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**PLANNING COMMISSION AGENDA
TUESDAY, FEBRUARY 22, 2022 - 5:30 PM
CITY HALL AUDITORIUM - 250 N 5th STREET
[VIRTUAL MEETING](#)**

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)

Regular Agenda

1. Consider a request for a Conditional Use Permit (CUP) to establish a gravel extraction operation on three parcels with a total of approximately 38.1 acres located at 595 and 601 23-1/4 Road and 2345 River Road in the I-2 (General Industrial), I-1 (Light Industrial) and CSR (Community Services and Recreation) Zone Districts. | [Staff Presentation](#) | Phone-in Comment Code: **7290**
2. Consider a Request by DR Land LLC, Buena Vida HQ, LLC and the City of Grand Junction to Amend the Planned Development Zoning and Outline Development Plan (ODP) for the Riverfront at Dos Rios, on 58.8 acres located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue. | [Staff Presentation](#) | Phone-in Comment Code: **2847**

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
February 8, 2022, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:32 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Ken Scissors, George Gatseos, Shanon Secrest, Sandra Weckerly, and Melanie Duyvejonck.

Also present were Felix Landry (Planning Supervisor), David Thornton (Principal Planner), Jace Hochwalt (Associate Planner) and Kalli Savvas (Planning Technician).

There were 2 members of the public in attendance and 2 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from January 25, 2022.

REGULAR AGENDA

1. Trinklein Annexation

ANX-2021-777

Consider a request by Trent and Laura Trinklein to zone 0.88 acres from County RSF-4 (Residential Single Family – 4 du/ac) to R-4 (Residential – 4 du/ac) located at 2067 Ferree Drive.

Staff Presentation

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

Applicant Presentation

The representative Kim Kerk was present and available for questions.

Questions for Applicant or Staff

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, February 1, 2022, via www.GJSpeaks.org.

The public hearing was closed at 5:48 p.m. on February 8, 2022.

Discussion

Motion and Vote

Commissioner Gatseos made the following motion Mr. Chairman, on the Zone of Annexation request for the property located at 2067 Ferree Drive, City file number ANX-2021-777, 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 Scissors seconded the motion. The motion carried 6-0. Teske, Ken Scissors, Gatseos, Weckerly, Secrest, and Duyvejonck.

2. Dos Rios Planned Development Amendment PLD-2021-837

Consider a Request by DR Land LLC, Buena Vida HQ, LLC and the City of Grand Junction to Amend the Planned Development Zoning and Outline Development Plan (ODP) for the Riverfront at Dos Rios, on 58.8 acres located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue.

Staff Presentation

Jace Hochwalt, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Applicant Presentation

Mark Austin and Kevin Sperry answered questions about parking.

Questions for Applicant or Staff

Commissioner Gatseos clarified the allowance of street parking.

Commissioner Weckerly clarified whether the parking is the same here as other development.

Commissioner Secrest asked if the amendment is changing the entire concept of plan.

Commissioner Weckerly stated that she is concerned about the parking, since she does not think the change will be designating enough parking.

Commissioner Teske asked about the pedestrian access since one of the pedestrian accesses was not shown on the map.

Commissioner Scissors stated that a different pedestrian access was not shown.

Commissioner Gatseos made a statement he would like to see more internal parking and less street parking.

Commissioner Scissors stated that there will be major issues with parking on the weekends from increased pedestrian traffic.

Commissioner Weckerly stated that she is concerned about the parking because the parcels could be sold, and the area is separate from other areas.

Commissioner Gatseos agreed with commissioner Weckerly.

Commissioner Teske stated the previous ordinance had 350 spots and the new ordinance doesn't have a specific amount.

Commissioner Scissors asked if the 350 included the sharing of spaces, how is the reciprocal parking space calculated, and asked if there is a dedicated public parking area.

Commissioner Gatseos asked about the time element for the decision.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, February 1, 2022, via www.GJSpeaks.org.

The public hearing was closed at 6:57 p.m. on February 8, 2022.

Discussion

Commissioner Scissors, Gatseos, Secrest, and Weckerly stated that they think they need to hear more information about the proposal and tabling the proposal until more information can be added to the proposal.

Motion and Vote

Commissioner Gatseos made the following motion on the request for the rezone and amendment to the Planned Development zone district and Outline Development Plan (ODP) for Riverfront at Dos Rios Located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue, City file number PLD-2021-837, I move that the Planning Commission postpone this proposal until the February 22, 2022, meeting.

Commissioner Scissors seconded the motion. The motion carried 6-0. Teske, Secrest, Gatseos, Scissors, Weckerly, and Duyvejonck.

3. Other Business

None.

4. Adjournment

Commissioner Scissors moved to adjourn the meeting. Commissioner Secrest seconded the motion.

The vote to adjourn was 6-0. Scissors, Secrest, Gatseos, Teske, Weckerly, and Duyvejonck.

The meeting adjourned at 7:08 p.m.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: February 22, 2022

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck, Principal Planner

Information

SUBJECT:

Consider a request for a Conditional Use Permit (CUP) to establish a gravel extraction operation on three parcels with a total of approximately 38.1 acres located at 595 and 601 23-1/4 Road and 2345 River Road in the I-2 (General Industrial), I-1 (Light Industrial) and CSR (Community Services and Recreation) Zone Districts. | [Staff Presentation](#) | Phone-in Comment Code: **7290**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant and owner of one parcel, Kilgore Companies, LLC dba Elam Construction with authorization from the property owner of the other two parcels, A & G Partnership LLP, are proposing to expand an existing gravel extraction operation to the west side of 23-1/4 Road, north of the Redlands Parkway. The owner already operates gravel extraction operations on the east side of 23-1/4 Road. From north to south the three parcels on the west side of 23-1/4 Road are zoned I-2 (General Industrial), I-1 (Light Industrial) and CSR (Community Services and Recreation). A Conditional Use Permit for the mining use is required in all three zone districts.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The three properties totaling 49.5 acres are located on the west side of 23 1/4 Road along the Colorado River just north of Redlands Parkway. The owner of the land is A&G Partnership, LLP and Kilgore Companies, LLC. The operator and permittee is Kilgore Companies, LLC dba Elam Construction, better known as Elam Construction.

The current site condition is predominantly rangeland. An old Mesa County gravel pit lake can be found on the south end of the project. The site will be reclaimed to a

groundwater lake and surrounding rangeland. A Colorado Division of Reclamation, Mining, and Safety (CDRMS) 112 Construction Material Reclamation Permit Operation Application has been submitted to the CDRMS for this project and was approved on November 4, 2020 as permit M-2020-035. The CDMRS 112 Application was provided to the City as part of the concurrent CUP and Site Plan Review process and is attached to the Staff report. In addition, several individual maps/exhibits included in the Permit are referenced in the Staff report and included as separate attachments.

Further details of baseline conditions are provided on Map C-1 included in the CDRMS 112 Application and attached to the staff report.

Operations Summary / Mining Plan

The 23 ¼ West gravel extraction operation (West Pit) will excavate, process, and send offsite construction materials from a 49.5 acre affected area, with the actual permit area being approximately 31.8 acres. The majority of the production of the 23 ¼ West Pit will supply raw material for Elam Construction asphalt and concrete production facilities in the area, predominately the Roland asphalt plant. The Roland plant is located approximately ¼ mile east of the proposed entrance to the 23 ¼ West Pit and has been supplying construction materials to the Grand Junction area since 1983 under a Mesa County CUP # C14-83.

Access for passenger vehicles used by the Applicant's staff will be from existing 23 ¼ Road from River Road. All haul trucks leaving the site will use an access linking the 23 ¼ West Pit with the Roland asphalt plant. The majority of the haul trucks leaving the site will be transporting raw materials to the nearby Roland asphalt plant, their final destination. It is anticipated that a small amount of material, approximately 20,000 tons/year, will be shipped directly to customers. Trucks carrying this direct ship product will follow the new access road to the Roland plant and enter River Road using the current Roland Plant access on 23 ½ Road. Additional right-of-way for 23 ¼ Road and a 14-foot Multipurpose Easement will be dedicated to the City of Grand Junction through the Site Plan Review process. Proposed exhibits and legal descriptions of the additional right-of-way and the easement have already been provided that will be incorporated into deeds for transferring the right-of-way and easement to the City.

The mining plan for the entire 23 ¼ West Pit is detailed in the CDRMS 112 Application and summarized below. Material will be mined, crushed, and screened at 23 ¼ West Pit before being transported offsite for further use. There is sufficient topsoil and overburden onsite to successfully reclaim the site to its final condition of a lake with rangeland slopes. Fine-grained materials from the processing operations will be used to augment reclamation. No asphalt or concrete manufacturing will take place onsite.

Topsoil and overburden will be stripped and placed in stockpiles and berms. Berms will be installed at the start of operations on the site as part of required stormwater controls. Mining will take place in a single phase. Once topsoil and overburden are stripped from the site, the deposit will be mined using shovels or loaders and haul trucks. The maximum disturbance at any time will be at the end of the mine life when the largest

lake is present and the largest amount of rangeland requiring topsoil and revegetation is present.

Surrounding Land Use

Other surrounding land uses include other permitted gravel extraction operations to the west, industrial businesses to the north, and City-owned open space with a segment of the Riverfront Trail along the southwest side of the site. The abutting property to the north is zoned I-2, to the east I-1, to the south CSR and to the west I-2 and CSR. Location of this operation within an existing industrial area, with other adjacent sand and gravel pits, the needed construction materials can be provided to public and private users at reasonable cost without disturbance of residential neighborhoods, commercial corridors, or public spaces such as parks and schools.

Reclamation

Reclamation will occur as portions of the permit area are mined. Final reclamation of the permit area will occur after all mining activities have been completed. Final use of the permit area is proposed to be rangeland with a groundwater lake for the benefit of local wildlife or potentially recreational use due to its proximity to the Riverfront Trail. Once revegetation has been completed on the site, the drainage patterns will be improved since surface water runoff flows will be routed to the alluvial aquifer of the Colorado River directly via the lake in place following reclamation. No exposed soils or other disturbed ground will be present that will generate soil losses that are greater than pre-mine conditions. No other stormwater control structures such as detention basins will be needed during the life of or after the extraction operations. The total disturbance of the CUP area is 26.2 acres. The post-mining land use of rangeland and a lake will be compatible with the current existing land uses in the area.

The DRMS 112 Application included a map of the reclaimed drainage conditions of the 23 ¼ West Pit including the runoff volume generated within the drainage basin, and the runoff storage capacity above the anticipated lake level. In addition, a Landscape Plan for the site has been submitted as part of the Site Plan Review process which indicates planting conditions during the gravel mining operations, including the provision of required street frontage landscaping and areas of natural vegetation to be undisturbed and retained.

Slopes in the extraction are will be mined to their final 3:1 slope, therefore no backfilling will be required. Throughout the reclamation process, topsoil will be replaced to a depth of 0-24 inches (12 inches on average) on all disturbed areas except those areas that will become the groundwater lake and access roads. Disturbed areas will be seeded with fertilizer and straw mulch applied.

Schedule

Mining will start as soon as all permits have been obtained and continue over the life of the pit which is anticipated to be 4 to 5 years.

NOTIFICATION

A Neighborhood Meeting was held on August 23, 2021 via the Zoom virtual platform, attended by two representatives of the Applicant and two neighboring property owners. One neighbor asked questions regarding the fencing between his property and the project and voiced support of the proposal. Another neighbor asked about the timeframe for the operations to which the Applicant stated six to eight years of mining was anticipated.

Notice was completed consistent with the provisions in §21.02.080 (g) of the Zoning and Development Code. The subject property was posted with application signs on June 30, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of a postcard was sent to surrounding property owners within 500 feet and homeowners' associations within 1,000 feet of the project boundaries and notice of the Planning Commission public hearing was published in the Grand Junction Daily Sentinel. An online public hearing with opportunity for public comment was also available through the GJSpeaks platform.

ANALYSIS

Conditional Use Permit

Section 21.02.110(c) of the Zoning and Development Code outlines the criteria by which a Conditional Use Permit is reviewed. Analysis of the proposal relative to the criteria is included below.

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

The site and associated plans included with the CUP application indicates that all standards of the I-1, I-2 and CSR zone districts will be met. This proposal includes a concurrent Site Plan Review that will ensure compliance with all district standards. The relevant standards of the various zone districts are discussed below.

Setbacks – This section defines and requires measurements for the following parameters that apply to this application; lot area, lot width, street frontage, setbacks, building height, and story height. This section also defines and requires measurements for the following parameters, all of which are not applicable to this application; blank wall area, transparency, and density/intensity. The only building on-site will be a temporary scale house which will be approximately eight feet tall, 15 feet long, and eight feet wide. Note that there are no sub-divided lots on the three parcels that comprise the permit area. The set back and area measurements are found on the attached Site Plans.

Development in a Mixed-Use Zone District (CSR) – Section 21.03.07 (f) CSR: Community Services and Recreation, is relevant to this application, as parcel 2945-082-00-104, owned by Kilgore Companies, LLC is zoned CSR. The purpose of CSR zoning is to provide public and private recreational facilities, schools, fire stations,

libraries, fairgrounds, and other public/institutional uses and facilities. CSR zoning explicitly allows for the district to be used for extractive operations, specifically gravel pits. The final primary post mine land use of the site is rangeland and groundwater ponds will provide recreational opportunities while also providing an open space corridor. Development of a gravel pit on these parcels will also act to limit development in an area susceptible to flooding, another goal of the CSR zone district designation. Mining operations on the zoned CSR will conform to the appropriate Code standards.

Development in Industrial Zone Districts (I-1 and I-2) – The industrial districts provide for areas of light and heavy concentrated fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation including easy semi-tractor trailer access to the State highway system and/or railroads and the availability of public services and facilities. Vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials are all regulated with minimum performance standards for each. The operations will mitigate all of these potential effects and meet all minimum standards through the use of best practices of operation.

The proposed gravel pit will operate from 6 am to 6 pm Monday through Saturday, limiting any disturbance to normal business hours. The extraction operations will not use explosives, thus limiting noise and vibrations. Colorado State Statutes (CRS) §25-12 establishes statewide standards for noise level limits for various time periods and areas. This plan will accommodate these legal and binding requirements. A variety of Best Management Practices will be employed to mitigate noise and vibration impacts, including those listed below.

- a. No use of explosives
- b. Non-beeping back up alarms
- c. Containing all mining activity behind the perimeter fence.
- d. Containing all processing activity behind berms as much as possible
- e. A lack of processing plants at the site.
- f. All mining will be conducted below the existing grade
- g. Haul trucks will not use J-brakes

There will be no burning of wood debris at the site, thus limiting the generation of smoke. All diesel equipment will be in compliance with EPA emission standards, further reducing the generation of visible diesel particulates. The extraction activities, which consist mainly of excavating sand and gravel, will not generate any appreciable odor.

Due to the fact that the majority of mining will take place below the water table, material excavated from the mine will be inherently wet and thus pose a low risk of generating excessive dust. Active dust suppression measures will also assist in preventing the generation of fugitive dust and the associated odors that may occur with dust migrating off-site, including the application of water for dust control on haul roads and excavation areas as needed. In addition, long term stockpiles will be vegetated to minimize water consumption for dust control as well as to prevent soil loss from said stockpiles.

The crushing/screening plant also uses water to control dust with water sprays at the entrance and on the screen deck. It is anticipated that the material will not require a large amount of water to control dust during processing due to its inherently wet nature. If additional dust suppression is needed at any time, additional watering will take place as determined by the Facility Manager.

The following Best Management Practices will be in place for the operation.

- a. All mining will occur below the existing topography, which will act to limit the migration of dust and air pollution from the site.
- b. Disturbance footprint will be limited to the smallest for feasible operations
- c. Crushing and screening equipment will be equipped with water sprays in order to keep material wet
- d. Haul roads, processing and stockpile floors, and the mining area floor will be watered as needed
- e. Stockpiles will be maintained moist either from processing or from truck watering
- f. Stockpiles to be in place longer than 90 days will be seeded with the permanent seed mix

Placement of topsoil on reclaimed slopes will be seeded in the first favorable season following the placement of topsoil

Any activity such as vehicular repair occurring before sunrise or after sundown will be on an as-needed basis. Lighting for this purpose will be full cut-off fixtures as required by Code. Lights will not be in use between sundown and sunup during normal operations. This will prevent the generation of glare visible from off-site.

Solid and liquid waste will be managed through the Storm Water Management Plan (SWMP) and the Spill Prevention, Control, and Countermeasure Plan created in support of the approved CDRMS 112 Application and the Site Plan Review. Fire hazards will be minimal at the site due to the nature of the material being handled; non-combustible sand and gravel. No hazardous materials will be stored on the site.

Given this analysis of zone district standards, Staff finds this criterion has been met.

(2) Use-Specific Standards. Section 21.04.030 (k) of the Zoning and Development Code outlines the criteria by which a mineral extraction operation such as this proposed gravel pit is reviewed.

Refer to the analysis included in the following section of the staff report. Based on the analysis, this criterion has been met.

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

The proposed West Pit is surrounded by similar mining and construction operations. The West Pit will be complimentary to the current uses of the area and will facilitate the continuation of the Roland asphalt plant in its current location. The project will not require schools or parks. Hospitals, businesses, and commercial facilities are within reasonably close proximity to support the needs of the project. The transportation infrastructure in the area is adequate to support the operation. The majority of truck traffic for the operations will be internal to the area construction materials operations. Haul trucks will cross 23 ¼ Road when transiting from the West Pit to the Roland plant. Use of existing county roads will occasionally occur, but no new roads will be required. No direct access to I-70 or I-70B will be required.

Staff finds this criterion has been met.

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

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

Setbacks from the permit boundaries will be used in order to protect the privacy of adjacent properties from the operations. The adjacent properties are predominantly industrial activity and include two operating sand and gravel pits. Staff finds this criterion has been met.

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

The other adjoining properties have compatible uses with the requested use. Orchard Grove Industrial Pit is located to the east, and the 23 Road Pit is located to the west. Properties to the north are industrial in nature. Redlands Parkway and the river buffer residences to the south. Environmental protection is addressed further in the approved CDRMS 112 Application. Staff finds this criterion has been met.

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

Processing equipment will be separated from the adjacent property by a distance of at least that of the nearest setback. Setbacks can be seen on the attached Site Plans and Mining Plan as contained within the CDRMS 112 Application. Design compatibility is addressed further in the approved CDRMS 112 Application. All impacts are primarily mitigated by two factors: 1) the inherent topographical differences between the mining operations onsite and the surrounding land and 2) the fact that all adjacent parcels are zoned I-1, I-2, or CSR, thus eliminating any conflicts between the industrial activities at the site and surrounding properties. As previously discussed, specific operational controls will minimize/mitigate any impacts on adjacent neighboring properties such as noise, dust, lighting and odor.

Adjacent Public Trail. The adjacent public trail will be buffered from the gravel extraction operations at the site in several ways as listed below.

- a. All mining will occur below the existing topography, which will act to limit the impact of the site on the trail.
- b. The existing vegetation between the trail and the mining pit will be undisturbed by operations, including the trees and bushes found along the CUP's southern boundary.
- c. Disturbance footprint will be limited to the smallest for feasible operations.
- d. The majority of the trail is more than 200 feet from the permit boundary. This fact, in addition to the 30-foot setback within the permit boundary, provides a natural buffer of considerable distance between the trail and the mining operations.
- e. Mining will commence in the southern portion of the permit area and proceed northward. This means that as mining occurs, the disturbance will become progressively further from the trail, limiting the impact on the trail with time.

Given this analysis, Staff finds this criterion has been met.

Use Specific Standards

Section 21.04.030 (k) of the Zoning and Development Code outlines the criteria by which a mineral extraction operation such as this proposed gravel pit is reviewed. Analysis of the proposal relative to the criteria is included below.

(1) Purpose. The purpose of this subsection is to establish reasonable and uniform limitations, safeguards and controls to wisely utilize natural resources and to reclaim mined land.

(i) Gravel extraction and/or processing activities should occur on parcels of sufficient size so that extraction and reclamation can be undertaken while still protecting the health, safety and welfare of the citizens.

(ii) Where gravel extraction and/or processing is adjacent to zoning or land uses other than I-1 or I-2, mining, handling and batch processing activities may be restricted, buffering may be required and/or disturbance/reclamation may be accelerated to be compatible with the adjacent zone or use.

The 23 ¼ West Pit, will have an area of 31.8± acres. This size is large enough to protect the health, safety, and welfare of the citizens and create a buffer to adjacent parcels not zoned I-1 or I-2. Two parcels adjacent to the West Pit are zoned CSR, parcel 2945-082-00-103 to the south and parcel 2945-064-23-001 to the west. Parcel 2945-064-23-001 to the west has contained sand and gravel extraction operations in the past, and thus will not require a buffer from the site. Parcel 2945-082-00-103 to the south has not seen historical mining, a minimum buffer of 30 feet will be maintained between mining and this parcel. The Redlands Parkway will also provide a buffer to the east for the mining at 23 ¼ West Pit.

(2) Procedure.

(i) Commercial extraction of mineral deposits shall not begin or occur until an excavation and land reclamation plan has been approved in writing by the Colorado Mined Land Reclamation Board. A CDMRS application has already been reviewed and was approved by the State in November 2020.

(ii) A plan approved as part of a CUP and/or a reclamation/development schedule being followed under previous regulations fulfills this requirement.

(iii) Asphalt, cement and/or other batch plant operations shall be subject to CUP requirements.

No asphalt, cement or batch plants will operate with this permit. All material is to be hauled off-site or to the nearby concrete/asphalt batch plant.

(iv) A plan for use under this subsection shall contain, in addition to those relevant requirements outlined for a CUP, the following standards (A) through (K), all of which Staff finds have been addressed.

(A) Detailed description of the method of extraction and reclamation to be employed, including any necessary accessory uses such as, but not limited to, crushers, batch plants and asphalt plants;

Detailed methods of mining and reclamation are included in the approved CDRMS 112 Application.

(B) An extraction plan showing the areas to be mined, location of stockpile area, location of structures, general location of processing equipment, with accompanying time schedules, fencing if applicable, depth of deposit, tons in the deposit and other pertinent information;

A detailed extraction plan is included in the approved CDRMS 112 Application.

(C) A detailed reclamation plan showing proposed reclamation with time schedules

including, but not limited to, finish contours, grading, sloping, placement, and amount and type of revegetation, post-extraction land use plans and any other relevant information;

A detailed reclamation plan is included in the approved CDRMS 112 Application.

(D) Topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the land covered in the application;

Detailed topography maps included in the approved CDRMS 112 Application. Map C-1 shows topography prior to and post-mining operations. Map F-1 attached to the staff report shows the post-mining topography.

(E) Type, character, and density of proposed vegetation both during excavation and as a component of rehabilitation;

A detailed description of vegetation is included in the approved and attached CDRMS 112 Application as well as on the landscaping Plan included with the concurrent Site Plan Review application.

(F) The operator's estimated cost at each of the following segments of the reclamation process, including where applicable, backfilling, grading, reestablishing topsoil, planting, revegetation management, irrigation, protection of plants and soil prior to vegetation establishment and administrative cost;

A detailed cost of segments of the reclamation process is included in the approved CDRMS 112 Application.

(G) A drainage plan and report prepared by a Colorado registered professional engineer with consideration of natural drainage, drainage during excavation and drainage after reclamation such that the proposed reclamation and excavation will have no adverse effect in excess of natural conditions. Where applicable, the Director may require a floodplain permit (see GJMC 21.07.010, Flood damage prevention);

A detailed drainage plan and report were included with the CUP application and included in the approved CDRMS 112 Application. Map F-1 attached to the staff report shows the post mine drainage within the affected area. Map C-2 attached to the Staff report shows drainage direction during mining. Post mine drainage and surface water conditions of the site are further described in the CDRMS 112 Application.

(H) Traffic analysis, which reviews road capacity and safety conditions/considerations for and within the neighborhood, as that term may be defined and applied by the Director. The Director may reduce or enlarge the neighborhood to be analyzed upon a finding of a hazard or hazardous condition. The traffic analysis shall generally conform to and address TEDS standards (GJMC Title 29) and shall include but not be limited to ingress/egress, parking and loading, on-site circulation, number of trucks per day and

the capacity of roads, streets, bridges, intersections, etc.;

City Staff and a private traffic engineer determined a traffic analysis for this site was not required and that no improvements to any public roads were required. Part of the consideration for this is the fact that this CUP is adding to an existing construction materials production operation (Roland asphalt plant), not developing a new construction materials production operation. The scale and intensity of the operation will not increase and thus the amount of traffic will not increase. No additional traffic will be generated by the approval of this CUP, just a continuation of the traffic levels that have accompanied the current operation. The majority of truck traffic generated by the approval of this CUP will be the hauling of materials between the West Pit site and the existing adjacent previously permitted areas. The proposed haul route shows traffic from new mining areas exiting the site via a new access point on 23 ¼ Road to the existing Roland asphalt and concrete plant to the east. These trucks will be hauling raw material from the mining area to be processed into asphalt and concrete. A small amount of product may be shipped to customers directly from the site, as is the case with the current gravel pit CUP (CUP-96-124) that supplies the Roland Plant. It is anticipated that roughly 20,000 tons/year will be direct shipped to customers. These trucks will exit the site via the new access constructed from the West Pit to the Roland plant, where they will enter River Road. Considering a 260 day/year work schedule and a maximum of 2,400 loads of haulage, trucks direct shipping to customers using 23 1/2 Road as access to River Road will generate approximately 1.6 truck trips/hour at most. The Applicant anticipates the average traffic to be half of that. No trucks will use 23 Road or 23 ¼ Road to access River Road. Trucks exiting the Roland Plant will use the existing 23 1/2 Road access which is covered under a current CUP for the asphalt and concrete plants. Therefore, truck traffic patterns will remain principally the same as they have for some time.

(I) An erosion control plan for runoff and wind-blown sediments shall be provided for the mining operation and the reclamation;

A SWMP was included in the CUP/Site Plan Review application which details measures that will be undertaken to control erosion caused by runoff. These controls include; stormwater berms, sediment ponds, revegetation, runoff ditches and furrows, and paving, all of which will alleviate erosion. Wind-blown sediments will be controlled through active measures such as watering of roads and during crushing/screening and application of magnesium chloride on roads as needed.

(J) Additional information that is required because of unique site features or characteristics may be required by the Public Works and Planning Departments; and

No additional information has been requested of the Applicant pertinent to this standard. The Public Works and Planning Departments have reviewed several rounds of information and documents provided by the Applicant and there are no remaining concerns to be addressed.

(K) Upon approval, the excavation and reclamation plans shall be filed with the City and recorded with the Mesa County Clerk and Recorder. Any change in excavation or reclamation plan shall be prohibited unless amended through the conditional use permit process.

The excavation and reclamation plans will be recorded as required by Code pending favorable action by the Planning Commission.

(3) Standards.

The following standards (i) through (xxvi) are to be addressed by the Applicant, all of which Staff finds have been met.

(i) Mineral extraction, washing, crushing, cement and asphalt batch plant and other mined products related uses shall be subject to an approved excavation permit, well permit, air pollution permit, reclamation plan and any and all other permits, certifications or requirements of the State or federal agencies having jurisdiction as required;

All other permits required for the 23 ¼ West Pit 1 are listed in the CDRMS 112 Application which has been approved by the state..

(ii) Excavation or deposit of overburden is not permitted within 30 feet of an abutting parcel, an easement, an irrigation ditch or canal or right-of-way unless by written agreement of the owner of such property, easement, irrigation ditch, canal or right-of-way;

A 30-foot setback will be maintained from property/permit boundary as indicated on the Site Plans attached to the Staff report and contained within the CDRMS 112 Application, for details.

(iii) Excavation within 125 feet of an existing residence is not permitted unless by written agreement of the owners and occupants of the residence. No rock crushing, asphalt/cement plant or other similar equipment or operations shall take place any closer than 250 feet of a residence. The Planning Commission may require a greater distance if the operation is abutting a residential zone district. Excavation, loading, handling, processing and batch operations adjacent to residentially zoned parcels shall not exceed 65 decibels at the property line of any adjacent parcel;

Due to its location within an industrial area and separated from residential areas to the southwest by the Colorado River, no excavating within 125 feet or rock crushing within 250 feet of a residence will occur. Map C-2 attached to the Staff report and contained within the CDRMS 112 Application shows locations of structures in relationship to the proposed excavation and the location of screening and crushing equipment. Because the adjacent parcels are not zoned residential, the standard of limiting noise to 65 decibels will not apply.

(iv) At a minimum, a 100 foot greenbelt setback shall be provided from jurisdictional wetlands or navigable watercourses as the same are defined by the U.S. Army Corps of Engineers (USACE). The Director upon recommendation and consent of the USACE may vary this standard;

Mining will not occur within 100 feet of any jurisdictional wetlands or navigable watercourses. A wetlands survey conducted by WestWater Engineers for Elam indicates that no jurisdictional wetlands exist within the CUP area. In addition, maps within the CDRMS 112 Application show the final setbacks from jurisdictional wetlands or navigable watercourses.

(v) Existing trees and vegetation shall, to the extent practicable, be preserved and maintained in the required setback to protect against and reduce noise, dust and erosion. The Director may require vegetative screening and/or buffering in accordance with this code in order to minimize the impact to dissimilar adjacent uses or zoning districts;

Map C-1 attached to the Staff report and contained in the CDRMS 112 Application shows existing trees and vegetation on the site as well as those that will remain during and after mining. Map F-1 attached to the Staff report and contained within the CDRMS 112 Application shows trees and vegetation that will remain after mining. Adjacent uses or zoning districts are not dissimilar to the zoning for the parcels included in this CUP, therefore vegetative screening is not needed. Sufficient horizontal buffer will be maintained between the mining activities and the Colorado River Trail along the southwestern side of the site that will prevent mining activity from being a nuisance. In addition, the Applicant has provided a landscape plan as required for the Site Plan Review which indicates existing vegetation to be retained as well a new landscaping along the Redlands Parkway right-of-way.

(vi) The owner or operator shall submit a traffic analysis;

As previously discussed, City Staff determined that a traffic analysis was not necessary for this request. In addition, no improvements to public roadways were deemed necessary.

(vii) The Director of Public Works may place restrictions on right-of-way use after review of the traffic analysis. Restrictions may include but are not limited to the owner or operator being responsible for the extraordinary upgrade and maintenance of the designated haul route;

Not applicable to the proposal since a traffic study was not required for the Conditional Use Permit or Site Plan Review.

(viii) Streets, bridges and highways designated as haul route shall be maintained by the owner/operator in a reasonably clean condition. This may include, depending on local conditions, watering, oiling, or sweeping as determined by the Director;

Provided the operations plan and standard Best Management Practices are followed, this standard will be addressed.

(ix) Hours of operation shall be restricted to 6:00 a.m. to 6:00 p.m. The Director may authorize different hours. However, the Director may also restrict, as part of the CUP, the hours of operation near residential or urbanized areas;

Hours of operation will be 6 am to 6 pm Monday through Saturday.

(x) In no event shall a slope of steeper than 2:1 be left for dry pits. A pit with a slope of 3:1 or steeper shall not exceed a depth of 10 feet. The floor of excavation pits, whether wet or dry, shall be left in a suitable condition;

Map F-1 attached to the Staff report and contained within the CDRMS 112 Application provides the information regarding final slopes which meet this standard.

(xi) The owner/operator shall not excavate, store overburden or mined material or dike the property in such a manner as to increase any drainage or flooding on property not owned by the operator or damage public facilities and/or property;

A grading plan was submitted and contained in the CDRMS 112 Application that shows the drainage patterns prior to and after mining. No property not owned by the operator or public facilities will be affected by flooding or changes in drainage patterns. All disturbed areas will drain internally and all stormwater will pass through the discharge controls of the approved Colorado Department of Public Health and Environment (CDPHE) discharge permit for the gravel extraction operations.

(xii) Prior to starting operation, where the operation is adjacent to subdivided and/or developed commercial or residential property, the Director may require buffering and/or screening. Required fencing, screening and/or buffering shall not be removed until reclamation has been completed;

A fencing plan has been submitted by the Applicant and proposed perimeter fencing is shown on the Site Plans that address this standard.

(xiii) After mining has been completed, the site shall not be used to stockpile sand and/or gravel except in I-1 and I-2 with a CUP. In any event the owner/operator is to reclaim the site as rapidly as possible;

The final primary use of the site is that of a groundwater pond and rangeland as depicted on Map F-1 and contained in the CDRMS 112 Application. No stockpiling will occur once mining is complete.

(xiv) Operations shall comply with the noise, vibration and other applicable standards and requirements of this code. If there are conflicting or competing provisions in this

code, the most stringent shall apply;

The Applicant has stated that the operations will comply with the most stringent applicable standards.

(xv) All air emissions shall comply with standards established by the Mesa County Health Department, State Health Department and Colorado Air Quality Control Commission;

Air permit # 91ME799F has been secured from the Colorado Department of Public Health and Environment and has been provided to the City with the CUP/Site Plan Review application which addresses this standard.

(xvi) All water use and/or discharge shall conform to standards established by law and administered by the Environmental Protection Agency (EPA), the Colorado Department of Public Health and Environment (CDHPE), the City of Grand Junction and the Mesa County Health Department;

Discharge certification number COG500263 has been issued by the CDPHE for the 23 ¼ West Pit and was included with the CUP application. As previously discussed, the plans and methods for discharging water from the site address this standard.

(xvii) All slopes shall be stabilized. Land remaining at the natural water level must be revegetated in a manner compatible in type as/with the immediately prevailing area. Revegetation plans are required and shall minimally meet the standards of the Colorado Mine Land Reclamation Board;

Map F-1 attached to the Staff report and contained in the CDRMS 112 Application addresses final slopes, water levels, and revegetation plans.

(xviii) All disturbed areas shall be revegetated in accordance with the vegetation plan;

The CDRMS 112 Application for the CDRMS includes a revegetation plan that has been approved by the state. In addition, a landscape plan was submitted for the Site Plan Review that addresses this standard.

(xix) Following initial revegetation efforts, the revegetated area shall be maintained for a period of three years or until all vegetation is firmly established in the reclamation area;

The CDRMS 112 Application addresses this standard and includes the revegetation success criteria.

(xx) A timetable for reclamation shall be placed on each project. Time lines, including but not limited to milestones, if any, shall be dependent upon the type and size of reclamation effort;

The CDRMS 112 Application addresses this standard and includes a revegetation timetable.

(xxi) Proof of a reclamation bond shall be submitted, along with the required reclamation plan;

The reclamation bond has not yet been posted but will be pending favorable action by the Planning Commission and commencement of the operations. The CDRMS 112 Application approval provided to the City indicates a bond of \$288,111.

(xxii) A development schedule shall be submitted describing the life span of the project in years (ranges are acceptable) and, if applicable, the years per phase; A development schedule of four to five years is anticipated which meets this standard.

(xxiii) If the development schedule is not met the conditional use permit:

(A) May be revoked;

(B) The Director may grant a two-year extension per request;

(C) The Planning Commission shall have the power, after hearing, to revoke any conditional use permit for any violation;

(D) Upon at least 10 days' written notice to the owner, the Planning Commission may hold a hearing to determine the nature and extent of the alleged violation, and shall have the power, upon showing of good cause, to revoke the permit and the plan and to require reclamation of the land;

(E) If not extended or revoked, a new application and extraction plan will need to be submitted and reviewed in the manner described in this subsection;

(F) An extension request shall provide information in writing detailing the reasons for the request. The Director shall consider the stated reasons, as well as the extent conditions have changed in the area, if any, before granting an extension;

(G) If a written request to extend the development schedule is submitted to the Director it shall include but not necessarily be limited to the factors and reasons for the requested extension. New conditions may be imposed as a part of the granting of an extension. New conditions, if any, may be appealed to the Planning Commission to be considered at a public hearing;

(H) The Director may forward any extension request to the Planning Commission;

(I) Extension requests will be evaluated by the Director and/or Planning Commission on the same basis and with the same information as per the conditional use permit

process;

The Applicant understands that the development schedule shall be met and the parameters by which revocation and extension may occur.

(xxiv) If the use has not operated or if no material has been extracted in accordance with the development schedule or any extension thereof, the conditional use permit shall expire;

The Applicant understands that the Conditional Use Permit shall expire if the use has not operated or if no material has been extracted within the development schedule.

(xxv) Signage for public safety is required; and

Signs and markers will be posted at the mine entrance listing the name of the Operator, Elam Construction, and the operation name, "23 ¼ West Pit"; a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the DRMS permit number. Public access to the site will not be permitted during mining.

(xxvi) Fencing around the perimeter of the property is required.

As indicated on the Site Plans attached to the Staff report, a temporary six-foot tall three-strand barbwire fence will be constructed around the perimeter of the property. The fence will be removed when mining operations are complete, and the permit area is reclaimed.

Findings of Fact and Staff Recommendation

After reviewing the request for a Conditional Use Permit (CUP) to establish a gravel extraction operation on three parcels with a total of approximately 38.1 acres located at 595 and 601 23-1/4 Road and 2345 River Road, file number CUP-2021-444, the following findings of fact have been made:

1. In accordance with Section 21.02.110 of the Grand Junction Zoning and Development Code, the criteria have been met.

Staff recommends approval of the request for a CUP to establish a gravel extraction operation on three parcels with a total of approximately 38.1 acres to be known as the 23 ¼ West Pit.

SUGGESTED MOTION:

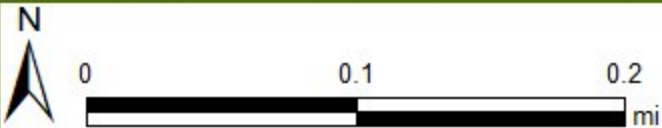
Chairman, on the 23 ¼ West Pit to establish a Conditional Use Permit for a mining excavation operation, file number CUP-2021-444, I move that the Planning Commission approve the CUP with the findings of fact listed in the staff report.

Attachments

1. Location and Zoning Maps
2. Applicant Materials Including Neighborhood Meeting Notes
3. Approved CDRMS 112 Application

4. Overall and Detailed Site Plans
5. 23.25 Gravel Pit Haul Route Map
6. 23.25 West Pit Map C-1 Baseline Conditions
7. 23.25 West Pit-Map C-2 Mining Plan
8. 23.25 West Pit Map F-1 Reclamation Plan
9. Grading Plan 211207

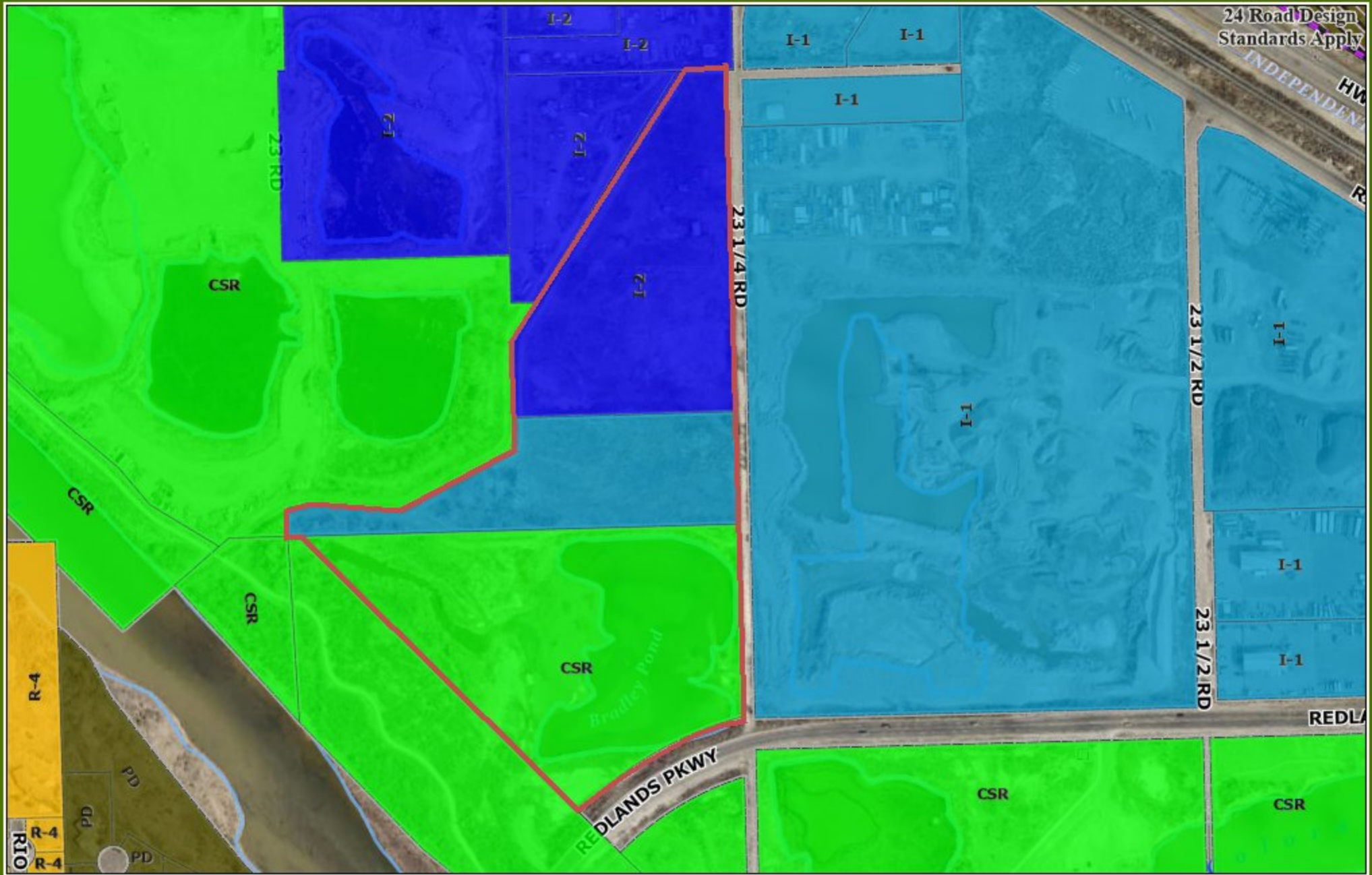
23 1/4 Road Gravel Pit Location Map



Printed: 1/31/2022

1 inch = 376 feet

231/4 Road Gravel Pit Existing Zoning Map



Printed: 1/31/2022

1 inch = 376 feet

August 25, 2021

**MEMO: 23 1/4 West Pit – Grand Junction Conditional Use Permit Application
Third Neighborhood Meeting**

On August 24, 2021 at 6 pm, Elam Construction (applicant) hosted a neighborhood meeting regarding the 23 1/4 West Pit Conditional Use Permit application currently before the city of Grand Junction. The meeting was hosted on Zoom.

Attendees:

Ben Langenfeld, Elam Construction (consultant)
Jim Doody, Elam Construction
Keith Hensel (neighbor)
Willy Plessptman (neighbor)

Summary:

Mr. Langenfeld began the meeting at 6 pm. He introduced himself and provided a brief summary of the mining and reclamation plans for the project.

Mr. Hensel voiced his support of the project but had no questions. asked questions regarding the fences between his companies' property to the northwest and the project area.

Mr. Plessptman asked about the life of the operation. Mr. Langenfeld explained that it depended on market demands for material in the area, but that 6-8 years of mining was anticipated.

Regards,



Ben Langenfeld, P.E.
Lewicki & Associates, PLLC
benl@lewicki.biz

Development Application

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

Petition For: Conditional Use Permit

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

Existing Land Use Designation: _____

Existing Zoning: _____

Proposed Land Use Designation: _____

Proposed Zoning: _____

Property Information

Site Location: 601 23 1/4 Road Grand Junction, Colorado, 81505
2345 River Rd Grand Junction, Colorado, 81505

Site Acreage: 10.25 Acres
61.31

Site Tax No(s): 2945-053-00-035
2945-053-00-111

Site Zoning: I-2
I-1

Project Description: CUP for a sand and gravel mining operation.

Property Owner Information

Name: A&G Partnership LLP

Applicant Information

Name: Kilgore Companies, LLC
dba Elam Construction

Representative Information

Name: Greg Lewicki and Associates

Street Address: 710 S 15th St

Street Address: 556 Struthers Ave

Street Address: 3375 W Powers Circle

City/State/Zip: Grand Junction, Colorado, 81505

City/State/Zip: Grand Junction, Colorado, 81505

City/State/Zip: Littleton, CO, 80123

Business Phone #: (970) 242-8134

Business Phone #: (970) 242-5370

Business Phone #: (720)842-5321

E-Mail: _____

E-Mail: _____

E-Mail: benl@lewicki.biz

Fax #: _____

Fax #: _____

Fax #: _____

Contact Person: Alan Parkerson

Contact Person: Jim Doody

Contact Person: Ben Langenfeld

Contact Phone #: (970) 242-8134

Contact Phone #: (970) 242-5370

Contact Phone #: (720) 842-5321

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: MAY 19th, 2021

Signature of Legal Property Owner: _____

Date: 5-19-2021



Development Application

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

Petition For: Conditional Use Permit

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

Existing Land Use Designation: _____

Existing Zoning: _____

Proposed Land Use Designation: _____

Proposed Zoning: _____

Property Information

Site Location: 595 23 1/4 Road Grand junction, Colorado, 81505

Site Acreage: 17.53 Acres

Site Tax No(s): 2945-082-00-104

Site Zoning: CSR

Project Description: CUP for a sand and gravel mining operation.

Property Owner Information

Name: Kilgore Companies LLC

Street Address: 556 Struthers Ave

City/State/Zip: Grand Junction, Colorado, 81505

Business Phone #: (970) 242-5370

E-Mail: _____

Fax #: _____

Contact Person: Jim Doody

Contact Phone #: (970) 242-5370

Applicant Information

Name: Kilgore Companies, LLC
dba Elam Construction

Street Address: 556 Struthers Ave

City/State/Zip: Grand Junction, Colorado, 81505

Business Phone #: (970) 242-5370

E-Mail: _____

Fax #: _____

Contact Person: Jim Doody

Contact Phone #: (970) 242-5370

Representative Information

Name: Greg Lewicki and Associates

Street Address: 3375 W Powers Circle

City/State/Zip: Littleton, CO, 80123

Business Phone #: (720) 842-5321

E-Mail: benl@lewicki.biz

Fax #: _____

Contact Person: Ben Langenfeld

Contact Phone #: (720) 842-5321

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: [Signature] Date: 11-19-2020

23 1/4 West Pit



**Application for City of Grand
Junction Conditional Use Permit**

July 2021

September 2021

By:

Elam Construction

Represented by:



Lewicki & Associates

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DEVELOPMENT APPLICATION

Development applications for A&G Partnership LLP and Kilgore Companies LLC are attached to this section.

OWNERSHIP STATEMENT WITH DEED

Ownership statements for 601 23 ¼ Road and 2345 River Road (A&G Partnership LLP) are attached to this application. Ownership statements for 595 23 ¼ Road (Kilgore Companies LLC) are attached to this application.

Deeds for A&G Partnership LLP and Kilgore Companies LLC are attached to this application.

GENERAL PROJECT REPORT

1. Introduction

The purpose of this Conditional Use request is to permit a sand and gravel mining and processing operation in the city of Grand Junction, Colorado. This General Project Report will serve as part of the application for a Conditional Use Permit (CUP) and a Major Site Plan Review from the City of Grand Junction Colorado for Area 1 of the 23 ¼ West Pit (to be referred to hereafter as the 'Area 1 or 23 ¼ West Pit'). A Colorado Division of Reclamation, Mining, and Safety (CDRMS) 112 Construction Material Reclamation Permit Operation Application (to be referred to hereafter as the 'CDRMS 112 Application') has been submitted to the CDRMS for this project and was approved on November 4, 2020 as permit M-2020-035. The CDRMS 112 Application is attached to this CUP/Major Site Plan application document. The 23 ¼ West Pit permit area as described in the CDRMS permit consists of Area 1 and Area 2. Area 1 is west of 23 ¼ Road while Area 2 is east of 23 ¼ Road. Area 2 is operating under a current CUP (CUP-96-124) from the city of Grand Junction, Colorado. This General Project Report will apply only to Area 1, that portion of the 23 ¼ West Pit that is west of the 23 ¼ Road and the area for which a new CUP is being applied.

This General Project Report summarizes portions of the mining and reclamation plans and details specifics of the proposed project that directly fall under the purview of the City of Grand Junction. Additional information and technical details of the mining and reclamation plans can be found in the CDRMS 112 Application.

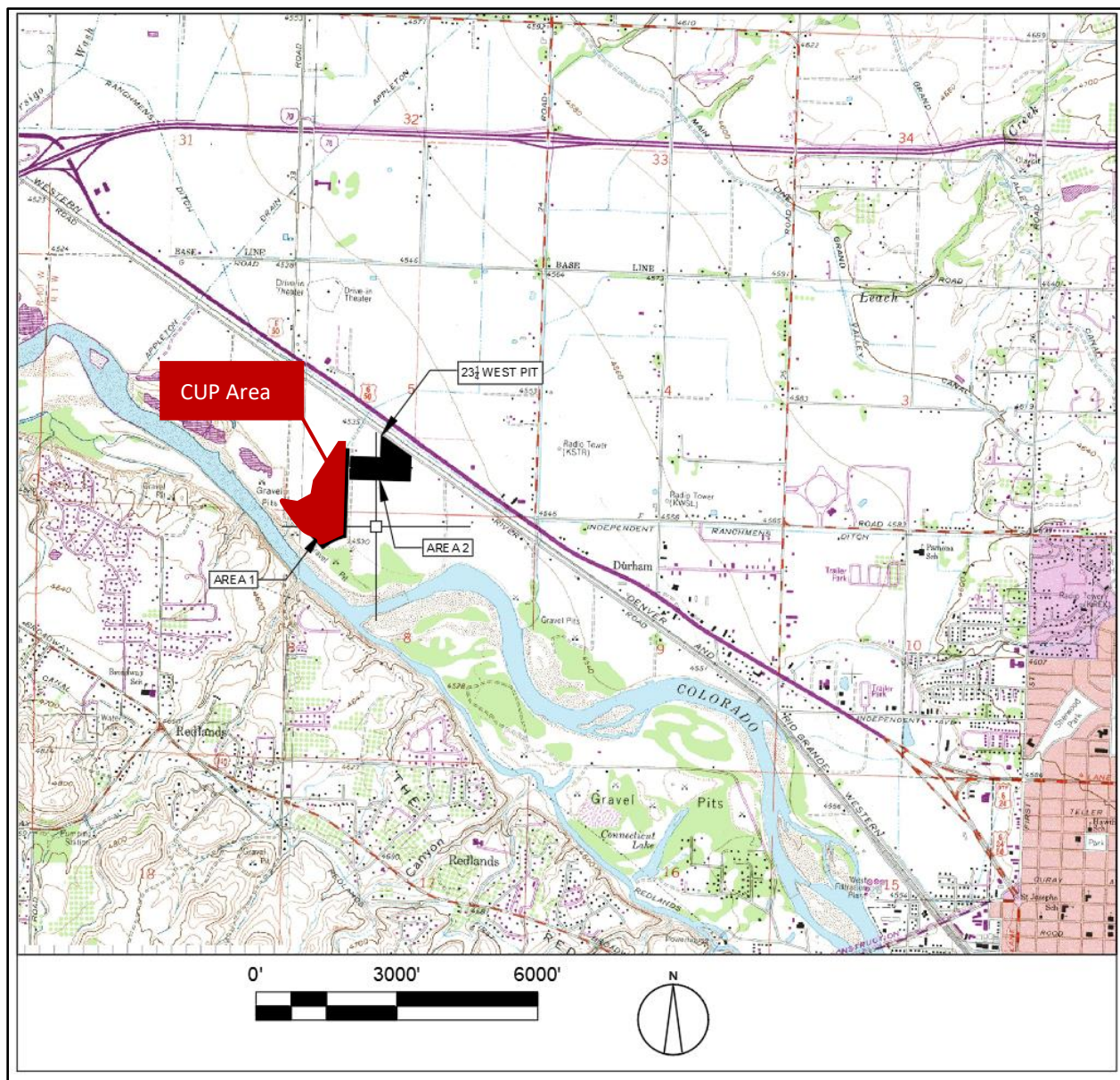


Figure 1. Conditional Use Permit (CUP) General Location

2. Background

The purpose of the 23 ¼ West Pit is that of a sand and gravel mining and processing operation. The 23 ¼ West Pit is located on the west side of Grand Junction, CO located along the Colorado River just north of Redlands Parkway. The 23 ¼ West Pit operation will excavate, process, and send offsite construction materials from a 49.5 acre affected area spread over two mining areas, Area 1 and Area 2. Access to Area 1 for passenger vehicles used by Elam staff will be from the existing 23 ¼ Road connection for the property. All haul trucks leaving Area 1 will use an access linking Area 1 with the Roland asphalt plant. The majority of the haul trucks leaving Area 1 will be transporting raw materials to the Roland Plant, their final destination. It is anticipated that a small amount of material, approximately 20,000 tons/year, will be shipped directly to customers. Trucks carrying this direct ship product will follow the new access road to the Roland Plant and enter River Road using the current Roland Plant access on 23 ½ Road, see PROPOSED HAUL ROUTE. Area 1, the subject of this CUP application, will have an affected area of 31.8± acres.

The owner of the land is A&G Partnership, LLP and Kilgore Companies, LLC. The operator and permittee is Kilgore Companies, LLC dba Elam Construction, better known as Elam Construction.

3. Location

The location of Area 1 of the proposed 23 ¼ West Pit is 601 23 ¼ Rd, Grand Junction, Colorado 81505 which lies entirely within Sections 5 and 8, Township 1 South, Range 1 West of the Ute P.M. The legal description for Area 1 can be found in the Legal Description exhibit. Access will be from the existing 23 ¼ Road connection for the property, with additional access being developed during operations to ease hauling operations. The total disturbed area of Area 1 will be 31.8± acres.

4. Public Benefit

The majority of the production of the 23 ¼ West Pit, both Area 1 and Area 2, will supply raw material feed for Elam Construction asphalt and concrete production facilities in the area, predominately the Roland Pit. The Roland asphalt plant is located approximately ¼ mile from the proposed entrance to Area 1 and has been supplying construction materials to the Grand Junction area since 1983.

Area 2 is currently operating under an existing CUP. Area 1 is being permitted with the intention of supplementing Area 2 and eventually replacing the supply of raw material once Area 2 is exhausted. There will be no overall increase in the annual production of material from the two pits. The permitting of Area 1 will simply allow Elam to continue to supply the raw material required to operate the Roland asphalt plant from a local source. A small amount, approximately 20,000 tons/year, of construction material such as road base will be shipped directly from the 23 ¼ Pit. The production of these construction materials is of vital public benefit to the City of

Grand Junction citizenry. Construction materials like sand, rock, asphalt, and concrete in the City support ongoing construction and maintenance of roads, homes, schools, and more. By locating the site within an existing industrial park, with surrounding sand and gravel pits, the needed construction materials can be provided to public and private users at reasonable cost without disturbance of residential neighborhoods, commercial corridors, or public spaces such as parks and schools.

4.1. Off-site Neighborhood Meeting

Neighborhood meetings were held on November 24, 2020, July 29, 2021, and August 23, 2021 via Zoom. Notes on these meetings are in the Neighborhood Meeting Notes exhibit.

5. Review Criteria

Site plan Review Standards. This application is to be a concurrent Conditional Use Permit and Site Plan Review and will meet the applicable standards as described in 21.02.070(g), Major Site Plan, and 21.02.110, Conditional use permit (CUP) of the Grand Junction Development Regulations.

5.1. City of Grand Junction Code Section 21.02.110 Conditional Use Permit Standards

1. *District Standards.* The underlying zoning districts standards established in Chapter 21.03 GJMC, except density when the application is pursuant to GJMC 21.08.020(c).

The zoning district standards established in Volume Three of the Grand Junction Development Regulations will be followed. The properties covered by this application are I1, I-2, and CSR. The Site Plan map shows parcel zoning. The following will discuss item by item how the standards of Chapter 21.03 GJMC are being met.

- a) **21.03.010 Purpose.** This section describes the purpose of establishing zones. Elam Construction supports these goals and will strive to achieve to goals laid out in this section.
- b) **21.03.020 Zoning Map.** This section establishes boundaries for zones. The permit area is zoned CSR, I-1, and I-2. The proposed activities at Area 1 are compatible with these zoning districts. *Section 21.04.010 Use Table* indicates the sand and gravel mining are allowed in CSR, I-1, and I-2 zoning districts with a conditional use permit. See also Figure 2 for affected parcels and zoning districts.
- c) **21.03.030 Measurements.** This section defines and requires measurements for the following parameters that apply to this application; lot area, lot width, street frontage, setbacks, building height, and story height. This section also defines and requires measurements for the following parameters, all of which are not applicable

to this application; blank wall area, transparency, and density/intensity. The only building on-site will be a temporary scale house which will be approximately eight feet tall, 15 feet long, and eight feet wide. Note that there are no sub-divided lots on the three parcels that comprise the permit area. The set back and area measurements are found on the attached Site Map.

d) 21.03.040 Residential districts. This section concerns residential districts and is not relevant to this application. Therefore, it will not be addressed.

e) 21.03.050 Residential design standards. This section concerns residential districts and is not relevant to this application. Therefore, it will not be addressed.

f) 21.03.060 Cluster developments. This section concerns cluster developments and is not relevant to this application. Therefore, it will not be addressed.

g) 21.03.070 Mixed use districts. This section concerns mixed use developments. *Section 21.03.07 (f) CSR: Community Services and Recreation*, is relevant to this application, as parcel 2945-082-00-104, owned by Kilgore Companies, LLC is zoned CSR. The purpose of CSR zoning is to provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. Community Services and Recreation zoning explicitly allows for the district to be used for extractive operations, specifically gravel pits. The final primary post mine land use of Area 1 of rangeland and groundwater ponds will provide recreational opportunities while also providing an open space corridor. Development of a gravel pit on these parcels will also act to limit development in an area susceptible to flooding, another goal of the CSR district designation. This parcel will conform to the appropriate standards as listed in the 'Mixed Use and Industrial Bulk Standards Summary Table' found in *Section 21.03.080 Industrial districts*.

h) 21.03.080 Industrial districts. This section concerns industrial districts. *Section 21.03.080 (b) I-1: Light Industrial*, and *Section 21.03.080 (c) I-2 General Industrial*, are relevant to this application. Parcel 2945-053-00-111 is designated district I-1 and parcel 2945-053-00-035 is designated district I-2. Parcels will conform to the appropriate standards as listed in the 'Mixed Use and Industrial Bulk Standards Summary Table' found in *Section 21.03.080 Industrial districts*.

- a.** An I-1 district is to provide for areas of light fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation and the availability of public services and

facilities. Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials are all regulated with minimum performance standards for each. The operation at Area 1 will mitigate all of these deleterious effects and meet all minimum standards through the use of best practices of operation. Area 1 will operate from 6 am to 6 pm Monday through Saturday, limiting any disturbance to normal business hours. The operation at Area 1 will use no explosives, thus limiting vibrations. There will be no burning of wood debris at Area 1, thus limiting the generation of smoke. All diesel equipment will be in compliance with EPA emission standards, further reducing the generation of visible diesel particulates. The industrial activities at the Area 1, which consist mainly of excavating sand and gravel, will not generate any appreciable odor. Active dust suppression measures will also assist in preventing the generation of fugitive dust and the associated odors that may occur with dust migrating off-site. Though the hours of operation are Monday - Saturday 6 am to 6 pm, no activity, other than very occasional maintenance of vehicles, will occur after sundown or before sunrise. Any activity occurring before sunrise or after sundown will be on an as needed basis for vehicle repair and will take place using downcast lighting. Lights will not be in use between sundown and sunup during normal operations. This will prevent the generation of glare visible from off-site. Solid and liquid waste will be managed through the Storm Water Management Plan (SWMP) and the Spill Prevention, Control, and Countermeasure Plan created in support of the approved CDRMS 112 Application. See the STORMWATER MANAGEMENT PLAN in this revised City of Grand Junction CUP/Site Plan Review application. Fire hazards will be minimal at Area 1 due to the nature of the material being handled, non-combustible sand and gravel. No hazardous material that fall under the jurisdiction of the SARA Title III Community Right to Know will be stored on-site.

- b.** An I-2 General Industrial district is designated to provide areas of heavy and concentrated fabrication, manufacturing and industrial uses which are compatible with adjacent uses, easy semi-tractor trailer access to the State highway system and/or railroads and the availability of public

services and facilities. Similar to the I-1 Light Industrial zoning, performance standards for vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials must be met, although these may be established at higher conditions and standards as those of a I-1 district. The same control measures that will mitigate these parameters at the affected parcels zoned I-1 and CRS will suffice to mitigate these parameters in parcel 2945-053-00-035, which is designated district I-2.

- i) **21.03.090 Form districts.** This section concerns form districts and is not relevant to this application. Therefore, it will not be addressed.

2. Specific Standards. The use-specific standards established in Chapter 21.04 GJMC. The CUP operations will comply with the use-specific standards established in Volumes Three and Four of the Grand Junction Development Regulations. The proposed pit is a sand and gravel mine, and thus will be covered by *Section 21.04.030(k) Mineral Extraction, Washing, Crushing, Cement Batch Plants and Asphalt Plants*. The following item by item list will discuss how standards are being met. Items that are not applicable to the CUP application will be marked 'N/A'.

1) Purpose.

- i. Area 1 of the 23 ¼ Pit, the subject of this CUP application, will have an area of 31.8± acres. This size is large enough to protect the health, safety, and welfare of the citizens.
- ii. Area 1 is large enough to create a buffer with adjacent parcels not zoned I-1 or I-2. Two parcels adjacent to Area 1 are zoned CSR, parcel 2945-082-00-103 to the south and parcel 2945-064-23-001 to the west. Parcel 2945-064-23-001 to the west has contained sand and gravel extraction operations in the past, and thus will not require a buffer from Area 1. Parcel 2945-082-00-103 to the south has not seen historical mining, a minimum buffer of 30 feet will be maintained between mining and this parcel. The Redlands Parkway will also provide a buffer to the east for the mining at 23 ¼ Pit.

2) Procedure.

- A. A detailed excavation plan is included in the approved and attached CDRMS 112 Application, Exhibit D-Section 1.2. A detailed reclamation plan is included in the approved and attached CDRMS 112 Application, Exhibit E.
- i. N/A

- ii. No asphalt, cement, or batch plants will operate at Area 1.
- iii. A plan for a use under this subsection shall contain, in addition to those relevant requirements outlined for a CUP, the following:
 - B. A detailed method of mining is included in the approved and attached CDRMS 112 Application, Exhibit D-Section 2. A detailed method of reclamation is included in the approved and attached CDRMS 112 Application, Exhibit E-Section 3.
 - C. A detailed extraction plan is included in the approved and attached CDRMS 112 Application, Exhibit D-Section 1.2.
 - D. A detailed reclamation plan is included in the approved and attached CDRMS 112 Application, Exhibit E.
 - E. Detailed topography maps included in the approved and attached CDRMS 112 Application. Map C-1 shows topography prior to mining, and Map F-1 shows post mining topography.
 - F. A detailed description of vegetation is included in the approved and attached CDRMS 112 Application, Exhibit E-Table E-3.
 - G. A detailed cost of segments of the reclamation process is included in the approved and attached CDRMS 112 Application, Exhibit L-Table L-1.
 - H. A detailed drainage plan is given in this CUP under the heading 'FINAL DRAINAGE REPORT'. A detailed drainage plan is also included in the approved and attached CDRMS 112 Application. Map F-1 shows the post mine drainage within the affected area, Map G-1(A-C) shows the post mine drainage conditions in comparison to baseline and mining conditions. Map C-2 shows drainage direction during mining. Exhibit G-Section 7 describes surface water conditions of the site.
 - I. A traffic analysis was determined by the City and a private traffic engineer to be unnecessary and that no improvements to any public roads were required. Part of the consideration for this is the fact that this CUP is adding to an existing construction materials production operation (Roland asphalt plant), not developing a new construction materials production operation. The scale and intensity of the operation will not increase and thus the amount of traffic will not increase. No additional traffic will be generated by the approval of this CUP, just a continuation of the traffic levels that have accompanied the current operation. The majority of truck traffic generated by the approval of

Area 1 CUP will be haulage between existing CUPs. The PROPOSED HAUL ROUTE shows traffic from new mining areas exiting Area 1 via a new access point on 23 ¼ Road to the existing Roland asphalt and concrete plant to the east. These trucks will be hauling raw material from the mining area to be processed into asphalt and concrete. A small amount of product may be shipped to customers directly from the site, as is the case with the current gravel pit CUP (CUP-96-124) that supplies the Roland Plant. It is anticipated that roughly 20,000 tons/year will be direct shipped to customers. These trucks will exit the site via the new access constructed from Area 1 to Roland Plant, where they will enter River Road. Considering a 260 day/year work schedule and a maximum of 2,400 loads of haulage, trucks direct shipping to customers using 23 1/2 Road as an access to River Road will generate approximately 1.6 truck trips/hour at most¹. We anticipate the average traffic to be half of that. No trucks will use 23 Road or 23 ¼ Road. Trucks exiting the Roland Plant will use the existing 23 1/2 Road access which is covered under a current CUP for the asphalt and concrete plants, CUP # C14-83 and Adopted Resolution MCM 83-58. Therefore truck traffic patterns will remain principally the same as they have for some time.

J. A SWMP is attached to this application (the STORMWATER MANAGEMENT PLAN of this CUP application) and details measures that will be undertaken to control erosion caused by runoff. These controls include; stormwater berms, sediment ponds, revegetation, runoff ditches and furrows, and paving, all of which will alleviate erosion. Wind-blown sediments will be controlled through active measures such as watering of roads and during crushing/screening and application of magnesium chloride on roads as needed. See page 17 of this CUP application for details on dust control measures.

K. N/A

L. Excavation and reclamation plans shall be filed with the City and recorded with the Mesa County Clerk and Recorder following approval of this CUP

3) **Standards.**

¹ 2400 loads/yr over 260 day/yr at 12 hrs/day = 0.77 load/hr. Each load is two truck trips, thus: 1.6 trips/hr

- i. All other permits required for Area 1 are listed in the attached CDRMS 112 Application, Exhibit M.
- ii. A 30-foot setback will be maintained from property/permit boundary. See Map C-2 of the attached CDRMS 112 Application, for details.
- iii. No excavating within 125 feet or rock crushing within 250 feet of a residence will occur. See Map C-2 of the attached CDRMS 112 Application for locations of structures in relationship to the proposed excavation and the location of screening and crushing equipment. Because the adjacent parcels are not zoned residential, the standard of limiting noise to 65 decibels will not apply. See Figure 2 of this CUP application for zoning of adjacent parcels.
- iv. Mining will not occur within 100 feet of any jurisdictional wetlands or navigable watercourses. A wetlands survey conducted by WestWater Engineers for Elam indicates that no jurisdictional wetlands exist within the CUP area, see attached *8-Elam 23.25 Rd Gravel Pit Aquatic Resource Delineation Oct 2020 11.12.20.pdf*. Map F-1 of the attached CDRMS 112 Application shows the final setbacks from jurisdictional wetlands or navigable watercourses.
- v. Map C-1 of the attached CDRMS 112 Application shows existing trees and vegetation on-site. Map F-1 of the attached CDRMS 112 Application shows trees and vegetation that will remain after mining. Adjacent uses or zoning districts are not dissimilar to the zoning for the parcels containing Area 1, therefore vegetative screening should not be needed. Sufficient horizontal buffer will be maintained between the mining activities and trail along the Colorado River south of Area 1 to prevent mining activity from being a nuisance.
- vi. A traffic analysis was determined not to be necessary. No improvements to public roadways were deemed necessary. See page 11 for a further discussion of traffic.
- vii. N/A
- viii. N/A
- ix. Hours of operation will be 6 am to 6 pm Monday through Saturday.
- x. See Map F-1 of the attached CDRMS 112 Application for final slopes.
- xi. Map G-1(A-C) of the attached CDRMS 112 Application shows the drainage patterns prior to and after mining. No property not owned by the operator or

- public facilities will be affected by flooding or changes in drainage patterns. All disturbed areas will drain internally and all stormwater will pass through the discharge controls of the approved CDPHE discharge permit for the mine.
- xii. A fencing plan is provided under the FENCING PLAN of this CUP application and fencing is shown on Map C-2 of the attached CDRMS 112 Application.
 - xiii. The final primary use of the site is that of a groundwater pond and rangeland as described on Map F-1 of the attached CDRMS 112 Application. No stockpiling will occur once mining is complete.
 - xiv. The operation will comply with the most stringent applicable standards.
 - xv. Air permit # 91ME799F has been secured from the Colorado Department of Public Health and Environment and is attached to this permit.
 - xvi. Discharge certification number COG500263 has been issued by the CDPHE for Area 1 and is found in APPENDIX 1 – CDRMS PERMIT APPLICATION of this CUP application. The plans and methods for discharging water from Area 1 and described extensively throughout this CUP application.
 - xvii. See Map F-1 of the attached CDRMS 112 Application for final slopes, water levels, and revegetation plans. See Exhibit E of the attached CDRMS 112 Application for the CDRMS approved reclamation plan.
 - xviii. See Exhibit E of the attached CDRMS 112 Application for the CDRMS approved revegetation plan.
 - xix. See Exhibit E-Section 7 of the attached CDRMS 112 Application for the revegetation success criteria.
 - xx. See Exhibit E-Table E-4 of the attached CDRMS 112 Application for the revegetation timetable.
 - xxi. The reclamation bond has not yet been posted. The CDRMS approval can be seen in Exhibit L of the attached CDRMS 112 Application, which indicates a bond of \$288,111.
 - xxii. See Exhibit D-Table D-3 of the attached CDRMS 112 Application for the development timetable.
 - xxiii. The operator understands that the development schedule shall be met.
 - xxiv. The operator understands that the conditional use shall expire if the use has not operated or if no material has been extracted
 - xxv. Signs and markers will be posted at the mine entrance listing the name of the Operator, Elam Construction, and the operation name, “23 ¼ West Pit”; a

statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the DRMS permit number. Public access will not be permitted during mining.

- xxvi. A fencing plan is provided in FENCING PLAN of this CUP application and perimeter fencing is shown on Map C-2 of the attached CDRMS 112 Application.

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

The proposed Area 1 Pit is surrounded by similar mining and construction operations. The Area 1 Pit will be complimentary to the current uses of the area, and will facilitate the continuation of the Roland asphalt plant in its current location. The project will not require schools or parks. Hospitals, business, and commercial facilities are within reasonably close proximity to support the needs of the project. The transportation infrastructure in the area is adequate to support the operation. The majority of haulage will be internal to the area construction materials operations. Haul trucks will cross 23 ¼ road when transiting from Area 1 to the Roland plants. Use of existing county roads will occasionally occur, but no new roads will be required. No direct access to I-70 or I-70B will be required.

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

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

Setbacks from the permit boundaries will be used in order to protect the privacy of adjacent properties from the operations. The adjacent properties are predominantly industrial activity and include two operating sand and gravel pits.

- b. *Protection of Use and Enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property.*

The other adjoining properties have compatible uses with the requested use. Orchard Grove Industrial Pit is located to the east, and the 23 Road Pit is located to the west. Properties to the north are industrial in nature. Redlands Parkway and the river buffer residences to the south. Environmental protection is addressed further in this exhibit and in the approved CDRMS 112 Application.

- c. *Compatible design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.* Processing equipment will be separated from the adjacent property by a distance of at least that of the nearest setback. Setbacks can be seen on CDRMS 112 Application Map C-2. Design compatibility is addressed further in this exhibit and in the approved CDRMS 112 Application. All impacts discussed in this section are primarily mitigated by two factors: 1) the inherent topographical differences between the mining operations onsite and the surrounding land and 2) the fact that all adjacent parcels are zoned I-1, I-2, or CSR, thus eliminating any conflicts between the industrial activities at Area 1 and surrounding properties. The following sections will address specific steps taken to alleviate effects on neighboring properties

1. **Noise.** Colorado State Statutes (CRS) §25-12 establishes statewide standards for noise level limits for various time periods and areas. This plan will accommodate these legal and binding requirements. A variety of best management practices will be employed to mitigate noise and vibration impacts. They include:
 - a. No use of explosives
 - b. Non-beeping back up alarms
 - c. Containing all mining activity behind the perimeter fence.
 - d. Containing all processing activity behind berms as much as possible
 - e. A lack of processing plants at the site.
 - f. All mining will be conducted below the existing grade

- g. Haul trucks will not use J-brakes
- 2. **Dust.** Due to the fact that the majority of mining will take place below the water table, material excavated from the mine will be inherently wet and thus pose a low risk of generating excessive dust. Water application for dust control on haul roads and excavation areas will take place as needed. Long term stockpiles will be vegetated to minimize water consumption for dust control as well as to prevent soil loss from said stockpiles. The crushing/screening plant uses water to control dust with water sprays at the entrance and on the screen deck. It is anticipated that the material will not require a large amount of water to control dust during processing due to its inherently wet nature. If additional dust suppression is needed at any time, additional watering will take place. This will be determined by the Facility Manager. In the event of a dust 'incident', the Facility Manager will determine if the incident can be corrected via additional controls or if operation shut down is needed. The Facility Manager, and his/her designees will be responsible for maintaining a day-to-day, hour-by-hour sense of the conditions on site and their propensity to generate dust. Similarly, the Facility Manager would be aware that high afternoon temperatures during the summer dry out watered areas of the site faster and increase the likelihood of dust generation at that time of day. Therefore, the Facility Manager would task the water truck to spray active areas of the site additional times in the hot summer afternoon. It is in this flexible manner that the dust coming from Area 1 can and will be minimized. The following best management practices will be in place for the operation:
 - a. All mining will occur below the existing topography, which will act to limit the migration of dust and air pollution from the site.
 - b. Disturbance footprint will be limited to the smallest for feasible operations
 - c. Crushing and screening equipment will be equipped with water sprays in order to keep material wet
 - d. Haul roads, processing and stockpiles floor, and the mining area floor will be watered as needed

- e. Stockpiles will be maintained moist either from processing or from truck watering
 - f. Stockpiles to be in place longer than 90 days will be seeded with the permanent seed mix
 - g. Topsoiled reclaimed slopes will be seeded in the first favorable season following the placement of topsoil
- 3. Hours of Operation.** Operations at Area 1 will occur between 6 am and 6 pm Monday thru Saturday. See Section 10 Mining Plan of this CUP for further details.
- 4. Adjacent Public Trail.** The adjacent public trail will be buffered from the operations at Area 1 in several ways which include;
- a. All mining will occur below the existing topography, which will act to limit the impacts from the site on the trail.
 - b. The existing vegetation between the trail and the mining pit will be undisturbed by operations, including the trees and bushes found along the CUP's southern boundary.
 - c. Disturbance footprint will be limited to the smallest for feasible operations.
 - d. The majority of the trail is more than 200 feet from the permit boundary, this fact in addition to the 30 feet setback within the permit boundary, provides a natural buffer of considerable distance between the trail and the mining operations.
 - e. Mining will commence in the southern portion of the permit area and proceed northward. This means that as mining occurs, the disturbance will become progressively further from the trail, limiting the impacts to the trail with time.

5.2. City of Grand Junction Code Section 21.02.070 (g) Major Site Plan

The proposed development meets the requirements for a major site plan review. No earth will be moved, no development will begin, nor will any structure foundation be poured prior to the receipt of the Directors approval of the site plan. Construction plans, based upon the approved final site plan and consisting of detailed specifications and diagrams illustrating the location, design and composition of all improvements identified in the final site plan and required by this code, shall be submitted to the City for approval. These documents include complete plans and

specifications of all required improvements identified and approved as part of the final site plan phase.

6. Existing Land Use

The current site condition is predominantly rangeland. An old Mesa County gravel pit lake can be found on the south end of the project. The site will be reclaimed to a groundwater lake and surrounding rangeland. Details of baseline conditions can be seen on Map C-1 in Appendix 1 of the CDRMS 112 Application, which can be found in the Reclamation Plan exhibit.

7. Surrounding Land Use

Area 1 lies within the 100-year FEMA flood plain of the Colorado River. The surrounding land use is predominantly industrial, with permitted gravel operations to the west (CDRMS permit # M-1979-089) and to the east (CDRMS permit # M-1990-094). The Colorado River borders the south end of the permit area. The north end of the property is bordered by buildings owned by Leane T Gagane. A storm sewer owned by the City of Grand Junction borders the north and west side of Area 1. The City of Grand Junction also owns the 23 ¼ Road, which borders the east side of the permit area, and the Redlands Parkway, which borders the south side of the permit area. All adjoining properties to the north, east, and west are zoned I-1 (industrial) or I-2 (industrial). Areas to the south are zoned CSR (Community Services & Recreation). Figure 2 shows the zones of the CUP and the surrounding parcels.



Figure 2 Site Location Map with affected parcels and zoning districts. The 23 1/4 West Pit Area 1 is the subject of this CUP application.

8. Soils and Geology

A soil report was generated using the United States Department of Agriculture's USDA Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS)² and is included in the attached CDRMS 112 Application. The WSS provides soil data and information produced by the National Cooperative Soil Survey. The majority of the site is split between two soil types, Be and BaS (see Map C-1 in Appendix 1 of attached CDRMS 112 Application). Both the Be and BaS soils provide an average of at least 12 inches of suitable material for revegetation. Both soils are listed as class VII without irrigation. Class VII are not suitable for cultivation and are restricted to grazing by domestic animals or wildlife; they are both listed as climatically limited soils. A detailed description of these soils can be found in Exhibit I of the attached CDRMS 112 Application.

No known geologic hazards were found on the site.

Experience at the neighboring 23 Road Pit and details of a Natural Resources Conservation Service (NRCS) site-specific soil report (Exhibit I of attached CDRMS 112 Application) indicate that the deposit is approximately 15 to 20 feet deep with an overburden of 0 to 7 feet and 0 to 24 inches of topsoil in the area of the deposit. Due to the presence of Mancos Shale as the bedrock for the site, mining will not proceed to bedrock. It will stop at least two feet above the shale to prevent its exposure.

9. Utilities

No utilities will be required for this proposal. Utilities in the vicinity of the 23 ¼ West Pit include the following;

- Powerline and poles that run between the permit area and 23 ¼ Road – owned by Xcel energy
- Culverts east of the permit area – owned by City of Grand Junction
- Railroad to the north of the permit area – owned by Union Pacific Railroad
- Storm sewer located west of the permit area – owned by City of Grand Junction
- Sewer line and manholes located under 23 ¼ Road – owned by City of Grand Junction
- Wilsea Drain & South Wilsea Drain located west of the permit area – owned by Grand Valley Drainage District

² <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.

10. Mining Plan

The total area of the CDRMS 112 Application submitted to the CDRMS for the 23 ¼ West Pit is 49.5 acres. The total area of the CUP application submitted to the City of Grand Junction for Area 1 is 31.8± acres. The mining plan for the entire 23 ¼ West Pit, of which Area 1 is a part, is detailed in Exhibit D of the attached CDRMS 112 Application and will be summarized below. Material will be mined, crushed, and screened at 23 ¼ West Pit before being transported offsite for further use. There is sufficient topsoil and overburden onsite to successfully reclaim the site to its final condition of a lake with rangeland slopes. Processing fines will be used to augment reclamation. No asphalt or concrete manufacturing will take place onsite. Material from the site will be transported 0.25 miles to the Roland plants owned by Elam Construction where it will be used in the manufacturing of asphalt and concrete. This plants have been operating under CUP # C14-83.

Topsoil and overburden will be stripped at Area 1 and placed in stockpiles and berms. Berms will be installed at the start of operations on the site as part of stormwater controls (see Appendix 1, Map C-2 in the attached CDRMS 112 Application). Because excavation will proceed to final mine slopes and grades of 3H:1V or shallower, it is anticipated that minimal backfilling with overburden will occur during reclamation.

Mining will take place in a single phase. Once topsoil and overburden are stripped from the site, the deposit will be mined using shovels or loaders and haul trucks. The groundwater table is roughly seven feet below ground level based on Elam's experience in the area. Since groundwater will be exposed/encountered during mining, the entire pit will be dewatered using a pump.

The maximum disturbance at any time will be at the end of the mine life when the largest lake is present and the largest amount of rangeland requiring topsoil and revegetation is present.

Table 1 shows the type of equipment that will be used for the operations of this site. Once operations are complete, all equipment will be removed from the site.

Table 1. Typical Onsite Equipment

Equipment Type	Quantity
Excavator	1
Bulldozer	1
Water Truck	1
On-highway Dump Truck	Varies with production
Road Grader	1 (occasionally)
Loader	1
Fuel Tank	1
Mobile Pump	1

A portable fuel tank will be set up in the mining area to supply equipment onsite. It will have full secondary containment. All equipment onsite will have onboard diesel tanks in full secondary containment. Full secondary containment has 110% of the volume of the tank that is in it. An SPCC plan will be in place for fuel storage.

Explosives will not be used at this site.

Haul roads within the site will be graveled and maintained with magnesium chloride and water trucks to control dust.

Hours of operation will be 6:00 A.M. to 6:00 P.M. Monday through Saturday, although crushing may occur on-site seven days per week. Roughly 4-8 employees will work at Area 1, however, these personnel will also work at the neighboring Elam facilities. Development of Area 1 will not lead to an increase in number of Elam employees in the area.

Over the life of the whole mine, a total of 805,000 tons of material will be extracted at a rate of roughly 200,000 tons per year. Areas 1 and 2 will be mined in parallel. This will result a mine life of approximately five years (3-4 of mining, one of reclamation completion), depending on market conditions.

11. Development Schedule

Mining will start as soon as all permits have been obtained and continue over the life of the pit which is anticipated to be 4-5 years.

12. Reclamation

Reclamation will occur contemporaneously as portions of the permit area are mined. Final reclamation of the permit area will occur after the cessation of all mining activities. Current use of the permit area is that of a rangeland. Final use of the permit area is proposed to be rangeland with a groundwater lake for the benefit of local wildlife. See Exhibit E in the attached CDRMS 112 Application for a detailed description of the reclamation plans. The plans will be summarized below.

The total disturbance of Area 1 is 26.2 acres. This is less than the permit area of 31.8 acres. When the site is fully reclaimed, the final use of the affected area will be as listed in Table E-1 and as depicted on Map F-1 in the attached CDRMS 112 Application. The post-mining land use of rangeland and a lake will be compatible with the current existing land uses in the area.

Slopes will be mined to their final 3H:1V slope, therefore no backfilling will be required. Throughout the reclamation process, topsoil will be replaced to a depth of 0-24 inches (12 inches on average) on all disturbed areas except those areas that will become the groundwater lake and the access roads. Disturbed areas will be seeded with the following and will also have fertilizer and straw mulch applied:

Table 2. Permanent Seed Mix

Species*	Percentage of mix (%)	Project Drill Seed Mix Rate (lbs PLS** per acre)
Western wheatgrass	34	4
Orchardgrass	8	1
Alkali sacaton	8	1
Slender wheatgrass	26	3
Redtop grass	8	1
Snowberry	8	1
Common reedgrass	8	1
Total	100	12.0

*Permanent vegetation seed mix consists of native species.

**PLS = Pure live seed

13. Drainage

Area 1 will interact with surface water in the area via runoff that enters the site. Drainage direction prior to mining is shown on Map C-1 in Appendix 1 of the attached CDRMS 112 Application. Map C-2 and Map C-3 in Appendix 1 of the attached CDRMS 112 Application show the drainage direction during mining. Map F-1 in Appendix 1 of the attached CDRMS 112 Application shows the drainage direction once reclamation is complete. Map G-1(A-C) in Appendix 1 of the attached CDRMS 112 Application shows a comparison of the drainage patterns in all three stages of operational life. The priority for surface water protection at Area 1 is preventing the discharge of sediment, oil, and/or hydraulic fluids from the operational areas. Sediment is trapped onsite using controls and best management practices related to directing and controlling surface water runoff that enters disturbed areas. Sediment discharge will be controlled during mining by the sediment pond and mining pit. Following mining, revegetation and the development of the lake will prevent the discharge of additional sediment from the site.

14. 100-year Floodplain

The entire mining site lies within the FEMA 100-year Floodplain. No mining will occur within the Floodway see Figure 3. All equipment is portable/mobile within the floodplain except the truck scale. In the event of flooding of the site, the pit pump will be disabled, and equipment removed from the pit floor. The pit will then be allowed to fill with water. Pumping will only resume once the flood has passed. All fuel storage onsite will be maintained elevated at least one foot above the base flood elevation and in secondary containment sufficient to hold 110% of the stored fuel. The truck scale is installed at grade with compacted backfill acting to prevent from washing away and causing downstream damage.

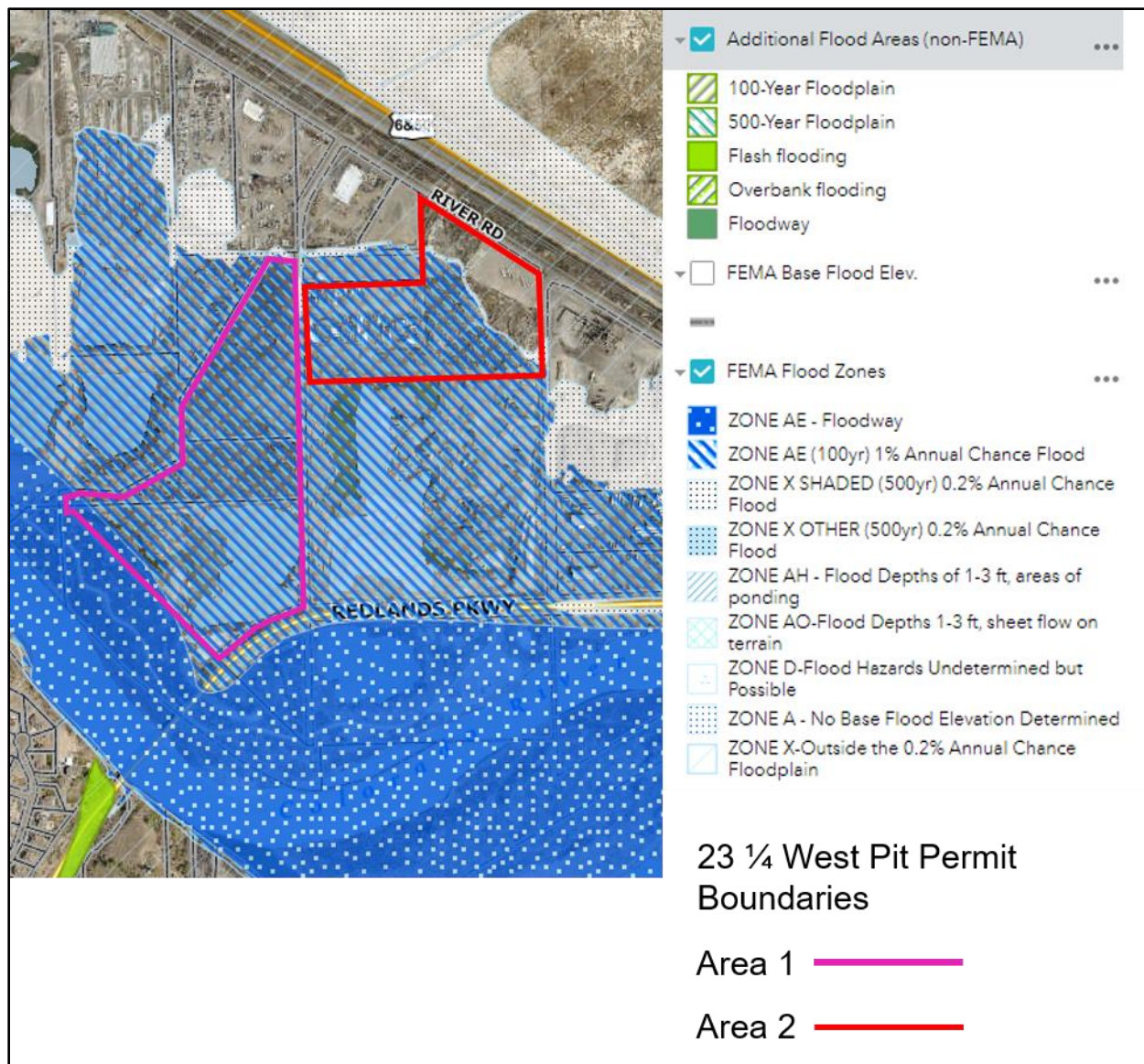


Figure 3 23 1/4 West Pit Area 1 (CUP area) and Area 2 permits boundaries overlain on City of Grand Junction GIS data. All mining will occur within the 100-year floodplain, no mining will occur within the Floodway.

CONVEYANCES AND EASEMENTS – NEW

Additional Right-of-Way for 23 ¼ Road is being dedicated to the City of Grand Junction. A proposed map and metes and bounds of this additional right-of-way is attached.

FENCING PLAN

The purpose of this document is to provide details regarding perimeter fencing for the proposed 23 1/4 West Pit Area 1.

A temporary six-foot tall three-strand barb wire fence will be constructed around the perimeter of the property. The fence will be removed when mining operations are complete, and the permit area is reclaimed.

FINAL DRAINAGE REPORT

1. General Plan

23 1/4 West Pit is a sand and gravel extraction operation on the west end of Grand Junction, CO. The operation consists of two pits (Area 1 and Area 2) on either side of 23 1/4 Road and north of the Colorado River. At the nearest location, the Colorado River is 400 feet from any mining activity. The Wilsea Drain and Wilsea South Drain can be found on the west side of Area 1.

The Grand Junction Conditional Use Permit is only applicable to Area 1 of the proposed mine. As such, only Area 1 is evaluated in this report. Area 2 is covered by an existing CUP from the City of Grand Junction.

Colorado Division of Reclamation, Mining, and Safety maps included within the CUP application are referenced in this report.

DRMS Map G-1(A-C) and 3 – Grading Plan detail the various runoff conditions of Area 1 throughout mining and reclamation.

2. Surface Water Runoff Control

2.1. Baseline Drainage Conditions

Existing stormwater drains across Area 1 from the north to the south. The overall gradient of the site is very shallow (<5%). The majority of the site is covered by the 100-YR floodplain. Map G-1(A-C) of the CDRMS 112 Application shows the extent of the floodplain as well as the pre mine drainage basin for Area 1.

Area 1 has been principally rangeland vegetation with an old gravel pit pond at the southern end of the area. This pond is from mining conducted by Mesa County when they owned the property. The Wilsea South Drain has historically been fed by localized drainage area within Area 1. Small portions of Area 1 have also historically drained towards the Wilsea Drain. Both drains, in general, have had short berms along their length along Area 1. It is only the interior portions of those berms that drain into each Drain. Therefore, it can be conservatively assumed that Area 1 drains entirely to the southwest and into the Colorado River. Figure 4 shows the pre-mine drainage conditions in general.

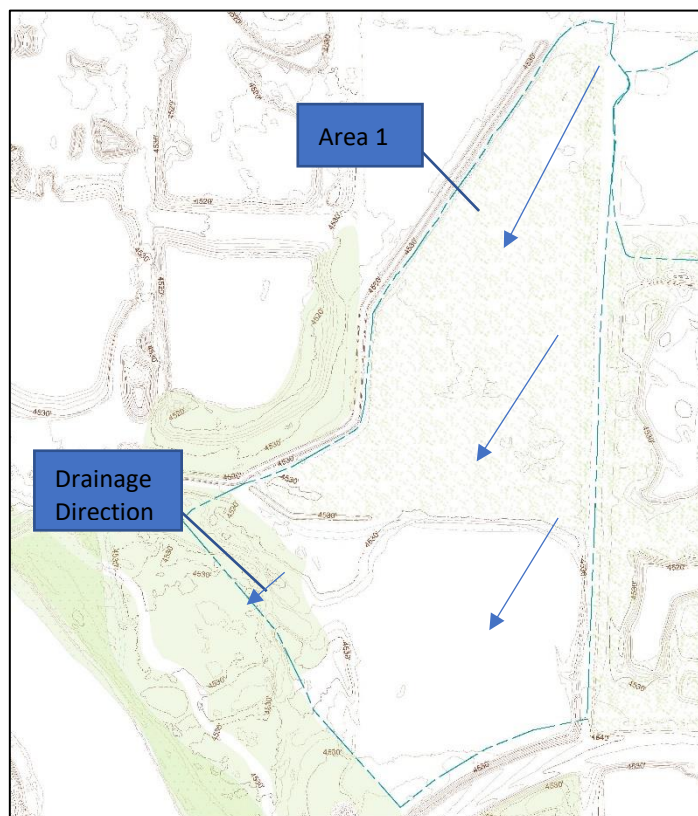


Figure 4 – Pre-mine Drainage Conditions

2.2. Mining

During mining activities, the pit in Area 1 will act as its own sump for stormwater runoff from drainage basins uphill of it. To ensure that there is always sufficient capacity within the pit area to handle stormwater runoff, an at least two-foot-tall berm will be maintained at the perimeter of the mining pit around all uphill portions. CDRMS 112 Application Maps C-2 and G-1(A-C) show the perimeter berm and the drainage patterns around Area 1. The pit in Area 1 will contain enough water to prevent any sediment laden discharges to the Colorado River. The two-foot-tall berm will maintain stormwater containment through to the final completion of reclamation activity.

DRMS Map G-1(A-C) details the quantities of runoff that will be present during mining and the sufficient capacity within the pit and stormwater berm to contain said runoff. Figure 5 shows the general drainage conditions during mining in Area 1.

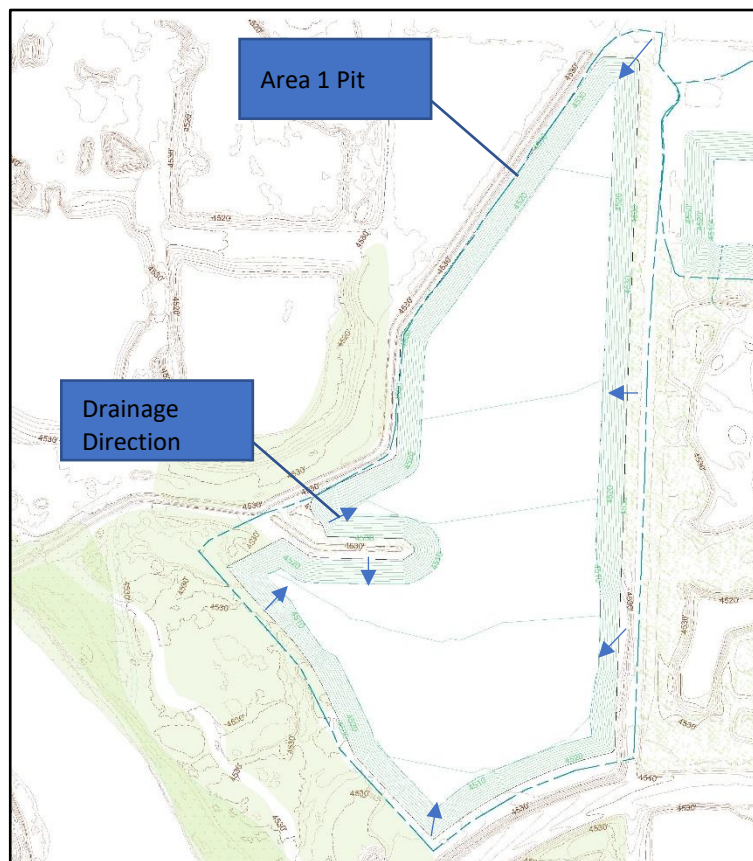


Figure 5 – Mining Drainage Conditions

2.3. Reclamation

Once revegetation has been completed on the site, the drainage patterns will be better than pre-mine, as surface water runoff flows will be routed to the alluvial aquifer of the Colorado River directly via the lake in place following reclamation. No exposed soils or other disturbed ground will be present that will generate soil losses that are greater than pre-mine conditions. The preponderance of surface water runoff will flow directly to the reclaimed lake in Area 1. No solely stormwater control structures like extended detention basins will be needed.

DRMS Map F-1 shows the reclaimed conditions of Area 1. Map G-1(A-C) shows the reclamation drainage conditions, including the runoff volume generated within the drainage basin, and the runoff storage capacity above the anticipated lake level. Figure 6 shows the reclamation drainage conditions in general.

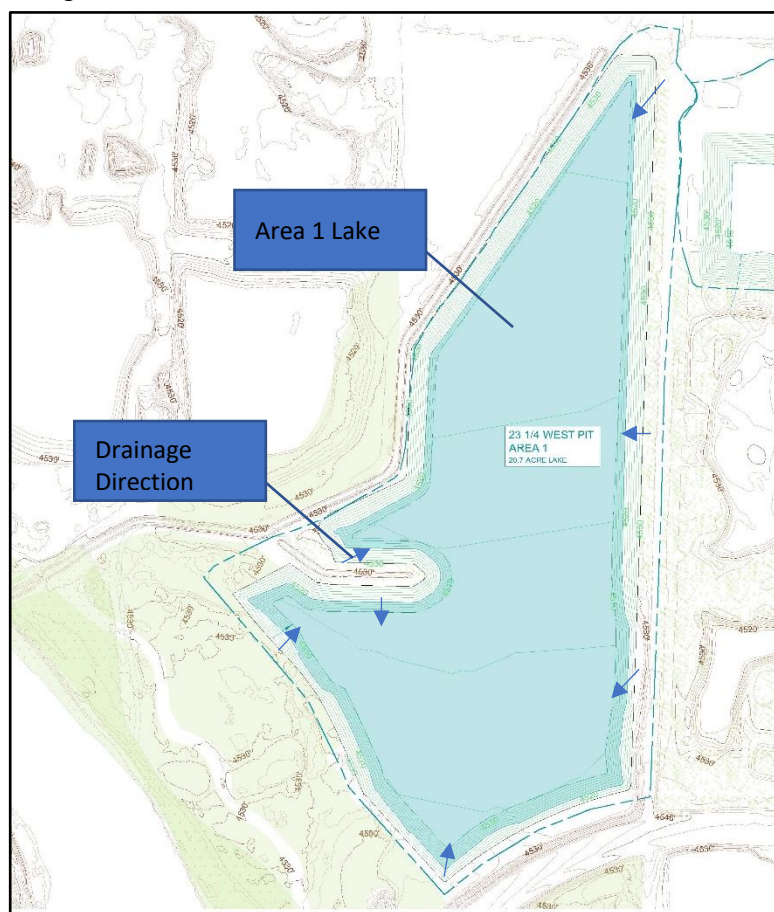


Figure 6 – Reclamation Drainage Conditions

2.4. Maintenance of Stormwater Controls

All stormwater control systems will be inspected monthly and after major rain events by the facility manager or his/her designee. Controls found to be in disrepair or insufficient will be repaired or replaced within 30 days. In the event that control systems cannot be permanently repaired/replaced within 30 days, temporary systems may be put in place until permanent installations can be completed. For example, if weather prevented seeding of an area for stabilization, temporary systems such as sediment control logs would be installed until revegetation had taken place.

2.5. Stormwater Calculations

The water quality control volume (WQCV), 10-year, and 100-year 24-hour runoff volumes are given on Map G-1(A-C). The complete calculations for the 100-year volumes are found in Appendix G-1 of the attached CDRMS 112 Application. The 10-year runoff volumes were calculated by substituting a rainfall of 2" (the 10-year event) for the 100-year rainfall event. WQCV volumes were calculated using the methodology outlined in the Mile High Flood District manual.³

3. Professional Engineer Certification

The designs and plans for stormwater control in this document were prepared by myself or under my supervision.



Ben Langenfeld, P.E.

#0047151

³ Also known as the Urban Drainage and Flood Control District Criteria Manual

FIREFLOW FORM

The fireflow form is attached to this application

GRADING PLAN

Grading Plan is attached.

Further detail can be seen on CDRMS 112 Application Maps C-2, C-3, and F-1 in Appendix 1

.

LEGAL DESCRIPTION

The legal description is attached.

NEIGHBORHOOD MEETING NOTES

Neighborhood Meeting notes are attached to this application.

SITE PLAN

A Site Plan is attached to this application.

Further detail can be seen on CDRMS 112 Application Maps C-2, C-3, and F-1 in Appendix 1.

SKETCH FOR DESCRIPTIONS

Sketch Plan is attached.

Further detail can be seen on CDRMS 112 Application Maps C-2, C-3, and F-1 in Appendix 1.

POST CONSTRUCTION STORMWATER AGREEMENT

Post-construction stormwater agreements for the three affected parcels are not required. It was determined by Mesa County storm water that Elam would not need them as the proposed operation will fall under a CDPHE storm water permit.

A copy of this approved permit is attached.

Table 28.12.090: Stormwater Management Manual Drainage Plan Checklist

The DRMS Maps G-1(A-C) contain all the required information on this checklist. Special versions with appropriate note blocks are included with this CUP application.

Table 28.12.090: Stormwater Management Manual Drainage Plan Checklist

Instructions: 1. Applicant to identify with a check-mark if information is provided. If applicant believes information is not required, indicate with "n/a."

2. County will determine if information labeled "n/a" is required and whether information must be submitted.

I. EXISTING FACILITIES

 X A. Contours at two-foot intervals, based on USGS datum. Contours to extend at least 50 feet past property line.

 X B. Location and elevation of USGS benchmarks or benchmarks referenced to USGS.

 X D. Drainage easements.

 X E. Street names.

 X F. Major and minor channels and floodplains.

 X G. A historic drainage plan including historic basin boundaries and flow paths.

II. PROPOSED FACILITIES

 X A. Contours at two-foot intervals, based on USGS datum.

 X B. Property lines.

 X C. Drainage easements.

 N/A D. Street names and grades.

 X E. Right-of-way and easement.

 N/A F. Finished floor elevations for protection from major storm runoff.

 N/A G. Detention pond information:

 N/A 1. Location of each detention pond with site at 1" = 50' scale or larger with two-foot contour intervals.

 N/A 2. Inlet and outlet structure, and trickle channel design details.

 N/A 3. Details of emergency spillway and channel.

N/A 4. Landscape information, including side slopes, vegetation and planting requirements.

 N/A 5. Details of water quality outlet structure.

H. Channel information:

 N/A 1. Profiles with existing and proposed grades.

 N/A 2. Cross-sections on 100-foot stations showing existing and proposed topography and required rights-of-way.

 N/A 3. Locations and size of all existing and proposed structures.

 N/A 4. Locations and profiles of adjacent utilities.

 N/A 5. Typical channel section and lining details.

I. Storm sewer information:

 N/A 1. Alignment and location of manholes, inlets, and outlet structures.

 N/A 2. Profile of invert and pipe crown.

 N/A 3. Invert elevations at manholes and inlets.

 N/A 4. Lengths and grades between manholes and inlets.

 N/A 5. Locations and elevations of utilities adjacent to and crossing storm sewer.

 N/A 6. Easement and other O&M access geometry.

 N/A 7. Outlet details, such as end sections, headwall and wingwalls, erosion control, and vegetation.

 N/A J. Street cross-sections with design 100-year flood depth.

 N/A K. Other drainage related structures and facilities, including underdrains and sump pump discharge lines.

 N/A L. Other permanent BMP measures to control pollutant discharges to the County's MS4 system.

III. HYDRAULIC AND HYDROLOGIC INFORMATION

 N/A A. Routing and accumulative runoff peaks at upstream and downstream ends of the site and at various critical points onsite for initial and major storms. Inflow and outflow from each sub-basin shall be shown for both initial and major storms.

 N/A B. Street cross-sections showing 100-year flood levels.

 X C. Major and minor channels and floodplains.

 X D. Detention pond data:

 N/A 1. Release rates for 10- and 100-year storm events.

- X 2. Required and provided volumes for 10- and 100-year storm events.
- X 3. Design depths for 10- and 100-year storm events.
- X 4. Water quality capture volume and pool elevation.

E. Channel data:

- N/A 1. Water surface profiles.
- N/A 2. Representative 100-year flow velocity and Froude number.

F. Storm sewer data:

- N/A 1. Profile of water surface for design flow rate.
- N/A 2. Peak flows for design flow, two-year and 100-year storm events.

IV. STANDARD NOTES

 X A. No building, structure, or fill will be placed in the detention areas and no changes or alterations affecting the hydraulic characteristics of the detention areas will be made without the approval of the County.

 X B. Maintenance and operation of the detention and water quality areas is the responsibility of property owner. If owner fails in this responsibility, the County has the right to enter the property, maintain the detention areas, and be reimbursed for costs incurred.

 X C. Detention pond volumes, all drainage appurtenances, and basin boundaries shall be verified. As-built drawings shall be prepared by a registered professional engineer prior to issuance of certificate of occupancy for any structure within the development.

 X D Permission to reproduce these plans is hereby given to Mesa County for County purposes associated with plan review, approval, permitting, inspection and construction of work.

 X **V. PROFESSIONAL ENGINEER'S SEAL AND SIGNATURE**

VI. OTHER

 X A. Horizontal and vertical control information and ties to existing and proposed features.

ACKNOWLEDGEMENTS

Drainage Plan checklist was prepared by:

STORMWATER MANAGEMENT PLAN

The stormwater management plan is attached to this application.

TRANSACTION SCREEN PROCESS

A transaction screen process is attached to this application.

PROPOSED HAUL ROUTE

The purpose of this document is to provide documentation for the proposed haul routes of the proposed 23 ¼ West Pit is 601 23 ¼ Rd, Grand Junction, Colorado 81505. The majority of product mined will be shipped to the Roland asphalt and concrete plant using the 'Main Haul Route – Raw material to Roland Plant' route. A small amount of product will be direct shipped to customers using the 'Main Haul Route – Raw material to Direct Ship' route. Both of the proposed 'Main Haul Routes' will exit the western pit, cross 23 ¼ Road, transit the eastern pit, cross 23 ½ Road arriving at the Roland asphalt plant operated by Elam Construction. Material that will be direct shipped to customers will then enter River Road using the Roland Plant 23 ½ Road access point. No trucks will access River Road via 23 Road or 23 ¼ Road. Employee passenger vehicles will access Area 1 via 23 ¼ Road. Figure 7 depicts the 'Main Haul Route - Raw material to Roland Plant' (red), the 'Main Haul Route -Raw material to Direct Ship' (green), 'Passenger Vehicle/Employee Access Route' (blue), and the 23 1/4 West Pit permit areas (pink) in relationship to the area roads, and the Roland Plant.

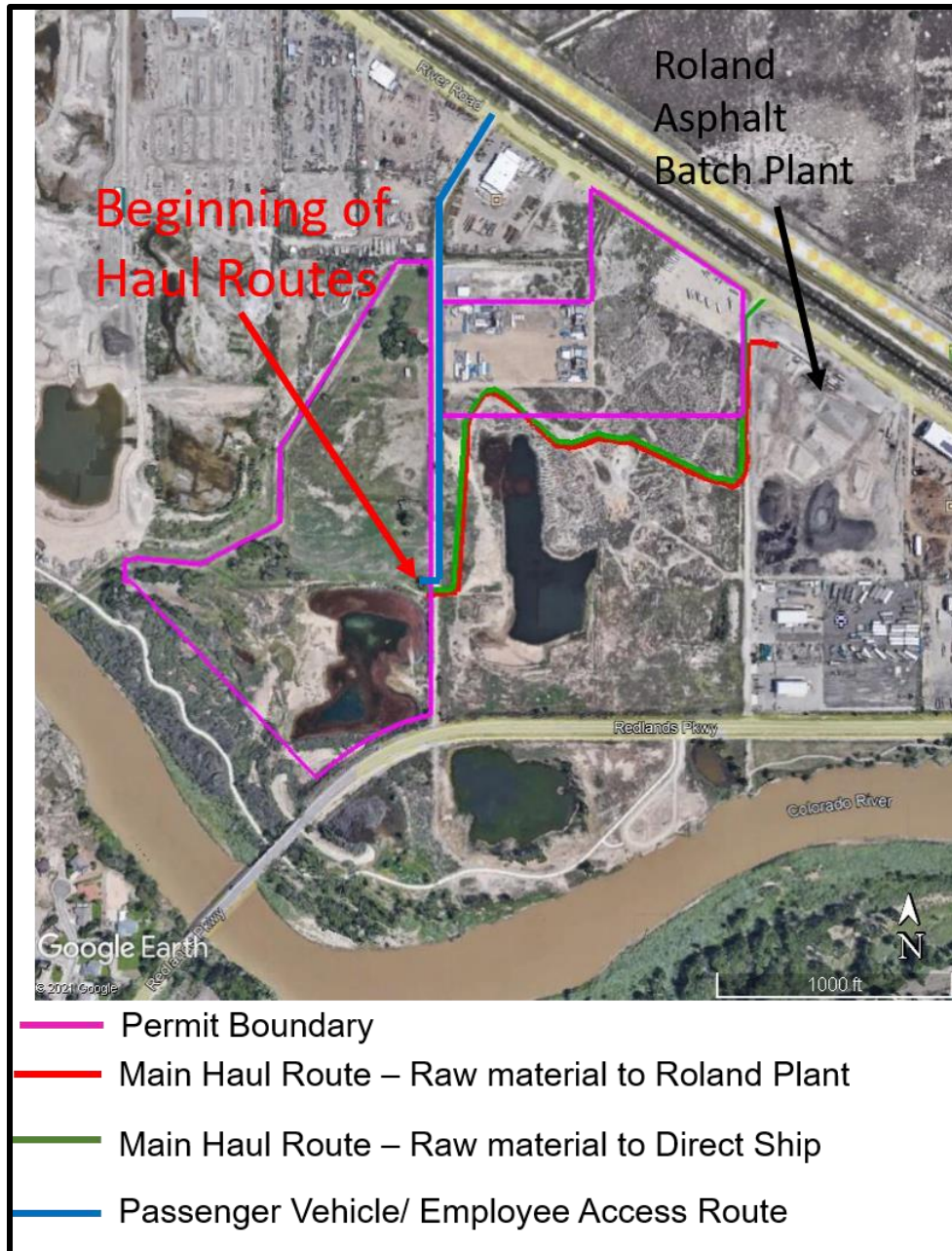


Figure 7 Proposed haul routes and employee access.

DREDGE AND FILL

See the attached CDRMS 112 Application approval in Appendix 1.

RECLAMATION PLAN

Reclamation at Area 1 will be in accordance with the approved Colorado Division of Reclamation, Mining, and Safety 112(c) reclamation permit.

A copy of the permit application exhibits is attached.

CDRMS Permit Number: M-2020-035

Approval Date: November 4, 2020

APPENDIX 1 – CDRMS PERMIT APPLICATION



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources

1313 Sherman St. Room 215
Denver, CO 80203

November 4, 2020

Russ Larsen
Elam Construction, Inc.
556 Struthers Avenue
Grand Junction, CO 81501

Re: File No. M-2020-035, 23 1/4 West Pit, 112c Decision Letter - Conditions, Financial and Performance Warranty Request - Construction Material Operation

Russ Larsen:

On November 4, 2020, the Division of Reclamation, Mining and Safety approved your 112c mining permit application. The conditions to the approval are noted below:

Stipulation No. 1- Dewatering of Area 2 into the Orchard Grove Industrial Pit (DRMS Permit No. M-1990-04) is not permitted until approval is gained by CPDHE and provided to the Division.

The amount of financial warranty set by the Division for this operation is \$288,111.00. You must submit a financial warranty in this amount and a performance warranty in order for us to issue a permit. In the event you have requested a financial warranty form, we have enclosed it in this letter. If you have not, please select a type of financial warranty from Rule 4.3. Then contact us so that we can provide you with the appropriate warranty form. We have enclosed a performance warranty form with this letter for your use.

PLEASE NOTE THAT MINING OPERATIONS MAY NOT COMMENCE UNTIL A PERMIT HAS BEEN ISSUED BY THE DIVISION AFTER RECEIPT OF YOUR FINANCIAL WARRANTY AND PERFORMANCE WARRANTY. A PERMIT WILL NOT BE ISSUED UNTIL WE VERIFY THE ADEQUACY OF BOTH YOUR FINANCIAL WARRANTY AND PERFORMANCE WARRANTY.

If you have any questions, please contact me.

Sincerely,

Amy C. Yeldell
Environmental Protection Specialist



Enclosure

RIDER TO MINING PERMIT

Permit Date: PF.permit_issue

Permit No: M-2020-035

The following additional stipulations and conditions form an integral part of the foregoing permit:

Stipulation No. 1- Dewatering of Area 2 into the Orchard Grove Industrial Pit (DRMS Permit No. M-1990-04) is not permitted until approval is gained by CPDHE and provided to the Division.

MINED LAND RECLAMATION BOARD
COLORADO DEPARTMENT OF NATURAL RESOURCES

Virginia Brannon
Division Director

M-AP-19

23 1/4 West Pit



October 2020

112 Construction Material Reclamation Permit Operation Application to the Colorado Division of Reclamation, Mining, and Safety

By:

Elam Construction

Represented by:



Greg Lewicki And Associates, PLLC

3375 W. Powers Circle
Littleton, CO 80123

Phone: (720) 842-5321
E-mail: info@lewicki.biz

Fax (303) 346-6934

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Introduction

The 23 ¼ West Pit is a sand and gravel operation located on the west side of Grand Junction, CO located along the Colorado River just north of Redlands Parkway. The operation will excavation, processing, and send offsite construction materials from a 49.5 acre permit and affected area spread over two mining areas. Access will be from the existing 23 ¼ Road connection for the property, with additional access being developed during operations to ease hauling operations. Access to Area 2 will be via the existing Orchard Grove Industrial Pit to its south, and its existing public road access.

The owner of the land is A&G Partnership, LLP and Kilgore Companies, LLC. The operator and permittee is Kilgore Companies, LLC dba Elam Construction, better known as Elam Construction.

The current site condition is predominantly rangeland. The site will be reclaimed to a groundwater lake and surrounding rangeland. Details of mining and reclamation plans can be seen on the maps in Appendix 1.

EXHIBIT A

LEGAL DESCRIPTION

For the 23 1/4 West Pit site, the legal description for the permit boundary (Permit Boundary) is identical to the legal description for the affected area. The legal description of the Permit Boundary and affected area is as follows:

Located entirely within the SW1/4SW1/4 of Section 5, the N1/2SE1/4 of Section 5, and the N1/2NW1/4 of Section 8, Township 1 South, Range 1 West of the Ute P.M.:

Area 1

With the south line of Section 5 with a basis of bearing of S 88°07 '11 " E from the southwest corner of Section 5 which is the point of beginning;

thence N 81°27'07" E a distance of 57.6 ft;
thence S 82°34'09" E a distance of 265.4 ft;
thence N 65°13'19" E a distance of 380.7 ft;
thence N 02°09'18" E a distance of 91.6 ft;
thence N 02°09'18" E a distance of 223.3 ft;
thence N 35°10'15" E a distance of 129.6 ft;
thence N 34°55'57" E a distance of 789.6 ft;
thence S 88°05'42" E a distance of 144.2 ft;
thence S 02°07'55" W a distance of 993.4 ft;
thence S 01°47'54" W a distance of 330.1 ft;
thence S 02°03'11" W a distance of 558.8 ft;
thence S 77°42'59" W a distance of 35.0 ft;
thence S 75°47'47" W a distance of 35.0 ft;
thence S 73°52'38" W a distance of 35.0 ft;
thence S 71°57'28" W a distance of 35.0 ft;
thence S 70°02'18" W a distance of 35.0 ft;
thence S 68°07'06" W a distance of 35.0 ft;
thence S 66°11'56" W a distance of 35.0 ft;
thence S 64°16'47" W a distance of 35.0 ft;
thence S 62°21'37" W a distance of 35.0 ft;
thence S 60°26'26" W a distance of 35.0 ft;
thence S 58°31'16" W a distance of 35.0 ft;
thence S 56°36'04" W a distance of 35.0 ft;
thence S 54°40'56" W a distance of 35.0 ft;
thence S 52°45'45" W a distance of 35.0 ft;
thence S 50°50'35" W a distance of 35.0 ft;
thence S 48°55'23" W a distance of 35.0 ft;
thence N 42°21'44" W a distance of 228.2 ft;
thence N 41°54'13" W a distance of 908.5 ft;
thence N 87°17'24" W a distance of 29.9 ft;
thence N 02°12'27" E a distance of 86.3 ft;
which is the point of beginning,

having an area of 31.8± acres

Area 2

With the south line of Section 5 with a basis of bearing of S 88°07'11" E from the south quarter corner of Section 5 N 88°107'11" W a distance of 24.2 ft, thence N 02°03'34" E a distance of 687.0 ft along the westerly property line of 23 ½ Road, to the point of beginning;

thence N 88°08'24" W a distance of 1283.3 ft;

thence N 02°12'00" E a distance of 474.3 ft;

thence S 88°06'18" E a distance of 641.0 ft;

thence N 01°50'11" E a distance of 468.5 ft;

thence S 54°37'42" E a distance of 769.3 ft;

thence S 02°03'34" W a distance of 517.7 ft;

which is the point of beginning,

having an area of 17.7± acres

The combined permit and affected area is 49.5± acres.

The main entrance to the mine site is located at 39.09456° N, 108.62213° W. Coordinates are in the WGS84 datum.

EXHIBIT B

LOCATION MAP

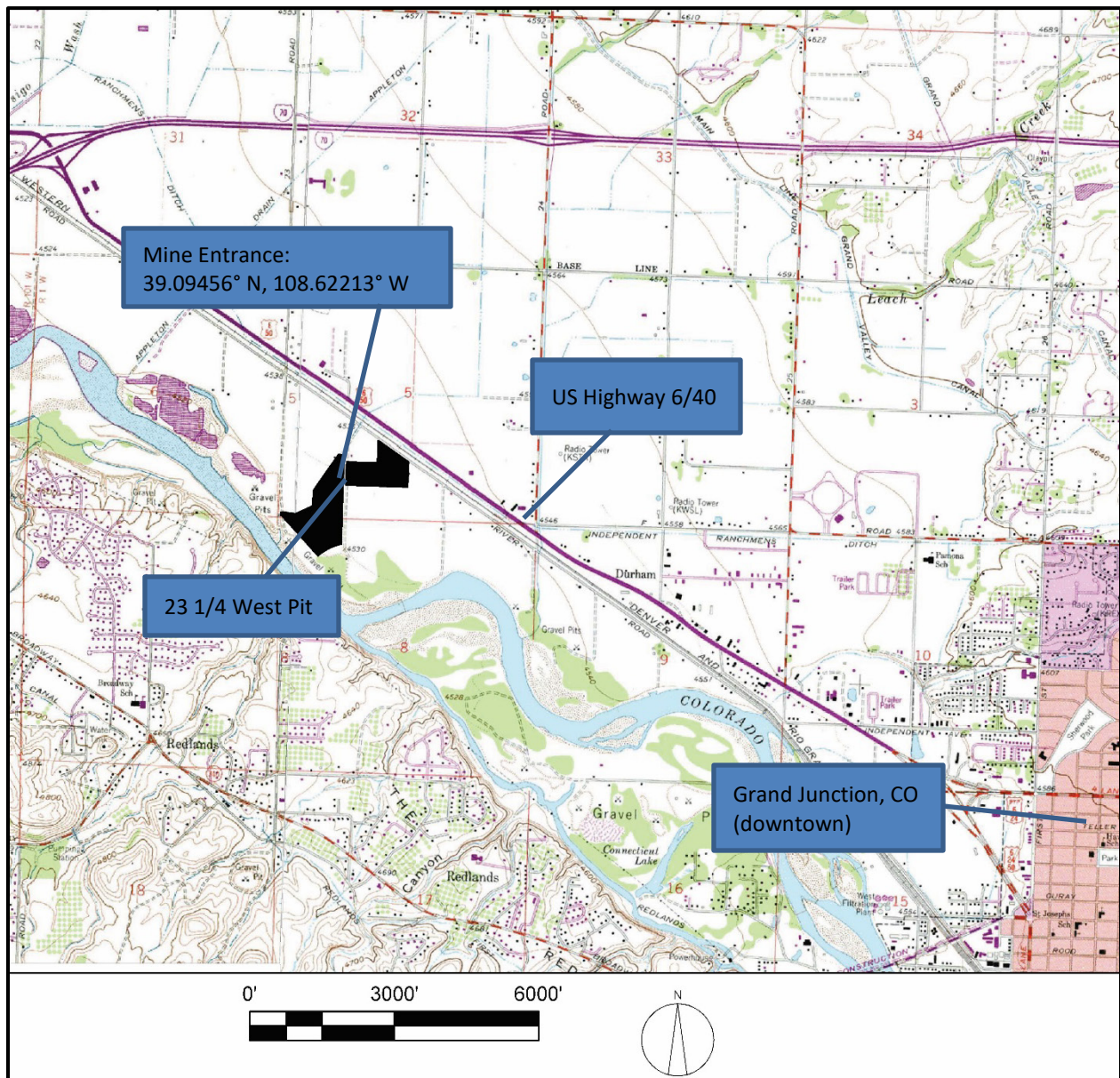


Figure B-1 – General Location Map

While the USGS Quadrangle for the site show Grand Junction as being a distance away, the site is located within the city limits

EXHIBIT C

PRE-MINING AND MINING PLAN MAPS

Map C-1: Baseline Conditions

Map C-2: Mining Plan

Map C-3: Mining Snapshot

Map C-4: Cross Sections

Map G-1: Drainage Map

All maps can be found in Appendix 1.

EXHIBIT D

MINING PLAN

1. Introduction

The following is the mining plan for the proposed 23 ¼ West Pit to be operated by permittee Kilgore Companies, LLC dba Elam Construction (“Elam”). Elam proposes to mine the 23 ¼ West Pit gravel deposit to support its construction materials activities in Grand Junction, CO. Material will be mined, crushed, and screened at 23 ¼ West Pit before being transported offsite for further use. There is sufficient topsoil and overburden onsite to successfully reclaim the site to its final condition of a lake with rangeland slopes. No asphalt or concrete manufacturing will take place onsite.

1.1 Pre-Mining and Topsoil Stripping

The site of the proposed 23 ¼ West Pit is currently a fenced rangeland/shrubland with a few structures (see Map C-1). These structures will be removed during mining.

Prior to beginning activities on the site, the boundaries of the affected area will be clearly marked. Signs and markers will be posted at the mine entrance listing the name of the Operator, Elam Construction, and the operation name, “23 ¼ West Pit”; a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board ; and the DRMS permit number. The current access to the property will be used for mining; a secondary access will be built on the south end of the permit as well (Map C-2). Internal roads and ramps will be used throughout the life of the mining operation as needed, and will all be reclaimed. Map C-2 shows the full mining extents; Map C-3 shows a snapshot of the mine during operations.

Topsoil and overburden will be stripped at 23 ¼ West Pit and placed in stockpiles and berms. This stripping will take place in advance of mining of areas, but is not anticipated to happen all at once. Map C-4 shows the topsoil stripping in advance of mining in cross section. Berms will be installed at the start of operations on the site as part of stormwater controls (Map C-2). They will be vegetated promptly. Further details on the berms can be seen on Map G-1 and in Exhibit G.

Topsoil that is stripped and not required for the construction of the stormwater control berms will be immediately placed as part of contemporaneous reclamation, stockpiled on-site in the topsoil storage area, or shipped offsite to enhance reclamation at other Elam Construction sites.

Temporary stockpiles of overburden or topsoil required for reclamation will typically be 20 feet in height. Temporary stockpiles will be located in the designated area shown on Map C-3.

Because excavation will proceed to final mine slopes and grades of 3H:1V or shallower (Map C-3), it is anticipated that minimal backfilling with overburden will occur during reclamation.

Overburden present on site will be stripped during mining and either placed directly on mined out ground as part of reclamation, stored in the stockpile area, or be sold as fill. Mining to final slopes and the direct placement of overburden onto reclamation slopes will reduce the need to stockpile overburden material and shorten the time that it will take to reclaim the mine. Details on topsoil and overburden quantities and material balance can be found in Table D-2 and Table E-2.

1.2 Mining Phases

Mining will take place in a single phase. Once topsoil and overburden are stripped from the site, the deposit will be mined using shovels or loaders and haul trucks. The groundwater table is roughly seven feet below ground level based on Elam's experience at the 23 Road Pit adjacent to the west. Since groundwater will be exposed/encountered during mining, the entire pit will be dewatered using a pump. Details regarding this dewatering can be found in Exhibit G.

Mining will progress in the dewatered pit as shown on Maps C-2 and C-3. All mining will be to final 3H:1V slopes on the perimeter. The active mining highwall will be mined to the halfway point of the final 3H:1V mining slope. The maximum length of vertical slope will be 1500 feet. This means that at no point in the operations life will backfill be required for reclamation; only highwall knock down will be needed to establish final slope. The maximum disturbance at any time will be at the end of the mine life when the largest lake is present and the largest amount of rangeland requiring topsoil and revegetation is present. This scenario will determine the bond calculation and is discussed in detail in Exhibit L.

Mining will take place in Area 1 and 2 simultaneously, as Area 1 overburden will be needed to backfilled Area 2. Area 2 mining may begin prior to mining of Area 1 in order to create room for backfill material from Area 1.

1.3 Equipment

Table D-1 shows the type of equipment that will be used for the operations of this site. Once operations are complete, all equipment will be removed from the site.

Table D-1 - Typical Onsite Equipment

Equipment Type	Phase 1Quantity
Excavator	1
Bulldozer	1
Water Truck	1
On-highway Dump Truck	Varies with production
Road Grader	1 (occasionally)
Loader	1
Fuel Tank	1
Mobile Pump	1

A portable fuel tank will be set up in the mining area to supply equipment onsite. It will have full secondary containment. All equipment onsite will have onboard diesel tanks in full secondary containment. Full secondary containment has 110% of the volume of the tank that is in it.

2. General Mining Plan – Method of Mining

Mining at the 23 ¼ West Pit will be conducted in a single phase. Mining will be from south to north in Area 1 and east to west in Area 2. Maps C-2, C-3, and C-4 showing the extents of mining, a snapshot of mining roughly halfway through the mine's life, and cross sections of the mining and reclamation plans. The total disturbed area will be 41.4 acres. Of that total, roughly 10 acres of disturbed ground requiring topsoiling and revegetation will be active at any given time. The total disturbed area is shown on Map C-2. Crushing and screening of excavated material will take place onsite. Crusher fines may be placed in the lake during final reclamation or sold offsite as fill. No asphalt or concrete will be manufactured onsite. A truck scale and scale house will be installed onsite. No permanent plants or offices will be built onsite.

Explosives will not be used at this site.

2.1 Mining Buffers and Limitations

Throughout the mine life the setbacks shown on Map C-2 will be maintained. No mining will take place within the floodway, which is far off to the southwest. All mining will be within the floodplain, but no permanent fill will take place in this area. Stormwater control berms and stockpiles will be present during mining, but removed during reclamation. Additionally, the excavation of topsoil and overburden from the site will create storage volume for storm and

flood events onsite. See Map G-1 and Exhibit G for more information on surface water management.

No permanent plant or office facilities will be built onsite.

3. Overburden and Topsoil Handling

Initial earthmoving will consist of stripping 0-24 inches of topsoil and approximately six feet of overburden from areas to be disturbed. These stripping thicknesses are based on the soil survey for the operation and operational experience at the 23 Road Pit to the west. For the purpose of the material balance, 12 inches of topsoil and six feet of overburden are assumed. All earthmoving will be done using mining equipment suitable for this type of operation including the following: front end loader, dozer, excavator, and water trucks. Topsoil and overburden will be direct placed, as much as possible, with stockpiling as needed in the designated stockpile areas (Map C-3). Stockpiles to be in place longer than 90 days will be seeded with the permanent seed mix to prevent erosion (see Exhibit E for seed mix information). Table D-2 details a breakdown of the overall material balance of the project during mining.

Table D-2. Topsoil and Overburden Material Generated During Mining

	Material Generated (CY)¹
Topsoil	66,800
Overburden	400,700

¹Total topsoil and overburden for all mining in Areas 1 and 2 of the operation. See Table E-2 for the reclamation material balance for each Area.

All topsoil stripped during mining operations will be used in contemporaneous reclamation or used at other sites to improve reclamation there. The presence of the lake means that there will be more topsoil generated by stripping activities than needed for reclamation activities. Details pertaining to reclamation can be found in Exhibit E.

Area 2 will limit excavation such that at no point are more than 100,000 CY needed to backfill the Area to final reclamation. Area 1 will limit overburden generation such that no more than 100,000 CY of overburden are stockpiled at any time. This will minimize the earth movement necessary to achieve reclamation at any time.

4. Stormwater – Diversions and Impoundments.

Surface water from storms, known as stormwater runoff, will be collected in the mining pit during operations. As shown on Map G-1, the local drainage area consists principally of the 23 ¼ West Pit and immediate area. The pit will act as a sediment pond during operations. No diversion of upstream waters will occur. Impounding of water will only be temporary, to trap sediment, with all stormwater runoff leaving the site within 72 hours. Exhibit G covers surface water management in detail.

5. Mining Timetable

An approximate maximum timetable for the mining operation is shown on Table D-3.

Table D-3. Mining Timetable

Years	Activity
1	Stripping of initial mining area
1	Mining of pit, beginning in the south and progressing north
1-4	Reclaim slopes to rangeland as mining progresses north
4-5	Completion of mining and final reclamation.

Over the life of the mine, a total of 805,000 tons of material will be extracted at a rate of roughly 200,000 tons per year. This will result a mine life of approximately five years (3-4 of mining, one of reclamation completion), depending on market conditions.

6. Disturbance Area

The largest disturbance at any one time for this mining operation will be at the end of mining. The area requiring topsoil and vegetation at this stage of the operation will be roughly five acres; this is half of the area of rangeland slope above the reclaimed lake. Concurrent reclamation will assure that at least half of the topsoiling is conducted by the time mining is finished. See Exhibit L for a detailed discussion of the reclamation costs and bond calculations that are based on this point in the mine's life.

7. Deposit and Underlying Stratum Geology

7.1 Mapped Geology

A soil report was generated using the United States Department of Agriculture's Natural Resources Conservation Services' (NRCS) Web Soil Survey (WSS)¹ and is included with this permit application (Exhibit I Soil Report).

¹ <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.

The main applicable United States Geological Survey geologic map for the site is from 2002. The area of the Peak Rach Resource was mapped by Scott, et al (2002)² as consisting of unconsolidated Quaternary alluvium and stream gravels (Holocene) underlain by Upper Cretaceous Mancos Shale.

7.2 Geology and Resource Discussion

Experience at the neighboring 23 Road Pit and details of a Natural Resources Conservation Service (NRCS) site-specific soil report (Exhibit I) indicate that the deposit is approximately 15 to 20 feet deep with an overburden of 0 to 7 feet and 0 to 24 inches of topsoil in the area of the deposit. Material balances for reclamation purposes will be calculated using a topsoil depth of 12 inches. Overburden depth for material balances purposes is assumed to be six feet.

Due to the presence of Mancos Shale as the bedrock for the site, mining will not proceed to bedrock. It will stop at least two feet above the shale to prevent its exposure.

8. Primary and Secondary Commodities

The operation will produce raw materials including sand, gravel, and rock. These materials will all be crushed/screened onsite and then shipped off processed material. If any large boulders are found at the 23 ¼ West Pit site, they will be direct shipped to customers using 23 ¼ West Pit dump trucks.

Excess overburden will be sold from the site as fill. Excess topsoil may be shipped offsite for use improving reclamation on nearby sites.

Elam will clearly mark the permit/affected area boundary with stakes surveyed on site.

No designated chemicals or acid-producing materials to be used or stored on-site.

²Scott, R., Carrara, P., Hood, W., & Murray, K. (2002). *Geologic Map of the Grand Junction Quadrangle, Mesa County, Colorado*. Denver, CO: United States Geological Survey.

9. Import Materials

Fill material may be accepted into the mine site. Fill material will be spread out on the mine floor or stockpiled and will be blended into the final landscape. Some material may also be re-sold as construction material. None of this material can be accepted by the Operator unless the attached form is filled out by the entity bringing the material to the site. The form provides an assurance that all material brought to the site is inert and has no toxic or acid forming material above acceptable limits.

Affidavit for Import of Materials into 23 ¼ West Pit

Date or Time Period of Import:

Description of Import Material:

Entity Providing Material to Mine (not the trucking Company):

I hereby certify that the material described above and brought to the 23 ¼ West Pit is inert, which means it is free from any chemicals, toxic substances, acid forming material, or any other material which would violate the material waste disposal laws of the State of Colorado.

Signature

Written Name of Signer

Signer's Position in Company

Company

Date: _____

EXHIBIT E

RECLAMATION PLAN

1. Introduction

This exhibit describes the plans and processes involved in reclaiming the site and transforming it to its ultimate post-mining use as rangeland and a groundwater lake as shown on Map F-1.

Reclamation will occur contemporaneously as portions of the permit area are mined. Final reclamation of the permit area will occur after the cessation of all mining activities. Current use of the permit area is that of a rangeland. Final use of the permit area is proposed to be rangeland with a groundwater lake for the benefit of local wildlife. Pursuant to Rule 6.4.5.2.(b), the applicant evaluated the proposed post-mining land use in regards to adopted state and local land use plans for this area and land uses in the vicinity. The proposed post-mining use as rangeland with an open water pond is compatible with the general character of the area.

The affected area of this site is the same as the permit area of this site, 49.5 acres, not all of which will be disturbed and require reclamation. The table below provides a summary of intended end uses within the affected area upon completion of reclamation as proposed on Map F-1.

Table E-1. Reclamation Areas

Description	Area 1	Area 2	Area (Acres)
Gravel Access Roads	0.05	0.05	0.1
Mining Area Reclaimed to Rangeland	6.7	14.0	20.6
Groundwater Lake	20.7	0	20.7
Disturbed Area Total	27.5	27.5	41.4
Undisturbed Area within the Permit Area	4.4	3.7	8.1
Total Affected Area	31.8	17.7	49.5

Note: Undisturbed area includes setbacks and incidental areas within the permit where disturbance is not needed.

2. General Reclamation Plan

Mining will take place to the final topography and slopes for Area 1. Area 2 will be backfilled following mining, on an ongoing basis, to reach its final conditions shown on Map F-1.

Reclamation will be conducted on final slopes by covering the area with 12 inches of topsoil and seeded with the seed mix found in Table E-3. Efforts will be made to not strip any topsoil until it can be directly placed on areas ready for reclamation; however, when necessary, topsoil will be stored into the temporary stockpile area as shown on Map C-3.

Dewatering will be conducted throughout the mining operation's life. Following final topsoiling and revegetation, the pit pump will be removed. Area 1 will contain a lake at this point; Area 2 will be a backfilled rangeland lot.

2.1 Topsoil and Overburden Handling

It is not anticipated that any topsoil will need to be imported for the reclamation process, even at the point of greatest disturbance. The creation of the lake in Area 1 will leave it with excess topsoil based on the NRCS soil data. Area 2 will take in Area 1 overburden and topsoil excess to reclaim to final grade.

Topsoil and overburden stripped during mining will either be stored in the temporary stockpile area or will be directly placed as part of final reclamation. Topsoil and overburden will be maintained in separate stockpiles in the temporary stockpile area. Table E-2 outlines the topsoil and overburden material balance calculations during reclamation and during the greatest disturbance area scenario. Excess overburden or topsoil generated during mining will be placed in reclaimed areas or shipped offsite. Overburden will not be stripped from berm or road areas. Topsoil stripping and replacement volumes are based on a 12 inches depth of topsoil. Overburden stripping is based on six feet of overburden on site.

Table E-2. Topsoil and Overburden Material Balances During Reclamation

	Material Generated By Mining (CY)¹	Material Required Reclamation (CY)²	Note
Topsoil	66,800	38,900	Lake creation reduces topsoil needs.
Overburden	400,700	318,000	Mining to final slopes eliminates the need for backfill.
	Area 1 Material for Reclamation (CY)	Area 2 Material for Reclamation (CY)	Note
Topsoil	16,313	22,587	
Overburden	0	318,000	

¹Topsoil and overburden stripped during mining. Based on soil survey thicknesses and are mining experience.

²Topsoil or overburden needed to reclaim disturbed areas in said scenario. Majority of material to backfill Area 2.

As demonstrated in Table E-2, topsoil generated by stripping will be more than enough to successfully reclaim all disturbed areas in the greatest disturbance area scenario. Elam will maintain enough topsoil onsite in stockpiles to reclaim the disturbed area to final uses successfully.

2.2 Final Use

The total affected area on the site is 49.5 acres, the same as the permit area. Only 41.4 acres will be disturbed by mining activities. When the site is fully reclaimed, the final use of the affected area will be as listed in Table E-1 and as depicted on Map F-1. The post-mining land use will be compatible with the current existing land uses in the area.

3. Topsoil and Revegetation Plan

Throughout the reclamation process, topsoil will be replaced to a depth of 0-24 inches (12 inches on average) on all disturbed areas except those areas that will become the groundwater lake and the access roads. Topsoil available from stripping is in excess of that needed for reclamation. Some topsoil may be removed from the site for use at other mines nearby.

The seed mix chosen for revegetation of the site was selected because it will establish a diverse, effective, and long-lasting vegetative cover that is capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer, and provides equal or better coverage than the existing vegetation of the surrounding area. Plantings will be limited to grasses and forbs that are well-suited to the the property considering the soils and climate. Table E-3 shows the revegetation seed mix.

The revegetation plan considers environmental factors such as seasonal patterns of precipitation; temperature and wind; soil texture and fertility; slope stability; and direction of slope faces to provide the greatest probability of success with plant establishment and vegetation development.

The permanent seed mix selected for revegetation has been selected based on the applicant's experience in revegetating sites in the area. The following seed mix (Table E-3), proposed for the 23 1/4 West Pit will be used to revegetate the disturbed areas to be reclaimed as rangeland; the seed mix will also be used for any stockpile or berm seeding.

Table E-3. Permanent Seed Mix

Species*	Percentage of mix (%)	Project Drill Seed Mix Rate (lbs PLS** per acre)
Western wheatgrass	33	4
Alkali sacaton	17	2
Four-winged salt brush	17	2
Indian Rice grass OR Galleta grass	8	1
Slender wheatgrass	25	3
Total	100	12.0

*Permanent vegetation seed mix consists of native species.

**PLS = Pure live seed

Note that the rates given in Table E-3 are for a drilled application rate and rates will be double for a broadcast application.

To ensure the establishment of a diverse and long-lasting vegetative cover, the Operator will employ site preparation techniques and protection. The soil shall be mechanically conditioned using disks and rippers, mulch will be spread after seeding, and temporary irrigation may be employed to ensure germination of as many seedlings as possible. Drill seeding will be utilized throughout the site.

Certified weed free mulch will be crimped into the surface at 2000 lbs. per-acre. Furrows from disking will be left in the topsoil to provide moisture concentration and shade areas to promote better conditions for successful vegetation establishment. Seeding will occur in the first fall season following the placement of topsoil.

The site will be prepared to provide the best chance of vegetation establishment by completing the following as recommended by the NRCS in the Plant materials Technical Note No. 59:

“The seedbed should be well settled and firm but friable enough that seed can be drilled at the recommended depth. Soils that have been compacted by traffic or other equipment should be tilled (deep-chisled or ripped if necessary) to break up restrictive or compacted layers and then harrowed and rolled or packed to prepare the required firm seedbed. Avoid seedbed preparation when the soil is wet to prevent compaction of the seedbed. Planting depth less than 1 inch.”

No trees or nurse stock will be used in reclamation. No fertilizer will be used. The maximum reclaimed slope will be 3H:1V.

4. Reclamation Timing

Stormwater berms will be seeded within 90 days of their construction using the permanent rangeland mixture. All reclamation activities will be completed within two years of the completion of mining activities onsite.

Table E-4 summarizes the timing of reclamation throughout the life of the mine. The anticipated timing is based on a five year mine life, depending on market conditions. If the mine life is extended, the appropriate years will be added to the timeline to accommodate reclamation.

Table E-4. Reclamation Timetable

Years	Activity
1	Stripping of initial mining area in either Area 1 or 2.
1-3	Begin mining of both Areas. Mining may begin in Area 2 ahead of Area 1.
3-4	Reclaim upland areas of both Areas to rangeland concurrently with mining.
4	Removal of all portable equipment, fuel tanks, and pumpset and reclamation of remaining disturbed areas
4-5	Revegetation monitoring

Mining and reclamation will occur roughly simultaneously in both Area 1 and 2. Mining may begin in Area 2 ahead of mining in Area 1 in order to create space for Area 1 overburden to be used as backfill.

5. Post-Reclamation Site Drainage

Map F-1 shows blue arrows indicating the approximate direction of drainage throughout the site within the affected area. Map G-1 shows the post mine drainage conditions in comparison to baseline and mining conditions.

6. Weed Control

Measures will be employed for the control of noxious weeds. A Weed Control Plan will be utilized as follows:

- 1) Every April and October, a weed survey will be taken of the affected area to identify and map the presence of any noxious weeds listed by the county and the state.
- 2) If any patches or plants are identified, they will be controlled within 30 days. This may include mowing, tillage, or spraying them with an herbicide approved for use by the weed

control staff of Mesa County. Other methods of weed control (ie: biological) may be employed from time to time depending on the nature and extent of the targeted species.

- 3) After reclamation, weed surveys and controls will continue until the perennial vegetation cover on the site meet DRMS requirements and bond release is obtained.

7. Revegetation Success Criteria

Revegetation will be deemed adequate when erosion is controlled and vegetation is considered satisfactory according to Division standards. Reclamation is considered a success when a diverse and long-lasting vegetative cover is established and the site is free of prohibited noxious weed species that seriously threatens the continued development of the desired vegetation. Monitoring the reclamation on an ongoing basis will ensure its success. If problems arise, Elam will consult with the local NRCS office to get input regarding how to resolve the problem. If minor changes or modifications are suggested by the local NRCS office to the seeding or reclamation plan, revision plans will be submitted to the DRMS prior to their implementation. It is anticipated that the Division will provide assistance and feedback in evaluating the success of the ongoing reclamation process. Information on all areas disturbed and reclaimed as well as any other important items regarding the reclamation will be submitted in the annual reports to the Division.

EXHIBIT F

RECLAMATION MAPS

Map F-1: Final Reclamation Plan

*23 1/4 West
October 2020*

F-1



EXHIBIT G

WATER INFORMATION

This exhibit discusses the water quality monitoring plan developed to protect the integrity of local surface and groundwater quality. Elam is committed to protecting the prevailing hydrological balance and water quality at the site.

1. General

The entire 23 ¼ West Pit affected area is located over 300 feet from the Colorado River, east of the Wilsea Drain. The disturbance area of the site is over 400 feet from the river; a small finger of affected area that is not to be disturbed extends to the southwest towards the river and floodway. Groundwater is roughly seven feet below the natural grade and is the alluvial aquifer of the Colorado River. The 100-YR FEMA³ floodplain encompasses the entire mining area. The floodway is 30 feet to the southwest of the disturbance area, close to the river.

2. Water Quality Protection

The main concerns regarding water quality are potential impacts to surface or groundwaters from sediment, hydraulic fluids, or diesel fuel. Sediment will be controlled through the use of stormwater retention within the disturbance area throughout the life of the mine. All stormwater runoff and surface water flows from the local drainage area will be collected with control measures built around the site. This includes mine slopes and the stormwater berms. This will contain all sediment within the site and prevent its unattended discharge from the site. Hydraulic fluids and diesel fuels will be contained within any vehicles through the use of best practices of maintenance and regular inspections of vehicles, hydraulic lines, and any other potential sources of spills. Diesel is proposed to be stored on-site in double walled tanks, the additional wall acting as the required secondary containment. Furthermore, the tanks will be located away from exposed ground water. Inadvertent spills that occur during fueling or refilling operations will be cleaned up immediately utilizing spill kits located adjacent to all fueling areas.

³ Federal Emergency Management Agency

During mining, dewatering will take place within the pit. This will be accomplished using a pit pump installed below the pit floor. This pit pump will be surrounded by a gravel filter berm

3. Floodplain

The 100-year floodplain is shown on Maps C-1, C-2, C-3, F-1, and G-1. The entire disturbance area is within the floodplain. The floodway is 30 feet away to the southwest. No permanent elevating of grades will take place with mining or reclamation onsite. Temporary stormwater control berms, topsoil, and overburden stockpiles will exist during mining, but will be removed for reclamation. Additionally, the removal of material from the site will create storage space below the existing grade and above the groundwater table, potentially reducing the downstream negative impacts of floods.

In the event of flooding of the site, the pit pump will be disabled, and equipment removed from the pit floor. The pit will then be allowed to fill with water. Pumping will only resume once the flood has passed. All fuel storage onsite will be maintained elevated at least one foot above the base flood elevation and in secondary containment sufficient to hold 110% of the stored fuel.

4. Wetlands

National Wetlands Inventory aerial based mapping shows wetlands within the affected area. These wetlands are likely meant to be those associated with the Wilsea Drain, and it is an artifact of low GIS accuracy that shows them within the disturbance area. Elam Construction will conduct a wetlands survey of the site prior to disturbance to determine if any wetlands are present onsite. This study will be shared with the Division. The mining area vegetation is arid shrubland and rangeland and is highly unlikely to contain any wetlands.

5. Location on Map

See Map C-1 for the location of all tributary water courses, wells, springs, stock water ponds, reservoirs, and ditches on the affected land and on adjacent lands where such structures may be affected by the proposed mining operations.

6. Known aquifers

The only known aquifer in the area is the shallow alluvial aquifer of the Colorado River. Depth to water table in the permit area varies depending on location and time of year but averages roughly seven feet below ground surface. According to the U.S. Geological Survey's Ground Water Atlas of the United States, the only groundwater aquifer system below the alluvial one in this area is the Dakota-Glen Canyon Aquifer System.⁴ This is located beneath the Mancos Shale that underlays the site alluvium and will not be reached by mining or affected by mining.

7. Surface Water

The 23 ¼ West Pit will interact with surface water in the area via runoff that enters the site. Drainage direction prior to mining is shown on Map C-1. Map C-2 shows the drainage direction during mining. Map F-1 shows the drainage direction once reclamation is complete. Map G-1 shows a comparison of the drainage patterns in all three stages of operational life. The priority for surface water protection at the 23 ¼ West Pit is preventing the discharge of sediment, oil, and/or hydraulic fluids from the operational areas. Oil and hydraulic fluids are contained on the site using standard best management practices related to the storage and transfer of such fluids. These include the use of secondary containment around storage and transfer points, spill kits, and employee training on safe handling practices. Sediment is trapped onsite using controls and best management practices related to directing and controlling surface water runoff that enters disturbed areas.

⁴ https://pubs.usgs.gov/ha/ha730/ch_c/

7.1 Surface Water Handling – Mining

Surface water runoff will be handled the same way throughout 23 ¼ West Pit's mine life: water from all mining disturbance areas will drain into the active mining areas. The area drainage basin (Map G-1) includes some areas just north of the site and the west side of 23 ¼ Road. The entire drainage basin drains into the pit areas. The site road will be graded to drain into the pit areas. Grading of the site to drain internally, along with the buffers of undisturbed ground between the mine cell and the Colorado River, will ensure that no sediment laden water flows enter the river or any other natural waterway.

Once surface water is collected within the mining pit, it will mingle with process water (dust control on the crusher), be collected in the pit floor perimeter ditches, and routed to the pit dewatering pump. For Area 1, the pit dewatering pump will then pump into a sediment pond on the southwest edge of the disturbance area. For Area 2, the pit dewatering pump will then pump into the pond on the Orchard Grove Industrial Pit to the south. These sediment ponds will allow suspended solids to further settle and clean water to discharge out via an approved discharge point into the Wilsea Drain and local groundwater.

7.1.1 Disturbed Area Runoff

Two drainage basin collects all of the disturbed ground runoff within the 23 ¼ West Pit site and drains it towards the pit areas. These can be seen on Map G-1. Stormwater runoff calculations can all be found in Appendix G-1 in this exhibit. The results of those calculations can be seen on Map G-1. The peak runoff is generated following reclamation due to the presence of the lake. Mining and reclamation will not create additional drainage from the site. Baseline and mining drainage scenarios are shown on Map G-1 and delineated in Appendix G-1.

Sediment discharge will be controlled during mining by the sediment pond and mining pit. Following mining, revegetation and the development of the lake will prevent the discharge of additional sediment from the site.

8. Groundwater

Groundwater is located approximately seven feet below the surface of the ground onsite. This is known from Elam's experience in mining adjacent areas in the same deposit and alluvial aquifer. No wells are located within 600 feet of the proposed pit. The nearest approved well is in fact the gravel well permit for the mining activities (23 Road Pit) to the west of the site. It can be seen on Map C-1.

8.1 Groundwater – Mining

Mining activity will expose groundwater from the very beginning of operations. Dewatering of the pit will take place to bring the groundwater table below the operating floor. This allows equipment to safely and effectively mine the alluvial deposit. The pit pump will be active continuously during the mining season, which typically is mid-April to early-November, depending on weather. The pit pump will not run during flood events or when temperatures drop below freezing.

8.1.1 Area 1

Pit dewatering will intercept groundwater from the alluvial aquifer of the Colorado River that is onsite and route it back towards the river via the Wilsea Drain. This process is common among sand and gravel pits along the rivers and waterways of Colorado. The layout of the dewatering process can be found on Map C-3, including the typical location of the pit pump, its typical installation, and dewatering path to Wilsea Drain via the sediment pond. The pit pump will be a mobile pump with and accompanying diesel generator. This generator will have an onboard fuel tank with secondary containment. It will typically be located at the southwest end of the pit, closest to the sediment pond. The pump will be located, typically, two feet below the active pit floor. It will also be surrounded by a gravel filter. This configuration minimizes the amount of sediment that is collected by the pumped water.

The sediment pond will take water from the pit pump and allow settling time to remove remaining sediment. Water will then discharge from the sediment pond via a pipe to the Wilsea Drain to the north. This system of dewatering is proven to move the water out of the way of mining operations while trapping sediment on site.

8.1.2 Area 2

Pit dewatering will intercept groundwater from the alluvial aquifer of the Colorado River that is onsite and route it back towards the river via the exposed groundwater ponds on the Orchard Grove Industrial Pit or discharged from a sediment pond on the north side of Area 2. This process is common among sand and gravel pits along the rivers and waterways of Colorado. The layout of the dewatering process can be found on Map C-3, including the typical location of the pit pump, its typical installation, and dewatering path. The pit pump will be a mobile pump with and accompanying diesel generator. This generator will have an onboard fuel tank with secondary containment. It will typically be located at the southwest end of the pit, to allow for the shortest pipe length. The pump will be located, typically, two feet below the active pit floor. It will also be surrounded by a gravel filter. This configuration minimizes the amount of sediment that is collected by the pumped water.

The groundwater will take water from the pit pump and allow settling time to remove remaining sediment while also allowing the pumped water to return to the aquifer. This system of dewatering is proven to move the water out of the way of mining operations while trapping sediment on site.

8.2 Groundwater – Reclamation

Once mining and reclamation are completed on site, the pit pumping will cease. Permanent groundwater lakes will form as shown on Map F-1. Permanent lakes will generate evaporative losses of groundwater. However, as the Colorado River in this area is under-appropriated, no augmentation plan or substitute water supply plan is necessary.

9. Water Associated Permits

Elam is applying for all necessary permits for water handling at 23 ¼ West Pit. This includes a Colorado Department of Public Health and Environment discharge permit and a Colorado Division of Water Resources gravel well permit.

10. Water Consumption and Sources for the Operation

Water for dust control will be the primary consumptive use onsite during mining. Wash plant water usage is also figured into this operation. A small amount of evaporation is assumed with the sediment pond onsite. Table G-1 shows a breakdown of estimate water consumption for the operation during mining and reclamation.

Water is needed for dust control during crushing/screening, dust control on disturbed areas and roads, and water consumption due to evaporation in the sediment ponds.

Table G-1. Water Consumption

Month	Crushing/Screening (ac-ft)	Pond & Groundwater Evaporation Depletions (ac-ft)	Dust Control (crusher and roads) (ac-ft)	Total (ac-ft)
Jan	0.00	0.00	0.00	0.00
Feb	0.00	0.01	0.00	0.01
Mar	0.00	0.02	0.00	0.02
Apr	1.03	0.03	1.60	2.66
May	1.07	0.04	1.66	2.77
Jun	1.03	0.05	1.60	2.68
Jul	1.07	0.05	1.66	2.78
Aug	1.07	0.04	1.66	2.77
Sep	1.03	0.03	1.60	2.66
Oct	1.07	0.02	1.66	2.75
Nov	0.00	0.01	0.00	0.01
Dec	0.00	0.01	0.00	0.01
Total- Mining	7.36	0.3	11.41	19.12
Total- Reclamation	0.00	68.8	0.00	68.8

APPENDIX G-1

SURFACE WATER RUNOFF CALCULATIONS

All runoff calculations were completed using the Natural Resource Conservation Service TR-55 methodology.

1. Baseline Conditions

1.1 Area 1

Runoff Curve Number and Runoff
Project: 23 1/4 West Pit

Project: Baseline Runoff By: B Langenfeld Date: 05/28/20
Location: 23 1/4 West Pit - Area 1
Present

1. Runoff Curve Number (CN)

Cover description	CN	Soil Group	Area(Acre)
Pasture Grassland Range (Fair)	79	C	30.0

CN (weighted): 79.0
Total Area: 30.0 Acre

2. Runoff

Return Period: 100 YEAR
Rainfall, P: 2.21 in
Runoff, Q: 0.65 in
Runoff Volume: 1.62 Acre-Ft

1.2 Area 2

Runoff Curve Number and Runoff
Project: 23 1/4 West Pit

Project: Baseline Runoff By: B Langenfeld Date: 07/29/20
Location: 23 1/4 West Pit - Area 2
Present

1. Runoff Curve Number (CN)

Cover description	CN	Soil Group	Area(Acre)
Pasture Grassland Range (Fair)	79	C	18.5

CN (weighted): 79.0
Total Area: 18.5 Acre

2. Runoff

Return Period: 100 YEAR
Rainfall, P: 2.21 in
Runoff, Q: 0.65 in
Runoff Volume: 1.00 Acre-Ft

2. Mining Conditions

2.1 Area 1

Runoff Curve Number and Runoff
Project: 23 1/4 West Pit

Project: Mining Runoff By: B Langenfeld Date: 05/28/20
Location: 23 1/4 West Pit – Area 1
Disturbed

1. Runoff Curve Number (CN)

Cover description	CN	Soil Group	Area(Acre)
Pastyure Grassland Range (Fair)	79	C	3.2
Mined Land, Disturbed (Poor)	87	C	26.8

CN (weighted): 86.1
Total Area: 30.0 Acre

2. Runoff

Return Period: 100 YEAR
Rainfall, P: 2.21 in
Runoff, Q: 1.02 in
Runoff Volume: 2.55 Acre-Ft

2.2 Area 2

Runoff Curve Number and Runoff
Project: 23 1/4 West Pit

Project: Mining Runoff By: B Langenfeld Date: 05/28/20
Location: 23 1/4 West Pit – Area 2
Disturbed

1. Runoff Curve Number (CN)

Cover description	CN	Soil Group	Area(Acre)
Pastyure Grassland Range (Fair)	79	C	4.5
Mined Land, Disturbed (Poor)	87	C	14.0

CN (weighted): 85.1
Total Area: 18.5 Acre

2. Runoff

Return Period: 100 YEAR
Rainfall, P: 2.21 in
Runoff, Q: 0.95 in
Runoff Volume: 1.47 Acre-Ft

3. Reclamation Conditions

3.1 Area 1

Runoff Curve Number and Runoff
Project: 23 1/4 West Pit

Project: Reclaimed Runoff By: B Langenfeld Date: 05/28/20
Location: 23 1/4 West Pit – Area 1
Reclaimed

1. Runoff Curve Number (CN)

Cover description	CN	Soil Group	Area(Acre)
Pasture Grassland Range (Fair)	79	C	9.3
Water Surface	100		20.7

CN (weighted): 93.5
Total Area: 30.0 Acre

2. Runoff

Return Period: 100 YEAR
Rainfall, P: 2.21 in
Runoff, Q: 1.55 in
Runoff Volume: 3.87 Acre-Ft

3.2 Area 2

Runoff Curve Number and Runoff
Project: 23 1/4 West Pit

Project: Reclaimed Runoff By: B Langenfeld Date: 07/29/20
Location: 23 1/4 West Pit - Area 2
Present

1. Runoff Curve Number (CN)

Cover description	CN	Soil Group	Area(Acre)
Pasture Grassland Range (Fair)	79	C	18.5

CN (weighted): 79.0
Total Area: 18.5 Acre

2. Runoff

Return Period: 100 YEAR
Rainfall, P: 2.21 in
Runoff, Q: 0.65 in
Runoff Volume: 1.00 Acre-Ft

EXHIBIT H

WILDLIFE INFORMATION

1. Introduction

Given the location of the site in an industrial area of Grand Junction, with sand and gravel pits to the east and west, wildlife habitat fragmentation has already occurred. Colorado Parks & Wildlife habitat and range mapping has been used to develop this section. The CPW will be consulted as part of the permit process.

2. Description of Significant Wildlife Resources on the Affected Land

The affected land is within summer and winter forage areas for bald eagles, but no nests are present. Black bear overall range is present on the affected land, which is typical of western Colorado lands. The affected area is within mule deer ranges and near concentration and migration corridors.

3. Seasonal Use of the Area

All identified significant wildlife resources that have range over the affected area are year around in their usage.

4. Presence and Estimated Population of Threatened or Endangered Species

No federally listed threatened and endangered species and/or habitat were identified on the affected land.

5. Effect of Proposed Operation on Existing Wildlife

Impacts on wildlife use from the proposed project would include direct temporary elimination of potential habitat within the affected area during mining, and temporary localized displacement associated with additional noise and lighting from the proposed project. This localized loss of habitat would not disrupt regional migration or significant movement patterns and would not threaten the overall health and viability of a species. Nearby lands are also disturbed for industrial uses, and as such the 23 ¼ West Pit disturbance will not be of a significant impact on area wildlife habitat.

The affected area will be fully reclaimed at the conclusion of mining which will restore some degree of wildlife habitat over time. Transformation of the bulk of the rangeland onsite into a groundwater lake will be permanent change in overall habitat.

6. Impacts to fish

Mining will not take place in any water ways or natural lakes. Surface water controls will protect offsite drainages and fish habitats from sediment discharges.

Elam Construction will not stock the reclaimed lake with non-native species at any time.

EXHIBIT I

SOILS INFORMATION

1. General

A soil report was generated using the United States Department of Agriculture's NRCS Web Soil Survey (WSS)⁵ and is included in this exhibit as Appendix I-1. The WSS provides soil data and information produced by the National Cooperative Soil Survey. The majority of the site is split between two soil types, Be and BaS (see Map C-1). Each of these primary soil types is described on the following pages.

2. Suitability for Reclamation Revegetation

Both the Be and BaS soils provide an average of at least 12 inches of suitable material for revegetation. Both soils are listed as class VII without irrigation. Class VII are not suitable for cultivation and are restricted to grazing by domestic animals or wildlife; they are both listed as climatically limited soils.

⁵ <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.

BaS—Massadona silty clay loam, saline surface, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: k06p

Elevation: 4,490 to 4,920 feet

Mean annual precipitation: 6 to 9 inches

Mean annual air temperature: 50 to 55 degrees F

Frost-free period: 140 to 180 days

Farmland classification: Not prime farmland

Map Unit Composition

Massadona, saline surface, and similar soils: 70 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Massadona, Saline Surface

Setting

Landform: Fan remnants

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Cretaceous source alluvium derived from clayey shale

Typical profile

Apz - 0 to 2 inches: silty clay loam

Bwz - 2 to 12 inches: silty clay

Bkyz - 12 to 24 inches: silty clay

BCkyz1 - 24 to 48 inches: fine sandy loam

BCkyz2 - 48 to 60 inches: silty clay loam

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.07 to 0.21 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Gypsum, maximum in profile: 2 percent

Salinity, maximum in profile: Strongly saline (16.0 to 40.0 mmhos/cm)

Available water storage in profile: Low (about 4.7 inches)

Interpretive groups

Land capability classification (irrigated): 7s

Land capability classification (nonirrigated): 7c

Hydrologic Soil Group: C

Ecological site: Desert Clay (Castlevally saltbush) (R034BY103UT)

Hydric soil rating: No

Be—Green River silty clay loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: k06r

Elevation: 4,430 to 4,820 feet

Mean annual precipitation: 6 to 9 inches

Mean annual air temperature: 50 to 55 degrees F

Frost-free period: 135 to 180 days

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Green river and similar soils: 90 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Green River

Setting

Landform: Flood-plain steps

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Clayey alluvium over coarse-loamy alluvium derived from sandstone and shale

Typical profile

Ap - 0 to 10 inches: silty clay loam

C1 - 10 to 16 inches: fine sandy loam

C2 - 16 to 24 inches: fine sandy loam

C3 - 24 to 32 inches: fine sandy loam

C4 - 32 to 44 inches: fine sandy loam

C5 - 44 to 52 inches: fine sandy loam

2C - 52 to 60 inches: very cobbly sand

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Moderately well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.21 to 0.71 in/hr)

Depth to water table: About 36 to 60 inches

Frequency of flooding: Very rare

Frequency of ponding: None

Calcium carbonate, maximum in profile: 5 percent

Salinity, maximum in profile: Very slightly saline to moderately saline (2.0 to 8.0 mmhos/cm)

Sodium adsorption ratio, maximum in profile: 5.0

Available water storage in profile: Moderate (about 7.1 inches)

Interpretive groups

Land capability classification (irrigated): 4e

Land capability classification (nonirrigated): 7c

Hydrologic Soil Group: C

Ecological site: River Floodplain (Fremont Cottonwood) (R034BY011UT)

Hydric soil rating: No

APPENDIX I-1

NRCS SOIL REPORT

*23 1/4 West
October 2020*



<Attach Soils Report>

EXHIBIT J

VEGETATION INFORMATION

1. Existing Vegetation Community

The existing vegetation on site consists of rangeland forbs and grasses commonly found in this area with occasional trees and shrubs (Figure J-2). Most of the grasses and forbs are no more than 18-24 inches in height. Vegetation cover is between 40 and 70%, depending on the year. A review of historical aerials shows periods clearing of vegetation and soil disturbance. Trees onsite are 20-30 foot in height. 2-4 foot tall shrubs can be found in some areas.

Trees are found concentrated in the southwest corners of the site, closest to the Wilsea Drain and around the old farm buildings at the site entrance on the north end (Figure J-1).

There is no correlation of the vegetation types to the NRCS soil types found onsite.



Figure J-1. Trees Around Buildings Near Site Entrance



Figure J-2. Typical Rangeland Vegetation Onsite

2. Estimated Carrying Capacity

The final land use for the site will be a lake with surrounding rangeland. Since the lake is the vast majority of the site area, the rangeland is not anticipated to be used for grazing. Based on previous grazing in the area, Area 2 is estimated to have a carrying capacity of 50 head of cattle.

EXHIBIT K

CLIMATE INFORMATION

1. General Information

The proposed 23 ¼ West Pit is located with the city limits of Grand Junction, Colorado at an elevation of approximately 4530 feet. The area is classified as Arid Desert-hot arid (BWh) under the Koppen Classification system.⁶ This climate classification is dominated by long hot summers punctuated by rare precipitation and dry, cold winters.⁷ Grand Junction Walker field, located approximately 5.5 miles northeast of the 23 ¼ West Pit site, is an official National Weather Service station.⁸ Table K-1 shows a summary of the climate for this area based on the GJ Walker Field weather station

⁶ <http://koeppen-geiger.vu-wien.ac.at/present.htm#GoogleEarth>

⁷ http://koeppen-geiger.vu-wien.ac.at/pdf/Paper_2006.pdf

⁸ <https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?co3488>

Table K-1. Climate Data

Month	Average Temperature (F)		Average Precipitation (in)	
	Maximum	Minimum	Total Precipitation	Total Snow
January	36.6	15.9	0.59	5.9
February	44.6	23.3	0.57	3.8
March	55.2	31.2	0.81	2.9
April	65.2	39.2	0.79	0.9
May	75.6	48.2	0.79	0.1
June	87	57.2	0.44	0
July	92.9	64.1	0.62	0
August	89.5	62	0.98	0
September	80.7	53	0.95	0
October	67.3	41	0.91	0.4
November	51.2	28.3	0.63	2.3
December	38.9	18.6	0.59	5.1
Yearly (AVG/Total)	65.4	40.2	8.67	21.4

EXHIBIT M

OTHER PERMITS REQUIRED

In addition to obtaining a 112 Reclamation Permit from the DRMS, before the 23 ¼ West Pit site can be mined, the following permits will also need to be obtained:

1. Grand Junction land use authorization
2. Colorado Air Pollution Control Division Fugitive Dust Permit and Air Pollution Emission Notice (APEN)
3. Water Quality Control Commission Combined Stormwater & Process Water Discharge Permit
4. Colorado State Engineer's Office Gravel Well Permit

EXHIBIT N

SOURCE OF LEGAL RIGHT TO ENTER

As shown on the documents, the surface owners of record of the property which will be mined are A&G Partnership LLP and Elam Construction. A lease is in place for the A&G Partnership land and is also attached.

A & G Partnership LLP
710 S 15th Street
Grand Junction, CO 81501-4612

Kilgore Companies, LLC dba Elam Construction
556 Struthers Avenue
Grand Junction, CO 81501

EXHIBIT O

OWNERS OF AFFECTED LAND AND OWNERS OF SUBSTANCE TO BE MINED

The owner(s) of record of affected land (surface area) and owners of substance to be mined is
A&G Partnership LLP.

A & G Partnership LLP
710 S 15th Street
Grand Junction, CO 81501-4612

Kilgore Companies, LLC dba Elam Constriction
556 Struthers Avenue
Grand Junction, CO 8150

EXHIBIT P

MUNICIPALITIES WITHIN TWO MILES

The 23 ¼ West Pit is within the city limits of Grand Junction, CO.

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

EXHIBIT Q PROOF OF MAILING OF NOTICES TO THE BOARD OF COUNTY COMMISSIONERS AND CONSERVATION DISTRICT

Notices were filed with the Mesa County Board of Commissioners and the Mesa Conservation District. Proof of these notices are attached.

Mesa County
Board of County Commissioners
544 Rood Avenue
Grand Junction, CO 81501

Mesa Conservation District
2738 Crossroads Blvd. #102
Grand Junction, CO 81506

<<<Insert BOCC and SCS notices>>>

EXHIBIT R

PROOF OF FILING WITH COUNTY CLERK AND RECORDER

A return receipt from the Mesa County Clerk & Recorder is attached.

Mesa County Clerk and Recorder
200 South Spruce St
Grand Junction, CO 81501

<<<Insert County Clerk notice>>>

EXHIBIT S

PERMANENT MAN-MADE STRUCTURES

The following is an inventory of man-made structures within 200 feet of the affected area. All of these structures are shown on Map C-1. Landowner boundaries can also be found on the Map C-1. Proof of delivery of structure agreements is attached to this exhibit. In the event that a structure agreement is unobtainable, we will defer to the Geotechnical Stability Exhibit which indicates that all structures will be protected.

Table S-1. Permanent Structures within 200' of the Affected Area

Owner	Structures	General Location
A & G Partnership LLP 710 S 15 th St Grand Junction, CO 81501	Fences, storage yard, & sccesses,	East of site and on site
City of Grand Junction 250 N 5 th St Grand Junction, CO 81501	Sewer lines, manholes, 23 ¼ Rd, culverts, Redlands Pkwy, River Rd, 23 ½ Rd, Trail	South, north, east, and west of site
Leane Gagne PO Box 44 Grand Junction, CO 81502	Buildings & access	Northwest of Area 1
Martin Azcarraga PO Box 2072 Grand Junction, CO 81502	Fence	North of Area 1
Power Land Company II LLC PO Box 28 Denver, CO 80201	Fence	North of Area 2
Xcel Energy 1800 Larimer St Denver, CO 80202	Powerline and poles	East of Area 1 along 23 ¼ Rd
Innovative Marking Systems Inc. 770 E Main St, Suite 425 Lehi, UT 84043	Fence, building, access	Between Areas 1 and 2
Grand Valley Drainage District 722 23 Road Grand Junction, CO 81505	Wilsea Drain	East and south of Area 1
Union Pacific 1400 Douglas Street Omaha, NE 68179	Railroad, culvert	North of the site
Elam Construction PO Box 849 Magna, UT 84044	Fence	East of Area 2

RULE 1.6.2(1)(B): ADDENDUM 1 - NOTICE REQUIREMENTS

Prior to the submittal of the application, a sign was erected at the entrance to the site that contains the required information dictated by Rule 1.6.2(1)(b).

Please see attached sign certification.

<<<SIGN CERTIFICATION>>>

RULE 6.5: GEOTECHNICAL STABILITY EXHIBIT

There are no known geologic hazards on the proposed site. Based on a slope stability analysis, buildings or other structures within 200' of the 23 ¼ West Pit affected area will not be affected by mining excavation. Sufficient buffers will be maintained to neighboring property lines. Maps C-2 and C-3 shows these buffers. Map C-4 shows the mining and reclamation slopes of the mine. The A-A' cross section of the proposed mining and reclaimed slopes was modelled and analyzed for slope stability. This cross section was selected due to the close proximity of neighboring structures such as the Wilsea Drain and 23 ¼ Road.

The material properties are derived from Table 2.5 in the SME Mining Reference Handbook⁹, as there is no site-specific sample data of the material available. Therefore, all materials are matched to a classification from this table that best matches the materials in terms of description. The native alluvial material is best classified as sand and gravel with a mixed grain size. From the SME table, sand and gravel with a mixed grain size has an internal angle of friction of 45 degrees and no cohesion. The overburden and topsoil is described in the soil survey for the property as fine sandy loam. This best matches the description for loose sand, mixed grain size from the SME table, which has an internal angle of friction of 34 degrees and no cohesion. The Mancos shale is modelled as a standard shale from the SME table with an internal angle of friction of 25 degrees and a cohesion of 20,000 psf. The shale is not excavated or disturbed by the mining operation and is thus only included for completion of an accurate slope stability model.

The final slope will be created during mining, thus no backfill will be needed. The sand and gravel will be mined to a 3H:1V slope with a loader and dozer.

1. Slope Stability Model

The slope stability model at 23 ¼ West Pit uses the A-A' cross section from Map C-4 and the above listed material properties to look for the critical factor of safety failure circle using

⁹ Original source: Houk and Bray 1977

Bishop's Method of Slices. Bishop's Method of Slices is a standard slope stability analysis for this type of slope and these types of material.

GALENA software was used to model slopes and calculate the lowest factor of safety for four scenarios. They are described in Table GS-1. GALENA data tables and analysis result figures are attached as Appendix GS-1.

The results show that the final reclamation condition of the site will have slopes with Factors of Safety in excess of 1.9. During mining, when dewatering is taking place (modelled as rapid water draw down), the Factors of Safety are lower. A FOS of 1.71 for the west slope near the Wilsea Drain and an FOS of 1.32 for the east slope closest to 23 ¼ Road. While the eastern FOS is lower than the DRMS standard of 1.5¹⁰ for slopes modelled off of general material properties, this scenario is not a permanent slope case. Additionally, the failure circles with an FOS < 1.5 are completely contained within the disturbance area of the site. No risk is posed to offsite structures on the east side of the pit.

Failure circles can be seen on cross section A-A' on Map C-4.

Table GS-1. Factors of Safety for Slope Stability

Scenario	Lowest Factor of Safety	Description
1	1.94	West side of final slope, closest to Wilsea Drain, under permanent conditions.
2	1.55	West side of final slope, closest to Wilsea Drain, under rapid water drawdown conditions.
3	1.96	East side of final slope, closest to 23 ¼ Road, under permanent conditions.
4	1.32	West side of final slope, closest to 23 ¼ Road, under rapid water drawdown conditions.

The slope stability analysis in this permit has been prepared according to appropriate engineering standards and practices.

¹⁰ Proposed Slope Stability/Geotechnical Analysis Policy For The Mined Land Reclamation Board. T. Cazier. 2018

APPENDIX GS-1

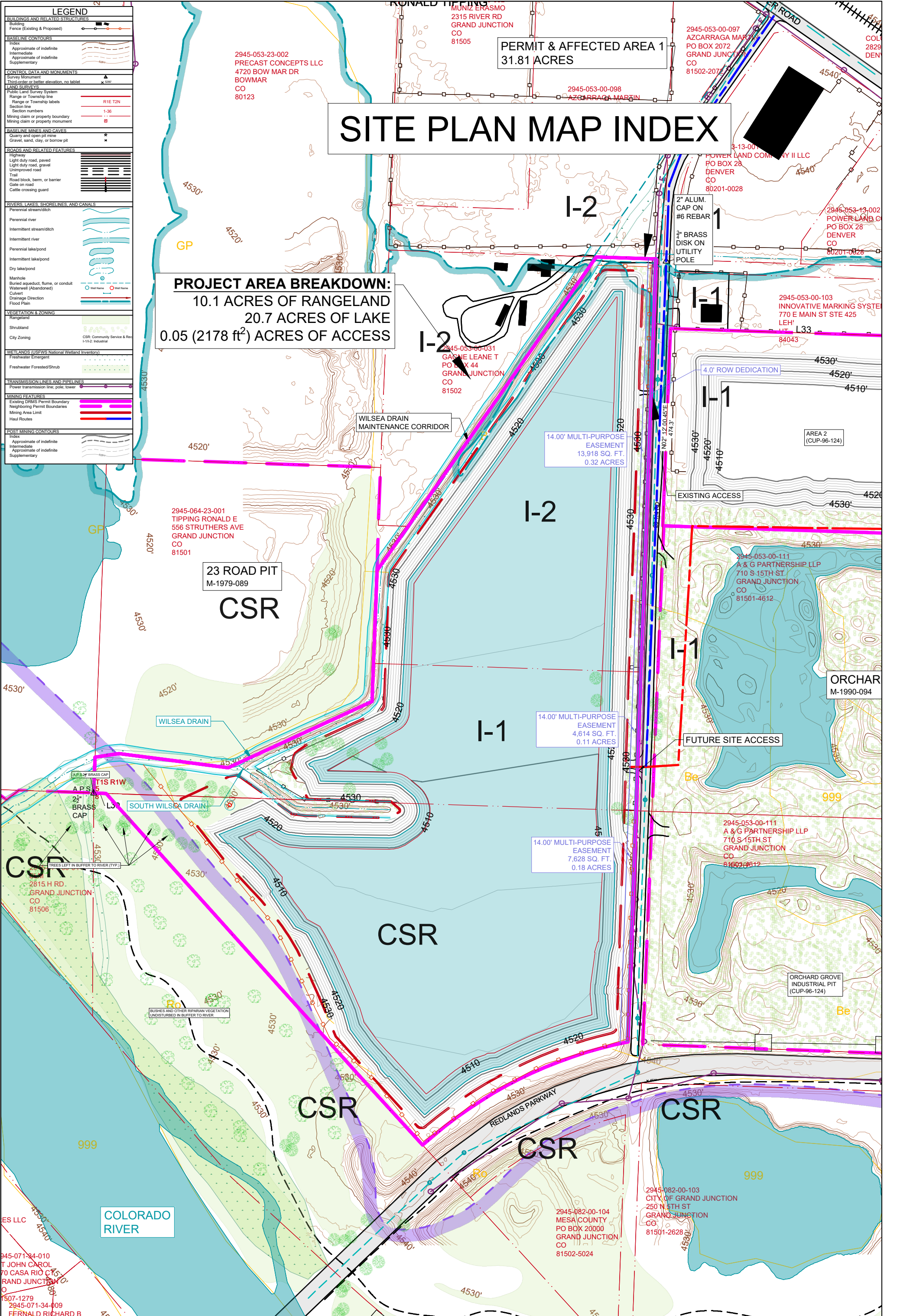
GALENA INFORMATION

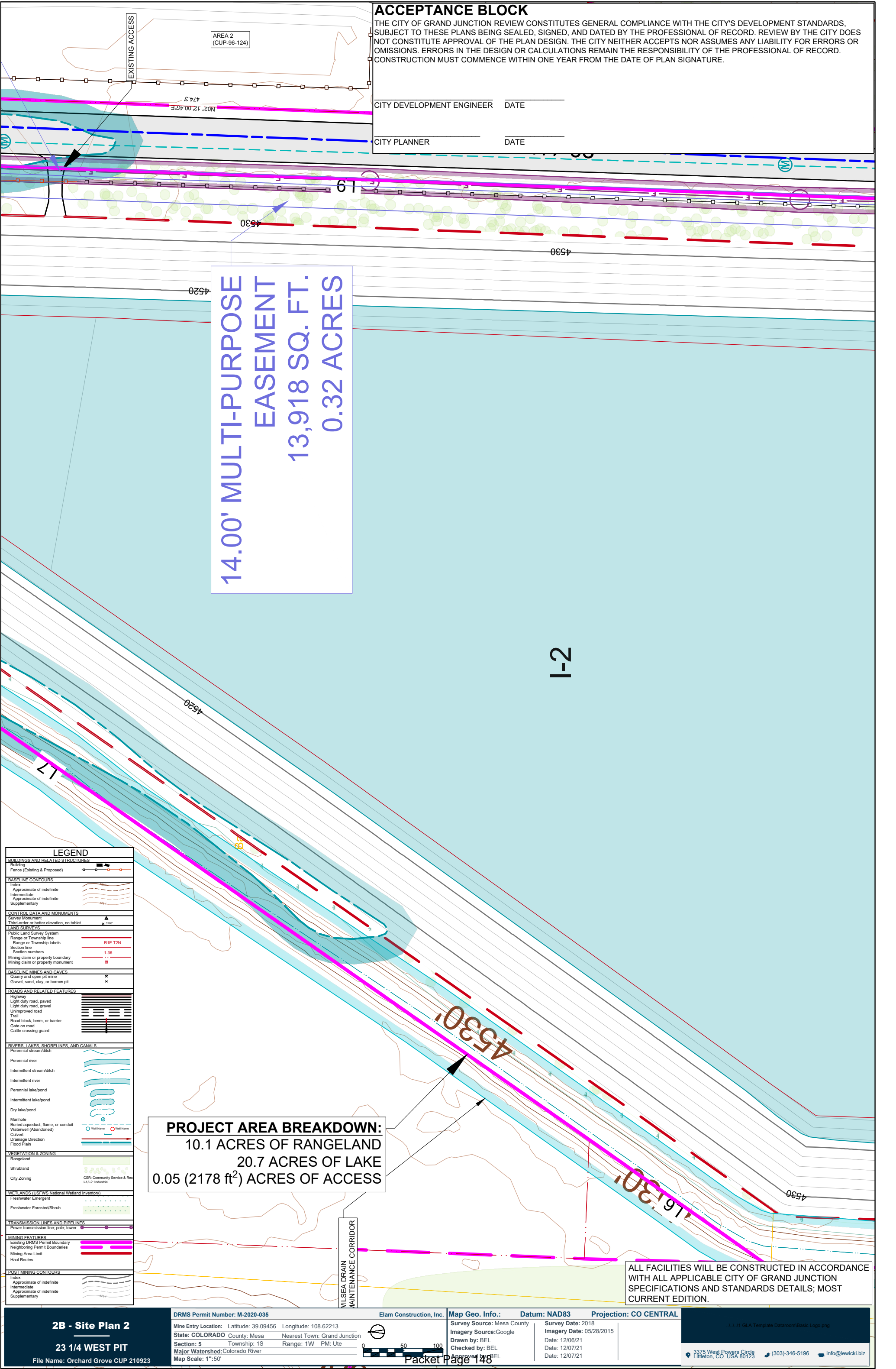
<<APPENDIX GS-1>>

APPENDIX 1

MAPS

LEGEND	
BUILDINGS AND RELATED STRUCTURES	
Building	
Fence (Existing & Proposed)	
BASELINE CONTOURS	
Index	
Approximate of indefinite	
Approximate of indefinite	
Supplementary	
CONTROL DATA AND MONUMENTS	
Survey Monument	
Third-order or better elevation, no tablet	
LAND SURVEYS	
Public Land Survey System	
Range or Township line	
Section line	
Section numbers	
Mining claim or property boundary	
Mining claim or property monument	
BASELINE MINES AND CAVES	
Quarry and open pit mine	
Gravel, sand, clay, or borrow pit	
ROADS AND RELATED FEATURES	
Highway	
Light duty road, paved	
Light duty road, gravel	
Unimproved road	
Trail	
Road block, berm, or barrier	
Gate on road	
Cattle crossing guard	
RIVERS, LAKES, SHORELINES, AND CANALS	
Perennial stream/ditch	
Perennial river	
Intermittent stream/ditch	
Intermittent river	
Perennial lake/pond	
Intermittent lake/pond	
Dry lake/pond	
Manhole	
Buried aqueduct, flume, or conduit	
Waterwell (Abandoned)	
Culvert	
Drainage Direction	
Flood Plain	
VEGETATION & ZONING	
Rangeland	
Shrubland	
City Zoning	
WETLANDS (USFWS National Wetland Inventory)	
Freshwater Forested/Shrub	
TRANSMISSION LINES AND PIPELINES	
Power transmission line, pole, tower	
MINING FEATURES	
Existing DRMS Permit Boundary	
Neighboring Permit Boundaries	
Mining Area Limit	
Haul Routes	
POST MINING CONTOURS	
Index	
Approximate of indefinite	
Intermediate	
Approximate of indefinite	
Supplementary	





ACCEPTANCE BLOCK

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD. CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER DATE

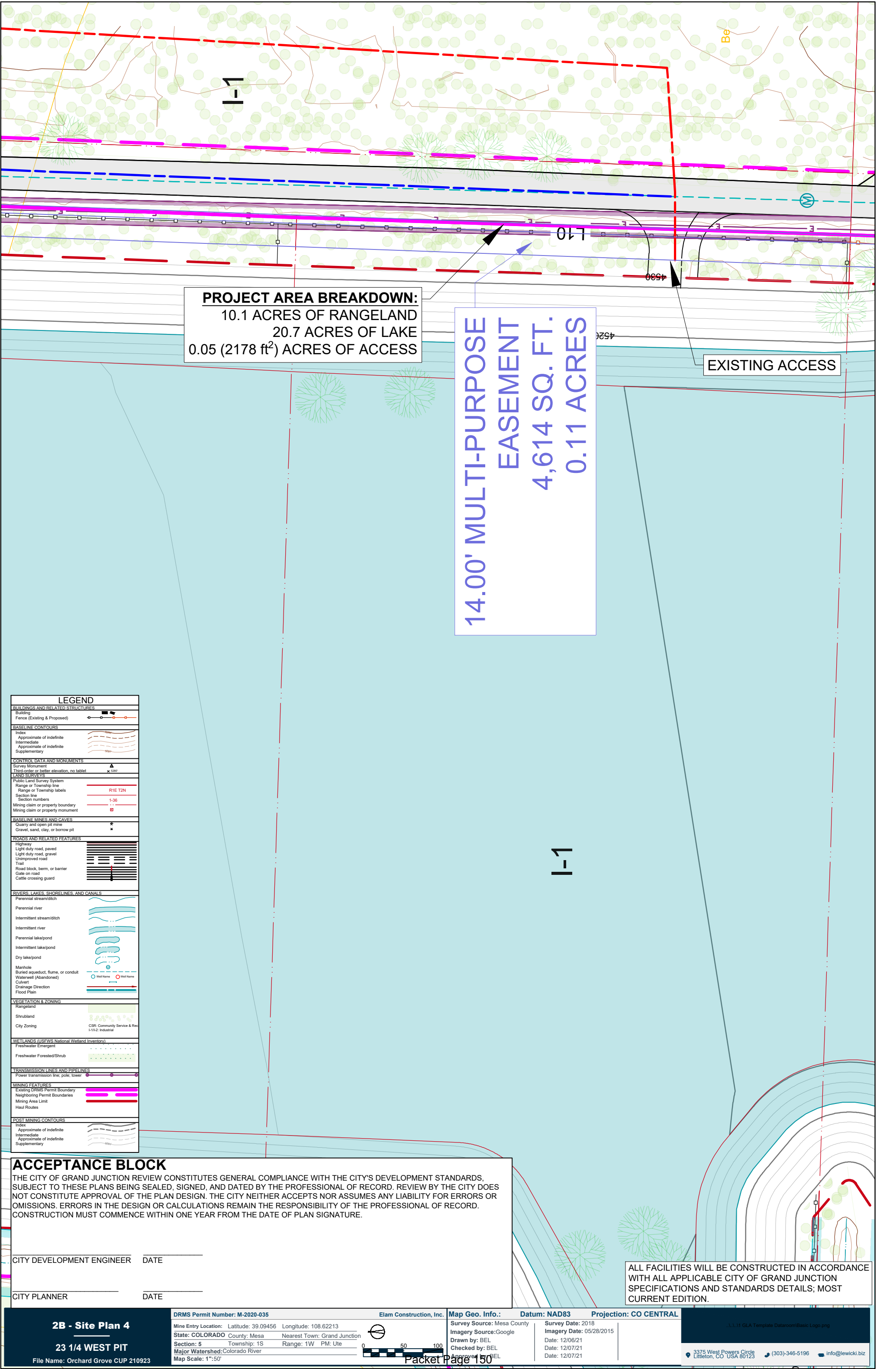
CITY PLANNER DATE

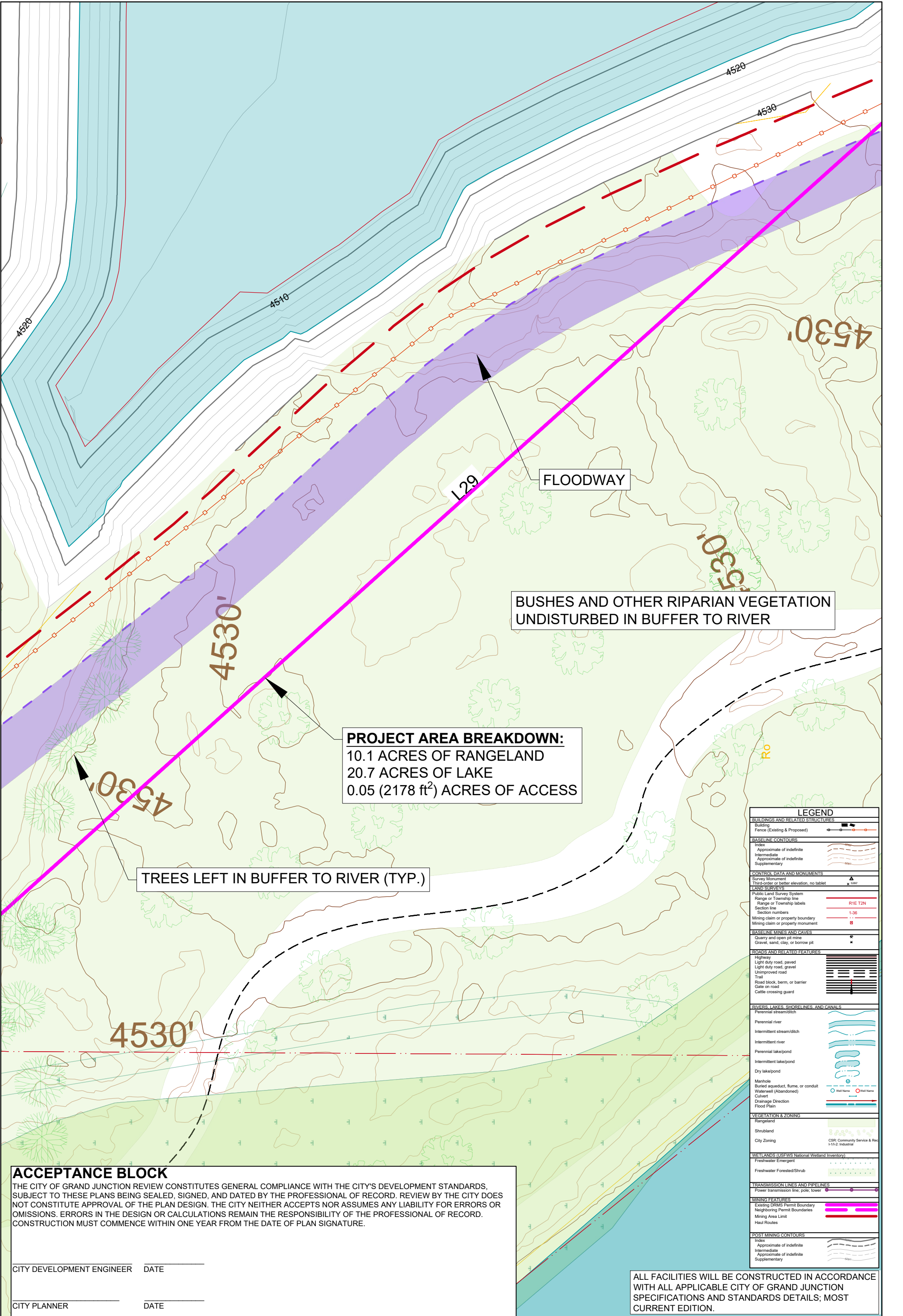
14.00' MULTI-PURPOSE
EASEMENT
13,918 SQ. FT.
0.32 ACRES

PROJECT AREA BREAKDOWN:
10.1 ACRES OF RANGELAND
20.7 ACRES OF LAKE
0.05 (2178 ft²) ACRES OF ACCESS

ALL FACILITIES WILL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE CITY OF GRAND JUNCTION SPECIFICATIONS AND STANDARDS DETAILS; MOST CURRENT EDITION.

LEGEND	
BUILDINGS AND RELATED STRUCTURES	
Building	
Fence (Existing & Proposed)	
BASELINE CONTOURS	
Index	
Approximate of indefinite	
Intermediate	
Approximate of indefinite	
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CONTROL DATA AND MONUMENTS	
Survey Monument	
Third-order or better elevation, no tablet	
LAND SURVEYS	
Public Land Survey System	
Range or Township line	
Range or Township labels	
Section line	
Section numbers	
Mining claim or property boundary	
Mining claim or property monument	
BASELINE MINES AND CAVES	
Quarry and open pit mine	
Gravel, sand, clay, or borrow pit	
ROADS AND RELATED FEATURES	
Highway	
Light duty road, paved	
Light duty road, gravel	
Unimproved road	
Trail	
Road block, berm, or barrier	
Gate on road	
Cattle crossing guard	
RIVERS, LAKES, SHORELINES, AND CANALS	
Perennial stream/ditch	
Perennial river	
Intermittent stream/ditch	
Intermittent river	
Perennial lake/pond	
Intermittent lake/pond	
Dry lake/pond	
Manhole	
Buried aqueduct, flume, or conduit	
Waterwell (Abandoned)	
Culvert	
Drainage Direction	
Flood Plain	
VEGETATION & ZONING	
Rangeland	
Shrubland	
City Zoning	
WETLANDS (USFWS National Wetland Inventory)	
Freshwater Emergent	
Freshwater Forested/Shrub	
TRANSMISSION LINES AND PIPELINES	
Power transmission line, pole, tower	
MINING FEATURES	
Existing DRMS Permit Boundary	
Neighboring Permit Boundaries	
Mining Area Limit	
Haul Routes	
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Power transmission line; pole; tower	
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CITY PLANNER DATE

ALL FACILITIES WILL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE CITY OF GRAND JUNCTION SPECIFICATIONS AND STANDARDS DETAILS; MOST CURRENT EDITION.

14.00' MULTI-PURPOSE
EASEMENT
7,628 SQ. FT.
0.18 ACRES

PROJECT AREA BREAKDOWN:
10.1 ACRES OF RANGELAND
20.7 ACRES OF LAKE
0.05 (2178 ft²) ACRES OF ACCESS

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CITY DEVELOPMENT ENGINEER DATE

CITY PLANNER DATE

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2B - Site Plan 6

23 1/4 WEST PIT

File Name: Orchard Grove CUP 210923

DRMS Permit Number: M-2020-035

Mine Entry Location: Latitude: 39.09456 Longitude: 108.62213
State: COLORADO County: Mesa Nearest Town: Grand Junction
Section: 5 Township: 1S Range: 1W PM: Ute
Major Watershed: Colorado River
Map Scale: 1"=50'

Elam Construction, Inc.



Map Geo. Info.:

Survey Source: Mesa County
Imagery Source: Google
Drawn by: BEL
Checked by: BEL
Approved by: BEL

Datum: NAD83

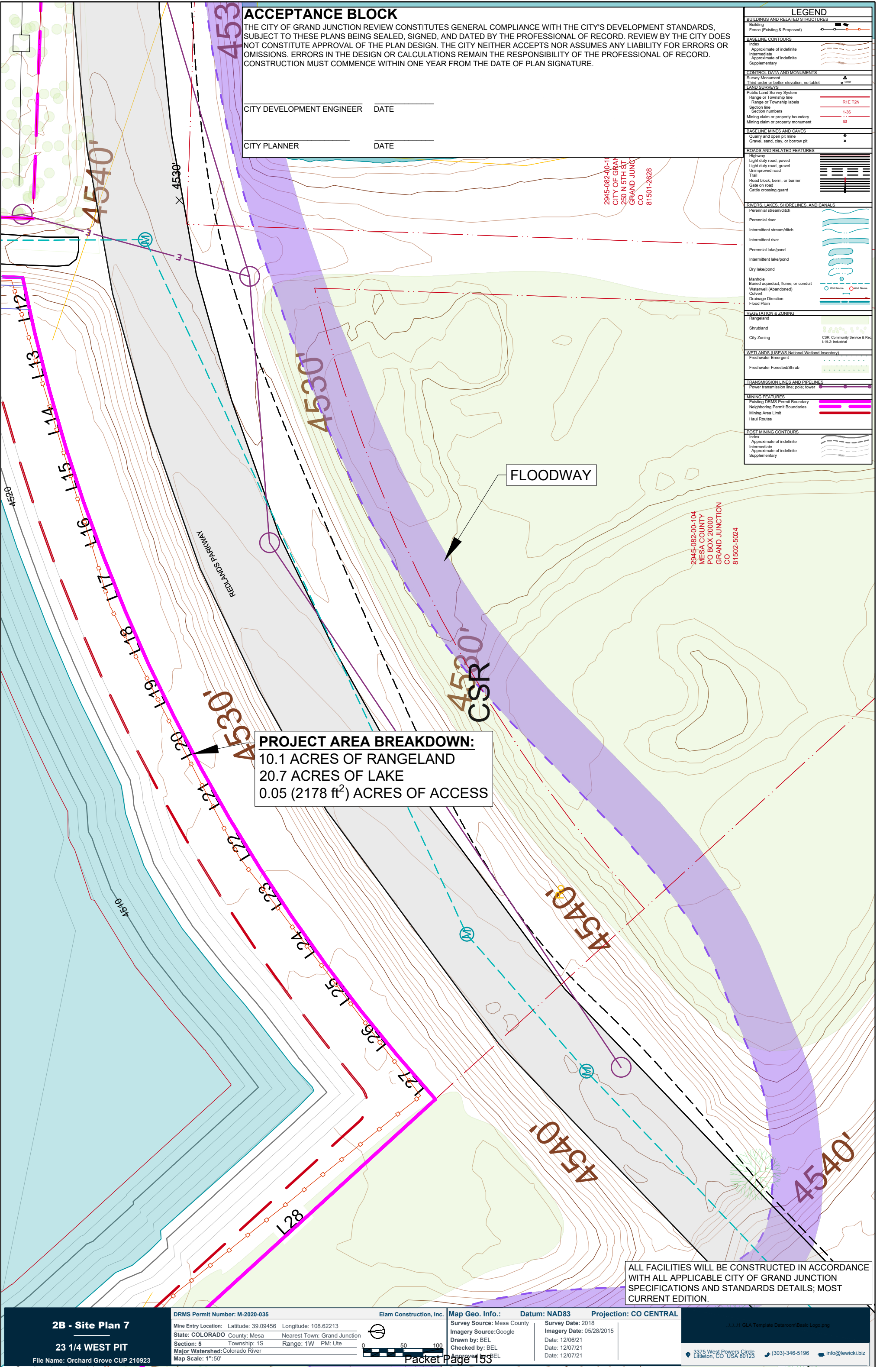
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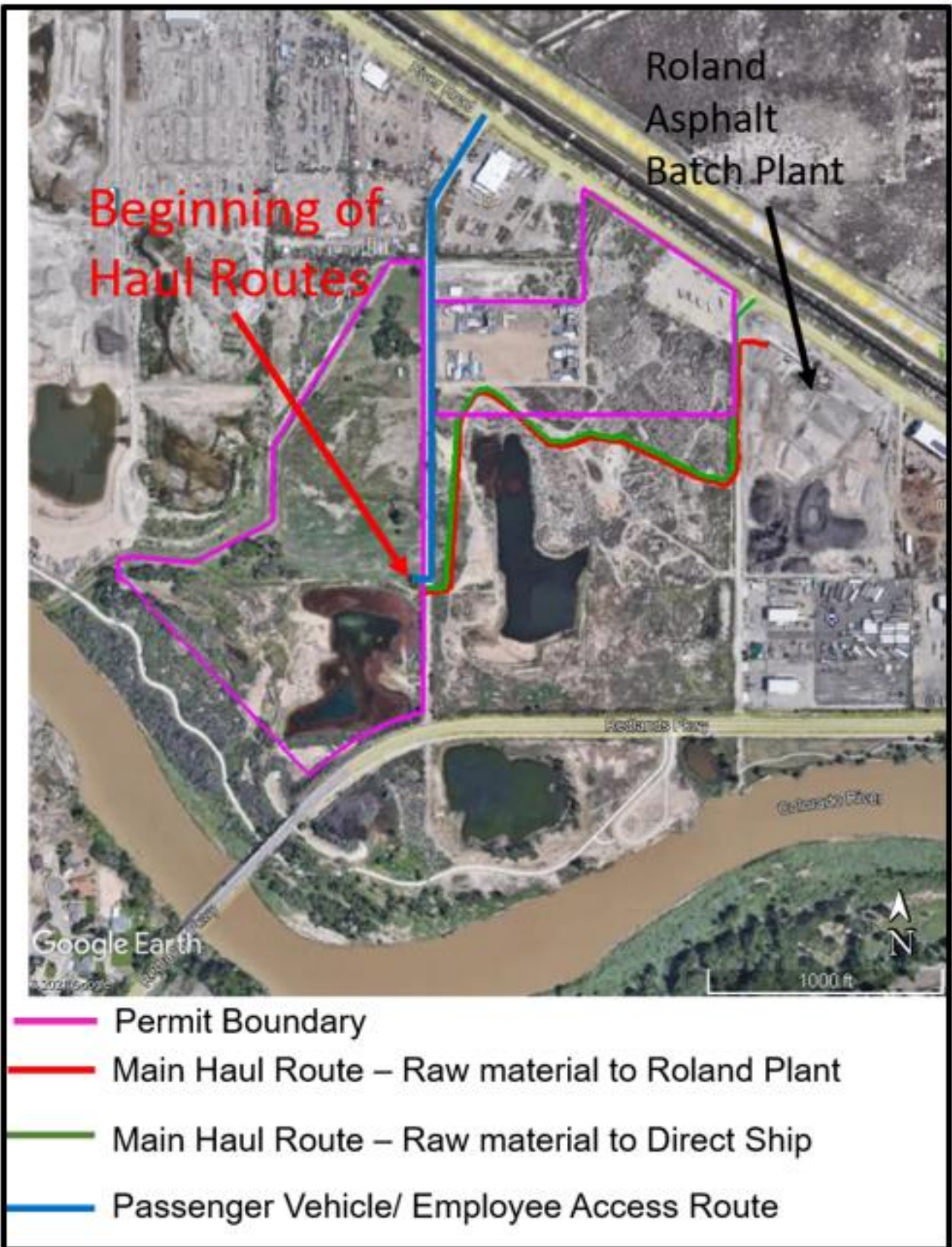
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Imagery Date: 05/28/2015
Date: 12/06/21
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3375 West Powers Circle
Littleton, CO USA 80123

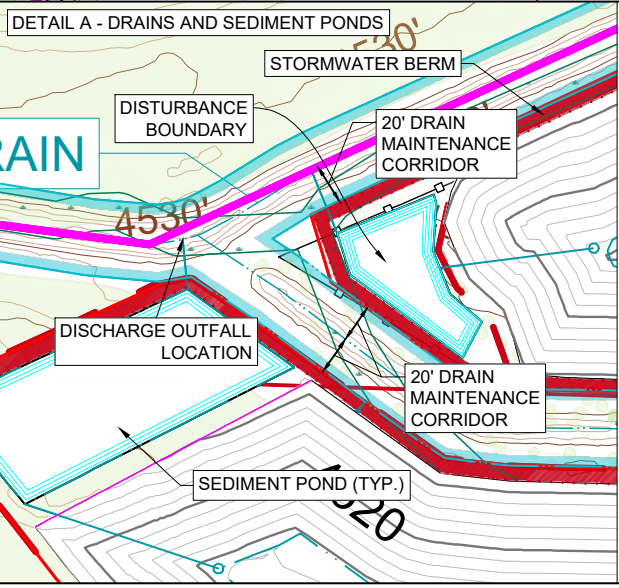
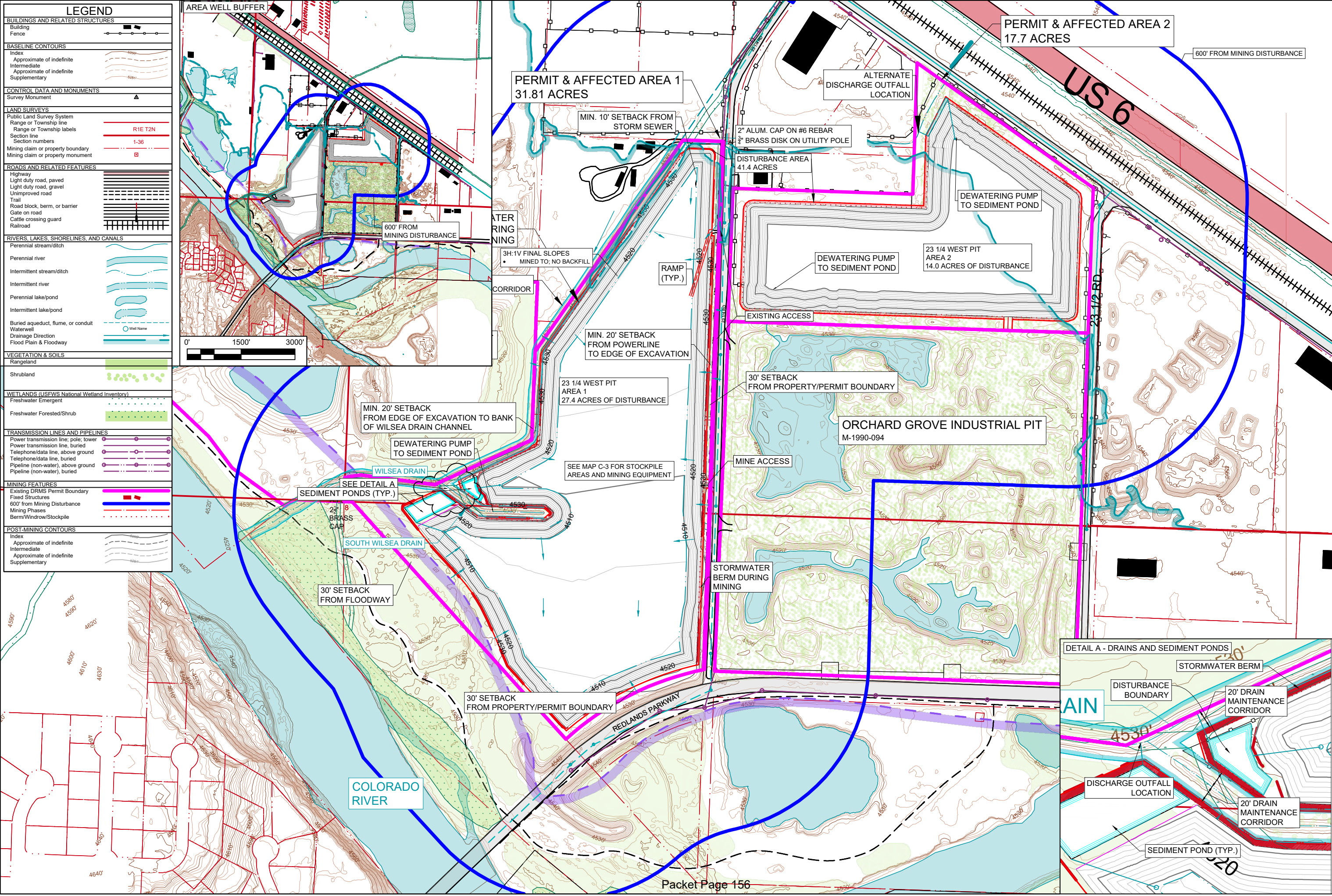
(303)-346-5196 info@lewicki.biz





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LEGEND	
BUILDINGS AND RELATED STRUCTURES	
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Intermediate	
Approximate of indefinite	
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Mining claim or property monument	
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Light duty road, gravel	
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Lewicki & Associates

3275 West Powers Circle
Littleton, CO USA 80123
(303) 346-5196
info@lewicki.biz

Map C-2 Mining Plan

23 1/4 West Pit

File Name: Orchard Grove DRMS 11x17 210902

DRMS Permit Number: M-2020-035

Mine Entry Location: Latitude: 39.09456 Longitude: -108.62213

State: CO County: Mesa Nearest Town: Grand Junction

Section: 5 Township: 1S Range: 1W PM: Ute

Major Watershed: Colorado River

Map Scale: 1"=300'

Elam Construction, Inc.

Map Geo. Info.:

Datum: NAD83 Projection: CO CENTRAL

Survey Source: Mesa County

Imagery Source: Google

Imagery Date: 05/28/15

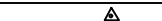
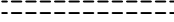
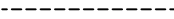
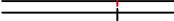
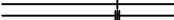
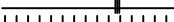
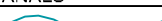
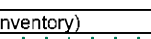
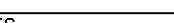
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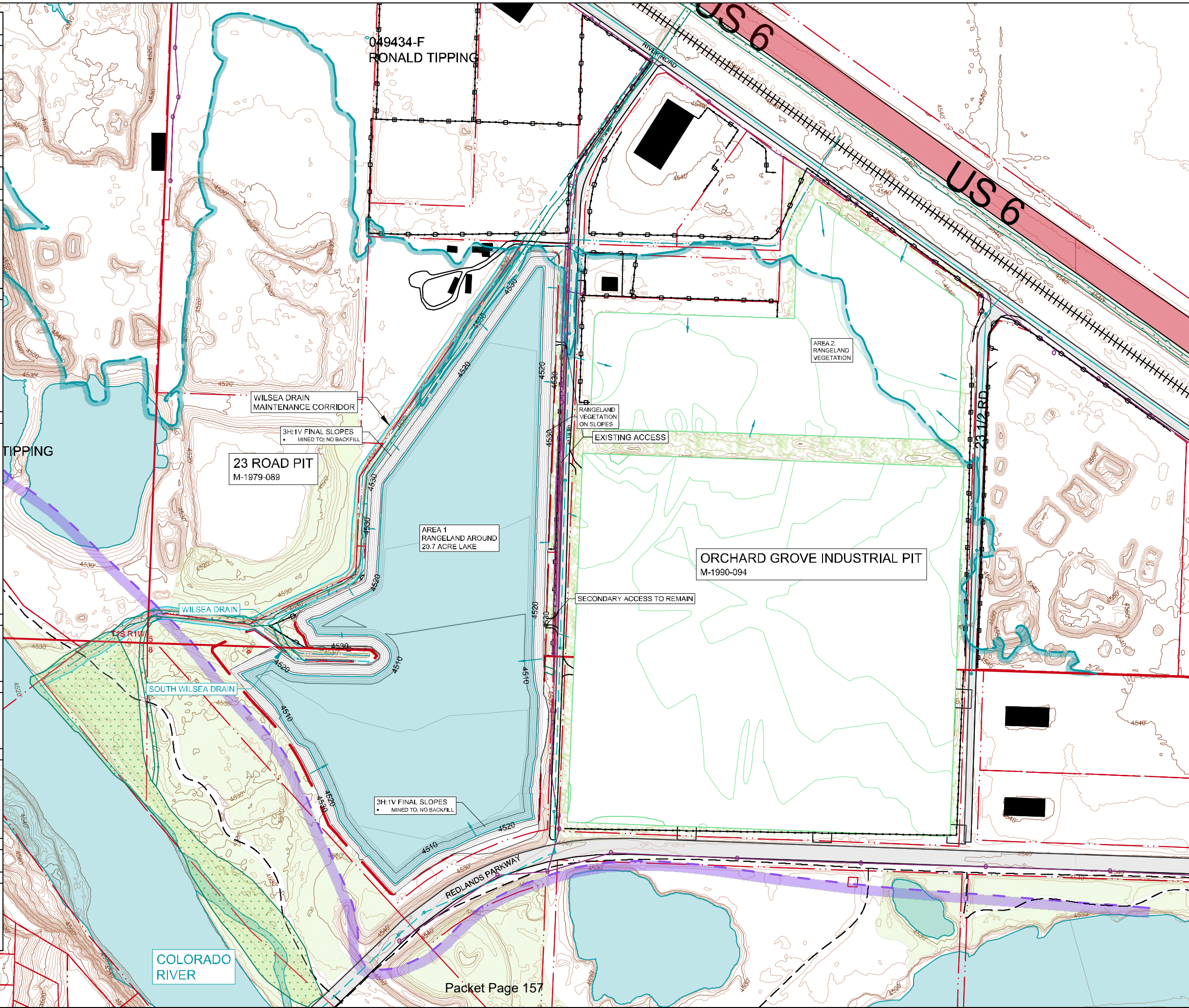
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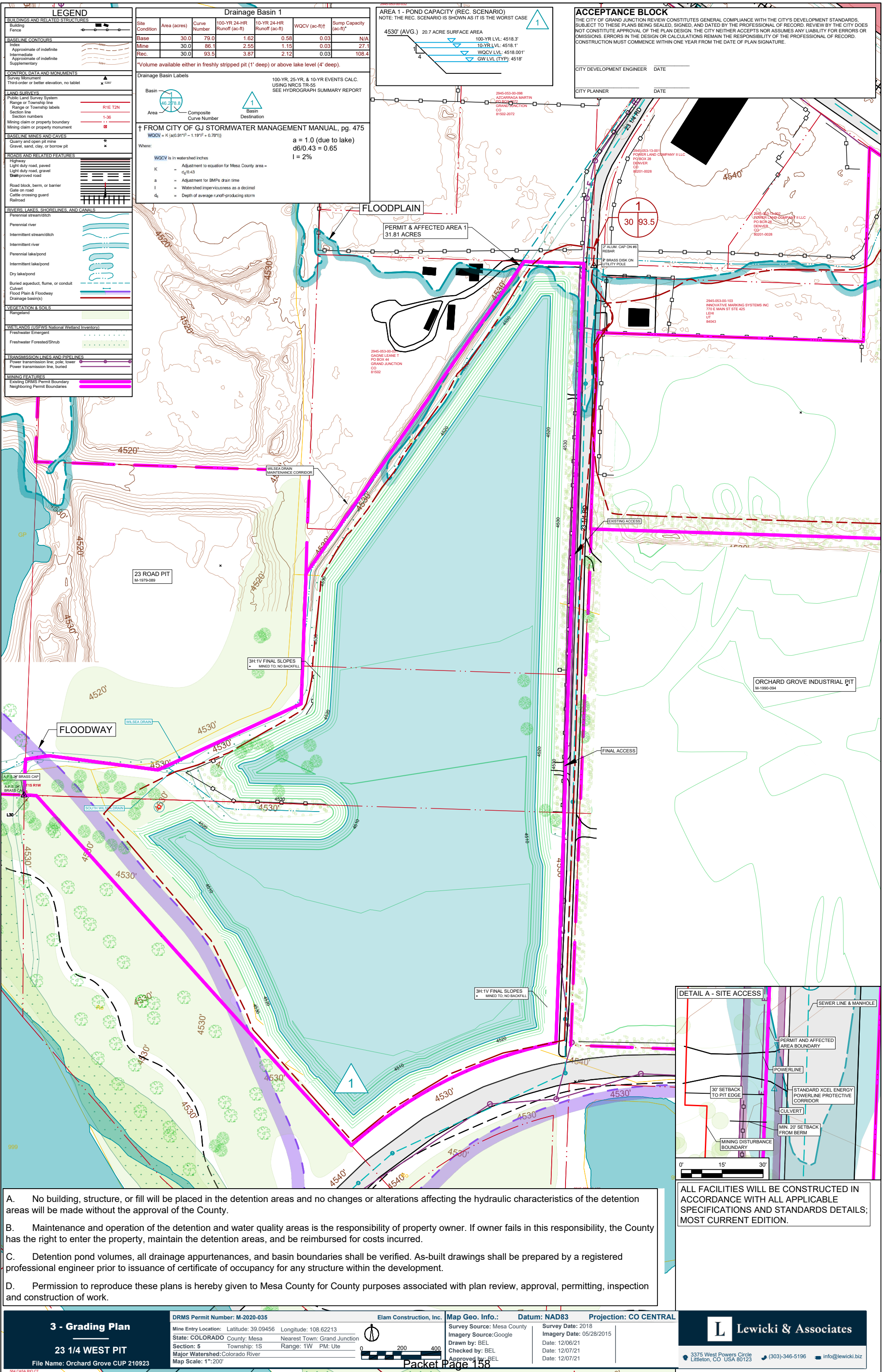
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Date: 08/01/20

Approved by: BEL

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Range or Township labels	R1E T2N
Section line	
Section numbers	1-36
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Mining claim or property monument	
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Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: February 22, 2022
Presented By: Jace Hochwalt, Senior Planner
Department: Community Development
Submitted By: Jace Hochwalt, Senior Planner

Information

SUBJECT:

Consider a Request by DR Land LLC, Buena Vida HQ, LLC and the City of Grand Junction to Amend the Planned Development Zoning and Outline Development Plan (ODP) for the Riverfront at Dos Rios, on 58.8 acres located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue. | [Staff Presentation](#) | Phone-in Comment Code: **2847**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicants, DR Land LLC, Buena Vida HQ, LLC, and the City of Grand Junction, are requesting approval of an amended Planned Development (PD) zoning ordinance and Outline Development Plan (ODP) to add approximately 2.0 acres of property to the Riverfront at Dos Rios Planned Development, change the zoning/use designations of some existing incorporated areas from Industrial/Commercial to Mixed Use, and clarify some parking and architectural standards. In April 2019, the City approved Ordinance 4849 for the ODP that established the uses, standards and general configuration of the proposed Riverfront at Dos Rios mixed use development on approximately 58.8 acres, located on the northeast bank of the Colorado River between Highway 50 and Hale Avenue. Subsequently, the City approved Ordinance 4982 to incorporate additional parcels within the Riverfront at Dos Rios area in January of 2021.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The City originally acquired the approximately 60-acre area now known as the Riverfront at Dos Rios from the Jarvis family in 1990. The property is located on the northeast bank of the Colorado River between the Highway 50/railroad bridge and the Riverside neighborhood. Since that time, the property has been cleared, the Riverfront

Trail extended, and a backwater pond for endangered fish was created between the trail and River. The developable acreage was purchased with the intent of future redevelopment and the City has constructed a majority of the infrastructure within the development. All of the properties, those initially part of the Planned Development and those being added, have never been used or held for park or other governmental purposes but instead for possible reuse/redevelopment; the PD and ODP will further that opportunity.

The latest approved ODP was intended to create a riverfront commercial/mixed use center with two points of access to Riverside Parkway and two points of access onto Hale Avenue. Development pods are identified for specific types of uses, and per the current proposal include approximately 26.9 acres of Mixed Use, 17.0 acres of Parks and Open Space, 6.8 acres of Light Industrial/Commercial, and 4.1 acres of Mixed Use/Outdoor Recreation. While the City still owns some of the parcels within the development, a majority of the developable parcels have transferred hands over the last two years to Buena Vida, LLC (ownership of ± 4.2 acres; leased area of ± 0.9 acres along the Riverfront) and DR Land LLC (ownership of ± 15.06 acres).

The addition of the property recently purchased by DR Land LLC will add approximately 2.0 acres of Mixed-Use to the development. This parcel is located in the center of the development at 2600 Dos Rios Drive, and is further illustrated in Exhibit 2.1. Notably, this parcel is currently zoned BP (Business Park Mixed Use) and is the only additional property requesting to be incorporated into the overall planned development for this request. In addition, the proposal will be reconfiguring some of the land area boundaries, changing some areas from commercial/industrial designations to mixed use designations, and clarifying some parking and architectural standards. In addition to the land use areas and street network, the approved ODP established specific performance standards that the development will be required to meet and conform with, as authorized by Section 21.02.150 (b) of the Zoning and Development Code. The standards were all included in the original PD zoning ordinance and are not proposed to be revised.

Section 21.02.150 of the Zoning and Development Code (Code) sets the purpose of a Planned Development (PD) to apply to mixed use or unique single use projects to provide design flexibility. The Code provides Planned Development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved.

Floodplain and Drainage:

Much of the property is located within the regulated 100-year floodplain of the Colorado River and a small area directly adjacent to the riverbank is within the floodway. The City will retain ownership of the area within the Floodway to be used as open space and recreational area. Property within the 100-year floodplain will be developed in accordance with the Flood Hazard regulations found in section 21.07.010 of the Zoning and Development Code. Stormwater management will be provided as a part of the overall development of the project.

Establishment of Uses:

The original ODP established four general categories of land use types including Light Industrial/Commercial (LI/C), Mixed Use (MU), Mixed Use/Outdoor Recreation (MU/OR) and Parks and Recreation (PR). The original PD zoning ordinance established the specific land uses allowed in each of the categories. The total land area designated for commercial/industrial and mixed use is proposed to be changed to accommodate the possibility of more residential uses in the future. In addition, it is being proposed that community swimming pools and movie theatres, skating rinks, and arcades be allowed in the Light Commercial/Industrial areas (as they are already allowed in the Mixed Use areas).

Default Zone and Deviations:

The default zone for the original and the amended ODP is BP (Business Park). No change is proposed to the default zone district for the PD/ODP.

Architectural Standards:

Architectural standards were adopted with the original PD/ODP that require all structures within Riverfront at Dos Rios be designed and constructed in a manner that provides an aesthetically pleasing appearance and be harmonious with the overall Riverfront at Dos Rios development. The only modification to the architectural standards is a clarifying statement that while steel intermodal containers are allowed to be used as structures, they must incorporate the architectural standards previously approved.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held on November 2, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. There were approximately 15 people in attendance, which included nine members from the City or the Applicant team. Some site history was discussed and there were a few questions specific to the proposed timeline and height of structures.

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 December 8, 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 January 28, 2022. The notice of this public hearing was published on February 1, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.150 (b) of the Grand Junction Zoning and Development Code, requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

A majority of the property has a Comprehensive Plan Land Use designation of Mixed Use. There is also a Parks and Open Space designation along the banks of the Colorado River, and the parcel to the east of Riverside Parkway has a designation of Commercial. The Mixed Use designation provides opportunities for higher density/intensity development with a mix of uses along transportation corridors and within districts to serve adjacent neighborhoods and the broader community, and provides residential uses with a range of higher densities and types of housing. The types of uses allowed and proposed for the development are consistent with Comprehensive Plan Land Use Map. Also, the area designated as Parks and Open Space will be preserved as open space.

The Grand Valley Circulation Plan identifies Riverside Parkway as a Principal Arterial. The limited access proposed is consistent with standards for access to an arterial. The Riverfront Trail, as identified on the Active Transportation Corridors map, will remain through the length of the property.

Further, the amendment to the PD/ODP request is consistent with the following goals and/or policies of the Comprehensive Plan by providing a mixed-use development conveniently located to services and the preservation of 33% of the site as open space.

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

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

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

Policy B: Encourage mixed-use development and identification of locations for increased density.

Policy C: Increasing the capacity of housing developers to meet housing demand. Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air and freight movement while protecting air, water and natural resources.

Policy D: A trails master plan will identify trail corridors linking neighborhoods with the Colorado River, Downtown, Village Centers and Neighborhood Centers and other desired public attractions.

Goal 10: Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and environmental purposes.

Policy B: Preserve areas of scenic and/or natural beauty and, where possible, include these areas in a permanent open space system.

As proposed, the application is in conformance with the Grand Junction Comprehensive Plan and Circulation Plan.

b) The rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code as follows.

For this proposal, there are two separate “rezones” occurring. The first is the incorporation of the property at 2600 Dos Rios Drive. The second is the rezoning of approximately 7.5 acres from Industrial/Commercial to Mixed Use, identified as a portion of MU-6A, MU-6B, and MU-7A in Exhibit 2.2. For the purposes of this report, each rezone will be evaluated separately.

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

Rezone 1: The City has approved a PD zone district and ODP for the Riverfront at Dos Rios property which surrounds the parcel proposed to be added to the development. The ODP envisions a mixed-use center with development pods identified for specific types of uses, including parks and open space, light industrial/commercial, mixed use/outdoor recreation and mixed use. This proposal is incorporating the property at 2600 Dos Rios Drive into the overall planned development. This property is in the center of the development, and at one of the primary access points on Riverside Parkway. The proposal to incorporate this into the Planned Development with a use category of Mixed Use is better suited from a compatibility standpoint compared to the existing BP (Business Park Mixed Use) zone district. The adoption of the existing ODP for the mixed-use conceptual plan that included specific performance standards to establish a cohesive character for the Riverfront at Dos Rios is a subsequent event that has invalidated the original premises of the BP zoning. Therefore, Staff finds this criterion has been met for this rezone request.

Rezone 2: The Applicant is seeking a rezone of approximately 7.5 acres of land currently designated as Industrial/Commercial to Mixed Use, which is currently a part of the Riverfront at Does Rios Planned Development. While the Comprehensive Plan designates these areas as Mixed Use in the Land Use map, there have been no subsequent events that have invalidated the original premise or findings. As such, staff finds this criterion has not been met for this rezone request.

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

Rezone 1: The Riverfront at Dos Rios is a proposed extension of the Riverfront at Las Colonias development on to the east of 5th Street/Highway 50. The community investment in Las Colonias Park has resulted in the completion of the park facilities surrounding the Botanic Gardens and the amphitheater. Work is continuing to be

completed at the Las Colonias Business Park that is transforming that area into a vibrant center of activity. The same is intended with the Dos Rios development. Dos Rios Drive is one of two access points to the development directly off Riverside Parkway. The PD/ODP that assigns a mixed-use category of land use to this area along Riverside Parkway and Dos Rios Drive will provide a more consistent design to the overall development than what could be done in the BP zone district. Staff finds that the character and/or condition of the riverfront area has changed such that this criterion has been met for this rezone request.

Rezone 2: The 7.5 acres of land to be rezoned from Industrial/Commercial to Mixed Use is currently situated within the Dos Rios Outline Development Plan. The Applicant is seeking this change for the purposes of being able to accommodate for more residential uses within the overall development, which are limited in the Industrial/Commercial designation. With that said, it is premature to conclude that the character or condition of the area has changed to support the proposal. As such, staff finds this criterion has not been met for this rezone request.

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

Rezone 1 and Rezone 2: Existing public and community facilities and services are available to the properties and are sufficient to serve the proposed mixed-use development. City Water is available to the property and will be extended into the site, as is sanitary sewer. The property can also be served by Xcel Energy electric and natural gas. The property is near the Downtown area, which provides many commercial services. In addition, the existing street network including the Riverside Parkway and Hale Avenue and enhancement of the riverfront trail through the development will provide adequate multimodal transportation infrastructure. Parks and open space exist in the vicinity and will be expanded and enhanced with the Riverfront at Dos Rios Planned Development. In conclusion, the public and community facilities are adequate to serve the type and scope of the mixed-use development; therefore, staff finds this criterion has been met for both rezone requests.

(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

Rezone 1 and Rezone 2: The Riverfront at Dos Rios is an infill development project. The City is requesting an amendment to the plan to develop the property as a Planned Development (PD) to better define the types of uses allowed and to establish specific performance standards. Because PD is a zone category based on specific design and is applied on a case-by-case basis, staff finds this criterion is not applicable to this request, and, therefore has not been met for both rezone requests.

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

Rezone 1 and Rezone 2: The proposed density and intensity are consistent with the Comprehensive Plan Land Use category of Mixed Use and the Planned Development allows for the further refinement of the type of desired and compatible uses within this area. The uses will address and capture the importance of the riverfront location as well as the proximity to the Riverside neighborhood that a BP zone district would not (as it pertains to Rezone 1). Should the development be constructed in full and/or in part, the City will derive benefit from the resulting development that addresses the site-specific assets of the area.

Further, the area will derive benefits from the zoning of PD (Planned Development) by providing more effective and efficient infrastructure, reducing traffic demands by providing the opportunity for live, work and play in one area and access to the Riverfront Trail system, providing 17 acres of open space that preserves and protects the banks of the Colorado River, and completion of the bicycle playground as a recreational amenity.

Staff, therefore, finds this criterion has been met for both rezone requests.

In conclusion, staff finds that criteria 1, 2, 3, and 5 are met for Rezone 1, and criteria 3 and 5 are met for Rezone 2.

c) The planned development requirements of Section 21.05 of the Zoning and Development Code;

As per Section 21.05.040(f), Development Standards, exceptions may be allowed for setbacks in accordance with this section.

(1) Setback Standards. (i) Principal structure setbacks shall not be less than the minimum setbacks for the default zone unless the applicant can demonstrate that buildings can be safely designed and that the design is compatible with the lesser setbacks, (ii) reduced setbacks are offset by increased screening or primary recreation facilities in private or common open space, (iii) reduction of setbacks is required for protection of steep hillsides, wetlands or other environmentally sensitive natural areas.

For maximum flexibility in the design of this site, the approved ODP included a reduction in the setbacks to those consistent with the B-2 (Downtown Business) zone district, which is the type of development that is proposed in Dos Rios. No further change to the approved setbacks is proposed with this amendment and, with the exception of the portion of the ODP that is on the east side of Riverside Parkway, all of the proposed development is internal to the property and is not directly adjacent to any other private development.

(2) Open Space. All residential planned developments shall comply with the minimum open space standards established in the open space requirements of the default zone.

Approximately 17 acres of open space will be provided, which is 33% of the area,

exceeding the Code requirement for residential projects to provide 10% of the land area in open space.

(3) Fencing/Screening. Fencing shall comply with GJMC 21.04.040(i).

Fencing and/or screening will comply with Section 21.04.040(i) of the Code and standards approved with the original ODP that address materials, height and quality of fencing. The standards are not proposed to change with this amendment to the ODP, with the exception that architectural metal fencing will be allowed, which was previously not defined in past ordinances.

(4) Landscaping. Landscaping shall meet or exceed the requirements of GJMC 21.06.040.

The intent of landscaping within the Riverfront at Dos Rios is to create overall visual continuity throughout that is sensitive to, and blends with, the visual character of adjacent areas. Landscaping will enhance the aesthetics of the overall site, particularly as it is viewed from the perimeter public streets (Hale Avenue and Riverside Parkway) and from the Riverfront Trail. Specific standards were included in the approval of the ODP and were modified slightly to avoid confusion about 10-foot setbacks and landscaping along street frontages.

(5) Parking. Off-street parking shall be provided in accordance with GJMC 21.06.050.

Streets within Riverfront at Dos Rios have been constructed, and access controlled as to allow and encourage on-street parking on both sides of the street that will provide approximately 216 spaces throughout the development. In addition, it is anticipated that as each site is developed, parking will be provided as applicable per the PD design standards. There will also be a number of uses within the development that will be able to share parking due to overlapping hours of operation and demand. Additional standards, including the modification to the code not requiring off-site parking, were included in the approval of the ODP. The only proposed change to the previously approved ordinance is the requirement of a common public parking lot in the center of the development, which was proposed prior to the infrastructure design and completion.

(6) Street Development Standards. Streets, alleys and easements shall be designed and constructed in accordance with TEDS (GJMC Title 29) and applicable portions of GJMC 21.06.060.

The design and construction of streets, alleys and easements within the Dos Rios development will meet Code requirements.

d) The applicable corridor guidelines and other overlay districts (Section 21.02.150(b)(2)(iv)).

There are no corridor guidelines or overlay district that are applicable for this

development.

e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development (Section 21.02.150(b)(2)(v)).

Existing public and community facilities and services are available to the property and are sufficient to serve the proposed mixed-use development. City Water is available to the property and will be extended into the site, as is sanitary sewer. The property can also be served by Xcel Energy electric and natural gas. The property is in close proximity to the Downtown area, which provides a number of commercial services.

f) Adequate circulation and access shall be provided to serve all development pods/areas to be developed (Section 21.02.150(b)(2)(vi)).

The proposed project will have two access points onto Riverside Parkway, one at the existing Hale Avenue and one approximately 1,000 feet to the south on Dos Rios Drive. In addition, there will be two access points onto Hale Avenue at Lawrence Avenue and Rockaway Avenue. The proposed access points provide adequate circulation and meet or exceed all code provisions for connectivity.

g) Appropriate screening and buffering of adjacent property and uses shall be provided (Section 21.02.150(b)(2)(vii)).

No landscaping/screening buffer is required between adjacent uses with the exception of screening service entrances, loading areas and dumpster areas which shall be screened from adjacent residential uses as follows:

- Service entrances, loading areas and dumpster areas shall be oriented in the rear or side of principal structures so as to minimize the impact on the public view corridors, areas open for public enjoyment and areas of residential use. This section was revised slightly, in that it formerly stated that these areas be oriented in the rear or side yard only. Due to some properties having multiple frontages, this change was appropriate to avoid confusion of what is considered a front yard on multiple frontage lots.
- Where allowed as accessory to a primary land use or structure, outdoor storage shall be located on a site where least visible from a public right-of-way or Riverfront Trail.
- If allowed, outdoor storage areas shall be screened in accordance with GJMC Section 21.04.040(h). Acceptable screening consists of any combination of fences, walls, berms and landscaping that is approximately six feet in height and provides a permanent, opaque, year-round screening around the entire perimeter of the outdoor storage area. Plant materials are encouraged as screening. Fences shall only be made of materials referenced in the Fencing section below.

h) An appropriate range of density for the entire property or for each development

pod/area to be developed (Section 21.02.150(b)(2)(viii).

The ODP proposes residential density of 12 units per acre as a minimum and no maximum density.

i) An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed.

For maximum flexibility in the design of this site, the front setbacks as previously approved are 0 feet-10 feet for principal structures and 10 feet for accessory structures; rear yard setbacks of 0 feet for principal structures and 5 feet for accessory structures; and side yard setbacks of 0 feet for principal structures and 3 feet for accessory structures. These setbacks are similar to those allowed in the B-2 Downtown Business zone district, which is the type of development that is proposed. With the exception of the land on the east side of Riverside Parkway, all of the proposed development is internal to the property and is not directly adjacent to any other private development. Staff has found these standards that exist are appropriate for the amended PD/ODP and there are not proposed to be changed with this amendment.

j) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed (Section 21.02.150(b)(2)(x).

Phasing of the Riverfront at Dos Rios Planned Development shall be per the validity standards of GJMC Section 21.02.080(n).

RECOMMENDATION AND FINDINGS OF FACT

After reviewing amendment request to the Planned Development Zoning and Outline Development Plan (ODP), City File Number PLD-2021-837, for the Riverfront at Dos Rios, Located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue, the following findings of fact have been made:

1. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

2. The Planned Development is in accordance with Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code.

Therefore, Staff recommends approval of the request for the rezone and amendment to the Planned Development zone district and Outline Development Plan (ODP) for Riverfront at Dos Rios.

SUGGESTED MOTION:

Chairman, on the request for the rezone and amendment to the Planned Development zone district and Outline Development Plan (ODP) for Riverfront at Dos Rios Located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue, City file number PLD-2021-837, I move that the Planning Commission forward a

recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Exhibit 1 - Application Packet
2. Exhibit 2 - Maps
3. Exhibit 3 - Neighborhood Meeting Documentation
4. Exhibit 4 - Ordinance 4982 (2021)
5. Exhibit 5 - Draft Redlined 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:

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

Development Application

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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 #:

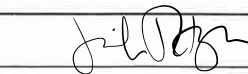
Contact Person:

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

OWNERSHIP STATEMENT – CORPORATION OR LIMITED LIABILITY COMPANY

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

(b) Lot 3, Lot 4, Lot 8 and Lot 9 of the Riverfront at Dos Rios Filing Three as shown on the plat thereof recorded in Mesa County land records with Reception #2942736, and Lot 6A of the Riverfront at Dos Rios Filing Four as shown on the plat thereof recorded in Mesa County land records with Reception #2982694.

A copy of the deed 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. No Statement of Authority of the Entity has been recorded to date.

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

The Entity is the sole owner of the property.

On behalf of the Entity, I have reviewed the application for the (d) PD Zoning/Plan Amendment

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

(e) none

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

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

Signature of Entity representative: _____

Printed name of person signing: Kevin Riegler

State of District of Columbia

County of _____ ss.

Subscribed and sworn to before me on this 17 day of November, 2021 by Kevin Riegler. Witness my hand and seal.

My notary commission expires on 6/30/24

Jamie Lasser
Notary Public Signature



E RECORDED DATE 6/11/2021
COUNTY Mesa
REC. NO. 2985239



SPECIAL WARRANTY DEED

[STATUTORY FORM-C.R.S. § 38-30-113(b)]

THE CITY OF GRAND JUNCTION, a Colorado home-rule municipal corporation ("Grantor"), whose street address is 250 N. 5th Street, Grand Junction, Colorado 81501, County of Mesa, State of Colorado, for the consideration of One Million Eight Hundred Forty-Two Thousand Four Hundred Thirty-Five and 54/100 Dollars (\$1,842,435.54) and other good and valuable consideration, in hand paid, hereby sells and conveys to **DR Land LLC**, f/k/a DR DEVCO LLC, a Colorado limited liability company, whose street address is 700 17th Street, Suite 200, Denver, CO 80202, the following described real property situate within the County of Mesa, State of Colorado:

Lot 3, Lot 4, Lot 8, and Lot 9 of the Riverfront at Dos Rios Filing Three as shown on the plat thereof recorded in Mesa County land records with Reception #2942736, and Lot 6A of the Riverfront at Dos Rios Filing Four as shown on the plat thereof recorded in Mesa County land records with Reception # 2982694

with all its appurtenances and warrants the title to the same against all persons claiming under Grantor, subject to the matters set forth on Exhibit B attached hereto and made a part hereof.

Signed this 9th day of June, 2021 be made effective the 9th day of June, 2021.

GRANTOR:

CITY OF GRAND JUNCTION,
a Colorado home-rule municipal corporation

By: [Signature]
Name: Greg Caton
Title: City Manager

STATE OF COLORADO)
) ss:
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 9th day of June 2021, by Greg Caton, as City Manager of City of Grand Junction, a Colorado home-rule municipal corporation.

Witness my hand and official seal.

My commission expires: May 25, 2025



D-3

Jennifer L. Cingolani
Notary Public

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

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

(b) 535 Hale Avenue, 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) Member 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) Buena Vida • El Jet's Cantina + Sky Outpost

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

(e) n/a, no conflicts

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: Jennifer R Taylor

Printed name of person signing: Jennifer R Taylor

State of Colorado)

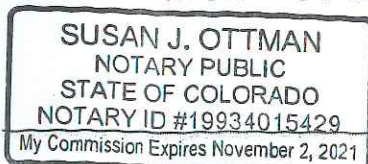
County of Mesa) ss.

Subscribed and sworn to before me on this 17th day of December, 2020

by Jennifer R. Taylor as member of Buena Vida LLC

Witness my hand and seal.

My Notary Commission expires on



[Signature]
Notary Public Signature

AFTER RECORDING MAIL TO:

Jennifer R. Taylor
115 N. 5th Street
Suite 403
Grand Junction, CO 81501



SPECIAL WARRANTY DEED

THIS DEED, dated June 26, 2019, between the City of Grand Junction, a Colorado home rule municipality ("Grantor"), whose legal address is 250 North 5th Street, Grand Junction, CO 81501, and Jennifer R. Taylor, ("Grantee") whose legal address is 115 N. 5th Street, Suite 403, Grand Junction, CO 81501:

WITNESS, that the Grantor, for and in consideration of the sum of Forty-two Thousand and 00/100 (\$42,000.00) Dollars the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all of its rights, title and interest which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the City of Grand Junction, County of Mesa and State of Colorado, described as follows:

Lot 16 of Riverfront at Dos Rios Subdivision Filing One as recorded in the Mesa County Clerk & Recorder's Office with Reception Number 2880032 in the City of Grand Junction, County of Mesa, State of Colorado, hereinafter referred to as the Property.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor except reserving all easements as they appear on the plat for Riverfront at Dos Rios Subdivision Filing One, either in law or equity, of, in and to the Property, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said Property, with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor, for itself, its successors and assigns, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the Property in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under the Grantor.

It is understood and agreed that the Property, other than as stated herein, is being conveyed "AS IS, WHERE IS, WITH ALL FAULTS" and, except for the special warranties of title made above, Grantor has not made and is not now making and specifically disclaims any warranties, representations or guarantees of any kind or character with respect to the Property, including without limitation, all warranties concerning the merchantability, fitness for a particular purpose, quality, condition, size, value, suitability, legal entitlement status, and boundary locations of the Property. Grantee acknowledges that Grantee is relying on Grantee's own inspection and investigation of the Property, and not information provided by Grantor, to satisfy herself as to the condition of the Property. Grantee assumes the risk that adverse matters may not have been revealed by Grantee's inspections and investigations.

IN WITNESS WHEREOF, the Grantor has caused its name to be hereunto subscribed the day and year first above written.



CITY OF GRAND JUNCTION,
a Colorado home rule municipality

By:
Greg Caton
City Manager

Attest:

Wanda Winkelmann, City Clerk



STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 26th day of June 2019, by Greg Caton, City Manager and Wanda Winkelmann, City Clerk of the City of Grand Junction, a Colorado home rule municipality.

Witness my hand and official seal.

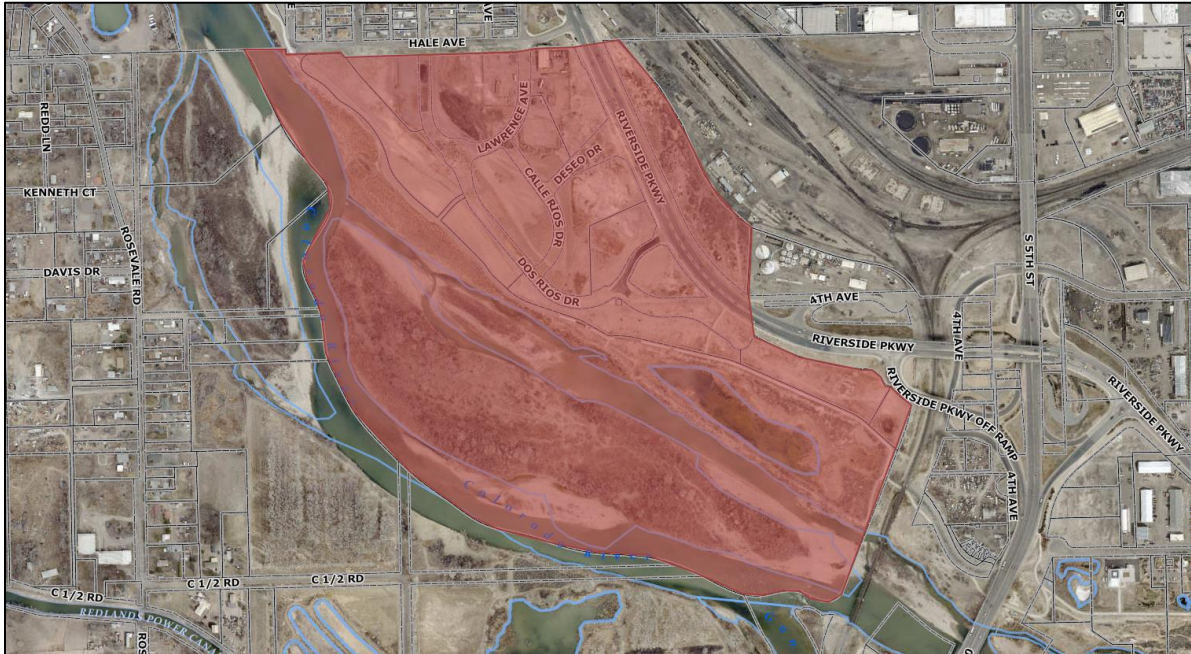
My commission expires: 7-11-2022

Notary Public

General Project Report For Dos Rios Planned Development

Project Description (location, Acreage, Proposed Use):

The purpose of this application is to request approval of a Planned Development Amendment of the Dos Rios Development project located along the Colorado River, west of Riverside Parkway, and South of Hale Avenue. The project location area is depicted below:



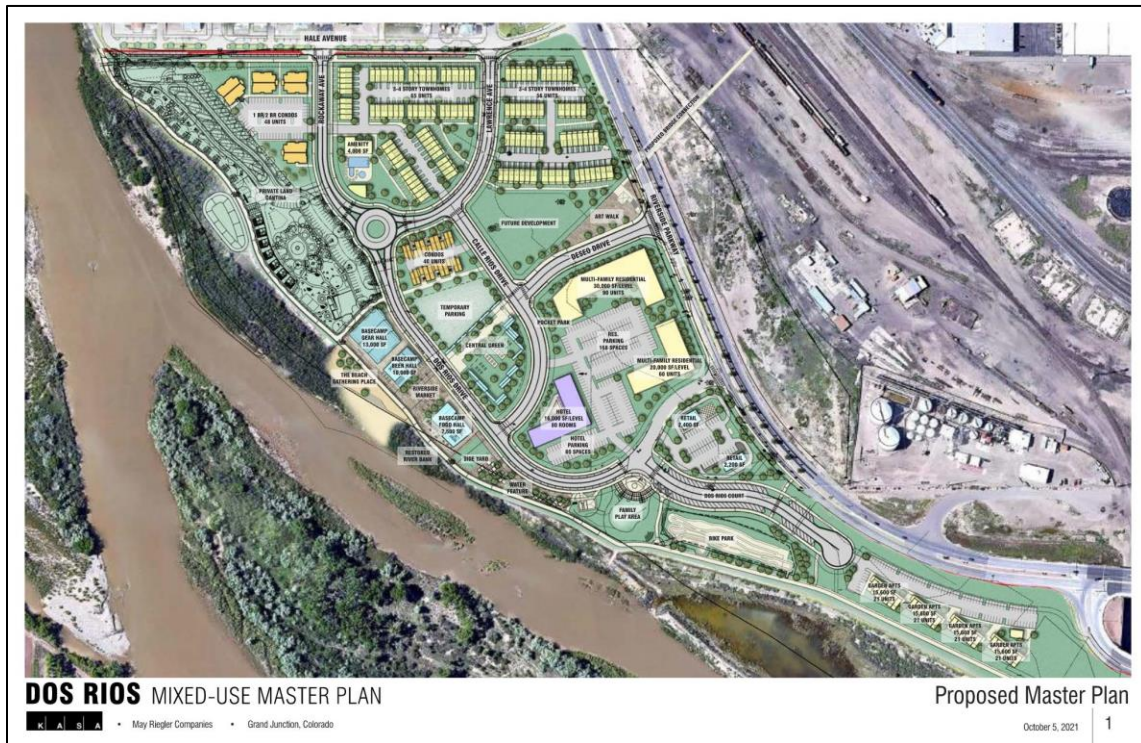
Dos Rios Project Location

The primary Applicant for this request is DR Land LLC, with the City of Grand Junction acting as Co-Applicant. DR Land LLC owns multiple parcels in the development and plans to buy more in the future from the City. May Riegler Properties (MRP) is proposing to develop the property along with KASA Architects.

The City of Grand Junction master planned the Dos Rios development over the last four years and created the Planned Development (PD) zone district to govern the land uses and standards for the mixed-use development.

MRP and KASA Architects have been working with the City of Grand Junction to complete an overall masterplan for the site. The applicant is requesting review and comment on the proposed modifications to the previously approved PD amendment for the site. The graphic below depicts the proposed masterplan for the site:

General Project Report For Dos Rios Planned Development



Dos Rios Master Plan

The project is proposing to construct numerous buildings over this existing 115-acre parcel, over a number of phases. The project currently calls for a total of 121 townhomes, 282 multi-family apartment units, 40 condominium units, an 80-key hotel, and roughly 45,000 SF of retail space, along with six distinct public realm areas, intended to provide outdoor gathering space for the residents of Grand Junction.

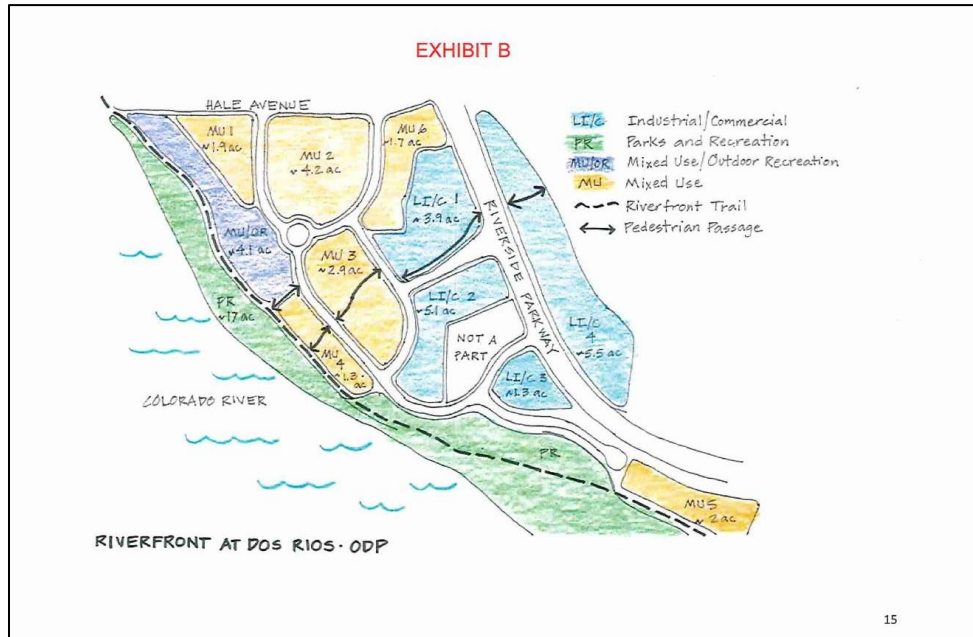
The project proposes to modify the Planned Development (PD) in a variety of ways, with a summary of these changes below:

- A. Update description of Development Boundary. As shown on page 4, the MU-7B parcel was not a part of the original PD. This parcel was recently acquired by DR Land LLC.
- E. Clarify that multi-family and single family attached dwellings are to be exempt from the minimum width requirement.
- 1.B. Provide clarity and flexibility on parking requirements.
- C.1. Provide clarity on street frontage landscaping
- D.1. Modified language to provide clarity on dumpster areas.
- F.1. Provide additional material description for fencing
- G.1. Update maximum street lighting dimension per approved and installed streetlights within the project built by the City of Grand Junction
- H.1. Provide flexibility on allowance for a Placemaking sign
- 2.A. Include shipping containers as a possible building type, still requiring elements to create character within the development.

General Project Report For Dos Rios Planned Development

Surrounding Land Uses and Zoning:

The site is currently zoned Planned Development with a Mixed-Use underlying zone district. Listed below is the City's previously approved zoning map included in the original PD Document.



Proposed Zoning:

Shown below is the proposed modification to this Zoning Map, inclusive of the new Dos Rios design, with the following proposed changes:

- Previous LI/C 1 changes to MU Zone
- Previous LI/C 2 changes to MU Zone
- New lot, previously "Not a Part" changes to MU Zone



General Project Report For Dos Rios Planned Development

Public Benefit

There are many public benefits of a large project such as Dos Rios.

The existing street grid will be utilized for the project, with minimal modifications to curb cuts and infrastructure. Additional public vehicular parking lots will be located throughout the site, and parallel street parking will continue to be utilized for public parking. A new signalized intersection will be installed at the intersection of Riverside Parkway and Deseo Drive.

Working alongside the City of Grand Junction, the project proposes to activate the previously-installed bike path by providing new gathering spaces on both sides of it, including a large playground, large-scale interactive water feature, and "The Beach," an open, sandy area nestled between the bike path and the Colorado River, providing residents of Grand Junction a new way to enjoy the river and views of the Colorado Monument.

A new plaza will be developed and installed along the Colorado River, located between two food and beverage buildings, for use by the public residents. It will connect directly to the Bike Path and the Beach, and be accessed by and located along Dos Rios Drive. It will have public space improvements such as decorative paving, decorative lighting, cooling water features, and lush landscaping.

Along Deseo Drive, a new "Art Walk" will be installed in the Right of Way. This new pedestrian plaza will link the proposed Pedestrian Bridge with the project, and provide an entry "gateway" into the Dos Rios project. It will then connect to a "Central Green" located in the middle block of the project, which will have future development uses on it, but will maintain a central connection from Deseo Drive to the Riverfront Plaza and Retail buildings. This Central Green will be intended for pedestrian passage as well as natural landscape and gathering nooks.

All of this open public space is supported by roughly 45,000 SF of various retail uses. Two retail pad sites are planned along Riverside Parkway. Three large retail buildings are planned along the Riverfront, with various uses ranging from brewery to full-service restaurant, soft-goods market, and rentable event space.

**General Project Report
For
Dos Rios Planned Development**

Neighborhood Meeting

DR Land LLC in conjunction with the City of Grand Junction conducted a Community Meeting with the surrounding property owners on November 2nd, 2021 at 5:45pm. The meeting was held

In Attendance:

Kevin Riegler – May Riegler
Jody Corey – May Riegler
Blake Piland – RM Construction
John Anderson - RM Construction
Mark Austin – Austin Civil Group
Tamra Allen – City of Grand Junction
Jace Hochwalt – City of Grand Junction
Trent Prall – City of Grand Junction
Ken Sherbenou – City of Grand Junction

Cindy Enos Martinez – Surrounding Property Owner
Jen Taylor – Surrounding Property Owner
Juanita Trujillo – Surrounding Property Owner
Mr. & Mrs. Trujillo – Surrounding Property Owner
Roberta Brooks – Surrounding Property Owner

The meeting was called to order at 6pm.

Jody Corey welcomed the group and thanked them for their participation. She is looking forward to a strong partnership with the Riverside Neighborhood.

Tamra Allen gave the group some history of the process of our the planned development came to be. She talked about how the developer is working with the City on the public spaces.

Kevin Riegler gave an overview of the project, the various phases and the public spaces where we are partnering with the City. He presented the renderings for the first phase of townhomes, commercial buildings along the bike path, and the splash park. He presented the amendments to the current Planned Development. The most important amendment to the PD was that a small portion of the first phase was originally zoned light industrial and the developer is applying for a change to residential.

There were a few questions concerning the high of the townhomes. The residents were expecting single-story townhomes. Kevin Riegler explained that the layout and height of the first phase of the townhomes along Hale

**General Project Report
For
Dos Rios Planned Development**

Avenue were well within the zoning and code requirements and no variance was being proposed.

The meeting was adjourned at 7:30pm.

Project Compliance, Compatibility and Impact:

The PD Amendment being applied for takes form in a redlined, modified, and updated ordinance document, submitted as part of this application. This document outlines various proposed changes to the ordinance, including (but not limited to) the below modifications:

- Updated boundary descriptions
- Updated minimum lot requirements
- Updated parking requirements
- Updated architectural standards

Schedule:

The applicant anticipates starting construction on the first phase of Townhomes in the Spring of 2022, and hopes to follow shortly thereafter with construction of some of the retail buildings throughout the site.

**General Project Report
For
Dos Rios Planned Development**

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**General Project Report
For
Dos Rios Planned Development**

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Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

To be completed by the Applicant

Date: 8-29-21

Project Name: Dos Rios Townhome and Apartment Project

Project street address: 600 Lawrence and 600/601 Rockaway Ave

Assessor's Tax Parcel Number: 2945-221-23-008 & -009. 2945-221-24-001

Property Owner name: DR LAND LLC

City or County project file #:

Name of Water Purveyor: CITY OF GJ

Applicant Name/Phone Number: Mark Austin / ACG / 970-242-7540

Applicant E-mail: marka@austincivilgroup.com

1. If the project includes one or two-family dwelling(s): None
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be _____ square feet.
 - b. All dwelling units will ☐, will not ☐ include an approved automatic sprinkler system.

Comments: _____
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC]) for all buildings used to determine the minimum fire flow requirements: _____
2,000 SF, Type IVB
 - b. List each building that will be provided with an approved fire sprinkler system: _____
Townhome buildings will include fire sprinkler system
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]): 1,500 GPM w/ Out reduction

Comments: _____

Notes:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1,000 gpm at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is determined by Table B105.1(2) (See Fire Flow Guidance Packet⁴). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2018] to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, etc.) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page



Grand Junction Fire Department New Development Fire Flow Form

SECTION B

To be completed by the Water Supplier

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: Ute Clifton Grand Junction
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:
8" PVC Average Flow 3192 gpm @ 20 PSI
3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be used to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the available fire flow:

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]
4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum gpm @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain: _____

Print Name and Title of Water Supplier Employee completing this Form:

Ron Key Water Service Supervisor Date 8-31-21

Contact phone/E-mail of Water Supplier: _____

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

¹ There are three municipal water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328, and City of Grand Junction Water 970-244-1572.

² Address: City- 250 North 5th St., Grand Junction, CO 81501; County-P.O. Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2018 Edition.

⁴ <http://www.gjcity.org>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

Hydrant Flow Test Sheet

Hydrant ID: <i>D1-252-019</i>		Location: <i>Hale + Crawford</i>	
Problem:	Pitot Pressure (PSI): <i>46</i>	Static PSI: <i>106</i>	Residual PSI: <i>92</i>
Flow Tested Date: <i>8/31/2021</i>	Color Based On Flow: <i>Blue</i>	GPM Flow @ 20 PSI: <i>3036</i>	
Comments:			

Hydrant ID: <i>D1-252-011</i>		Location: <i>Hale and Rockaway</i>	
Problem:	Pitot Pressure (PSI): <i>56</i>	Static PSI: <i>108</i>	Residual PSI: <i>94</i>
Flow Tested Date: <i>8/31/2021</i>	Color Based On Flow: <i>Blue</i>	GPM Flow @ 20 PSI: <i>3508</i>	
Comments:			

Hydrant Flow Test Sheet

Hydrant ID: <i>C4-252-001</i>		Location: <i>Hale and Lawrence</i>	
Problem:	Pitot Pressure (PSI): <i>42</i>	Static PSI: <i>100</i>	Residual PSI: <i>88</i>
Flow Tested Date: <i>8/31/2021</i>	Color Based On Flow: <i>Blue</i>	GPM Flow @ 20 PSI: <i>3033</i>	
Comments:			

Hydrant ID:		Location:	
Problem:	Pitot Pressure (PSI):	Static PSI:	Residual PSI:
Flow Tested Date:	Color Based On Flow:	GPM Flow @ 20 PSI:	
Average Flow 3192			

Vicinity Map

EXHIBIT 2.1

GREEN AREAS – New Parcels

RED OUTLINE – Original ODP Boundary



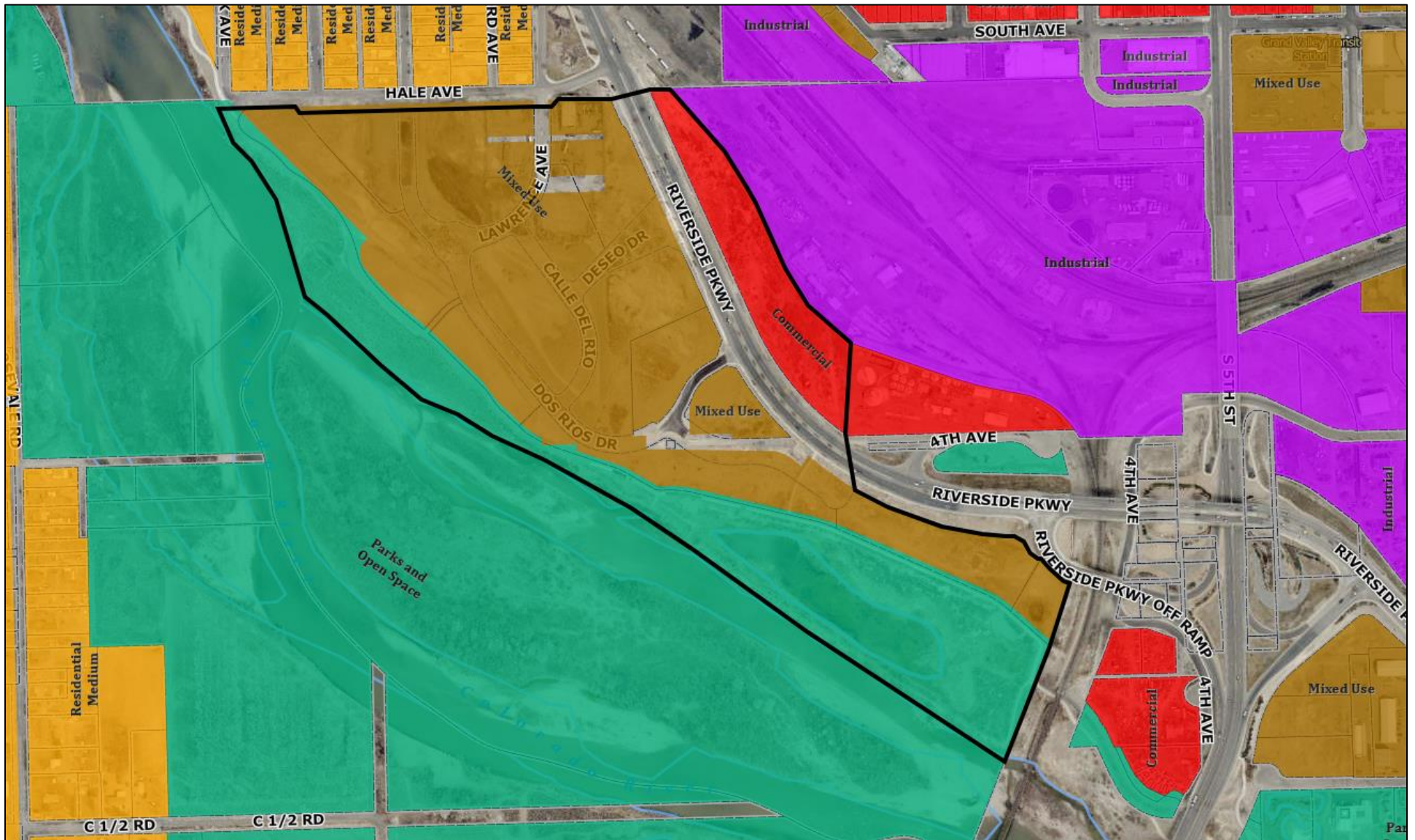
Use Boundary Map

EXHIBIT 2.2



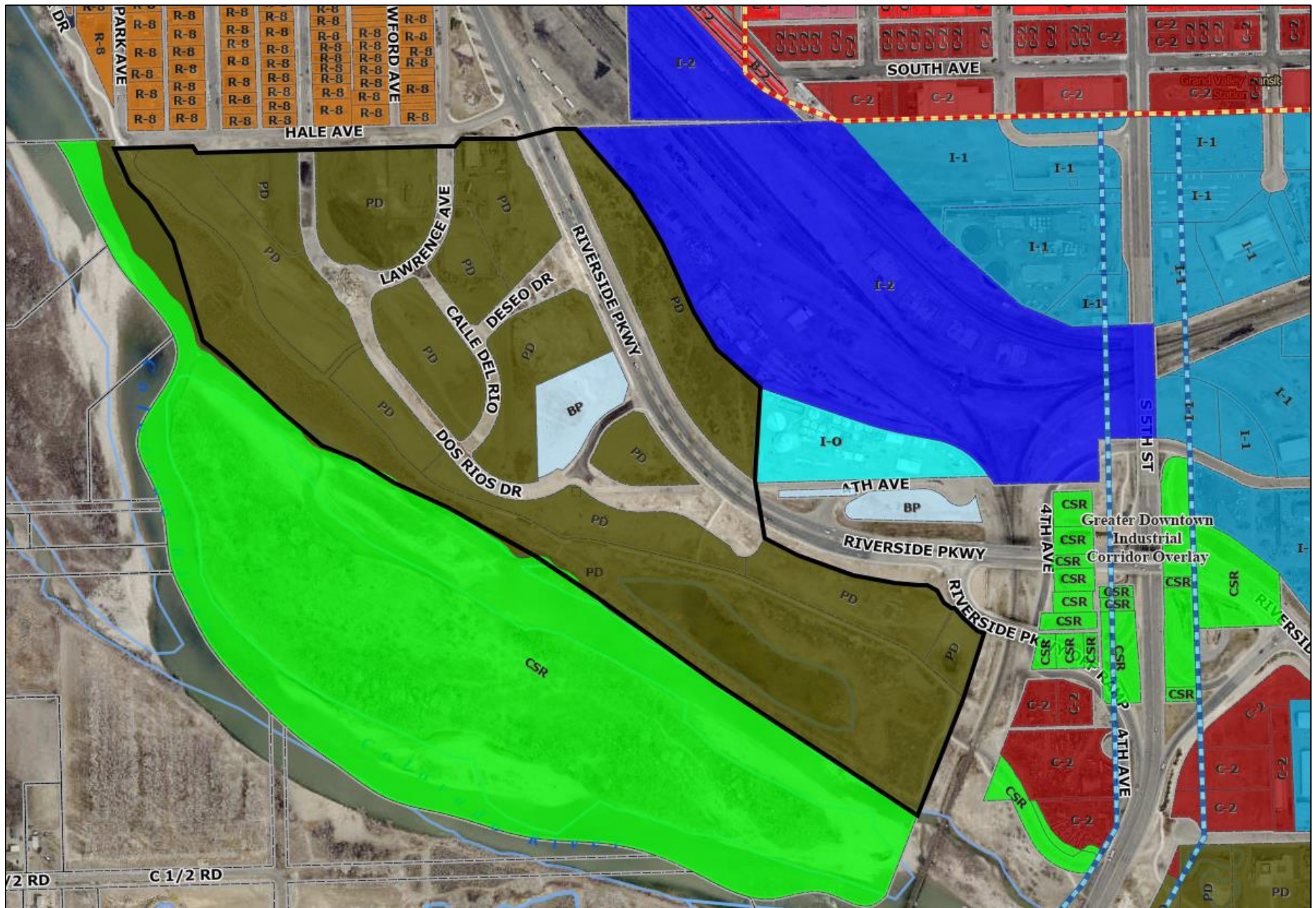
Comprehensive Plan Land Use Map

EXHIBIT 2.3



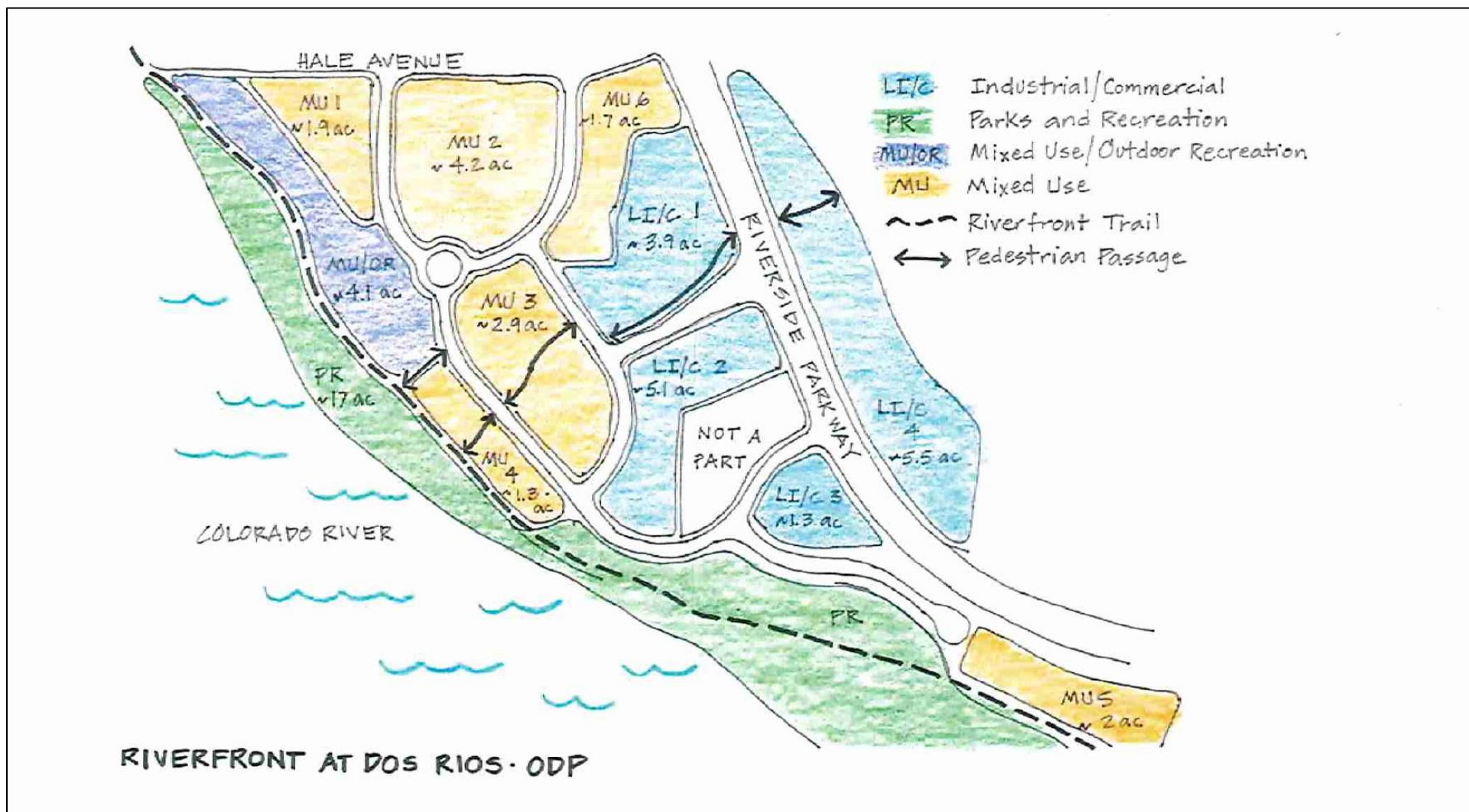
Current Zoning Map

EXHIBIT 2.4



Existing Outline Development Plan Map (January, 2021)

EXHIBIT 2.5



**General Project Report
For
Dos Rios Planned Development**

Neighborhood Meeting

DR Land LLC in conjunction with the City of Grand Junction conducted a Community Meeting with the surrounding property owners on November 2nd, 2021 at 5:45pm. The meeting was held

In Attendance:

Kevin Riegler – May Riegler
Jody Corey – May Riegler
Blake Piland – RM Construction
John Anderson - RM Construction
Mark Austin – Austin Civil Group
Tamra Allen – City of Grand Junction
Jace Hochwalt – City of Grand Junction
Trent Prall – City of Grand Junction
Ken Sherbenou – City of Grand Junction

Cindy Enos Martinez – Surrounding Property Owner
Jen Taylor – Surrounding Property Owner
Juanita Trujillo – Surrounding Property Owner
Mr. & Mrs. Trujillo – Surrounding Property Owner
Roberta Brooks – Surrounding Property Owner

The meeting was called to order at 6pm.

Jody Corey welcomed the group and thanked them for their participation. She is looking forward to a strong partnership with the Riverside Neighborhood.

Tamra Allen gave the group some history of the process of our the planned development came to be. She talked about how the developer is working with the City on the public spaces.

Kevin Riegler gave an overview of the project, the various phases and the public spaces where we are partnering with the City. He presented the renderings for the first phase of townhomes, commercial buildings along the bike path, and the splash park. He presented the amendments to the current Planned Development. The most important amendment to the PD was that a small portion of the first phase was originally zoned light industrial and the developer is applying for a change to residential.

There were a few questions concerning the high of the townhomes. The residents were expecting single-story townhomes. Kevin Riegler explained that the layout and height of the first phase of the townhomes along Hale

**General Project Report
For
Dos Rios Planned Development**

Avenue were well within the zoning and code requirements and no variance was being proposed.

The meeting was adjourned at 7:30pm.

Project Compliance, Compatibility and Impact:

The PD Amendment being applied for takes form in a redlined, modified, and updated ordinance document, submitted herein. This document outlines various proposed changes to the ordinance, including (but not limited to) the below modifications:

- Updated boundary descriptions
- Updated minimum lot requirements
- Updated parking requirements
- Updated architectural standards

Schedule:

The applicant anticipates starting construction on the first phase of Townhomes in the Spring of 2022, and hopes to follow shortly thereafter with construction of some of the retail buildings throughout the site.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4982

**AN ORDINANCE AMENDING ORDINANCE 4928
TO REZONE TO PLANNED DEVELOPMENT (PD)
AND AN OUTLINE DEVELOPMENT PLAN (ODP) FOR
THE RIVERFRONT AT DOS RIOS**

**LOCATED ON THE NORTHEAST BANK OF THE COLORADO RIVER
BETWEEN HIGHWAY 50 AND HALE AVENUE**

Recitals:

The requested amended Planned Development (PD) zoning and Outline Development Plan (ODP) will rezone and add properties recently acquired by the City to the area known as The Riverfront at Dos Rios development. All of the properties, those initially part of the Planned Development and those being added, have never been used or held for park or other governmental purposes but instead for possible reuse/redevelopment; the PD and ODP will further that opportunity. The request for the rezone and amendment to the PD and ODP have been submitted in accordance with the Zoning and Development Code (Code).

In public hearings, the Planning Commission and City Council reviewed the request for the proposed amendment and determined that the proposed amended PD and ODP satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed ODP has achieved "long-term community benefits" by effective infrastructure design; providing for ongoing and enhanced recreational opportunities; protection and/or preservation of natural resources, habitat areas and natural features; and innovative design.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREAS DESCRIBED BELOW AND THOSE IN THE PLANNED DEVELOPMENT AND OUTLINE DEVELOPMENT PLAN BOUNDARIES, NONE OF WHICH HAVE EVER BEEN USED OR HELD FOR PARK OR OTHER GOVERNMENTAL PURPOSES BUT INSTEAD FOR REUSE/REDEVELOPMENT, ARE ZONED FROM INDUSTRIAL OFFICE (I-O) TO PLANNED DEVELOPMENT (PD), FOLLOWING THE SAME DEFAULT ZONE AND STANDARDS ESTABLISHED IN ORDINANCE 4928 EXCEPT AS NOTED BELOW:

A. This Ordinance applies to all property(ies), including but not limited to those specifically described as follows, in the Development Boundary depicted in Exhibit A and the ODP depicted in Exhibit B, each as amended:

ALL of Lots 1 through 9 Riverfront at Dos Rios Filing 3 containing 110.35 acres;

535 Hale Avenue: Lot 16 Riverfront at Dos Rios Filing One located within Section 22 and 23 1S 1W UM recorded 5/16/2019 At Reception number 2880032 Mesa County Records containing 4.20 acres;

2600 Riverside Parkway: Lot 1 Jarvis Subdivision Filing 1 located within Sections 15, 22 and 23 Township 1 South, Range 1 West UM recorded 2/21/2017 at Reception Number 2790938 Mesa County Records Containing 5.53 Acres; and

636 and 636-1/2 Lawrence Avenue: Lots 8 through 12 Block 1 O'Boyles Subdivision Section 22 1S 1W containing 0.37 acres.

B. The Riverfront at Dos Rios Outline Development Plan (Exhibit B) is approved with the Findings of Fact and Conclusions listed in the Staff Report, including attachments and exhibits.

C. Phasing of the Riverfront at Dos Rios Planned Development shall be per the validity standards of GJMC Section 21.02.080(n).

D. If the Planned Development approval expires or becomes invalid for any reason, the properties shall be fully subject to the default standards of the BP Zoning District.

E. The default zone shall be BP with the following deviations to the dimensional standards.

Primary Uses			
Employment, Light Manufacturing, Multifamily, Retail, Commercial Services			
Lot			
Area (min. acres)	No Minimum except .5 in LI/C		
Width (min. ft.)	25		
Frontage (min. ft.)	n/a		
Setback	Principal		Accessory
Front (min. ft.)	0-10*		10
Side (min. ft.)	0		3
Rear (min. ft.)	0		5
Bulk			
Lot Coverage (max.)	n/a		
Height (max. ft.)	65 except 40 feet in Mixed Use Area 4		

Density (min.)	12 units/acre
Density (max.)	No Max
Building Size (max. sf)	n/a

* Refer to the Architectural standards

F. The allowed land uses shall be assigned by areas as depicted on the Outline Development Plan (ODP) and summarized in the table below. Uses will be as defined and shall be consistent with GJMC Codes and Standards as amended. A = Allowed; C = Conditional Use; Blank = Not Allowed

	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
ALLOWED LAND USE				
Business Residence	A	A	A	
Multifamily	A			
Single Family Attached *	A			
Home Occupation	A	A	A	
Small Group Living Facility	A			
Large Group Living Facility	A			
Unlimited Group Living Facility	A			
Rooming/Boarding House	A			
Colleges and Universities	A	A		
Vocational, Technical and Trade Schools	A	A		
Community Activity Building	A	A	A	A
All Other Community Service	A	A	A	A
Museums, Art Galleries, Opera Houses, Libraries	A	A		
General Day Care	A	A		
Medical and Dental Clinics	A	A		
Counseling Centers (Nonresident)	A	A		

	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
ALLOWED LAND USE				
All Other Hospital/Clinic	C	A		
Physical and Mental Rehabilitation (Resident)	C			
Parks, Lakes, Reservoirs, Other Open Space	A	A	A	A
Religious Assembly	A	A	A	
Boarding Schools	A			
Elementary Schools	A			
Secondary Schools	A			
Utility Service Facilities (Underground)	A	A	A	A
All Other Utility, Basic	A	A	A	A
Transmission Lines (Above Ground)	A	A	A	A
Transmission Lines (Underground)	A	A	A	A
All Other Utility Treatment, Production or Service Facility	C	C	C	C
Entertainment Event, Major				
Indoor Facilities	A	C		
Outdoor Facilities	C	C	C	C
Hotels and Motels	A	A	A	
Short-Term Rentals	A	A	A	
Office				
General Offices	A	A		
Recreation and Entertainment, Outdoor				
Campgrounds and Camps (nonprimitive)	A		A	
Resort Cabins and Lodges	A		A	
Amusement Park, Miniature Golf			A	
Campgrounds, Primitive				A
Swimming Pools, Community			A	

	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
ALLOWED LAND USE				
All Other Outdoor Recreation			A	A
Recreation and Entertainment, Indoor				
Health Club	A	A	A	
Movie Theater, Skating Rink, Arcade	A			
All Other Indoor Recreation	A			
Alcohol Sales, Retail	A			
Bar/Nightclub	A	A	A	
Animal Care/ Boarding/Sales, Indoor	A	A		
Animal Care/ Boarding/Sales, Outdoor		A		
Food Service, Restaurant (Including Alcohol Sales)	A	A	A	
Farmers' Market	A	A	A	
General Retail Sales, Indoor Operations, Display and Storage	A	A	A	
Produce Stands	A	A	A	
Personal Services	A	A		
All Other Retail Sales and Services	A	A	A	
Manufacturing Indoor Operations and Storage				
Assembly		A		
Food Products		A		
Manufacturing/Processing		A		
Manufacturing Indoor Operations and Outdoor Storage				
Assembly		A		
Food Products		A		
Manufacturing/Processing		A		
Self-Service Storage				
Mini-Warehouse		A**		

	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
ALLOWED LAND USE				
Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without Hazardous Materials				
Research, Testing and Laboratory Facilities – Indoors (includes Marijuana Testing Facilities)		A**		
Telecommunications Facilities				
Facilities on Wireless Master Plan Priority Site in Accordance with Wireless Master Plan Site-Specific Requirements	A	A	A	A
Temporary PWSF (e.g. COW)	A	A	A	A
Co-Location	A	A	A	A
Tower Replacement	A	A	A	A
Dual Purpose Facility	A	A	A	A
DAS and Small Cell Facilities	A	A	A	A
Base Station with Concealed Attached Antennas	A	A	A	A
Base Station with Non-Concealed Attached Antennas	C	C	C	C
Tower, Concealed	C	C	C	C
Bus/Commuter Stops	A	A	A	A

* **Single Family Attached.** A one-family dwelling **attached** to one or more other one-family dwelling by common walls and located entirely on its own lot.

** Only allowed in LI/C East of Riverside Parkway

G. DESIGN GUIDELINES AND STANDARDS FOR THE DOS RIOS PLANNED DEVELOPMENT

1. SITE DEVELOPMENT

A. Access

In order to maximize the on-street parking available for residents, employees and

customers of all properties within the development, site access to the public streets shall be minimized and shared to the greatest extent feasible.

B. Parking

Streets within Riverfront at Dos Rios shall be constructed, and access controlled so as to allow and encourage on-street parking on both sides of the street. There will also be a common public parking lot located near the center of the development. Combined, there will be approximately 350 common parking spaces available for residents, employees, and customers of all properties within the development to utilize. In addition, it is anticipated that a number of uses within the development will be able to share parking due to overlapping hours of operation and demand.

1. Off-street parking for uses developed with the Riverfront at Dos Rios shall be minimized as much as feasible.

Mixed Use Areas 3 and 4: No Parking Requirement

All Other Areas: Provide 1 off-street parking space per residential unit and provide 25 percent of off-street parking as required by GJMC Section 21.06.050(c) for all other uses. An alternative parking plan may be provided under 21.06.050(e)(e).

2. Off-street parking for multifamily or mixed-use development shall not be located in the front yard setback. Parking shall be in the rear or side yards or that area which is less visible from public street rights-of-way or the Riverfront Trail.
3. Develop pedestrian links between the on-street sidewalk and building entrances and between parking areas and rear or side entrances or public access points.

C. Landscaping

The intent of landscaping within the Riverfront at Dos Rios is to create overall visual continuity throughout that is sensitive to, and blends with, the visual character of adjacent areas. Landscaping will enhance the aesthetics of the overall site, particularly as it is viewed from the perimeter public streets (Hale Avenue and Riverside Parkway) and from the Riverfront Trail.

1. Street Frontage Landscaping. Within all land use areas, the owner shall provide and maintain a minimum 10-foot-wide street frontage landscape area adjacent to the public right-of-way except no street frontage landscaping is required when the setback for a building is 10 feet or less.
2. Parking Lot Landscaping. Perimeter and interior landscaping of parking lots is required per GJMC Section 21.06.040(c).
3. All other areas on any site not used for building, storage, parking, walks, access roads, loading areas and other outdoor hardscape areas, including adjacent undeveloped right-of-way shall be suitably graded and drained, and planted and

maintained with mulch, groundcover, flowers, trees and/or shrubs.

4. Landscaping/Screening Buffer. No landscaping/screening buffer is required between adjacent uses with the exception of screening service entrances, loading areas and dumpster areas which shall be screened from adjacent residential uses.

5. Plant Material and Design. Xeric landscaping principles will be implemented. Vegetation must be suitable for the climate and soils of the Grand Valley. The Director may allow the use of any plant if sufficient information is provided to show suitability. Noxious weeds are not allowed. Size of plants at planting shall meet requirements of GJMC Section 21.06.040(b)(5).

D. Service Entrances, Loading and Dumpster Areas

1. Service entrances, loading areas and dumpster areas shall be oriented in the rear or side yard only so as to minimize the impact on the public view corridors, areas open for public enjoyment and areas of residential use.

2. Operation of loading areas shall not interfere with traffic circulation such as drive aisles, pedestrian areas and public streets unless outside of regular business hours.

3. Shared loading areas are encouraged among tenants of a building or with neighboring buildings.

E. Outdoor Storage and Display

1. Where allowed as accessory to a primary land use or structure, outdoor storage shall be located on a site where least visible from a public right-of-way or Riverfront Trail.

2. If allowed, outdoor storage areas shall be screened in accordance with GJMC Section 21.04.040(h). Acceptable screening consists of any combination of fences, walls, berms and landscaping that is approximately six feet in height and provides a permanent, opaque, year-round screening around the entire perimeter of the outdoor storage area. Plant materials are encouraged as screening. Fences shall only be made of materials referenced in the Fencing section below.

3. Display area for portable retail merchandise (items that can be taken inside at the close of business) is allowed, provided it meets the requirements of GJMC Section 21.04.040(h)(3).

4. Location of permanent outdoor display areas shall be established with site plan approval.

F. Fencing

1. All fencing shall be made of either wood, vinyl, wrought iron or masonry wall materials. No chain link or wire fencing of any kind is allowed with the following exceptions: a) All development within the Light Industrial/Commercial areas; and b) a wire grid other than chain link may be set within a wooden or masonry frame in all areas.

2. Fencing on an individual site for purposes of enclosing a site is strongly discouraged however, it may be allowed for specific reasons such as public safety, protection of equipment and materials or for liquor license compliance. Fencing may be used to enclose an outdoor space (e.g. dining/patio) and shall be no taller than 42 inches (3.5 feet). If feasible, provide an opening in these enclosures if adjacent to the Riverfront Trail.
3. The maximum height of any fence in the Light Industrial/Commercial areas of the Riverfront at Dos Rios is 8 feet. Maximum height of all other fencing in the development is 6 feet unless an outdoor space enclosure as above.
4. Fences shall be kept in good repair and condition at all times. Maintenance of fencing shall be the responsibility of the property owner on the site upon which the fencing is located.

G. Lighting

1. All new land uses, structures, building additions, parking areas or other outdoor areas within the Riverfront at Dos Rios development shall meet the following lighting standards.
 - a. No outdoor lights shall be mounted more than 35 feet above the ground. Lighting located near buildings and adjacent to sidewalks shall not exceed 12 feet in height.
 - b. All outdoor lights shall use full cutoff light fixtures except for pedestrian lighting under 3 feet in height (e.g. pathway lighting).
 - c. Outdoor lighting for mixed use and industrial areas are encouraged to be used only during business hours. Light fixtures on timers and/or sensor-activated lights are encouraged to minimize overall lighting on a site and within the development.
 - d. Architectural lighting shall not be used to draw attention to or advertise buildings or properties. Architectural lighting may be used to highlight specific architectural, artistic or pedestrian features with the intent of providing accent and interest or to help identify entryways.
2. A lighting plan shall be submitted for all parking lots that contain 30 spaces or more.
 - a. The lighting plan shall detail the location and specifications of all lighting to be provided on site. An ISO foot candle diagram shall also be provided to indicate the level and extent of proposed lighting.
 - b. Where nonresidential uses abut residential uses, the Director may require a lighting plan for lots that contain fewer than 30 parking spaces.
 - c. Lighting intensity shall meet the requirements of GJMC Section 21.06.080.

H. Signs

1. Flush wall signs, projecting signs and monument signs shall be the only sign types allowed within the Riverfront at Dos Rios except roof-mounted signs may be allowed within the Mixed Use/Outdoor Recreation areas.
2. Monument signs shall be located no closer than 2 feet from the front property line.
3. Total sign area shall not exceed 25 square feet per street frontage in the Mixed Use Areas 1, 2 and 3 all Parks and Recreation areas. The maximum size for any sign in these areas is 25 square feet. An additional sign of up to 25 square feet in size may be placed on the Riverfront Trail side of properties within Mixed Use Area 4.
4. Total sign area shall not exceed 100 square feet per street frontage in the Mixed Use Outdoor Recreation and Light Industrial/Commercial areas. The maximum size for any sign in these areas is 50 square feet.
5. In all land use areas, the sign allowance for one street frontage may be transferred to a side of a building that has no street frontage but cannot be transferred to another street frontage.
6. In all land use areas, monument signs shall not exceed 8 feet in height.
7. Sign lighting, if desired, must only illuminate the sign face and shall not produce glare. Individual letters used in the sign may be internally illuminated, but full backlit, cabinet signs are not allowed. In the Mixed Use area, signs are encouraged to only be lighted during business hours.
8. Off-premise advertising signs, digital signs, digital display signs, and electronic signs of any type are not permitted within Riverfront at Dos Rios.
9. All proposed signage should be depicted on the site plan and approved concurrent with the site plan.

2. ARCHITECTURAL STANDARDS

It is the intent of the following provisions that all structures shall be designed and constructed in a manner that provides an aesthetically pleasing appearance and be harmonious with the overall Riverfront at Dos Rios development.

A. All buildings shall be designed to include at least four of the following elements to create the desired overall character of the development, increase visual interest and create continuity of mass and scale. Refer to examples A and B below.

1. Variation of materials, texture or surface relief on exterior facades to break up large building forms and walls.
2. Façade articulation/modulation such as recessed and projecting elements

or defined, smaller bays.

3. Roofline variation, vertically or horizontally, that adds visual interest such as overhang/eaves, multiple planes, raised cornice parapets over doors or bays and peaked roof forms.

4. Wall recesses or projections that break up scale and massing.

5. Defined entry: façade feature that emphasizes the primary building entrance through projecting or recessed forms, detail, color and/or materials.

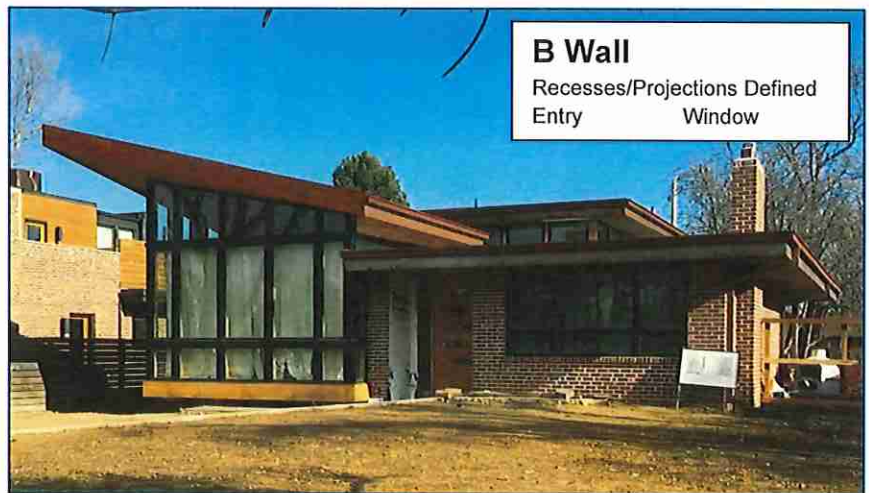
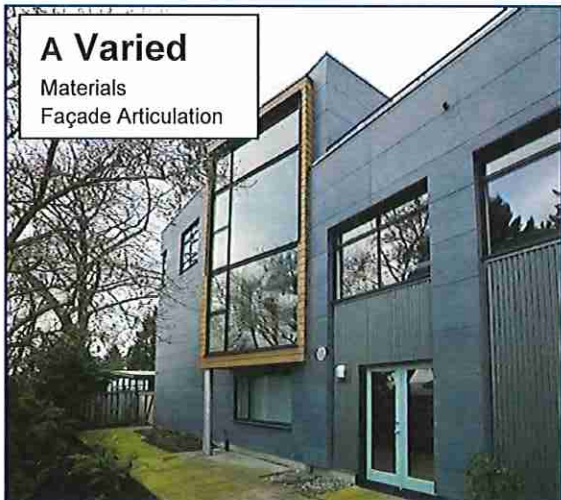
6. Window sizes and shapes which break up the façade and provide visual variety and a pedestrian character.

7. Extension of building space to outdoor pedestrian space that is integrated with the overall building design.

8. Other architectural details that provide visual interest such as:

- use of accent colors
- awnings or porticoes
- other variations in materials, details, surface relief and texture.

9. Building(s) on the site utilize renewable energy sources or passive solar.

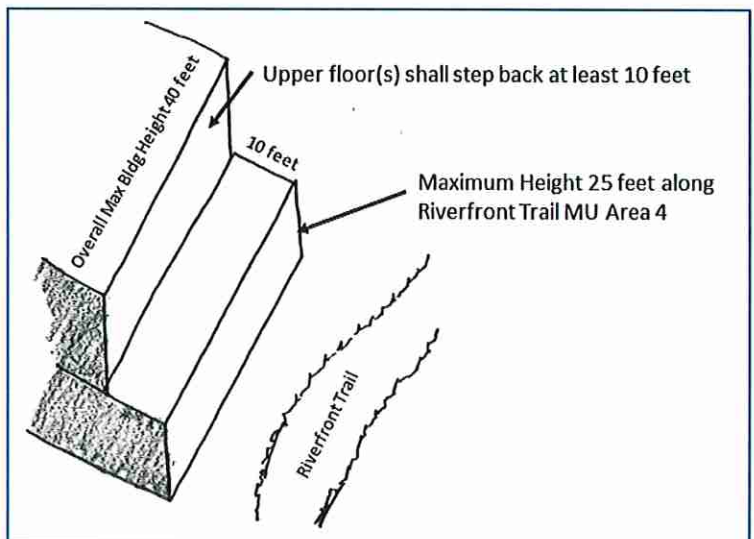
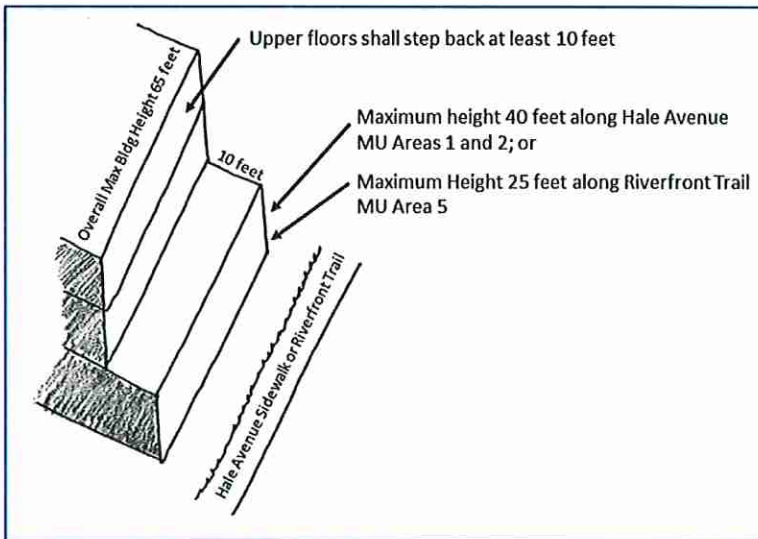


B. Buildings along Hale Avenue in Mixed Use Areas 1 and 2 shall be set back a minimum of 10 feet from the right-of-way.

C. Buildings and structures along the Riverfront Trail (Mixed Use/Outdoor Recreation and Mixed Use Areas 4 and 5) shall be set back a minimum of 10 feet from the property line.

D. Scale and massing of buildings or portions of buildings along Hale Avenue and the Riverfront Trail shall be of pedestrian scale. Buildings in these area shall step down

such that the façade facing Hale Avenue is no taller than 40 feet and no taller than 25 feet if facing the Riverfront Trail. Minimum depth of the step back shall be 10 feet.



E. Exterior building materials shall be durable, well maintained and of a high quality.

F. Colors, materials, finishes and building forms for all buildings shall be coordinated in a consistent and harmonious manner on all visible elevations, facades and sides of the building.

G. All roof-mounted mechanical equipment, roof structures, and the like shall be shielded or screened from view from the public rights-of-way and the Riverfront Trail. Materials used for shielding or screening shall be harmonious with the materials and colors used in roof.

H. For all commercial buildings or buildings that have commercial uses on the first floor, glass/transparent material shall be used at a building entrance or on exterior walls, where appropriate, to invite public interaction on a pedestrian level and provide enhanced natural lighting.

I. Buildings in the Mixed Use areas, shall provide an entrance providing both ingress and egress, operable during normal business hours, on the street-facing facade. Additional entrances off another street, pedestrian area or internal parking area are permitted.

J. Buildings in Mixed Use Area 4 that have frontage on both a public street and the Riverfront Trail, shall provide entrances on both facades.

Introduced for first reading on this 6th day of January 2021 and ordered published in pamphlet form.

PASSED and ADOPTED this 20th day of January 2021 and ordered published in pamphlet form.



President of City Council

ATTEST:



City Clerk



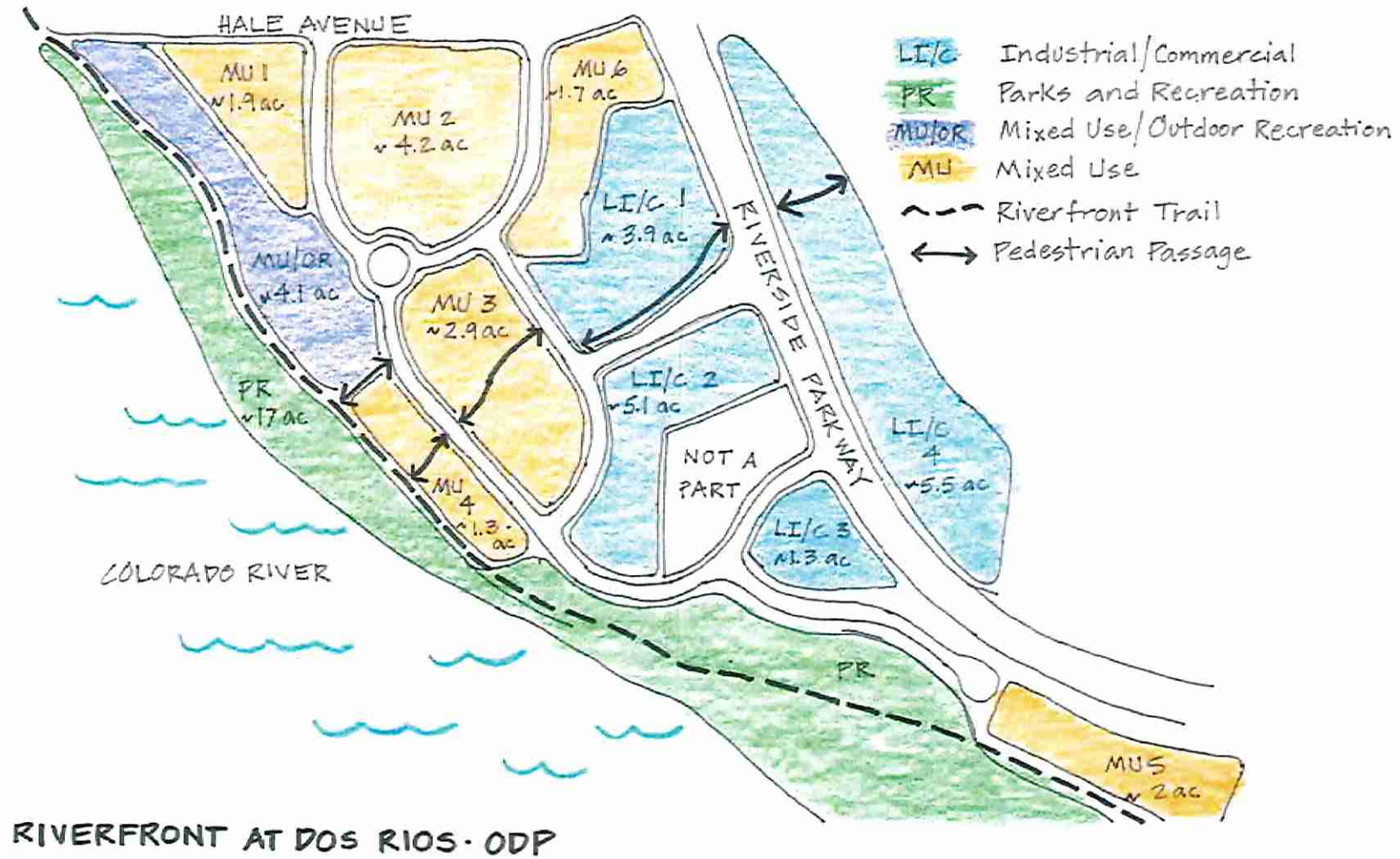
EXHIBIT A

GREEN AREAS – New Parcels

RED OUTLINE – Original ODP Boundary



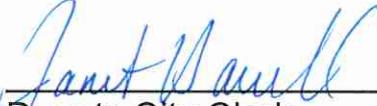
EXHIBIT B



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4982 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 6th day of January 2021 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 20th day of January 2021, at which Ordinance No. 4982 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 22nd day of January 2021.


Deputy City Clerk

Published: January 08, 2021
Published: January 22, 2021
Effective: February 21, 2021



**CITY OF GRAND JUNCTION, COLORADO
ORDINANCE _____**

**AN ORDINANCE AMENDING ORDINANCE 4928 4982
TO REZONE TO PLANNED DEVELOPMENT (PD)
AND AN OUTLINE DEVELOPMENT PLAN (ODP) FOR
THE RIVERFRONT AT DOS RIOS**

**LOCATED ON THE NORTHEAST BANK OF THE COLORADO RIVER
BETWEEN HIGHWAY 50 AND HALE AVENUE**

Recitals:

The requested amended Planned Development (PD) zoning and Outline Development Plan (ODP) will rezone and add properties recently acquired by the City to the area known as The Riverfront at Dos Rios development. All of the properties, those initially part of the Planned Development and those being added, have never been used or held for park or other governmental purposes but instead for possible reuse/redevelopment; the PD and ODP will further that opportunity. The request for the rezone and amendment to the PD and ODP have been submitted in accordance with the Zoning and Development Code (Code).

In public hearings, the Planning Commission and City Council reviewed the request for the proposed amendment and determined that the proposed amended PD and ODP satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed ODP has achieved "long-term community benefits" by effective infrastructure design; providing for ongoing and enhanced recreational opportunities; protection and/or preservation of natural resources, habitat areas and natural features; and innovative design.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREAS DESCRIBED BELOW AND THOSE IN THE PLANNED DEVELOPMENT AND OUTLINE DEVELOPMENT PLAN BOUNDARIES, NONE OF WHICH HAVE EVER BEEN USED OR HELD FOR PARK OR OTHER GOVERNMENTAL PURPOSES BUT INSTEAD FOR REUSE/REDEVELOPMENT, ARE ZONED FROM INDUSTRIAL OFFICE (I-O) TO PLANNED DEVELOPMENT (PD), FOLLOWING THE SAME DEFAULT ZONE AND STANDARDS ESTABLISHED IN ORDINANCE 4928 4982 EXCEPT AS NOTED BELOW:

A. This Ordinance applies to all property(ies), including but not limited to those specifically described as follows, in the Development Boundary depicted in Exhibit A and the ODP depicted in Exhibit B, each as amended:

All of Lots 6A and 6B at Riverfront at Dos Rios Filing Four containing 4.44 acres
recorded 5/25/2021 at Reception Number 2982694;

Lots 1 through 5, 7 through 11, and Tract A of Riverfront at Dos Rios Filing 3 containing 99.67 acres recorded 9/16/2020 at Reception Number 2942736.

535 Hale Avenue: Lot 16 Riverfront at Dos Rios Filing One located within Section 22 and 23 1S 1W UM recorded 5/16/2019 At Reception number 2880032 Mesa County Records containing 4.20 acres;

2600 Riverside Parkway: Lot 1 Jarvis Subdivision Filing 1 located within Sections 15, 22 and 23 Township 1 South, Range 1 West UM recorded 2/21/2017 at Reception Number 2790938 Mesa County Records Containing 5.53 Acres; and

2600 Dos Rios Drive: Lot 12 Jarvis Subdivision Filing 3 located within Section 22 Township 1 South, Range 1 West UM recorded 3/23/2018 at Reception Number 2834555 Mesa County Records Containing 2.00 Acres; and

B. The Riverfront at Dos Rios Outline Development Plan (Exhibit B) is approved with the Findings of Fact and Conclusions listed in the Staff Report, including attachments and exhibits.

C. Phasing of the Riverfront at Dos Rios Planned Development shall be per the validity standards of GJMC Section 21.02.080(n).

D. If the Planned Development approval expires or becomes invalid for any reason, the properties shall be fully subject to the default standards of the BP Zoning District.

E. The default zone shall be BP with the following deviations to the dimensional standards.

Primary Uses			
Employment, Light Manufacturing, Multifamily, Retail, Commercial Services			
Lot			
Area (min. acres)	No Minimum except .5 in LI/C		
Width (min. ft.)	25**		
Frontage (min. ft.)	n/a		
Setback	Principal	Accessory	
Front (min. ft.)	0-10*		10
Side (min. ft.)	0		3
Rear (min. ft.)	0		5
Bulk			

Lot Coverage (max.)	n/a
Height (max. ft.)	65 except 40 feet in Mixed Use Area 4
Density (min.)	12 units/acre
Density (max.)	No Max
Building Size (max. sf)	n/a

* Refer to the Architectural standards

** Minimum lot area, lot width and lot frontage do not apply to single-family attached dwellings, two-family dwellings, or multifamily.

F. The allowed land uses shall be assigned by areas as depicted ~~on the Outline Development Plan (ODP) in Exhibit B~~ and summarized in the table below. Uses will be as defined and shall be consistent with GJMC Codes and Standards as amended.

A = Allowed; C = Conditional Use; Blank = Not Allowed

ALLOWED LAND USE	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
Business Residence	A	A	A	
Multifamily	A			
Single Family Attached *	A			
Home Occupation	A	A	A	
Small Group Living Facility	A			
Large Group Living Facility	A			
Unlimited Group Living Facility	A			
Rooming/Boarding House	A			
Colleges and Universities	A	A		
Vocational, Technical and Trade Schools	A	A		
Community Activity Building	A	A	A	A
All Other Community Service	A	A	A	A

	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
ALLOWED LAND USE				
Museums, Art Galleries, Opera Houses, Libraries	A	A		
General Day Care	A	A		
Medical and Dental Clinics	A	A		
Counseling Centers (Nonresident)	A	A		
All Other Hospital/Clinic	C	A		
Physical and Mental Rehabilitation (Resident)	C			
Parks, Lakes, Reservoirs, Other Open Space	A	A	A	A
Religious Assembly	A	A	A	
Boarding Schools	A			
Elementary Schools	A			
Secondary Schools	A			
Utility Service Facilities (Underground)	A	A	A	A
All Other Utility, Basic	A	A	A	A
Transmission Lines (Above Ground)	A	A	A	A
Transmission Lines (Underground)	A	A	A	A
All Other Utility Treatment, Production or Service Facility	C	C	C	C
Entertainment Event, Major				
Indoor Facilities	A	C		
Outdoor Facilities	C	C	C	C
Hotels and Motels	A	A	A	
Short-Term Rentals	A	A	A	
Office				
General Offices	A	A		
Recreation and Entertainment, Outdoor				

	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
ALLOWED LAND USE				
Campgrounds and Camps (nonprimitive)	A		A	
Resort Cabins and Lodges	A		A	
Amusement Park, Miniature Golf			A	
Campgrounds, Primitive				A
Swimming Pools, Community		A	A	
All Other Outdoor Recreation			A	A
Recreation and Entertainment, Indoor				
Health Club	A	A	A	
Movie Theater, Skating Rink, Arcade	A	A		
All Other Indoor Recreation	A			
Alcohol Sales, Retail	A			
Bar/Nightclub	A	A	A	
Animal Care/ Boarding/Sales, Indoor	A	A		
Animal Care/ Boarding/Sales, Outdoor		A		
Food Service, Restaurant (Including Alcohol Sales)	A	A	A	
Farmers' Market	A	A	A	
General Retail Sales, Indoor Operations, Display and Storage	A	A	A	
Produce Stands	A	A	A	
Personal Services	A	A		
All Other Retail Sales and Services	A	A	A	
Manufacturing Indoor Operations and Storage				
Assembly		A		
Food Products		A		
Manufacturing/Processing		A		
Manufacturing Indoor Operations and Outdoor Storage				
Assembly		A		

ALLOWED LAND USE	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
Food Products		A		
Manufacturing/Processing		A		
Self-Service Storage				
Mini-Warehouse		A**		
Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without Hazardous Materials				
Research, Testing and Laboratory Facilities – Indoors (includes Marijuana Testing Facilities)		A**		
Telecommunications Facilities				
Facilities on Wireless Master Plan Priority Site in Accordance with Wireless Master Plan Site-Specific Requirements	A	A	A	A
Temporary PWSF (e.g. COW)	A	A	A	A
Co-Location	A	A	A	A
Tower Replacement	A	A	A	A
Dual Purpose Facility	A	A	A	A
DAS and Small Cell Facilities	A	A	A	A
Base Station with Concealed Attached Antennas	A	A	A	A
Base Station with Non-Concealed Attached Antennas	C	C	C	C
Tower, Concealed	C	C	C	C
Bus/Commuter Stops	A	A	A	A

* Single Family Attached. A one-family dwelling attached to one or more other one-family dwelling by common walls and located entirely on its own lot.

** Only allowed in LI/C East of Riverside Parkway

G. DESIGN GUIDELINES AND STANDARDS FOR THE DOS RIOS PLANNED DEVELOPMENT

1. SITE DEVELOPMENT

A. Access

In order to maximize the on-street parking available for residents, employees and customers of all properties within the development, site access to the public streets shall be minimized and shared to the greatest extent feasible.

B. Parking

Streets within Riverfront at Dos Rios ~~shall be~~ have been constructed, and access controlled so as to allow and encourage on-street parking on both sides of the street. ~~There will also be a common public parking lot located near the center of the development.~~ Combined, there will be approximately 350 common parking spaces available for residents, employees, and customers of all properties within the development to utilize. In addition, it is anticipated that a number of uses within the development will be able to share parking due to overlapping hours of operation and demand.

1. Off-street parking for uses developed with the Riverfront at Dos Rios shall be minimized as much as feasible.

Mixed Use Areas 3 and 4: No Parking Requirement

All Other Areas: Provide 1 off-street parking space per residential unit and provide 25 percent of off-street parking as required by GJMC Section 21.06.050(c) for all other uses. An alternative parking plan may be provided under 21.06.050(e)(e).

2. Off-street parking for multifamily or mixed-use development shall not be located in the front yard setback. Parking shall be in the rear or side yards or that area which is less visible from public street rights-of-way or the Riverfront Trail.

3. Develop pedestrian links between the on-street sidewalk and building entrances and between parking areas and rear or side entrances or public access points.

C. Landscaping

The intent of landscaping within the Riverfront at Dos Rios is to create overall visual continuity throughout that is sensitive to, and blends with, the visual character of adjacent areas. Landscaping will enhance the aesthetics of the overall site, particularly as it is viewed from the perimeter public streets (Hale Avenue and Riverside Parkway) and from the Riverfront Trail.

1. Street Frontage Landscaping. Within all land use areas, the owner shall provide and maintain a minimum 10-foot-wide street frontage landscape area adjacent to the public right-of-way except no street frontage landscaping is required when the setback for a building is ~~10 feet or less~~ than 10 feet.

2. Parking Lot Landscaping. Perimeter and interior landscaping of parking lots is required per GJMC Section 21.06.040(c).

3. All other areas on any site not used for building, storage, parking, walks, access roads, loading areas and other outdoor hardscape areas, including adjacent undeveloped right-of-way shall be suitably graded and drained, and planted and maintained with mulch, groundcover, flowers, trees and/or shrubs.

4. Landscaping/Screening Buffer. No landscaping/screening buffer is required between adjacent uses with the exception of screening service entrances, loading areas and dumpster areas which shall be screened from adjacent residential uses.

5. Plant Material and Design. Xeric landscaping principles will be implemented. Vegetation must be suitable for the climate and soils of the Grand Valley. The Director may allow the use of any plant if sufficient information is provided to show suitability. Noxious weeds are not allowed. Size of plants at planting shall meet requirements of GJMC Section 21.06.040(b)(5).

D. Service Entrances, Loading and Dumpster Areas

1. Service entrances, loading areas and dumpster areas shall be oriented to the side or rear of principal structures ~~in the rear or side yard only~~ so as to minimize the impact on the public view corridors, areas open for public enjoyment and areas of residential use.

2. Operation of loading areas shall not interfere with traffic circulation such as drive aisles, pedestrian areas and public streets unless outside of regular business hours.

3. Shared loading areas are encouraged among tenants of a building or with neighboring buildings.

E. Outdoor Storage and Display

1. Where allowed as accessory to a primary land use or structure, outdoor storage shall be located on a site where least visible from a public right-of-way or Riverfront Trail.

2. If allowed, outdoor storage areas shall be screened in accordance with GJMC Section 21.04.040(h). Acceptable screening consists of any combination of fences, walls, berms and landscaping that is approximately six feet in height and provides a permanent, opaque, year-round screening around the entire perimeter of the outdoor storage area. Plant materials are encouraged as screening. Fences shall only be made of materials referenced in the Fencing section below.

3. Display area for portable retail merchandise (items that can be taken inside at the close of business) is allowed, provided it meets the requirements of GJMC Section 21.04.040(h)(3).

4. Location of permanent outdoor display areas shall be established with site plan approval.

F. Fencing

1. All fencing shall be made of either architectural metal panel, wood, vinyl, wrought iron or masonry wall materials. No chain link or wire fencing of any kind is allowed with the following exceptions: a) All development within the Light Industrial/Commercial areas; and b) a wire grid other than chain link may be set within a wooden or masonry frame in all areas.

2. Fencing on an individual site for purposes of enclosing a site is strongly discouraged however, it may be allowed for specific reasons such as public safety, protection of equipment and materials or for liquor license compliance. Fencing may be used to enclose an outdoor space (e.g. dining/patio) and shall be no taller than 42 inches (3.5 feet). If feasible, provide an opening in these enclosures if adjacent to the Riverfront Trail.

3. The maximum height of any fence in the Light Industrial/Commercial areas ~~of the Riverfront at Dos Rios~~ and Mixed-Use areas that abut Riverside Parkway is 8 feet. Maximum height of all other fencing in the development is 6 feet unless an outdoor space enclosure as above.

4. Fences shall be kept in good repair and condition at all times. Maintenance of fencing shall be the responsibility of the property owner on the site upon which the fencing is located.

G. Lighting

1. All new land uses, structures, building additions, parking areas or other outdoor areas within the Riverfront at Dos Rios development shall meet the following lighting standards.

a. No outdoor lights shall be mounted more than 35 feet above the ground. Lighting located near buildings and adjacent to sidewalks shall not exceed ~~42~~ 15 feet in height.

b. All outdoor lights shall use full cutoff light fixtures except for pedestrian lighting under 3 feet in height (e.g. pathway lighting).

c. Outdoor lighting for mixed use and industrial areas are encouraged to be used only during business hours. Light fixtures on timers and/or sensor-activated lights are encouraged to minimize overall lighting on a site and within the development.

d. Architectural lighting shall not be used to draw attention to or advertise buildings or properties. Architectural lighting may be used to highlight specific architectural, artistic or pedestrian features with the intent of providing accent and interest or to help identify entryways.

2. A lighting plan shall be submitted for all parking lots that contain 30 spaces or more.

- a. The lighting plan shall detail the location and specifications of all lighting to be provided on site. An ISO foot candle diagram shall also be provided to indicate the level and extent of proposed lighting.
- b. Where nonresidential uses abut residential uses, the Director may require a lighting plan for lots that contain fewer than 30 parking spaces.
- c. Lighting intensity shall meet the requirements of GJMC Section 21.06.080.

H. Signs

1. Flush wall signs, projecting signs and monument signs shall be the only sign types allowed within the Riverfront at Dos Rios except roof-mounted signs may be allowed within the Mixed Use/Outdoor Recreation areas.
2. Monument signs shall be located no closer than 2 feet from the front property line.
3. Total sign area shall not exceed 25 square feet per street frontage in the Mixed Use Areas 1, 2 and 3 all Parks and Recreation areas. The maximum size for any sign in these areas is 25 square feet. An additional sign of up to 25 square feet in size may be placed on the Riverfront Trail side of properties within Mixed Use Area 4.
4. Total sign area shall not exceed 100 square feet per street frontage in the Mixed Use Outdoor Recreation and Light Industrial/Commercial areas. The maximum size for any sign in these areas is 50 square feet.
5. In all land use areas, the sign allowance for one street frontage may be transferred to a side of a building that has no street frontage but cannot be transferred to another street frontage.
6. In all land use areas, monument signs shall not exceed 8 feet in height.
7. Sign lighting, if desired, must only illuminate the sign face and shall not produce glare. Individual letters used in the sign may be internally illuminated, but full backlit, cabinet signs are not allowed. In the Mixed Use area, signs are encouraged to only be lighted during business hours.
8. Off-premise advertising signs, digital signs, digital display signs, and electronic signs of any type are not permitted within Riverfront at Dos Rios.
9. All proposed signage should be depicted on the site plan and approved concurrent with the site plan.

2. ARCHITECTURAL STANDARDS

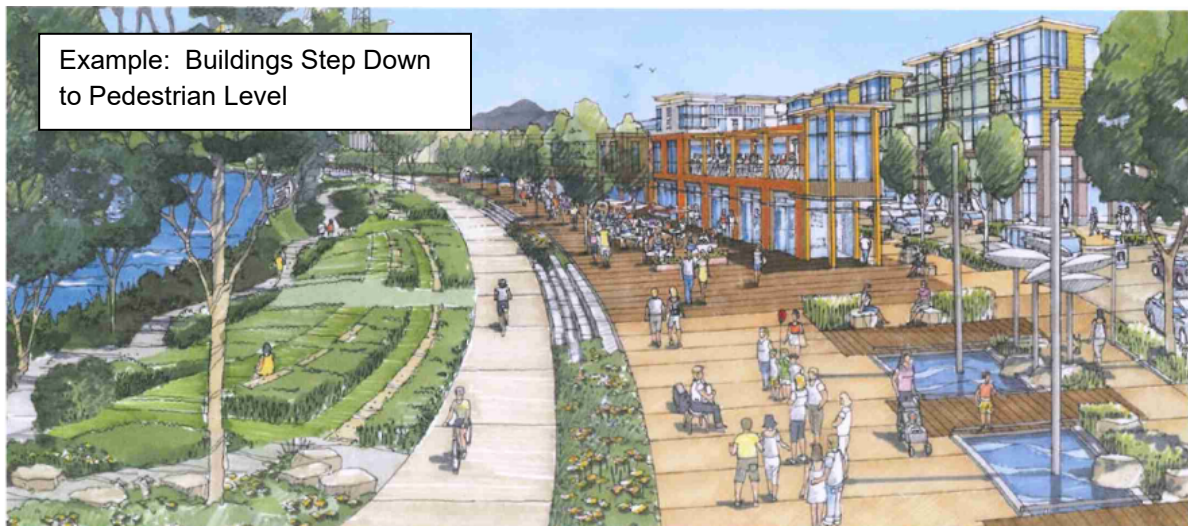
It is the intent of the following provisions that all structures shall be designed and constructed in a manner that provides an aesthetically pleasing appearance and be harmonious with the overall Riverfront at Dos Rios development.

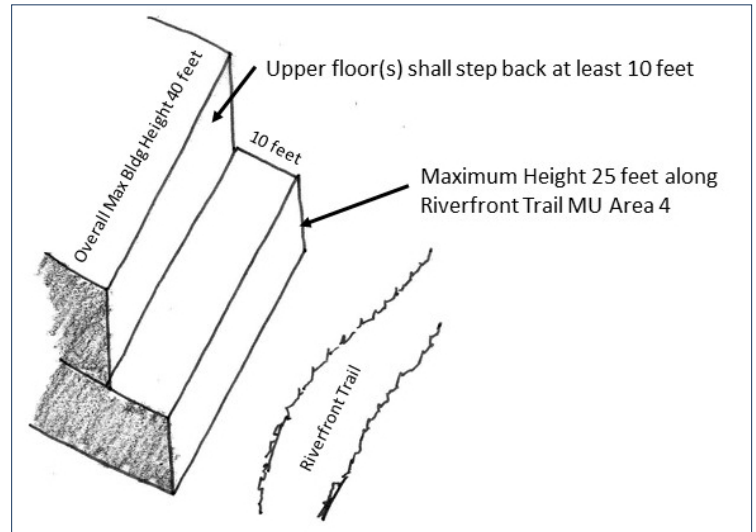
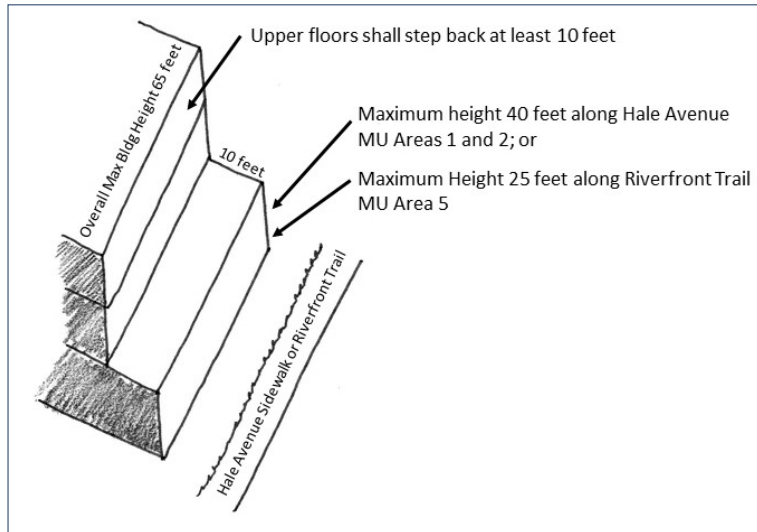
A. All buildings shall be designed to include at least four of the following elements to create the desired overall character of the development, increase visual interest and create continuity of mass and scale. Refer to examples A and B below. Structures incorporating shipping containers (also known as steel intermodal containers) are also required to incorporate at least four of the following elements.

1. Variation of materials, texture or surface relief on exterior facades to break up large building forms and walls.
2. Façade articulation/modulation such as recessed and projecting elements or defined, smaller bays.
3. Roofline variation, vertically or horizontally, that adds visual interest such as overhang/eaves, multiple planes, raised cornice parapets over doors or bays and peaked roof forms.
4. Wall recesses or projections that break up scale and massing.
5. Defined entry: façade feature that emphasizes the primary building entrance through projecting or recessed forms, detail, color and/or materials.
6. Window sizes and shapes which break up the façade and provide visual variety and a pedestrian character.
7. Extension of building space to outdoor pedestrian space that is integrated with the overall building design.
8. Other architectural details that provide visual interest such as:
 - use of accent colors
 - awnings or porticoes
 - other variations in materials, details, surface relief and texture.
9. Building(s) on the site utilize renewable energy sources or passive solar.



- B. Buildings along Hale Avenue in Mixed Use Areas 1 and 2 shall be set back a minimum of 10 feet from the right-of-way.
- C. Buildings and structures along the Riverfront Trail (Mixed Use/Outdoor Recreation and Mixed Use Areas 4 and 5) shall be set back a minimum of 10 feet from the property line.
- D. Scale and massing of buildings or portions of buildings along Hale Avenue and the Riverfront Trail shall be of pedestrian scale. Buildings in these area shall step down such that the façade facing Hale Avenue is no taller than 40 feet and no taller than 25 feet if facing the Riverfront Trail. Minimum depth of the step back shall be 10 feet.





E. Exterior building materials shall be durable, well maintained and of a high quality.

F. Colors, materials, finishes and building forms for all buildings shall be coordinated in a consistent and harmonious manner on all visible elevations, facades and sides of the building.

G. All roof-mounted mechanical equipment, roof structures, and the like shall be shielded or screened from view from the public rights-of-way and the Riverfront Trail. Materials used for shielding or screening shall be harmonious with the materials and colors used in roof.

H. For all commercial buildings or buildings that have commercial uses on the first floor, glass/transparent material shall be used at a building entrance or on exterior walls, where appropriate, to invite public interaction on a pedestrian level and provide enhanced natural lighting.

I. Buildings in the Mixed Use areas, shall provide an entrance providing both ingress and egress, operable during normal business hours, on the street-facing facade. Additional entrances off another street, pedestrian area or internal parking area are permitted.

J. Buildings in Mixed Use Area 4 that have frontage on both a public street and the Riverfront Trail, shall provide entrances on both facades.

Introduced for first reading on this ____ day of _____, 2022 and ordered published in pamphlet form.

PASSED and ADOPTED this ____ day of _____, 2022 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

EXHIBIT A

GREEN AREAS – New Parcels

RED OUTLINE – Original ODP Boundary



EXHIBIT B

