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**CITY COUNCIL AGENDA
WEDNESDAY, SEPTEMBER 15, 2021
250 NORTH 5TH STREET
[VIRTUAL MEETING - LIVE STREAMED](#)
BROADCAST ON CABLE CHANNEL 191
5:30 PM – REGULAR MEETING**

Call to Order, Pledge of Allegiance, Moment of Silence

Proclamations

Proclaiming September 17 - 23, 2021 Constitution Week in the City of Grand Junction

Citizen Comments

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

Citizens have four options for providing Citizen Comments: 1) in person during the meeting, 2) Virtually during the meeting (registration required), 3) via phone by leaving a message at 970-244-1504 until noon on Wednesday, September 15, 2021 or 4) submitting comments [online](#) until noon on Wednesday, September 15, 2021 by completing this form. Please reference the agenda item and all comments will be forwarded to City Council.

City Manager Report

Council Reports

CONSENT AGENDA

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

1. Approval of Minutes

- a. Summary of the August 30, 2021 Workshop
- b. Minutes of the September 1, 2021 Regular Meeting
- c. Minutes of the September 1, 2021 Executive Session

2. Set Public Hearings

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

- a. Quasi-judicial
 - i. Introduction of an Ordinance to Zone 6.73 Acres from County RSF-R (Residential Single Family - Rural) to a City R-5 (Residential - 5 du/ac) Zone District for the Reece Annexation Located South of 3035 and 3043 F 1/2 Road, and Setting a Public Hearing for October 6, 2021
 - ii. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Phoenix Haus Annexation of 2.98 Acres, a Serial Annexation Comprising the Phoenix Haus Annexation No. 1 and the Phoenix Haus Annexation No. 2, Located on Property 834 21 1/2 Road, and Setting a Public Hearing for October 20, 2021
 - iii. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Sage Creek Annexation of 5 Acres, Located on Property at 3038 D 1/2 Road, and Setting a Public Hearing for October 20, 2021
- b. Legislative
 - i. Introduction of an Ordinance Making a Supplemental Appropriation for the Purchase of Real Estate and Setting a Public Hearing for October 6, 2021
 - ii. Introduction of an Ordinance Making a Supplemental Appropriation for the City Contribution for the Purchase of 347 and 339 Ute Avenue for the Grand Valley Catholic Outreach Mother Teresa House Project and Setting a Public Hearing for October 6, 2021

3. Contracts

- a. Authorization to Purchase Cardiac Monitor/Defibrillators for the Fire Department and Acceptance of the Federal Emergency Management Agency Assistance to Firefighter Grant
- b. 2021 Contract Street Maintenance - Asphalt Overlays - Change Order #1

4. Resolutions

- a. A Resolution Renaming a Portion of 27 1/2 Road, Abutting the Parcels Currently Addressed 347 and 348 27 1/2 Road to Eddy Drive
- b. A Resolution Authorizing a Five-Year Lease of City Property at 134 West Avenue to Centro Colorado
- c. A Resolution Appointing Anna Stout, Jamie Beard, Andrew Peters, and Dennis Simpson as the Judicial Performance Commission for the Grand Junction Municipal Court

REGULAR AGENDA

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

5. Resolutions

- a. A Resolution Expressing Support for Grand Junction High School Ballot Item
- b. A Resolution Affirming the Purchase of 910 Main Street
- c. A Resolution Affirming the City Contribution for the Purchase of 347 and 339 Ute Avenue for the Grand Valley Catholic Outreach Mother Teresa House Project

6. Public Hearings

- a. Quasi-judicial
 - i. An Ordinance Vacating a Portion of Public Right-of-Way of G 1/8 Road Located near 2524 G Road and 716 25 Road

- ii. An Ordinance Requested by the Lincoln Park Neighborhood/Residential District to Amend the Grand Junction Municipal Code Development Regulations to Adopt Standards and Guidelines for the Lincoln Park Residential Historic District and to Amend Title 21 Pertaining to the Role of the Historic Preservation Board in the Review of Alterations within the District
 - iii. An Ordinance Rezoning One Parcel Totaling Approximately 13.92 Acres from R-8 (Residential - 8) to M-U (Mixed Use) Located at 600 28 1/4 Road
- b. Legislative
 - i. An Ordinance Making Supplemental Appropriations
 - ii. An Ordinance Making Supplemental Appropriations for an Addition to the Lincoln Park Stadium Project
 - iii. An Ordinance Making Supplemental Appropriations for Addition of a Multi-Purpose Building at Lincoln Park Stadium

7. Non-Scheduled Citizens & Visitors

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

8. Other Business

9. Executive Session - City Hall Administration Conference Room

- a. EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402(4)(e)(I) AND/OR 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT FOR RICHMARK COMPANIES FOR A POSSIBLE RE-DEVELOPMENT/DEVELOPMENT PROJECT AT 200 ROOD AVENUE, GRAND JUNCTION, COLORADO
- b. Motion for Executive Session

10. Conclusion of Executive Session and Adjournment of September 15, 2021 City Council Meeting - City Hall Administration Conference Room

The Council will return to Open Session to conclude the Executive Session; the City Council will not be returning to Open Session in the City Council chambers. Adjournment of the September 15, 2021 City Council meeting will occur in the City Hall Administration Conference room location.



City of Grand Junction, State of Colorado

Proclamation

Whereas, our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

Whereas, it is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all enemies; and

Whereas, signing of the Constitution provides an historic opportunity for all Americans to realize the achievements of the Framers of the Constitution and the rights, privileges, and responsibilities it affords; and

Whereas, the independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17 through 23, as designated by proclamation of the President of the United States of America in accordance with Public Law 915.

NOW, THEREFORE, I, C.B. McDaniel, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim September 17 - 23, 2021 as

"Constitution Week"

in the City of Grand Junction and urge all our residents to reflect during that week on the many benefits of our Federal Constitution and American citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 15th day of September 2021.



Mayor

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

August 30, 2021

Meeting Convened: 5:30 p.m. Meeting held in person at the Fire Department Training Room, 625 Ute Avenue, and live streamed via GoToWebinar.

Meeting Adjourned: 8:03 p.m.

City Councilmembers present: Councilmembers Abe Herman, Phil Pe'a, Randall Reitz, Dennis Simpson, Anna Stout, Rick Taggart, and Mayor Chuck McDaniel.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Finance Director Jodi Welch, Public Works Director Trent Prall, General Services Director Jay Valentine, Deputy Finance Director Scott Rust, Financial Analyst Shane O'Neill, Parks and Recreation Director Ken Sherbenou, Sports Facilities Supervisor Marc Mancuso, City Clerk Wanda Winkelmann, and Deputy City Clerk Selestina Sandoval.

Mayor McDaniel called the meeting to order.

Agenda Topic 1. Discussion Topics

a. Lincoln Park Stadium Renovation Update

Lincoln Park Stadium will undergo major renovation in 2021 and 2022. September 20th is the scheduled start date for construction. The project's architect and engineer team, led by Perkins and Will, has been working diligently with the Construction Manager and General Contractor, Shaw Construction. Working with these two groups, project priorities have been set by the Stadium Improvement Committee, comprised of Grand Junction Baseball (JUCO), Colorado Mesa University (CMU), School District #51 and the City. The resulting plans include significant capital improvement to this cornerstone of the community that School District #51, CMU, JUCO, the GJ Rockies and many other community users rely upon.

At the August 16, 2021 workshop, City Council discussed the evolving plans for the Lincoln Park Stadium Renovation. Council gave direction to continue the discussion at the next workshop on August 30, 2021.

Bruce Hill, Vice Chair of JUCO, Chairman of the Parks Improvement Advisory Board (PIAB), and member of the Stadium Improvement Committee discussed the addition to the base project of \$2.5 million to ensure completion of the highest priorities. The addition includes new northwest and southwest entryways, technical, electrical, and audiovisual upgrades. Funding for this would initially be an advance from the General Fund reserve, to be re-paid by CMU over the course of 12 years at \$200,000 per year plus \$100,000 for the final year.

Tim Foster, former CMU President, attended virtually and described the addition of a multipurpose building which would include locker rooms and offices for the CMU football team, public restrooms, and a shared-use area for other users of the stadium. The City has been asked for a contribution of \$500,000 towards this specific addition to the stadium complex. The cost of this building is currently estimated cost of \$2.8 million.

The base project of \$8 million that is funded by the proceeds from the 2010 Stadium Certificates of Participation (COPs) refunding, includes the replacement of sections of the north bleachers as well as the construction of new grandstands for the west bleachers including new men's and women's bathroom facilities.

Discussion ensued about the wear and tear on the practice field and the need to replace it sooner than expected.

Bryan Rooks, Director of Athletics at CMU, expressed appreciation for City Council's support.

Direction was provided to staff to bring back two supplemental appropriations for these projects.

b. Budget - Economic Development Partners Budget Discussion: Grand Junction Economic Partnership, Steve Jozefczyk; Business Incubator Center, Tim Hatten; Western Colorado Latino Chamber of Commerce, Jorge Pantoja

Grand Junction Economic Partnership (GJEP) has received funding from the City for ongoing operations as well as a portion of the revenue generated from the vendors fee cap for new business prospects and job creation incentives. Interim Director Steve Jozefczyk reviewed GJEP's 2021 highlights and goals for 2022. GJEP is requesting \$190,000 for operations, \$25,000 for Las Colonias marketing, and \$45,000 for the incentive fund. GJEP's annual budget is \$800,000.

Discussion ensued about funding mechanisms, the contributions by the City and the County, the roles of GJEP and the Chamber of Commerce, the fact that GJEP is the entity that handles incentives from the state, earmarked revenues for funding certain programs, remote workers, use of the Mesa County Workforce Center, and recruiting businesses in the midst of a tight housing market.

The Business Incubator Center (BIC) has received funding for ongoing operations and grant match funding, and from the vendors fee cap for the Maker Space and Incubator Kitchen programs. Board Chair Tim Hatton noted they are recruiting for a new director and described the many programs and resources provided by the BIC (including efforts related to COVID recovery, including webinars). Their goals for 2022 include business consulting services, completing tenant resource suite, develop business marking training, continue tenant meetups, and partner with Mesa County Public Library for access to

training. Mr. Hatton also discussed the commercial kitchen program, the Grand Junction Small Business Development Center, and Grand Junction Makerspace. The BIC is requesting \$24,000 for Maker Space and \$25,000 in capital for equipment for the kitchen.

The Western Colorado Latino Chamber of Commerce has received funding from the vendors fee cap for business retention and start-up support. Board Members Jorge Pantoja and Sonia Gutierrez were present for this discussion and described the organization's goals and recent wins (securing a location at the Maverick Innovation Center and partnering with the library on bilingual classes on starting a business). They are requesting \$35,000 for 2022 to hire an assistant to help with job connections and engagement with the community. Ms. Gutierrez noted 2021 was the first year the organization received funds; they are a junior organization (compared with the others that have received funding) and don't have a lot of metrics to present.

A break was called for at 7:13 p.m. The workshop resumed at 7:21 p.m.

c. Discussion and Direction of the Process to Review and Select Members of the American Rescue Plan Act Committee

The City of Grand Junction is beginning the process of determining how to utilize the State and Local Fiscal Recovery Funds (SLFRF) allocated to the City by the U.S. Treasury, as established in the American Rescue Plan Act (ARPA). These funds to states, counties, and local governments are intended to provide support in responding to the economic and public health impacts of COVID-19 alongside efforts to contain impacts to communities, residents, and businesses. The Treasury has determined Grand Junction's portion of these funds to be approximately \$10.4 million. The allowable uses of these funds are broad, as determined by the legislation and guidance from the U.S. Treasury. They include:

- Replacement of Public Sector Revenue Loss
- Support for the Public Health Response
- Address Negative Economic Impacts
- Premium Pay for Essential Workers
- Water, Sewer, and Broadband Infrastructure

Within each of these broad categories, the Treasury has outlined a non-exhaustive list of potential eligible spending uses designed to grant wide flexibility for each individual community's needs.

The City of Grand Junction will be working to determine the best use of SLFRF funds and an important part of this effort is establishing an American Rescue Plan Advisory Committee (ARPAC) to provide input to the City Council on potential uses of the funds. The City recently solicited applications for this committee which are now under review for selection by City Council. Committee members will participate in several meetings over the course of a few months.

Councilmembers Herman, Simpson, and Taggart are interested in serving on the committee. Mayor McDaniel requested that each member of Council send a list of their top five candidates to the City Manager by October 1.

Agenda Topic 2. City Council Communication

Mayor McDaniel is recommending that Councilmember Reitz and Mayor Pro Tem Stout serve as a two-person committee to look at the evaluation process for the City Manager and the City Attorney. It was noted that the Grand Junction Municipal Code sets the procedure for the evaluation of the judge.

Mayor McDaniel stated there are three proclamations being issued at Wednesday's City Council meeting and requested volunteers to present the proclamations (Mayor Pro Tem Stout – Sister City Proclamation, Councilmember Herman – Pride Week Proclamation, Councilmember Reitz – Hispanic Heritage Month Proclamation).

Councilmember Simpson observed that the Council spent two hours this evening discussing elements of the budget and requested additional time be spent reviewing 2021 capital projects (what projects have been completed, what projects are incomplete or not started and why). It was suggested this information could be provided in a table format in a memo and a minimum threshold of \$1 million used to select the listed projects. City Manager Caton will explore the best way to provide this information.

Agenda Topic 3. Next Workshop Topics

City Manager Caton stated that the topics for the September 13 workshop include:

- Presentation from the State Demographer's Office (Representative from State Demographer's Office will present city demographics, projections and notable trends)
- Housing Strategy – update

A special workshop will be held on September 20 to discuss marijuana regulations.

Agenda Topic 4. Other Business

There was none.

Adjournment

The workshop adjourned at 8:03 p.m.

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

September 1, 2021

Call to Order. Pledge of Allegiance. Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 1st day of September 2021 at 5:30 p.m. Those present were Councilmembers Abe Herman, Phillip Pe'a, Randall Reitz, Rick Taggart, Dennis Simpson, Anna Stout, and Council President Chuck McDaniel.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann, and Deputy City Clerk Selestina Sandoval.

Council President McDaniel called the meeting to order and Councilmember Taggart led the Pledge of Allegiance which was followed by a moment of silence.

Presentation of Accreditation to the Grand Junction Police Department

Fruita Police Chief Dave Krouse with the Colorado Association of Chiefs of Police presented a plaque to Grand Junction Police Chief Doug Shoemaker and spoke of the importance of this award.

Proclamations

Proclaiming September 7 - 12, 2021 Pride Fest in the City of Grand Junction

Councilmember Herman read the proclamation and Colorado West Pride Board member Heidi Hess was present to accept the proclamation.

Proclaiming September 6, 2021 as Sister City Day in the City of Grand Junction

Councilmember Stout read the proclamation and representatives of the Foundation for Cultural Exchange Currey Ventling, Elliot Van Meter and Nicole Cain were present to accept the proclamation.

Proclaiming September 15 - October 15, 2021 as Hispanic Heritage Month in the City of Grand Junction

Councilmember Reitz read the proclamation and Hispanic Heritage Month Committee Members Jorge Pantoja, Sonia Gutierrez, Gilberto Ramirez and Anthony Ramirez were present to accept the proclamation.

Citizen Comments

Bruce Lohmiller spoke of a job fair, a future homeless shelter for Catholic Outreach and Taliban impacts on illegal drugs.

John Pond spoke of missing front license plates on a few officers' personal vehicles.

Richard Swingle asked if it would make sense to move Citizen Comments to the end of the City Council meeting agendas.

Council Reports

Councilmember Reitz gave an update on the efforts by the community for a Recreation/Community Center in Grand Junction.

Councilmember Simpson spoke of the length of City Council meeting packets and gave some options of how to shorten them.

Councilmember Stout gave an update on the Business Incubator Board meeting.

Councilmember Herman gave an update on the Commission for Arts and Culture.

Council President McDaniel invited the public to a Memorial Service for the 20th Anniversary of 9/11 at the Fire Department Administration Building on September 11, 2021 at 10:00 a.m.

CONSENT AGENDA

Councilmember Pe'a moved to adopt items #1 - #4 and Councilmember Stout seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the August 16, 2021 Workshop
- b. Minutes of the August 18, 2021 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Making Supplemental Appropriations and Setting a Public Hearing for September 15, 2021

- ii. Introduction of an Ordinance Making Supplemental Appropriations for Additions to the Lincoln Park Stadium Project and Setting a Public Hearing for September 15, 2021
 - iii. Introduction of an Ordinance Making Supplemental Appropriations and Setting a Public Hearing for September 15, 2021
- b. Quasi-judicial
 - i. Introduction of an Ordinance for a Request by the Lincoln Park Neighborhood/Residential Historic District to Amend Municipal Code Volume II: Development Regulations to Adopt Standards and Guidelines for the Lincoln Park Residential Historic District, to Amend Title 21 Pertaining to the Role of the Historic Preservation Board in the Review of Alterations within the District, and Setting a Public Hearing for September 15, 2021
 - ii. Introduction of an Ordinance to Vacate a Portion of Public Right-of-Way of G 1/8 Road Located near 2524 G Road and 716 25 Road and Setting a Public Hearing for September 15, 2021
 - iii. Introduction of an Ordinance Rezoning One Parcel Totaling Approximately 13.92 Acres from R-8 (Residential - 8) to M-U (Mixed Use) Located at 600 28 1/4 Road and Setting a Public Hearing for September 15, 2021

3. Contracts

- a. North Avenue / US6B Enhanced Transit Corridor Study and Construction Project Memorandum of Agreement Between the City of Grand Junction and Mesa County
- b. Authorizing the Contract Amendment for the Early Release Construction Lincoln Park Stadium Renovation Project

4. Resolutions

- a. A Resolution Authorizing the City Manager to Submit a Grant Request to the US Department of Justice (DOJ) FY 2021 Edward Byrne Memorial Justice Assistance Grant (JAG)
- b. A Resolution Authorizing the City Manager to Submit a Grant Request to the State of Colorado Department of Local Affairs (DOLA) FY 2021 – 2022 Gray & Black Market Marijuana Enforcement Grant
- c. A Resolution Authorizing the City Manager to Execute Related Documents and

Co-Sponsorship Agreement for an Anticipated Airport Improvement Program Grant

- d. A Resolution Authorizing the Mayor to Sign as a Petitioner to Mesa County's Notice of Appeal and Request for Adjudicatory Hearing in Response to the Colorado Water Quality Control Division's Publication of the Total Maximum Daily Load Assessment for Colorado River Tributaries in the Grand Valley

REGULAR AGENDA

An Ordinance Vacating a Road Right-of-Way, Known as Tonto Lane

The Applicant Kraig Andrews requested the vacation of the Tonto Lane right-of-way, a roadway which begins from Cottonwood Drive heading north for approximately 200 feet located between 2632 and 2635 Cottonwood Drive that was never constructed and terminates into I-70 Interstate right-of-way. Tonto Lane, dedicated in 1955, is no longer needed to provide access to properties to the north. A utility easement will be reserved and retained that will cross over and line up with the existing 15-foot utility easement running east to west across the northern portion of the right-of-way vacation area.

Principal Planner Dave Thornton presented this item.

The public hearing was opened at 6:19 p.m.

There were no public comments.

The public hearing was closed at 6:19 p.m.

Councilmember Reitz moved to adopt Ordinance No. 5015, an ordinance vacating the Tonto Lane right-of-way and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens and Visitors

There were none.

Other Business

There was none.

Adjourning the Regular Meeting into Executive Session - 1st Floor Break Room - City Hall

Councilmember Simpson moved to go into Executive Session to discuss matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to sections 24-6-402(4)(e)(i) and/or 24-6-402(4)(a) of Colorado's Open Meetings Law relative to a possible purchase of real property located at 910 Main Street, Grand Junction, Colorado, and to discuss matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to sections 24-6-402(4)(e)(i) of Colorado's Open Meetings Law relative to a possible purchase/contract buyout of Grand Junction CRI and return to Open Session to adjourn the Executive Session, which adjournment will occur in the 1st floor City Hall break room at which this time we will also adjourn this meeting. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

The regular meeting adjourned into Executive Session at 6:21 p.m.

Wanda Winkelmann, MMC
City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL MEETING – EXECUTIVE SESSION MINUTES

September 1, 2021

The City Council of the City of Grand Junction, Colorado met in Special Meeting – Executive Session on Wednesday, September 1, 2021 at 6:30 in the First Floor Break Room of City Hall, 250 North Fifth Street. Those present were Councilmembers Abe Herman, Phil Pe’a, Randall Reitz, Dennis Simpson, Anna Stout, Rick Taggart, and Mayor Chuck McDaniel.

Staff present for the Executive Session were City Manager Greg Caton, City Attorney John Shaver, General Services Director Jay Valentine, and Finance Director Jodi Welch.

Executive Session

Councilmember Simpson moved to go into Executive Session #1:

EXECUTIVE SESSION #1

EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402(4)(e)(I) AND/OR 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT 910 MAIN STREET, GRAND JUNCTION, COLORADO

Councilmember Pe’a seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session #1 at 6:32 p.m.

Councilmember Taggart moved to adjourn Executive Session #1. Councilmember Simpson seconded. Motion carried unanimously.

Councilmember Simpson moved to go into Executive Session #2:

EXECUTIVE SESSION #2

EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402(4)(e)(I) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE/CONTRACT BUYOUT OF GRAND JUNCTION CRI

Councilmember Stout seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session #2 at 6:53 p.m.

Councilmember Stout moved to adjourn Executive Session #2. Councilmember Pe'a seconded. Motion carried unanimously.

The meeting adjourned at 7:20 p.m.

Wanda Winkelmann
City Clerk





Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: September 15, 2021
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, AICP, Principal Planner

Information

SUBJECT:

Introduction of an Ordinance to Zone 6.73 Acres from County RSF-R (Residential Single Family - Rural) to a City R-5 (Residential - 5 du/ac) Zone District for the Reece Annexation Located South of 3035 and 3043 F 1/2 Road, and Setting a Public Hearing for October 6, 2021

RECOMMENDATION:

The Planning Commission heard this item at their August 24, 2021 meeting and voted (7-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, EDKA Land Co LLC, is requesting a zone of annexation to R-5 (Residential – 5 du/ac) for the Reece Annexation. The approximately 6.73-acre property is located south of 3035 and 3043 F ½ Road in Fruitvale. The property has a Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac). The subject property is currently vacant.

The properties are Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the City limits in anticipation of future residential subdivision development. The zone district of R-5 is consistent with the Comprehensive Plan. The request for annexation will be considered separately by City Council, but concurrently with the zoning request.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicant, EDKA Land Co LLC, has requested annexation of 6.73-acres of land into the City limits, located on property south of 3035 and 3043 F ½ Road in Fruitvale,

in anticipation of future residential subdivision development. The Reece Annexation consists of one property of 5.65-acres in addition to a parcel of land containing the Price Ditch consisting of 1.07 acres. The Applicant is currently requesting a zone of annexation to R-5 (Residential – 5 du/ac).

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – August 18, 2021
- Planning Commission considers Zone of Annexation – August 24, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – September 15, 2021
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – October 6, 2021
- Effective date of Annexation and Zoning – November 7, 2021

The Applicant's property is currently in the County and has a County zoning of RSF-R (Residential Single Family – Rural – 5-acre minimum lot sizes). Surrounding properties to the west and south are zoned R-4 in the City ranging in size from 0.21 to 0.33-acres for the developed lots and larger acreage lots located to the north and east include lots sizes of 3 acres to 4.6 acres. These properties to the north and east from the proposed annexation are zoned RSF-R in Mesa County. The subject property has a Comprehensive Plan Land Use designation of Residential Low (2 - 5.5 du/ac). The requested zone district of R-5 is in conformance with the Land Use designation for the area.

This property is located within an urban infill area of the community. The greater surrounding area both within the city limits and County are largely developed with single-family detached homes each on a platted lot or parcel. Further subdivision development and/or lot splits are possible in the future for other properties in the area, especially to the north of this property and are large enough to accommodate such development.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on April 29, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant, Applicant's representative and City staff were in attendance along with seven (7) citizens. Questions at the Neighborhood Meeting centered mainly on the proposed future subdivision of the property, regarding using Round Table Road as the only access into the subdivision and whether or not having only one access road was acceptable. An official application for annexation and zoning was submitted to the City of Grand Junction for review on May 24, 2021.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on August 13, 2021. 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 August 13, 2021. The notice of this public hearing was published August 17, 2021 in the Grand Junction Daily Sentinel.

Public comment was also offered through the GJSpeaks platform. One public comment was received. The comment was regarding access to the property utilizing Round Table Road and the concern for additional traffic this property would generate.

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-5 which is compatible with the existing Comprehensive Plan Land Use Map designation of Residential Low (2 - 5.5 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. In addition, the 2020 One Grand Junction Comprehensive Plan defined the density range for the Residential Low Land Use category with a range of 2 to 5.5 du/ac. The existing County RSF-R zone district at a maximum density of one dwelling unit per five acres does not implement the Residential Low Land Use category. The proposed R-5 zone district does implement the Residential Medium Land Use category. 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 2020, designated these properties as Residential Low (2 - 5.5 du/ac). The Applicant is requesting an allowable zone district that is consistent with the upper end of the density range allowed by the Residential Low category. Adjacent properties to the west and south are annexed and zoned R-4. 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 similar density ranges.

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-5 zone district. City

Sanitary Sewer and Clifton Water are both presently available within the Round Table Road right-of-way. Properties can also be served by Grand Valley Power electric and Xcel Energy natural gas. A short distance away, about a half mile is Thunder Mountain Elementary School, about a mile and one half is Grand Mesa Middle School and Grand Junction Central High School is just over 2 miles away. A Regional Park is just over a mile from this proposed annexation. A little further to the south and west groceries are available and a gas station/convenience store just over a mile away. Major shopping is just over 2-miles to the east and includes a City Market grocery store and other associated restaurants, retail/office establishments along with a branch of the Mesa County Library. 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 is designated on the Comprehensive Plan Land Use Map as Residential Low (2 - 5.5 du/ac). A neighborhood center has been identified at the intersection of 30 Road and Patterson Road. The proposed zoning designation of R-5 meets the intent of achieving the desired density for the properties, with this request, to develop at the high end of the Residential Low (2 - 5.5 du/ac) category. For properties already annexed into the City limits, this area of Fruitvale is predominately zoned R-4 with some R-5 further west. Because a majority of this area in the Fruitvale Planning Area is currently zoned R-4, staff finds that there is an inadequate supply of R-5 zoning in this area of the City and therefore finds this criterion has 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 additional land within the City limits for city growth and it helps fill in the patchwork of unincorporated area that is surrounded by the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district will provide an opportunity for housing within a range of density that is consistent with the Comprehensive Plan to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the 2020 One Grand Junction 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 the R-4 zone district could be considered, the R-5 zone district is consistent with the recommendations of the Plan's Land Use Map, compatible with the surround neighborhood and provide for housing on a smaller residential lot thereby providing more housing choice to the community.

In addition to the zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Low (2 - 5.5 du/ac) for the subject properties.

- a. R-4 (Residential – 2 to 4 du/ac)
- b. CSR (Community Services and Recreation)

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

Chapter 2

Plan Principle 3: Responsible and Managed Growth

Goal: Support fiscally responsible growth and annexation policies that promote a compact pattern of growth...and encourage the efficient use of land.

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

Goal: Promote more opportunities for housing choices that meets the needs of people of all ages, abilities, and incomes.

Chapter 3

Intensification and Tiered Growth Plan. Subject property is located within Tier 2 – In Tier 2, the City should promote the annexation of those parcels which are surrounded by, and or have direct adjacency to, the City limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation.

- Guide future zoning changes. Requests for zoning changes are required to implement the Comprehensive Plan.

FINDINGS OF FACT

After reviewing the Reece Annexation, ANX-2021-365, for a Zone of Annexation from County RSF-R (Residential Single Family – Rural) to a City R-5 (Residential – 5 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 2020 One Grand Junction Comprehensive Plan.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Subsequent actions such as future development and related construction may have direct fiscal impact depending on type of use.

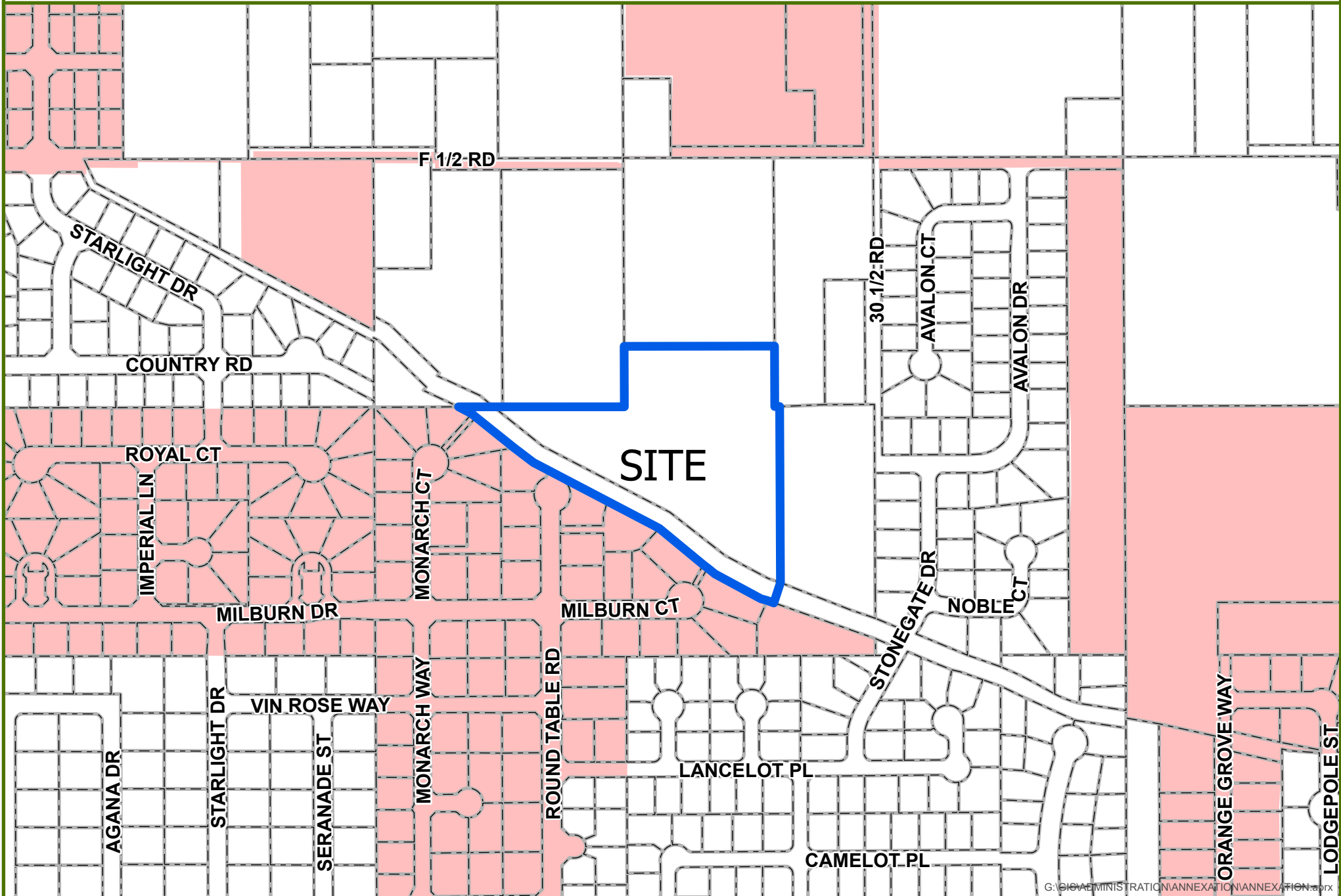
SUGGESTED MOTION:

I move to introduce an ordinance zoning the Reece Annexation to R-5 (Residential - 5 du/ac) zone district, from Mesa County zoning of Residential Single Family Rural and set a public hearing for October 6, 2021.

Attachments

1. Site Location and Zoning Maps and Photo
2. Neighborhood Meeting notes
3. Reece Annexation Plat
4. Planning Commission Minutes - 2021 - August 24 - Draft
5. ORD-Zone of Annexation- Reece Annex 082721

REECE ANNEXATION



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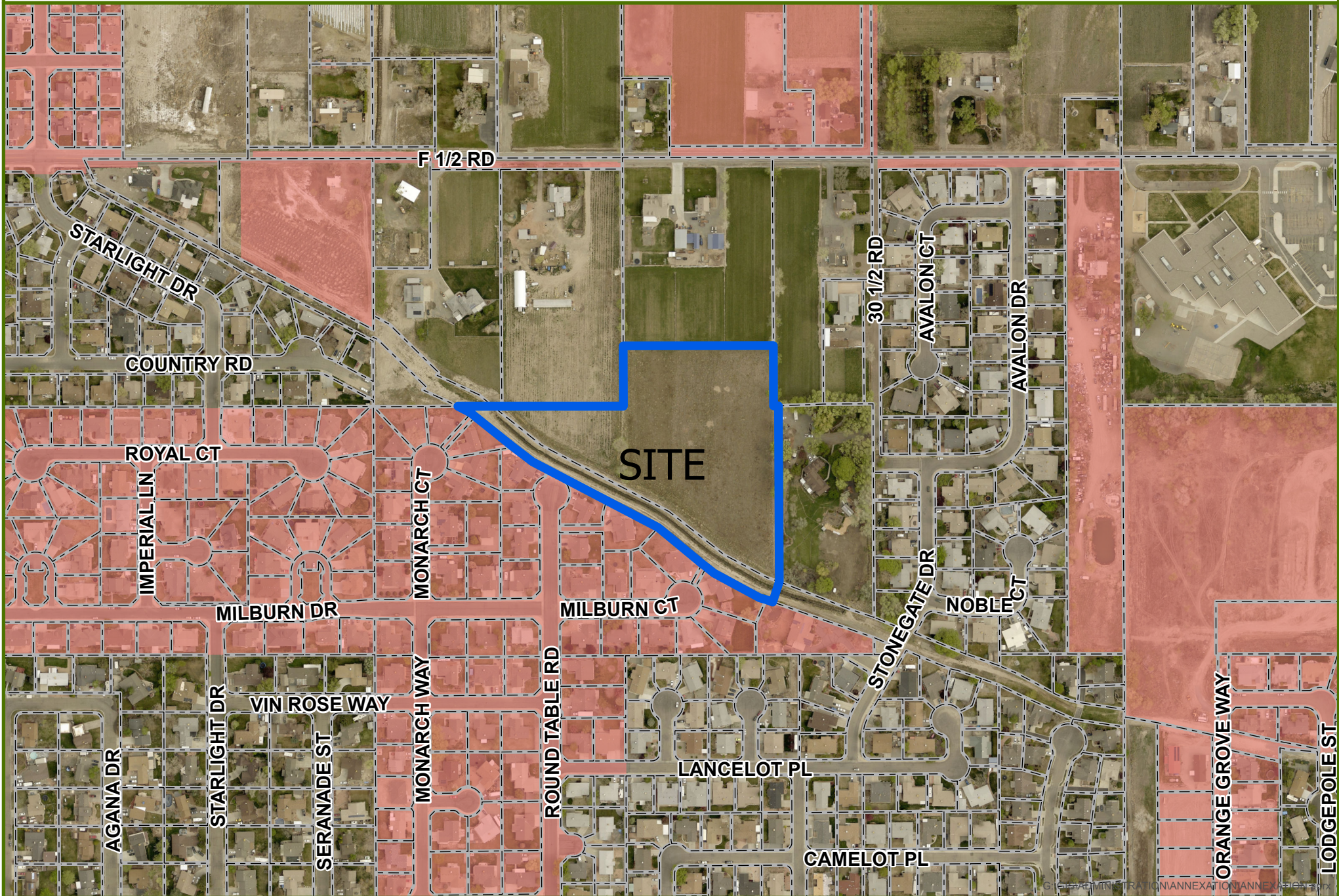


0 0.05 0.1 Miles

 Annexation

 City Limits

REECE ANNEXATION



0 0.05 0.1 Miles



Annexation



City Limits

REECE ANNEXATION - LAND USE



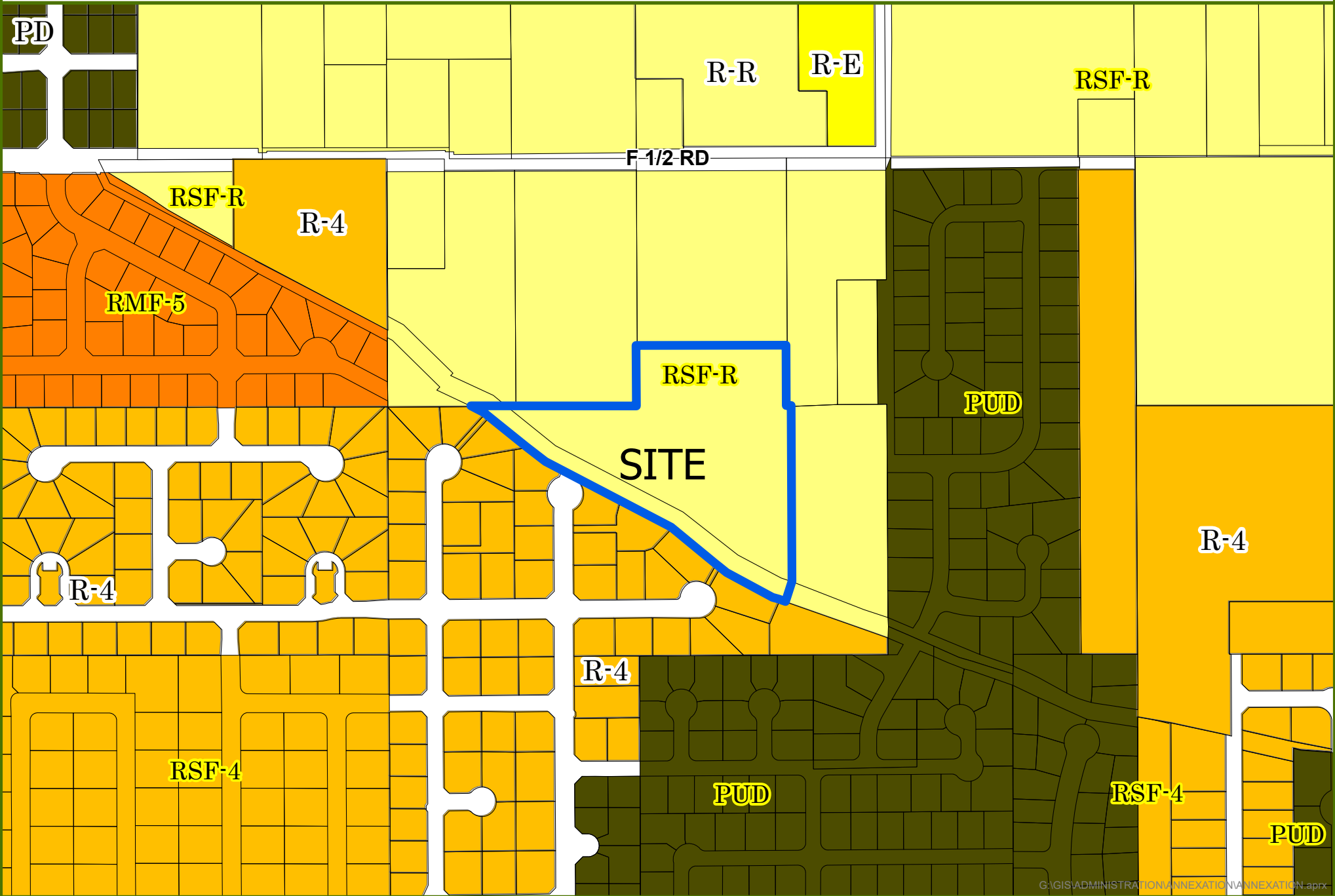
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 Annexation Boundary

REECE ANNEXATION - ZONING



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0 0.05 0.1 Miles

 Annexation

City Zoning
Packet Page 27

County Zoning

Date Created: 7/27/2021

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEMS



Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

April 29, 2021

Mr. Scott Peterson
City of Grand Junction Planning Department
250 North 5th Street
Grand Junction, CO 81502

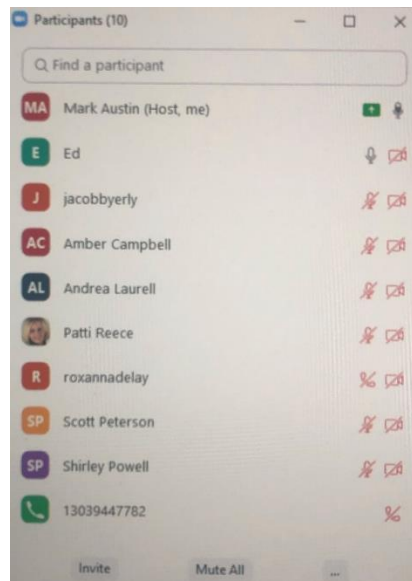
**Re: Reece Property Annexation/Rezone/Major Subdivision
Neighborhood Meeting Summary**

Dear Mr. Peterson:

The purpose of this letter is to summarize neighborhood meeting discussions conducted for the Reece Property April 29, 2021 via a Zoom call at 5:30 PM. The purpose of the meeting was to discuss the annexation, rezone of a 6.7-acre property to R-5, and proposed major subdivision with 31 lots, for a property located at the north end of Round Table Road.

Listed below is a summary of the discussion items:

1. The meeting was attended by 9 callers. A copy of the zoom participant list is below



2. Mark Austin provided an overview of the annexation process and how the Persigo Agreement requires properties to annex into the City of Grand Junction if they develop and the how the Growth Plan map provides the framework for determining options for zoning properties. The 2020 growth plan identifies the subject property as Residential Low which allows for zoning choices from R-2 to R-5.5. The applicant is requesting a zoning designation of R-5 with 31 lots, for an average density of 4.6 units per acre.
3. Mark Austin anticipates the annexation documents being submitted to the City of Grand Junction next month. The annexation process requires 3-4 months to complete and property owners within 500-ft of the property will receive a notice in the mail on how to comment or attend planning commission or city council hearings on the annexation and zoning.
4. Mark Austin explained that annexing and zoning this property does not require annexation of any other property and does not change anything with surrounding parcels that are zoned in Mesa County.
5. The property only has public access from Round Table Road and this roadway would be used for access into the development.
6. Mark Austin explained that Round Table Road was specifically designed to be extended into this property. It was designed as a residential collector and is 8-ft wider than surrounding residential streets in this neighborhood. The existing curb/gutter/sidewalk returns to the north and end of roadway markers are placed at the end of this street. If this were a cul-de-sac that was not designed to be extended, the cul-de-sac would have continuous curb and gutter and sidewalk around the perimeter.
7. The project will provide stub streets to the adjacent parcels, which is typically a requirement by the City of Grand Junction for neighborhood connectivity and for providing additional means of access for emergency response.
8. Mark Austin indicated the project will be required to construct a pedestrian path along the Price Ditch. It will also more than likely include sidewalk connections to two existing sidewalks on cul-de-sac streets in the adjacent neighborhood.
9. The project is located in area of influence for the Airport. This will require an aviation agreement that provides notice to property owners they should expect noise and vibration from airplanes if they purchase. It also requires the project to use insulation on the homes that complies with the Sound Insulation of Residences Exposed to Aircraft Operations, publication AD-A258 032.
10. Mark Austin indicated the property is within the Mesa County Irrigation District and information is currently being gathered to determine if the property has irrigation water rights and where the water rights will come from.

11. Mark Austin indicated irrigation tailwater from three locations crosses the property. Most of these irrigation tailwater facilities will be piped through the development and discharge into the Price Thayer Drain which is a GVDD facility.
12. The Price Thayer Drain crosses along the south property line and is managed by the Grand Valley Drainage District. The applicant intends to leave the drain open at this time and pipe the areas where we need to cross for roads or pedestrian walks.
13. Mark Austin indicated the final design information for the subdivision is anticipated to take a few months to complete. Once this information is completed and submitted to the City, the city will again issue a card in the mail notifying property owners within 500 ft of the application and their ability to review and make comment on it. Scott Peterson indicated the subdivision approval process is administrative, but the public has the opportunity to provide comments. The subdivision approval process typically takes six months to complete.
14. There were only two questions/comments from the public. The first comment was the concern with using Round Table Road as the only access and the amount of traffic on the roadway. They feel this street already has too much traffic and the turning movements on Patterson may be restricted in the future. Mark Austin responded that Round Table Road was specially designed to be the main travel route for development in this area. Mark Austin stated that traffic impact fees, approximately \$8,000 per home, will be paid to the City and the City uses these funds to make offsite street improvements when impacts are warranted.
15. The second question from the public asked if having only one access was acceptable. Scott Peterson responded that the subdivision does have other access available from Milburn Road and the project will provide stub streets to adjacent parcels and as some point will provide other means of access to the property.
16. Mark Austin stated that everyone on the call should have his contact information and he's available to meet and discuss any specific concerns you may have.
17. The meeting concluded at approximately 6:00 PM.

If you have any comments or notes that I may have missed, please contact me at 970-242-7540.

Sincerely,



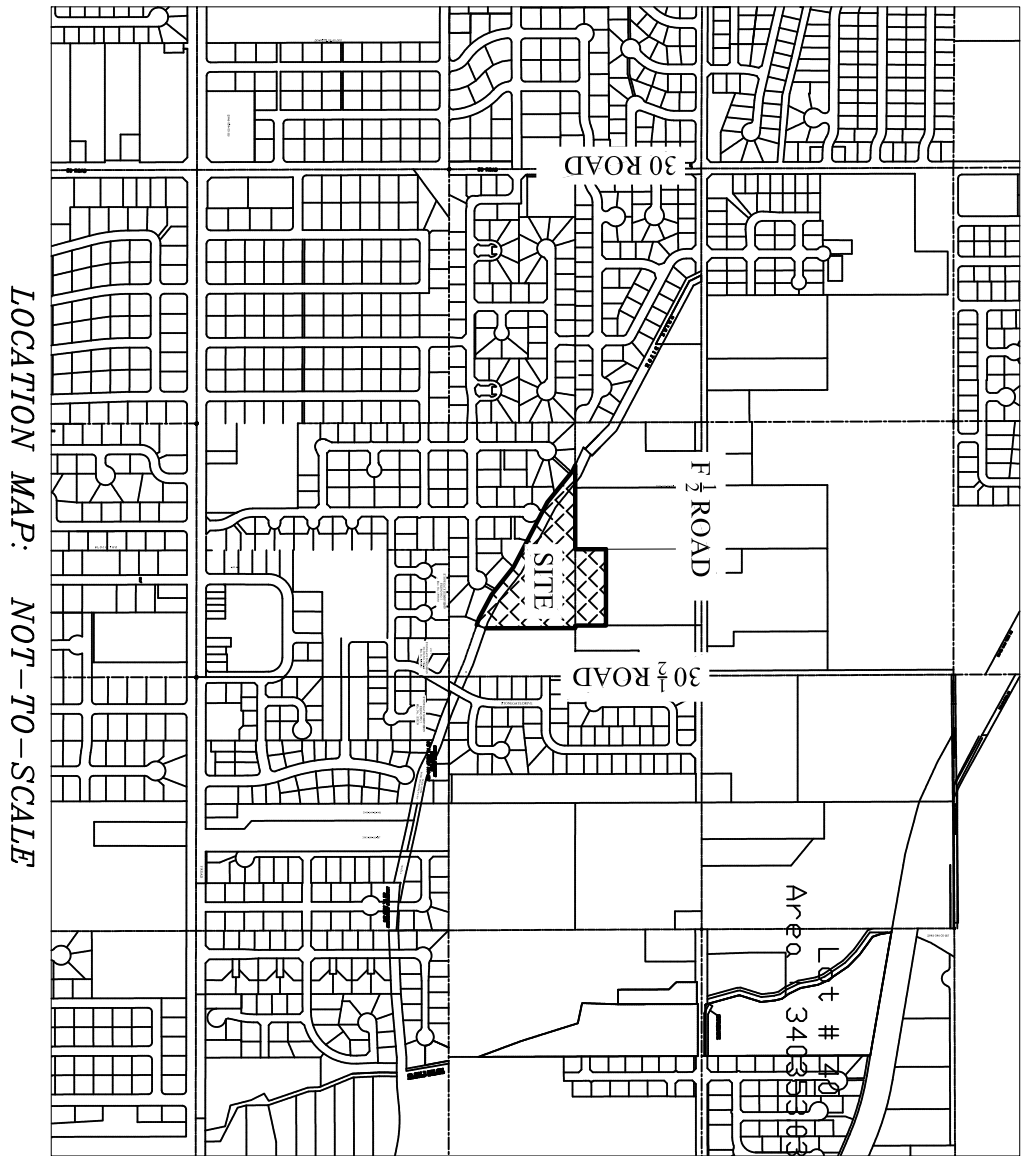
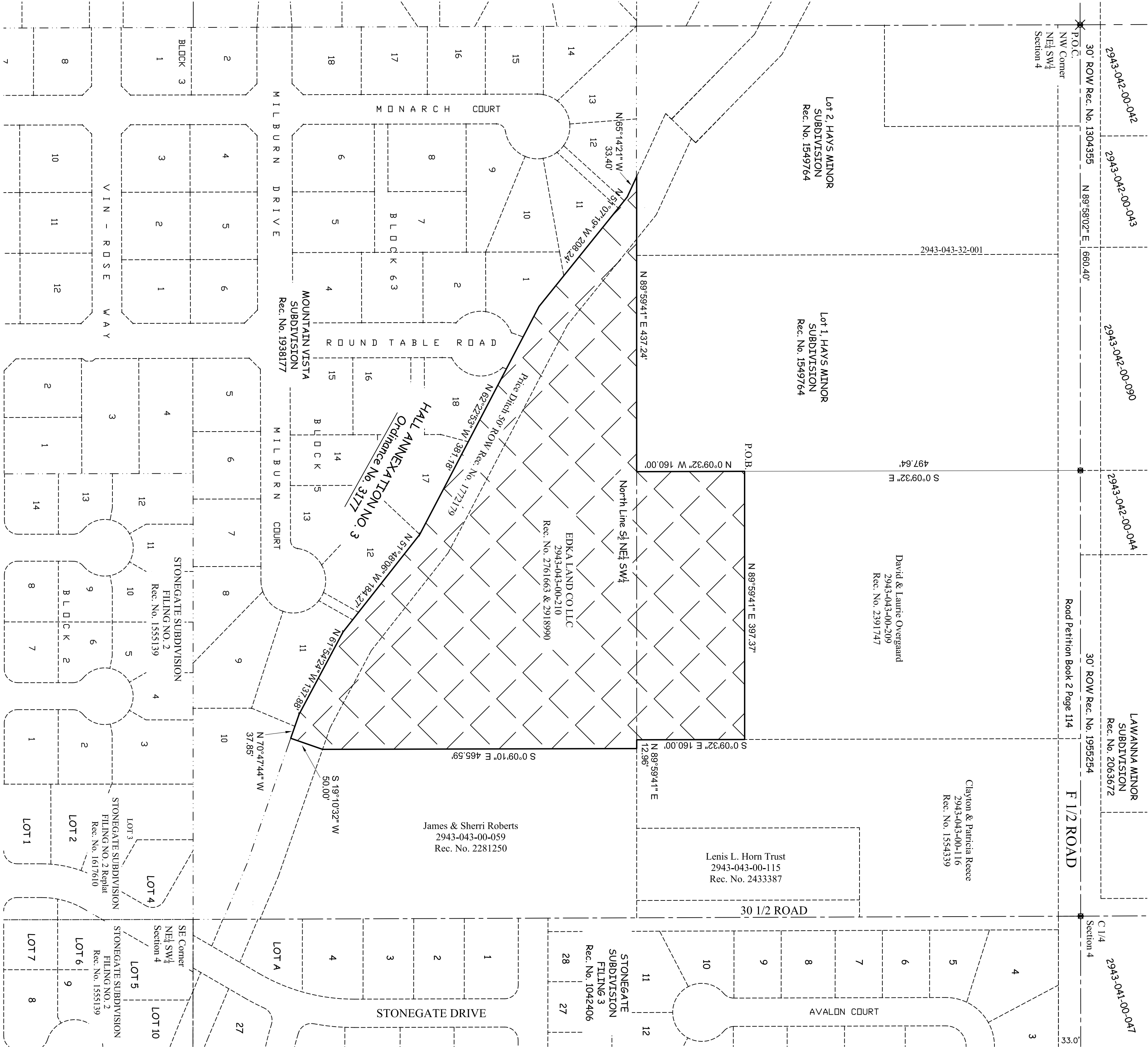
Austin Civil Group, Inc.

Mark Austin, P.E.
President

REECE ANNEXATION

Located within the NE 1/4 SW 1/4 SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN

COUNTY OF MESA, STATE OF COLORADO



LEGAL DESCRIPTION

A parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 4, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado being those parcels described in deeds filed under Reception Number 2761663 and Reception Number 2918990 and being more particularly described as follows:

Commencing at the Northwest Corner of said NE 1/4 SW 1/4 Section 4 and assuming the North line of said NE 1/4 SW 1/4 bears N89°58'02"E with all other bearings contained herein being relative thereto; thence N89°58'02"E along said North line NE 1/4 SW 1/4 a distance of 660.40 feet; thence S0°09'32"E a distance of 497.64 feet to the Point of Beginning; thence N89°59'41"E a distance of 397.37 feet; thence S0°09'32"E a distance of 160.00 feet to the north line of the S1/2 NE 1/4 SW 1/4; thence N89°59'41"E a distance of 12.96 feet along said north line; thence S0°09'10"E a distance of 465.59 feet to the northerly right-of-way of the Price Ditch; thence S1°01'03"22"W a distance of 50.00 feet, crossing said 50 foot Right-of-Way to the Southerly line of said 50 foot Price Ditch Right-of-Way also being the northerly line of HALL ANNEXATION NO. 3; Ordinance No. 3177; thence along said Southerly right-of-way line and said northerly annexation line for the following six (6) courses: 1) N70°47'44"W a distance of 37.85 feet; 2) thence N61°54'24"W a distance of 137.88 feet; 3) thence N51°48'06"W a distance of 184.27 feet; 4) thence N62°22'53"W a distance of 381.18 feet; 5) thence N51°07'19"W a distance of 208.24 feet; 6) thence N65°14'21"W a distance of 33.40 feet to a point on said north line of the S1/2 NE 1/4 SW 1/4; thence N89°59'41"E along said north line a distance of 437.24 feet; thence N0°09'32"W a distance of 160.00 feet to the Point of Beginning.

CONTAINING 6.73 Acres or 292943 Square Feet, more or less, as described.

The Description(s) contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

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

Reece B. Parent, PLS No. 38266
Professional Land Surveyor for the
City of Grand Junction

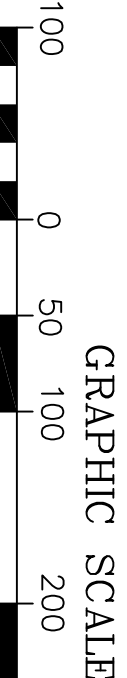
DATE: _____

ANNEXTION PERMETER 2665.98 FT.

CONTIGUOUS PERMETER 982.82 FT.

AREA IN SQUARE FEET 292943

AREA IN ACRES 6.73



GRAPHIC SCALE
(1 IN FEET)
1 inch = 100 ft.

ORDINANCE NO.

EFFECTIVE DATE

THIS IS NOT A BOUNDARY SURVEY

NOTICE:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover said defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

DRAWN BY _____ R.B.P. DATE 07-14-2021
UPDATED _____ R.B.P. DATE 07-26-2021
CHECKED BY _____ M.G. DATE 07-16-2021
APPROVED BY _____ DATE _____

SCALE
1" = 100'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS

REECE ANNEXATION

GRAND JUNCTION PLANNING COMMISSION
August 24, 2021 MINUTES
5:30 p.m.

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Vice Chair Christian Reece, George Gatseos, Ken Scissors, Keith Ehlers, Sandra Weckerly, and Andrea Haitz.

Also present were John Shaver (City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), and Scott Peterson (Senior Planner).

There were 7 members of the public in attendance.

The meeting video can be viewed online [here](#).

CONSENT AGENDA

Commissioner Reece moved to adopt Consent Agenda Items #1-3. Commissioner Weckerly seconded the motion. The motion carried 7-0.

1. Approval of Minutes

Minutes of Previous Meeting(s) from July 27, 2021.

2. Tonto Lane Right-of-Way Vacation

File # VAC-2021-392

Consider a request by Kraig Andrews to vacate right-of-way of Tonto Lane between 2632 and 2635 Cottonwood Drive.

3. G 1/8 Road Right-of-Way Vacation

File # VAC-2021-539

Consider a request by McCurter Land Company LLC and Five Star Homes & Development Inc., to vacate a portion of the undeveloped G 1/8 Road public right-of-way.

REGULAR AGENDA

1. Reece Annexation

File # ANX-2021-365

Consider a request by EDKA Land Co LLC to annex and zone 6.73 +/- acres from County RSF-R (Residential Single Family - Rural) to a City R-5 (Residential - 5 du/ac) zone district in anticipation of future residential subdivision development.

Commissioner Reece stated into the record that she has no relation to the applicant and therefore no conflict of interest.

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant Presentation

The applicant's representative, Mark Austin, Austin Civil Group, was present and available for questions.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

None.

The public hearing was closed at ~5:45 p.m. on August 24, 2021.

Questions for Applicant or Staff

Commissioner Ehlers asked a question.

Discussion

Commissioner Reece made a statement regarding the request.

Motion and Vote

Commissioner Gatseos made the following motion, "Mr. Chairman, on the Zone of Annexation for the Reece Annexation to R-5 (Residential – 5 du/ac) zone district, file number ANX-2021-365, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Scissors seconded the motion. The motion carried 7-0.

2. Westland Meadows Annexation File # ANX-2021-343

Consider a request by Richard Traver of Westland Development LLC to annex and zone 19.4 +/- acres from County RSF-R (Residential Single Family - Rural) and PUD (Planned

Urban Development) to a City R-8 (Residential - 8 du/ac) zone district in anticipation of future residential subdivision development.

Staff Presentation

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Gatseos asked a question regarding the zoning criteria.

Commissioner Ehlers asked a question regarding the County PUD.

Commissioner Teske asked a question regarding the County PUD.

Applicant Presentation

The applicant, Richard Traver, was available for questions. He also provided clarity regarding the County PUD.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

None.

The public hearing was closed at ~6:00 p.m. on August 24, 2021.

Questions for Applicant or Staff

None.

Discussion

Commissioner Gatseos made a comment regarding the request.

Motion and Vote

Commissioner Ehlers made the following motion, "Mr. Chairman, on the Zone of Annexation for the Westland Meadows Annexation to R-8 (Residential – 8 du/ac) zone district, file number ANX-2021-343, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Haitz seconded the motion. The motion carried 7-0.

3. Faith Heights Rezone

File # RZN-2021-427

Consider a request by John & Carla Cappetto to rezone one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use).

Staff Presentation

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioners Reece and Scissors asked questions regarding the request.

There was discussion amongst the Commissioners regarding the use of the property.

Commissioner Weckerly asked a question regarding density.

Applicant Presentation

The applicant's representative, Kim Kerk, was present and gave a brief presentation regarding the request.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

Scott Warren, Village Park Subdivision HOA, and Gordon McFarin, Village Park Subdivision HOA, gave comments in opposition to the request.

The public hearing was closed at ~6:20 p.m. on August 24, 2021.

Applicant's Response to Comment

Kim Kerk responded to public comment.

Questions for Applicant or Staff

Commissioner Haitz asked for some examples of light manufacturing.

Commissioner Ehlers asked a question about access to the site.

Commissioner Reece made a comment regarding the request.

Commissioner Teske asked the applicant a question regarding the intention of development.

Discussion

Commissioners Ehlers, Gatseos and Teske made comments regarding the request.

Motion and Vote

Commissioner Scissors made the following motion, “Chairman, on the Faith Heights Rezone request from an R-8 (Residential - 8) zone district to an M-U (Mixed Use) zone district for one parcel totaling approximately 13.92 acres located at 600 28 ¼ Road, City file number RZN-2021-427, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

Commissioner Reece seconded the motion. The motion carried 7-0.

4. Other Business

None.

5. Adjournment

Commissioner Reece moved to adjourn the meeting. Commissioner Haitz seconded. The meeting adjourned at ~6:40 p.m.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE REECE ANNEXATION
TO R-5 (RESIDENTIAL – 5 DU/AC) ZONE DISTRICT**

**LOCATED ON A PROPERTY SOUTH OF 3035 AND 3043 F ½ ROAD
Tax Parcel Number 2943-043-00-210 and a Parcel containing the Price Ditch**

Recitals

The property owner has requested annexation of 6.73 acres (“Reece Annexation”) into the City limits.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the Reece Annexation R-5 (Residential – 5 du/ac) finding that the R-5 zone district conforms with the designation of Residential Low (2 - 5.5 du/ac) as shown on the 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-5 (Residential – 5 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:**

REECE ANNEXATION

**The following described property referred to as the Reece Annexation be zoned
R-5 (Residential – 5 du/ac) zone district.**

A parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 4, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado being those parcels described in deeds filed under Reception Number 2761663 and Reception Number 2918990 and being more particularly described as follows:

Commencing at the Northwest Corner of said NE1/4SW1/4 Section 4 and assuming the North line of said NE1/4 SW1/4 bears N89°58’02”E with all other bearings contained herein being relative thereto; thence N89°58’02”E along said North line NE1/4SW1/4 a distance of 660.40 feet; thence S0°09’32”E a distance of 497.64 feet to the Point of Beginning; thence N89°59’41”E a distance of 397.37 feet; thence S0°09’32”E a distance of 160.00 feet to the north line of the S1/2NE1/4SW1/4; thence N89°59’41”E a

distance of 12.96 feet along said north line; thence S0°09'10"E a distance of 465.59 feet to the northerly right-of-way of the Price Ditch; thence S19°10'32"W a distance of 50.00 feet, crossing said 50 foot Right-of-Way to the Southerly line of said 50 foot Price Ditch Right-of-Way also being the northerly line of HALL ANNEXATION NO. 3, Ordinance No. 3177; thence along said Southerly right-of-way line and said northerly annexation line for the following six (6) courses: 1) N70°47'44"W a distance of 37.85 feet; 2) thence N61°54'24"W a distance of 137.88 feet; 3) thence N51°48'06"W a distance of 184.27 feet; 4) thence N62°22'53"W a distance of 381.18 feet; 5) thence N51°07'19"W a distance of 208.24 feet; 6) thence N65°14'21"W a distance of 33.40 feet to a point on said north line of the S1/2NE1/4SW1/4; thence N89°59'41"E along said north line a distance of 437.24 feet; thence N0°09'32"W a distance of 160.00 feet to the Point of Beginning.

CONTAINING 6.73 acres or 292,943 Square Feet, more or less, as described.

INTRODUCED on first reading this 15th day of September, 2021 and ordered published in pamphlet form.

ADOPTED on second reading this ____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

C.B. McDaniel
President of the Council

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: September 15, 2021
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Phoenix Haus Annexation of 2.98 Acres, a Serial Annexation Comprising the Phoenix Haus Annexation No. 1 and the Phoenix Haus Annexation No. 2, Located on Property 834 21 1/2 Road, and Setting a Public Hearing for October 20, 2021

RECOMMENDATION:

Staff recommends adoption of a resolution referring the petition for the Phoenix Haus Annexation, introducing the proposed Ordinance and setting a hearing for October 20, 2021.

EXECUTIVE SUMMARY:

The Applicant, 834 21 1/2 RD, LLC (Phoenix Haus-William & Kate McDonald) is requesting to annex their property at 834 21 1/2 Road. Included in the annexation area is a portion of the Copeco Drain in Pritchard Wash owned by Buttolph family through Trusts. There is no road right-of-way included in this annexation request. The owner is requesting annexation in anticipation of constructing a new addition to the existing Phoenix Haus facility, which constitutes "annexable development" and as such will be annexed in accordance with the Persigo Agreement. The request for zoning will be considered separately by City Council but concurrently with the annexation request and are currently scheduled to be heard by the City Council on October 20, 2021.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicant, 834 21 1/2 RD, LLC (Phoenix Haus-William & Kate McDonald) has

requested annexation of their property into the City limits, located at 834 21 ½ Road in Appleton, in anticipation of future expansion of their business. The Phoenix Haus Annexation is a serial annexation made up of two annexation legal descriptions combined into one annexation and considered together as one annexation. There is no road right-of-way area included in the annexation.

The entire annexation consists of property of 2.65-acres, platted as Lot 8 of the Riverview Commercial Subdivision in 1982 addressed 834 21 ½ Road and includes a second property that includes a portion of the Pritchard Wash, Copeco Drain lying to the east of Lot 8 containing 0.33 acres, making a total annexation of 2.98 acres. The legal owners (Kathleen Selover and Sheryl Buttolph Fitzgerald) of the 0.33 acres have also signed the annexation petition to be annexed as part of the Phoenix Haus Annexation.

The Applicant is currently requesting a zone of annexation to I-1 (Light Industrial). The larger property has an existing building, the current facility for Phoenix Haus. Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – September 15, 2021
- Planning Commission considers Zone of Annexation – September 28, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – October 6, 2021
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – October 20, 2021
- Effective date of Annexation and Zoning – November 21, 2021

The property is currently adjacent to the existing city limits. The property owners have signed a petition for annexation.

FINDINGS

Staff has found, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Phoenix Haus Annexation is eligible to be annexed because of compliance with the following:

a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described. The petition has been signed by the owners of the property or 100% of the owners and includes 100% of the property described excluding right-of-way.

b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits. Nineteen percent of the perimeter of the Phoenix Haus Annexation No. 1 and twenty-two percent of the perimeter of Phoenix Haus Annexation No. 2 are contiguous with the City limits exceeding the 1/6 contiguity requirements for both serial annexations.

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

d) The area is or will be urbanized in the near future. The property owner is currently planning for development to expand, including a large addition to the existing manufacturing facility in use on the property.

e) The area is capable of being integrated with the City. The proposed annexation is adjacent to the city limits on one side and utilizing 21 ½ Road which is currently in the city limits to provide access to the property. Utilities and City services are also available and currently serving the property.

f) No land held in identical ownership is being divided by the proposed annexation. The entire property owned by the applicant is being annexed.

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent. Contiguous property owned by the petitioner is less than 20 acres in size, so this requirement does not apply, however, the petitioner has granted consent to the City to annex the property.

Please note that the annexation petition was prepared by the City.

FISCAL IMPACT:

Fiscal impact estimates will be provided at 2nd reading of the annexation ordinance.

SUGGESTED MOTION:

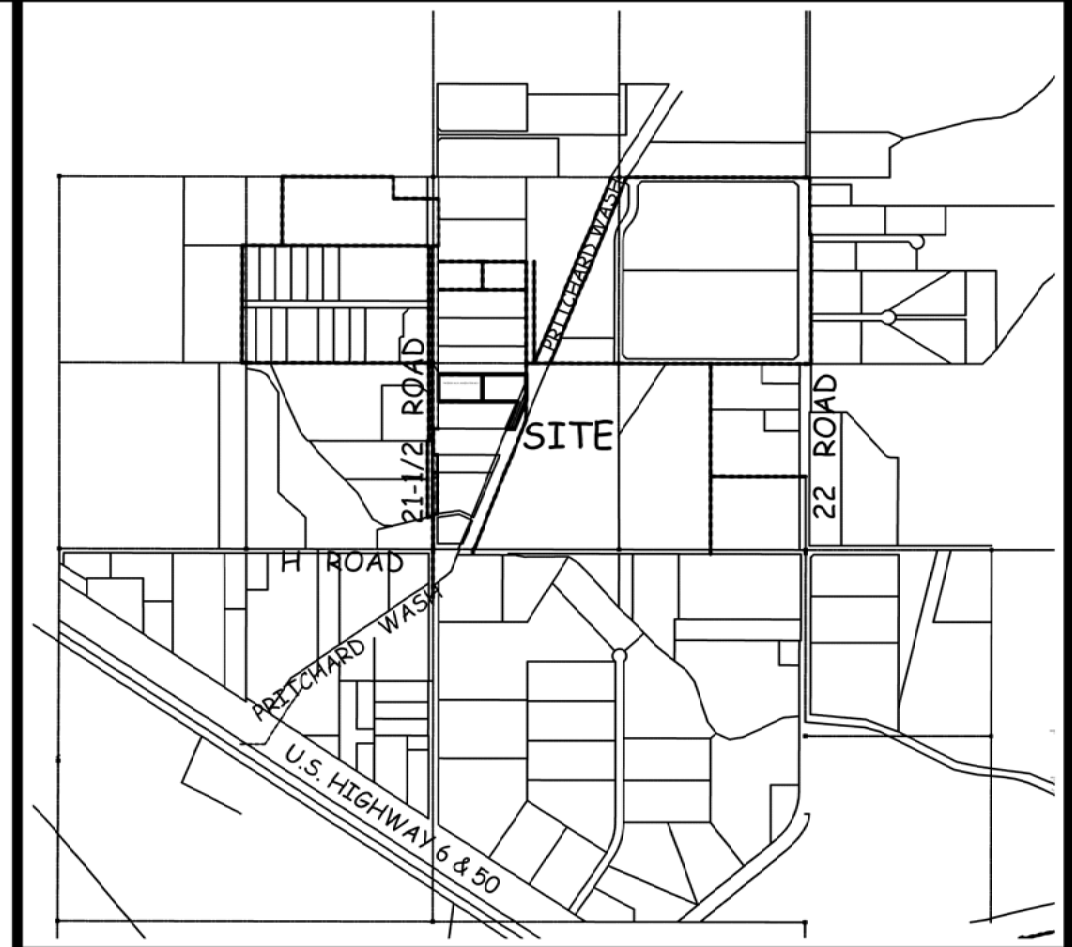
I move to (adopt/deny) Resolution No.71-21, a resolution referring a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, setting a hearing on such annexation and exercising land use control over the Phoenix Haus Annexation, approximately 2.98 acres, located at 834 21 ½ Road, as well as introduce a proposed ordinance annexing territory to the City of Grand Junction, Colorado, Phoenix Haus Annexation, approximately 2.98 acres, located 834 21 ½ Road, and set a hearing for October 20, 2021.

Attachments

1. Annexation Maps
2. Site Maps and Picture
3. Annexation Schedule and Summary Table - Phoenix Haus Annexation
4. Resolution - Referral of Petition (Land Use Control)-Phoenix Haus Annexation
5. Phoenix Haus Annexation Ordinance

PHOENIX HAUS ANNEXATION NO. 1

LYING IN THE SW 1/4 SE 1/4 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE



DESCRIPTION

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8 being a point on the east line of KELLEY ANNEXATION NO. 2 and being the Point of Beginning; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet; thence S0°00'30"E a distance of 192.85 feet to a point on the south line said Lot 8; thence N89°54'19"W a distance of 310.00 feet to the Southwest corner said Lot 8 also being a point on the east line said KELLEY ANNEXATION NO. 2; thence N0°00'30"W a distance of 192.85 feet to the Point of Beginning,

Containing 59783 Square Feet, or 1.37 Acres, more or less, as described.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
Δ=	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE
REC.	RECEPTION
a.k.a.	also known as

The Sketch and Description contained herein have been derived from subdivision plats, deed descriptions and Deposited Land Survey Plats as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

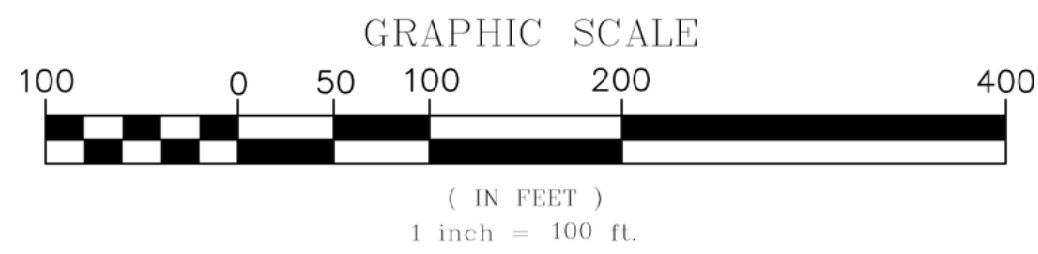
FOR REVIEW

AREA OF ANNEXATION

ANNEXATION PERIMETER	1005.70 FT.
CONTIGUOUS PERIMETER	192.85 FT.
AREA IN SQUARE FEET	59783
AREA IN ACRES	1.37

LEGEND

ANNEXATION BOUNDARY	---
EXISTING CITY LIMITS	---



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

ORDINANCE NO.

EFFECTIVE DATE

THIS IS NOT A BOUNDARY SURVEY

Renee B. Parent, PLS No. 38266
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

Notice:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DRAWN BY	R.B.P.	DATE	08-10-2021
DESIGNED BY		DATE	
CHECKED BY	M.G.	DATE	08-10-2021
APPROVED BY		DATE	

SCALE
1" = 100'

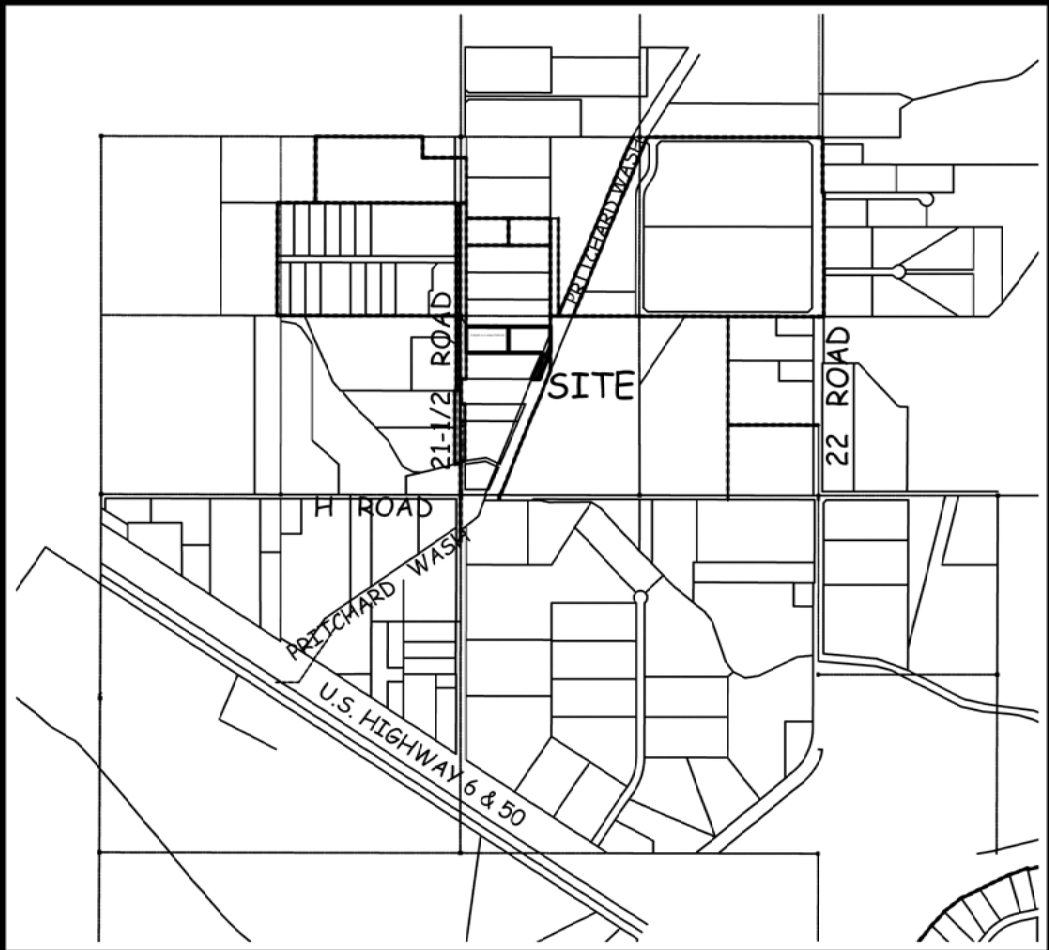


PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

PHOENIX HAUS
ANNEXATION NO. 1

PHOENIX HAUS ANNEXATION NO. 2

LYING IN THE SW 1/4 SE 1/4 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE



DESCRIPTION

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773, the 25 foot DRAIN ROW, said RIVERVIEW COMMERCIAL SUBDIVISION and the area east of the east line of the 25 foot DRAIN ROW and west of the centerline of Pritchard Wash, lying north of the south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly, south of the north line said Lot 8 and west of the East Line W 1/2 said SW 1/4 SE 1/4 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet the Northeast corner of PHOENIX HAUS ANNEXATION NO. 1 being the Point of Beginning; thence continuing S89°54'19"E along said north line Lot 8 a distance of 310.49 feet to the Northeast corner said Lot 8 being a point on said east line of the West 1/2 SW 1/4 SE 1/4 and a point on the west line of YOUNGER ANNEXATION; thence S0°00'34"W along said east line of the West 1/2 SW 1/4 SE 1/4 and said west line of YOUNGER ANNEXATION a distance of 182.50 feet to the intersection with said centerline of Pritchard Wash; thence S21°52'35"W along said centerline a distance of 219.19 feet to the intersection with said south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly; thence N89°52'05"W along said south line extended a distance of 53.83 feet to the southeast corner of said Lot 9; thence N21°52'35"E along the east line said Lot 9 a distance of 208.01 feet to the easterly corner common to said Lots 8 and 9; thence N89°54'19"W a distance of 252.44 feet to the Southeast Corner of said PHOENIX HAUS ANNEXATION NO. 1; thence N0°00'30"W along the east line said PHOENIX HAUS ANNEXATION NO. 1 a distance of 192.85 feet to the Point of Beginning.

Containing 70251 Square Feet, or 1.61 Acres, more or less, as described.

ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
Δ=	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE
REC.	RECEPTION
a.k.a.	also known as

The Sketch and Description contained herein have been derived from subdivision plats, deed descriptions and Deposited Land Survey Plats as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

FOR REVIEW

AREA OF ANNEXATION

ANNEXATION PERIMETER	1419.31 FT.
CONTIGUOUS PERIMETER	321.09 FT.
AREA IN SQUARE FEET	70251.
AREA IN ACRES	1.61

LEGEND

ANNEXATION BOUNDARY	---
EXISTING CITY LIMITS	---



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

ORDINANCE NO.

EFFECTIVE DATE

THIS IS NOT A BOUNDARY SURVEY

Renee B. Parent, PLS No. 38266
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

Notice:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DRAWN BY	R.B.P.	DATE	08-10-2021
DESIGNED BY		DATE	
CHECKED BY	M.G.	DATE	08-10-2021
APPROVED BY		DATE	

SCALE

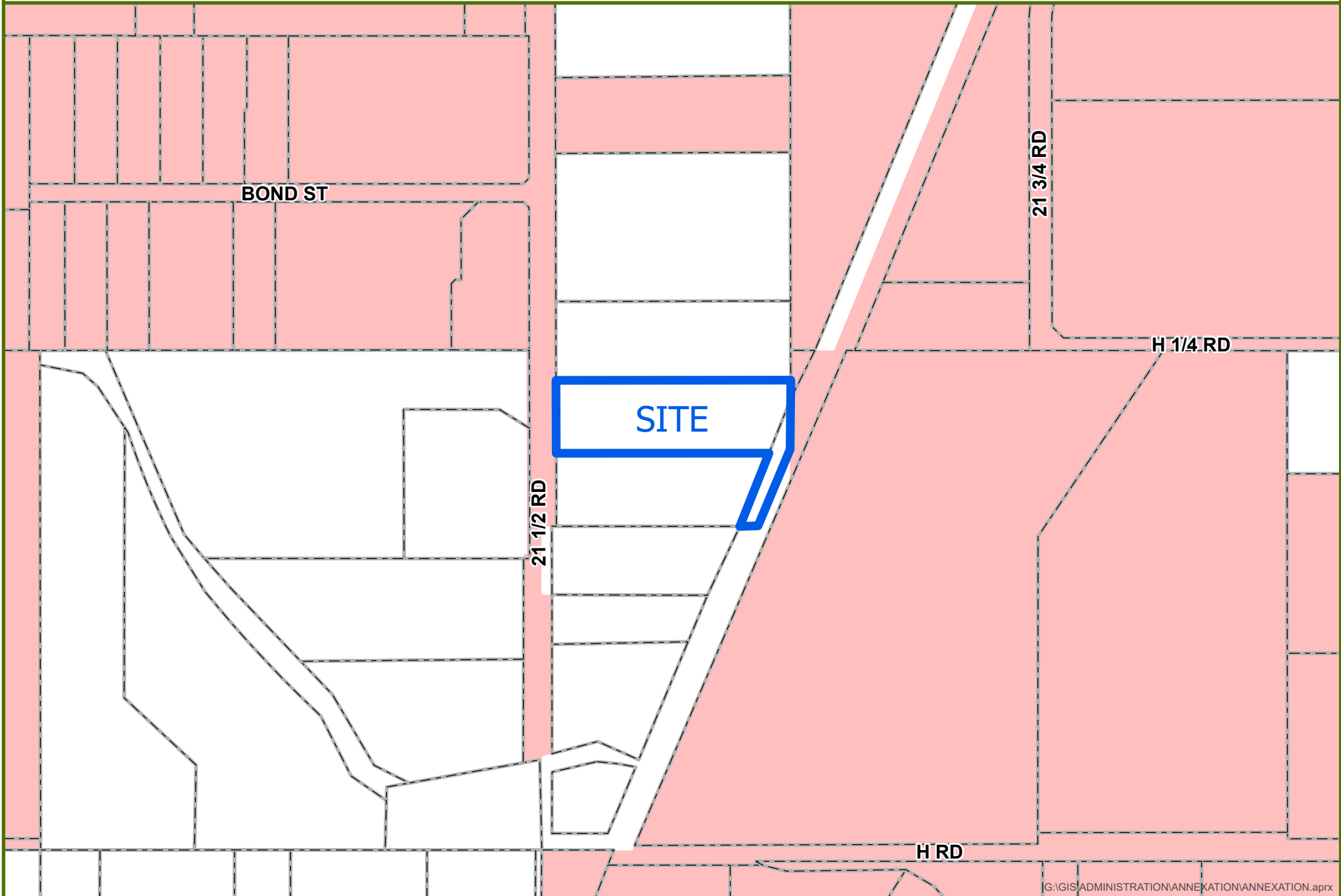
1" = 100'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

PHOENIX HAUS
ANNEXATION NO. 2

PHOENIX HAUS ANNEXATION



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0 0.05 0.1 Miles



Annexation

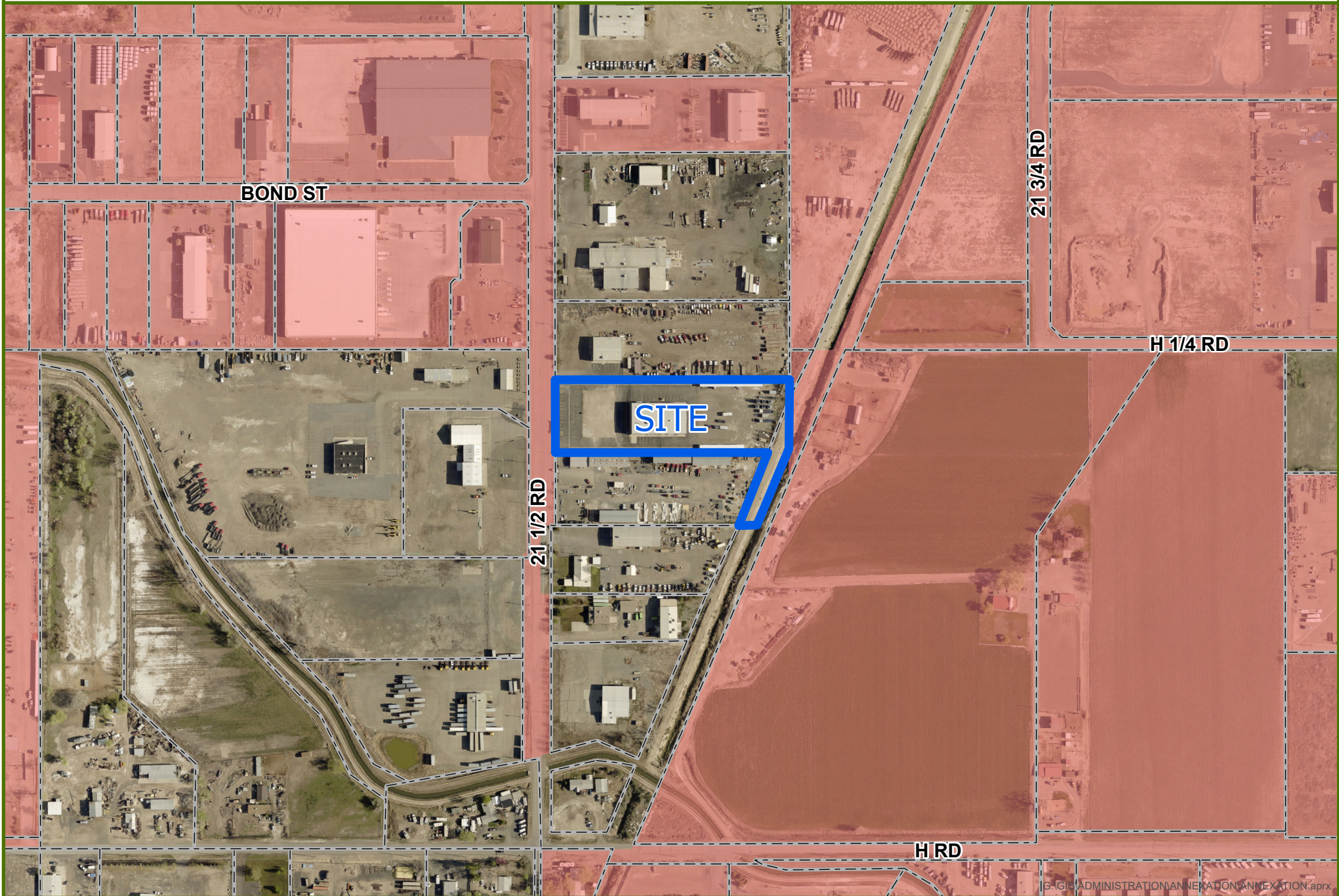


City Limits

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEMS

Date Created: 8/19/2021

PHOENIX HAUS ANNEXATION



0 0.05 0.1 Miles



Annexation



City Limits

PHOENIX HAUS ANNEXATION - LAND USE



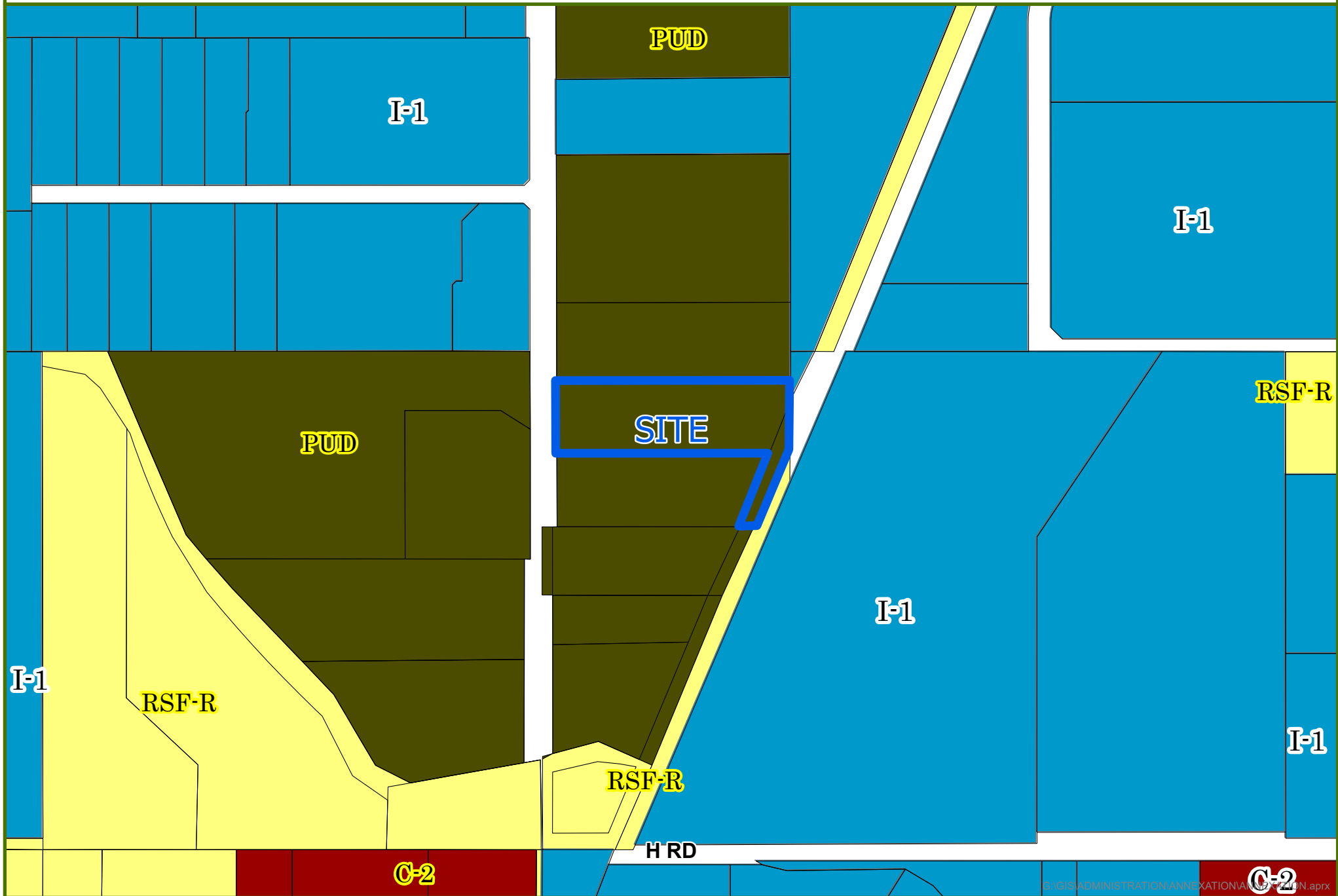
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0 0.05 0.1 Miles

 Annexation Boundary

PHOENIX HAUS ANNEXATION - ZONING



0 0.05 0.1 Miles

 Annexation

City Zoning
Packet Page 49

County Zoning

Date Created: 8/19/2021

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEMS



Looking East from 21 ½ Road

PHOENIX HAUS ANNEXATION SCHEDULE

September 15, 2021	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 28, 2021	Planning Commission considers Zone of Annexation
October 6, 2021	Introduction of a Proposed Ordinance on Zoning by City Council
October 20, 2021	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
November 21, 2021	Effective date of Annexation and Zoning

ANNEXATION SUMMARY

File Number:	ANX-2021-494
Location:	834 21 ½ Road and a parcel containing 0.33 acres of Pritchard Wash
Tax ID Numbers:	2967-254-03-008
# of Parcels:	2
Existing Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	0
Acres land annexed:	2.98
Developable Acres Remaining:	0.5
Right-of-way in Annexation:	ROW – None
Previous County Zoning:	PUD
Proposed City Zoning:	I-1
Current Land Use:	Industrial
Future Land Use:	Industrial
Values:	Assessed: \$409,230
	Actual: \$1,411,130
Address Ranges:	834 21 ½ Road
Special Districts:	Water: Ute
	Sewer: City
	Fire: GJ Rural Fire
	Irrigation/Drainage: Grand Valley Irrigation Company and Grand Valley Drainage
	School: District 51
	Pest: Grand River Mosquito District
	Other: Colorado River Water Conservancy

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 15th day of September 2021, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

PHOENIX HAUS ANNEXATION

**APPROXIMATELY 2.98 ACRES
LOCATED ON A PROPERTY AT 834 21 ½ ROAD
Tax Parcel Number 2697-254-03-008 and a Parcel Adjacent to the East**

WHEREAS, on the 15th day of September, 2021, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**Perimeter Boundary Legal Description
Phoenix Haus Annexation
A Serial Annexation Comprising Phoenix Haus Annexation No.1
and Phoenix Haus Annexation No. 2**

Phoenix Haus Annexation No. 1

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8 being a point on the east line of KELLEY ANNEXATION NO. 2 and being the Point of Beginning; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet; thence S0°00'30"E a distance of 192.85 feet to a point on the south line said Lot 8; thence N89°54'19"W a distance of 310.00 feet to the Southwest corner said Lot 8 also being a point on the east line said KELLEY ANNEXATION NO. 2; thence N0°00'30"W a distance of 192.85 feet to the Point of Beginning,

Containing 59783 Square Feet, or 1.37 Acres, more or less, as described.

Phoenix Haus Annexation No. 2

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773, the 25 foot DRAIN ROW, said RIVERVIEW COMMERCIAL SUBDIVISION and the area east of the east line of the 25 foot DRAIN ROW and west of the centerline of Pritchard Wash, lying north of the south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly, south of the north line said Lot 8 and west of the East Line W 1/2 said SW 1/4 SE 1/4 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet the Northeast corner of PHOENIX HAUS ANNEXATION NO. 1 being the Point of Beginning; thence continuing S89°54'19"E along said north line Lot 8 a distance of 310.49 feet to the Northeast corner said Lot 8 being a point on said east line of the West 1/2 SW 1/4 SE 1/4 and a point on the west line of YOUNGER ANNEXATION; thence S0°00'34"W along said east line of the West 1/2 SW 1/4 SE 1/4 and said west line of YOUNGER ANNEXATION a distance of 182.50 feet to the intersection with said centerline of Pritchard Wash; thence S21°52'35"W along said centerline a distance of 219.19 feet to the intersection with said south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly; thence N89°52'05"W along said south line extended a distance of 53.83 feet to the southeast corner of said Lot 9; thence N21°52'35"E along the east line said Lot 9 a distance of 208.01 feet to the easterly corner common to said Lots 8 and 9; thence N89°54'19"W a distance of 252.44 feet to the Southeast Corner of said PHOENIX HAUS ANNEXATION NO. 1; thence N0°00'30"W along the east line said PHOENIX HAUS ANNEXATION NO. 1 a distance of 192.85 feet to the Point of Beginning.

Containing 70251 Square Feet, or 1.61 Acres, more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 20th day of October, 2021, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 5:30 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists

between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the 15th day of September, 2021.

President of the Council

Attest:

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
September 17th, 2021
September 24th, 2021
October 1st, 2021
October 8th, 2021

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO
PHOENIX HAUS ANNEXATION**

**APPROXIMATELY 2.98 ACRES
LOCATED ON A PROPERTY AT 834 21 ½ ROAD
Tax Parcel Number 2697-254-03-008 and a Parcel Adjacent to the East**

WHEREAS, on the 15th day of September, 2021, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the ___th day of October, 2021; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

**PHOENIX HAUS ANNEXATION
A Serial Annexation Comprising Phoenix Haus Annexation No.1
and Phoenix Haus Annexation No. 2**

**Phoenix Haus Annexation No. 1
Exhibit A**

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8 being a point on the east line

of KELLEY ANNEXATION NO. 2 and being the Point of Beginning; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet; thence S0°00'30"E a distance of 192.85 feet to a point on the south line said Lot 8; thence N89°54'19"W a distance of 310.00 feet to the Southwest corner said Lot 8 also being a point on the east line said KELLEY ANNEXATION NO. 2; thence N0°00'30"W a distance of 192.85 feet to the Point of Beginning,

Containing 59783 Square Feet, or 1.37 Acres, more or less, as described.

Phoenix Haus Annexation No. 2
Exhibit B

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773, the 25 foot DRAIN ROW, said RIVERVIEW COMMERCIAL SUBDIVISION and the area east of the east line of the 25 foot DRAIN ROW and west of the centerline of Pritchard Wash, lying north of the south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly, south of the north line said Lot 8 and west of the East Line W 1/2 said SW 1/4 SE 1/4 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet the Northeast corner of PHOENIX HAUS ANNEXATION NO. 1 being the Point of Beginning; thence continuing S89°54'19"E along said north line Lot 8 a distance of 310.49 feet to the Northeast corner said Lot 8 being a point on said east line of the West 1/2 SW 1/4 SE 1/4 and a point on the west line of YOUNGER ANNEXATION; thence S0°00'34"W along said east line of the West 1/2 SW 1/4 SE 1/4 and said west line of YOUNGER ANNEXATION a distance of 182.50 feet to the intersection with said centerline of Pritchard Wash; thence S21°52'35"W along said centerline a distance of 219.19 feet to the intersection with said south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly; thence N89°52'05"W along said south line extended a distance of 53.83 feet to the southeast corner of said Lot 9; thence N21°52'35"E along the east line said Lot 9 a distance of 208.01 feet to the easterly corner common to said Lots 8 and 9; thence N89°54'19"W a distance of 252.44 feet to the Southeast Corner of said PHOENIX HAUS ANNEXATION NO. 1; thence N0°00'30"W along the east line said PHOENIX HAUS ANNEXATION NO. 1 a distance of 192.85 feet to the Point of Beginning.

Containing 70251 Square Feet, or 1.61 Acres, more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 15th day of September 2021 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of October 2021 and ordered published in pamphlet form.

President of the Council

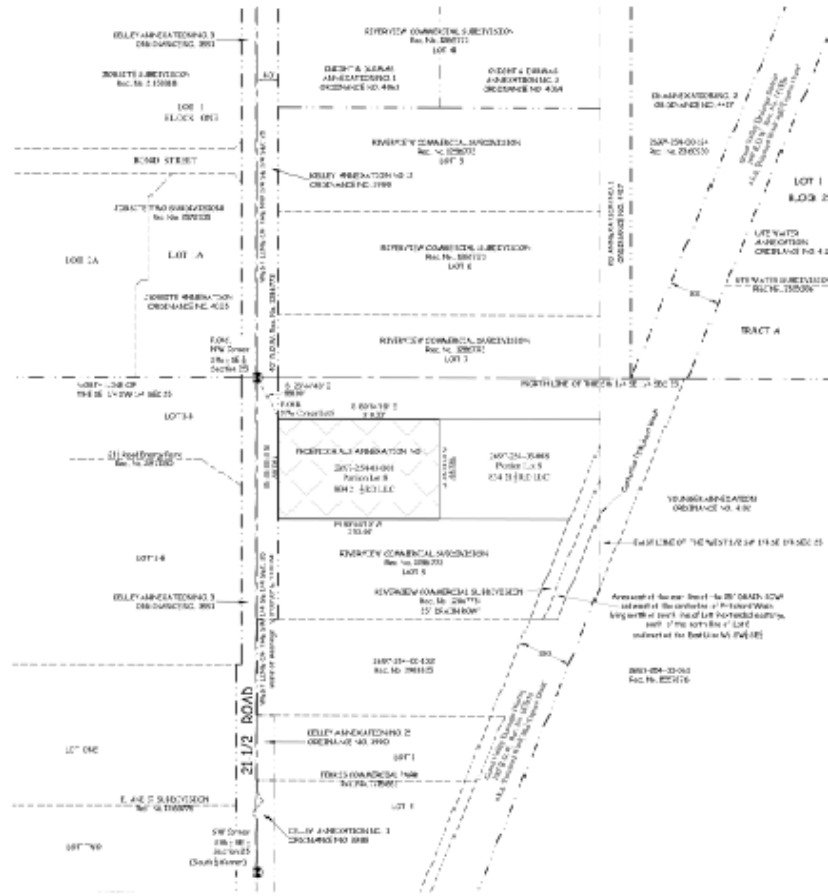
Attest:

City Clerk

EXHIBIT A

PHOENIX HAUS ANNEXATION NO. 1

LYING IN THE SW 1/4 SE 1/4 OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 2 WEST, 10TH MERIDIAN
COUNTY OF MESAL STATE OF COLORADO



LOCATED MAP: NOT-FO-57463

DESCRIPTION

A corral of iron, lying in the Southwest Quarter of the Southeast Quarter (SW/4 - SE/4) of Section 25, Township 1 North, Range 2 West of the 1st Meridian, County of Arapahoe State of Colorado, being portion of the RIVERVIEW COMMERCIAL, SURVEYED ON 1914 under Requisition Number 2285773 and being more particularly described as follows:

2046470-06 at the northeast corner of site SW858584 of Section 23 and crossing the West line of site SW858584 at 303.73 feet to the North corner of the same section. Thence South and East of Cornerstone: 235.94 feet a distance of 88.96 feet to the Northwest Corner of said 3 being a point on the East line of SILEY 8904-06; thence North 82° 56' 30" East along the East line of SILEY 8904-06 a distance of 300.20 feet; thence South 17° 32' 30" East a distance of 82.85 feet to a corner on the East line and lot 18; thence North 89° 39' 30" East a distance of 83.02 feet to the Southwest corner site 2046470-06 being a point on the East line site SILEY 8904-06; thence North 30° 30' East a distance of 90.82 feet to the East of Survey.

Containing 5963 Square Feet, or 137 Acres, more or less, as described:

[illegible]

The Sketch and Description contained herein have been compiled from subdivision plans, deed descriptions and Registered Land Survey Maps as they appear in the office of the Nevada County Clerk and Recorder. We do not warrant or assume a legal survey, and it is not intended to be used as a means for establishing or verifying property boundary lines.

FOR REVIEW

Yusef B. Farooq, A.C. No. 32794
Professional Land Surveyor for the
City of Grand Junction
DATE _____

PHOENIX HAUS
ANNEXATION NO. 1

1
24
1

64214.306 STEWART 1402.5 FT.

WILLIAMSON ADVERTISING
CHECKLIST PRINTED
MAY IN GROUP 117
MAY IN 1991

PAGE 74

4050

ANGLIA TON HOLDINGS
PUBLIC COMPANY LIMITED

ALL RIGHTS RESERVED
NO PART OF THIS PUBLICATION
MAY BE REPRODUCED OR
TRANSMITTED IN ANY FORM
OR BY ANY MEANS, ELECTRONIC
OR MECHANICAL, INCLUDING
PHOTOCOPYING, RECORDING, OR
BY ANY INFORMATION STORAGE
AND RETRIEVAL SYSTEM, WITHOUT
PERMISSION IN WRITING FROM
THE PUBLISHERS.

See Also:

According to California law, you must surrender any unpaid vehicle taxes upon any return. If the money shows three years or less you had license plates issued, it is no matter how any vehicle would cause any vehicle. It is also the law that the commercial courts have the power to take the title of the certificate owner, license.

CANNON

DESIGNED BY

©2005 by IV

Appendix 2

REP 9

_____ 5

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_____ 5

VTE 09-10-3700

NOTE _____

www.pearsoned.com

NYE _____

GRAPHIC = CULE



LINEAL WHITE LINED HERON = 4.5, AURORA 7046, AS ESTABLISHED

OFUN, INC. AG

EXPERIMENTAL DATA

THIS IS NOT A BOUNDARY SURVEY



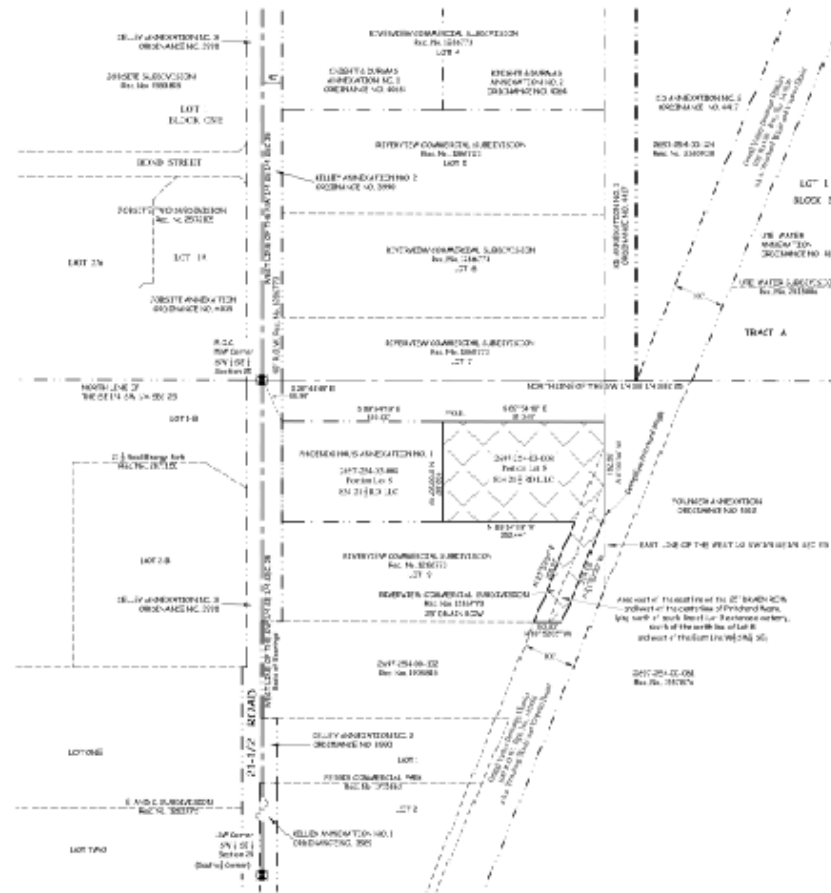
PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

PHOENIX HAUS
ANNEXATION NO. 1

Exhibit B

PHOENIX HAUS ANNEXATION NO. 2

LYING IN THE SW 1/4 SE 1/4 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERICAN
COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION

[illegible][illegible]

Comprising 7083 Square Feet, or 33.4 Acres, more or less, as described.

[illegible]

The Sketch and Description contained herein have been obtained from subdivision plats, deed descriptions and Deed and Land Survey Plats as they appear in the Office of the Illinois County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as evidence in establishing or verifying property boundaries.

FOR REVIEW

ART. 39. ANNEE 1934

ANALYST: J. J. J. J.	DATE: 12/12/12
CONVOLUTION: J. J. J.	ST. 12/12
AREA: 1.0000E+00	1.0000
AREA: 1.0000E+00	1.0000

LEFNA

MAILING ADDRESS _____
 PHONE CITY STATE _____

张其成先生《王阳明与王守仁》,《王阳明研究》,第1卷,第1期,第11页。

GERMANY 93

EXPIRE DATE

Enter a Postal[®] P.S. No. 3845
Exclusively for use by the
City of Grand Junction

MF: _____

THIS IS NOT A BOUNDARY SURVEY

Nigel Langer

showing its strength to you, your business, my age with total care and desire to this point with three years after you start showing our strength. It is not any or other way you say what is this way to be successful now that we have that the date is the calendar show today.

ISSUED BY	REP	DATE	30-12-2021
ISSUED TO		DATE	
CHECKED BY	REP	DATE	08-10-2022
APPROVED BY		DATE	

$$\frac{5000}{1000000}$$

City of
Grand Junction
Colorado

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

PHOENIX HAUS
ANNEXATION NO. 2



Grand Junction City Council

Regular Session

Item #2.a.iii.

Meeting Date: September 15, 2021
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Sage Creek Annexation of 5 Acres, Located on Property at 3038 D 1/2 Road, and Setting a Public Hearing for October 20, 2021

RECOMMENDATION:

Staff recommends adoption of a resolution referring the petition for the Sage Creek Annexation, introducing the proposed Ordinance and setting a hearing for October 20, 2021.

EXECUTIVE SUMMARY:

The Applicant, Sage Creek Investments LLC is requesting to annex 5 acres, a parcel located at 3038 D ½ Road. There is a portion (0.23 acres) of the D ½ Road right-of-way included in this annexation request. The owner is requesting annexation in anticipation of new housing development and a proposal to change the Land Use map from Residential Low (2 to 5.5 dwelling units per acre) to Residential Medium (5.5 to 12 units per acre), which constitutes "annexable development" and as such will be annexed in accordance with the Persigo Agreement. The request for zoning and the Comprehensive Plan Amendment will be considered together with the annexation, but as separate actions by City Council, and are currently scheduled be heard on November 21, 2021.

BACKGROUND OR DETAILED INFORMATION:

The Applicant, Sage Creek Investments LLC has requested annexation of 5-acres of land into the City limits, located on property at 3038 D ½ Road in Pear Park, in

anticipation of future residential subdivision development. The Sage Creek Annexation consists of one property of 4.77-acres in addition to 0.23 acres of the D ½ Road right-of-way. The Applicant is concurrently requesting a Comprehensive Plan Amendment to allow for a zone of annexation to R-8 (Residential 5.5-8 du/ac).

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – September 15, 2021
- Planning Commission considers Comprehensive Plan Amendment and Zone of Annexation – September 28, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – October 6, 2021
- Acceptance of Petition and Public Hearing on Annexation, and Comprehensive Plan Amendment and Zoning by City Council – October 20, 2021
- Effective date of Annexation, Comprehensive Plan Amendment and Zoning – November 21, 2021

The Applicant's property is currently in the County and has a County zoning of RSF-R (Residential Single Family – Rural – 5-acre minimum lot sizes). Surrounding properties to the east, west and north are mostly zoned R-5 in the City. A townhome development, a residential six-plex located adjacent to the east in unincorporated Mesa County is zoned PUD and has a density of 8 dwelling units per acre, that would require densities of R-8 zoning and is supported in the Residential Medium Land Use category.

The land is vacant, but now is being planned for residential development. The Applicant wishes to annex the property into City limits for this purpose and will be requesting a Comprehensive Plan Amendment to change the land use map from Residential Low (2–5.5 du/ac) to Residential Medium (5.5-12 du/ac), and a zoning of R-8 (Residential with a maximum density of 8 dwelling units per acre) for the property. The R-8 Zone District implements the Comprehensive Plan's Land Use Category of Residential Medium. The Comprehensive Plan Amendment and Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

The property is currently adjacent to existing city limits. The property owner has signed a petition for annexation of the property.

Staff has found, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Sage Creek Annexation is eligible to be annexed because of compliance with the following:

a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described. The petition has been signed by the one owner of the property or 100% of the owners and includes 100% of the property described excluding right-of-way.

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

the existing City limits. Eighteen percent of the perimeter of the annexation is contiguous with the existing City limits exceeding the 1/6 contiguity requirements for annexation.

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

d) The area is or will be urbanized in the near future. The property owner is currently planning for the development of residential housing at urban densities.

e) The area is capable of being integrated with the City. The proposed annexation adjacent to the city limits on one side and will be required at the time of development to interconnect with existing City streets to the property. Utilities and City services are also available and currently serving the existing urban area around this site.

f) No land held in identical ownership is being divided by the proposed annexation. The entire property owned by the applicant is being annexed.

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent. Contiguous property owned by the petitioner is less than 20 acres in size, so this requirement does not apply, however, the petitioner has granted consent to the City to annex the property.

Please note that the annexation petition was prepared by the City.

FISCAL IMPACT:

Fiscal impact estimates will be provided at 2nd reading of the annexation ordinance.

SUGGESTED MOTION:

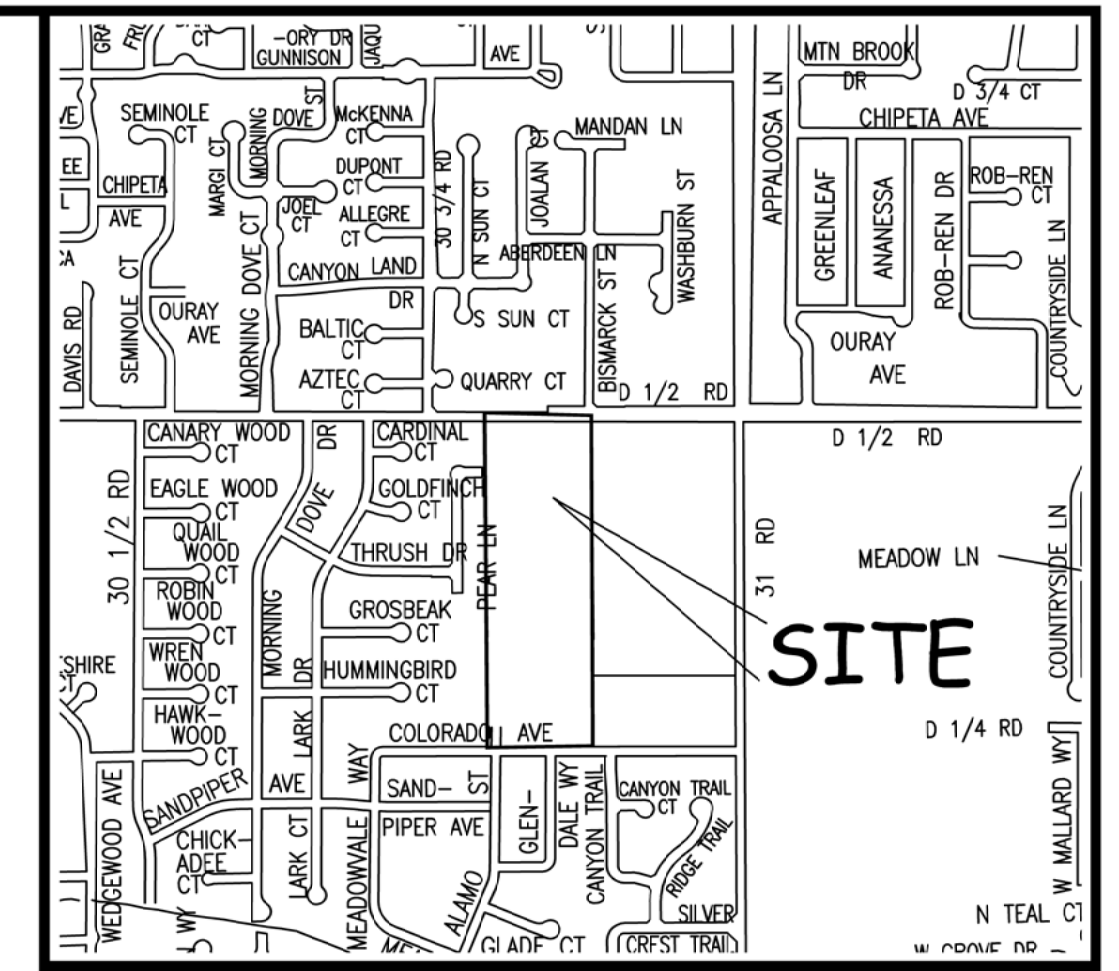
I move to (adopt/deny) Resolution No. 72-21, a resolution referring a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, setting a hearing on such annexation and exercising land use control over the Sage Creek Annexation, approximately 5 acres, located at 3038 D ½ Road, as well as introduce a proposed ordinance annexing territory to the City of Grand Junction, Colorado, Sage Creek Annexation, approximately 5 acres, located at 3038 D ½ Road, and set a hearing for October 20, 2021.

Attachments

1. Sage Creek Annexation Map
2. Site Maps and Picture
3. Annexation Schedule and Summary Sheet - Sage Creek Annexation

4. Resolution - Referral of Petition (Land Use Control)-Sage Creek Annexation
5. Sage Creek Annexation Ordinance

WEST 1/2 SE 1/4 SE 1/4 NW 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

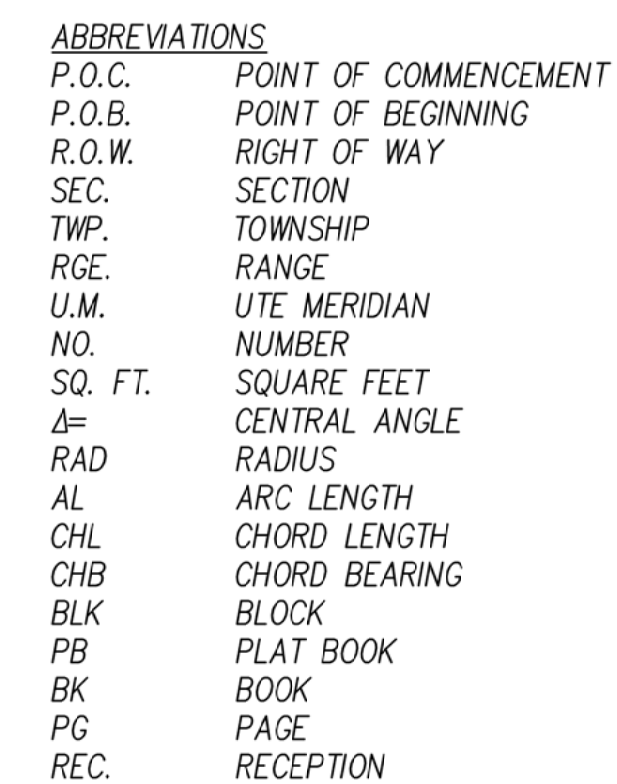


LOCATION MAP: NOT-TO-SCALE

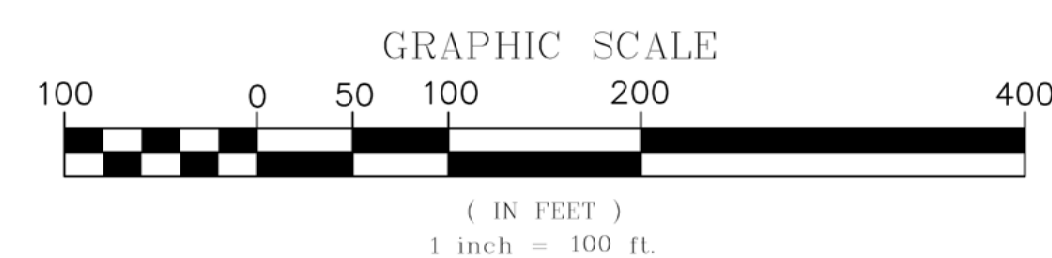
A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (W 1/2 SE 1/4 SE 1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'18"W along said south line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southeast Corner of said W 1/2 SE1/4 SE1/4 NW 1/4 being a point on the boundary of FRUITVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning; thence continuing S89°54'18"W along the boundary of said FRUITVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet; thence N0°01'38"W a distance of 659.84 feet; thence N89°54'05"E a distance of 330.28 feet; thence S0°01'42"E a distance of 659.86 feet to the Point of Beginning.

Containing 217939 Square Feet, or 5.00 Acres, more or less, as described.



The Sketch and Description contained herein have been derived from subdivision plats, deed descriptions and Deposited Land Survey Plats as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT

ORDINANCE NO.

EFFECTIVE DATE

Renee B. Parent, PLS No. 38266
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

AREA OF ANNEXATION

ANNEXATION PERIMETER	1980.28 FT.	
CONTIGUOUS PERIMETER	363.30 FT.	
AREA IN SQUARE FEET	217939	ANNEXATION
AREA IN ACRES	5.00	EXISTING
9909 SQ. FT OR 0.23 ACRES LIES IN THE D-1/2 RD PETITIONED R.O.W.		

LEGEND

ANNEXATION BOUNDARY _____
EXISTING CITY LIMITS _____

Notice:

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

DRAWN BY R.B.P. DATE 07-30-2021
DESIGNED BY _____ DATE _____
CHECKED BY M.G. DATE _____
APPROVED BY _____ DATE _____

SCALE

1" = 100'

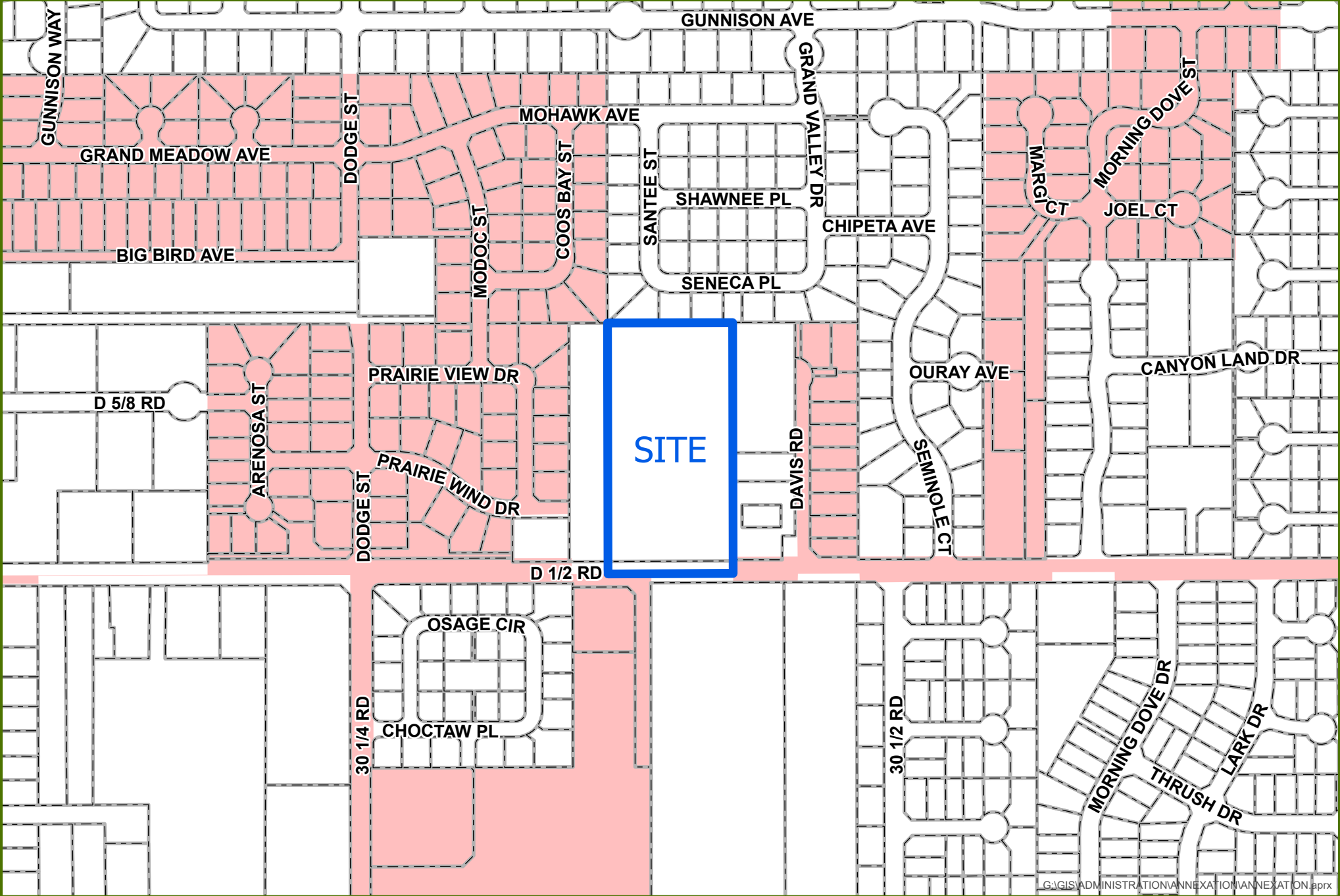


PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

SAGE CREEK
ANNEXATION

F

SAGE CREEK ANNEXATION



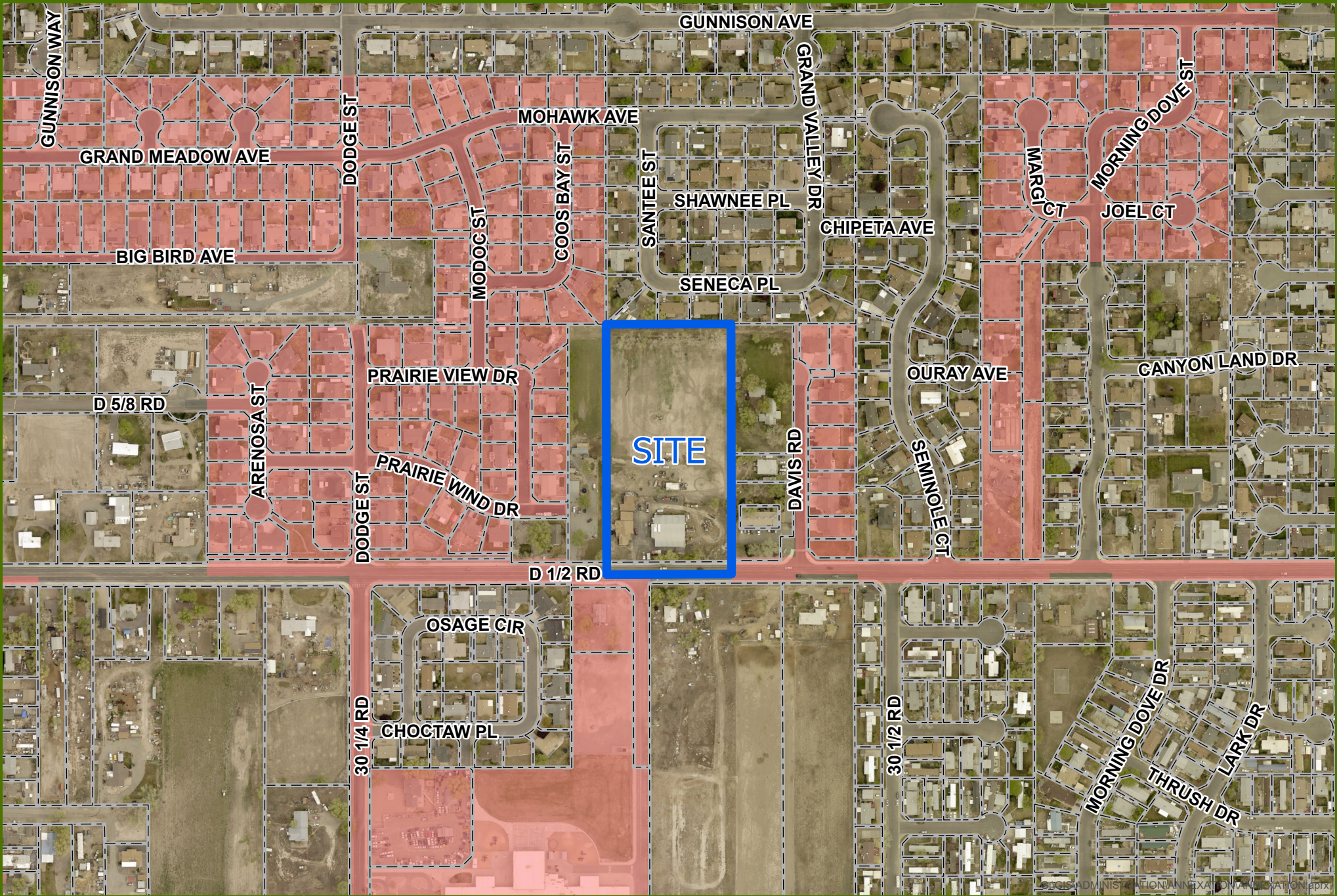
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 Annexation  City Limits

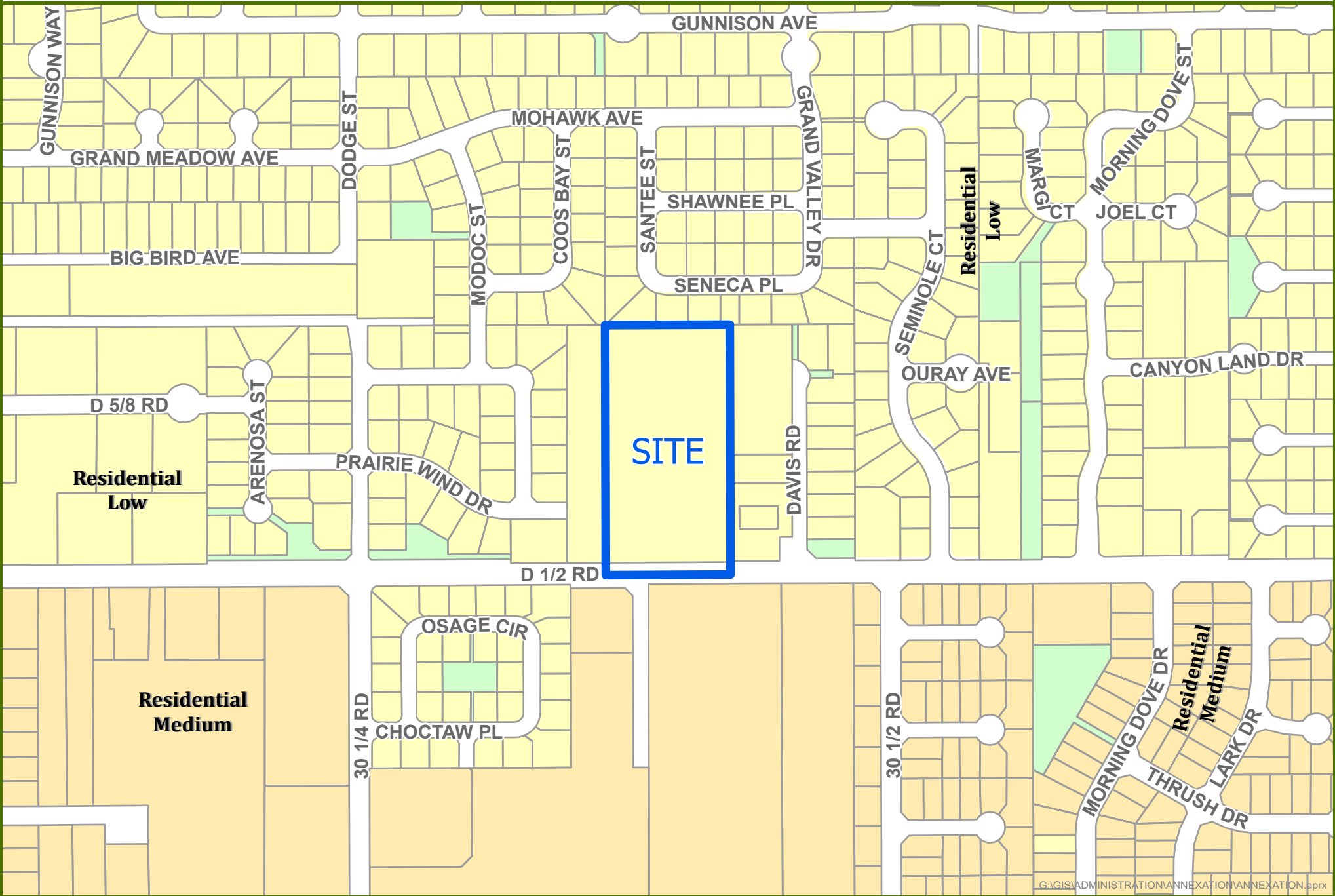
SAGE CREEK ANNEXATION



0 0.05 0.1 Miles

 Annexation  City Limits

SAGE CREEK ANNEXATION - LAND USE



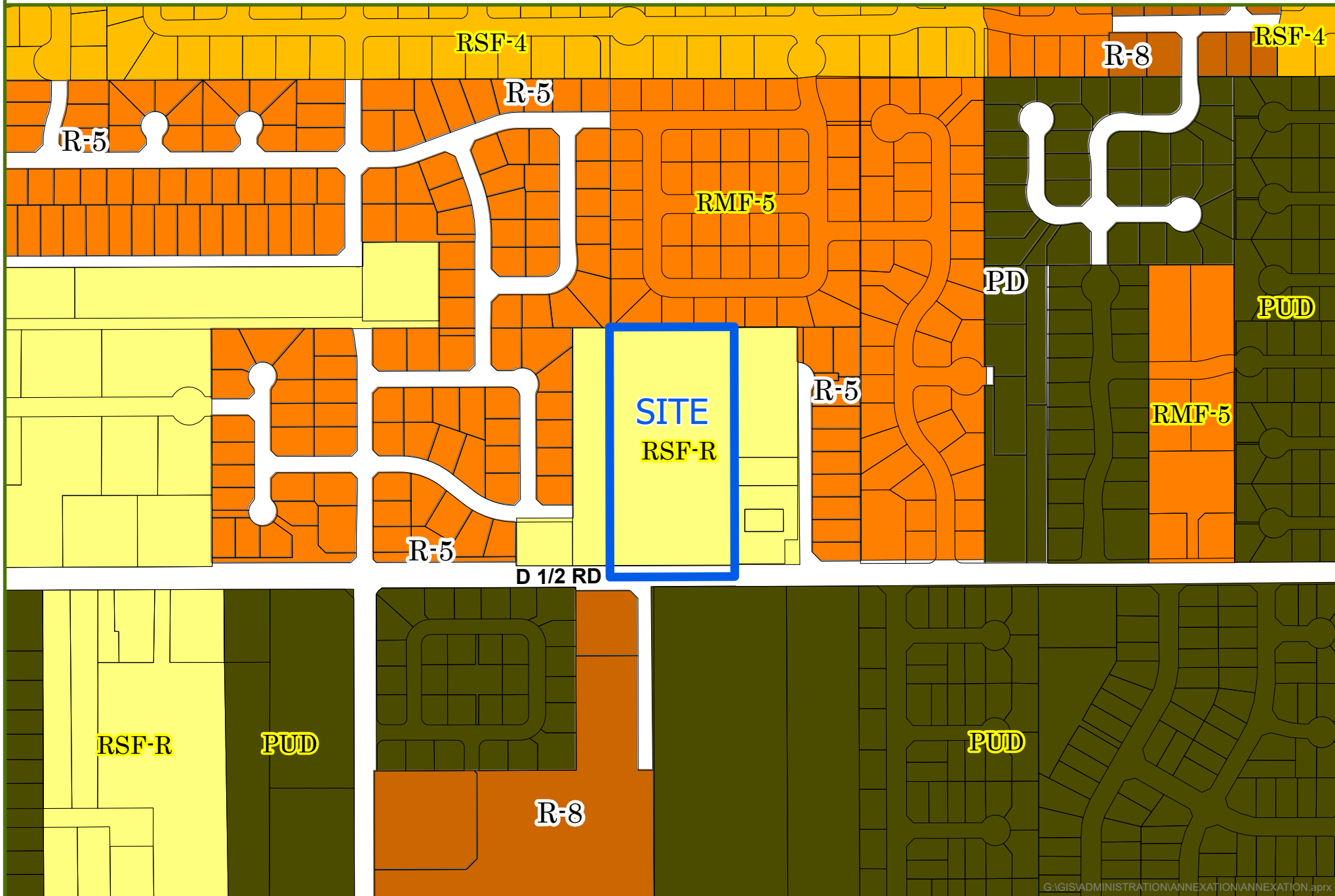
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 Annexation Boundary

SAGE CREEK ANNEXATION - ZONING



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0 0.05 0.1 Miles

 Annexation

City Zoning
Packet Page 69

County Zoning

Date Created: 8/19/2021

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEMS



View looking North from D ½ Road

SAGE CREEK ANNEXATION SCHEDULE

September 15, 2021	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 28, 2021	Planning Commission considers Zone of Annexation
October 6, 2021	Introduction of a Proposed Ordinance on Zoning by City Council
October 20, 2021	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
November 21, 2021	Effective date of Annexation and Zoning

ANNEXATION SUMMARY

File Number:	ANX-2021-466
Location:	3038 D ½ Road
Tax ID Numbers:	2943-162-00-037
# of Parcels:	1
Existing Population:	2
# of Parcels (owner occupied):	0
# of Dwelling Units:	1
Acres land annexed:	5
Developable Acres Remaining:	4.77
Right-of-way in Annexation:	0.23 acres in D ½ Road
Previous County Zoning:	RSF-R
Proposed City Zoning:	R-8
Current Land Use:	Residential
Future Land Use:	Residential Medium
Values:	Assessed: \$22,900
	Actual: \$320,260
Address Ranges:	3038 and 3040 D ½ Road
Special Districts:	Water: Ute
	Sewer: City
	Fire: Clifton Fire Protection District
	Irrigation/Drainage: Grand Valley Irrigation Company and Grand Valley Drainage
	School: District 51
	Pest: Grand River Mosquito District & Upper Grand Valley Pest
	Other: Colorado River Water Conservancy

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 15th day of September 2021, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

SAGE CREEK ANNEXATION

**APPROXIMATELY 5 ACRES
LOCATED ON A PROPERTY AT 3038 D ½ ROAD
Tax Parcel Number 2943-162-00-037**

WHEREAS, on the 15th day of September, 2021, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**SAGE CREEK ANNEXATION
PERIMETER BOUNDARY LEGAL DESCRIPTION**

A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (W 1/2 SE 1/4 SE 1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'18"W along said south line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southeast Corner of said W 1/2 SE 1/4 SE 1/4 NW 1/4 being a point on the boundary of FRUITVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning; thence continuing S89°54'18"W along the boundary of said FRUITVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet; thence N0°01'38"W a distance of 659.84 feet; thence N89°54'05"E a distance of 330.28 feet; thence S0°01'42"E a distance of 659.86 feet to the Point of Beginning.

Containing 217939 Square Feet, or 5.00 Acres, more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 20th day of October, 2021, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 5:30 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the 15th day of September, 2021.

President of the Council

Attest:

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
September 17th, 2021
September 24th, 2021
October 1st, 2021
October 8th, 2021

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO
SAGE CREEK ANNEXATION**

**APPROXIMATELY 5 ACRES
LOCATED ON A PROPERTY AT 3038 D ½ ROAD
Tax Parcel Number 2943-162-00-037**

WHEREAS, on the 15th day of September, 2021, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the ___th day of October, 2021; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

**SAGE CREEK ANNEXATION
PERIMETER BOUNDARY LEGAL DESCRIPTION**

A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (W 1/2 SE1/4 SE1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'18"W along said south line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southeast Corner of said W 1/2 SE1/4 SE1/4 NW 1/4 being a point on the boundary of FRUITVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning; thence continuing S89°54'18"W along the boundary of said FRUITVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet; thence N0°01'38"W a distance of 659.84

feet; thence N89°54'05"E a distance of 330.28 feet; thence S0°01'42"E a distance of 659.86 feet to the Point of Beginning.

Containing 217939 Square Feet, or 5.00 Acres, more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 15th day of September 2021 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of October 2021 and ordered published in pamphlet form.

President of the Council

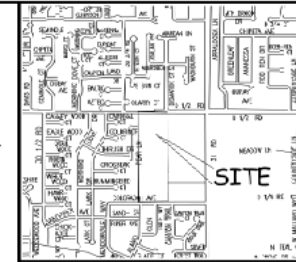
Attest:

City Clerk

EXHIBIT A

SAGE CREEK ANNEXATION

WEST 1/2 SE 1/4 SE 1/4 NW 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP NOT-TO-SCALE

DESCRIPTION

A parcel of land being the West Half of the Southwest Quarter of the Northwest Quarter of 1/2 SE 1/4 SE 1/4 NW 1/4 of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCEMENT at the Corner 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with a length of 330.30 feet to the Point of Commencement, S89°54'18"W along a 1/4 section line S89°54'18"W a distance of 330.30 feet to the Southwest Corner of said W 1/2 SE 1/4 SE 1/4 NW 1/4 using a point on the boundary of FRIEDVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning, thence containing S89°54'18"W along the boundary of said FRIEDVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet, thence N0°01'28"W a distance of 430.34 feet, thence S89°54'18"E a distance of 330.30 feet, thence S0°00'00"E a distance of 658.85 feet to the Point of Beginning.

Containing 27936 Square Feet, or 503 Acres, more or less, as described.

ABBREVIATIONS
P.C. POINT OF COMMENCEMENT
P.S. POINT OF BEGINNING
P.O.B. POINT OF BEGINNING
SEC. SECTION
TWP. TOWNSHIP
RANGE RANGE
C.M. COUNTY MERIDIAN
AD. ADJACENT
S.D. SURFACE DISTANCE
S.D. SURFACE DISTANCE
P.D. PLAT DISTANCE
P.D. PLAT DISTANCE
P.D. PLAT DISTANCE
P.D. PLAT DISTANCE

This South and Description contained herein have been carried from subdivision maps, and described and depicted lines. Survey Poles or they appear in the place of the Mesa County Clerk and Recorder. This plan does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



AREA OF ANNEXATION

ANNEXATION PERMITS: 155.28 FT.
CITY OF MESA: 155.28 FT.
AREA IN SQUARE FEET: 27936
AREA IN ACRES: 5.03
AREA IN SQUARE FEET: 27936
AREA IN ACRES: 5.03

LEGEND

ANNEXATION BOUNDARY
EXISTING OFFSHOTS

ORDINANCE NO.

EFFECTIVE DATE

Wade B. Parnell, PLS No. 32266
Professional Land Surveyor for the
City of Grand Junction

DATE:

THIS IS NOT A BOUNDARY SURVEY

DRAWING: B.P. DATE: 07-30-2018
DESIGNED BY: DATE:
CHECKED BY: V.B. DATE:
APPROVED BY: DATE:

SCALE
1" = 100'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

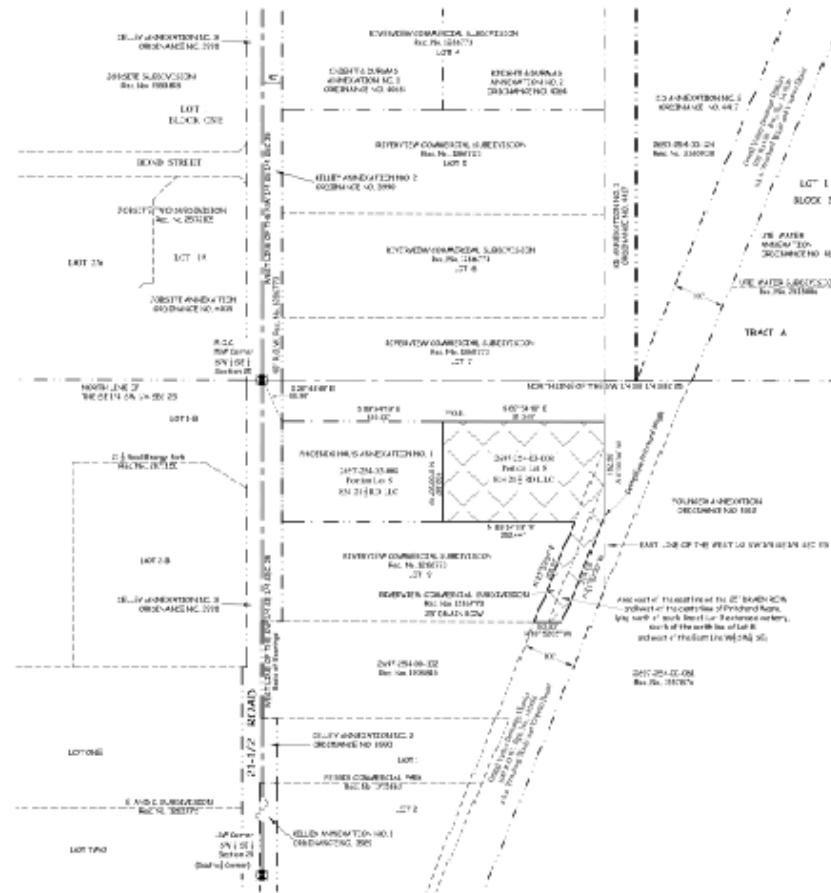
SAGE CREEK
ANNEXATION

1
OF
1

Exhibit B

PHOENIX HAUS ANNEXATION NO. 2

LYING IN THE SW 1/4 SE 1/4 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION

[illegible][illegible]

Combining 70,000 Square Feet, we'll K. Ames, more at 401.000.000

[illegible]

The Sketch and Description contained herein have been checked from subdivision data, deed descriptions and Deedbook Land Survey Maps as they appear in the Office of the Illinois County Clerk and Recorder. This data does not constitute a legal survey, and it is not intended to be used as evidence in establishing or verifying property boundaries.

FOR REVIEW

APR 30 AM 11:53

INVEST TOY FIRM IN	488.17%
CONVULSION FIRM IN	21.38%
AREA IN 2000 FIRM	7500.
AREA IN 2000	100

2004-05-18

DATE: 10/10/2001

RECEIVED: 10/10/2001

EXPIRATION DATE: 10/10/2001

[illegible]

GERMANY 93

EXPIRE DATE

Know & Print: PLS No. 18445
Excludes Card Stamp for the
Dry or Sand Anchor
M2: _____

THIS IS NOT A BOUNDARY SURVEY

Nigel Langer

According to research by the American Psychological Association, people who are able to let go of their past are more likely to be happy and successful in the future. This is because the past is often a source of stress and anxiety, and letting go of it can help to reduce these feelings. In addition, letting go of the past can help to improve one's relationships with others, as it allows them to move forward without being burdened by old grudges or resentments. Finally, letting go of the past can help to improve one's overall health and well-being, as it can reduce the risk of stress-related illnesses and improve one's ability to cope with life's challenges.

2014/02/28 09:59

876-304-5000

THEORY

ANSWERS 39

SCALE

 $\Gamma \in \mathbb{R}$

100

GRAND JUNCTION
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

PHOENIX HAUS
ANNEXATION NO. 2



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: September 15, 2021
Presented By: Jodi Welch, Finance Director
Department: Finance
Submitted By: Jodi Welch, Finance Director

Information

SUBJECT:

Introduction of an Ordinance Making a Supplemental Appropriation for the Purchase of Real Estate and Setting a Public Hearing for October 6, 2021

RECOMMENDATION:

Introduction of an ordinance amending and making supplemental appropriations for the 2021 City of Grand Junction Budget and setting a public hearing for October 6, 2021.

EXECUTIVE SUMMARY:

The budget is adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures. When a project includes a transfer from one fund to another, both the transfer and the expenditure have to be appropriated.

City Council is considering a resolution to affirm the purchase of 910 Main Street on this agenda at the Council meeting on September 15, 2021. The purchase of the building and property at 910 Main Street, Grand Junction, Colorado, will provide the City with a location that will better serve residents that presently pay bills in person and conduct other routine financial transactions at City Hall. If approved, a supplemental appropriation is required for the purchase price of \$877,000 and estimated closing costs of \$1,500.

BACKGROUND OR DETAILED INFORMATION:

The building and property at 910 Main Street, Grand Junction Colorado, (Property) has been used as a credit union. The building, which was renovated in 2020, provides a drive-up teller window and other features designed for readily serving

customers. Following its purchase, the Property will provide the City with a location that will better serve residents that presently pay bills in person and conduct other routine financial transactions at City Hall. In addition to the advantageous layout of the building, the Property, unlike City Hall has off-street parking and non-metered on-street parking.

The acquisition of the Property will forestall the need for adding to City Hall. With the relocation of certain customer service functions to the Property, the space in City Hall may be reorganized to gain operational and functional effectiveness and efficiencies.

This would require a supplemental appropriation of \$878,500 in the General Fund (Fund 100) for the purchase price of \$877,000 and the estimated closing costs of \$1,500. These funds will come from the General Fund reserve which is currently projected to be approximately \$37 million on 12/31/2021, and will likely increase if sales tax revenues continue to exceed the amended budget. Within that reserve is internal loans to other funds of \$2.5 million and a minimum reserve based on Council adopted policy of \$19.3 million. The estimated reserve is prior to public hearing and Council consideration of three supplemental appropriations on this agenda, September 15th, 2021, which if all approved would reduce the estimated 12/31/2021 General Fund reserve to \$32.9 million.

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City of Grand Junction. The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

SUGGESTED MOTION:

I move to introduce an ordinance making Supplemental Appropriations to the 2021 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2021 and ending December 31, 2021 and to set a public hearing for October 6, 2021.

Attachments

1. 2021 Supplemental Appropriation September 15, 2021 910 Main Street

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2021 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021.

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2021 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General Fund	100	\$ 878,500

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #2.b.ii.

Meeting Date: September 15, 2021
Presented By: Jodi Welch, Finance Director
Department: Finance
Submitted By: Jodi Welch, Finance Director

Information

SUBJECT:

Introduction of an Ordinance Making a Supplemental Appropriation for the City Contribution for the Purchase of 347 and 339 Ute Avenue for the Grand Valley Catholic Outreach Mother Teresa House Project and Setting a Public Hearing for October 6, 2021

RECOMMENDATION:

Introduction of an ordinance amending and making supplemental appropriations for the 2021 City of Grand Junction Budget and setting a public hearing for October 6, 2021.

EXECUTIVE SUMMARY:

The budget is adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures. When a project includes a transfer from one fund to another, both the transfer and the expenditure have to be appropriated.

City Council is considering a resolution to affirm the City contribution for the purchase of 347 and 339 Ute Avenue for the Grand Valley Catholic Outreach Mother Teresa House Project on this agenda at the Council meeting on September 15, 2021. The Grand Valley Catholic Outreach (Catholic Outreach) has proposed a transitional housing project at the southwest corner of 4th Street and Ute Avenue. The project is known as the Mother Teresa House (Project) and, when constructed, will provide much needed housing for people whose needs tend to be underserved or unserved. Catholic Outreach has acquired the property at 347 Ute Avenue and contracted for the purchase of the property at 339 Ute Avenue (Properties) for the Project. If approved, a supplemental appropriation is required for \$550,000 to make the contribution.

BACKGROUND OR DETAILED INFORMATION:

The community has a need for transitional housing and the Grand Valley Catholic Outreach project at the southwest corner of 4th Street and Ute Avenue will help fill the need. The Project, known as the Mother Teresa House, when constructed, will provide much needed housing for people whose needs tend to be underserved or unserved. Catholic Outreach has acquired the property at 347 Ute Avenue and contracted for the purchase of the property at 339 Ute Avenue for the Project. The City Council recognizes that housing for all is essential and the Project will help provide needed, additional units. The City previously purchased the property at 301 S. 4th Street for the Project and with the acquisition of the Properties, sufficient land is now available for the Project.

These funds will come from the General Fund reserve which is currently projected to be approximately \$37 million at 12/31/2021, and will likely increase if sales tax revenues continue to exceed amended budget. Within that reserve is internal loans to other funds of \$2.5 million and a minimum reserve based on Council adopted policy of \$19.3 million. The estimated reserve is prior to public hearing and Council consideration of three supplemental appropriations on this agenda, September 15th, 2021, which if all approved would reduce the estimated 12/31/2021 General Fund reserve to \$32.9 million.

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City of Grand Junction and the Downtown Development Authority. The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

SUGGESTED MOTION:

I move to introduce an ordinance making Supplemental Appropriations to the 2021 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2021 and ending December 31, 2021 and to set a public hearing for October 6, 2021.

Attachments

1. 2021 Supplemental Appropriation September 15, 2021 Catholic Outreach

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2021 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021.

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2021 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General Fund	100	\$ 550,000

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: September 15, 2021

Presented By: Ken Watkins, Fire Chief

Department: Fire

Submitted By: Chris Angermuller

Information

SUBJECT:

Authorization to Purchase Cardiac Monitor/Defibrillators for the Fire Department and Acceptance of the Federal Emergency Management Agency Assistance to Firefighter Grant

RECOMMENDATION:

Authorize the purchase of eight Cardiac Monitor / Defibrillators from Zoll Medical Corporation and accept the Assistance to Firefighter Grant for funding assistance in purchasing this equipment.

EXECUTIVE SUMMARY:

The Fire Department is in need of replacing the current inventory of cardiac monitors assigned to fire apparatus. This request is to authorize the Purchasing Division to purchase eight Cardiac Monitor / Defibrillators from Zoll Medical Corporation for the amount of \$228,552.00 and authorize the City Manager to accept the FEMA Assistance to Firefighter Grant award of \$207,774.55 for funding assistance in purchasing this equipment. The City has an approved Sole Source with Zoll Medical for this equipment.

BACKGROUND OR DETAILED INFORMATION:

The Fire Department has identified the need to replace the department's current Cardiac Monitor / Defibrillators that are assigned on all fire apparatus. This is due to age, maintenance issues, and parts availability. To address this need, the Fire Department applied for and was awarded an Assistance to Firefighter Grant through FEMA to assist with the purchase of this critical equipment. The department utilizes Zoll Medical to supply this equipment, which was selected in the past through two separate competitive solicitations. Both solicitations determined Zoll was clearly superior in functionality to similar equipment available from other manufacturers. In order to

maintain compatibility and conformity throughout the system, a Sole Source for Zoll Medical was approved in 2009. The Sole Source allowed a decrease in training time and costs. This equipment is very sophisticated and must be used in critical, time-sensitive situations. Consistency between cardiac monitors significantly improves performance in those situations.

FISCAL IMPACT:

The full cost of this purchase is \$228,552.00. If approved, the Assistance to Firefighters Grant award of \$207,774.55 will be applied to the purchase and will be reimbursed to the City after making the purchase. The remaining balance of \$20,777.45 is the required match for the City and is budgeted in the 2021 budget.

SUGGESTED MOTION:

I move to (approve/deny) the purchase of Cardiac Monitors from Zoll Medical Corporation and accept the Assistance to Firefighter Grant for funding assistance in purchasing this equipment.

Attachments

1. Sole Source Justification Form

CITY OF GRAND JUNCTION
SOLE SOURCE JUSTIFICATION FORM

Date: August 19, 2021 Requested By: Mark McIntire
Department: Fire Division: Operations
Vendor Name: Zoll Medical Net Cost Delivered: \$ 228,545.36

Provide G/L Account where funds are budgeted: 100-520-175.4200_01
Project code, if applicable N/A

SOLE SOURCE JUSTIFICATION
(INITIAL ALL ENTRIES THAT APPLY)

Material/Service Description: Zoll X Series Heart Monitor

1. MRM - The vendor is the original equipment supplier/manufacturer and there are no regional distributors;
2. - The product, equipment or service requested is clearly superior functionally to all other similar products, equipment or service available from another manufacturer or vendor;
3. MRM - The over-riding consideration for purchase is compatibility or conformity with City-owned equipment in which non-conformance would require the expenditure of additional funds;
4. - No other equipment is available that shall meet the specialized needs of the department or perform the intended function;
5. - Detailed justification is available which establishes beyond doubt that the Vendor is the only source practicably available to provide the item or service required;
6. MRM - Detailed justification is available which proves it is economically advantageous to use the product, equipment or service.

Attach Justification Memo and Pricing Documentation, then proceed with signatures below.
After Dept Head approval, forward to Purchasing.

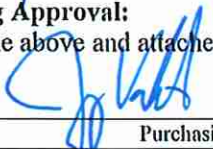
Department Director Approval:

I recommend that competitive procurement be waived and that the service or material described herein be purchased as a sole source.

Signed: , 8/23/21
Department Head Signature Date

Purchasing Approval:

Based on the above and attached documents, I have determined this to be a sole source with no other vendor practicably available.

Signed: , 9/10/21
Purchasing Manager Signature Date

Final Authorization

City Manager Approval Required (\$25K to \$50K) yes / no

Signed: _____, _____
City Manager Signature Date

City Council Approval Required (over \$50K) yes / no

Memorandum

To: Jay Valentine

From: Mark McIntire, Interim EMS Chief

Date: August 19, 2021

Subject: Sole Source Justification for Heart Monitor Purchases

The Department has been awarded an Assistance to Firefighters Grant to purchase eight heart monitors. We would like to enter into a new "Sole Source" agreement with Zoll Medical to purchase these monitors, plus additional monitors in the future. This would be an update to the current Sole Source agreement, which was entered in 2009.

Since 1998, the Department has used Zoll Medical to provide all our heart monitor needs. We have found the product cost effective and easily updated for new technology. They offer many state of the art options on their current models that allow the Department to provide advanced levels of patient care that comply with our medical protocols. We have also found the monitors to be very reliable and easy to work on, with most issues being able to be handled internally by our staff. When we have encountered issues that required outside service, Zoll has always provided a loaner monitor for our use.

Their customer service has been exceptionally responsive. For example, when given the amount of the grant award, Zoll went to great efforts to give us a quote that not only fit the grant amount but also fit all our technological needs. On other occasions, Zoll has flown technicians to our Department to work directly on our units. This saved us shipping costs and out of service time.

The Department has performed multiple Request for Proposals on heart monitors since 1998. In all those evaluations, Zoll was chosen due to the features, reliability, quality and compatibility with previous Department purchases. Although most current manufacturers of heart monitors provide similar technology, Zoll has kept pace and there are no obvious deficiencies that would affect their previously noted competitive advantage.

The Department currently deploys 19 Zoll brand heart monitors. By continuing with the company for future purchases, it provides the Department with many advantages. First, there would be no cost for training as we already use only Zoll equipment. Second, all monitors on the Department would use the same ancillary equipment such as cables, batteries, blood pressure cuffs etc... The purchase of a different type of monitor would require additional supply purchases, multiple battery types and chargers, which would create additional costs and complexities with ordering supplies. In addition, it would require the Department to purchase, or pursue purchasing, additional software and maintenance plans. Currently Zoll provides these items at a very minimal cost of \$225 per monitor.

Due to all of the factors noted above, the Department would like to continue our Sole Source agreement with Zoll Medical.



TO: Grand Junction Fire Department
625 Ute Avenue
Grand Junction, CO 81501

Attn: Sheldon Kier

email: sheldonk@gjcity.org

Tel: 970-549-5804

ZOLL Medical Corporation

Worldwide Headquarters
269 Mill Rd
Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
(800) 348-9011
(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

QUOTATION 392761 V:5

DATE: August 18, 2021

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Free Freight

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
1	601-2221011-01	X Series ® Manual Monitor/Defibrillator with 4 trace tri-mode display monitor/ defibrillator/ printer, comes with Real CPR Help®, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5" (16.5cm) diagonal screen, full 12 ECG lead view with both dynamic and static 12-lead mode display. Accessories Included: • MFC cable • MFC CPR connector • A/C power adapter/ battery charger • A/C power cord • One (1) roll printer paper • 6.6 Ah Li-ion battery • Carry case • Declaration of Conformity • Operator's Manual • Quick Reference Guide • One (1)-year EMS warranty Advanced Options: Real CPR Help Expansion Pack CPR Dashboard quantitative depth and rate in real time, release indicator, interruption timer, perfusion performance indicator (PPI) • See - Thru CPR artifact filtering ZOLL Noninvasive Pacing Technology:	8	\$38,393.25	\$30,565.50	\$244,524.00 *

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <http://www.zoll.com/GTC> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

Kayla Ertle
EMS Territory Manager
720-261-4764

1. DELIVERY WILL BE MADE 60-90 DAYS AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES QUOTED ARE VALID UNTIL SEPTEMBER 30, 2021.
3. APPLICABLE TAX, SHIPPING & HANDLING WILL BE ADDED AT THE TIME OF INVOICING.
4. ALL PURCHASE ORDERS ARE SUBJECT TO CREDIT APPROVAL BEFORE ACCEPTABLE BY ZOLL.
5. FORWARD PURCHASE ORDER AND QUOTATION TO ZOLL CUSTOMER SUPPORT AT esales@zoll.com OR FAX TO 978-421-0015.
6. ALL DISCOUNTS OFF LIST PRICE ARE CONTINGENT UPON PAYMENT WITHIN AGREED UPON TERMS.
7. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING www.zollwebstore.com.



TO: Grand Junction Fire Department
625 Ute Avenue
Grand Junction, CO 81501

Attn: Sheldon Kier

email: sheldonk@gjcity.org

Tel: 970-549-5804

ZOLL Medical Corporation

Worldwide Headquarters
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Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
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(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

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ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
		Masimo Pulse Oximetry SP02 • Signal Extraction Technology (SET) • Rainbow SET NIBP Welch Allyn includes: • Smartcuff 10 foot Dual Lumen hose • SureBP Reusable Adult Medium Cuff End Tidal Carbon Dioxide monitoring (ETCO2) Oridion Microstream Technology: Order required Microstream tubing sets separately Interpretative 12- Lead ECG: • 12-Lead one step ECG cable- includes 4- Lead limb lead cable and removable precordial 6- Lead set				
2	8000-001392	Rainbow, RC-4, 4FT, Reusable EMS Patient Cable	8	\$252.35	\$200.90	\$1,607.20 *
3	8000-000459	M-LNCS DCI Reusable Sensor	8	\$303.85	\$241.90	\$1,935.20 *
4	8000-0895	Cuff Kit with Welch Allyn Small Adult, Large Adult and Thigh Cuffs	8	\$157.50	\$133.88	\$1,071.04 *

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EMS Territory Manager
720-261-4764



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Attn: Sheldon Kier

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ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE	
5	REUSE- 09 - 2 MQ	Cuff, Child, 2-Tube, Twist lock connector	8	\$52.50	\$44.62	\$356.96	*
6	REUSE- 07 - 2 MQ	REUSE-07-2MQ Cuff, Infant, 2-Tube, Twist lock connector	8	\$52.50	\$44.62	\$356.96	*
7	8000- 0580 - 01	Six hour rechargeable Smart battery	9	\$519.75	\$421.00	\$3,789.00	*
10	5001- 9928	ZOLL E Series w/Pacing, 12 lead + 3 parameters or more Trade-In	7		(\$3,585.00)	(\$25,095.00)	**

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1. DELIVERY WILL BE MADE 60-90 DAYS AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
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TO: Grand Junction Fire Department
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QUOTATION 392761 V:5

DATE: August 18, 2021

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Free Freight

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
		*Reflects National Purchasing Partners (NPP) Contract Pricing. **Trade-In Value valid if all equipment purchased is in good operational and cosmetic condition, and includes all standard accessories. Customer assumes responsibility for shipping trade-in equipment to ZOLL Chelmsford within 60 days of receipt of new equipment. Customer agrees to pay cash value for trade-in equipment not shipped to ZOLL on a timely basis. **Trade value guaranteed only through September 30, 2021.				

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <http://www.zoll.com/GTC> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

TOTAL \$228,545.36

Kayla Ertle
EMS Territory Manager
720-261-4764

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Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: September 15, 2021
Presented By: Trenton Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Ken Haley, Engineering Manager

Information

SUBJECT:

2021 Contract Street Maintenance - Asphalt Overlays - Change Order #1

RECOMMENDATION:

Authorize the City Purchasing Division to approve a change order amending the Contract with Oldcastle SW Group, Inc. dba United Companies of Grand Junction Colorado for the 2021 Contract Street Maintenance - Asphalt Overlays Project in the amount of \$446,154.15.

EXECUTIVE SUMMARY:

With better than anticipated bids for contract street maintenance, a portion of the remaining budget is proposed to fund a change order to the existing contract with United Companies to further improve the City's pavement condition. If approved, Change Order #1 would include two (2) additional street areas in the Ridges Subdivision that are on the prioritized list for treatment. The proposed increase to the contract is \$446,154.15.

BACKGROUND OR DETAILED INFORMATION:

This year's street maintenance program is funded at \$5.8 million, including \$4.3 million for outsourced contract work and \$1.5 Million for the materials necessary for the annual chipseal program applied by City street department crews.

The original contract included asphalt overlay project includes asphalt milling, and overlay of 13.6 lane miles. Change Order #1 includes 13,585 square yards of additional asphalt milling with 3,881 tons of hot mix asphalt placement and all associated manhole/valve adjustments. This equates to 4.95 lane miles of additional asphalt paving for this change order. The total proposed addition to the contract is

\$446,154.15. As the total of Change Order #1 is greater than \$200,000, City purchasing policies require Council approval.

Roads throughout the City have been rated for condition and an asset management program is used to determine the road and the treatment list for the annual program. This change order consists of resurfacing (overlying) City streets with up to two inches of new asphalt pavement based on the conditions of the existing streets. Work items associated with the paving in this contract include milling of existing asphalt pavement where needed, leveling of failed sections of roadways, adjusting manhole lids and valve covers to grade, and placing shoulder gravel on roads that do not have curb and gutter.

The streets selected for this change order were based on condition of street and did not require adjacent concrete work or have underlying utility needs. The selected streets include:

Ridgeway Dr. / Hidden Valley Dr. Area

Ridgeway Dr. – Ridges Blvd. to Ridgeway Ct. (PCI = 52)
Ridgeway Ct. – Ridges Blvd. to Plateau Dr. (PCI = 37)
Plateau Dr. – Ridgeway Ct. to Mariposa Dr. (PCI = 37)
Hidden Valley Dr. – Ridgeway Dr. to High Ridge Dr. (PCI = 42)
High Ridge Dr. - Hidden Valley Dr. to End of Cul-de-Sac (PCI = 36)
Hidden Valley Ct. – Hidden Valley Dr. to End of Cul-de-Sac (PCI = 39)
Hidden Valley Cir. – Hidden Valley Dr. to End of Cul-de-Sac (PCI = 35)

Valley Circle Area

E. Valley Cir. – W. Valley Cir. To Ridges Blvd. (PCI = 38)
W. Valley Cir. – Ridges Blvd. to Ridge Circle Dr. (PCI = 50)
Valley View Way – W. Valley Cir. To Ridge Circle Dr. (PCI = 36)

PCI ratings are from the 2019 survey. The patching and overlays will restore the streets to a PCI of high 80's to low 90's.

This Change Order would amend the contract as follows:

Original Total Contract Amount	\$2,085,553.20
<u>Change Order #1 (This item)</u>	<u>\$446,154.15</u>
Total Revised Contract Amount (Pending)	\$2,531,707.35

This work authorized in this change order is scheduled to begin upon approval with an expected final completion date of mid-October.

FISCAL IMPACT:

The funding for this project is the 2021 Adopted Budget in the 0.75% Sales Tax Capital Improvement Fund and includes use of the voter approved TABOR excess for street maintenance.

SUGGESTED MOTION:

I move to (authorize/not authorize) the City Purchasing Division to amend the existing contract with United Companies of Grand Junction, CO for the 2021 Contract Street Maintenance - Asphalt Overlays Project in the amount of \$446,154.15.

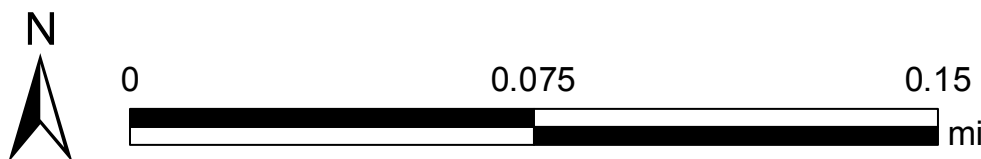
Attachments

1. CSM - Asphalt Overlays - Change Order #1 Additional Areas

Ridgeway Dr / Hidden Valley Dr Area



Valley Circle Area



Date: 9/1/2021

1 inch = 188 feet
Packet Page 99



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: September 15, 2021
Presented By: Jace Hochwalt, Senior Planner
Department: Community Development
Submitted By: Jace Hochwalt, Senior Planner

Information

SUBJECT:

A Resolution Renaming a Portion of 27 1/2 Road, Abutting the Parcels Currently Addressed 347 and 348 27 1/2 Road to Eddy Drive

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

Consider a request by The Eddy at Grand Junction LLC to rename a portion of 27 1/2 Road (50.8 linear feet) where the road abuts the two parcels currently addressed as 347 and 348 27 1/2 Road, to Eddy Drive. The Eddy at Grand Junction LLC is the property owner of two parcels of land totaling approximately 16.4 acres within a C-1 (Light Commercial) zone district currently addressed as 347 and 348 27 1/2 Road. The property owner was recently approved to construct a 96-unit apartment facility and 73-space RV campground referred to as "The Eddy". During the plan review and platting process, the owner was required to dedicate some right of way along 27 1/2 Road and C 1/2 Road to meet City Engineering and Design Standards.

BACKGROUND OR DETAILED INFORMATION:

Title 21.06.010(b)(6) of the Grand Junction Municipal Code states a street naming system shall be maintained to facilitate the provisions of necessary public services and provide more efficient movement of traffic. For consistency, this system shall be adhered to on all newly platted, dedicated, or named streets and roads. Existing streets and roads not conforming or inconsistent to the addressing system shall be made conforming as the opportunity occurs.

The Eddy at Grand Junction LLC is the property owner of two parcels of land totaling

approximately 16.4 acres within a C-1 (Light Commercial) zone district currently addressed as 347 and 348 27 ½ Road. The property owner was recently approved to construct a 96-unit apartment facility and 73-space RV campground referred to as “The Eddy”. During the plan review and platting process, the owner was required to dedicate some right of way along 27 ½ Road and C ½ Road to meet City Engineering and Design Standards.

Since approval of the project, the Owner has requested to change the street name of the right-of-way that directly abuts the two parcels from 27 ½ Road to Eddy Drive. The property owner is requesting the street name change in order for the proposed street name to match the project name. The owner feels that this will help with orientation and wayfinding to the development. The area of right-of-way being renamed is very small, a total length of 50.8 linear feet and affects the two adjacent parcels (347 and 348 27 ½ Road). No other parcels will be affected by the street name change. If approved, these parcels will be readdressed as 309 and 310 Eddy Drive, respectively.

In addition, street and road names that contain fractions have been identified as an issue throughout the community for a variety of reasons, including visitors to the community being able to navigate to electronic GPS and 911 systems not “understanding” the fraction. Because construction of the project has not yet been completed, it is an opportune time to propose this street name change. Furthermore, no other entities reviewing the request had any objection to the street name change including the City Police Department, City Fire Department, City Streets Division, United States Postal Service, and all applicable utility companies.

Therefore, Staff recommends approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact related to this request.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 73-21, a resolution renaming a portion of 27 ½ Road to Eddy Drive directly abutting the properties at 347 and 348 27 ½ Road.

Attachments

1. Exhibit 1 - Application Packet
2. Exhibit 2 - Maps & Descriptions
3. Exhibit 3 - Proposed Resolution

Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application



Date

Signature of Legal Property Owner



Date

347 & 348 27 ½ Road
Minor Change – Street Name Change
July 1, 2021
Project Description

Project Overview

The Eddy at Grand Junction LLC currently owns the two connecting parcels located at 347 & 348 27 ½ Road. Two parcels recently went through a Simple Subdivision process with the City of Grand Junction, reducing three connecting parcels down to two. This process was approved and recorded (reception #2983444). Both parcels total 16.23 acres.

This proposal is to change the name at the entrance to the development from 27 ½ Road to Eddy Drive.

A. Project Description

Location and Site Features

- The parcels are located on the corner of 27½ Road and C ½ Road adjacent to the Las Colonias Business Park. The property is in the City.
- There is an 8” sewer main in 27½ Road and C ½ Road. Ute Water provides sufficient capacity to the properties.
- Surrounding land use /zoning is Planned Development (Las Colonias) and I-1 to the north, County Zoning of RSF-R to the east; R-5 Residential and CSR to the south across the Colorado River; and Planned Development (Las Colonias) to the west.
- There is one entrance to the development at the intersection of 27 ½ and C ½ Road.
- Lot 1 is approved as an RV Campground; Lot 2 is approved as Apartments.

Existing Zoning

- The parcels are zoned C-1.

B. Public Benefit:

- The primary benefits came with rezone, site plan, and subdivision in which this development fulfilled infill development, the use of existing infrastructure; the ability for cohesive and efficient development of two abutting parcels; the ability to develop challenging, controversial properties.
- The benefit of this request is for ease of orientation and location, where a ‘name’ is associated with a street rather than a string of numbers. Historically when property is annexed into the City the numerical or alphabetical County designation receives a City designation. For example, F Road / Patterson and 26 Road / 1st Street. Additionally, a street name such as Las Colonias Drive or Dos Rios Drive provides immediate orientation to the location.

C. Neighborhood Meeting

A Neighborhood Meeting is not required for a Street Name Change.

D. Project Compliance, Compatibility, and Impact

1. Adopted Plans and/or Policies

The Future Land Use Plan; the Land Development Code.

2. Surrounding Land Use

Surrounding land use /zoning is under Planned Development/Industrial to the north, RSF-R to the east; the Colorado River / Residential to the south; and Planned Development to the west (Las Colonias Business Park).

3. Site Access and Traffic

There is currently one access point, 27 ½ Road extends into the properties.

4 & 5. Availability of Utilities and Unusual Demands

Sanitary Sewer: Sewer is provided by the City of Grand Junction. It is an existing 8" line located in 27 ½ Road and C ½ Road.

Domestic water is provided by Ute Water.

6. Effects On Public Facilities

Changing the street name will not impact the fire department, police department, or the public school system.

7. Site Soils

The soil conditions of the site are combination of native soils and placed fill which includes soil and construction debris normal solid waste.

8. Site Geology and Geologic Hazards

The floodway and floodplain were appropriately addressed with the Site Plan approval

9. Hours of Operation N/A

10. Number of Employees N/A

11. Signage Plans N/A

12. Irrigation

E. Development Schedule and Phasing

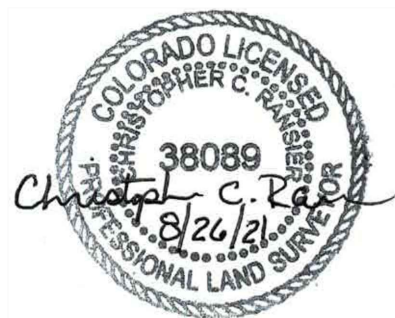
- Simple Subdivision – Approved May 2021
- Major Site Plan – Approved May 2021
- Submit Street Name Change – July 2021

EXHIBIT A

A Parcel of land located within Government Lot 2 and Lot 3 of Section 24 a part of the NE1/4 of the SW1/4 and NW1/4 of the SE1/4 of Section 24, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 corner of said Section 24 whence the Center East 1/16 corner of said Section 24 bears S89°45'54"E with all bearings hereon being relative thereto; thence S54°12'24"E, a distance of 51.59 feet to the Point of Beginning and a point on the South Right of way line of C 1/2 Road described at Reception No.2983444; thence S45°07'03"W along the Northwesterly line of Lot 2 of Eddy Riverfront Subdivision described at Reception No.2983444, a distance of 36.18 feet; thence S00°00'00"E, a distance of 25.02 feet; thence N90°00'00"W, a distance of 30.52 feet to the East line of Lot 1 of said Eddy Riverfront Subdivision; thence N00°00'00"E along said East line of Lot 1, a distance of 50.78 feet; thence S89°45'54"E, a distance of 56.16 feet to the Point of Beginning.

Containing an area of 1,877 square feet more or less as described.



This legal description prepared by:
Christopher C Ransier
CO PLS 38089
734 Main Street
Grand Junction, CO 81501
970-201-4081 surveying@kaart.com

A part of the Government Lot 2 and Lot 3 of Section 24,
 Located within the NE1/4 SW1/4 and the NW1/4 SE1/4 of Section 24,
 Township 1 South, Range 1 West, Ute Meridian,
 City of Grand Junction, County of Mesa, State of Colorado

CITY OF GRAND JUNCTION
 PARCEL NO. 2945-243-00-272
 RECEPTION NO. 1796705

POINT OF COMMENCEMENT
 CENTER 1/4 CORNER, SEC 24
 2 1/2" ALLOY CAP
 IN MONUMENT BOX
 Q.E.D., LS30111, 2006

27 1/2 ROAD
 40' ROAD EASEMENT
 ROAD BOOK 9 PAGE 162

CENTER EAST 1/16 CORNER, SEC 24
 2 1/2" ALLOY CAP
 IN MONUMENT BOX
 T. SYLVESTER, E/16, S24, 2008, LS38005

BASIS OF BEARINGS S89° 45' 54"E
 NORTH LINE OF THE NW 1/4 OF THE SE 1/4 SECTION 24

C 1/2 ROAD
 30' RIGHT OF WAY
 RECEPTION NO. 2983444

OWNER: EDDY AT GRAND JUNCTION, LLC
 PHYSICAL ADDRESS: 347 27 1/2 ROAD,
 GRAND JUNCTION, CO 81501
 LOT 1, EDDY RIVERFRONT SUBDIVISION
 RECEPTION NO. 2983444

14' MULTIPURPOSE EASEMENT
 RECEPTION NO. 2983444

EAST LINE LOT 1

RIGHT OF WAY VARIES
 RECEPTION NO. 2983444

10' MULTI-PURPOSE EASEMENT
 RECEPTION NO. 2983444

SOUTH RIGHT OF WAY
 LINE C 1/2 ROAD

OWNER: EDDY AT GRAND JUNCTION, LLC
 PHYSICAL ADDRESS: 348 27 1/2 ROAD,
 GRAND JUNCTION, CO 81501
 LOT 2, EDDY RIVERFRONT SUBDIVISION
 RECEPTION NO. 2983444

PUBLIC SERVICE COMPANY OF
 COLORADO EASEMENT
 RECEPTION NO. 2930525

Line Table		
Line #	Direction	Length
L1	S54°12'24"E	51.59'
L2	S45°07'03"W	36.18'
L3	S00°00'00"E	25.02'
L4	N90°00'00"W	30.52'
L5	N00°00'00"E	50.78'
L6	S89°45'54"E	56.16'



SCALE IN FEET
 1"=30'

*This Exhibit is not intended to be used for
 establishing or verifying property boundary lines.
 *Linear units are in U.S. Survey Feet.



Christopher C. Ransier
 CO PLS 38089
 734 Main Street, LLC
 Grand Junction, CO 81501
 surveying@kaart.com

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) The Eddy at Grand Junction LLC ("Entity") is the owner of the following property:

(b) 347 27 1/2 Rd; 2945-244-00-080; 2757 C 1/2 Rd Grand Junction, CO 81501

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

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

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

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

☐ The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Right of Way Vacation

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

(e) none

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

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

Signature of Entity representative: [Signature]

Printed name of person signing: M. Michael O'Connor

Authorized person of the
Managing Member

State of Colorado

County of ROUIT

) ss.

Subscribed and sworn to before me on this 24th day of June, 20 21

by Michael O'Connor

Witness my hand and seal.

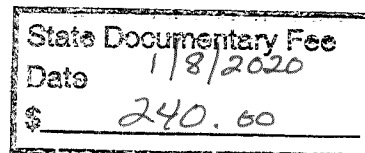
My Notary Commission expires on 7/15/2023

CHRISTOPHER JAMES IMBLER
NOTARY PUBLIC - STATE OF COLORADO
Notary ID #20194026365
My Commission Expires 7/15/2023

[Signature]
Notary Public Signature

Recording requested by and
when recorded return to:

Four Points Funding
345 Lincoln Avenue, #206
Steamboat Springs, CO 80487
Attn: Chris Montgomery



SPECIAL WARRANTY DEED
[C.R.S. § 38-30-113 & 115]

BRADY TRUCKING LAND HOLDINGS, LLC, a Colorado limited liability company, as Grantor, for the consideration of Ten and No/100 Dollars (\$10.00), in hand paid, hereby sells and conveys to THE EDDY AT GRAND JUNCTION, LLC, a Colorado limited liability company, as Grantee, whose street address is c/o Four Points Funding, 345 Lincoln Avenue, #206, Steamboat Springs, Colorado 80487, that certain real property located in the County of Mesa and State of Colorado, as more particularly described on Exhibit A attached hereto and made a part hereof, together with all its appurtenances, and agrees to and with Grantee to warrant and defend the quiet and peaceable possession of the Property, by Grantee, against every person who lawfully claims the Property or any part thereof, by, through or under Grantor and no others, subject only to those matters of record appearing on Exhibit B attached hereto and made a part hereof.

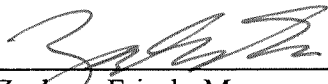
Effective this 2nd day of January, 2020.

[Signatures and Acknowledgements on Following Pages]



65040774

BRADY TRUCKING LAND HOLDINGS,
LLC, a Colorado limited liability company

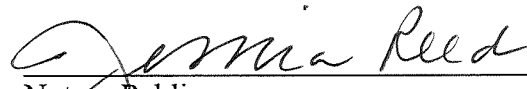
By: 
Zachary Frisch, Manager

STATE OF COLORADO)
)
COUNTY OF Hartfield)

The foregoing instrument was acknowledged before me this 2nd day of January,
2020, by Zachary Frisch, as the Manager of BRADY TRUCKING LAND HOLDINGS, LLC, a
Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 9/8/2020


Notary Public

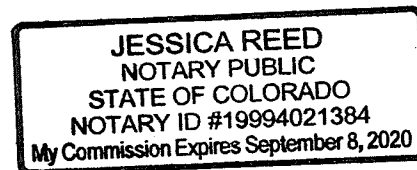


EXHIBIT A**LEGAL DESCRIPTION****PARCEL 1:**

ALL OF LOT 3, EXCEPT THE WEST 10 CHAINS THEREOF IN SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE C1/4 CORNER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;

THENCE ALONG THE NORTH LINE OF GOVERNMENT LOT 3 IN SAID SECTION 24 S89°56'19"W 12.50 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 27 1/2 ROAD, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°56'19" 652.12 FEET;

THENCE S00°06'53"E 534.28 FEET TO THE NORTH BANK OF THE COLORADO RIVER, WHICH IS ALSO THE SOUTH LINE OF GOVERNMENT LOT 3 IN SAID SECTION 24;

THENCE ALONG SAID RIVER BANK THE FOLLOWING THIRTEEN (13) COURSES:

1. S82°54'10"E 17.50 FEET;
 2. N73°04'18"E 49.98 FEET;
 3. N82°36'10"E 205.52 FEET;
 4. N84°59'11"E 36.42 FEET;
 5. N84°27'00"E 76.02 FEET;
 6. N75°18'35"E 56.11 FEET;
 7. N82°35'07"E 9.02 FEET;
 8. S52°59'28"E 9.53 FEET;
 9. N61°06'48"E 19.97 FEET;
 10. N70°44'38"E 63.80 FEET;
 11. N74°23'15"E 70.58 FEET;
 12. N81°19'12"E 30.61 FEET;
 13. N70°38'06"E 23.73 FEET TO THE WEST RIGHT-OF-WAY LINE OF 27 1/2 ROAD;
- THENCE ALONG SAID RIGHT-OF-WAY LINE N00°07'57"E 413.77 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THE WEST 367.65 FEET OF ALL THAT PART OF LOT 2 IN SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN LYING WEST OF THE DRAINAGE DITCH OF THE GRAND JUNCTION DRAINAGE DISTRICT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE C1/4 CORNER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;

THENCE S89°46'04"E 12.50 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 27 1/2 ROAD, BEING THE TRUE POINT OF BEGINNING;

THENCE S00°07'57"W 404.92 FEET TO THE NORTH BANK OF THE COLORADO RIVER, WHICH IS ALSO THE SOUTH LINE OF GOVERNMENT LOT 2 IN SAID SECTION 24;

THENCE ALONG SAID RIVER BANK THE FOLLOWING EIGHT (8) COURSES:

1. S45°37'16"E 24.34 FEET;
2. S62°32'16"E 33.07 FEET;
3. N55°25'33"E 33.87 FEET;

4. N89°54'00"E 153.40 FEET;
5. N85°02'35"E 50.54 FEET;
6. S87°09'05"E 12.51 FEET;
7. N52°08'39"E 22.53 FEET;
8. S84°02'41"E 46.74 FEET;
THENCE N00°07'57"E 403.55 FEET TO THE NORTH LINE OF SAID GOVERNMENT LOT 2;
THENCE ALONG SAID NORTH LINE N89°46'04"E 355.15 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A PARCEL OF LAND SITUATE IN G.L.O. LOT 2 OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE C1/4 CORNER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;

THENCE ALONG THE NORTH LINE OF THE NW1/4 SE1/4 OF SAID SECTION 24 S89°46'04"E 367.65 FEET; THENCE S00°07'57"W 30.00 FEET TO THE SOUTH RIGHT-OF-WAY OF C 1/2 ROAD, BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT-OF-WAY S89°46'04"E 335.18 FEET;

THENCE S33°58'56"W 457.11 FEET TO A POINT ON THE NORTH BANK OF THE COLORADO RIVER; THENCE ALONG AND PARALLEL WITH THE COLORADO RIVER N55°58'04"W 97.06 FEET;

THENCE N00°07'57"E 326.08 FEET TO THE POINT OF BEGINNING.

ALL IN COUNTY OF MESA, STATE OF COLORADO.

EXHIBIT B

PERMITTED EXCEPTIONS

1. REAL ESTATE TAXES AND ASSESSMENTS FOR THE YEAR 2020, A LIEN NOT YET DUE AND PAYABLE.
2. WATER RIGHTS, CLAIMS OR TITLE TO WATER.
3. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED AS RESERVED IN UNITED STATES PATENTS RECORDED AUGUST 21, 1897 IN BOOK 11 AT PAGE 504 UNDER RECEPTION NO. 25969.
4. RIGHTS OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED AUGUST 21, 1897 IN BOOK 11 AT PAGE 504 UNDER RECEPTION NO. 25969.
5. A STRIP OF LAND 30 FEET IN WIDTH, WHETHER IN FEE OR EASEMENT ONLY, ALONG THE ENTIRE EASTERN LINE OF SAID LOT THREE (3), AS SET FORTH IN DEED RECORDED OCTOBER 18, 1897 IN BOOK 46 AT PAGE 466 UNDER RECEPTION NO. 26210.
6. A STRIP OF LAND 10 FEET IN WIDTH FOR ROAD PURPOSES, AND RIGHTS INCIDENTAL THERETO, ALONG THE EAST END OF SAID LOT THREE (3), AS RESERVED IN DEED RECORDED SEPTEMBER 2, 1897 IN BOOK 57 AT PAGE 544 UNDER RECEPTION NO. 26014.
7. A STRIP OF GROUND FOR ROAD PURPOSES, AND RIGHTS INCIDENTAL THERETO, ON THE WEST SIDE OF LOT TWO OF SAID SECTION 24, AS SET FORTH IN WARRANTY DEED RECORDED MARCH 28, 1902 IN BOOK 74 AT PAGE 396 UNDER RECEPTION NO. 39754.
8. RIGHT-OF-WAY FOR C½, AND RIGHTS INCIDENTAL THERETO, AS DISCLOSED IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY ASSESSOR.
9. ANY QUESTION, DISPUTE OR ADVERSE CLAIM AS TO ANY LOSS OR GAIN OF LAND AS A RESULT OF ANY CHANGE IN THE RIVER BED LOCATION BY OTHER THAN NATURAL CAUSES, OR ALTERATION THROUGH ACCRETION, RELICTION, EROSION OR AVULSION OF THE CENTER THREAD, BANK, CHANNEL OR FLOW OF WATERS IN THE COLORADO RIVER LYING WITHIN THE SUBJECT LAND; AND ANY QUESTION AS TO THE LOCATION OF SUCH CENTER THREAD, BED, BANK OR CHANNEL AS A LEGAL DESCRIPTION OR MARKER FOR PURPOSES OF DESCRIBING OR LOCATING THE SUBJECT LANDS.

NOTE: THERE ARE NO DOCUMENTS IN THE LAND RECORDS OF THE OFFICE OF THE CLERK AND RECORDER OF MESA COUNTY, ACCURATELY LOCATING PAST OR PRESENT LOCATION(S) OF THE CENTER THREAD, BANK, BED OR CHANNEL OF THE ABOVE RIVER OR INDICATING ANY ALTERATIONS OF THE SAME AS FROM TIME TO TIME MAY HAVE OCCURRED.

10. ANY RIGHTS, INTERESTS OR EASEMENTS IN FAVOR OF THE RIPARIAN OWNERS, THE UNITED STATES OF AMERICA, THE STATE OF COLORADO, OR THE GENERAL PUBLIC, WHICH EXIST, HAVE EXISTED, OR ARE CLAIMED TO EXIST IN AND OVER WATERS AND PRESENT AND PAST BED AND BANKS OF THE COLORADO RIVER.
11. ANY RIGHTS, INTERESTS OR EASEMENTS WHICH EXIST OR ARE CLAIMED TO EXIST IN FAVOR OF THE PUBLIC THROUGH THE SUBJECT PROPERTY FOR ACCESS TO THE COLORADO RIVER.
12. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF RIGHT-OF-WAY AGREEMENT, GRANTED TO CENTRAL GRAND VALLEY SANITATION DISTRICT, RECORDED MARCH 11, 1971 IN BOOK 956 AT PAGE 409 UNDER RECEPTION NO. 1001904.
13. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF EASEMENT AND AGREEMENT, IN FAVOR OF THE GRAND JUNCTION DRAINAGE DISTRICT, RECORDED NOVEMBER 14, 1983 IN BOOK 1464 AT PAGE 580 UNDER RECEPTION NO. 1345103.
14. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF EASEMENT AND AGREEMENT, IN FAVOR OF THE GRAND JUNCTION DRAINAGE DISTRICT, RECORDED MAY 20, 1987 IN BOOK 1643 AT PAGE 936 UNDER RECEPTION NO. 1455510.
15. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF GRANT OF TRAIL EASEMENT, GRANTED TO THE CITY OF GRAND JUNCTION, A COLORADO HOME RULE MUNICIPALITY, RECORDED MARCH 10, 2014 IN BOOK 5579 AT PAGE 610 UNDER RECEPTION NO. 2684027.
16. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON THAT CERTAIN ALTA/NSPS SURVEY PREPARED BY CR SURVEYING LLC, JOB #3014119, DATED DECEMBER 21, 2019:
 - A. THE FACT OF FENCE LINE IN SOUTHWESTERLY PORTION THAT DOES NOT MATCH THE BOUNDARY LINE;
 - B. THE FACT OF OVERHEAD UTILITY LINES AND STRUCTURES IN THE CENTRAL AND NORTHERLY PORTIONS;
 - C. THE ACT OF UNDERGROUND GAS LINE IN THE CENTRAL PORTION;
 - D. THE FACT OF UNDERGROUND SANITARY SEWER LINE AND MANHOLES IN THE NORTHERLY PORTION;
 - E. THE FACT OF UNDERGROUND WATER LINE IN THE NORTHERLY PORTION;
 - F. THE FACT OF 40' ROAD EASEMENT IN THE NORTHERLY PORTION;
 - G. THE FACT OF STORM DRAINAGE IN THE NORTHERLY PORTION OF THE PROPERTY.

Immediate Vicinity Map

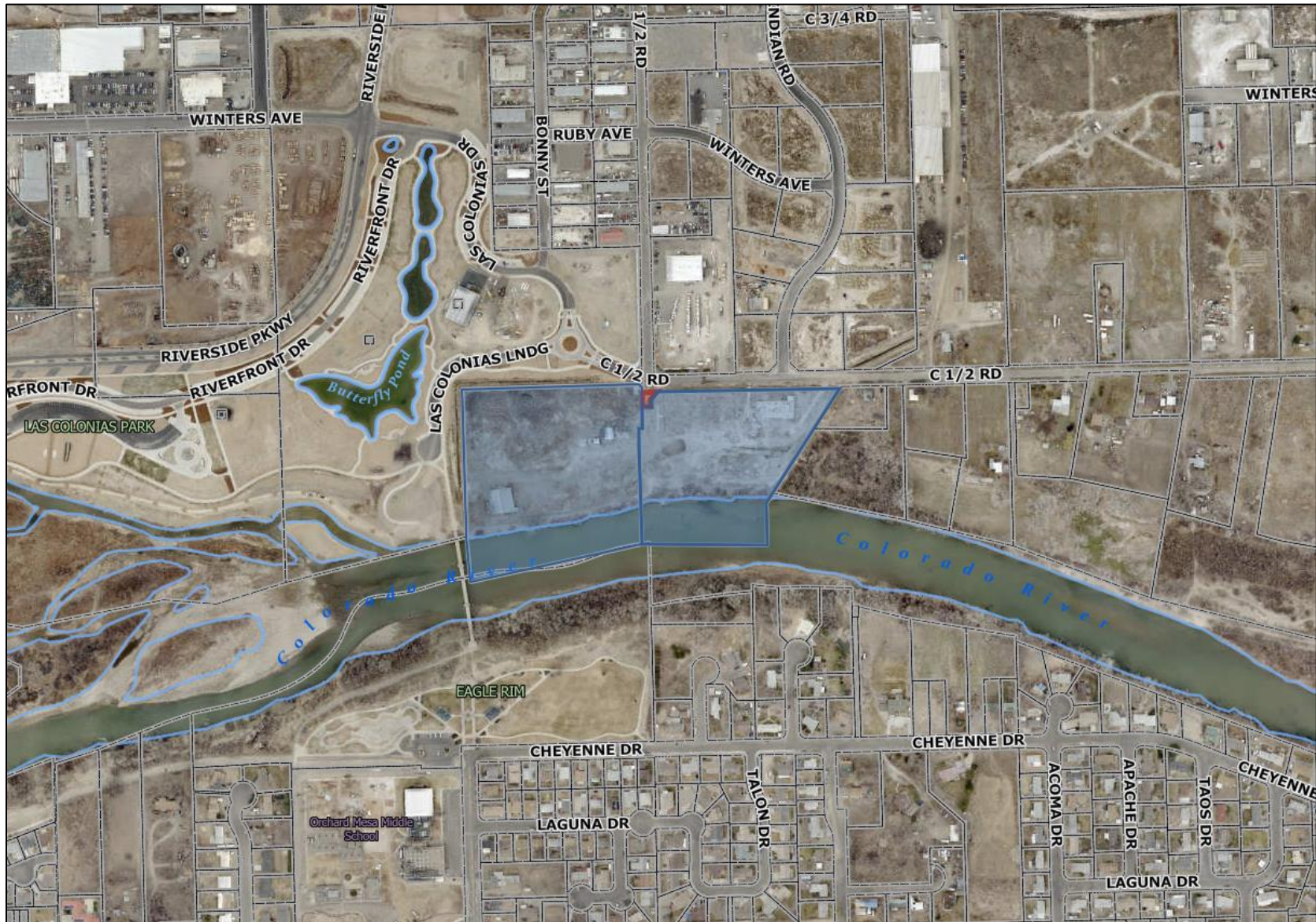


= Parcels Affected



= Right-of-Way Area Being Changed (Name Only)

Expanded Vicinity Map



= Parcels Affected



= Right-of-Way Area Being Changed (Name Only)

Right-of-Way Exhibit

A part of the Government Lot 2 and Lot 3 of Section 24,
Located within the NE1/4 SW1/4 and the NW1/4 SE1/4 of Section 24,
Township 1 South, Range 1 West, Ute Meridian,
City of Grand Junction, County of Mesa, State of Colorado

CITY OF GRAND JUNCTION
PARCEL NO.2945-243-00-272
RECEPTION NO.1796705

POINT OF COMMENCEMENT
CENTER 1/4 CORNER, SEC 24
2 1/2" ALLOY CAP
IN MONUMENT BOX
Q.E.D., LS30111, 2006

27 1/2 ROAD
40' ROAD EASEMENT
ROAD BOOK 9 PAGE 162

CENTER EAST 1/16 CORNER, SEC 24
2 1/2" ALLOY CAP
IN MONUMENT BOX
T. SYLVESTER, E/16, S24, 2008, LS38005

BASIS OF BEARINGS S89° 45' 54"E
NORTH LINE OF THE NW 1/4 OF THE SE 1/4 SECTION 24

C 1/2 ROAD
30' RIGHT OF WAY
RECEPTION NO.2983444

OWNER: EDDY AT GRAND JUNCTION,LLC
PHYSICAL ADDRESS: 347 27 1/2 ROAD,
GRAND JUNCTION, CO 81501
LOT 1, EDDY RIVERFRONT SUBDIVISION
RECEPTION NO.2983444

14' MULTIPURPOSE EASEMENT
RECEPTION NO.2983444

EAST LINE LOT 1

RIGHT OF WAY VARIES
RECEPTION NO.2983444

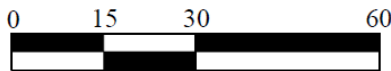
10' MULTI-PURPOSE EASEMENT
RECEPTION NO.2983444

SOUTH RIGHT OF WAY
LINE C 1/2 ROAD

OWNER: EDDY AT GRAND JUNCTION,LLC
PHYSICAL ADDRESS: 348 27 1/2 ROAD,
GRAND JUNCTION, CO 81501
LOT 2, EDDY RIVERFRONT SUBDIVISION
RECEPTION NO.2983444

PUBLIC SERVICE COMPANY OF
COLORADO EASEMENT
RECEPTION NO.2930525

Line Table		
Line #	Direction	Length
L1	S54°12'24"E	51.59'
L2	S45°07'03"W	36.18'
L3	S00°00'00"E	25.02'
L4	N90°00'00"W	30.52'
L5	N00°00'00"E	50.78'
L6	S89°45'54"E	56.16'



SCALE IN FEET
1"=30'

*This Exhibit is not intended to be used for
establishing or verifying property boundary lines.
*Linear units are in U.S. Survey Feet.



Christopher C. Ransier
CO PLS 38089
734 Main Street, LLC
Grand Junction, CO 81501
surveying@kaart.com

Right-of-Way Legal Description

EXHIBIT A

A Parcel of land located within Government Lot 2 and Lot 3 of Section 24 a part of the NE1/4 of the SW1/4 and NW1/4 of the SE1/4 of Section 24, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 corner of said Section 24 whence the Center East 1/16 corner of said Section 24 bears S89°45'54"E with all bearings hereon being relative thereto; thence S54°12'24"E, a distance of 51.59 feet to the Point of Beginning and a point on the South Right of way line of C 1/2 Road described at Reception No.2983444; thence S45°07'03"W along the Northwesterly line of Lot 2 of Eddy Riverfront Subdivision described at Reception No.2983444, a distance of 36.18 feet; thence S00°00'00"E, a distance of 25.02 feet; thence N90°00'00"W, a distance of 30.52 feet to the East line of Lot 1 of said Eddy Riverfront Subdivision; thence N00°00'00"E along said East line of Lot 1, a distance of 50.78 feet; thence S89°45'54"E, a distance of 56.16 feet to the Point of Beginning.

Containing an area of 1,877 square feet more or less as described.



This legal description prepared by:
Christopher C Ransier
CO PLS 38089
734 Main Street
Grand Junction, CO 81501
970-201-4081 surveying@kaart.com



CITY OF GRAND JUNCTION

RESOLUTION NO. __-21

**A RESOLUTION RENAMING A PORTION OF 27 ½ ROAD TO EDDY DRIVE
ABUTTING THE PARCELS CURRENTLY ADDRESSED AS 347 AND 348 27 ½
ROAD**

Recitals.

Title 21.06.010(b)(6) of the Grand Junction Municipal Code states a street naming system shall be maintained to facilitate the provisions of necessary public services and provide more efficient movement of traffic. For consistency, this system shall be adhered to on all newly platted, dedicated, or named streets and roads. Existing streets and roads not conforming or inconsistent to the addressing system shall be made conforming as the opportunity occurs.

Street and road names that contain fractions have been identified as an issue throughout the community for a variety of reasons, including visitors to the community being able to navigate to electronic GPS and 911 systems not “understanding” the fraction.

The proposed name change will not negatively impact adjacent land uses or neighborhood stability or character.

The proposal is in conformance with the goals and policies of the Comprehensive Plan and requirements of the Zoning and Development Code.

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

That 27 ½ Road directly abutting the parcels located at 347 and 348 27 ½ Road as described in this resolution is hereby changed to Eddy Drive.

ADOPTED AND APPROVED THIS 15th day of September 2021.

ATTEST:

City Clerk

President of City Council



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: September 15, 2021
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver

Information

SUBJECT:

A Resolution Authorizing a Five-Year Lease of City Property at 134 West Avenue to Centro Colorado

RECOMMENDATION:

Staff recommends approval of the resolution authorizing the lease of 134 West Avenue to Centro Colorado on the terms stated in the attached lease.

EXECUTIVE SUMMARY:

Rocky Mountain SER/Headstart Colorado leased the property from the City since 1973 for the purposes of providing community action programs, including early childhood education and social services to low-income families. Centro Colorado is now the provider of Head Start programming in the area and is desirous of entering into a new lease agreement for the purposes of continuing the operation of community action (Head Start) programs at 134 West Avenue.

The Council Property Committee favorably considered leasing to Centro Colorado.

BACKGROUND OR DETAILED INFORMATION:

The City is the owner of the property in the City of Grand Junction, Mesa County, Colorado, described as Lots 52 through 58 of Bowers Subdivision, a portion of Lot 3, Block 9 of Richard D. Mobley's First Subdivision, also known as 134 West Avenue. Since 1973, the property has been used for the purposes of providing community action programs, including early childhood education and social services for low-income families. The property was previously leased by Rocky Mountain SER/Headstart Colorado for this purpose but no longer operates on the property and its lease with the City has been terminated.

Centro Colorado, a new provider of community action (Head Start) programs in the Grand Valley would like to continue to use the site/building(s) at 134 West Avenue for such programs and the City has agreed to continue leasing the property to Centro Colorado. Thus, a new resolution and lease as attached are proposed to be effective for five (5 years). The Council Property Committee favorably considered leasing to Centro Colorado.

FISCAL IMPACT:

The direct fiscal impact on the City of approval of the lease for the continuation of the community action (Head Start) programs is foregone rent; the indirect fiscal impact on the City, through community betterment and support, is inestimable.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 76-21 to authorize a five-year lease of city property at 134 West Avenue to Centro Colorado.

Attachments

1. AGR-Lease and Resolution for 134 West Avenue 090121

RESOLUTION NO. ____-21

**AUTHORIZING A FIVE-YEAR LEASE OF CITY PROPERTY
AT 134 WEST AVENUE TO
CENTRO COLORADO**

WHEREAS, the City of Grand Junction is the owner of that certain real property in the City of Grand Junction, County of Mesa, State of Colorado, described as Lots 52 through 58 of Bowers Subdivision a portion of Lot 3, Block 9 of Richard D. Mobley's First Subdivision in Section 15, Township 1 South, Range 1 West of the Ute Meridian, also known as 134 West Avenue; and

WHEREAS, Rocky Mountain SER/Headstart Colorado leased the property from the City since 1973 for the purposes of providing community action programs, including early childhood education and social services to low income families and Centro Colorado is now the provider of Head Start programming; and

WHEREAS, Centro Colorado is desirous of entering into a new lease agreement for the purposes of continuing the operation of community action (Head Start) programs at 134 West Avenue.

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

That the City Manager is hereby authorized, on behalf of the City and as the act of the City, to execute and enter into the attached Lease Agreement with Centro Colorado.

PASSED and ADOPTED this 15th day of September 2021.

Attest:

C.B. McDaniel
President of the City Council

Wanda Winkelmann
City Clerk

LEASE AGREEMENT

THIS LEASE AGREEMENT is entered into as of the 16th day of September 2021, by and between the City of Grand Junction, a Colorado home rule municipality, hereinafter referred to as "the City", and Centro Colorado, hereinafter referred to as "Lessee".

Recitals

A. The City is the owner of that certain real property in the City of Grand Junction, Mesa County, Colorado, described as Lots 52 through 58 of Bowers Subdivision a portion of Lot 3, Block 9 of Richard D. Mobley's First Subdivision in Section 15, Township 1 South, Range 1 West of the Ute Meridian, also known as 134 West Avenue and hereinafter referred to as "the Property."

B. Since 1973 the property has been used for the purposes of providing community action programs, including early childhood education and social services to low income families.

C. The City has agreed to continue leasing the Property to Lessee, and Lessee has agreed to continue leasing the Property from the City, pursuant to the terms, covenants and conditions of this Lease Agreement.

NOW, THEREFORE, in consideration of the recitals above and the terms, covenants, conditions, restrictions duties and obligations contained herein, the parties agree as follows:

1. Grant of Lease. The City hereby leases the Property to Lessee, and Lessee hereby accepts and leases the Property from the City, for the term stated in Section 3 and subject to each and every other term, covenant, condition, restriction, duty and obligation stated in this Lease Agreement.

2. Reservations from Lease. The City retains and reserves unto itself:

(a) all oil, gas, coal and other minerals and mineral rights underlying and/or appurtenant to the Property;

(b) all water and water rights, ditches and ditch rights, appurtenant to and/or connected with the Property, including, but not limited to, any water and/or water rights which may have been previously used on or in connection with the Property, for whatever purpose;

(c) all rights to grant, sell, bargain and convey ownership interest(s) in and to the Property, or any division thereof, to any other party, including the conveyance of easements, so long as such action will not interfere with Lessee's use and quiet enjoyment of the Property for the purposes set forth in this Agreement;

(d) the proceeds of any award or claim for damages, direct or consequential, in connection with any condemnation or other taking of any part of the Property, in whole or in part, even if such taking is made by and/or for the purposes of the City, or for any conveyance in lieu of condemnation. Lessee hereby assigns and transfers to the City any claim it may have to compensation, including claims for damages, as a result of any condemnation.

3. Term. The term of this Lease shall be for a period of five (5) years, commencing on September 16, 2021 and continuing through September 15, 2026, on which date this Lease shall expire.

4. Rental. Rental for the Property shall be \$1,500.00 per month; provided, however, that so long as Lessee uses the Property for community action programs authorized in this Agreement and for no other purposes, and provided further that Lessee fulfills and complies with each and every term, covenant, restriction, duty and obligation herein set forth to be kept by Lessee, such rent shall be waived by the City and shall be considered as an in-kind contribution by the City as that term is used in accordance with recognized community action programs.

5. Use and Condition of the Property.

5.1 Lessee agrees to use the Property solely for the purpose of conducting educational and social services programs to low income families and for no other purposes. Lessee's use and occupancy of the Property shall be subject to all applicable laws, rules, rulings, codes, regulations and ordinances of any governmental authority, either now in effect or hereafter enacted, having jurisdiction over the Property and Lessee's use, occupancy and operations thereon. Lessee shall not use nor permit the Property to be used for any other purpose or in any other fashion or manner contrary to this Lease or the laws, ordinances, codes or regulations of any governmental unit or agency exercising jurisdiction over the Property or any use thereon.

5.2 Prior to any renovation of any structure, any alteration to the Property or any installation or construction of any facility and/or improvements upon the Property, Lessee shall obtain the City's written approval of all plans for any such renovation, alteration, installation or construction, which approval may be withheld for any reason. It is the City's desire that the Property and the improvements thereon be aesthetically pleasing and enhance the characteristics of the neighborhood. To this end, Lessee agrees to comply with all reasonable requirements which the City may impose upon Lessee, including, but not limited to, colorings and aesthetics for equipment, facilities, landscape improvements, building materials and fencing materials. If, for whatever reason, the City does not approve of Lessee's plans, Lessee may terminate this Lease.

5.3 Lessee shall not commit nor permit waste, damage or injury to the Property.

5.4 Lessee shall maintain and repair all aspects of the Property at Lessee's sole cost and expense, including, but not limited to, the structural condition of all buildings thereon, driveways, fences, fixtures, glass, roofing, plumbing, heating and ventilation systems, security devices, the appearance and structural integrity of any improvements and landscaping, in good order, good appearance, condition and repair and in a clean, sanitary, orderly and safe condition. The City shall not be obligated nor required to repair damages to any portion or aspect of the Property, even if such damages are caused by or result from operations occurring on adjacent lands owned by the City. If Lessee refuses or neglects to commence repairs or perform maintenance work required under the terms hereof to be performed or paid for by the Lessee within thirty (30) days after written demand by the City or any other governmental authority, or if Lessee fails to complete such repairs or perform such maintenance within a reasonable time thereafter, the City may enter upon the Property and make such repairs or perform such maintenance without liability to the Lessee's operations by reason thereof, and if the City makes such repairs or performs such maintenance, Lessee shall pay to the City, on demand, the cost thereof with interest at the rate of fifteen percent (15%) per annum from the date of payment by the City for such repairs or maintenance work until paid in full by the Lessee. Any repairs made or maintenance performed by Lessee or the City shall be completed expeditiously.

5.5 Lessee has inspected the Property and accepts the Property in its present location and condition. Lessee agrees that the condition of the Property is sufficient for the purposes of the Lessee. The City makes no warranties, promises or representations, express or implied, that the

Property is sufficient for the purposes of the Lessee. If the leasehold premises are damaged due to fire, flood, or other casualty, or if the Property is damaged or deteriorates to the extent where it is no longer functional for the purposes of Lessee, the City shall have no obligation to repair the Property nor to otherwise make the Property usable or occupiable; damages shall be at the Lessee's own risk, provided, however, that in the event the Property is damaged or deteriorates to the extent where it is no longer functional for the purposes of the Lessee, the Lessee may, at its option, terminate this Lease by giving notice to the City that this Lease is to be terminated. Termination shall be effective thirty (30) days following the date of the notice of termination.

5.6 The City makes no representations or warranties regarding any hazardous, toxic or regulated substances on, under or about the Property, except to the extent that the City states that it has not deposited or caused to be deposited on, under or about the Property any hazardous, toxic or regulated substances.

5.7 Any City approved additions, improvements or alterations to the Property, except moveable furniture and moveable trade fixtures brought on to the

6. Fees and Charges.

6.1 Lessee shall arrange and pay for, when due:

(a) all costs and expenses, including, but not limited to, deposits, use fees, interest and penalties, for utilities furnished to the Property, including, but not limited to, all electricity, natural gas, water, sewer, cable and telephone service, trash and recyclables disposal;

(b) all general real property and personal property taxes and all special assessments of any kind levied against the Property during the term of this Lease.

6.2 Lessee shall hold the City harmless from and indemnify the City against any and all costs, fees and charges associated with the Property. If Lessee shall fail to timely pay any of the foregoing, the City may, without obligation to do so, pay such amount(s) and, in such event, the amount(s) paid by the City plus interest at the rate of fifteen percent (15%) per annum from the date of such payment by the City shall be added to the amount of rent(s) due to the City from Lessee.

7. Insurance. Lessee shall purchase and at all times maintain in effect suitable comprehensive general liability and hazard insurance which will protect the City, its officers, employees and agents and assets of the City from liability in the event of loss of life, personal injury or property damage suffered by any person or persons on, about or using the Property, including Lessee and employees, agents, licensees and guests of Lessee. Such insurance policy shall have terms and amounts approved by the Risk Manager of the City. Such insurance shall not be cancelable without thirty (30) days prior written notice to the City and shall be written for at least a minimum of One Million Dollars (\$1,000,000), combined single limit. The certificate of insurance must be deposited with the City and must designate "the City of Grand Junction, its officers, employees and agents" as additional insureds. If a policy approved by the Risk Manager of the City is not at all times in full force and effect, this Lease shall automatically terminate.

8. Non-liability of the City for Damage.

8.1 The City shall not be liable for liability or damage claims for injury to persons or property, including property of Lessee, from any cause relating to the occupancy and use of the

Property by Lessee, including those arising out of damages or losses occurring on areas adjacent to the Property or easements used for the benefit of the Property during the term of this Lease or any extension thereof nor for any injury or damage to any property of Lessee from any cause. Lessee shall indemnify the City, its officers, employees and agents, and hold the City, its officers, employees and agents, harmless from all liability, loss or other damage claims or obligations resulting from any injuries, including death, or losses of any nature.

8.2 The City shall not be liable to Lessee for any damages or any loss of profits or loss of opportunities claimed by Lessee or for interruption of Lessee's business or operations resulting from fire, the elements, casualty of any kind or the closure of any public highway providing access to and from the Property.

9. Hazardous Substances.

9.1 The term "Hazardous Substances", as used in this Agreement, shall mean any substance which is: defined as a hazardous substance, hazardous material, hazardous waste, pollutant or contaminant under any Environmental Law enacted by any federal, state and local governmental agency or other governmental authority; a petroleum hydrocarbon, including, but not limited to, crude oil or any fraction thereof; hazardous, toxic or reproductive toxicant; regulated pursuant to any law; any pesticide or herbicide regulated under state or federal law. The term "Environmental Law", as used in this Lease Agreement, shall mean each and every federal, state and local law, statute, ordinance, regulation, rule, judicial or administrative order or decree, permit, license, approval, authorization or similar requirement of each and every federal state and local governmental agency or other governmental authority, pertaining to the protection of human health and safety of the environment, either now in force or hereafter enacted.

9.2 Lessee shall not cause or permit to occur by Lessee and/or Lessee's agents, guests, invitees, contractors, licensees or employees:

(a) any violation of any Environmental Law on, under or about the Property or arising from Lessee's use and occupancy of the Property, including, but not limited to, air, soil and groundwater conditions; or

(b) the use, generation, release, manufacture, refining, production, processing, storage or disposal of any Hazardous Substance on, under or about the Property, or the transportation to or from the Property of any Hazardous Substance in violation of any federal state or local law, ordinance or regulation either now in force or hereafter enacted.

10. Environmental Clean-Up.

10.1 The following provisions shall be applicable to Lessee and to Lessee's agents, guests, invitees, contractors, licensees and employees:

(a) Lessee shall, at Lessee's sole cost and expense, comply with all Environmental Laws and laws regulating the use, generation, storage, transportation or disposal of Hazardous Substances;

(b) Lessee shall, at Lessee's sole cost and expense, make all submissions to provide all information required by and/or to comply with all requirements of all governmental authorities ("the Authorities") under Environmental Laws and other applicable laws.

(c) Should any Authority or the City demand that a clean-up plan be prepared and that a clean-up plan be undertaken because of any deposit, spill, discharge or other release of Hazardous Substances on, under or about the Property, Lessee shall, at Lessee's sole cost and expense, prepare and submit the required plan(s) and all related bonds and other financial assurances, and Lessee shall carry out all such clean-up plan(s) in compliance with the Authorities and all Environmental Laws and other applicable laws.

(d) Lessee shall promptly provide all information regarding the use, generation, storage, transportation or disposal of Hazardous Substances requested by any Authority. If Lessee fails to fulfill any duty imposed hereunder within a reasonable time, the City may do so on Lessee's behalf and, in such case, Lessee shall cooperate with the City in the preparation of all documents the City or any Authority deems necessary or appropriate to determine the applicability of Environmental Laws to the Property and Lessee's use thereof, and for compliance therewith, and Lessee shall execute all documents promptly upon the City's request. No such action by the City and no attempt made by the City to mitigate damages under any Environmental Law or other applicable law shall constitute a waiver of any of Lessee's obligations hereunder.

(e) Lessee's obligations and liabilities hereunder shall survive the expiration or termination of this Lease Agreement.

10.2 Lessee shall indemnify, defend and hold the City, its officers, employees and agents harmless from all fines, suits, procedures, claims and actions of every kind, and all costs associated therewith (including the costs and fees of attorneys, consultants and experts) arising out of or in any way connected with any deposit, spill, discharge or other release of Hazardous Substances and the violation of any Environmental Law and other applicable law by Lessee and/or Lessee's agents, guests, invitees, contractors, licensees and employees that occur during the term of this Lease or any extension thereof, or from Lessee's failure to provide all information, make all submissions, and take all actions required by all Authorities under the Environmental Laws and other applicable laws. Lessee's obligations and liabilities hereunder shall survive the expiration or termination of this Lease Agreement.

11. Default, Sublet, Termination, Assignment.

11.1 Should Lessee: (a) default in the performance of its agreements or obligations herein and any such default continue for a period of ninety (90) days after written notice thereof is given by the City to Lessee; or (b) abandon or vacate the Property; or (c) be declared bankrupt, insolvent, make an assignment for the benefit of creditors, or if a receiver is appointed; the City, at the City's option, may cancel and annul this Lease at once and enter and take possession of the Property immediately without any previous notice of intention to reenter, and such reentry shall not operate as a waiver or satisfaction in whole or in part of any claim or demand arising out of or connected with any breach or violation by Lessee of any covenant or agreement to be performed by Lessee. Upon reentry, the City may remove the property and personnel of Lessee and store Lessee's property in a warehouse or at a place selected by the City, at the expense of Lessee and without liability to the City. Any such reentry shall not work a forfeiture of nor shall it terminate the rent(s) to be paid or the covenants and agreements to be performed by Lessee for the full term of this Lease; and, upon such reentry, the City may thereafter lease or sublease the Property for such rent as the City may reasonably obtain, crediting Lessee with the rent so obtained after deducting the cost reasonably incurred in such reentry, leasing or subleasing, including the costs of necessary repairs, alterations and modifications to the Property. Nothing herein shall prejudice or be to the exclusion of any other rights or remedies which the City may have against Lessee,

including, but not limited to, the right of the City to obtain injunctive relief based on the irreparable harm caused to the City's reversionary rights.

11.2 Except as otherwise provided for (automatic and immediate termination), if Lessee is in default in the performance of any term or condition of this Lease Agreement, the City may, at its option, terminate this Lease upon giving ninety (90) days written notice. If Lessee fails within any such ninety (90) day period to remedy each and every default specified in the City's notice, this Lease shall terminate. If Lessee remedies such default, Lessee shall not thereafter have the right of ninety (90) days (to remedy) with respect to a similar subsequent default, but rather, Lessee's rights shall, with respect to a subsequent similar default, terminate upon the giving of notice by the City.

11.3 Lessee shall not assign or sublease the Property, or any right or privilege connected therewith, or allow any other person, except officers, employees, agents and clientele of Lessee, to occupy the Property or any part thereof without first obtaining the written consent of the City, which consent must be approved and ratified by the City Council of the City. Any attempt to sublet, assign or transfer without the prior written consent of the City shall be void *ab initio*. In the event an assignment of this Lease or a sublease is authorized by the City, Lessee shall not be released from Lessee's obligations and duties under this Lease and this Lease shall remain in full force and effect. Any consent by the City shall not be a consent to a subsequent assignment, sublease or occupation by any other party. Any unauthorized assignment, sublease or permission to occupy by Lessee shall be void and shall, at the option of the City, provide reasonable cause for the City to terminate this Lease. The interest of Lessee in this Lease is not to be assignable by operation of law without the formal approval and ratification by the City Council of the City.

11.4 This Lease is not intended to and shall in no way preclude the City from actively marketing the Property for sale or exchange, whether through the efforts of the City, a real estate broker or any other person, nor shall this Lease prevent the City from selling, exchanging or conveying the Property to any other party; provided, however, that in the event any such sale, exchange or conveyance is made during the term of this Lease, such sale, exchange or conveyance shall be made subject to Lessee's leasehold interest in the Property. In the event of the voluntary or involuntary transfer of the City's interest in the Property, Lessee will attorn to the transferee of, or successor to, the City's interest in the Property, and recognize such transferee or successor as Lessor under this Lease.

11.5 Lessee shall not engage or allow any contractor, materialman or supplier to perform any work or supply any materials or other goods or services on any portion of the Property which could be the subject of a mechanic's lien without the prior written consent of the City.

12. Fees or Commissions. The parties to this Lease Agreement warrant that no person or selling agency has been employed or retained to solicit or secure this Lease upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee. The City and Lessee agree to defend, indemnify and hold the other harmless from any claim for real estate brokerage commissions or finder's fees asserted by any other party claiming to be entitled to brokerage commissions or finder's fees arising out of this Lease.

13. Notices.

13.1 All notices to be given with respect to this Lease shall be in writing delivered either by United States mail or Express mail, postage prepaid, or by facsimile transmission, personally by hand or courier service, as follows:

To the City: City of Grand Junction
c/o City Attorney
250 N. 5th Street
Grand Junction, Colorado 81501-2668

To Lessee: Centro Colorado
c/o Director

Grand Junction, Colorado 8150__

13.2 All notices shall be deemed given: (a) if sent by mail, when deposited in the mail; (b) if delivered by hand or courier service, when delivered; or (c) if transmitted by facsimile, when transmitted. The parties may, by notice as provided above, designate a different address to which notice shall be given.

14. Not a Partnership. It is expressly agreed between the parties that this Agreement is one of lease and not of partnership and that the City shall not be or become responsible for any debts contracted or incurred by Lessee. Lessee shall save, indemnify and hold the City, its officers, employees and agents harmless against all liability and loss, and against all claims or actions based upon or arising out of any claim, lien, damage or injury (including death), to persons or property caused by Lessee or sustained in connection with Lessee's performance of the terms and conditions of this Agreement or the conditions created thereby, or based upon any violation of any statute, ordinance, code or regulation, either now in force or hereinafter enacted, and the defense of any such claims or actions, including the costs and fees of attorneys, consultants and experts. Lessee shall also save, indemnify and hold the City, its officers, employees and agents harmless from and against all liability and loss in connection with, and shall assume full responsibility for the payment of, all federal, state and local taxes, fees or contributions imposed or required under unemployment insurance, social security and income tax laws with respect to employees engaged by Lessee.

15. Enforcement, Partial Invalidity, Governing Law.

15.1 If the City uses the services of a city attorney, or engages another attorney or attorneys to enforce its rights hereunder, or to terminate this Agreement, or to defend a claim by Lessee or any person claiming through Lessee, and/or to remove Lessee or Lessee's personal property from the Property, Lessee agrees to pay the reasonable attorney's fees of the City in such regard, plus the costs or fees of any experts, incurred in such action.

15.2 The invalidity of any portion of this Lease Agreement shall not affect the validity of any other provision contained herein. In the event any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they had been executed by both parties subsequent to the expungement of the invalid provisions.

15.3 This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Venue for any action to enforce any covenant or agreement contained in or arising out of or under this Agreement shall be in Mesa County, Colorado.

16 Surrender, Holding Over. Lessee shall, upon the expiration or termination of this Lease, surrender the Property to the City in good order, condition and state of repair, reasonable wear and use excepted. In the event Lessee fails, for whatever reason, to vacate and surrender the Property upon the expiration or termination of this Lease, Lessee agrees that Lessee shall pay to the City the sum of \$500.00 per day for each and every day thereafter until Lessee has effectively vacated and surrendered the Property. The parties agree that it would be difficult to establish the actual damages to the City in the event Lessee fails to vacate and surrender the Property upon the expiration or termination of this Lease, and that said \$500.00 daily fee is an appropriate liquidated damages amount.

17. Total Agreement; Applicable to Successors. This Lease contains the entire agreement between the parties and, except for automatic expiration or termination, cannot be changed or modified except by a written instrument subsequently executed by the parties hereto. This Lease and the terms and conditions hereof apply to and are binding upon the successors and authorized assigns of both parties.

The parties hereto have each executed and entered into this Lease Agreement as of the day and year first above written.

Attest:

The City of Grand Junction,
a Colorado home rule municipality

Wanda Winkelmann
City Clerk

Greg Cton
City Manager

Lessee:

Stormy Kilpack
Executive Director
Centro Colorado



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: September 15, 2021

Presented By: Shelley Caskey, Human Resources Director

Department: Human Resources

Submitted By: Shelley Caskey

Information

SUBJECT:

A Resolution Appointing Anna Stout, Jamie Beard, Andrew Peters, and Dennis Simpson as the Judicial Performance Commission for the Grand Junction Municipal Court

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

By Charter and ordinance Grand Junction is served by a Municipal Court. The Municipal Judge is charged with interpreting, applying and enforcing City and State law and the conduct of the Court. The City Council is empowered to, and has appointed, a Municipal Judge for the City. The Grand Junction Municipal Code creates a Judicial Performance Commission established for the purpose of presenting evaluation(s) and recommendation(s) to City Council in regard to the reappointment of Municipal Court Judge.

BACKGROUND OR DETAILED INFORMATION:

The Commission shall be composed of no less than three members who shall be appointed by a majority of all members of the City Council. The Commission shall consist of at least one resident of the City who is not a licensed attorney, and at least two of the members shall be licensed attorneys engaged in the practice of law who are residents of the City or maintain or regularly practice law within the City. With respect to the members who are licensed attorneys, one prosecuting attorney and one defense attorney shall be appointed. Accordingly, the City Council, by and with this resolution, does appoint Anna Stout and Dennis Simpson as the non-attorney members and Jamie Beard and Andrew Peters as the attorney members on the Commission. The

Commission members shall serve in accordance with and discharge the functions as provided by the Grand Junction Municipal Code.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to adopt/deny Resolution No. xx-21, a Resolution Appointing Anna Stout, Jamie Beard, Andrew Peters, and Dennis Simpson as the Judicial Performance Commission for the Grand Junction Municipal Court

Attachments

1. RES-Judicial Commission 091421

RESOLUTION NO. ____-21

**A RESOLUTION APPOINTING ANNA STOUT, JAMIE BEARD, ANDREW PETERS,
AND DENNIS SIMPSON AS THE JUDICIAL PERFORMANCE COMMISSION FOR
THE GRAND JUNCTION MUNICIPAL COURT**

RECITALS:

By Charter and ordinance Grand Junction is served by a Municipal Court. The Municipal Judge is charged with interpreting, applying and enforcing City and State law and the conduct of the Court. The City Council is empowered to, and has appointed, a Municipal Judge for the City.

The Grand Junction Municipal Code (GJMC) at 2.28.050 creates a Judicial Performance Commission (Commission) established for the purpose of presenting evaluation(s) and recommendation(s) to City Council in regard to the reappointment of Municipal Court Judge.

The Commission shall be composed of no less than three members who shall be appointed by a majority of all members of the City Council. The Commission shall consist of at least one resident of the City who is not a licensed attorney, and at least two of the members shall be licensed attorneys engaged in the practice of law who are residents of the City or maintain or regularly practice law within the City. With respect to the members who are licensed attorneys, one prosecuting attorney and one defense attorney shall be appointed.

Accordingly, the City Council, by and with this resolution, does appoint Anna Stout and Dennis Simpson as the non-attorney members and Jamie Beard and Andrew Peters as the attorney members on the Commission. The Commission members shall serve in accordance with and discharge the functions as provided by the GJMC.

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

Anna Stout, Jamie Beard, Andrew Peters and Dennis Simpson are appointed as Judicial Performance Commission Municipal Court Judge in and for the Grand Junction Municipal Court, with all rights, obligations and privileges that pertain subject to full and faithful performance as provided by GJMC 2.28.050.

DONE THIS 15TH DAY OF SEPTEMBER 2021.

C.B. McDaniel
President of City Council

ATTEST:

Wanda Winkelmann
City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: September 15, 2021

Presented By: Chuck McDaniel

Department: City Council

Submitted By: John Shaver

Information

SUBJECT:

A Resolution Expressing Support for Grand Junction High School Ballot Item

RECOMMENDATION:

Adopt the resolution supporting School District 51 ballot measure for the reconstruction of Grand Junction High School.

EXECUTIVE SUMMARY:

The Board of Mesa County Valley School District 51 (School Board) forwarded a \$115 million bond and tax measure to the November 2, 2021 ballot. The ballot measure (Measure or Issue) proposes a temporary increase in taxes and issuance of bonds for the replacement of Grand Junction High School.

BACKGROUND OR DETAILED INFORMATION:

On August 17, 2021, the School School Board forwarded a \$115 million bond and tax measure to the November 2, 2021 ballot. The ballot measure (Measure) proposes a temporary increase in taxes and issuance of bonds for the replacement of Grand Junction High School.

The City Council supports Measure ____ because the quality of our schools, and in turn the education that is provided for our students, is one of the most important factors in achieving and sustaining a positive quality of life.

FISCAL IMPACT:

There is no fiscal impact on the City with the adoption of the Resolution.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 77-21, a resolution of the City Council supporting School District 51 ballot measure ____ for a bond issuance and temporary tax increase for the reconstruction of Grand Junction High School.

Attachments

1. RES-District 51 GJHS Ballot Issue 090321

1
2 **RESOLUTION NO. xx-21**
3

4 **A RESOLUTION SUPPORTING**
5 **DISTRICT 51 BOARD OF EDUCATION BALLOT ISSUE ____ CONCERNING A BOND**
6 **ISSUE AND TAX INCREASE TO REPLACE GRAND JUNCTION HIGH SCHOOL**
7

8 **RECITALS:**

9 On August 17, 2021, the Board of Mesa County Valley School District 51 (School
10 Board) forwarded a \$115 million bond and tax measure to the November 2, 2021 ballot.
11 The ballot measure (Measure or Issue) proposes a temporary increase in taxes and
12 issuance of bonds for the replacement of Grand Junction High School.

13 The City Council supports Measure ____ because the quality of our schools, and in turn
14 the education that is provided to our students, is one of the most important factors in
15 achieving and sustaining a positive quality of life.

16 Grand Junction High School (GJHS) was constructed in 1956 and while serving well for
17 many years, it now needs to be replaced. The purpose of the bond issue is to replace
18 GJHS on the same site, renovate the existing East gymnasium and art building. In
19 addition, the replacement of GJHS will provide improved classrooms and facilities for
20 increased educational programs, opportunities for and access to college credit courses,
21 vocational and technical skills training and improved art and athletic facilities.

22 It is undeniable that education provides opportunity; opportunity to live and work at
23 trades, careers and professions that may otherwise be unattainable without a strong
24 educational foundation. When a community has strong schools it likely has a well-
25 educated workforce. A well-educated work force in turn contributes to a more stable
26 and economically prosperous and vibrant community. The benefits to the community of
27 having high-quality schools are clear and for these reasons, among many others, the
28 City Council concludes that investment in Grand Junction High School is an investment
29 in our future. That investment is best made at this time by passage of Issue ____.

30 **NOW, THEREFORE, BE IT RESOLVED that:**

31 The Grand Junction City Council declares its support for Measure ____ and urges all
32 qualified voters to **VOTE YES** on Measure ____ in the November 2, 2021 election.

33 **PASSED and ADOPTED this 15th day of September 2021.**

34 _____
35 C.B. McDaniel
36 President of the City Council

37

38 ATTEST:

39

40

41 Wanda Winkelmann

42 City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #5.b.

Meeting Date: September 15, 2021
Presented By: Greg Caton, City Manager
Department: City Manager's Office
Submitted By: Jay Valentine

Information

SUBJECT:

A Resolution Affirming the Purchase of 910 Main Street

RECOMMENDATION:

Staff recommends City Council adopt the resolution approving the purchase of 910 Main Street for \$877,000 plus estimated closing costs of \$1,500.

EXECUTIVE SUMMARY:

The purchase of the building and property at 910 Main Street, Grand Junction, Colorado, will provide the City with a location that will better serve residents that presently pay bills in person and conduct other routine financial transactions at City Hall. In addition to the advantageous layout of the building, which includes a drive-up teller window, the property, unlike City Hall has off-street parking and non-metered on-street parking. A supplemental appropriation will be required from the General Fund of \$878,500, and if this resolution is approved, the supplemental appropriation ordinance will be set for public hearing on October 6, 2021.

BACKGROUND OR DETAILED INFORMATION:

The building and property at 910 Main Street, Grand Junction, Colorado, (Property) has been used as a credit union. The building, which was renovated in 2020, provides a drive-up teller window and other features designed for readily serving customers. Following its purchase, the Property will provide the City with a location that will better serve residents that presently pay bills in person and conduct other routine financial transactions at City Hall. In addition to the advantageous layout of the building, the Property, unlike City Hall has off-street parking and non-metered on-street parking.

The acquisition of the Property will forestall the need for adding to City Hall. With the relocation of certain customer service functions to the Property, the space in City Hall may be reorganized to gain operational and functional effectiveness and efficiencies. For the foregoing reasons the City Council deems the purchase of the Property necessary and proper and its purchase and use will advance the public interest and its health, safety, and welfare.

A supplemental appropriation in the General Fund of \$878,500 is required to purchase the real estate. These funds will come from the General Fund reserve which is currently projected to be approximately \$37 million at 12/31/2021, and will likely increase if sales tax revenues continue to exceed the amended budget. Within that reserve is internal loans to other funds of \$2.5 million and a minimum reserve based on Council adopted policy of \$19.3 million. The estimated reserve is prior to public hearing and Council consideration of three supplemental appropriations on this agenda, September 15th, 2021, which if all approved would reduce the estimated 12/31/2021 General Fund reserve to \$32.9 million.

FISCAL IMPACT:

The purchase price of \$877,000 equates to \$179.00 per square foot. Approval of this resolution would require a supplemental appropriation ordinance for \$878,500 in the General Fund that would be set for public hearing on October 6, 2021. This would use existing General Fund reserves to fund the purchase.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 74-21 approving, affirming and gratifying the purchase of 910 Main Street for \$877,000 plus closing costs.

Attachments

1. RES-910 Main Street 090321

RESOLUTION NO. __-20

A RESOLUTION AUTHORIZING THE PURCHASE AND ACQUISITION OF REAL PROPERTY LOCATED AT 910 MAIN STREET, GRAND JUNCTION, COLORADO AND RATIFYING ACTIONS HERETOFORE TAKEN AND DIRECTING FURTHER ACTIONS IN CONNECTION THEREWITH

RECITALS:

The building and property at 910 Main Street, Grand Junction Colorado, (Property) has been used as a credit union. The building, which was renovated in 2020, provides a drive-up teller window and other features designed for readily serving customers. Following its purchase, the Property will provide the City with a location that will better serve residents that presently pay bills in person and conduct other routine financial transactions at City Hall. In addition to the advantageous layout of the building, the Property, unlike City Hall has off-street parking and non-metered on-street parking.

The purchase price is \$179.00 per square foot which is well below the cost of a new building or a remodeling of City Hall.

The acquisition of the Property will forestall the need for adding to City Hall. With the relocation of certain customer service functions to the Property, the space in City Hall may be reorganized to gain operational and functional effectiveness and efficiencies.

For the foregoing reasons the City Council deems the purchase of the Property necessary and proper and its purchase and use will advance the public interest and its health, safety and welfare.

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

1. That the City Council hereby authorizes the purchase of the Property by the City for a price of \$877,000.00 and the expenditure of an amount of money to be determined to pay for the necessary and reasonable expenses for the purchase of the Property to be paid at closing.
2. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of the Property which are consistent with the provisions of the attached Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.

3. The purchase is for and in support of the operations of the City and will benefit the City and its residents. Accordingly, all actions taken or to be taken by the officers, employees and agents of the City relating to the use of the Property, which are consistent with the provisions of this Resolution, are ratified, approved and confirmed.

PASSED and ADOPTED this 15th day of September 2021.

C.B. McDaniel
President of the City Council

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #5.c.

Meeting Date: September 15, 2021

Presented By: John Shaver, City Attorney, Greg Caton, City Manager

Department: City Attorney

Submitted By: John Shaver

Information

SUBJECT:

A Resolution Affirming the City Contribution for the Purchase of 347 and 339 Ute Avenue for the Grand Valley Catholic Outreach Mother Teresa House Project

RECOMMENDATION:

Adopt the resolution for the purchase of the properties at 347 and 339 Ute Avenue (Properties) for the Grand Valley Catholic Outreach Mother Teresa House project.

EXECUTIVE SUMMARY:

The Grand Valley Catholic Outreach (Catholic Outreach) has proposed a transitional housing project at the southwest corner of 4th Street and Ute Avenue. The project is known as the Mother Teresa House (Project) and, when constructed, will provide much needed housing for people whose needs tend to be underserved or unserved. Catholic Outreach has acquired the property at 347 Ute Avenue and contracted for the purchase of the property at 339 Ute Avenue (Properties) for the Project. The City Council recognizes that housing for all is essential and the Project will help provide needed, additional units. The City previously purchased the property at 301 S. 4th Street for the Project and with the acquisition of the Properties, sufficient land is now available for the Project. A supplemental appropriation will be required from the General Fund to fund the \$550,000 contribution, and if this resolution is approved, the supplemental appropriation ordinance will be set for public hearing on October 6, 2021.

BACKGROUND OR DETAILED INFORMATION:

The community has a need for transitional housing and the Grand Valley Catholic Outreach project at the southwest corner of 4th Street and Ute Avenue will help fill the need. The Project, known as the Mother Teresa House, when constructed, will provide much needed housing for people whose needs tend to be underserved or

unserved. Catholic Outreach has acquired the property at 347 Ute Avenue and contracted for the purchase of the property at 339 Ute Avenue for the Project. The City Council recognizes that housing for all is essential and the Project will help provide needed, additional units. The City previously purchased the property at 301 S. 4th Street for the Project and with the acquisition of the Properties, sufficient land is now available for the Project.

A supplemental appropriation in the General Fund is required to contribute \$550,000 to Catholic Outreach for the purchase of real estate for a proposed transitional housing project. These funds will come from the General Fund reserve, which is currently projected to be approximately \$37 million at 12/31/2021, and will likely increase if sales tax revenues continue to exceed the amended budget. Within that reserve is internal loans to other funds of \$2.5 million and a minimum reserve based on the Council adopted policy of \$19.3 million. The estimated reserve is prior to public hearing and Council consideration of three supplemental appropriations on this agenda, September 15th, 2021, which if all approved would reduce the estimated 12/31/2021 General Fund reserve to \$32.9 million.

FISCAL IMPACT:

Approval of this resolution would require a supplemental appropriation ordinance for \$550,000 in the General Fund that would be set for public hearing on October 6, 2021. This would use existing General Fund reserves to fund the contribution.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 75-21 for the purchase of the properties at 347 and 339 Ute Avenue in the amount of \$550,000 for the Grand Valley Catholic Outreach Mother Teresa House project and introduce an ordinance making Supplemental Appropriations to the 2021 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2021 and ending December 31, 2021 and to set a public hearing for October 6, 2021.

Attachments

1. RES-Mother Teresa Property 090321

1 RESOLUTION NO. __-21

2
3 A RESOLUTION AUTHORIZING PAYMENT FOR THE ACQUISITION OF REAL PROPERTY
4 LOCATED AT 347 AND 339 UTE AVENUE, GRAND JUNCTION, COLORADO FOR THE
5 GRAND VALLEY CATHOLIC OUTREACH MOTHER TERESA HOUSE PROJECT AND RATIFYING
6 ACTIONS HERETOFORE TAKEN AND DIRECTING FURTHER ACTIONS IN CONNECTION
7 THEREWITH

8
9 RECITALS:

10 The Grand Valley Catholic Outreach (Catholic Outreach) has proposed a transitional
11 housing project at the southwest corner of 4th Street and Ute Avenue. The project is
12 known as the Mother Teresa House (Project) and when constructed will provide much
13 needed housing for people whose needs tend to be underserved or unserved.
14 Catholic Outreach has acquired the property at 347 Ute Avenue and contracted for
15 the purchase of the property at 339 Ute Avenue (together the Properties) for the
16 Project. The City Council recognizes that housing for all is essential, a basic need, and
17 the Project will help provide needed, additional units.

18 The acquisition of the Properties and redevelopment of them as and for the Mother
19 Teresa House is crucial to advancing the public health, safety and welfare of
20 inhabitants of the City.

21 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND
22 JUNCTION, COLORADO:

23 1. That the City Council hereby authorizes the City Manager to expend \$250,000.00
24 to pay for the purchase of the property located at 339 Ute Avenue, Grand Junction
25 Colorado (East half of Lot 9 and all of Lots 10 and 11, Block 141) for the use and benefit
26 of Catholic Outreach for the Project; and,

27 2. That the City Council hereby authorizes the City Manager to expend \$300,000.00
28 to pay for the purchase of the property located at 349 Ute Avenue, Grand Junction
29 Colorado (Lots 12 and 13, Block 141) for the use and benefit of Catholic Outreach for
30 the Project; and,

31 3. That the purchases are for and on behalf of Grand Valley Catholic Outreach Inc.
32 a Colorado nonprofit corporation but will also benefit by the City by furthering the
33 development of needed housing in Grand Junction; and, accordingly, all actions
34 heretofore taken by the officers, employees and agents of the City relating to the

purchase of the Properties, which are consistent with the provisions of Resolution, are
ratified, approved and confirmed.

PASSED and ADOPTED this 15th day of September 2021.

C.B. McDaniel
President of the City Council

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #6.a.i.

Meeting Date: September 15, 2021
Presented By: Scott Peterson, Senior Planner
Department: Community Development
Submitted By: Scott Peterson, Senior Planner

Information

SUBJECT:

An Ordinance Vacating a Portion of Public Right-of-Way of G 1/8 Road Located near 2524 G Road and 716 25 Road

RECOMMENDATION:

The Planning Commission heard this item at its August 24, 2021 meeting and voted (6-0 with 1 abstention) to recommend conditional approval of the request.

EXECUTIVE SUMMARY:

The Applicants, McCurter Land Company LLC and Five Star Homes and Development Inc., are requesting vacation of a portion of public right-of-way known as G 1/8 Road in anticipation of future development of the adjacent sites. The existing G 1/8 Road right-of-way was originally dedicated by the Pomona Park subdivision plat in 1900 and further identified on the Powell Estates subdivision plat in 1992 and the Thunderidge Subdivision in 2007. The applicants are requesting the vacation of a 30-foot wide by 286-foot-long portion of this right-of-way (0.19-acres) in anticipation of future residential subdivision development for the Aspen Leaf Estates and Liberty Ranch Subdivisions which are currently in the development review process. The requested vacation is consistent with the City's Comprehensive Plan and Circulation Plan.

BACKGROUND OR DETAILED INFORMATION:

The existing right-of-way for G 1/8 Road was originally dedicated by the Pomona Park subdivision plat in 1900 and further identified on the Powell Estates subdivision plat in 1992 and the Thunderidge Subdivision in 2007. The applicants are currently in the process of subdividing their 5.28 and 24.17-acre parcels of land respectfully into platted subdivisions which are currently in the development review process (City files SUB-2020-767 & SUB-2021-276) to develop 18 single-family detached lots for Aspen Leaf

Estates and 44 single-family detached lots for Filing 1 of Liberty Ranch Subdivision. At this time, the applicants are requesting to vacate a portion of the existing right-of-way of G 1/8 Road that extends over the Grand Valley Canal in anticipation of these new subdivision proposals. With this request, the Applicants are requesting to vacate a 30-foot wide by 286-foot-long portion of this right-of-way (0.19-acres). The remaining portions of the G 1/8 Road right-of-way that extends out to 25 Road to the west and Woody Creek Drive to the east that are not requested to be vacated will remain in place in accordance with the proposed subdivision layouts which identifies and utilizes this existing right-of-way within this area as part of their developments. Outside of the vacation area, at time of subdivision development and future filings, additional right-of-way will be granted for the complete build-out of G 1/8 Road that was/will be approved as a 44' wide right-of-way as identified on the respective subdivision plans, per City standards.

To date, no development has taken place and no utility infrastructure has ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way location of G 1/8 Road and the surface is presently vegetation and gravel. Upon future development of the sites, new rights-of-way and/or multi-purpose easements for the proposed development will be dedicated as necessary on a new subdivision plat or by separate instrument.

The Active Transportation Corridor includes a pedestrian trail along the canal that runs through the properties of the applicants and crosses G 1/8 Road in the area requested for vacation. A public pedestrian trail easement will be reserved as part of the request over the vacation area for the trail along the canal in accordance with the Active Transportation Corridor Plan.

NOTIFICATION REQUIREMENTS

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject properties were posted with an application sign on December 28, 2020 and April 28, 2021 respectfully. 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 August 13, 2021. The notice of the Planning Commission public hearing was published on August 17, 2021 in the Grand Junction Daily Sentinel.

A Neighborhood Meeting regarding the proposed subdivision developments were held on February 2, 2021 for the Liberty Ranch Subdivision and September 1, 2020 for Aspen Leaf Estates in accordance with Section 21.02.080 (e) of the Zoning and Development Code. No concerns were expressed regarding this right-of-way vacation request since the vacation does not impact any adjacent properties and is currently undeveloped.

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 portion of right-of-way for G 1/8 Road 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 will have no impact on public facilities or services provided to the general public since to date, the right-of-way is not required for development and no utility infrastructure has ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way. Upon future development of the sites, new internal rights-of-way and easements will be required to be granted to the City or other utility agencies as part of the development review process, as applicable. As part of the vacation process, the City will retain a public pedestrian trail easement over the vacation area for the trail along the canal in accordance with the Active Transportation Corridor Plan.

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

Plan Principal 3: Responsible and Managed Growth:

Goal 2: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principal 5: Strong Neighborhoods and Housing Choices:

Goal 1: Promote more opportunities for housing choices that meet the needs of people of all ages, abilities and incomes.

Therefore, staff has found the request to vacate a portion of existing public right-of-way 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 dedicated right-of-way for G 1/8 Road in this area has never been developed nor infrastructure installed. As noted, the applicants are currently in the process of subdividing their 5.28 and 24.17-acre parcels of land respectfully into platted subdivisions which are currently in the development review process (City files SUB-2020-767 & SUB-2021-276) to develop 18 single-family detached lots for Aspen Leaf Estates and 44 single-family detached lots for Filing 1 of Liberty Ranch Subdivision. As stated previously, to date, no present development which requires the right-of-way and no utility infrastructure have ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way location of G 1/8 Road. Since this right-of-way has never

developed, access to any developed existing residential lot will not be landlocked as a result of the vacation request and thus staff has found this criterion has been met.

(3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

As provided in (2) above, the portion of G 1/8 Road requested to be vacated will not impact access to any parcel and as such, staff finds this criterion has been met.

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

This portion of G 1/8 Road has not been developed or utilities installed. No comments were received from utilities or other service providers that this vacation request would impact any existing utilities, create any adverse impacts, or that facilities or services would be diminished, therefore staff has found that this criterion has been met.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

This portion of G 1/8 Road has never been developed nor utilities installed. Therefore, neither staff nor utility providers have identified that the requested right-of-way vacation 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 this portion of G 1/8 Road, the applicants can make ready for the new subdivision development proposals and develop their properties in accordance with their approved subdivision plans. Upon concurrent development of the site, new rights-of-way and/or multi-purpose easements for the proposed subdivision developments will 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 a portion of the right-of-way of G 1/8 Road as set forth in the attached description and sketch, City file number VAC-2021-539, located near 2524 G Road and 716 25 Road, the following findings of fact have been made:

1. The request conforms with Section 21.02.100 (c) of the Zoning and Development Code.

2. Reservation of Pedestrian/Trail Easement over the vacation area in accordance with the Active Transportation Corridor Plan.

Therefore, the Planning Commission recommends conditional approval of the request.

FISCAL IMPACT:

Average value of property and right-of-way can range broadly. The Applicant submitted an MAI Appraisal Report for Aspen Leaf Estates that consists of 5.28 acres of undeveloped land with an appraised value of \$500,000.00, which would equate to \$2.17 per square foot. The applicant's request to vacate approximately 8,465 square feet of right-of-way would result in the Applicant receiving additional developable land with a value of approximately \$18,396.05.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5016, an Ordinance vacating a portion of public right-of-way of G 1/8 Road located near 2524 G Road and 716 25 Road on final passage and order final publication in pamphlet form.

Attachments

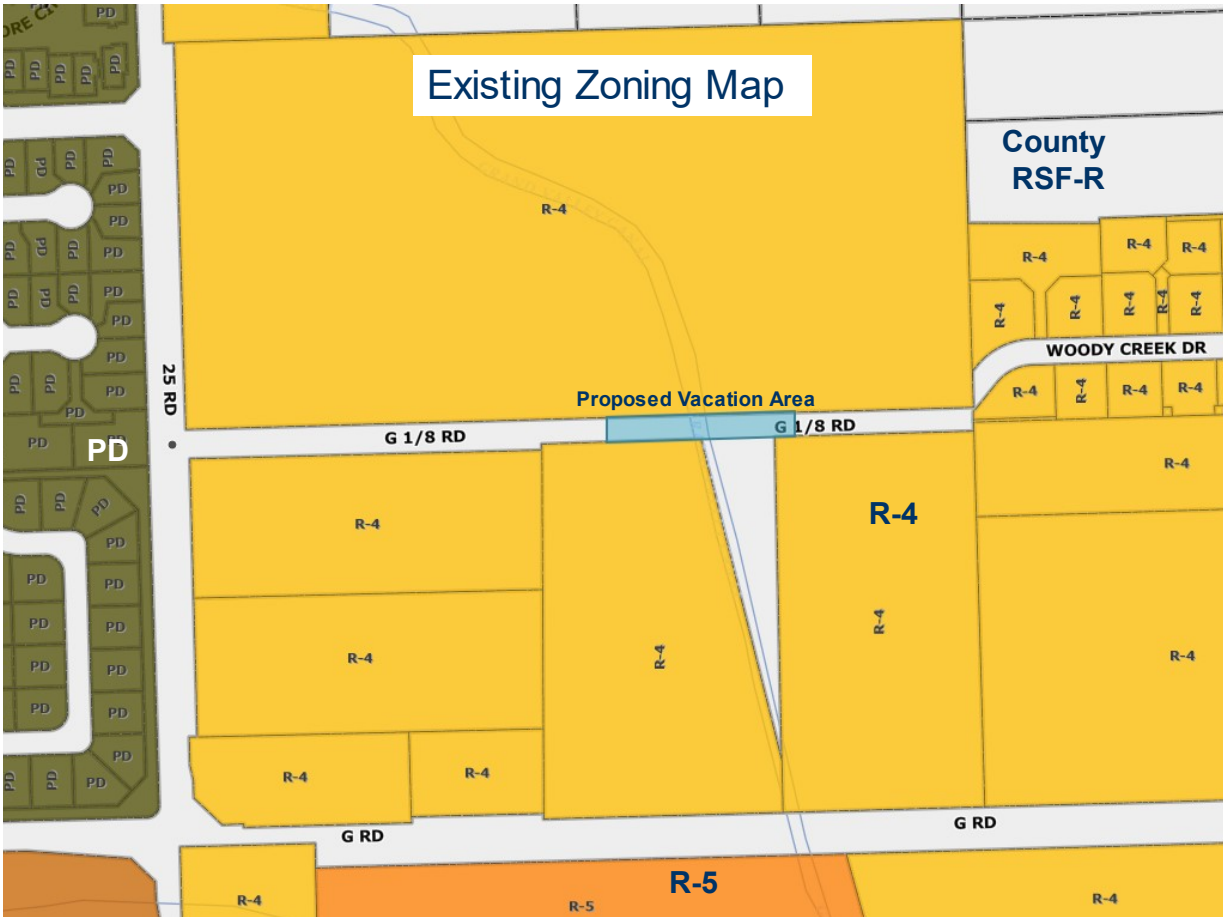
1. Site Location, Aerial and Zoning Maps
2. Planning Commission Minutes - 2021 - August 24 - Draft
3. Vacation Ordinance



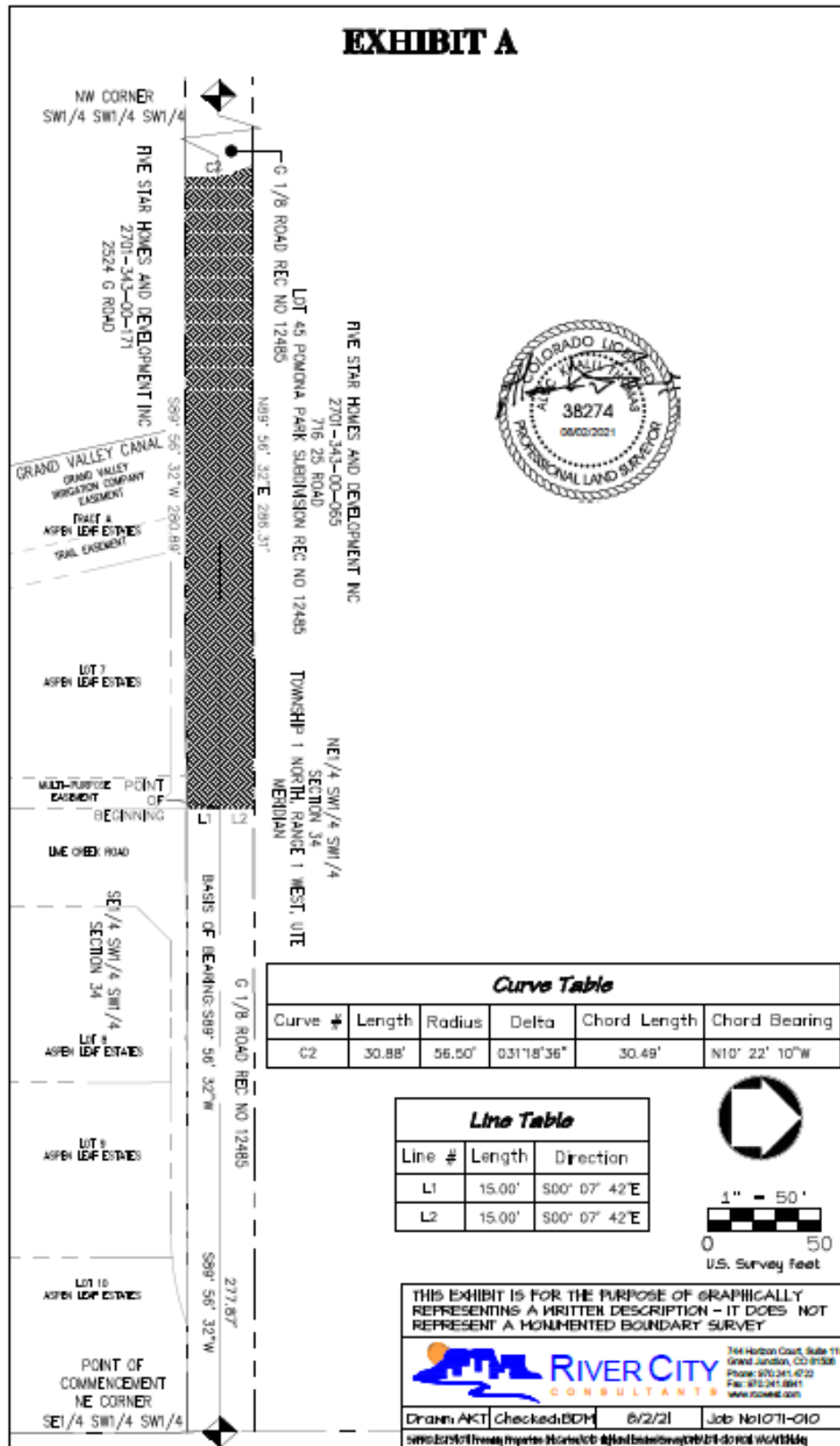


Comprehensive Plan Future Land Use Map





Proposed Vacation Area:



Google Street View of undeveloped G 1/8 Road looking east from 25 Road (Photo dated July, 2019)



GRAND JUNCTION PLANNING COMMISSION
August 24, 2021 MINUTES
5:30 p.m.

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Vice Chair Christian Reece, George Gatseos, Ken Scissors, Keith Ehlers, Sandra Weckerly, and Andrea Haitz.

Also present were John Shaver (City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), and Scott Peterson (Senior Planner).

There were 7 members of the public in attendance.

The meeting video can be viewed online [here](#).

CONSENT AGENDA

Commissioner Reece moved to adopt Consent Agenda Items #1-3. Commissioner Weckerly seconded the motion. The motion carried 7-0.

1. Approval of Minutes

Minutes of Previous Meeting(s) from July 27, 2021.

2. Tonto Lane Right-of-Way Vacation

File # VAC-2021-392

Consider a request by Kraig Andrews to vacate right-of-way of Tonto Lane between 2632 and 2635 Cottonwood Drive.

3. G 1/8 Road Right-of-Way Vacation

File # VAC-2021-539

Consider a request by McCurter Land Company LLC and Five Star Homes & Development Inc., to vacate a portion of the undeveloped G 1/8 Road public right-of-way.

REGULAR AGENDA

1. Reece Annexation

File # ANX-2021-365

Consider a request by EDKA Land Co LLC to annex and zone 6.73 +/- acres from County RSF-R (Residential Single Family - Rural) to a City R-5 (Residential - 5 du/ac) zone district in anticipation of future residential subdivision development.

Commissioner Reece stated into the record that she has no relation to the applicant and therefore no conflict of interest.

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant Presentation

The applicant's representative, Mark Austin, Austin Civil Group, was present and available for questions.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

None.

The public hearing was closed at ~5:45 p.m. on August 24, 2021.

Questions for Applicant or Staff

Commissioner Ehlers asked a question.

Discussion

Commissioner Reece made a statement regarding the request.

Motion and Vote

Commissioner Gatseos made the following motion, "Mr. Chairman, on the Zone of Annexation for the Reece Annexation to R-5 (Residential – 5 du/ac) zone district, file number ANX-2021-365, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Scissors seconded the motion. The motion carried 7-0.

2. Westland Meadows Annexation File # ANX-2021-343

Consider a request by Richard Traver of Westland Development LLC to annex and zone 19.4 +/- acres from County RSF-R (Residential Single Family - Rural) and PUD (Planned

Urban Development) to a City R-8 (Residential - 8 du/ac) zone district in anticipation of future residential subdivision development.

Staff Presentation

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Gatseos asked a question regarding the zoning criteria.

Commissioner Ehlers asked a question regarding the County PUD.

Commissioner Teske asked a question regarding the County PUD.

Applicant Presentation

The applicant, Richard Traver, was available for questions. He also provided clarity regarding the County PUD.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

None.

The public hearing was closed at ~6:00 p.m. on August 24, 2021.

Questions for Applicant or Staff

None.

Discussion

Commissioner Gatseos made a comment regarding the request.

Motion and Vote

Commissioner Ehlers made the following motion, "Mr. Chairman, on the Zone of Annexation for the Westland Meadows Annexation to R-8 (Residential – 8 du/ac) zone district, file number ANX-2021-343, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Haitz seconded the motion. The motion carried 7-0.

3. Faith Heights Rezone File # RZN-2021-427

Consider a request by John & Carla Cappetto to rezone one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use).

Staff Presentation

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioners Reece and Scissors asked questions regarding the request.

There was discussion amongst the Commissioners regarding the use of the property.

Commissioner Weckerly asked a question regarding density.

Applicant Presentation

The applicant's representative, Kim Kerk, was present and gave a brief presentation regarding the request.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

Scott Warren, Village Park Subdivision HOA, and Gordon McFarin, Village Park Subdivision HOA, gave comments in opposition to the request.

The public hearing was closed at ~6:20 p.m. on August 24, 2021.

Applicant's Response to Comment

Kim Kerk responded to public comment.

Questions for Applicant or Staff

Commissioner Haitz asked for some examples of light manufacturing.

Commissioner Ehlers asked a question about access to the site.

Commissioner Reece made a comment regarding the request.

Commissioner Teske asked the applicant a question regarding the intention of development.

Discussion

Commissioners Ehlers, Gatseos and Teske made comments regarding the request.

Motion and Vote

Commissioner Scissors made the following motion, "Chairman, on the Faith Heights Rezone request from an R-8 (Residential - 8) zone district to an M-U (Mixed Use) zone district for one parcel totaling approximately 13.92 acres located at 600 28 ¼ Road, City file number RZN-2021-427, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

Commissioner Reece seconded the motion. The motion carried 7-0.

4. Other Business

None.

5. Adjournment

Commissioner Reece moved to adjourn the meeting. Commissioner Haitz seconded. The meeting adjourned at ~6:40 p.m.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF G 1/8 ROAD RIGHT-OF-WAY

LOCATED NEAR 2524 G ROAD AND 716 25 ROAD

Recitals:

A vacation of a portion of public right-of-way known as G 1/8 Road has been requested by the adjacent property owners, McCurter Land Company LLC and Five Star Homes and Development Inc., in anticipation of future residential subdivision development. The existing G 1/8 Road right-of-way was originally dedicated by the Pomona Park subdivision plat in 1900 and further identified on the Powell Estates subdivision plat in 1992 and the Thunderidge Subdivision in 2007. The portion of G 1/8 Road requested to be vacated has never been constructed and this right-of-way contains no existing utility infrastructure. The Active Transportation Corridor includes a trail along the canal that runs through the properties of the applicants and crosses G 1/8 Road. An easement will be reserved for the trail along the canal for the Active Transportation Corridor. The trail has already been constructed south of 716 25 Road.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of conditional approval (reserve and retain a pedestrian/trail easement in the area vacated) by the Planning Commission, the Grand Junction City Council finds that the request to vacate a portion of public right-of-way for G 1/8 Road, is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code with the reservation of the pedestrian/trail easement.

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

A portion of right-of-way as dedicated by Pomona Park as recorded at Reception Number 12485, at the Mesa County Clerk and Recorder, situated in the southwest quarter of the southwest quarter of Section 34, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said portion being more particularly described as follows:

Commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of said Section 34, whence the northwest corner of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of said Section 34 bears South 89°56'32" West with all bearings herein relative thereto,

thence South 89°56'32" West a distance of 277.87 feet to the Point of Beginning,
thence South 00°07'42" East, a distance of 15.00 feet;

thence South 89°56'32" West, a distance of 280.89 feet to a point of cusp on a
curve concave to the west having a radius of 56.50 feet and a central angle of
31°18'36" and being subtended by a chord which bears North 10°22'10" West
30.49 feet;

Thence northerly along said curve, a distance of 30.88 feet to a point of cusp;

Thence North 89°56'32" East, a distance of 286.31 feet;

thence South 00°07'42" East, a distance of 15.00 feet to the Point of Beginning,
said parcel containing 8465 square feet or 0.19 acres more or less.

A perpetual easement is reserved and retained by the City in that portion of right-of-way being vacated for the use of the public forever, subject to the rules and regulations of the City, for purposes including but not limited to, constructing, installing, maintaining and repairing a trail and appurtenant facilities and for ingress, egress and access for the public with accompanying pets, if any, for use as pedestrians, and/or with wheelchairs (motorized and non-motorized), bicycles, motorized bicycles (a vehicle having two or three wheels, cylinder capacity not exceeding 50 C.C., and an automatic transmission which does not exceed thirty miles per hour), electric scooters (an electric powered vehicle having two or three wheels and does not exceed thirty miles per hour), and other non-motorized forms of transportation for commuting and recreational purposes.

See Exhibit A attached hereto which depicts the area to be vacated and reserved for the benefit of the public for the trail.

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

Introduced on first reading this _____ day of _____, 2021 and ordered published in pamphlet form.

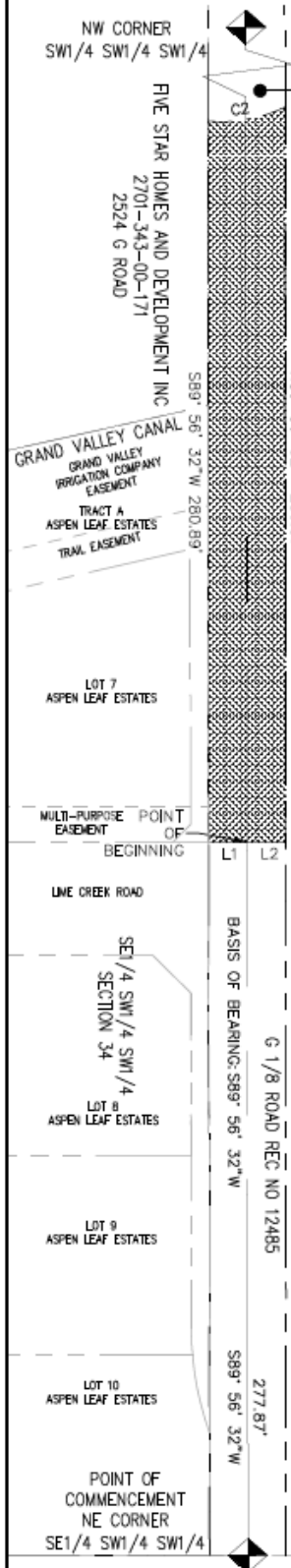
Adopted on second reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

EXHIBIT A



FIVE STAR HOMES AND DEVELOPMENT INC
 2701-343-00-065
 716 25 ROAD
 LOT 45 POMONA PARK SUBDIVISION REC NO 12485
 TOWNSHIP 1 NORTH, RANGE 1 WEST, 10E
 SECTION 34
 NE1/4 SW1/4 SW1/4
 MERIDIAN



Curve Table

Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C2	30.88'	56.50'	031°18'36"	30.49'	N10° 22' 10"W

Line Table

Line #	Length	Direction
L1	15.00'	S00° 07' 42"E
L2	15.00'	S00° 07' 42"E



1" = 50'
 0 50
 U.S. Survey Feet

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.rcwest.com

Drawn: AKT Checked: BDM 8/2/21 Job No: 071-010
 S:\PROJECTS\071 Freeway Properties (McCartee)\010 Highland Estates\Survey\071-010 ROW VACATION.dwg



Grand Junction City Council

Regular Session

Item #6.a.ii.

Meeting Date: September 15, 2021

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck, Principal Planner

Information

SUBJECT:

An Ordinance Requested by the Lincoln Park Neighborhood/Residential District to Amend the Grand Junction Municipal Code Development Regulations to Adopt Standards and Guidelines for the Lincoln Park Residential Historic District and to Amend Title 21 Pertaining to the Role of the Historic Preservation Board in the Review of Alterations within the District

RECOMMENDATION:

Planning Commission heard this item at its March 23, 2021 meeting and recommended denial of the request (5-1).

EXECUTIVE SUMMARY:

The Applicant, the Lincoln Park Neighborhood/Residential Historic District, is requesting Zoning and Development Code (Code) amendments to: 1) adopt the Lincoln Park Residential Historic District Standards and Guidelines; and 2) amend the Code pertaining to the jurisdiction, duties and responsibilities of the City of Grand Junction Historic Preservation Board (Board). The proposed Standards and Guidelines have been developed by a group of property owners within the District and, if adopted, would be applicable to properties and structures located within the boundaries of the District between 12th and 15th Streets and Gunnison and Grand Avenues.

BACKGROUND OR DETAILED INFORMATION:

The Lincoln Park Residential Historic District ("District") includes the properties between the eastern side of North 12th Street and the western side of North 15th Street and the south side of Gunnison Avenue and the north side of Grand Avenue (refer to the location map in the attachments). The boundaries coincide with the City-recognized Lincoln Park Neighborhood Association. The four blocks between North 12th Street and

North 14th Street and Gunnison Avenue to Ouray Avenue formed the original District designated in the City Register of Historic Structures, Sites and Districts in 1997. The District boundaries were expanded to the current designated area in May 2018. The neighborhood is proud of the designation and desires to establish a process and standards through which to maintain and enhance its historic character.

Over the past two years, an organized group of residents/property owners within the District has been working together, with broad input from others in the neighborhood, to develop design standards and guidelines intended to preserve its historic nature and quality. The Historic Preservation Board and members of City Staff have been involved in neighborhood and group meetings, discussed the goals and objectives of the standards and guidelines with the neighborhood, reviewed draft documents and have provided comments and suggestions as the document evolved. The result of this long and sustained effort is the Lincoln Park Residential Historic District Standards and Guidelines included in the proposed ordinance ("Standards and Guidelines") which City Staff and the neighborhood now request that the City adopt for the District. A historic inventory was conducted by the Museum of the West in the late 1990s that included many homes within the District. The characteristics and history of the homes recorded in the inventory formed the basis for development of the Standards and Guidelines in order to promote and ensure the maintenance and enhancement of the major exterior elements that characterize the District.

The neighborhood conducted a series of meetings and a property owner poll to discuss and determine the direction for the guidelines and standards. Several drafts of the document were prepared and reviewed. The poll and notices of the meetings were provided to the neighborhood, with the last overall meeting being held in December 2018.

Since that time, the document has been reviewed by the Board, which has generally indicated its approval of the guidelines and standards and of its proposed expanded role of reviewing and deciding development applications in public hearings. City staff has also worked with neighborhood representatives to refine the document so that it better implements the desires of the residents and defines the review process for proposed alterations. The process is basically the same as the review already being conducted for alterations within the North Seventh Street Residential Historic District. A property owner will apply for a Certificate of Appropriateness which will be reviewed by staff and then a recommendation made to the Board for a final decision. A decision by the Board may be appealed to City Council for consideration.

Generally, approval of the proposed ordinance will:

- Retain the existing zone districts of R-5 (Residential 5 dwelling units per acre) and R-8 (Residential 8 dwelling units per acre)
- Establish bulk standards for all properties within the District that vary slightly from those in the standard R-5 and R-8 zone districts due to the unique nature of

development within the District

- Require property owners that propose alterations addressed in the Standards and Guidelines make application for a Certificate of Appropriateness that is reviewed by Community Development staff and final decisions are made by the Grand Junction Historic Preservation Board
- Provide guidelines and standards by which changes to structures and sites in the District are reviewed that primarily address maintenance and enhancement of the major exterior elements that characterize the District and the structures within it, such as streetscape, site development features, mass and proportion of buildings, rooflines, siding, windows, doors and porches and similar features

PUBLIC NOTICE

The Code does not require neighborhood meetings for amendments such as this. However, as previously summarized, after the District was designated, a series of neighborhood-wide meetings were held to discuss whether a majority wanted to move ahead with creating standards and guidelines as well as determine the site and architectural elements within the District were most important to be addressed.

The neighborhood distributed 111 copies of the draft standards and guidelines to all property owners in the District, including Mesa County Valley School District 51. Eleven (11) responses were received, of which six (6) were positive and supportive, four (4) were negative and 1 was neutral. Concerns expressed against adoption of the Standards and Guidelines included: do not want formation of a homeowners' association with dues; unable to replace windows; how can ADA requirements be met; and possibly not being able to cut down trees on their property.

In addition, all property owners within the District were notified of the public hearing schedule via a mailing sent on March 12, 2021. In addition, the notice of this public hearing was published on March 16, 2021 in the Grand Junction Daily Sentinel.

ANALYSIS

In accordance with Section 21.02.140(c)(3), a proposed Code 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. The purpose for proposing these amendments is to facilitate the enhancement and preservation of a historic neighborhood. This is clearly supported in the recently adopted One Grand Junction Comprehensive under Plan Principle 1: Collective Identity that further states the strategies listed below. Adoption of the Code amendments to establish design standards and guidelines and a process by which to review alterations in the Lincoln Park Residential Historic District will strengthen this neighborhood, provide a historic context, and educate the community about its heritage in general and specifically this part of the City.

Strategy d. Historic Properties – Identify, recognize, and increase historic resources by encouraging and incentivizing the addition of properties to the local, state and national historic registers.

Strategy e. Heritage Preservation – Emphasize the economic benefits of historic preservation and its role in economic development, sustainability, and heritage tourism.

Strategy f. Historic Preservation Education – Support efforts to provide educational resources on the city and region, while maintaining the City's direct efforts in historic preservation, the City's register of historic places and historic districts.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the request by the Lincoln Park Residential Historic District to adopt Standards and Guidelines for the District amend the Code pertaining to the jurisdiction, duties and responsibilities of the City of Grand Junction Historic Preservation Board (Board), ZCA-2021-67, for properties located within the Lincoln Park Residential Historic District lying between North 12th Street and 15th Street and Gunnison Avenue to Grand Avenue, the following findings of fact have been made:

1. Reasons stated for the proposed Code amendments are consistent with and supported by the 2020 One Grand Junction Comprehensive Plan.

Therefore, Staff recommends approval of the request.

PLANNING COMMISSION ACTION AND NEIGHBORHOOD FOLLOW-UP

The Grand Junction Planning Commission heard this item at its March 23, 2021 meeting. There were questions and discussion of a few terms used in the document and the requirement for proposed demolitions to be heard by City Council. The majority of the discussion was focused on the public process with property owners within the District in the development of the the proposed guidelines and standards. While individual members of Planning Commission noted that the proposed Standards and Guidelines were reasonable and there did not appear any broad-based opposition to them, the general consensus of Planning Commission was that there was not sufficient evidence that each property owner in the District had had ample opportunity to "vote" on adopting the Standards and Guidelines. Thus, Planning Commission recommended denial of the request.

Thus, since the Planning Commission hearing, the proposed Standards and Guidelines document was mailed to each property owner in the District along with a survey questionnaire requesting each owner express support or non-support of its adoption. 54 of the 108 property owners returned the survey form, of which 28 (51% of forms received) expressed support of the Standards and Guidelines, 24 (44%) were in opposition, and 2 forms did not indicate a preference. The survey form included the statement "Return this form in the enclosed envelope by June 20, 2021. A "No Response" will be treated as approval". Thus, for the other 54 property owners that did not respond, it is assumed they approved or at least were not opposed to adoption of

the document. The responses received are included as an attachment to the staff report.

FISCAL IMPACT:

This land use action does not have direct fiscal impact to the City.

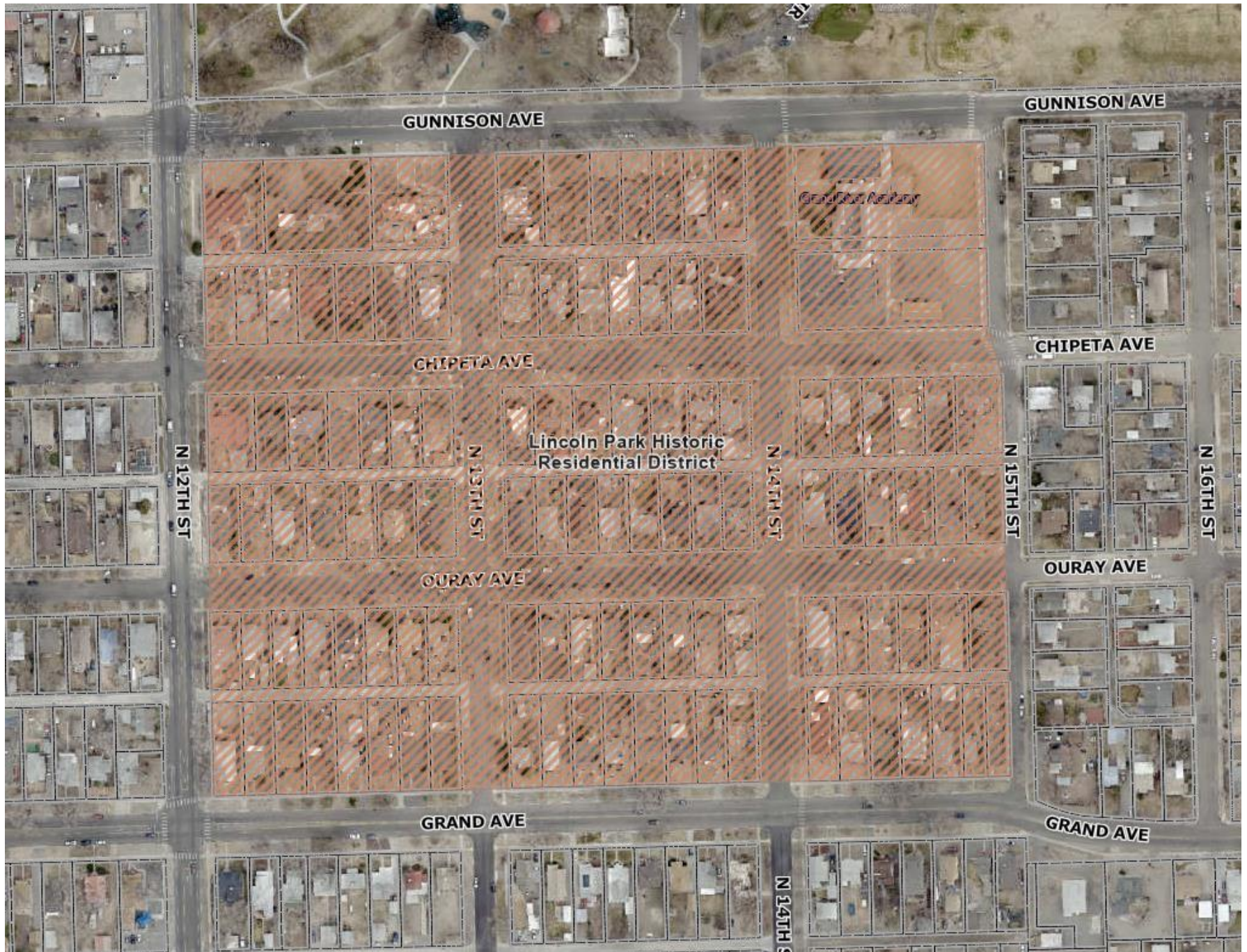
SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5017 to amend the Zoning and Development Code to 1) adopt the Lincoln Park Residential Historic District Standards and Guidelines as a new Title within Volume II, Development Regulations, of the Grand Junction Municipal Code; and 2) amend Title 21, Zoning and Development Code pertaining to the jurisdiction, duties and responsibilities of the City of Grand Junction Historic Preservation Board on final passage and order final publication in pamphlet form.

Attachments

1. Lincoln Park Historic District Location Map
2. LPHD Guidelines and Standards Opinion Poll
3. Timeline of Public Outreach Provided by Applicant
4. Planning Commission Minutes - 2021 - March 23 - LPHD Standards and Guidelines
5. Committee Response to PC Hearing
6. ORD - Lincoln Park S&G Ordinance 0825210

LINCOLN PARK HISTORIC DISTRICT LOCATION MAP



RETURNED OPINION POLL FORMS
APPROVAL – 28 PROPERTIES



LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

June 3, 2021

The Lincoln Park Historic District was expanded in 2018 by a majority vote of its homeowners, followed by Grand Junction Historic Board and City Council approval. Our Historic District includes 110 homes between 12th and 15th streets as the western and eastern boundaries and Gunnison and the north side of Grand as the northern and southern boundaries.

For the past 2-1/2 years, a committee of residents has been working on development of standards & guidelines, pursuant to a meeting held in December 2018. All homeowners were given notice of that meeting by email, mail, or hand delivery. The main reason for standards and guidelines is to preserve the character of our historic district. This can be done by ensuring that new structures/improvements are compatible with adjacent homes and the remainder of the district.

In July 2020, a draft of the Lincoln Park Standards & Guidelines was distributed to every homeowner by email, mail, or hand delivery. 11 homeowners responded with comments. The Committee met in August 2020 to address those comments.

We are now at the point of final adoption of the attached Standards & Guidelines by City Council; the Standards & Guidelines have changed slightly since the original copy you were provided in July. Please review the Standards & Guidelines again and mark with an "X" whether you want them to be approved or not.

I/We the undersigned, as owner(s) of the property located at 1211 DUNAY, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

FLORENCE SHIELDS Paul Fox for Florence Shields 6/28/2021

Name (printed)

Signature

Date

Name (printed)

Signature

Date

RETURN THIS FORM IN THE ENCLOSED ENVELOPE BY JUNE 20, 2021. A "NO RESPONSE" WILL BE TREATED AS APPROVAL.



LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1203 Ouray Ave, hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

_____ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Brent Mattison

Brent M. Mattison

6/20/21

Name (printed)

Signature

Date

Name (printed)

Signature

Date

RETURN THIS FORM IN THE ENCLOSED ENVELOPE BY JUNE 20, 2021. A "NO RESPONSE" WILL BE TREATED AS APPROVAL.



**LINCOLN PARK HISTORIC DISTRICT
OPINION POLL**

June 3, 2021

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We are now at the point of final adoption of the attached Standards & Guidelines by City Council; the Standards & Guidelines have changed slightly since the original copy you were provided in July. Please review the Standards & Guidelines again and mark with an "X" whether you want them to be approved or not.

I/We the undersigned, as owner(s) of the property located at 1241 GUNNISON AVE, hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

_____ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>CHARLES E NAREY</u>	<u>[Signature]</u>	<u>6/18/21</u>
Name (printed)	Signature	Date
<u>LINDA L NAREY</u>	<u>[Signature]</u>	<u>6/18/21</u>
Name (printed)	Signature	Date

RETURN THIS FORM IN THE ENCLOSED ENVELOPE BY JUNE 20, 2021. A "NO RESPONSE" WILL BE TREATED AS APPROVAL.



LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

June 3, 2021

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We are now at the point of final adoption of the attached Standards & Guidelines by City Council; the Standards & Guidelines have changed slightly since the original copy you were provided in July. Please review the Standards & Guidelines again and mark with an "X" whether you want them to be approved or not.

I/We the undersigned, as owner(s) of the property located at 1216 GRAND AVE, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

~~AKIRA FUKAI~~
SHEREE FUKAI

Sherree Fukai

6/16/21

Name (printed)

Signature

Date

AKIRA FUKAI

Akira Fukai

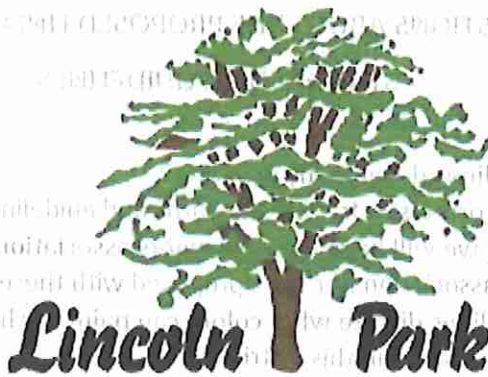
6/16/21

Name (printed)

Signature

Date

RETURN THIS FORM IN THE ENCLOSED ENVELOPE BY JUNE 20, 2021. A "NO RESPONSE" WILL BE TREATED AS APPROVAL.



LINCOLN PARK HISTORIC DISTRICT

OPINION POLL

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1304 OURAY AVE, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

AKIRA FUKAI

[Signature]

6/16/21

Name (printed)

Signature

Date

SHEREE FUKAI

[Signature]

6/16/21

Name (printed)

Signature

Date

RETURN THIS FORM IN THE ENCLOSED ENVELOPE BY JUNE 20, 2021. A "NO RESPONSE" WILL BE TREATED AS APPROVAL.



LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1260 Grand Ave, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Diane Schelhaas [Signature] 6-7-21

Name (printed) Jeff L. Modder Signature

Date

[Signature] [Signature] 6/7/21

Name (printed)

Signature

Date

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LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1335 Duray Ave,
hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Jitka Nelb Pinecko Jitka Nelb Pinecko 6/9/2021

Name (printed)

Signature

Date

SEAN NELB

Sean Nelb

6/9/2021

Name (printed)

Signature

Date

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LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1220 Chipeta Avenue,
hereby: Grand Junction, CO 81501

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Arlene Schultz Arlene Schultz 6/9/21

Name (printed)

Signature

Date

☒ Jim Schultz [Signature] 6/9/21

Name (printed)

Signature

Date

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LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1313 Gunnison, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Ross M. Talbott

[Signature]

6/5/21

Name (printed)

Signature

Date

Rebecca Talbott

Rebecca Talbott

6/5/21

Name (printed)

Signature

Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1427 CHIPETA AVE, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>LOU HALL</u>	<u>Lou Hall</u>	<u>06/08/2021</u>
Name (printed)	Signature	Date
<u>Bonnie Hall</u>	<u>Bonnie Hall</u>	<u>6-8-21</u>
Name (printed)	Signature	Date

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**LINCOLN PARK HISTORIC DISTRICT
OPINION POLL**

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I/We the undersigned, as owner(s) of the property located at 1303 Gunnison Avenue
hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

 disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s)

John B Severs John B Se 6/8/21

Name (printed)

John B Severs John B Se 6/8/21

Name (printed)

Signature

Date

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**LINCOLN PARK HISTORIC DISTRICT
OPINION POLL**

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I/We the undersigned, as owner(s) of the property located at 1334 Ouray Ave, hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

 disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>Kellie Clark</u>	<u>Kellie Clark</u>	<u>6/9/21</u>
Name (printed)	Signature	Date

<u> </u>	<u> </u>	<u> </u>
Name (printed)	Signature	Date

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LINCOLN PARK HISTORIC DISTRICT
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I/We the undersigned, as owner(s) of the property located at 12350 Uray Ave.
hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

 disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Elizabeth Rowan [Signature] 6/7/2021

Name (printed)

Signature

Date

DENNETT BOESCHENSTEIN [Signature] 6/7/21

Name (printed)

Signature

Date

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LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1230 Murray Ave, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Kory Schweitzer

Kory Schweitzer

6/6/21

Name (printed)

Signature

Date

Hannah Schweitzer

Hannah Schweitzer

6/6/21

Name (printed)

Signature

Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1402 Grand Avenue, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>D. Deese Dancy</u>	<u>D. Deese Dancy</u>	<u>6-6-21</u>
Name (printed)	Signature	Date
<u>DAVID L. DANCY</u>	<u>David L Dancy</u>	<u>6-6-21</u>
Name (printed)	Signature	Date

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LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1420 Oulay, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Charadean V Pop Marcadean V Cox 6/9/2021

Name (printed)

Signature

Date

Name (printed)

Signature

Date

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**LINCOLN PARK HISTORIC DISTRICT
OPINION POLL**

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I/We the undersigned, as owner(s) of the property located at 1350 Grand,
hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Michele Vion (Choka) [Signature] 6/5/2021
Name (printed) Signature Date

Name (printed) Signature Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1318 Dorsey,
hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

_____ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Greg Reed

[Signature]

6/6/21

Name (printed)

Signature

Date

Sarah Reed

[Signature]

6/6/21

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1238 Chipeta, hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

_____ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Jack Treese

Jack Treese

6-7-21

Name (printed)

Signature

Date

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1340 Grand Ave, hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

 disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

[Signature]
Name (printed)

Robin Slater
Signature

6-19-21
Date

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1334 Grand Ave, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Amy Lentz
Name (printed)

[Signature]
Name (printed)

[Signature]
Signature

Steven Lentz
Signature

6/14/21
Date
6/14/21
Date

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I/We the undersigned, as owner(s) of the property located at 1203 Gunnison Ave, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Dan Gumber

Name (printed)

[Signature]

Signature

6-16-21

Date

Carrie Gumber

Name (printed)

[Signature]

Signature

6-16-21

Date

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LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1248 Chipeta Ave., hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Mary K.W. Moore

[Signature]

6/16/2021

Name (printed)

Signature

Date

Name (printed)

Signature

Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1302 GRAND AVE, hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

_____ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

JEWEL LEE KEITH Jewel Lee Keith 6/15/2021

Name (printed)

Signature

Date

EDWARD APPLIGATE [Signature] 6/15/2021

Name (printed)

Signature

Date

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**LINCOLN PARK HISTORIC DISTRICT
OPINION POLL**

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I/We the undersigned, as owner(s) of the property located at 1215 CHIPETA AVE., hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

_____ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

LIZ & PAUL CRAWFORD [Signature] 6/15/21
Name (printed) Signature Date

Name (printed) Signature Date

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LINCOLN PARK HISTORIC DISTRICT
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I/We the undersigned, as owner(s) of the property located at 1360 Chipola Ave, hereby:

X approve of the attached Lincoln Park Standards & Guidelines.

 disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

JOHN HOPKINS

John Hopkins

6/25/21

Name (printed)

Signature

Date

Penny Hopkins

Penny Hopkins

6-25-21

Name (printed)

Signature

Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1345 Gunnison Ave, hereby:

☒ approve of the attached Lincoln Park Standards & Guidelines.

☐ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Barbara Sullivan Barbara Sullivan June 20, 2021

Name (printed)

Signature

Date

Name (printed)

Signature

Date

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OPINION POLL**

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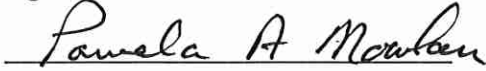
I/We the undersigned, as owner(s) of the property located at 1220 Ouray Avenue, hereby:

 X approve of the attached Lincoln Park Standards & Guidelines.

 disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>Dennis R. Nowlan</u>		<u>6-25-21</u>
Name (printed)	Signature	Date

<u>Pamela A. Nowlan</u>		<u>6-25-21</u>
Name (printed)	Signature	Date

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RETURNED OPINION POLL FORMS
DISAPPROVAL – 24 PROPERTIES



LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1204 OURAY AVE, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Madge Saunders
Name (printed)

[Signature]
Signature

6/15/21
Date

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1324 Chipeta Ave, hereby:

 approve of the attached Lincoln Park Standards & Guidelines.

X disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>Jennifer Kelly</u>	<u>Jennifer Kelly</u>	<u>6/16/21</u>
Name (printed)	Signature	Date
<u>Ila Kelly</u>	<u>Ikelly</u>	<u>6-16-21</u>
Name (printed)	Signature	Date

RETURN THIS FORM IN THE ENCLOSED ENVELOPE BY JUNE 20, 2021. A "NO RESPONSE" WILL BE TREATED AS APPROVAL.

Wow



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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1409 Ouray, hereby:

 approve of the attached Lincoln Park Standards & Guidelines.

X disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Dolores Nugent Dolores Nugent 6/18/21

Name (printed)

Signature

Date

Carmine J. Nugent

Carmine J. Nugent

6/18/21

Name (printed)

Signature

Date

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OPINION POLL

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1261 Ouray Avenue, hereby:

 approve of the attached Lincoln Park Standards & Guidelines.

 X disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Carla Nappi

[Signature]

6/16/21

Name (printed)

Signature

Date

David Varner

[Signature]

16 JUN 2021

Name (printed)

Signature

Date

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Carla M. Nappi and David Varner
1261 Ouray Ave
Grand Junction, CO 81501

Lincoln Park Historic District
C/O Community Development
250 N. 5th Street
Grand Junction, CO 81501-2628

June 16, 2021

To Whom It May Concern:

We are writing to vote NO on the Lincoln Park Historic District Opinion Poll.

We would also like to voice the following concerns related to the process by which this poll is being conducted:

- 1) The proposal seems like it would benefit from professional input (e.g., architectural firm). As it stands, we are concerned the development of Standards and Guidelines appears to be grass roots in nature. While this may be a low-cost approach, we believe that a more serious study and formation of historic district Standards and Guidelines should be informed by subject matter experts. Indeed, we would be more comfortable supporting professionally developed Standards and Guidelines.
- 2) The design of the "voting" on this pool, which counts non-responses as "approval" votes, is decidedly undemocratic. This process risks putting into place standards that were agreed upon by only a small percentage of the affected parties. It also risks discriminating against neighbors who may be too busy to respond or those without the resources to dedicate time to understand the proposal. The fact that only 10% of households responded to the July 2020 draft is evidence that this approach is likely to result in a decision made by only a small percentage of the homeowners in the area. A process, like that used when one is attempting to place a measure on a ballot and must achieve a certain number of signatures to do so, may be more appropriate. Requiring majority approval could result in a more sustainable set of Standards and Guidelines properly voted upon by the affected parties.
- 3) Finally, the placement of a picture in the Standards and Guidelines in which the home is used as an example of what is not "allowable" is, at best, unneighborly and, at worst, threatening.

We hope this feedback will be considered and a new, more democratic approach will be taken to ensure a majority of the neighborhood is able to make an informed vote.

Thank you,


Carla M. Nappi and David Varner



LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1404 Duray Avenue, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ Strongly disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

A. Tomette Southern

Name (printed)

Joe D. Southern

Name (printed)

Signature

Joe D Southern

Signature

Date

06/14/20

Date

06/14/20

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1345 Chipeta Avenue, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

William McNulty

Name (printed)

[Signature]

Signature

6/18/21

Date

Janet Breckenridge

Name (printed)

[Signature]

Signature

6/18/21

Date

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OPINION POLL**

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I/We the undersigned, as owner(s) of the property located at 1405 OVEAY Avenue, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Lynn Radeck [Signature] 6/5/2021
Name (printed) Signature Date

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1334 Chipeta Ave., hereby:

 approve of the attached Lincoln Park Standards & Guidelines.

X disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>Joleen Ryman</u>	<u>Joleen Ryman</u>	<u>6/14/21</u>
Name (printed)	Signature	Date

<u> </u>	<u> </u>	<u> </u>
Name (printed)	Signature	Date

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I/We the undersigned, as owner(s) of the property located at 1320 Chipeta Ave, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>Mark Akins</u>	<u>[Signature]</u>	<u>6-15-2021</u>
Name (printed)	Signature	Date
<u>Susan Akins</u>	<u>[Signature]</u>	<u>6-15-2021</u>
Name (printed)	Signature	Date

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I/We the undersigned, as owner(s) of the property located at 1360 Ouray Ave, GJ 81501 hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Wendy Crittenden

6-6-2021

Name (printed)

Signature

Date

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1438 Ouray Ave, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>Heather Martinez</u>	<u>Heather M. M</u>	<u>6/17/2021</u>
Name (printed)	Signature	Date

_____	_____	_____
Name (printed)	Signature	Date

RETURN THIS FORM IN THE ENCLOSED ENVELOPE BY JUNE 20, 2021. A "NO RESPONSE" WILL BE TREATED AS APPROVAL.



LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

June 3, 2021

The Lincoln Park Historic District was expanded in 2018 by a majority vote of its homeowners, followed by Grand Junction Historic Board and City Council approval. Our Historic District includes 110 homes between 12th and 15th streets as the western and eastern boundaries and Gunnison and the north side of Grand as the northern and southern boundaries.

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I/We the undersigned, as owner(s) of the property located at 1428 Grand Ave, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Corey LoSordo Corey LoSordo 6/14/21
Name (printed) Signature Date

Name (printed) Signature Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1421 Chipeta Ave, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Jessica Stieler J Stieler 6/16/21

Name (printed)

Signature

Date

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1405 CHIPETA AVE, hereby:

 approve of the attached Lincoln Park Standards & Guidelines.

 X disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

GREGORY A BLACK *Elizabeth A Black* 06-05-2021

Name (printed)

Signature

Date

Elizabeth A Black *Elizabeth A Black* 06-05-2021

Name (printed)

Signature

Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1360 Grand AVE, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Max Thurman 6-07-2021
Name (printed) Signature Date

Name (printed) Signature Date

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*Leave me alone
I do what I can ?*



LINCOLN PARK HISTORIC DISTRICT
OPINION POLL

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I/We the undersigned, as owner(s) of the ~~property~~ 1335 CHIPETA & 1326 OURAY
hereby: PROPERTIES

_____ approve of the attached Lincoln Park Standards & Guidelines.

X disapprove of the attached Lincoln Park Standards & Guidelines.

DESTROY HISTORY
TO ENSURE EYSORES!

Property Owner(s):

GERALD A. TIEMANN

[Signature]

6/05/2021

Name (printed)

Signature

Date

Name (printed)

Signature

Date

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**LINCOLN PARK HISTORIC DISTRICT
OPINION POLL**

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1340 Gurray Avenue, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

DANIEL DAVIS

[Signature]

6.6.2021

Name (printed)

[Signature]

Signature

[Signature]

Date

6/6/2021

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1242 Arroyo Ave, hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Michelle Weckenbrock

[Signature]

6/7/2021

Name (printed)

Signature

Date

Greg Weckenbrock

[Signature]

6/7/2021

Name (printed)

Signature

Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1236 GRAND AVE., hereby:

 approve of the attached Lincoln Park Standards & Guidelines.

 X disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>KEVIN ANDERSON</u>	<u>KEVIN ANDERSON</u>	<u>06-08-2021</u>
Name (printed)	Signature	Date

<u> </u>	<u> </u>	<u> </u>
Name (printed)	Signature	Date

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OPINION POLL

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I/We the undersigned, as owner(s) of the property located at 1225 CHIPMAN AVE hereby:

☐ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Robyn Eckers
Name (printed)

[Signature]
Signature

June 10 2021
Date

Name (printed)

Signature

Date

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I/We the undersigned, as owner(s) of the property located at 1202 GRAND AVENUE, hereby:

_____ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

KATHLEEN TAYLOR Kathleen Taylor 6/8/21
Name (printed) Signature Date

Name (printed) Signature Date

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I/We the undersigned, as owner(s) of the property located at 1240 Duray Ave, hereby:

_____ approve of the attached Lincoln Park Standards & Guidelines.

☒ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Shen Cong [Signature] 6/11/21
Name (printed) Signature Date

Name (printed) Signature Date

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I/We the undersigned, as owner(s) of the property located at 1344 Chipeta Ave., hereby:

 approve of the attached Lincoln Park Standards & Guidelines.

 X disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

<u>JERRY L. HICKS</u>	<u>Jerry L. Hicks</u>	<u>6-7-21</u>
Name (printed)	Signature	Date
<u>Vikki A. Hicks</u>	<u>Vikki A. Hicks</u>	<u>6-7-21</u>
Name (printed)	Signature	Date

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RETURNED OPINION POLL FORMS
NO INDICATION OF APPROVAL/DISAPPROVAL – 2 PROPERTIES



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OPINION POLL

June 3, 2021

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I/We the undersigned, as owner(s) of the property located at 1325 Orray, hereby:

_____ approve of the attached Lincoln Park Standards & Guidelines.

_____ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

Russ Williams

Russ Williams

6-6-21

Name (printed)

Signature

Date

Jolynn Williams

Jolynn Williams

6-6-21

Name (printed)

Signature

Date

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_____ approve of the attached Lincoln Park Standards & Guidelines.

_____ disapprove of the attached Lincoln Park Standards & Guidelines.

Property Owner(s):

GA Buss

AD Buss

6/25/21

Name (printed)

Signature

Date

Name (printed)

Signature

Date

RETURN THIS FORM IN THE ENCLOSED ENVELOPE BY JUNE 20, 2021. A "NO RESPONSE" WILL BE TREATED AS APPROVAL.

LINCOLN PARK HISTORIC DISTRICT TIMELINE FOR RESIDENT INPUT

Prepared by Lincoln Park Historic District Committee

- **01/25/2018**—Meeting at public library re possible expansion of historic district. 88 emails sent out, 20 notices hand-delivered, 3 mailed to absentee homeowners in advance of the meeting. 19 residents attended.
- **05/2018**—Door-to-door contact with residents, resulting in 64% approval for expansion. GJ Historic Preservation Board and City Council approval of expansion.
- **11/23/2018**—Notice sent out re meeting at public library re desire for standards & guidelines. Same notice distribution as above.
- **12/3/2018**—Reminder notice sent out re meeting. Same notice distribution as above.
- **12/6/2018**—Meeting held at public library re desire for standards & guidelines. Same notice practice as above. 25 residents attended. Committee of 10 formed..
- **12/12/2018**—Minutes of above meeting sent out using same notice distribution as above.
- **02/24/2019**—88 emails sent out, 20 notices hand-delivered, 3 mailed to absentee homeowners indicating that the committee was “still working on the standards & guidelines and that there would be an opportunity to review and comment prior to finalization.”
- **07/23/2019**--1st notice sent out re annual neighborhood picnic, using same notice distribution as above.
- **09/19/2019**--2nd notice sent out re annual neighborhood picnic using same notice distribution as above.
- **09/21/2019**—Annual neighborhood picnic held where it was mentioned that the committee was “still working on the standards & guidelines and that there would be an opportunity to review and comment prior to finalization.” 40 residents attended.
- **07/2020**--Draft Standards & Guidelines distributed by the committee to every resident, using the previous means of 84 email, 17 hand delivery, and 10 mail. Recipients were asked to review & email comments back within 15 days.
- **08/13/2020**-- Committee met to review 11 responses received.
- **08/2020**—Committee responded to those who commented on the draft.
- **02/02/2021**--GJ Historic Preservation Board unanimously approved the Lincoln Park Standards & Guidelines. They will be functioning as the review board for the Standards.
- **03/2021**—Notice sent by Community Development Department to all 110 households and school district re Planning Commission hearing.
- **03/23/2021**--GJ Planning Commission hearing. 12 households posted comments—11 were positive and 1 was negative. 6 residents attended the zoom hearing. Planning Commission denied .
- **06/03/2021**—Opinion poll mailed by City of Grand Junction to all residents of LP Historic District and school district. Self addressed, stamped envelope included. A total of 54 written responses (households) were returned. Of these 54 households, a majority (28) were in favor, 24 were opposed, and 2 were non-responsive. If you then add in the remaining 57 properties that didn't respond (per the statement at the bottom of the opinion poll-- a “no response” will be treated as approval), 85 (76%) properties are in favor of adoption of the Lincoln Park Standards & Guidelines.

GRAND JUNCTION PLANNING COMMISSION
March 23, 2021 MINUTES
5:30 p.m.

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Vice Chair Christian Reece, George Gatseos, Sam Susuras, Andrea Haitz, and Sandra Weckerly.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Dave Thornton (Principal Planner), and Kristen Ashbeck (Principal Planner).

There were 6 members of the public in virtual attendance: Brenda Muhr, Daniel Nordmeyer, Ellie Schulz, Sheree Fukai, Abe Herman, Jennifer Kelly.

REGULAR AGENDA

1. Lincoln Park Historic District Guidelines and Standards File # ZCA-2021-67
[Agenda item can be viewed online here at 14:00](#)

Consider a request by the Lincoln Park Neighborhood/Residential Historic District to amend Municipal Code Volume II: Development Regulations to adopt standards and guidelines for the Lincoln Park Historic District as Title 30 and Amend Section 21.02.040 of the Zoning and Development Code pertaining to the role of the Historic Preservation Board in the review of alterations within the District.

Staff Presentation

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

Questions for Staff

Commissioner Reece asked a question regarding notice to property owners in the District.

Commissioner Weckerly asked a follow-up question regarding notice.

Applicant Presentation

Elizabeth Rowan, Bennett Boeschstein, and Kristen Armbruster, representing the Lincoln Park Historic District, gave a presentation regarding the request.

Questions for Applicant

Commissioner Gatseos asked a question regarding the accessory dwelling unit provision.

Commissioner Reece asked a question regarding the notice.

Commissioner Weckerly asked a question about the attendance of a meeting that was held.

Commissioner Haitz

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, March 16, 2021 via www.GJSpeaks.org.

The following made comments regarding the request: Akira Fukai, Jennifer Kelly (Mayo), Deese Dancy and David Dancy, Michael and Tracy LeFebre, Jeanne Haberer, Bill Scheskie, Sheree Fukai, Rebecca Mullen, Florence Irene (Renee) Shields, Riecke Claussen, Bennet Boeschstein, and Elizabeth Rowan.

Sheree Fukai gave testimony regarding the request.

The public hearing was closed at 6:50 p.m. on March 23, 2021.

Questions for Applicant or Staff

None.

Discussion

Commissioner Gatseos made a comment regarding the request.

Commissioner Reece made a comment regarding the request.

Commissioner Haitz agreed with Commissioner Gatseos and Reece.

Chair Teske made a comment regarding the request.

Motion and Vote

Commissioner Reece made the following motion, "Mr. Chairman, on the Code amendments to 1) adopt the Lincoln Park Residential Historic District Standards and Guidelines as a new Title within Volume II, Development Regulations, of the Municipal Code; and 2) amend Title 21, Zoning and Development Code pertaining to the jurisdiction, duties and responsibilities of the City of Grand Junction Historic Preservation Board, ZCA-2021-67, I move that the Planning Commission forward a recommendation of approval of the request with the findings of fact listed in the staff report."

Commissioner Gatseos seconded the motion. The motion failed 5-1 with Commissioners Teske, Reece, Gatseos, Haitz and Weckerly voting NO.

**LINCOLN PARK HISTORIC DISTRICT COMMITTEE RESPONSE TO QUESTIONS
RAISED BY PLANNING COMMISSION**

1. Are Accessory Dwelling Units (ADUs) affected by the proposed Standards & Guidelines?

Response:

This document allows ADUs but requires that newly constructed ADUs be architecturally compatible with and subordinate to the primary residential building on the site by placing the structure to the rear of the lot. The footprint of the new ADU shall not be larger than the footprint of the primary residential building. We believe this could greatly increase the housing stock in the downtown area.

2. There was a concern with the City Council considering and deciding upon the Certificate of Appropriateness for demolition.

Response:

The demolition section contained in the proposed Lincoln Park Standards & Guidelines mirrors word for word the 7th Street Historic District Standards & Guidelines which are contained in the Municipal Code. The reason for the demolition section is to give time for the property owner, neighborhood, and city historic preservation board to propose an alternative to demolition of a historical structure.

3. There was a concern that the Lincoln Park Standards & Guidelines might affect property rights.

Response:

Property rights are affected by a number of factors including: zoning, location, traffic, surrounding land uses, property values and market trends. The history of neighborhood standards and guidelines is that property values and rights are enhanced rather than decreased.

4. There was a concern that the word “compatible” as used in the document is too broad.

Response:

The Historic Preservation Board (HPB) will be interpreting what is compatible and what is not. This is something they do on a regular basis with the North 7th Street Historic District. This is why the document contains so many photos; Community Development staff and the HPB kept asking for examples.

5. There was discussion that the PC wanted to be sure everyone in the district had an opportunity to voice their opinion on the proposed Standards & Guidelines.

Response:

The events and dates listed in the Lincoln Park Historic District Timeline for Resident Input were read verbatim at the hearing. In addition, subsequent to the PC hearing, an opinion poll was mailed out by the City of Grand Junction to all property owners, giving them an opportunity to respond. 48% responded. The results are reiterated in the aforementioned document.

One Planning Commissioner noted that the proposed Standards & Guidelines seemed to be reasonable, another indicated they were totally supportive of developing Standards & Guidelines, and remarked “there is a lot of good stuff in here.” It was also noted by another planning commission member that there didn't appear to be any broad based opposition.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GRAND JUNCTION MUNICIPAL CODE DEVELOPMENT REGULATIONS: TO ADOPT STANDARDS AND GUIDELINES FOR THE LINCOLN PARK RESIDENTIAL HISTORIC DISTRICT AS TITLE 30 AND AMEND SECTIONS 21.07.040(g), 21.01.130(f)(9)(ix), AND 21.01.130(G) OF THE ZONING AND DEVELOPMENT CODE PERTAINING TO THE ROLE OF THE HISTORIC PRESERVATION BOARD IN THE REVIEW OF ALTERATIONS WITHIN THE DISTRICT

Recitals.

The Lincoln Park Residential Historic District ("District") includes the properties between North 12th Street on the west North 15th Street on the east, Gunnison Avenue on the north and Grand Avenue on the south. The specific parcels/outer boundaries of the District are shown on the Location Map attached hereto and incorporated by this reference. The boundaries of the District coincide with the City-recognized Lincoln Park Neighborhood Association (Association.)

In 1997 the *City Register of Historic Structures* designated the four blocks between North 12th Street and North 14th Street and Gunnison Avenue to Ouray Avenue as the District boundary; In May 2018 the District boundaries were expanded to the current designated area. . The Association is proud of the *Historic Structures* designation and it is the Association's desire to establish processes and standards by which to maintain and enhance the historic character of the District.

After a series of neighborhood meetings, and with collaboration of many District residents, a group of property owners proposed the *Standards and Guidelines*/ the proposed Code amendments are being considered for adoption by this Ordinance. Throughout the development of the *Standards and Guidelines* the group consulted with City staff and the Grand Junction Historic Preservation Board.

In addition to recommending the proposed *Standards and Guidelines*, the Association, the City staff, and the HPB(?) recommend that the Historic Preservation Board, by and with the adoption of this Ordinance, be charged with the interpretation, implementation and application of the *Standards and Guidelines* to the properties in the Lincoln Park Residential Historic District.

After thorough review, deliberation and consideration, the City Council of the City of Grand Junction has determined that the Historic Preservation Board, with its interest and expertise in matters of historic preservation, is the appropriate body to review and decide *Certificate of Appropriateness* applications for the Lincoln Park Residential Historic District and to apply the *Guidelines and Standards* to those applications, subject to review on appeal by the City Council, as provided in the Code.

Furthermore, after thorough review, deliberation and consideration, the City Council of the City of Grand Junction finds that it is in the public interest to adopt the *Lincoln Park Historic District Standards and Guidelines* in the form and content A attached to this Ordinance as Exhibit _____. Exhibit _____ is attached hereto and incorporated by this reference as if fully set forth.

Initial determination of compliance with the Guidelines and Standards shall be made by the Director, who shall then make a recommendation to the Historic Preservation Board. The Historic Preservation Board shall hear and decide applications for alteration/construction within the PD zone district. A decision of the Historic Preservation Board may be appealed to the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT VOLUME II: DEVELOPMENT REGULATIONS OF THE GRAND JUNCTION MUNICIPAL CODE IS HEREBY AMENDED TO ADOPT IN ITS ENTIRETY EXHIBIT A TO THIS ORDINANCE AS TITLE 30 AND AMEND SECTIONS 21.01.130(G), 21.01.130(f)(9)(ix) AND 21.07.040(g) OF THE ZONING AND DEVELOPMENT CODE TO GRANT AUTHORITY TO THE HISTORIC PRESERVATION BOARD TO REVIEW AND DECIDE APPLICATIONS FOR ALTERATION OR CONSTRUCTION (CERTIFICATES OF APPROPRIATENESS) WITHIN THE LINCOLN PARK HISTORIC DISTRICT. AMENDMENTS TO SECTIONS 21.01.130(G), 21.01.130(f)(9)(ix) AND 21.07.040(g) ARE AS FOLLOWS WITH NEW TEXT SHOWN IN UNDERLINE TYPE. DELETIONS ARE SHOWN IN ~~STRIKETHROUGH~~ TYPE.

Section # (g) **Summary of Authority.** The following table summarizes the review and approval authority provided in this code. If there is a discrepancy between this table and the text where the authority is specifically prescribed, the text shall control.

Sec.	Procedure	Director	Planning Commission	HPB	City Council	ZBOA
R = Review D = Decision A = Appeal						
21.02.070	Administrative development permit, all administrative permits not listed herein	D	A			
21.02.070	Subdivision	D			A	
21.02.090	Vacation of plat without public right-of-way or easement	R	D		A	
21.02.090	Vacation of plat with public right-of-way or easement	R	R		D	
21.02.100	Vacation of public right-of-way or easement	R	R		D	
21.02.110	Conditional use permit	R	D		A	
21.02.120	Special permit	R	R		D	
21.02.130(d)	Administrative changes to Comprehensive Plan	D			A	
21.02.130(e)	Comprehensive Plan amendment, plan amendments	R	R		D	
21.02.140	Code amendment and rezoning	R	R		D	
21.02.150	Planned development	R	R		D	
21.02.160	Annexation	R			D	
21.02.170	Vested property rights	R	R		D	
21.02.180	Revocable permit – Landscaping and irrigation	D			A	
21.02.180	Revocable permit, other	R			D	
21.02.190	Institutional and civic facility master plans	R	R		D	
21.02.200	Variance	R				D
21.04.030(p)(1)	Fraternity or sorority	D				A

Sec.	Procedure	Director	Planning Commission	HPB	City Council	ZBOA
R = Review D = Decision A = Appeal						
21.04.030(p)(2)	Group living facility (*except where a conditional use permit is required, see "Conditional use permit")	D*				A*
21.04.030(p)(2)(iv)(C)(b)	Group living facility – Sex offenders		D			
21.07.040(d) and (h)	Designation of historic structures, sites and districts and revocation of designation	R		R	D	
21.07.040(g)(2)	Certificate of Appropriateness, N. Seventh Street and Lincoln Park Historic Districts	R		D		

21.01.130(f)(9)(ix) (ix) Review and decide applications for a Certificate of Appropriateness for alteration to a site and/or structure in the North Seventh Street Historic Residential District and in the Lincoln Park Residential Historic District;

Section # (g) Review of Alterations.

(1) City Registry. The owner of any historic structure or site on the City Registry designated pursuant to subsection (e) of this section is requested to consult with the Historic Board before making any alteration. The Historic Board shall determine if the alteration is compatible with the designation. In reviewing a proposed alteration, the Historic Board shall consider design, finish, material, scale, mass and height. When the subject site is in an historic district, the Historic Board must also find that the proposed development is visually compatible with development on adjacent properties, as well as any guidelines adopted as part of the given historic district designation. For the purposes of this section, the term "compatible" shall mean consistent with, harmonious with and/or enhances the mixture of complementary architectural styles either of the architecture of an individual structure or the character of the surrounding structures. The Historic Board shall use the following criteria to determine compatibility of a proposed alteration:

- (i) The effect upon the general historical and architectural character of the structure and property;
- (ii) The architectural style, arrangement, texture and material used on the existing and proposed structures and their relation and compatibility with other structures;
- (iii) The size of the structure, its setbacks, its site, location, and the appropriateness thereof, when compared to existing structure and the site;
- (iv) The compatibility of accessory structures and fences with the main structure on the site, and with other structures;
- (v) The effects of the proposed work in creating, changing, destroying, or otherwise impacting the exterior architectural features of the structure upon which such work is done;
- (vi) The condition of existing improvements and whether they are a hazard to public health and safety; or

(vii) The effects of the proposed work upon the protection, enhancement, perpetuation and use of the property.

(2) North Seventh Street Historic Residential District and Lincoln Park Residential Historic District ("Districts" when referred to jointly or either alone as "District"). The owner of any property within the North Seventh Street Historic Residential District shall comply with the North Seventh Street Historic Residential District Guidelines and Standards. The owner of any property within the Lincoln Park Historic District shall comply with the Lincoln Park Residential Historic District Standards and Guidelines.

(i) Before making any construction or alteration to a site or structure, such owner shall make application to the City for a Certificate of Appropriateness. The Director shall ~~make~~ review such application for compliance with the Guidelines and Standards and make an initial determination and recommendation to the Board. The Director may include in that recommendation any conditions deemed appropriate to comply with the Guidelines and Standards and with the Zoning and Development Code.

(ii) The Board shall have jurisdiction to review City staff recommendations and to decide applications for Certificates of Appropriateness at a public hearing. The Board may include any conditions of approval deemed appropriate for compliance with the Guidelines and Standards. No owner shall construct or alter a structure or site in the District without first obtaining a Certificate of Appropriateness from the Board.

(iii) A decision of the Board may be appealed to City Council within 30 days of the issuance of the decision. Appeals to City Council shall be de novo.

(iv) All reviews pursuant to this subsection (2) shall determine if the new construction or alteration is compatible with the historic designation as provided in the respective North Seventh Street Historic Residential District Guidelines and Standards for the appropriate District. In reviewing an application, consideration shall be given to design, siting, form, texture, setbacks, orientation, alignment, finish, material, scale, mass, height and overall visual compatibility, according to and with reference to the applicable Guidelines and Standards for the respective District. ~~of the North Seventh Street Historic Residential District~~. For purposes of this section, the term "compatible" shall mean consistent with, harmonious with and/or enhancing the mixture of complementary architectural styles either of the architecture of an individual structure or the character of the surrounding structures.

If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

The City Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object and intent sought to be obtained.

Introduced on first reading this ____ day of _____ 2021 and authorized the publication in pamphlet form.

Passed and adopted on second reading the ____ day of _____ 2021 and authorized the publication in pamphlet form.

C.B. McDaniel

President of the City Council

ATTEST:

Wanda Winkelmann
City Clerk

EXHIBIT A – PROPOSED TITLE 30

Lincoln Park

Residential Historic District

Standards and Guidelines



LPHD Standards and Guidelines

Below is a quick reference guide to help property owners determine what is a Standard and what is a Guideline. Remember to always check with the Mesa County Building Department and City of Grand Junction Community Development Department to apply for all permits when necessary. Guidelines are *Italicized* and Standards are **Bold**.

Sec.	<i>GUIDELINE / STANDARD</i>	OWNER'S DISCRETION	COMMUNITY DEVELOPMENT REVIEW REQUIRED	HISTORIC BOARD REVIEW REQUIRED	Appellate body
					City Council
	New Construction, Additions		X	X	City Council
	Remodels (Exterior)		X	X	City Council
G	Exterior Materials			X	City Council
H	Windows		X	X	City Council
H	Trim and Details			X	
<i>3</i>	<i>Front Porch</i>		X		
J	Manufactured / Modular Homes		X	X	City Council
K	Demolition				
K	Primary Structure		X	X	City Council
	Accessory Structures	X	X (over 200 sq ft)		
	Window Replacement	X			
	Interior Remodel	X			
<i>1</i>	<i>Fences</i>		X		
	Accessory Structures				
	Garages		X		HPB
	Chicken Coops	X			
	Shed (Over 200 sq		X		HPB

	ft)				
	Dwelling Unit		X		HPB
2	<i>Street Scape</i>	X			
	Re-Roofing		X		HPB

Note: Anything not addressed above is controlled by the Grand Junction Municipal Code – Zoning and Development Codes

A010. How we got here: The formation of the Lincoln Park Neighborhood Association

On Nov. 16, 2017, a meeting of Lincoln Park residents took place at the Lincoln Park Barn. Discussion centered on whether to form a Neighborhood Association, potential boundaries, and concerns of

residents. Common concerns were: potential for incompatible new development, potential development impact from CMU, and potential for expansion of the existing Lincoln Park Residential Historic District (LPHD). The consensus of those attending was to proceed with formation of the Neighborhood Association and to expand the existing LPHD. The Lincoln Park Neighborhood Association was



This bungalow on Ouray Avenue illustrates the typical property layout within the Lincoln Park Historic District - detached garage located behind the primary residence. The deep front porch connects the sidewalk to the front door of the house, while the large roof overhangs shade the windows from the summer sun.

approved by Grand Junction City Council in December 2017 to strengthen the neighborhood, create a strong voice to address local concerns within our area of the City, and build a sense of community. Boundaries were based on original plats of Dundee Place and Lincoln Park Addition.

A020. Expansion of the Lincoln Park Historic District

In 1997, a historic district consisting of 53 homes (1200 and 1300 blocks of Gunnison Avenue, Chipeta Avenue, and the north side of Ouray Avenue) was created in the Lincoln Park Neighborhood. Its purpose was to preserve the character of our historic homes and speak with a unified voice in opposing the widening of 12th Street.

Following up on the 2017 Neighborhood Association meeting referenced above, a meeting was held in January 2018 to determine neighborhood interest in expanding the historic district, to match the neighborhood association boundaries. This would add 58 properties. The consensus at the meeting was to pursue expansion.



This home on Ouray Avenue perfectly illustrates the Lincoln Park Neighborhood ... bungalow, sun porch, a detached garage in the rear. Originally accessed from the alley, detached garages in the district also sit at the end of long driveways along the primary residence.

Several neighborhood volunteers went door to door in the expansion area with approval forms drafted by the City. A total of 64% (60% was required) believed that expansion of the LPHD would foster community pride and encourage preservation of the historic character of our homes.

In April 2018, the Grand Junction Historic Preservation Board recommended to the Grand Junction City Council that this “gem of a historic neighborhood” (quote from a member of the Historic Preservation Board) be expanded to include all 110 homes and the Lincoln Park School. The Grand Junction City Council expanded the historic district designation on May 2, 2018 in the passage of Resolution Number 26-18.

A030. Character of the Lincoln Park Historic District

The LPHD reflects the transition from a streetcar, horse-and-buggy city, to an automobile-dominated city and is typified by detached garages or carriage houses, detached sidewalks, front and rear yards, tree lawns, alleys, neighborhood parks, and neighborhood schools. Most of the homes have stayed true to their original architectural integrity, and are of the Bungalow, Craftsman architectural styles.

The majority of the homes are over 50 years old and range to those more than a century old. Specific architectural elements include hardwood floors, casement windows, stained glass windows, cobblestone foundations, peaked roofs, brick walls laid in a precise Flemish bond, porticos with casement windows, wide gables with staggered wall beams, well laid, multi-color brickwork or wood lap siding and sun porches.

Garages are typically separate structures at the rear of the property, which originally had access off of the alley, but now have access off of the street via long driveways. Houses situated on a corner lot typically have garage access from the side street (not primary street) to allow for proper access.

The architectural elements of the existing homes and the detached garages in the rear lots are the qualities and characteristics valued by the residents and community. The Lincoln Park

Historic District Standards and Guidelines are based upon these existing features.

The Lincoln Park School was built in 1910 of brick construction with arched windows and a gable or hip roof. Although there have been several

additions to the school throughout the years, the core of the original building and surrounding playground remains.



One of the older homes in the district built along Gunnison Avenue, directly facing Lincoln Park. This adobe home illustrates the Spanish Revival style with its clay tile roof and arched entryway. The properties located on Gunnison Avenue facing Lincoln Park are larger than the typical property within the District. Setbacks from the sidewalk to the front of the house are also larger than typical houses within the LPHD.

A040. A bit of history on Lincoln Park neighborhood

The Lincoln Park neighborhood was named for the adjacent, large 42-acre city park. It consists of the Dundee Place subdivision created in 1909 and the Lincoln Park Addition in 1925. The growth of this area, east of the original square mile of the city, reflected the prosperous times of the Grand Junction community in the 1920's. It is a classic Bungalow, Craftsman neighborhood, not unlike many of those found throughout America during this time period.

A050. Development of LPHD Standards and Guidelines

In circulating approval forms for the expansion of the LPHD, several residents inquired whether there would be standards and guidelines associated with the historic district. All residents of the LPHD were invited to attend an informational meeting on December 6, 2018, to consider whether there was a desire to preserve the character of our neighborhood homes - and what approach might be taken to do that.

The majority of those present thought some measures of compatibility and preservation were desirable. Everyone had the opportunity to vote on which aspects of the character of the homes in the LPHD that they thought were important, and the extent of their importance.



Floor-to-ceiling arched, tripartite windows are the defining feature of this stucco home on Gunnison Avenue. Built in 1926, this home is located in the Lincoln Park Addition, across the street from Lincoln Park.

For example, the majority of those present believed that new construction was very important and should require a Standard. The majority also believed that front yard fence materials were somewhat important and should be encouraged with a Guideline. Participants voted on 11 subject areas.

Two other important ideas were agreed to at the meeting:

- (1) Current structures which exist at the time of adoption of the Standards and Guidelines will be grandfathered in as long as they are legal per City Code; and
- (2) Standards and Guidelines will address visual appearance from the street and will not address interior construction.

Volunteers were recruited for a committee to draft the LPHD Standards and Guidelines to present to neighborhood residents and eventually, the Grand Junction Historic Preservation Board and the Grand Junction City Council. This committee of dedicated residents from the LPHD met for several months during 2019 and 2020 to draft these Standards and Guidelines. Committee members were: Greg Reed, Kirsten Armbruster, Aki and Sheree Fukai, Rand Porter, Bill Scheskie, Stephanie Matlock, Barb Sullivan, Elizabeth Rowan and Bennett Boeschenstein.

A060. Proposed LPHD Standards and Guidelines

These Standards and Guidelines are meant to promote compatibility of structures in the Lincoln Park Historic District and to preserve the historic character, consistency, and uniformity of the District. New construction in the LPHD is allowed, as long as the siting, design, and construction are compatible with the character of the LPHD.

The LPHD Standards and Guidelines shall be used in conjunction with the City of Grand Junction Zoning and Development Code to guide development according to the principles of historic preservation. The LPHD Standards and Guidelines include specific materials, styles, orientation, and other design criteria, which, when in conflict with another adopted standard, the more restrictive standard shall apply.

All structures existing within the LPHD at the time of the adoption of these standards and guidelines which do not meet the requirements of these standards and guidelines are considered acceptable and may continue indefinitely as long as

they maintain their current size and scope. These structures may not be expanded, altered, or enlarged without meeting the newly adopted Standards and Guidelines.



Not all houses within The District are single-story bungalows. This residence is a two-story Georgian Revival style constructed in 1935. The symmetrical arrangement of the windows, as well as the proportions of the windows, fits the Lincoln Park Historic District Standards & Guidelines.

1. STANDARDS - Required

Process: Interpretation of the application of standards for the LPHD shall be the responsibility of the City of Grand Junction Community Development Department staff. Any modification to an element addressed in the standards shall require an application to the City Community Development Department for a Certificate of Appropriateness for staff review and recommendation and consideration by the Historic Preservation Board. The Department staff shall prepare a report with findings. The Historic Preservation Board will then review the report and make a decision (the procedure involving demolition is detailed in the Demolition section).

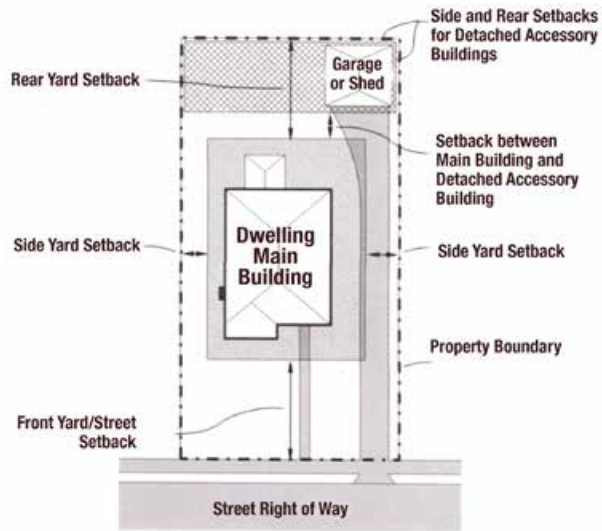
New Construction, Additions, and Remodels

New construction, additions, and remodels are allowed as long as they are compatible with adjacent homes, the specific block within the district, and retain the character of the district as defined in Section A030. See also Manufactured Home standards for the placement of manufactured homes in the LPHD. Multifamily development is subject to the standards listed below, including setbacks, compatibility, lot size, building proportions, mass, form, orientation and lot coverage, alignment and spacing, exterior materials, and trim and details.

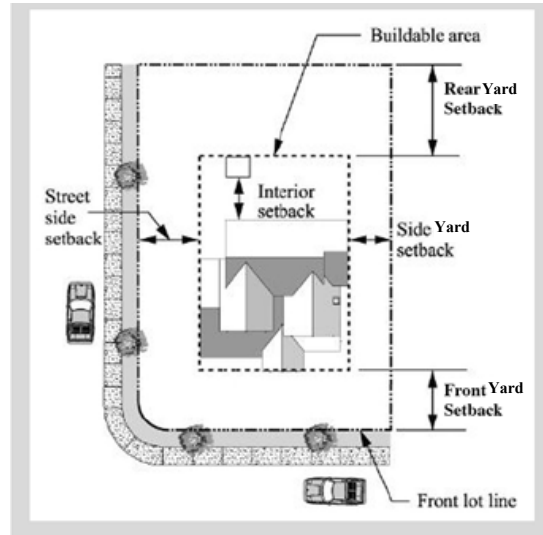
A. Setbacks

- (1) Setbacks and placement of buildings within the LPHD will maintain the cohesive character within LPHD. Gunnison and Grand Avenues shall retain larger setbacks to preserve their historic value as major arterials and transportation routes for street cars and other public transit.
- (2) Setbacks for primary and accessory structures within the LPHD are set forth below.

Setbacks



Corner Lot Setbacks



Residential Setbacks for Lincoln Park Historic District

New Construction, Additions, and Remodels

	Gunnison Avenue	Grand Avenue	Chipeta/Ouray Avenues
Primary Structure			
Front Yard/Street Setback (min. feet) incl. porch	60	35	20
Front Yard Setback – Corner Lot (min. feet) incl. porch	10	10	10
Side Yard Setback (min. feet)	3	3	3
Street Side Setback – Corner Lot (min. feet)	10	10	10
Rear Yard Setback (min. feet)	5	5	5
Accessory Structure			
Setback from Front Lot Line (min. feet)	65	40	25
Side Setback (min. feet)	3	3	3
Street Side Setback – Corner Lot (min. feet)	10	10	10
Rear Setback (min. feet)	2	2	2

B. Compatibility



Compatibility: New construction compatible with historic character of neighborhood; front porches, Bungalow, Craftsman style.

New construction in LPHD is allowed, as long as the design, siting, and construction are compatible with the character of the LPHD as defined in Section A030. Siting is critical due to various lot configurations and in considering the overall appearance within the context of neighboring buildings set within the immediate block. Important design considerations for new buildings include height, massing, scale, form, lot coverage, setbacks, spacing of buildings, orientation, and alignment. Compatibility of proposed foundations, porches, landscaping, utility systems, and other site features is also important.

C. Orientation and Lot Coverage

(1) New buildings shall be oriented with the primary entrance façade parallel to the street and provide visual continuity with proportional lot coverage similar to other buildings on the same block. This is a consistent pattern throughout the LPHD which shall be preserved to maintain the prevailing visual continuity.

(2) General proportions of buildings-to-lot areas shall remain consistent with their historic appearance. Lot coverage shall be similar in proportion to the lot coverage of neighboring lots. Overall proportions of building-to-lot area shall remain consistent from lot to lot along the block.



This picture shows a detached garage that is architecturally compatible with the primary residence, yet subordinate to the primary residence, located to the rear of the lot.

(3) New detached accessory structures shall be architecturally compatible with and subordinate to the primary residential building on the site by placing the structure to the rear of the lot. The footprint of the new detached accessory structure shall not be larger than the footprint of the primary residential building. Chicken coops, dog runs, rabbit cages and similar out structures are allowed in the rear part of the lot, subject to regulations of City Code.



Another picture of the detached garage set to the rear of the lot. Across the alley behind, you can see an accessory unit that is both subordinate to and architecturally compatible with its main structure.

D. Lot Size, Building Proportions, Mass and Form

(1) Minimum lot size in the 1200 block of Gunnison Ave. shall be 14,000 square feet, and maximum lot size in the 1200 block of Gunnison Ave. shall be 20,000 square feet. Minimum lot size everywhere else within the LPHD shall be 6,000 square feet and the maximum lot size everywhere else within the LPHD shall be 10,000 square feet.

(2) Buildings shall be similar in height and width to buildings on adjacent sites and block.



New building broken up into smaller segments; taller masses away from the street; design characteristics unique but relate to the neighborhood.

(3) A new building which is wider and higher than buildings on adjacent sites may be constructed if the new building is broken up into smaller masses that are more similar to adjacent buildings and if the height of the building at the street facade and at the sides facing adjacent sites is similar to the height of buildings on those sites. This is achieved by placing the taller masses away from the street and adjacent buildings to either side.

(4) Foundation height shall be similar in proportion and appearance to neighboring buildings.

(5) New buildings shall reinforce a pedestrian friendly character from the front elevation by maintaining the similarity of building, roof form, and front porches traditionally found on the block.

(6) New construction shall incorporate design elements such as height, roof forms, lines, openings, vertical and horizontal proportions of building mass, symmetry and asymmetrical diversity and other characteristics commonly found in the LPHD.

(7) New construction may have a building form which is unique in the LPHD but it shall relate to the neighboring buildings and to the neighborhood through its overall massing.

(8) New construction shall not use massing and building forms which are inconsistent with the LPHD as determined by the Historic Preservation Board.

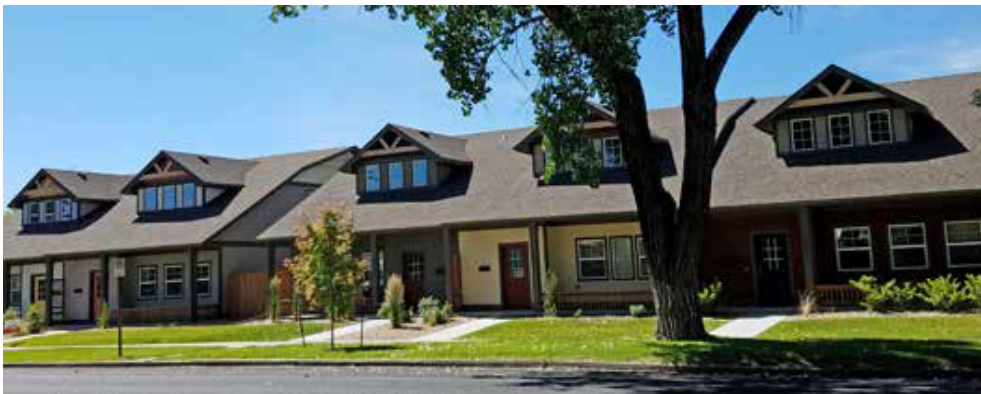
E. Alignment and Spacing

(1) Proportions of facades and spacing of buildings shall be consistent along the street within the LPHD. Along a block, the uniformity of the facades and the spacing of the buildings shall be consistent along the streets of the LPHD. Along a block, the uniformity of the proportions of the facades and the spacing of the buildings must be considered in new construction to achieve harmony along the streetscape.

(2) Porches, projecting bays, balconies, and other facade elements shall be aligned vertically with those of the original structure and the existing buildings along the street. This alignment creates harmony and maintains the rhythm of façade proportions along the block length.

(3) Street-facing facade widths of new primary structures shall correspond with existing building widths; however, a wider facade can be broken into separate elements that suggest front widths similar to those of neighboring buildings. Where lots are combined to create a larger development, the building-to-lot proportions shall visually suggest a relationship with adjacent buildings by breaking large building masses into smaller elements. Where a building site is comprised of multiple lots, the new building or components thereof shall be clearly of similar proportion to the original building and other buildings on the same block.

(4) New building facades shall align (horizontally and vertically) with the facades of existing buildings on adjacent sites.



Where lots are combined to create a larger development, the building-to-lot proportions shall visually suggest a relationship with adjacent buildings by breaking large building masses into smaller segments.

(5) New buildings shall be constructed with similar spacing from other structures relative to other buildings along that street

F. Entrances

(1) Buildings shall not contain a primary entrance that is simply a door and provides little or no transition from outside to inside. Primary entrances shall be provided on the street-facing façade.



Primary entrance is elevated with stairs, and in this case – like many in the neighborhood - the home is adorned with an elevated front porch. This one is open, some are screened or fully enclosed.

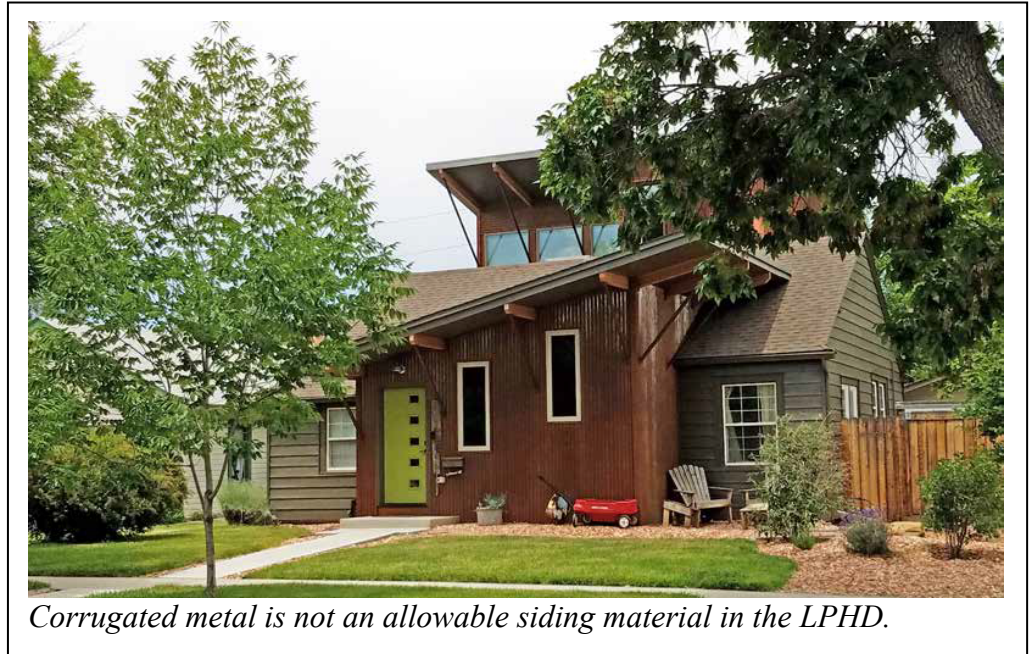
(2) Owners may install an Americans with Disability Act (ADA) compliant ramp for accessibility to the primary entrance. Accessibility modifications should be in scale with the historic property, visually compatible, and, whenever possible, reversible. Reversible means that if the new feature were removed at a later date, the essential form and integrity of the property would be unimpaired.

G. Exterior Materials

(1) Exterior wall materials shall be those that are commonly present in the LPHD.

(2) Allowable siding materials for new construction include, but are not limited to wood, brick, stone, painted composite wood-resin, aluminum, steel, vinyl, stucco, or fiber cement siding.

(3) The use of corrugated metal/plastic siding on primary structures is prohibited.



(4) Metal roofs (architectural or standing-seam) are allowed for existing buildings and new buildings.

H. Windows, Trim and Details

(1) Windows - In new construction, additions and remodels of primary residential structures, street facing windows shall be of similar proportion, size, and character with the original building (if an addition), neighboring homes and other homes in the LPHD.

(2) Trim and Details

(a) Exterior trim details on new construction, additions and remodels of primary residential structures shall be compatible with the original building (if an addition), adjacent homes and other homes in the block.

(b) Windowsills, moldings, and eave lines shall be aligned with similar elements on the existing primary residential structure, adjacent homes and other homes in the block.



The home on the left shows new construction with windows that are not compatible in the LPHD. The home on the right, however, shows replacement windows in the LPHD that maintain the look and feel of the craftsman-bungalow style.

I. Additions

(1) Additions shall not alter the historical alignment of structures in relation to the streets within the LPHD.

(2) The design of second-story additions shall preserve the historic eave or roof line of the original structure (See the photo below). The majority of the addition bulk shall be predominantly sited toward the rear of the lot.

(3) The materials (e.g. siding, trim, details and roofing) used for additions shall be similar to materials used in the original construction.



This recent second-story addition at a house on Ouray Avenue is in keeping with the tradition of the bungalow style. The short top-plate at the upper eaves minimized the overall height at the peak of the roof, reducing the appearance of height from the street. This configuration is referred to as 'story and a half.'

J. Manufactured and Modular Homes

- (1) Any new manufactured and modular homes proposed for placement in the LPHD shall be double-wide with characteristics similar to the existing homes in the District. Such characteristics include pitched roofs and front doors facing the street. New manufactured and modular homes must be HUD approved and constructed on a permanent foundation (wheels must be removed). If an existing manufactured home is proposed to be moved from its foundation, the District's demolition standards shall be followed.
- (2) No pre-owned manufactured homes may be placed in the LPHD.



This is an example of a compatible manufactured home - a lookalike double-wide; front door facing street; a front porch; a pitched roof; and is compatible with architectural style of adjacent houses.



This is an example of a non-compatible manufactured home – Single-wide; it has no front entrance; and is incompatible with adjacent historic home to the right.

K. Demolition

- A) Applicability. Any applicant/owner requesting demolition of 500 square feet or more of a primary structure within the Lincoln Park Residential Historic District shall demonstrate that the demolition is warranted either by cause or by effect of the structure being noncontributing to the District. This section does not apply to interior demolition or to demolition of accessory structures.
- B) Review criteria. A Certificate of Appropriateness for the demolition may only be issued if/when the Grand Junction Historic Preservation Board (GJHPB) finds:
- (1) That the applicant has made a good-faith effort to pursue reasonable, cost effective alternatives to demolition.
 - (2) That the loss of part or all of the subject property would not be detrimental to the quality and continuity of the site, LPHD, or surrounding neighborhood.
 - (3) That denial of the application would result in an undue economic hardship for the owner/applicant. Based on a thorough analysis of the financial, economic, and engineering information described below, the City Council may determine that there is an undue economic hardship if all the following criteria are met:
 - (a) No economically viable use consistent with zoning of the property will exist unless the demolition is approved. Inability to put the property to its most profitable use does not constitute an undue economic hardship.
 - (b) The hardship is peculiar to the building or property in question and must not be in common with other properties.
 - (c) The hardship is not self-imposed, caused by action or inaction of the owner, applicant or some other agent.
 - (d) The applicant/owner has attempted and exhausted all reasonable alternatives which would eliminate the hardship, such as offering the property for sale.
- C) Submittal requirements. The applicant/owner for demolition of part or all of a primary structure shall provide information including:
- (1) A report from a licensed engineer, contractor or architect with experience in rehabilitation as to the structural soundness of the structure and its suitability for economic rehabilitation.
 - (2) A narrative description with supporting photographs of the structure including all special architectural features and details and materials used throughout the exterior of the structure.

- (3) Additional information identified by staff or the Board to ensure sufficient evidence for reviewing the request.
- (4) An estimate of the cost of the proposed demolition or removal and an estimate of any additional cost that would be incurred to comply with recommendations of the Board.
- (5) Estimated current market value of the property prepared by a Colorado licensed real estate appraiser for the property in its current condition and after completion of the proposed demolition or removal.

D) Procedure. Upon submittal of the application for a Certificate of Appropriateness for demolition to the City, Staff shall review all the documentation submitted for completeness. Staff shall prepare a report with findings, including recommendation regarding historic significance and integrity based on architectural survey and other history resources, considering the age of the structure, architectural value. All decisions on Certificate of Appropriateness shall be noticed and conducted as public hearings consistent with GJMC 21.02.080(g).

(1) For all primary structures:

(a) The GJHPB will provide a recommendation to City Council.

(b) Within 90 days of the GJHPB hearing, the City Council shall consider and decide upon the Certificate of Appropriateness for Demolition.

(2) If a Certificate of Appropriateness is approved for a historic structure, all salvageable building materials shall be collected and recycled if possible. Waste must be removed from the property and properly disposed of.

E) Penalty. If the applicant/owner of a structure within the LPHD abates or demolishes part or all of a primary structure over 500 square feet without first obtaining the Certificate of Appropriateness, the applicant/owner shall pay a fine of \$250.00 per square foot of the affected area.

C010. GUIDELINES - Suggested

Interpretation of the application of Guidelines for the LPHD shall be the responsibility of the homeowners in the LPHD. Adherence to Guidelines is encouraged in order to maintain compatibility within the LPHD, but not required.

1. Fences

Fencing materials and styles in the front yard are encouraged to complement the character of the LPHD. Fence styles, especially in the front yard, are encouraged to be compatible with the characteristics of the house. Materials such as solid wood, solid vinyl, galvanized steel, and chain link with slats are discouraged. All fencing must be in compliance with City Code.



These front yard fences are examples of materials and styles compatible with characteristics of the house; wood and iron are encouraged materials.

Below are examples of front yard fence materials and styles that are not compatible with characteristics of the house; chain link with slats and galvanized steel are not encouraged materials. Solid wood, solid vinyl, galvanized steel and chain link with vinyl slats are discouraged.



2. Streetscape

The LPHD's unique streetscape has historical significance in its own right. Upon consultation with the City Forester, residents are encouraged to maintain, and restore where missing, the historic spacing of street trees along the planting strip (the space between the sidewalk and the street curb) within the LPHD. Street trees in the LPHD provide full canopy coverage shade for residents and pedestrians. Damaged or diseased trees in the public right-of-way may only be removed by the City or with approval by the City and planting of new trees to fill gaps may only be approved by the City. Again, residents are encouraged to call the City of Grand Junction Forestry Division, with any questions regarding street trees within the public right-of-way. Russian olive and Siberian elm trees should not be considered as a suitable replacement. Residents are encouraged to place additional landscaping in the planting strip provided it does not interfere with sight distance for adjacent driveways and streets and, per City Code, it must be maintained. Materials should be primarily non-invasive plants and/or inorganic mulch which will



Examples of encouraged streetscapes: street trees are well maintained; natural landscaping.

control weeds and maintain soil moisture. Organic mulch is strongly discouraged.

Installation of dense, tall plant materials in the planting strips is discouraged, as this impedes visibility and safety for pedestrians and vehicles and can be noncompliant with City code.

Residents are encouraged to maintain trees and landscaping within the planting strips adjacent to their property with regular watering.



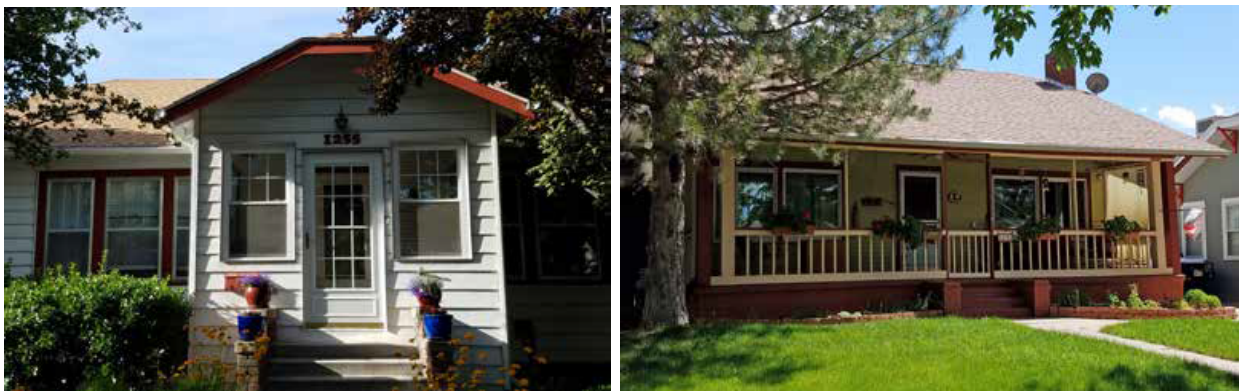
Examples of encouraged streetscapes:

At Left: Street trees well maintained; inorganic rock mulch with xeriscape.

At Right: Street trees well maintained; inorganic mulch with non-invasive plants.

3. Front Porches

- (a) Existing front porches are encouraged to be maintained as an integral part of the overall house and style.



Examples of encouraged porches: porches are integrated into architectural style of the house. The porch provides a stepping up entrance.

LINCOLN PARK HISTORIC DISTRICT LOCATION MAP





Grand Junction City Council

Regular Session

Item #6.a.iii.

Meeting Date: September 15, 2021
Presented By: Felix Landry, Planning Supervisor
Department: Community Development
Submitted By: Felix Landry, Planning Supervisor

Information

SUBJECT:

An Ordinance Rezoning One Parcel Totaling Approximately 13.92 Acres from R-8 (Residential - 8) to M-U (Mixed Use) Located at 600 28 1/4 Road

RECOMMENDATION:

The Planning Commission heard this item at its August 24, 2021 meeting and voted (7-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

Kim Kerk Land Consulting and Development, acting on behalf of the property owner, Faith Heights, is requesting the rezone of one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use) located at 600 28 1/4 Road.

The requested M-U zone district conforms with the Comprehensive Plan Land Use Map designation of Residential High and Mixed Use.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The proposed rezone comprises one parcel totaling 13.92 acres situated at 600 28 1/4 Road, northeast of the Patterson Road and 28 1/4 Road intersection. The parcel has not been subdivided or developed further since the construction of the church currently occupying the site. To the north resides an Alzheimer's special care facility, and large tracts of undeveloped property with Residential Low and Parks and Open Space comprehensive plan land use designations. Across 28 1/4 Road to the west resides a medical office complex, an apartment complex, and a single-family neighborhood. On the south side of Patterson Road resides Grand Junction Fire Station #2, Mantey Heights Rehabilitation and Care Center, The Retreat at Harbor Cove and a variety of

residential neighborhoods.

As indicated, the subject site is currently zoned R-8 and has an existing structure with a church operating within it. In late 2020, the 2020 One Grand Junction Comprehensive Plan was adopted, which classified the subject property as Mixed Use along the Patterson Road frontage, and Residential High along 28 ¼ Road. Implementing zone districts for the Mixed-Use land use classification includes the following zoning districts:

- Residential - 16 (R-16 du/ac)
- Residential - 24 (R-24 du/ac)
- Community Services and Recreation (CSR)
- Residential Office (R-O)
- Neighborhood Business (B-1)
- Downtown Business (B-2)
- Mixed Use (M-U)
- Business Park (B-P)
- Mixed Use Residential (MXR-3, 5, 8)
- Mixed Use General (MXG-3, 5, 8)
- Mixed Use Shopfront (MXG-3, 5, 8)
- Mixed Use Opportunity Corridors (MXOC)

Implementing zone districts for the Residential High land use classification includes the following zoning districts:

- Residential - 16 (R-16 du/ac)
- Residential - 24 (R-24 du/ac)
- Community Services and Recreation (CSR)
- Residential Office (R-O)
- Neighborhood Business (B-1)
- Mixed Use (M-U)
- Mixed Use Residential (MXR-3, 5, 8)
- Mixed Use General (MXG-3, 5, 8)
- Mixed Use Shopfront (MXG-3, 5, 8)

As such, the Comprehensive Plan land use classifications of Mixed Use and Residential High support the rezone request to M-U (Mixed Use).

The Applicant is proposing the rezone to M-U to provide more flexibility of allowed uses for the site. Currently, the church operates out of a 32,000 sq/ft office building. The current zoning would not allow the building to convert to an office use. The M-U zoning would also allow for a wider range of development opportunities for the rest of the site in the future.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held on May 27th, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant team and City staff were present. Members of the public attended the meeting and the Applicant team and City Staff discussed the proposal and

anticipated timeline of the proposal with the attendees. Attendees brought up a few concerns for discussion, primarily regarding traffic impact of the zoning change and future development of the site, potential for an increase in crime and transient activity, and about future tenants of the existing structure if the church should move.

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 June 30, 2021. 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 August 13, 2021. The notice of the Planning Commission public hearing was published on August 17, 2021 in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Municipal Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

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

The 2020 One Grand Junction Comprehensive Plan designates the subject property for Residential High and Mixed-Use land uses. The applicant's requested zoning of M-U facilitates the desired development pattern planned for in the 2020 One Grand Junction Comprehensive Plan. Moreover, the 2020 One Grand Junction Comprehensive Plan does not identify R-8 as a suitable zoning district for the designated land uses. Additionally, the Faith Heights church has developed with a 32,000 sq ft office-style building. While use as a church is allowed in R-8, the type of building that has been constructed fits much better in the Mixed Use Zoning District, which also allows churches. If the church were to relocate and vacate the building, the R-8 zoning prohibits many of the potential uses that would typically occupy a 32,000 sq/ft office style building. However, the requested Mixed Use zoning provides much more potential for other uses to occupy the site. Therefore, staff finds that subsequent events have invalidated the original premises and findings.

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

The development patterns in the surrounding area have largely followed the existing zoning patterns and the Land Use Classification which haven't changed much since the 2010 comprehensive plan. No prior or recent development projects have occurred that staff would characterize as a change of character or condition. The character and condition of the area has not changed in such a manner as to alter the consistency of the amendment with the Plan. Therefore, Staff finds that this criterion has not been met.

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

The subject property is within an urbanizing area in the north-central portion of the City of Grand Junction, in the Horizon planning zone. Adequate public and community facilities and services are available and sufficient to serve uses associated with the M-U zone district. The type and scope of land-use allowed within the M-U zone district is similar in character and extent to the existing land-use of many nearby properties, which include 3-story apartments, medical offices, civic uses, as well as other institutional uses. The subject site is currently served by Ute Water, Grand Valley Power (electricity), and Xcel (natural gas).

The site is located within 2/3 of a mile of a Safeway grocery store, and just over a mile from the new City Market at Patterson Road and N 12th Street. Additionally, multi-modal access to the site is sufficient with striped bike lanes along Patterson Road and 28 ¼ Road. Also, Grand Valley Transit (GVT) routes run along Patterson Road with stops within ¼ mile of the site. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

The 2020 One Grand Junction Comprehensive Plan designates most of the northern frontage along Patterson Road between 28 ¼ Road and 28 ¾ Road for Mixed Use development. However, only 13% of the zoning along the northern frontage of Patterson between 28 ¼ and 28 ¾ Roads allows for Mixed Use development. This request would establish a greater amount of Mixed Use zoning along this section of Patterson Road, which the comprehensive plan calls for. Therefore, staff finds this criterion has been met.

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

The current R-8 zone district would not allow for many of the Mixed Use development patterns the 2020 One Grand Junction Comprehensive Plan calls for. Furthermore, Mixed Use zoning would complement the surrounding development as well as the future development of Matchett Park to the northeast. As such, staff finds this criterion has been met.

The rezone criteria provide the City must also find the request is consistent with the vision, goals, and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Plan Principle 3.6.b. MIX OF USES Support the creation of a mix of uses as in

neighborhood centers (this site is a neighborhood center) and along prominent corridors (such as Patterson Road) that reflect the needs of adjoining residents and the characteristics of individual neighborhoods, including, but not limited to retail, office, entertainment, schools, libraries, parks, recreation amenities, transit facilities, and other amenities.

Plan Principle 3.6.c WALKABLE CENTERS Support the development of walkable community/neighborhood commercial centers that provide a variety of services and amenities to the immediate area, expand housing options, and/or provide live-work opportunities. Centers will vary in size and type but should be located consistent with the Commercial and Industrial Areas Framework Map.

Plan Principle 5.1.c. HOUSING TYPES Promote a variety of housing types that can provide housing options while increasing density in both new and existing neighborhoods, such as duplexes, triplexes, multiplexes, apartments, townhomes, and accessory dwelling units, while maintaining neighborhood character.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Faith Heights Rezone, RZN-2021-427, rezoning one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use) located at 600 28 ¼ Road, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, the Planning Commission recommends approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact related to this request.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5018, an ordinance rezoning one parcel totaling approximately 13.92 acres from R-8 (Residential - 8 du/ac) to M-U (Mixed Use) located at 600 28 1/4 Road on final passage and order final publication in pamphlet form.

Attachments

1. Exhibit 1 Application Packet
2. Exhibit 2 Neighborhood Meeting Notes
3. Exhibit 3 Maps and Exhibits
4. RZN-2021-427 Comments

5. Exhibit 4 - Proposed Zoning Ordinance



Development Application

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

Petition For: Faith Heights Church

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

Existing Land Use Designation Faith Heights Church

Existing Zoning R-8

Proposed Land Use Designation Mixed Use

Proposed Zoning M_U

Property Information

Site Location: 600 28 1/4 Rd

Site Acreage: 13.92

Site Tax No(s): 2943-063-47-003

Site Zoning: R-8

Project Description: This request is to rezone the property from R 8 (R8) to Mixed Use (MU)

Property Owner Information

Name: Faith Heights Church

Street Address: 600 28 1/4 Road

City/State/Zip: Grand Jct. Co 81506

Business Phone #: (970) 241_5683

E-Mail: john@faithheights.com

Fax #:

Contact Person: John Cappetto

Contact Phone #: 970-216-3223

Applicant Information

Name: John & Carla Cappetto

Street Address: 600 28 1/4 Road

City/State/Zip: Grand Jct. Co 81506

Business Phone #: (970) 241_5683

E-Mail: carla@faithheights.com

Fax #:

Contact Person: Carla Cappetto

Contact Phone #: 970-216-8425

Representative Information

Name: Kim Kerk Land Consulting and Development

Street Address: 2829 North Ave Suite 105

City/State/Zip: Grand Jct. Co 81501

Business Phone #: 970 640 6913

E-Mail: Kimk355@outlook.com

Fax #:

Contact Person: Kim Kerk

Contact Phone #: 9706406913

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

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

Signature of Person Completing the Application

Date 5/10/21

Signature of Legal Property Owner

Date 5/10/21

Faith Heights Church

Rezone Narrative 600 28 1/4 Rd. Grand Junction, Colorado

Date: June 9th, 2021

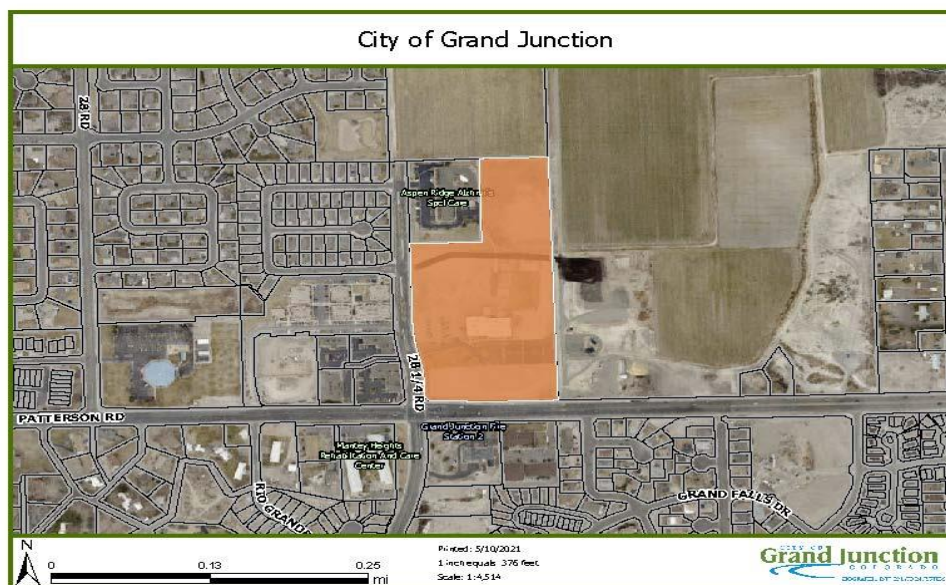
Prepared by: Kim Kerk, PM

Submitted to: City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Project: Faith Heights Church
Request to Rezone from R-8 (5-8 du/acre) to M-U (Mixed Use)

Property Address: 600 28 ¼ Rd Grand Jct., CO 81501

Tax Schedule No.: #2943-164-00-122



Introduction

Property Locations/Zonings and Legal

This 13.9-acre property is located at the NE corner of the intersection at 28 ¼ Rd. and Patterson Rd. It is located inside the City Limits of Grand Junction, CO. The Parcel # is 2943-063-47-003.

Existing City of Grand Junction Zoning is R-8 (Residential 8- 8 units/acre).

The legal description of this site is as follows:

LOT 1 HARVEST SUBDIVISION SEC 6 1S 1E - 13.93AC

Petitioners Intent:

Applicant is requesting to rezone 13.9 acres at 600 28 ¼ Rd. from R-8 (Residential 8- 8 units/acre) to M-U (Mixed Use) Zone District.

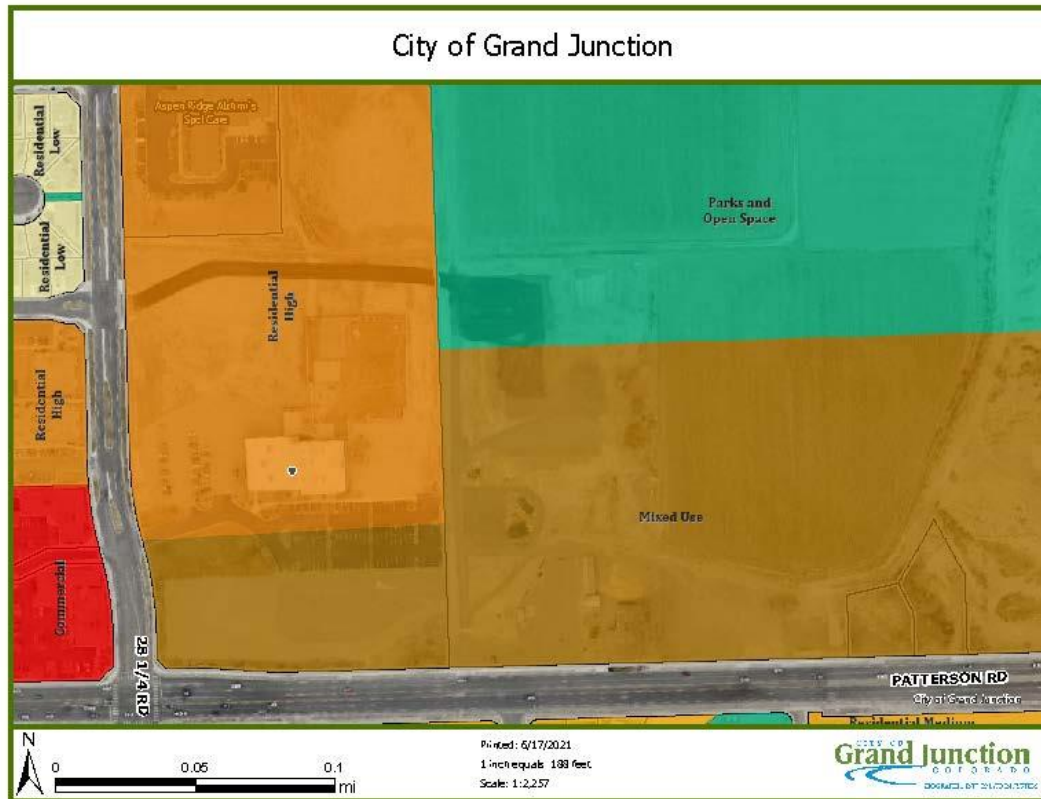
The 2020 Comprehensive Plan Future Land Use Map identifies the front portion of the property as Mixed Use which allows the following commercial zone districts; B-1 (Neighborhood Business), M-U (Mixed Use) or B-P (Business Park). The Mixed-Use Zone District effectively implements the vision of the Comprehensive Plan. (See attached 2020 Comprehensive Plan Map attached).

Mixed Use is the most appropriate designation for the entire property as the range of uses and density includes a wide variety of options from residential, recreational, and business, which are all appropriate to the area, now and in the future. In addition, because the existing Church building is 32,000 SF, the M-U Zone is a more favorable option to avoid any square footage restrictions should the ownership of Faith Heights Church change in the future.

M-U: Mixed Use: Purpose:

To provide for a mix of light manufacturing and office park employment centers, retail, service, and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.

Mixed Use Range of Density: Greater than 8 dwelling units per acre. Land Uses • Primary: commercial, retail, employment, and service-oriented uses, higher density housing. • Secondary: parks, schools, places of worship, other public/institutional uses. Characteristics • Provides opportunities for higher density/intensity of development with a mix of uses along transportation corridors and within districts such as the University District to serve adjacent neighborhoods and the broader community. • Provides residential uses with a range of higher densities and types. • Located in areas within walking distance of services and amenities where pedestrian- and transit-oriented development is desired. Implementing Zone Districts • Residential-16 (R-16 du/ac) • Residential-24 (R-24 du/ac) • Community Services and Recreation (CSR) • Residential Office (R-O) • Neighborhood Business (B-1) • Downtown Business (B-2) • Mixed Use (M-U) • Business Park (B-P) • Mixed Use Residential (MXR-3, 5, 8) • Mixed Use General (MXG-3, 5, 8) • Mixed Use Shopfront (MXS-3, 5, 8) • Mixed Use Opportunity Corridors



2020 Comprehensive Plan Zoning Map

Zoning Review and Criteria: 21.02.140 Code amendment and rezoning

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

- (1) Subsequent events have invalidated the original premises and findings; and/or
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/ or

Adequate public and community facilities and services are available to the property and are adequate to serve land uses associated with the Mixed -Use zone district. City Sanitary Sewer and Ute Water are both presently available. The property is served by Xcel Energy electric and natural gas. Grocery stores, Walmart, etc. are all in close vicinity. Grand Junction Fire Station is directly south of this property on Patterson Rd.

Hence 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 requested zone district will provide an opportunity for housing and business opportunities within a range of density that is consistent with the Comprehensive Plan to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the 2020 One Grand Junction Comprehensive Plan.

Hence this criterion has been met.

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

The rezone, should it be approved, creates a benefit for future growth that is specifically identified for this property with the One Grand Junction 2020 Comprehensive Plan. Considering this property has been very underutilized and is centrally located, growth in this area results in a more attractive infill City project.

Hence this criterion has been met.

In summary, the applicant respectfully submits this Rezone Request to Mixed Use to the City of Grand Junction.

Thank you,

Kim Kerk

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Faith Heights Church ("Entity") is the owner of the following property:

(b) Copy of the Deed is attached.

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

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

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

☒ The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Faith Heights Church

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

(e) _____

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

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

Signature of Entity representative: _____

Printed name of person signing: John and Carla Cappetto

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 2ND day of June, 20 21

by John and Carla Cappetto Faith Heights Church

Witness my hand and seal. _____

My Notary Commission expires on 04/14/2022



2216228 BK 3747 PG 85
 09/28/2004 11:41 AM
 Janice Ward CLK&REC Mesa County, CO
 RecFee \$5.00 SurChs \$1.00
 DocFee NO FEE

QUIT CLAIM DEED
 (Corrective*)

WORLD HARVEST CHURCH, now known as FAITH HEIGHTS, a Colorado non-profit corporation, whose address is 2825 North Avenue, Grand Junction, County of Mesa and State of Colorado, for the consideration of Ten Dollars (\$10.00) and Other Good and Valuable Consideration, in hand paid, hereby sells and quitclaims to FAITH HEIGHTS, a Colorado non-profit corporation, whose address is 2825 North Avenue, Grand Junction, County of Mesa, and State of Colorado (81501), the following real property in the County of Mesa and State of Colorado, to wit:

NO CONSIDERATION

LOT 1, HARVEST SUBDIVISION;

also known as street and number: 2826 F Road, Grand Junction, Colorado 81506;

assessor's schedule or parcel number: 2943-063-47-001;

with all its appurtenances.

Signed this 27th day of September, 2004.

WORLD HARVEST CHURCH, nka FAITH HEIGHTS



By John G. Cappetto, President
 John G. Cappetto, President

ATTEST:

Carla R. Cappetto, Secretary
 Carla R. Cappetto, Secretary

STATE OF COLORADO)
) ss.
 COUNTY OF MESA)

27th The foregoing instrument was acknowledged before me this day of September, 2004, by JOHN G. CAPPETTO as President and CARLA R. CAPPETTO as Secretary of WORLD HARVEST CHURCH, now known as FAITH HEIGHTS, a Colorado non-profit corporation.



my hand and official seal.

My Commission Expires 08/12/2005

Julie Hiltbrand
 Notary Public

*To correctly identify grantor and grantee

Faith Heights Neighborhood Meeting Notes:

Date: May 27th, 2021

Location: Faith Heights Church

Proposal: Requesting a rezone on the property of Faith Heights Church.

Currently deciding whether or not to request to change the current zoning of R-8 (Residential) to either the Neighborhood Business (B-1) or the Mixed Use (M-U) designation.

R-8: Residential – 8.

- (1) Purpose. To provide for medium-high density attached and detached dwellings, two-family dwelling and multifamily. R-8 is a transitional district between lower density single-family districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district. (2) Performance Standards.
- (i) For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.
 - (ii) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling.
 - (iv) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure.

(b) B-1: Neighborhood Business.

- (1) Purpose. To provide small areas for office and professional services combined with limited retail uses, designed in scale with surrounding residential uses; a balance of residential and nonresidential uses.
- (2) Performance Standards.
- (i) Parking. Business uses shall be designed and operated so as not to increase on-street parking in front of neighborhood dwellings. On-site parking shall be provided.
 - (ii) Service Entrances. Business service entrances, service yards and loading areas shall be located only in the rear or side yard.
 - (iii) Outdoor Storage and Display. Outdoor storage is prohibited. Outdoor display of retail merchandise is permitted subject to GJMC [21.04.040\(h\)](#).

g) **M-U: Mixed Use.**

(1) Purpose. To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.

(2) Performance Standards. Development shall conform to the standards established in this code.

(i) Refer to any applicable overlay zone district and/or corridor design standards and guidelines.

(ii) Loading/Service Areas. Loading docks and trash or other service areas shall be located only in the side or rear yards.

(iii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an M-U district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

(A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

(B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.

(C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.

(D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

(E) Hazardous Materials. Information and materials to be used or located on the site whether on a full-time or part-time basis that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.

(iv) Outdoor Storage and Display. Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in Chapter [21.04](#) GJMC.

Meeting Discussion Summary

- Concerns with overall increase in traffic on 28 ¼ rd. with a change of zoning
- Expressed concerns of increased traffic = Increase in crime, transient activity
- Concerns with building and businesses context
 - Discussion about what is being built and how it would impact community and residents in area
 - What businesses are going into the space if sold?
- Ideas for future
 - Potential issues with existing building size for rezone as B1- needs to be MU to meet requirements. 30,000SQFT
 - Existing building is 32000 sq ft

[illegible]



Adjacent Property Owner
Grand Junction, CO
RE: 600 28 1/4 Rd.
Grand Junction, CO 81506

Dear Property Owner:

The above referenced property will soon be subject of a Rezone Application request(s) with the City of Grand Junction's Community Development Department. Prior to application submittal, a Neighborhood Meeting is to be held to introduce the proposed rezone to area residents, in accordance with the Grand Junction Zoning and Development Code.

The parcel at 600 28 1/4 Road encompasses approximately 13.92 acres, located north of Patterson Road and east of 28 1/4 Road. The current zoning of the property is R-8 (Residential 8 units/acre). The proposed zoning is B-1 (Neighborhood Business) or Mixed Use (M-U). The Comprehensive Plan Land use Map identifies the property as a split between Residential High on the north, and Mixed Use on the south. Both these designations support the request for B-1 (Neighborhood Business) or the Mixed Use (M-U) zoning districts. While the B-1 and M-U Zones are very similar, discussion is still ongoing as to a final decision as to which is the most appropriate.

The Neighborhood Meeting is held to allow the neighborhood an opportunity to see the area to be rezoned and to answer questions about the request. The property owner's representative, Kim Kerk, and a City Planner will attend the meeting to discuss the proposed rezone.

A Neighborhood meeting will be held in-person and in compliance with the City of Grand Junction's Neighborhood Meeting process. The meeting is designed to present information for you to learn more about the proposed project in a safe meeting environment and will be held at **Faith Heights Church on May 27th, 2021 at 5:30pm.**

A Site Location Map below shows the location of the property to be rezoned.

Location:
Faith Heights Church
600 28 1/4 Road Grand Junction, CO 81506

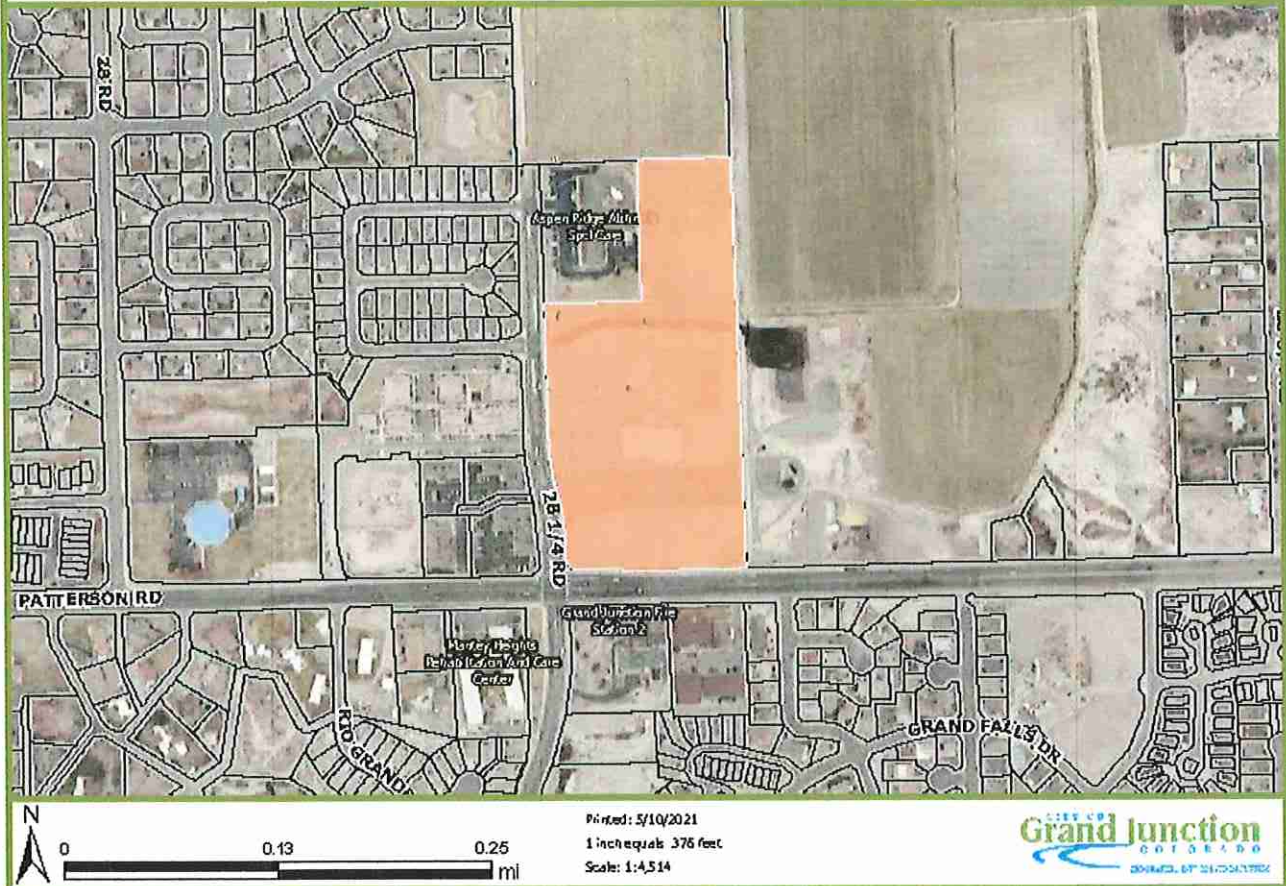
Topic: Rezone
Time: May 27th, 2021 @ 5:30 PM

Please do not hesitate to contact me by phone or email should you have any questions about this project.

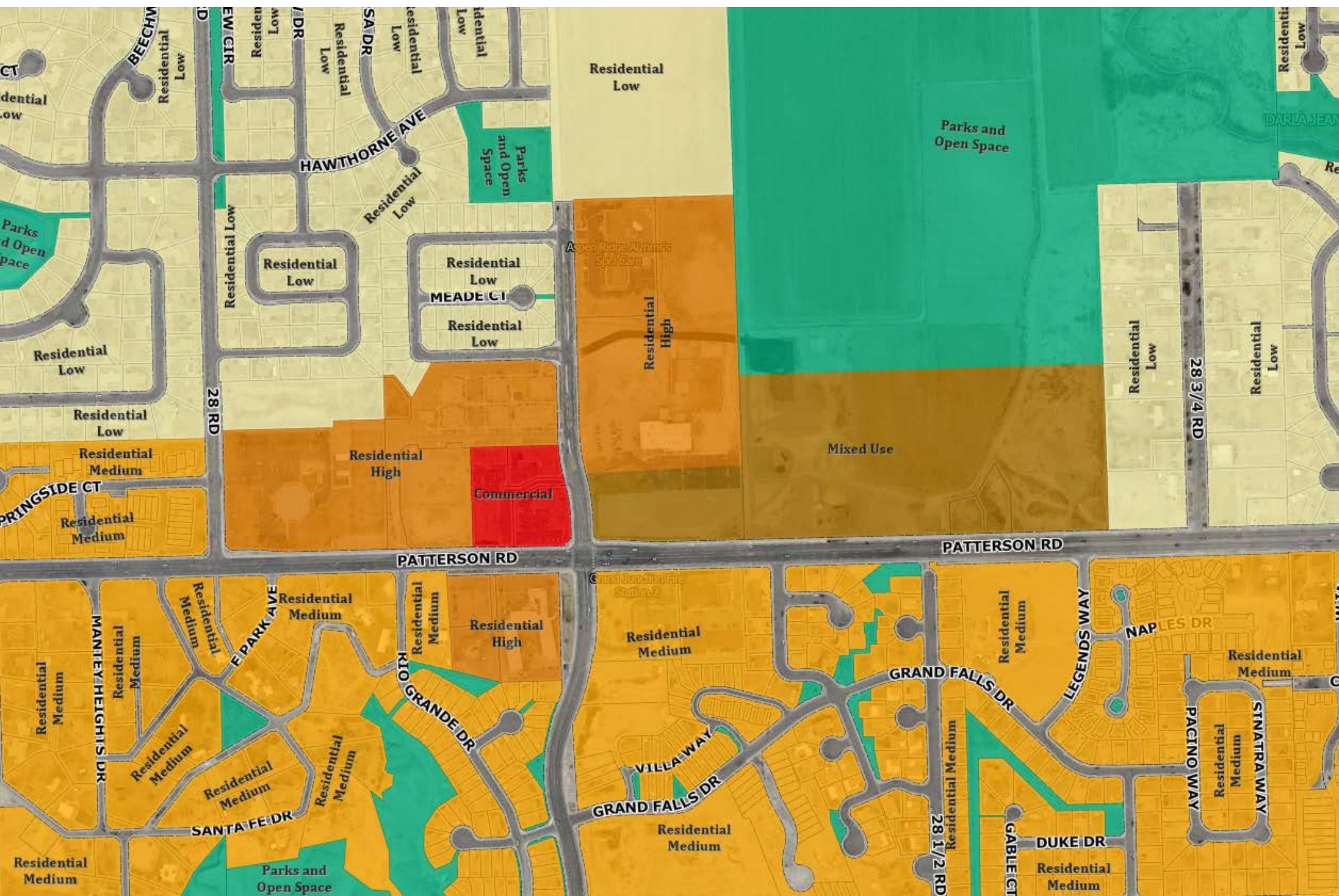
Sincerely,
Kim

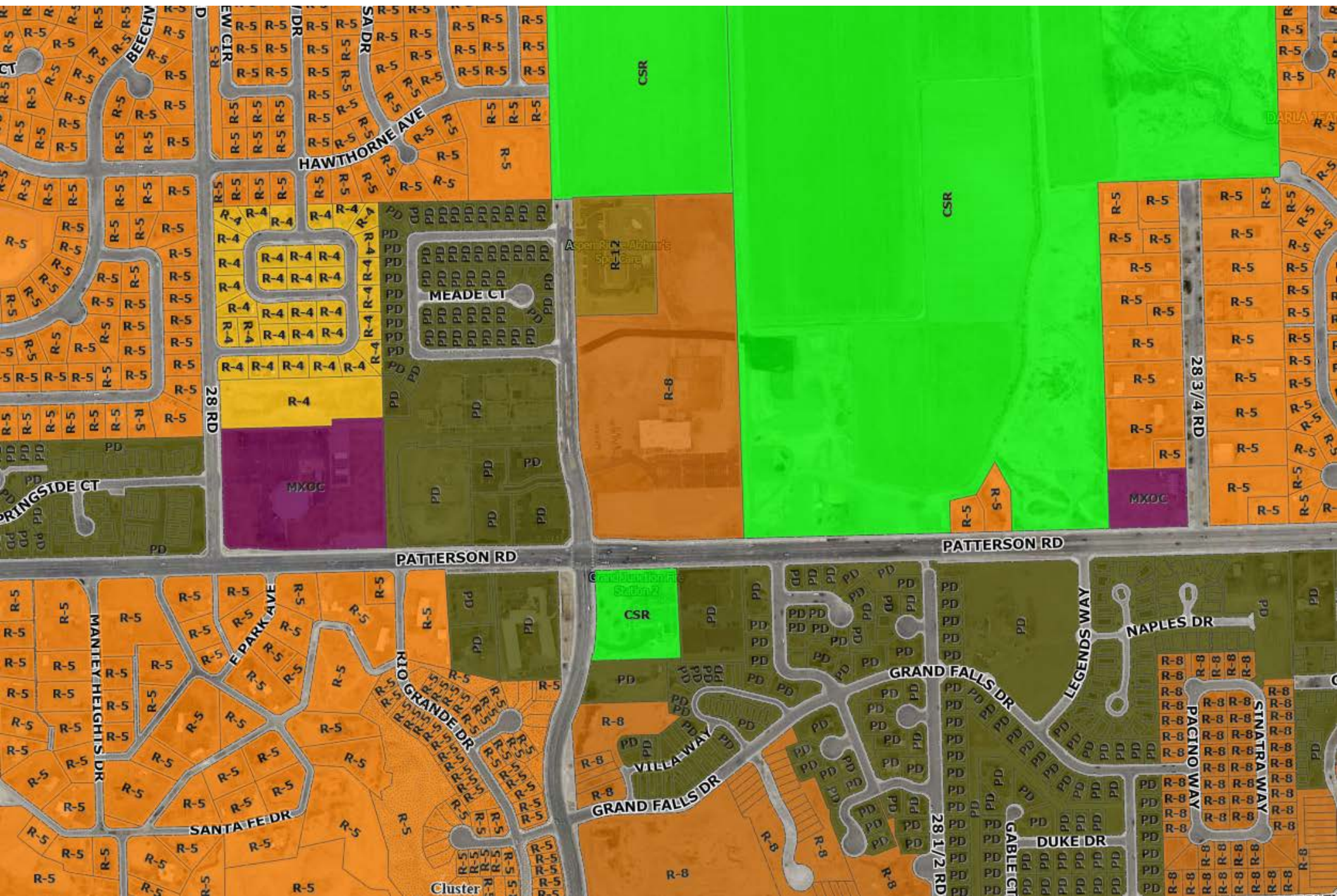
Kim Kerk Land Consulting and Development
kimk355@outlook.com
(970) 640-6913

City of Grand Junction









Comments Against Faith Heights Rezone
RZN-2021-427
600 28 1/4 Road

This property is adjacent to a long term lock down care facility and across 28 1/4 Road from single family and multi-family living areas. The current R-8 zoning is appropriate for this area. Rezoning this area to Mixed use would allow retail, service centers, employment centers, and light manufacturing facilities to be built on this property. None of these types of operations are conducive to single family and multi-family living areas let alone a long term care facility. The area east and north of this property is owned by the City of Grand Junction for development as Matchett Park. Almost all of the allowed facilities are not appropriate for being located next to a family city park.

In addition, all of these types of operations will greatly increase traffic on 28 1/4 Road which is the only access to this property. 28 1/4 Road is a 2 lane street with center medians which is not large enough for the probable increased future traffic flow. With this increased traffic comes the possibility of increased criminal activity due to the proximity of the allowed businesses to the residential areas. Nothing prevents the allowed businesses from being open and operating any hours day or night which only exacerbates the potential criminal activity.

For the reasons stated above, I **STRONGLY** oppose the rezoning of 600 28 1/4 Road to Mixed Use from R-8.

Gordon N. McFerron
Village Park ROA Board of Directors

To: Felix Landry, felixl@gjcity.org Community Development
Andrew Teske, Chair, Planning Commission c/o cityclerk@gjcity.org
Greg Caton, gregc@gjcity.org City Manager
Doug McDaniel, Major chuckmc@gjcity.org
Tamera Allen, comdev@gjcity.org Director Community Development

From: Dieter Heinrich

Subject: RZN-2021-427 Faith Heights Rezoning request located on 600 28 ¼ Road in Grand Junction

Hello Felix,

The purpose of this document is to ask you to ‘withdraw your recommendation to approve’ of the Faith Heights property rezoning application to the Planning Commission. The rezoning is not in compliance with the surrounding areas, as you state in the video; and it is not within the spirit nor letter of the ONE Grand Junction Comprehensive Plan of 2020.

I have read the 123 pages of the ONE GJ Comprehensive Plan 2020, hereafter referred to as ONE GJ Plan 2020 and thank the Community Development, Planning Department, with the support of ‘thousands members of the public’ for creating this document to help guide all who live in this city through a more ‘comprehensive’ process in its growth and development, its sense of community and its pro-active approach to help Grand Junction be all it can be; and perhaps even more.

I have also read the many pages of zoning standards, and it is FUN to read...

My observation and participation in this rezoning of RZN-2021-427, allows me to draw the educated conclusion that the only person benefiting from this rezoning is the owner of the religious property, a person “who dabbled in real estate”.

No one in Grand Junction will benefit from this rezoning, not the City of Grand Junction, certainly not the neighborhood.

The ONE GJ Plan 2020 makes several references that the Plan will benefit *many* in Grand Junction, not just one person.

Your approval recommendation of RZN-2021-427 *cheapens and discounts* the input of “thousands of people” as the City Manager stated, who helped create this document.

This rezoning as an attempt to provide a solution to a problem which does not exist

Yes, every property owner has the right to request a rezoning. However, the reason for ONE GJ Plan 2020 is *not* to use it as a guide to rezone. It is a guide to a comprehensive review

process of standardizing the zoning of properties so that we can see a more pleasing, more effective, more enjoyable view of the results of its efforts.

Meeting the principles of ONE GJ Plan 2020 is not the end result, nor the criteria in any rezoning request and review. The principles of the Plan are a guide to the overall use of all properties within the City of Grand Junction. To cite 'meeting 4 out of 5 the principles is just a false review of the issues of planning. It is an attempt to create a 'sweetheart deal' for the applicant.

Let's think of what will happen if the Planning Commission approves this rezoning request. Every 'Tom, Dick, and Harry' will inundate the Community Development, Planning Department for rezoning their property because it meets the 4 out of 5 principles of the Plan, or it will increase the 'sales value' of their property. From any point of view, that makes the Community Development, Planning Department staff look 'naïve' or worse 'complicit' as an active participant instead of an unbiased expert on zoning of Grand Junction within the spirit and letter of the ONE Grand Junction Comprehensive Plan 2020.

*We know that the Community Development, Planning department staff is highly competent in managing the zoning and rezoning requests for the benefit of *all* members of the Grand Junction community; the ONE Grand Junction Comprehensive Plan 2020 is just one example.*

Your recommendation for approval of this rezoning will ruin the beautiful look and feel of Village Park community which includes Village Park Apartments, Village Park Residential Owners Association, and Village Park Medical offices, a community in which 200 plus people call their home.



Residential High
Range of Density

Implementing Zone Districts

- Residential-16 (R-16 du/ac)
- Residential-24 (R-24 du/ac)

Village Park Apartments

Source: ONE GJ Plan 2020

This RZN-2021-427 request must be denied by the City Community Development, Planning Department, the City Planning Commission, and the City Council.

SUMMARY of the Public meeting held at the subject property.



Source: Mesa County Assessors Records

Earlier this year, on May 27, 2021, I attended the public meeting on rezoning 3 acres fronting Patterson Road. All neighbors in attendance were against the rezoning.

This meeting was not well managed, it was disorganized, the owner and his wife sounded like they had financial problems and just wanted to get a 'higher sales value' out of the property. It did not sound like a 'Thursday night *'church'* meeting', but rather to quote the owner '...we have a buyer who will buy it if only it is rezoned from R-8, I won't tell you his name....'

Listening to the property owner talk about the history of this subject property, vividly indicates that he intended to change the original zoning of this property from the beginning of time, in 2003, when the owner 'dabbled in real estate'. He further tells us that he sold several acres to the owner of Aspen Ridge Alzheimer's Special Care Center on 622 28 ¼ Road for financial reasons at that time. Today he tells us the same facts, the rezoning is for financial reasons; not to be part of the exiting neighborhood; the owner wants to distance himself from the neighborhood by rezoning.

During this meeting the property owner and his wife were stating and implying all the things they will do "if the rezoning is approved". They talked about the use of the 32,500 sf for medical offices, just as it is across the street of 28 ¼ Road. and we'll build a 'cute little church' behind this building, never did they name the existing building as a 'church or religious facility'... And we might even build our house behind it near Matchett Park....". The owner talked about his son being a police officer in GJ and implied the 'crime' that might come to this area if rezoning is not approved, as it has in other R-8 area.

According to public records, the owner of the property is Faith Heights c/o John Cappetto; Faith Heights is a religious organization.

Why do people, in some cases, leaders in Grand Junction threaten those who ask the tough questions about the specifics of an issue? Is it a 'western slope cultural thing'? Does every vote not count?

What is the purpose of this REZONING?

The ONE GJ Plan 2020 does not speak to this question directly. Is it to bring property more into compliance with ONE GJ Plan 2020; it does not read that way? Through this plan the City of Grand Junction can and should influence human behavior within its boundaries. Downtown Grand Junction is a beautiful example of success.

No one really believes that rezoning the 'religious property' from R-8 to MU will be our next 'downtown' on Patterson Road, do you? The traffic moving at 40 – 45 mph is likely not going to stop and have a 'cup of coffee' or sit outside and listen to the 'beautiful' sound of traffic on Patterson Road. Will a gas station on the corner of Patterson Road and 28 ¼ Road help slow down the traffic?

Included are photos as shown in ONE GJ Plan 2020 to give the commission, and the public a sense of MU images among PD, R-8, and R-12 communities. I am reasonably certain that the 'framers' of the ONE GJ Plan 2020 did not intend nor envision this stark contrast to 'peaceful' living near 28 ¼ Road and Patterson Road. Please deny the RZN-2021-427 rezoning request.



Mixed Use Areas

Circulation and Access
The corridors should accommo-

*Building Form
and Character*

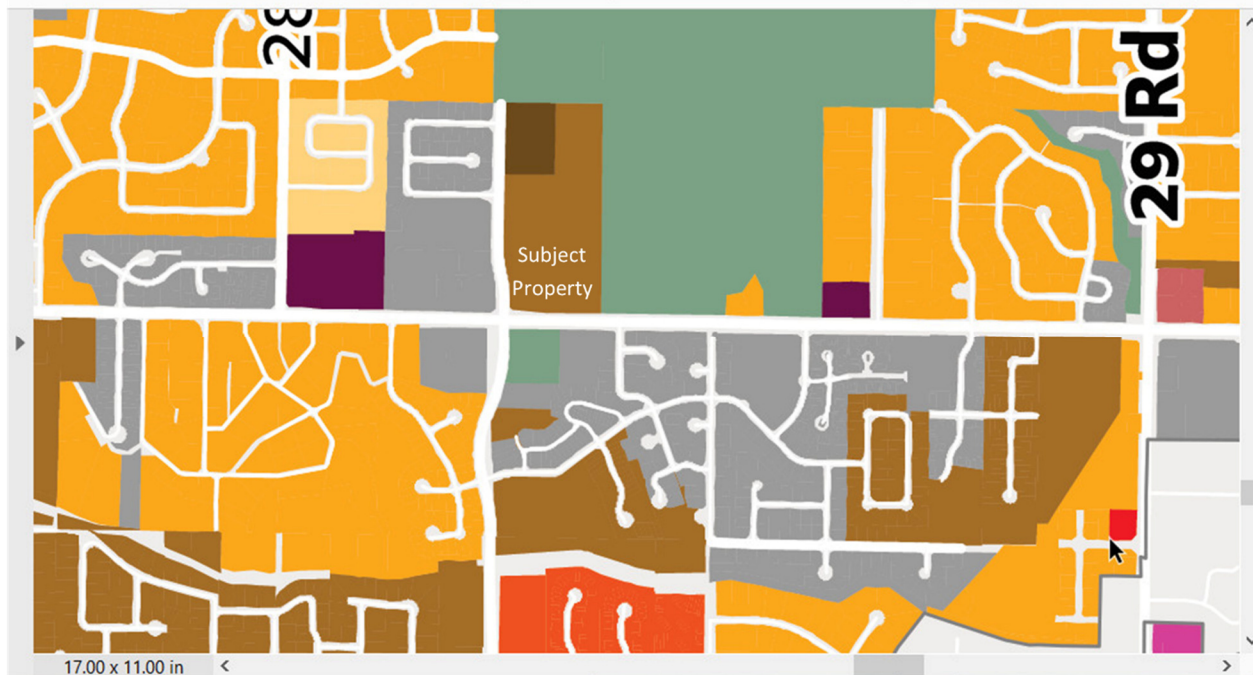
Source: ONE GJ
Plan 2020

Who benefits from this rezoning of an R-8 designation to a MU designation?

Does the ONE GJ Plan 2020 address rezoning for personal gain, but without social, economic or neighborhood improvements? The document states and implies benefits for the 'many'.

So, who makes that decision, the Community Development Department, Planning Commission? The Planning staff, since they are closely in touch with the guidelines and the persons requesting rezoning.

Current Zoning near subject property



Source: ONE Grand Junction Comprehensive Plan 2020

It is vividly clear that the geographic area near 28 ¼ Road and Patterson Road and within one mile in 360 degrees direction is R-8, PD, R-12, residential, not MU. Please withdraw your recommendation to the Planning Commission to approve the rezoning application of RZN-2021-427. It wrecks with favoritism of 'the good old boys' days.

Your recommendation to approve *discounts and detracts* from the vision of ONE Grand Junction Comprehensive Plan 2020.

Respectfully

Dieter Heinrich

One Member of Village Park Residential Owners Association - VPROA

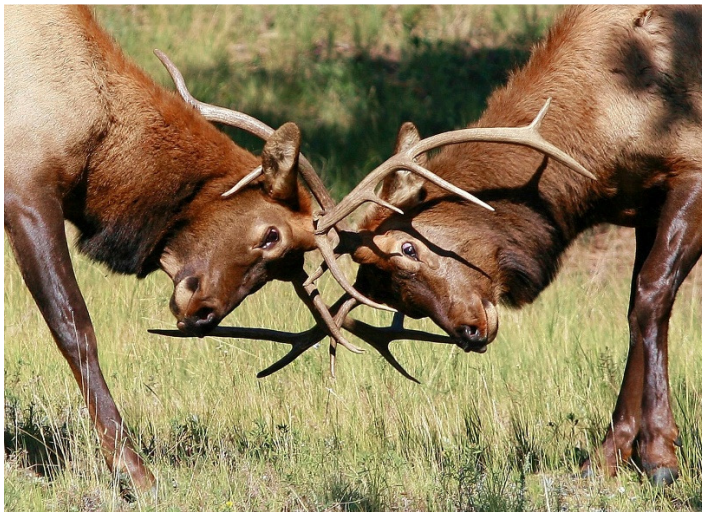
Approach to the future of ONE Grand Junction Comprehensive Plan 2020

Approach 1



Possibilities

Approach 2



Fierce Competitors.

The 'framers of ONE Grand Junction Comprehensive Plan 2020 have chosen Approach 1, Possibilities.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE REZONING ONE PARCEL TOTALING APPROXIMATELY 13.92 ACRES
FROM R-8 (RESIDENTIAL – 8 du/ac) TO M-U
(MIXED USE) LOCATED AT 600 28 ¼ ROAD**

Recitals:

Faith Heights Church (Owner) owns the parcel located at 600 28 ¼ Road totaling approximately 13.92 acres (referred to herein and more fully described below as the “Property”). The Property is designated by the Comprehensive Plan Land Use Map as having Mixed Use and Residential High designations. The Owner proposes that the property be rezoned from R-8 (Residential – 8 du/ac) to M-U (Mixed Use).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Property to the M-U (Mixed Use) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Land Use designation of Mixed Use and Residential High, 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 M-U (Mixed-Use) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned M-U (Mixed Use):

Lot 1 Harvest Subdivision, in Grand Junction, Mesa County, Colorado, as recorded at Reception #2216228 in the records of the Mesa County Clerk and Recorder.

Introduced on first reading this 1st day of September, 2021 and ordered published in pamphlet form.

Adopted on second reading this 15th day of September, 2021 and ordered published in pamphlet form.

ATTEST:

Wanda Winkelmann
City Clerk

C.B. McDaniel
President of City Council/Mayor



Grand Junction City Council

Regular Session

Item #6.b.i.

Meeting Date: September 15, 2021
Presented By: Jodi Welch, Finance Director
Department: Finance
Submitted By: Jodi Welch, Finance Director

Information

SUBJECT:

An Ordinance Making Supplemental Appropriations

RECOMMENDATION:

Staff recommends approval of an ordinance amending and making supplemental appropriations for the 2021 City of Grand Junction Budget and the Downtown Development Authority Budget.

EXECUTIVE SUMMARY:

The budget is adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures. When a project includes a transfer from one fund to another, both the transfer and the expenditure have to be appropriated.

BACKGROUND OR DETAILED INFORMATION:

This 2021 Supplemental Appropriation includes spending authorization in the following funds:

General Fund 100

The General Fund requires a total supplemental appropriation of \$1,137,581. Supplemental appropriation of \$537,581 is required to release the debt service reserve related to the 2010 Stadium Certificates of Participation. This is a transfer to GJ Public Finance Corp Fund as described below. On August 18, 2021, Council approved the City to apply for a \$600,000 Department of Local Affairs grant for the Stadium light conversion project which is estimated at a total cost of \$1.2 million. Supplemental appropriation of \$600,000 is required for the City's portion of the light conversion

project. This is a transfer to the Sales Tax CIP Fund. These funds will come from the General Fund reserve which is currently projected to be approximately \$37 million at 12/31/2021, and will likely increase if sales tax revenues exceed amended budget. Within that reserve is internal loans to other funds of \$2.5 million and a minimum reserve based on Council adopted policy of \$19.3 million. The estimated reserve is prior to public hearing and Council consideration of this and two additional supplemental appropriations on this agenda, September 15th, 2021, which if all approved would reduce the estimated 12/31/2021 General Fund reserve to \$32.9 million.

DDA Operations 103

The DDA Operations Fund requires a total supplemental appropriation of \$990,000. On July 8, 2021, the Downtown Development Authority (DDA) Board authorized contributions of up to \$490,000 to the GJ Lofts project for assistance in removing and remediating the property at 950 Grand Avenue, and up to \$500,000 to The Eddy project to assist with offsetting costs associated with the fill and clean up costs for the project. The DDA Board resolutions are attached.

Lodgers Tax Increase Fund 106

The Lodgers Tax Increase Fund requires a total supplemental appropriation of \$457,250 in order to distribute the lodging tax revenues to Visit Grand Junction (VGJ), the Air Alliance, and the Sports Commission. Due to the strong recovery of the local economy and in particular the tourism industry in the area, the revenues are exceeding original budgeted projections, and additional expense authorization is necessary to disburse those revenues. It is projected that an additional \$190,520, \$152,417, and \$114,313 will go to VGJ, Air Alliance, and the Sports Commission respectively.

First Responder Tax Fund 107

The First Responder Tax Fund requires a supplemental appropriation of \$691,000 to transfer to the Sales Tax CIP Fund for the purchase of the fire engine for Fire Station 8. The build time for this new engine is estimated to be 13.5 months, which has increased since the pandemic and related supply chain impacts. Ordering and purchasing the engine now will allow for the new engine to be delivered when Fire Station 8 construction is completed. The purchase was authorized by City Council on August 4, 2021.

Conservation Trust Fund 110

The Conservation Trust Fund requires supplemental appropriation of \$10,850 for a transfer to the GJ Public Finance Corp Fund. As further described below, the 2010 Stadium Certificates of Participation (COPs) were refunded in order to generate proceeds for improvements to the Stadium. The refunding occurred in the first quarter of 2021 and the debt service requirements were slightly higher than anticipated in the original 2021 budget.

Sales Tax CIP Fund 201

The Sales Tax CIP Fund requires a total supplemental appropriation of \$1,928,500.

Supplemental appropriation of \$691,000 is required for the purchase of the fire engine for Fire Station 8 as described above, and supplemental appropriation of \$1,200,000 is required to budget for the light conversion project at the Stadium. The light conversion project is expected to be funded by \$600,000 from a Department of Local Affairs grant and \$600,000 from the General Fund Reserve as described above. As approved by City Council on September 1, 2021, a supplemental appropriation of \$37,500 is being added for the 2021 North Avenue/US6B Enhanced Transit Corridor Study. The North Avenue/US6B Enhanced Transit Corridor is a joint project with Mesa County which includes the study in 2021 and construction of improvements in 2022. The project totals \$1,875,000 and is 80% grant funded. The study would proceed the construction of selected improvements and the City's share of the match of \$337,500 in 2022 will be included in the 2022 proposed budget.

Golf Courses Fund 305

The Golf Courses Fund requires supplemental appropriation of \$90,000 for an increase in expenses associated with increased play at the courses. The increases are mainly in operating and maintenance supplies as well as the cost of purchasing inventory for sale in the club houses. The increase in costs are offset fully by an increase in projected revenues.

GJ Public Finance Corp Fund 614

The GJ Public Finance Corp Fund requires a total supplemental appropriation of \$5,635,304. On November 18, 2020 Council adopted Ordinance No. 4964 authorizing the refunding of the 2010 Stadium COPs. As referenced above, the 2010 Stadium COPs were refunded in order to generate proceeds for significant improvements at the Stadium. The GJ Public Finance Corp is the fund that budgets and accounts for the debt service related to the COPs. The 2021 budget was based on estimates of the COP and needs to be amended for the actual costs and transactions resulting from the refunding. Supplemental appropriation of \$5,565,138 for the payment to the escrow agent for the refunding of the 2010 COPs. This amount is offset by the proceeds generated from the new issuance of COPs as well as release of the debt service reserve for the 2010 COPs, and therefore it is a net zero impact. Supplemental appropriation of \$59,316 is required to pay issuance costs which also were paid from the proceeds generated from the new COPs. Because the new debt service amounts were an estimate when the original 2021 budget was adopted and the actual issuance resulted in a slightly different debt service cost for 2021, \$10,850 is required in supplemental appropriations for the small increase in debt service costs.

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City of Grand Junction and the Downtown Development Authority. The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5019, an ordinance making Supplemental Appropriations to the 2021 Budget of the City of Grand Junction, Colorado and Downtown Development Authority for the year beginning January 1, 2021 and ending December 31, 2021 on final passage and order final publication in pamphlet form.

Attachments

1. 2021-08 DDA Resolution GJ Lofts Project Reimbursement
2. 2021-09 DDA Resolution-The Eddy Project Reimbursement
3. 2021 Supplemental Appropriation September 15, 2021

DOWNTOWN DEVELOPMENT AUTHORITY

RESOLUTION 2021-08

A RESOLUTION TO APPROVE AN EXPENDITURE FOR THE DOWNTOWN CATALYST PROGRAM UTILIZING THE 103 FUND FOR UP TO \$490,000 ON A REIMBURSEMENT BASIS FOR GJ LOFTS, LLC LOCATED IN THE DDA BOUNDARY AT 950 GRAND AVENUE IN THE CITY OF GRAND JUNCTION, COLORADO

RECITALS:

The Lofts Project submitted a Downtown Catalyst Program application for assistance in removing and remediating the property at 950 Grand Avenue. The property is the former Strive Building which is contaminated with asbestos, is economically obsolete and blighted.

The request to the Downtown Development Authority ("the Authority" or "DDA") is to financially participate in environmental remediation of the property in anticipation of redevelopment of it into 76 new residential units. The property is located within the District boundaries. The request was for an amount up to \$490,000. The DDA's contribution will fund the teardown and associated environmental remediation, which when constructed will help remedy the existing slum and blight conditions that have previously impaired the property, its developability and economic viability. This cost is not covered by HUD financing and therefore the DDA's participation is vital to making the project economically viable.

This Lofts Apartment Project fits into the DDA's mission and vision of creating new Downtown housing as it will add 78 new units in the District. Collectively the apartment units, together with other amenities to be constructed are referred to herein and the Project.

The \$13,700,000.00 Project will also encourage economic activity in Downtown as residents will spend money shopping and dining in Downtown in general and will help to activate the heretofore blighted property all in furtherance of the DDA's mission, vision and the overall betterment of Grand Junction.

The DDA Board has considered the request and approved reimbursement of up to \$490,000.00 ("Contribution" or "the Contribution") toward Project cost(s) for asbestos and environmental remediation and teardown of the former Strive Building at 950 Grand Avenue in anticipation of the construction of 78 apartments on the site.

Prior to reimbursement in whole GJ Lofts, LLC shall provide in a form and with sufficient detail as required by the DDA:

•Proof of building teardown and legal and otherwise proper remediation of the asbestos/environmental contamination, with receipts without markup, for professional work done by December 31, 2022; and acknowledgment in a separate agreement signed by the owner of the Project or its principals to these terms.

NOW, THEREFORE, BE IT RESOLVED BY THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY THAT:

The Board finds, determines and accepts the Recitals as fact and incorporates the same in its decision that the request for financial participation by The Lofts project is a proper use of DDA funds in order to create Downtown housing in the District and advances the DDA's mission and vision.

This action was authorized by and as action of the Board this 8th day of July 2021.



Doug Simons Jr., Chair
Grand Junction Downtown Development Authority

ATTEST:



Vonda Bauer, Administrative Specialist
Grand Junction Downtown Development Authority

DOWNTOWN DEVELOPMENT AUTHORITY

RESOLUTION 2021-09

A RESOLUTION TO APPROVE AN EXPENDITURE FOR THE DOWNTOWN CATALYST PROGRAM UTILIZING THE 103 FUND FOR UP TO \$500,000 ON A REIMBURSEMENT BASIS FOR THE EDDY AT GRAND JUNCTION, LLC PROJECT LOCATED IN THE DDA BOUNDARY AT 347 27 ½ ROAD IN THE CITY OF GRAND JUNCTION, COLORADO

RECITALS:

The Eddy at Grand Junction, LLC submitted a Downtown Catalyst Program application for assistance in helping offset costs associated with fill and clean up costs needed to make the project viable. The request to the Downtown Development Authority ("the Authority" or "DDA") is to financially participate in The Eddy project located at 347 27 ½ Road within the district boundaries at an amount up to \$500,000. The DDA's contribution will fund increment fill and clean up costs estimated at \$1.2million, which when complete will help remedy the existing slum and blight conditions that have previously impaired the property, its developability and economic viability. .

This Eddy Apartment Project fits into the DDA's mission and vision of creating new Downtown housing as it will add 96 new units in the Riverfront corridor of the District. Collectively the apartment units, together with other amenities to be constructed are referred to herein as the Project.

The \$28million Project will also encourage economic activity in Downtown as residents will spend money shopping and dining in Downtown in general and will help to activate the heretofore blighted Riverfront corridor in particular where the DDA has already invested millions of dollars in furtherance of its mission, vision and the overall betterment of Grand Junction.

The DDA Board has considered the request and approved reimbursement of up to \$500,000.00 ("Contribution" or "the Contribution") toward Project cost(s) of incremental fill and clean up costs necessary to bring buildings out of the flood plain and clean up the site.

Up to \$500,000 to help with Prior to reimbursement in whole or in part of the Contribution the Eddy shall provide in a form and with sufficient detail as required by the DDA:

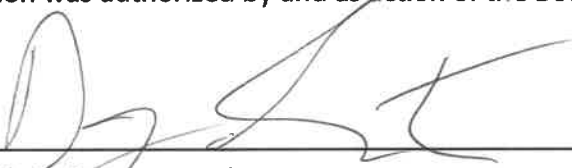
- Proof of fill and clean up work done with receipts without markup for professional work fully performed by December 31, 2023; and, .

- A verification confirmation from the Project architect and/or engineer certifying that the apartment building phase of the Project is no less than 20% complete by December 31, 2023 together with a description of the other work completed and the work to be completed; and,
- Acknowledgment in a separate agreement signed by the owner of the Project or its principals to these terms.

NOW, THEREFORE, BE IT RESOLVED BY THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY THAT:

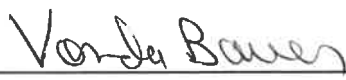
The Board finds, determines and accepts the Recitals as fact and incorporated the same in its decision that the request for financial participation by the Eddy at Grand Junction, LLC Project is a proper use of DDA funds in order to create Downtown housing in the District and advances the DDA's mission and vision .

This action was authorized by and as action of the Board this 8th day of July 2021.



Doug Simons Jr., Chair
Grand Junction Downtown Development Authority

ATTEST:



Vonda Bauer, Administrative Specialist
Grand Junction Downtown Development Authority

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2021 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021.

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2021 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General Fund	100	\$ 1,137,581
DDA Operations Fund	103	\$ 990,000
Lodgers Tax Increase Fund	106	\$ 457,250
First Responder Tax Fund	107	\$ 691,000
Conservation Trust Fund	110	\$ 10,850
Sales Tax CIP Fund	201	\$ 1,928,500
Golf Courses Fund	305	\$ 90,000
Grand Junction Public Finance Corp Fund	614	\$ 5,635,304

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #6.b.ii.

Meeting Date: September 15, 2021

Presented By: Jodi Welch, Finance Director

Department: Finance

Submitted By: Jodi Welch, Finance Director

Information

SUBJECT:

An Ordinance Making Supplemental Appropriations for an Addition to the Lincoln Park Stadium Project

RECOMMENDATION:

Staff recommends approval of an ordinance making supplemental appropriations for additions to the Lincoln Park Stadium project and amending the 2021 City of Grand Junction Budget.

EXECUTIVE SUMMARY:

The budget is adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures. When a project includes a transfer from one fund to another, both the transfer and the expenditure have to be appropriated.

As discussed by City Council in the August 30th, 2021 workshop, this supplemental appropriation is for the addition of \$2,500,000 to the Stadium project. The addition includes new northwest and southwest entryways, and technical, electrical, and audiovisual upgrades. Funding for this would initially be an advance from the General Fund reserve, to be re-paid by Colorado Mesa University (CMU) over the course of 12 years at \$200,000 per year plus \$100,000 for the final year.

BACKGROUND OR DETAILED INFORMATION:

Currently, the base project plan of \$8 million is funded through the proceeds from the refunding of the Stadium COPs. The annual lease payment for this renovation and previous improvements to the Stadium average \$698,000 per year through 2044. This

annual payment is funded by JUCO (\$300,000) and School District #51 (\$100,000) with the City's Conservation Trust Fund revenues funding the remaining amount. As mentioned in the summary, CMU is also a funding partner and it is proposed their contribution be put towards repaying a loan of \$2.5 million from the General Fund reserve. This would be \$200,000 per year from 2021 to 2032 and then \$100,000 for the year 2033. This would constitute a total contribution from CMU of \$2,500,000, which will be the same as School District #51 at \$100,000 for 25 years.

The base project plan includes the demolition, foundations and new grandstands at Suplizio Field and Stocker Stadium. This involves the replacement of the oldest sections of bleachers at Suplizio with 1,000 new chairback seats behind home plate and 3,000 new bleacher seats along the 3rd baseline. All electrical, utilities, asphalt, electrical, cabling and audio/visual elements in this section of the stadium will also be replaced. On the Stocker side, the base project plan includes demo, foundations and new grandstands for the west bleachers, which are the oldest on the Stocker side. New buildings will also be constructed under the new stands, including new men's and women's bathrooms. All utilities, asphalt, electrical, cabling and audio/visual elements in this section of the stadium will also be replaced.

The \$2.5 million addition to the base project would include the following elements:

New Entryways: The west entrance to the Stadium is heavily used by fans, teams, and students coming from both the west and north sides of the Stadium. This addition to the project would provide the construction of a new northwest entry plaza with landscaping provide a more immediate and safer entry from the north side of the Stadium. The southwest plaza would provide a new ticketing venue and added space for entry from the west relieving severe congestion during events and significantly enhancing the safety of that entrance.

Technical, Electrical, and Audio Visual Upgrades: The announcing and sound system was originally installed in 2004. As a part of the 2012 Tower Project, the speakers and components were rebuilt and reinstalled. However, with the accelerated rate of technology advancement over the last decade, the current speaker and IT systems are outdated and unreliable. These upgrades replace all of the speakers and components needed to operate the master system. It also includes upgrade to all ticketing locations to allow for mobile tickers, Lincoln Tower Pres Box upgrades including broadcasting and announcing functions, add electrical plug-ins in each endzone for Stocker Stadium, adds audio-visual to the camera platforms and improves the scoreboard functionality.

This would require a supplemental appropriation of \$2,500,000 in the General Fund (Fund 100) to advance funds to the Stadium project through a transfer to the Sales Tax Capital Improvement Plan (Fund 201). These funds will come from the General Fund reserve which is currently projected to be approximately \$37 million at 12/31/2021, and will likely increase if sales tax revenues exceed amended budget. Within that reserve is internal loans to other funds of \$2.5 million and a minimum reserve based on Council adopted policy of \$19.3 million. The estimated reserve is prior to public hearing and

Council consideration of this and two additional supplemental appropriations on this agenda, September 15th, 2021, which if all approved would reduce the estimated 12/31/2021 General Fund reserve to \$32.9 million.

This also would require a supplemental appropriation of \$2,500,000 for the addition to the construction project budget in the Sales Tax Capital Improvement Plan (Fund 201).

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City of Grand Junction. The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

Stadium Project Summary:

Description	Cost	Source
Base Project:	\$ 8,000,000	Proceeds From COP Refunding
Additional Elements:		
Light Conversion*	1,200,000	General Fund \$600,000, DOLA \$600,000
Two Entry Plazas	\$ 1,100,000	
Technical, Electrical and Audio Visual Upgrades	1,200,000	
Design and Construction Fees	200,000	
Total Additional Element	\$ 2,500,000	General Fund Advance, CMU Payback
Total Project	\$ 11,700,000	Before Multi-Purpose Building

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5020, an ordinance making Supplemental Appropriations and Amending the 2021 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2021 and ending December 31, 2021 on final passage and order final publication in pamphlet form.

Attachments

1. 2021 Supplemental Appropriation September 1, 2021 Stadium Project Additions

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2021 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021.

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2021 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General Fund	100	\$ 2,500,000
Sales Tax CIP Fund	201	\$ 2,500,000

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #6.b.iii.

Meeting Date: September 15, 2021
Presented By: Jodi Welch, Finance Director
Department: Finance
Submitted By: Jodi Welch, Finance Director

Information

SUBJECT:

An Ordinance Making Supplemental Appropriations for Addition of a Multi-Purpose Building at Lincoln Park Stadium

RECOMMENDATION:

Staff recommends approval of an ordinance making supplemental appropriations for addition of a multi-purpose building to the Lincoln Park Stadium project and amending the 2021 City of Grand Junction Budget.

EXECUTIVE SUMMARY:

The budget is adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures. When a project includes a transfer from one fund to another, both the transfer and the expenditure have to be appropriated.

As discussed by City Council in the August 30th, 2021 workshop, this supplemental appropriation is for the addition of \$2,800,000 for a multi-purpose building which would include locker rooms and offices for the Colorado Mesa University (CMU) football team, public restrooms, and a shared-use area for other users of the stadium. The City has been asked for a contribution of \$500,000 towards this specific addition to the stadium complex, and CMU will fund the remaining cost.

BACKGROUND OR DETAILED INFORMATION:

This would require a supplemental appropriation of \$500,000 in the General Fund (Fund 100) to fund a portion of the multi-purpose building through a transfer to the Sales Tax Capital Improvement Plan (Fund 201). These funds will come from the

General Fund reserve which is currently projected to be approximately \$37 million at 12/31/2021, and will likely increase if sales tax revenues exceed amended budget. Within that reserve is internal loans to other funds of \$2.5 million and a minimum reserve based on Council adopted policy of \$19.3 million. The estimated reserve is prior to public hearing and Council consideration of this and two additional supplemental appropriations on this agenda, September 15th, 2021, which if all approved would reduce the estimated 12/31/2021 General Fund reserve to \$32.9 million.

Additionally, this would also require a supplemental appropriation of \$2,800,000 for the addition to the construction project budget in the Sales Tax Capital Improvement Plan (Fund 201).

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City of Grand Junction. The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

Stadium Project Summary:

Description	Cost	Source
Base Project:	\$ 8,000,000	Proceeds From COP Refunding
Additional Elements:		
Light Conversion*	1,200,000	General Fund \$600,000, DOLA \$600,000
Two Entry Plazas	\$ 1,100,000	
Technical, Electrical and Audio Visual Upgrades	1,200,000	
Design and Construction Fees	200,000	
Total Additional Element	\$ 2,500,000	General Fund Advance, CMU Payback
Total Project	\$ 11,700,000	Before Multi-Purpose Building
Multi-Purpose Building	\$ 2,800,000	CMU \$2.3 million, General Fund \$500,000
Total	\$ 14,500,000	

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5021, an ordinance making Supplemental Appropriations and Amending the 2021 Budget of the City of Grand Junction, Colorado

for the year beginning January 1, 2021 and ending December 31, 2021 on final passage and order final publication in pamphlet form.

Attachments

1. 2021 Supplemental Appropriation September 1, 2021 Stadium Multi-Purpose Building Addition

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2021 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021.

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2021 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General Fund	100	\$ 500,000
Sales Tax CIP Fund	201	\$ 2,800,000

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2021.

President of the Council

Attest:

City Clerk