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**CITY COUNCIL AGENDA
WEDNESDAY, FEBRUARY 7, 2024
250 NORTH 5TH STREET - AUDITORIUM
5:30 PM – REGULAR MEETING**

Call to Order, Pledge of Allegiance, Moment of Silence

Proclamations

Proclaiming February 2024 as Black History Month

Public Comments

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

The public has four options to provide Public Comments: 1) in person during the meeting, 2) virtually during the meeting (registration required), 3) via phone by leaving a message at 970-244-1504 until noon on Wednesday, February 7, 2024 or 4) submitting comments [online](#) until noon on Wednesday, February 7, 2024 by completing this form. Please reference the agenda item and all comments will be forwarded to City Council.

City Manager Report

Boards and Commission Liaison Reports

CONSENT AGENDA

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

1. Approval of Minutes

- a. Minutes of the January 17, 2024 Regular Meeting
- b. Minutes of the January 30, 2024 Special Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Extending the Skilled Gaming Moratorium and Setting a Hearing for February 21, 2024
- b. Quasi-judicial
 - i. Introduction of an Ordinance to Rezone 17.37 Acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) Located at 2428 H Road and Setting a Hearing for February 21, 2024
 - ii. Introduction of an Ordinance to Rezone 7.11 Acres from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac), Located at 2651 Stacy Drive and Setting a Hearing for February 21, 2024
 - iii. Introduction of an Ordinance to Amend the Planned Development Zoning and 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 and Setting a Hearing for February 21, 2024

3. Procurements

- a. Purchase Link Belt 210 X4 Excavator
- b. Authorization for an On-Call Contract for Professional Geotechnical Engineering Services

4. Resolutions

- a. A Resolution Establishing EV Vehicle Parking Rates
- b. A Resolution Authorizing a Grant Application for the Local Planning Capacity Grant Program to Support a Third-Party Evaluation of the Development Review Process to Fast-Track Affordable Housing Projects

REGULAR AGENDA

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

5. Resolutions

- a. A Resolution Approving ARPA Funding to Colorado Mesa University Foundation for the Master of Social Work Student Loan Repayment Program

6. Public Hearings

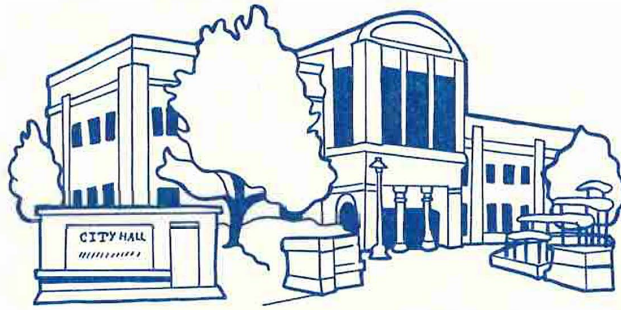
- a. Quasi-judicial
 - i. An Ordinance Approving a Rezone for Approximately 0.75 Acres from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac), Located at 696 Sperber Lane

7. Non-Scheduled Comments

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

8. Other Business

9. Adjournment



City of Grand Junction, State of Colorado

Proclamation

Whereas, in 1986, President Ronald Reagan issued a Presidential Proclamation stating that “the foremost purpose of Black History Month is to make all Americans aware of this struggle for freedom and equal opportunity. ... that this month was a time to celebrate the many achievements of African Americans in every field from science and the arts to politics and religion”; and

Whereas, Black History Month affords a special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have contributed to the progress of our nation and our community; and

Whereas, such knowledge can strengthen the insight of all of our community members regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups, and the continuing struggle against racial discrimination and poverty.

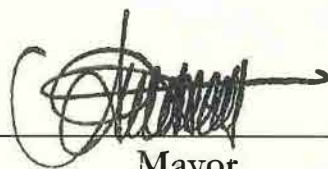
NOW, THEREFORE, I, Anna Stout, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim February 2024 as

“Black History Month”

in the City of Grand Junction and urge all citizens to join in support of justice and equality for all people.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 7th day of February 2024.



Mayor

Grand Junction City Council
Minutes of the Regular Meeting
January 17, 2024

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 17th day of January at 5:30 p.m. Those present were Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen, Randall Reitz, Dennis Simpson, and Council President Pro Tem Abe Herman. Council President Anna Stout was absent.

Also present were City Manager Greg Caton, City Attorney John Shaver, Human Resource Director Shelley Caskey, City Clerk Amy Phillips, and Deputy City Clerks Selestina Sandoval and Krystle Koehler.

Proclamation

Proclaiming January 2024 as National Crime Stoppers Month in the City of Grand Junction

Councilmember Kennedy read the proclamation, and Chalane Coit board member of Crime Stoppers of Mesa County accepted the proclamation.

Appointments

To the Visit Grand Junction Board

Councilmember Kennedy moved, and Councilmember Nguyen seconded to appoint Manon Desrosiers for a partial term ending December 2026. Motion carried by unanimous voice vote.

Public Comments

Robert Small expressed his concern regarding the Lake Road replacement lift station and suggested it be moved to a different location.

City Manager Report

City Manager Greg Caton invited the public to the Coffee with the City Manager event at 9:30 am. January 18th at the Starbucks in Barnes and Noble Booksellers, located at 2451 Patterson Road. Engineering and Transportation Director Trent Prall will join City Manager Caton to discuss the planned construction of F ½ road and welcomes community conversation.

Board and Commission Liaison Reports

Councilmember Reitz gave an update regarding the Airport Authority Board.

Councilmember Kennedy gave updates about the Grand Junction Economic Partnership and the Forestry Board.

Councilmember Simpson reported on the Horizon Drive Business Improvement District, and stated they will be interviewing for a new Executive Director.

Council President Pro Tem Abe Herman shared a brief update on the Parks and Recreation Advisory Board.

CONSENT AGENDA

1. Approval of Minutes

- a. Summary of the January 8, 2024 Workshop
- b. Minutes of the January 3, 2024 Regular Meeting
- c. Minutes of the January 3, 2024 Special Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. Introduction of an Ordinance Approving a Rezone for Approximately 0.75 Acres from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac), Located at 696 Sperber Lane, and Setting a Public Hearing for February 7, 2024

3. Resolutions

- a. A Resolution Authorizing an Application to Great Outdoors Colorado (GOCO) to Fund Outdoor Facilities at Grand Junction's First Community Recreation Center
- b. A Resolution Authorizing the Extension of the Easement Agreement Entered with TransColorado Gas Transmission Company on May 21, 1998, with the Initial Term Commencing on February 15, 1999, and Authorizing the City Manager to Negotiate and Execute the Addendum to Extend the Existing Easement Agreement for an Additional 25 years
- c. A Resolution Supporting the Application for the FY 2023-2024 Peace Officers Behavioral Health Support and Community Partnership Grant from the Colorado Department of Local Affairs (DOLA)

Councilmember Reitz moved, and Councilmember Nguyen seconded to adopt Consent Agenda Items 1-3. Motion carried by unanimous voice vote.

Regular Agenda

An Ordinance Approving 457 Match

Article XI, Section 88, of the City Charter, requires that the City Council act by ordinance to continue, alter, establish, provide for, and amend pension plans. While the City does not provide pensions for most retired employees, it does provide certain retirement plans, one of which is a deferred compensation plan in accordance with Section 457 of the Internal Revenue Code ("457 Plan"). Consistent with past City practice, the City Council considers and approves, in accordance with the Charter, changes to retirement plans. This is such an ordinance.

Human Resource Director Shelley Caskey presented this item.

Council expressed the positive benefit of employee retirement plans.

The public hearing opened at 5:53 pm.

There were no public comments.

The public hearing closed at 5:53 pm.

Councilmember Kennedy moved, and Councilmember Simpson seconded to adopt Ordinance No. 5197, an ordinance approving a 457 match, and ordered final publication in pamphlet form. The motion carried by unanimous roll call vote.

Non-Scheduled Comments

There were none.

Other Business

There was none.

Adjournment

Meeting adjourned at 5:54 pm.



Amy Phillips, CMC

City Clerk

Grand Junction City Council
Minutes of the Special Meeting
January 30, 2024

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into special session on the 30th day of January at 4:00 p.m. Those present were Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen (virtual), Randall Reitz, Dennis Simpson, Council President Pro Tem Abe Herman, and Council President Anna Stout.

Also, present were City Manager Greg Caton, City Attorney John Shaver, Housing Manager Ashley Chambers, City Clerk Amy Phillips, and Deputy City Clerks Selestina Sandoval and Krystle Koehler.

Council President Stout called the meeting to order. Councilmember Scott Beilfuss led the Pledge of Allegiance, followed by a moment of silence.

Regular Agenda

A Resolution Authorizing the City Manager to Commit and Expend Funds in Support of the Grand Junction Housing Authority Affordable Housing Development Known as "The Current," Located at 674 23 ¾ Road in Grand Junction, Colorado

The Grand Junction Housing Authority (GJHA) requested financial assistance of \$1,500,000 from the City Council to address a financing gap for the development of "The Current," a 54-unit affordable housing project. This request is crucial to meet funding requirements for the Colorado Housing and Finance Authority's (CHFA) Low-Income Housing Tax Credits application, which is due on February 1, 2024.

Housing Manager Ashley Chambers, Grand Junction Housing Authority (GJHA) CEO Jody Kole and Board Chair Rich Krohn presented this item.

Council asked about additional grant funds, fees, tax credits, how it was budgeted and assurance that the project wouldn't come back for additional funds. Council acknowledged the difficulty of affordable housing and appreciated all GJHA's hard work.

Councilmember Reitz moved, and Councilmember Kennedy seconded to adopt Resolution No. 07-24, a resolution authorizing the City Manager to expend \$1,500,000 in support of the Grand Junction Housing Authority affordable housing development known as "The Current," located at 674 23 ¾ Road in Grand Junction, Colorado. Motion carried by unanimous roll call vote.

Adjournment

Meeting adjourned at 4:51 pm.

Amy Phillips, CMC

City Clerk





Grand Junction City Council

Regular Session

Item #2.a.

Meeting Date: February 7, 2024

Presented By:

Department: City Clerk

Submitted By:

Information

SUBJECT:

Legislative

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED MOTION:

Attachments

None



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: February 7, 2024

Presented By: Tamra Allen, Community Development Director, John Shaver, City Attorney, Matt Smith, Chief of Police

Department: Community Development

Submitted By: John Shaver, City Attorney

Information

SUBJECT:

Introduction of an Ordinance Extending the Skilled Gaming Moratorium and Setting a Hearing for February 21, 2024

RECOMMENDATION:

Introduce Ordinance ____ on first reading and set a public hearing for February 21, 2024.

EXECUTIVE SUMMARY:

An extended temporary moratorium disallowing new skilled gaming businesses will allow time for the City Attorney's Office, the Grand Junction Police Department, and the City's Community Development Department to continue to review skilled gaming and will allow the City an opportunity to evaluate potential regulation, licensure, and other avenues, including coordination with the state, to better limit the impact the businesses are having on the community. By and with the adoption of Ordinance 5190, the City amended the Zoning and Development Code to define *Skilled Gaming as Adult Entertainment* and define *Gaming Arcade* (aka skilled gaming business) and the various machines, games and devices that contribute to the undesirable outcomes of the operation of those business in the city; however, further amendments, such as buffering, zoning, and permitting need to be considered.

BACKGROUND OR DETAILED INFORMATION:

With the adoption of Ordinance 5125, the City Council imposed a temporary moratorium disallowing new skilled gaming businesses in the city. With the adoption of this ordinance, the moratorium will be extended to allow the City Attorney's Office, the Grand Junction Police Department, and the City's Community Development Department to further review skilled gaming and will allow the City an opportunity to

evaluate potential regulation, licensure, and other avenues, including coordination with the state, to better limit the impact the businesses are having on the community. By and with the adoption of Ordinance 5190 the City amended the Zoning and Development Code to define *Skilled Gaming* as *Adult Entertainment* and define *Gaming Arcade* (aka skilled gaming business) and the various machines, games and devices that contribute to the undesirable outcomes of the operation of those business in the city. However, further amendments, such as buffering, zoning, and permitting need to be considered. This temporary moratorium is narrowly tailored and will further the health, safety, and welfare of the people of the City of Grand Junction.

Among other things, Ordinance 5125 prohibited the establishment of new gaming arcades or gaming uses within the City for a year. When the Ordinance was adopted, there were 16 gaming establishments operating in the city limits. Over the ensuing moratorium and proactive investigations, a number of establishments have closed with one remaining as of the date of this report. While the immediate problems created by the skilled gaming businesses have subsided, the City staff recommends that the City Council extend the moratorium period to fully understand what regulations may be necessary or required to properly regulate the businesses or whether to allow them in the city.

During 2023, there were over 250 calls for service to skilled gaming businesses in the city. The calls for service included shootings, aggravated assaults, armed robberies, warrant arrests, drug violations, weapons violations, trespassing and vandalism of surrounding businesses, child abuse and DUI/DUID. There have been six search warrants on the skilled gaming businesses and during the execution of those search warrants, there has been recoveries of several stolen guns, numerous Las Vegas style slot machines, one stolen recreational travel trailer, methamphetamine, illegal gambling proceeds, and the seizure of hard drives from these illegal gambling devices.

The businesses adjacent to the skilled gaming establishments have reported a huge decrease following the closures of the skilled gaming businesses; discarded needles, trash, trespassing, theft from autos, vandalism, and other crimes associated with the skilled gaming business locations and the patrons of those businesses have been reduced. Many neighbors have said they have started sleeping better because they are not constantly worrying about what is going to happen to their businesses overnight, and they are excited to have their businesses and neighborhoods "back to normal".

Although progress has been made, there is still work to be done to determine what, how and if the "back to normal" condition can be sustained if or when skilled gaming businesses are resumed in the city. None of the GJPD's cases related to illegal gambling at the skilled gaming businesses have been prosecuted, and until that occurs and until the City has fully studied and possibly developed a regulatory model for skilled gaming businesses, if at all, it would be premature to conclude that the problem will not reoccur. For these reasons and others, the City staff recommends that the City Council adopt Ordinance ____ and extend the moratorium on skilled gaming businesses in the city.

FISCAL IMPACT:

There is no direct fiscal impact related to this request.

SUGGESTED MOTION:

I move to introduce Ordinance ____, an ordinance to extend the moratorium on skilled gaming, on first reading, pass the ordinance for publication in pamphlet form and set a public hearing for February 21, 2024.

Attachments

1. ORD-Gaming Moratorium Extended 20240130

1 CITY OF GRAND JUNCTION, COLORADO

2 ORDINANCE NO. XXXX

3 ENACTING A MORATORIUM WITH FINDINGS, INTENT AND PURPOSE TO EXTEND THE
4 PROHIBITION ON THE ESTABLISHMENT OF ANY NEW OR RELOCATION OF EXISTING
5 GAMING ARCADES OR GAMING USES WITHIN THE CITY OF GRAND JUNCTION;
6 PROVIDING THAT THE MORATORIUM SHALL BE IN EFFECT FOR A PERIOD WHICH SHALL
7 TERMINATE AT THE EARLIEST OF THE CITY'S ADOPTION OF FURTHER AMENDMENT(S) TO
8 TITLE 21 AND/OR TITLE 9 OF THE GRAND JUNCTION MUNICIPAL CODE OR THE EXPIRATION
9 OF 365 DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE.

10 RECITALS:

11 A new type of "gray casino" business has been operating in the City of Grand Junction
12 (City) and throughout Colorado. The businesses look, feel, and operate much like Las
13 Vegas style casinos. The businesses, which are referred to as "skilled gaming", use
14 technology to operate in a gray area of the law which purports to distinguish games of
15 skill from games of chance.

16 Due to the technology, the investigation and prosecution of the businesses as illegal
17 gambling, *i.e.*, games of chance, is difficult and accordingly the skilled gaming
18 businesses continue to operate in the City. Notwithstanding some of the investigatory
19 challenges the Grand Junction Police and the Mesa County Sheriff have been
20 conducting operations to better understand the scope of the problems presented.
21 Certain of those operations have resulted in prosecutions.

22 With the passage of HB22-1412 the State's Gaming Commission was empowered to
23 investigate and prosecute crimes and enforce regulations pertaining to unlicensed
24 gaming establishments throughout Colorado; however, the Colorado Division of
25 Gaming Enforcement and Investigations Section has advised the City that the Division
26 will not operate/provide enforcement outside of the cities authorized for limited gaming
27 in Article XVIII, Section 9 of the Colorado Constitution (Blackhawk, Central City, and
28 Cripple Creek).

29 The games of skill typically offered by these businesses are video machines, similar to
30 video slot machines, which the player may win money, cryptocurrency, or other value.
31 Because these businesses operate in a gray area of the law, sometimes known as
32 simulated gambling, they are unregulated and uncontrolled under Colorado law. The
33 businesses often bring problems of increased crime, no public health oversight, and no
34 regulation of the flow of money. Because the businesses typically do not sell products, a
35 City sales tax license is not required.

36 An extended temporary moratorium disallowing new skilled gaming businesses will allow
37 time for the City Attorney's Office, the Grand Junction Police Department, and the
38 City's Community Development Department to continue to review skilled gaming and
39 will allow the City an opportunity to evaluate potential regulation, licensure, and other

avenues, including coordination with the State, to better limit the impact the businesses are having on the community.

By and with the adoption of Ordinance 5190 the City amended the Zoning and Development Code to define *Skilled Gaming as Adult Entertainment* and define *Gaming Arcade* (aka skilled gaming business) and the various machines, games and devices that contribute to the undesirable outcomes of the operation of those business in the City; however, further amendments, such as buffering, zoning, and permitting need to be considered.

This temporary moratorium is narrowly tailored and will further the health, safety, and welfare of the people of the City of Grand Junction.

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

- 1) The Recitals are incorporated herein and in light of the same, and based on the record of the hearing and adoption of this Ordinance, the City Council finds that the establishment of any new or relocation of any existing *Gaming Arcade(s)* (aka skilled gaming business) that offers or provides at any location, including a business, residence or private club, that is owned, leased, or otherwise possessed, in whole or in part, by a person or by that person's partners, affiliates, subsidiaries, agents, or contractors which features (i) slot machine(s), (ii) gambling device(s), (iii) simulated gambling device(s), or (iv) any mechanical, electrical, video, electronic, or other device, contrivance or machine which after insertion or conveyance of a coin, debit card, credit card, cash, token or similar object or upon payment of any required consideration whatsoever by a player, is available to be played or operated, and which, whether by reason of the skill of the player or application of the element of chance, or both, may deliver or entitle the player operating the machine to receive monetary compensation and/or redeemable game credits, or any other thing of value. This definition expressly includes 'fish game' 'fish game table' 'fish game gambling table' however denominated that consists of a tabletop electronic display with one or more stations featuring buttons, joysticks, or other control(s) that delivers to the player cash, cash premiums, redeemable game credits or any other thing of value for successful play, whether the redeemable payout is made from the machine, another machine, or from an employee of the business. This definition expressly excludes any business location which features bona fide amusement devices that pay nothing of value, cannot be adjusted to pay anything of value, provide only unredeemable free games, or provide only tickets redeemable for nonmonetary prizes consisting of toys or novelties of nominal value; crane games; BINGO operations, coin-operated music machines; or any bona fide amusement device authorized within restaurants by C.R.S 44-3-103(47) is(are) temporarily prohibited within the City of Grand Junction, Colorado as provided in this Ordinance.

- 2) In the City's experience as described in the record of the hearing and adoption of this Ordinance, *Gaming Arcade(s)*/skilled gaming establishments tend to give rise to blighting and deterioration of the areas in which they are located. Instances of blight and deterioration include increased property crimes, drug and other legal and illegal substance(s) being sold and abused at and/or near the businesses, gambling, and acts of violence.
- 3) In an effort to respond to and otherwise work against blight and deterioration that the City has found to be associated with Gaming Arcade(s) the City Council finds that it is necessary to preserve the public health, safety, morals, and general welfare of the residents and businesses of the City to afford additional time for City staff to evaluate the impact of Gaming Arcades, to determine and recommend to City Council whether such uses are legal and, if so, can those uses be appropriately sited within the City with appropriate regulation, whether by buffering, zoning and permitting, or any other lawful means as to prevent the specific erosion of the character of affected neighborhoods and the City in general, or whether such uses are or should be prohibited.
- 4) Imposition of Moratorium. A moratorium period is hereby declared on all new establishments not in existence or the relocation of existing establishments as of [DATE (THE EFFECTIVE DATE OF THIS ORDINANCE)], constituting Gaming Arcades (aka skilled gaming businesses), Slot Machine(s), Gambling Device(s) and Simulated Gambling Device(s) (as the same are defined in GJMC or Colorado law) from the effective date of this Ordinance, [DATE], for the period of three hundred sixty five (365) days to [DATE] (inclusive), or until further action of the City Council ending, modifying or extending this moratorium, whichever occurs first. Such further action shall be taken accordingly by ordinance of the City Council. No application(s) pertaining to sales and use tax, amendment(s) to the official zoning map, site development, liquor license, sign permit, building permit, any development permit, or renewal or transfer of any of the aforementioned shall be accepted for review by the City for the moratorium period as defined herein.

Introduced on first reading this 7th day of February 2024 and ordered published in pamphlet form.

Passed and adopted on second reading this _____ day of February 2024 and ordered published in pamphlet form.

Anna M. Stout
President of the City Council

124
125 Amy Phillips
126 City Clerk
127

DRAFT



Grand Junction Planning Commission

Regular Session

Item #2.b.i.

Meeting Date: February 7, 2024

Presented By: Niki Galehouse, Planning Supervisor

Department: Community Development

Submitted By: Niki Galehouse, Planning Supervisor

Information

SUBJECT:

Introduction of an Ordinance to Rezone 17.37 Acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) Located at 2428 H Road and Setting a Hearing for February 21, 2024

RECOMMENDATION:

Planning Commission heard this item at the January 23, 2024 meeting and voted (6 to 0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Vista 5, LLP requests a rezone of 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road. The requested R-5 zone district would be consistent with the Comprehensive Plan Land Use Map designation of Residential Low if approved.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The subject property is situated along the north side of H Road approximately 1/4 of a mile east of 24 Road. The property is currently vacant. The property was annexed by the City in 2019, at which time the site was zoned R-1 (Residential – 1 du/ac). During the annexation process, the former property owner requested a zone district of R-4 (Residential – 4 du/ac), which implemented the 2010 Comprehensive Plan designation of Residential Medium Low (2 – 4 du/ac). In December 2020, the 2020 One Grand Junction Comprehensive Plan was adopted by the City, and the subject property was provided with a future land use designation of Residential Low (2 – 5.5 du/ac). The future land use map, as adopted, does not support the R-1 zone district for either future land use designation. This property is located within Tier 2 on the Intensification and Growth Tiers Map of the Comprehensive Plan, supporting the request to intensify land

use through redevelopment in this area. The “Residential Low” land use designation within this category is implemented through zone districts which are comprised of varying housing types and lot sizes and are designed to provide a transition between the less-developed edges of the City and the denser urban areas.

The purpose of the R-5 (Residential – 5 du/ac) zone district is to provide for medium-density detached and attached dwellings and multifamily in areas where large-lot development is discouraged and adequate public facilities and services are available. The R-5 district supports the Comprehensive Plan principles of concentrating urban growth and reinforcing community centers.

In addition to the R-5 (Residential – 5 du/ac) zoning requested by the applicant, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Low:

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

The properties adjacent to the subject property to the north, west, and south are still in the County with a zoning of AFT (Agricultural, Forestry, Transitional), which provides for a maximum density of 1 lot per 5 acres. The properties to the west have a City land use designation of Residential Low, while the property to the north is not within the Persigo boundary and is not contemplated for annexation into the City. The properties to the east and south are also still in the County with a zoning of RSF-E (Residential Single Family – Estate) with a City land use of Rural Residential to the east and Residential Low to the south.

A note about the implementation of the Zoning & Development Code Update: Upon effectiveness on January 21, 2024, the R-5 zone district will transition to RL-5 (Residential Low - 5) and the development rights under the zone district will be as found in the new Zone District and Dimensional Standards. As this application was received prior to the effective date of this update, the analysis that follows is pursuant to the previous/existing Zoning & Development Code language.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held via Zoom on Thursday, August 17, 2023, in accordance with Section 21.02.080(e) of the Zoning and Development Code. The applicant and their representatives were in attendance, along with a representative from City staff and approximately 12 neighbors. The owner’s representative provided an overview of the proposed development and the reason for the rezone. There was significant discussion on the project’s impacts and how these would be managed. Residents in the area had questions about the type of development proposed, why the R-E, R-1, and R-2 zone districts were discarded, what the applicant hoped to achieve with the R-5 zoning, and what the anticipated price range was of the development. The discussion touched on the difference between the areas east and west of 24 Road, highlighting that the east was not compatible with this intensity of

development.

Notice was consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with a new application sign on November 29, 2023. Mailed notice of the public hearings before the Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on December 1, 2023. The notice of this public hearing was published December 3, 2023, in the Grand Junction Daily Sentinel. An online hearing with an opportunity for public comment was held between December 5, 2023, and December 11, 2023, through the GJSpeaks platform.

This item was continued from the December 12, 2023, Planning Commission meeting; notice was provided to meet all requirements associated with the new public hearing date. The property sign remained posted through the interim of the hearings. Updated notification cards were sent to surrounding property owners within 500 feet of the subject property on January 12, 2024. The notice of this public hearing was published on January 14, 2024, in the Grand Junction Daily Sentinel. An online hearing with an opportunity for public comment was held between January 16, 2024, and January 22, 2024, through the GJSpeaks platform.

ANALYSIS

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

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

The property owners have requested to rezone the property to R-5, which is compatible with the Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac). During the 2020 One Grand Junction Comprehensive Plan update, the land use designation on the property was changed from Residential Medium Low (2 – 4 du/ac) to Residential Low (2 – 5.5 du/ac). This process included extensive public engagement, guided by a steering committee, and the plan change was recommended by the Planning Commission and adopted by City Council. The change in the designation not only supported the minimum density of the property to remain unchanged, but demonstrated the community vision for this area to develop at an overall range that increased, with the maximum now reaching 5.5 du/ac. The current zoning of R-1 (Residential – 1 du/ac) is not supported by the Comprehensive Plan to implement either the Residential Medium Low or the Residential Low land use. While the property owner could still develop using the R-1 zone district, the requested zoning of R-5 implements the Residential Low future land use designation. Staff finds that this criterion has been met.

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

The adoption of the Comprehensive Plan in 2020, designated this property as Residential Low (2 – 5.5 du/ac). The Applicant is requesting an allowable zone district that is consistent with the higher end of the density range allowed by the Residential Low category. The character and/or condition of the area has not changed in recent years as the adjacent residential properties are currently large acreage and have not yet fully developed. However, the requested zone district is compatible with the Comprehensive Plan designation. Staff cannot identify any apparent change of character and/or condition, and therefore, staff finds that this criterion has not been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the R-5 zone district. Ute Water is presently available to the site along H Road. The property is within the Persigo boundary, with adequate capacity for development and infrastructure that is proximate and can be extended to the property. The property can be served by Xcel Energy natural gas and Grand Valley Power electricity. Appleton Elementary School is about 6/10 mile to the west and Canyon View Park is located approximately a mile to the southwest. Further to the south along Patterson Road are commercial retail centers that include Mesa Mall, offices, convenience stores with gas islands, restaurants, commercial businesses, and a grocery store. Community Hospital is also nearby on G Road.

The area is currently served by Fire Station #3, providing estimated response times six to eight minutes from time of dispatch for an emergency call for service, which is longer than National Fire Protection Association response time standards. However, property has been acquired and a new fire station, future #7, has been included in the capital budget for 2024.

In general, staff has found public and community facilities are adequate to serve the type and scope of the residential land use proposed. As such, staff finds this criterion has been met.

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

There is minimal property north of I-70 that has been incorporated into the City west of 26 Road. What does exist in this area is commercial in the 24 Road Corridor and a mix of R-4 and R-8 zone districts. Looking further out from this there is approximately 100 acres of R-5 zoning between 24 ½ Road and 25 ½ Road along G Road. The R-5 zone district is prevalent east of Horizon Drive. Therefore, Staff finds this criterion has not been met.

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

The community and area may benefit from this proposed request. The requested zone provides an opportunity for housing within a range of density that is consistent with the Comprehensive Plan in this area to meet the needs of the growing community. However, Plan Principle 3, along with the Tiered Growth Plan, provides that growth be carefully guided, prioritizing infill & redevelopment. The subject property is located on the periphery of the urban service boundary, the Persigo 201 service area and the service area for the nearest fire station. Surrounding properties are outside of the 201 boundary in addition to being outside of city limits. While the existing R-1 zone district does not implement the Comprehensive Plan, the R-5 request may not be the most appropriate zone district to strike balance desired by the Comprehensive Plan to reach appropriate benefits. Therefore, Staff finds that this criterion has not been met.

In addition to the above criteria, the City may rezone the property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The following narrative evaluates the proposed rezone to R-5 (Residential – 5 du/ac) against the principles, goals, and policies of the Comprehensive Plan:

- Land Use Plan: *Relationship to Existing Zoning*

Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.

The 2020 Comprehensive Plan provides the subject property with a land use designation of Residential Low. As outlined in the background section of this staff report, the R-5 zone district implements the Residential Low designation.

- Plan Principle 1: *Collective Identity*

Where We Are Going – The narrative associated with the future of the City's identity strongly focuses on retaining character as growth continues. An important part of the community's culture comes from its agricultural roots. It's important to respect these and ensure maximum compatibility and appropriate transitions from long-term agricultural zones to more dense urban settings.

The proposed rezone is on the edge of the Urban Development Boundary and isolated in the Persigo 201 service area. The properties to the north are outside of the City's Urban Development Boundary, while the remaining properties on the perimeter are within the boundary but outside of the Persigo 201 service area. While

the request to increase density on the property is one of two implementing zone districts of the Comprehensive Plan, the request for an R-5 zone district may not be the most appropriate zone district to strike the balance between growth and maintaining a sense of place as contemplated by this principle.

- Plan Principle 3: *Responsible and Managed Growth*

Where We Are Today (and Where We Are Going) – The One Grand Junction Comprehensive Plan raises concerns about a waning supply of attainable housing combined with a limited supply of land that has existing infrastructure available. Priority has been placed on infill and redevelopment projects to move forward effectively and manage growth.

How We Will Get There – The policies in this principle address the manner in which growth must happen within the city. One such policy is to support a compact growth pattern and encourage the efficient use of land through the Zoning & Development Code (ZDC). The ZDC is currently undergoing an update to implement the 2020 One Grand Junction Comprehensive Plan and identify ways to prioritize this type of development. An example of this particularly comes into play with the revisions to the multifamily component of the R-5 zone district, which limits this to no more than four units per structure to maximize compatibility. One of the concerns that is typically brought up about the R-5 zone district is the allowance of multifamily, despite the fact that the district is rarely developed as anything other than single-family detached dwellings. The proposed ZDC amendment takes this into account and seeks to create a resolution.

- Plan Principle 4: *Strong Neighborhoods and Housing Choices*

Where We Are Today (and Where We Are Going) – Housing within the City of Grand Junction is in crisis. The majority of the existing stock is single-family homes, with little other product types. This principle outlines how, in the decade preceding its adoption, the city saw an increase of over 70 percent in the cost of for-sale housing, and more than 50 percent of renters are cost-burdened. To address these issues, more units are needed, and those units must be diverse. The development should be high quality, focusing on development near amenities and with high levels of walkability and bikeability. Neighborhoods should be strengthened not only through the creation of third places where people can interact, such as cafés, parks, trails, and restaurants but also through diverse and interspersed housing options.

How We Will Get There – Since the adoption of the Comprehensive Plan, approvals for multifamily developments have increased, with hundreds of apartment units being approved. However, the ‘missing middle’ housing type – duplexes, triplexes, townhomes, and other non-traditional multifamily products, have been pursued in insignificant quantities. The R-5 zone district, both as it exists and with proposed changes, allows for those housing options to be built. The 2020 One Grand Junction Comprehensive Plan encourages a variety of housing types, which can assist in increasing density while maintaining neighborhood character. The subject property is

close to an elementary school, ¼ mile from the 24 Road Corridor, including access to Canyon View Park and the retail centers near Highway 6 & 50, while also being only ½ mile from I-70, providing ease of access to nearby communities. It is also located less than ¼ mile from an active transportation corridor, providing access to the City's multimodal facilities despite being in a more remote area of the City.

- Plan Principle 8: *Resource & Stewardship*

How We Will Get There – Part of properly managing the City's resources and being good stewards of the environment is to promote sustainable development. This can be done by maximizing existing infrastructure. The subject property is located along an improved right-of-way with existing water lines available to the site. Sanitary sewer would need to be brought to the site, but it is in close proximity.

- Intensification and Tiered Growth Plan

Tier 2: Suburban Infill – Tier 2 is intended to apply to areas of the City that are urbanizing or close to urbanizing areas. The area immediately surrounding the subject property is not currently urbanizing. However, the property is very close to the 24 Road Corridor, which is seeing significant growth. Development in this area is anticipated to “provide development opportunities while minimizing the impact on infrastructure and City services.”

The need for housing in the City of Grand Junction is clearly outlined in the Comprehensive Plan. This need encompasses not only attainable housing but a variety of housing options, including those that could be provided through the requested rezone. The Comprehensive Plan designation of Residential Low for the subject property indicates that any of the implementing zone districts (R-4, R-5, or CSR) will “provide a transition between the open, less dense edges of Grand Junction and the denser urban areas toward the city's center.”

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Vista Five Rezone request, for a rezone from R-1 (Residential – 1 du/ac) to R-5 (Residential 3 – 5.5 du/ac) located at 2428 H Road, the following findings of facts have been made:

- 1) The request has met one or more of the criteria in Section 21.02.140 of the Zoning and Development Code.
- 2) The request is consistent with the vision (intent), goals, and policies of the Comprehensive Plan.

The Planning Commission heard this request at the January 23, 2024, meeting. There was discussion regarding the changes to the Comprehensive Plan and the Zoning & Development Code, which eliminated the R-1 (Residential - 1 du/ac) zone district, as well as the impact on the neighborhood and the implementation of the adopted

Comprehensive Plan. Planning Commission recommended (6 to 0) approval of the request.

SUGGESTED MOTION:

I move to introduce an ordinance to rezone 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road and set a public hearing for February 21, 2024.

Attachments

1. Exhibit 1 - Development Application
2. Exhibit 2 - Site Maps & Photos
3. Neighborhood Petition
4. 2428 H Road PC Public Comment
5. Planning Commission Minutes - 2024 - January 23 - DRAFT
6. ORD-2428 H Road Zoning 20240126
7. 2428 H Road CC Public Comment_02.01.24

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

Digitally signed by Tracy States
Date: 2023.08.14 09:40:23 -06'00'

Date

Signature of Legal Property Owner

Date

General Project Report

VISTA 5, LLP Rezone

2428 H Road, Grand Junction, CO

Parcel No. 2701-283-04-001

August 14, 2023

Prepared for:

City of Grand Junction

250 N. 5th Street

Grand Junction, CO 81501

Prepared by:



215 Pitkin, Grand Junction, CO 81501

Grand Junction, CO 81506

Phone: (970) 241-4722

Fax: (970) 241-8841

A. Project Description

1) Location: The project is located at 2428 H Road (Parcel No. 2701-283-04-001).

2) Acreage: The subject parcel contains approximately 17.37 acres.

3) Proposed Use: This submittal is for the Rezoning of the parcel from R-1 to R-5. The future land use is Residential Low (2 – 5.5 DU/AC). The proposed R-5 zoning (3 – 5.5 DU/AC) meets the intent of the 2020 Comprehensive Plan with regards to density and use. The current R-1 zoning does not implement the 2020 Comprehensive Plan.

It should be pointed out that this is a resubmittal for rezoning. A submittal was made back in 2022 with the same request. After careful consideration, the applicant withdrew the rezone request prior to the City Council Hearing, in anticipation of the results of similar applications in the neighborhood. Since the withdrawal of the application, the Apple Glen West annexation and zoning to R-5 has been completed. The Apple Glen West property lies less than one mile to the west of the subject parcel, adjacent to the north of Appleton Elementary School.

B. Public Benefit

The proposed Rezone would allow for a range of 53 to 95 dwelling units on the parcel, meeting a need to keep up with growth and demand for housing.

C. Neighborhood Meeting

A neighborhood meeting was held virtually via a zoom meeting on Thursday, August 17, 2023. A summary of the meeting is included with this submittal. Another neighborhood meeting will be required prior to Preliminary/Final Subdivision submittal, should the rezone request be approved.

D. Project Compliance, Compatibility, and Impact

1) Adopted plans and/or policies:

The proposed Rezoning, in conjunction with the 2020 Comprehensive Plan, will comply with the adopted codes, plans and requirements for the property. The R-5 zoning is an appropriate district for the Residential Low category of the Comprehensive Plan. Since the adoption of the 2020 Comprehensive Plan, this neighborhood is continuing to transition with new properties developing at R-4, R-5, and R-8 zonings. R-8 zoning is implemented by the next category of Residential Medium and is not applicable to this project.

2) Land use in the surrounding area:

The uses contained within the surrounding area include large lot/agricultural and low density residential. Appleton Elementary School is located ½ mile to the west.

3) Site access and traffic patterns:

Not applicable for this submittal.

4) Availability of utilities, including proximity of fire hydrants:

The subject parcel is served by the following:

Ute Water
City of Grand Junction Sewer
Grand Valley Irrigation Company
Xcel Energy
Grand Valley Power
City of Grand Junction Fire – Station 3
Spectrum/Charter
CenturyLink/Lumen

A Fire Flow Form will be obtained when development is contemplated.

5) Special or unusual demands on utilities:

There will be no unusual demand on utilities as a result of the Rezone.

6) Effects on public facilities:

The Rezone will have no adverse effect on public facilities.

7) Hours of operation:

Typical of residential development.

8) Number of employees:

Not applicable.

9) Signage:

Not applicable.

10) Site Soils Geology:

Not applicable.

11) Impact of project on site geology and geological hazards:

None are anticipated.

E. Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted

Section 21.02.070 (6) of the Zoning and Development Code:

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

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

The Rezone request is in compliance with the newly adopted 2020 Comprehensive Plan.

(ii) Compliance with this zoning and development code.

The Rezone request is in compliance with the zoning and development code.

(iii) Conditions of any prior approvals.

There are no conditions of prior approvals.

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

All public facilities and utilities will be available concurrent with the rezoning of this property.

(v) Received all applicable local, State and federal permits.

All applicable permits will be obtained for this project.

Section 21.02.140 Code amendment and rezoning:

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

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

The proposed Rezone request to the R-5 zone districts will bring the parcel into compliance with the newly adopted 2020 Comprehensive Plan. The current R-1 zoning does not implement the plan.

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

The amendment would allow the continuation of low density, attainable, quality housing in Grand Junction and is consistent with the Comprehensive Plan.

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

Public and community facilities are existing and adequate and will support low density residential development.

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

This parcel of land is adequately serviced by utilities and roadways. Sewer will have to be extended ¼ mile from the east. There is an inadequate supply of low-density development parcels that conform with the 2020 Comprehensive Plan in this area.

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

The area will benefit with the development of low-density residential development and the extension of services.

F. Development Schedule

Not applicable for this submittal.

IMPROVEMENT SURVEY PLAT

LOT 1, VENEGAS MINOR SUBDIVISION NO 2 (RECEPTION NUMBER 1667028)
IN THE SE 1/4, SW 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 WEST,
OF THE UTE MERIDIAN, MESA COUNTY, COLORADO

SURVEY NARRATIVE

- The North line of the SE 1/4, SW 1/4 of Section 28, has in the past been drawn as a straight bearing between the S 1/16 Corner of Section 28 (MCSM #633) and the 75.00' Witness Corner (MCSM #1229WC) for the CS 1/16 Corner. However, on the BLM map for the Dependent Resurvey of Township 1 North, Range 1 West, of the Ute Meridian, dated December 11, 1986, this line is shown with bearing breaks at the corner locations reflecting the dependant resurvey.
- The upper portion of the monument for the SW 1/16 corner was damaged, however the base was undisturbed. The monument was upgraded in its current location which coincides with maps and plats recorded in this area.

SE 1/16 CORNER
SECTION 28
T1N, R1W, U.M.
3" ALUM CAP
AT GRADE

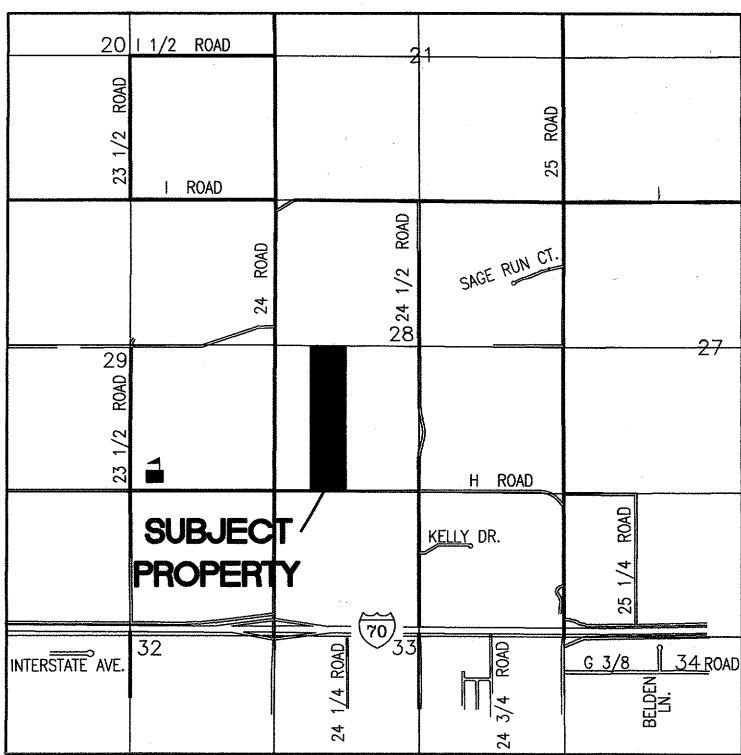
MCSM#1229WC
CS 1/16 CORNER
SECTION 28
T1N, R1W, U.M.
3" BRASS CAP
-1.1' ABOVE GRADE

CS 1/16 CORNER
SECTION 28
T1N, R1W, U.M.

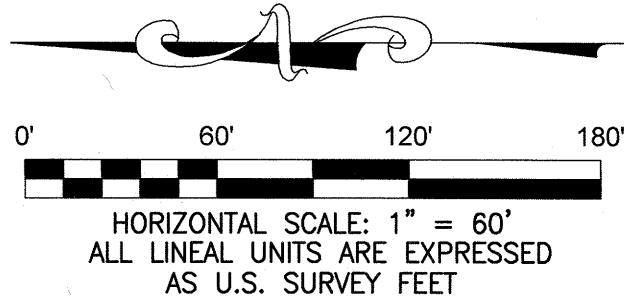
MCSM#S361
S 1/4 CORNER
SECTION 28
T1N, R1W, U.M.
3" BRASS CAP
IN WELL
-0.43' BELOW GRADE

LOT B
LEE ESTATES NO 2
REC. NO.
2523680

LOT A
LEE ESTATES NO 2
REC. NO.
2523680



VICINITY MAP



LEGEND AND ABBREVIATIONS

- MESA COUNTY SURVEY MARKER
- FOUND 5/8" REBAR WITH 1.5" ALLOY CAP MARKED LS-17485, -0.3' BELOW GROUND
- SET NAIL AND 1 1/2" BRASS TAG MARKED PLS-38428, IN ASPHALT
- SET No. 5 REBAR & 2" ALLOY CAP MARKED PLS-38428, ABOVE GRADE
- SET No. 6 REBAR & 3 1/4" ALLOY CAP MARKED PLS-38428, 0.5' ABOVE GROUND
- MCSM MESA COUNTY SURVEY MARKER
- ROW RIGHT-OF-WAY
- R.N. RECESSION NUMBER
- PG PAGE
- LS PROFESSIONAL LICENSED SURVEYOR
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- PLS PROFESSIONAL LAND SURVEYOR
- R RANGE
- R.O.W. RIGHT-OF-WAY
- S.F. SQUARE FEET
- ST. STREET
- T TOWNSHIP
- U.M. UTE MERIDIAN
- WM WATER METER
- FW FIRE HYDRANT
- WV WATER VALVE
- W BURIED WATER LINE
- SS BURIED SANITARY SEWER LINE
- EXISTING EDGE OF ASPHALT PAVEMENT
- SM SANITARY SEWER MANHOLE
- E ELECTRICAL VAULT
- CPED COMMUNICATIONS PEDISTAL
- IRR IRRIGATION CONTROL VALVE
- MB MAILBOX

SURVEYOR'S STATEMENT

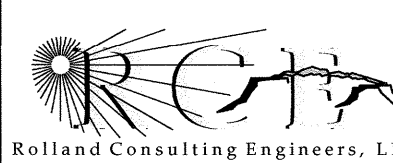
I, James A. McKew, a registered Professional Land Surveyor in the State of Colorado, do hereby state that the accompanying plat has been prepared by me and/or under my direct supervision and represents a field survey of the same. This statement is applicable only to the survey data represented hereon, and does not represent a warranty or opinion as to ownership, lien holders, or quality of title.

EXECUTED this 4th day of MARCH, 2019

James A. McKew
Professional Land Surveyor
P.L.S. No. 38428

LAND SURVEY DEPOSIT NO. 5744-19

DEP. BOOK 1 PAGE 170 FILING DATE: 3/12/2019



405 Ridges Blvd. Suite A
Grand Junction, CO 81507
Voice: (970) 243-8300
Fax: (970) 241-1273
www.rceeg.com

IMPROVEMENT SURVEY PLAT

LOT 1, VENEGAS MINOR SUBDIVISION NO 2
FOR STEVE HEJL
IN THE SE 1/4, SW 1/4 SECTION 28,
T1N, R1W OF THE UTE MERIDIAN,
MESA COUNTY, COLORADO

Drawn	JAM	Designed	JAM	Checked	JLG	Proj#	B8417	Rv:		Sheet	1
File Name:	C:\PROJECTS\B8417\B8417-ISP.DWG							Date	2/15/19	Of	1

GENERAL NOTES

- Basis of bearings derived from Mesa County Local Coordinate System and GPS observations. The bearing is S89°47'52"E for a distance of 1316.02 feet, located between a Mesa County Survey Marker for the West 1/16 Corner, and a Mesa County Survey Marker for the South 1/4 Corner of Section 28, Township 1 North, Range 1 West, of the Ute Meridian, Mesa County, Colorado.
- Title information is from Mesa County Real Property Records, and the title policy by Land Title Guarantee Company, Commitment No. GJR65034974-8, Commitment Date 07/06/2018.

BENCHMARK

MCSM T0708, THE W 1/16 CORNER OF SECTION 28, T1N, R1W, UTE MERIDIAN, ELEVATION = 4604.15 (NAVD 88) AS DETERMINED BY GPS USING THE MESA COUNTY COORDINATE SYSTEM.

SUBJECT PROPERTY

LOT 1, VENEGAS MINOR SUBDIVISION NO 2 (RECEPTION NUMBER 1667028)
IN THE SE 1/4, SW 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 WEST,
OF THE UTE MERIDIAN, MESA COUNTY, COLORADO

NOTE: All utility locations shown hereon are approximate only. You must call Utility Notification Center of Colorado for utility location prior to any excavation.

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

DEPOSIT 5744-19

LEGAL DESCRIPTION

LOT 1 OF VENEGAS MINOR SUBDIVISION NO. 2, COUNTY OF MESA, STATE OF COLORADO.

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) VISTA 5, LLP ("Entity") is the owner of the following property:

(b) 2428 H Road, Grand Junction, CO 81505

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) Rezone

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: Nathan Porter, Member

State of Colorado)

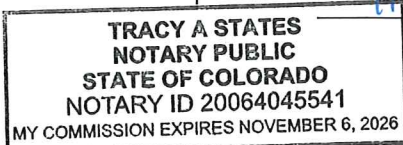
County of Mesa) ss.

Subscribed and sworn to before me on this 17th day of August, 2023

by Nathan Porter, Member

Witness my hand and seal.

My Notary Commission expires on 11/06/2026



Tracy A. States
Notary Public Signature



State Documentary Fee
Date: July 20, 2022
\$65.00

General Warranty Deed
(Pursuant to C.R.S. 38-30-113(1)(a))

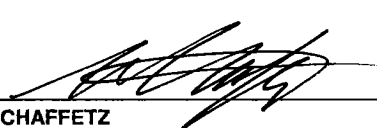
Grantor(s), **ALEX CHAFFETZ**, whose street address is **PO BOX 2123, GRAND JUNCTION, CO 81502**, City or Town of **GRAND JUNCTION**, County of **Mesa** and State of **Colorado**, for the consideration of **(\$650,000.00) ***Six Hundred Fifty Thousand and 00/100***** dollars, in hand paid, hereby sell(s) and convey(s) to **VISTA 5, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP**, whose street address is *****2376 K ROAD, Grand Junction, CO 81505*****, City or Town of **Grand Junction**, County of **Mesa** and State of **Colorado**, the following real property in the County of **Mesa** and State of **Colorado**, to wit:

LOT 1 OF VENEGAS MINOR SUBDIVISION NO. 2, COUNTY OF MESA, STATE OF COLORADO.
***516 DOVE COURT, GRAND JUNCTION, CO 81507

also known by street and number as: **2428 H RD, GRAND JUNCTION, CO 81505**

with all its appurtenances and warrant(s) the title to the same, subject to Statutory Exceptions.

Signed this day of **July 20, 2022**.


ALEX CHAFFETZ

State of **Colorado**

)

)ss.

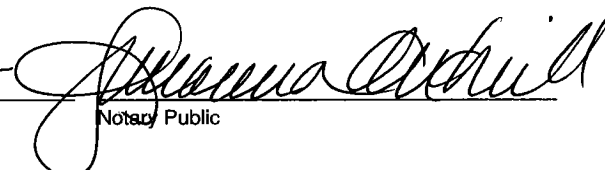
County of **MESA**

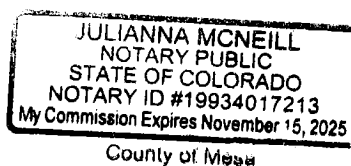
)

The foregoing instrument was acknowledged before me on this day of **July 20th, 2022** by **ALEX CHAFFETZ**

Witness my hand and official seal

My Commission expires: 11-15-25


Notary Public



When recorded return to: **VISTA 5, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP**

~~2376 K ROAD, Grand Junction, CO 81505~~ 516 DOVE COURT, GRAND JUNCTION, CO 81507



STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named:

VISTA 5, LLP

and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

The type of entity is: Limited Liability Partnership

The entity is formed under the laws of the State of Colorado

The mailing address for the entity is: 516 Dove Court
Grand Junction, CO 81507

The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:

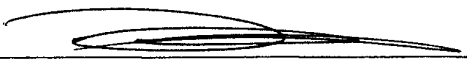
Thomas Bell, Member, OR, Michael Bell, Member, OR, Nathan Porter, Member

The authority of the foregoing person(s) to bind the entity is (not limited) (limited as follows):

not limited

Other matters concerning the manner in which the entity deals with interests in real property:

Executed this 3rd day of November, 2022.


Signature (Type or Print Name Below)

Nathan Porter, Member

STATE OF COLORADO)

)ss.

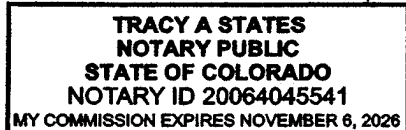
COUNTY OF _____)

The foregoing instrument was acknowledged before me this 3rd day of November, 2022, by Nathan Porter (insert name of individual) as Member (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for VISTA 5, LLP (insert name of corporation or LLC).

Witness my hand and official seal.

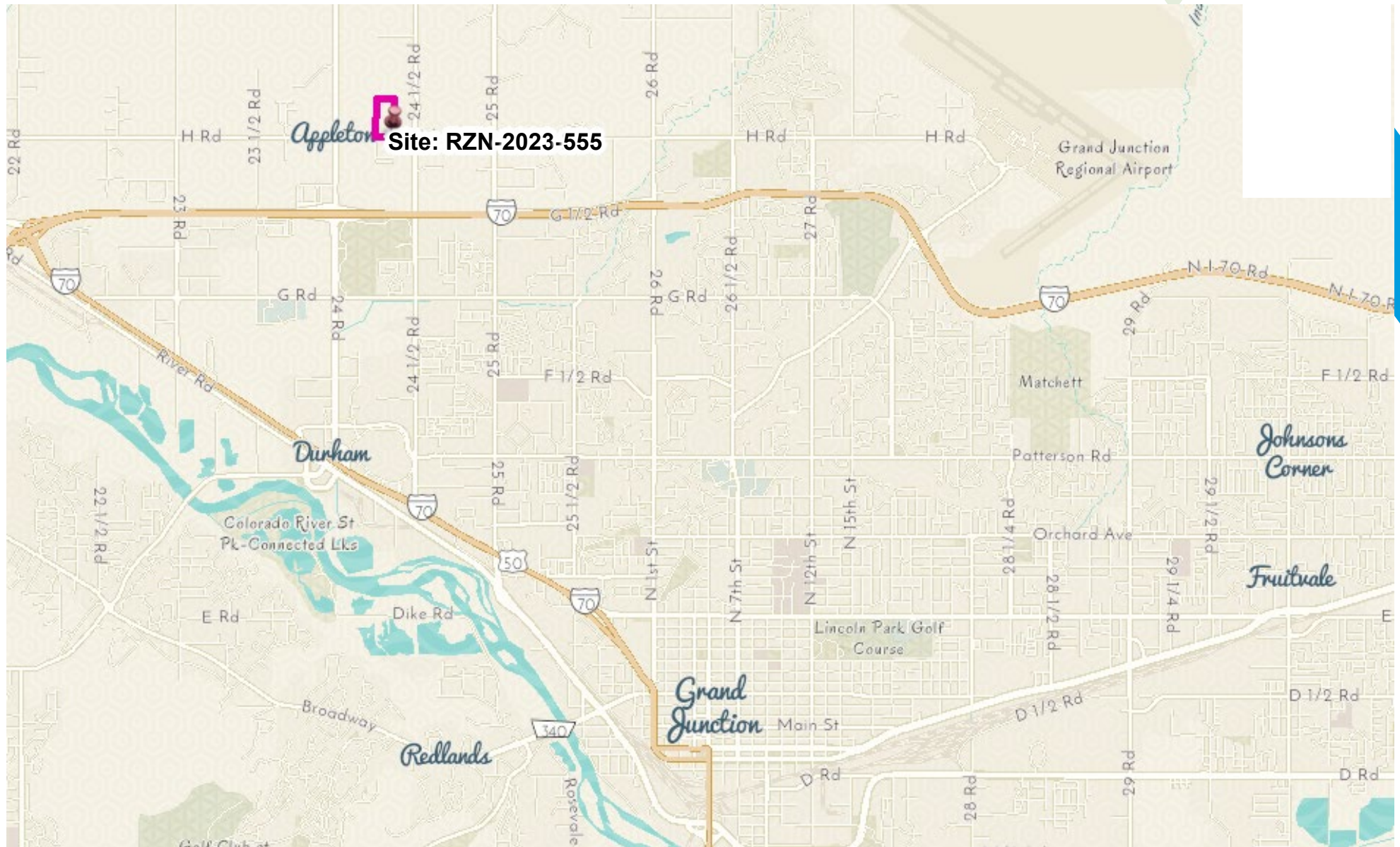
My commissioner expires: 11/06/2026

Tracy A. States
Notary Public



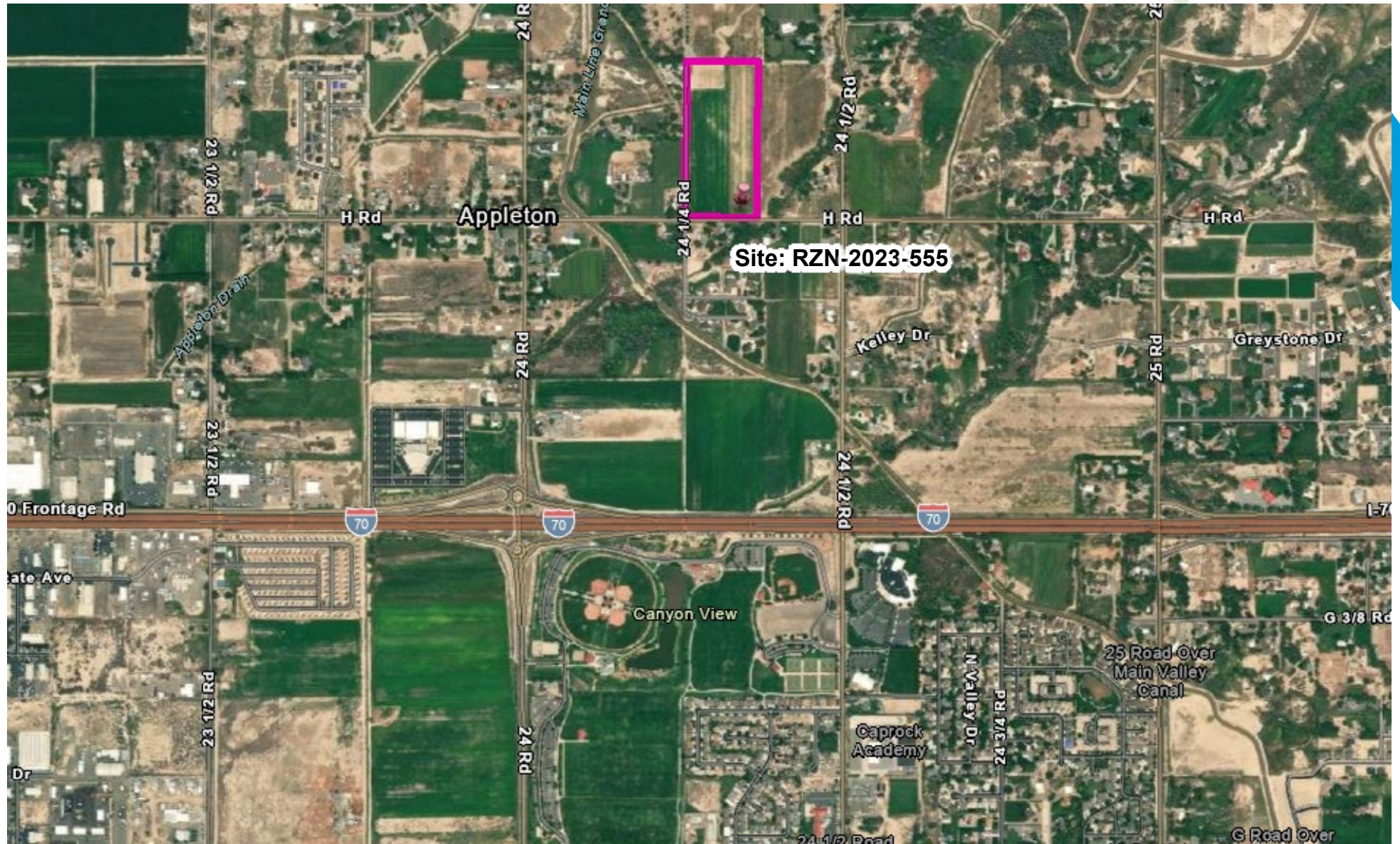
Vista Five Rezone

Vicinity Map



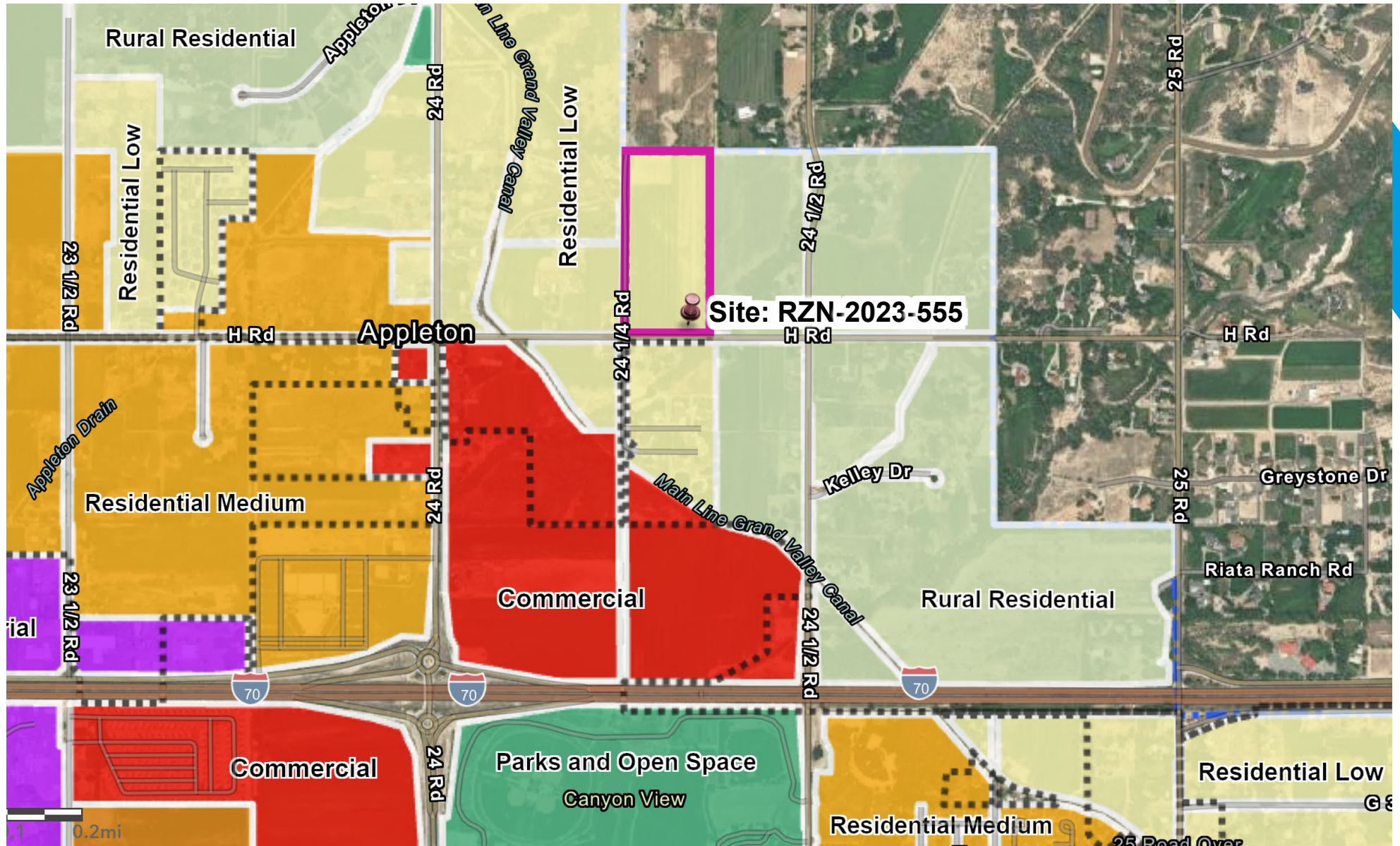
Vista Five Rezone

Site Location Map



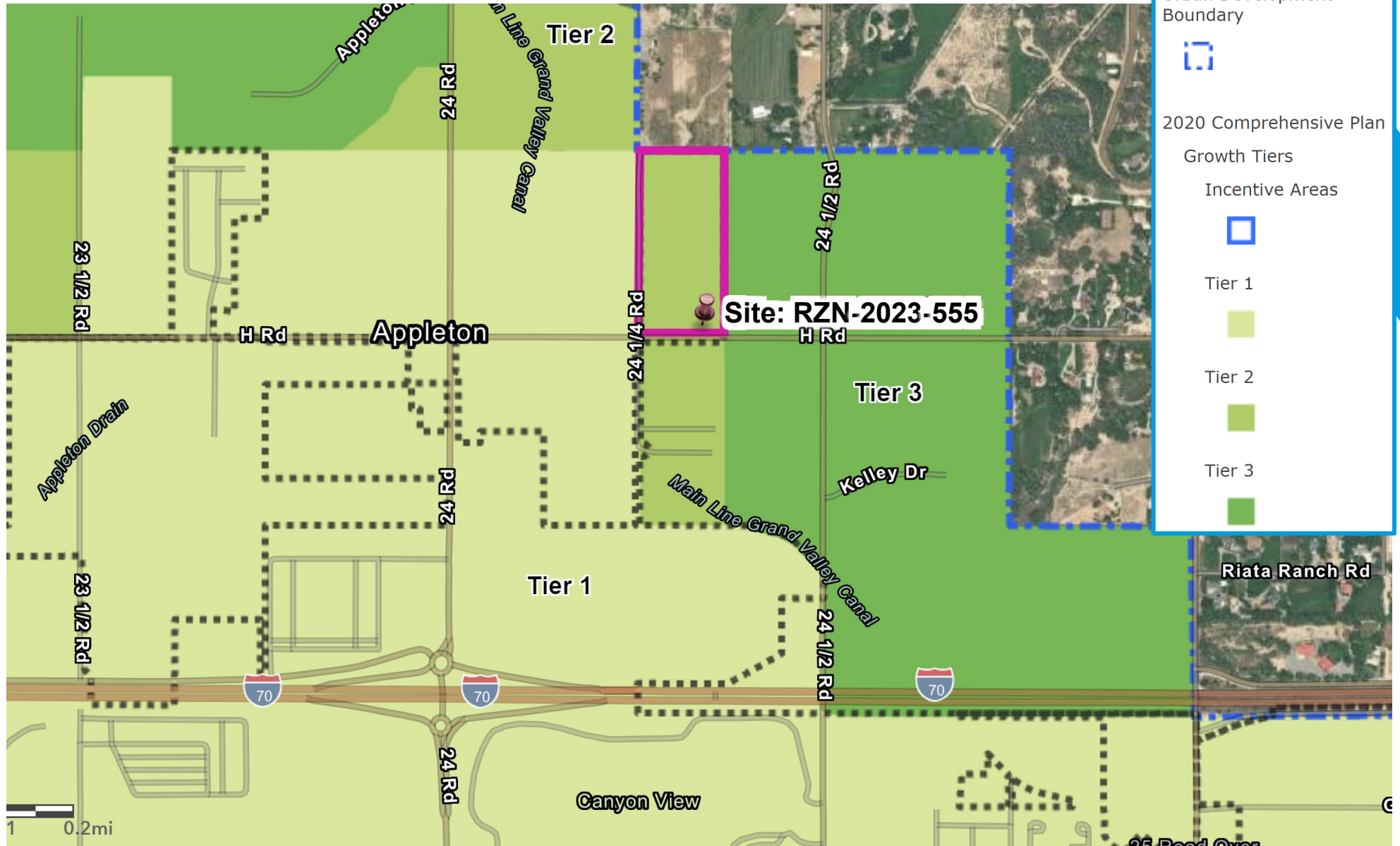
Vista Five Rezone

Land Use Map



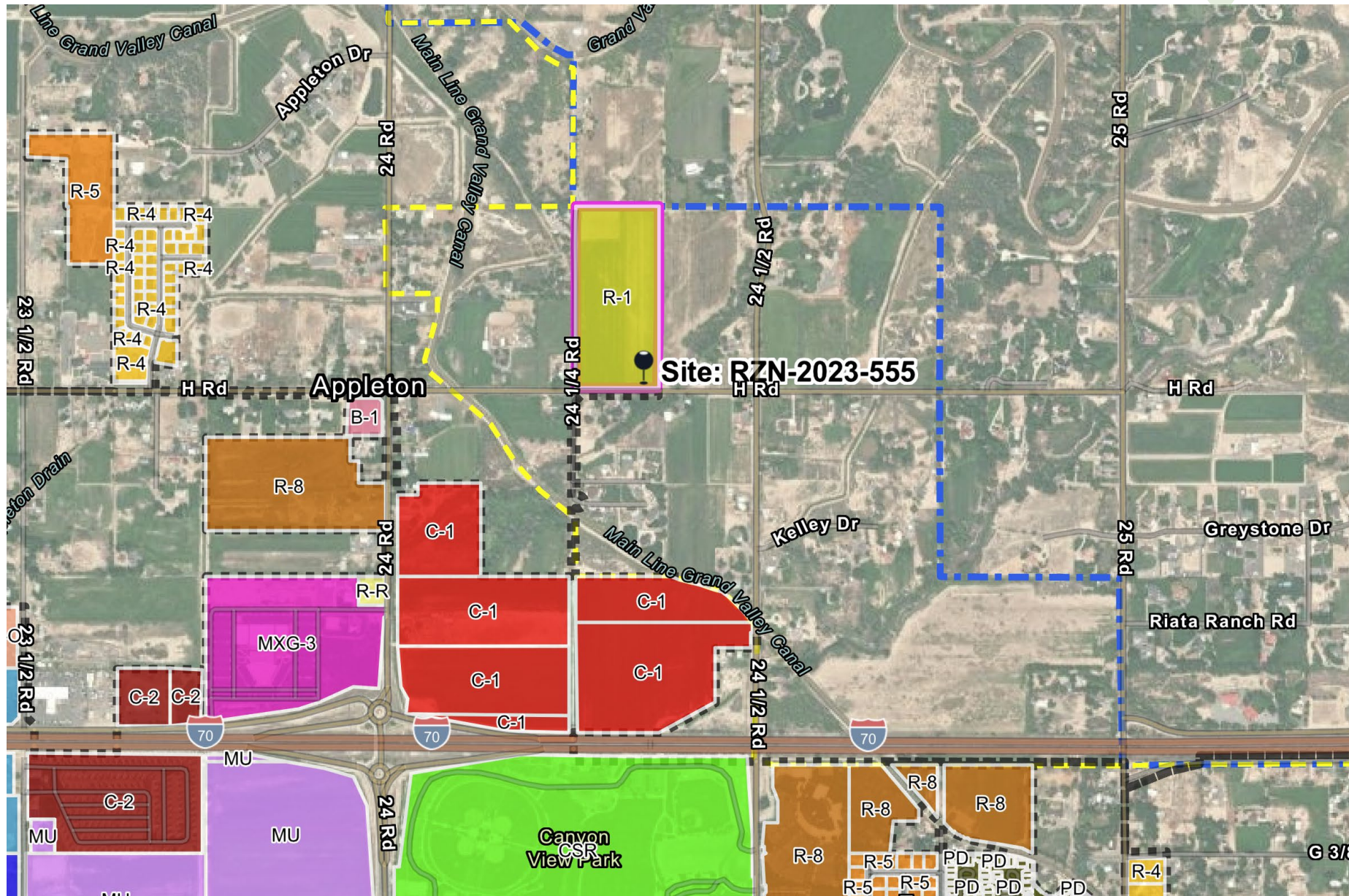
Vista Five Rezone

Tiered Growth Plan



Vista Five Rezone

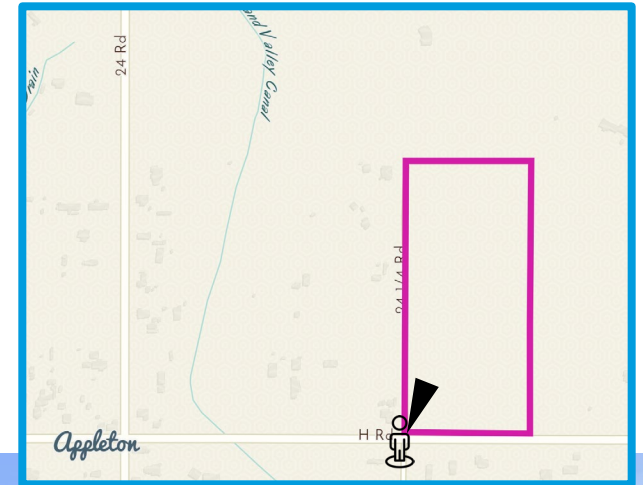
Zoning Map – Proposed Zoning: R-5 (Residential – 5 du/ac)



Vista Five Rezone

Site Photo

Google Maps street view of property northeast from the intersection of 24 1/4 Road and H Road



December 5, 2023

City of Grand Junction Planning Department

Nicole Galehouse

Dear Nicole,

We are submitting a petition signed by 204 Appleton area residents from last March in opposition to the re-application for the Vista 5 rezone request RZN-2023-555.

Dave Zollner had the original signed petition that was submitted to the City Council last March, but the Vista property owner had canceled the original rezone request. The new application number has been written on the original petition based on the new rezone application is identical to the original from earlier this year.

Please contact myself or Dave Zollner with any questions you may have in regards to this petition.

Sincerely

Dan Komlo

970 260 2227

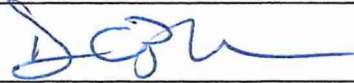
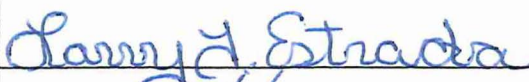
PETITION

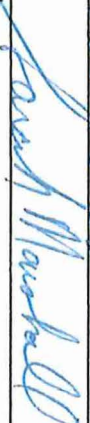
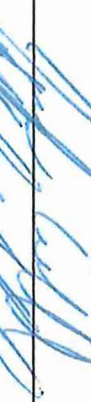
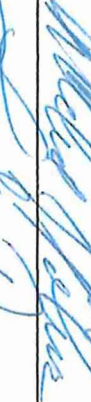
To: Grand Junction CITY COUNCIL

Re: Vista 5 LLC Rezone – 2428 H Road – RZN-2023-555

We the undersigned, respectfully request that the City Council **DECLINE** the rezone proposed because:

- 1) we are in agreement with GJ Planning Commission member Ken Scissors who stated February 14, 2023 that the **proposed rezone is “not even remotely compatible” with the area;**
- 2) the area [24 Rd to 26 Rd North of I-70] is already about **75-80% developed** as large lots over a 50 yr period; this rezone would be 5x the density of the smallest existing lots and **over 25x the density of existing average lot size;**
- 3) The **existing R-1 zoning of the subject parcel** is already within the **existing density and character of the area.**
- 4) other reasons not included here due to space limitations.

Name	Signature	Address
Dave Zollner		2562 H Road
DAN KOMLO		852 24 1/2 RD G.J. CO 81505
BOB FUOCO		2467 H Rd. G.J. 81505
Craig Moulton		2489 Red Peach Court GJ
Ken & Brenda Gordon		786 Foxtail Rd. GJCO 81505
Al & Colleen Laase		2471 H Road
Larry & Cindy Estrada		2527 Greystone Drive.
Ron Hughes		2526 Greystone Dr.
Joe Moreng		2441 Red Ranch Dr

Name	Signature	Address
Pete Valenti		2436 Red Ranch Dr
Sarah Marshall		2439 H Rd
Jim Morskan		2439 H Rd.
LARRY TICE		775 26 Rd.
Joey Abern		2552 Canaan Cky
Reanna Napier		830 24 1/2 RD
Melanie Hylan		2448 H Rd
Brenda Prestangen		2520 Greystone Dr, Grand Jct, CO 81505
Jayden Connell		816 24th Road
Mike Tomison		2421 I Rd
Frank Davis		766 25 3/4 RD
Sandra M. Holloway		813 24 1/4 Rd
Brian Swanson		813 24 1/4 RD
Patricia Amrine		805 24 1/4 Rd
DIANE DAVIS Deane Davis		843 24 1/2 Rd 81505

PETITION

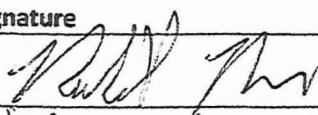
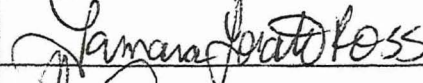
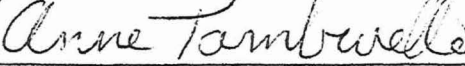
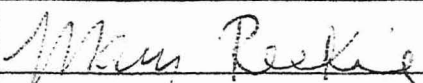
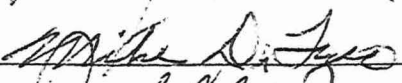
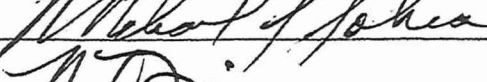
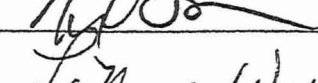
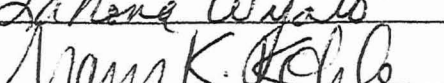
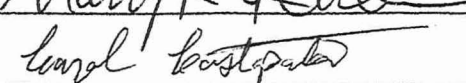
To: Grand Junction **CITY COUNCIL**

Re: **Vista 5 LLC Rezone** – 2428 H Road – to be heard March 15, 2023

We the undersigned, respectfully request that the City Council **DECLINE** the rezone proposed because:

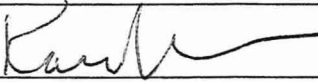
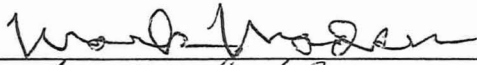
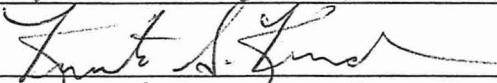
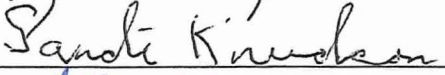
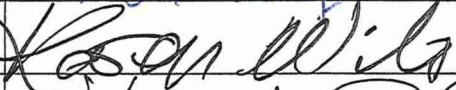
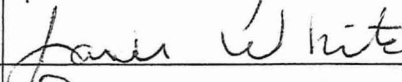
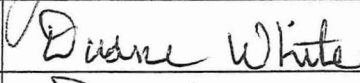
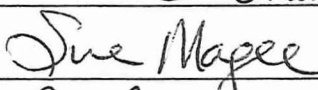
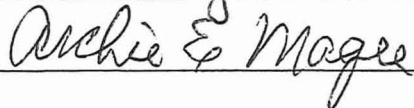
- 1) we are in agreement with GJ Planning Commission member Ken Scissors who stated February 14, 2023 that the **proposed rezone is “not even remotely compatible” with the area;**
- 2) the area [24 Rd to 26 Rd North of I-70] is already about **75-80% developed** as large lots over a 50 yr period; this rezone would be 5x the density of the smallest existing lots and **over 25x the density of existing average lot size;**
- 3) The **existing R-1 zoning of the subject parcel** is already within the **existing density and character of the area.**
- 4) other reasons not included here due to space limitations.

Name	Signature	Address
Cheryl Cole	Cheryl Cole	2535 Riata Ranch Ct.
Brenda Boff	Brenda Boff	2510 Greystone Drive
GLENN BOTT	Glenn Bott	2510 GREYSTONE DR
Mark Sutton	Mark Sutton	779 25 1/4 Rd.
Keith Gustad	Keith Gustad	2503 Greystone Dr
Krisi Gustad	Krisi Gustad	2503 Greystone Dr.
Jan Gifford	Jan Gifford	2530 Greystone Dr
David David Gifford	David Gifford	2530 Greystone Dr
Terri Trimm	Terri Trimm	2540 Riata Ranch Ct

Name	Signature	Address
Robert Ross		2508 Greystone Dr
Tamara Lovato-Ross		2508 Greystone Drive GJ 81505
Greg Tamburello		2446 Ruby Mesa Ct.
Anne Tamburello		2446 Ruby Mesa Ct
Mary Reekie		2411 I Rd, GJ 81505
MIKE DILUZIO		2390 I RD. GJ 81505
David Aldridge		768 Foxtail Rd GJ 81505
Marilyn Aldridge		768 Foxtail Rd G.S. 81505
MICHAEL J JOHNSON		2421 I RD G.J. 81505
Neil Morris		818 24 1/2 Rd, G.J. CO 81505
Lanena Wyatt		2446 H Road, GJG. 81505
MARY KOHLER		806 24 Road, GJ, CO 81505
Carol Costopoulos		855 24 1/2 Road GJ, CO 81505
Nichia Costopoulos		855 24 1/2 Rd GJ, CO 81505
Ray Costopoulos		855 24 1/2 rd GJ, CO 81505

Name	Signature	Address
Guy Thomas	Guy Thomas	921 25 RD Grand Jct CO,
Jennifer Stephens	Jennifer Stephens	2530 Pieta Ranch Ct. G.J., CO
Patrick Page	Patrick W. Page	827 25 Rd G.J. CO 81505
Fred E. Fowler Jr.	Fred E. Fowler Jr.	2485 Sage Run Ct. 81505
Carol Fowler	Carol Fowler	2485 Sage Run Ct G.J. CO 81505
Martha Hampson	Martha Hampson	2483 Sage Run Ct G.J. 81505
Judy Kolacny	Judy Kolacny	859 Quail Run Dr. G.J., 81505
Bruce Kolacny	Bruce Kolacny	859 Quail Run Dr. G.J., CO. 81505
Robert W. Leach	Robert W. Leach	867 25 Road Grand Junction CO 81505
Karen E. Leach	Karen E. Leach	867 25 Rd. Grand Jct, CO 81505
CHARLES KELLER	Charles E. Keller	822 25 RD G.J. 81505
Debbie Keller	Debbie Keller	822 25 Road G.J. 81505
Jonathan Kell	Jonathan Kell	824 25 Road, G.J., CO 81505
Raedelle Mundy	Raedelle Mundy	2426 H Rd
Tracy Mundy	Tracy Mundy	2426 H Rd. G.J., CO 81505

15 sigs

Name	Signature	Address	CELL
KAREN MADSEN		2484 Sage Run Ct	
MARK MADSEN		2484 Sage Run Ct.	
Knute Knudson		876 Covey Rd	
Sandi Knudson		876 Covey Road	
Stephanie Mabley		774 Foxtail Road	
Roger & Patti Beaudoin		833 24 1/2 Rd.	
Ronald Gray		2369 2369 H Road	
Karen Wiles		782 24 1/2 Rd.	
Ken Johnston		782 24 1/2 Rd	
DREW REEKIE		2411 I RD.	
Kit Mabley		774 Foxtail Rd.	
Tanie White		810 24 Rd	
Duane White		810 24 Rd	
Sue Magee		2517 Oleaster Court	
Archie & Magee		2517 Oleaster Court	

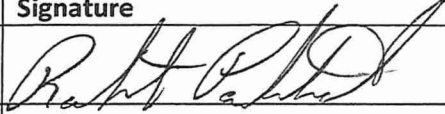
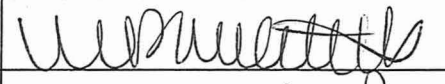
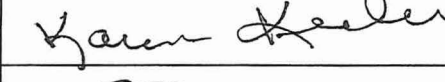
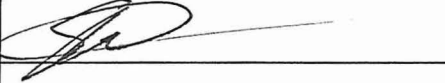
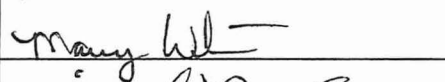
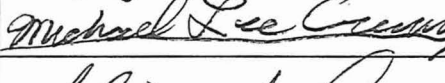
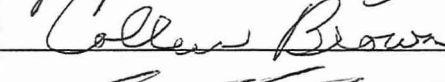
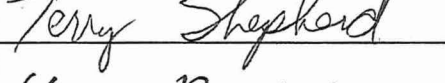
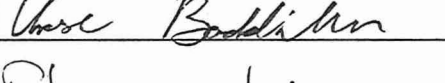
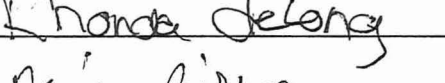
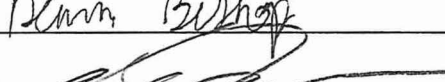
Name	Signature	Address
JUDITH BUTTERFIELD	Judith Butterfield	2502 GREYSTONE DR.
ED BUTTERFIELD	Edward E Butterfield	2502 GREYSTONE DR.
Brace Bolton	Brace Bolton	800 25 Rd
Josie Bolton	Josie Bolton	800 25 Rd. G.J., CO
Melissa Hein	Melissa Hein	2502 Riata Ranch Rd GJ, CO 81505
Bryce Hein	Bryce Hein	2502 Riata Ranch Rd GJ, 81505
Cynthia Komlo	Cynthia Komlo	852 24 1/2 Rd. GJ 81505
Christena Brigh	Christena Brigh	848 24 1/2 Rd GJ 81505
Sharon Wilcox	Sharon L. Wilcox	848 24 1/2 Rd GJ 81505
Mary Jo Stauber	Mary Jo Stauber	2457 I Rd. GJ 81505
MATHEW DOKONGIL	Matthew Dokongil	2477 I Rd. G.J. 81505
Cathy Dokongil	Cathy Dokongil	2477 I Rd GJ 81505
Pat Kephart	Pat Kephart	2491 I Rd GJ 81505
Michael Cedar	Michael Cedar	2491 I Rd GJ 81505
G. H. Gailley	G. H. Gailley	2491 I 1/2 Rd - 81505

15 sigs

Name	Signature	Address
CHERYL HAYWARD	Cheryl Hayward	2486 I 1/2 RD G5 CO 81505
MARLO REIMER	Cheryl Hayward for	853 25 RD G5 CO 81505
Wayne Jacovetto	Wayne Jacovetto	949 25 RD GJ CO 81505
Lupuna Jacovetto	Lupuna Jacovetto	949 25 Rd GJ Co 81505
DAVID MCDANIEL	David McDaniel	947 25 Rd GJ CO 81505
Janice R McDaniel	Janice R McDaniel	947 25 Rd GJ CO 81505
David Mueller	David Mueller	979 25 Rd.
Annie Mueller	Annie Mueller	979 25 Rd.
Tammy Brislin	Tammy Brislin	2529 Woody Creek Rd
Mike Brislin	Michael Brislin	2529 Woody Creek Rd
Alice Bumgarner	Alice M. Bumgarner	992 25 Rd GJ Co
Mike Ross	Mike Ross	1007 25 Road GJ. Co.
Susan Ross	Susan Ross	1007 25 Rd GJ. Co
Debbie Thomas	Debbie Thomas	921-25 Rd GJ Co 81505
Jonathan Stephens	Jonathan Stephens	2530 Vista Ranch Ct GJ CO 81505

Name	Signature	Address
Carolyn Pierce	Carolyn Pierce	3436 Clz Rd Palisade CO 81826
Kathy J Plunk	Kathy J Plunk	2132 Slope Creek Ave Gr Jct CO 81505
Jordyn Stephenson	Jordyn Stephenson	255 W. Kennedy Ave.
Peggy Espinoza	Peggy Espinoza	525 Grand Valley Dr Grand Jct CO 81504
Orion Chamberlain	Orion Chamberlain	225 Camino del Rey Or NJ 81504
Cheyenne Connedy	Cheyenne Connedy	615 28 1/4 RD #431 G.J. 81506
Katherine McCreary	Katherine McCreary	523 Beverly Ln GJCO 81504
Jennifer Kubat	Jennifer Kubat	489 Sheldon Rd. / G.J. 81504
Anet Rodriguez	Anet Rodriguez	3231 Main St Clifton, CO 81520
Brittany Lauer	Brittany Lauer	247 Thistle Dr, GJ, CO 81503
Charlotte Cole	Charlotte Cole	641 Zoe Lane, GJ, CO 81504
Deb Spence	Deb Spence	277 27 3/4 Rd Grand Junction 81503
Ashlee Johnson	Ashlee Johnson	504 Gamma Ct, Grand Junction, CO 81504
Ashlee Johnson	Ashlee Johnson	2720 1/2 Rincon Dr. GJ, CO 81503
Lisa Whalin	Lisa Whalin	2380 E. PIRAZA Pl. GJ CO 81506

15 sigs

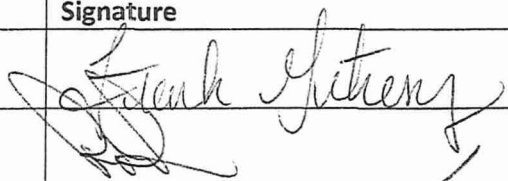
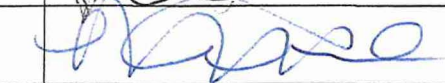
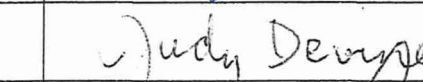
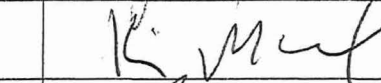
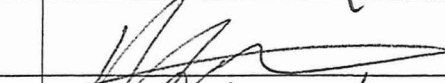
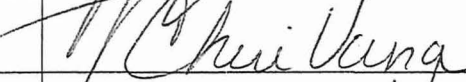
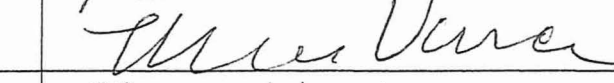
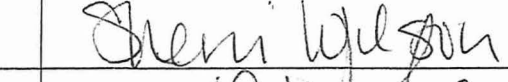
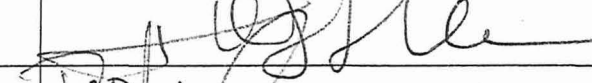
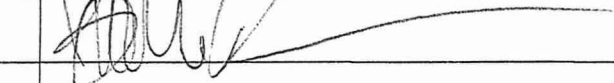
Name	Signature	Address
Robert Pauletich		765 24 1/2 rd
Mandy Pauletich		765 24 1/2 Rd.
Karen Heeler		779 24 1/2 Rd
Shiloh White		779 24 1/2 Rd
Mary White		781 24 1/2 Rd
Michael Crumly		2457 Kelley Drive
Lylamae T. Chedsey		2457 Kelley Drive
Colleen Brown		2478 H Ct
STEPHEN CORN		2486 H Ct
Kelly Corn		2486 H Ct
Terry Shepherd		791 25 Rd -
Chase Boddicker		2479 H Rd Grand Junction, 81505
Rhonda Delong		811 24 1/4 Rd GJ CO 81505
Devin Bishop		815 24 1/4 Rd CO 81505
RAYMOND C. PILCHER		645 26 Rd GJ CO 81506

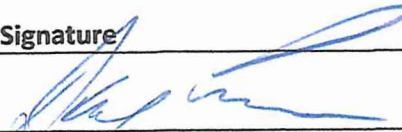
Name	Signature	Address
René Knight	René Knight	784 24 1/4 Road Grand Jct, CO 81505
Loretta Hanvey	Loretta Hanvey	792 24 1/4 Rd
Brad Kiser	Brad Kiser	794 24 1/4 Rd
Monique Kiser	Monique Kiser	794 24 1/4 Rd.
Jane Tatum	Eleana J Tatum	783 24 1/2 Rd.
James F. Tatum	James F. Tatum	783 24 1/2 Rd G.T. Co 81505
PAT BARR	Pat Barr	2449 H ROAD
Dylan Barr	Dylan Barr	2482 H Court
Chris Duffey	Chris Duffey	2489 H Road
MARY JONES	Mary Jones	2495 H Rd
MICHAEL DUFFEY	Michael Duffey	787 25 Rd
Susan S. Orloff	Susan S. Orloff	525 Walnut Ave.
Walter Orloff	Walter Orloff	525 Walnut Ave.
Kevin Young	K Young	2451 Kelley Dr.
John Herschberger	John Herschberger	2368 Green Apple pr.

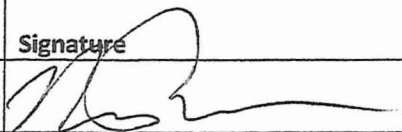
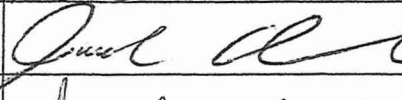
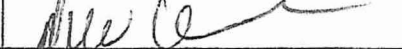
Name	Signature	Address
Lisa Powers	Lisa Powers	2463 H Rd
Cliff Miller	Clifford Miller	2463 H Rd
Andres Bajorek	Andres Bajorek	2433 H Rd.
Sarah Bajorek	Sarah Bajorek	2433 H Rd
Daniel Bajorek	Daniel Bajorek	2433 H Rd.
Jennifer Hunt	Jennifer E Hunt	2453 H Rd.
ANNA MARIA FRESCO	Anna Maria Fresco	2447 H Rd.
Kristy Armour	Kristy L Armour	2314 Knoll Circle 81506
Cindy Gramm	Cindy Gramm	3350 Cliff Ct. 81506
Shilo Cook	Shilo Cook	202 24 RD 81502
Lennie Watson	Lennie Watson	808 24 RD 81502
James Scholl	James A Scholl	814 24 RD 81505
Bob Balog	Bob Balog	824 24 Rd 81505
Robbie L. Balog	Robbie L. Balog	824 24 RD 81505
Randy Hunt	Randy Hunt	2453 H Road. 81505

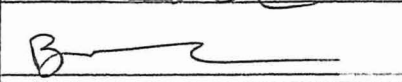
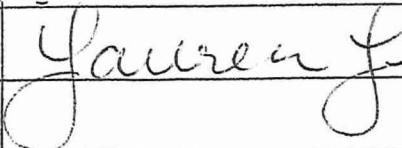
Name	Signature	Address
Chad Hylan	Chad Hylan	2448 Hrd GJ 81505
Levi Hylan	Levi Hylan	2448 Hrd GJ 81505
JAY Keeher	Jay Keeher	779 24 1/2 Rd GJ 81505
DR. SHALONA McFARLAND	Dr. Shalona McFarland	2416 H Road G.J. 81505
Josh Wyatt	Josh Wyatt	2416 H Rd G.J. 81505
Dr. J.J. Wyatt	Dr. J.J. Wyatt	2416 H Rd. G.J. 81505
Andrew Klements	Andrew Klements	780 24 1/4 Rd. GJ 81505
Jessica Klements	Jessica Klements	780 24 1/4 Rd GJ 81505
Karmela Klements	Karmela	780 24 1/4 Rd GJ 81505
David Hartman	David Hartman	970-260-0191 786 24 1/4 Rd
Markus Hartman	Markus Hartman	970-260-0191 786 24 1/4 Rd
JONATHAN HARBER	Jonathan Harber	215 . 901. 0225 772 24 1/4 Rd 81505
BRIAN HAUT	Brian Haut	788 24 1/4 Rd, GJ. 81505
MADALYN HAUT	Madelyn Haut	788 24 1/4 Rd G.J. 81505
Taylor Knight	Taylor Knight	784 24 1/4 Rd GJ. 81505

155195

Name	Signature	Address
Frank Gutierrez		777 Foxtail Rd
Petrick Timm		2540 Riata Ranch Ct
Richard Hulse		2531 Riata Ranch Ct
Robin Martine		787 Foxtail Rd
Judy Devine		2525 Riata Ranch Ct.
Kevin McCarrel		2529 Riata Ranch Ct.
Lyan Cranston		778 Foxtail Rd.
Cheri Vana		2514 Greystone Dr.
Mark Vana		2514 Greystone Dr.
SHERRI WILSON		766 Foxtail Rd.
Trevor Johnson		788 Foxtail Rd
Brooke Johnson		788 Foxtail Rd

Name	Signature	Address
Dan Perrin		913 23 1/2 Rd. 81505
Kyle Prestangen		2520 Greystone Dr., Grand Jet CO 81505

Name	Signature	Address
Matt Rossman		826 24 1/2 Rd
Jared Chisholm		2440 Ruby Mesa Ct
Marcus Costopoulos		855 24 1/2 Rd

Name	Signature	Address
Anna Smith		2763 Compass Dr. GJ 81506
Brooke Williams		1537 19 Rd Fruita 81521
Lauren Lewis		2426 I RD.

Niki Galehouse

From: jayf@remax.net <jay@tworiversrealtyinc.com>
Sent: Saturday, December 2, 2023 9:50 PM
To: Niki Galehouse
Subject: Application #: RZN-2023-555 Project Name: Vista 5 LLP Rezone Address: 2428 H Road

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

Dear distinguished members of the Grand Junction Planning Commission and City Council,

As an active real estate broker that has sold numerous homes in this area and a 40+ year member of the development and building communities here in Grand Junction, I strongly oppose this rezone and adamantly believe that the existing 1 acre [R-1] zoning on the subject parcel already reasonably reflects the long established land use of this area.

My Objection to this substantially higher density rezone and the differentiating issues for this parcel is twofold:

- 1) The area West of 24 Road has already been developed for decades with higher density residential, sewer and commercial, but not so East of 24 Road, and is not comparable to the subject area.
- 2) The subject area [generally defined as] East of 24 Road, North of I-70, and West of 26 Road is substantially developed [maybe 75-80%], averaging greater than 5 acres per unit in a range with the vast majority in 1 to 10 acre parcels. The very high density proposed by this rezone is not even remotely in the same character of this long established Grand Junction neighborhood.

Sincerely,

Jay Fellhauer

Broker Associate
RE/MAX Mountain West
970.250.5100 (Cell)
970.241.3939 (Office)
jayf@remax.net
www.jayf.remax.com

Niki Galehouse

From: Matthew Swelstad <swelstad13@gmail.com>
Sent: Sunday, December 3, 2023 5:33 AM
To: Niki Galehouse
Subject: ER one

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RZN-2023-555

Project Name:

Vista 5 LLP Rezone

Address:

2428 H Road

To whom it may concern,

My wife and I would like to voice our extremely strong opposition to the above noted rezoning.

We have lived in GJ 18 years. We love our neighbors and neighborhood. Please do not destroy it so a few developers can make even more money. Our neighborhood adds so much value to Grand Junction. Stop by for a tour if you want to learn more.

Matt and Kathy Swelstad

Sent from my iPhone

Niki Galehouse

From: Glenn Bott <glenn@glennbott.com>
Sent: Monday, December 4, 2023 8:54 AM
To: Niki Galehouse
Subject: 2428 H Road - Still Oppose Rezoning

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

Nicole -

Good Day!

Heard the builder resubmitted their rezoning request for the designated parcel. We still oppose their requested zoning change.

Be Focused

G

Glenn Bott
Think Differently, Live Better
303-918-4626
www.GlennBott.com
Keynote Speaker / Warrior / Consultant / Author



Niki Galehouse

From: Missy Smith <missy.msb@gmail.com>
Sent: Tuesday, December 5, 2023 12:57 PM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone

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

Nicole Galehouse,

I am writing to oppose the resubmission of this request to allow up to 5.5 units/acre . This area East of 24 Rd. and West of 26 Rd. is developed out as a long established neighborhood averaging greater than 5 acres per unit - mostly in a range of 1-10 acre parcels. The proposal of 5.5 units per acre is not even remotely in the character of the long established neighborhood. The same proposal was denied last April for this reason. This high density proposal does not belong in an area that is zoned as is for a very long time. Please vote no to preserve it.

Sincerely,
Missy Smith

Niki Galehouse

From: Brenda Bott <gobott1@outlook.com>
Sent: Tuesday, December 5, 2023 8:47 PM
To: Niki Galehouse
Subject: 2428 H Road - I Oppose Rezoning

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

Hi Nicole:

I'd like it to be documented that I still oppose the requested rezoning for 2428 H Road. I understand the rezoning request has been re-submitted. Please do not allow it.

Sincerely,

Brenda Bott
303-912-2688

Niki Galehouse

From: Robert Fuoco <bfuoco2467@gmail.com>
Sent: Wednesday, December 6, 2023 9:17 AM
To: Niki Galehouse
Subject: RZN-2023-555

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

Niki,

Please forward these comments to Planning Commission.

Dear Commissioners,

A few weeks ago PC voted to disallow RE, R1 and R2 zoning. Based on some Commissioners comments it was based on the current inventory of those zones. There are only a few undeveloped lots left. This will be one of the last chances to save a few areas for the people that would like to own a home on a lot larger than 6000 sq ft. This is the size of a typical lot in downtown Grand Junction and the size the developer is planning. Please deny the zoning change and leave it at R1.

Thanks,

Bob Fuoco
2467 H Rd, Grand Junction, CO 81505

Niki Galehouse

From: Mark Smith <info@mainstreetbagels.net>
Sent: Wednesday, December 6, 2023 11:55 AM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone

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

Niki Galehouse,

I would like to express to the City Council members my opposition to the rezone, (RZN-2023-555), of this parcel. The rezone would drastically deviate from the long established uses of this area. The present zoning of one acre per home is already a stretch from the current character of this neighborhood averaging more than 5 acres per home and already 80% built out.

Mark Smith

822 24 1/2 Rd, GJ 81505

970 433-1496

Niki Galehouse

From: Larry D. Tice, MD <ltice92046@aol.com>
Sent: Thursday, December 7, 2023 12:20 PM
To: Niki Galehouse; LARRY TICE
Subject: Planning CommissionMeeting

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

Dear Planning Commission members RE:application #: RZN-2023-555

Project Name: Vista 5 LLP Rezone

Address: 2428 H Road

I want to restate my prior opposition (February 2023 Petition) to this planned rezone change. The current 1 acre zone is most consistent with surrounding real estate, and preserves the rural nature of land between 24 and 26 Roads north of I-70, where I reside for last 42 years. City high density encroachment may inevitably happen but current low density, rural and esthetic and environmentally pleasing status is desirable for all of Mesa County. Grand Junction City and all residents will benefit in long run!

Cordially,

Larry D Tice

December 7, 2023

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

Dear Planning Commission,

As long-time residents my wife and I strongly oppose the Vista 5 rezone request (RZN-2023-555). We feel that the City Council made the right decision in 2019 when the property was annexed, and Council denied the original property owner's request for 4 du/ac and instead approved rezoning it to R-1. We believe that the existing R-1 status reflects the nature and character of the long existing land use in this area.

We oppose this rezone request RZN-2023-555 for the following reasons:

- a. The area West of 24 Road has already been developed for decades with higher density residential, sewer and commercial, but not so East of 24 road, and R-5 would not be comparable to the character of this local community.
- b. The subject area (generally defined as) East of 24 Road, North of I-70, and West of 26 Road is substantially developed out (maybe 75-80%), averaging greater than 5 acres per unit in a range with the vast majority in 1-to-10-acre parcels. The very high density proposed by this rezone is not even remotely in the same character of this long-established neighborhood.
- c. **Lack of safe neighborhood connections**, page 26 of the Comprehensive Plan lists the I-70 overpasses at 23 Rd & 26 Rd as being **"non-existing crossings" as...multimodal grade separated crossings"**. Both 24 ½ and the 25 Rd overpasses can easily share the same designation since they are just as narrow (18' width) and will not safely support pedestrian or bicycle traffic either. The Plan also states, page 29 that future growth should **"promote housing density to be located near existing or future transit routes and in areas where pedestrian and bicycle facilities can provide safe and direct connection to neighborhood and employment centers"**. Both CDOT (2019) and Dave Thornton (meeting on 3/1/23) indicated that there are no future plans to improve or provide pedestrian access for any of the four overpasses listed above.
- d. The established surrounding community will not derive any benefits from this proposed rezone.

Sincerely,

Dan & Cynthia Komlo
852 24 ½ Road
Grand Junction, CO

Niki Galehouse

From: K. S. Knudson <knudsonv@earthlink.net>
Sent: Friday, December 8, 2023 12:17 PM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone

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

Dear Ms. Galehouse,

I am writing to express my opposition to rezoning the 2428 H Road property from 1Unit/acre to 5 Units/acre. I was opposed to the "flagpole annexation" several years ago and still believe that denser development of this property does not fit in with the character of the surrounding area. 24 Road has long been a demarcation between the larger parcels to the east and denser development toward Appleton Elementary.

Thank you,

Knute Knudson
876 Covey Road
Grand Junction, CO
81505

Planning Commission

RE: Vista 5 LLP Rezone
RZN-2023-555
2428 H Road

To be heard **December 12, 2023**

I encourage the Planning Commission to pause for a moment and consider why one of its **members** stated on 2/14/23 that this *identical* proposed rezone is **"not even remotely compatible" with the neighborhood.**

I suggest his reason is why the subject parcel was **zoned R-1** by City Council in 2019.

The attached **aerial photo** shows this "not even remotely compatible" in one broad picture of the neighborhood, with the dots representing an existing home or developed residential lot.

Please consider as part of this 'why' the following information as related to the history of the neighborhood, and why **denial of the requested rezone** is appropriate for **quality growth** in greater Grand Junction:

- 1) the subject 'neighborhood' is the *residential* area **between 24 and 26 Roads North of I-70**
- 2) the neighborhood is **already about 75-80% developed**
- 3) the neighborhood has **a long history** since the mid 1960's of **developing as 5 acre, 2 acre**, and most recently as **some one acre** home parcels
- 4) a rezone would dramatically alter this **longstanding area development plan** ...into "not even remotely compatible"
- 5) the average parcel size of this long developed neighborhood is **nearly 6 acres in size**
- 6) the proposed rezone would be nearly **30 times the density** of the average parcel size of this substantially developed neighborhood; please observe the **greatly disproportionate density (dots)** in the aerial photo of the proposed development [up to **95 homes** on 17.37 acres] compared to neighborhood.
- 7) the proposed rezone would also be 5.5 times the density of the smallest of lots of the neighborhoods labeled 'R-1 Sample.'

- 8) the City has already recognized **where increased density should go** in this North Central Valley area with existing higher densities **West** of 24 Road and **East** of 26 Road with sewer needs and more dense developments in these areas. The West area needed sewer because of commercial use, the school, and high water tables in the area. These recognized higher density areas, along with I-70, **provide the definition of the subject established neighborhood.**
- 9) The **existing R-1** zoning of the subject **already exactly fits the needs and long established character of the neighborhood,** matching its most recent developments.
- 10) Objective or Subjective?: If this decision was all objective, as 'one-size-fits-all', then PC consideration would not be necessary. The PC is to put flesh on the bones of the Development process. City land development recognizes this **subjective** nature with [see attached] statements like "**identify the land uses that are most compatible with the character and physical environment of specific areas**" and "**to protect ...unique sense of place and character.**" The proposed rezone does not fit these subjective criteria when considering the facts of inserting 30 times the existing average density of this substantially developed neighborhood.
- 11) I-70 Bridge: The most central access from the subject parcel to town is the 24½ Road I-70 bridge which is remarkably narrow at only **9' wide lanes** and with **rapid rising ramps** on each approach rendering **visibility ahead practically impossible** until reaching the bridge. Both these issues are unique to this bridge, with none other so narrow like it in the Grand Valley except the 29 Road I-70 'bridge to nowhere.' The 24½ I-70 Road bridge was truly scaled down for farm access. This bridge is an **attractive nuisance** to bikers and walkers desiring to get to Canyon View Park or Caprock Academy or shopping. Higher density would only complicate this over time. Try crossing the bridge with traffic sometime ...there are **steep declines on each side** with no place to bail out!
- 12) Flagpole Annexation: While the annexation was legal, it was **not done in the spirit of the law** as it required 5 separate annexations to accomplish it [Annex #911-915 dated 9/22/19] ...5 separate contortions / jogs to 'fit' the subject parcel into the City. This effective 'island' annexation crosses undeveloped land and the GV Canal with no bridge, and to access it must exit the City to get there.
- 13) Finally, **why did the GJ City Council limit the density to R-1** in its August 2019 meeting regarding this parcel? It was because the CC recognized, in part, the Public Notification flaw in accepting a parcel into the Persigo Sewer district. All that is required is the infamous fine-print newspaper Public Notice ...**no parcel signage is required to reasonably notify the neighborhood** of coming high density. The inclusion in Persigo means inclusion in the City limits

...which necessarily means up to 5.5 units per acre ...all started without public signage on the property. That is why the CC compromised by matching the density to the highest existing density in the neighborhood.

I hope you consider these issues as '**quality growth**' ...all for the greater long-term good of Grand Junction and the Grand Valley.

In short, I respectfully ask the Planning Commission to **decline the rezone** as the already existing **R-1 zoning respects this area for the greater good of Grand Junction.**

Sincerely,



Dave Zollner

2562 H Road GJ, CO 81505
dzollner@gvii.net



Use Standards

ONE GRAND
JUNCTION
ZONING & DEVELOPMENT
CODE UPDATE



Use standards determine where certain land uses and activities can be located in the City. The Code helps identify the land uses that are most compatible with the character and physical environment of specific areas.



Development Standards

ONE GRAND
JUNCTION
ZONING & DEVELOPMENT
CODE UPDATE



Development standards set minimum requirements for each part of the physical environment (land, utilities, buildings) that form a development. Development standards affect the quality of development from protection



WHY DOES THE CODE ADDRESS THIS?

- To protect Grand Junction's life safety, public health, and unique sense of place and character.



Project Overview

ONE GRAND
JUNCTION
ZONING & DEVELOPMENT
CODE UPDATE



The goals of the Zoning and Development Code update project, informed and guided by the One Grand Junction Comprehensive Plan include:

1. Increase development potential across the city and promote a wide range of development types
2. Produce high quality and compatible development.
3. Increase housing supply and maintain affordability

HOW DO KEY CHANGES TO THE CODE IMPLEMENT THESE GOALS?

Key Changes	Project Goals		
	1	2	3
Use Regulations - <u>Expanded housing options</u> - Greater mix of residential and nonresidential uses allowed in more districts	✓	✓	✓
Site and Structure Standards		✓	
Natural Resources and Environmentally Sensitive Lands		✓	

Dot = house or developed lot

MARCH 2023 City GIS



Niki Galehouse

From: Ron Hughes <ronhughes2526@gmail.com>
Sent: Friday, December 8, 2023 1:17 PM
To: Niki Galehouse
Subject: RZN-2023-555

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

Good morning

I would like to voice my opposition **RZN-2023-555**.

This development is clearly not in keeping with the character of this area. It is also likely to lead to more acts of rezoning and poor planning in the future.

The area bounded by 24 and 26 Road and north of I-70 has historically been lower density properties and has become a significant contribution to the character of Grand Junction. I see this project as the beginning of the end for this unique part of the community.

Respectfully
Ron Hughes

Niki Galehouse

From: Joe Crocker <tachipepper@gmail.com>
Sent: Friday, December 8, 2023 3:07 PM
To: Niki Galehouse
Subject: Application #: RZN-2023-555

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

Niki:

Application #: **RZN-2023-555**
Project Name: **Vista 5 LLP Rezone**
Address: **2428 H Road**

I would like to express my opposition to the subject application.

1) the area West of 24 Road has already been developed for decades with higher density and sewer and commercial, but not so East of 24 Road, and is not comparable; and

2) and the subject area [generally defined as] East of 24 Road, North of I-70, and West of 26 Road is substantially developed out [may 75-80%], averaging greater than 5 acres per unit in a range mostly of 1 to 10 acre parcels. The very high density proposed by this rezone is not even remotely in the character of this long established neighborhood.

Thank you.

joe

Joe Crocker

806 24 Road

Grand Junction, CO 81505

Niki Galehouse

From: Kate Crocker <kate.colourz@gmail.com>
Sent: Friday, December 8, 2023 4:45 PM
To: Niki Galehouse
Subject: Application #: RZN-2023-555

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

Hi Niki:

Application #: **RZN-2023-555**
Project Name: **Vista 5 LLP Rezone**
Address: **2428 H Road**

I oppose the subject application.

First, the area East of 24 Road is NOT comparable to the area West of 24 Road which has been developed for decades with higher density AND sewer AND commercial.

Second, the subject area [generally defined as] East of 24 Road, North of I-70, and West of 25 Road is already substantially developed (approximately 75-80%), averaging greater than 5 acres per unit in a range mostly of 1 to 10 acre parcels. The very high density proposed by this rezone application is not remotely in keeping with the character of this long-established neighborhood.

Sincerely,

Mary Kohler
806 24 Road
Grand Junction, CO 81505

Niki Galehouse

From: Sarah Marshall <smarshall@arielcpa.org>
Sent: Sunday, December 10, 2023 8:57 AM
To: Niki Galehouse
Subject: RZN-2023-555 Vista 5 LLP Rezone

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

I live at 2439 H Rd, which is across the road from the above mentioned project. I wish to let you know that I am **adamantly** opposed to the rezoning of this property to what is proposed (R-5 zoning). This density does not align with the existing, long-established neighborhood. Nor is the infrastructure in place to support this type of re-zoning. Respectfully,

Sarah Marshall
Mobile: 970-270-7761
Email: smarshall@arielcpa.org

Niki Galehouse

From: Bruce Young <yrejoice@aol.com>
Sent: Sunday, December 10, 2023 1:40 PM
To: Niki Galehouse
Subject: Vista 5 rezone

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

Ms Galehouse:

We would desire to inform you that we would prefer to maintain the development at it present density. We recognize the need to develop. We request that the harmony of the neighborhood we grew up in be maintained.

Respectfully,

Bruce and Marina Young
2570 H Rd

Niki Galehouse

From: Dennis Haberkorn <dennisjh@acsol.net>
Sent: Sunday, December 10, 2023 5:33 PM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone

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

Dear Niki,

I am writing to voice my opposition to the proposed Vista 5 LLP Rezone which would allow up to 5.5 units per acre on a 17.3 parcel. We have lived in Sage Run Estates since 1980; it was the first residential development in the Appleton Area. Since then we have attended countless area planning meetings, discussions of proposed developments, etc. The one constant in 40+ years of meetings is a consensus that the area retain its rural character..

The proposed Vista 5 proposal is not remotely rural in character. I urge the members of the planning commission to reject the proposal and retain the existing 1 acre zoning on the parcel.

Sincerely,

Dennis Haberkorn

877 25 Road/Grand Junction, CO 81505

Niki Galehouse

From: Joane Haberkorn <joaneh@acsol.net>
Sent: Sunday, December 10, 2023 5:35 PM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone

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

I wish to oppose the Vista 5 LLP Rezone and urge the Planning Commission to retain the existing R-1 zoning on the subject parcel, which reasonably reflects the long established land use of the area.

Joan Haberkorn

Niki Galehouse

From: Jim Marshall <jmarshall@ravenridge.com>
Sent: Monday, December 11, 2023 8:22 AM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone application RZN-2023-555 @ 2428 H Rd

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

Good morning, Niki:

I am writing to let you and the Planning Commission know that I oppose the rezone of the parcel located at 24528 H Rd. I live across the street and to rezone the parcel to R-5 would not even remotely be compatible with the area, as the existing R-1 classification is already within the current housing density and character of the area.

Thank you.

Best regards,

Jim

James S. Marshall
Executive Vice President

Raven Ridge Resources, Incorporated

+1 (970) 256-2654 Desk

+1 (970) 260-4131 mobile

Niki Galehouse

From: Kiser, Brad <BKiser@eprod.com>
Sent: Monday, December 11, 2023 2:44 PM
To: Niki Galehouse
Subject: Oppose the rezone "Vista 5 LLP Rezone"

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

Application #: RZN-2023-555
Project Name: Vista 5 LLP Rezone
Address: 2428 H Road

I oppose the rezone and that the existing 1 acre [R-1] zoning on the subject parcel already reasonably reflects the long established land use of the area.

*Brad M. Kiser
794 24 1/4 Road
Grand Junction, CO
81505
Office 970-263-3015*

This message (including any attachments) is confidential and intended for a specific individual and purpose. If you are not the intended recipient, please notify the sender immediately and delete this message.

Niki Galehouse

From: Melanie Hylan <starfish07@hotmail.com>
Sent: Monday, December 11, 2023 9:28 PM
To: Niki Galehouse
Subject: RZN-2023-555

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

To whom it may concern,

In regards to
Application #: RZN-2023-555
Project name: Vista 5 LLP Rezone
Address: 2428 H Rd

I strongly oppose the rezone of this property (to R-5) and think the current R-1 zoning is more reasonable for this location and is more cohesive with the surrounding properties.

Thank you,
Melanie Hylan
2448 H Rd

Sent from my iPhone

Grand Junction Speaks

Published Comments for December 12, 2023 Planning Commission Meeting

Vista 5 LLP Rezone

Brian how

• Dec 11, 2023 • 8:15pm

I just want to say that I'm totally against this new designation for. 2428 8th Road from an R 12 and our 5 we had a meeting about this just believe it was just this past year and maybe it was 2 years I can't remember but that's when it was decided to making an AR-10 don't see any purpose in making it our 5 that's way too dense population way to dance do islands for this agricultural parcel if anyone would take a drive to go by this on 8th Road or on 24 and a quarter you'll see that it is surrounded by agricultural properties my home is in Albina Estates I'm about one block south of 8th road we have 9 houses in here each of them on. 1800 with 1 home being on 2 Acres I think that this parcel on 17.3 Acres should remain our one just like we are here and I'll be no Estates making it on putting in our 5 subdivision on 8th road is totally out of character for this area. I think that's all I have to say

Address:

78824 and 1 quarter Road Grand Junction Colorado 800-5005

Grand Junction Colorado, 81505

Bruce and Josie

• Dec 11, 2023 • 8:14pm

this. is. a ridiculous use of land in this area and we strongly opposed. thank you

Address:

800

Grand Junction, 81505

Winona Wyatt Wy ATT

• Dec 11, 2023 • 8:14pm

I'm calling about the old sod farm that is there one into reason it too it's at 2428 8th road we have the property right next to it. putting a \$5 per unit on that would be horrible for this area number one it doesn't go with the area this is a farming area was a houses at least 5 Acres. and also the road conditions are horrible h Road cannot handle that traffic the road over 24 Road the bridge there is horrible if not even safe to get across it with a car our with a person we have no access to the park and less you go over that bridge and it needs to be left to where there's not very many houses for acre one per acre would be more than it needs. I don't know exactly how to say it but I'm so against you put in a lot of houses in there are high rises or anything else it is nothing but for the moneymaking people of this Valle that they can just make more and more money and what they're doing to the valley they don't care you're making this Valley nothing butt Metropolitan Urban Plum and it needs to stop you need to take into consideration that that is no place to put a high density housing thank you

Address:

24168 Road Grand Junction Colorado

Grand Junction Colorado, 81505

Sandra M Holloway

• Dec 11, 2023 • 4:07pm

I am writing to again strongly oppose the rezoning idea for this parcel, it just doesn't fit with the surrounding neighborhood in any way. My main concern is the roads around this area which don't get upgraded apparently even though at least 90 more vehicles will be using them. The developers should be required to pay to have all the roads around their development brought up to better standards.

Address:

813 24 1/4 Road

Grand Junction, 81505

Grand Junction Speaks

Published Comments for December 12, 2023 Planning Commission Meeting

Vista 5 LLP Rezone

Brian how

• Dec 11, 2023 • 8:15pm

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Address:

813 24 1/4 Road

Grand Junction, 81505

December 16, 2023

Dear Ms. Galehouse and City Planning Team,

Concerning Application #: RZN-2023-555

Project Name: Vista 5 LLP Rezone

Address: 2428 H Road

We oppose changing the existing development plan for this parcel from R-1 to R-5.

We purchased our property north of I-70 in 1995 under the development plan that has been in place since the 1970's and etched in planning department codes since 1990.

Most recently R1 was approved in the Development Plan in 2019. Much thought and input were given to that plan when it was approved.

Several times since then, the Planning Commission has considered changing the code from R1 to R5 but has denied the change.

Once again, a proposal for high density development in a section of the county where it is not in the Development Plan is being considered. The developer is again requesting a change in zoning to R5 for a 17-acre parcel at 2428 H Road which according to the **2019 approved Development Plan is zoned for R1.**

This rezoning request was denied most recently in Spring 2023. We appreciate that earlier the Planning Department denied this request and hope they do so again.

One of the assets of the Grand Junction area is the diversity of development. The Area north of I-70 between 24 and 26 Roads zoned as R1 that is still relatively close to town is unique to our city and an asset to the City and County.

There is land south of I-70 that is zoned appropriately for the R5 development.

Our concerns also consider traffic on small roads as well as additional traffic on the 9' wide lanes on the I-70 Bridge on 24 ½ Road which was not designed for high density traffic, but we are most concerned about the Planning Department not following the Development Plan that was most recently approved in 2019.

The area 24 Road to 26 Road north of I-70 is already about 75-80% developed as large lots following the Development Plan over the past 50 years. It is not appropriate to disregard the Development Plan to mix high density subdivisions in an area already

80% developed under the existing plan of R-1 for the remaining small percentage of undeveloped land in this area. There is land outside of this corridor available for high density housing.

Please include our letter in the packet to be distributed to the City Council on January 3, 2024.

Thank you for your time and consideration in this matter.

Sincerely,
Archie and Sue Magee
2517 Oleaster Court
Grand Junction, CO

Niki Galehouse

From: bfuoco2467@gmail.com
Sent: Saturday, January 6, 2024 1:01 PM
To: Niki Galehouse
Subject: RZN 2023-555

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

Hello Niki,

As the largest landowner on H Road between 24 and 25 Road I will be the most impacted by a decision to change the zoning from R-1 to R-5 at 2428 H Road. My family has lived there for forty years as opposed to a developer who recently purchased his property.

This property is a tier II property bordering tier III. Any zoning change would change the character of the area forever. A development with the density of downtown Grand Junction would be inconsistent and detrimental to the entire surrounding area which is mainly agricultural.

There is no need to leap frog plenty of developable properties to change the zoning from R-1.

Per Grand Junction's own comprehensive plan, any subdivisions should be compatible with the surrounding area. R-4,5 would not be.

Please deny the zoning change request.

Bob Fuoco

Please forward my comments to the PC for the January 23rd hearing.

Sent from my iPad

Niki Galehouse

From: Lynette Richardson <richardsonranch21@yahoo.com>
Sent: Monday, January 15, 2024 8:16 PM
To: Niki Galehouse
Cc: David Mayer
Subject: I am oposeded to the hight density proposal below:

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

Please vote No on this rezoning:

Vista 5 LLP Rezone' of **2428 H Road** continues to propose up to **5.5 units/acre, or up to 95 homes on this 17.3 acre parcel ...**

oppose the rezone and that the **existing 1 house/acre [R-1] zoning on the subject parcel** already **reasonably reflects the long established land use of the area.**

Rezone is **dramatically not in character** with the long-standing already developed nature of the area,

Respectfully yours,

Lynette Richardson
21st Century Health Technologies
970-261-5100
richardsonranch21@yahoo.com
Website: richardson.mynikken.com

"Energy Medicine is the medicine of the future."

Niki Galehouse

From: ashley beesley <ashleywcolo@yahoo.com>
Sent: Tuesday, January 16, 2024 11:42 AM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone

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

Dear Nicole,

I'm writing in opposition to the proposed development at 2428 H Road in North Grand Junction, also know as Vista 5 LLP rezone, Application # RZN-2023-555.

I strongly urge the density be thought out to more reflect the current buildout, which on average reflects 1 unit per 5 acres, to keep the land use similar and cohesive. RSF-1 would be the minimum for this area. 5 untis per acre is not fitting at all, not to mention the many many issues it would bring to the already stressed infrastructure North of Patterson Road to Highway 6 and 50.

I appreciate your time and consideration.

Thanks,

Ashley Goetz
970-361-8871
ashleywcolo@yahoo.com

[Sent from Yahoo Mail on Android](#)

Niki Galehouse

From: Bruce Bolton <fortbolton@gmail.com>
Sent: Tuesday, January 16, 2024 8:36 AM
To: Niki Galehouse
Subject: RZN-2023-555

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

Vista 5 llp rezone. We are strongly opposed to rezone.

Niki Galehouse

From: judyjudyjdog@aol.com
Sent: Tuesday, January 16, 2024 2:02 PM
To: Niki Galehouse
Subject: Voice of opposition

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

I write in opposition to Project "Vista 5 LLP Rezone, Application #: RZN-2023-555. After visiting the area numerous times and searching for the "perfect" lot for my home relocation, I was particularly drawn to the area north of I 70 between 24 and 26 Roads. I wanted a lot of at least 1 acre in size set in amongst similar properties. The rural setting with urban access is ideal for those of us who like to live "in the country". This area has been maintained for decades with it's R-1 zoning, and it would be a huge disappointment to many of the residents in this area to consider re-zoning.

Thank you for your thoughtful consideration to maintain one of the areas unique and attractive neighborhoods!

Sincerely,

Judy Devine
2525 Riata Ranch Ct.
Grand Junction, CO 81505
330-417-5911

Niki Galehouse

From: Larry Tice <larry.d.tice@gmail.com>
Sent: Tuesday, January 16, 2024 11:31 AM
To: Niki Galehouse
Subject: vista 5 llp rezone

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please let me restate my opposition to proposed rezone change. The existing R-1 most similar to similar land use in this area. please maintain the rural character of this area

--

Larry D. Tice, MD

Niki Galehouse

From: Mark Madsen <markmadsen49@gmail.com>
Sent: Tuesday, January 16, 2024 9:35 AM
To: Niki Galehouse
Subject: Vista 5 LLP rezone

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

Dear planning committee and city council- We would like to voice our opposition to the proposed rezone of the existing 1 house/acre (R-1) of 2428 H Rd. (application # RZN-2023-555). It is not in character with the long-standing, already developed, nature of the area. Thank you- Mark & Karen Madsen (2484 Sage Run Ct.,)

Niki Galehouse

From: Sandra Holloway <sandsourdough@gmail.com>
Sent: Tuesday, January 16, 2024 8:51 AM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone at 2428 H Road

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

I am strongly opposed to the rezone of this property to over 90 parcels as it is not in character with the surrounding area. I also believe the road system is not up to the kind of traffic that an additional 180 +- vehicles will cause.

The existing 1 home per acre is plenty and already reasonably reflects the long established land use of the area.

--

Sandra M. Holloway

Niki Galehouse

From: Matthew Rossman <mrossman1984@gmail.com>
Sent: Wednesday, January 17, 2024 5:16 PM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone

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

Hello Ms. Galehouse,
I'm emailing you on behalf of all the neighbors in the Appleton area in opposition of the rezoning at 2428 H Rd. We have petitioned year after year to prevent this rezoning as it does not fit the character of the area, nor does it maintain the diversity of the grand valley we love. The city council settled 3-4 years ago on 1 house per acre previous to the applicant pulling their application. Please keep this in mind as you make your decision.

Kind Regards,
Matt Rossman

Niki Galehouse

From: Drew Reekie <drewreekie@icloud.com>
Sent: Friday, January 19, 2024 9:05 AM
To: Niki Galehouse
Cc: Dave Zollner
Subject: Vista 5 LLP

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

This application for rezone is not consistent with the character that is already developed (1 home per 5 acres)! Stay consistent with the history of 1 home per 5 acres, which will maintain the esthetic value of Appleton.

Drew and Mary Reekie
2411 I Road
Sent from my iPhone

Niki Galehouse

From: craig Moulton <cmoulton2468@yahoo.com>
Sent: Friday, January 19, 2024 9:45 AM
To: Niki Galehouse
Subject: 2428 H Road Rezone

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

I'm sending this email to voice my objection to the re-zoning subject property from R-1 to R-5. This will put a strain on the current infrastructure as it is currently not designed to handle the increase in traffic. The area now is designed for larger land parcels (1 to 10 acres). Please consider this and vote against this project.

Thank you Craig Moulton

**Stephen Hillard
887 25 Road
Grand Junction, CO 81505**

To: Grand Junction Planning Commission

Re: Opposition to Vista 5, LLP Rezoning Application

Date: August 19, 2023

Dear Commissioners,

A settled doctrine under Colorado law is that spot zoning is illegal and will be reversed by the courts.

In this application, Vista 5 seeks to maneuver the Planning Commission into approval of a classic case of arbitrary spot zoning. This will create an island of inconsistent use in a substantial expanse of uniform low-density residential and agricultural development. It also may generate appeals and litigation — all to the detriment of the public process and for the economic benefit of a single landowner.

I. The Proposal Constitutes Spot Zoning. The classic definition is:

“[T]he process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners.”

Anderson's American Law of Zoning, 4th Edition, Sec. 5.12 (1995).

II. Under Colorado Law, Rezoning Is Reversed When It Disrupts the Character of the Neighborhood.

In Clark v. Boulder, 146 Colo. 526, 362 P.2d 160 (Colo. 1961), the unanimous Colorado Supreme Court found that a rezoning was arbitrary and constituted spot zoning based upon these factors:

- There must be a substantial “change in the character of the neighborhood” to justify the rezoning.
- The rezoning change “clearly fails to take into account the need for reasonable stability in zoning regulations.”
- It “had all the earmarks of enabling” the developers to build an inconsistent use.
- “[The] change had all the vices of spot zoning, in that it singled out a small area for special treatment in a manner that did not further the comprehensive plan.”
- “In determining whether spot zoning is involved, the test is whether the change in question was made with the purpose of furthering a comprehensive zoning plan or designed to relieve a particular property from the restrictions of the zoning regulations.”

In Holly v. Commissioners, 140 Colo. 95, 342 P.2d 1032

(Colo.1959), the Colorado Supreme Court held:

- It is apparent that one of the primary objectives of proper zoning would be defeated if the courts were to approve such a flagrant disregard of the rights of those immediately affected, as has occurred here.
- “The power to amend is not arbitrary. It cannot be exercised merely because certain individuals want it done or think it ought to be done. The change must be necessary for the public good.”
- “The defendant, by amending the Arapahoe County Zoning Resolution, as it did, failed to take into consideration the need for reasonable stability in zoning regulations In so doing, it abused its discretion, acted arbitrarily and capriciously, and exceeded its jurisdiction.”

III. The Vista 5 Rezoning Is Contrary to the Comprehensive Plan.

The City’s Information memo (12/12/23) (the “Study”) argues that the application is in conformance with the Comprehensive Plan. This conclusion is in error and arbitrary in the following respects:

First, the Study found that three of the five criteria under the applicable municipal code were not met. Stated in plain English, the findings are:

A. The character of the area has **not** changed, and therefore the rezoning would **not be consistent** with the Plan.

(page 3, item 2). This finding alone makes this an example of spot zoning under Colorado law.

B. An adequate supply of suitably designated land is **available** in the community to accommodate the proposed use. (page 4, item 4).

C. The community will **not derive benefits** from the proposed amendment. (page 4, item 5).

This leaves only two criteria, both of which are also not satisfied.

D. Subsequent events have **not** “invalidated” the R-1 zoning.

No actual, physical events have occurred in this community that could possibly invalidate the status of this property. The original City Council decision to zone this parcel R-1 was based on extensive hearings and public input. That decision remains correct on the facts today.

Finding no events in the real world that would change the character of this community, the Study looks to paper events. It finds “invalidation” in the “retirement” of the R-1 category. The City’s argument is nothing more than a classic “bootstrap” attempt. The new municipal code clearly provides that the retirement in no way invalidates the legal integrity of the present R-1 zoning for Vista 5 property.

The limited effect of the term “retirement” under the new code could not be clearer. As the Planning Commission was told by its advisors and accepted in the course of public hearings, the term “means that the district regulations are carried forward in the new code but future rezoning to that district is prohibited.” Land

The current R-1 zoning on the Vista 5 Property is valid and carried forward. Even on paper, there is no “invalidation” and no change of circumstances.

Accordingly, this finding is incorrect and arbitrary.

E. Public and community facilities are **not** adequate.

The Study erroneously finds that the public and community facilities are adequate to serve the higher density. (pages 3-4). There is no basis for this finding, especially in regards to:

- Parks. The location of Canyon View Park is in fact a problem for this rezoning. The park is a magnet for kids walking or taking their bikes to the park, which means that from this proposed subdivision they will typically go over a dangerous, no-walk-way, highly inadequate bridge on 24 1/2 Road. The 24 Road access is perhaps worse. This is a disservice to the public and an open invitation for municipal liability.
- Roads and Access. To drill down a little deeper, consider the Pedestrian and Bicycle Plan, recently reviewed and approved by the Council. It clearly identifies access across the 24 Road and 24 1/2 Road bridges as Level-4 problems — i.e. they are unsafe. Allowing this intense development (involving scores of young children) to go forward now will result in undeniably unsafe conditions according to the City’s own planning documents. Surely the City does not want to disregard its own planning process just to get this development done to economically benefit one person.

- Schools. The fact that Appleton Elementary is 6/10 of a mile away just glosses over the fact that the school is already overcrowded. Adding another 80-plus residences nearby will compound this problem. The Study fails to even address this key issue.
- Fire Department Response. This is serious, life-or-death business. The Study, however, again glosses over this critical facility. The City previously admitted that the response time does not meet the required response time under the National Fire Protection Association standards. Those standards set a required performance limit. See NFPA Section 1710 (2020). That other fire stations could also arrive late doesn't help. Nor does recitation that the City has a plan for a future fire station address this absolute non-compliance of a critical facility.

Accordingly, as to the “facilities” test, the proposed rezoning flunks. It is unsafe and invites disaster for the public and the City along the way.

Finally, the Study resorts to generalized considerations of “visions, goals, and policies” under the Comprehensive Plan.

Within the 100-plus pages of the Comprehensive Plan are numerous visions, goals and policies that could be marshalled to counter this approach. Principal among these is not disrupting established neighborhoods. However, rather than catalog this array, one important point is that this approach cannot be used by the Planning Commission to support a rezoning.

The Applicant and the City have both elected to proceed under the 2010 Municipal Code. That being the case, there is no authority to factor in these generalized considerations for this

rezoning. The 2010 Municipal Code at 21.02.140 does not provide for a generalized, catch-all category for rezoning decisions. In fact the relevant language is that the rezoning “must only occur if” one of the five criteria is found. There is no generalized escape hatch from this mandatory provision.

The 2023 Municipal Code makes this even clearer: “Applications shall not be processed under a combination of prior regulations and this Code.” 2023 Municipal Code at 21.01.110 (c) (1).

A few observations are nonetheless in order for this part of the Study:

- The Study correctly notes that the priority should be on in-fill and redevelopment projects, rather than rezoning this far-flung island for the economic benefit of a land speculator and the detriment of the surrounding community.
- However, it is incorrect to declare that housing in Grand Junction is “in crisis.” This is totally unsupported and has the air of a political statement. The Comprehensive Plan says that the city is expected to grow by slightly over 1% per year, hardly the basis for a crisis. The statement also is contradicted by the findings of District 51, well-publicized in the media, that there is a declining student population and schools have to be merged or eliminated. This is certainly not a basis for the rezoning at issue here.

IV. Finally, the Application Has a Fatal Notice Defect.

This is a matter of law as established by explicit precedent from the Colorado Supreme Court.

21.02.080(G)(4) provides:

“(i) [T]he applicant shall post approved signs giving notice of the application. The applicant shall post at least one sign on each street frontage of the property at least 10 calendar days before the initial public hearing and remain posted until the day after the final hearing.

(i) One sign per street footage is required.”

The Applicant apparently failed to post the required sign on 241/2 Road. This is not a mere technical failure. The existence of that road as a public road was an essential component of the highly-controversial “flagpole annexation” of this very property in 2019. It cannot be ignored now.

Colorado is a “strict conformance” jurisdiction when it comes to notice requirements in zoning matters. As the Colorado Supreme Court held in Holly Development Corp. v. Board of County Commissioners, 342 P.2d 1032 (Colo. 1959):

“It has been the rule in this state since territorial days that statutes relating to publication of notice in legal proceedings must be strictly complied with.”

Id., quoting People for Use of School District No. 6 v. Schaeffer, 100 Colo.70, 65; 65 P.2d 699, 701 (Colo. 1937).

“Publication,” of course, includes conveying information by physical signage. This is still, and perhaps more than ever, a critical way of informing the public. The available print media in this market are simply not of general circulation any more. Posting of signage is an important form of notice publication.

Nor can this error be saved by the "Substantial Compliance" section of the 2010 Municipal Code, 21.02.080(g)(7). In Holly, *supra*, the applicant argued that there had been substantial compliance because the opposing parties appeared in the proceeding and thus had actual notice. The court rejected this, no doubt because the strict compliance rule is based on constitutional considerations of due process for entire communities:

"Notice by publication is the law's substitute for personal notice. . . . [T]o be effective as against any one whose rights are involved . . . strict compliance with the proper statute is essential" *Id.*

Accordingly, this is a fatal error and the application must be denied.

Conclusion.

The simple truth is that elements within the City have for years sought to disrupt this long-established rural neighborhood. This application is merely *deja vu* all over again and should not be approved.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steve K. [unclear]", written in a cursive style.

Niki Galehouse

From: Randy Hunt <cobblecreekoffice@gmail.com>
Sent: Monday, January 22, 2024 10:08 AM
To: Niki Galehouse
Subject: 2428 Re zoning

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Just like to say My wife and I are against this! Thanks Randy Hunt 2453 H Road

Niki Galehouse

From: Dan Steinkirchner <dsteinkir@gmail.com>
Sent: Monday, January 22, 2024 12:47 PM
To: Niki Galehouse
Subject: Rezone of 2428 H Road

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

The rezone of **2428 H Road** continues to propose up to **5.5 units/acre, or up to 95 homes on this 17.3 acre parcel** ... this is not consistent with the character of the residential area North and East of I-70 and 24 Road.

I oppose the rezone of this property and I believe the **existing 1 house/acre [R-1] zoning on the subject parcel** already **reasonably reflects the long established land use of this area** and request denial of the rezoning of this property.

Respectfully,

Dan Steinkirchner
780 Foxtail Rd
Grand Junction, CO 81505

Sent from my iPhone

Niki Galehouse

From: Tracy Brown <tracy.jeanne@yahoo.com>
Sent: Monday, January 22, 2024 1:53 PM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone: RZN-2023-555

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I oppose this **Rezone** because the **existing 1 house/acre [R-1] zoning on the subject parcel already reasonably reflects the long established land use of the area.**

Thank you,

Tracy J Brown

Niki Galehouse

From: Kristin Rau <kernrau@gmail.com>
Sent: Monday, January 22, 2024 4:27 PM
To: Niki Galehouse
Subject: Vista 5 LLP Rezone

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

I oppose the rezone and that the existing 1 house/acre [R-1] zoning on the subject parcel already reasonably reflects the long established land use of the area.

Kristin Rau
2573 I Rd

Niki Galehouse

From: Neil Morris <morrisneiloby@gmail.com>
Sent: Tuesday, January 23, 2024 8:13 AM
To: communications
Cc: Niki Galehouse
Subject: Opposition to High Density Subdivision RZN-2023-555

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

Dear Grand Junction Planning Commission,

I am writing to express my strong opposition to the proposed rezoning of the land North of H Rd between 24 and 24 1/2 Rd. As a concerned resident and taxpayer, I firmly believe that the City Council's thoughtful approval of R-1 zoning (1 Dwelling per acre) just over three years ago was a well-considered decision based on the historical development of the area.

The region between 24 Road and 26 Road, North of I-70, has been methodically and purposely developed with R-1 zoning since approximately 1970. The planning department's codes, established in 1990, have reinforced this zoning, contributing to the unique character and stability of the community. The area is currently developed with predominantly 10, 5, 2, and one-acre lots.

Introducing a radical change in zoning to the proposed density level is not consistent with the quality growth that our community deserves. The existing zoning has played a crucial role in maintaining a diversity and variety of land use, fostering a balanced and harmonious development pattern. Altering this established framework would not only disregard the careful planning of the past but also exert undue pressure for higher density developments throughout Grand Junction.

I urge the City Council to consider the long-term implications of such a rezoning decision on the community's character, infrastructure, and overall quality of life. It is crucial that we preserve the thoughtful planning that has shaped our neighborhood for decades and avoid making decisions that could lead to haphazard development and diminished living standards.

I appreciate your attention to this matter and trust that you will carefully consider the concerns of residents who are deeply invested in the well-being and sustainability of our community.

Sincerely,
Neil Morris
Homeowner
818 24 1/2 Rd
GJ, CO 81505

Niki Galehouse

From: Patrick Page <ppage@patrickpagemd.com>
Sent: Tuesday, January 23, 2024 10:02 AM
To: Niki Galehouse
Cc: Dave Zollner; Cynthia Komlo; Bob Fuoco
Subject: Appleton zoning opposition

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

Niki Galehouse,

I reside at 827 25 road, property I have owned since 1989.

I oppose any zoning density greater than R1.

I appreciate the need for Planning to balance the growth expectations for Mesa County against the need for neighborhoods to maintain their character.

I do not think it is in the sole interest of Planning to accommodate developer's desire for wholesale dense growth against that character.

If Planning/City Council maintains the R1 designation, subdivisions like Greystone, which maintain a character consistent with East Appleton, will gradually appear and will raise no opposition by the residents impacted.

A complete buildout of R1 in this area would result in an approximate 1000% increase in density. This would be more than its fair share of growth accommodation.

Patrick Page

ppage@patrickpagemd.com

Niki Galehouse

From: Bobbi Alpha <bobbialpha@aol.com>
Sent: Tuesday, January 23, 2024 11:56 AM
To: Niki Galehouse
Cc: davecz1974@gmail.com; Karen Madsen; dan.komlo26@gmail.com
Subject: OPPOSE Vista 5 LLP Rezone

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

We oppose the rezone.

Application#: RZN-2023-555
Project Name: Vista 5 LLP Rezone
Address: 2428 H Road

The existing 1 house/acre [R-1] zoning on the subject parcel already reasonably reflects the long established land use of the area.

Sincerely,
Barbara and Sigma Alpha
843 25 Road, GJ 81505

Grand Junction Speaks

Published Comments for January 23, 2024 Planning Commission Meeting

Vista 5 LLP Rezone

Monona Wyatt Wy ATT

• Jan 22, 2024 • 12:19pm

it is with a heavy heart and great sadness that I learned you wanted to take another piece of prime farmland and turn it into a high density housing addition. we own the property directly west and have many concerns we are agricultural with crops and livestock that will be impacted by the people traffic noise domestic animals that and Urban Development would bring into this area your plan for this property. for 54 houses with access only from 24 and a quarter Road would generate a minimum of 4 people per house that is 216 people each house would have at least two vehicles or 108 more vehicles at least if each vehicle goes in and out once a day that is 216 more vehicles on that road in one day but more likely would be 432. Jim one day if each goes in and out twice then there is the trash pick up mail delivery meter readers repairman utility companies delivery unit and it goes on and on if the average house cost between 300000 to 600000 and the average property tax on all property in this area will go up the agricultural our Urban the school will be stressed with more students at least 108 to summarize to benefit the developer by several million the realtor by thousands and commission the city from property taxes building permits fees licensees and Pepsis. utility companies from scenes monthly bills and engineering and surveyors who lose it's the present property land owners promote more high density development and this agricultural area over crabs schools changes the character of this area from Royal to Urban increases traffic in an already very heavy traffic area of 8 and 24 and a quarter Road loss of peace and quiet and courage is smaller agricultural operations out of business Apex wildlife habitat increases know a new people in the subdivision use excessive water complain about I will cultural activities smells and except row increases vandalism in crime and in dangers livestock and senses makes it even easier for the city to expanded borders raising property taxes in this area you were elected appointed are hired to serve the people not just the ones. money all the people do your duty and denied this subdivision thank you

Address:

24168 Road Grand Junction Colorado

Grand Junction Colorado, 81505

Greg Tamburello

• Jan 19, 2024 • 6:42am

The area being considered for this development is not conducive to R5 development. First off it does not fit with the character and use of the land in that area. Rural homes on 1 acre or more are the norm. Most all of the nearby residents moved to the area to get away from this type of development and cherish the daily life living in this community. This development would up end the area and de-value nearby properties, its like a Cancer that consumes the real quality of life. The North area has been historically known for wonderful rural estates. The Infrastructure that exists is not ready, there are no sidewalks no Bike paths, yet you are considering a development with literally hundreds of children venturing out into the area to explore. The 24 1/2 road Bridge over I-70 is Extremely narrow with steep inclines on the North and South side that limit the distance one can view on coming traffic. A bicyclist gambles with his life going over the bridge, there is barely enuf room for two cars passing side by side let alone with a bike or pedestrian. Can you imagine children with bicycles trying to get to Canyon View park over that bridge! H road itself is narrow with no bike or walking paths and again would not be conducive to this type of development. Keep in mind the adjacent parcel not included in this application would be developed after completion and would be compounding the problems in this area. The only beificary's of this development are the developers they don't care about the area they are interested in one thing, MONEY and the nearby residences are left to deal with the aftermath. Certainly there are better undeveloped parcels within the Grand junction limits better suited for high density such as this. Please keep the development in this area 1 acre parcels like the City Council recommended. Approve 1 per acre its a better fit.

Address:

2446 Ruby Mesa Court

GRAND JUNCTION PLANNING COMMISSION
January 23, 2024, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:31 p.m. by Chairman Teske.

Those present were Planning Commissioners; Shanon Secrest, Ken Scissors, Keith Ehlers, and Kim Herek (virtual).

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Supervisor), Dani Acosta Stine (Senior Planner), Dave Thornton (Principal Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 54 members of the public in attendance, and 2 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from January 9, 2024.

REGULAR AGENDA

1. Riverfront at Dos Rios ODP

PLD-2023-581

Consider a request by DR Land LLC, DR Townhomes 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, located on the northeast bank of the Colorado River between Highway 50 and Hale Avenue.

Staff Presentation

Dani Acosta Stine, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Tess Williams with May Riegler provided a brief update on the status of the development and were available to answer questions.

Questions for staff

Commissioner Ehlers confirmed that the applicant was on board with the proposed amendments to the PD ordinance.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 5:58 p.m. on January 23, 2024.

Discussion

Motion and Vote

Commissioner Scissors made the following motion “Chairman, on the request for the 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-2023-581, 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 Secrest seconded; motion passed 6-0.

2. Aspire Residential Rezone

RZN-2024-12

Consider a request by Ken Co LLC to rezone 7.102 acres from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac).

Staff Presentation

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

Questions for staff

Commissioner Ehlers asked if this development would require a traffic study to be completed.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 6:12 p.m. on January 23, 2024.

Discussion

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the Rezone requests for a 7.11 acre rezone from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac) located at 2651 Stacy Drive, a request by the owner Ken Co LLC and applicant Aspire Residential, City file number RZN-2024-12, 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 Ehlers seconded; motion passed 6-0.

3. Vista 5 LLP Rezone

RZN-2023-555

Consider a request by Vista 5, LLP to rezone 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road.

Commissioner Secrest addressed the public requests for his recusal from this item.

The other Commissioners stated they had no concerns over Commissioner Secrest hearing the item.

Staff Presentation

Niki Galehouse, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Nate Porter, owner of the parcel, provided some quotes by City Council members in support of development of affordable housing.

Ivan Geer with River City Consulting provided a presentation on the request and was available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

Bob Fuoco stated that in 2019, City Council zoned the parcel to R-1. He noted that the subject property is completely surrounded by Mesa County and is not contiguous with the Persigo district. He argued that this rezone would reduce available stock for low density development. He commented that the area is unsafe for pedestrian and bicycle traffic.

Donna Aubert raised concerns about the increased strain on Appleton Elementary School.

Jim Marshall spoke on the approval criteria for the rezone and gave his reasoning for disagreeing with City staff's findings.

Meryl Wyatt stated that affordable housing is not as beneficial in the long term as attainable housing. He stated that Grand Junction needs to build more housing at all densities.

Dan Komlo stated that all of the previous applications for this project had strong opposition from the neighboring residents. He stated that this rezone is inconsistent with the character of the area. He stated that there is a lack of safe pedestrian connections across I70.

Larry Tice stated his opposition to the increased density.

Christi Reece expressed her support for the rezone noting the communities need for higher density housing developments.

Shiloh White stated she was open to development of the parcel, but only at the R-1 density. She provided statistics on consumer preferences for housing. She noted that there are high density developments nearby, but that kind of development did not fit the character of this area. She argued that other boundaries already exist besides the Urban Development Boundary (UDB).

Pat Page noted that if all the parcels in the area developed as R-1, it would be a 1000% increase in the density of the area. He argued that this area had intrinsic value for the variety of housing options in Grand Junction.

Dave Zollner quoted one of the commissioners on their opinion of the development. He said that the UDB is not a good indicator for development and that proximity does not necessarily mean it matches the character. He stated his complaints about the flagpole annexation and public noticing. He argued that this development is not infill and provided context from the 2020 One Grand Junction Comprehensive Plan (2020 Comp Plan) to support his claims.

Tyler Mundy argued that R-5 is not low density. He brought up the current state of H Rd and that the development would not be accessible by a City street. He expressed that if H Rd is supposed to be a major thoroughfare, the 24 ½ and 25 Rd bridges should be improved as well.

Ed Butterfield stated that he moved to the Grand Junction due to the diversity of housing options.

Cynthia Komlo disagreed with the quotes provided by Nate Porter. She argued that affordable housing did not currently exist in the area and should not be developed there in the future.

Ivan Geer stated that the UDB was the extent of annexation for the City. He noted that enrollment was declining for schools.

Nate Porter clarified his definition of affordable vs. attainable housing, and that he had nothing to do with the rezone of the property in 2019.

Commissioner Ehlers clarified that City Council approved the rezone to R-1 before the adoption of the 2020 Comp Plan. He asked if the proposed designation of H Rd as an arterial road was under current traffic volumes or projected future volumes. He asked how the character and condition of the area had changed since the last time this project was presented to the Planning Commission. He asked if there were any roads, other than H Rd and 24 Rd, that were slated for improvement in the area.

The public comment period was closed at 7:34 p.m. on January 23, 2024.

Discussion

Commissioner Ehlers thanked the community members for their participation and quality of feedback and presentations they provided. He commented on his familiarity with the area. He provided some context on the delineation of the UDB and the importance of public input in its implementation. He noted that the R-1 zoning was not in alignment with the 2020 Comp Plan and that it is the owner's right to develop their property as they choose, provided it is in alignment with the 2020 Comp Plan.

Commissioner Duyvejonck thanked the community members for their participation and that their feedback was taken into consideration. She noted that the Commission's decision has to be based on future development and that it is easier to be proactive with development.

Commissioner Scissors thanked the community members for their participation. He noted that the Planning Commission was entertaining a request to rezone the property, not to amend the 2020 Comp Plan. He noted that the request aligned with the 2020 Comp Plan. He addressed his previous comment on compatibility of this development and that he still did not see it, but that there were adequate amenities and services presently available to accommodate the development.

Commissioner Secrest thanked the community members for their participation. He noted that what neighborhoods want and what the community wants aren't always in alignment and that the Commission needed to consider the 2020 Comp Plan first and foremost. He mentioned that what constitutes "affordable" is often subjective.

Commissioner Herek echoed the comments made by the other commissioners.

Motion and Vote

Commissioner Ehlers made the following motion "Mr. Chairman, on the Rezone request for the property located at 2428 H Road, City file number RZN-2023-555, 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 Secrest seconded; motion passed 6-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Scissors moved to adjourn the meeting.

The vote to adjourn was 6-0.

The meeting adjourned at 7:56 p.m.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING FROM R-1 (RESIDENTIAL - 1 DU/AC) TO R-5
(RESIDENTIAL – 5 DU/AC) ZONE DISTRICT**

**LOCATED AT 2428 H ROAD
Tax Parcel No. 2701-283-04-001**

Recitals:

The property owner, Vista 5, LLP, proposes a rezone 17.37-acres located at 2428 H Road. (“Property”) from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5 du/ac).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of changing the zoning of the Property from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5 du/ac), finding that it conforms to and is consistent with the Land Use Map designation of Residential Low (2-5.5 du/ac) of the *2020 One Grand Junction Comprehensive Plan* and the Comprehensive Plan’s goals and policies, and is generally compatible with land uses located in the area.

After public notice and public hearing, the Grand Junction City Council finds that rezoning the Property from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5 du/ac) is consistent with the vision, intent, goals, and policies of the Comprehensive Plan and that request has met one or more criteria for a Comprehensive Plan amendment. The City Council further finds that request for a rezone to R-5 (Residential – 5 du/ac) zone district meets at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

That the Recitals are incorporated herein, and that the Property described below is hereby duly and lawfully zoned R-5 (Residential – 5 du/ac) on the City zoning map:

The Property is a parcel of land being LOT 1 OF VENEGAS MINOR SUBDIVISION NO. 2, COUNTY OF MESA, STATE OF COLORADO.

Introduced on first reading this 7th day of February 2024 and ordered published in pamphlet form.

Adopted on second reading this ____ day of _____, 2024 and ordered published in pamphlet form.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

DRAFT

RE: Vista 5 LLP Rezone Application RZN2023-555

My name is Dale Breckenridge and along with my wife we live at 2445 Ruby Masa Court directly north of the 17 acre property of the Vista 5 LLP rezoning application, which we both strongly oppose for the following reasons.

A rezoning of the 17 Acres at 2428 H road to R-5 with an average lot size of less than one fifth of acre in this area of Appleton where the average lot size is greater than 2 acres is a total mismatch or inconsistency with the current environment of one home per five acres.

More disturbing is the fact that granting this rezoning of R-5 opens the door for other property owners/developers to request and have approved R-5 rezoning requests for undeveloped properties and large lots in this area of Appleton. If one existing property in the area is rezoned R-5 then it is almost impossible to have other R-5 or higher rezoning request in the same area denied. Thus in this part of Appleton we could very easily be surrounded by homes built on small R-5 lots or more dense neighborhoods. H Road makes a good dividing line between the current high density neighborhoods south of H Road and the larger lots with low density housing north of H Road. The coming of Costco to Grand Junction will only make this more likely and sooner to happen if this rezoning request is granted.

Affordable housing has two aspects that need to be addressed by the city of Grand Junction. One is the price of housing and the other is the price of paying for the cost of required services (i.e. property and other taxes). With the development currently under way south of H Road the current balance of lower priced housing to more expensive housing is being tilted toward more lower priced housing with a corresponding demand for increased service costs and higher property taxes. It is this part of the equation that will make Housing in Grand Junction less affordable and is the reason why we moved out of California. Granting the Vista R-5 rezoning request will only exacerbate this problem.

In other parts of the country where we have previously lived, the crime rates have varied with the cost of housing in the area, with the crime rate being higher in more dense less expensive areas compared to areas with more expensive and less dense housing. For us this means that the area in which we currently live would become less safe if this Vista R-5 rezoning request was granted and opened the door for other R-5 or higher density rezoning requests in this part of the Appleton area to be granted.

While zoning of R-1 is the best fit for this area of Appleton, it may no longer be the most appropriate or desirable fit for the home buyers of today. A good compromise that would protect the current fit and nature of the Appleton area and also make the lot size more appropriate for today's home buyer would be changing the zoning to R-2 or R-3. Changing the Zoning to R-5 would definitely change the nature of this part of the Appleton area today and increasingly so in the future along with a decrease in property values for the residences currently in the area.

Thanks for your time and consideration,

Dale and Sally Breckenridge

Also hve

Niki Galehouse

From: bfuoco2467@gmail.com
Sent: Wednesday, January 24, 2024 4:31 PM
To: Niki Galehouse
Subject: Re: January 23rd Planning Commission

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

Niki,
I am not sure who I should send this email to but I hope you will forward to the City Attorney, Planning Commission and City Administration.
I am deeply offended by the remarks made by Shanon Secrist at last night's PC Hearing regarding my phone conversation with him last week. His unprofessional act of disclosing my name was intended to embarrass and discredit me. Last week I had called him and then texted him regarding our group's concern regarding a statement he made to me last summer. He said and I quote to the best of my recollection "why don't you buy the property and I will help you develop it." That conversation raised concerns from all members of our group. Rather than disclosing the conversation with the City and risk embarrassing him I felt it was best to respond in an informal way with a civil conversation with him. When the applicant has a Realtor representing himself as speaking for the Realtor organization in support of the project it is obvious to me that most any realtor would have an interest in the project's approval. That, in itself to me, should be grounds for recusal but coupled with his personal desire to develop the property is a huge red flag. Unlike Shanon, I did not say anything regarding the conversation last night as I did not feel it was something to be made public.
Bob Fuoco

Sent from my iPad

> On Jan 23, 2024, at 1:52 PM, Niki Galehouse <nicoleg@gjcity.org> wrote:

>

> Thank you for the information. I will provide the request to the Chair.

>

> Niki Galehouse, AICP (she/her/hers)

> Planning Supervisor

> City of Grand Junction

> 250 N. 5th St, Grand Junction, CO 81501

> O: 970-256-4014

> gjcity.org | EngageGJ

>

>

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>

>

> -----Original Message-----

> From: bfuoco2467@gmail.com <bfuoco2467@gmail.com>

> Sent: Tuesday, January 23, 2024 12:57 PM

> To: Niki Galehouse <nicoleg@gjcity.org>

> Subject: Re: January 23rd Planning Commission

>

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

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> The North Grand Junction neighbors. Mike Daniels, Dan Duffey, Craig Moulton, Dave and Lene Pacini, Diane Davis. I can list more if needed.

> My wife will present the video I provided you prior to the last hearing. I had to download it to the computer in the hearing room since the tech person was not aware of it. I assume it is still there.

>

> Bob

>

> Sent from my iPad

>

>> On Jan 23, 2024, at 11:51 AM, Niki Galehouse <nicoleg@gjcity.org> wrote:

>>

>> Bob,

>>

>> What group are you speaking on behalf of? We can make the request to the Chair; it is up to them to accommodate that request.

>>

>> Niki Galehouse, AICP (she/her/hers)

>> Planning Supervisor

>> City of Grand Junction

>> 250 N. 5th St, Grand Junction, CO 81501

>> O: 970-256-4014

>> gjcity.org | EngageGJ

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>> -----Original Message-----

>> From: bfuoco2467@gmail.com <bfuoco2467@gmail.com>

>> Sent: Monday, January 22, 2024 3:06 PM

>> To: Niki Galehouse <nicoleg@gjcity.org>

>> Subject: January 23rd Planning Commission

>>

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

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>>

>> Hello Niki,

>>

>> Is it still allowed to exceed the three minute time limit if you are speaking for a group, and/or are you allowed to cede some of your speaking time to another person?

>>

>> Bob Fuoco

>>

>> Sent from my iPad

Niki Galehouse

From: Carol Fowler <ccoefowler@gmail.com>
Sent: Friday, January 26, 2024 2:32 PM
To: Niki Galehouse
Subject: Rezone application 2023-555 by Vista 5 LLP

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

I reside at 2485 Sage Run Court. My husband and I opposed the previous application to change this parcel from R-1 to R-5. It appears to us that each time this parcel changes hands the new owners seek to change its zoning classification; we think this is most regrettable.

My husband and I think the R-1 classification of this parcel is the most consistent with zoning and land use within the Appleton area. We strongly oppose reclassifying this parcel from R-1 to any other designation with denser housing than R-1.

Carol Fowler MD
Sent from my iPhone



Grand Junction City Council

Regular Session

Item #2.b.ii.

Meeting Date: February 7, 2024
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Introduction of an Ordinance to Rezone 7.11 Acres from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac), Located at 2651 Stacy Drive and Setting a Hearing for February 21, 2024

RECOMMENDATION:

The Planning Commission heard this request at the January 23, 2024 meeting and voted (6-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Owner, Ken Co LLC with Applicant, Aspire Residential, is requesting a rezone of R-4 (Residential – 4 du/ac) to R-24 (Residential – 24 du/ac) for property consisting of 7.11-acres located at 2651 Stacy Drive, in anticipation of future multi-family residential development. The requested R-24 zone district would be consistent with the Land Use Map designation of Mixed Use established for the property, if approved.

BACKGROUND OR DETAILED INFORMATION:

The subject property is situated in Orchard Mesa along the south side of Stacy Drive and Tracy Ann Road at 2651 Stacy Drive. The properties were annexed in 2003 as part of the Carville Annexation and are currently vacant. The total acreage of the rezone is 7.11 acres. The applicant is seeking a change in zoning that implements the 2020 One Grand Junction Comprehensive Plan adopted by the City in December 2020 and in preparation for future multi-family residential subdivision development for affordable units at 60% AMI average (30 percent-80 percent) across all units. The current City zoning for the property is R-4 (Residential 4 du/ac).

The rezone request to R-24 is in keeping with urban residential density as envisioned by the Comprehensive Plan adopted by the City in December 2020. The property has

access to sewer service with a 12-inch sewer line running along Stacy Drive and Tracy Ann Road. The property is located within Tier 1 on the Intensification and Growth Tiers Map of the Comprehensive Plan, supporting the request to intensify land use through infill in this area. The Land Use Map identifies the parcel as “Mixed Use,” supporting multifamily residential development.

The property owner is interested in preparing the property for future development, which may include selling the property to Aspire Residential (applicant/developer) for future urban residential multifamily development, and that would be consistent with the scope and type of development envisioned by the Comprehensive Plan with a Mixed Use (greater than 8 du/ac) residential density land use. The R-24 zoning requires a minimum of 16 dwelling units per acre, therefore the requested R-24 implements the Comprehensive Plan Mixed Use.

The purpose of the R-24 (Residential – 24 du/ac) zone district is to provide high-density attached dwellings. As noted above, the R-24 ensures minimum densities of Mixed Use on the Land Use Map are met. In addition to the R-24 (Residential – 24 du/ac) zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designations of Mixed Use (greater than 8 du/ac).

Mixed Use (greater than 8 du/ac)

- a. R-16 (Residential – 16 du/ac)
- b. CSR (Community Services and Recreation)
- c. R-O (Residential Office)
- d. B-1 (Neighborhood Business)
- e. B-2 (Downtown Business)
- f. MU (Mixed Use)
- g. BP (Business Park)
- h. Mixed Use Residential (MXR-3, 5, 8)
- i. Mixed Use General (MXG-3, 5 8)
- j. Mixed Use Shopfront (MXS-3, 5 8)
- k. MXOC (Mixed Use Opportunity Corridors)

In reviewing the rezone proposal, the east parcel is identified in the Comprehensive Plan as Mixed-Use. It is located across from a Commercial (C-1) zone on the north side of Tracy Ann Road. Planning and considering high-density zoning to provide multifamily housing options for more residents supports mixed-use development, a goal of the Comprehensive Plan.

The surrounding zoning includes to the east land zoned C-1 and R-16, to the North is C-1, R-4, R-8 and PD (9 du/ac density), to the west R-4, and to the south R-4 and R-8.

A note about the implementation of the Zoning & Development Code Update: Upon effectiveness on January 21, 2024, the R-24 zone district will transition to RH-24 (Residential High - 24) and the development rights under the zone district will be found in the new Zone District and Dimensional Standards. As this application was received

before the effective date of this update, the following analysis is pursuant to the previous Zoning & Development Code language.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Rezone requests was held on Wednesday, October 11, 2023, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's Representative and City staff were in attendance. There was no one in attendance from the public.

Notice was completed consistent with Section 21.02.080 (g) provisions of the Zoning and Development Code. The subject property was posted with a new application sign on January 9, 2024. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 12, 2024. The notice of this public hearing was published on January 14, 2024, in the Grand Junction Daily Sentinel. Public comment was also solicited in an online hearing between January 16 and January 22, 2024, through the GJSpeaks platform.

ANALYSIS

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

(1) Subsequent events have invalidated the original premises and findings; and/or The current zoning of R-4 occurred at the time of annexation in 2003 (Ordinance No. 3569) and was supported by the City's 1996 Growth Plan Future Land Use Map which showed the property as Residential Medium Low (2-4 du/ac). However, during the 2020 One Grand Junction Comprehensive Plan process the land use designation on the property was changed to Mixed Use (greater than 8 du/ac) on the east parcel. The existing zoning of R-4 does not conform to the land use designation established in the 2020 Comprehensive Plan. The proposed rezone to R-24 implements the 2020 Comprehensive Plan.

The subject property is located within Tier 1 on the Intensification and Growth Tiers Map of the 2020 One Grand Junction Comprehensive Plan supporting urban infill. Tier 1 focuses on intensifying residential growth, further supporting the higher density range provided by the R-24 zone districts versus rezoning to R-16 zoning.

Approval and construction of Tracy's Village Commercial subdivision in 2022, which includes Tracy Ann Road as a commercial street designed for commercial and mixed-use development traffic, further supports multifamily development that the R-24 zone districts permit. Tracy Ann Road lies adjacent to 2651 Stacy Drive and provides the road infrastructure and accessibility needed for the increase in density resulting from this rezone request.

However, one of the premises and findings for the zoning in 2003 was that the property had adequate public services or would have adequate public services to the property with development. There is nothing to support this criterion that somehow, the earlier finding in 2003 when the R-4 zone district was applied for annexation that adequate services is no longer valid. Subsequent events have occurred, they just don't invalidate all the original premises and findings.

Therefore, staff finds that this criterion is not met.

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

The current zoning of R-4 occurred at the time of annexation in 2003, a zone district supported by the 1996 Growth Plan and continued to be supported in the 2010 Grand Junction Comprehensive Plan.

The 2020 One Grand Junction Comprehensive Plan focuses on providing increased density and housing options in the community. This area of Orchard Mesa was identified for medium density and high density in a mixed-use area in the 2020 One Grand Junction Comprehensive Plan.

Approval and construction of Tracy's Village Commercial Subdivision in 2022 for mixed-use development is supported by the 2020 One Grand Junction Comprehensive Plan. The commercial development established Tracy Ann Road as a commercial street designed for commercial development. Built to a wider street section, this commercial street section supports the multifamily development that the R-24 zone district provides, in addition to the commercial traffic expected in the area. Tracy Ann Road lies adjacent to 2651 Stacy Drive and will accommodate the need for the increase in density and expected traffic for the rezoning request.

Additional commercial services have been developed in the immediate area within the past 10 years, including a Taco Bell across the street. These include a convenience store, other restaurants, auto parts stores, and a couple of additional smaller grocery stores, all within a half mile of this property. This has changed the area's character and provides for the infrastructure needed to achieve the goals of the 2020 Comprehensive Plan.

Therefore, staff finds that this criterion is met.

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

Public sanitary sewer service, Ute Water domestic water service, Xcel electric & gas service, and public stormwater sewer is available to the property and is adequate to serve development of the type and scope anticipated by the R-24 zone district. The property has street access from Stacy Drive. Therefore, staff finds that this criterion is

met for both rezones.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or The city is broadly in need of additional medium and high-density residential development if it is to meet the needs of a growing population. Citywide, low-density residential zoning is common, but very few properties with high-density zoning remain undeveloped. As of December 2022, there were 1,818 acres zoned R-24 city-wide with 53 acres vacant. Note some of that vacant land has been developed in the past year. It is thus logical that, in order to continue to provide housing opportunities, and to include high-density housing patterns in the range of housing options available in the City of Grand Junction, additional land must be zoned to high-density residential districts such as R-24. Therefore, Staff finds this criterion to be met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment. The Grand Junction community will benefit from this change in zoning to R-24 by increasing undeveloped land to potential R-24 densities. This area of Orchard Mesa continues to attract urban residential development at densities needing existing sanitary sewer and city services and higher density opportunities are needed within the proposed zoning range to increase housing choice. The adjacent area to the southwest is zoned R-8 with a new single-family subdivision recently approved and infrastructure under construction. Also to the south is the existing Dos Rios Elementary School (zoned R-4) developed as a school and open space area. The proposed rezoning areas will be available to provide more housing choices to city residents of different ages, abilities, and incomes seeking the living environment of the Orchard Mesa area and its proximity to jobs in the area and close proximity to downtown, just two miles to the north. It is also near grocery stores and other important services. A middle school is less than one mile to the northeast and Grand Junction High School is just north of downtown on N. 5th Street.

Therefore, Staff finds this criterion to be met.

Implementing the Comprehensive Plan.

In addition to the above criteria, the City may rezone the property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of relevant sections of the Comprehensive Plan that support this request.

- Land Use Plan: Relationship to Existing Zoning Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.

The 2020 Comprehensive Plan provides the subject property with a land use designation of Mixed Use. As outlined in the background section of this staff report, the

proposed rezone to R-24 (Residential – 24 du/ac) zone district implements the Mixed-Use designation.

The proposed rezone to R-24 implements the following Plan principles, goals and policies of the Comprehensive Plan:

Plan Principle 3: Responsible and Managed Growth

Where We are Today (and Where We are Going) – The One Grand Junction

Comprehensive Plan raises concerns about the underutilization of properties. The focus on growth has been infill and redevelopment that take advantage of existing infrastructure. Future growth will need to minimize leap-frog development and prioritize infill.

How We Will Get There – Responsible and managed growth requires that growth occurs where infrastructure already exists. The strategies in this principle encourage infill and redevelopment to leverage existing infrastructure. The proposed rezones intend to develop residential land uses with multifamily housing to provide the community with additional housing choices.

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

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

Where we are today – Most of the vacant residential land that is available in Grand Junction is designated for single-family housing development. However, other options are increasingly being explored to meet the changing needs of the community and to diversify the city's housing stock. Alternative housing types provide options for residents such as low maintenance, community open spaces, shared facilities, and affordability, and they can be less expensive to serve than conventional single-family housing.

How Will We Get There – Strong neighborhoods and housing choices include a range of housing options for residents, people of all ages, abilities, and incomes. This includes ensuring geographic diversity that accommodates a mixture of housing types and sizes in all areas of the city at varying densities, sizes, and price points. It also ensures these occur in new and existing neighborhoods while maintaining neighborhood character.

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

Goal: Foster the development of neighborhoods where people of all ages, incomes, and backgrounds live together and share a feeling of community.

Intensification and Tiered Growth Plan (Chapter 3). The property is located within Tier 1 (Urban Infill) – Description: Areas where urban services already exist and generally meet service levels, usually within existing City limits, where the focus is on intensifying residential and commercial areas through infill and redevelopment.

Policy: Development should be directed toward vacant and underutilized parcels

located primarily within Grand Junction’s existing municipal limits. This will encourage orderly development patterns and limit infrastructure extensions while still allowing for both residential and business growth. Development in this Tier, in general, does not require City expansion of services or extension of infrastructure, though improvements to infrastructure capacity may be necessary.

Adopted Plan and Policies. The Orchard Mesa Neighborhood Plan supports attainable housing for residents of all income levels as established in Goal 2 under Chapter 4 Housing Trends. Goal 1 of Chapter 4 also supports this rezone, which states as a goal that “A broad mix of housing types is available on Orchard Mesa to meet the needs of a variety of incomes, family types, and life stages.” Rezoning this property to R-24 will provide land for additional housing to meet these two goals.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation, and as a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan. The R-24 zone district implements the Mixed-Use Land Use category.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Ken Co LLC Rezone requests, for a 7.11 acre rezone from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac) located at 2651 Stacy Drive, the following findings of facts and conditions have been made:

1. The request has met one or more of the criteria in Section 21.02.140 of the Zoning and Development Code.
2. The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, Planning Commission recommends approval of the requested Rezone.

FISCAL IMPACT:

There is no fiscal impact associated with this request.

SUGGESTED MOTION:

I move to introduce an ordinance rezoning approximately 7.11 acres located at 2651 Stacy Drive from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac), City file number RZN-2024.12, and set a public hearing for February 21, 2024.

Attachments

1. Development Application
2. Maps - Land Use & Zoning etc
3. Public Correspondence Received
4. Planning Commission Minutes - 2024 - January 23 - DRAFT
5. ORD-Ken Co LLC Rezone 20240124



Development Application

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

Petition For: Rezone

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

Existing Land Use Designation: RESIDENTIAL VACANT LOTS

Existing Zoning: R-4

Proposed Land Use Designation: Multifamily

Proposed Zoning: R-24 High Density

Property Information

Site Location: 2651 STACY DR

Site Acreage: 7.11

Site Tax No(s): 2945-261-43-003

Site Zoning: R-4

Project Description: Affordable Housing Development

Property Owner Information

Name: KENCO LLC

Street Address: 607 25 RD, STE 100

City/State/Zip: GJ, CO 81505

Business Phone #: 970-245-0898

E-Mail: katy@cocal.net

Fax #: _____

Contact Person: Katy Basinger

Contact Phone #: 970-245-0898

Applicant Information

Name: John Gargas

Street Address: 21 Continental Blvd

City/State/Zip: Merrimack, NH 03054

Business Phone #: 603-320-5123

E-Mail: john.gargas@aspireres.co

Fax #: _____

Contact Person: John Gargas

Contact Phone #: 603-320-5123

Representative Information

Name: John Gargas

Street Address: 21 Continental Blvd

City/State/Zip: Merrimack, NH 03054

Business Phone #: 603-320-5123

E-Mail: john.gargas@aspireres.co

Fax #: NA

Contact Person: John Gargas

Contact Phone #: 603-320-5123

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: John Gargas

Date: _____

Signature of Legal Property Owner: Ken Basinger

Date: _____

General Project Report: Aspire Residential Rezone

Submitted for a Rezoning Application

A. Project Description

1. 2651 Stacy Drive, Grand Junction CO 81503
2. 7.11 acres
3. Affordable housing (multifamily)

B. Public Benefit - Increased affordable housing for Grand Junction

C. Neighborhood Meeting required - See attached "Neighborhood Meeting Notes."

D. Project Compliance, Compatibility, and Impact

1. Adopted Plan and Policies – The Orchard Mesa Neighborhood Plan supports attainable housing for residents of all income levels as established in Goal 2 under Chapter 4 Housing Trends. Chapter 4 also has Goal 1 which states "A broad mix of housing types is available on Orchard Mesa to meet the needs of a variety of incomes, family types, and life stages." Rezoning these two parcels to R-12 and R-24 will provide land for additional housing to meet these two goals.
2. Land Use in the surrounding area - R8 / R4 / C1 / R16 / PD / CSR
3. Site access and traffic patterns - TBD
4. Availability of Utilities, including proximity to fire hydrants - Water, electrical available
5. Special or unusual demands on utilities - TBD
6. Effects on Public Facilities - TBD
7. Site Soils and geology - NA
8. Impact of project on site geology and geological hazards, if any - NA
9. Hours of Operations - TBD
10. Number of Employees - TBD
11. Signage Plans - TBD
12. Review criteria met, see below.

Approval Criteria. In order to maintain internal consistency between this code and the zoning Maps, map amendments must only occur if:

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

Applicant's Response: The zoning application is consistent with what is allowable under Grand Junction's Comprehensive Plan.

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

Applicant's Response: No amendments are anticipated at this time

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

Applicant's Response: All appropriate organizations have been consulted and it has been determined that adequate facilities can serve this development.

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

Applicant's Response: To accommodate the proposed land use, we are seeking to rezone to R-24 which is allowable under Grand Junction's Comprehensive Plan.

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

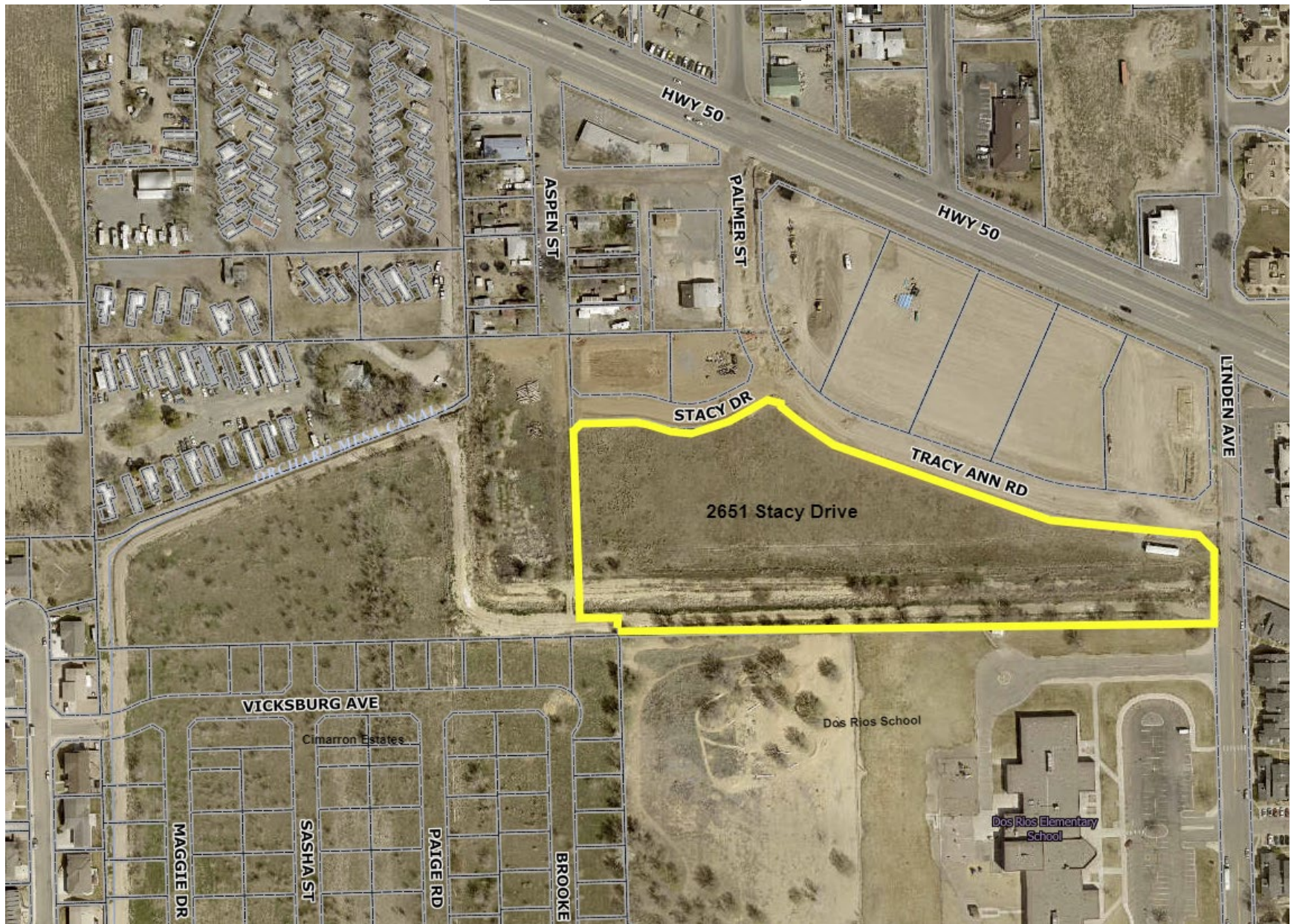
Applicant's Response: The proposed development plans are to build affordable housing units.

E. Development Schedule and Phasing - TBD

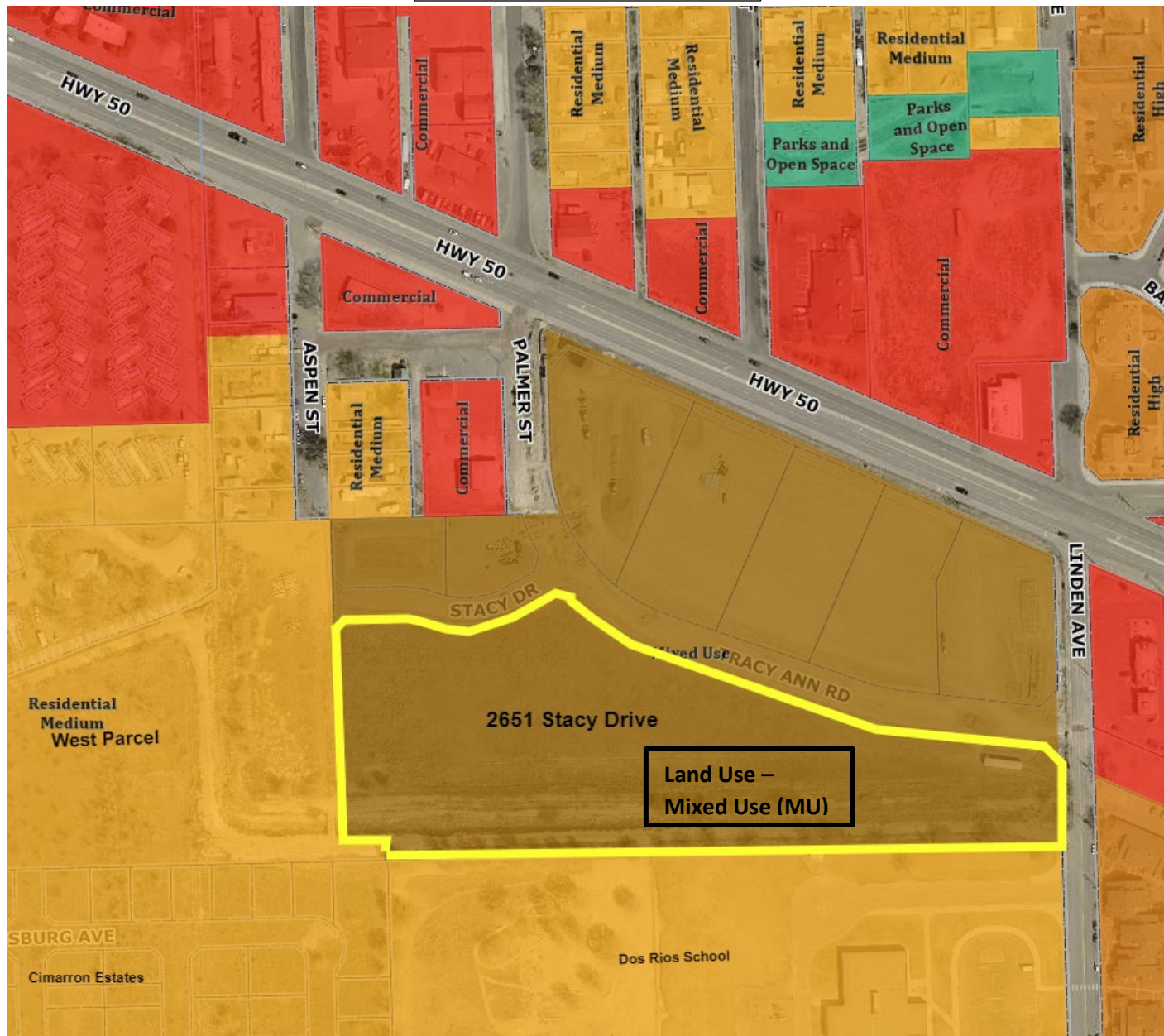
Site Vicinity Map – Aspire Residential Rezone – (Ken Co LLC)



Site Location Map

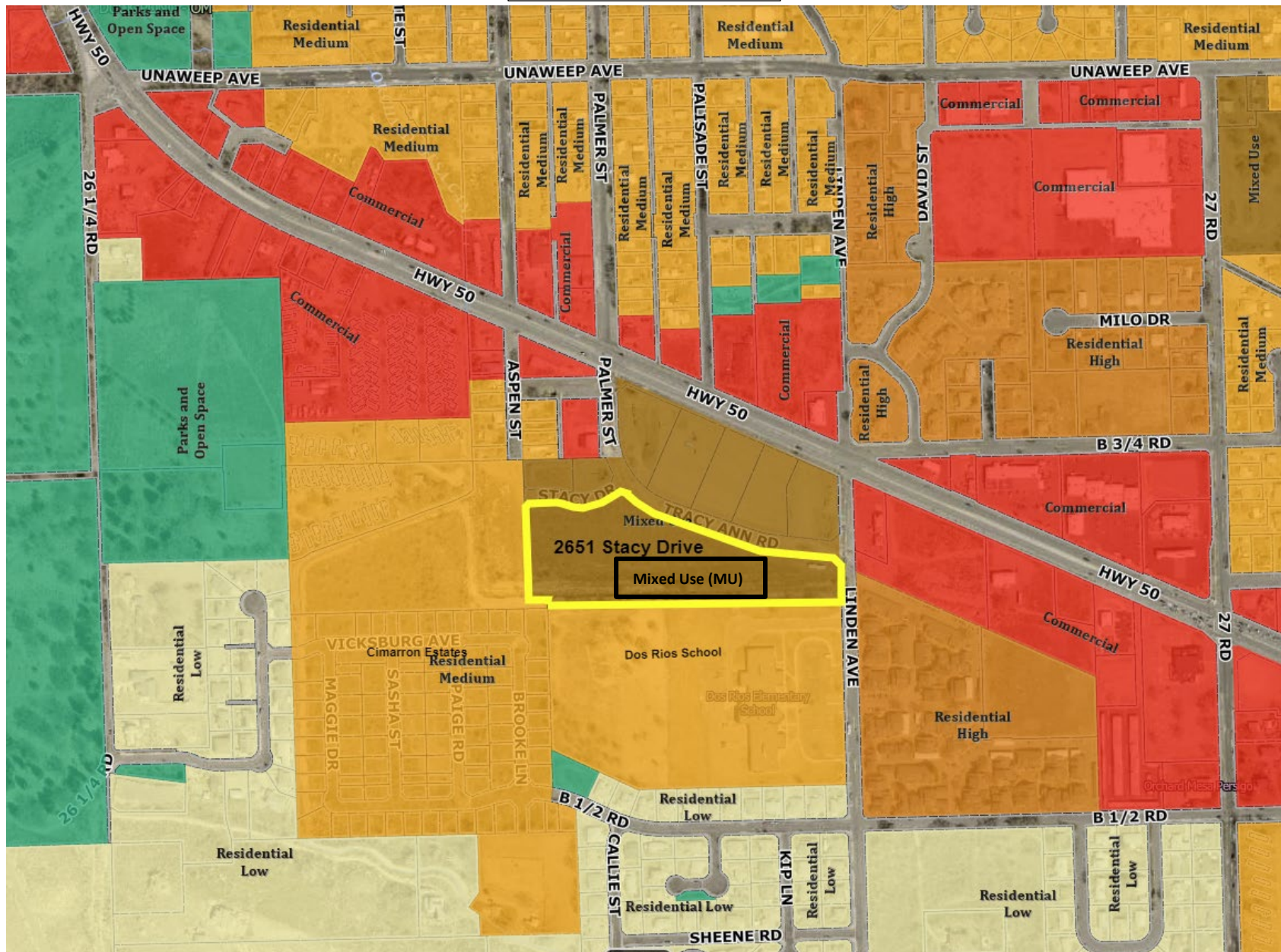


Land Use Map

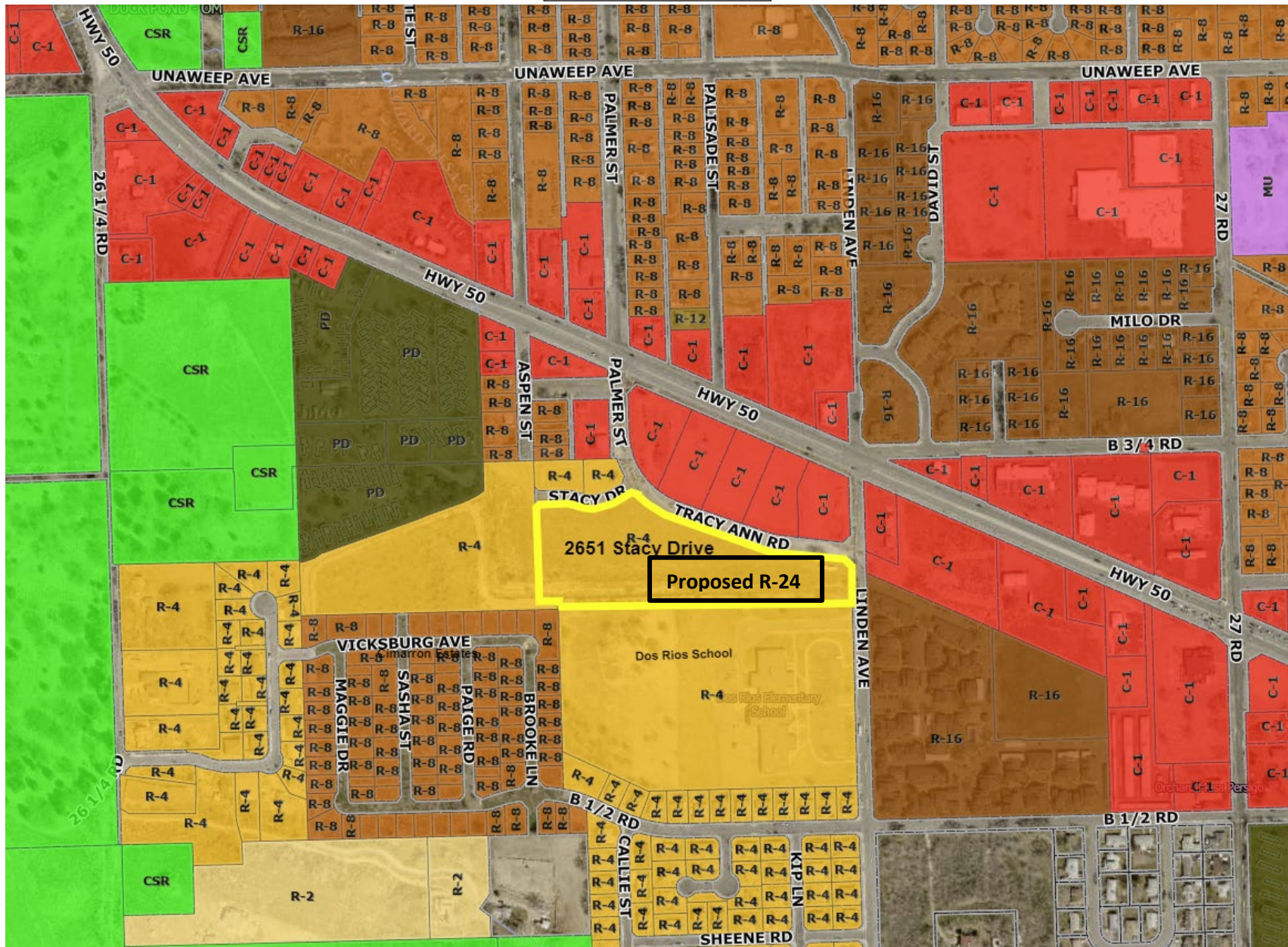


Land Use Map

Larger View



Zoning Map





2651 Stacy Drive Property
Photo of the site, looking west from Linden Avenue



2651 Stacy Drive Property

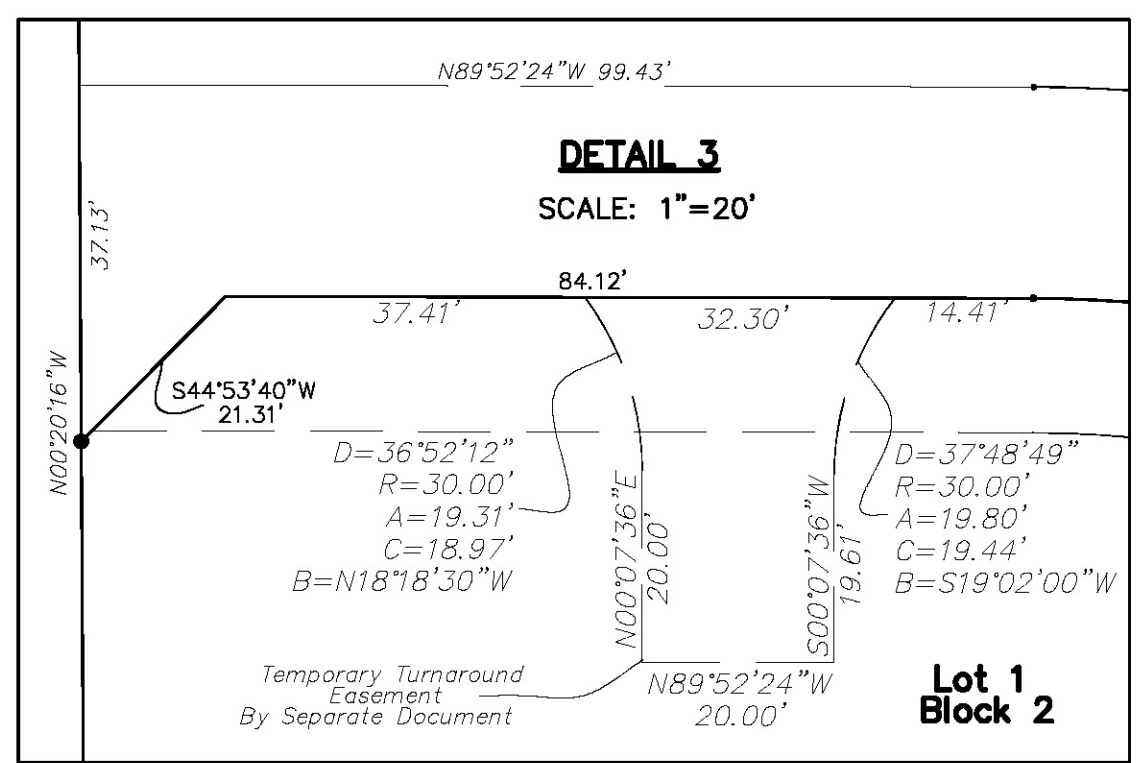
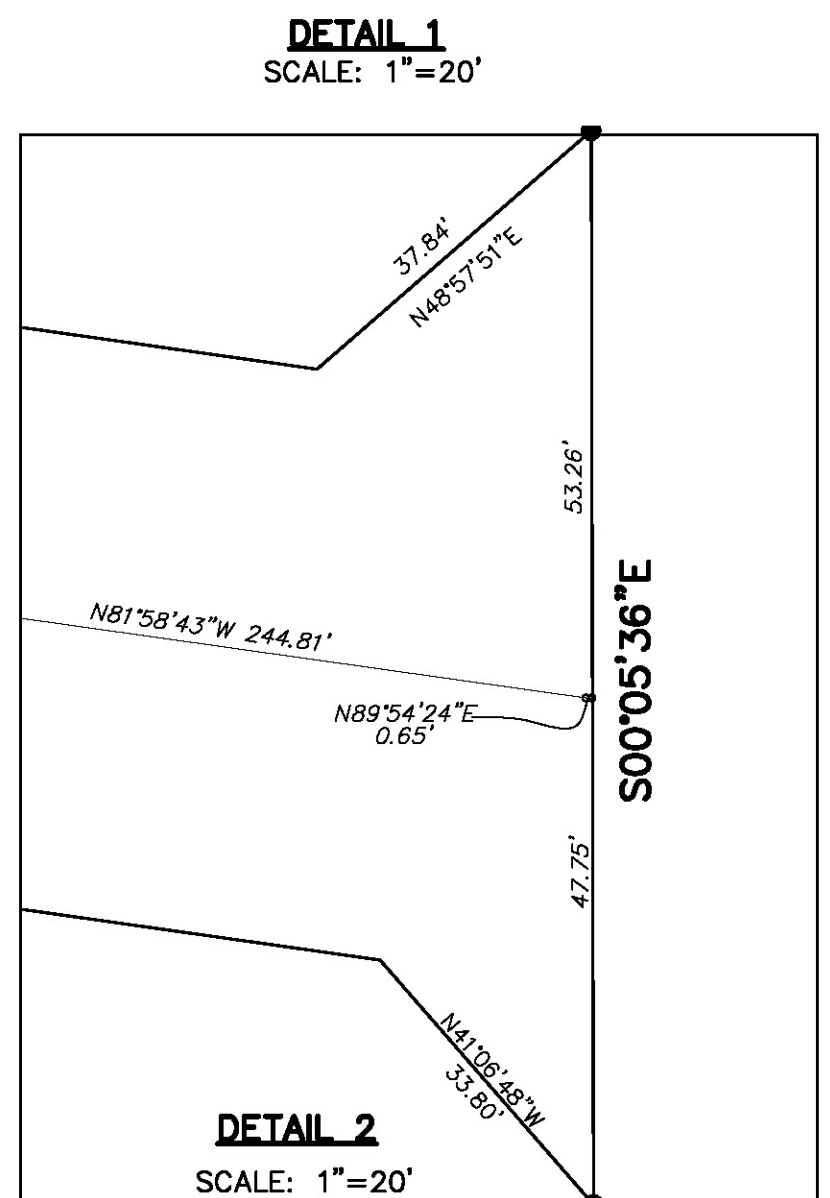
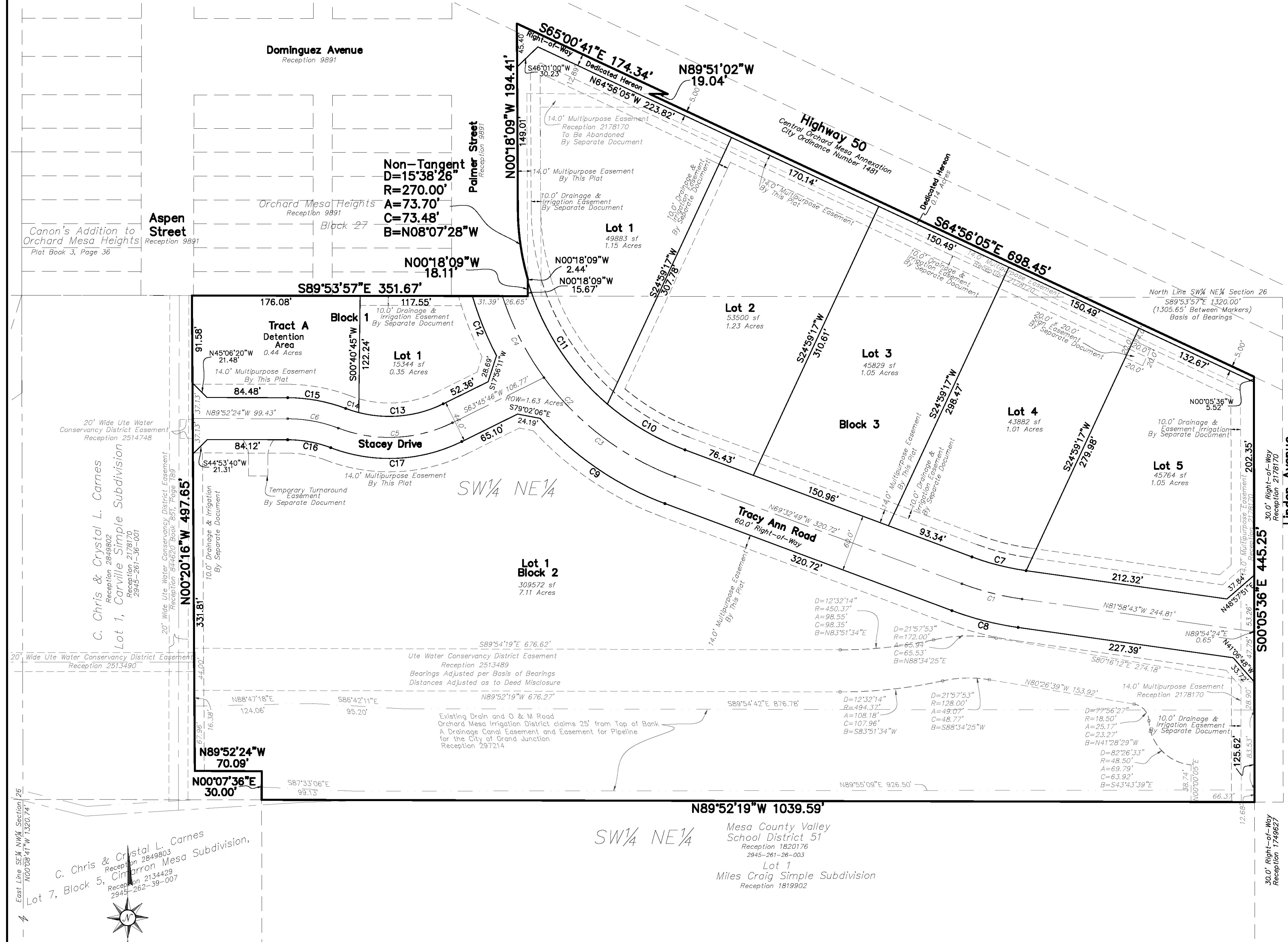
Photo of the site, looking south-southeast from Stacy Drive



2651 Stacy Drive

View look east from west edge of property

TRACYS VILLAGE SUBDIVISION
OF A PARCEL LOCATED IN
NE1/4 OF SECTION 26
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
LOT 2, CARVILLE SIMPLE SUBDIVISION, RECEPTION 2178170
AND RIGHT-OF-WAY VACATION, RECEPTION 2418646
GRAND JUNCTION, MESA COUNTY, COLORADO



DETAIL 3
SCALE: 1"=20'

Curve	Delta	Radius	Arc	CH	CH Bearing
C1	12°25'54"	300.00'	65.09'	64.96'	N75°45'46"W
C2	51°40'43"	300.00'	270.59'	261.51'	N43°42'28"W
C3	33°18'35"	300.00'	174.41'	171.96'	S52°53'32"E
C4	18°22'08"	300.00'	96.18'	95.77'	N27°03'10"W
C5	47°03'31"	150.00'	123.20'	119.77'	S87°17'31"W
C6	20°41'41"	150.00'	54.18'	53.88'	N79°31'34"W
C7	12°25'54"	270.00'	58.58'	58.47'	N75°45'46"W
C8	12°25'54"	330.00'	71.60'	71.46'	N75°45'46"W
C9	27°42'52"	330.00'	159.62'	158.07'	N55°41'23"W
C10	20°08'07"	270.00'	94.88'	94.40'	N59°28'46"W
C11	32°58'10"	270.00'	155.37'	153.23'	N32°55'38"W
C12	11°42'11"	330.00'	67.41'	67.29'	N22°02'18"W
C13	40°38'57"	128.00'	90.81'	88.92'	S84°05'14"W
C14	06°24'34"	128.00'	14.32'	14.31'	N72°23'00"W
C15	20°41'41"	172.00'	62.13'	61.79'	N79°31'34"W
C16	20°41'41"	128.00'	46.23'	45.98'	N79°31'34"W
C17	47°03'31"	172.00'	141.27'	137.33'	N87°17'31"E

AREA SUMMARY

LOTS	=	12.93 Acres	85.40%
TRACT A	=	0.44 Acres	2.91%
ROAD ROW	=	1.77 Acres	11.69%
TOTAL	=	15.14 Acres	100.00%

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

- LEGEND**
- ALLOTMENT SURVEY MARKER, AS NOTED
 - SET 2" ALUMINUM CAP ON 30" No. 5 REBAR, PLS 24953
 - PER CRS-38-51-105, IN CONCRETE
 - FOUND EVIDENCE, AS NOTED
 - PK NAIL, SET IN PAVING
 - DURABLE CAP ON No. 5 REBAR TO BE SET AT ALL LOT CORNERS, PRIOR TO SALE OF ANY LOTS, TO COMPLY WITH CRS-38-51-105
 - D DELTA ANGLE OF ARC
 - R RADIUS OF ARC
 - L LENGTH OF ARC
 - NAD 83 NORTH AMERICAN DATUM 1983
 - CHORD DISTANCE OF ARC
 - CHORD BEARING OF ARC
 - EQUAL SYMBOL
 - PERCENT SYMBOL
 - AND SYMBOL
 - INTERSTATE HIGHWAY SYMBOL
 - STATE HIGHWAY SYMBOL
 - UNITED STATES
 - NOT TO SCALE
 - COLORADO REVISED STATUTES
 - SOLICIT, USED IN LEGAL DOCUMENTS (LATIN - ONE HALF)
 - NAV83 NORTH AMERICAN VERTICAL DATUM 1988
 - CALCULATED POSITION OF POINT OF CURVATURE OR POINT OF TANGENCY
 - PROFESSIONAL LAND SURVEYOR
 - NUMBER
 - LIMITED LIABILITY COMPANY
 - ANNO DOMINI
 - MORE OR LESS
 DEGREES (ANGULAR) | MINUTES (ANGULAR) OR FEET (LINEAR) | SECONDS (ANGULAR) OR INCHES (LINEAR) | TOWNSHIP | POINT OF BEGINNING | POINT OF COMMENCING | TOWNSHIP | RADIUS OR RANGE (Context) | MCGPS MESA COUNTY GLOBAL POSITIONING SYSTEM |

SURVEYOR'S CERTIFICATION

I, Jeffrey C. Fletcher, do hereby certify that the accompanying plat of TRACYS VILLAGE SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado, has been prepared under my direct supervision and represents a field survey of same. To the best of my knowledge and belief, this plat conforms to the requirements for subdivision plats specified in the City of Grand Junction Development code and conforms to the standards of practice, statutes, and rules of the State of Colorado. This survey is not a guaranty or warranty, either expressed or implied.

Preliminary

TRACYS VILLAGE SUBDIVISION
OF A PARCEL LOCATED IN
NE1/4 OF SECTION 26
T1S, R1W OF THE UTE MERIDIAN
LOT 2, CARVILLE SIMPLE SUBDIVISION
RECEPTION 2178170 AND
RIGHT-OF-WAY VACATION
RECEPTION 2418646
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC
1673 Highway 50 Unit C
Grand Junction, Colorado 81503
Telephone: 970-254-8649 Fax 970-241-0451

PROJ. NO. 20-106 SURVEYED DRAWN CHK'D SHEET OF
DATE: May, 2021 be knr jcf 2 2



State Documentary Fee
Date: June 05, 2019
\$125.00

Special Warranty Deed

(Pursuant to 38-30-115 C.R.S.)

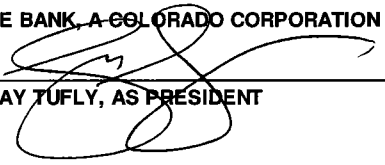
THIS DEED, made on **June 5th, 2019** by **ALPINE BANK, A COLORADO CORPORATION** Grantor(s), of the County of **Garfield** and State of **Colorado** for the consideration of **(\$1,250,000.00) ***One Million Two Hundred Fifty Thousand and 00/100***** dollars in hand paid, hereby sells and conveys to **KENCO, LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantee(s), whose street address is **607 25 RD SUITE 100, Grand Junction, CO 81505**, County of **Mesa**, and State of **Colorado**, the following real property in the County of **Mesa**, and State of **Colorado**, to wit:

LOT 2 OF CARVILLE SIMPLE SUBDIVISION, COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: **TBD HIGHWAY 50, GRAND JUNCTION, CO 81503**

with all its appurtenances and warrants the title to the same against all persons claiming under me, subject to the matters shown in the attached Exhibit A, which, by reference, is incorporated herein.

ALPINE BANK, A COLORADO CORPORATION

By: 
CLAY TUFLY, AS PRESIDENT

State of **Colorado**

)

)ss.

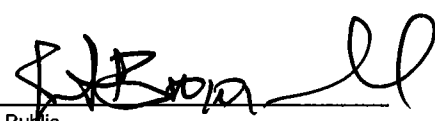
County of **MESA**

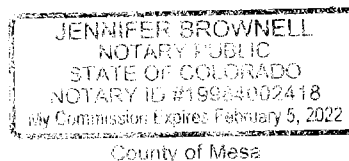
)

The foregoing instrument was acknowledged before me on this day of **June 5th, 2019** by **CLAY TUFLY AS PRESIDENT OF ALPINE BANK, A COLORADO CORPORATION**

Witness my hand and official seal

My Commission expires: 2/5/22


Notary Public



When recorded return to: **KENCO, LLC, A COLORADO LIMITED LIABILITY COMPANY**
607 25 RD SUITE 100, Grand Junction, CO 81505



Exhibit A

1. GENERAL TAXES FOR THE YEAR OF CLOSING.
2. DISTRIBUTION UTILITY EASEMENTS (INCLUDING CABLE TV).
3. THOSE SPECIFICALLY DESCRIBED RIGHTS OF THIRD PARTIES NOT SHOWN BY THE PUBLIC RECORDS OF WHICH GRANTEE HAS ACTUAL KNOWLEDGE AND WHICH WERE ACCEPTED BY GRANTEE IN ACCORDANCE WITH § 8.3 (OFF-RECORD TITLE) AND § 9 (NEW ILC OR NEW SURVEY) OF THE CONTRACT TO BUY AND SELL REAL ESTATE RELATING TO THE REAL PROPERTY CONVEYED BY THIS DEED.
4. INCLUSION OF THE PROPERTY WITHIN ANY SPECIAL TAXING DISTRICT.
5. ANY SPECIAL ASSESSMENT IF THE IMPROVEMENTS WERE NOT INSTALLED AS OF THE DATE OF GRANTEE'S SIGNATURE TO THE CONTRACT TO BUY AND SELL REAL ESTATE RELATING TO THE REAL PROPERTY CONVEYED BY THIS DEED, WHETHER ASSESSED PRIOR TO OR AFTER CLOSING.
6. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF ORDER OF INCLUSION, RE: THE INCLUSION OF LANDS WITHIN ORCHARD MESA SANITATION DISTRICT, RECORDED APRIL 10, 2008, IN BOOK 4642 AT PAGE 760 UNDER RECEPTION NO. 2433686.
7. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF GRANT OF EASEMENT, GRANTED TO UTE WATER CONSERVANCY DISTRICT, RECORDED NOVEMBER 20, 2009 IN BOOK 4944 AT PAGE 453.



To: David Thornton, (AICP)
Principal Planner
City of Grand Junction
250 N. 5th Street
970-244-1450

From: Brian Dougherty
Development Manager
LDG Development, LLC
3141 Walnut St., Suite 203B
Denver, Colorado 80205

Subject: Neighborhood meeting rezoning summary

Date: 10.20.2023

Neighborhood Meeting: Stacy Drive and adjoining parcel rezoning (7.11 acres East site / and 6.78 acres West site) located at 2651 Stacy Drive, Grand Junction, CO 81503.

Date: October 11, 2023 – 5:30 p.m.

Summary: A virtual public meeting was conducted. The applicant representative commenced the virtual meeting precisely at 5:30 p.m. No public participants dialed in to voice any opposition, concern, or support. The meeting line was kept open until 5:45 p.m.

Applicant Representative:

- Brian Dougherty, LDG Development
- Mark Austin, Austin Civil Group

Town Representative:

- David Thorton, City of Grand Junction

Public Participants:

- None

Sincerely,

Brian Dougherty
Development Manager

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

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

(b) 2651 Stacy Drive, Grand Junction, CO 81503

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) authorized signator 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:

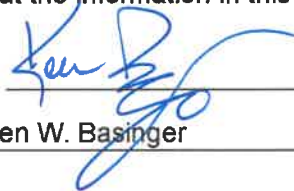
On behalf of Entity, I have reviewed the application for the (d) Rezone to R-24

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

(e) N/A

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: Ken W. Basinger

State of Colorado)

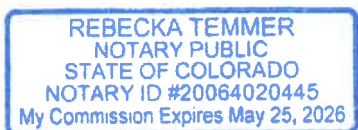
County of Mesa) ss.

Subscribed and sworn to before me on this 28th day of August, 20 23

by Ken W. Basinger, as Manager of Kenco LLC

Witness my hand and seal.

My Notary Commission expires on 05-25-2026



County of Mesa


Notary Public Signature

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named **KenCo, LLC**, and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The type of entity is a limited liability company.
3. The entity is formed under the laws of the State of Colorado.
4. The mailing address for the entity is 607 25 Road, Suite 100, Grand Junction, Colorado 81505.
5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity are:
Ken W. Basinger, Member.
6. The authority of the foregoing person to bind the entity is not limited.
7. Other matters concerning the manner in which the entity deals with interests in real property:
NONE.

Executed this 26 day of May, 2021.

KENCO, LLC,
a Colorado limited liability company

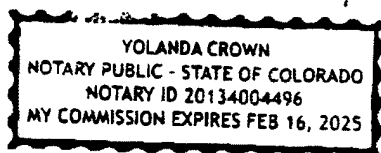
By: Ken W. Basinger
Ken W. Basinger, Member

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 26 day of May, 2021, by Ken W. Basinger s Member of KenCo, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 02/16/2025



Yolanda Crown
Notary Public

TRACYS VILLAGE SUBDIVISION
OF A PARCEL LOCATED IN
NE1/4 OF SECTION 26
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
LOT 2, CARVILLE SIMPLE SUBDIVISION, RECEPTION 2178170
AND RIGHT-OF-WAY VACATION, RECEPTION 2418646
GRAND JUNCTION, MESA COUNTY, COLORADO

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:
That KENCO, LLC, a Colorado limited liability company, is the owner of those properties located in the Northeast Quarter (NE¼) of Section 26, Township 1 South, Range 1 West of the Ute Meridian in Mesa County, Colorado and being more particularly described as follows:
(Original Warranty Deeds: Reception 2882493)

Lot 2, CARVILLE SIMPLE SUBDIVISION, as shown on plat recorded at Reception 2178170, Mesa County records, containing 14.97 Acres.

AND that right-of-way as vacated at City of Grand Junction Ordinance 4161 and recorded at Reception 2418646 and being more particularly described as follows:

COMMENCING at the Northeast corner of said SW¼ NE¼, Section 26, whence the Northwest corner of said SW¼ NE¼, Section 26 bears South 89°53'57" East, a distance of 1305.65 feet (as measured) for a basis of bearings, with all bearings contained herein relative thereto; thence South 19°49'16" West, a distance of 88.08 feet to the Northeast corner of said Lot 2, CARVILLE SIMPLE SUBDIVISION; thence North 64°56'05" West, a distance of 698.45 feet, along the Northeasterly line of said Lot 2; thence North 89°51'02" West, a distance of 128.59 feet, along the most Northerly line of said Lot 2 to the POINT OF BEGINNING; thence South 00°18'09" East, a distance of 193.88 feet, along the most Northerly West line of said Lot 2, CARVILLE SIMPLE SUBDIVISION; thence with a non-tangent curve turning to the right having a delta angle of 15°38'26", a radius of 270.00 feet, an arc length of 73.70 feet, and a chord length of 73.48 feet, with a chord bearing of North 08°07'28" West; thence North 00°18'09" West, a distance of 194.41 feet; thence South 65°00'41" East, a distance of 174.34 feet; thence North 89°51'02" West, a distance of 147.63 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.17 Acres, as herein described, being an overall area of 15.14 Acres for both parcels.

That said owners have by these presents laid out, platted, and subdivided the above described real property into lots, blocks, and tracts, as shown hereon, and designated the same as TRACYS VILLAGE SUBDIVISION, a subdivision in the City of Grand Junction, Colorado, and hereby offers the following dedications and grants:

All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever.

Tract A is dedicated to the Homeowners Association by separate document as a perpetual easement for the inspection, installation, operation, maintenance and repair of detention and drainage facilities and appurtenants thereto. The City of Grand Junction is dedicated reasonable ingress/egress access to the drainage/detention easement areas. The owner(s) and/or the property owners' association, if one exists, is not relieved of its responsibility to inspect, install, operate, maintain, and repair the detention and drainage facilities.

All Multipurpose Easements are dedicated to the City of Grand Junction as perpetual easements for City approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

All Irrigation and Drainage Easements are granted to the Homeowners Association by separate document as perpetual easements for the inspection, installation, operation, maintenance and repair of irrigation facilities, detention and drainage facilities and appurtenants thereto. The City of Grand Junction is dedicated reasonable ingress/egress access to the drainage/detention easement areas. The owner(s) and/or the property owners' association, if one exists, is not relieved of its responsibility to inspect, install, operate, maintain, and repair the irrigation, detention and drainage facilities.

All Tracts/Easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush, and in Drainage and Detention/Retention easements or tracts, the right to dredge; provided however, that the beneficiaries/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may impede the use of the easement and/or prevent the reasonable ingress and egress to and from the easement.

Owners hereby declare all lienholders of record to herein described real property are shown hereon.

IN WITNESS WHEREOF, said owner, _____, has caused their name to be hereunto subscribed this _____ day of _____, A.D. 20____.

by: _____ title: _____
for: KENCO, LLC, a Colorado limited liability company

NOTARY PUBLIC'S CERTIFICATE

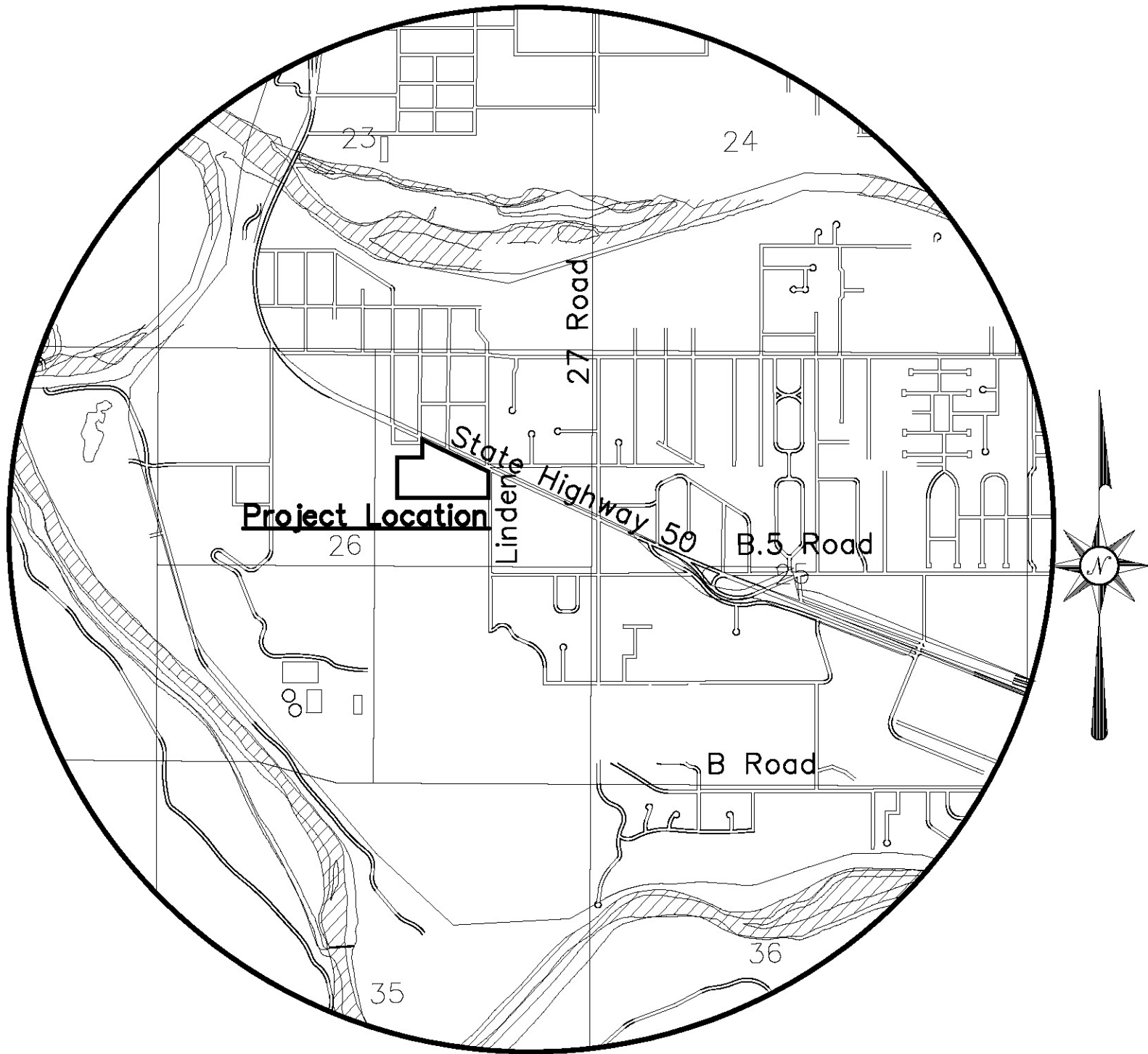
STATE OF COLORADO } ss
COUNTY OF MESA }

The foregoing instrument was acknowledged before me by _____, title: _____

for KENCO, LLC, a Colorado limited liability company this _____ day of _____, A.D., 20____.
Witness my hand and official seal:

Notary Public

My Commission Expires _____



VICINITY MAP

NOT TO SCALE

LIENHOLDERS RATIFICATION OF PLAT

THE UNDERSIGNED, hereby certifies that it is a holder of a security interest upon the property described hereon described and does hereby join in and consent to the dedication of the land described in said dedication by the owners thereof, and agree that its' security interest, as shown in document recorded at Reception Number _____ public records of Mesa County, Colorado, shall be subordinated to the dedications shown hereon.

IN WITNESS WHEREOF, the said corporation has caused these presents to be signed by its _____, with the authority of its Board of Directors, this _____ day of _____, 20____.

By: _____ (title) _____

For: _____

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO } ss
COUNTY OF MESA }

The foregoing instrument was acknowledged before me by _____, (title) _____, for _____ this _____ day of _____, A.D., 20____.

Witness my hand and official seal:

Notary Public

My Commission Expires _____

LEGEND

ALIQUOT SURVEY MARKER, AS NOTED
● SET 2" ALUMINUM CAP ON 30" No. 5 REBAR, PLS 24953
□ PER CRS-38-51-105, IN CONCRETE
▲ FOUND EVIDENCE, AS NOTED
▲ PK NAIL, SET IN PAVING

DURABLE CAP ON No. 5 REBAR TO BE SET AT ALL LOT CORNERS, PRIOR TO SALE OF ANY LOTS, TO COMPLY WITH CRS-38-51-105

D DELTA ANGLE OF ARC
R RADIUS OF ARC
L LENGTH OF ARC
NAD 83 NORTH AMERICAN DATUM 1983

C CHORD DISTANCE OF ARC
B CHORD BEARING OF ARC
= EQUAL SYMBOL
% PERCENT SYMBOL
& AND SYMBOL

INTERSTATE HIGHWAY SYMBOL

STATE HIGHWAY SYMBOL

US UNITED STATES

NTS NOT TO SCALE

CRS COLORADO REVISED STATUTES

SOLICET, USED IN LEGAL DOCUMENTS (LATIN - ONE HALF)

NAV D 88 NORTH AMERICAN VERTICAL DATUM 1988

→ CALCULATED POSITION OF POINT OF CURVATURE OR POINT OF TANGENCY

PLS PROFESSIONAL LAND SURVEYOR
No. NUMBER
L.L.C. LIMITED LIABILITY COMPANY
A.D. ANNO DOMINI
± MORE OR LESS
° DEGREES (ANGULAR)
' MINUTES (ANGULAR) OR FEET (LINEAR)
S SECONDS (ANGULAR) OR INCHES (LINEAR)
MCSM MESA COUNTY SURVEY MARKER
BLM BUREAU OF LAND MANAGEMENT
ROW RIGHT-OF-WAY
CDOT COLORADO DEPARTMENT OF TRANSPORTATION
POB POINT OF BEGINNING
POC POINT OF COMMENCING
T TOWNSHIP
R RADIUS OR RANGE (Context)
MCGPS MESA COUNTY GLOBAL POSITIONING SYSTEM

SURVEYOR'S CERTIFICATION

I, Jeffrey C. Fletcher, do hereby certify that the accompanying plat of TRACYS VILLAGE SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado, has been prepared under my direct supervision and represents a field survey of same. To the best of my knowledge and belief, this plat conforms to the requirements for subdivision plats specified in the City of Grand Junction Development code and conforms to the standards of practice, statutes, and rules of the State of Colorado. This survey is not a guaranty or warranty, either expressed or implied.

GENERAL NOTES

Easement and Title Information provided by Land Title Guarantee Company per Old Republic National Title Service, Policy No. OX65038605.1347865, dated June 5, 2019.

Basis of bearings is the North line of SW¼ NE¼ Section 26 which bears South 89°53'57" East, a distance of 1305.65 feet (as measured), established by observation of the MCGPS control network, which is based on the NAD 83 datum for Horizontal and NAVD 88 datum for Vertical Information. Both monuments on this line are Aliquot Survey Markers, as shown on the face of this plat.

All lineal units shown hereon in U.S. Survey feet.

TITLE CERTIFICATION

STATE OF COLORADO } ss
COUNTY OF MESA }

We, _____, a title insurance company, as duly licensed in the state of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to _____; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: _____ by: _____ Name And Title

for: _____ Name Of Title Company

FOR CITY USE ONLY

Associated Recorded Documents

Reception	Type
_____	Declaration of Covenants and Restrictions
_____	Tract A to the Homeowner's Association
_____	All Irrigation and Drainage Easements to the Homeowner's Association
_____	20.0' x 20.0' Sign Easement to Homeowner's Association
_____	Temporary Turnaround Easement to the City of Grand Junction for Fire Services

CITY OF GRAND JUNCTION APPROVAL

This plat of TRACYS VILLAGE SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this _____ day of _____, A.D., 20____.

City Manager _____

Mayor _____

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } ss
COUNTY OF MESA }

I hereby certify that this instrument was filed in my office at _____ o'clock _____ M.,

_____, A.D., 20____, and was duly recorded in Reception No. _____

Drawer No. _____ Fees: _____

Clerk and Recorder

By: _____
Deputy

TRACYS VILLAGE SUBDIVISION

OF A PARCEL LOCATED IN
NE1/4 OF SECTION 26
T1S, RTW OF THE UTE MERIDIAN
LOT 2, CARVILLE SIMPLE SUBDIVISION
RECEPTION 2178170 AND
RIGHT-OF-WAY VACATION
RECEPTION 2418646
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC

1673 Highway 50 Unit C
Grand Junction, Colorado 81503

Telephone: 970-254-8649 Fax 970-241-0451

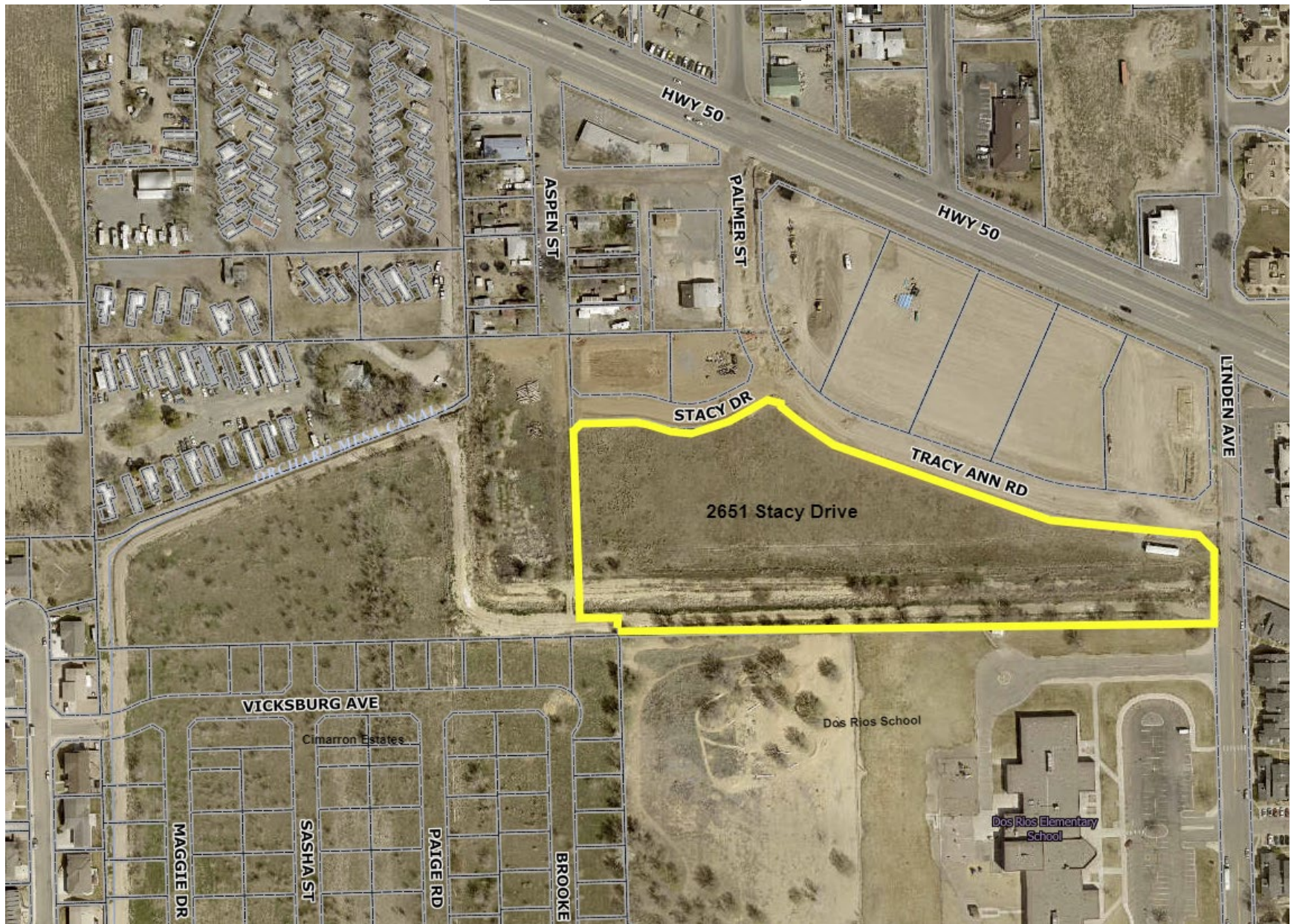
PROJ. NO.	NO. 20-106	SURVEYED DRAWN	CHK'D	SHEET	OF
DATE:	May, 2021	be	knr	jcf	1 2

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

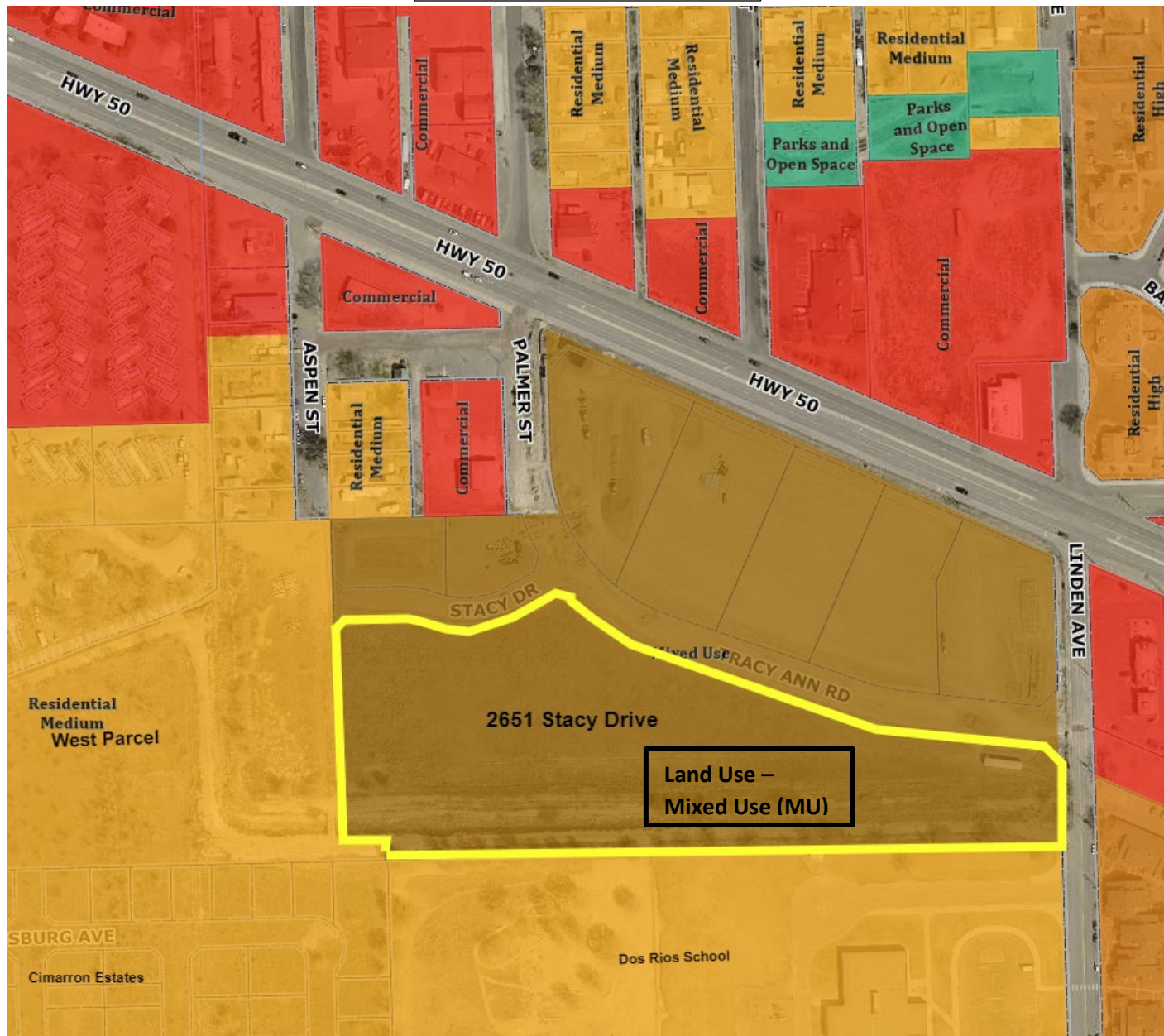
Site Vicinity Map – Aspire Residential Rezone – (Ken Co LLC)



Site Location Map

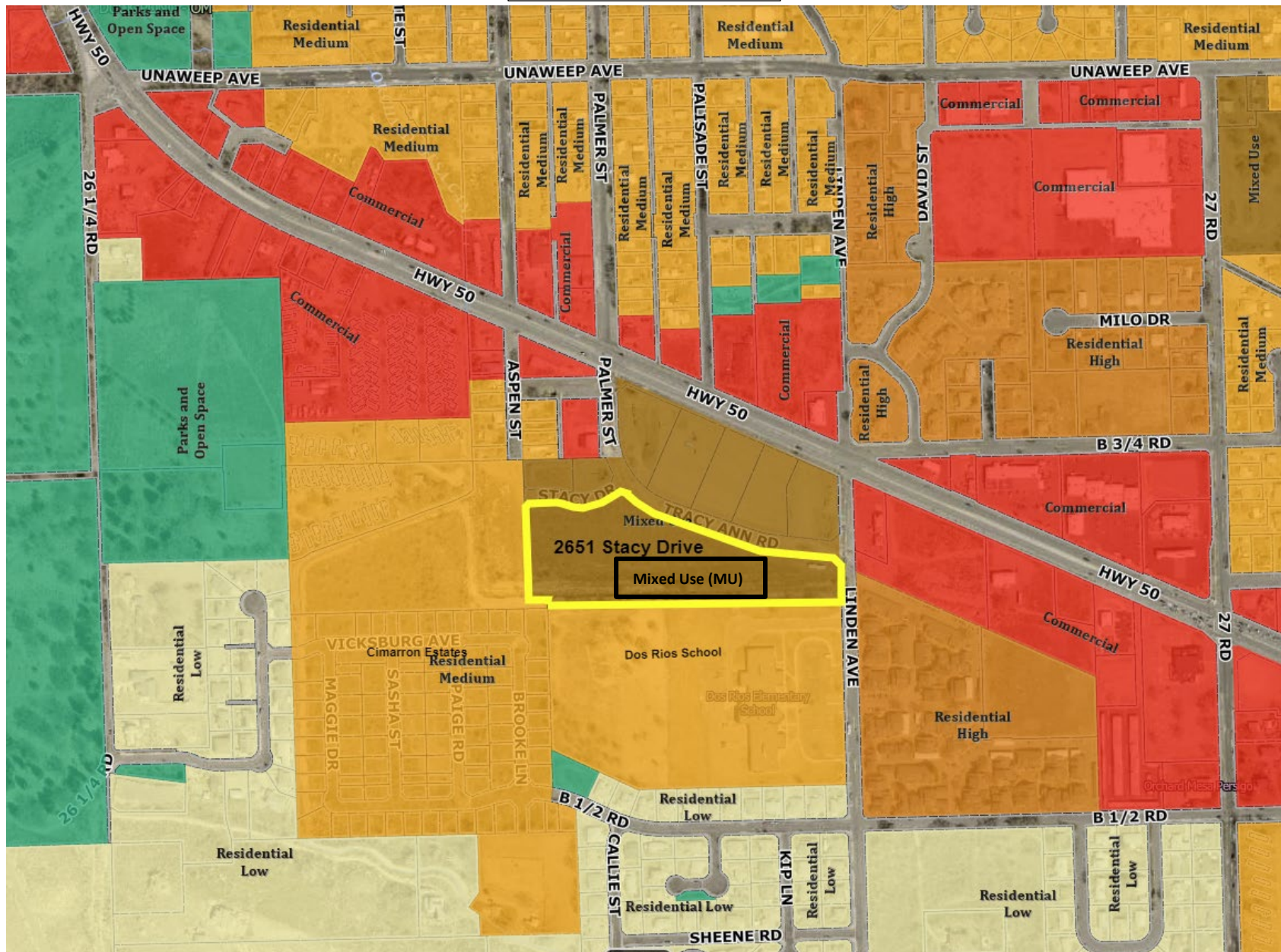


Land Use Map

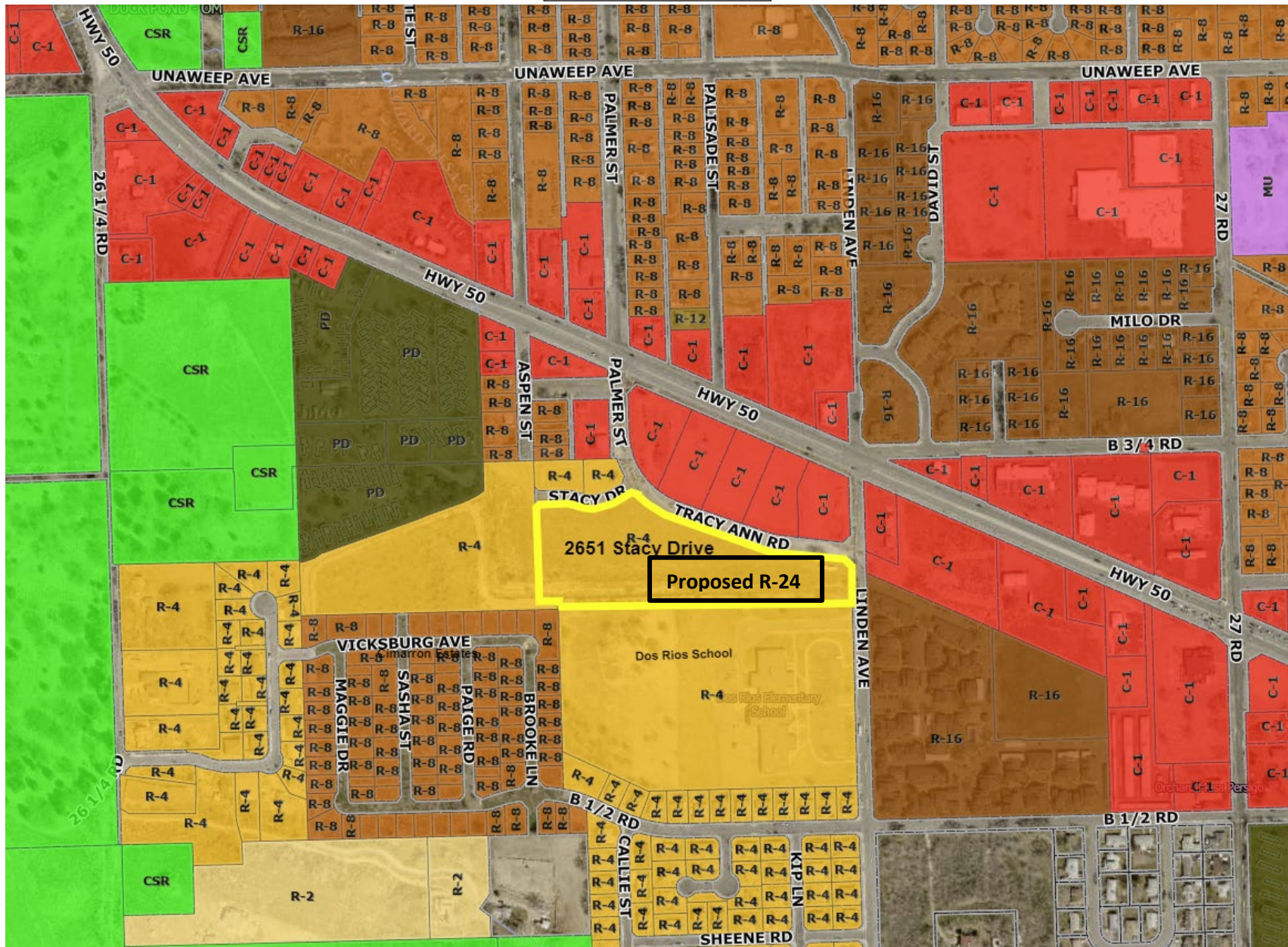


Land Use Map

Larger View



Zoning Map





2651 Stacy Drive Property
Photo of the site, looking west from Linden Avenue



2651 Stacy Drive Property

Photo of the site, looking south-southeast from Stacy Drive



2651 Stacy Drive

View look east from west edge of property

David Thornton

From: Grand Junction Speaks <no-reply@gjspeaks.org>
Sent: Wednesday, January 17, 2024 1:07 PM
To: David Thornton
Cc: Jacob Kaplan
Subject: [Grand Junction Speaks] Comment submitted for: Aspire Residential Rezone

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



The following comment has been submitted for Aspire Residential Rezone by Ross Transmeier:

This would bring 350 more cars to this area. Most would be forced to Highway 50 and make a left to downtown. This is very dangerous. I do this every day, I call it threading the needle. You should require a connection from Stracy Drive to 26 1/4 road which leads to a traffic light at Unaweeep and Highway 50. The only way out now is to get to a traffic light is B 1/2 , a narrow dangerous road going past high-density apartments and a school. This request is for very high density. They should solve the traffic they would create.

You can approve or reject the comment [here](#).

This email was delivered by gjspeaks.org

GRAND JUNCTION PLANNING COMMISSION
January 23, 2024, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:31 p.m. by Chairman Teske.

Those present were Planning Commissioners; Shanon Secrest, Ken Scissors, Keith Ehlers, and Kim Herek (virtual).

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Supervisor), Dani Acosta Stine (Senior Planner), Dave Thornton (Principal Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 54 members of the public in attendance, and 2 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from January 9, 2024.

REGULAR AGENDA

1. Riverfront at Dos Rios ODP

PLD-2023-581

Consider a request by DR Land LLC, DR Townhomes 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, located on the northeast bank of the Colorado River between Highway 50 and Hale Avenue.

Staff Presentation

Dani Acosta Stine, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Tess Williams with May Riegler provided a brief update on the status of the development and were available to answer questions.

Questions for staff

Commissioner Ehlers confirmed that the applicant was on board with the proposed amendments to the PD ordinance.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 5:58 p.m. on January 23, 2024.

Discussion

Motion and Vote

Commissioner Scissors made the following motion “Chairman, on the request for the 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-2023-581, 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 Secrest seconded; motion passed 6-0.

2. Aspire Residential Rezone

RZN-2024-12

Consider a request by Ken Co LLC to rezone 7.102 acres from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac).

Staff Presentation

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

Questions for staff

Commissioner Ehlers asked if this development would require a traffic study to be completed.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 6:12 p.m. on January 23, 2024.

Discussion

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the Rezone requests for a 7.11 acre rezone from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac) located at 2651 Stacy Drive, a request by the owner Ken Co LLC and applicant Aspire Residential, City file number RZN-2024-12, 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 Ehlers seconded; motion passed 6-0.

3. Vista 5 LLP Rezone

RZN-2023-555

Consider a request by Vista 5, LLP to rezone 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road.

Commissioner Secrest addressed the public requests for his recusal from this item.

The other Commissioners stated they had no concerns over Commissioner Secrest hearing the item.

Staff Presentation

Niki Galehouse, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Nate Porter, owner of the parcel, provided some quotes by City Council members in support of development of affordable housing.

Ivan Geer with River City Consulting provided a presentation on the request and was available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

Bob Fuoco stated that in 2019, City Council zoned the parcel to R-1. He noted that the subject property is completely surrounded by Mesa County and is not contiguous with the Persigo district. He argued that this rezone would reduce available stock for low density development. He commented that the area is unsafe for pedestrian and bicycle traffic.

Donna Aubert raised concerns about the increased strain on Appleton Elementary School.

Jim Marshall spoke on the approval criteria for the rezone and gave his reasoning for disagreeing with City staff's findings.

Meryl Wyatt stated that affordable housing is not as beneficial in the long term as attainable housing. He stated that Grand Junction needs to build more housing at all densities.

Dan Komlo stated that all of the previous applications for this project had strong opposition from the neighboring residents. He stated that this rezone is inconsistent with the character of the area. He stated that there is a lack of safe pedestrian connections across I70.

Larry Tice stated his opposition to the increased density.

Christi Reece expressed her support for the rezone noting the communities need for higher density housing developments.

Shiloh White stated she was open to development of the parcel, but only at the R-1 density. She provided statistics on consumer preferences for housing. She noted that there are high density developments nearby, but that kind of development did not fit the character of this area. She argued that other boundaries already exist besides the Urban Development Boundary (UDB).

Pat Page noted that if all the parcels in the area developed as R-1, it would be a 1000% increase in the density of the area. He argued that this area had intrinsic value for the variety of housing options in Grand Junction.

Dave Zollner quoted one of the commissioners on their opinion of the development. He said that the UDB is not a good indicator for development and that proximity does not necessarily mean it matches the character. He stated his complaints about the flagpole annexation and public noticing. He argued that this development is not infill and provided context from the 2020 One Grand Junction Comprehensive Plan (2020 Comp Plan) to support his claims.

Tyler Mundy argued that R-5 is not low density. He brought up the current state of H Rd and that the development would not be accessible by a City street. He expressed that if H Rd is supposed to be a major thoroughfare, the 24 ½ and 25 Rd bridges should be improved as well.

Ed Butterfield stated that he moved to the Grand Junction due to the diversity of housing options.

Cynthia Komlo disagreed with the quotes provided by Nate Porter. She argued that affordable housing did not currently exist in the area and should not be developed there in the future.

Ivan Geer stated that the UDB was the extent of annexation for the City. He noted that enrollment was declining for schools.

Nate Porter clarified his definition of affordable vs. attainable housing, and that he had nothing to do with the rezone of the property in 2019.

Commissioner Ehlers clarified that City Council approved the rezone to R-1 before the adoption of the 2020 Comp Plan. He asked if the proposed designation of H Rd as an arterial road was under current traffic volumes or projected future volumes. He asked how the character and condition of the area had changed since the last time this project was presented to the Planning Commission. He asked if there were any roads, other than H Rd and 24 Rd, that were slated for improvement in the area.

The public comment period was closed at 7:34 p.m. on January 23, 2024.

Discussion

Commissioner Ehlers thanked the community members for their participation and quality of feedback and presentations they provided. He commented on his familiarity with the area. He provided some context on the delineation of the UDB and the importance of public input in its implementation. He noted that the R-1 zoning was not in alignment with the 2020 Comp Plan and that it is the owner's right to develop their property as they choose, provided it is in alignment with the 2020 Comp Plan.

Commissioner Duyvejonck thanked the community members for their participation and that their feedback was taken into consideration. She noted that the Commission's decision has to be based on future development and that it is easier to be proactive with development.

Commissioner Scissors thanked the community members for their participation. He noted that the Planning Commission was entertaining a request to rezone the property, not to amend the 2020 Comp Plan. He noted that the request aligned with the 2020 Comp Plan. He addressed his previous comment on compatibility of this development and that he still did not see it, but that there were adequate amenities and services presently available to accommodate the development.

Commissioner Secrest thanked the community members for their participation. He noted that what neighborhoods want and what the community wants aren't always in alignment and that the Commission needed to consider the 2020 Comp Plan first and foremost. He mentioned that what constitutes "affordable" is often subjective.

Commissioner Herek echoed the comments made by the other commissioners.

Motion and Vote

Commissioner Ehlers made the following motion "Mr. Chairman, on the Rezone request for the property located at 2428 H Road, City file number RZN-2023-555, 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 Secrest seconded; motion passed 6-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Scissors moved to adjourn the meeting.

The vote to adjourn was 6-0.

The meeting adjourned at 7:56 p.m.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING FROM RL-4 (RESIDENTIAL LOW - 4 DU/AC) TO RH-24
(RESIDENTIAL HIGH – 24 DU/AC) ZONE DISTRICT**

**LOCATED AT 2651 STACY DRIVE
Tax Parcel No. 2945-261-43-003**

Recitals:

The property owner, Ken Co LLC, proposes to rezone 7.11-acres located at 2651 Stacy Drive (“Property”) from RL-4 (Residential Low – 4 du/ac) to RH-24 (Residential High – 24 du/ac).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of changing the zoning from RL-4 (Residential Low – 4 du/ac) to RH-24 (Residential High – 12 du/ac) for the Property, finding that the change conforms to and is consistent with the 2020 One Grand Junction Comprehensive Plan Land Use Map designation of RH-24 (Residential High – 24 du/ac) and the Comprehensive Plan’s goals and policies, and is generally compatible with land uses located in the area.

After public notice and public hearing, the Grand Junction City Council finds that rezoning the Property from RL-4 (Residential Low– 4 du/ac) to RH-24 (Residential High – 24 du/ac) is consistent with the vision, intent, goals, and policies of the Comprehensive Plan. The City Council also finds that the request for rezone has met one or more criteria for a Comprehensive Plan amendment and that the request satisfies at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

The Recitals are incorporated herein, and that the Property described below is hereby duly and lawfully zoned RH-24 (Residential High – 24 du/ac) and shall be so shown on the zoning map:

The Property is described as LOT 1 IN BLOCK 2 OF TRACYS VILLAGE SUBDIVISION, COUNTY OF MESA, STATE OF COLORADO. Said Property being comprised of 7.11 Acres more or less.

INTRODUCED on first reading this 7th day of February 2024 and ordered published in pamphlet form.

ADOPTED on second reading this ____ day of _____ 2024 and ordered published in pamphlet form.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #2.b.iii.

Meeting Date: February 7, 2024

Presented By: Daniella Acosta, Senior Planner

Department: Community Development

Submitted By: Daniella Acosta Stine, Senior Planner

Information

SUBJECT:

Introduction of an Ordinance to Amend the Planned Development Zoning and 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 and Setting a Hearing for February 21, 2024

RECOMMENDATION:

The Planning Commission heard this request at its January 23, 2024 meeting and voted (6-0) to recommend 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 establish a phasing schedule for the development, introduce new uses, expand existing uses to other pods in which they are not currently permitted, and incorporate additional flexibility for some parking standards in the Mixed-Use pods.

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. To date, the PD has undergone three amendments. In 2020, the City approved Ordinance 4928 establishing additional industrial and warehousing uses in the Light Industrial/Commercial pods, incorporating approximately 8.4 acres of property into the ODP, and adding an access point off Riverside Parkway. The PD was further amended in 2021 by Ordinance 4982 to include approximately 0.4 acres of Mixed-Use to the development. The third and most recent amendment was approved by Ordinance 5061 in 2022, which incorporated 2.0 acres of property into the development, clarified parking and architectural standards, and

changed the default zone for approximately 7.5 acres of Industrial/Commercial property to Mixed Use.

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 the river. The developable acreage was purchased with the intent of future redevelopment and the General Improvement District established has constructed a majority of the infrastructure within the development. All the properties, those initially part of the Planned Development and those that were added in subsequent amendments, have never been used or held for park or other governmental purposes but instead for possible reuse/redevelopment.

The initial ODP was intended to create a riverfront commercial/mixed use center with two points of access to Riverside Parkway and two points of access to Hale Avenue. Development pods are identified for specific types of uses, and per the existing PD include approximately 27.49 acres of Mixed Use, 17.0 acres of Parks and Open Space, 6.89 acres of Light Industrial/Commercial, and 4.2 acres of Mixed Use/Outdoor Recreation.

The proposal seeks to introduce the following uses into the PD:

- Permit "Office with Drive-Through" in LI/C parcels only.
- Permit "All Indoor Recreation" in LI/C parcels. Currently permitted in MU parcels.
- Permit "Alcohol Retail Sales" in LI/C and MU-OR. Currently permitted in MU parcels.
- Remove "Bar/Night Club" from the authorized use table.
- Permit "Drinking Establishments" in MU, LI/C and MU-OR.
- Permit "Drive-Through Uses (Restaurants)" in LI/C parcels only.
- Permit "Drive-Through Retail" in LI/C parcels only.
- Permit "Greenhouse/Nursery" in LI/C parcels only.
- Permit "Mobile Food Vendor" in MU and MU-OR parcels.
- Permit "Mobile Food Vendor Court" in MU and MU-OR parcels.
- Permit "Auto Mechanical Repair" in the LI/C2 parcel, east of Riverside Parkway only.
- Permit "Car Wash, Gasoline Service Station, Quick Lube" in the LI/C2 parcel, east of Riverside Parkway only.
- Permit "Rental Service, Indoor Display/Storage" in MU and MU-OR parcels.

The proposal also seeks to establish a development phasing schedule per the requirements of GJMC 21.02.150(b)(2)(x), as well as incorporate additional flexibility regarding the locations of off-street parking. In addition to these amendments, the ordinance has reformatted the authorized use table to better mirror the use table in the Zoning and Development Code and to better clarify which uses are not permitted in the Dos Rios PD.

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 only standards proposed to be amended are related to parking.

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. There are no proposed changes to the land use designations.

There are changes to the uses allowed, most notably the introduction of several drive-through uses, greenhouses and nurseries, gas stations and vehicle service uses and limiting their inclusion to LI/C parcels or more exclusively, permitting them only in the LI/C2 parcel, which is located east of the Riverside Parkway. The amendment proposes to allow alcohol retail sales in LI/C and MU/OR parcels (as they are already allowed in the MU parcels), as well as the introduction of rental gear retail, food trucks and food truck courts in MU and MU-OR, and to expand indoor recreation uses to LI/C parcels.

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 the Riverfront at Dos Rios be designed and constructed in a manner that provides an aesthetically pleasing appearance and is harmonious with the overall Riverfront at Dos Rios development. There are no proposed changes to the architectural standards at this time.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held on June 12, 2023 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. There were approximately seven people in attendance, which included two representatives from the City and four from the Applicant team. Only one member of the public attended. Some site history was discussed and there were a few questions specific to the proposed amendments and potential parking caps.

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 September 18, 2023. Mailed notice of the public hearings before the 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 12, 2024. The notice of this public hearing was published on January 14, 2024, in the Grand Junction Daily Sentinel. An online hearing with an opportunity for public comment was held between January 16 and January 22, 2024, through the GJSpeaks platform.

ANALYSIS

A note about the implementation of the Zoning & Development Code Update: As this application was received prior to the effective date of this update, the analysis that follows is pursuant to the previous/existing Zoning & Development Code language.

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 the following:

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

The 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 the 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 along 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 amendment 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.

The proposal does not seek to add any new properties requiring a rezoning to the PD zone district. The proposal seeks to introduce new uses in the authorized use table of the ODP. Per GJMC 21.05.030 the rezoning process shall be used to modify the authorized use list for any planned development.

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

The City had previously approved a PD zone district and ODP for the Riverfront at Dos Rios property, along with the inclusion of additional properties incorporated in recent amendments as accomplished by Ordinances 4849, 4928, 4982, 5016. The current amendment does not seek to incorporate nor rezone any additional properties nor into the PD. Staff finds that this criterion is not applicable to this request, and therefore, has not been met.

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

While significant public infrastructure and improvements have been installed, the majority of the parcels remain vacant, other than the ongoing construction of 13 townhomes located at 600 Lawrence Ave. The exception is the completion of the bicycle playground as a recreational amenity. The neighborhood to the north is predominantly residential and has not seen much change over the years. The area remains predominantly undeveloped, and the surrounding area remains predominantly low density residential. Staff's assessment is that the character and/or condition of the area has not changed and that it is too premature to determine that the proposed industrial uses, alcohol retail sales use, landscaping services uses, vehicle services, and gas station and drive-through uses, rental retail and indoor recreation uses are consistent with the Plan. Therefore, this criterion has not been met.

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

The existing public and community facilities and services are available to the properties and are sufficient to serve the proposed mix of uses, including the addition of several industrial uses, alcohol retail sales use, landscaping services uses, vehicle services, and gas station and drive-through uses. 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.

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

The 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. Furthermore, there are several C-2, I-2, I-O properties near the development that could accommodate the proposed industrial, vehicles services, gas station, drive-through uses. Therefore, staff finds that this criterion has not been met.

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

The vision of the Riverfront at Dos Rios development revolves around creating a vibrant mixed-use community that not only serves as a place for residents to live and work and play, but also emerges as a sought-after destination, bringing with it the opportunity to further enhance the city's tourism sector, as well as promote short-term and long-term job creation. The amendments to the authorized use table provide additional flexibility needed to attract outside investment into the community. As such, permitting additional drive-thru uses, indoor recreation uses, and food trucks and food truck courts, drinking establishments, rental retail that caters to riverfront activities and expanding alcohol retail sales to other parcels further aligns with the River District provision in the Comprehensive Plan that encourages the development of destination-oriented amenities and front-line service industries that support destination-oriented development.

While the amendments to the authorized use table include the introduction of drive-thrus and some heavy commercial and light industrial uses into the PD, the proposal also limits the uses to the LI/C parcels. There are only two LI/C parcels within the development. The LI/C1 parcel is located at 2601 Dos Rios Ct and the LI/C2 parcel is located east of the parkway at 2600 Riverside Parkway. The proposal limits the introduction of drive-thrus, passenger vehicle repair and services, car washes, gas stations to the peripheries of the development, considering the context of each parcel. The proposed gas station and auto mechanical repair uses are proposed only east of the parkway on the LI/C2 parcel. Introducing these uses offer a unique opportunity to revitalize a challenging and blighted site that is positioned adjacent to the railroad and an oil refinery. The difficulties in designing vehicular access for a more intense mixed-use development make it impractical.

Furthermore, limiting the site to retail and residential uses would significantly impede its potential for meaningful development that is compatible to its immediate surroundings, which is heavily industrial. By allowing these heavier commercial, lighter industrial uses, the community stands to benefit from the

transformation of an underutilized parcel into a functional and service-oriented space. This not only addresses the challenges posed by the site's proximity to a railroad and an oil refinery but also brings economic and infrastructural improvements to the area. As such, introducing these additional uses helps advance the Comprehensive Plan Principle 2.a. to promote the development of underutilized and blighted properties.

The proposal seeks to exclusively allow drive-thru uses in both of the LI/C parcels – LI/C2 located across the parkway and LI/C1 located in the southeastern periphery of the development. Allowing drive-thrus on parcels that directly abut the parkway does not necessarily undermine the envisioned community character, as it can be integrated thoughtfully to complement the surrounding environment. The PD requires that all structures adhere to architectural standards. Proper landscaping, architectural cohesion, and strategic placement can ensure that these facilities blend harmoniously with the rest of the development, aligning with the vision of a dense, mixed-use walkable community.

Additionally, by catering to the convenient needs of residents and visitors, drive-thrus can contribute to the economic vitality of an area without overshadowing its distinct identity. It is essential to strike a balance that respects the envisioned character and goals while accommodating modern amenities that enhance the overall functionality and appeal of the neighborhood near the parkway. Placing drive-thrus at the periphery minimizes their impact on the character of the internal streetscape, preserving the Dos Rios core for more walkable and pedestrian-friendly compact development. By strategically and intentionally situating these facilities closer to the parkway and away from the core, accessibility for those using vehicles is maintained while minimizing car-centric development. Ultimately, this approach reflects a context-sensitive response that prioritizes both the convenience of vehicular access and the long-term goal of fostering walkable and vibrant center. Therefore, staff believe this criterion has been met.

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.

(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 have been provided, which is 33% of the area, exceeding the Code requirement for residential projects to provide 10% of the land area in open space. No additional open space is proposed to be dedicated.

(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.

(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, which are not proposed to change. The only amendment to the landscaping section is to clarify that, unless otherwise provided in the ordinance, landscaping requirements default to B-P requirements.

(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, which will provide approximately 280 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. The only proposed changes are to provide some design flexibility regarding the location of parking and add clarifying language to where off-street parking shall be restricted. Per

the current ordinance, "Off-street parking for multifamily or mixed-use development shall not be located in the front yard setback. Parking shall be in the rear of side yards or an area which is less visible from the public streets rights-of-ways or the Riverfront Trail."

The master plan for the Riverfront at Dios Plan was envisioned to be a walkable mixed-use development that was defined by a dense urban form at the pedestrian-scale. The intent of the language to restrict parking in the front yard was in an effort to orient buildings to the streets and placing parking away from the street as a design principle to create a sense of pedestrian enclosure. The current language creates some confusion regarding intent and application. While the intent is to ensure parking is not placed between the street and the building, the language states that parking shall not be in the front yard setback, which implies that the parking could be in the front yard, therefore negating the earlier provision that parking cannot be visible from public rights-of-way. That first provision is further contradicted by the second requirement that states that parking shall be in the rear or side yards.

The proposal is therefore to rephrase this section to better illustrate and apply the aforementioned design principle to restrict the amount of parking that is located between the street and the building by clarifying that parking shall not be located in the front yard or along the street frontage. The proposal also seeks to create some design flexibility for parcels that have more than one frontage. Per code, any property line that abuts a street is considered street frontage. This application may pose some challenges to site design to conceal parking buildings when a parcel has multiple frontages and no rear or side yards. Therefore, the proposal also seeks to include exceptions to the restriction of parking placement. These exceptions include allowing surface parking between the building and the street in the following instances:

- If the frontage is along Riverside Parkway (where there is less of a need to prioritize street activation and pedestrian sense of enclosure compared to the development's internal streets); or
- Where the frontage directly abuts a traffic circle; or
- Allowing parking only along one frontage if a site has multiple frontages (i.e., more than two).

Additionally, the amendments include a provision to increase the amount of parking allowed between the building and the street when the site has three or four frontages. This amendment would permit the developer to allocate 150 linear feet of the property's frontage or 50 percent of the property's frontage to surface parking in the front yard. Section of the amended PD provides two ways of calculating additional linear feet of frontage that may be allocated towards surface parking. The first calculation limits the parking to only 150 linear feet per each individual frontage property line or limiting the parking to

only 50 percent of the length of each individual frontage property line. Note that the developer is not obligated to provide parking along all frontages but has the option to place parking along more than one or all the frontage property lines to not exceed 50 percent of the length of each frontage property line, if needed. The second calculation allows the developer to take the cumulative length of all the frontage property lines, and divide that length by half to determine the number of linear feet that can be allocated to parking between the street and the building.

Staff recommends not extending these exceptions to sites that have only one-frontage or two-frontages, as these sites can easily be designed to bring the building up to the edge of the street and place parking to the rear of the building. Furthermore, the proposal includes additional design flexibility for developers by providing a credit to gain more linear feet of street frontage dedicated to frontage parking in exchange for a public amenity that helps activate the streetscape in the way a building would have. The proposed amendments would permit the developer to gain nine linear feet more of parking along the frontage in exchange for nine linear feet of public amenity from an approved list as outlined in the amended ordinance to buffer that additional parking and encourage a functional priority for pedestrians in the streetscape.

(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 to 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 use shall be provided (Section 21.02.150(b)(2)(vii)).

There are no proposed changes to the screening and buffering standards.

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 currently proposes a residential density of 12 units per acre as a minimum and no maximum density. There are no proposed changes to the 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. Except for the land on the east side of Riverside Parkway, all the proposed development is internal to the property and is not directly adjacent to any other private development. Staff finds these standards are appropriate for the amended PD/ODP and 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)).

The prior PD ordinances relied on GJMC 21.02.080(n), which states that a development phasing schedule may be set for greater than one year but not more than ten years and outlines the procedure for City Council’s decision-making on granting a request to extend a phasing schedule. GJMC 21.02.080(n) does not specify what the phasing schedule should be for a development but rather gives parameters for designing a phasing schedule. This amendment will define a concrete schedule that was previously lacking in prior ordinances.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the amendment request to the Planned Development Zoning and

Outline Development Plan (ODP), City File Number PLD-2023-581, 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. The proposed development implements the principles and policies of the 2020 One Grand Junction Comprehensive Plan, and the Grand Junction Circulation Plan.
2. The rezone request conforms with Section 21.02.140 of the Zoning and Development Code pertaining to rezone approval.
3. The Outline Development Plan conforms with Section 21.02.150 of the Zoning and Development Code pertaining to Planned Development approval.
4. The proposed development conforms and will conform with Section 21.05 of the Zoning and Development Code pertaining to Planned Development standards.

Therefore, the Planning Commission recommends approval of the request

FISCAL IMPACT:

There is no fiscal impact.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. XXXX, an ordinance for an amendment to the Planned Development (PD) Zoning and Outline Development Plan (ODP) for the Riverfront at Dos Rios development, located on the northeast bank of the Colorado River between Highway 50 and Hale Avenue on final passage and order final publication in pamphlet form.

Attachments

1. Exhibit 1. Development Application Packet
2. Exhibit 2. Neighbor Meeting Documentation
3. Exhibit 3. Development Application - DR Land_executed
4. Exhibit 4. Development Application - DR Townhomes LLC_executed
5. Exhibit 5. Ordinance 5061 (2022)
6. Exhibit 7. Draft Planning Commission Minutes 01-23-24
7. Exhibit 6. Proposed Ordinance with Redlines

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

Project Description (Location, Acreage, Proposed Use)

The purpose of this application is to obtain comments from the City of Grand Junction for the proposed Dos Rios Planned Development Amendment. The Dos Rios site is located along the Colorado River, west of the Riverside Parkway, and south of Hale Avenue. The project location area is depicted below:

Dos Rios Project Location

A majority of parcels in Dos Rios Master Planning Area are currently owned by DR Land LLC or will be purchased from the City upon entitlement approvals. May Riegler Properties (MRP) has taken on the role of master developer to bring a majority of the Dos Rios vision to life, in conjunction with the Master Plan Architect KASA Architects, the City of Grand Junction and Buena Vida LLC, who will be developing the MU/OR zoned lot located at 535 Hale Avenue.

The original master planning efforts for Dos Rios was first visioned and established by the City of Grand Junction through the creation of a Planned Development (PD) zone district to guide the mixed-use development. The original Planned Development and ODP, established by the City, was first recorded in 2019 through Ordinance 4849, amended by the City in 2021 through Ordinance 4982 and again by May Riegler in 2022 through Ordinance 5061.

MRP and KASA Architects have been working with the City of Grand Junction to further refine the overall masterplan of Dos Rios and begin the full build out of the site. The applicant is requesting review and comment on the proposed modifications to the previously approved PD amendment. The proposed amendment is needed in order to achieve entitlement approval for a number of parcels currently, or soon to be, submitted to the City for Major Site Plan and Subdivision approvals. This amendment provides further refining of the standards previously established in prior amendments to successfully actualize the full vision of Dos Rios.

The graphic below depicts the current proposed masterplan for the site:

This aerial photograph shows the proposed development site for the Riverfront Commons. The site is located along the riverfront, with the river visible on the left. The development includes a variety of buildings and amenities, such as:

- Residential:** Residential townhomes, a community clubhouse, and a future development area.
- Commercial:** A boutique hotel, a retail building, and an office building.
- Public Spaces:** A splash park, a family play area, and a pocket neighborhood.
- Other Amenities:** A gas station, self-storage units, a bike park, and a dog ridge court.

The site is bounded by Hale Avenue to the north and the river to the west. The development is designed to be a walkable, mixed-use community.

K A S A • May Riegler Companies • Grand Junction, Colorado

December 6, 2023

The project currently has planning approval for 56 townhouses, the first phase of which (13 townhomes) is under construction. The first 6 townhomes will be delivered in the 4th quarter of 2023 and the following 7 in early 2024.

The City is moving forward with building a children's splash park and completing the first phase of river restoration and construction of a public beach within the PDs17 acres of Parks & Recreation.

A Major Site Plan submission and Sub-Division application has been submitted for two multi-family buildings totaling 258 rental apartments and

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

approximately 26,800 sf of ground floor retail at 2600 Dos Rios Drive and 750 Calle Del Rio (on PD Zoned Lots MU-7B and MU-7A). The updates to the use table as proposed in this PD amendment will provide further flexibility for possible retail tenants, enhancing the experience of and amenities for future residence and visitors alike.

With the subdivision of MU-7A and MU-7B there is a 3rd future development use also proposed. This site is currently in design as a low-rise office building that will be built by and for a consortium of local non-profit companies. This group of local non-profits will be submitting their own Major Site Plan Submission in the first quarter of 2024 and have been working through the pre-application process with the City. They will require the previously mentioned Subdivision for approval.

Developer has submitted and received comments to a pre-application site plan submission for approx. 19,000 sf of Riverfront Retail on PD zoned lot MU-4 with an open public plaza, two hotels on PD zoned lot MU-3 and a shared parking lot on PD zoned lot MU-6B with room for a future 9,500sf retail bldg.

On MU-3, one boutique hotel with approx. 140 rooms, an indoor restaurant & bar, indoor event space and outdoor seating and with an outdoor pool, and parking lot is planned. The second hotel on MU-3 is planned to be an adventure themed hotel branded as Field & Stream, totaling 120 rooms. This hotel will have outdoor amenity space (bocce court, fire pits, seating, etc.) and a parking lot. MU-3's Major Site Plan Submission will be split into two, one for each hotel and will include a Subdivision application to split the MU-3 lot for the two hotels.

The site plan design for the two hotels will provide a pedestrian only "Paseo" public walk-way separating the two hotels from each other. More pivotally this pedestrian paseo will create a vital pedestrian path across lot MU-3 that will connect the locations of the future pedestrian bridge, art walk, shared parking lot on PD lot MU-6B, down to the Riverfront Retail, Riverfront Plaza and restored river front beach.

The planned development on MU-4 and MU-6B will require approval of some of the changes proposed in this proposed PD Amendment to allow for changes to the parking language as established in the prior PD that made several of these "island lots" with multiple frontages and no side or rears undevelopable due to parking lot frontage restrictions. Developer is planning to break ground on these Lots in 2024 upon receipt of approvals.

**General Project Report
For
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Developer is under contract to purchase 2600 Riverside Parkway from the City which is PD zoned Lot LI/C-2. Developer has submitted a pre-application concept site plan with the City. This planned development requires the approvals proposed within the PD Amendment to allow for the added uses by right within the amended Use Table, such as retail with drive-thru and a gas station with convenience store. The increase in by right uses will aid in attracting commercial users to what is otherwise a very difficult lot to develop due to proximity to the railroad yard and petroleum oil tanks and due to the multitude of easements and restrictive building setbacks around the high voltage transmission lines.

At full build out, over multiple phases, Dos Rios will be a true mixed-use community home to over 300 multifamily units, approx. 140 townhomes/condos, two hotels totaling approx. 260 rooms, and approximately 70,000 sq. ft. of retail space, an office building, and more commercial/retail development on 2600 Riverside Parkway.

Development Applications for the remaining parcels within the Dos Rios master plan will continue to be submitted over time with market demand and as the core of Dos Rios highlighted above is brought to realization.

Also at the heart of Dos Rios are the distinct public realm areas and improvements; the future art walk, future pedestrian bridge, future traffic signal at Deseo and Riverside Parkway, the bike trail, the playground, the bike park, the splash park which is planned to open Spring of 2024, and the first phase of riverfront restoration the focal point being a beach with connectivity to the riverfront retail and gathering places. Approximately 28% of the entire PD area is set aside as open space, including a backwater pond, the Riverfront Trail along with full access to the banks of the Colorado River. 17 acres of open space dedicated throughout the Dos Rios PD area not only far exceeds the required 10% of land area, it complements the mix-of uses within and provides a multitude of public benefit for people to live work and play in.

Both Developer and representatives from the City continue to have a positive, collaborative, and enthusiastic working relationship. The shared vision to bring a cohesive Riverfront at Dos Rios community to life is seen through the emphasis on pedestrian and bike connectivity and cohesive outdoor gathering spaces for all of Grand Junction, residents and visitors alike.

General Project Report For Dos Rios Planned Development Amendment

Land Uses and Zoning

The site is currently zoned Planned Development with a Mixed-Use designation in the Grand Junction Comprehensive Plan and an underlying BP zone district.

Listed below is the City's previously approved zoning map as Exhibit B in Ordinance 5061. No new changes are being proposed to this zoning map as part of this PD Amendment application. Nor are any previously established land use designation areas being proposed to change.

Public Benefit

There are many public benefits of a large-scale community focused project such as Dos Rios.

The existing street grid will be utilized for the project, with minimal modifications to curb cuts and infrastructure. Additional shared public vehicular parking lots will be located throughout the site, and a combination of new and existing parallel and diagonal street parking will be utilized for public shared parking.

As a guiding principle of the PD, the parking at Dos Rios is being planned in a way that promotes sharing among the variety of uses. Through the strategic placement of parking and the shared nature of on-street and

EXHIBIT B



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

off-street parking throughout the site an added emphasis to the pedestrian experience is naturally cultivated.

The walkable entrance to Dos Rios will be adorned with a new Art Walk near the intersection of Deseo and Riverside Parkway which will have a new traffic signal installed by the City. The new Art Walk will welcome future users of the proposed Pedestrian Bridge from downtown to the project and provide an entry “gateway” into Dos Rios.

The pedestrian experience continues crossing a new one-way portion of Calle Del Rio, which will lead into the new “Paseo”.

The Paseo is the pedestrian only extension of Deseo, a meandering paved path with landscaping and seating on both sides which is intended to create a slow, enjoyable, walking experience to draw residents and visitors through Dos Rios so they can experience the natural environment. The Paseo will lead them down to Dos Rios Drive and culminates at the most active and entertaining use within the project, an open air public plaza, the Riverside Market.

The Riverside Market will be a new landscaped plaza built along the Colorado River. The Riverside Market will connect directly to the Bike Path, Beach, and be accessed by and located along Dos Rios Drive. The Riverside Market plaza will have public space improvements such as decorative paving, decorative lighting, lush landscaping, shaded seating, fire-pits for evening hangouts and s'mores, space for a performance stage, farmer's markets, and outdoor movie nights. The PD use table amendment permits for the possibility of outdoor and indoor rentals, which will allow for the Riverside Market to provide bike and water related rentals.

Adjacent to the Riverside Market area will be a new Market Hall concept, consisting of multiple food, beverage, and retail tenants. While the planning for this space is dependent upon end-users it is the developers intent to create a It will provide gathering space in, around, and on top of it, with roof decks, exterior shaded seating, and a grand central stadium staircase facing the Colorado River, to allow patrons to enjoy the view.

Developer, Master Plan Architect, and City have all thoughtfully and passionately designed the infrastructure, density, mixed-uses and their locations to promote river activation and site connectivity from parking areas to the core outdoor retail and entertainment areas. Creating an

**General Project Report
For
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enhanced pedestrian experience of a true mixed-use community that will be able to be enjoyed by residents and visitors to Grand Junction of all ages.

Neighborhood Meeting

Developer, Master Plan Architect, Civil Engineer, and representatives from the City, conducted a Community Meeting s on June 12th 2023 at 5:45pm to provide a development update for Dos Rios. An overview of development planning and progress was given along with background for the needed Planned Development amendment and subdivisions.

In Attendance:

Kevin Riegler – May Riegler
Chris Mansuy – May Riegler
Kevin Sperry – KASA Architecture
Mark Austin – Austin Civil Group
Daniella Acosta – City of Grand Junction
Jen Taylor – Adjacent Property Owner
Jazz – Adjacent Homeowner

The meeting was called to order at 5:45 pm.

Detailed meeting minutes of this community meeting are provided as a part of the Planned Development Amendment application package and summarized here:

Kevin Sperry, the lead master plan architect provided an overview of the project status, PD amendment process and subdivision process and why it is necessary to continue and bring the Dos Rios development process to full build out.

Chris Mansuy with May Riegler then presented the proposed PD amendment in detail, covering the re-organization of the Allowed Land Use Table and the incorporation of broader approved uses typical to retail in LI/C-1 and LI/C-2 to enhance retail options within Dos Rios. Mr. Mansuy also covered the planned subdivisions and changes in parking language which as currently stands makes the development of island lots undevelopable. There was one question posed by a resident in regards to what the intent of the original parking language was. Both the City (Ms. Acosta) and Mr. Mansuy provided an answer that was satisfactory to the

General Project Report For Dos Rios Planned Development Amendment

resident. Ms. Acosta clarified that the original intent was to encourage pedestrian and bike visitors to Dos Rios and that there is not a cap on parking but that there is a minimum number of spaces required for public use within the Dos Rios PD. Mr. Mansuy also clarified that the Developer's goals are to provide adequate parking within Dos Rios so that visitors do not look for parking within the residential neighborhood north of Hale Avenue and that there needs to be enough parking to support the planned uses of the Dos Rios, some of which are still unknown and that a cap wasn't necessary or quantifiable.

The meeting was adjourned at 6:20pm.

Project Compliance, Compatibility and Impact

The PD Amendment being applied for takes form in a redlined, modified, and restated ordinance document, submitted herein. This document outlines various proposed changes to the ordinance, including (but not limited to) the below modifications which are in conformance with the criteria listed within GJMC 21.02.150(b)(2) for approval:

1. Incorporation of a phased development schedule
2. Use table reformat to the standard GJMC 21.04.010, and the applicable Use By Right within the underlying BP zoning district
3. Use table expansion of permitted by right uses to include the following:
 - Permit Office with Drive-Through in LI/C parcels only.
 - Permit All Indoor Recreation in LI/C
 - Reclassify Bar/Nightclub to Alcohol Sales Retail permitted in MU, LI/C and MU-OR (as in the BP and previously approved as Bar/Nightclub in Ord. 5061)
 - Drinking Establishments added to use, permitted in MU, LI/C and MU-OR as the same within BP underlying zoning.
 - Permit Drive-Through Uses (Restaurants) in LI/C parcels only.
 - Permit Drive-Through Retail in LI/C parcels only.
 - Add Greenhouse/Nursery in LI/C parcels only as permitted within BP underlying zoning
 - Add Mobile Food Vendor permitted in MU and MU-OR as permitted within BP underlying zoning
 - Add Mobile Food Vendor Court permitted in in MU and MU-OR as permitted within BP underlying zoning
 - Add Rental Service, Indoor Display/Storage in MU and MU-OR parcels as permitted within BP underlying zoning

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

- Permit Use of Auto Mechanical Repair in the LI/C-2 parcel, east of Riverside Parkway only.
 - Permit Car Wash, Gasoline Service Station, Quick Lube in the LI/C-2 parcel, east of Riverside Parkway only.
4. Refined parking language to define when and how parking will be permitted in "front yards", rather than the previous "front yard setback" as well as further clarification for lots that have only one or multiple frontages.

While the original PD zoning ordinance established the specific land uses allowed in each of categories, this proposed expansion and refinement of the proposed use table and permitted uses within each of the four general land use categories helps further define the appropriate set of "default" or minimum standards for the entire property for each development pod/area to be developed as required by GJMC 21.02.150(b)(2) criteria for approval XI.

The proposed PD amendment is in general compliance with and supports the guiding principles of the Comprehensive Plan and the Grand Valley Circulation Plan. 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. It also provides residential uses with a range of types of housing. The types of uses allowed and proposed for the development are consistent with Comprehensive Plan Land Use Map and the approved uses for MU and BP within the GJCD.

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. The expansion of the use table within the proposed PD amendment allows for a flexibility of potential services to be developed for the benefit of the community as a whole.

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

**General Project Report
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- 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.

Schedule

With the help of staff a formal phasing and development schedule has been incorporated into this PD amendment. Developer commenced construction on the first phase of Dos Rios in 3rd quarter 2022. The first phase consisting of 13 townhomes, 6 are delivering in the 4th quarter of 2023 and the remaining 7 townhouses will be delivered in the 2nd quarter of 2024. Planning and delivery of future phases continues as Developer submitted two Major Site Plan applications for multi-family parcels and retail parcels in the Summer of 2023. May Riegler is gearing up to submit additional Major Site Plan applications for the hotels, multi-tenant retail market hall adjacent to the river and an additional shared parking lot as a primary use with room for a future retail pad. Before the end of Q1 2024 Developer intends to have Development Applications, Subdivisions submitted and hopefully Approved for 7 out of the 10 Lots on the West side of Riverside Parkway. The entitlement approvals of these Lots are integral to bringing the full vision of Dos Rios to life. Major Site Plan approval, Developer's remaining land purchases, and start of

**General Project Report
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construction is contingent upon the needed modifications to the planned development as described and presented in this application.

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named DR Land LLC, a Colorado limited liability company, and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The type of entity is a:

☐ corporation	☐ registered limited liability partnership
☐ nonprofit corporation	☐ registered limited liability limited partnership
☒ limited liability company	☐ limited partnership association
☐ general partnership	☐ government or governmental subdivision or agency
☐ limited partnership	☐ trust
☐ other: _____	
3. The entity is formed under the laws of: State of Colorado
4. The mailing address for the entity is: 2201 Wisconsin Avenue NW, Suite 200, Washington, DC 80202
5. The name or position of the person(s) authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is: Kevin Riegler, Manager
6. The authority of the foregoing person(s) to bind the entity is ☒ not limited ☐ limited as follows:

7. Other matters concerning the manner in which the entity deals with interests in real property:

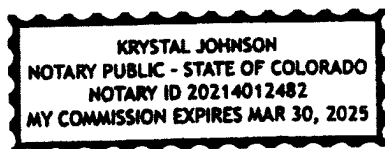
Executed this _____ day of May, 2022.

Signature

Kevin Riegler

STATE OF COLORADO)
) ss.
 COUNTY OF ROUTH)

The foregoing instrument was acknowledged before me this 1st day of June, 2022, by Kevin Riegler, Manager..



Witness my hand and official seal.

Notary Public

My commission expires: 3/30/2025

WHEN RECORDED
RETURN TO:



STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
DR TOWNHOMES LLC, A COLORADO LIMITED LIABILITY COMPANY
2. The type of entity is a:

☐ Corporation	☐ Registered Limited Liability Partnership
☐ Nonprofit Corporation	☐ Registered Limited Liability Limited Partnership
☒ Limited Liability Company	☐ Limited Partnership Association
☐ General Partnership	☐ Government or Governmental Subdivision or Agency
☐ Limited Partnership	☐ Trust
3. The entity is formed under the laws of Colorado 2201 Wisconsin Ave NW Ste 200, Washington DC 20007
4. The mailing address for the entity is 2201 Wisconsin Ave NW Ste 200, Washington DC 20007
5. The ☒ name ☒ position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is **KEVIN R RIEGLER OR JACQUES A MACHOL III AS MANAGERS**
6. The authority of the foregoing person(s) to bind the entity: ☒ is² not limited ☐ is limited as follows:
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed this day of August 16th, 2022

**DR LAND LLC, F/K/A DR DEVCO LLC, A COLORADO
LIMITED LIABILITY COMPANY**

By: D/A

KEVIN R RIEGLER, MANAGER

By: JACQUES A MACHOL III, MANAGER

JACQUES A MACHOL III, MANAGER

State of Colorado

County of Denver

The foregoing instrument was acknowledged before me on this day of August 16, 2022 by JACQUES A MACHOL III AS MANAGER OF DR LAND LLC, F/K/A DR DEVCO LLC, A COLORADO LIMITED LIABILITY COMPANY

Witness my hand and official seal

My Commission expires: 8-20-25

Michelle Malia Liotti
Notary Public

MICHELLE MALIA LIOTTI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20004025361
MY COMMISSION EXPIRES AUG 20, 2025

¹This form should not be used unless the entity is capable of holding title to real property.



WHEN RECORDED
RETURN TO:



STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
DR TOWNHOMES LLC, A COLORADO LIMITED LIABILITY COMPANY
2. The type of entity is a:

☐ Corporation	☐ Registered Limited Liability Partnership
☐ Nonprofit Corporation	☐ Registered Limited Liability Limited Partnership
☒ Limited Liability Company	☐ Limited Partnership Association
☐ General Partnership	☐ Government or Governmental Subdivision or Agency
☐ Limited Partnership	☐ Trust
3. The entity is formed under the laws of **Colorado**
4. The mailing address for the entity is **700 17TH STREET SUITE 200, DENVER, CO 80202**
5. The ☒ name ☒ position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is **KEVIN R RIEGLER OR JACQUES A MACHOL III AS MANAGERS**
6. The authority of the foregoing person(s) to bind the entity: ☒ is² not limited ☐ is limited as follows:
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed this day of August 16th, 2022

**DR LAND LLC, F/K/A DR DEVCO LLC, A COLORADO
LIMITED LIABILITY COMPANY**

By: _____

KEVIN R RIEGLER, MANAGER

By: _____

JACQUES A MACHOL III, MANAGER

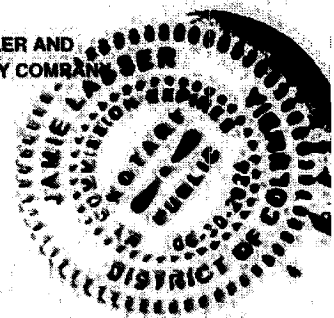
State of District of Columbia)
County of _____) ss.

The foregoing instrument was acknowledged before me on this day of Aug 16 2022 by **KEVIN R RIEGLER AND
JACQUES A MACHOL III AS MANAGERS OF DR LAND LLC, F/K/A DR DEVCO LLC, A COLORADO LIMITED LIABILITY COMPANY**

Witness my hand and official seal

My Commission expires: 10/30/24

Jamie Jan
Notary Public



¹This form should not be used unless the entity is capable of holding title to real property.



SPECIAL WARRANTY DEED

THIS DEED is dated August 15, 2022, and is made between DR Land LLC, a Colorado limited liability company, the "Grantor," whose legal address is 2201 Wisconsin Ave NW, Suite 200, Washington, DC 20007, and DR Townhomes LLC, a Colorado limited liability company, the "Grantee," whose legal address is 2201 Wisconsin Avenue, Suite 200, Washington, DC 20007.

WITNESS, that the Grantor, for and in consideration of the sum of Three Million Nine Hundred Twenty Thousand and no/100 DOLLARS, (\$3,920,000.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the County of Mesa and State of Colorado, described as follows:

Lot 1, Riverfront at Dos Rios Filing 5

also known by street address as: 600 Lawrence Avenue, Grand Junction, CO 81501
and assessor's schedule or parcel number: 2945-221-25-001

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantee's heirs and assigns forever. The Grantor, for itself and its successors and assigns, does covenant and agree that the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, *but not any adjoining vacated street or alley, or other right-of-way that adjoins the real property*, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor except and subject to the statutory exceptions.

IN WITNESS WHEREOF, the Grantor has executed this instrument below

GRANTOR: DR LAND LLC

By:

Kevin Riegler, Manager

By:

Jacques A. Machol, III, Manager

STATE OF Washington DC

) ss.

COUNTY OF _____

The foregoing instrument was acknowledged before me this 18th day of August, 2022, by Kevin Riegler as Manager of DR Land LLC.

Witness my hand and official seal.

My commission expires: 6/30/24

Notary Public

STATE OF COLORADO

) ss.

COUNTY OF Denver

The foregoing instrument was acknowledged before me this 15th day of August, 2022, by Jacques A. Machol, III as Manager of DR Land LLC.

Witness my hand and official seal.

My commission expires: August 27, 2023

Notary Public

ERIC ANTHONY VILLANUEBA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154033896
MY COMMISSION EXPIRES AUGUST 27, 2023

QUITCLAIM DEED

Buena Vida, LLC, a Colorado Limited Liability Company, Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, convey and Quitclaim unto **Buena Vida HQ, LLC, a Colorado Limited Liability Company, Grantee**, whose address is 124 Donaldson Road, Grand Junction, CO 81507, its successors and assigns forever, all of the right, title and interest of the Grantor in and to the following described real property in the County of Mesa and State of Colorado, to wit:

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, Mesa County, Colorado.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its successors and assigns forever.

Executed and delivered this 7 day of December, 2023.

Buena Vida, LLC

By: _____

Printed Name: Jennifer R. Taylor

Title: Member

State of Colorado)
) ss.

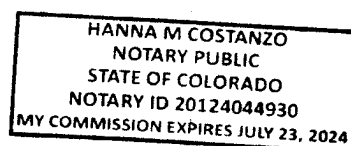
County of Mesa)

The foregoing instrument was acknowledged before me this 7 day of Dec, 2023, by Jennifer R Taylor as Member of Buena Vida, LLC

Witness my hand and official seal.

My Commission Expires: July 23, 2024

Notary Public



HANNA M COSTANZO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124044930
MY COMMISSION EXPIRES JULY 23, 2024

EXHIBIT A - Page 1 of 2
Right of Way (R.O.W.) Parcel

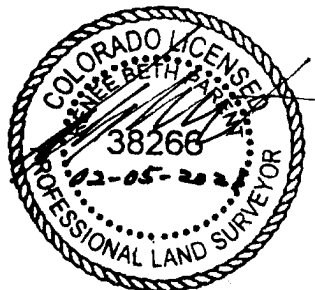
A Parcel of land being the north eighteen feet of LOT 16, RIVERFRONT AT DOS RIOS FILING ONE located in Government Lot 1, Section 22, Township 1 South, Range 1 West of the Ute Meridian, as same is recorded at Reception Number 2880032, Public Records of Mesa County, Colorado being more particularly described as follows.

Beginning at the northeast corner of said Lot 16 whence the Northwest (NW) corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 22 bears N83°03'42"E 263.50 feet distant; thence S37°10'15"E along the easterly line of said LOT 16 a distance of 22.60 feet; thence N89°57'47"W a distance of 211.75 feet to a point on the westerly boundary of said LOT 16; thence along a non-tangent curve to the right being a portion of said westerly boundary of said LOT 16 a distance of 32.17 feet, said curve having a radius of 50.00 feet, a central angle of 36°51'48" and a chord which bears N55°20'08"E 31.62 feet distant to the NW corner of said LOT 16; thence S89°57'47"E along the north line of said LOT 16 a distance of 172.09 feet to the Point of Beginning;

CONTAINING 3509 Square Feet or 0.081 Acres, more or less, as described.

The basis of bearings is the North Line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 22, T. 1S., R. 1W., Ute Meridian, S89°56'44"E, Mesa County Local Coordinate System, as shown on Reception Number 2942736.

Authored by: Renee B. Parent, CO LS38266
City Surveyor
City of Grand Junction



The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder and monuments as shown. This sketch does not constitute a legal boundary survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

250 N. 5th Street
Grand Junction, CO 81501

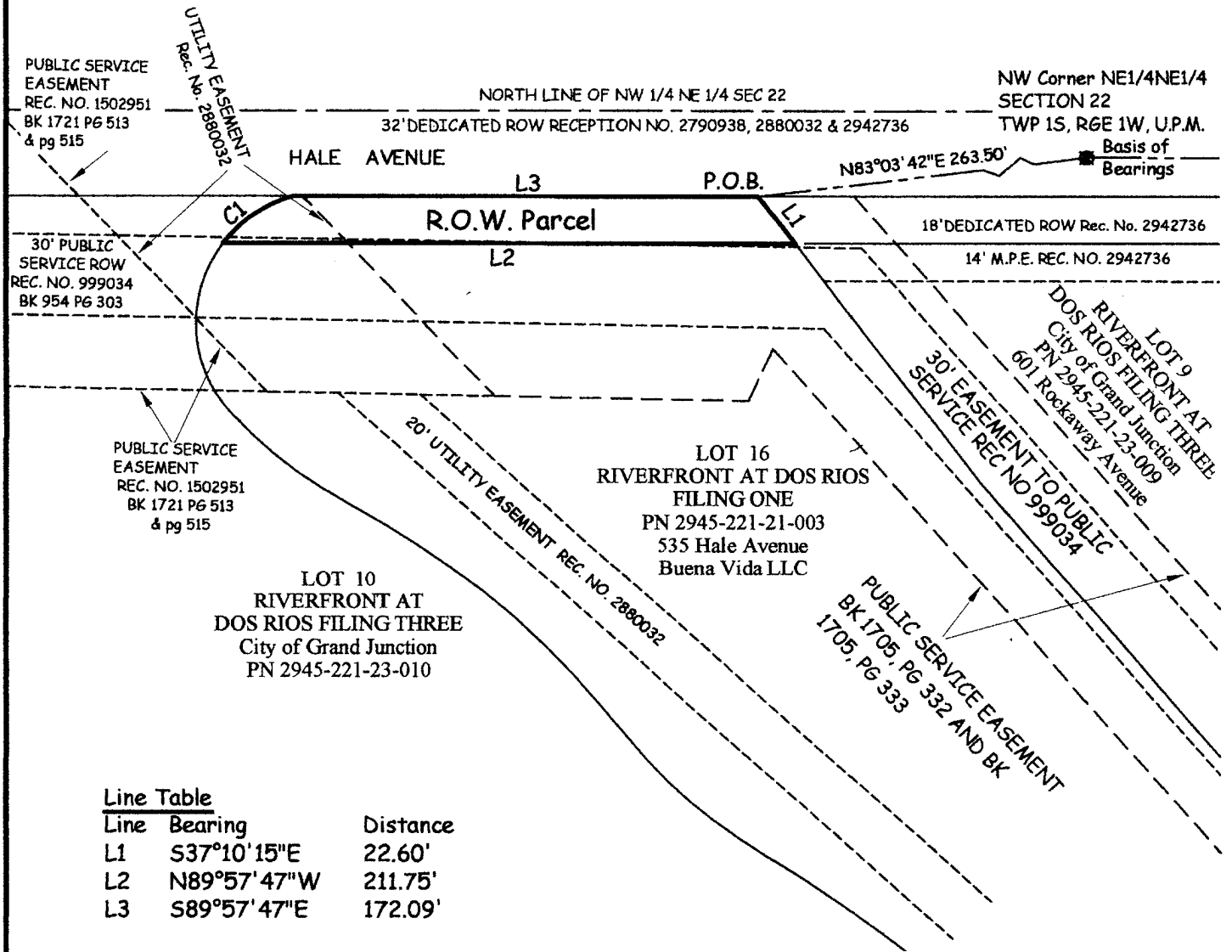
DRAWN BY: R. B. P.
DATE: 2-05-2021
SCALE: 1" = 40'
APPR BY: B.H. & M.G.

Located in Government Lot 1, Sec. 22
(a portion of the NE $\frac{1}{4}$ of Section 22)
Township 1 South, Range 1 West
Ute Meridian, City of Grand Junction
Mesa County, Colorado



EXHIBIT A - Page 2 of 2

Right of Way (R.O.W.) Parcel
Portion of LOT 16, RIVERFRONT AT DOS RIOS FILING ONE
Area: 3509 Square Feet, 0.081 Acres

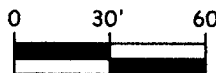


ABBREVIATIONS

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
R.O.W. RIGHT OF WAY
SEC. SECTION
T. TOWNSHIP
R. RANGE
Rec. Reception
No. Number
U.E. Utility Easement
M.P.E. Multipurpose Easement
BK Book
PG Page
PN Parcel Number

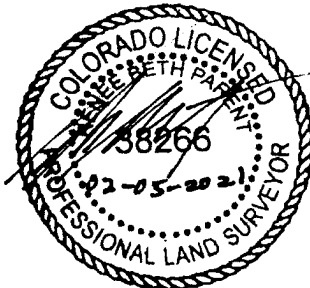
The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder and monuments as shown. This sketch does not constitute a legal boundary survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

The basis of bearings is the North Line of the NE ¼ NE ¼ of Sec. 22, T. 1S., R. 1W., Ute Meridian, S89°56'44"E, MCLCS, as shown on Reception Number 2942736.



1 inch = 60 ft.

Lineal Units = U.S. Survey Foot



250 N. 5th Street
Grand Junction, CO 81501

DRAWN BY: R. B. P.
DATE: 2-05-2021
SCALE: 1" = 40'
APPR. BY: B.H. & M.G.

Located in Government Lot 1, Sec. 22
(a portion of the NE ¼ of Section 22)
Township 1 South, Range 1 West
Ute Meridian, City of Grand Junction
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named BUENA VIDA HQ, LLC, and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The type of entity is a limited liability company.
3. The entity is formed under the laws of the State of Colorado.
4. The mailing address for the entity is Post Office Box 1209, Grand Junction, Colorado 81502.
5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity are:
Jennifer R. Taylor, Member.
6. The authority of the foregoing person to bind the entity is not limited.
7. Other matters concerning the manner in which the entity deals with interests in real property:
NONE.

Executed this 7th day of December, 2023.

BUENA VIDA HQ, LLC
a Colorado limited liability company

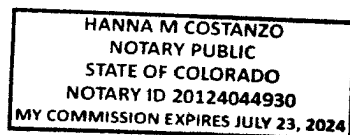
By: 
Jennifer R. Taylor, Member

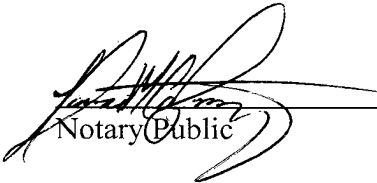
STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 7 day of December, 2023, by Jennifer R. Taylor as Member of Buena Vida HQ, LLC.

Witness my hand and official seal.

My commission expires: July 23, 2024




Notary Public



Document must be filed electronically.
 Paper documents are not accepted.
 Fees & forms are subject to change.
 For more information or to print copies
 of filed documents, visit www.sos.state.co.us.

Colorado Secretary of State
 Date and Time: 05/11/2021 08:49 AM
 ID Number: 20171380559
 Document number: 20211447998
 Amount Paid: \$25.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Amendment

filed pursuant to §7-90-301, et seq. and §7-80-209 of the Colorado Revised Statutes (C.R.S.)

1. For the entity, its ID number and entity name are

ID number 20171380559
(Colorado Secretary of State ID number)

Entity name Buena Vida, LLC

2. The new entity name (if applicable) is Buena Vida HQ, LLC

3. *(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

☐ This document contains additional amendments or other information.

4. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

5. The true name and mailing
 address of the individual causing
 the document to be delivered for
 filing are

Howe John T.
(Last) (First) (Middle) (Suffix)
200 Grand Avenue, Suite 400
(Street name and number or Post Office Box information)
Post Office Box 40
Grand Junction CO 81502
(City) (State) (Postal/Zip Code)
United States
(Province - if applicable) (Country - if not US)

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

11/22/23



Austin Civil Group, Inc.

Land Planning ▪ Civil Engineering ▪ Development Services

August 25, 2023

Ms. Daniella Acosta
City of Grand Junction Planning Department
250 North 5th Street
Grand Junction, CO 81502

Re: Amendment to the Planned Development (PD) and Outline Development Plan (ODP) for the Riverfront at Dos Rios, Ordinance No. 5061, located South of Hale Avenue and along Riverside Parkway

Dear Ms. Acosta:

The purpose of this letter is to summarize neighborhood meeting discussions conducted virtually on June 12, 2023, for the purpose of the proposed Dos Rios – PD Amendment for the subject property located South of Hale Avenue and along Riverside Parkway.

Listed below is a summary of the discussion items:

1. The meeting was attended by seven participants: Chris Mansuy, Kevin Sperry, Mark Austin, Brendan Hines, Daniella Acosta, Jen Taylor, and a home owner from Rockaway Avenue named Jazz.
2. Kevin Sperry, master plan architect, provided an overview of the project status, PD Amendment process, and sub-division process and why it is necessary to continue the Dos Rios development process. Mr. Sperry presented that Dos Rios is unique, in that the city designed and built the existing roads and infrastructure creating island lots that require sub-division and PD Amendments to suit the developer's development plans on the individual lots and to obtain City entitlement approvals.
3. Chris Mansuy, representing the developer, presented about the needs to subdivide the lots. The current PD classifies each lot within Dos Rios as Mixed-Use (MU), Light Industrial/Commercial (LI/C), Parks & Recreation (PR), and Mixed-Use / Outdoor Recreation (MU/OR) as color coded below and was included in the presentation:



4. These classifications will not change, but the islands of land created by the existing roads will be subdivided to suit what will be built there. The example was given that if two buildings are built on MU-3, then it will be subdivided into two lots, both of which will still be classified as Mixed-Use (MU). There are multiple lots that are large enough to support multiple buildings which will require subdivisions to get entitlement approvals. The Developer will submit subdivisions on an individual lot basis and at different times during the overall development process.
5. Mr. Mansuy presented that the proposed PD Amendment would include amendments and additions of approved uses and re-organization of the Allowed Land Use Table in Section F. and that it would be expanded to allow for more typical commercial/retail uses across the various lots. Examples of some of the specific additional land uses discussed were parking lots to support the density of the developer's plans, alcohol sales, drive-thru's on the two parcels zoned Light Industrial/Commercial (LI/C-1 and LI/C-2), and adding approved uses for gas stations and vehicle service and repair as on the lot east of Riverside Parkway (LI/C-2). The developer and Planning section are currently working together to amend the approved use table for the PD Amendment.
6. Mr. Mansuy presented about amending the current PD's parking language in Section G.1.B.2 and that as stated, there are conflicts that make the island lots undevelopable, since during the pre-application process the City had commented that they deem the island lots to have all front yards and no side or rear yards, yet the current PD states that off street parking will be in the rear or side yards. The developer and Planning Section are currently working together to amend that language to allow off street parking on the lots that were created by the city, some of which have one frontage only, and some that have multiple fronts.

7. There was one person that asked questions during the meeting. Mr. Jazz asked what the original intent of the parking language was and if any thought had been given to a cap on the # of parking spaces. Ms. Acosta clarified that the original intent was to encourage pedestrian and bike visitors to Dos Rios and that there is not a cap on parking but that there is a minimum number of spaces required for public use within the Dos Rios PD. Mr. Mansuy also clarified that the Developer's goals are to provide adequate parking within Dos Rios so that visitors do not look for parking within the residential neighborhood north of Hale Avenue and that there needs to be enough parking to support the planned uses of the Dos Rios, some of which are still unknown and that a cap wasn't necessary or quantifiable. Mr. Jazz was satisfied with these responses.
8. Ms. Jen Taylor, also a private land owner within Dos Rios, stated that she was supportive of the PD Amendment and pointed out the benefits that Dos Rios will bring to the current residents within the grand valley.
9. There were no other questions or comments and the meeting concluded at approximately 6:20PM.

If you have any comments or notes that I may have missed, please contact me at 970-242-7450.

Sincerely,
Austin Civil Group, Inc.
Mark Austin, P.E.
President

Sincerely,



Austin Civil Group, Inc.

Mark Austin, P.E.
President



Austin Civil Group, Inc.

Land Planning ▪ Civil Engineering ▪ Development Services

August 25, 2023

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Sincerely,
Austin Civil Group, Inc.
Mark Austin, P.E.
President

Sincerely,



Austin Civil Group, Inc.

Mark Austin, P.E.
President

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

Digitally signed by Kevin Riegler
Date: 2023.09.01 08:31:08 -06'00'

Date

Signature of Legal Property Owner

Digitally signed by Kevin Riegler
Date: 2023.09.01 08:31:35 -06'00'

Date

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:

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Signature of Person Completing the Application

Digitally signed by Kevin Riegler
Date: 2023.09.01 08:30:37 -06'00'

Date

Signature of Legal Property Owner

Digitally signed by Kevin Riegler
Date: 2023.09.01 08:30:50 -06'00'

Date

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5061

**AN ORDINANCE AMENDING ORDINANCE NO. 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 proposed amendment of the Planned Development (PD) zoning and Outline Development Plan (ODP) (Ordinance 4982) will revise specific sections of the previously adopted zoning and Outline Development Plan of the area known as The Riverfront at Dos Rios development. The request for the 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 are consistent with the purposes and the 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 TO PLANNED DEVELOPMENT (PD), FOLLOWING THE SAME DEFAULT ZONE AND STANDARDS ESTABLISHED IN ORDINANCE 4982 EXCEPT AS STATED HEREIN 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), as may be amended.

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 as provided in GJMC and as may be amended.

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 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		

	Mixed Use	Light Industrial/Commercial	Mixed Use Outdoor Recreation	Parks and Recreation
ALLOWED LAND USE				
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 have been constructed, and access controlled so as to allow and encourage on-street parking on both sides of the street. Combined, there will be a minimum of 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.

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 less than 10 feet.

2. Parking Lot Landscaping. Perimeter and interior landscaping of parking lots is required per GJMC Section 21.06.040(c), as may be amended.

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), as may be amended.

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 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), as may be amended. 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), as may be amended.

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 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 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.

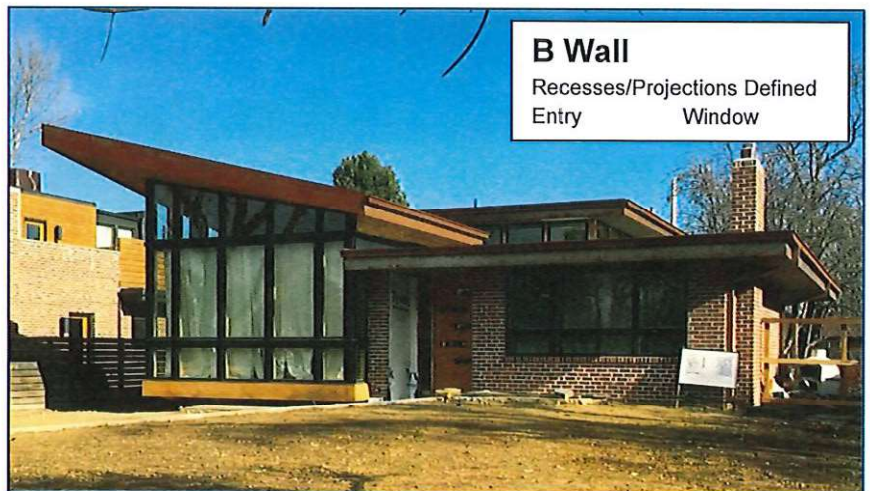
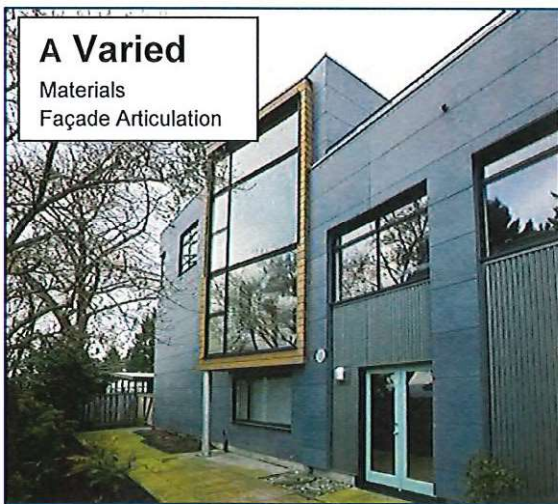
2. ARCHITECTURAL STANDARDS

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.

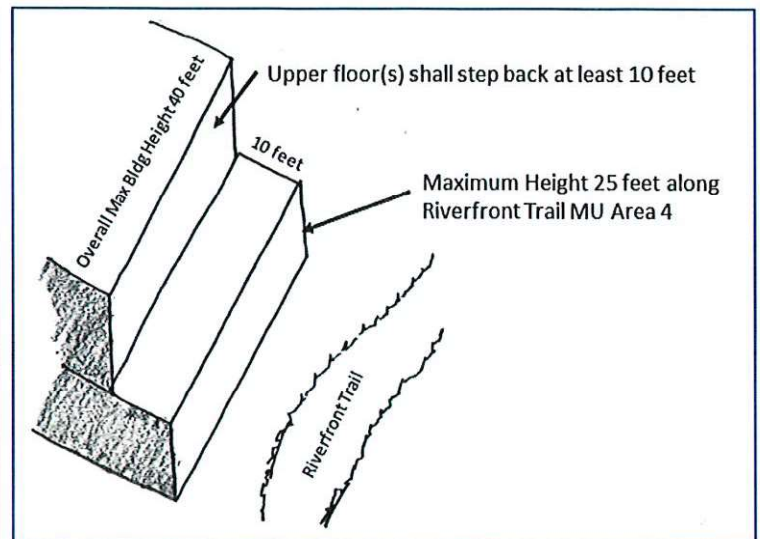
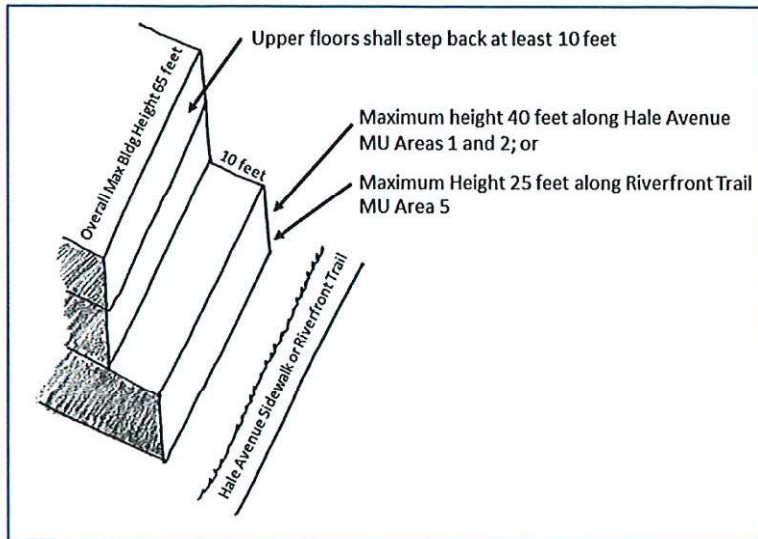


B. Buildings abutting Hale Avenue in Mixed Use Areas 1 and 2 shall be set back a minimum of 10 feet from the right-of-way.

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.

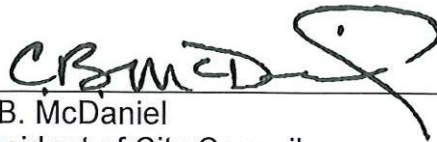
H. For all commercial buildings or buildings that have commercial uses on the first floor, glass/transparent material shall be used at a building entrance or on exterior walls, where appropriate, to invite public interaction on a pedestrian level and provide enhanced natural lighting.

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 2nd day of March 2022 and ordered published in pamphlet form.

PASSED and ADOPTED this 16th day of March 2022 and ordered published in pamphlet form.


C. B. McDaniel
President of City Council

ATTEST:


Laura Bauer
Interim City Clerk



EXHIBIT A

GREEN AREAS – New Parcels

RED OUTLINE – Original ODP Boundary

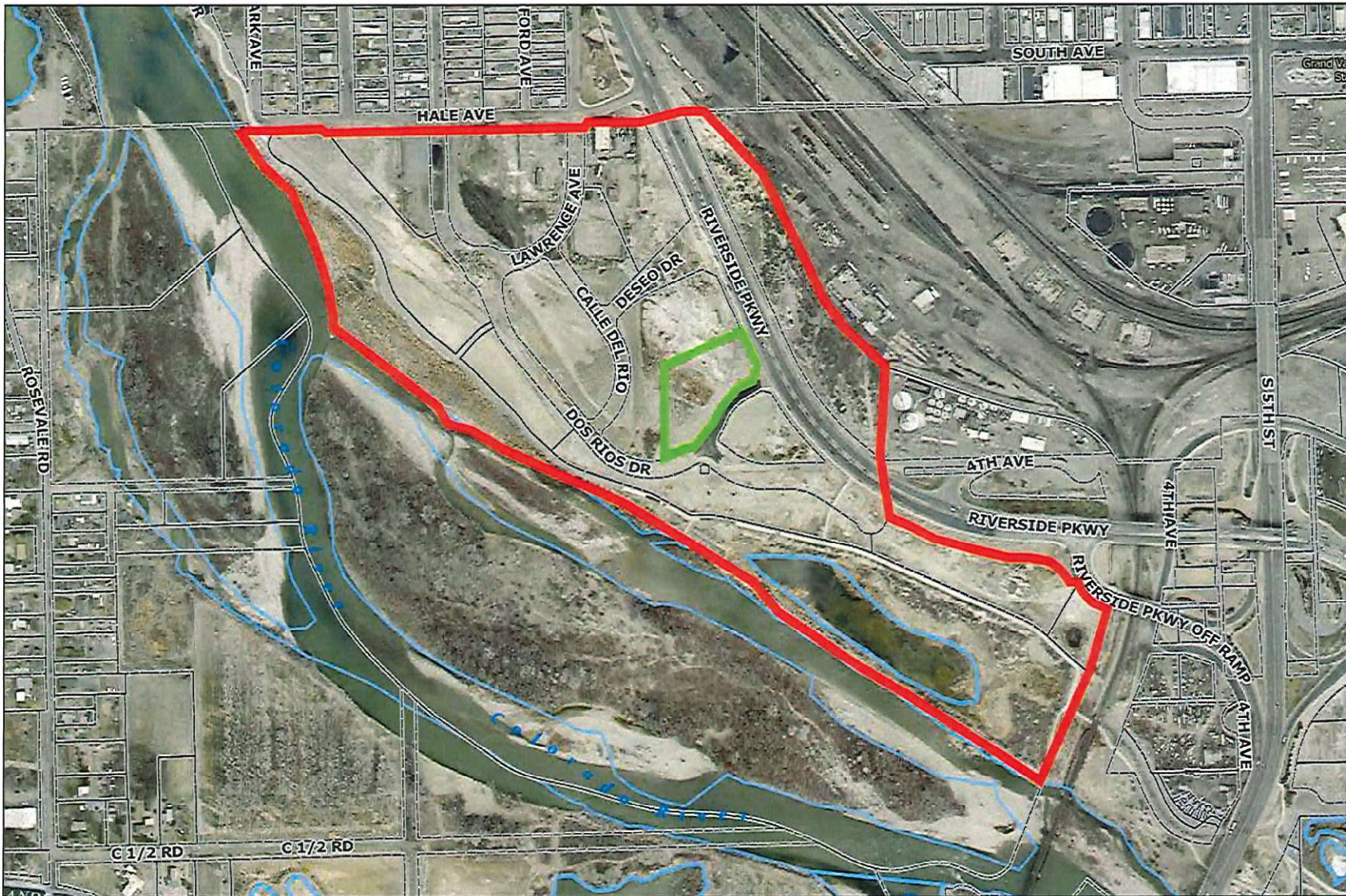
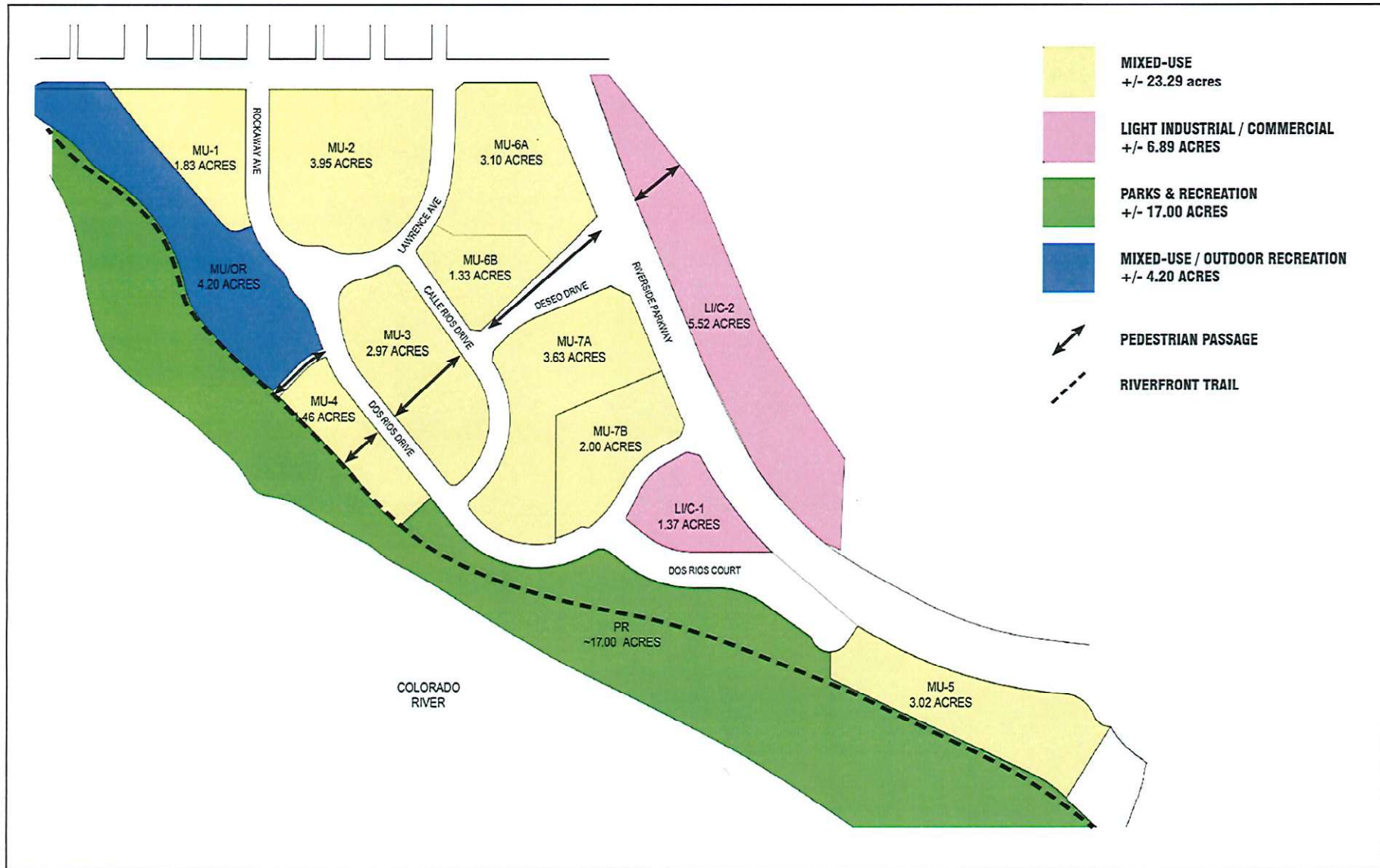


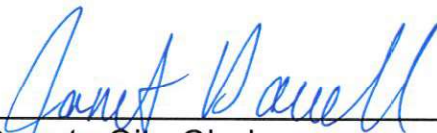
EXHIBIT B



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5061 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 2nd day of March 2022 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 16th day of March 2022, at which Ordinance No. 5061 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 18th day of March 2022.


Deputy City Clerk

Published: March 04, 2022
Published: March 18, 2022
Effective: April 17, 2022



GRAND JUNCTION PLANNING COMMISSION
January 23, 2024, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:31 p.m. by Chairman Teske.

Those present were Planning Commissioners; Shanon Secrest, Ken Scissors, Keith Ehlers, and Kim Herek (virtual).

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Supervisor), Dani Acosta Stine (Senior Planner), Dave Thornton (Principal Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 54 members of the public in attendance, and 2 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from January 9, 2024.

REGULAR AGENDA

1. Riverfront at Dos Rios ODP

PLD-2023-581

Consider a request by DR Land LLC, DR Townhomes 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, located on the northeast bank of the Colorado River between Highway 50 and Hale Avenue.

Staff Presentation

Dani Acosta Stine, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Tess Williams with May Riegler provided a brief update on the status of the development and were available to answer questions.

Questions for staff

Commissioner Ehlers confirmed that the applicant was on board with the proposed amendments to the PD ordinance.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 5:58 p.m. on January 23, 2024.

Discussion

Motion and Vote

Commissioner Scissors made the following motion “Chairman, on the request for the 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-2023-581, 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 Secrest seconded; motion passed 6-0.

2. Aspire Residential Rezone

RZN-2024-12

Consider a request by Ken Co LLC to rezone 7.102 acres from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac).

Staff Presentation

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

Questions for staff

Commissioner Ehlers asked if this development would require a traffic study to be completed.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 6:12 p.m. on January 23, 2024.

Discussion

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the Rezone requests for a 7.11 acre rezone from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac) located at 2651 Stacy Drive, a request by the owner Ken Co LLC and applicant Aspire Residential, City file number RZN-2024-12, 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 Ehlers seconded; motion passed 6-0.

3. Vista 5 LLP Rezone

RZN-2023-555

Consider a request by Vista 5, LLP to rezone 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road.

Commissioner Secrest addressed the public requests for his recusal from this item.

The other Commissioners stated they had no concerns over Commissioner Secrest hearing the item.

Staff Presentation

Niki Galehouse, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Nate Porter, owner of the parcel, provided some quotes by City Councilmembers in support of development of affordable housing.

Ivan Geer with River City Consulting provided a presentation on the request and was available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

Bob Fuoco stated that in 2019, City Council zoned the parcel to R-1. He noted that the subject property is completely surrounded by Mesa County and is not contiguous with the Persigo district. He argued that this rezone would reduce available stock for low density development. He commented that the area is unsafe for pedestrian and bicycle traffic.

Donna Aubert raised concerns about the increased strain on Appleton Elementary School.

Jim Marshall spoke on the approval criteria for the rezone and gave his reasoning for disagreeing with City staff's findings.

Meryl Wyatt stated that affordable housing is not as beneficial in the long term as attainable housing. He stated that Grand Junction needs to build more housing at all densities.

Dan Komlo stated that all of the previous applications for this project had strong opposition from the neighboring residents. He stated that this rezone is inconsistent with the character of the area. He stated that there is a lack of safe pedestrian connections across I70.

Larry Tyse stated his opposition to the increased density.

Christy Reece expressed her support for the rezone noting the communities need for higher density housing developments.

Shiloh White stated she was open to development of the parcel, but only at the R-1 density. She provided statistics on consumer preferences for housing. She noted that there are high density developments nearby, but that kind of development did not fit the character of this area. She argued that other boundaries already exist besides the Urban Development Boundary (UDB).

Pat Page noted that if all the parcels in the area developed as R-1, it would be a 1000% increase in the density of the area. He argued that this area had intrinsic value for the variety of housing options in Grand Junction.

Dave Zollner quoted one of the commissioners on their opinion of the development. He said that the UDB is not a good indicator for development and that proximity does not necessarily mean it matches the character. He stated his complaints about the flagpole annexation and public noticing. He argued that this development is not infill and provided context from the 2020 One Grand Junction Comprehensive Plan (2020 Comp Plan) to support his claims.

Tyler Mundy argued that R-5 is not low density. He brought up the current state of H Rd and that the development would not be accessible by a City street. He expressed that if H Rd is supposed to be a major thoroughfare, the 24 ½ and 25 Rd bridges should be improved as well.

Ed Butterfield stated that he moved to the Grand Junction due to the diversity of housing options.

Cynthia Komlo disagreed with the quotes provided by Nate Porter. She argued that affordable housing did not currently exist in the area and should not be developed there in the future.

Ivan Geer stated that the UDB was the extent of annexation for the City. He noted that enrollment was declining for schools.

Nate Porter clarified his definition of affordable vs. attainable housing, and that he had nothing to do with the rezone of the property in 2019.

Commissioner Ehlers clarified that City Council approved the rezone to R-1 before the adoption of the 2020 Comp Plan. He asked if the proposed designation of H Rd as an arterial road was under current traffic volumes or projected future volumes. He asked how the character and condition of the area had changed since the last time this project was presented to the Planning Commission. He asked if there were any roads, other than H Rd and 24 Rd, that were slated for improvement in the area.

The public comment period was closed at 7:34 p.m. on January 23, 2024.

Discussion

Commissioner Ehlers thanked the community members for their participation and quality of feedback and presentations they provided. He commented on his familiarity with the area. He provided some context on the delineation of the UDB and the importance of public input in its implementation. He noted that the R-1 zoning was not in alignment with the 2020 Comp Plan and that it is the owner's right to develop their property as they choose, provided it is in alignment with the 2020 Comp Plan.

Commissioner Duyvejonck thanked the community members for their participation and that their feedback was taken into consideration. She noted that the Commission's decision has to be based on future development and that it is easier to be proactive with development.

Commissioner Scissors thanked the community members for their participation. He noted that the Planning Commission was entertaining a request to rezone the property, not to amend the 2020 Comp Plan. He noted that the request aligned with the 2020 Comp Plan. He addressed his previous comment on compatibility of this development and that he still did not see it, but that there were adequate amenities and services presently available to accommodate the development.

Commissioner Secrest thanked the community members for their participation. He noted that what neighborhoods want and what the community wants aren't always in alignment and that the Commission needed to consider the 2020 Comp Plan first and foremost. He mentioned that what constitutes "affordable" is often subjective.

Commissioner Herek echoed the comments made by the other commissioners.

Motion and Vote

Commissioner Ehlers made the following motion "Mr. Chairman, on the Rezone request for the property located at 2428 H Road, City file number RZN-2023-555, 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 Secrest seconded; motion passed 6-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Scissors moved to adjourn the meeting.

The vote to adjourn was 6-0.

The meeting adjourned at 7:56 p.m.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 5061
TO REZONE TO PLANNED DEVELOPMENT (PD) AND APPROVING
AN OUTLINE DEVELOPMENT PLAN (ODP) FOR THE PROPERTY
KNOWN AS RIVERFRONT AT DOS RIOS, LOCATED ON THE
NORTHEAST BANK OF THE COLORADO RIVER BETWEEN
HIGHWAY 50 AND HALE AVENUE**

Recitals:

The Riverfront at Dos Rios Planned Development (PD) zoning and Outline Development Plan (ODP) was adopted with Ordinance 4849. Ordinance 4849 was amended by Ordinance 4922. Ordinance 4928 was amended by Ordinance 4982. Ordinance 4982 was amended by Ordinance 5061.

This amendment of the Planned Development (PD) zoning and Outline Development Plan (ODP) (~~Ordinance 4982~~) will ~~revise~~ **amend and restate** ~~specific sections of the~~ **Planned Development (PD)** zoning and Outline Development Plan established by Ordinance 5061 for the area known as The Riverfront at Dos Rios Development **as set forth in Ordinance 5061, Ordinance No. 4982, Ordinance 4928 and Ordinance No. 4849.**

In public hearings, the Planning Commission and City Council reviewed this amendment and determined that as proposed and as amended by and with the adoption of this Ordinance the 2024 PD and ODP satisfy the Grand Junction Zoning and Development Code and are consistent with the purposes and the intent of the Comprehensive Plan.

Furthermore, the Planning Commission found and recommended to the City Council that it find 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 LOTS AND ADDRESSED PARCELS 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 TO PLANNED DEVELOPMENT (PD) AS PROVIDED AND ESTABLISHED IN THIS ORDINANCE, WITH AND FOLLOWING THE SAME DEFAULT ZONE AND STANDARDS ESTABLISHED IN ORDINANCE **5061** ~~4982~~ EXCEPT AS SPECIFICALLY PROVIDED HEREIN:

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:

Lot 1 and Lot 2 at Riverfront at Dos Rios Filing 5 located within Section 22 1S 1W recorded 6/9/22 at Reception Number 3034050 Mesa County Records Containing 4.44 acres; ~~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 dated ____2024, including attachments and exhibits, all of which are incorporated by this reference as if fully set forth and all of which shall be admitted into the record of the adoption and approval of this Ordinance.

C. **~~The Phasing Development Schedule~~** ~~shall be per the validity standards of GJMC Section 21.02.080(n), as may be amended.~~ **within the Riverfront at Dos Rios Planned Development is established as follows:**

Pod	Portion of Site	Requirement	Expiration Date
1	MU/OR, MU-1, MU-2, MU-6A, MU-6B	First Planning Clearance or First Plat recorded within 3 years from date of approved PD ordinance.	December 2026
2	LI/C-1, LI/C-2, MU-5	First Planning Clearance or First Plat recorded within 5 years from date of approved PD ordinance.	December 2028
3	MU-3, MU-4, MU-7A, MU-7B,	First Planning Clearance or First Plat 7 years from date of approved PD ordinance.	December 2030

1. **Development and Phasing Schedule constitutes a deadline for which development of a portion within each Pod must commence. Once commenced the development of the pod shall be completed in accordance with the Phasing and Development Schedule. Should the Development and Phasing Schedule need to be extended, the City shall consider and hear the request consistent with the provisions of the Code in place at that time. A request for extension shall be timely in that the request shall be received by the City prior to the lapse or expiration of one of the established phasing thresholds.**
2. **The PD and ODP shall remain valid for any one pod so long as a portion of the pod has commenced to meet the requirements of the phasing schedule and has completed the requirements of the phasing schedule. If any pod fails to meet the requirements of the phasing schedule, the approval of the PD and ODP for the specific pod shall be considered lapsed.**
3. **Upon lapse of any pod's phasing and development schedule, the zoning of the lapsed pod will revert to the default standards of the BP Zoning District.**

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 as provided in GJMC and as may be amended.

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 Parcel 4
Density (min.)	12 units/acre

Density (max.)	No Max
Building Size (max. sf)	n/a

* Refer to the Architectural standards **in Section 2.B and 2.C.**

** 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 parcels as depicted 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.

G. The amendments modify the authorized use table and allows the following additional land uses in accordance with the table in this ordinance.

- **Office with Drive-Through in LI/C parcels only.**
- **All Indoor Recreation permitted in LI/C.**
- **Reclassify Bar/Nightclub to Alcohol Sales Retail permitted in MU, LI/C and MU-OR**
- **Drinking Establishments added to use, permitted in MU, LI/C and MU-OR**
- **Drive-Through Uses (Restaurants) in LI/C parcels only.**
- **Drive-Through Retail in LI/C parcels only.**
- **Greenhouse/Nursery Sales in LI/C parcels only.**
- **Mobile Food Vendor permitted in in MU and MU-OR**
- **Mobile Food Vendor Court permitted in in MU and MU-OR**
- **Rental Service, Indoor Display/Storage in MU and MU-OR parcels.**
- **Auto Mechanical Repair in the LI/C-2 parcel, east of Riverside Parkway only.**
- **Car Wash, Gasoline Service Station, Quick Lube in the LI/C-2 parcel, east of Riverside Parkway only.**

All Other Vehicle Service, Limited in the LI/C-2 parcel, east of Riverside Parkway only.

A= Allowed; C = Conditional Use; Blank= Not Allowed

As used in the table below, the following shall mean and refer to: MU – Mixed Use; LI/C – Light Industrial/Commercial; MU-OR – Mixed Use Outdoor Recreation; PR – 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

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		G	G	G	G
Hotels and Motels		A	A	A	
Short-Term Rentals		A	A	A	
Office					
General Offices		A	A		
Recreation and Entertainment, Outdoor					
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				
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

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
RESIDENTIAL					
Household Living – residential occupancy of a dwelling unit by a “household”	Business Residence	A	A	A	
	Two-Family Dwelling				
	Single-Family Attached	A			
	Multifamily	A			
	Accessory Dwelling Unit				
	Agricultural Labor Housing				
	Manufactured Housing Park				
	All Other Household Living				
Home Occupation	Home Occupation	A	A	A	
Group Living – residential occupancy of a structure by a group of people who do not meet the definition of “Household Living”	Small Group Living Facility	A			
	Large Group Living Facility	A			
	Unlimited Group Living Facility	A			
	Fraternities/Sororities				
	Rooming/Boarding House	A			
	Other Group Living (e.g., dormitory style living)				

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
INSTITUTIONAL AND CIVIC					
Colleges and Vocational Schools – colleges and institutions of higher learning	Colleges and Universities	A	A		
	Vocational, Technical, and Trade Schools	A	A		
Community Service – uses providing a local service to the community	Community Activity Building	A	A	A	A
	All Other Community Service	A	A	A	A
Cultural – establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museums, Art Galleries, Opera Houses, Libraries	A	A		
Day Care – care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day	Home-Based Day Care (1 – 12)				
	General Day Care	A	A		
Detention Facilities – facilities for the detention or incarceration of people	Jails, Honor Camps, Reformatories				
	Community Corrections Facility				
	Law Enforcement Rehabilitation Centers				

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
INSTITUTIONAL AND CIVIC					
Hospital/Clinic – uses providing medical treatment or surgical care to patients	Medical and Dental Clinics	A	A		
	Counseling Centers (Nonresident)	A	A		
	Hospital/Mental Hospital	C	A		
	Physical and Mental Rehabilitation (Resident)	C			
	All Other	C	A		
Parks and Open Space – natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Cemetery				
	Golf Course				
	Golf Driving Ranges				
	Parks, Lakes, Reservoirs, Other Open Space	A	A	A	A
Religious Assembly – meeting area for religious activities	All	A	A	A	
Funeral Home/Mortuary	All				
Crematory	All				
Safety Services – public safety and emergency response services	All				
Schools – schools at the primary, elementary, middle, junior high or high school level	Boarding Schools	A			
	Elementary Schools	A			
	Secondary Schools	A			

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
INSTITUTIONAL AND CIVIC					
Utility, Basic – Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (Underground)	A	A	A	A
	All Other Utility, Basic	A	A	A	A
Utility, Corridors – passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (Above Ground)	A	A	A	A
	Transmission Lines (Underground)	A	A	A	A
	Utility Treatment, Production or Service Facility	C	C	C	C
	All Other				
COMMERCIAL					
Entertainment Event, Major – activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	A	C		
	Outdoor Facilities	C	C	C	C
Lodging – hotels, motels, short-term rentals and similar establishments	Hotels and Motels	A	A	A	
	Short-Term Rentals	A	A	A	
Office – activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	A		
	<u>Office with Drive-Through</u>		A ₁		

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
COMMERCIAL					
Parking, Commercial – parking that is not necessary to serve a specific use and for which fees may be charged	All				
Recreation and Entertainment, Outdoor – large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	Campgrounds	A		A	A
	Resort Cabins and Lodges	A		A	
	Swimming Pools, Community		A	A	
	Shooting Ranges, Outdoor				
	Amusement Park, Miniature Golf			A	
	Riding Academy, Roping or Equestrian				
	Zoo				
	All Other Outdoor Recreation			A	A
Recreation and Entertainment, Indoor – large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including health clubs, movie theaters, skating rinks, arcades	Health Club	A	A	A	
	Movie Theater, Skating Rink, Arcade	A	A		
	Shooting Ranges, Indoor				
	All Other Indoor Recreation	A	A		

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
COMMERCIAL					
Retail Sales and Service* – firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment or provide product repair or services for consumer and business goods.	Bar/Nightclub Alcohol Sales Retail	A	A	A	
	Alcohol Beverage Production				
	Animal Care/Boarding/Sales, Indoor	A	A		
	Animal Care/Boarding/Sales, Outdoor				
	Delivery and Dispatch Services (Vehicles On-Site)				
	<u>Drinking Establishment</u>	A	A	A	
	<u>Drive-Through Uses (Restaurants)</u>		A		
	<u>Drive-Through Retail</u>		A		
	Food Service, Catering	A	A	A	
	Food Service, Restaurant (Including Alcohol Sales)	A	A	A	
	Farm Implement/Equipment Sales/Service				
	Farmers' Market	A	A	A	
	Flea Market				
	Feed Store				
	Fuel Sales, Automotive/Appliance				
	Fuel Sales, Heavy Vehicle				
	General Retail Sales, Indoor Operations, Display and Storage	A	A	A	
	General Retail Sales, Outdoor Operations, Display or Storage				
	<u>Greenhouse/Nursery Sales</u>		A		
	Manufactured Building Sales and Service				
	<u>Mobile Food Vendor</u>	A		A	
	<u>Mobile Food Vendor Court</u>	A		A	
	Produce Stands	A	A	A	

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
COMMERCIAL					
Retail Sales and Service* – firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment or provide product repair or services for consumer and business goods.	Regulated Cannabis Store				
	<u>Rental Service, Indoor Display/Storage</u>	<u>A</u>		<u>A</u>	
	Rental Service, Outdoor Display/Storage				
	Repair, Small Appliance				
	Repair, Large Appliance				
	Personal Services	A	A		
	All Other Retail Sales and Services	A	A	A	
Self-Service Storage	Mini-Warehouse		A		
Vehicle Repair – repair service to passenger vehicles, light and medium trucks and other consumer motor vehicles	<u>Auto Mechanical Repair</u>		<u>A₂</u>		
	Body Shop				
	Truck Stop/Travel Plaza				
	Tire Recapping and Storage				
	All Other Vehicle Repair				
Vehicle Service, Limited – direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed	<u>Car Wash, Gasoline Service Station, Quick Lube</u>		<u>A₂</u>		
	All Other Vehicle Service, Limited				

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
INDUSTRIAL					
Manufacturing and Production – firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	<i>Indoor Operations and Storage</i>				
	Assembly		A		
	Food Products		A		
	Manufacturing/Processing		A		
	Marijuana Related Business				
	<i>Indoor Operations with Outdoor Storage</i>				
	Assembly		A		
	Food Products		A		
	Manufacturing/Processing		A		
	Marijuana Related Business				
	<i>Outdoor Operations and Storage</i>				
	Assembly				
	Food Products				
	Manufacturing/Processing				
	Marijuana Related Business				
	All Other Industrial Service, Including any Hazardous Occupancy per the International Fire Code or International Building Code				
Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without hazardous materials	Indoor Operations and Storage				
	Indoor Operations and Outdoor Storage (Including Heavy Vehicles)				
	Outdoor Storage And Operations				
	Research, Testing and Laboratory Facilities – Indoors (Includes Marijuana Testing Facilities)		A ₂		
Junk Yard	Junk Yard				
Impound Lot	Impound Lot				
Heavy Equipment Storage/Pipe Storage	All				

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
INDUSTRIAL					
Warehouse and Freight Movement – firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading				
	Indoor Storage with Outdoor Loading Docks				
	Outdoor Storage or Loading				
	Gas or Petroleum Storage				
	Sand or Gravel Storage				
	All Other				
Waste-Related Use – uses that receive solid or liquid wastes from others, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material	Non-Hazardous Waste Transfer Station				
	Medical/Hazardous Waste Transfer Station				
	Solid Waste Disposal Sites				
	Recycling Collection Point				
	All Other Waste-Related				
Wholesale Sales – firms involved in the sale, lease or rental of products primarily intended for industrial, institutional or commercial businesses	Wholesale Business (No Highly Flammable Materials/Liquids)				
	Agricultural Products				
	All Other Wholesale Uses				

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
INDUSTRIAL					
Agricultural	Animal Confinement				
	Dairy				
	Confined Animal Feeding Operation, Feedlot				
	Forestry, Commercial				
	Marijuana Related Business				
	Pasture, Commercial				
	Winery				
	All Other Agriculture				
Aviation or Surface Passenger Terminal – facilities for the landing and takeoff of flying vehicles or stations for ground-based vehicles, including loading and unloading areas	Airports/Heliports				
	Bus/Commuter Stops	A	A	A	A
	Bus/Railroad Depot				
	Helipads				
	All Other Aviation or Surface Passenger Terminal				
Mining – mining or extraction of mineral or aggregate resources from the ground for off-site use	Oil or Gas Drilling				
	Sand or Gravel Extraction or Processing				
	All Other Mining				

USE CATEGORY	PRINCIPAL USE	MU	LI/C	MU-OR	PR
Telecommunications Facilities – devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Facilities on Wireless Master Plan Priority Site When Developed 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
	Tower, Non-Concealed				
	Broadcast Tower				

* 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

A₁ Only allowed in LI-C-1 and LI-C2.

A₂ Only allowed in parcel LI-C2, east of Riverside Parkway.

G. H. 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 have been constructed, and access controlled so as to allow and encourage on-street parking on both sides of the street. Combined, As constructed there are no fewer than 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.

Mixed Use Parcels 3 and 4: No Parking Requirement

All Other parcels: 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 **development in Mixed Use parcels** shall not be located in the front yard setback **along the street frontage**. 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 **except as follows:**
 - a. **Parking will be allowed in the front yard and along the street frontage with no limitations if the street frontage abuts Riverside Parkway; or where a frontage abuts traffic circles or;**
 - b. **For lots that contain more than one front yard, parking will be allowed in the front yard(s) and along multiple street frontages if one of the following conditions are met.**
 - i. **Parking in the front yard shall be limited to only one frontage.**
Or:
 - ii. **Parking shall be permitted on multiple frontages:**
 - A. **Limited on each individual street frontage to not more than 150 feet or 50% (whichever is greater)**
 - B. **Limited to 50% of the cumulative frontage**
 - iii. **Parking lot islands, end islands, and entrance drive-aisles shall not count against the allowed parking in the front yard and along the street frontage as permitted by 2.b.ii.**
 - iv. **To exceed standards in 2.b.ii, a public amenity shall be provided to allow more linear feet of frontage for parking. For every 9 feet of usable public space or usable landscape buffer, one additional**

parking space can be provided along the front yard. Parking space shall be buffered as provided by GJMC 21.07. Public amenity shall be in front of parking space. Usable public space or usable landscape buffer is defined as a place that is open and accessible to the public. Public amenities shall be geared towards pedestrian and transit and shall include both hardscape features and landscaping. It shall include different features, which distinguish it from sidewalk. Hardscape features and materials for usable public space or usable landscape buffer include, but are not limited to the following:

- Benches, Tables, or Chairs
- Transit pullouts
- Planters
- Bike Racks
- Trash Cans
- Pedestrian Lighting
- Newsstands
- Mailboxes
- Water
- Calisthenics Parks (Outdoor gym)
- Pocket Park
- Shade structures
- Transit shelters
- Water features
- Arts/sculptures
- Banners, hanging basket.

- v. Landowner/developer may select among these, and other appropriate (as approved by Director) hardscape features to install in the public space.

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

On-site landscaping shall be per B-P requirements of GJMC 21.06.040, as may be amended unless otherwise provided herein. 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 less than 10 feet.

2. Parking Lot Landscaping. Perimeter and interior landscaping of parking lots is required per GJMC Section 21.06.040(c), as may be amended.

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), as may be amended

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 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

4. 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.
5. If allowed, outdoor storage areas shall be screened in accordance with GJMC Section 21.04.040(h), as may be amended. 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.
6. 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), as may be amended.
7. 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 parcels and Mixed-Use parcels 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 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 parcels is 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 parcels.
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 Parcels 1, 2 and 3 all Parks and Recreation parcels. 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 Parcel 4.
4. Total sign area shall not exceed 100 square feet per street frontage in the Mixed-Use Outdoor Recreation and Light Industrial/Commercial

parcels. 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 parcel, 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.

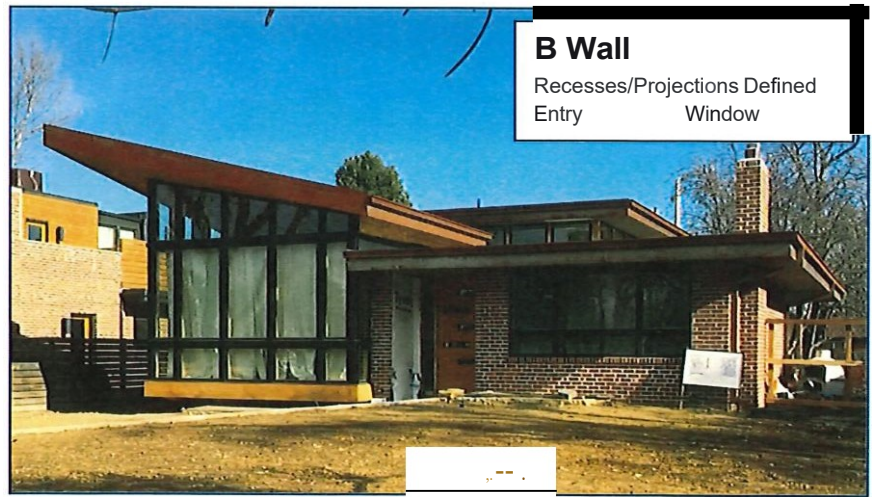
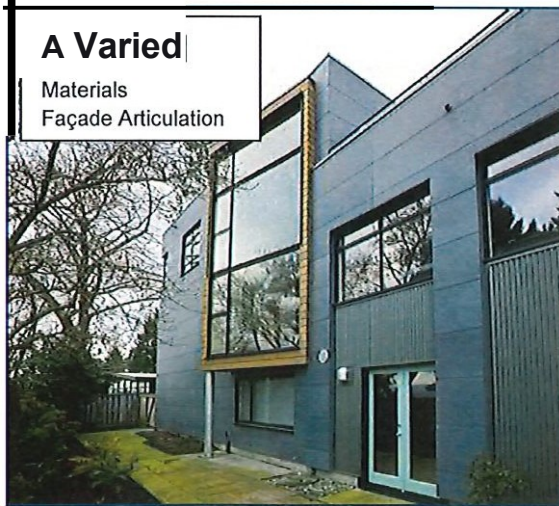
2. ARCHITECTURAL STANDARDS

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. Facade 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: facade 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 facade 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

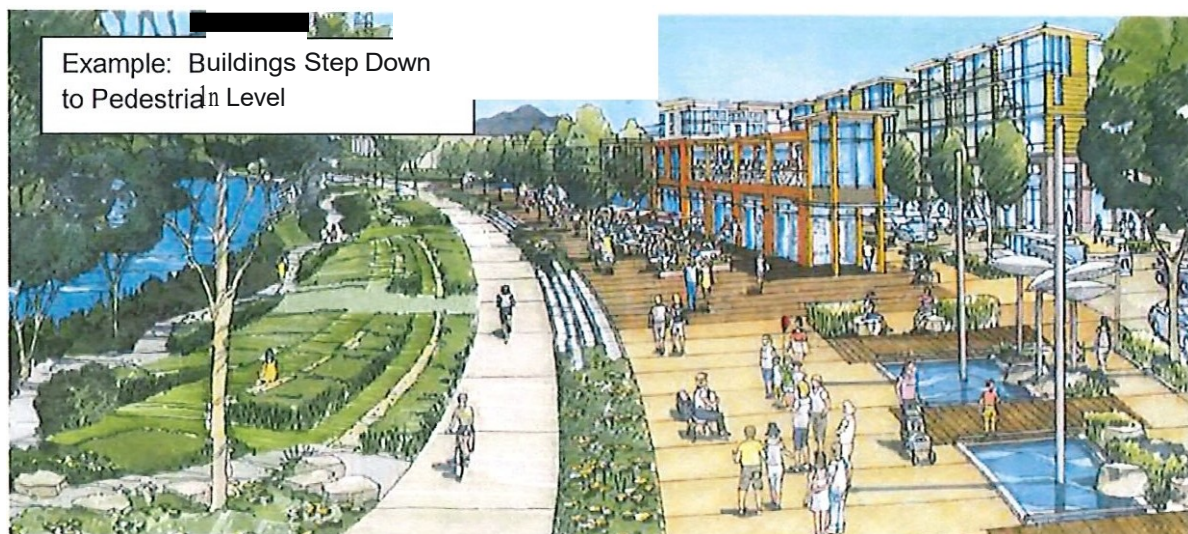
- other variations in materials, details, surface relief and texture.
9. Building(s) on the site utilize renewable energy sources or passive solar.

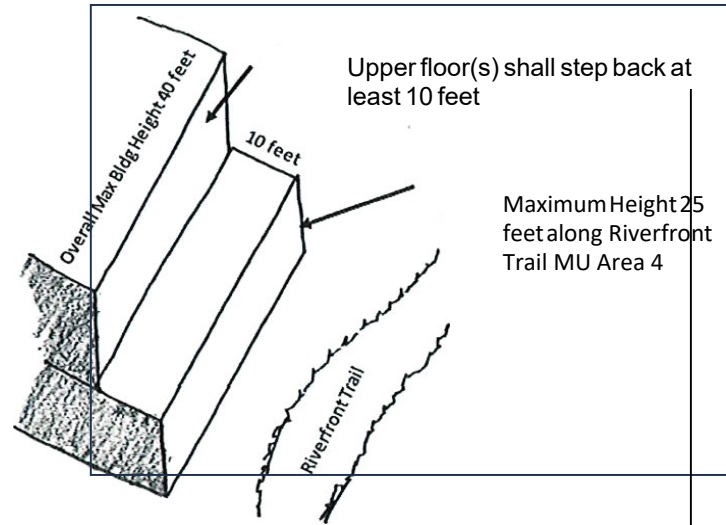
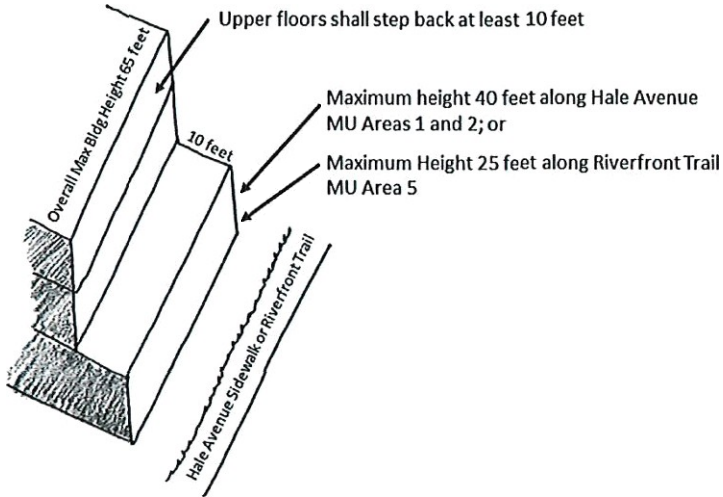


B. Buildings abutting Hale Avenue in Mixed Use Parcels 1 and 2 shall be set back a minimum of 10 feet from the right-of-way.

C. Buildings and structures along the Riverfront Trail (Mixed Use/Outdoor Recreation and Mixed-Use Parcels 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 facade 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 parcels 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 Parcel 4 that have frontage on both a public street and the Riverfront Trail, shall provide entrances on both facade.

EXHIBIT A



Figure 1. Existing boundaries outlined in green.

EXHIBIT B



Figure 2. PD land use designations.



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: February 7, 2024

Presented By: Jay Valentine, General Services Director

Department: General Services

Submitted By: Tim Barker

Information

SUBJECT:

Purchase Link Belt 210 X4 Excavator

RECOMMENDATION:

Staff recommends a sole source approval for the purchase of a 2022 Link Belt excavator from Riverbend Sales in Grand Junction for the amount of \$52,980.00

EXECUTIVE SUMMARY:

Staff recommends a sole source approval for the purchase of a Link Belt excavator. Adding this unit to our fleet will negate the ongoing necessity of renting such equipment in the future.

BACKGROUND OR DETAILED INFORMATION:

The Utilities Department currently rents a long-reach track excavator to maintain reservoir dams, irrigation ditches, and water supply lines in the City's watershed.

Since ongoing annual maintenance of ditches, reservoirs, and water supply lines, as well as repair of deep water and sewer lines, requires this type of excavator, purchasing this equipment will eliminate the need for recurring rental costs.

The Utilities Department currently rents this type of equipment several times per year for extended lengths of time. This LinkBelt 210 X4 Excavator has been on a rental contract with the City for the past 19 months at a cost of \$6,975 per month. Riverbend Equipment is offering to credit the rental cost paid, minus rental interest, towards purchasing this unit. The Sourcewell selling price of this unit is \$159,000 less city equity of \$106,020, resulting in purchase price of \$52,980.

Souurcewell selling price	\$159,000.00
19 Months Rental @ \$6,975.00:	\$132,525.00
Rental interest Paid:	(\$26,505.00)
City Equity in Machine:	\$106,020.00
Purchase price (new cost – equity):	\$52,980.00

FISCAL IMPACT:

Funding is included in the 2024 Adopted Budget.

SUGGESTED MOTION:

I move to (authorize/not authorize) the city purchasing division to issue a purchase order to Riverbend Equipment for the sole source purchase of a Link Belt excavator in the amount of \$52,980.

Attachments

None



Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: February 7, 2024

Presented By: Trenton Prall, Engineering & Transportation Director, Jay Valentine, General Services Director

Department: Engineering & Transportation

Submitted By: Kenneth Haley, Engineering Manager

Information

SUBJECT:

Authorization for an On-Call Contract for Professional Geotechnical Engineering Services

RECOMMENDATION:

Staff recommends authorizing the City Purchasing Division to extend an on-call contract with RockSol Consulting Group, Inc. for Professional Geotechnical Engineering Services.

EXECUTIVE SUMMARY:

The purpose of this contract is for professional geotechnical engineering and material testing services on an as-needed basis. This annual contract has an option for up to three renewals and an estimated spend of \$200,000 to \$400,000 per year.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction hires consultants for various geotechnical services to assist with the design and construction of many of the capital improvement projects, including on roads, bridges, utilities, parks, trails, and vertical construction projects. These geotechnical services include a wide range of geotechnical investigations, pavement designs, material testing, and special inspection services. Due to the number and scale of the City's capital improvement plan, the City has a history of entering into on-call professional services contracts with a geotechnical engineering firm(s) annually rather than soliciting these services separately for each project.

Anticipating that a significant need for geotechnical services will continue based on the number of projects identified in the capital improvement plan, staff issued a request for proposals from qualified professional firms to provide professional geotechnical

services to the City of Grand Junction on an as-needed basis for capital projects.

The formal Request For Proposal for Professional Geotechnical Engineering Services was issued via BidNet Direct, which notified 427 suppliers and resulted in approximately 28 plan takers. The Secondary Vendor List on BidNet additionally sent the notification to the Grand Junction Chamber of Commerce, the Western Colorado Contractors Association, and the five (5) Offerors who submitted proposals in the previous 2020 RFP process. Furthermore, the solicitation was advertised in The Daily Sentinel and posted on the City's Purchasing website. The City received three (3) proposals for the requested on-call professional services, with two (2) found to be responsive and responsible by the following firms:

Company	Location
GROUND Engineering Consultants, Inc.	Englewood, CO
RockSol Consulting Group, Inc.	Grand Junction, CO

The evaluation committee reviewed the submitted proposals based upon the criteria set forth in the solicitation documents, to include the vendors' understanding of the services required, experience, necessary resources, strategy & implementation plan, and fee rates. Based upon these evaluation reviews, RockSol Consulting Group, Inc. was selected as the highest qualified firm and appears to have the capacity to provide all services requested for the coming year.

This contract is structured similarly to other on-call professional service contracts, which is an annual contract with the option for up to three, one-year renewals. It is anticipated that the City will spend approximately \$200,000 to \$400,000 per year on geotechnical services for the next few years.

Section 1.1.3 of the Purchasing Manual, **Confidentiality**: Confidential information obtained during procurement activities will be respected and protected as provided by law. All solicitation documents shall remain confidential until the Purchasing Division awards the contract.

FISCAL IMPACT:

The funding for geotechnical engineering services are included in the 2024 Adopted Budget within the planned capital improvement projects.

SUGGESTED MOTION:

I move to (authorize/not authorize) the City Purchasing Division to extend an on-call contract with RockSol Consulting Group, Inc. for Professional Geotechnical Engineering Services.

Attachments

None



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: February 7, 2024
Presented By: Jay Valentine, General Services Director
Department: General Services
Submitted By: Jay Valentine, General Services Manager

Information

SUBJECT:

A Resolution Establishing EV Vehicle Parking Rates

RECOMMENDATION:

Staff recommends the approval of the resolution.

EXECUTIVE SUMMARY:

Historically, the City has not charged fees for use of its electric vehicle (EV) charging facilities. Establishing fees for electric vehicle (EV) charging stations is crucial to maintaining and expanding the charging infrastructure, managing demand, and ensuring the costs are fairly distributed among users. These fees help cover operational expenses, encourage the construction of more stations, and support the wider adoption of EV.

BACKGROUND OR DETAILED INFORMATION:

Establishing fees for EV charging stations will help ensure the sustainability of the charging infrastructure. Charging stations require significant investments in installation, maintenance, and electricity costs. By implementing fees, the ongoing operational expenses can be offset, ensuring that these facilities remain functional and up-to-date. Additionally, fees can regulate the demand for these stations. Without a cost, EV drivers might occupy charging spots for longer than necessary, leading to inefficiencies and accessibility issues for other users. Staff conducted extensive research across the state to determine the proposed fee structure, as follows:

Charging Fee Structure			
	Level 2	DCFC off-peak	DCFC on-peak 2pm – 10pm
Connection Fee	\$1	\$2	\$2

Per kWh Fee	\$0.17/kWh	\$0.42/kWh	\$0.55/kWh
Overstay Fee	\$0.10/minute	\$0.20/minute	\$0.20/minute
Grace Period	15 mins	15 mins	15 min

FISCAL IMPACT:

The EV charging station fees will be deposited in the Parking Fund. However, the revenue impact from the recommended fees is unknown as it's difficult to predict the volume of usage once the fees are established.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. XXXX, a resolution adopting rates and charges for Electric Vehicle charging stations.

Attachments

1. RES-EV Parking 20240126

RESOLUTION NO. _____

**A RESOLUTION AMENDING RESOLUTION 107-23 ESTABLISHING VARIOUS
MUNICIPAL FEES, RATES AND CHARGES**

Recitals.

Fees charged by the City for various services, licenses, permits, programs, and commodities are set by resolution of City Council. On December 6, 2023, the City Council adopted Resolution 107-23 setting certain fees for 2024. Inadvertently, EV vehicle parking rates were omitted from Resolution 107-23.

By and with this Resolution the City Council amends Resolution 107-23 to impose electric vehicle (EV) rates as provided herein.

The City Council having been duly advised and considered the rates, fees and charges proposed in this Resolution does establish, set, and determine the same and make the fees, rates, and charges applicable to City electric vehicle charging stations.

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

1. The foregoing Recitals are adopted, and the rates, fees and charges shown in Exhibit A ("Fees") are hereby approved and adopted.
2. The Fees shall apply upon adoption of this Resolution and will remain in effect until amended by subsequent resolution of the City Council.

PASSED AND ADOPTED this 7th day of February 2024.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

Exhibit A

EV Charging Fee Structure

	Level 2	DCFC off-peak	DCFC on-peak 2pm–10pm
Connection Fee	\$1	\$2	\$2
Per kWh Fee	\$0.17/kWh	\$0.42/kWh	\$0.55/kWh
Overstay Fee	\$0.10/minute	\$0.20/minute	\$0.20/minute
Grace Period	15 mins	15 mins	15 min

Other Fees and charges established and provided by and with the adoption of Resolution 107-23 are unchanged.



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: February 7, 2024
Presented By: Tamra Allen, Community Development Director
Department: Community Development
Submitted By: Tamra Allen, Community Development Director

Information

SUBJECT:

A Resolution Authorizing a Grant Application for the Local Planning Capacity Grant Program to Support a Third-Party Evaluation of the Development Review Process to Fast-Track Affordable Housing Projects

RECOMMENDATION:

Staff recommends approving the resolution as presented.

EXECUTIVE SUMMARY:

The resolution authorizes an application to the Local Planning Capacity Grant Program to help fund a third-party evaluation of the development review process to fast-track affordable housing projects, aligning with Proposition 123 goals and the City's Resolution 97-22, which commits to expediting the development review process for projects containing at least 10 percent affordable units at 80 percent AMI (for sale) or 60 percent AMI (rental).

BACKGROUND OR DETAILED INFORMATION:

The Local Planning Capacity Grant Program aims to increase the capacity of local government responsible for processing land use, permitting, and zoning application for housing projects. The program is designed to support local governments in enhancing their capacity to address affordable housing concerns, particularly by streamlining the review, permitting, zoning, and development processes for affordable housing initiatives. These efforts are geared towards achieving fast-track goals set forth by Proposition 123 by the year 2027. Approximately 3,000,000 in funding is available for July 2023 – June 2024. The suggested maximum award amount is \$200,000, with a minimum 20 percent local cash match required.

In 2023, the City adopted Resolution 97-22, committing to expediting the development

review process for projects containing at least 10 percent affordable units at 80 percent AMI (for-sale) or 60 percent AMI (rental). Assistance through the Local Planning Capacity Grant program would provide funding for the City to conduct a comprehensive, third-party analysis of its existing development review processes and procedures. The result will be a set of recommended process improvements, efficiency measures, and staffing considerations that could be systematically implemented across review procedures to establish consistent, reliable review time frames aligned with Proposition 123 fast-tracking requirements. It is anticipated that it will expand the City's staff capacity and timeliness in reviewing more housing projects, helping the City meet its 10 percent affordable unit commitment under Resolution 97-22 and address Grand Junction's housing needs effectively.

FISCAL IMPACT:

The estimated total project cost is not to exceed \$50,000, including a 20 percent match provided by the City of Grand Junction. Should the City be awarded the grant, the expense will either be absorbed with the existing 2024 budget or included in a future amendment and supplemental appropriation.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. XX-24, a resolution supporting an application for the Local Planning Capacity Grant Program to support a third-party evaluation of the development review process to fast-track affordable housing projects.

Attachments

1. Resolution - LPC

RESOLUTION NO. _____

**A RESOLUTION SUPPORTING THE APPLICATION FOR THE LOCAL PLANNING
CAPACITY GRANT PROGRAM FROM THE DEPARTMENT OF LOCAL AFFAIRS**

Recitals:

City Council has considered and for the reasons stated, authorizes an application for a grant to provide financial assistance to the Community Development Department for a third part evaluation of the development review process.

The Local Planning Capacity Grant Program is designed to support local governments' in enhancing their capacity to address affordable housing concerns, particularly by streamlining the review, permitting, zoning, and development processes for affordable housing initiatives. Applications to the program cannot be submitted unless approved by the City Council.

The Colorado Department of Local Affairs has approximately \$3,000,000 in funding available and has a suggested maximum award amount of \$200,000 with a 20% required local match. The City will be requesting \$40,000 to conduct a comprehensive, third-party analysis of its existing development review processes and procedures. The result will be a set of recommended process improvements, efficiency measures, and staffing considerations that could be systematically implemented across review procedures to establish consistent, reliable review timeframes aligned with Proposition 123 fast-tracking requirements.

This effort aligns with Proposition 123 goals and the City's Resolution 97-22, which commits to expediting the development review process for projects containing at least 10% affordable units at 80% AMI (for sale) or 60% AMI (rental).

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

- 1: The City Council of the City of Grand Junction strongly supports the application to DOLA to obtain funds needed to complete the Project. The City Manager is authorized and directed to work to finalize and timely submit such DOLA grant application.
- 2: If the grant is awarded, the City Council of the City of Grand Junction strongly supports the completion of the Project, and authorizes the City Manager to sign an appropriate grant agreement on behalf of the City as grantee of the DOLA grant.

This Resolution shall be in full force and effect from and after its passage and adoption.

Passed and adopted this ____ day of _____, 2024.

Anna Stout
President, Grand Junction City Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: February 7, 2024

Presented By: CMU

Department: City Manager's Office

Submitted By: Johnny McFarland, Asst. to the City Manager

Information

SUBJECT:

A Resolution Approving ARPA Funding to Colorado Mesa University Foundation for the Master of Social Work Student Loan Repayment Program

RECOMMENDATION:

Staff recommends approval of this resolution

EXECUTIVE SUMMARY:

At the January 8, 2024 Workshop, City Council heard a request for American Rescue Plan Act (ARPA) funding from Colorado Mesa University (CMU) for the Master of Social Work Student Loan Repayment Program. The proposal requests a one-time contribution by the City of \$500,000. Funds would be used to incentivize qualified individuals to remain in Grand Junction by providing financial assistance to attract and retain mental health social workers to address local mental healthcare needs. The program will be administered by CMU, and funds are anticipated to be expended on the program over a period of three years via annual payments to eligible program participants.

BACKGROUND OR DETAILED INFORMATION:

CMU is requesting \$500,000 in ARPA funding from the City for a one-time contribution to initiate a program designed to provide financial assistance to eligible CMU graduates of the Master of Social Work program. The proposal helps to address a significant need for mental health workers in Grand Junction. The program will offer eligible applicants funding up to \$10,000 per year for a duration of three years. Financial assistance is intended to help attract and retain mental health social workers to address the local mental healthcare need.

Successful applicants will receive payments annually for three years as long as they

remain employed in the local mental healthcare field. Specifically, they must remain employed with a Grand Junction area nonprofit, Medicaid and/or Medicare provider, or agency that provides sliding scale fees and enhances the capacity of organizations to address community mental healthcare needs. The program will be capped at 10 participants per year and will be administered by CMU. CMU will conduct regular performance reviews, evaluate participant progress toward Licensed Clinical Social Worker (LCSW), and verify continued employment with an eligible provider.

FISCAL IMPACT:

The City's 2024 adopted budget included \$6,491,758 to facilitate the execution of adopted housing strategies including production of affordable housing units. Of these funds, \$200,000 is budgeted for the Grand Valley Catholic Outreach Mother Teresa Place project, and \$356,600 is budgeted for operating costs towards the United Way of Mesa County and Homeward Bound of the Grand Valley's resource center. In addition, during the January 30, 2024 Council meeting, Council authorized \$1,500,000 to support the Grand Junction Housing Authority (GJHA)'s "The Current" housing project, leaving \$4,435,158 remaining.

Staff is recommending utilizing \$500,000 of the remaining appropriated funding to support Colorado Mesa University's Master of Social Work Student Loan Repayment Program.

SUGGESTED MOTION:

I move to (adopt/deny) a resolution authorizing \$500,000 in ARPA funding to the CMU Foundation for the Master of Social Work Student Loan Repayment Program.

Attachments

1. AGR-CMU ARPA MSW Proposal_
2. AGR-CMU ARPA Agreement 20240126
3. RES-ARPA CMU 20240127

**GROWING OUR OWN: MENTAL HEALTH PROVIDER
RETENTION PARTNERSHIP PROPOSAL
January, 2024**

Needs of Western Colorado

In Western Colorado, the [Community Health Needs Assessment \(CHNA\)](#) clearly shows that the demand for mental health providers is high. The use of mental health crisis services has doubled in the past two years. Unfortunately, the region has only six designated psychiatric beds per 100,000 residents. On average, there are 8-12 people on the wait list for inpatient psychiatric care at all times. Residents of Mesa County reported several barriers to accessing mental health services including wait time (62%), lack of access to desired providers (25.1%), and inability to access outpatient mental health services (81%). Between 2017 and 2020, the Mesa County Sheriff's Office experienced a 164% increase (from 331 to 873) in reported incidents with "mentally unstable subjects." This challenge impacts every law enforcement agency in the Grand Valley and underscores a substantial need for mental health services in the region.

Additional findings from the CHNA show 37% of local high school students reported extreme, long-lasting feelings of sadness or hopelessness. In addition, 8.6% of students reported a suicide attempt, compared to 7.6% of students in the state of Colorado. In our community alone, the overall suicide rate (34.7 per 100,000 people) is more than double the rate of the nation (13.4 per 100,000) according to the [Colorado Department of Public Health and Environment](#).

The Community Health Needs Assessment (2021) also reported that 68.7% of individuals who had accessed mental health care for themselves or a loved one faced barriers in receiving care such as wait times (62.3%), scheduling an appointment (43.2%), and inability to access their desired provider (25.1%). Many people indicated that they had more than one barrier. Furthermore, 90% of providers encountered barriers while trying to get their patients inpatient mental health services, and 81% encountered barriers while trying to get their patients outpatient mental health services. The unhoused needs assessment (2023) found an estimated 2,300 people are unhoused in Grand Junction. This definition includes those staying outside, in a shelter, and/or "doubled up" with a friend or family member. The proportion of unhoused population who are unsheltered was 60% at the time of this survey. Furthermore, the unhoused needs assessment found overrepresentation in Native American/Alaskan Native and Black individuals who are unhoused, relative to the general population of Grand Junction.

Mesa County identified that residents are impacted by stacked disadvantages - e.g., those experiencing high rates of unemployment, single parent families, barriers to access to healthcare, barriers to education, limited food access, limited affordable housing, and poverty.

Shortage of Providers:

The shortage of providers exacerbates and amplifies the needs of community. At any given time, there are approximately 60-80 mental health positions open in the Grand Valley. As of January 10, 2024, there are 90 job postings on Indeed.com for mental health workers within Grand Junction. Additionally, there are 29 open positions for a Master of Social Worker and 32 open positions for LCSW's in Grand Junction. Due to the rural location, these positions remain without applicants for a long period of time. Simultaneously, according to the [U.S. Bureau of Labor Statistics](#), the social work profession is projected to grow 7%, which is faster than average, by 2032.

CMU Response to Regional Need

The development of the Master of Social Work (MSW) program at CMU began in 2020 in response to the overwhelming needs of the region. The program was approved by the Higher Learning Commission in 2022 and is currently in initial candidacy status for accreditation by the Council on Social Work Education's Commission on Accreditation. The first cohort of students matriculated in Fall 2022. The MSW program has two entry points: The MSW Foundation program (2 years) for students with no prior social work background, and the MSW Advanced Standing program (1 year) for students with a prior social work degree. Anticipated program capacity is 36 students, graduating 24 advanced social workers each spring. Unfortunately, many program graduates leave the community after graduation in pursuit of higher pay and benefits.

Partnership Proposal

In order to incentivize qualified individuals to stay in Grand Junction and bring their skills to bear to meet our urgent community needs, CMU is proposing a partnership with the City of Grand Junction to develop the *Masters of Social Work Student Loan Repayment Program*, herein referred to as the "Program," to provide financial support to CMU MSW graduates committed to working in within the Grand Junction community. The program will offer eligible applicants funding up to \$10,000 per year for a duration of three years. This financial assistance is intended to help attract and retain mental health social workers to help address local mental healthcare needs. Given the cost of degree completion, the opportunity cost while enrolled, and the relatively low pay in the profession, many choose a different career path altogether, which makes it even more difficult for us to create a cadre of providers to work in our greatly understaffed region. This program will significantly reduce the educational costs for students while addressing local staffing shortages.

Program Parameters

Financial Assistance: Each successful applicant will receive funds up to \$10,000 per year for three years so long as they remain employed in the local mental healthcare field. Program participants must also work toward becoming a Licensed Clinical Social Worker

(LCSW) in order to participate. The funds will be disbursed annually, subject to a performance review, progress toward obtaining the LCSW, and verification of continued employment within a Grand Junction-based non-profit, Medicaid and/or Medicare provider, or agencies that provide sliding scale fees. Additionally:

Year 1 reimbursement would be contingent on the completion of the MSW program at CMU.

Year 2 reimbursement would be contingent on completion of 1,680 clinical hours and 48 hours of clinical supervision.

Year 3 reimbursement would be contingent on completion of 1,680 clinical hours and 48 hours of clinical supervision and passing of the LCSW exam.

Participant Cap: The program will be capped at 10 participants per year to ensure focused support and effective management. In subsequent years, the participant count may increase based on the number of eligible applicants and successful continuation into subsequent program years.

Program Duration: The program is designed to run for a three-year period. The goal is to provide financial support to MSW students post-graduation and through obtaining their LCSW. This will elevate clinical services and provide support to our community at an advanced level.

Financial Responsibility: While the City of Grand Junction will provide the initial seed money to launch the Program, the responsibility for fundraising, program management, and disbursement of funds will be undertaken by Colorado Mesa University. CMU commits to maintaining transparency and accountability in fund management, ensuring that the financial support reaches deserving individuals working in the non-profit sector, Medicaid and/or Medicare provider, or agencies that provide sliding scale fees.

Benefits of the Program

Community Impact: This new partnership encourages talented mental healthcare social workers to contribute to the local non-profit sector, Medicaid and/or Medicare provider, or agencies that provide sliding scale fees and enhances the capacity of organizations to address community mental healthcare needs.

Talent Retention: The partnership supports retention of skilled professionals within the Grand Junction area and fosters a sense of community and civic responsibility among participants. The retention plan is for advanced clinicians and LCSWs in the Grand Junction area to support community workforce gaps and high patient needs.

MSW program: 2 years of education with 74 credit hours and 1050 hours of specialized training as a practicum and intern student.

MSW Advanced Standing: Must have a Bachelor of Social Work degree with at least 400 hours of practicum from the completed undergraduate degree. CMU requires an additional 1 year of education with 44 advanced credits and 600 hours of specialized training as an intern student.

LCSW: Must complete a clinical licensure examination and obtain 3,360 additional hours of clinical work experience and 96 hours of supervision by an LCSW. This is the highest level of licensure for this degree in Colorado.

Sustainable Development: The partnership strengthens the non-profit, sliding scale, Medicaid, Medicare, and underserved populations workforce, contributing to the long-term sustainability of local organizations.

Salaries and Impact: Per salary.com, the average salary of social workers in Colorado is \$73,568 per year. However, in Grand Junction most positions start at \$45,000 with an MSW degree. To obtain an MSW degree at Colorado Mesa University, it will cost approximately \$ \$44,000 for a two-year degree and \$26,000 for the one-year advanced standing degree.

Budget Overview

The initial seed money requested from the City of Grand Junction for the Program's launch is \$500,000. This funding will cover the financial assistance to the selected participants, assuming 10 qualified participants in Year 1, with slight attrition in subsequent years as well as new applicants in years two and three. If attrition is less than expected, the number of new applicants for years two and three can be reduced. CMU will cover administrative and promotional costs.

	Year 1	Year 2	Year 3
New Applicants	10	10	10
Continuing Applicants		8	12
Cost (Loan Repayment)	\$100,000.00	\$180,000.00	\$220,000.00

Timeline

January 2024:	Proposal Approval by Grand Junction City Council
February 2024:	Launch of Program Application Process
March 2024:	Application Deadline
April 2024:	Selection and Announcement of Program Participants
May 2024:	Disbursement of Funds to Participants post-graduation
May 2025:	Disbursement of Funds to Participants would be for students just graduating with an MSW degree. Disbursement of funds to participants to year 2 students who have an MSW and have completed one year of clinical hours toward and LCSW.
May 2026	Disbursement of Funds to Participants would be for students just graduating with an MSW degree. Disbursement of funds to participants to year 2 students who have an MSW and have completed one year of clinical hours toward and LCSW. Disbursement of funds to participants to year 3 students who have an MSW and are completing their final year of clinical hours to obtain an LCSW.
May 2027	Disbursement of Funds to Participants would be for students just graduating with an MSW degree. Disbursement of funds to participants to year 2 students who have an MSW and have completed one year of clinical hours toward and LCSW. Disbursement of funds to participants to year 3 students who have an MSW and are completing their final year of clinical hours to obtain an LCSW.

AMERICAN RESCUE PLAN ACT BENEFICIARY AGREEMENT by and between

CITY OF GRAND JUNCTION, COLORADO

and

COLORADO MESA UNIVERSITY FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR THE MASTER OF SOCIAL WORK STUDENT LOAN REPAYMENT PROGRAM IN SUPPORT OF THE OFFERING OF MENTAL HEALTH PROGRAMS AND SERVICES

THIS AGREEMENT (AGREEMENT) is made between the City of Grand Junction, a Colorado Home Rule Municipality (CITY), and COLORADO MESA UNIVERSITY FOUNDATION (BENEFICIARY).

Collectively the CITY and the BENEFICIARY may be referred to as the PARTIES.

RECITALS:

On March 11, 2021, President Joseph R. Biden signed into law the American Rescue Plan Act of 2021 (ARPA.)

On May 10, 2021, the United States Department of the Treasury published guidance that allowed the CITY to accept Coronavirus State and Local Fiscal Recovery Funds (FUNDS) distributed to the City as eligible local government revenue replace in accordance with the ARPA guidance.

The CITY was allocated FUNDS in the amount of \$10.4 million and although the CITY received its FUNDS as revenue replacement, it chose to allocate \$9 million of the FUNDS, and generally to use that sum of money for purposes that would positively impact homelessness, mental health, and affordable housing.

After review and due consideration by the City Council, the BENEFICIARY was selected to receive FUNDS in the amount of \$500,000.00 (AWARD) to support the development and implementation of a Master of Social Work (MSW) student loan repayment program which will assist Colorado Mesa University (CMU) graduates that commit to perform mental health care services in Grand Junction, all as described in the RETENTION PARTNERSHIP PROPOSAL (PROPOSAL), a copy of which is attached and incorporated by this reference as if fully set forth. With the AWARD the BENEFICIARY anticipates providing, and in turn elevating, clinical services/mental health care to local non-profit, Medicaid and/or Medicare patients and/or agencies that provide services on a sliding fee scale or charge no fees.

On February 7, 2024, the City Council approved Resolution __-24 authorizing the expenditure of FUNDS in the amount of \$500,000.00 (AWARD) to be used by the BENEFICIARY in support of the PROPOSAL.

By and with this AGREEMENT the BENEFICIARY has committed to use the AWARD for the purposes stated in its PROPOSAL to directly address mental health and endeavor to retain service providers in the community, all as and for a public purpose.

In consideration of the foregoing RECITALS and other good and valuable consideration the sufficiency of which is acknowledged, the BENEFICIARY and the CITY do agree to the terms of this AGREEMENT for the use of the AWARD for the purposes of the PROPOSAL.

NOW, THEREFORE, in consideration of the RECITALS, the PROPOSAL and the RESOLUTION which are incorporated herein by reference, and the terms and conditions set forth below, the PARTIES agree as follows:

1. EFFECTIVE DATE AND TERM

This Agreement shall commence when executed by all PARTIES and remain in effect to no later than , 2027, unless sooner terminated by the CITY in writing, or the BENEFICIARY's full and complete performance of the work/services contemplated by the PROPOSAL.

2. AWARD TO BE PAID TO BENEFICIARY

On or before March , 2024, the CITY will pay the BENEFICIARY in accordance with this AGREEMENT a one-time sum of \$500,000.00 (AWARD).

3. LIMITATIONS REGARDING THE USE OF THE AWARD

The BENEFICIARY shall ensure that all expenditure(s) of the AWARD received in accordance with this AGREEMENT shall be limited to only the work, services and to achieve the public purposes described in the PROPOSAL.

4. REPORTING REQUIREMENTS

To ensure compliance with this AGREEMENT/the public purposes of the PROPOSAL the BENEFICIARY shall provide to the CITY a comprehensive and detailed report of all such expenditures, and shall also provide any backup documentation, as may reasonably be required by the CITY, to support the expenditures (REPORT) and the advancement of the public purpose(s). The REPORT must include a written statement, signed by the BENEFICIARY, indicating that all expenditure(s) of the AWARD made by the BENEFICIARY comport with the PROPOSAL and this AGREEMENT.

5. SUPPLEMENTAL ARPA DIRECTION FROM THE U.S. TREASURY

The CITY may request supplemental information, different from and/or supplementary to the REPORT from the BENEFICIARY to meet any different standard(s), guideline(s), or requirement(s) of the United States Treasury, if any, regarding the use of the AWARD and/or additional reporting requirement(s) that may be established by the U.S. TREASURY during the term of this AGREEMENT and made applicable to the CITY and/or the BENEFICIARY.

6. TERMINATION

This AGREEMENT will terminate after BENEFICIARY's full and complete performance of the work/services contemplated by the PROPOSAL.

7. INDEPENDENT CONTRACTOR

Neither the CITY nor the BENEFICIARY shall be deemed by virtue of this AGREEMENT to be engaged in an association, joint venture, or a relationship of principal and agent, or employer and employee. Except for advancing the public purpose(s) of the PROPOSAL and this AGREEMENT, the BENEFICIARY shall not be, or be deemed to be, or act or purport to act, as an employee, agent, or representative of the CITY.

8. HOLD HARMLESS AND INDEMNIFICATION

The BENEFICIARY agrees to defend, indemnify, and hold the CITY, its officers, officials, employees, and agents harmless from and against any and all claims, injuries, damages, losses or expenses, whether in contract or tort, including without limitation personal injury, bodily injury, sickness, disease, or death, or damage to or destruction of property, which are alleged or proven to be caused in whole or in part by an act or omission of the BENEFICIARY, its officers, directors, employees, and/or agents relating to the BENEFICIARY'S performance, or failure to perform, under this Agreement. The BENEFICIARY'S obligation to indemnify and hold the CITY its officers, officials, employees, and agents harmless shall survive the expiration or termination of this AGREEMENT.

9. COMPLIANCE WITH LAWS AND GUIDELINES

The BENEFICIARY shall comply with the State and Colorado Constitutions, all federal, state, and local laws and all requirements regarding the expenditure(s) of the AWARD.

10. MAINTENANCE AND AUDIT OF RECORDS

The BENEFICIARY shall maintain records, books, documents, and other materials relevant to its performance, or non-performance, under this AGREEMENT. Records, including but not limited to those informing the REPORT, shall be subject to inspection, review, and audit by the CITY or its designee(s) for three (3) years following termination of this AGREEMENT. If it is determined during the course of the audit that the BENEFICIARY failed to expend any or all of the AWARD for any purpose other than performing the work/services as provided in the PROPOSAL and this AGREEMENT, or if the BENEFICIARY fails to substantially perform the work/services as provided in the PROPOSAL and this AGREEMENT, the BENEFICIARY shall reimburse the CITY for each, every, and all improper and/or unmade expenditure(s). The BENEFICIARY agrees to make such reimbursement(s) to the CITY within 30 days of a written request(s) made to the BENEFICIARY by the CITY.

11. NOTICES

Any notices desired or required to be given hereunder shall be in writing, and shall be deemed received three (3) days after deposit with the United States Postal Service postage fully prepaid, return receipt requested, and addressed to the party to which it is intended at its last known address, or to such person or address as either party shall designate to the other from time to time in writing forwarded in like manner:

BENEFICIARY

COLORADO MESA UNIVERSITY FOUNDATION

1100 North Avenue

Attn: _____

Grand Junction, CO 81501

CITY

CITY OF GRAND JUNCTION

250 N. 5th Street

Attn: City Manager

Grand Junction, CO 81501

12. IMPROPER INFLUENCE

The BENEFICIARY warrants that it did not employ, retain, or contract with any person or entity on a contingent compensation basis for the purpose of seeking or obtaining this AGREEMENT.

13. CONFLICT OF INTEREST

The elected and appointed officials and employees of the CITY warrant that they individually and collectively have, and shall not have, any personal interest, direct or indirect, which gives rise to a conflict of interest.

14. TIME

Time is of the essence in this Agreement. The BENEFICIARY has represented that it intends to perform the work/services as provided in the PROPOSAL and this AGREEMENT within the Term of this AGREEMENT.

15. SURVIVAL

The provisions of this AGREEMENT that by their purpose should survive expiration or termination of the AGREEMENT shall so survive. Those provisions include without limitation Hold Harmless and Indemnification and Maintenance and Audit of Records.

16. AMENDMENT

No amendment or modification to the AGREEMENT shall be effective without prior written consent of the authorized representatives of the Parties.

17. GOVERNING LAW; VENUE

This AGREEMENT shall be governed in all respects by the laws of the State of Colorado, both as to interpretation and performance, without regard to conflicts of law or choice of law provisions. Any action arising out of or in conjunction with the AGREEMENT may be instituted and maintained only in a court of competent jurisdiction in Mesa County, Colorado.

18. NON-WAIVER

No failure on the part of the CITY to exercise, and no delay in exercising, any right hereunder shall operate as a waiver thereof, nor shall any single or partial exercise by the CITY of any right hereunder preclude any other or further exercise thereof or the exercise of any other right. The remedies provided herein and at law or in equity are cumulative and not exclusive.

19. BINDING EFFECT

This AGREEMENT shall be binding upon and inure to the benefit of the Parties.

20. ASSIGNMENT

The BENEFICIARY shall not assign or transfer any of its interests in or obligations under this AGREEMENT without the prior written consent of the CITY.

21. ENTIRE AGREEMENT

This AGREEMENT together with the attachments constitutes the entire agreement between the CITY and the BENEFICIARY for the use of the AWARD paid/received under this AGREEMENT.

22. NO THIRD-PARTY BENEFICIARIES

Nothing herein shall or be deemed to create or confer any right, action, or benefit in, to, or on the part of any person or entity that is not a party to this AGREEMENT. This provision shall not limit any obligation that either the CITY or the BENEFICIARY has (or may have) to the United States Treasury in connection with the use of ARPA funds, including the obligations to provide access to records and cooperate with audits as provided in this AGREEMENT.

23. CIVIL RIGHTS COMPLIANCE

The BENEFICIARY shall meet legal requirements relating to nondiscrimination and nondiscriminatory use of Federal funds. Those requirements include ensuring that the BENEFICIARY does not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex (including sexual orientation and gender identity), in accordance with the following authorities: Title VI of the Civil Rights Act of 1964 (Title VI) Public Law 88-352, 42 U.S.C. 2000d-1 et seq., and the Department's implementing regulations, 31 CFR part 22; Section 504 of the Rehabilitation Act of 1973 (Section 504), Public Law 93-112, as amended by Public Law 93-516, 29 U.S.C. 794; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. 1681 et seq., and the Department's implementing regulations, 31 CFR part 28; Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101 et seq., and the Department implementing regulations at 31 CFR part 23.

24. SEVERABILITY

If one or more provisions of this AGREEMENT shall be determined to be invalid by any court of competent jurisdiction or agency having jurisdiction thereof, the remainder of the AGREEMENT shall remain in full force and effect and the invalid provisions shall be deemed severed.

25. AUTHORIZATION

By signing the BENEFICIARY and the CITY represent and warrant to the other that the signer has the full power and authority to execute this AGREEMENT on behalf of the entity for whom he/she signs and to bind that entity to the terms hereof.

COLORADO MESA UNIVERSITY FOUNDATION – BENEFICIARY

By: _____ Date: _____

By: _____ Date: _____

City of Grand Junction Colorado - CITY

By: _____ Date: _____

Greg Caton
City Manager

1 RESOLUTION __-24

2 AUTHORIZING THE CITY MANAGER TO EXPEND AMERICAN RESCUE PLAN ACT (ARPA)
3 FUNDS IN SUPPORT OF COLORADO MESA UNIVERSITY'S MASTER OF SOCIAL WORK
4 STUDENT LOAN REPAYMENT PROGRAM IN SUPPORT OF THE OFFERING OF MENTAL HEALTH
5 PROGRAMS AND SERVICES TO THE COMMUNITY

6 RECITALS:

7 Funds made available to the City under the American Rescue Plan Act (ARPA) have at
8 the City Council's direction been allocated for use in support of mental and behavior
9 health, housing, and homelessness programs and services. At the Council's January 8,
10 2024, work session, the Council heard a presentation from Colorado Mesa University
11 (CMU). The CMU President proposed the use of ARPA funds to develop a Master of
12 Social Work (MSW) Loan Repayment Program to incentivize the attraction and retention
13 of MSW level mental health social workers ("Program") to help fill the need for mental
14 health professionals in the community.

15 The Program, and the mental health services that it will facilitate being provided to the
16 community are consistent with the Council's direction for use of the ARPA funds and to
17 meet a demonstrated need and public purpose(s). Accordingly, the City Council
18 approved this Resolution and that the funds shall be used for the Program and the
19 public purpose(s) described in the agreement and attached proposal.

20 As ARPA funds have been determined by the City Council to be used for the purposes
21 of the Program, and as the City Council is vested with the authority to determine how
22 ARPA funds may be expended, the City Council by and with this Resolution affirms and
23 directs the expenditure by the City Manager of five hundred thousand dollars
24 (\$500,000.00) for the public purpose(s) as described in this Resolution. The City Council
25 having been fully advised in the premises by and with this Resolution affirms and directs
26 the expenditure of said sum of money from the 201 Fund.

27 NOW THEREFORE, as provided in this Resolution, the City Council of the City of Grand
28 Junction authorizes the City Manager to expend American Rescue Plan Act funds in the
29 amount of five hundred thousand dollars (\$500,000.00) for and in support of the
30 Program as described in this Resolution and the attached agreement ("Agreement")
31 with Colorado Mesa University in furtherance of the purposes of this Resolution and the
32 Agreement.

33
34 _____
35 Anna M. Stout
36 President of the City Council

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ATTEST:

Amy Phillips
City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #6.a.i.

Meeting Date: February 7, 2024
Presented By: Timothy Lehrbach, Senior Planner
Department: Community Development
Submitted By: Tim Lehrbach, Senior Planner

Information

SUBJECT:

An Ordinance Approving a Rezone for Approximately 0.75 Acres from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac), Located at 696 Sperber Lane

RECOMMENDATION:

The Planning Commission heard the request at its January 9, 2024, meeting and voted (4-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

Robert and Rosa Culver and Brian Scherping (collectively, the applicant), request approval of a rezone from R-2 (Residential - 2 du/ac) to R-4 (Residential - 4 du/ac) in anticipation of compatible single-family residential development on the approximately 0.75 acres at 696 Sperber Lane. The requested R-4 zone district implements the Comprehensive Plan Land Use Map designation of Residential Low assigned to the subject property.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The subject property, located at 696 Sperber Lane, was annexed in 1996 as part of the Cascade Enclave. The property is currently vacant. The property is zoned R-2 (Residential – 2 du/ac). The 2020 One Grand Junction Comprehensive Plan assigned a land use designation of Residential Low (2-5.5. du/ac) to the subject property and vicinity. The Residential Low land use designation does not support the R-2 district. The adopted 2023 Zoning and Development Code, once effective, will transition the R-2 district to R-2R (Residential 2 Retired), under which properties zoned as R-2 may retain their zoning, but this district does not implement the Residential Low designation, and properties may not be rezoned to the R-2R district.

The Residential Low land use designation is implemented through zone districts which are designed to provide a transition between the less-developed edges of the City and the denser urban areas. In the context of this property, however, the area has long been urbanized but at lower densities than the City's core, making the Residential Low designation and its implementing districts appropriate for providing opportunities for infill in alignment with the Comprehensive Plan's principles without compromising neighborhood integrity.

The applicant requests R-4 (Residential – 4 du/ac) zoning. The purpose of the R-4 district is to provide for medium-low density single-family and two-family residential uses where adequate and public facilities and services are available.

In addition to the R-4 zoning requested by the applicant, the following zone districts would also be consistent with the Residential Low land use designation:

- a. R-5 (Residential – 5.5 du/ac)
- b. CSR (Community Services and Recreation)

Surrounding properties in the Beach, Elton Heights, Galaxy, McMillin, and Tooker subdivisions are zoned R-2. There exists a mix of lots in these subdivisions, most of which are conforming with R-2 development standards, others of which are nonconforming with respect to minimum lot size. The Sunset Terrace subdivision to the west and Highlander Subdivision to the east, each approximately 0.8 miles from the subject property, are zoned R-4 within the Residential Low land use designation.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held at Tope Elementary School on Monday, October 16, 2023, in accordance with Section 21.02.080(e) of the Zoning and Development Code. The owners, Robert and Rosa Culver and Brian Scherping, Kim Kerk, the applicants' representative, and two neighbors were present. Questions concerned the housing type to be developed and the development process. The applicants responded that detached single-family homes will be constructed following the rezone and simple subdivision processes.

Notice was completed consistent with the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. The subject property was posted with application signs on each street frontage on October 25, 2023. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on December 29, 2023. The notice of the Planning Commission public hearing was published on December 31, 2023, in the *Grand Junction Daily Sentinel*. An online hearing with an opportunity for public comment was held between January 2 and January 8, 2024, through the GJSpeaks.org website. A public hearing was held at the Planning Commission meeting on January 9, 2024.

ANALYSIS

The criteria for review are set forth in Section 21.02.140 (a) of the Zoning and Development Code, which provides that the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan and if the proposal meets one or more of the following rezone criteria as identified:

(1) Subsequent events have invalidated the original premises and findings; and/or
The 2010 Comprehensive Plan assigned a land use designation of Residential Low (RL) (0.5-2 du/ac) to the subject property and vicinity south of G Road. The R-2 zone district was compatible with the RL designation. Upon adoption of the 2020 Comprehensive Plan, the property and vicinity received a land use designation of Residential Low. Under the 2020 Comprehensive Plan, the current zoning of R-2 (Residential – 2 du/ac) is not supported to implement the Residential Low land use designation. While the property is permitted to retain its R-2 zoning and develop according to R-2 development standards, the requested R-4 (Residential – 4 du/ac) district implements the Residential Low land use designation. Therefore, staff finds this criterion is met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
Many of the residential developments in the neighborhood of the subject property on the south side of G Road have been in existence since the early 2000s, with those on the north side dating back to the 1960s/1970s. The general character of the area has remained that of low-density residential development. While there has been growth in nonresidential development along Horizon Drive, the overall character and/or condition of the area remains relatively unchanged. Therefore, staff finds that this criterion is not met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and or
Ute Water and City sanitary sewer are available within the Sperber Lane right-of-way to serve the property. The property can be served by Grand Valley Power electric. Fire Station #6 is located approximately 0.6 miles to the northeast. Tope Elementary School is approximately 1.5 miles to the southwest, and St. Mary's Regional Medical Center is approximately 1.25 miles to the southwest. The Horizon Drive Business District and other commercial retail centers are available between 0.5-1 mile to the east and southeast. The available public and community facilities are adequate to serve the residential uses allowed within the R-4 district as anticipated to be developed. Therefore, staff finds that this criterion is met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate that proposed land use; and/or
There are other properties within a half-mile radius of the subject property that implement the Residential Low land use designation. While there are not many vacant properties which could support subdivision for infill development, there is generally suitably designated land zoned to accommodate the proposed land use

within the area and the broader community. Therefore, staff finds that this criterion is not met.

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

Rezoning properties within the Residential Low land use designation from the R-2 district to an implementing district supports Comprehensive Plan goals for increasing housing options and minimizing extensions of utility and transportation infrastructure through infill development. Additionally, the 2021 Grand Junction Housing Strategy prioritizes increasing the stock of attainable workforce housing and promoting infill development. There is a citywide shortfall of such housing, as evidenced by the increasing percentage of the population, which is cost-burdened by available housing options. The proposed rezone benefits the community by applying development standards for single-family or two-family housing on the subject property that are consistent with the intent of the Residential Low land use designation and by supporting the incremental development of the neighborhood as a whole to one that maximizes utilization of existing infrastructure, thereby mitigating the need for outward expansion to the City's periphery. Therefore, staff finds that this criterion is met.

In addition to the above criteria, the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The following narrative evaluates the proposed rezone to R-4 (Residential – 4 du/ac) against the principles, goals, and policies of the Comprehensive Plan:

- *Land Use Plan: Relationship to Existing Zoning*

Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan. The 2020 Comprehensive Plan provides the subject property with a land use designation of Residential Low. The proposed R-4 zone district implements the Residential Low designation.

- Plan Principle 3: Responsible and Managed Growth

How We Will Get There

1. Encourage infill and redevelopment to leverage existing infrastructure.

As discussed above under criterion 5 of the rezone analysis, the Comprehensive Plan emphasizes infill development to maximize the effectiveness of existing utility and transportation infrastructure and limit outward growth with its concurrent, costly, and network-burdening impacts. The proposed rezone would apply development standards for single-family or two-family housing on the subject property that are

consistent with the intent of the Residential Low land use designation and that reduce minimum lot size, frontage, and side yard setback by more than half, thereby increasing the ability to appropriately develop and responsibly utilize existing infrastructure.

- Plan Principle 5: Strong Neighborhoods and Housing Choices

How We Will Get There

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

As discussed above, under criterion 5 of the rezone analysis, the Comprehensive Plan and Grand Junction Housing Strategy prioritize creating additional, attainable workforce housing and diversifying housing types. Under existing conditions, the subject property may develop in accordance with R-2 development standards but not in a manner that supports citywide housing goals or the intent of the Residential Low land use designation. A rezone to R-4 applies development standards that increase the ability to develop on the subject property at a scale that is appropriate to the surrounding neighborhood.

- Intensification and Tiered Growth Plan

Tier 1: Urban Infill – Tier 1 applies to areas where urban services already exist. Development should be directed towards vacant and underutilized parcels located primarily within Grand Junction’s municipal limits. The proposal utilizes existing infrastructure and allows for appropriate infill development on a vacant parcel within the City limits.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the Culver-Scherping Rezone request, RZN-2023-684, for a rezone from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac), located at 696 Sperber Lane, the following findings of fact have been made:

1. The request meets one or more criteria in Section 21.02.140 of the Zoning and Development Code pertaining to rezone approval.
2. The request is consistent with and implements the principles and goals of the 2020 One Grand Junction Comprehensive Plan.

Therefore, the Planning Commission recommended approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact from the proposed rezone.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No.5198, an ordinance rezoning approximately 0.75 acres from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac), located at 696 Sperber Lane, on final passage and ordered final publication in pamphlet form.

Attachments

1. Exhibit 1 - Development Application
2. Exhibit 2 - Neighborhood Meeting Summary
3. Exhibit 3 - Location & Zoning Maps
4. Exhibit 4 - January 9, 2024 Planning Commission Minutes (Draft)
5. Exhibit 5 - Public Comments Received
6. ORD-Sperber Zoning 20240109

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

x B. S. J.
x R. C. E.

Date

9-19-23
9-19-23

OWNERSHIP STATEMENT - NATURAL PERSON

RECEPTION#: 3075206
9/26/2023 3:16:14 PM, 1 of 2
Recording: \$18.00, Doc Fee \$13.60
Bobbie Gross, Mesa County, CO.
CLERK AND RECORDER

I, (a) Brian Scherping, am the owner of the following real property:

(b) 696 Sperber Lane Grand Junction, CO 81506 Parcel #2945-021-02-001

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☐ I am the sole owner of the property.

☒ I own the property with other(s). The other owners of the property are (c):

Robert & Rosa Culver

I have reviewed the application for the (d) Rezone pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) None

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

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

Owner signature as it appears on deed: B. Scherping

Printed name of owner: Brian Scherping

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 19th day of September, 20 23
by Brian Scherping

Witness my hand and seal.

My Notary Commission expires on 10/5/2024

YOLANDA MAESTAS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164038171
MY COMMISSION EXPIRES OCTOBER 05, 2024

Yolanda Maestas
Notary Public Signature

OWNERSHIP STATEMENT - NATURAL PERSON

RECEPTION#: 3081080
12/11/2023 1:42:21 PM, 1 of 1
Recording: \$13.00,
Bobbie Gross, Mesa County, CO.
CLERK AND RECORDER

I, (a) Robert & Rosa Culver, am the owner of the following real property:

(b)

696 Sperber Lane Grand Junction, CO 81506 Parcel #2945-021-02-001

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☐ I am the sole owner of the property.

☒ I own the property with other(s). The other owners of the property are (c):

Brian Scherping

I have reviewed the application for the (d) Rezone pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) None

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

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

Owner signature as it appears on deed:

Printed name of owner:

ROBERT M. CULVER

Rosa Culver

State of

Colorado

County of

Mesa

) ss.

Subscribed and sworn to before me on this 11th day of December, 20 23

by Robert M Culver and Rosa Culver

Witness my hand and seal.

My Notary Commission expires on

10/5/2024

YOLANDA MAESTAS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164038171
MY COMMISSION EXPIRES OCTOBER 05, 2024

Yolanda Maestas
Notary Public Signature

WARRANTY DEED

THIS DEED is to be effective the **26th day of August, 2022**, and is made between **Jeffrey M. Nakano and Sherry G. Nakano, as joint tenants**, the "Grantor" (whether one, or more than one), of the County of **Mesa, State of Colorado**, and **Robert Culver and Rosa Culver, as joint tenants**, as to an undivided **50% interest**, the "Grantee" (whether one, or more than one), whose legal address is **2669 G Road, Grand Junction, Colorado 81506** of the County of **Mesa, State of Colorado** and **Brian Scherping, as to an undivided 50% interest**, the "Grantee" (whether one, or more than one), whose legal address is **2673 G Road, Grand Junction, Colorado 81506** of the County of **Mesa, State of Colorado**.

WITNESS, that the Grantor, for and in consideration of the sum of **ONE HUNDRED THIRTY-SIX THOUSAND AND NO/100 Dollars (\$136,000.00)**, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee (not in tenancy in common, but in joint tenancy) and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the County of **Mesa, State of Colorado**, described as follows:

Lot 1 in Block 2,
MCMILLIN SUBDIVISION

County of Mesa, State of Colorado

also known by street address as: **696 Sperber Lane, Grand Junction, CO 81506**. For identification purposes only:
Parcel no.: **2945-021-02-001**

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantees' heirs and assigns forever. The Grantor, for the Grantor and the Grantors' heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantees' heirs and assigns: that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, except general taxes for the current and all subsequent years; and subject to: the statutory exceptions as set forth in § 38-30-113(5)(a), C.R.S.

The grantors shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.



Jeffrey M. Nakano



Sherry G. Nakano

STATE OF: Colorado }
COUNTY OF: Mesa } ss.

The foregoing instrument was acknowledged before me on the **26th day of August, 2022**, by **Jeffrey M. Nakano and Sherry G. Nakano**.


Notary Public

My commission expires: _____

KORTNEY HOFFMAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20214028131
My Commission Expires July 14, 2025

**Rezone Narrative
696 Sperber Lane
Grand Junction, CO 81506**

Date: October 1st, 2023

Prepared by: Kim Kerk, PM

Submitted to: City of Grand Junction Community Development
250 N. 5th St. Grand Junction, CO 81501

Principal Planner: Kristen Ashbeck

Project: Rezone R-2 to R-4

Property Address: 696 Sperber Ln. Grand Junction, CO 81506



Introduction:**Property Locations/Zonings and Legal**

This 0.75 -acre property is located at 696 Sperber Ln., inside the City Limits of Grand Junction, CO. The Parcel # is 2945-021-02-001. Currently the property is zoned R-2 (Residential 2 d/u an acre). Proposed Rezone Request is to R-4 (Residential 4 d/u an acre).

The legal description of this site is as follows:

COUNTY OF MESA, STATE OF COLORADO
LOT 1, BLOCK 2, McMillin SUBDIVISION
NE1/4 SECTION 2, T1S, R1W, UTE MERIDIAN
Proposed Rezone Request is R-4

Petitioners Intent:

In August of 2022 neighbors Scherping & Culver's jointly purchased the neighboring lot at 696 Sperber Ln. They own and live on the 2 lots directly east of the subject property.

Applicant is requesting to rezone 696 Sperber Ln. to R-4. Rezone of the property to R-4 (Residential R-4 du/ac) is appropriate as it meets The 2020 GJ Comprehensive Plan designation of *Residential Low. Approval of the proposed rezone would allow the owners to apply for a subdivision to create a total of 2 lots. They each would build a new single-family residence on their lot.

*Residential Low Range of Density • Between 2 and 5.5 dwelling units per acre. Land Uses • Primary: residential, accessory dwelling units. • Secondary: Open space and parks, schools, places of worship, homebased businesses, public/institutional uses, other complementary neighborhood uses. Characteristics • Comprised of residential uses with varying housing types and lot sizes. • Secondary uses are designed in a manner to fit the character of the neighborhood. • Provide a transition between the open, less-developed edges of Grand Junction and the denser urban areas toward the City's center. • May be located where public services and infrastructure are limited. Implementing Zone Districts • Residential-4 (R-4) • Residential-5 (R-5) • Community Services and Recreation (CSR)

Development Schedule and Phasing:

Property owners, Bob & Rosa Culver and Brian Scherping would like to start construction of the new homes as soon as time allows.

Current Use/Site Characteristics:

Currently the property is zoned residential and is vacant.

21.02.140 Code amendment and rezoning.

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

(1) Subsequent events have invalidated the original premises and findings; and/or
Subsequent events have invalidated the original premises as it did not account for the unforeseeable, continual growth and desire for residential low-density growth along G Rd.

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

The proposed new subdivision is similar and compatible with existing zoning to the north, south, east, and west and compatible with neighboring properties.

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

The impact on public facilities (i.e., schools, fire, police, roads, parks, etc...) is minimal given the size of this development and considering that the project proposal is to develop within the recommended density of the 2020 Comprehensive Plan. Additionally, Impact Fees will be collected contributing to future needs such as schools and parks.

All utilities are available and have capacity to serve the proposed development.

Water- Ute Water District

Sewer- GJ Persigo Sanitation District

Irrigation Water- Grand Valley Water Users Association

Drainage- Grand Valley Drainage District

Fire Protection- GJFD

Police- Mesa County Sheriff

Communications- Charter and Century Link

(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

Suitably designated land within the city limits of Grand Junction is becoming less & less available to meet the demand for R-4 (Residential 4 units per acre). The additional benefit of this proposed development is the promotion of infill and the reduction of leapfrog and/ or sprawling development.

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

The surrounding community will derive benefit from R-4 zoning simply because we are proposing a compatible and consistent neighborhood, instead of adding much higher or lower density in the middle of this low-density community. It is appropriate

and transitional to develop low density lots in this neighborhood that is mainly comprised of R-2 zoning.

In summary, the applicant is requesting approval of a Rezone Request from R2 to R4

Thank you.

Kim Kerk

Neighborhood Meeting- 696 Sperber Ln.

696 Sperber Ln. Grand Junction, CO 81506-Robert & Rosa Culver and Brian Scherping

A neighborhood meeting was held at Tope Elementary School Monday October 16th, 2023 @ 5:30pm.

The meeting started at 5:42pm. The three owners and 2 neighbors attended.

Kim Kerk (Project Manager) started the meeting by introducing herself & the owners Robert & Rosa Culver and Brian Scherping.

Kim explained to the neighbors that the plan is to do a rezone and split the 2 lots through Simple Subdivision process.

Questions from neighbors below:

1. Will these be apartments or duplexes?
 - A) No, the owners will be building a 3400 SF home with 3 car garage on the South end and a 1200 SF home with a 3-car garage on the North end.
2. Will these homes affect our property value?
 - A) The owners believe it will make the property value go up.
3. What happens next?
 - A) We will submit this to the City for the rezone to be approved first which includes public hearings before the Subdivision.

The owners mentioned that they plan to do very nice plants, trees, and landscaping.

There were no further questions and the neighbors left happy.

The meeting ended at 5:56pm

Kim Kerk 10/18/2023

Mailing Date: 10/2/2023

RE: A Neighborhood Meeting for the proposed Rezone-696 Sperber Ln.

Dear Neighbor:

This letter is to notify you that on Monday October 16th at 5:30pm a neighborhood meeting will be held to provide you with information on the proposed Rezone for Parcel # (2945-021-02-001). Approval of this Rezone would result in subdividing the property into two residential lots.



Brian Scherping and Robert & Rosa Culver own the property. This meeting will be held at Tope Elementary School located at 2220 N 7th St. Grand Junction, CO 81501. The neighborhood meeting is an opportunity for adjacent property owners to learn more about the proposed subdivision, ask questions, and submit written statements to the City of Grand Junction staff.

As a neighbor of this property, you will be notified of future development applications and public hearings (if any) by mail.

**342 North Ave., Grand Junction, CO 81501
Ph: 970-640-6913**



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

If you are not available to attend this meeting, you can send written comment to kimk355@outlook.com or the City of Grand Junction Community Development Department at kristena@gjcity.org.

We look forward to your feedback on this project.

Regards,

Kim

Kim Kerk Land Consulting & Development, LLC

ADAMS WILLIAM V
ADAMS DIANNE E; ADAMS TAYLOR M
GRANTEE BENEFICIARY
7332 E HIGHLAND RD
CAVE CREEK AZ 85331

ASHCRAFT RICHIE ANN
ASHCRAFT MARTIN KAYE
703 CENTAURI DR
GRAND JUNCTION CO 81506

BARRETT CHARLES R
2659 G RD
GRAND JUNCTION CO 81506

BEBEE MARK H
695 SPERBER LN
GRAND JUNCTION CO 81506

BRAY ROBERT L
BRAY VICTORIA L
2660 G RD
GRAND JUNCTION CO 81506

BUSS MARY A
706 GALAXY DR
GRAND JUNCTION CO 81506

CITY OF GRAND JUNCTION
KRISTEN ASHBECK
250 N 5TH ST
GRAND JUNCTION CO 81501

CONFIDENTIAL OWNER
CONFIDENTIAL OWNER
2669 G RD
GRAND JUNCTION CO 81506

COOPER ANTHONY L II
705 VICTOR DR
GRAND JUNCTION CO 81506

CULVER ROBERT
CULVER ROBERT, SCHERPING BRIAN
2669 G RD
GRAND JUNCTION CO 81506

DRURY ROBERT L
DRURY TERRY L
701 CENTAURI DR
GRAND JUNCTION CO 81506

EBERHART FAMILY TRUST
702 GALAXY DR
GRAND JUNCTION CO 81506

ELLINWOOD FRANCES S
694 SPERBER LN
GRAND JUNCTION CO 81506

EMERSON STUART
EMERSON MARSHA L
702 CENTAURI DR
GRAND JUNCTION CO 81506

FARINA BEVERLY J
2673 HOMESTEAD RD
GRAND JUNCTION CO 81506

FRANCE RANDAL D
FRANCE MARY T
706 CENTAURI DR
GRAND JUNCTION CO 81506

FRANKE RACHEL D
2659 CRESTRIDGE CT
GRAND JUNCTION CO 81506

GLASSMEYER DAVID W
698 CASCADE DR
GRAND JUNCTION CO 81506

HOLMES MARY ANNE
705 CENTAURI DR
GRAND JUNCTION CO 81506

HORIZON GLEN
STEPHANIE N GRAHAM
3720 HORIZON GLEN CT
GRAND JUNCTION CO 81506

HUNTER ERIC
697 SPERBER LN
GRAND JUNCTION CO 81506

INGALLS JAMES G
NELMS-INGALLS ANGELA L
708 CENTAURI DR
GRAND JUNCTION CO 81506

KELLEY & NANCY BURFORD FAM
TRST DTD OCT 3 2016
697 CASCADE DR
GRAND JUNCTION CO 81506

KIM KERK LAND CONSULTING &
DEVELOPMENT
KIM KERK
342 NORTH AVE
GRAND JUNCTION CO 81501

LANDOLL DEBRA J
LANDOLL DONALD T
2664 SACOMA CT
GRAND JUNCTION CO 81506

MCCOY BRADLEY SHANE
MCCOY CYNTHIA L
707 GALAXY DR
GRAND JUNCTION CO 81506

MILBURN BARBARA J
MILBURN LAIRD T
2658 CRESTRIDGE CT
GRAND JUNCTION CO 81506

NAKANO JEFFREY M
NAKANO SHERRY G
699 CASCADE DR
GRAND JUNCTION CO 81506

NELSON KENNETH E
NELSON SANDRA J
2676 G RD
GRAND JUNCTION CO 81506

NORTH CREST SUBDIVISION
TOM VAGELL
2658 HEMLOCK CT
GRAND JUNCTION CO 81506

OLIVER DONNA M
DONNA OLIVER REV TRST DTD JUN 2
2023 GRANTEE BENEFICIARY
701 GALAXY DR
GRAND JUNCTION CO 81506

ORA M LEE LIVING TRUST DATED FEB
8 2021
BENJAMIN L LEE LIV TRST DTD FEB 8
2021
693 SPERBER LN
GRAND JUNCTION CO 81506

PRINSTER ELISE M
PRINSTER DANIEL E
679 SPERBER LN
GRAND JUNCTION CO 81506

REAMS CHARLES F
695 CASCADE DR
GRAND JUNCTION CO 81506

RIGG KAREN ANN
2682 G RD
GRAND JUNCTION CO 81506

ROBERT L LIPSON III TRUST
699 SPERBER LN
GRAND JUNCTION CO 81506

SCHERPING BRIAN
2673 G RD
GRAND JUNCTION CO 81505

SCHMIDT JOHN A
SCHMIDT JENNIFER L
2661 G RD
GRAND JUNCTION CO 81506

SCHRITTER PAUL
SCHRITTER KARLA
703 GALAXY DR
GRAND JUNCTION CO 81506

SNODGRASS JASPER DEAN
SNODGRASS JUDITH
704 GALAXY DR
GRAND JUNCTION CO 81506

VANZYL LUKAS
VANZYL MEGHAN
680 SPERBER LN
GRAND JUNCTION CO 81506

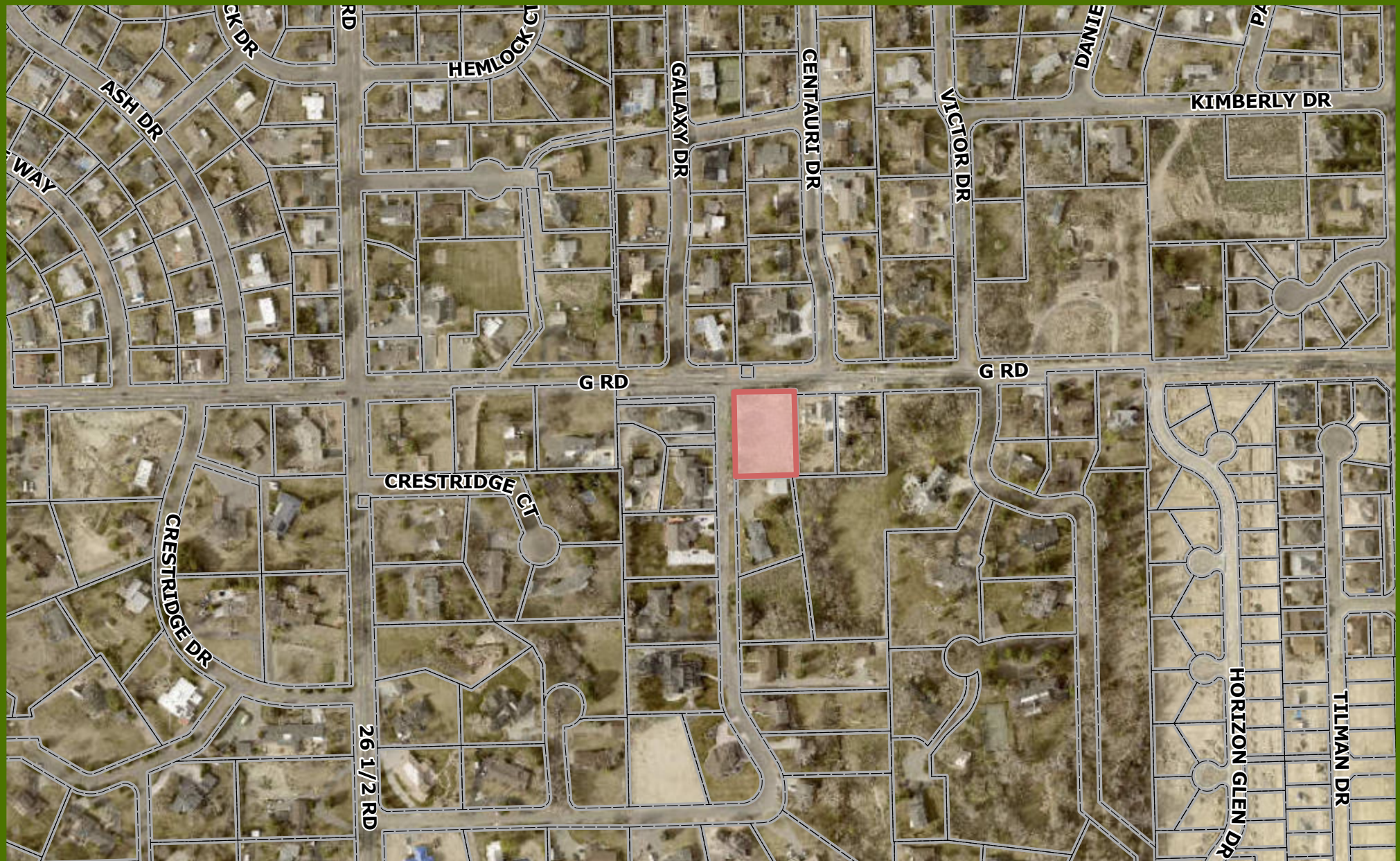
VILLAGE CENTER
WYLIE MILLER
2616 LIBERTY LN
GRAND JUNCTION CO 81506

WATSON KAREL J
WATSON RICHARD L II & ELIZABETH K
GRANTEE BENEFICIARIES
691 SPERBER LN
GRAND JUNCTION CO 81506

XCEL ENERGY
2538 BLICHMAN AVE
GRAND JUNCTION CO 81505

YOUNKER DEAN A
YOUNKER MEGAN M
684 CREST CT
GRAND JUNCTION CO 81506

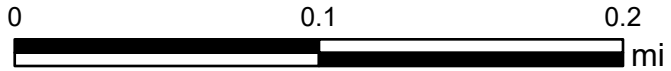
Location Map



0 0.1 0.2
mi

Printed: 12/28/2023
1 inch equals 333 feet
Scale: 1:4,000
Packet Page 316

Zoning Map



Printed: 12/28/2023
 1 inch equals 333 feet
 Scale: 1:4,000
 Packet Page 317

GRAND JUNCTION PLANNING COMMISSION
January 9, 2024, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:39 p.m. by Commissioner Scissors.

Those present were Planning Commissioners; Shanon Secrest, Sandra Weckerly (online), and Keith Ehlers.

Also present were Jamie Beard (City Attorney), Tamra Allen (Community Development Director), Tim Lehrbach (Senior Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 5 members of the public in attendance, and 0 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from December 12, 2023.

REGULAR AGENDA

1. Culver-Scherping Rezone

RZN-2023-684

Consider a request by Robert Culver, Rosa Culver, and Brian Scherping to rezone approximately 0.75 acres located at 696 Sperber Lane from R-2 (Residential - 2 du/ac) to R-4 (Residential - 4 du/ac).

Staff Presentation

Tim Lehrbach, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Applicant Kim Kerk with Kerk Land Consulting LLC elaborated on Tim's presentation and was available for questions.

Questions for staff

Commissioner Secrest asked why the owner couldn't build what they wanted without the rezone.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 2, 2024, via www.GJSpeaks.org.

Rob Lipson expressed concerns about drainage on the parcel. He noted that the parcel would likely be less than $\frac{3}{4}$ acre as the owners would need to dedicate a portion for ROW on G Rd. He asked if planning designated building envelopes on the property.

Mark Bebee expressed his opposition to the increased density. He asked what the increased density would allow that the current density did not.

Beverly Bebee commented that she felt the proposed project does not match the character of the neighborhood and that she opposed the rezone.

Kim Kerk responded that the owners also live in the neighborhood and intended to build two single family homes.

Commissioner Secrest asked about required street improvements during development of the parcel. He asked if an engineered drainage plan would be required during development.

Commissioner Ehlers commented on the questions pertaining to uses allowed in R-4 zones and drainage concerns. He asked how the ROW dedication would impact density on the parcel and how the newly adopted Zoning and Development Code would affect the zone designations. He noted that future drainage easements created through the subdivision process could impact building envelopes once the site develops.

Tamra Allen clarified that on properties zoned R-4 and above get to apply $\frac{1}{2}$ of the area of the adjoining ROW for the purposes of calculating density.

The public comment period was closed at 6:19 p.m. on January 9, 2024.

Discussion

Commissioner Ehlers agreed with the staff report and appreciated the comments from the public.

Commissioner Secrest commented on the safety of the intersection of G Road and Sperber Ln.

Commissioner Weckerly noted that the applicant could have asked for higher density but chose the lowest possible density allowed in the Comprehensive Plan.

Motion and Vote

Commissioner Ehlers made the following motion “Mr. Chairman, on the request to rezone the approximately 0.75 acres located at 696 Sperber Lane from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac), City file number RZN-2023-684, I move that the Planning Commission forward a recommendation of approval to the City Council with the findings of fact as listed in the staff report.”

Commissioner Secrest seconded; motion passed 4-0.

OTHER BUSINESS

Commissioner Weckerly confirmed that she wanted to be on the Committee for Interim Housing.

ADJOURNMENT

Commissioner Ehlers moved to adjourn the meeting.

The vote to adjourn was 4-0.

The meeting adjourned at 6:25 p.m.

DRAFT

Timothy Lehrbach

From: Elizabeth Watson <msbethwatson@yahoo.com>
Sent: Sunday, January 21, 2024 9:12 PM
To: Timothy Lehrbach
Subject: 696 Sperber Ln

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

We received the notice of application for the Tooker II subdivision. We didn't get the notice of hearing in time to go to the hearing but the neighborhood is against the zoning change. It's obvious the counsel is pro-development and is working to increase the density but to do it at the expense of established neighborhoods is short-sited and will double the traffic on a narrow, quiet street. There is enough new development all around Sperber, please don't rezone 696 Sperber.

Elizabeth Watson

Timothy Lehrbach

From: Karel Watson <karelwatson@gmail.com>
Sent: Sunday, January 21, 2024 9:12 PM
To: Timothy Lehrbach
Subject: Tooker II sub

Follow Up Flag: Follow up
Flag Status: Flagged

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

Tim;
We received the notice of application for 696 Sperber. I'm against the rezoning but we didn't get our notice of the hearing until after the hearing. Sperber is too narrow to handle more traffic and the other lot just east on G turned into a compound with cars on the street because the lot is too packed in. We're hoping not to change our established neighborhood. The zoning is why we like our neighborhood & why we live here.

Karel Watson
691 Sperber

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING APPROXIMATELY 0.75 ACRES FROM R-2
(RESIDENTIAL - 2 DU/AC) TO R-4 (RESIDENTIAL – 4 DU/AC) ZONE DISTRICT**

LOCATED AT 696 SPERBER LANE

Recitals:

The property owners, Robert and Rosa Culver and Brian Scherping, propose to rezone 0.75 acres located at 696 Sperber Lane (“Property”) from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of changing the zoning from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac) for the Property, finding that the change conforms to and is consistent with the 2020 One Grand Junction Comprehensive Plan Land Use Map designation of Residential Low (2-5.5 du/ac) and the Comprehensive Plan’s goals and policies, and is generally compatible with land uses in the area.

After public notice and public hearing, the Grand Junction City Council finds that rezoning the Property from R-2 (Residential – 2 du/ac) to R-4 (Residential – 4 du/ac) is consistent with the vision, intent, goals, and policies of the Comprehensive Plan. The City Council also finds that the request for rezone to the R-4 (Residential – 4 du/ac) zone district meets at least one of the stated criteria of §21.02.140(a) of the Grand Junction Zoning and Development Code.

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

That the Recitals are incorporated herein, and that the Property described below is hereby duly and lawfully zoned R-4 (Residential – 4 du/ac).

The Property is as a parcel of land being LOT 1, BLOCK 2, MCMILLIN SUBDIVISION, same as recorded at Reception No. 877174, situated in Northeast 1/4 of Section 2, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, Colorado. Said parcel being comprised of 0.75 Acres, more or less.

INTRODUCED on first reading this 17th day of January 2024 and ordered published in pamphlet form.

ADOPTED on second reading this 7th day of February 2024 and ordered published in pamphlet form.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

DRAFT