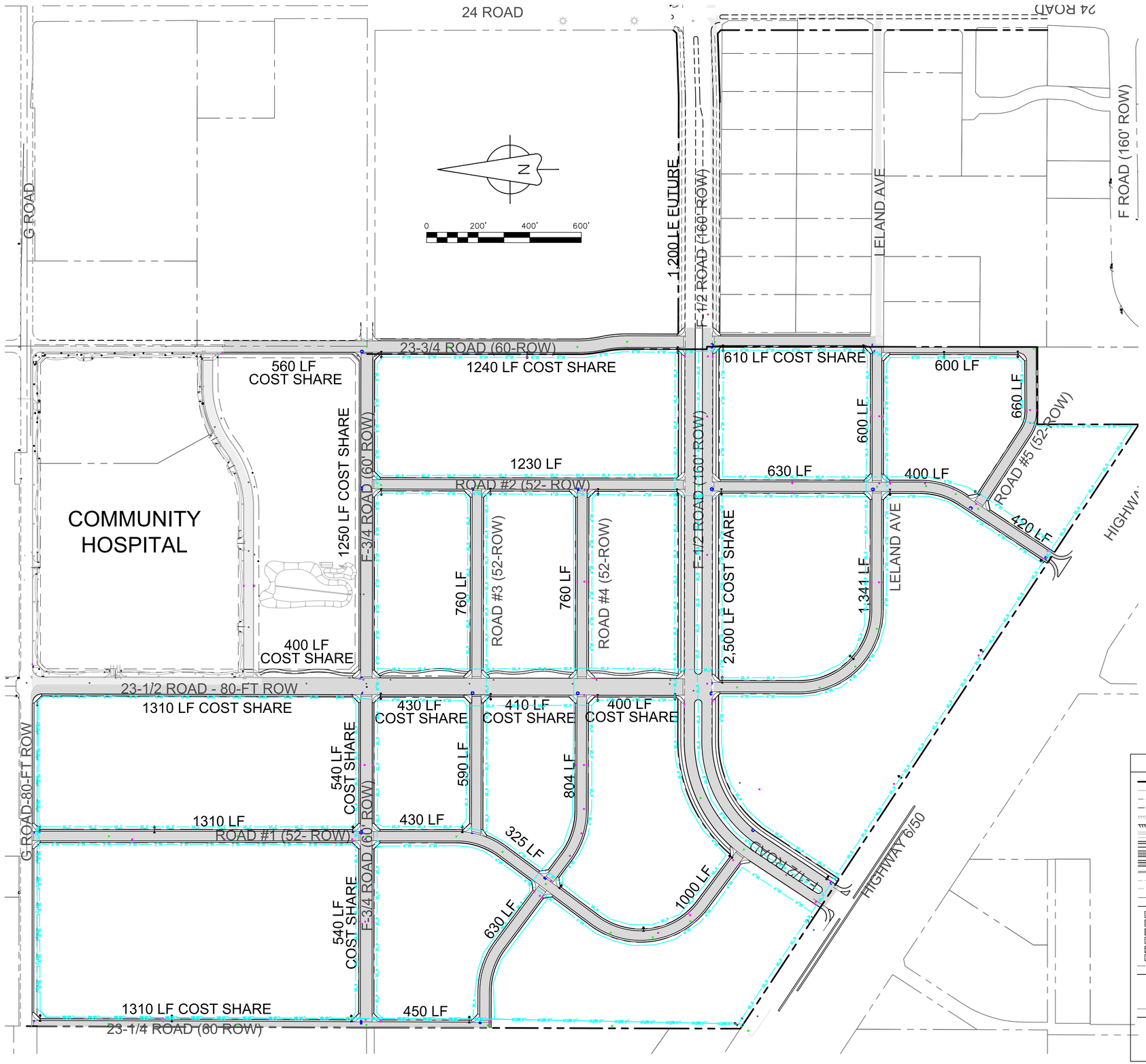

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CHARTER - CABLE TV / INTERNET	JOHN VALDEZ	245-8750

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Land Planning ▪ Civil Engineering ▪ Development Services
123 North 7th Street, Suite 300 ▪ Grand Junction, Colorado 81501
(970) 242-7540

HALANDRAS PROPERTY

description
Irrigation Plan

prepared for
Denver Law Group

DRAWN BY: MRH	DESIGNED BY: MRH
CHECKED BY:	APPROVED BY: MRA
JOB NUMBER: 1399.0001	
DATE: 06-10-20	
SCALE: 1"=300'	
SHEET NO: C-4	

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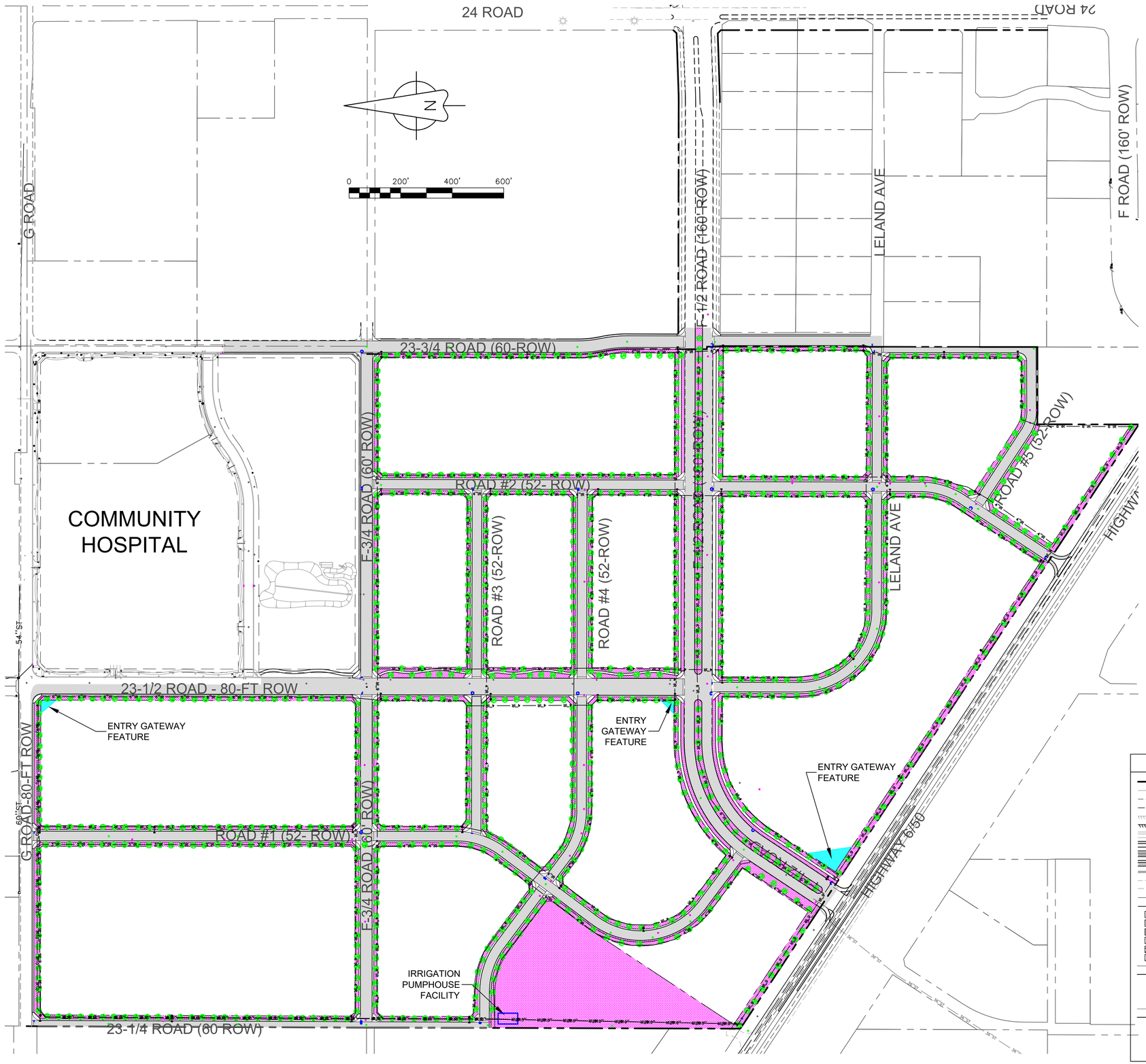

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CHARTER – CABLE TV / INTERNET	JOHN VALDEZ	245–8750

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HALANDRAS PROPERTY
description
LANDSCAPE
prepared for
Denver Law Group

DRAWN BY: MRH
DESIGNED BY: MRH
CHECKED BY:
APPROVED BY: MRA
JOB NUMBER: 1399.0001
DATE: 06–10–20
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SHEET NO: C-4

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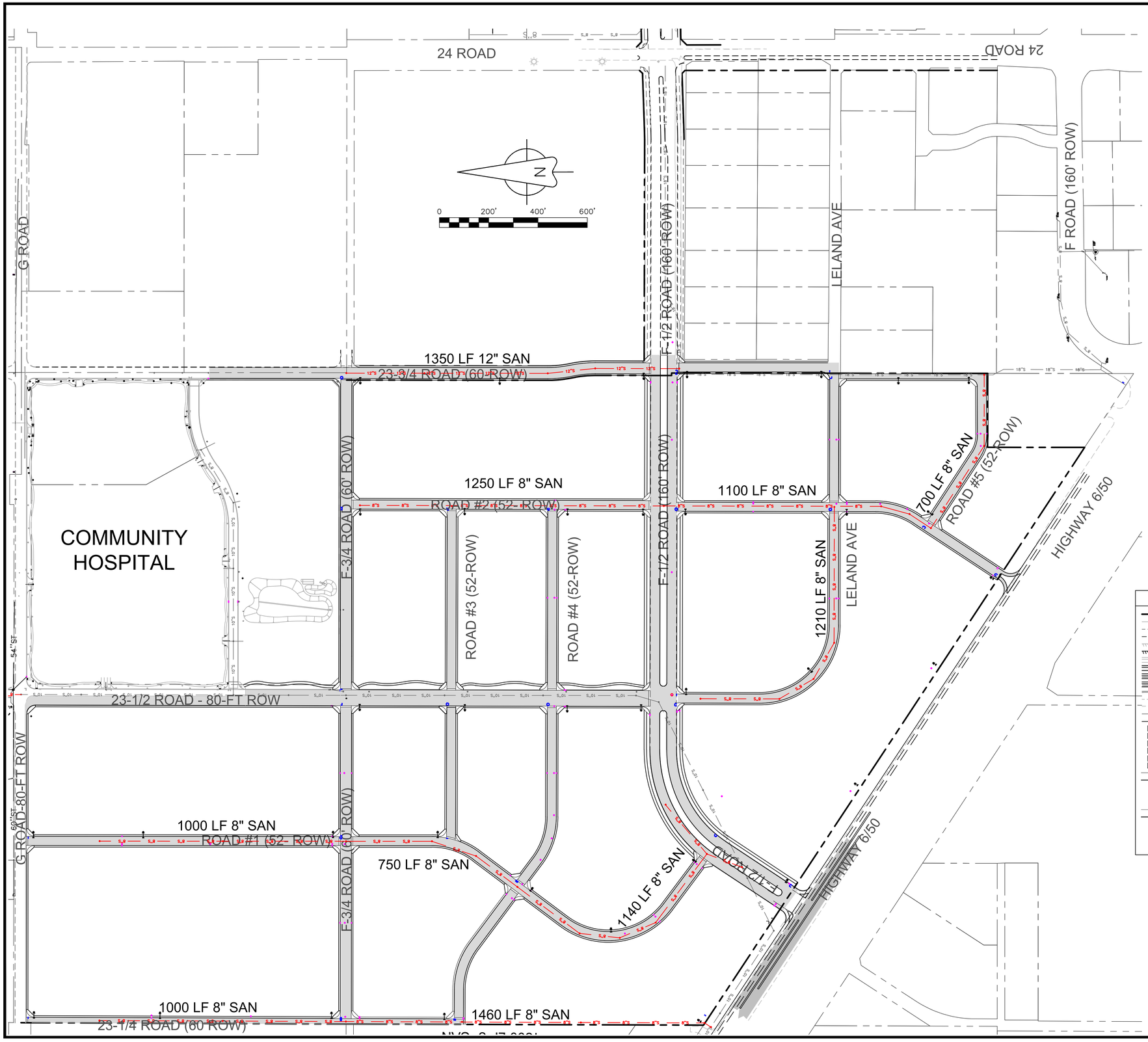

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123 North 7th Street, Suite 300 ▪ Grand Junction, Colorado 81501
(970) 242-7540

HALANDRAS PROPERTY

description
SANITARY SEWER MAIN PLAN

prepared for
Denver Law Group

DRAWN BY:	MRH
DESIGNED BY:	MRH
CHECKED BY:	
APPROVED BY:	MRA
JOB NUMBER:	1399.0001
DATE:	06–10–20
SCALE:	1"=200'
SHEET NO:	C-4

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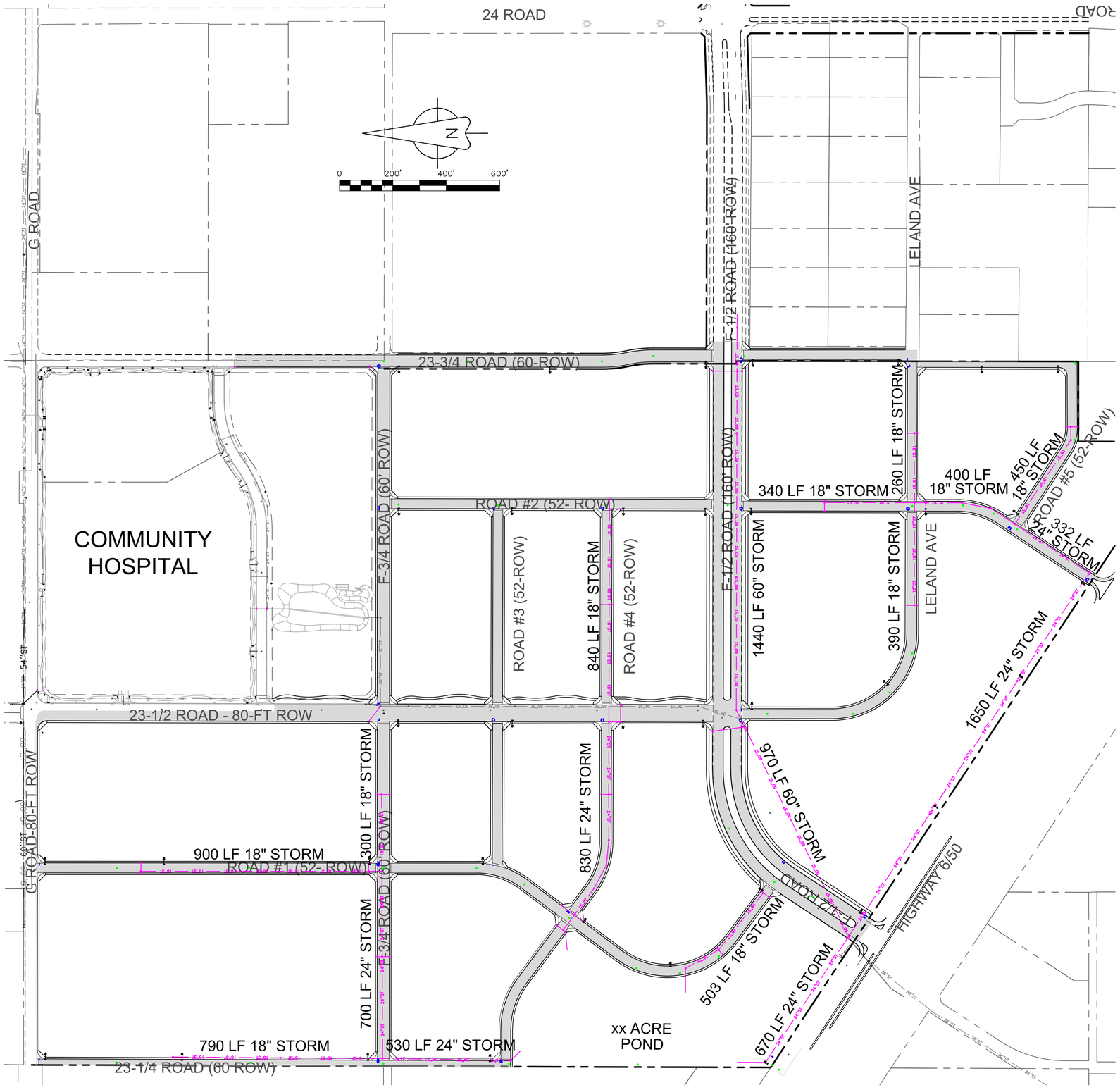

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Land Planning • Civil Engineering • Development Services
123 North 7th Street, Suite 300 • Grand Junction, Colorado 81501
(970) 242-7540

HALANDRAS PROPERTY
description
STORM SEWER MAIN PLAN
prepared for
Denver Law Group

DRAWN BY: MRH
DESIGNED BY: MRH
CHECKED BY:
APPROVED BY: MRA
JOB NUMBER: 1399.0001
DATE: 06–10–20
SCALE: 1"=200'
SHEET NO: C-4

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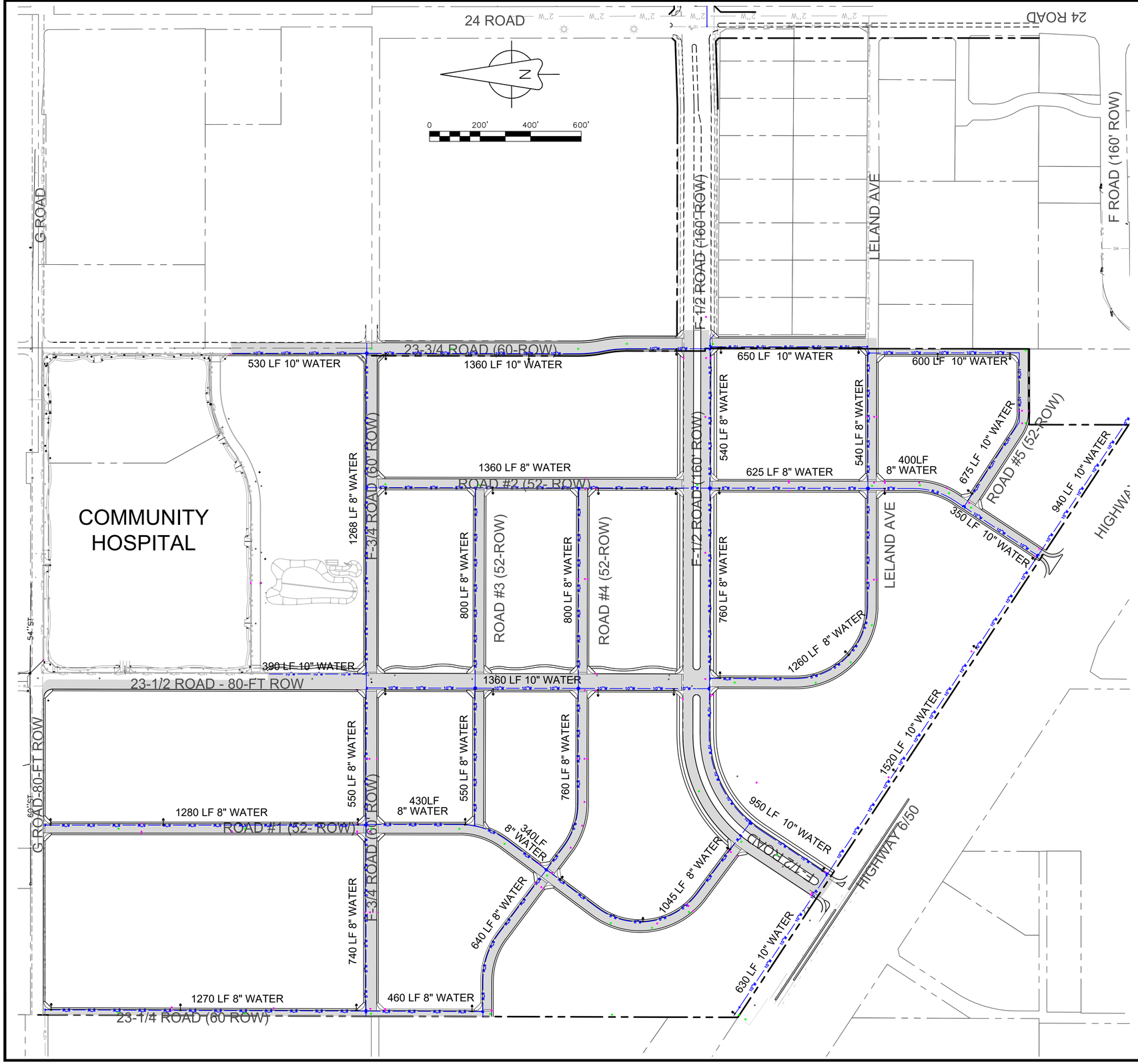

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HALANDRAS PROPERTY
description
WATER MAIN PLAN
prepared for
Denver Law Group

DRAWN BY:	DESIGNED BY:	CHECKED BY:	APPROVED BY:
MRH	MRH		MRA

JOB NUMBER: 1399.0001
DATE: 06-10-20
SCALE: 1"=200'
SHEET NO: C-4

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EXHIBIT E

FINANCIAL PLAN

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Cover

June 16, 2020

Table of Schedules

Assumptions		Non-Rated 30 Year, Fixed Rate
Preliminary as of June 16, 2020		Assumes 98% of Revenue Available for Debt Service
Series 2021	5.50%	
Series 2026	5.00%	
50 Mills of Debt Service		
10 Mills for O&M		

Issue	Term	Repayment Source	Par Amount	Project Fund Proceeds
Series 2021	30 Year	Residential & Commercial	$46,025,000	$32,913,483
Series 2026	30 Year	Residential & Commercial	$56,520,000	$6,219,423
		Total:	$102,545,000	$39,132,906

1 . Cover Page
2 . Bonding Capacity
3 . O&M Revenues
4 . Asssessed Valuation
5 . Commercial Development
6 . Residential Development
7 . Estimated Lot Values
Series 2021 & Series 2026

STIFEL

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Bonding Capacity

	Revenue Summary					$46,025,000 SERIES 2021 BONDS (New Money)								$56,520,000 SERIES 2026 BONDS (Refunding Series 2021 and New Money)						
Year	Assessed Value	Bond Levy	Property Tax Revenue[2]	SO Tax[1]	Net Prop Tax Revenue	Principal	Coupon	Interest	CAPI	DSRF [3]	Net Debt Service	Coverage	Surplus/ (Deficit)	Principal	Coupon	Interest	DSRF [3]	Net Debt Service	Coverage	Surplus/ (Deficit)
2021	-	50.0	-	-	-	-		-	-	-	-		-	-				-		
2022	343,638	50.0	16,838	1,010	17,849	-		2,531,375	(2,531,375)	(43,469)	(43,469)	-0.41	61,317	-				-		
2023	4,836,256	50.0	236,977	14,219	251,195	-		2,531,375	(2,531,375)	(43,469)	(43,469)	-5.78	294,664	-				-		
2024	18,191,256	50.0	891,372	53,482	944,854	-		2,531,375	(2,531,375)	(43,469)	(43,469)	-21.74	988,323	-				-		
2025	35,432,739	50.0	1,736,204	104,172	1,840,376	-		2,531,375		(43,469)	2,487,906	0.74	(647,530)	-				-		
2026	57,127,603	50.0	2,799,253	167,955	2,967,208	-		2,531,375		(43,469)	2,487,906	1.19	479,302	665,000	5.00%	706,500	(48,904)	1,322,596	1.15	378,924
2027	76,547,847	50.0	3,750,845	225,051	3,975,895	570,000	5.50%	2,531,375		(43,469)	3,057,906	1.30	917,989	435,000	5.00%	2,792,750	(48,904)	3,178,846	1.25	797,049
2028	78,078,804	50.0	3,825,861	229,552	4,055,413	660,000	5.50%	2,500,025		(43,469)	3,116,556	1.30	938,857	520,000	5.00%	2,771,000	(48,904)	3,242,096	1.25	813,317
2029	78,078,804	50.0	3,825,861	229,552	4,055,413	695,000	5.50%	2,463,725		(43,469)	3,115,256	1.30	940,157	545,000	5.00%	2,745,000	(48,904)	3,241,096	1.25	814,317
2030	79,640,380	50.0	3,902,379	234,143	4,136,521	795,000	5.50%	2,425,500		(43,469)	3,177,031	1.30	959,490	640,000	5.00%	2,717,750	(48,904)	3,308,846	1.25	827,675
2031	79,640,380	50.0	3,902,379	234,143	4,136,521	840,000	5.50%	2,381,775		(43,469)	3,178,306	1.30	958,215	670,000	5.00%	2,685,750	(48,904)	3,306,846	1.25	829,675
2032	81,233,188	50.0	3,980,426	238,826	4,219,252	950,000	5.50%	2,335,575		(43,469)	3,242,106	1.30	977,146	770,000	5.00%	2,652,250	(48,904)	3,373,346	1.25	845,905
2033	81,233,188	50.0	3,980,426	238,826	4,219,252	1,005,000	5.50%	2,283,325		(43,469)	3,244,856	1.30	974,396	810,000	5.00%	2,613,750	(48,904)	3,374,846	1.25	844,405
2034	82,857,852	50.0	4,060,035	243,602	4,303,637	1,125,000	5.50%	2,228,050		(43,469)	3,309,581	1.30	994,056	915,000	5.00%	2,573,250	(48,904)	3,439,346	1.25	864,290
2035	82,857,852	50.0	4,060,035	243,602	4,303,637	1,185,000	5.50%	2,166,175		(43,469)	3,307,706	1.30	995,931	960,000	5.00%	2,527,500	(48,904)	3,438,596	1.25	865,040
2036	84,515,009	50.0	4,141,235	248,474	4,389,710	1,315,000	5.50%	2,101,000		(43,469)	3,372,531	1.30	1,017,178	1,080,000	5.00%	2,479,500	(48,904)	3,510,596	1.25	879,113
2037	84,515,009	50.0	4,141,235	248,474	4,389,710	1,390,000	5.50%	2,028,675		(43,469)	3,375,206	1.30	1,014,503	1,130,000	5.00%	2,425,500	(48,904)	3,506,596	1.25	883,113
2038	86,205,309	50.0	4,224,060	253,444	4,477,504	1,535,000	5.50%	1,952,225		(43,469)	3,443,756	1.30	1,033,748	1,260,000	5.00%	2,369,000	(48,904)	3,580,096	1.25	897,407
2039	86,205,309	50.0	4,224,060	253,444	4,477,504	1,615,000	5.50%	1,867,800		(43,469)	3,439,331	1.30	1,038,173	1,320,000	5.00%	2,306,000	(48,904)	3,577,096	1.25	900,407
2040	87,929,415	50.0	4,308,541	258,512	4,567,054	1,775,000	5.50%	1,778,975		(43,469)	3,510,506	1.30	1,056,548	1,460,000	5.00%	2,240,000	(48,904)	3,651,096	1.25	915,957
2041	87,929,415	50.0	4,308,541	258,512	4,567,054	1,875,000	5.50%	1,681,350		(43,469)	3,512,881	1.30	1,054,173	1,535,000	5.00%	2,167,000	(48,904)	3,653,096	1.25	913,957
2042	89,688,004	50.0	4,394,712	263,683	4,658,395	2,045,000	5.50%	1,578,225		(43,469)	3,579,756	1.30	1,078,639	1,685,000	5.00%	2,090,250	(48,904)	3,726,346	1.25	932,049
2043	89,688,004	50.0	4,394,712	263,683	4,658,395	2,160,000	5.50%	1,465,750		(43,469)	3,582,281	1.30	1,076,114	1,765,000	5.00%	2,006,000	(48,904)	3,722,096	1.25	936,299
2044	91,481,764	50.0	4,482,606	268,956	4,751,563	2,350,000	5.50%	1,346,950		(43,469)	3,653,481	1.30	1,098,082	1,930,000	5.00%	1,917,750	(48,904)	3,798,846	1.25	952,716
2045	91,481,764	50.0	4,482,606	268,956	4,751,563	2,480,000	5.50%	1,217,700		(43,469)	3,654,231	1.30	1,097,332	2,025,000	5.00%	1,821,250	(48,904)	3,797,346	1.25	954,216
2046	93,311,399	50.0	4,572,259	274,336	4,846,594	2,690,000	5.50%	1,081,300		(43,469)	3,727,831	1.30	1,118,763	2,205,000	5.00%	1,720,000	(48,904)	3,876,096	1.25	970,498
2047	93,311,399	50.0	4,572,259	274,336	4,846,594	2,835,000	5.50%	933,350		(43,469)	3,724,881	1.30	1,121,713	2,315,000	5.00%	1,609,750	(48,904)	3,875,846	1.25	970,748
2048	95,177,627	50.0	4,663,704	279,822	4,943,526	3,065,000	5.50%	777,425		(43,469)	3,798,956	1.30	1,144,570	2,505,000	5.00%	1,494,000	(48,904)	3,950,096	1.25	993,430
2049	95,177,627	50.0	4,663,704	279,822	4,943,526	3,235,000	5.50%	608,850		(43,469)	3,800,381	1.30	1,143,145	2,630,000	5.00%	1,368,750	(48,904)	3,949,846	1.25	993,680
2050	97,081,179	50.0	4,756,978	285,419	5,042,396	7,835,000	5.50%	430,925		(4,390,361)	3,875,564	1.30	1,166,833	2,845,000	5.00%	1,237,250	(48,904)	4,033,346	1.25	1,009,050
2051	97,081,179	50.0	4,756,978	285,419	5,042,396									2,985,000	5.00%	1,095,000	(48,904)	4,031,096	1.25	1,011,300
2052	99,022,803	50.0	4,852,117	291,127	5,143,244									3,215,000	5.00%	945,750	(48,904)	4,111,846	1.25	1,031,398
2053	99,022,803	50.0	4,852,117	291,127	5,143,244									3,375,000	5.00%	785,000	(48,904)	4,111,096	1.25	1,032,148
2054	101,003,259	50.0	4,949,160	296,950	5,246,109									3,625,000	5.00%	616,250	(48,904)	4,192,346	1.25	1,053,763
2055	101,003,259	50.0	4,949,160	296,950	5,246,109									8,700,000	5.00%	435,000	(4,939,267)	4,195,733	1.25	1,050,376
Total:						46,025,000		54,822,900	-7,594,125		87,646,284			56,520,000		57,914,500		108,077,028		

Notes:

(1) Estimated SO Tax : 6.00%

(2) Estimated Collection Fees: 2.00%

(3) Estimate Int Earnings: 1.00%

Series 2021:	
Par Amount	46,025,000
Net Proceeds	32,913,483
DSRF-Requirement	4,346,892
Capitalized Interest	7,594,125

Series 2026:	
Par Amount	56,520,000
Net Proceeds	6,219,423
Escrow for Series 2021 Bonds	48,659,306
DSRF-Requirement	4,890,363

Notes: Preliminary and subject to change; interest rate assumptions are based on current market conditions and similar credits; issuer's actual results may differ, and Stifel makes no commitment to underwrite at these levels; and costs of issuance and underwriter's discount are estimates for discussion purposes.

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Operations and Maintenance Revenue

		DISTRICT REVENUE SUMMARY FOR OPERATIONS			
Collection	Assessed Value	Mill Levy	Property Tax Revenue[2]	SO Tax[1]	Revenue for Operations
2021	-	10.000	-	-	-
2022	343,638	10.000	3,368	202	3,570
2023	4,836,256	10.000	47,395	2,844	50,239
2024	18,191,256	10.000	178,274	10,696	188,971
2025	35,432,739	10.000	347,241	20,834	368,075
2026	57,127,603	10.000	559,851	33,591	593,442
2027	76,547,847	10.000	750,169	45,010	795,179
2028	78,078,804	10.000	765,172	45,910	811,083
2029	78,078,804	10.000	765,172	45,910	811,083
2030	79,640,380	10.000	780,476	46,829	827,304
2031	79,640,380	10.000	780,476	46,829	827,304
2032	81,233,188	10.000	796,085	47,765	843,850
2033	81,233,188	10.000	796,085	47,765	843,850
2034	82,857,852	10.000	812,007	48,720	860,727
2035	82,857,852	10.000	812,007	48,720	860,727
2036	84,515,009	10.000	828,247	49,695	877,942
2037	84,515,009	10.000	828,247	49,695	877,942
2038	86,205,309	10.000	844,812	50,689	895,501
2039	86,205,309	10.000	844,812	50,689	895,501
2040	87,929,415	10.000	861,708	51,702	913,411
2041	87,929,415	10.000	861,708	51,702	913,411
2042	89,688,004	10.000	878,942	52,737	931,679
2043	89,688,004	10.000	878,942	52,737	931,679
2044	91,481,764	10.000	896,521	53,791	950,313
2045	91,481,764	10.000	896,521	53,791	950,313
2046	93,311,399	10.000	914,452	54,867	969,319
2047	93,311,399	10.000	914,452	54,867	969,319
2048	95,177,627	10.000	932,741	55,964	988,705
2049	95,177,627	10.000	932,741	55,964	988,705
2050	97,081,179	10.000	951,396	57,084	1,008,479
Total:					

Notes:

(1) Estimated SO Tax : 6.00%

(2) Estimated Collection Fees: 2.00%

STIFEL

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Assessed Valuation Summary

			Residential AV		Commercial AV	Cumulative Assessed Value		
Completion Year	Assessment Year	Collection Year	Lot AV	Home Sale AV	Const. Value	Incremental AV	Biennial Assessment[1]	Cumulative AV
	2020	2021	-	-	-	-	-	-
2020	2021	2022	343,638	-	-	343,638	-	343,638
2021	2022	2023	872,248	1,705,930	1,914,439	4,492,618	-	4,836,256
2022	2023	2024	369,808	6,053,919	6,834,548	13,258,275	96,725	18,191,256
2023	2024	2025	376,035	7,902,425	8,963,022	17,241,482	-	35,432,739
2024	2025	2026	53,975	9,758,334	11,173,901	20,986,210	708,655	57,127,603
2025	2026	2027	(2,015,704)	10,038,569	11,397,379	19,420,244	-	76,547,847
2026	2027	2028	-	-	-	-	1,530,957	78,078,804
2027	2028	2029	-	-	-	-	-	78,078,804
2028	2029	2030	-	-	-	-	1,561,576	79,640,380
2029	2030	2031	-	-	-	-	-	79,640,380
2030	2031	2032	-	-	-	-	1,592,808	81,233,188
2031	2032	2033	-	-	-	-	-	81,233,188
2032	2033	2034	-	-	-	-	1,624,664	82,857,852
2033	2034	2035	-	-	-	-	-	82,857,852
2034	2035	2036	-	-	-	-	1,657,157	84,515,009
2035	2036	2037	-	-	-	-	-	84,515,009
2036	2037	2038	-	-	-	-	1,690,300	86,205,309
2037	2038	2039	-	-	-	-	-	86,205,309
2038	2039	2040	-	-	-	-	1,724,106	87,929,415
2039	2040	2041	-	-	-	-	-	87,929,415
2040	2041	2042	-	-	-	-	1,758,588	89,688,004
2041	2042	2043	-	-	-	-	-	89,688,004
2042	2043	2044	-	-	-	-	1,793,760	91,481,764
2043	2044	2045	-	-	-	-	-	91,481,764
2044	2045	2046	-	-	-	-	1,829,635	93,311,399
2045	2046	2047	-	-	-	-	-	93,311,399
2046	2047	2048	-	-	-	-	1,866,228	95,177,627
2047	2048	2049	-	-	-	-	-	95,177,627
2048	2049	2050	-	-	-	-	1,903,553	97,081,179
2049	2050	2051	-	-	-	-	-	97,081,179
2050	2051	2052	-	-	-	-	1,941,624	99,022,803
2051	2052	2053	-	-	-	-	-	99,022,803
2052	2053	2054	-	-	-	-	1,980,456	101,003,259
2053	2054	2055	-	-	-	-	-	101,003,259
Total:								

Notes:

(1) Biennial Reassessment 2%

STIFEL

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Commercial Development

Completio	Assessmen	Collection	hercial Mix (Office/Wareh		Mix Commercial		Commercial/Retail		Mix Use (Office/Retail)			Assessed
Year	Year	Year	Sq Feet	Value/ Sq Ft	Sq Feet	Value/ Sq Ft	Sq Feet	Value/ Sq Ft	Sq Feet	Value/ Sq Ft	Const. Value	29.00%
	2020	2021	-	-							-	-
2020	2021	2022	-	-							-	-
2021	2022	2023	10,977	150	5,554	200	10,727	200	8,494	200	6,601,515	1,914,439
2022	2023	2024	38,420	153	19,439	204	37,543	204	29,730	204	23,567,409	6,834,548
2023	2024	2025	49,397	156	24,993	208	48,270	208	38,224	208	30,906,973	8,963,022
2024	2025	2026	60,374	159	30,546	212	58,997	212	46,718	212	38,530,693	11,173,901
2025	2026	2027	60,374	162	30,546	216	58,997	216	46,718	216	39,301,307	11,397,379
		TOTAL	219,542		111,078		214,533		169,884			

Notes:

(1) Inflation 2%

*Values and absorption schedule provided by the Developer.

STIFEL

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Residential Development

Completio	Assessmer	Collection	Townhomes 3-Story		Townhomes 2-Story		Multi-Family		Senior Apartments		Active Living		Multi-Family Residential		Age-In-Place Residential		Residential	Assessed
Year	Year	Year	Units	Price	Units	Price	Units	Price	Units	Price	Units	Price	Units	Price	Units	Price	Const Value	7.15%
	2020	2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2020	2021	2022	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2021	2022	2023	18	337,500	10	337,500	16	291,667	13	262,500	13	160,000	10	300,000	4	312,500	23,859,167	1,705,930
2022	2023	2024	61	344,250	34	344,250	57	297,500	46	267,750	46	163,200	34	306,000	15	318,750	84,670,200	6,053,919
2023	2024	2025	79	351,135	43	351,135	73	303,450	59	273,105	59	166,464	43	312,120	19	325,125	110,523,426	7,902,425
2024	2025	2026	96	358,158	53	358,158	89	309,519	70	278,567	70	169,793	52	318,362	23	331,628	136,480,192	9,758,334
2025	2026	2027	96	365,321	52	365,321	90	315,709	72	284,138	72	173,189	53	324,730	23	338,260	140,399,569	10,038,569
		TOTAL	350		192		325		260		260		192		84			

Notes:

(1) Home Price Inflation 2%

*Home values and absorption schedule provided by the Developer.

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Lot Values

Completic	Assessme	Collection	Townhomes 3-Story			Townhomes 2-Story			Multi-Family			Senior Apartments			Active Living			Multi-Family Residential			Age-In-Place Residential			Improved Lot	Assessed
Year	Year	Year	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Value per	29%
	2020	2021	-		-	-		-	-		-	-		-	-		-	-		-	-		-	-	-
2020	2021	2022	18	-	16,875	10	-	16,875	16	-	14,583	13	-	13,125	12	-	8,000	10	-	15,000	4	-	15,625	1,184,958	343,638
2021	2022	2023	61	18	17,213	34	10	17,213	57	16	14,875	46	13	13,388	41	12	8,160	34	10	15,300	15	4	15,938	4,192,710	1,215,886
2022	2023	2024	79	61	17,557	43	34	17,557	73	57	15,173	59	46	13,655	52	41	8,323	43	34	15,606	19	15	16,256	5,467,909	1,585,694
2023	2024	2025	96	79	17,908	53	43	17,908	89	73	15,476	70	59	13,928	63	52	8,490	52	43	15,918	23	19	16,581	6,764,582	1,961,729
2024	2025	2026	96	96	18,266	52	53	18,266	90	89	15,785	72	70	14,207	64	63	8,659	53	52	16,236	23	23	16,913	6,950,703	2,015,704
2025	2026	2027	-	96	-	-	52	-	-	90	-	-	72	-	-	64	-	-	53	-	-	23	-	-	-
2026	2027	2028	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		TOTAL	350			192			325			260			232			192			84				

(1) Lot Values as % of Sale Price 5%

*Lot values and absorption schedule provided by the Developer.

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West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021

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SOURCES AND USES OF FUNDS

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021

Dated Date	12/01/2021
Delivery Date	12/01/2021

Sources:	
Bond Proceeds:	
Par Amount	46,025,000.00
	46,025,000.00

Uses:	
Project Fund Deposits:	
Project Fund	32,913,482.76
Other Fund Deposits:	
Debt Service Reserve Fund	4,346,892.24
Capitalized Interest Fund	7,594,125.00
	11,941,017.24
Cost of Issuance:	
Other Cost of Issuance	250,000.00
Delivery Date Expenses:	
Underwriter's Discount	920,500.00
	46,025,000.00

BOND PRICING

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Term Bond:					
	12/01/2050	46,025,000	5.500%	5.500%	100.000
		46,025,000			

Dated Date	12/01/2021	
Delivery Date	12/01/2021	
First Coupon	06/01/2022	
Par Amount	46,025,000.00	
Original Issue Discount		
Production	46,025,000.00	100.000000%
Underwriter's Discount	-920,500.00	-2.000000%
Purchase Price	45,104,500.00	98.000000%
Accrued Interest		
Net Proceeds	45,104,500.00	

BOND DEBT SERVICE

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021

Period Ending	Principal	Coupon	Interest	Debt Service
12/01/2022			2,531,375	2,531,375
12/01/2023			2,531,375	2,531,375
12/01/2024			2,531,375	2,531,375
12/01/2025			2,531,375	2,531,375
12/01/2026			2,531,375	2,531,375
12/01/2027	570,000	5.500%	2,531,375	3,101,375
12/01/2028	660,000	5.500%	2,500,025	3,160,025
12/01/2029	695,000	5.500%	2,463,725	3,158,725
12/01/2030	795,000	5.500%	2,425,500	3,220,500
12/01/2031	840,000	5.500%	2,381,775	3,221,775
12/01/2032	950,000	5.500%	2,335,575	3,285,575
12/01/2033	1,005,000	5.500%	2,283,325	3,288,325
12/01/2034	1,125,000	5.500%	2,228,050	3,353,050
12/01/2035	1,185,000	5.500%	2,166,175	3,351,175
12/01/2036	1,315,000	5.500%	2,101,000	3,416,000
12/01/2037	1,390,000	5.500%	2,028,675	3,418,675
12/01/2038	1,535,000	5.500%	1,952,225	3,487,225
12/01/2039	1,615,000	5.500%	1,867,800	3,482,800
12/01/2040	1,775,000	5.500%	1,778,975	3,553,975
12/01/2041	1,875,000	5.500%	1,681,350	3,556,350
12/01/2042	2,045,000	5.500%	1,578,225	3,623,225
12/01/2043	2,160,000	5.500%	1,465,750	3,625,750
12/01/2044	2,350,000	5.500%	1,346,950	3,696,950
12/01/2045	2,480,000	5.500%	1,217,700	3,697,700
12/01/2046	2,690,000	5.500%	1,081,300	3,771,300
12/01/2047	2,835,000	5.500%	933,350	3,768,350
12/01/2048	3,065,000	5.500%	777,425	3,842,425
12/01/2049	3,235,000	5.500%	608,850	3,843,850
12/01/2050	7,835,000	5.500%	430,925	8,265,925
	46,025,000		54,822,900	100,847,900

BOND SUMMARY STATISTICS

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021

Dated Date	12/01/2021
Delivery Date	12/01/2021
First Coupon	06/01/2022
Last Maturity	12/01/2050
Arbitrage Yield	5.500000%
True Interest Cost (TIC)	5.666613%
Net Interest Cost (NIC)	5.592347%
All-In TIC	5.712736%
Average Coupon	5.500000%
Average Life (years)	21.657
Duration of Issue (years)	12.409
Par Amount	46,025,000.00
Bond Proceeds	46,025,000.00
Total Interest	54,822,900.00
Net Interest	55,743,400.00
Total Debt Service	100,847,900.00
Maximum Annual Debt Service	8,265,925.00
Average Annual Debt Service	3,477,513.79
Underwriter's Fees (per $1000)	
Average Takedown	
Other Fee	20.000000
Total Underwriter's Discount	20.000000
Bid Price	98.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Term Bond	46,025,000.00	100.000	5.500%	21.657	66,276.00
	46,025,000.00			21.657	66,276.00

	TIC	All-In TIC	Arbitrage Yield
Par Value	46,025,000.00	46,025,000.00	46,025,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	-920,500.00	-920,500.00	
- Cost of Issuance Expense		-250,000.00	
- Other Amounts			
Target Value	45,104,500.00	44,854,500.00	46,025,000.00
Target Date	12/01/2021	12/01/2021	12/01/2021
Yield	5.666613%	5.712736%	5.500000%

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West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

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SOURCES AND USES OF FUNDS

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Dated Date	09/01/2026
Delivery Date	09/01/2026

Sources:	
Bond Proceeds:	
Par Amount	56,520,000.00
Other Sources of Funds:	
Debt Service Reserve Fund	4,346,892.24
	60,866,892.24

Uses:	
Project Fund Deposits:	
Project Fund	6,219,422.99
Refunding Escrow Deposits:	
Cash Deposit	1.00
SLGS Purchases	48,659,305.00
	48,659,306.00
Other Fund Deposits:	
Debt Service Reserve Fund	4,890,363.25
Cost of Issuance:	
Other Cost of Issuance	250,000.00
Delivery Date Expenses:	
Underwriter's Discount	847,800.00
	60,866,892.24

BOND PRICING

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Term Bond:					
	12/01/2055	56,520,000	5.000%	5.000%	100.000
		56,520,000			

Dated Date	09/01/2026	
Delivery Date	09/01/2026	
First Coupon	12/01/2026	
Par Amount	56,520,000.00	
Original Issue Discount		
Production	56,520,000.00	100.000000%
Underwriter's Discount	-847,800.00	-1.500000%
Purchase Price	55,672,200.00	98.500000%
Accrued Interest		
Net Proceeds	55,672,200.00	

BOND DEBT SERVICE

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Period Ending	Principal	Coupon	Interest	Debt Service
12/01/2026	665,000	5.000%	706,500	1,371,500
12/01/2027	435,000	5.000%	2,792,750	3,227,750
12/01/2028	520,000	5.000%	2,771,000	3,291,000
12/01/2029	545,000	5.000%	2,745,000	3,290,000
12/01/2030	640,000	5.000%	2,717,750	3,357,750
12/01/2031	670,000	5.000%	2,685,750	3,355,750
12/01/2032	770,000	5.000%	2,652,250	3,422,250
12/01/2033	810,000	5.000%	2,613,750	3,423,750
12/01/2034	915,000	5.000%	2,573,250	3,488,250
12/01/2035	960,000	5.000%	2,527,500	3,487,500
12/01/2036	1,080,000	5.000%	2,479,500	3,559,500
12/01/2037	1,130,000	5.000%	2,425,500	3,555,500
12/01/2038	1,260,000	5.000%	2,369,000	3,629,000
12/01/2039	1,320,000	5.000%	2,306,000	3,626,000
12/01/2040	1,460,000	5.000%	2,240,000	3,700,000
12/01/2041	1,535,000	5.000%	2,167,000	3,702,000
12/01/2042	1,685,000	5.000%	2,090,250	3,775,250
12/01/2043	1,765,000	5.000%	2,006,000	3,771,000
12/01/2044	1,930,000	5.000%	1,917,750	3,847,750
12/01/2045	2,025,000	5.000%	1,821,250	3,846,250
12/01/2046	2,205,000	5.000%	1,720,000	3,925,000
12/01/2047	2,315,000	5.000%	1,609,750	3,924,750
12/01/2048	2,505,000	5.000%	1,494,000	3,999,000
12/01/2049	2,630,000	5.000%	1,368,750	3,998,750
12/01/2050	2,845,000	5.000%	1,237,250	4,082,250
12/01/2051	2,985,000	5.000%	1,095,000	4,080,000
12/01/2052	3,215,000	5.000%	945,750	4,160,750
12/01/2053	3,375,000	5.000%	785,000	4,160,000
12/01/2054	3,625,000	5.000%	616,250	4,241,250
12/01/2055	8,700,000	5.000%	435,000	9,135,000
	56,520,000		57,914,500	114,434,500

BOND SUMMARY STATISTICS

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Dated Date	09/01/2026
Delivery Date	09/01/2026
First Coupon	12/01/2026
Last Maturity	12/01/2055
Arbitrage Yield	5.000629%
True Interest Cost (TIC)	5.125917%
Net Interest Cost (NIC)	5.073194%
All-In TIC	5.163416%
Average Coupon	5.000000%
Average Life (years)	20.493
Duration of Issue (years)	12.324
Par Amount	56,520,000.00
Bond Proceeds	56,520,000.00
Total Interest	57,914,500.00
Net Interest	58,762,300.00
Total Debt Service	114,434,500.00
Maximum Annual Debt Service	9,135,000.00
Average Annual Debt Service	3,912,290.60
Underwriter's Fees (per $1000)	
Average Takedown	
Other Fee	15.000000
Total Underwriter's Discount	15.000000
Bid Price	98.500000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Term Bond	56,520,000.00	100.000	5.000%	20.493	86,475.60
	56,520,000.00			20.493	86,475.60

	TIC	All-In TIC	Arbitrage Yield
Par Value	56,520,000.00	56,520,000.00	56,520,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	-847,800.00	-847,800.00	
- Cost of Issuance Expense		-250,000.00	
- Other Amounts			
Target Value	55,672,200.00	55,422,200.00	56,520,000.00
Target Date	09/01/2026	09/01/2026	09/01/2026
Yield	5.125917%	5.163416%	5.000629%

SUMMARY OF BONDS REFUNDED

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Limited Tax General Obligation Bonds, Series 2021, 2021, TERM:					
	12/01/2050	5.500%	46,025,000.00	12/01/2026	103.000
			46,025,000.00		

SUMMARY OF REFUNDING RESULTS

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Dated Date	09/01/2026
Delivery Date	09/01/2026
Arbitrage yield	5.000629%
Escrow yield	0.099738%
Value of Negative Arbitrage	585,160.45
Bond Par Amount	56,520,000.00
True Interest Cost	5.125917%
Net Interest Cost	5.073194%
Average Coupon	5.000000%
Average Life	20.493
Par amount of refunded bonds	46,025,000.00
Average coupon of refunded bonds	5.500000%
Average life of refunded bonds	16.907
PV of prior debt to 09/01/2026 @ 5.000629%	49,144,645.22
Net PV Savings	-612,460.78
Percentage savings of refunded bonds	-1.330713%
Percentage savings of refunding bonds	-1.083618%

SAVINGS

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 09/01/2026 @ 5.0006293%
12/01/2026	1,265,687.50	1,371,500.00	-105,812.50	-104,513.98
12/01/2027	3,101,375.00	3,227,750.00	-126,375.00	-121,880.64
12/01/2028	3,160,025.00	3,291,000.00	-130,975.00	-120,230.61
12/01/2029	3,158,725.00	3,290,000.00	-131,275.00	-114,801.70
12/01/2030	3,220,500.00	3,357,750.00	-137,250.00	-114,224.13
12/01/2031	3,221,775.00	3,355,750.00	-133,975.00	-106,305.65
12/01/2032	3,285,575.00	3,422,250.00	-136,675.00	-103,282.12
12/01/2033	3,288,325.00	3,423,750.00	-135,425.00	-97,551.20
12/01/2034	3,353,050.00	3,488,250.00	-135,200.00	-92,823.26
12/01/2035	3,351,175.00	3,487,500.00	-136,325.00	-89,190.05
12/01/2036	3,416,000.00	3,559,500.00	-143,500.00	-89,345.97
12/01/2037	3,418,675.00	3,555,500.00	-136,825.00	-81,342.25
12/01/2038	3,487,225.00	3,629,000.00	-141,775.00	-80,261.39
12/01/2039	3,482,800.00	3,626,000.00	-143,200.00	-77,273.31
12/01/2040	3,553,975.00	3,700,000.00	-146,025.00	-75,088.05
12/01/2041	3,556,350.00	3,702,000.00	-145,650.00	-71,437.83
12/01/2042	3,623,225.00	3,775,250.00	-152,025.00	-70,999.91
12/01/2043	3,625,750.00	3,771,000.00	-145,250.00	-64,838.89
12/01/2044	3,696,950.00	3,847,750.00	-150,800.00	-64,122.60
12/01/2045	3,697,700.00	3,846,250.00	-148,550.00	-60,321.17
12/01/2046	3,771,300.00	3,925,000.00	-153,700.00	-59,470.08
12/01/2047	3,768,350.00	3,924,750.00	-156,400.00	-57,714.37
12/01/2048	3,842,425.00	3,999,000.00	-156,575.00	-55,158.71
12/01/2049	3,843,850.00	3,998,750.00	-154,900.00	-52,141.07
12/01/2050	8,265,925.00	4,082,250.00	4,183,675.00	1,259,905.98
12/01/2051		4,080,000.00	-4,080,000.00	-1,176,230.24
12/01/2052		4,160,750.00	-4,160,750.00	-1,141,119.31
12/01/2053		4,160,000.00	-4,160,000.00	-1,085,408.78
12/01/2054		4,241,250.00	-4,241,250.00	-1,052,708.95
12/01/2055		9,135,000.00	-9,135,000.00	-2,155,474.54
	89,456,712.50	114,434,500.00	-24,977,787.50	-7,375,354.78

Savings Summary

PV of savings from cash flow	-7,375,354.78
Less: Prior funds on hand	-4,346,892.24
Plus: Refunding funds on hand	11,109,786.24
Net PV Savings	-612,460.78

PRIOR BOND DEBT SERVICE

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Period Ending	Principal	Coupon	Interest	Debt Service
12/01/2026			1,265,687.50	1,265,687.50
12/01/2027	570,000	5.500%	2,531,375.00	3,101,375.00
12/01/2028	660,000	5.500%	2,500,025.00	3,160,025.00
12/01/2029	695,000	5.500%	2,463,725.00	3,158,725.00
12/01/2030	795,000	5.500%	2,425,500.00	3,220,500.00
12/01/2031	840,000	5.500%	2,381,775.00	3,221,775.00
12/01/2032	950,000	5.500%	2,335,575.00	3,285,575.00
12/01/2033	1,005,000	5.500%	2,283,325.00	3,288,325.00
12/01/2034	1,125,000	5.500%	2,228,050.00	3,353,050.00
12/01/2035	1,185,000	5.500%	2,166,175.00	3,351,175.00
12/01/2036	1,315,000	5.500%	2,101,000.00	3,416,000.00
12/01/2037	1,390,000	5.500%	2,028,675.00	3,418,675.00
12/01/2038	1,535,000	5.500%	1,952,225.00	3,487,225.00
12/01/2039	1,615,000	5.500%	1,867,800.00	3,482,800.00
12/01/2040	1,775,000	5.500%	1,778,975.00	3,553,975.00
12/01/2041	1,875,000	5.500%	1,681,350.00	3,556,350.00
12/01/2042	2,045,000	5.500%	1,578,225.00	3,623,225.00
12/01/2043	2,160,000	5.500%	1,465,750.00	3,625,750.00
12/01/2044	2,350,000	5.500%	1,346,950.00	3,696,950.00
12/01/2045	2,480,000	5.500%	1,217,700.00	3,697,700.00
12/01/2046	2,690,000	5.500%	1,081,300.00	3,771,300.00
12/01/2047	2,835,000	5.500%	933,350.00	3,768,350.00
12/01/2048	3,065,000	5.500%	777,425.00	3,842,425.00
12/01/2049	3,235,000	5.500%	608,850.00	3,843,850.00
12/01/2050	7,835,000	5.500%	430,925.00	8,265,925.00
	46,025,000		43,431,712.50	89,456,712.50

ESCROW REQUIREMENTS

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Period Ending	Interest	Principal Redeemed	Redemption Premium	Total
12/01/2026	1,265,687.50	46,025,000.00	1,380,750.00	48,671,437.50
	1,265,687.50	46,025,000.00	1,380,750.00	48,671,437.50

GENERAL INFORMATION EXCLUSION DISCLOSURE

West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026

Stifel, Nicolaus & Company, Incorporated ('Stifel') has prepared the attached materials. Such material consists of factual or general information (as defined in the SEC's Municipal Advisor Rule). Stifel is not hereby providing a municipal entity or obligated person with any advice or making any recommendation as to action concerning the structure, timing or terms of any issuance of municipal securities or municipal financial products. To the extent that Stifel provides any alternatives, options, calculations or examples in the attached information, such information is not intended to express any view that the municipal entity or obligated person could achieve particular results in any municipal securities transaction, and those alternatives, options, calculations or examples do not constitute a recommendation that any municipal issuer or obligated person should effect any municipal securities transaction. Stifel is acting in its own interests, is not acting as your municipal advisor and does not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934, as amended, to the municipal entity or obligated party with respect to the information and materials contained in this communication.

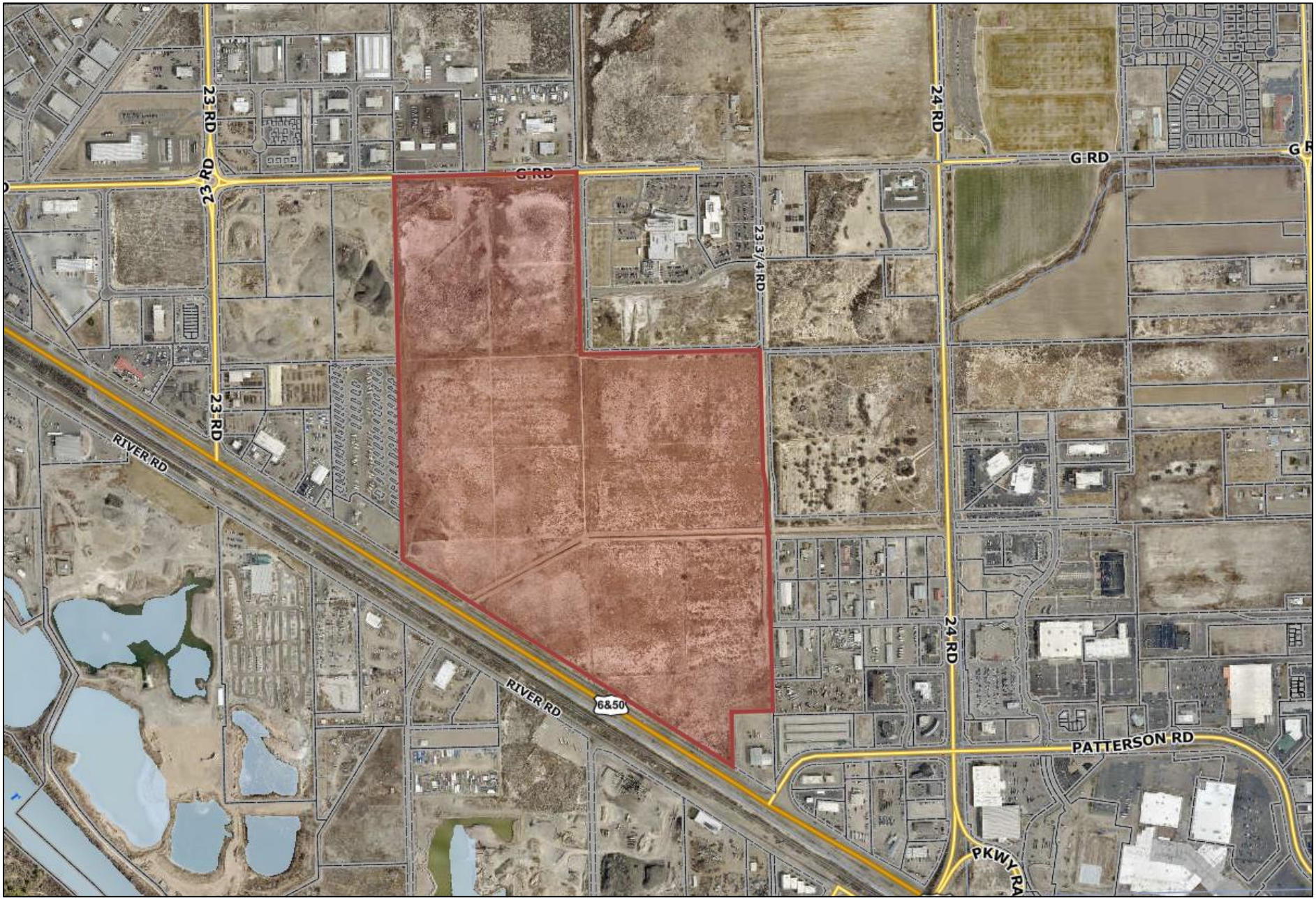
Stifel is providing information and is declaring to the proposed municipal issuer and any obligated person that it has done so within the regulatory framework of MSRB Rule G-23 as an underwriter (by definition also including the role of placement agent) and not as a financial advisor, as defined therein, with respect to the referenced proposed issuance of municipal securities. The primary role of Stifel, as an underwriter, is to purchase securities for resale to investors in an arm's- length commercial transaction. Serving in the role of underwriter, Stifel has financial and other interests that differ from those of the issuer. The issuer should consult with its own financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent it deems appropriate.

These materials have been prepared by Stifel for the client or potential client to whom such materials are directly addressed and delivered for discussion purposes only. All terms and conditions are subject to further discussion and negotiation. Stifel does not express any view as to whether financing options presented in these materials are achievable or will be available at the time of any contemplated transaction. These materials do not constitute an offer or solicitation to sell or purchase any securities and are not a commitment by Stifel to provide or arrange any financing for any transaction or to purchase any security in connection therewith and may not relied upon as an indication that such an offer will be provided in the future. Where indicated, this presentation may contain information derived from sources other than Stifel. While we believe such information to be accurate and complete, Stifel does not guarantee the accuracy of this information. This material is based on information currently available to Stifel or its sources and is subject to change without notice. Stifel does not provide accounting, tax or legal advice; however, you should be aware that any proposed indicative transaction could have accounting, tax, legal or other implications that should be discussed with your advisors and /or counsel as you deem appropriate.

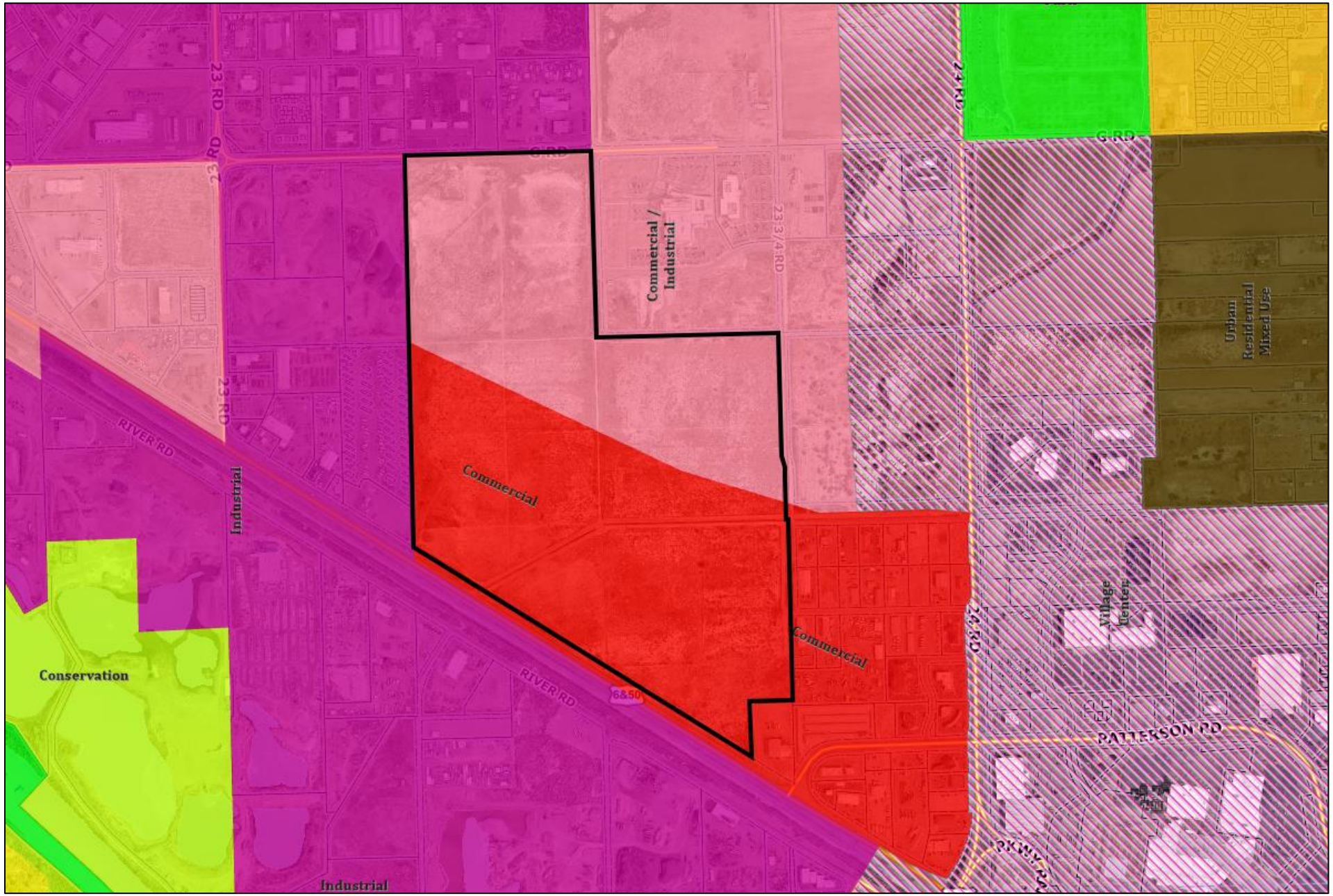
EXHIBIT F

CITY RESOLUTION OF APPROVAL
(TO BE ATTACHED)

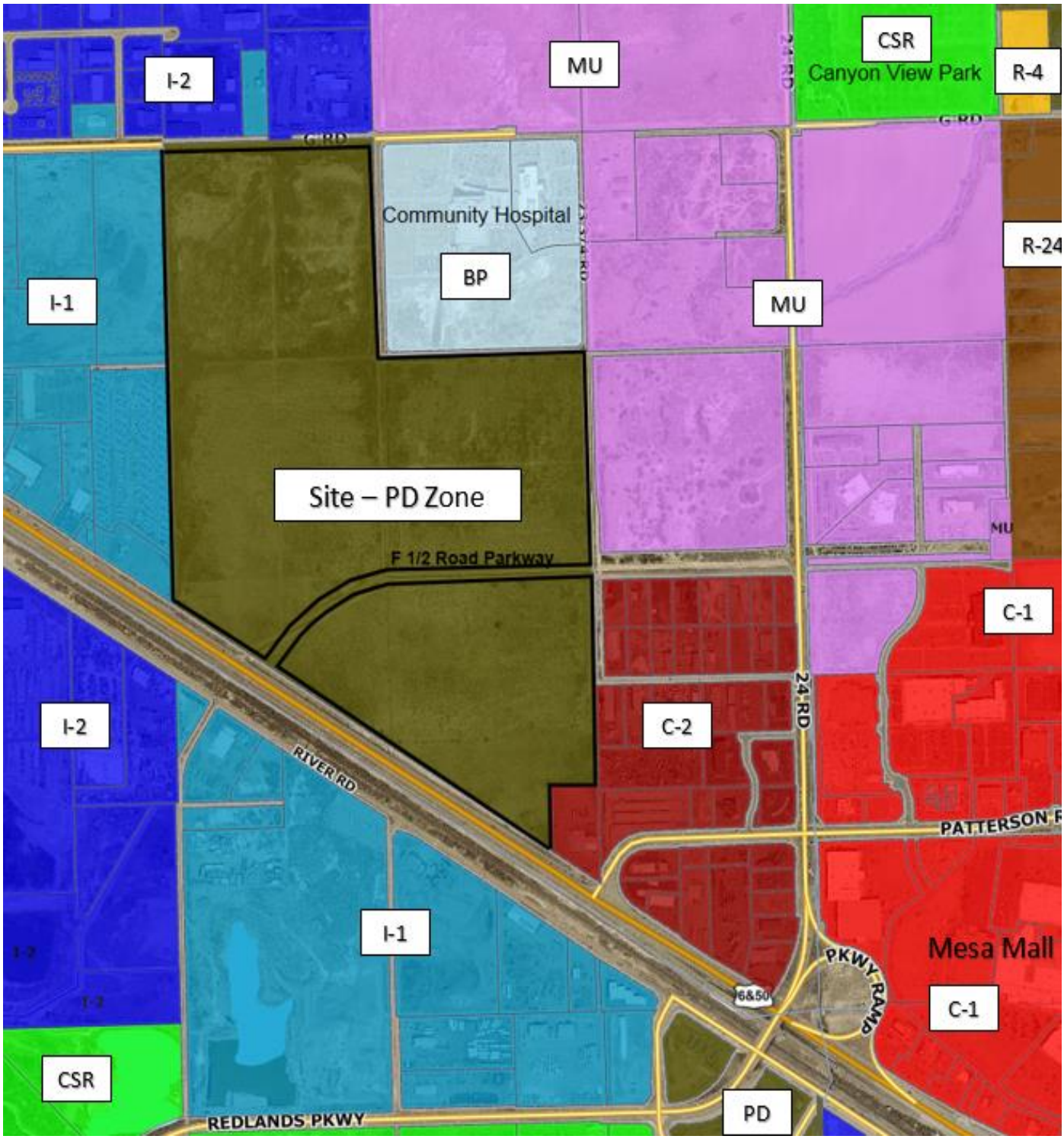
VICINITY MAP



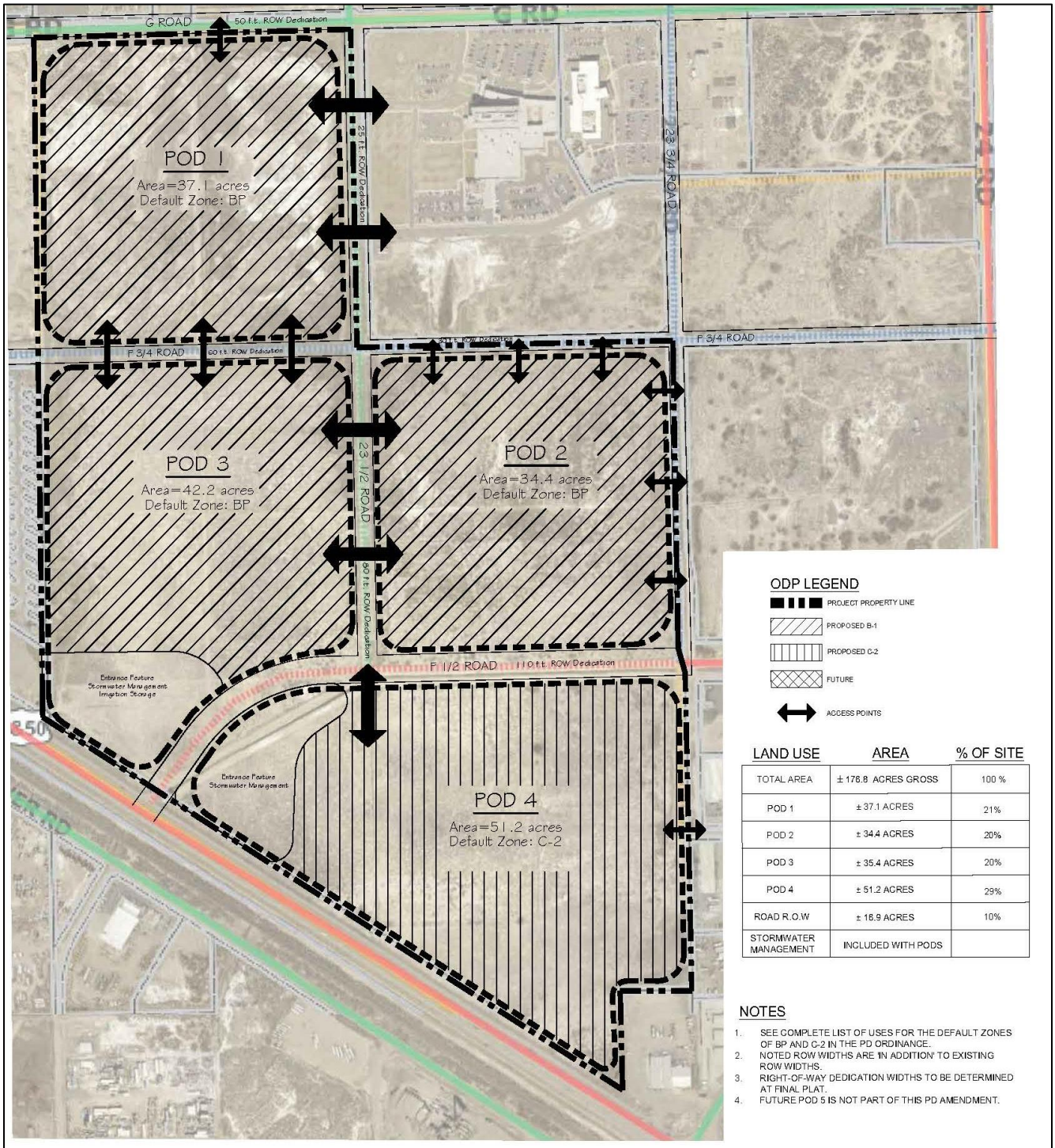
FUTURE LAND USE MAP



CURRENT ZONING MAP



PD MAP LAYOUT



LAND USE	AREA	% OF SITE
TOTAL AREA	± 176.8 ACRES GROSS	100 %
POD 1	± 37.1 ACRES	21%
POD 2	± 34.4 ACRES	20%
POD 3	± 35.4 ACRES	20%
POD 4	± 51.2 ACRES	29%
ROAD R.O.W	± 18.9 ACRES	10%
STORMWATER MANAGEMENT	INCLUDED WITH PODS	

NOTES

1. SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP AND C-2 IN THE PD ORDINANCE.
2. NOTED ROW WIDTHS ARE 'IN ADDITION' TO EXISTING ROW WIDTHS.
3. RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.
4. FUTURE POD 5 IS NOT PART OF THIS PD AMENDMENT.

SCALE 1"=200' NORTH

SHEET NO. 1

PD AMENDMENT
OUTLINE DEVELOPMENT PLAN

THE COMMUNITY

CANDACE ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND LANDSCAPE ARCHITECTURE
222 N. 7th STREET
GRAND JUNCTION, CO 81501
970-241-8749
www.crandscape.com

THE COMMUNITY
GRAND JUNCTION, CO

DRAWN BY MR
CHECKED TO
CHECKED NO 19926
DATE 03-1-2019
REVISIONS
03-21-2019
04-1-2019 Rnd 1 Comments

FRITSCHE LAW

Joan M. Fritsche, Esq.
(720) 833-4223
joan@fritschelaw.com

July 10, 2020

Via Email: davidth@gjcity.org
David Thornton, AICP
Community Development Department
250 N. 5th Street
Grand Junction, CO 8150

Re: Proposed Intergovernmental Agreements

Dear Mr. Thornton:

This office represents the Applicant for the proposed West Junction Metropolitan District ("District"). Pursuant to our conversations regarding various public improvements anticipated to be financed by the District, the Applicant is proposing the following intergovernmental agreements between the City of Grand Junction and the District:

1. Contractual Obligation IGA. Proposed form is attached as Exhibit F to the Service Plan. The purpose of this IGA is to create a contractual obligation between the City and District as a mechanism for enforcement of the Service Plan provisions by either party.

2. Recreation Facility IGA. The Developer will design and construct to City standards and specifications a multi-purpose recreation facility to be conveyance to the District for ownership and operation. The District will own the building and grounds and finance the cost of the building. The recreation facility will be operated and maintained by the City through an operating agreement with the District. We recommend a restriction on conveyance of the recreation facility to the District until the City and District have an executed IGA in place for operations and maintenance.

3. Roadway Improvements. Pursuant to certain City ordinances, the City is obligated to construct certain sections of City streets within and adjacent to the District boundaries. See Exhibit B to the Service Plan. It will be more economical, efficient and beneficial to the development and the City if all City streets are fully built out as part of the initial construction or expansion of the roadways, including the intersection improvements at F½ Road and the Business loop. We are proposing the District finance street improvements subject to a cost recovery agreement between the parties based on a formula of sharing the revenue generated by certain permit fees and

use taxes imposed on construction occurring within the District's boundaries. The capital cost estimate, attached as Exhibit C to the Service Plan, includes certain City obligations.

It is too early in the development process to finalize the details of the Recreation Facility IGA and the Permit Fees and Use Tax Revenue Sharing Cost Recovery IGA between the parties and the District will not be a legal entity for several months. We look forward to finalizing the terms of these agreements over the next few months with City staff.

Fritsche Law LLC

Joan M. Fritsche

Joan M. Fritsche

COLORADO
Department of Local Affairs
Division of Local Government

NOTICE OF FILING OF SPECIAL DISTRICT SERVICE PLAN

Pursuant to CRS 32-1-202(1), the County Clerk and Recorder or Municipal Clerk shall notify the Division of Local Government within five days after the filing of a service plan for the formation of a new Special District. Please provide the information indicated and return this form to the Division of Local Government.

Petitioner Information

West Junction Metropolitan District	June 16, 2020
Name of Proposed District	Filing Date
Metropolitan	City of Grand Junction, City Council
Type of Proposed District	Approving Authority Receiving Plan
Joan Fristche, Esq.	(720) 833-4223; joan@fritschelaw.com
Contact Person Filing Service Plan	Phone/Email

Hearing Information[1]

City of Grand Junction City Hall, 250 N. 5th Street, Grand Junction, CO 81501

Location of Hearing

6:00 p.m.	August 5, 2020
Time of Hearing	Date of Hearing
Wanda Winkelmann	June 17, 2020
Clerk Signature	Date

[1]Pursuant to C.R.S. 32-1-202(1) the board of county commissioners shall provide written notice of the date, time, and location of the hearing on the service plan to the division. Hearing information may be provided when submitting this notice of filing of service plan if known.

DLG 60 (Rev. 6/16)

WEST JUNCTION METROPOLITAN DISTRICT
ORGANIZATIONAL DEADLINES
INDEPENDENT MAIL BALLOT ELECTION – NOVEMBER 3, 2020

City Council Meetings: Planning Commission 250 N. 5th Street Grand Junction, CO 8150	6:00 pm 1st & 3rd Wednesdays. 6:00 pm 2nd & 4th Tuesdays

Publication of legal notices:

The Daily Sentinel	Published every day. Submit 4 days prior to publication date.

Service Plan Deadlines: Regular Font
District Court Deadlines: Italics
Election Deadlines: Shaded
Planning and Council Hearings: Yellow

DATE	ACTION	AUTHORITY
Prior to Submittal	Request property owner list and list of all taxing entities within a 3-mile radius of the District's boundaries.	32-1-204(1)
June 16, 2020	Formal Service Plan submitted to the City. Service Plan also filed with the Division of Local Government (DLG) and State Auditor.	32-1-202(1)
Prior to 07/01/20	**Provide notice to the Board of County Commissioners and County Assessor of the District's intent to levy a property tax for collection in 2021.** *NOT APPLICABLE*	**39-1-110(1)(a)**
July 10, 2020 (*prior to PC Hearing)*	Submit Notice of Service Plan hearing to publishers for publication on July 16, 2020.	PUBLICATION DEADLINE
July 15, 2020	City Council First Reading	
July 28, 2020	Planning Commission Hearing on proposed Service Plan and recommendation to City Council.	
Mailed: July 16, 2020 Published: July 16, 2020	Last day for Petitioners send letter notification of the hearing to property owners (unless petitioners represent 100% property owners) Last day for COUNCIL to provide publication and written notice of public hearing on service plan to interested parties including 3-mile radius taxing districts and adjacent property owners (at least 20 days prior to the City Council hearing).	32-1-204(1)

DATE	ACTION	AUTHORITY
Week of July 20, 2020	*Qualify taxpaying electors of the proposed district, record Notices of Contracts to Purchase.*	32-1-808
August 5, 2020	City Council conducts public hearing to approve service plan and issues Resolution Approving Service Plan.	32-1-204.5
Immediately following COUNCIL Hearing	Obtain Certified copy of Resolution.	32-1-301(3)
Immediately following COUNCIL Hearing	*Circulate Petition for Organization (must follow approval of Service Plan)*	*32-1-301*
Week of August 10, 2020	*File the Petition for Organization with the District Court, attach Service Plan and certified Resolution of Approval. File Motion for Court Order, Notice, Bond, Proposed Order. District Court sets hearing date (not less than 21 nor more than 42 days after petition is filed).*	*32-1-301(1)* *32-1-301(2)* *32-1-301(3)* *32-1-304* *32-1-803.5*
Submit to paper by /2020 to Publish on /2020 *(TBD after hearing is set)*	*Publish notice of the District Court hearing one time. Mail copies of the Notice to the Board of County Commissioners, COUNCIL, owners of record, and any other interested party.* *Mail copies of the Notice to DLG and County Assessor.* As soon as possible after District Court hearing is set, no specific timeframe.	*32-1-304*
08/10/2020	Submit Call for Nominations to newspaper for publication.	32-1-804.1
08/20/20	Last day to publish call for nominations (not less than 75 or more the 100 day before election.)	32-1-804.1
08/28/20	Self-Nomination and Acceptance forms for first Board of Directors filed with the DEO (or the date as ordered by the District Court).	32-1-305.5(4), 32-1-803.5
	1 week prior to Hearing File Offers of Proof	
August 31, 2020	*First Day- District Court conducts uncontested statutory hearing (21-42 days after the Petition is filed). Court approves all actions to date and orders November 3rd election, appoints, DEO, sets date for Self-Nomination form submittal (08/28/20), TABOR Ballot requirements. Obtain Certified Court Order.*	*32-1-304* *32-1-305(4)* *32-1-305.5(1)*

DATE	ACTION	AUTHORITY
09/04/20	***CERTIFY BALLOT CONTENT*** TABOR ballot issues shall be placed on the ballot in the following order: measures to increase taxes; measures to increase debt; other referred measures, including "de-brucing" and term limit waiver. (no later than 60 days before the election).	1-13.5-511 1-13.5-902(7)
09/18/20	Written comments for and against the TABOR ballot issue(s) must be received by the DEO (45 days before the election). (Comments must be filed by the end of the business day on the Friday before the 45th day before the election). DEO shall mail ballots to those eligible electors who reside within the special district and who have applied and are designated as a "covered voter" under the Uniform and Overseas Citizens Absentee Voting Act (UOCAVA) (not later than 45 days before the election).	1-13.5-503(1) 1-7-901(4) Article X, Section 20, Colorado Constitution 1-13.5-1103(4) 1-8.3-103(1)(d) 1-8.3-110(1)
September 21, 2020	***Last Day*** *- District Court conducts uncontested statutory hearing (21-42 days after the Petition is filed). Court approves all actions to date and orders November 3rd election, appoints, DEO, sets date for Self-Nomination form submittal (08/28/20), TABOR Ballot requirements.*	*32-1-304* *32-1-305(4)*
	Obtain Certified Court Order from District Court Clerk	
10/12/20	DEO may begin mailing to each active registered elector, a mail ballot package, including property owners who are active registered electors, but may not reside within the special district. Mail ballots shall be made available at the office of the Designated Election Official, for eligible electors who are not listed on the voter registration or property owners lists, but who are authorized to vote (not sooner than 22 days prior to election).	1-13.5-1105(4)(a) 1-13.5-1105(4)(d)
10/14/20	Last Day - Publish Notice of the election once (at least 20 days before the election). Post Notice in the office of the Designated Election Official. Mail a copy of the Notice to the County Clerk and Recorder of each county in which the special district is located. **THIS NOTICE MUST CONTAIN THE SPECIFIC INFORMATION FOR AN ORGANIZATION ELECTION PURSUANT TO 1-13.5-510(2).** **DEBT OR OTHER FINANCIAL OBLIGATION ELECTION** Post Notice to Create a Financial Obligation	1-13.5-1105(2)(d) 1-13.5-502 1-13.5-503(2)

DATE	ACTION	AUTHORITY
	on the special district's website, or if no website, in the chief administrative office of the special district (no later than 20 days before the election).	1-7-908(1)(a)
10/19/20	Last Day - mail ballot packets (no later than 15 days before the election).	1-13.5-1105(4)(a)
11/03/20	**ELECTION DAY.** 7:00 A.M. to 7:00 P.M.	
11/17/20	Last Day - Canvass Board shall certify the official abstract of votes cast at the election (no later than the 14th day after the election). A copy of the certificate of election results shall be filed with the DLG.	1-13.5-1305(1) 1-13.5-1305(2)
Immediately After Canvass Board Meeting	*File election results with District Court and Motion for Court to issue a Decree organizing District and Certificates of Election*	
Following Court Approval	*Record certified copy of Decree organizing District and Certificates of Election with the County Clerk and Recorder. File recorded certified copy of Decree with Division of Local Government and County Assessor.*	*32-1-305(6)* *32-1-305.5(5)* *32-1-306* *32-1-105*
	File Approved Service Plan as required by statute	
12/03/20	Last Day - File a copy of the certificate of election results with the DLG. (30 days after election).	32-1-104(1)
12/03/20	Last Day - Administer Oaths of Office to new Board (30 days after election) and file Oaths and Bonds with District Court, DLG and County Clerk.	32-1-901(1) 32-1-901(2)
Prior to Organizational Board Meeting	Submit Notice of Budget Hearing for publication and publish notice of budget hearing	29-1-106
Prior to 12/15/20	Conduct Organizational Board Meeting and 2020 and 2021 Budget Hearings if certifying a mill levy, otherwise hold Org Mtg prior to 12/31/2020.	32-1-903 29-1-103(1)
12/15/2020	Last day to certify 2020 mill levy.	
12/18/20	Last Day - For TABOR debt authorization elections, mail the election results by certified mail to the Board of County Commissioners of each county in which the special district is located or to the governing body of a municipality that has adopted a resolution of approval of the special district	32-1-1101.5(1)

DATE	ACTION	AUTHORITY
	and to the Division of Securities 1580 Lincoln, Ste., 420, Denver, CO 80203 (within 45 days after the election).	
01/30/21	File 2020 and 2021 Budget Documents	29-1-106
01/30/21	Record Special District public disclosure document and map.	32-1-104.8

CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. _____
A RESOLUTION APPROVING THE SERVICE PLAN FOR THE WEST JUNCTION METROPOLITAN DISTRICT

A. Pursuant to §32-1-204.5, C.R.S., as amended, a Service Plan for the proposed West Junction Metropolitan District ("District") has been submitted to the City Council ("Council") of the City of Grand Junction, Colorado ("City"). A copy of the Service Plan including all exhibits is attached hereto as Exhibit "A".

B. Pursuant to the provisions of Title 32, Article 1, Colorado Revised Statutes (C.R.S.), as amended, and the Grand Junction Municipal Code ("GJMC") on May 20, 2020 the Council scheduled a public hearing on the Service Plan for August 5, 2020.

C. Notice of the hearing before the Council on August 5, 2020 was duly published in the *Daily Sentinel,* a newspaper of general circulation within the City, on July 10, 2020 (minimum 20 days prior to hearing), as required by law, and forwarded to the petitioners, others entitled to postcard or letter notice, the Department of Local Affairs, and the governing body of each municipality and Title 32 Special District that has levied *ad valorem* tax within the next preceding tax year and that has boundaries within a radius of three miles of the District.

D. The Council has considered the Service Plan and all other testimony and evidence presented at the hearing.

E. The Council finds that the Service Plan shall be approved with the following conditions which shall be met prior to the West Junction Metropolitan District Service Plan becoming effective and before the proposed District may exercise the powers and authority described therein, as permitted by Sections 32-1-203(2) and 32-1-204.5(1)(a), C.R.S., as amended:

1. Condition 1: Approval and execution of one or more Intergovernmental Agreement (IGA) describing the improvements and responsibilities of the City of Grand Junction and the West Junction Metropolitan District.

F. For purposes of this Resolution, the effective date is the date which the election results are accepted/certified by the Colorado Department of Local Affairs.

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

1. The Council hereby determines that all of the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, relating to the filing of the Service Plan for the District has been fulfilled and that notice of the hearing was given in the time and manner required by law.

2. The Council further determines that all pertinent facts, matters and issues were submitted at the public hearing; that all interested parties were heard or had the opportunity to be heard and that evidence satisfactory to the Council of each of the following was presented:

(a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed District;

(b) The existing service in the area to be served by the proposed District is inadequate for present and projected needs;

(c) The proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and

(d) The area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

3. This Resolution shall be filed in the records of the City and a copy thereof submitted to the petitioners for the District for filing in the District Court of Mesa County, Colorado.

4. All prior resolutions or any parts thereof, to the extent that they are inconsistent with this Resolution, are hereby rescinded.

PASSED, ADOPTED AND APPROVED this 5th day of August 2020.

_____

Duke Wortmann, Mayor

ATTEST:

_____

Wanda Winkelmann, City Clerk

Ute Water Conservancy District Comments:

Representatives of Ute Water Conservancy District (Ute Water) met with representatives of the Applicant for the proposed West Junction Metropolitan District (Metro District) by telephone on July 24, 2020. The parties discussed the draft service plan for the Metro District, which identifies Ute Water as the entity that will provide domestic water service within the Metro District. The service plan provides that all Public Improvements (as that term is defined in the service plan) shall meet the standards and specifications required by Ute Water and other public entities, and the parties discussed some of Ute Water's requirements, standards and specifications. The parties also discussed the following specific matters relating to the proposed service plan:

1. Since Ute Water does not provide irrigation water, Ute Water's representatives requested that the "Water" paragraph of Section V.A.1 of the proposed service plan be divided into two paragraphs, one dealing with potable domestic water (which will be provided by Ute Water) and a second dealing with nonpotable irrigation water (which will be provided by a different entity). Corresponding changes should also be made to the water provisions of Exhibit C, with one Part dealing with domestic water and a separate Part dealing with irrigation water.

2. In connection with Section VI.D. of the proposed service plan, Ute Water noted that any infrastructure that will be conveyed to Ute Water must be conveyed free and clear of any liens or encumbrances.

3. Ute Water noted that it would like a few changes to be made to the Water Main Plan that is attached to the proposed service plan, and its representatives offered to meet with the Applicant's engineer to review those changes. Ute Water's understanding is that the Water Main Plan is preliminary and that changes can be made to it through the City's land use approval process.

Otherwise, the proposed service plan that Ute Water discussed with the Metro District's representatives (which was dated July 10, 2020) is satisfactory to Ute Water. Ute Water appreciates the opportunity to review and comment upon the proposed service plan.

Grand Junction Planning Commission

Regular Session

Item #4.

Meeting Date: July 28, 2020

Presented By: Jace Hochwalt, Associate Planner

Department: Community Development

Submitted By: Landon Hawes, Senior Planner

Information

SUBJECT:

Consider a request by the City of Grand Junction to amend Title 21 of the Grand Junction Municipal Code regarding use specific standards for Mini-Warehouses. | Staff Presentation

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

Staff proposes to amend Section 21.04.030(g) with revised standards for the mini-warehouse use. These standards create new landscaping, architectural, and site design requirements that are intended to help mini-warehouses become more aesthetically attractive. Staff also proposes to modify Section 21.06.050(c), Off-Street Required Parking, to reduce the required minimum number of vehicle spaces for a mini-warehouse development to two parking spaces. Additionally, staff proposes to modify Section 21.10 regarding the definition of “Mini-Warehouse” to make it consistent with the definition currently provided in the use specific standards. Finally, staff proposes to remove Section 21.04.020(s), “Self Service Storage,” from the Development Code.

BACKGROUND OR DETAILED INFORMATION:

Staff proposes to amend Section 21.04.030(g) with revised standards for the mini-warehouse use. The purpose of the amendment is to establish mini-warehouses as both functional and aesthetically attractive uses that contribute to improved urban form, especially when located along commercial corridors or in neighborhood business

areas. The implementation of various use specific design standards is consistent with the adopted Goal 8 of the Comprehensive Plan which provides that the City should work to “create attractive public spaces and enhance the visual appeal of the community through quality development.”

The new standards contain seven subsections:

1. Purpose. This subsection explains what the standards do and applies them to all mini-warehouses, including climate-controlled indoor storage units. While the city does not currently have any indoor storage facilities, staff feels it is important to plan for the future by applying these standards to any type of mini-warehouse facility.

2. Accessory uses. This subsection already exists in the Code but has been taken from the redundant “Self-Service Storage” use standards and placed in this section. Accessory uses defined by this subsection include living quarters for a resident manager and security/leasing offices. Non-accessory uses defined by this subsection include sales, service and repair operations, manufacturing, and truck/equipment rental.

3. Uses Prohibited. This subsection already exists in the Code but has been edited for redundancy and repositioned in the section. This section prohibits commercial activity within mini-warehouse developments except for foreclosure sales, as well as outside storage except in the case of licensed vehicles within approved areas. Staff recognizes that it is important to allow owners of mini-warehouse developments to offer for sale stored items if/when storage tenants are evicted through lien foreclosure, but also ensure that storage is the primary use conducted on site.

4. Landscaping and Screening. The new requirement in this subsection provides that a 30-inch-high by 10-feet-wide landscaped berm is to be constructed between storage units and the abutting public right of way, with trees planted every 40 feet. It also requires that, for outdoor mini-warehouse units, landscaping islands be provided at the end of each row of storage units and that these islands shall be planted with shrubs that reach at least 5 feet of height at maturity. These standards are proposed to help new mini-warehouse developments enhance the visual appeal of the community through quality development.

5. Off-Street Parking and Drive Aisle Standards. This subsection continues the current Code standard that drive aisles within outdoor mini-warehouse facilities be a minimum of 26 feet wide for single-load aisles and 30 feet for double-load aisles. This is to ensure adequate traffic circulation and fire access. Additionally, this subsection will continue to require that a minimum of two parking spaces shall be provided adjacent to the primary entry structure which, in most cases, will likely be the structure that contains a management office.

6. Architectural and Site Design Standards. This subsection provides for new requirements related to standards for architecture and site design. For instance, mini-warehouses that front public rights-of-way must provide a “primary entry structure” at the development entrance that has no parking between the primary entry structure and the street; windows or similar architectural features covering a minimum of 30% of the street-facing façade; building materials such as brick, stone, wood, architectural-grade metal, or similar exterior on the street-facing façade; and two of four different architectural features such as a tower or decorative lighting.

7. Signage. This subsection requires individual mini-warehouse units be clearly labeled and that signs or other advertising may not be placed on walls or fences in the mini-warehouse development. This standard is currently in the Code.

Staff also proposes to modify Section 21.06.050(c), Off-Street Required Parking, to reduce the required minimum number of vehicle spaces for a mini-warehouse development to 2 parking spaces per development. This is similar to how other communities regulate parking for mini-warehouses. For instance, Fruita and Colorado Springs do not have a minimum parking requirement for mini-warehouses, while Lakewood requires 0.1 parking spaces per 1000 square feet of buildings on a mini-warehouse site. Given that these communities have greatly reduced parking requirements for mini-warehouses, staff recommends that parking requirements for mini-warehouses in Grand Junction be greatly reduced. However, staff also feels it is important to require at least two parking spaces for the benefit of both employees and customers. In addition, the parking aisle dimensions allow for short term loading/unloading parking in front of individual storage units.

Additionally, staff proposes to clarify the definition of “mini-warehouse” in Chapter 21.10. The current use standards definition reads, “This subsection sets standards for the establishment and maintenance of safe and attractive mini-warehouse developments that will remain a long-term asset to the community. A “mini-warehouse” shall mean a structure or group of structures for the dead storage of customers’ goods and wares where individual stalls or lockers are rented out for storage and where one or more stalls or lockers has less than 500 square feet of floor area.” The current definition in Chapter 21.10 states that “Mini-warehouse means a structure containing separate, individual, and private storage spaces of varying sizes, leased or rented on individual leases for varying periods of time.” This definition does not include any kind of limit on the size of individual storage units, which creates problems when attempting to differentiate between mini-warehouses and larger warehouses. The proposed new definition in Chapter 21.10 would read, “Mini-warehouse means a development containing separate, individual, and private storage spaces, leased or rented on individual leases for varying periods of time.”

Finally, staff proposes to remove Section 21.04.020(s), “Self Service Storage,” from the Development Code. This section duplicates the standards for mini-warehouses in Section 21.04.030(g) and is therefore being merged into that section.

NOTIFICATION REQUIREMENTS

The notice of this public hearing was published on July 21, 2020 in the Grand Junction Daily Sentinel.

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 amend the Code with a recommendation from the Planning Commission. Reasons for the proposed amendments are provided in the Background section of this report.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the City of Grand Junction’s request to amend Title 21 of the Grand Junction Municipal Code regarding use standards and parking requirements for mini-warehouses, ZCA-2020-175, the following findings of fact have been made:

Staff finds that the proposed amendments to the Zoning and Development Code are useful in that they modernize the Code, enhance the visual appeal of the community through quality development while ensuring the health, safety, and general welfare of the population, and providing regulations that are clear and consistent and that assist in logical and orderly development.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chair, on the amendment to Title 21, City file number ZCA-2020-175, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Revised Mini-Warehouse Use Standards Ordinance

(g) Mini-Warehouse.

(1) Purpose.

(a) This subsection sets standards for the establishment of safe and attractive mini-warehouse developments. These standards apply to all mini-warehouses, including those that provide indoor and/or outdoor units.

(2)

(a) Accessory uses. Accessory uses may include living quarters for a resident manager or security and leasing offices.

(3) Uses prohibited.

(a) No owner, operator or lessee of any mini-warehouse or portion thereof shall offer for sale, or sell any item of personal property, or conduct any type of commercial activity of any kind whatsoever including such uses as sales, service and repair operations, manufacturing, or truck/equipment rentals, other than leasing of the units, or permit same to occur upon any area designated for the mini-warehouse use, except that estate or foreclosure sales held by the mini-warehouse owner or operator shall be allowed.

(b) No outside storage shall be permitted except the storage of licensed vehicles within approved areas designated for such storage. This storage shall meet the requirements of GJMC 21.04.040.

(4) Landscaping and Screening. All mini-warehouses shall provide the following in addition to meeting standards of GJMC 21.06.040:

(i) A 30-inch-high by 10 feet wide landscaped berm is required between storage units and the abutting public right-of-way. The berm shall include trees that are planted every 30 feet.

(ii) For outdoor mini-warehouse units, landscaping islands shall be provided at the end of each row of storage units. Landscape islands shall be planted with shrubs that reach at least 5 feet of height at maturity.

(5) Off-Street Parking and Driveways Standards.

(i) Drive aisles within outdoor mini-warehouses facilities shall be a minimum of 26 feet wide for single-load aisles and 30 feet for double-load aisles.

(ii) A minimum of two parking spaces shall be provided adjacent to the primary entry structure.

(6) Architectural and Site Design Standards. All mini-warehouses shall meet the following standards.

(i) Mini-warehouses that front public rights-of-way shall provide a primary entry structure at the entrance of the development that meets the following standards:

(1) No parking shall be placed between the building and the street.

(2) Windows or similar architectural features shall cover at least 30% of the street-facing façade.

(3) Building materials such as brick, stone, wood, architectural-grade metal, or similar exterior shall be used.

(4) Two of the following features shall be utilized in the design of the primary entry structure:

(a) tower feature.

(b) façade articulations on the street-facing façade.

(c) roofline articulations in the street-facing façade.

(d) decorative lighting on the street-facing façade. This lighting must comply with all standards found in GJMC 21.06.080.

(ii) Any street-facing façade of each storage unit must be covered with building materials such as brick, stone, wood, architectural-grade metal, or similar exterior.

(7) Signage. All mini-warehouses shall provide the following in addition to meeting standards of GJMC 21.06.070:

(i) Individual mini-warehouses shall be clearly marked with numbers or letters identifying the individual units and a directory of the unit locations shall be posted at the entrance or office of the facility.

(ii) Signs or other advertising shall not be placed upon, attached to, or painted on any walls or fences required for landscaping and buffering in the mini-warehouse development.

21.06.050(c) Off-street Required Parking.

USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF VEHICLE SPACES
Self-Service Storage	Self-Service Storage	2 spaces

21.04.020(s) Use Categories – Self Service Storage

~~(1) Characteristics. Self-service storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.~~

~~(2) Accessory Uses. Accessory uses may include living quarters for a resident manager or security and leasing offices. Use of the storage areas for sales, service and repair operations, or manufacturing is not considered accessory to the self-service storage use. The rental of trucks or equipment is also not considered accessory to a self-service storage use.~~

~~(3) Examples. Examples include facilities that provide individual storage areas for rent. These uses are also called mini-warehouses.~~

~~(4) Exceptions. A transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred is in the warehouse and freight movement category.~~

21.10.020 Terms Defined

"Mini-warehouse means a development containing separate, individual, and private storage spaces ~~of up to 500 square feet~~, leased or rented on individual leases for varying periods of time."