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**CITY COUNCIL AGENDA
WEDNESDAY, MARCH 4, 2020
250 NORTH 5TH STREET
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

To become the most livable community west of the Rockies by 2025

Call to Order, Pledge of Allegiance, Moment of Silence

Appointment

Ratification of Appointment to Riverview Technology Corporation

Certificates of Appointment

To the Commission on Arts and Culture

To the Parks and Recreation Advisory Board

Citizen Comments

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

City Manager Report

Council Reports

CONSENT AGENDA

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

1. Approval of Minutes

- a. Minutes of the February 19, 2020 Executive Session
- b. Minutes of the February 19, 2020 Regular Meeting

2. Set Public Hearings

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

- a. Legislative
 - i. Introduce an Ordinance to Add a Horizon Drive Zoning Overlay to the Zoning and Development Code as Title 27 of the Municipal Code and Set a Public Hearing for March 18, 2020
 - ii. Introduce an Ordinance to Amend the North Seventh Street Historic Residential District Guidelines and Standards (Title 26) Regarding the Process and Application for the Demolition of Accessory and Contributing Structures and Set a Public Hearing for March 18, 2020
- b. Quasi-judicial
 - i. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing for April 15, 2020 on Such Annexation, Exercising Land Use Control, and Introducing a Proposed Annexation Ordinance for the Barnes Electric Annexation of 0.521-Acres Located at 2806 ½ Perry Drive
 - ii. Introduce an Ordinance Zoning the Barnes Electric Annexation I-1 (Light Industrial), Located at 2806 ½ Perry Drive, and Setting a Public Hearing for April 15, 2020

3. Contracts

- a. Contract with Carollo Engineers, Inc. to Develop the 2020 Persigo Wastewater Treatment Plant Master Plan

4. Resolutions

- a. A Resolution Authorizing the City Manager to Submit a Grant Request to the Mesa County Federal Mineral Lease District for the Grand Junction Police Department Firing Range Facility Improvement Project

5. Other Action Items

- a. Consider a Request by the City of Grand Junction Public Works Department for a Special Permit to Establish a Materials Storage and Transfer Site on a Portion of a 74.83-Acre Parcel Zoned CSR (Community Services and Recreation) Located at 2620 Legacy Way

REGULAR AGENDA

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

6. Public Hearings

- a. Legislative
 - i. An Ordinance Amending the Grand Junction Municipal Code Title 21 Zoning and Development Code to Provide for the Regulation of Mobile Food Vendors, Commonly Referred to as Food Trucks
 - ii. An Ordinance for Supplemental Appropriations for a Wastewater Master Plan

7. Contracts

- a. Intergovernmental Agreement with Mesa County for Stormwater Quality Management Services
- b. Contract for Stocker Stadium Track Replacement

8. Non-Scheduled Citizens & Visitors

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

9. Other Business

10. Adjournment



Grand Junction City Council

Regular Session

Item #

Meeting Date: March 4, 2020
Presented By: City Council
Department: City Clerk
Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

Ratification of Appointment to Riverview Technology Corporation

RECOMMENDATION:

Ratify Appointment recommended by the Riverview Technology Corporation (RTC) Board.

EXECUTIVE SUMMARY:

On February 24, 2020 the Board of Directors of the Riverview Technology Corporation put forward their recommendation.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (ratify/not ratify) the appointment of Steve Smith to the Riverview Technology Corporation for a term expiring February 1, 2022.

Attachments

1. Ratify Appointment Letter



Riverview Technology Corporation

...continuing the vision for the redevelopment of the Riverview Business Park site...

Members:

Timothy Hatten
Steve Hovland
Katie Worrall
Will Hays
Steve Smith
Chris Muhr

Jon Maraschin
Executive Director

Ex Officio Members:

Grand Junction City
Phyllis Norris

Mesa County
Rose Pugliese

February 24, 2020

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

RE: Ratification of Appointment

Dear City Council Members:

Pursuant to Section 3. *Board of Directors* of the Bylaws of the Riverview Technology Corporation (RTC), we respectfully request ratification of a new Board Member, which was made and unanimously approved by the Board of Directors, for the following members and terms as indicated:

Steve Smith, Member, term expires February 1, 2022


Please be advised that the following member's terms have expired, and they are no longer members of the Board of Directors:

Craig Little, Pat Tucker, Derek Wagner

The current board members and ex-officios are listed to the left above.

Thank you for your consideration.

Sincerely,


Jon Maraschin
Executive Director

JM:tb



Grand Junction City Council

Regular Session

Item #

Meeting Date: March 4, 2020
Presented By: Wanda Winkelmann, City Clerk
Department: City Clerk
Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Commission on Arts and Culture

RECOMMENDATION:

Present the new volunteers with their Certificates of Appointment.

EXECUTIVE SUMMARY:

There are three new members to the Commission on Arts and Culture.

BACKGROUND OR DETAILED INFORMATION:

Sarah Meredith-Dishong was reappointed and Matt Goss and Diana Rooney were appointed at their February 19, 2020 Regular Meeting.

FISCAL IMPACT:

n/a

SUGGESTED MOTION:

n/a

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: March 4, 2020

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Parks and Recreation Advisory Board

RECOMMENDATION:

Present the new volunteer with their Certificates of Appointment.

EXECUTIVE SUMMARY:

There is one new volunteer to the Parks and Recreation Advisory Board.

BACKGROUND OR DETAILED INFORMATION:

Austin Solko was appointed by City Council at their February 19, 2020 Regular Meeting.

FISCAL IMPACT:

n/a

SUGGESTED MOTION:

n/a

Attachments

None

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

February 19, 2020

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, February 19, 2020 at 5:00 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 North 5th Street. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, and Mayor Pro Tem Duke Wortmann.

Staff present for the Executive Session were City Manager Greg Caton, City Attorney John Shaver, Parks and Recreation Director Ken Sherbenou, Finance Director Jodi Romero, Sr. Assistant to the City Manager Greg LeBlanc.

Executive Session

Councilmember Andrews moved to go into Executive Session:

EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402(4)(e) AND/OR 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF PROPERTY LOCATED AT 2515 RIVERSIDE PARKWAY

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

The City Council convened into Executive Session at 5:06 p.m.

Councilmember Andrews moved to adjourn. Councilmember Pe'a seconded. Motion carried unanimously.

The meeting adjourned at 5:35 p.m.

Wanda Winkelmann
City Clerk

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

February 19, 2020

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 19th day of February 2020 at 6:02 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, and Council President Pro Tem Duke Wortmann. Councilmember Anna Stout and Council President Rick Taggart were absent.

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

Council President Pro Tem Wortmann called the meeting to order. Councilmember Andrews led the Pledge of Allegiance which was followed by an invocation by Pastor Paul Espinoza with Junction Community Church.

Proclamations

Proclaiming February 22, 2020 as National TRiO Day in the City of Grand Junction

Councilmember Pe'a read the proclamation. Dr. Kurt Haas, Vice President of Academic Affairs for Colorado Mesa University accepted the proclamation. Also in attendance were TRiO Program Director Melissa Calhoun, TRiO Program Advisor Angie Gauthier and TRiO Program Advisor Kari Sewell.

Proclaiming March 1 - 7, 2020 as National Peace Corps Week in the City of Grand Junction

Councilmember Andrews read the proclamation. Bennett Boeschstein accepted the proclamation.

Appointments

To the Commission on Arts and Culture

Councilmember McDaniel moved to reappoint Sarah Meredith-Dishong and to appoint Matt Goss and Diana Rooney to the Commission on Arts and Culture for three-year terms ending February 2023. Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

To the Parks and Recreation Advisory Board

Councilmember Wortmann moved to appoint Austin Solko to the Parks and Recreation

Advisory Board for a partial term ending June 2022. Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

Citizen Comments

Bruce Lohmiller spoke of National Peace Corps Week, the Day Center, Night Patrols, and the Orchard Mesa Pool.

Richard Swingle spoke of transparency in the municipal government.

Randy Spydell spoke of ranked choice voting (Section 37 of the Municipal Code regarding Council vacancies).

City Manager Report

City Manager Caton addressed concerns about public access channel 191 and invited the community to the ribbon cutting for the Monument Connect Trail (chain breaking event).

Council Reports

Council President Pro Tem Wormann invited everyone to the Grand Junction Economic Partnership Economic (GJEP) Forum.

CONSENT AGENDA

Councilmember Andrews moved to approve Consent Agenda Items #1 - #5. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Minutes of the January 15, 2020 Executive Session
- b. Summary of the February 3, 2020 Workshop
- c. Minutes of the February 3, 2020 Executive Session
- d. Minutes of the February 5, 2020 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance to Amend the Grand Junction Municipal Code Title 21 Zoning and Development Code to Provide for the Regulation of Mobile Food Vendors, Commonly Referred to as Food

Trucks and Set a Public Hearing for March 4, 2020

- ii. Introduction of an Ordinance for Supplemental Appropriations for a Wastewater Master Plan and Set a Public Hearing for March 4, 2020

b. Quasi-judicial

- i. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Magnus Court Annexation of 45.543Acres, Located on the West End of Magnus Court and Set a Public Hearing for April 1, 2020

- c. A Resolution Declaring Intent to Create Alley Improvement District No. ST20 and Set a Public Hearing for April 1, 2020

3. Contracts

- a. Authorize a Construction Contract for the River Bend Lift Station Elimination Project
- b. Dos Rios Bike Playground Procurement Award

4. Resolutions

- a. A Resolution to Vacate the Drainage and Irrigation Easements on Lot 1 of the Fountain Hills Subdivision as Dedicated to the City of Grand Junction on the Subdivision Plat for Property Located at 3425 Cliff Court

5. Other Action Items

- a. Consider Request by the Grand Junction Housing Authority to Repurpose \$75,000 Authorized 2020 Contribution

REGULAR AGENDA

I-70B Update, Discussion and Possible Direction

Colorado Department of Transportation (CDOT) has recently received funding through Senate Bill 267 for adding capacity to I-70 Business Loop through the reconstruction of 1st from approximately Ouray Avenue south to Rood Avenue (Phase 5) as well as 1st Street from Rood Avenue south through 2nd Street along both the Pitkin Avenue and Ute Avenue corridors (Phase 6). City Council is asked to discuss, consider public comment and provide support for

one of multiple options for the Phase 6 portion of the I-70B project including:

- 1.) CDOT's proposed six lane configuration
- 2.) An alternative four lane configuration
- 3.) A council-defined combination of alternatives

Public Works Director Trent Prall presented this item.

Conversation ensued regarding routes to the Redlands (Phase 5), impacts on stakeholders based on access to their businesses (Phase 6), possibility of improvements on 2nd Street north of Grand Avenue, feasibility of a new Environmental Assessment (EA), number of vehicles currently using the Riverside Parkway and how that would impact the Environmental Assessment, which improvements CDOT funding would cover versus adjusting their proposed plan potentially causing the City to pay for some adjustments, signage to encourage different routes that drivers can take to relieve congestion, and alternate truck routes to make trucks use the Riverside Parkway.

Public comment was opened at 7:01 p.m.

Dustin Anzures, Sarah Shrader, Bennett Boeschstein, Cindy Enos-Martinez, Jeff Reed, Orin Zyvan, Jan Burkey, Kevin Reimer, Abram Herman, Andy Gangerich, Priscilla Magnol, Rose Cannon, and Kyle Gardner spoke of the importance of a well-planned, multimodal corridor.

Public comment was closed at 7:38 p.m.

Rob Beck, Resident Engineer with CDOT, was present to answer questions.

Conversation resumed regarding the feasibility of a new EA (CDOT would not be motivated to reopen the EA), possibility of moving the corridor to the Riverside Parkway, pedestrian safety by the Catholic Outreach (CDOT would ensure this in the new plan), if the City could make this their project even though this is a State highway (must adhere to State rules but would be City funded), and clarification of staff recommendations and adjustments to the proposed plan (six lane vs. four lane configuration or combination).

Councilmember Andrews moved to recommend City staff continue moving forward with the support of the dual stoplight configuration and advocate for an alternative configuration when collaborating with CDOT. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Councilmember Pe'a moved that Phase 5 proceed with additional ingress and egress to make it easier for people to get in and out of impacted shopping center. Councilmember Andrews seconded the motion. Motion carried by unanimous roll call vote.

A break was taken at 8:06 p.m.

The meeting resumed at 8:12 p.m.

Memorandum of Understanding for Indoor Golf Facility with Colorado Mesa University

Colorado Mesa University (CMU) is requesting the City, through a Memorandum of Understanding, lease property at Lincoln Park Golf Course to construct a Golf Performance Center at Lincoln Park Golf Course driving range. The vision for the proposed CMU Golf Performance Center includes the following features:

- 1.) A place to practice in inclement weather with roll-up doors to the range and indoor putting area
- 2.) Tables for studying, electronics and couches/chairs
- 3.) Lockers for clubs/shoes.

Of the three practice bays in the facility, one will be assigned to the City to promote and market to its golf customers

General Services Director Jay Valentine presented this item.

CMU Athletic Director Bryan Rooks and Men's Golf Coach Scott Sullivan spoke in support of the MOU and gave a brief history of the vision of the proposed facility.

Conversation ensued regarding the third bay and how it will be used for instruction of the public, and the enhancement of the golf program through this partnership.

Councilmember Pe'a moved approve to the Memorandum of Understanding with Colorado Mesa University for the purpose of constructing a CMU golf facility on Lincoln Park Golf Course property. Councilmember Andrews seconded the motion. Motion carried by unanimous roll call vote.

Public Hearing - An Ordinance Rezoning the Mays Rental Property from PD (Planned Development) to C-1 (Light Commercial) Located at 2389 Riverside Parkway

The Applicant, Mays Rental Properties, LLC, is requesting a rezone of a 3.64 acre lot located at 2389 Riverside Parkway from PD (Planned Development) to C-1 (Light Commercial) in anticipation of future commercial development. The requested C-1 zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Village Center.

Senior Planner Scott Peterson presented this item.

The public hearing opened at 8:29 p.m.

There were no public comments.
The public hearing closed at 8:29 p.m.

Councilmember Andrews moved to adopt Ordinance No. 4904, an ordinance rezoning Lot 1, C.L.M. River Road I Subdivision 2389 Riverside Parkway (Mays Rental Property) from PD (Planned Development) to C-1 (Light Commercial) on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Public Hearing - An Ordinance Amending Various Sections of the Zoning and Development Code to Increase the Height Limit in the C-1 and C-2 Zone Districts from 40 to 65 Feet

Staff has initiated a request to amend the height requirements in the C-1 and C-2 Zone Districts. The proposed amendment is designed to create greater flexibility for commercial developers and to bring the C-1 (Light Commercial) and C-2 (General Commercial) Zone Districts in line with similar Grand Junction zones by increasing the height allowance in C-1 and C-2 from 40 feet to 65 feet. The proposed amendment would modify Section 21.03.070 and the Mixed Use and Industrial Bulk Standards Summary Table in the Zoning and Development Code. It would also remove Section 21.03.070(d)(4), which duplicates regulations pertaining to height allowances in the Horizon Drive area.

Senior Planner Landon Hawes presented this item.

Conversation ensued regarding a citizen letter that was received in opposition and the impacts on those neighborhoods near his residence.

The public hearing was opened at 8:40 p.m.

There were no public comments.

The public hearing was closed at 8:41 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4905, an ordinance amending section 21.03.070 and the Mixed Use and Industrial Bulk Standards Summary Table of the Zoning and Development Code to increase the height allowance for structures in the C-1 and C-2 Zone Districts and amending the Code to implement the same on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Public Hearing - An Ordinance Amending Ordinance No. 4830 in Part Regarding the Effective Date of International Fire Code Provisions Pertaining to Mobile Food Preparation Trucks

This item amends Ordinance No. 4830 in part regarding the effective date of International Fire Code (IFC) provisions pertaining to mobile food preparation trucks. Approval of this ordinance will amend the effective date from July 1, 2020 to January 1, 2021 for mobile food preparation truck providers to come into compliance with the related IFC provisions.

Fire Chief Ken Watkins presented this item.

The public hearing was opened at 8:44 p.m.

There were no public comments.

The public hearing was closed at 8:44 p.m.

Councilmember McDaniel moved to adopt Ordinance No. 4906, an ordinance amending Ordinance No. 4830 in part regarding the effective date of International Fire Code Provisions Chapter 1 Section 105.6.30 and Chapter 3 Section 319 pertaining to mobile food preparation trucks on final passage and ordered final publication in pamphlet form. Councilmember Andrews seconded the motion. Motion carried by unanimous roll call vote.

Public Hearing - An Ordinance Amending Grand Junction Municipal Code Pertaining to Liquor License Occupational Tax and Business License Classifications, Distance Requirements Near College/University Campuses and the Tasting of Alcoholic Beverages

In 2018 certain State liquor laws were amended. This ordinance proposes to amend the Grand Junction Municipal Code (GJMC) to conform with State law regarding business license classifications and tasting permits. Additionally, the ordinance proposes to waive the State distance restriction in regard to Colorado Mesa University as a principal college/university campus, for lodging & entertainment and fermented malt beverage (off premises) license types.

John Shaver presented this item. He outlined the following amendments to the ordinance:

- 1.) *“Up to one-ounce sample sizes”* was amended to *“Up to one-ounce sample size for malt and vinous liquors and up to one-half ounce sample size for spirituous liquors”*
- 2.) *“Samples to be served in one-ounce, single use, disposable containers”* was amended to *“Samples to be served in open containers”*

The public hearing opened at 8:51 p.m.

There were no public comments.

The public hearing closed at 8:51 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4907, an ordinance amending Grand Junction Municipal Code Title 3 Chapter 4 pertaining to liquor license occupational tax and business license classifications and Title 5 Chapter 12 pertaining to distance requirements of licenses near college or university campuses and the tasting of alcoholic beverages on final passage and ordered final publication in pamphlet form. Councilmember Andrews seconded

the motion. Motion carried by unanimous roll call vote.

Non-scheduled Citizens & Visitors

There were none.

Other Business

Councilmembers McDaniel and Norris gave an update on the tap fee discussion between Ute Water and the Grand Junction Housing Authority. The City will bring the two parties together to discuss possible solutions.

Adjournment

The meeting was adjourned at 9:12 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: March 4, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

Introduce an Ordinance to Add a Horizon Drive Zoning Overlay to the Zoning and Development Code as Title 27 of the Municipal Code and Set a Public Hearing for March 18, 2020

RECOMMENDATION:

The Planning Commission heard this request at their February 25, 2020 meeting and voted 6-0 to recommend approval of the request.

EXECUTIVE SUMMARY:

Business owners in the Horizon Drive Business Improvement District (BID) have requested the creation of a zoning overlay in order to develop a distinct identity for the Horizon Drive District as a gateway to Grand Junction. This identity should reflect a high quality of site design, site improvements, building architecture, and pedestrian safety that will complement the level of development that has been accomplished by the City and BID that made Horizon Drive a complete street. Additionally, the corridor seeks to make private improvements that accommodate multiple modes of travel and provide/promote pedestrian spaces that emphasize public interaction in gathering areas and around public art. The standards included in this overlay would also work to enhance walkability, create a unifying architectural theme, and help set minimum standards for design and development of properties within the Horizon Drive area.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Zoning overlays such as the proposed Horizon Drive standards are designed to

implement specific policy and zoning objectives such as the creation of a specific visual theme. In this case, the proposed zoning overlay is intended to improve visual quality, create a unifying architectural theme, and increase walkability in the Horizon Drive Business Improvement District. This is done by the implementation of architectural design standards, installation of street trees and detached sidewalks, and emphasis on high-quality building materials, among other regulations. The City has already adopted similar zoning overlays for North Avenue, the Greater Downtown Area, and 24 Road.

The Horizon Drive District is comprised of commercial properties within the general geographic area of Horizon Drive between G Road and H Road. The District was formed in 2004 and is overseen by the City of Grand Junction, which appoints the staff and Board of Directors. The District is supported by a mil levy of no more than 5.0 mils (.005) upon every dollar of the valuation assessment of taxable property within the District.

The District's mission statement is: "Committed to build community, enhance the beauty and advocate the economic vitality of the Horizon Drive District."

The properties within the Horizon Drive District fall into two zoning classifications. Those with frontage onto Horizon Drive, Crossroads Boulevard, Horizon Court or similar streets, are classified as Light Commercial (C-1) and those nearest H Road and north-west of Horizon Drive are classified as Industrial Office (I-O). The Grand Junction Regional Airport, adjacent to the Horizon Drive District on the north and east, is the single largest adjoining property. The zoning classification for the airport is Planned Airport Development (PAD).

Horizon Drive is a busy arterial thoroughfare, five lanes wide. The roadway system is dedicated to swift vehicular movement. Buildings are generally large, set back from the roadway and fronted by large parking areas. Signs for the buildings are inconsistent in size and location. Landscaping is sparse. There have been recent and significant improvements to the area with the completion of two roundabouts as well as pedestrian crossings located at lighted intersections and three midblock locations. Sidewalks are found in both an attached and detached configuration, though some sidewalk connections are missing.

Horizon Drive is one of four gateways into Grand Junction for travelers coming to the community using I-70 and the primary gateway for those flying into Grand Junction Regional Airport. Therefore, Horizon Drive's identity should reflect a high quality of site design, site improvements, building architecture, and pedestrian safety.

Additionally, the corridor seeks to accommodate multiple modes of travel, making it a "Complete Street" that allows for the development of both publicly and privately owned pedestrian spaces that emphasize public interaction in gathering areas and around public art. This reinforces the Horizon Drive District as the central "gateway" to Grand

Junction. As such, the visual character of the District properties should reflect the District's desire to set itself forward as a welcoming, clean, modern and a safe area that not only provides traveler amenities but is a segue to a multi-faceted and desirable community. Design standards for development will reinforce this overall theme and sense of quality. As a complete street it supports the City's 2018 adopted Complete Street Policy which provides an approach to corridor development that integrates people and places in planning, design, construction, operation, and maintenance of transportation networks. The policy also helps to ensure streets are safe for people of all ages and abilities, while balancing the needs of different modes, thereby supporting local land use, economy, culture and the natural environment.

The overlay would help implement several Comprehensive Plan policies.

- Goal 8 states that the city will "Create attractive public spaces and enhance the visual appeal of the community through quality development." The overlay does this by mandating streetscape improvements for new development and emphasizing high-quality building materials.

- Goal 9 states that the city will "Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources." The overlay helps to implement this goal by integrating the existing Horizon Drive Corridor Improvement Project into its text. This currently ongoing CIP includes detached sidewalks, transit stops, and parcel interconnectivity as part of its vision.

- Guiding Principle 5 of the Plan is "Balanced Transportation," which this plan helps to implement as described above.

According to Vara Kusal, the executive director of the BID, "The Horizon Drive District was formed in 2004 because the property owners and business owners wanted a voice to represent their interests to local government." As such, the proposed zoning overlay represents the desired outcome for stakeholders from the district. The Horizon Drive District Board has recommended approval of the overlay and business/property owners who have given feedback have uniformly been in favor of it as well.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed overlay zone was held on December 4, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. BID and Community Staff representatives were in attendance. Eight people attended the neighborhood meeting and asked questions about applicability of the zoning overlay, when it would come into effect, and signage. All citizens in attendance expressed support of the proposed overlay.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to all property owners within the Horizon Drive Business Improvement District on February 14, 2020. The notice of this public hearing was published on February 18, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

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

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Horizon Drive Business Improvement District's request for the creation of a Horizon Drive Zoning Overlay, ZCA-2019-717, the following findings of fact have been made:

1. The request is justified in that it will work to enhance Horizon Drive's ability to serve as a premier commercial area and community gateway for the City of Grand Junction.
2. The request is consistent with the goals and policies of the Comprehensive Plan.

Therefore, the Planning Commission recommends approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact related to this request.

SUGGESTED MOTION:

I move to introduce an ordinance approving the addition of a Horizon Drive Zoning Overlay to the Zoning and Development Code as Title 27 of the Municipal Code and setting a public hearing for March 18, 2020.

Attachments

1. Combined neighborhood meeting notes
2. Planning Commission Minutes - 2020 - February 25 - Draft
3. Horizon Drive Zoning Overlay Ordinance v5

Horizon Drive District Open House
Proposed District Plan and Overlay Zone District
Wednesday, Dec. 4, 2019 @ Clarion Inn

Comments – Please provide any written comments here.

MORE OPEN & GREEN SPACE IS
EXTREMELY IMPORTANT IN THE MODERN
WORLD + AFFORDABLE HOUSING
THE WALK ALONG YOUR CANALS CAN
BE MADE SAFE WITH ROPE BARRIERS
& WOULD ADD TO THE ENJOYMENT OF
VISITOR & LOCALS ALIKE

Horizon Drive District Open House
Proposed District Plan and Overlay Zone District
Wednesday, Dec. 4, 2019 @ Clarion Inn

Comments – Please provide any written comments here.

If the trail concept could be expanded to include usage by Adrenaline Adventures to Access the 29th Desert Recreational Area it would promote the tourism to Grand Junction as an offroad Destination.

Boeschon Family LP is working with Adrenaline Adventures to provide land for the expansion of their Rental Activities

Sincerely,
Louis Boeschon
BFLP

Horizon Drive District Open House
Proposed District Plan and Overlay Zone District
Wednesday, Dec. 4, 2019 @ Clarion Inn

Comments – Please provide any written comments here.

MORE OPEN & GREEN SPACE IS
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THE WALK ALONG YOUR CANALS CAN
BE MADE SAFE WITH ROPE BARRIERS
& WOULD ADD TO THE ENJOYMENT OF
VISITOR & LOCALS ALIKE

Comments:

Access from 2791 Skyline Ct to 29rd.
from south side of Airport. Rezone the
Buesler property to recreational.

Lewis Baker

Name

Lewis@adaegj.com

email address

Comments:

It would be great to see recreational zoning on Louis Buesler's
property. Also, I am excited to see the planning for the Horizon
District Trail & Walkway proposal. That would really change
Horizon for the better! Much more of a friendly environment.

David Hazleton

Name

ADCustomzG@J@gmail.com

email address

Comments:

Would love to see more recreation
and parks on this side of town.

I think this would bring more attention
to business + Land value to the surrounding area.

I ~~wish~~ wish this was an opportunity zone.

Brett

CuffProductions@gmail.com

Name

email address

PUBLIC MEETING

December 4, 2019

Clarion Inn - 755 Horizon Drive

NO.	NAME	PHONE	ADDRESS	EMAIL
1	Brett Biesner			CuffProduction75@gmail.com
2	Lewis Baker			Lewis@adagj.com
3	Louis Biescher		749 Goffmane Dr. Goffmane	Blimitedpt@AOL.com
4	Ben Buescher		714 Golfmane Dr.	bmbuescher@gmail.com
5	David Hazleton			ADCustomzGRT@gmail.com
6	Brian Burford		748 Horizon Dr	bburford100@yahoo.com
7	Brian DiMarzio		1049 Lakeside Ct	dmarzio@yahoo.com
8	DAVID SKORENSKY		16000 HWY 131	NONE
9				
10				
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GRAND JUNCTION PLANNING COMMISSION
February 25, 2020 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:12pm by Chairman Christian Reece.

Those present were Planning Commissioners; Chairman Christian Reece, Vice Chair Bill Wade, George Gatseos, Kathy Deppe, Keith Ehlers, Ken Scissors, and Sam Susuras.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Trent Prall (Public Works Director), Rick Dorris (Development Engineer), Jarrod Whelan (Development Engineer), Dave Thornton (Principal Planner), Kristen Ashbeck (Principal Planner), Scott Peterson (Senior Planner), Landon Hawes (Senior Planner), and Jace Hochwalt (Associate Planner).

There were approximately 60 citizens in the audience.

CONSENT AGENDA

Commissioner Wade moved to adopt Consent Agenda items #1-3. Commissioner Susuras seconded the motion. Motion carried unanimously 7-0.

1. Approval of Minutes

- a. Minutes of the February 11, 2020 Regular Meeting.

2. City Public Works Operations – Special Permit **File # SPT-2020-35**

Consider a request by the City of Grand Junction Public Works Department for a Special Permit to establish a materials storage and transfer site on a portion of a 74.83-acre parcel zoned CSR (Community Services and Recreation) located at 2620 Legacy Way.

3. Code Text Amendment – Seventh Street Historic District Regulations

File # ZCA-2019-716

Consider a request by the City of Grand Junction to amend Title 26.32 of the North Seventh Street Historic Residential District Guidelines and Standards regarding demolition of structures.

REGULAR AGENDA

1. Horizon Villas - Rezone

File # RZN-2019-714

Consider a request by Larson Building Solutions to rezone 2.22-acres from PD (Planned Development) to R-8 (Residential 8 units per acre) located adjacent to Horizon Glen Drive at Horizon Drive.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

There was discussion regarding traffic in the area and a proposed traffic impact study that has not been conducted.

Commissioner Reece asked a question regarding the neighborhood center zoning designation on the Comprehensive Plan Future Land Use Map. Mr. Peterson stated the applicable zone districts in the Neighborhood Center designation.

Applicant's Presentation

Ted Ciavonne, Ciavonne Roberts & Associates, representing Larson Building Solutions, was present and made a comment regarding the request.

Public Comment

The public hearing was opened at 6:37pm.

The following spoke in opposition of the request: David Hoffman, Lily Fitch, Bill Fitch, Joe Graham, Stephanie Graham, Kevin Triplett, and Susan Madison.

The public hearing was closed at 6:54pm.

Applicant's Response

Mr. Ciavonne provided a response to public comment.

Questions for Applicant

Commissioner Reece asked questions regarding potential drainage, wildlife, and wetlands issues.

Questions for Staff

Commissioner Reece asked a question regarding the Comprehensive Plan Future Land Use Map and the ability of a minor arterial to handle a certain capacity of traffic flow.

Commissioner Scissors asked a question regarding a density miscommunication between the public comments and the staff report.

Commissioner Reece asked a question regarding the review process (e.g. rezone versus a new outline development plan).

Discussion

Commissioner Wade made a comment regarding an additional exhibit presented to the Commission from Colorado Parks and Wildlife.

Commissioner Deppe made a comment in opposition of the request.

Commissioners Gatseos, Wade, Susuras, and Ehlers made comments in support of the request.

Commissioner Gatseos made a comment regarding lack of housing.

Motion and Vote

Commissioner Wade made the following motion, “Madam Chairman, on the Horizon Villas Rezone, a request to rezone to R-8 (Residential – 8 du/ac) for the property located at Horizon Glen Drive at Horizon Drive, City file number RZN-2019-714, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.”

Commissioner Susuras seconded the motion. The motion carried 6-1.

2. Code Text Amendment – Horizon Drive Zoning Overlay File # ZCA-2019-717

Consider a request by the Horizon Drive Business Improvement District to add a Horizon Drive Zoning Overlay to the Zoning and Development Code at Title 27 of the Municipal Code.

Commissioner Reece recused herself from this item and left the auditorium.

Staff Presentation

Landon Hawes, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant’s Presentation

The Applicant, Vara Kusal representing Horizon Drive BID, was present and did not make a comment regarding the request.

Public Comment

The public hearing was opened at 7:27pm.

None.

The public hearing was closed at 7:28pm.

Discussion

Commissioner Gatseos made a comment regarding the unanimous decision the Horizon Drive BID board made in support of this request.

Commissioner Scissors made a comment in support of the request and complimenting the Horizon Drive BID board.

Motion and Vote

Commissioner Deppe made the following motion, "Mister Vice-Chairman, on the Horizon Drive Zoning Overlay, City file number ZCA-2019-717, 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 Susuras seconded the motion. The motion carried 6-0.

Planning Commission took a break at 7:30pm.

Planning Commission started back at 7:35pm.

3. Magnus Court Subdivision – Outline Development Plan

File # PLD-2019-374 and ANX-2019-137

Consider a request by CR Nevada Associates LLC, JLC Magnus LLC and Bonds LLC for a Zone of Annexation for two (2) properties and rezone of two (2) properties from R-E (Residential Estate) and R-2 (Residential – 2 Dwelling Units per acre). All properties are seeking a zone district of Planned Development with an associated Outline Development Plan (ODP) called Magnus Court to develop 74 single-family detached lots with an R-2 (Residential – 2 du/ac) default zone district. The properties combined are 69.67 acres and are generally located at the west end of Magus Court and include the property addressed as 2215 Magus Court #A.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

There was discussion regarding the condition of approval, the trail system, and the application process.

Applicant's Presentation

The project's representative, Tedd Ciavonne, Ciavonne Roberts & Associates, was present and gave a presentation regarding the request.

Kari McDowell Schroeder, McDowell Engineering, was present and gave a presentation regarding the request and the Traffic Impact Study that was completed.

Questions for Applicant

Commissioner Reece asked about access to two units on the plan.

Commissioner Deppe asked a question about access and parking on the auto-courts.

Commissioner Ehlers asked a question regarding the methodology for the traffic impact study.

Public Comment

The public hearing was opened at 8:39pm.

The following spoke in opposition of the request: Sharon Sigrist, Naomi Rintoul, Dennis Guenther, Nuala Whitcomb, Lisa Lefever, Lori Carlston, Michael Petri, Susan Stanton, Lora Curry, Wayne Smith, Mike Mahoney, Richard Swingle, Lisa Smith, and Jay Thompson.

The public hearing was closed at 9:12pm.

Planning Commission took a break at 9:12pm.

Planning Commission started back at 9:19pm.

Applicant's Response

Mr. Ciavonne responded to public comment.

Questions for Applicant

There was discussion regarding public access and stormwater drainage.

Commissioner Deppe asked a question regarding the origin of the applicants and if the development would also include the build-out of the subdivision.

There was discussion about auto courts, fire department access, signage, how roads connect to major roads, and City requirements to remedy road destruction due to construction traffic.

Questions for Staff

Commissioner Gatseos asked a question regarding access into Reed Mesa Drive.

Commissioner Scissors asked a question regarding construction traffic.

Discussion

Commissioners Gatseos, Deppe, and Scissors made comments in opposition of the request.

Commissioners Ehlers, Reece, and Susuras made comments in support of the request.

Commissioner Wade made a comment regarding the request.

Motion and Vote

Commissioner Ehlers made the following motion, "Madam Chairman, on the Zone of Annexation and Rezones to Planned Development (PD) with an R-2 (Residential – 2 du/ac) default zone district and an Outline Development Plan to develop 74 single-family detached lots, file numbers ANX-2019-137 & PLD-2019-374, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact listed in the staff report. Condition #1 being that Lot No. 3, 43, 53, 55 and 68 shall meet minimum dimensions of Hillside Regulations as adopted by Code."

Commissioner Susuras seconded the motion. A roll call vote was called:

Commissioner Susuras YES
Commissioner Deppe NO
Commissioner Scissors NO
Commissioner Reece YES
Commissioner Wade NO
Commissioner Gatseos NO
Commissioner Ehlers YES

The motion failed 3-4.

4. **EcoGen – Conditional Use Permit**

File # CUP-2020-60

Consider a request by EcoGen Laboratories, LLC, for a Conditional Use Permit (CUP) to allow for a hazardous occupancy within an I-2 (General Industrial) zone district for the property located at 1101 3rd Avenue.

Commissioner Ehlers recused himself from this item and left the auditorium.

Staff Presentation

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

Questions for Staff

Commissioner Reece asked a question regarding Condition No. 2 and the definition of Mitigation in Chapter 8.08.

Applicant's Presentation

The Applicant, Doug Watson, EcoGen Laboratories, LLC, was present and made a presentation regarding the request.

Public Comment

The public hearing was opened at 10:33pm.

None.

The public hearing was closed at 10:33pm.

Discussion

Commissioner Reece made a suggestion to modify the language in the motion to clarify Condition No. 2 to "...mitigation measures as approved by the City."

Motion and Vote

Commissioner Wade made the following motion, "Madam Chairman, on the application for a Conditional Use Permit for EcoGen Laboratories, LLC located at 1101 3rd Avenue, CUP-2020-60, I move that the Planning Commission recommend conditional approval with the findings of fact and conditions as listed in the staff report as modified to read "Condition 2. If odors become a nuisance as identified in Chapter 8.08 of the Grand Junction Municipal Code, mitigation measures will be required as approved by the City of Grand Junction."” ****Planning Commission was the final decision-making body on this item****

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

5. Other Business

None.

6. Adjournment

The meeting was adjourned at 10:37pm.

DRAFT

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE GRAND JUNCTION MUNICIPAL CODE
RELATING TO ZONING AND DEVELOPMENT IN THE HORIZON DRIVE DISTRICT**

Recitals:

The City Council desires that the City's zoning and development regulations be amended as needed so that they will be dynamic and responsive to the demands of the community and development trends, without compromising health, safety and welfare.

The City Council desires the Horizon Drive Business Improvement District to incorporate consistent standards for the area, in order to:

- Achieve high-quality development in the corridor in terms of land use, site planning and architectural design;
- Provide market uses that complement existing and desired uses and benefit the Grand Junction community;
- Take advantage of and expand upon existing public facilities in the corridor to create a "civic" presence;
- Achieve a distinctive character along the roadway that can serve as a gateway to the Grand Junction community;
- Establish a transportation network that interconnects to create a logical urban pattern;
- Establish a high-quality image through zoning, design standards, and public improvements.

For the past two years the Horizon Drive BID Board have worked to develop standards for site development, building architecture, landscaping, business access and site circulation.

The following Preamble describes the Horizon Drive District planning work which informs and provides background information for the Horizon Drive District - Overlay Zone District Standards.

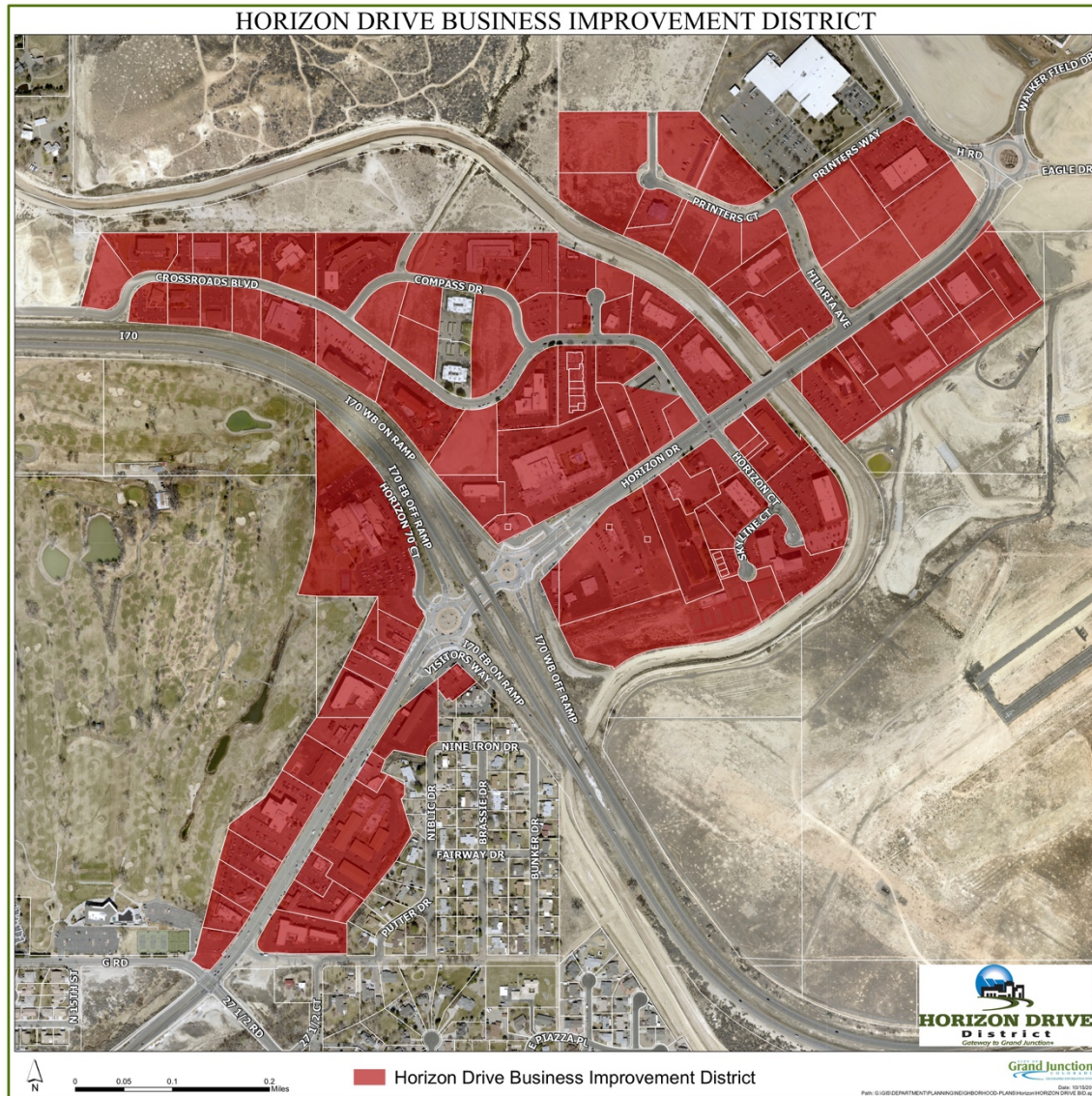
Horizon Drive District Overlay Preamble

I. Introduction to Horizon Drive District Plan

The Plan area and the Overlay Zoning District area comprise the Horizon Drive District boundary as defined by the Horizon Drive Business Improvement District boundary as it stands at the time of adoption of this Plan and Overlay District and includes any subsequent modifications in the future as properties are annexed into the Business Improvement District.

The Horizon Drive District is comprised of commercial properties within the general geographic area of Horizon Drive between G Road and H Road. The District was formed in 2004 and is overseen by the City of Grand Junction, which appoints the Board of Directors. The District is supported by a mil levy of no more than 5.0 mills (.005) upon every dollar of the valuation assessment of taxable property within the District.

The District’s mission statement is: “Committed to build community, enhance the beauty and advocate the economic vitality of the Horizon Drive District.”



II. Background

The properties within the Horizon Drive District fall into two zoning classifications. Those with frontage onto Horizon Drive, Crossroads Boulevard, Horizon Court or similar streets, are classified as light commercial (C-1) and those nearest H Road and north-west of Horizon Drive are classified as Industrial Office (I-O).

The Grand Junction Regional Airport, adjacent to the Horizon Drive District on the north and east, is the single largest adjoining property. The zoning classification for the airport is Planned Airport Development (PAD).

Horizon Drive is a busy arterial thoroughfare, five lanes wide. The roadway system is dedicated to swift vehicular movement. Buildings are generally large, set back from the roadway and fronted by large black-top parking areas. Signs for the buildings are inconsistent in size and location. Landscaping is sparse. There are intermittent sidewalks and pedestrian crossings are located only at lighted intersections.

The overall planning concept for the Horizon Drive District encourages development of (or continuity of existing) neighborhood centers. The neighborhood center approach will provide a framework for distinctive image and organizing elements for public and private (re)development of the Horizon Drive District.

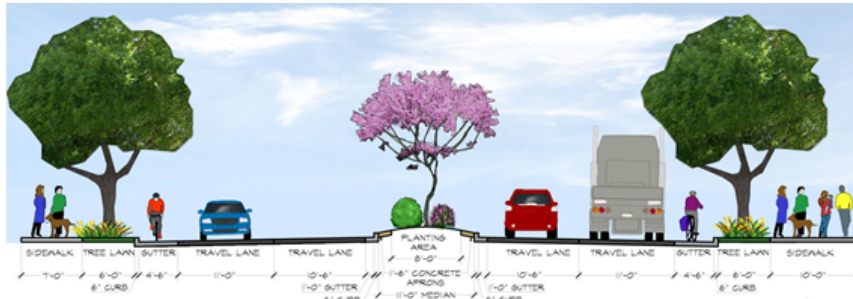
The Horizon Drive Center supports the Horizon Drive corridor to retain its commercial land use designation. Crossroads Blvd. & Horizon Court areas are identified as Business Park Mixed Use and Commercial/Industrial. The Business Park Mixed Use provides more options including multi-family residential development within the corridor. These community development objectives for the District will support and integrate with the development plans of the Grand Junction Regional Airport.

III. “Gateway to Grand Junction”

Horizon Drive is one of four gateways into Grand Junction for travelers coming to the community using I-70 and the primary gateway for those flying into Grand Junction Regional Airport. The primary objective is to develop a distinct identity for the Horizon Drive District, as a “Gateway to Grand Junction.” This identity should reflect a high quality of site design, site improvements, building architecture, and pedestrian safety.

Additionally, the corridor should accommodate multiple modes of travel making it a “Complete Street” allowing for the development of both publicly and privately owned pedestrian spaces emphasizing public interaction in gathering areas and around public art. This reinforces the Horizon Drive District as the central “gateway” to Grand Junction. As such, the visual character of the District properties should reflect the District’s desire to set itself forward as a welcoming, clean, modern and a safe area that not only provides traveler amenities but is a segue to a multi-faceted and desirable community. Design standards for development will reinforce the overall theme and sense of quality. As a complete street it supports the City’s Complete Street Policy adopted July 18, 2018 which provides an approach to corridor development that integrates people and places in planning, design, construction, operation, and maintenance of transportation networks, helping to ensure streets are safe for people of all ages and abilities, while balancing the needs of different modes, thereby supporting local land use, economy, culture and the natural environment.

IV. Corridor Improvement Project – A “Complete Street”



PURPOSE

To better provide for the safe and convenient movement of both pedestrians and motor vehicles.

The Horizon Drive Corridor Improvement Project will be constructed in phases due to financial necessity (see “Conceptual Plan” graphic). Phase 1 addressed the Horizon Drive / Interstate-70 interchange and was completed in 2016. Future phases, south of the interchange and north of the interchange, will be completed as funding is secured. Currently, Phase 2 is planned to be the section south of Visitor’s Way to G Road. In 2019, three crosswalks were added to this section with center refuge medians and yellow LED pedestrian-activated flashing warning lights.

The corridor will be designed as a “Complete Street” to enable safe access for all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. The vision for the Horizon Drive corridor includes:

- Create circulation plans promoting traffic calming and pedestrian safety.
- Encouraging future development to include civic areas, open space (parks), walking trails, bike lanes, ease of access to public transportation and connectivity.
- Connectivity with other districts in the community including way-finding signage.
- Wide sidewalks detached from the roadway.
- Safe access to businesses from the street and sidewalks and parcel interconnectivity to minimize multiple access points to Horizon Drive.



- Safe and efficient transit stops.
- Adequate lighting creating a safer vehicle and pedestrian experience.
- Landscaping, street furniture and other hardscape features and amenities that enhance the pedestrian and motoring public's experience, but still allow buildings to be located near the street.

Increased safety is of primary importance to the establishment of the design character of the Horizon Drive District. Interstate 70 bisects the District and provides primary access to Horizon Drive via on ramp/off ramps from both east and west. Vehicular movement is important to the District. Additionally, the properties along Horizon Drive serve a temporary population of visiting travelers, who would prefer greater pedestrian access to other District properties as well as connections to downtown, the Colorado riverfront and other destinations. The standards set forth in this document are to better provide for the safe and convenient movement of both pedestrians and motor vehicles.

V. Horizon Drive Master Trails Plan

PURPOSE

To provide for the safe and convenient movement of non-motorized (pedestrians and bicycles) between Horizon Drive District businesses and to other areas of Grand Junction.

Connecting Horizon Drive Hotels and business to downtown, Mesa Mall and the Colorado riverfront is desired by many visitors staying on Horizon Drive and the Horizon Drive business community. Access to trails will benefit the local tourism industry and help stimulate economic development. In 2017, the District contracted with the Colorado Department of Local Affairs (DOLA) and the University Technical Assistance Program (UTAP) to produce the Horizon Drive Master Trails Plan. The Plan was approved by the Grand Junction Planning Commission in April of 2019. Ordinance No. 4851 amended the Comprehensive Plan to include the Horizon Drive BID Trail Network Plan as part of the Grand Junction Circulation Plan was approved by the Grand Junction City Council May 1, 2019.

VI. Overlay Zoning

Overlay zoning creates a special zoning district over a base zone. An overlay adds to or changes the regulations, standards, or requirements of the base zone in order to protect or guide development within a specific area or corridor to meet specific needs or objectives. While the base zone determines the permitted land uses, the overlay zone establishes design or other standards that meet the overlay's purposes.

The overlay zone for the Horizon Drive District provides direction and vision for development in the corridor. The purpose of the overlay's standards and guidelines is

to stimulate new development as well as redevelopment in the District, increasing business and pedestrian activity along the corridor. The overlay supports and implements the Comprehensive Plan vision and goals of making the City a more livable place.

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

Title 27 of the Grand Junction Municipal Code is amended to incorporate the Horizon Drive District - Overlay Zone District Standards.

Introduced on first reading this 4th day of March, 2020 and ordered published in pamphlet form.

Adopted on second reading this 18th day of March, 2020 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

Horizon Drive District - Overlay Zone District Standards

27.04 **Purpose.** The purpose of the Horizon Drive Zone District Overlay is to provide a consistent level of architectural character, quality and aesthetics of the Horizon Drive area as well as to improve and enhance pedestrian access, vehicular access, parking and circulation within the designated Horizon Drive Zone District Overlay.

27.08 **Applicability.** The Horizon Drive Zone District Overlay includes all commercial properties within the general geographic area of Horizon Drive between G Road and H Road as identified on the zone district overlay map.

27.12 Standards and Guidelines.

27.12.010 **Architectural Features and Materials.** Architectural features are intended to provide variations in massing, be at a human scale, and provide variety in design that work to reinforce the importance of the civic, public and open spaces.

- a. All buildings facing Horizon Drive shall use materials that are durable including but not limited to stone, brick, precast concrete and architectural metals.
- b. Materials prohibited for any building facing Horizon Drive include metal-clad prefabricated buildings and building made from pre-cast concrete and tilt up wall systems that are structural in appearance.
- c. Building entries shall have a strong visual and pedestrian relationship to the street.
- d. Buildings shall provide following architectural design elements:
 - 1) Buildings shall provide their main entry facing Horizon Drive. When not feasible, a side or rear of a building may face Horizon Drive. However, the façade fronting Horizon Drive shall give the appearance of a front façade in terms of quality of architecture, materials and detailing.
 - 2) Building form shall provide recessed or projecting elements to provide façade articulation. This can be accomplished through the design of entryways, awnings, rooflines, projecting bays, pilasters, columns or other features. Articulation shall occur a minimum of every 30 feet for all sides of the building.
 - 3) The first floor of a building designed to accommodate a restaurant or retail use shall have windows facing the public right of way that create visual interest to pedestrians and provide views from inside of buildings to the street.

- e. In addition, the site shall exhibit a minimum of three (3) of the following seven (7) architectural design elements:
- 1) Variation in materials, material modules, expressed joints and details, surface relief and texture to break up building forms and wall surfaces. Such detailing may include sills, headers, belt courses, reveals, pilasters, window bays or similar features for all sides of the building.
 - 2) Variation in roof lines/roof materials in order to add interest to and reduce the scale of buildings or expanses of blank wall. This can be accomplished through design elements such as overhangs, eaves, recesses, projections, raised cornice parapets over doors or bays and peaked roof forms.
 - 3) Establishing the main building entrance on the street with façade features that emphasize the primary building entrance through projecting or recessed forms, detail, color and/or material.
 - 4) Outdoor patio in combination with or without outdoor seating located between the building and the primary street.
 - 5) Ground story transparency of at least 50 percent in the form of windows and/or door(s) for facades facing all public street frontages.
 - 6) Public art, as approved by the Director.
 - 7) Other architectural or site features that achieve the goals of the overall Horizon Drive District overlay vision or concept, as determined by the Director.

27.12.020 Site Design. Elements required or encouraged for site design are intended to minimize vehicular orientation and emphasize pedestrian activities such as ease of access from the public way and safe access to parking areas, increase walkability of the district especially between the public way, transit facilities and other buildings. They are also intended to provide safe access to businesses from the street and sidewalks, as well as parcel interconnectivity to minimize multiple access points to Horizon Drive.

- a. Clearly visible and direct pedestrian paths with adequate lighting should be established between neighboring buildings, between buildings and outlying parking areas, and between buildings and transit facilities.
- b. A 6-foot wide concrete sidewalk is required from the street to the front of the primary building main entrance.
- c. New development shall be required to close redundant or multiple accesses to Horizon Drive from a single site. Access location and turning movements shall be limited to those which can be safely accommodated as determined by City of Grand Junction traffic engineers

- d. New development shall be required to consolidate accesses with neighboring properties to the extent practicable.
- e. Bicycle parking shall be provided at locations that do not obstruct the flow of pedestrians, are easily identifiable and visible and convenient to customer entrances.
- f. Where pedestrian circulation paths cross vehicular routes, a change in paving materials, textures, or colors shall be provided to emphasize the potential conflict point, improve visibility, enhance safety and enhance aesthetics.
- g. Onsite signage and traffic markings necessary to facilitate circulation and improve public safety and awareness are required.
- h. Drive up windows such as those used for banks, restaurants, groceries and pharmacies or drive through facilities such as gasoline service islands and car wash or vacuum bays shall be oriented as to not be visible from the public right of way.

27.12.030 Landscaping and Public Amenities. This section is meant to ensure appropriate landscaping improvements and the creation of public amenities that enhance the character of the district, and to utilize xeric principles in landscaping design encouraging the planning of low water plants that are appropriate for Grand Junction's arid climate. The intent is also to encourage future development to include civic areas and open space (parks).

- a. Landscaping shall be designed to provide drought tolerant plant species that are native to the region or otherwise suitable to the climate.
- b. For all development, street trees planted every forty feet shall be planted along all public rights-of-way.
- c. For all development with landscaped areas fronting Horizon Drive, any groundcover provided shall be visually similar to existing landscape rock (e.g. crushed red granite) in place on Horizon Drive.
- d. Art, sculpture, transit shelters, benches, planters, bike racks, trashcans and other hardscape feature, plazas, landscaping and other amenities shall be included where appropriate.

27.12.040 Signage. Signage is intended to communicate information and reduce existing visual clutter as well as prohibit new visual clutter. Signage shall provide visual continuity within a single project.

- a. Signs shall be consistent in design, color, typeface, materials and construction details with each project.
- b. Freestanding signs shall comply with the following requirements.
 - 1) Shall be placed perpendicular to the right-of-way.
 - 2) Shall be constructed with a stone or veneer base. The sign may be single or double faced. If single the backside of the sign shall be painted the same color as the cabinet and poles.

- 3) Shall be located no closer than 10 feet from property line and no closer than 6 feet from the curb of a street or drive.
- 4) The height shall be measured from finished grade.
- 5) One freestanding sign shall be allowed per street frontage.
- 6) Up to two small freestanding directional signs may be allowed that are three square feet or fewer and no more than 30 inches in height.
- 7) The sign allowance per frontage can only be used on that frontage and shall not be transferred to any other frontage.
- 8) Maximum sign dimensions shall not exceed the following:
 - a. For properties fronting Horizon Drive between G Road and 27 ½ Road and H Road,
 - i. 40 feet in height
 - ii. 100 square feet for properties with up to 150 feet of linear frontage
 - iii. 120 square feet for properties with 150 to 200 feet of linear frontage
 - iv. 160 square feet for properties with 201 to 300 linear feet of frontage
 - v. 200 square feet for properties with greater than 300 linear feet of frontage
 - b. For properties with frontage on Horizon Drive between 7th Street and G Road (27 ½ Road), the maximum sign dimensions shall not exceed the following:
 - i. 12 feet in height
 - ii. 100 square feet
 - c. For properties with Interstate-70 frontage maximum sign dimensions are subject to Section 21.06.070.
 - d. For all other properties the maximum sign dimensions shall not exceed the following
 - i. 20 feet in height
 - ii. 75 square feet
- c. Flush Wall Signs may be either non-illuminated or internally illuminated.
- d. No off-premise signs or outdoor advertising shall be permitted, except where existing at the time of adoption of this document, provided such signs are appropriately permitted through the City of Grand Junction.
- e. Projecting signs shall be permitted as per section 21.06.070 of the Zoning and Development Code.
- f. Roof signs are not allowed.



Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: March 4, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

Introduce an Ordinance to Amend the North Seventh Street Historic Residential District Guidelines and Standards (Title 26) Regarding the Process and Application for the Demolition of Accessory and Contributing Structures and Set a Public Hearing for March 18, 2020

RECOMMENDATION:

The Planning Commission heard this request at their February 25, 2020 meeting and voted 7-0 to recommend approval.

EXECUTIVE SUMMARY:

Staff has identified an opportunity to simplify and streamline the Section 26.32 of the City's Development Regulations pertaining to demolition of accessory structures in the North Seventh Street Historic Residential District Guidelines and Standards, The proposed modification would simplify the application and streamline the review process for demollishment of historic and non-historic accessory structures This amendment also proposes deletion of some requirements that an application for a Certificate of Appropriateness (COA) for demolition in the historic district must currently meet.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

In October 2019, a resident within the North Seventh Street Historic Residential District applied for a Certificate of Appropriateness to demolish a detached accessory structure (shed) on his property. The shed was constructed in the 1980s and is not historic. However, by the current regulations of the historic district, any application for Certificate

of Appropriateness for demolition of a structure (principal or accessory, historic or non-historic) must be reviewed by the Historic Preservation Board and a final decision rendered by City Council. Additionally, the submittal requirements for such an application include such items as 26.32.020(g), which requires the applicant to list the remaining balance on the mortgage for the property, and (k), which requests the real estate taxes on the property for the past two years.

In review of this request, it came to staff's attention that many of the submittal requirements for a Certificate of Appropriateness for demolition may not be useful to the review and may be considered superfluous and unnecessary for a review of the associated request. Staff therefore proposes to eliminate several submittal requirements currently required as part of the review process. Similarly, staff believes that the requirement that City Council review of demolition permits for non-historic structures in a historic district is generally unnecessary. The specific code amendments can be found in the attached draft ordinance.

The purpose of the North 7th Street Residential Historic District is to conserve valuable historic resources of the City of Grand Junction. Because demolition has the potential to destroy these historic resources, staff believes that some oversight of the demolition process for accessory structures in a historic district remains appropriate but may be more appropriately reviewed and decided upon by the Historic Preservation Board.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting is not required for a Code Amendment request. However, the City did solicit comment from property owners within the Historic District via a mailed letter sent on November 27, 2019. Only three emails were received in reply; none expressed opposition to the proposal. In addition, the property owners were again noticed of the hearing dates for this Code amendment via mailed notice on February 14, 2020. Consistent with Section 21.02.080 (g) of the Code, notice of this public hearing was published on February 18, 2020 in the Grand Junction Daily Sentinel.

Because of this, staff is proposing changes to the way demolition permits for accessory structures in the North Seventh Street Historic District are reviewed. Under this proposal, staff would determine historicity when an applicant submits for a Certificate of Appropriateness for demolition of an accessory structure and would make a recommendation to the Historic Preservation Board, which would render a final decision on the case. The City Council would serve as the appeal body. The COA process for demolition of all or part of a principal structure will remain the same with a recommendation by staff to the Historic Preservation Board and a recommendation by the Board to City Council, which renders the final decision.

ANALYSIS

Staff believes these revisions will improve the efficiency of the COA process for the

demolition of accessory structures in the North Seventh Street Historic Residential District.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the City of Grand Junction's request for revision of regulations regarding accessory structure review in the North Seventh Street Historic Residential District, ZCA-2019-716, the following findings of fact have been made:

1. The request will streamline review of Certificates of Appropriateness for demolition of accessory structures in the North Seventh Street Historic Residential District.
2. The request will simplify the application process for a Certificate of Appropriateness for demolition.

Therefore, Planning Commission recommends approval of the request. The Historic Preservation Board reviewed this request at their February 4, 2020 meeting and recommended approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact related to this request.

SUGGESTED MOTION:

I move to introduce an ordinance amending the North Seventh Street Historic Residential District guidelines and standards (Title 26) regarding the process and application for the demolition of accessory and contributing structures and setting a public hearing for March 18, 2020.

Attachments

1. Planning Commission Minutes - 2020 - February 25 - Draft
2. 7th Street demolition regs ordinance v3

GRAND JUNCTION PLANNING COMMISSION
February 25, 2020 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:12pm by Chairman Christian Reece.

Those present were Planning Commissioners; Chairman Christian Reece, Vice Chair Bill Wade, George Gatseos, Kathy Deppe, Keith Ehlers, Ken Scissors, and Sam Susuras.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Trent Prall (Public Works Director), Rick Dorris (Development Engineer), Jarrod Whelan (Development Engineer), Dave Thornton (Principal Planner), Kristen Ashbeck (Principal Planner), Scott Peterson (Senior Planner), Landon Hawes (Senior Planner), and Jace Hochwalt (Associate Planner).

There were approximately 60 citizens in the audience.

CONSENT AGENDA

Commissioner Wade moved to adopt Consent Agenda items #1-3. Commissioner Susuras seconded the motion. Motion carried unanimously 7-0.

1. Approval of Minutes

- a. Minutes of the February 11, 2020 Regular Meeting.

2. City Public Works Operations – Special Permit **File # SPT-2020-35**

Consider a request by the City of Grand Junction Public Works Department for a Special Permit to establish a materials storage and transfer site on a portion of a 74.83-acre parcel zoned CSR (Community Services and Recreation) located at 2620 Legacy Way.

3. Code Text Amendment – Seventh Street Historic District Regulations

File # ZCA-2019-716

Consider a request by the City of Grand Junction to amend Title 26.32 of the North Seventh Street Historic Residential District Guidelines and Standards regarding demolition of structures.

REGULAR AGENDA

1. Horizon Villas - Rezone

File # RZN-2019-714

Consider a request by Larson Building Solutions to rezone 2.22-acres from PD (Planned Development) to R-8 (Residential 8 units per acre) located adjacent to Horizon Glen Drive at Horizon Drive.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

There was discussion regarding traffic in the area and a proposed traffic impact study that has not been conducted.

Commissioner Reece asked a question regarding the neighborhood center zoning designation on the Comprehensive Plan Future Land Use Map. Mr. Peterson stated the applicable zone districts in the Neighborhood Center designation.

Applicant's Presentation

Ted Ciavonne, Ciavonne Roberts & Associates, representing Larson Building Solutions, was present and made a comment regarding the request.

Public Comment

The public hearing was opened at 6:37pm.

The following spoke in opposition of the request: David Hoffman, Lily Fitch, Bill Fitch, Joe Graham, Stephanie Graham, Kevin Triplett, and Susan Madison.

The public hearing was closed at 6:54pm.

Applicant's Response

Mr. Ciavonne provided a response to public comment.

Questions for Applicant

Commissioner Reece asked questions regarding potential drainage, wildlife, and wetlands issues.

Questions for Staff

Commissioner Reece asked a question regarding the Comprehensive Plan Future Land Use Map and the ability of a minor arterial to handle a certain capacity of traffic flow.

Commissioner Scissors asked a question regarding a density miscommunication between the public comments and the staff report.

Commissioner Reece asked a question regarding the review process (e.g. rezone versus a new outline development plan).

Discussion

Commissioner Wade made a comment regarding an additional exhibit presented to the Commission from Colorado Parks and Wildlife.

Commissioner Deppe made a comment in opposition of the request.

Commissioners Gatseos, Wade, Susuras, and Ehlers made comments in support of the request.

Commissioner Gatseos made a comment regarding lack of housing.

Motion and Vote

Commissioner Wade made the following motion, “Madam Chairman, on the Horizon Villas Rezone, a request to rezone to R-8 (Residential – 8 du/ac) for the property located at Horizon Glen Drive at Horizon Drive, City file number RZN-2019-714, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.”

Commissioner Susuras seconded the motion. The motion carried 6-1.

2. Code Text Amendment – Horizon Drive Zoning Overlay File # ZCA-2019-717

Consider a request by the Horizon Drive Business Improvement District to add a Horizon Drive Zoning Overlay to the Zoning and Development Code at Title 27 of the Municipal Code.

Commissioner Reece recused herself from this item and left the auditorium.

Staff Presentation

Landon Hawes, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant’s Presentation

The Applicant, Vara Kusal representing Horizon Drive BID, was present and did not make a comment regarding the request.

Public Comment

The public hearing was opened at 7:27pm.

None.

The public hearing was closed at 7:28pm.

Discussion

Commissioner Gatseos made a comment regarding the unanimous decision the Horizon Drive BID board made in support of this request.

Commissioner Scissors made a comment in support of the request and complimenting the Horizon Drive BID board.

Motion and Vote

Commissioner Deppe made the following motion, "Mister Vice-Chairman, on the Horizon Drive Zoning Overlay, City file number ZCA-2019-717, 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 Susuras seconded the motion. The motion carried 6-0.

Planning Commission took a break at 7:30pm.

Planning Commission started back at 7:35pm.

3. Magnus Court Subdivision – Outline Development Plan

File # PLD-2019-374 and ANX-2019-137

Consider a request by CR Nevada Associates LLC, JLC Magnus LLC and Bonds LLC for a Zone of Annexation for two (2) properties and rezone of two (2) properties from R-E (Residential Estate) and R-2 (Residential – 2 Dwelling Units per acre). All properties are seeking a zone district of Planned Development with an associated Outline Development Plan (ODP) called Magnus Court to develop 74 single-family detached lots with an R-2 (Residential – 2 du/ac) default zone district. The properties combined are 69.67 acres and are generally located at the west end of Magus Court and include the property addressed as 2215 Magus Court #A.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

There was discussion regarding the condition of approval, the trail system, and the application process.

Applicant's Presentation

The project's representative, Tedd Ciavonne, Ciavonne Roberts & Associates, was present and gave a presentation regarding the request.

Kari McDowell Schroeder, McDowell Engineering, was present and gave a presentation regarding the request and the Traffic Impact Study that was completed.

Questions for Applicant

Commissioner Reece asked about access to two units on the plan.

Commissioner Deppe asked a question about access and parking on the auto-courts.

Commissioner Ehlers asked a question regarding the methodology for the traffic impact study.

Public Comment

The public hearing was opened at 8:39pm.

The following spoke in opposition of the request: Sharon Sigrist, Naomi Rintoul, Dennis Guenther, Nuala Whitcomb, Lisa Lefever, Lori Carlston, Michael Petri, Susan Stanton, Lora Curry, Wayne Smith, Mike Mahoney, Richard Swingle, Lisa Smith, and Jay Thompson.

The public hearing was closed at 9:12pm.

Planning Commission took a break at 9:12pm.

Planning Commission started back at 9:19pm.

Applicant's Response

Mr. Ciavonne responded to public comment.

Questions for Applicant

There was discussion regarding public access and stormwater drainage.

Commissioner Deppe asked a question regarding the origin of the applicants and if the development would also include the build-out of the subdivision.

There was discussion about auto courts, fire department access, signage, how roads connect to major roads, and City requirements to remedy road destruction due to construction traffic.

Questions for Staff

Commissioner Gatseos asked a question regarding access into Reed Mesa Drive.

Commissioner Scissors asked a question regarding construction traffic.

Discussion

Commissioners Gatseos, Deppe, and Scissors made comments in opposition of the request.

Commissioners Ehlers, Reece, and Susuras made comments in support of the request.

Commissioner Wade made a comment regarding the request.

Motion and Vote

Commissioner Ehlers made the following motion, "Madam Chairman, on the Zone of Annexation and Rezones to Planned Development (PD) with an R-2 (Residential – 2 du/ac) default zone district and an Outline Development Plan to develop 74 single-family detached lots, file numbers ANX-2019-137 & PLD-2019-374, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact listed in the staff report. Condition #1 being that Lot No. 3, 43, 53, 55 and 68 shall meet minimum dimensions of Hillside Regulations as adopted by Code."

Commissioner Susuras seconded the motion. A roll call vote was called:

Commissioner Susuras YES
Commissioner Deppe NO
Commissioner Scissors NO
Commissioner Reece YES
Commissioner Wade NO
Commissioner Gatseos NO
Commissioner Ehlers YES

The motion failed 3-4.

4. **EcoGen – Conditional Use Permit**

File # CUP-2020-60

Consider a request by EcoGen Laboratories, LLC, for a Conditional Use Permit (CUP) to allow for a hazardous occupancy within an I-2 (General Industrial) zone district for the property located at 1101 3rd Avenue.

Commissioner Ehlers recused himself from this item and left the auditorium.

Staff Presentation

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

Questions for Staff

Commissioner Reece asked a question regarding Condition No. 2 and the definition of Mitigation in Chapter 8.08.

Applicant's Presentation

The Applicant, Doug Watson, EcoGen Laboratories, LLC, was present and made a presentation regarding the request.

Public Comment

The public hearing was opened at 10:33pm.

None.

The public hearing was closed at 10:33pm.

Discussion

Commissioner Reece made a suggestion to modify the language in the motion to clarify Condition No. 2 to "...mitigation measures as approved by the City."

Motion and Vote

Commissioner Wade made the following motion, "Madam Chairman, on the application for a Conditional Use Permit for EcoGen Laboratories, LLC located at 1101 3rd Avenue, CUP-2020-60, I move that the Planning Commission recommend conditional approval with the findings of fact and conditions as listed in the staff report as modified to read "Condition 2. If odors become a nuisance as identified in Chapter 8.08 of the Grand Junction Municipal Code, mitigation measures will be required as approved by the City of Grand Junction."” ****Planning Commission was the final decision-making body on this item****

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

5. Other Business

None.

6. Adjournment

The meeting was adjourned at 10:37pm.

DRAFT

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 26.32 OF THE ZONING AND DEVELOPMENT CODE,
AMENDING REGULATIONS REGARDING DEMOLITION OF STRUCTURES**

Recitals:

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan and has directed that the Code be reviewed and amended as necessary.

The purpose of the North 7th Street Residential Historic District is to conserve valuable historic resources of the City of Grand Junction. Because demolition has the potential to destroy these historic resources, oversight of the demolition process for accessory structures in a historic district is appropriate.

The proposed amendments to Section 26.32 of the Zoning and Development Code simplify and streamline regulations for Certificates of Appropriateness for demolition of an accessory structure in the North Seventh Street Historic Residential District.

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

After public notice and public hearing, the Grand Junction City Council finds that the proposed Code amendments are necessary to maintain effective regulations to implement Goal 6 of the Comprehensive Plan.

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

Section 26.32 is amended as follows (additions underlined, deletions struck through):

26.32.010 Applicability

Any Applicant requesting demolition of all or part of a principal structure within the North Seventh Street Historic Residential District shall demonstrate that the demolition is warranted either by cause or by effect of the structure being non-contributing to the District.

26.32.020 Review criteria.

Approval of a Certificate of Appropriateness for a demolition may be issued upon consideration of the following:

- (a) Whether the applicant has made a good-faith effort to pursue reasonable, cost effective alternatives to demolition.
- (b) Whether the loss of part or all of the subject property would be detrimental to the quality and continuity of the site, District or surrounding neighborhood.
- (c) Whether denial of the application would result in an undue economic hardship for the owner/applicant. Based on a thorough analysis of the financial, economic, and engineering information described below, the City Council may determine that there is an undue economic hardship if the following criteria are met:
 - (1) No economically viable use consistent with zoning of the property will exist unless the demolition is approved. (Note: inability to put the property to its most profitable use does not constitute an undue economic hardship.)
 - (2) The hardship is peculiar to the building or property in question and must not be in common with other properties.
 - (3) The hardship is not self-imposed, caused by action or inaction of the owner, applicant or some other agent.
 - (4) The Applicant has attempted and exhausted all reasonable alternatives which would eliminate the hardship, such as offering the property for sale.

(Ord. 4508, 3-21-12)

26.32.030 Submittal requirements.

~~The applicant/owner for demolition of part or all of a structure shall provide information including but not limited to the following items in order for the City Council to evaluate the application:~~

- ~~(a) An estimate of the cost of the proposed demolition or removal and an estimate of any additional cost that would be incurred to comply with recommendations of the Historic Preservation Board.~~
- ~~(b) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the structure and its suitability for economic rehabilitation.~~
- ~~(c) Estimated current market value of the property by a licensed real estate appraiser of the property both in its current condition and after completion of the proposed demolition or~~

removal and all appraisals obtained within the previous two years by the applicant or owner in connection with the purchase, financing or ownership of the property.

(d) — An estimate of the cost of restoration prepared by an architect, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation or reuse of like structures in the District.

(e) — Amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased and any terms of financing between the seller and buyer.

(f) — If the property is income-producing, the annual gross income from the property for the previous two years; and the depreciation deduction and annual cash flow before and after debt service, if any, during the same period.

(g) — Remaining balance on the mortgage or other financing secured by the property owner and annual debt service, if any, for the previous two years.

(h) — All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property.

(i) — Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two years.

(j) — Assessed value of the property according to the two most recent Mesa County assessments.

(k) — Real estate taxes for the previous two years.

(l) — Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture, etc.

(m) — Current photographs of the building and land from the front street showing as much of the land and building as possible.

(n) — Current photographs of all exterior elevations from rooftop to ground.

(o) — Current photographs of all interior rooms.

(p) — A narrative summary of all special architectural features and details and materials used throughout the interior and exterior of the structure.

1. The Applicant for demolition of part or all of a structure shall provide information including

(a) A report from a licensed engineer, contractor or architect with experience in rehabilitation as to the structural soundness of the structure and its suitability for rehabilitation.

(b) A narrative description with supporting photographs of the structure including architectural features and details and materials used throughout the interior and exterior of the structure.

(c) Additional information identified by Staff or the Board to ensure sufficient evidence for reviewing the request.

2. In addition to those items listed in Section 26.32.030(1), an Applicant for demolition of part or all of a primary structure shall provide information including:

(a) An estimate of the cost of the proposed demolition or removal and an estimate of any additional cost that would be incurred to comply with recommendations of the Board.

(b) Estimated current market value of the property prepared by a Colorado licensed real estate appraiser, for the property in its current condition and after completion of the proposed demolition or removal.

(Ord. 4508, 3-21-12)

26.32.040 Procedure.

~~(a) Upon submittal of the application for a certificate of appropriateness for demolition to the City, the Public Works and Planning Department shall review all the documentation submitted for completeness. The Department staff shall prepare a report with findings. The Historic Preservation Board will then review the report and make a recommendation to City Council.~~

~~(b) The application, with the findings and recommendations of the Department and the Historic Preservation Board, shall be presented to the City Council in accordance with the administrative procedures and notice requirements. The City Council will have 90 calendar days to consider and render its decision. If approved, the Public Works and Planning Department shall issue a certificate of appropriateness in order for the applicant/owner to obtain a building permit for the demolition.~~

~~(c) If the City Council finds that all reasonable possibilities for saving a part or all of the structure have been exhausted and approves the demolition, all salvageable building materials shall be collected and then the waste should be removed as provided by the permit and asbestos or other hazardous material disposal procedures. The site shall then be planted and maintained until a new use goes into effect.~~

(a) Upon submittal of the application for a Certificate of Appropriateness for demolition to the City, the Community Development Department shall review all the documentation submitted for completeness. The Department staff shall prepare a report with findings, including

recommendation regarding historicity. All decisions on Certificate of Appropriateness shall be noticed and conducted as public hearings consistent with Section 21.02.080 (g) of the Code.

(b) For all accessory structures,

(i) _____ the Historic Preservation Board will make a final decision regarding the Certificate of Alteration.

(ii) _____ An appeal of the Board's decision shall be heard by City Council.

(c) For all primary structures,

(i) The Historic Preservation Board will provide a recommendation to City Council.

(ii) Within 90 days of the HPB hearing, the City Council shall consider and decide upon the certificate of alternation for demolition.

(d) If a certificate of alteration is approved for a historic structure, all salvageable building materials shall be collected and waste removed from the property.

(Ord. 4508, 3-21-12)

26.32.050 Penalty.

If the Applicant of a structure within the North Seventh Street Historic Residential District abates or demolishes part or all of a building without first obtaining the Certificate of Appropriateness, the Applicant shall pay a fine of \$250.00 per square foot of the affected area.

Introduced on first reading this 4th day of March, 2020, and ordered published in pamphlet form.

Adopted on second reading this 18th day of March, 2020 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: March 4, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes, Senior Planner

Information

SUBJECT:

A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing for April 15, 2020 on Such Annexation, Exercising Land Use Control, and Introducing a Proposed Annexation Ordinance for the Barnes Electric Annexation of 0.521-Acres Located at 2806 ½ Perry Drive

RECOMMENDATION:

Staff recommends adoption of a resolution referring the petition for the Barnes Electric Annexation, introducing the proposed Ordinance and setting a hearing for April 15, 2020.

EXECUTIVE SUMMARY:

The Applicant, Don Barnes, is requesting to annex 0.521-acres located at 2806 ½ Perry Drive. There is no publicly dedicated right-of-way proposed with this annexation request; however, upon further development of the property, the applicable rights-of-way will be dedicated. The subject property contains a temporary modular structure, but is otherwise vacant. The owner is requesting annexation in anticipation of a future office/storage building being constructed on site, which constitutes "annexable development" and as such is required to annex in accordance with the Persigo Agreement.

The resolution to refer a petition, take land use jurisdiction and introduce an annexation ordinance for this property was reviewed and approved by City Council on December 18, 2019. The introduction of an ordinance zoning the annexation was approved by Council on January 14, 2020. Since the first reading of the ordinances for annexation

and zoning, the annexation schedule has been modified which has necessitated the reconsideration on this agenda of the first readings of both of the revised ordinances, as well as a new resolution referring the petition and taking land use jurisdiction. A public hearing for City Council to provide a concurrent decision on both the annexation and zoning request has been scheduled for April 15, 2020.

BACKGROUND OR DETAILED INFORMATION:

The Barnes Electric Annexation consists of one 0.521-acre parcel of land located at 2806 ½ Perry Drive. The property contains a temporary modular structure, but is otherwise vacant. The Applicant wishes to annex the property into the City limits in anticipation of a future office/storage building being constructed on the site. The Applicant will be requesting a zoning for the property of I-1 (Light Industrial). Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission. The proposed office/storage use is allowed in the I-1 zone district.

There is no dedicated right-of-way included in the annexation, but right-of-way will be dedicated at the time of future development.

The property is currently adjacent to existing city limits and is within the Persigo 201 boundary and is annexable development as defined in the Persigo Agreement. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation by the City. The property owner has signed a petition for annexation of the property.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

f) No land held in identical ownership is being divided by the proposed annexation;

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

The proposed annexation and zoning schedule with a summary is attached.

The resolution to refer a petition, take land use jurisdiction and introduce an annexation ordinance for this property was reviewed and approved by City Council on December 18, 2019. The introduction of an ordinance zoning the annexation was approved by Council on January 14, 2020. Since the first reading of the ordinances for annexation and zoning, the annexation schedule has been modified which has necessitated the reconsideration on this agenda of the first readings of both of the revised ordinances, as well as a new resolution referring the petition and taking land use jurisdiction. A public hearing for City Council to provide a concurrent decision on both the annexation and zoning request has been scheduled for April 15, 2020.

FISCAL IMPACT:

As the property is developed, property tax levies and municipal sales and use tax will be collected, as applicable. For every \$250,000 of actual value, City property tax revenue on residential property at the current assessment rate would be \$144 annually. Sales and use tax revenues will be dependent on construction activity and ongoing consumer spending on City taxable items for residential and commercial uses.

Fire

Currently the property is in the Grand Junction Rural Fire Protection District (Rural District) which is served by the Grand Junction Fire Department through a contract with the Rural District. The Rural District collects a 5.938 mill levy that generates \$252 per year in property taxes that are passed on to the City of Grand Junction per the contract. If annexed, the Rural District mill levy will be removed and the City's 8 mills that will generate property tax revenue of \$340 per year. Property tax will need to pay for not only fire and emergency medical services but also other City services provided to the area.

With the small size of this property and proposed development of office/storage, the fire department does not predict an increase in incident volume due to this annexation. Primary response to this property is from Fire Station 1 at 625 Ute Avenue, which is within National Fire Protection Association guidelines for response time.

Utilities

Water and sewer services are available to this property. This property is within the Ute Water District service area. An 8-inch water serves this property along Riverside Parkway.

The property is currently within the Persigo 201 Sewer Service Area. There is an 8-inch sanitary sewer line that runs along Perry Drive and then north to 2803 Perry drive to the west of the subject property. The property can be served by the Persigo wastewater system; however, the property does not currently have a sewer connection.

Plant Capacity -- Based on the proposed zoning of I-1, additional analysis would be required to confirm that the plant has sufficient capacity based on the type of industrial activity and the volume of wastewater generation anticipated for this property. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently receives approximately 8 million gallons per day so there is available capacity. The property owner would be assessed the current plant investment fee (PIF) of \$4,776 per equivalent unit (EQU). Industrial connection fees are calculated by formulas based upon the type of industrial activity. These formulas use EQU multiplying factors to assess the total sewer connection fee. This fee is intended to pay the equivalent share of the payments due on bonds for the existing wastewater treatment plant and infrastructure.

Ability to Serve Area -- An existing 8-inch sanitary sewer runs along Perry Drive and then north to 2803 Perry Drive to the west of the subject property. The subject property owner would be required to extend sewer to serve their property. Additional analysis would be required to determine if the 8-inch sewer has sufficient capacity to serve this property depending upon the intended use. Further, proposed industrial and commercial activity would require a review by Industrial Pretreatment Program to determine permitting requirements. Staff have determined that the City can serve the property if sewer is extended from the 2803 Perry Drive subject to capacity analysis of the sewer and review of industrial use and wastewater discharge requirements.

Sewer Service Charges -- Monthly sewer service rates for single family units are \$22.40 per equivalent unit (2019 rates). These rates have been determined to be sufficient to cover the cost of service.

Police

The Police Department does not foresee any major impact on police services.

Public Works

The subject property is immediately adjacent to the Riverside Parkway which was completed in 2007 and included a collector section roadway complete with curb, gutter, sidewalks, landscaping and street lighting. The roadway was previously annexed and

therefore there are no additional impacts anticipated due to this annexation

SUGGESTED MOTION:

I move to (adopt/not adopt) Resolution No. 11-20, a resolution referring a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, setting a hearing on such annexation and exercising land use control over Barnes Electric Annexation, approximately 0.521-acres, located at 2806 ½ Perry Drive, as well as introduce a proposed ordinance annexing territory to the City of Grand Junction, Colorado, Barnes Electric Annexation, approximately 0.521-acres, located at 2806 ½ Perry Drive, and set a hearing for April 15, 2020.

Attachments

1. Barnes Electric Annexation Schedule Summary
2. Barnes Electric Annexation maps
3. Resolution - Referral of Petition (Land Use Control)- Barnes Electric Annexation
4. Barnes Electric Annexation Ordinance

BARNES ELECTRIC ANNEXATION SCHEDULE

December 18, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
January 28, 2020	Planning Commission considers Zone of Annexation
March 4, 2020	2 nd Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
March 4, 2020	Introduction of a Proposed Ordinance on Zoning by City Council
April 15, 2020	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 17, 2020	Effective date of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2019-627	
Location:	2806 ½ Perry Drive	
Tax ID Numbers:	2943-192-00-018	
# of Parcels:	1	
Existing Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	0.521	
Developable Acres Remaining:	0.521	
Right-of-way in Annexation:	0	
Previous County Zoning:	PUD (Planned Unit Development)	
Proposed City Zoning:	I-1 (Light Industrial)	
Current Land Use:	Modular building	
Future Land Use:	Industrial	
Values:	Assessed:	\$42,380
	Actual:	\$146,130
Address Ranges:	2806 ½ Perry Drive	
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Grand Valley Irrigation Company
	School:	Grand Junction HS / East Middle / Chipeta Elementary
	Pest:	Grand River Mosquito Control District

Aerial Map



DE PKWY

RIVERSIDE PKWY

RIVERSIDE PKWY

28 RD

PERRY DR

2799

395

398

390

2803

2803

2806 1/2

2806

2808

2805

2811

282

Vicinity Map



Colorado National Guard

Grand Junction
Regional Center

28 RD

RIVERSIDE PKWY

RIVERSIDE PKWY

RIVERSIDE PKWY

PERRY DR



SUMMER GLEN DR

S FOREST LN

S FOREST CT

EVERGREEN RD

MYRRH ST

C 3/4 RD

C 3/4 RD

FLORIDA

28 RD

WINTERS AVE

BRAND CRK

Zoning Map



RIVERSIDE PKWY

RIVERSIDE PKWY

PKWY

28 RD

2806 1/2

2803

2806

2811

398

2808

PERRY DR

390

2803

2805

I-1

282

Future Land Use Map

Business Park
Mixed Use

RIVERSIDE PKWY

RIVERSIDE PKWY

DE PKWY

2806 1/2

28 RD

Industrial

2803

2806

2815

398

2808

Comme
Indus

PERRY DR

390

2803

2805

288

City Limits Map

Grand Junction
Regional Center

28 RD

RIVERSIDE PKWY

RIVERSIDE PKWY



PERRY DR

INDIAN W.

28 RD

SUMMER GLEN DR



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 4th day of March, 2020, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

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

BARNES ELECTRIC ANNEXATION

APPROXIMATELY 0.521 ACRES LOCATED AT 2806 ½ PERRY DRIVE

WHEREAS, on the 18th day of December 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BARNES ELECTRIC ANNEXATION

A certain parcel of land lying in the of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NW 1/4 NW 1/4 of said Section 19 and assuming the North line of the NW 1/4 NW 1/4 of said Section 19 bears S 89°39'11" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°39'11" E, along the North line of the NW 1/4 NW 1/4 of said Section 19, a distance of 342.71 feet; thence S 00°16'49" E, a distance of 30.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°16'49" E, a distance of 145.00 feet; thence S 89°39'06" E, a distance of 156.51 feet; thence N 00°16'49" W, a distance of 145.00 feet; thence N 89°39'11" W, a distance of 156.51 feet, more or less, to the Point of Beginning.

CONTAINING 22,693 Square Feet or 0.521 Acres, more or less, as described

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

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

1. That a hearing will be held on the 15th day of April, 2020, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 6:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the 4th day of March, 2019.

President of the Council

Attest:

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
March 6, 2020
March 13, 2020
March 20, 2020
March 27, 2020

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BARNES ELECTRIC ANNEXATION

APPROXIMATELY 0.521 ACRES LOCATED AT 2806 ½ PERRY DRIVE

WHEREAS, on the 4th day of March 2020, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of April 2020; and

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

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

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

BARNES ELECTRIC ANNEXATION

A certain parcel of land lying in the of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NW 1/4 NW 1/4 of said Section 19 and assuming the North line of the NW 1/4 NW 1/4 of said Section 19 bears S 89°39'11" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°39'11" E, along the North line of the NW 1/4 NW 1/4 of said Section 19, a distance of 342.71 feet; thence S 00°16'49" E, a distance of 30.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°16'49" E, a distance of 145.00 feet; thence S 89°39'06" E, a distance of 156.51 feet; thence N 00°16'49" W, a distance of 145.00 feet; thence N 89°39'11" W, a distance of 156.51 feet, more or less, to the Point of Beginning.

CONTAINING 22,693 Square Feet or 0.521 Acres, more or less, as described

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

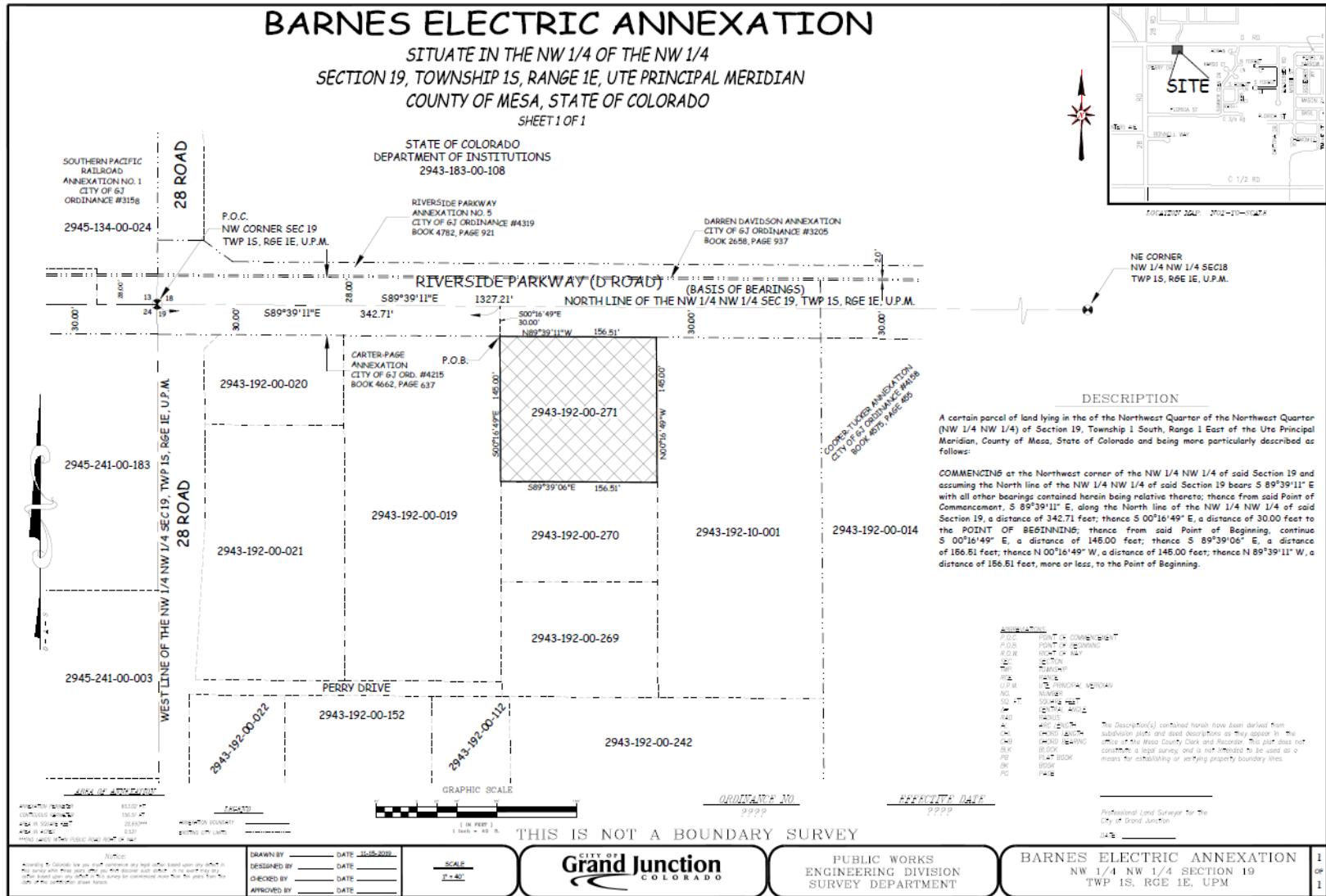
INTRODUCED on first reading the 4th day of March 2020 and ordered published in pamphlet form.

ADOPTED on second reading the 15th day of April 2020 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk





Grand Junction City Council

Regular Session

Item #2.b.ii.

Meeting Date: March 4, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

Introduce an Ordinance Zoning the Barnes Electric Annexation I-1 (Light Industrial), Located at 2806 ½ Perry Drive, and Setting a Public Hearing for April 15, 2020

RECOMMENDATION:

The Planning Commission heard this request at their January 28, 2020 meeting and voted 6-0 to recommend approval.

EXECUTIVE SUMMARY:

The Applicant, Old Rascal LLC, is requesting a Zone of Annexation from County PUD (Planned Unit Development) to City I-1 (Light Industrial) Zoning on 0.521 acres located at 2806 ½ Perry Drive. The owner is requesting annexation in anticipation of a future office/storage building being constructed on the site, which constitutes "Annexable Development" and as such is required to annex in accordance with the Persigo Agreement and is requesting a City zoning designation for future commercial development. The Comprehensive plan designates this property as Industrial and this request conforms with this designation. The request for annexation will be considered separately by City Council.

This item is the 1st reading for this zone of annexation. The Planning Commission heard the zone of annexation request at their January 28, 2020; Also on this March 4th agenda is a resolution to refer a petition, take land use jurisdiction and introduce an annexation ordinance for the property under consideration for zone of annexation. A public hearing for City Council to provide a concurrent decision on both the annexation and zoning request has been scheduled for April 15, 2020.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Barnes Electric Annexation consists of one 0.521-acre parcel of land located at 2806 ½ Perry Drive. The property contains a temporary modular structure but is otherwise vacant. The Applicant is requesting annexation of the property into the City limits in anticipation of a future office/storage building being constructed on the site, and is requesting a zoning for the property of I-1 (Light Industrial). The proposed office/storage use is allowed in the I-1 zone district.

The Planning Commission hearing for the zone of annexation was held on January 28, 2020; the 1st reading for this zone of annexation is on the March 4th City Council agenda. Also on this March 4th agenda is a resolution to refer a petition, take land use jurisdiction and introduce an annexation ordinance for the property under consideration for zone of annexation. A 2nd reading and public hearing for City Council to provide a concurrent decision on both the annexation and zoning request has been scheduled for April 15, 2020.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed zone of annexation request was held on October 3, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant, engineer, and staff planner attended the meeting. Several acquaintances of the applicant attended and asked questions regarding the future development and annexation process.

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 January 2, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1,000 feet, on January 17, 2020. A public hearing notice was published on January 21, 2020 in the Grand Junction Daily Sentinel. Due to clerical errors, it was necessary to resend notification cards to property owners on April 3, 2020, for a revised April 15 City Council hearing date.

ANALYSIS

The criteria for review of a zone of annexation are the same as for a rezone request as set forth in Section 21.02.140 (a) of the Zoning and Development Code. The criteria provide 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 criteria identified below:

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

The applicant has petitioned for annexation into the City limits with a requested zone district of I-1, which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Industrial. Because the property is currently in the County, the annexation of the property is a subsequent event that will invalidate the original premise - a county zoning designation. Further, staff does not believe that a Planned Development (equivalent to the County's PUD zone district) is an appropriate designation, as the purpose of the Planned Development zone district is to create development standards that maximize community and applicant benefit in ways that the standard Zoning and Development Code would not be able to do. Because the I-1 zone is sufficient to accomplish the applicant's objectives, staff finds that the PD district has been invalidated and 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

Apart from some new nearby commercial/industrial development along the Riverside Parkway, there has been limited new commercial and industrial development proximate to the applicant's property. However, this development has not been found to have changed the character or condition of the area. 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

Required utilities are available for service to this property which include City sewer and Ute Water lines within the Riverside Parkway right-of-way and electric and natural gas services provided by Xcel Energy. The property is also adjacent to Riverside Parkway which is designated as both a principal arterial and an active transportation corridor which provides adequate access and multimodal opportunities. Staff finds adequate public and community facilities and services are available to serve the type and scope of the uses associated with the I-1 zone district. Therefore, 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

This property sits next to the Greater Downtown Industrial Corridor Overlay, which has many properties designated as I-1 that could be used for office/warehouse uses like the one proposed by the Applicant. Staff finds that there is an adequate supply of land designated as I-1 and therefore has not found this criterion to have been met.

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

The zoning of this property is intended to allow for expansion of the Applicant's business. Further, the zone of annexation will act to implement the Comprehensive Plan and provide a suitable area for the development of a structure/use consistent with the I-1 zoning district. Therefore, Staff finds this criterion has been met.

Consistency with Comprehensive Plan

The rezone criteria provide that the City must also find the request is consistent with the vision, goals and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

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

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the annexation request by Old Rascal LLC, File No. ANX-2019-627, for the property located at 2806 ½ Perry Drive, the following findings of fact have been made:

1. The request meets one or more of the rezone criteria in accordance with Section 21.02.140(a) of the Zoning and Development Code.
2. The request is consistent with the Comprehensive Plan.

Therefore, the Planning Commission recommends approval of the request.

FISCAL IMPACT:

As the property is developed, property tax levies and municipal sales and use tax will be collected, as applicable. For every \$250,000 of actual value, City property tax revenue on residential property at the current assessment rate would be \$144 annually. Sales and use tax revenues will be dependent on construction activity and ongoing consumer spending on City taxable items for residential and commercial uses.

Fire

Currently the property is in the Grand Junction Rural Fire Protection District (Rural District) which is served by the Grand Junction Fire Department through a contract with the Rural District. The Rural District collects a 5.938 mill levy that generates \$252 per year in property taxes that are passed on to the City of Grand Junction per the contract. If annexed, the Rural District mill levy will be removed and the City's 8 mills that will generate property tax revenue of \$340 per year. Property tax will need to pay for not

only fire and emergency medical services but also other City services provided to the area. With the small size of this property and proposed development of office/storage, the fire department does not predict an increase in incident volume due to this annexation. Primary response to this property is from Fire Station 1 at 625 Ute Avenue, which is within National Fire Protection Association guidelines for response time.

Utilities

Water and sewer services are available to this property.

This property is within the Ute Water District service area. An 8-inch water serves this property along Riverside Parkway.

The property is currently within the Persigo 201 Sewer Service Area. There is an 8-inch sanitary sewer line that runs along Perry Drive and then north to 2803 Perry drive to the west of the subject property.

The property can be served by the Persigo wastewater system; however, the property does not currently have a sewer connection.

Plant Capacity

Based on the proposed zoning of I-1, additional analysis would be required to confirm that the plant has sufficient capacity based on the type of industrial activity and the volume of wastewater generation anticipated for this property. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently receives approximately 8 million gallons per day so there is available capacity. The property owner would be assessed the current plant investment fee (PIF) of \$4,776 per equivalent unit (EQU). Industrial connection fees are calculated by formulas based upon the type of industrial activity. These formulas use EQU multiplying factors to assess the total sewer connection fee. This fee is intended to pay the equivalent share of the payments due on bonds for the existing wastewater treatment plant and infrastructure.

Sanitary Sewer Ability to Serve Area

An existing 8-inch sanitary sewer runs along Perry Drive and then north to 2803 Perry Drive to the west of the subject property. The subject property owner would be required to extend sewer to serve their property. Additional analysis would be required to determine if the 8-inch sewer has sufficient capacity to serve this property depending upon the intended use. Further, proposed industrial and commercial activity would require a review by Industrial Pretreatment Program to determine permitting requirements.

Staff have determined that the City can serve the property if sewer is extended from the 2803 Perry Drive subject to capacity analysis of the sewer and review of industrial use and wastewater discharge requirements.

Sewer Service Charges

Monthly sewer service rates for single family units are \$22.40 per equivalent unit (2019

rates). These rates have been determined to be sufficient to cover the cost of service.

Police

The Police Department does not foresee any major impact on police services.

Public Works

The subject property is immediately adjacent to the Riverside Parkway which was completed in 2007 and included a collector section roadway complete with curb, gutter, sidewalks, landscaping and street lighting. The roadway was previously annexed and therefore there are no additional impacts anticipated due to this annexation.

SUGGESTED MOTION:

I move to introduce an ordinance approving the zoning of 0.52 Acres from County PUD (Planned Unit Development) to City I-1 (Light Industrial) for the Barnes Electric Annexation, Located at 2806 1/2 Perry Drive, and setting a public hearing for April 15, 2020.

Attachments

1. Barnes Electric Annexation Schedule Summary
2. Resolution - Referral of Petition (Land Use Control)- Barnes Electric Annexation
3. Barnes Electric Annexation maps
4. Barnes Elec Annex - Zoning Ordinance

BARNES ELECTRIC ANNEXATION SCHEDULE

December 18, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
January 28, 2020	Planning Commission considers Zone of Annexation
March 4, 2020	2 nd Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
March 4, 2020	Introduction of a Proposed Ordinance on Zoning by City Council
April 15, 2020	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 17, 2020	Effective date of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2019-627	
Location:	2806 ½ Perry Drive	
Tax ID Numbers:	2943-192-00-018	
# of Parcels:	1	
Existing Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	0.521	
Developable Acres Remaining:	0.521	
Right-of-way in Annexation:	0	
Previous County Zoning:	PUD (Planned Unit Development)	
Proposed City Zoning:	I-1 (Light Industrial)	
Current Land Use:	Modular building	
Future Land Use:	Industrial	
Values:	Assessed:	\$42,380
	Actual:	\$146,130
Address Ranges:	2806 ½ Perry Drive	
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Grand Valley Irrigation Company
	School:	Grand Junction HS / East Middle / Chipeta Elementary
	Pest:	Grand River Mosquito Control District

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 4th day of March, 2020, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

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

BARNES ELECTRIC ANNEXATION

APPROXIMATELY 0.521 ACRES LOCATED AT 2806 ½ PERRY DRIVE

WHEREAS, on the 18th day of December 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BARNES ELECTRIC ANNEXATION

A certain parcel of land lying in the of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NW 1/4 NW 1/4 of said Section 19 and assuming the North line of the NW 1/4 NW 1/4 of said Section 19 bears S 89°39'11" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°39'11" E, along the North line of the NW 1/4 NW 1/4 of said Section 19, a distance of 342.71 feet; thence S 00°16'49" E, a distance of 30.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°16'49" E, a distance of 145.00 feet; thence S 89°39'06" E, a distance of 156.51 feet; thence N 00°16'49" W, a distance of 145.00 feet; thence N 89°39'11" W, a distance of 156.51 feet, more or less, to the Point of Beginning.

CONTAINING 22,693 Square Feet or 0.521 Acres, more or less, as described

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

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

1. That a hearing will be held on the 15th day of April, 2020, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 6:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the 4th day of March, 2019.

President of the Council

Attest:

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
March 6, 2020
March 13, 2020
March 20, 2020
March 27, 2020

Aerial Map



DE PKWY

RIVERSIDE PKWY

RIVERSIDE PKWY

28 RD

2799

395

398

390

2803

2803

2806 1/2

2806

2808

PERRY DR

2805

2811

282

Vicinity Map



Colorado National Guard

Grand Junction
Regional Center

28 RD

RIVERSIDE PKWY

RIVERSIDE PKWY

RIVERSIDE PKWY

PERRY DR



SUMMER GLEN DR

S FOREST LN

S FOREST CT

EVERGREEN RD

MYRRH ST

C 3/4 RD

C 3/4 RD

FLORIDA

28 RD

WINTERS AVE

BRAND CRK

Zoning Map



RIVERSIDE PKWY

RIVERSIDE PKWY

PKWY

28 RD

2806 1/2

2803

2806

2811

398

2808

PERRY DR

390

2803

2805

I-1

282

Future Land Use Map

Business Park
Mixed Use

RIVERSIDE PKWY

RIVERSIDE PKWY

DE PKWY

2806 1/2

28 RD
Industrial

2803

2806

2815

398

2808

Comme
Indus

PERRY DR

390

2803

2805

288

City Limits Map

Grand Junction
Regional Center

28 RD

RIVERSIDE PKWY

RIVERSIDE PKWY



PERRY DR

INDIAN W.

28 RD

SUMMER GLEN DR



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING THE BARNES ELECTRIC ANNEXATION

LOCATED AT 2806 ½ PERRY DRIVE

Recitals

The property owner has requested annexation of the 0.521-acre property into the City limits in anticipation of future non-residential development.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Barnes Electric Annexation to the I-1 (Light Industrial) zone district, finding that it conforms with the designation of Industrial as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the I-1 zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property be zoned I-1 (Light Industrial).

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CONTAINING 22,693 Square Feet or 0.521 Acres, more or less, as described
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President of the Council

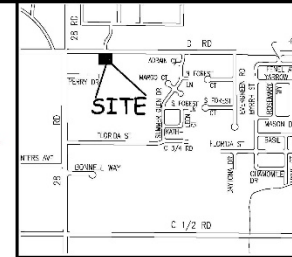
Attest:

City Clerk

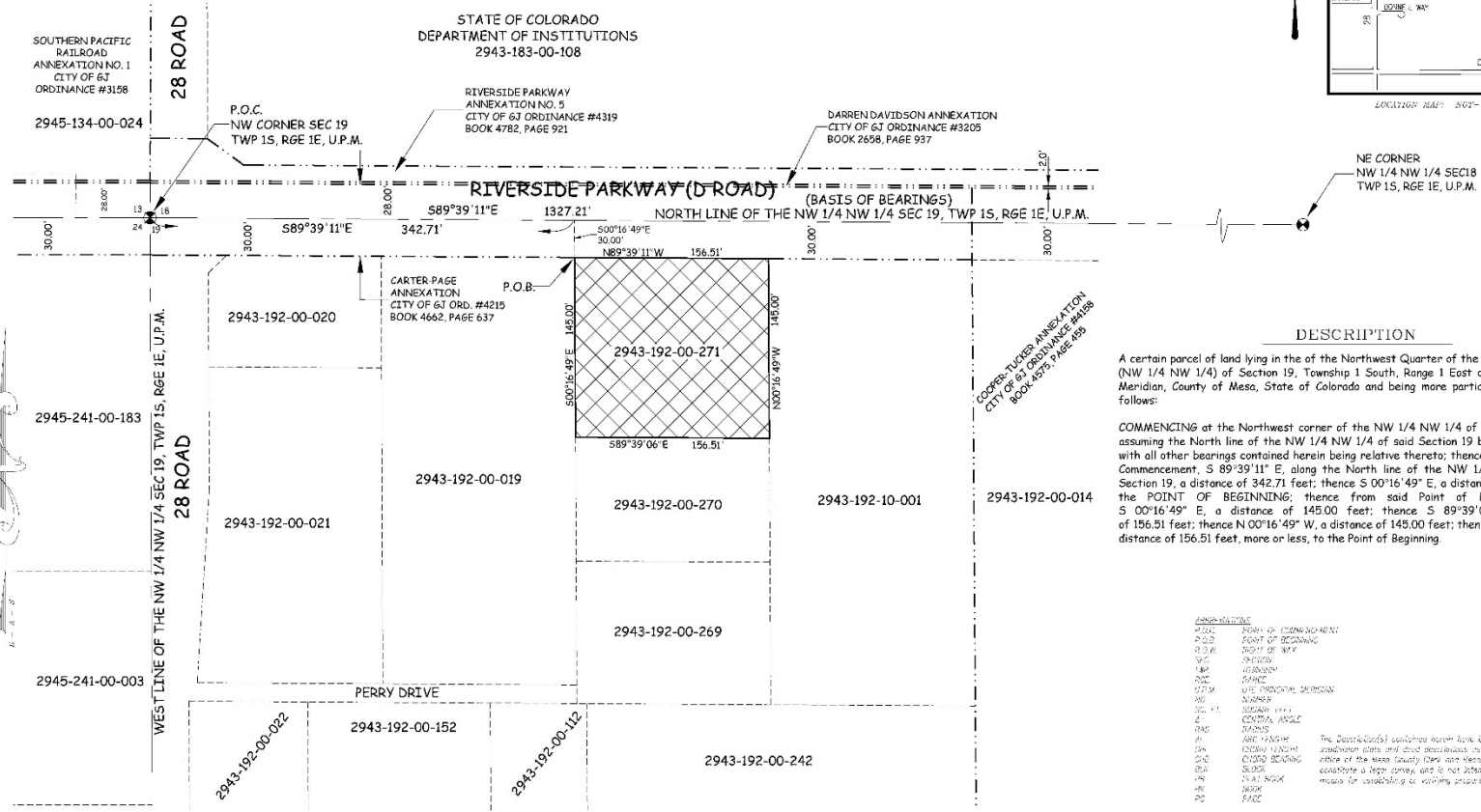
Exhibit

BARNES ELECTRIC ANNEXATION

SITUATE IN THE NW 1/4 OF THE NW 1/4
SECTION 19, TOWNSHIP 1S, RANGE 1E, UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO
SHEET 1 OF 1



LOCATION MAP - NOT TO SCALE



DESCRIPTION

A certain parcel of land lying in the of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

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SYMBOL	MEANING
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.O.R.	POINT OF REPLY
W.C.	WATER COURSE
W.P.	WATER PILE
W.S.	WATER SURFACE
U.P.M.	UTE PRINCIPAL MERIDIAN
R.D.	RAILROAD
S.P.	SUBDIVISION
Z.	CENTRAL ANGLE
W.	WATER
A.	ADJACENT
S.W.	SECTION NUMBER
D.S.	DEGREE SCALING
S.S.	SECTION
R.	RANGE
T.	TOWNSHIP
P.	PLAT BOOK
P.	PAGE

The bearings and distances shown hereon have been obtained from available data and are shown as they appear to the office of the Mesa County Survey Department. This plat does not constitute a legal survey, and it is not intended to be used as a basis for establishing or verifying property boundary lines.

Professional Land Surveyor for the City of Grand Junction
DATE: _____

ADDITIONAL NOTES:
1. ALL DISTANCES ARE IN FEET.
2. ALL BEARINGS ARE IN DEGREES, MINUTES AND SECONDS.
3. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
4. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.

LEGEND	SYMBOL
ROAD	---
RAILROAD	—+—+—+—
WATER	~~~~~
WATER PILE	
WATER SURFACE	~~~~~
ADJACENT	---
SECTION NUMBER	---
DEGREE SCALING	---
SECTION	---
RANGE	---
TOWNSHIP	---
PLAT BOOK	---
PAGE	---



ORDINANCE NO. ????

EFFECTIVE DATE ????

THIS IS NOT A BOUNDARY SURVEY

APPROVED BY: _____ DATE: _____
DESIGNED BY: _____ DATE: _____
CHECKED BY: _____ DATE: _____
APPROVED BY: _____ DATE: _____

SCALE
1" = 40'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

BARNES ELECTRIC ANNEXATION
NW 1/4 NW 1/4 SECTION 19
TWP 1S, RGE 1E, U.P.M.



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: March 4, 2020

Presented By: Randi Kim, Utilities Director

Department: Utilities

Submitted By: Randi Kim, Utilities Director

Information

SUBJECT:

Contract with Carollo Engineers, Inc. to Develop the 2020 Persigo Wastewater Treatment Plant Master Plan

RECOMMENDATION:

Staff recommends that the City Purchasing Division enter into a contract with Carollo Engineers, Inc. to develop the 2020 Persigo Wastewater Treatment Plant Master Plan in the amount of \$575,778.

EXECUTIVE SUMMARY:

This request is to authorize the City Purchasing Division to enter into contract with Carollo Engineers, Inc. to update the master plan for the Persigo wastewater treatment plant and sewer collection system for the next 20-year planning horizon.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction is beginning the process of updating the master plan for the Persigo wastewater treatment plant and sewer collection system. The last Comprehensive Wastewater Basin Study Update was completed in 2008. The wastewater master plan will serve as a long-range plan for the sewer service area and infrastructure needed for the next 20 years. The wastewater master plan will be developed based on information developed in the City's Comprehensive Plan 2020 update that will include planning for residential and commercial growth and potential changes to the City's growth boundaries.

The Persigo wastewater treatment plant was commissioned for service in 1984 and is

currently operating at 80 percent of its 12.5 million gallons per day treatment capacity. As such, the City is required to initiate planning to determine the scope, phasing, timing, and cost for capacity expansion in accordance with the facility discharge permit. City staff project that the plant expansion will need to be under construction by 2028/2029. The updated wastewater master plan will provide the basis for expansion of the wastewater treatment plant and financial planning.

Other criteria for the wastewater master plan include supporting:

- Implementation of the City of Grand Junction's 2019 Strategic Plan directive of planning and infrastructure.
- Development of Persigo's Asset Management Program through coordination efforts and condition assessment data integration.
- Sustainability and resource stewardship through identification of applicable innovative approaches, technologies, and best practices in wastewater.

A formal Statement of Qualifications was issued via BidNet (an online site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractor's Association, and advertised in The Daily Sentinel. Three (3) companies submitted formal proposals that were found to be responsive and responsible as follows:

Carollo Engineers, Inc., Broomfield, Colorado
Black & Veatch Corporation, Denver, Colorado
Garver, Greenwood Village, Colorado

Of the three firms evaluated, two firms (Carollo Engineers, Inc. and Black & Veatch Corporation) were chosen as finalists and invited to provide interviews/presentations. Finalists were selected based on evaluation criteria set forth in the solicitation documents. Presentations were evaluated by a four member evaluation committee composed of staff from the Utilities Department, Community Development, and Mesa County Public Works. The committee selected Carollo Engineers, Inc. as the firm that can provide the best professional engineering services for wastewater master plan development that is expected to result in the most cost-effective and sustainable long-term road map for the Persigo Sewer System along with a phasing plan that will guide near-term infrastructure improvements that will realize operational improvements and cost savings.

City staff negotiated with Carollo Engineers, Inc. to develop the scope of work and costs for the project.

The contract has been reviewed by legal and is attached.

FISCAL IMPACT:

The projects costs are \$575,778 and would be funded by the 2020 Supplemental Appropriation for the Joint Sewer Fund which is also being heard by City Council on this agenda.

SUGGESTED MOTION:

I move to (authorize/not authorize) the City Purchasing Division to enter into a contract with Carollo Engineers, Inc. to develop the 2020 Persigo Wastewater Treatment Plant Master Plan in the amount of \$575,778.

Attachments

1. Contract SOQ-4728-19-DH



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: March 4, 2020

Presented By: Doug Shoemaker, Chief of Police

Department: Police

Submitted By: Chief Doug Shoemaker

Information

SUBJECT:

A Resolution Authorizing the City Manager to Submit a Grant Request to the Mesa County Federal Mineral Lease District for the Grand Junction Police Department Firing Range Facility Improvement Project

RECOMMENDATION:

Adoption of a resolution authorizing the City Manager to submit a grant request to the Mesa County Federal Mineral Lease District for the Grand Junction Police Department Firing Range Improvement Project

EXECUTIVE SUMMARY:

This request is for authorization to submit a grant request to the Mesa County Federal Mineral Lease District (MCFMLD) for a \$200,000 grant for a project that will make much needed safety improvements as well as increase the capacity of the current facility that is used by multiple agencies in the Grand Junction area. The total cost of the project is estimated at \$600,000.

BACKGROUND OR DETAILED INFORMATION:

The existing Grand Junction Police Department Firing Range is located at 244 26 3/8 Road in a small valley formed by the Gunnison River. The firing range sits on a small portion of area on a 74.89 acre parcel owned by the City of Grand Junction. It is currently the only outdoor shooting range with a target system in Mesa County and serves eighteen law enforcement agencies annually.

The Grand Junction Police Department Firing Range facility has suffered inefficiencies

for many years due to its inability to keep up with the growth of the police department personnel, training demands by the police department and other user agencies, and necessary safety concerns. The Grand Junction Police Department would like to pursue improvements and expansion of the firing range as we look to add 18 new officers due to the voter-approved passage of Measure 2B in April of 2019. In light of additional training requirements for qualification and open-range sessions, SWAT team expansion, and outfitting all sworn personnel with short barreled rifles, this improvement project is necessary.

The Firing Range Improvement Project will include the construction of an additional 10-lane pistol range with bullet trap which is 50 yards in length. The additional 10-lane range will require concrete pads, lead remediation, and dirt work. The construction of a 5-lane rifle range with bullet trap, 100 yards in length, will also require concrete pads, lead remediation, and dirt work. The purchase and installation of HESCO safety barriers, to be built between the rifle ranges, will increase the safety of the officers who are training at the GJPD Firing Range Facility. The improvement project will also include paving the ranges to reduce the amount of dirt in the air caused by wind and discharging of rounds, as well as the construction and replacement of a non-ballistic shoot house with a HESCO safety barrier retaining wall. The purchase of an automated target system will increase the quality of training opportunities by providing more accurate situational training for "real-life" scenarios. Finally, it also includes the construction of a range building for administrative and instructor needs, which will also house various items necessary to run the range appropriately and safely, such as protective wear, targets, and so forth.

FISCAL IMPACT:

The total project is estimated at \$600,000 and is in the 2020 Adopted Budget. Funding for the project is from grant revenues, First Responder Sales Tax, and the .75% Sales Tax Capital Improvement Fund.

SUGGESTED MOTION:

I move to (adopt/not adopt) Resolution No. 12-20 a Resolution authorizing the City Manager to submit a grant request to the Mesa County Federal Mineral Lease District for the Grand Junction Police Department Firing Range Facility Improvement Project.

Attachments

1. Spring 2020 Current Grant Cycle
2. Resolution Firing Range

CURRENT GRANT CYCLE

Grant Information

The FML District funds semiannual grant cycles: one in the spring and one in the fall. In the Spring Cycle, applications will be available in February, due and reviewed in March, and awards made in April. In the Fall Cycle, applications will be available in August, due and reviewed in September, and awards made in October. Overall funding levels will be determined by the amount of Federal Mineral Lease revenue Mesa County receives, which is determined by the level of natural extraction activity on our public lands. The FML District plans allocate 50% or more of the funding received each year to the following year's grant cycles. Up to 50% of the funds can be invested into the FML District permanent fund, as allowed under Colorado law.

General Information

Under Colorado law, the Mesa County Federal Mineral Lease District's grant programs help alleviate social, economic, and public finance impacts resulting from federal mineral leasing activities in our communities, providing the greatest use of these financial resources for the greatest number of Citizens.

Our grant programs are compliant with federal and state law. Federal law limits how lease payments distributed to the MCFMLD can be used. Distributions may only be made to eligible entities: the state, or its political subdivisions. These eligible applicants may only use the distribution for eligible purposes: (1) planning, (2) construction and maintenance of public facilities, or (3) provision of public services. See 30 U.S.C. §191. All grant requests must fit within one of those three categories, or the grant application will not be considered by the MCFMLD.

Grant Programs

Because federal law requires that funds we distribute be used for (1) planning, (2) construction and maintenance of public facilities, or (3) provision of public services, we operate two grant programs along those lines.

The Traditional Grant Program typically funds new public works or other capital projects, their replacement or repair, and the associated planning, engineering, design, or architectural costs. Funding is also available for public services addressing health, safety, and welfare impacts from federal mineral leasing activities, including but not limited to animal control, education, emergency services, protective services, recreation, social services, and transportation.

In its **Traditional Grant Program**, the MCFMLD will not fund more than 70% of the proposed project's eligible costs. A minimum of 10% of the total project costs must be a cash match from the applicant and/or partners. In no case can funds set aside for contingency be used to fulfill the matching requirement.

The **Mini Grant Program** grants up to \$50,000 with no matching requirement for projects aligned with the MCFMLD Mission Statement and federal law. An exception to the no matching requirement is any mini grant primarily for a planning project, which requires a fifty percent cash match.

The MCFMLD Spring 2020 Grant Application will be available for download in February. The application contains detailed information about the budget, eligible costs, matching and special considerations for planning grants.

Eligible Applicants

As political subdivisions of the State, municipalities, school districts, public and state controlled institutions of higher

education, library districts, metropolitan or other special districts, and fire protection districts are eligible applicants under 30 U.S.C. §191. For-profit, private sector entities are not eligible. Non-profit corporations under section 501(c)(3) of the I.R.S. Code are not eligible applicants. The MCFMLD will not provide grants to individuals or for-profit entities seeking to start a business or expand an existing business.

Grant Applications

The timeline for the 2020 spring grant cycle is as follows:

Applications Available:	February 1, 2020
Applications Due at MCFMLD by:	March 6, 2020 at 3pm
Board Presentations:	March 11, 2020
Board Decision (Awards):	April 15, 2020
Fully Executed Grant Agreements (recipients only) due:	May 20, 2020

*The District Board reserves the right to take whatever time is necessary to make its final determinations.

Previous Grant Cycle

Mesa Federal Mineral Lease District awarded funds to projects in the Fall 2018 Grant Cycle. For more detail about the awards made, please click here. [MCFMLD Fall 2018 Grant Awards](#).

The Spring 2020 Grant Cycle is now open.

[Click Here for Applications](#)

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 2020 - ##

A Resolution Authorizing the City Manager to Submit a Grant Request to the Mesa County Federal Mineral Lease District for the Grand Junction Police Department Firing Range Facility Improvement Project

RECITALS.

At its March 4, 2020 meeting the City Council considered and for the reasons stated, authorizes an application for a grant to provide financial assistance to the Grand Junction Police Department for improvements to the GJPD Firing Range Facility.

The Mesa County Federal Mineral Lease District accepts grant applications for distribution of eligible purposes, which include provision of public services. The City of Grand Junction Police Department would like to apply for the Mesa County Federal Mineral Lease Districts Traditional Grant Program, which will not cover more than 70% of the proposed projects eligible costs and requires a minimum of 10% cash match from the applicant. Grant funding of \$200,000 with a match of \$400,000 for this project will include the addition of a 10 lane pistol range with bullet trap, the addition of a 5 lane rifle range with bullet trap, replacement of a non-ballistic shoot house, purchase of an automated target system, construction of a range building, and the addition of HESCO retaining wall safety barriers.

These improvements to the GJPD Firing Range Facility Improvement Project will increase public safety as our officers are able to train at an adequate facility, as well as increasing environmental safety with the remediation of lead rounds in the current training area.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction supports and authorized submittal of a grant request to the Mesa County Federal Mineral Lease District for \$200,000 with a funding match of \$400,000 which is included in the 2020 budget for the GJPD Firing Range Facility Improvement Project, in accordance with and pursuant to the recitals stated above and authorizes the City Manager to enter into a grant agreement with MCFMLD if the grant is awarded.

PASSED and ADOPTED this 4th day of March, 2020

President of the City Council

ATTEST:

City Clerk



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: March 4, 2020

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

Consider a Request by the City of Grand Junction Public Works Department for a Special Permit to Establish a Materials Storage and Transfer Site on a Portion of a 74.83-Acre Parcel Zoned CSR (Community Services and Recreation) Located at 2620 Legacy Way

RECOMMENDATION:

The Planning Commission heard this request at their February 25, 2020 meeting and voted 7-0 to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, the City of Grand Junction Public Works Department, requests approval of a Special Permit to establish a new materials storage and transfer site on a portion of the 74.83-acre parcel located at 2620 Legacy Way. Presently, the materials storage and transfer operations are located in the Riverfront at Dos Rios area and must be relocated in anticipation of Dos Rios construction. Public Works is proposing to relocate the operations to a City-owned property north of the Orchard Mesa City Cemetery.

A Special Permit is a City Council discretionary review process that allows flexibility when considering a land use that may be less than permanent or temporary in nature. A Special Permit may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The City of Grand Junction Public Works Department presently uses a vacant City-owned property in the Riverfront at Dos Rios area south of the Riverside Neighborhood off Hale Avenue. Activities at the site include open storage piles of various construction materials such as recycled asphalt and gravel and a designated area for staging spring clean-up operations, transferring/consolidating materials from collection trucks to larger trucks transporting materials to the Mesa County landfill.

In 2019, the City approved an Outline Development Plan (ODP) for the Planned Development (PD) zone established for the Riverfront at Dos Rios project. At the time, all of the property within the ODP was owned by the City of Grand Junction. Since then, two parcels have been sold for private development. Consequently, the City has begun to develop the infrastructure within Dos Rios in order to access the two private sites. The City anticipates construction of the remainder of the infrastructure commencing in the Summer of 2020. Therefore, the relocation of the storage and staging operations is required to ready the Dos Rios site for development.

Special Permit

The proposed relocation site for the materials storage is on Orchard Mesa on the City-owned parcel north of the City cemetery. The site was utilized as a borrow pit for earth materials to construct the Riverside Parkway (circa 2007). Since then, the site has been reclaimed and is vacant. The site is zoned CSR (Community Services and Recreation). The proposed use is somewhat unique, but most closely resembles a sand or gravel storage operation in the Zoning and Development Code that is only allowed in industrial zone districts (I-1 or I-2) and not allowed in the CSR zone district. Consequently, the Applicant is seeking the Special Permit in order to achieve Code flexibility to allow the proposed operations on the property, concurrent with an administrative Major Site Plan Review.

The Special Permit (Section 21.02.120 of the Zoning and Development Code) is a City Council discretionary review process that was added to the 2010 Zoning and Development Code to allow flexibility when considering a land use that may be less than permanent or temporary in nature. A Special Permit may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A Special Permit is required only when more flexibility is required beyond that afforded to the Director through the administrative adjustment process. A Special Permit is allowed in all zone districts and allows an interim use with minimal investment that can be easily redeveloped at the density or intensity envisioned by the Comprehensive Plan.

The Special Permit would only be valid for the proposed use as a materials storage

and transfer facility. The Special Permit would terminate if the site is no longer used for the operations for a period of longer than twelve months or longer or if the property is redeveloped into any other land use.

Other Site Conditions

The site slopes to the northwest with a difference in elevation of approximately 25-35 feet from 26-1/4 Road to the northwestern portions of the site. Due to the topography and existing landscaping around the site and along the road, the proposed operations will largely be hidden from view as nearby residents and employees of the Department of Energy complex travel 26-1/4 Road.

Access to the site is via 26-1/4 Road at a driveway that was established as early as 1954 according to City aerial photographs. This access will be utilized for the proposed operations and will be improved with black base/recycled asphalt to mitigate dust. The Highway 50 and 26-1/4 Road intersection has been evaluated by the City Transportation Engineering Division for safety concerns with the proposed use. It was determined that signage, sight distance, road alignment and vehicle accident history are all acceptable and the intersection will be adequate for the proposed use.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Special Permit request was held on December 12, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The meeting was attended by 6 citizens in addition to the Applicant (City staff) and the Applicant's representative. Concerns were expressed regarding dust, the aesthetics of the site, and access and egress of large trucks especially at the intersection of Highway 50 and 26-1/4 Road.

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 January 29, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on February 14, 2020. The notice of this public hearing was published on February 18, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

A Special Permit is allowed in all zone districts for an interim use and shall be required to meet the following elements, pursuant to Section 21.02.120 of the Zoning and Development Code:

(A) The development is proposed as an interim use that is allowed in the district, or as an interim use established with a minimal investment that can be easily redeveloped at the density or intensity envisioned by the Comprehensive Plan; and

The proposed relocation of the City Public Works materials storage and transfer operations to the Orchard Mesa Cemetery site will be considered an interim use. No permanent or otherwise structures will be constructed on the site and minimal improvements will be made except for those to mitigate compatibility concerns and safe operations.

The Comprehensive Plan Future Land Use Map shows this site as Park, the same as the land use for the adjacent cemetery operations. All zone districts may implement this land use category however, the assigned zone district of CSR (Community Services and Recreation) will like continue into the future with no change in zoning due to its ownership by the City for cemetery and other park and open space purposes.

The proposed Public Works operations are not unlike the previous interim use of the site as a borrow pit whereby improvements may be easily removed or reconfigured, the property reclaimed and would be able to be used for other uses within the Park land use category. Should the City want to redevelop the site to a different use as provided and allowed within the future land use designation of Park, the site could be easily redeveloped consisted with the Plan. Staff therefore has found this criterion to be met.

(B) The applicant demonstrates that the development design and any proposed infrastructure improvements further the future development of the property at the density or intensity envisioned by the Comprehensive Plan;

The proposed operations use will require minimal improvements limited to improving surfaces of internal circulation routes and detention areas to meet drainage needs. The limited infrastructure improvements and design is such that future development of the property for uses within the Park land use category could easily be established after this interim use is no longer operational. Staff finds this criterion has been met.

In addition, the application shall demonstrate that the proposed development will comply with the following criteria.

(1) Comprehensive Plan. The Special Permit shall further the goals and policies of the Comprehensive Plan. The special permit shall serve to determine the location and character of site(s) in a Neighborhood Center, Village Center, City Center or Mixed-Use Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan;

The proposed operations further Goal 11 of the Comprehensive Plan which states: Public facilities and services for our citizens will be a priority in planning for growth; and Policy A which states: the City will plan for the locations and construct new public facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth.

This facility will provide for the storage of materials utilized to meet the needs of upgrading and expanding the City's transportation system in an efficient, central location within the community. In addition, it provides the necessary infrastructure for

the City to continue its popular Spring Clean-Up program that encourages residents to clean up and improve properties, thereby improving the overall health of the community.

The site of this proposed Special Permit is not located within a Neighborhood Center, Village Center, City Center or Mixed-Use Opportunity Corridor as depicted on the Future Land Use Map of the Comprehensive Plan.

Staff finds this criterion to be met.

(2) Site Plan Review Standards. All applicable site plan review criteria in GJMC 21.02.070(g) and Submittal Standards for Improvements and Development, Transportation Engineering Design Standards (GJMC Title 29), and Stormwater Management Manual(s) (GJMC Title 28);

An administrative Major Site Plan Review is simultaneously under consideration for the materials storage and transfer proposal. Staff and outside review agencies have not identified any significant issues under applicable Code requirements or those of the Submittal Standards for Improvements and Development (SSID) manual, Transportation Engineering Design Standards (TEDS), and the Stormwater Management Manual(s). The proposed circulation routes are to be improved/surfaced adequately and landscaping and screening requirements are adequately addressed by existing site topography and vegetation. Some vegetation will be removed near the site entrance to improve sight distance safety as vehicles exit the site. Detention facilities (ponds) will be constructed to capture run-off from the proposed development.

The Grand Junction Fire Department, Persigo Wastewater Plant and the Colorado Department of Transportation all reviewed the proposal and did not submit comments that needed to be addressed. Both a Colorado Department of Public Health and Environment (CDPHE) and a 5-2-1 Drainage Authority permit are required prior to Planning Clearance to commence work on the site.

Staff is reviewing the site plan submittal concurrently with the requested Special Permit and recommends that, an approved site plan, meeting applicable sections of GJMC 21.02.070(g) be a condition of approval of the requested Special Permit.

(3) District Standards. The underlying zoning district standards established in Chapter 21.03 GJMC, except as expressly modified by the proposed special permit; and

Performance Standards of the CSR zone district per section 21.03.070(f) state:

Development shall conform to the standards established in this code. Outdoor storage areas shall comply with the standards in GJMC 21.04.040(h).

Most of the standards for Outdoor storage referenced in the section above are pertinent to the storage of vehicles, scrap metal and the like. Pertinent to this proposal are those in section 21.04.040(h)(2) as listed below.

(v) Unless otherwise indicated, screening of all outdoor storage shall consist of any combination of fences, slats in chain link fences, walls, berms and landscaping that is at least six feet in height and provides a permanent, opaque, year-round screening on all street frontages and the first 50 feet of side perimeters of the outdoor storage area. Buildings on property line shall serve as screening. Plant materials are encouraged as screening.

(vi) All nonresidential outdoor storage shall meet the following additional requirements, as applicable:

(A) All storage shall conform to the specific zone performance criteria in GJMC 21.03.070 and the use-specific requirements of that particular use;

(B) Unless otherwise indicated, no outdoor storage shall be located in a required front yard setback or in any setback adjacent to a residential or business zone;

(C) Except for integral units, stored items shall not project above the screening;

Screening of the outdoor storage for the proposed materials storage and transfer operations is to be accomplished through the natural topography of the site and existing vegetation on the perimeter of the site, primarily along the eastern and southeastern edges. Screening is not required between the proposed use and the properties to the north and west since the adjacent zoning is C-1 (Light Commercial) and I-2 (Heavy Industrial) respectively.

The Applicant has stated that the materials storage piles will be approximately 6 feet in height and cross-sections of the site have been provided that illustrate compliance with the standard that stored items shall not project nor be visible above the screening. Refer to Attachment 1 – Application Materials.

Staff finds this criterion has been met.

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

There are no use-specific standards for the type of use proposed. However, there are standards for outdoor storage found in 21.04.040(h)(2)(iv) as included in the analysis of district standards above therefore, staff finds this criterion to have been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the City of Grand Junction's Special Permit request, file SPT-2020-35, for the property located at 2620 Legacy Way with the condition as provided, following findings of facts have been made:

1. The request conforms with Section 21.02.120 of the Zoning and Development Code.

Condition 1: The Special Permit is subject to an approved site plan, meeting applicable sections of GJMC 21.02.070(g) be a condition of approval of the requested Special Permit.

Therefore, Planning Commission recommended approval of the request.

FISCAL IMPACT:

\$50,000 are included in the 2020 Adopted Budget for relocation costs including construction of water quality features, fencing and any other improvements needed to establish the materials storage and transfer use.

SUGGESTED MOTION:

I move to (approve/not approve) a Special Permit for the City Public Works Department to operate a materials storage and transfer facility on a portion of 74.83-acre parcel zoned CSR (Community Services and Recreation) located at 2620 Legacy Way subject to the conditions and findings included in the Special Permit.

Attachments

1. Application Materials and Neighborhood Meeting Notes
2. Maps and Photographs
3. Planning Commission Minutes - 2020 - February 25 - Draft
4. Special Permit

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 <input style="width: 90%;" type="text"/>	Existing Zoning <input style="width: 90%;" type="text"/>
Proposed Land Use Designation <input style="width: 90%;" type="text"/>	Proposed Zoning <input style="width: 90%;" type="text"/>

Property Information

Site Location: <input style="width: 95%;" type="text" value="2620 LEGACY WAY"/>	Site Acreage: <input style="width: 95%;" type="text" value="74.83"/>
Site Tax No(s): <input style="width: 95%;" type="text" value="2945-262-00-060 and 2945-271-00-050"/>	Site Zoning: <input style="width: 95%;" type="text" value="CSR"/>
Project Description: <input style="width: 98%;" type="text" value="Relocate City Materials Storage and Clean-Up Transfer from Dos Rios to City Cemetery Property."/>	

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

Signature of Legal Property Owner

Date

Date

General Project Report (Revised)

City of Grand Junction Materials Storage and Transfer

2620 Legacy Way Grand Junction, CO 81503

Owner: City of Grand Junction/City of Grand Junction Municipal Cemetery

Parcel Nos. 2945-262-00-060 and 2945-271-00-050

Special Permit

A. Project Description

1. A request for a special permit at 2620 Legacy Way, Grand Junction, CO 81503. The parcel is located within the City limits of Grand Junction.
2. 2620 Legacy Way contains approximately 74.83 acres.
3. The proposal is to relocate the existing City materials storage and clean-up transfer from Dos Rios to City Cemetery Property as an interim use.

B. Public Benefit

1. Allowing the former borrow pit area to be used to store various construction materials and to stage spring clean-up operations at this location will allow this area to be functional with surrounding parcels and utilize this space in an efficient way. This will be an interim use and improvements to the existing access will further the future development of the property.

C. Neighborhood Meeting

1. A Neighborhood Meeting was held as required and meeting minutes are included within this submittal.

D. Project Compliance, Compatibility, and Impact

1. **Adopted plans and/or policies:** The proposed project will be in compliance with the adopted codes and requirements for this property with the approval of the Special Permit.
2. **Land use in the surrounding area:** To the north of the property is residential and commercial. To the east, land use is commercial, and cemetery. To the south is cemetery and the City of Grand Junction's Filtration Plant. Lastly, to the west is the Gunnison River and commercial use land.
3. **Site access and traffic patterns:** Access will be off 26 ¼ Road using the existing borrow pit entrance. The traffic impact will be minimal with the exception of the

chip and seal and spring clean-up seasons. The haul roads will be built with black base/recycled asphalt, which will alleviate dust concerns. A gate will be installed where the haul road splits, prohibiting public access to the materials storage area.

4. **Availability of utilities, including proximity of fire hydrants**

City of Grand Junction Water
City of Grand Junction Sanitation District
Xcel Energy
Charter/Spectrum
Century Link
City of Grand Junction Fire- GJ Fire Station 1
Grand Valley Irrigation Company

There is a fire hydrant located approximately 200 feet east of the entrance to the property on Legacy Way.

5. **Special or unusual demands on utilities:** The proposed use will have no special or unusual demands on utilities.
6. **Effects on public facilities:** There will be no effect on public facilities as a result of this special use permit and interim use.
7. **Hours of operations:** 7:00 am to 6 PM. This interim use will vary in intensity from season to season. Spring Cleanup has many trips in/out for a one to two-week period. Chip Seal operations occur for 8-10 weeks in the summer. Other times of the year will vary with little to no intensity.
8. **Number of employees:** Zero to 10 employees at a time during Spring Cleanup and Chip Seal programs.
9. **Signage plans:** The site will be posted as City of Grand Junction Material Storage Facility.
10. **Site Soils Geology:** The site is suitable for the proposed storage facility
11. **Impact of project on site geology and geological hazards:** None anticipated.

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

Section 21.02.120 Special Permit.

Approval Criteria.

- (i) **Comprehensive Plan.** The special permit shall further the goals and policies of the Comprehensive Plan. The special permit shall serve to determine the location and character of site(s) in a Neighborhood Center, Village Center, City Center or Mixed-Use Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan;

The Comprehensive Plan designates the future use as Park. This project will not contribute to residential development and the proposed use will further the goals and policies of the Comprehensive Plan. This project will facilitate City services by storing materials needed for maintaining quality roads and City cleanliness on a vacant, City owned lot, that has not been used in more than a dozen years and with no plan to develop it as a park. The proposed use still enhances the City as a whole.

It also clears the way for the future development of Dos Rios, located in the City Center, beginning with infrastructure construction to make the property attractive for developers. This will allow for a broad range and balance of uses and will bring quality employment opportunities to the City. The proposed storage area is mostly out of the public's view and will serve as a good location for storing materials and machinery.

- (ii) **Site Plan Review Standards.** All applicable site plan review criteria in GJMC 21.02.070(g) and Submittal Standards for Improvements and Development, Transportation Engineering Design Standards (GJMC Title 29), and Stormwater Management Manual(s) (GJMC Title 28);

All applicable site plan review criteria, SSID's, TEDS, and SWMM have been met. Existing landscaping/vegetation that provides a benefit to the site will remain to reduce glare, screen incompatible uses from one another, and preserve the value of surrounding properties.

Existing vegetation, fencing, walls, and berms will be amended so there is no site distance hazard or road hazard. Existing vegetation is between 1- 80 ft. Existing vegetation is pine, deciduous and various shrubs. The existing screening located on the south and east boundary of the property is existing trees and vegetation that are established near an existing spring- they are year-round.

With stormwater, we are providing a CSWMP and will obtain 521 permit. It is proposed to pave the existing borrow pit access road with recycled asphalt to mitigate dust. There are no concerns from the City Development Engineer or CDOT- access does meet site plan standards. Berms will be added for stormwater control measures.

- (iii) **District Standards.** The underlying zoning district standards established in Chapter 21.03 GJMC, except as expressly modified by the proposed special permit; and

This project meets the performance standards for Community Services and Recreation: it meets the minimum area of one acre. It abides by setbacks and

bulk standards (there will be no buildings added to this location). The underlying CSR zone district provides for public/institutional uses and facilities. The interim special permit and proposed use provide a public service.

There will be temporary construction fencing for screening while the area will be used as storage. The storage area will not be in a yard setback or any setback adjacent to a residential or business zone.

- (iv) **Specific Standards.** The use-specific standards established in Chapter 21.04 GJMC.

There are not any specific standards for this type of use; however, there are standards for outdoor storage which will be met and have been addressed prior. The frequency/intensity of the interim use is such that adverse effects on adjacent parcels can and will be minimized.

Section 21.02.070(6) General Approval Criteria

- (6) **General Approval Criteria.** No permit may be approved by the Director unless all of the following criteria are satisfied:

- (i) Compliance with the Comprehensive Plan and any applicable adopted plan.
This project doesn't comply with the Comprehensive Plan designating this area as Park. Thus, this project calls for the flexibility of a Special Permit.
- (ii) Compliance with this zoning and development code.
This project doesn't exactly fit within the CSR zoning and development code, therefore requiring a Special Permit.
- (iii) Conditions of any prior approvals.
There are no prior approval conditions for this project.
- (iv) Public facilities and utilities shall be available concurrent with the development.
Public facilities and utilities will be available with this development.
- (v) Received all applicable local, State and federal permits.
This project will require a 521 Drainage Permit.

Section 21.02.070(9)(g) Major Site Plan

- (g) **Approval Criteria.** There are no specific review criteria for a Major Site Plan. The project meets all applicable site plan review criteria.



EXHIBIT A
2620 LEGACY WAY SPECIAL USE PERMIT
2620 LEGACY WAY, GRAND JUNCTION, CO

SUMMARY OF NEIGHBORHOOD MEETING
THURSDAY, DECEMBER 12, 2019
THE INCUBATOR
LOCATED 2591 LEGACY WAY, GRAND JUNCTION, CO 81503 @ 5:30 PM

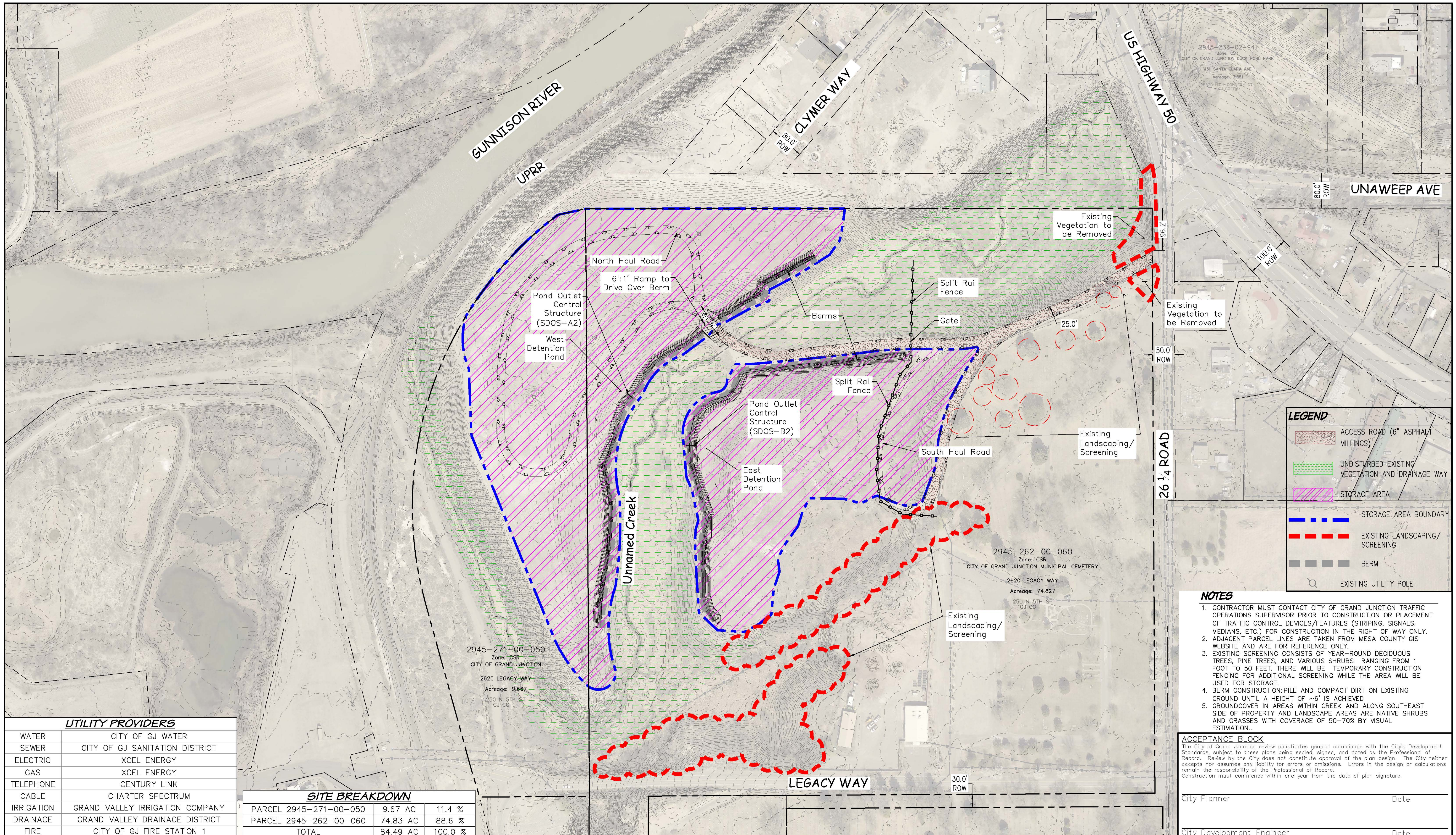
A neighborhood meeting for the Special Use Permit application was held Thursday, December 12, 2019, at The Incubator, located at 2591 Legacy Way at 5:30 PM. A letter notifying the neighboring property owners within the surrounding 500 feet of 2620 Legacy Way was sent on November 29th, 2019, per the mailing list received from the City of Grand Junction.

The meeting included a presentation and a question and answer session. Bailie Tomlinson with River City Consultants presented information about the proposed Special Use Permit. Ms. Tomlinson then made an introduction of Trent Prall with City of Grand Junction- Public Works, representing the property owner. The Planner from The City of Grand Junction was unable to attend the Neighborhood Meeting; however, Trent Prall was there to represent the City. There were six neighboring property owners that attended the meeting. An attendance list and PDFs of the exhibits used at the meeting are provided as part of this Exhibit.

Mr. Prall gave a presentation that explained the purpose of this Special Use Permit, details about what the City was going to store on the property and how often it will be used.

Concern was expressed regarding dust, the possibility of this being an eye-sore and access and egress of large trucks and the intersection of Unawep, HWY 50 and 26 ¼ Rd. The attendees wanted to make sure these concerns are considered. The remediation for dust was to build the road with black base/recycled asphalt- which doesn't generate dust. Mr. Prall mentioned to the neighbors the possibility of planting trees to eliminate the possible eyesore. The issue with ingress/egress of trucks at HWY 50 & 26 ¼ Rd. has been investigated since the meeting and Trent has been in contact with the concerned neighbor.

The meeting adjourned at approximately 6:30 PM.



UTILITY PROVIDERS	
WATER	CITY OF GJ WATER
SEWER	CITY OF GJ SANITATION DISTRICT
ELECTRIC	XCEL ENERGY
GAS	XCEL ENERGY
TELEPHONE	CENTURY LINK
CABLE	CHARTER SPECTRUM
IRRIGATION	GRAND VALLEY IRRIGATION COMPANY
DRAINAGE	GRAND VALLEY DRAINAGE DISTRICT
FIRE	CITY OF GJ FIRE STATION 1

SITE BREAKDOWN			
PARCEL	2945-271-00-050	9.67 AC	11.4 %
PARCEL	2945-262-00-060	74.83 AC	88.6 %
TOTAL		84.49 AC	100.0 %

- NOTES**
- CONTRACTOR MUST CONTACT CITY OF GRAND JUNCTION TRAFFIC OPERATIONS SUPERVISOR PRIOR TO CONSTRUCTION OR PLACEMENT OF TRAFFIC CONTROL DEVICES/FEATURES (STRIPING, SIGNALS, MEDIANS, ETC.) FOR CONSTRUCTION IN THE RIGHT OF WAY ONLY. ADJACENT PARCEL LINES ARE TAKEN FROM MESA COUNTY GIS WEBSITE AND ARE FOR REFERENCE ONLY.
 - EXISTING SCREENING CONSISTS OF YEAR-ROUND DECIDUOUS TREES, PINE TREES, AND VARIOUS SHRUBS RANGING FROM 1 FOOT TO 50 FEET. THERE WILL BE TEMPORARY CONSTRUCTION FENCING FOR ADDITIONAL SCREENING WHILE THE AREA WILL BE USED FOR STORAGE.
 - BERM CONSTRUCTION: PILE AND COMPACT DIRT ON EXISTING GROUND UNTIL A HEIGHT OF ~6' IS ACHIEVED
 - GROUND COVER IN AREAS WITHIN CREEK AND ALONG SOUTHEAST SIDE OF PROPERTY AND LANDSCAPE AREAS ARE NATIVE SHRUBS AND GRASSES WITH COVERAGE OF 50-70% BY VISUAL ESTIMATION.

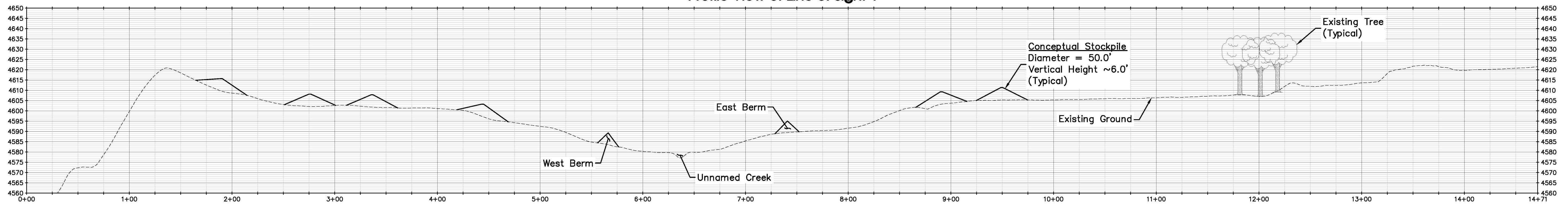
ACCEPTANCE BLOCK
 The City of Grand Junction review constitutes general compliance with the City's Development Standards, subject to these plans being sealed, signed, and dated by the Professional of Record. Review by the City does not constitute approval of the plan design. The City neither accepts nor assumes any liability for errors or omissions. Errors in the design or calculations remain the responsibility of the Professional of Record. Construction must commence within one year from the date of plan signature.

City Planner _____ Date _____
 City Development Engineer _____ Date _____

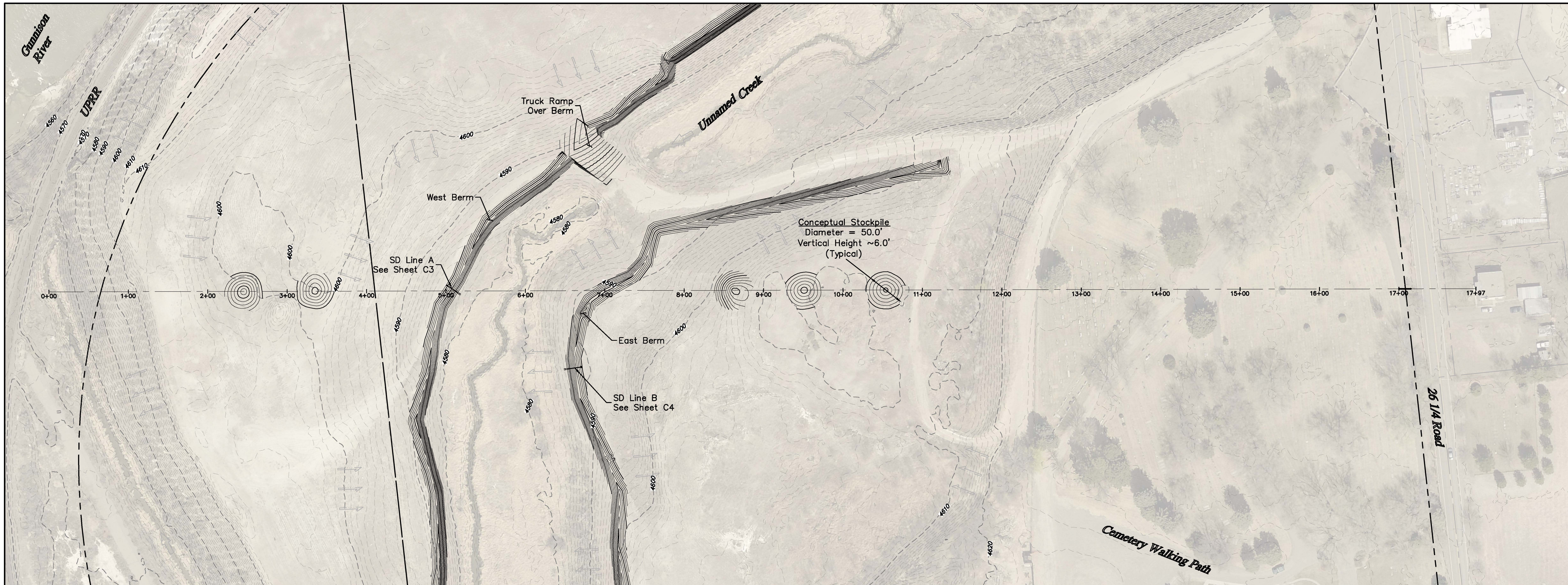
<p>UNCC 800.922.1987 www.uncc.org</p>	<p>811 Know what's below. Call before you dig.</p>	<p>SCALE 100,0002 200,0004 Feet</p> <p>CONTOUR INTERVAL = 2 FOOT ORIGINAL SHEET SIZE: 22 x 34</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DATE	DESCRIPTION	BY																	<p>PROFESSIONAL ENGINEER</p>	<p>RIVER CITY CONSULTANTS 744 Horizon Court, Suite 110 Grand Junction, CO 81508 Phone: 970.241.4722 Fax: 970.241.9841 www.rcwest.com</p>	<p>CITY OF GRAND JUNCTION</p> <p>MATERIALS STORAGE AND TRANSFER</p> <p>SITE & LANDSCAPING PLAN</p>	<p>PROJECT #1108-005 DATE ISSUED: 11.FEB.2020</p> <p>DRAWN BY: JMM HORIZ: AS SHOWN</p> <p>CHECKED BY: IDG VERT: N/A</p>	<p>C1</p>
			NO.	DATE	DESCRIPTION	BY																						
<p>CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.</p>		<p>REVISIONS</p>	<p>PROJECT #1108-005 DATE ISSUED: 11.FEB.2020</p>	<p>CITY OF GRAND JUNCTION</p>																								



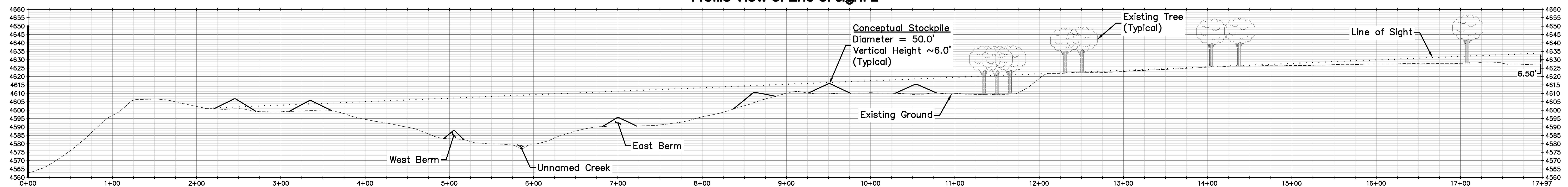
Profile View of Line of Sight 1



<p>UNCC 800.922.1987 www.uncc.org</p>	<p>SCALE 0 50 100 Feet</p> <p>CONTOUR INTERVAL = 5 FOOT ORIGINAL SHEET SIZE: 22 x 34</p>		REVISIONS <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;">NO.</th> <th style="width:15%;">DATE</th> <th style="width:60%;">DESCRIPTION</th> <th style="width:15%;">BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>			NO.	DATE	DESCRIPTION	BY																	<p>PROFESSIONAL ENGINEER 35518</p>	<p>RIVER CITY CONSULTANTS 744 Horizon Court, Suite 110 Grand Junction, CO 81506 Phone: 970.241.4722 Fax: 970.241.8841 www.rcwest.com</p>	CITY OF GRAND JUNCTION MATERIALS STORAGE AND TRANSFER LINE OF SIGHT NORTHWEST TO SOUTHEAST		C6
			NO.	DATE	DESCRIPTION	BY																								
<p>PROJECT # 1108-005 DATE ISSUED: 11.FEB.2020</p> <p>DRAWN BY: JMM HORIZ: AS SHOWN</p> <p>CHECKED BY: IDG VERT: AS SHOWN</p>																														



Profile View of Line of Sight 2



<p>UNCC 800.922.1987 www.uncc.org</p>	<p>811 Know what's below. Call before you dig.</p>		<p>SCALE</p> <p>CONTOUR INTERVAL = 5 FOOT ORIGINAL SHEET SIZE: 22 x 34</p>	<p>REVISIONS</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;">NO.</th> <th style="width:10%;">DATE</th> <th style="width:60%;">DESCRIPTION</th> <th style="width:10%;">BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DATE	DESCRIPTION	BY														<p>RIVER CITY CONSULTANTS 744 Horizon Court, Suite 110 Grand Junction, CO 81506 www.rcwest.com Phone: 970.241.4722 Fax: 970.241.8841</p>	<p>CITY OF GRAND JUNCTION</p> <p>MATERIALS STORAGE AND TRANSFER</p>
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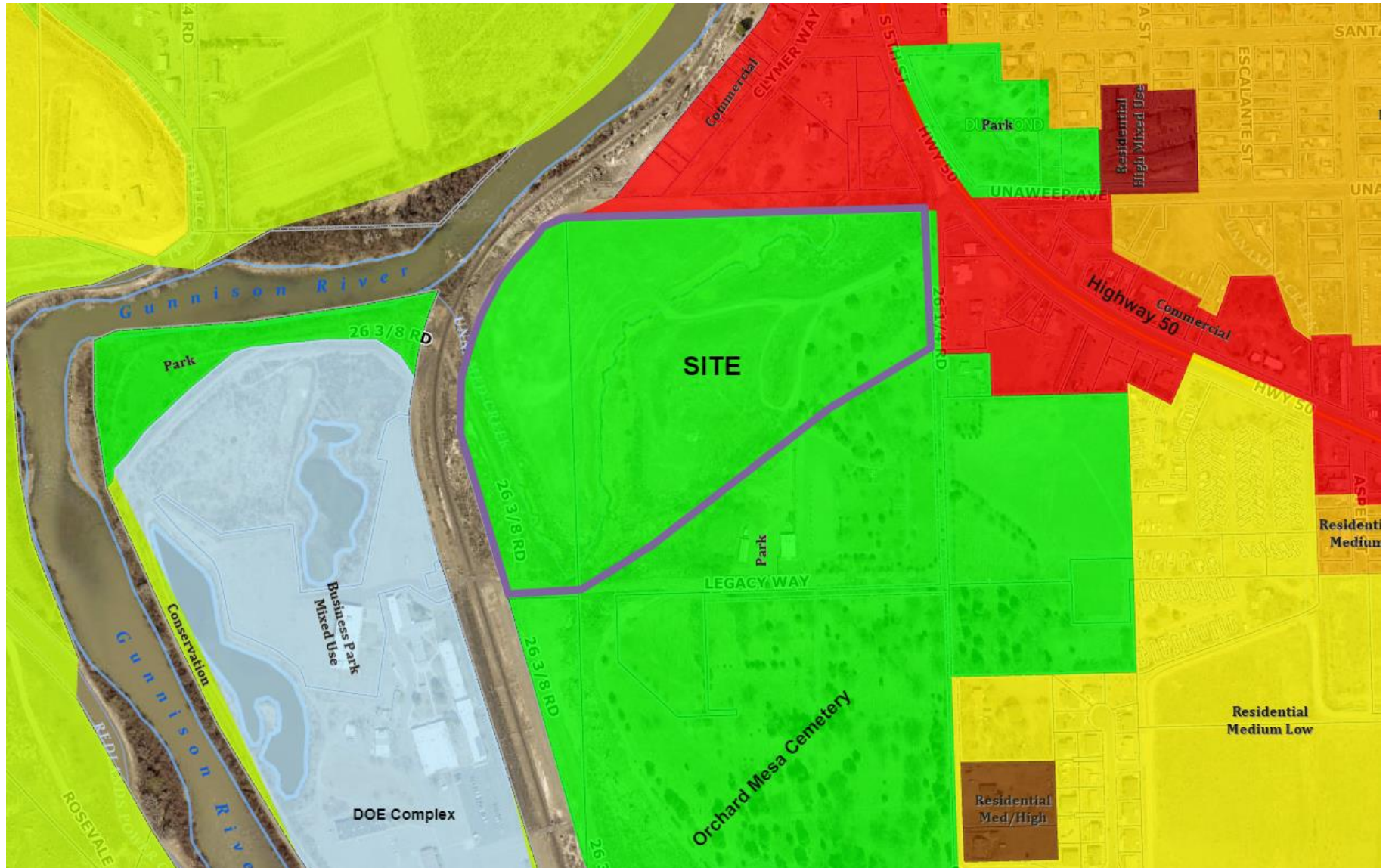
2620 LEGACY WAY VICINITY MAP



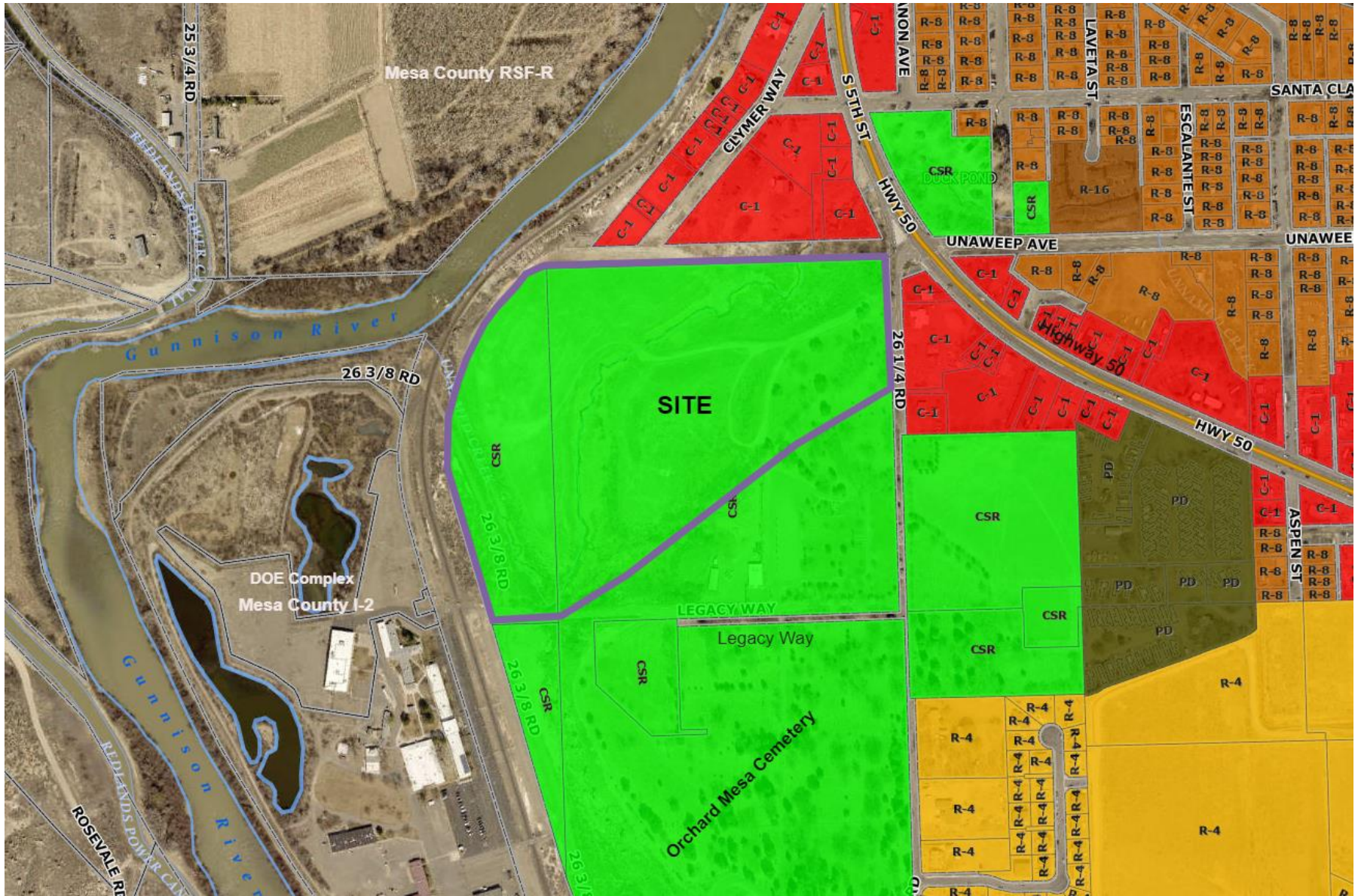
2620 LEGACY WAY LOCATION MAP



2620 LEGACY WAY FUTURE LAND USE MAP



2620 LEGACY WAY ZONING MAP



2620 LEGACY WAY – DRIVEWAY FROM 26-1/4 ROAD



VIEW ACROSS SITE FROM SOUTH – LEGACY WAY IN FOREGROUND, 26-1/4 ROAD ON RIGHT EDGE



VIEW ACROSS SITE FROM EAST – 26-1/4 ROAD IN FOREGROUND, LEGACY WAY ON LEFT



VIEW INTO SITE TO NORTHWEST FROM 26-1/4 ROAD



GRAND JUNCTION PLANNING COMMISSION
February 25, 2020 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:12pm by Chairman Christian Reece.

Those present were Planning Commissioners; Chairman Christian Reece, Vice Chair Bill Wade, George Gatseos, Kathy Deppe, Keith Ehlers, Ken Scissors, and Sam Susuras.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Trent Prall (Public Works Director), Rick Dorris (Development Engineer), Jarrod Whelan (Development Engineer), Dave Thornton (Principal Planner), Kristen Ashbeck (Principal Planner), Scott Peterson (Senior Planner), Landon Hawes (Senior Planner), and Jace Hochwalt (Associate Planner).

There were approximately 60 citizens in the audience.

CONSENT AGENDA

Commissioner Wade moved to adopt Consent Agenda items #1-3. Commissioner Susuras seconded the motion. Motion carried unanimously 7-0.

1. Approval of Minutes

- a. Minutes of the February 11, 2020 Regular Meeting.

2. City Public Works Operations – Special Permit **File # SPT-2020-35**

Consider a request by the City of Grand Junction Public Works Department for a Special Permit to establish a materials storage and transfer site on a portion of a 74.83-acre parcel zoned CSR (Community Services and Recreation) located at 2620 Legacy Way.

3. Code Text Amendment – Seventh Street Historic District Regulations

File # ZCA-2019-716

Consider a request by the City of Grand Junction to amend Title 26.32 of the North Seventh Street Historic Residential District Guidelines and Standards regarding demolition of structures.

REGULAR AGENDA

1. Horizon Villas - Rezone

File # RZN-2019-714

Consider a request by Larson Building Solutions to rezone 2.22-acres from PD (Planned Development) to R-8 (Residential 8 units per acre) located adjacent to Horizon Glen Drive at Horizon Drive.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

There was discussion regarding traffic in the area and a proposed traffic impact study that has not been conducted.

Commissioner Reece asked a question regarding the neighborhood center zoning designation on the Comprehensive Plan Future Land Use Map. Mr. Peterson stated the applicable zone districts in the Neighborhood Center designation.

Applicant's Presentation

Ted Ciavonne, Ciavonne Roberts & Associates, representing Larson Building Solutions, was present and made a comment regarding the request.

Public Comment

The public hearing was opened at 6:37pm.

The following spoke in opposition of the request: David Hoffman, Lily Fitch, Bill Fitch, Joe Graham, Stephanie Graham, Kevin Triplett, and Susan Madison.

The public hearing was closed at 6:54pm.

Applicant's Response

Mr. Ciavonne provided a response to public comment.

Questions for Applicant

Commissioner Reece asked questions regarding potential drainage, wildlife, and wetlands issues.

Questions for Staff

Commissioner Reece asked a question regarding the Comprehensive Plan Future Land Use Map and the ability of a minor arterial to handle a certain capacity of traffic flow.

Commissioner Scissors asked a question regarding a density miscommunication between the public comments and the staff report.

Commissioner Reece asked a question regarding the review process (e.g. rezone versus a new outline development plan).

Discussion

Commissioner Wade made a comment regarding an additional exhibit presented to the Commission from Colorado Parks and Wildlife.

Commissioner Deppe made a comment in opposition of the request.

Commissioners Gatseos, Wade, Susuras, and Ehlers made comments in support of the request.

Commissioner Gatseos made a comment regarding lack of housing.

Motion and Vote

Commissioner Wade made the following motion, “Madam Chairman, on the Horizon Villas Rezone, a request to rezone to R-8 (Residential – 8 du/ac) for the property located at Horizon Glen Drive at Horizon Drive, City file number RZN-2019-714, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.”

Commissioner Susuras seconded the motion. The motion carried 6-1.

2. Code Text Amendment – Horizon Drive Zoning Overlay File # ZCA-2019-717

Consider a request by the Horizon Drive Business Improvement District to add a Horizon Drive Zoning Overlay to the Zoning and Development Code at Title 27 of the Municipal Code.

Commissioner Reece recused herself from this item and left the auditorium.

Staff Presentation

Landon Hawes, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant’s Presentation

The Applicant, Vara Kusal representing Horizon Drive BID, was present and did not make a comment regarding the request.

Public Comment

The public hearing was opened at 7:27pm.

None.

The public hearing was closed at 7:28pm.

Discussion

Commissioner Gatseos made a comment regarding the unanimous decision the Horizon Drive BID board made in support of this request.

Commissioner Scissors made a comment in support of the request and complimenting the Horizon Drive BID board.

Motion and Vote

Commissioner Deppe made the following motion, “Mister Vice-Chairman, on the Horizon Drive Zoning Overlay, City file number ZCA-2019-717, 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 Susuras seconded the motion. The motion carried 6-0.

Planning Commission took a break at 7:30pm.

Planning Commission started back at 7:35pm.

3. Magnus Court Subdivision – Outline Development Plan

File # PLD-2019-374 and ANX-2019-137

Consider a request by CR Nevada Associates LLC, JLC Magnus LLC and Bonds LLC for a Zone of Annexation for two (2) properties and rezone of two (2) properties from R-E (Residential Estate) and R-2 (Residential – 2 Dwelling Units per acre). All properties are seeking a zone district of Planned Development with an associated Outline Development Plan (ODP) called Magnus Court to develop 74 single-family detached lots with an R-2 (Residential – 2 du/ac) default zone district. The properties combined are 69.67 acres and are generally located at the west end of Magus Court and include the property addressed as 2215 Magus Court #A.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

There was discussion regarding the condition of approval, the trail system, and the application process.

Applicant's Presentation

The project's representative, Tedd Ciavonne, Ciavonne Roberts & Associates, was present and gave a presentation regarding the request.

Kari McDowell Schroeder, McDowell Engineering, was present and gave a presentation regarding the request and the Traffic Impact Study that was completed.

Questions for Applicant

Commissioner Reece asked about access to two units on the plan.

Commissioner Deppe asked a question about access and parking on the auto-courts.

Commissioner Ehlers asked a question regarding the methodology for the traffic impact study.

Public Comment

The public hearing was opened at 8:39pm.

The following spoke in opposition of the request: Sharon Sigrist, Naomi Rintoul, Dennis Guenther, Nuala Whitcomb, Lisa Lefever, Lori Carlston, Michael Petri, Susan Stanton, Lora Curry, Wayne Smith, Mike Mahoney, Richard Swingle, Lisa Smith, and Jay Thompson.

The public hearing was closed at 9:12pm.

Planning Commission took a break at 9:12pm.

Planning Commission started back at 9:19pm.

Applicant's Response

Mr. Ciavonne responded to public comment.

Questions for Applicant

There was discussion regarding public access and stormwater drainage.

Commissioner Deppe asked a question regarding the origin of the applicants and if the development would also include the build-out of the subdivision.

There was discussion about auto courts, fire department access, signage, how roads connect to major roads, and City requirements to remedy road destruction due to construction traffic.

Questions for Staff

Commissioner Gatseos asked a question regarding access into Reed Mesa Drive.

Commissioner Scissors asked a question regarding construction traffic.

Discussion

Commissioners Gatseos, Deppe, and Scissors made comments in opposition of the request.

Commissioners Ehlers, Reece, and Susuras made comments in support of the request.

Commissioner Wade made a comment regarding the request.

Motion and Vote

Commissioner Ehlers made the following motion, "Madam Chairman, on the Zone of Annexation and Rezones to Planned Development (PD) with an R-2 (Residential – 2 du/ac) default zone district and an Outline Development Plan to develop 74 single-family detached lots, file numbers ANX-2019-137 & PLD-2019-374, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact listed in the staff report. Condition #1 being that Lot No. 3, 43, 53, 55 and 68 shall meet minimum dimensions of Hillside Regulations as adopted by Code."

Commissioner Susuras seconded the motion. A roll call vote was called:

Commissioner Susuras YES
Commissioner Deppe NO
Commissioner Scissors NO
Commissioner Reece YES
Commissioner Wade NO
Commissioner Gatseos NO
Commissioner Ehlers YES

The motion failed 3-4.

4. **EcoGen – Conditional Use Permit**

File # CUP-2020-60

Consider a request by EcoGen Laboratories, LLC, for a Conditional Use Permit (CUP) to allow for a hazardous occupancy within an I-2 (General Industrial) zone district for the property located at 1101 3rd Avenue.

Commissioner Ehlers recused himself from this item and left the auditorium.

Staff Presentation

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

Questions for Staff

Commissioner Reece asked a question regarding Condition No. 2 and the definition of Mitigation in Chapter 8.08.

Applicant's Presentation

The Applicant, Doug Watson, EcoGen Laboratories, LLC, was present and made a presentation regarding the request.

Public Comment

The public hearing was opened at 10:33pm.

None.

The public hearing was closed at 10:33pm.

Discussion

Commissioner Reece made a suggestion to modify the language in the motion to clarify Condition No. 2 to "...mitigation measures as approved by the City."

Motion and Vote

Commissioner Wade made the following motion, "Madam Chairman, on the application for a Conditional Use Permit for EcoGen Laboratories, LLC located at 1101 3rd Avenue, CUP-2020-60, I move that the Planning Commission recommend conditional approval with the findings of fact and conditions as listed in the staff report as modified to read "Condition 2. If odors become a nuisance as identified in Chapter 8.08 of the Grand Junction Municipal Code, mitigation measures will be required as approved by the City of Grand Junction."” ****Planning Commission was the final decision-making body on this item****

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

5. Other Business

None.

6. Adjournment

The meeting was adjourned at 10:37pm.

DRAFT

CITY OF GRAND JUNCTION, COLORADO

SPECIAL PERMIT NO _____

PURSUANT TO SECTION 21.02.120 OF THE GRAND
UNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT
CODE) FOR AN INTERIM USE ON A PORTION OF THE
PROPERTY LOCATED AT 2620 LEGACY WAY IN
GRAND JUNCTION, COLORADO

Findings:

An application for a Special Permit (Permit) has been reviewed by staff in accordance with the Zoning and Development Code (Code). The City of Grand Junction (Applicant) is the owner of the property located at 2620 Legacy Way in Grand Junction, Colorado (Property) in Grand Junction Colorado (Property). The Property is the subject of the Permit.

The Applicant has requested to use the property on an interim basis as a materials storage and transfer facility for an interim period until permanent development consistent with the Comprehensive Plan is proposed.

The Property is zoned CSR (Community Services and Recreation), which does not allow the proposed materials storage and transfer land use. The Applicant has submitted a Site Plan showing the proposed use on the site which will meet the development standards of the CSR zone district.

A special permit provides flexibility to consider/approve a land use that is permanent or temporary in nature: A special permit may be approved under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. With the approval of the City Council the Permit will allow the use described herein, subject to the stated conditions. The staff has found that the Permit will not preclude future redevelopment of the property in accordance with the applicable zoning district and the Comprehensive Plan and recommends approval.

The interim use of the property for a materials storage and transfer facility is consistent with the following goal and policy of the Comprehensive Plan, with minimal improvements to the site, the temporary use will allow the land to be redeveloped for future higher density residential development when market conditions are more appropriate.

Goal 11: Public facilities and services for citizens will be a priority in planning for growth.

Policy A: The City will plan for the locations and construct new facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth.

The record shows that the Property and the Permit comply with the underlying zoning district standards for CSR established in Chapter 21.03 of the Code and the review criteria found in Section 21.02.120(c) including compliance with Site Plan Review (21.02.070(g)); District (21.03.070(f)); and Use-Specific (Chapter 21.04) standards.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION DOES DULY APPROVE A SPECIAL PERMIT, PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE), FOR THE FOLLOWING USE ON THE PROPERTY WITH THE FOLLOWING CONDITIONS, WITH THE ABOVE RECOMMENDATIONS AND FINDINGS BEING A PART THEREOF:

1. The Special Permit is subject to an approved site plan, meeting applicable sections of GJMC 21.02.070(g) be a condition of approval of the requested Special Permit.
2. The area governed by the Permit includes a portion of the parcel located at 2620 Legacy Way as depicted on the attached Site Plan (Exhibit A) and shall be referred to herein as the Site. The Permit or a memorandum thereof shall be recorded in the Mesa County land records.
3. Use of the Site is limited to the materials storage and transfer operations depicted on the attached Site Plan (Exhibit A).
4. Uses not specifically described herein, regardless of type or classification and regardless of whether such uses appear as "allowed" uses in GJMC Section 21.04.010, Use Table, are prohibited on the Site during the term of the Permit, unless the Director determines that such use is accessory to and reasonably incidental and necessary to the uses allowed and specified in this Permit, in which case the Director shall so specify in writing. The Permit does not convey or establish any rights or privileges above and beyond those stated herein with any and all rights and privileges being subject to the full and complete adherence to the terms and conditions hereof.
5. Access and site circulation shall be in accordance with the approved Site Plan attached as Exhibit A and incorporated by this reference as if fully set forth.
6. This Permit is valid only for the specific use as described herein. The Permit shall terminate if the residential use ceases (by non-use for whatever reasons(s)) for twelve months or longer or if the Property is redeveloped or sold to a different party.

7. This Permit shall expire at midnight on March 4, 2035. The Applicant or his successor(s) in interest shall cause the use(s) allowed, authorized or approved by or under this Permit to be ended by the expiration date of the Applicant or his successor(s) in interest must have applied for and been issued a new Special Permit by the expiration date (if the Code allows for such a permit). Failure to end the use allowed shall be cause for and subject the Applicant and/or his successor(s) in interest to fine(s), court actions(s) and other legal and equitable remedies that the City may then possess.
8. The failure of the Permit to specify other applicable local, state or federal laws or regulations shall not be construed to affect the enforcement thereof. A violation of such applicable laws or regulations may constitute a basis for revocation of the Permit, in addition to and not in lieu of any other appropriate remedies or penalties.
9. The Director may administratively approve minor changes to Exhibit A and this Permit, if he/she determines that the intent of this Permit is maintained and no injury to the public will ensue from a change(s).

Passed and adopted as an action of the City Council this ____ day of March 2020.

President of City Council

ATTEST:

City Clerk



Grand Junction City Council

Regular Session

Item #6.a.i.

Meeting Date: March 4, 2020

Presented By: Lance Gloss, Associate Planner

Department: Community Development

Submitted By: Lance Gloss, Associate Planner

Information

SUBJECT:

An Ordinance Amending the Grand Junction Municipal Code Title 21 Zoning and Development Code to Provide for the Regulation of Mobile Food Vendors, Commonly Referred to as Food Trucks

RECOMMENDATION:

The Planning Commission heard this request at their February 11, 2020 meeting and forwarded a recommendation of approval (6-0) to City Council.

EXECUTIVE SUMMARY:

The Community Development Director is proposing amendments to sections of the Grand Junction Municipal Code Title 21 Zoning and Development Code to provide for the regulation of mobile food vendors, commonly referred to as “food trucks.” Mobile food vendors currently operate in the City of Grand Junction under a variety of regulatory approaches. Mobile food vendors operating on a site for less than four months are subject to the City’s Temporary Use Permit requirements, however clarifications are proposed to help address the transient nature of these vendors. In addition, staff has identified a need to clarify regulations for mobile food vendors operating on private property for periods exceeding four months. Staff is proposing to establish “mobile food vendors” and “mobile food vendor courts” as principal land-use categories with use-specific standards, to be allowed in a range of non-residential districts and conditionally-allowed in certain high-density residential districts. Mobile food vendors would thereby be required to participate in a site plan review designed to mitigate any negative impacts associated with their operations such as traffic congestion and parking. Existing measures in place for regulating mobile food vendors operating during special events would not be affected by the proposed text

amendments.

BACKGROUND OR DETAILED INFORMATION:

It is common both within the Grand Valley and around the country today to see mobile food vendors at outdoor public events, such as farmers' markets, and people have also grown accustomed to finding mobile vendors at semi-permanent locations such as parking lots and other under-utilized portions of private property. However, the City's Zoning and Development Code ("Code") does not directly address the more permanent presence of mobile food vendors in the community. Prior to 2008, the mobile food vendor industry did not have a significant presence in Grand Junction; since that time, at least 40 such vendors have come into operation. These vendors, commonly referred to as "food trucks," are characterized—with limited variation—by the operation of a full-scale commercial kitchen contained completely within a motor vehicle or within a trailer hauled by a motor vehicle. Whereas in many other communities mobile food vendors operate in public rights-of-way outside of special events, this has not been permitted in the City of Grand Junction, nor is it contemplated here. Where they operate on private property at present, mobile food vendors may or may not provide small-scale, temporary seating arrangements; they offer varying degrees of access to sanitary facilities; and their customers typically utilize parking associated with other uses on the same or an adjacent property. These vendors are already required to meet sanitation standards, taxation requirements, insurance requirements, and fire safety standards by various departments and agencies, and all of these documents are reviewed by Mesa County Health Department before it issues its vendor approval.

Today, mobile food vendors in Grand Junction are primarily regulated in four ways by the City: as participants in special events; as temporary uses with a Temporary Use Permit; as temporary uses without a TUP; or, as accessory uses to a principal use.

1. Special Events (no permit required). Mobile food vendors have been allowed to operate on City property such as parks and rights-of-way during special events. The system currently in place to regulate this category of mobile food vendor operations would not be affected by the proposed text amendments but are reviewed herein. Special events on City property are regulated by the Parks and Recreation Department. That Department produces an annual list of vendors, many of which are automobiles or trailers that cook and sell meals, i.e. mobile food vendors. This list produced by City of Grand Junction Parks and Recreation Department also serves Palisade, Fruita, Grand Junction, and Mesa County governments and the Grand Junction Downtown Development Authority (DDA). Anyone hosting a special event on public property in these jurisdictions must choose food vendors from this list. The DDA has authority to regulate operations of vendors within certain rights-of-way within the DDA boundary, and a specific provision in the Code provides for "mobile vending carts" operating within the DDA boundary (see GJMC 12.24.080). However, that provision applies to small-sized vending operations not conducted from an automobile, and therefore does not

implicate mobile food vendors as defined in the proposed text amendment.

2. Temporary Uses (Temporary Use Permit required). Mobile food vendors also operate on private property for periods of less than 120 days; these operations are viewed as temporary uses by the Code. Where mobile food vendors operate as temporary uses, they are addressed by two primary sections of the Code: Section 21.02.070(d) on Temporary Use Permits and Section 21.04.050 on Temporary Uses and Structures. Generally, land uses that do not exceed 120 days in duration can be considered temporary and are regulated by these standards. These existing standards are aimed at ensuring that the temporary use is not detrimental to the public health, safety, and general welfare, and that it does not impede any existing measures put in place for the same purpose. Per Section 21.02.070(d), a Temporary Use Permit is required for any use that exceeds 48 hours, which would require a mobile food vendor to submit an application and a \$35 application fee. Since 2015, nine Temporary Use Permits (TUP) have been issued to mobile food vendors to allow them to operate on private property in various parts of the city. Some of these permits have been issued to uses that are genuinely temporary, whereas others have been issued to vendors whose operations more closely resemble permanent land-uses.

3. Below the Threshold of a Temporary Use Permit (no permit required). Many mobile food vendors do operate at multiple sites for durations that do not require a Temporary Use Permit; these operations must still meet the standards outlined in GJMC Section 21.04.050. Existing regulations for genuinely temporary uses would continue under the proposed text amendments with only one minor change aimed at accommodating existing patterns of mobile food vendor operations. This change, described in more detail below, would exempt mobile food vendors from the existing regulation that prohibits them from returning to the same site as a temporary use more than once in a 30-day period. By contrast, those operations that are identified as functionally permanent land-uses would be required to undergo site plan review.

4. Accessory Use (permitted required). Several mobile food vendors have already been approved as functionally permanent land-uses or are currently being considered for approval. These have generally been approved as accessory uses, rather than as principal uses. For example, there is a vendor currently treated as accessory to a car wash, and several that are treated as accessory to retail establishments. Because mobile food vendors are not presently identified as uses by the Code, no uniform standard for the site improvements generally associated with a permanent land-use has been available to staff performing site plan reviews for mobile food vendors with permanent locations. Site improvements generally required of a permanent land-use include parking, landscaping, screening and buffering, and other improvements related specifically to a given land-use. Staff recognizes that some mobile food vendors will be the only principal land-uses on a given property, and that others may co-locate with another principal land-use. Therefore, some improvements may already be existing on

sites where mobile food vendors seek to operate, creating an opportunity to take advantage of features such as excess parking and existing landscaping. Other sites may not allow for the sharing of site improvements, in which case the requirement to upgrade sites to the full extent of the Code would likely create an expense for mobile food vendors which is considered by staff to be out of proportion with the reasonable expectation of their land-use impact and their transitory nature and/ or mobility to/from a site. The proposed regulation thus limits the application of landscaping standards for mobile food vendors.

The proposed text amendment also includes provisions for mobile food vendor courts, defined as three or more mobile food vendors on the same property. No land-use meeting this definition currently exists in the City. However, staff anticipates development of a mobile food vendor court in the City in the future. This expectation is based on the four principal factors: the rising number of mobile food vendor courts nationwide; the development of these courts in neighboring communities; several preliminary proposals for these courts in the City; and the inclusion of a mobile food vendor court in the DDA's 2019 Plan of Development for the downtown area.

The Planning Commission discussed mobile food vendors at its November 7th, 2020 workshop and again at its November 21st, 2020 workshop. Planning Commissioners supported staff proceeding with the recommended changes to the Code text. A workshop was held at the Grand Junction Business Incubator Center on January 14th, 2020 to discuss the proposed regulations and other regulatory changes relevant to mobile food vendor businesses in the Grand Valley. Nearly 50 people associated to mobile food vending attending the workshop and generally expressed the desire for the city to promulgate clear regulations for their businesses. City of Grand Junction Community Development Department staff have generally coordinated with the City Parks and Recreation Department, the City Fire Department, the City Industrial Pretreatment staff and Utilities Department, the Mesa County Health Department, and stakeholders in the mobile food vendor community.

The specific proposed amendments are provided as follows, prefaced with justifications by segment, with additions underlined and deletions marked with strikethrough notations. In general, the proposed amendments accomplish the following:

- 1) Define mobile food vendors and mobile food vendor courts.
- 2) Establish a consistent regulatory approach for mobile food vendors operating on private property.
- 3) Establish standards for mobile food vendors to promote the public health, safety, and general welfare.

The Definitions section of the Code requires changes to accommodate mobile food vendors as a newly-defined land-use. Staff proposes to introduce definitions for “mobile food vendor,” “mobile food vendor court,” and “sanitary facilities.” Mobile food vendors are defined so as to capture the general variety of food trucks currently operating in the City. It is not designed to affect existing regulations pertaining to the generally non-motorized “mobile vending carts” defined in GJMC 12.24.020 as “structure with at least two operational wheels that is easily moved and is used for vending,” pertaining to Commercial Use of the Public Right-of-Way in the Downtown Area. Sanitary facilities are defined to ensure the baseline provision of hygiene in a setting that involves food preparation, service, and consumption. This proposed definition does not conflict with any found in GJMC Title 45 on Waters, Sewers, and Sanitation Districts. Title 21 Chapter 10 is proposed to be amended to add the following:

21.10.020 Definitions

Mobile food vendor means a readily-moveable, motorized wheeled vehicle or towed wheeled vehicle that is equipped to prepare, or serve, and sell or dispense food and is registered with a department/division of motor vehicles.

Mobile food vendor court means three or more mobile food vendors on the same property.

Sanitary facility means a facility providing a toilet and washbasin that may or may not be connected to a central sanitary sewer system.

Section 21.04.030 of the Code is also recommended to be revised in order to accommodate existing practices by mobile food vendors. Under existing standards, a mobile food vendor can operate for up to 48 hours over the course of 120 days at any given site without seeking a Temporary Use Permit (TUP). However, an additional standard in this section requires that there be a minimum 30-day interval between temporary uses on any given site. Enforcement of the latter provision would be unduly prohibitive for the mobile food vendors businesses, as many mobile food vendors maintain a weekly cycle of temporary sites across town. Thus, the proposed Ordinance is written so as to split these two provisions—the one limiting a temporary use to 120 days; the other requiring a minimum 30-day intervals between temporary uses. Mobile food vendors are proposed to be exempted from the 30-day interval requirement, with exemption made explicit in the proposed use-specific standards for mobile food vendors. Title 21 Chapter 4 is proposed to be amended to add the following:

21.04.050 Temporary Uses and Structures

(l) All other temporary uses shall not exceed 120 calendar days. ~~and shall not be allowed until a minimum of 30 calendar days have passed since any previous~~

~~temporary use on the parcel or lot.~~

(n) No temporary uses shall be allowed until a minimum of 30 calendar days have passed since any previous temporary use on the parcel or lot.

Staff is proposing that all other use-specific standards for Temporary Uses shall apply to mobile food vendors, such as signage. However, added clarification is recommended for this land-use because this land-use does not include the development of a permanent structure, the street-facing façade of which would generally be used to calculate allowed signage. Treating the side of a mobile food vendor's truck or trailer as a façade, a typical 18-foot long mobile food vendor truck would be allowed a total of 32 square feet of signage. This is an equal allowance to the 32 square feet of signage permitted for any temporary use per Code Section 21.04.050(n)(11). For consistency and ease of implementation, mobile food vendors are thus assigned an even 32 square feet of allowable signage.

In addition to these definitions, staff proposes a set of standards for mobile food vendors that is integrated with the overall structure and requirements of the Zoning and Development Code wherever possible, that addresses operational features specific to the use in question, and that does not create an undue or impracticable hardships for mobile food vendors. These standards shall apply to all mobile food vendors operating as principal land-uses and those operating as temporary uses under the standards of GJMC 21.04.050, except those standards from which temporary mobile food vendors are explicitly exempted.

The proposed amendments include landscaping, screening, and buffering provisions in the proposed use-specific standards that differentiate between the requirements for mobile food vendors and mobile food vendor courts. Sites with one or two vendors are proposed to be exempt from these provisions, whereas mobile food vendor courts are not proposed to be exempt. There are two primary reasons for this feature of the proposal. Staff finds that the scope of landscaping requirements, as currently written in the Code, relative to the size and scale of a mobile food vendor would make mobile food vending an economically impracticable venture. The landscaping standards outlined in Code Section 21.06.040 would require only a small number of trees and shrubs for most food trucks. If the area of the mobile food vendor's truck or trailer is used as the square footage figure in calculating landscaping requirements, an average mobile food vendor with a truck approximately 200 square feet in area would be required to install approximately one tree and two shrubs. However, other elements of the Code section on landscaping would create disproportionate requirements, as these requirements were evidently designed with large permanent structures in mind. If applied to a single mobile food vendor, the standards for street frontage landscaping, buffer landscaping, foundation planting, and parking lot landscaping would result in a mobile food vendor being required to landscape an area approximately two to ten times

the size of the vendor's truck or trailer, depending on the location and zoning of the property. Therefore, mobile food vendors and mobile food vendor courts are proposed to be exempted from landscaping requirements.

The proposed use-specific standards also address parking. Parking requirements are also proposed to be added to the Off-Street Required Parking table, as shown below. Parking requirements are similar to the required amount of parking per square foot for other food establishments and are reflective of the tendency of mobile food vendor customers to eat somewhere other than at the site of the mobile food vendor. An exception is made to the usual requirements for alternative parking plans to be accomplished under the guidance of the Urban Land Institute's Shared Parking manual, as no version of this manual provides the necessary data for mobile food vendors.

Most documentation required of a mobile food vendor is effectively managed by the Mesa County Health Department, Colorado Department of Revenue Division of Motor Vehicles, City Fire Department, and other entities. Therefore, the only required documentation for mobile food vendors proposed here is proof of property owner's permission for operation on a given property.

Utilities and sanitation are also regulated by the proposed use-specific standards. Sanitary facilities are reasonably expected of any land-use that involves the serving of food, both for the sanitary conduct of food preparation workers and for the welfare of the dining public. Recognizing that a further use-specific standard prohibits the provision of permanent utility hookups for mobile food vendors except for mobile food vendor courts, the proposed text amendments allow mobile food vendors to provide access to sanitary facilities through an agreement with a nearby, non-residential property. Utility hookups are proposed to be allowed (but not required) for mobile food vendor courts because of the greater site investment required of a mobile food vendor court than of a single vendor or pair of vendors. Permanent utility hookups are otherwise prohibited for mobile food vendors, which is consistent with the standards under which mobile food vendors operate as temporary uses. Wastewater discharge is included primarily for transparency of regulation, as the standards described in the proposed text amendments are already in place. Title 21 Chapter 4 is proposed to be amended to add the following:

21.04.030 Use-specific Standards

(v) Mobile Food Vendor and Mobile Food Vendor Court

(1) Purpose. The purpose of this regulation is to allow mobile food vendors to operate on private property in certain zone districts in the City.

(2) Applicability. These regulations apply to all Mobile Food Vendors and Mobile Food Vendor Courts operating on private property, except when a Mobile Food Vendor is operating as a Temporary Use under the provisions of GJMC 21.04.050.

(3) Mobile Food Vendors shall not be subject to the provisions of GJMC 21.04.050(m).

(4) Signage. Signage shall conform to the provisions of GJMC 21.06.070. The total allowable square footage of signage for a Mobile Food Vendor shall be 32 square feet, excluding signage fixed to an operable motor vehicle.

(5) Landscaping, Screening and Buffering. Mobile food vendors and mobile food vendor courts are exempt from the landscaping, screening, and buffering provisions of GJMC 21.06.040.

(6) Parking. Off-street parking shall be provided according to the provisions of GJMC 21.06.050. Alternatively, required parking may be met through the provision of a written parking agreement with the owner of a property within 500 feet of the mobile food vendor, as measured from the line of the property whereon the mobile food vendor is located to the line of the property whereon parking is located. Mobile food vendors operating as temporary uses under the standards of GJMC 21.04.050 shall be exempt from this requirement.

(7) Sanitary Facilities. Any Mobile Food Vendor or Mobile Food Vendor Court shall provide and maintain a sanitary facility on-site, or shall provide and maintain a written agreement with a property and/or business owner allowing Mobile Food Vendor employees and customers to share the use of that property's existing sanitary facilities. The structure containing shared sanitary facilities must be located within 750 feet from location of the mobile food vendor as identified on the approved site sketch. No shared sanitary facility may be shared with a residential land use. Mobile food vendors operating as temporary uses under the standards of GJMC 21.04.050 shall be exempt from this requirement.

(8) Utilities. Permanent hookups to utilities shall not be provided for Mobile Food Vendors but may be provided for Mobile Food Vendor Courts.

(9) Wastewater Discharge. Wastewater produced by Mobile Food Vendors shall be discharged only at a facility with an approved Industrial Pretreatment system or by a licensed waste hauler.

Title 21 Chapter 6 is proposed to be amended to establish a standard for the number of off-street required parking spaces required for mobile food vendors and mobile food vendor courts. Parking requirements in Code Section 21.06.050(c) would be identified as a required 2.5 spaces per vendor for mobile food vendors and a required 2.5 spaces

per vendor for mobile food vendor courts.

Finally, the proposed text amendments identify zone districts in which mobile food vendors are proposed to be allowed. The general approach taken by these proposed changes is to allow for mobile food vendors in all zones where traditional brick-and-mortar restaurants can operate. The high-intensity residential zone district of R-24 (Residential – 24 units per acre), as well as the mixed residential and commercial zone district of R-O (Residential – Office) are also proposed to be districts where mobile food vendors are allowed as of right, and mobile food vendors courts are allowed conditionally. These districts support a higher level of activity than most residential districts, are often found on the fringes of business and commercial districts, and are suited to both uses and site plans that may result in opportunities for mobile food vendors to operate successfully and without nuisance.

To be consistent with the intent of the City's zone districts, the proposal includes allowing mobile food vendors in the R-24 (Residential – 24 units per acre, R-O (Residential – Office), B-1 (Neighborhood business), B-2 (Downtown Business), C-1 (Light Commercial), C-2 (General Commercial), M-U (Mixed Use), (BP (Business Park), I-O (Industrial Office), I-1 (Light Industrial), and I-2 (General Industrial) zone districts, and to allow mobile food vendor courts in all of these districts with the exception of being conditionally allowed in R-O and R-24 zone districts.

See the attached Proposed Use Table for the tabular depiction of the proposed zone districts in which mobile food vendors and mobile food vendor courts would be allowed and conditionally-allowed.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on February 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

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

RECOMMENDATION AND FINDINGS OF FACT

The Planning Commission found that the proposed amendments to the Zoning and Development Code are useful in that they modernize the Code, ensure for the health, safety, and general welfare of the population, and refine processes to provide regulations that are clear and consistent and that assist in logical and orderly

development.

FISCAL IMPACT:

This action does not have any direct fiscal impact.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance 4908, an ordinance to amend the Grand Junction Municipal Code Title 21 Zoning and Development Code to provide for the regulation of mobile food vendors, commonly referred to as food trucks on final passage and order final publication in pamphlet form.

Attachments

1. Proposed Use Table
2. Planning Commission Minutes - 2020 - February 11
3. Draft Ordinance

**Proposed Use Table:
Mobile Food Vendors**

Title 21 Chapter 4 is proposed to be amended to add the following:

21.04.010 Use Table

USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.	
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.	Mobile Food Vendor											<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		<u>21.04.030(v)</u>
	Mobile Food Vendor Court											<u>C</u>	<u>C</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		<u>21.04.030(v)</u>

GRAND JUNCTION PLANNING COMMISSION
February 11, 2020 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:01pm by Chairman Christian Reece.

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

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Landon Hawes (Senior Planner), and Lance Gloss (Associate Planner).

There were approximately 5 citizens in the audience.

CONSENT AGENDA

Commissioner Susuras moved to adopt Consent Agenda items #1-2. Commissioner Wade seconded the motion. Motion carried unanimously 6-0.

1. Approval of Minutes

- a. Minutes of the January 28, 2020 Regular Meeting.

2. Fountain Hills Drainage Easement Vacation **File # VAC-2019-702**

Consider a request by Hilltop Health Services to vacate the drainage and irrigation easements on Lot 1 of the Fountain Hills subdivision as dedicated to the City of Grand Junction ("City") on the subdivision plat for property located at 3425 Cliff Court.

REGULAR AGENDA

1. Mesa County Detention Facility – Conditional Use Permit **File # CUP-2019-573**

Consider a request by the County of Mesa, Colorado for an amendment to an existing Special Use Permit (SUP)/New Conditional Use Permit (CUP) for the expansion of the Mesa County Detention Facility, a detention facility use, on 10.84 acres in a B-2 (Downtown Business) zone district and in the Greater Downtown Central Business District Overlay zone district, located at 215 Rice Street.

Staff Presentation

Lance Gloss, Associate Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Gatseos asked Staff a question regarding which pods would be included in the approval.

Applicant's Presentation

The architect for the project, Peter Icenogle of Blythe Group, was present and gave a presentation regarding the request.

Questions for Staff

Commissioner Wade asked the Applicant a question about space for the inmates.

Public Comment

The public hearing was opened at 6:29pm.

None.

The public hearing was closed at 6:29pm.

Discussion

Commissioners Ehlers, Reece, Wade, Gatseos, and Susuras made comments in support of the request.

Motion and Vote

Commissioner Scissors made the following motion, "Madam Chairman, on the application for an amendment to a Special Use Permit for the property located at 215 Rice Street, CUP-2019-573, I move that the Planning Commission approve the amendment, recognizing it as a Conditional Use Permit as consistent with adopted City Code process and compliance with said criteria, with the findings of fact as listed in the staff report."

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

2. Code Text Amendment – Mobile Food Vending File # ZCA-2019-620

Consider a request by the City of Grand Junction to amend the Grand Junction Municipal Code Title 21 Zoning and Development Code to provide for the regulation of Mobile Food Vendors, commonly referred to as Food Trucks.

Staff Presentation

Lance Gloss, Associate Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Reece asked a question regarding Planned Developments (PD) and the allowed uses in the zone district.

Commissioner Wade asked a question regarding special event permits.

Commissioner Gatseos asked a question regarding the outreach the department. Mr. Gloss gave a brief overview of a workshop held at the business incubator that had various attendees.

Commissioner Scissors asked a question regarding the outreach specifically regarding any objections or concerns. Mr. Gloss stated that feedback was incorporated into the conclusions staff has presented.

Commissioner Susuras asked a question regarding the Parks & Recreation Department's ability to select vendors for their Parks events. Mr. Gloss responded that these regulations will not impact P&R events and special event operations.

Public Comment

The public hearing was opened at 6:52pm.

None.

The public hearing was closed at 6:52pm.

Discussion

Commissioners Ehlers and Reece made comments in support of the request.

Motion and Vote

Commissioner Wade made the following motion, "Madam Chairman, on the Zoning and Development Code Amendments, ZCA-2019-620, I move that the Planning Commission forward a recommendation of approval with the findings of fact as listed in the staff report."

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

3. Other Business

None.

4. Adjournment

The meeting was adjourned at 6:55 pm.

DRAFT

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GRAND JUNCTION MUNICIPAL CODE TITLE 21 ZONING AND DEVELOPMENT CODE TO PROVIDE FOR THE REGULATION OF MOBILE FOOD VENDORS.

Recitals:

This ordinance amends the Grand Junction Municipal Code Title 21 Zoning and Development Code to provide for the regulation of mobile food vendors, commonly referred to as food trucks.

After public notice and public hearing as required by the GJMC, the Grand Junction Planning Commission recommended approval of the proposed ordinance.

After public notice and public hearing, the Grand Junction City Council finds that the proposed ordinance is necessary to modernize and maintain effective regulations to implement the Comprehensive Plan.

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

Title 21 Chapter 10 is amended as follows (additions are underlined and deletions marked with ~~striketrough~~ notations):

21.10.020 Definitions

Mobile food vendor means a readily-moveable, motorized wheeled vehicle or towed wheeled vehicle that is equipped to prepare, or serve, and sell or dispense food and is registered with a department/division of motor vehicles.

Mobile food vendor court means three or more mobile food vendors on the same property.

Sanitary facility means a facility providing a toilet and washbasin that may or may not be connected to a central sanitary sewer system.

Title 21 Chapter 4 is amended as follows:

21.04.050 Temporary Uses and Structures

(l) All other temporary uses shall not exceed 120 calendar days, ~~and shall not be allowed until a minimum of 30 calendar days have passed since any previous temporary use on the parcel or lot.~~

(m) No temporary uses shall be allowed until a minimum of 30 calendar days have passed since any previous temporary use on the parcel or lot.

~~(m)~~ (n) Prior to the issuance of a temporary use permit, the Director may require the applicant to post security with the City as required to cover expected costs of enforcement, monitoring, clean-up and site restoration.

~~(n)~~ (o) General Review Criteria. The applicant shall demonstrate that:

- (1) The use is an authorized temporary use pursuant to subsection (c) of this section;
- (2) There is no other temporary use on the parcel or lot;
- (3) The use will not be detrimental to the public health, safety and general welfare;
- (4) The use is consistent with the purpose and intent of the code and the specific zoning district in which it will be located;
- (5) The use is compatible (intensity, characteristics and appearance) with existing land uses in the neighborhood. Factors to determine compatibility include: location, noise, odor and light, dust control and hours of operation;
- (6) The use will not cause traffic to exceed the capacity of affected streets;
- (7) Adequate off-street parking exists in accordance with GJMC 21.06.050. The use shall not displace the required off-street parking spaces or loading areas of the principal permitted uses on the site;
- (8) Access to public right-of-way complies with City requirements, except that hard surface travel lanes are not required for a temporary use;
- (9) Permanent hookups to utilities are not provided;

DRAFT

(10) Yard and property line setbacks are met for structures and/or display of merchandise. Displays shall not interfere with the sight visibility triangle of the intersection of the curb line of any two streets or a driveway and a street. No personal property, including structures, tents, etc., shall be located within the public right-of-way; and

(11) Signage is allowed only while the temporary use is permitted. A temporary use sign shall not exceed 32 square feet, excluding signage fixed to an operable motor vehicle. There shall be no portable signs. No off-premises sign shall advertise a temporary use.

Title 21 Chapter 4 is amended to add the following:

21.04.030 Use-specific Standards

(v) Mobile Food Vendor and Mobile Food Vendor Court

(1) Purpose. The purpose of this regulation is to allow mobile food vendors to operate on private property in certain zone districts in the City.

(2) Applicability. These regulations apply to all Mobile Food Vendors and Mobile Food Vendor Courts operating on private property, except when a Mobile Food Vendor is operating as a Temporary Use under the provisions of GJMC 21.04.050.

(3) Mobile Food Vendors shall not be subject to the provisions of GJMC 21.04.050(m).

(4) Signage. Signage shall conform to the provisions of GJMC 21.06.070. The total allowable square footage of signage for a Mobile Food Vendor shall be 32 square feet, excluding signage fixed to an operable motor vehicle.

(5) Landscaping, Screening and Buffering. Mobile food vendors and mobile food vendor courts are exempt from the landscaping, screening, and buffering provisions of GJMC 21.06.040.

(6) Parking. Off-street parking shall be provided according to the provisions of GJMC 21.06.050. Alternatively, required parking may be met through the provision of a written parking agreement with the owner of a property within 500 feet of the mobile food vendor, as measured from the line of the property whereon the mobile food vendor is located to the line of the property whereon parking is located. Mobile food vendors operating as temporary uses under the standards of GJMC 21.04.050 shall be exempt from this requirement.

(7) Sanitary Facilities. Any Mobile Food Vendor or Mobile Food Vendor Court shall provide and maintain a sanitary facility on-site, or shall provide and maintain a written

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agreement with a property and/or business owner allowing Mobile Food Vendor employees and customers to share the use of that property’s existing sanitary facilities. The structure containing shared sanitary facilities must be located within 750 feet from location of the mobile food vendor as identified on the approved site sketch. No shared sanitary facility may be shared with a residential land use. Mobile food vendors operating as temporary uses under the standards of GJMC 21.04.050 shall be exempt from this requirement.

(8) Utilities. Permanent hookups to utilities shall not be provided for Mobile Food Vendors but may be provided for Mobile Food Vendor Courts.

(9) Wastewater Discharge. Wastewater produced by Mobile Food Vendors shall be discharged only at a facility with an approved Industrial Pretreatment system or by a licensed waste hauler.

Title 21 Chapter 4 is amended to add the following:

21.04.010 Use Table

USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.	
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.	Mobile Food Vendor																A	A	A	A	A	A	A		21.04.030(v)
	Mobile Food Vendor Court																	C	C	A	A	A	A	A	

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Title 21 Chapter 6 is amended to add the following:

21.06.050 (c) Off-Street Required Parking

USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF SPACES
Retail Sales and Services	<u>Mobile Food Vendor</u>	<u>2.5 spaces per vendor</u>
	<u>Mobile Food Vendor Court</u>	<u>2.5 spaces per vendor</u>

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

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

ATTEST:

City Clerk

Mayor



Grand Junction City Council

Regular Session

Item #6.a.ii.

Meeting Date: March 4, 2020

Presented By: Jodi Romero, Finance Director, Randi Kim, Utilities Director

Department: Finance

Submitted By: Jodi Romero, Finance Director

Information

SUBJECT:

An Ordinance for Supplemental Appropriations for a Wastewater Master Plan

RECOMMENDATION:

Staff Recommends approval of the ordinance making supplemental appropriations to the Joint Sewer Fund for 2020.

EXECUTIVE SUMMARY:

This request is to appropriate funds and authorize spending for a Wastewater Master Plan in the amount of \$576,000 for 2020. A supplemental budget appropriation will be necessary in the Joint Sewer Fund in order to fund this project. No formal action is required by Mesa County for this supplemental appropriation.

The Wastewater Master Plan will plan for the expansion of the wastewater treatment plant; serve as a companion document to the City's updated Comprehensive Plan (currently in progress) to ensure adequate wastewater infrastructure for the 20-year planning horizon to support community growth; provide a master plan for the wastewater collection system; identify capital improvements required for rehabilitation and replacement of existing infrastructure; and support an independent rate analysis study that must be completed by 2021 to comply with the 5-year frequency requirement.

BACKGROUND OR DETAILED INFORMATION:

City Council authorizes spending at a fund level. The authorization occurs through the adoption of the Appropriations Ordinance. Supplemental appropriations are also

adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures through a budget amendment.

As presented during the 2020 budget workshop to the Persigo Board on September 12, 2019, the Persigo wastewater treatment plant surpassed the 80% capacity threshold in 2019. Pursuant to the facility discharge permit, we are required to initiate engineering and financial planning for expansion of the wastewater treatment plant when throughput reaches this capacity milestone.

Planning for future expansion of the wastewater treatment plant will be conducted in collaboration with the City's Community Development Department to project population growth for the Persigo 201 service area. City staff began engineering planning in 2019 by developing a scope of work for a Wastewater Master Plan project. Since scoping of the wastewater master plan had not yet been completed during the 2020 budgeting process and costs were uncertain, a specific project budget line item was not included in the 2020 budget.

The City solicited proposals from professional engineering companies for the Wastewater Master Plan project in November 2019. A selection committee comprised of City and County staff selected Carollo Engineers, Inc. as the firm that can provide the best professional engineering services for wastewater master plan development that is expected to result in the most cost-effective and sustainable long-term road map for the Persigo Sewer System. The fee for the Wastewater Master Plan scope of work is estimated at \$576,000 (this contract with Carollo Engineers will be on the City Council Agenda on March 4, 2020).

The budget amendment of \$576,000 would result in an increase in the capital budget from \$11,797,000 to \$12,373,000. There are sufficient reserves in the Persigo Sewer Fund to support this increase in capital expenditure since 2019 actual capital expenditures were below budget. Specific projects that realized savings include the sludge drying pad and the trunk line extension projects. The revised projected ending fund balance for 2019 is \$23.6 million, which reflects \$1 million in project savings.

This information was communicated to the Joint Persigo Board on February 3, 2020 per the attached memorandum. No formal action is required by Mesa County for this supplemental appropriation.

FISCAL IMPACT:

A supplemental budget appropriation will be necessary to fund the Wastewater Master Plan project. This would result in an increase in the capital budget from \$11,797,000 to \$12,373,000. There are sufficient reserves in the Persigo Sewer Fund to support this increase in capital expenditure since 2019 actual capital expenditures were below budget. Specific projects that realized savings include the sludge drying pad and the

trunk line extension projects. The revised projected ending fund balance for 2019 is \$23.6 million, which reflects \$1 million in project savings.

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City. The ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices.

SUGGESTED MOTION:

I move to (adopt/not adopt) Ordinance No. 4909, an ordinance making Supplemental Appropriations to the 2020 Budget of the City of Grand Junction, Colorado Joint Sewer Fund for the year beginning January 1, 2020 and ending December 31, 2020 on final passage and order final publication in pamphlet form.

Attachments

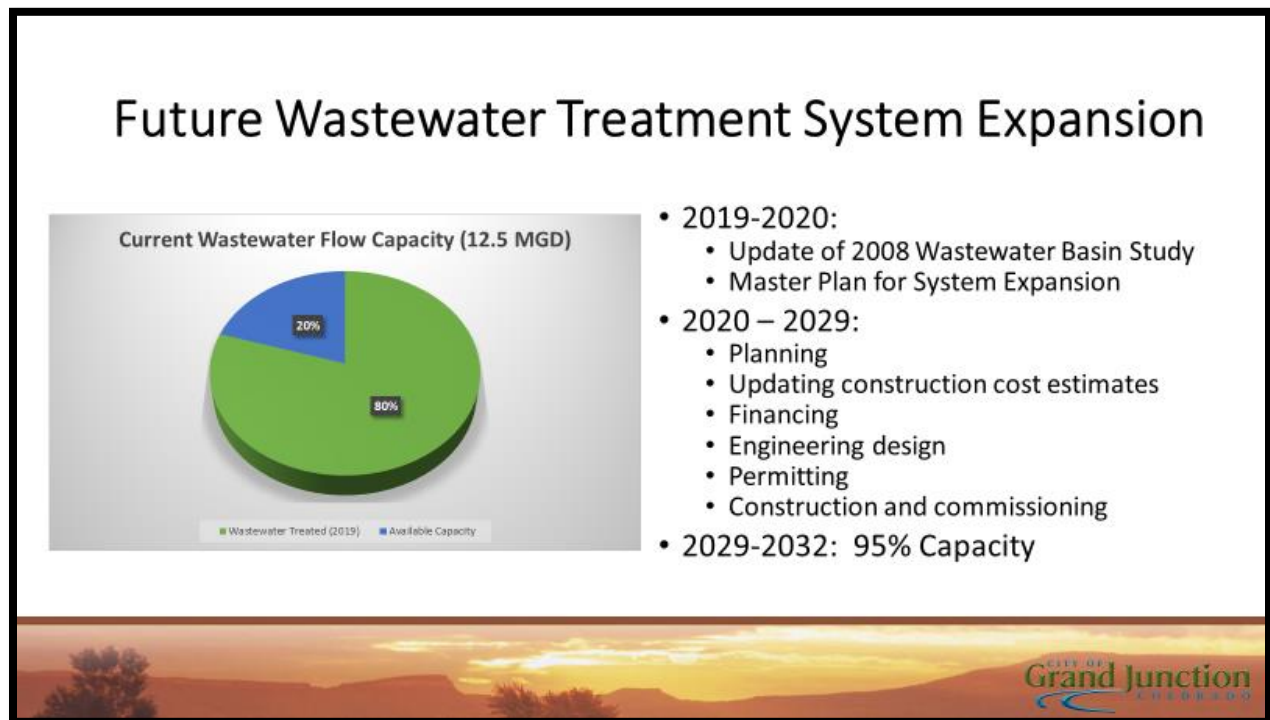
1. Memo to Joint Persigo Board-Wastewater Master Plan
2. 1st Supplemental Appropriation-Wastewater Master Plan ORDINANCE NO

Memorandum

TO: Joint Persigo Board
FROM: Greg Caton, City Manager
Randi Kim, Utilities Director
DATE: February 3, 2020
SUBJECT: Update on Status of Wastewater Master Plan

As presented during the 2020 budget workshop to the Persigo Board on September 12, 2019, the Persigo wastewater treatment plant surpassed the 80% capacity threshold in 2019.

Pursuant to the facility discharge permit, we are required to initiate engineering and financial planning for expansion of the wastewater treatment plant when throughput reaches this capacity milestone.



Wastewater Master Plan Process – City staff began engineering planning in 2019 by developing a scope of work for a Wastewater Master Plan project. Planning for future expansion of the wastewater treatment plant will be conducted in collaboration with the City's Community Development Department to project population growth for the Persigo 201 service area.

In addition to planning for expansion of the wastewater treatment plant, the Wastewater Master Plan project will also:

- Serve as a companion document to the City's updated Comprehensive Plan (currently in progress) to ensure adequate wastewater infrastructure for the 20-year planning horizon to support community growth;
- Provide a master plan for the wastewater collection system;
- Identify capital improvements required for rehabilitation and replacement of existing infrastructure; and
- Support an independent rate analysis study that must be completed by 2021 to comply with the 5-year frequency requirement.

Since scoping of the wastewater master plan had not yet been completed during the 2020 budgeting process and costs were uncertain, a specific project budget line item was not included in the 2020 budget.

The City solicited proposals from professional engineering companies for the Wastewater Master Plan project in November 2019. A selection committee comprised of City and County staff selected Carollo Engineers, Inc. as the firm that can provide the best professional engineering services for wastewater master plan development that is expected to result in the most cost-effective and sustainable long-term road map for the Persigo Sewer System. The fee for the Wastewater Master Plan scope of work is estimated at \$576,000.

A supplemental budget appropriation will be necessary to fund the Wastewater Master Plan project. This would result in an increase in the capital budget from \$11,797,000 to \$12,373,000. There are sufficient reserves in the Persigo Sewer Fund to support this increase in capital expenditure since 2019 actual capital expenditures were below budget. Specific projects that realized savings include the sludge drying pad and the trunk line extension projects. The revised projected ending fund balance for 2019 is \$23.6 million, which reflects \$1 million in project savings.

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2020 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020.

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2020 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
Joint Sewer Fund	900	\$ 576,000

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2020.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2020.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Workshop Session

Item #7.a.

Meeting Date: March 4, 2020

Presented By: Trent Prall, Public Works Director

Department: Public Works - Engineering

Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

Intergovernmental Agreement with Mesa County for Stormwater Quality Management Services

EXECUTIVE SUMMARY:

With the pending dissolution of 5-2-1 Drainage Authority in March, Mesa County has offered to provide stormwater quality management services for Palisade, Fruita and Grand Junction. The proposed Intergovernmental Agreement defines the terms, conditions and responsibilities between the City and Mesa County.

BACKGROUND OR DETAILED INFORMATION:

The 5-2-1 Drainage Authority (521) was created by an Intergovernmental Agreement on June 14, 2004, pursuant to CRS 29-1-204.2 by and between Mesa County, the Town of Palisade, the City of Grand Junction, the City of Fruita and the Grand Valley Drainage District to provide stormwater related services with and across their respective jurisdictions. In December the 521 Drainage Authority board voted to dissolve the Authority effective March 31, 2020.

Mesa County has offered to provide stormwater management services related to stormwater quality and is responsible for National Pollutant Discharge Elimination System (NPDES) compliance in the areas it serves within Mesa County. Mesa County will hold the Municipal Separate Storm Sewer System (MS4) permit, comply with NPDES and other environmental regulations and informs the public about stormwater quality.

Palisade and Fruita will also be "uploading" their respective stormwater quality permit

to Mesa County for stormwater compliance - similar to how the County handles building department permitting. Advantages are that it would be carried out by a dedicated, focused staff and not just an added duty to an current employee(s).

The stormwater quality workload consists of public education and public outreach, stormwater construction permitting, post-construction monitoring/oversight and in the very near future development of plans to address the new Total Maximum Daily Loads (TMDLs) for a few of the Grand Valley's drainages.

A Technical Advisory Committee (TAC) comprised of stormwater/development staff from Fruita, Palisade, Grand Junction and Mesa County will help shape how Mesa County complies with the state stormwater permits.

FISCAL IMPACT:

With the proposed intergovernmental agreement, Mesa County proposes to provide stormwater quality management services for the City of Grand Junction for an annualized rate of \$200,000. After the dissolution of the 521 there will be remaining fund balance of approximately \$27,000 that would be transferred to Mesa County to help offset start up costs for new staff associated with this intergovernmental agreement.

SUGGESTED ACTION:

I move to (authorize/not authorize) the City Manager to sign the Intergovernmental Agreement for Stormwater Quality Management Services.

Attachments

1. STORMWATER IGA-Grand Junction final-REVGJ 20200228

INTERGOVERNMENTAL AGREEMENT
FOR PROVISION OF COLORADO DISCHARGE PERMIT SYSTEM MUNICIPAL
SEPARATE STORM SEWER SYSTEM
STORMWATER PHASE II PERMIT SERVICES

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) is made and entered into effective the _____ day of _____, 2020 by and between the CITY OF GRAND JUNCTION, COLORADO, a Colorado municipal corporation (“Grand Junction”), and MESA COUNTY, COLORADO, a political subdivision of the State of Colorado (the “County”), and provides as follows:

RECITALS:

WHEREAS, Colorado law allows the County to accept responsibility for compliance with State Stormwater Phase II permits and procedures; and

WHEREAS, the County desires to provide consolidated Colorado Discharge Permit System (“CDPS”), Municipal Separate Storm Sewer System (“MS4”), and related stormwater permitting services to entities within its jurisdictional boundaries that are necessary for compliance with CDPS MS4 Stormwater Phase II regulations; and

WHEREAS, all of the areas subject to CDPS MS4 Stormwater Phase II discharge permitting are within the jurisdictional boundaries of the County; and

WHEREAS, Grand Junction has placed a high priority on functional stormwater management and stormwater quality and is desirous of entering into this Agreement with the County to obtain consolidated CDPS MS4 Stormwater Phase II Discharge Permit Services; and

WHEREAS, the County has submitted a Permit Application to CDPHE for a consolidated, MS4 permit to be held by the County and under which the County will obtain and receive future MS4 permit coverage, and the 5-2-1 Drainage Authority will be terminating the responsibility, administration, and management of the existing MS4 permit held by the City of Grand Junction.

NOW, THEREFORE, in consideration of the recitals, terms, conditions, and promises contained in this Agreement, Grand Junction and the County agree as follows:

1. Duties of the County. The County shall provide CDPS MS4 Stormwater Phase II permit services on behalf of Grand Junction upon terms and conditions hereinafter set forth. The County will provide for Grand Junction the Services stated in the scope of work attached hereto as **Exhibit A** and incorporated herein. On the effective date of the CDPS MS4

Permit issued to County by CDPHE, County shall exercise full responsibility for the administration and management of CDPS MS4 Program compliance for Grand Junction as an entity covered under the MS4 Permit. The County and Grand Junction agree they have mutual and individual obligations under the Agreement to initiate and perform enforcement activities in order to maintain compliance with the CDPS MS4 permit provisions.

2. Duties of Grand Junction

- A. Grand Junction agrees to reasonably assist the County with the performance of the County's duties as described in Exhibit A of this Agreement and as listed in this subparagraph A. "As Assisted by the City" is defined as when the County is needing assistance from the City, within the City's jurisdictional boundaries. For example illicit discharge response and enforcement will be the responsibility of the City, but Mesa County will relay any information received from the drainage hotline.
 - i. Authorizing the County to issue a Notice of Violation ("NOV") to a Stormwater Construction Permit holder and/or property owner for violation of the Mesa County/Grand Junction Stormwater Management Manual, as may be amended from time to time, and/or Colorado Law, concerning CDPS MS4 permit requirements, pursuant to the County's duties under Section A.iii., A.iv., and A.v. of Exhibit A.
- B. Grand Junction agrees to reasonably provide current and historic documentation such as previous permit program descriptions and annual reports, current resolutions, current construction and post-construction permit files, and other technical data necessary for the County to maintain an MS4 permit.
- C. Grand Junction shall inform the County, and provide a duplicate copy of, any permit related correspondence with regulatory agencies which may affect the County's performance of its duties under Section 1 of this Agreement.
- D. Grand Junction agrees to take no intentional actions or perform any activity that can reasonably be foreseen to jeopardize the compliance status of the County's MS4 permit with CDPHE.
 - i. Grand Junction agrees that if the County is found to be in violation of the County's CDPS MS4 Permit by CDPHE, and the violation can be attributed to an action on the part of Grand Junction, then Grand Junction shall be liable for any associated fee, fine, compliance order or penalty incurred by the County and shall assist the County in addressing, mitigating, or responding to the violation.
 - ii. The County and Grand Junction acknowledge that the City of Grand Junction retains liability for findings by CDPHE of non-compliance against the CDPS MS4 Permit previously held by the City of Grand

Junction (COR –090077), and any associated fee, fine, compliance order, or penalty charged thereto.

3. Term. The County and Grand Junction agree that their respective duties under this Agreement shall commence on the effective date of the transfer of the 5-2-1 Authority's CDPS MS4 Phase II Stormwater Permit to the County, and continue for a period concurrent with the life of the County's CDPS MS4 Phase II Stormwater Permit, subject to the following:
 - A. Beginning on the effective date of the County's CDPS MS4 Permit, the County shall administer all remaining permit activities, including inspections and eventual permit inactivation for all remaining active construction sites originally permitted by the City of Grand Junction.
 - B. Either party may initiate a review and negotiated modification of this agreement on a yearly basis, beginning no sooner than October 1st of each calendar year, to take effect January 1st of the subsequent year. Amendments or modifications of this Agreement shall require written agreement executed by the parties hereto.
 - C. Notwithstanding any provision herein contained, either party may terminate the Agreement without cause upon written notification of intent to terminate to the remaining party One Hundred Twenty (120) calendar days in advance of such termination date. Upon receipt of a notice of intent to terminate, both parties are individually responsible for informing the State of Colorado of the future change in permit coverage. Upon termination or expiration of this Agreement, The County shall immediately cease service work, and deliver to Grand Junction all documents, keys, papers, calculations, notes, reports, drawings, or other technical papers prepared by or provided to the County under the terms of this Agreement.
 - D. The expenditure of public funds by either party hereto shall be subject to the requirement of an annual appropriation.
1. Fee for Service. For the services provided by the County pursuant to this Agreement, Grand Junction shall pay an annual fee of \$200,000. The City's share (\$27,000) of the remaining 521 Drainage Authority fund balance (\$49,000) shall be paid to Mesa County upon the winding up of the 5-2-1 Drainage Authority operation The City's fee for 2020 will be \$177,000. Payable on or before ___ 2020.

The service fee may be adjusted from time to time by written agreement of the parties. The County and City agree, there will be no increase for 3 years with the exception of mutually agreed in advance costs for consulting cost(s) for meeting CDPHE imposed total maximum daily load (TMDL) standards and capital/maintenance projects and/or an increase of greater than 20% in the number of construction permits. The annual service

fee is contemplated for the agreement being in full effect a full calendar year, payable when the agreement is put into effect, or within 30 days thereafter. If the agreement is not in effect for a full calendar year, the fee will be prorated to reflect the time that the agreement was in effect. If Grand Junction decides to not continue with services, it will not be entitled to any return of funds.

The IGA is for the operations budget, and any remaining fund balance from Grand Junction's share of the 5-2-1 Drainage Authority fund balance will be transferred to Mesa County for start up cost.

4. Relationship between Parties. The County is contracted only for the purpose and to the extent set forth in this Agreement, and its relationship to Grand Junction shall be that of an independent contractor.
5. Assumption of Risk and Governmental Immunity. The parties to this Agreement agree that each party shall bear responsibility for its own negligence and neither shall be responsible for indemnifying the other pertaining to the subject matter of this Agreement. Nothing herein shall be construed or interpreted as a waiver of any provision of the Colorado Governmental Immunity Act ("CGIA") as it now exists, or as it may be hereafter amended, as pertains to limits on liability by governmental entities for claims or injuries to persons or property. Liability for damages for activities conducted by either party via this Agreement shall be controlled and limited in accordance with the CGIA notwithstanding any contrary provision of this Agreement.
6. Assignment. Neither party shall assign such party's rights or interest under this Agreement without the prior written consent of the other.
7. Entire Agreement. This Agreement shall constitute the entire agreement between Grand Junction and the County. Any prior understanding or representation of any kind preceding the effective date of this Agreement shall not be binding on either party except to the extent incorporated in this Agreement.
8. Amendment. Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if in writing signed by each party.
9. Non-Waiver. The failure of either party to this Agreement to insist on the performance of any of the terms and conditions of this Agreement or the waiver of any breach of any of the terms and conditions of this agreement shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.
10. Venue. This Agreement is formed in accordance with laws of the State of Colorado and venue for any action hereunder shall be in the State District Court in Mesa County, Colorado.
11. Standard of Care. The County shall fully and faithfully perform the work required under this Agreement in accordance with the appropriate standards of care, skill, training,

diligence, and judgment provided by contractors who perform work of a similar nature to the work described in this Agreement.

12. Dispute Resolution. Disputes arising under, out of, or related to this Agreement or the work which is the subject of this Agreement shall be first addressed by informal means by and among technical staff and management of the parties to the Agreement. If informal means are unsuccessful, disputes shall be mediated using an independent third party. If both informal means and mediation are unsuccessful, the parties expressly reserve the right to arbitrate or file a cause of action pursuant to the Colorado Rules of Civil Procedure under C.R.S. §13-22-201, *et seq.*, or pursue any other remedy available pursuant to Colorado Law. The parties hereto agree that attempts at informal resolution through mediation shall be a precondition to other action being taken.
13. Cooperation with Grand Junction. In providing services in regards to the subject matter of this agreement, the technical staff of the County shall work cooperatively and in good faith with Grand Junction.
14. Agreement Provisions Severable. If any of the provisions of this Agreement are deemed to be invalid or unenforceable, such provisions shall be deemed severable from the remainder of this Agreement and shall not cause the invalidity or unenforceability of the remainder of this Agreement. If any provisions are deemed invalid because of its scope, this provision shall be deemed valid to the extent of the scope permitted by law.

The remainder of this document is left intentionally blank.

{SIGNATURES ON FOLLOWING PAGE}

AGREED TO EFFECTIVE THE DATE FIRST WRITTEN ABOVE.

MESA COUNTY

By _____
Scott McInnis, Chair of Board of County Commissioners

ATTEST:

Tina Peters, Clerk and Recorder

CITY OF GRAND JUNCTION

By _____
Greg Caton, City of Grand Junction Manager

ATTEST

Wadna Winkelmann, City Clerk

EXHIBIT A
SCOPE OF WORK

- A. Beginning on the effective date of the transfer of the 5-2-1 Drainage Authority's CDPS MS4 Phase II Stormwater Management Permit, subject to the specific terms of this Agreement, the County shall budget for, administer, coordinate, and perform all the following program elements shown as Minimum Control Measures identified below.
- i. All Public Education and Outreach activities described in the CDPS MS4 Phase II Stormwater Management Permit.
 - ii. All Public Participation and Involvement activities described in the CDPS MS4 Phase II Stormwater Management Permit as approved by CDPHE.
 - iii. Construction program activities as described in the CDPS MS4 Phase II Stormwater Management Permit, specifically including review and approval of Construction Site Stormwater Management Plans (CSWMPs), issuance of Construction Stormwater Permits, and associated construction related inspection and auditing activities.
 - iv. Grand Junction will identify the County as an external review agency for Grand Junction's project which are subject to the County's Construction Stormwater Management Plan review and Stormwater Construction Permit activities.
 - v. The County will require capital projects disturbing equal to or greater than 1 acre within the County's MS4 Permit jurisdiction to be subject to the County's Construction Stormwater Management Plan review and Stormwater Construction Permit provisions.
 - vi. Post-Construction program activities as described in the CDPS MS4 Phase II Stormwater Management Permit, including but not limited to: review and approval of Post Construction Stormwater Control Measure Requirements contained within Final Drainage Reports or other applicable documents; associated post-construction inspection and auditing activities.
 - vii. The County shall work directly to advise developers and/or property owners of sites that require Stormwater Construction Permits and Post-Construction Stormwater Control Measures to maintain sites in compliance with stormwater quality requirements contained within the CDPS MS4 Stormwater Phase II discharge permit, without the involvement of Grand Junction. If continued non-compliance or blatant disregard of stormwater requirements is documented by the County, or work is being done without appropriate approvals and permits and enforcement actions are necessary, then it shall be the County's responsibility to initiate enforcement actions pursuant to the authority granted to the County's staff as described under Section 2, Paragraph A of the Agreement. Upon initiation of enforcement activities, the County shall provide documentation, field support, testimony, or other support as needed, for legal actions initiated by the County.
- B. To the extent allowed by law, the County shall budget for, administer, coordinate, and perform the following tasks associated with program elements shown as Minimum Control Measures ("MCM"s) within Mesa County's CDPS MS4 Phase II Stormwater Management Program Description.

- i. Illicit Discharge Detection and Elimination (“IDDE”) activities specifically identified below and described in the County’s Phase II Program Description.
 - a. Operation of a stormwater hotline.
 - b. Coordination and performance of storm drain system mapping efforts. Provide accurate records, files, mapping, mailing list and other documents and information necessary to establish the jurisdictional boundaries, type and ownership of properties within the jurisdictional boundaries and physical facilities of Grand Junction for which the County will be providing services, and shall reasonably provide any updates or changes to this information as necessary, as assisted by Grand Junction.
 - c. Continuation of pollution awareness efforts, such as the billboard campaign, and distributing items such as brochures pencils, magnets, and stickers with the Hotline phone number.
 - d. The County will provide Grand Junction technical staff assistance, for enforcement activities associated with issuing NOV’s for Stormwater Construction violations as outlined in Section 2A.i.
 - e. Coordinate training activities for field staff and audits of Grand Junction facilities, as assisted by Grand Junction.
 - f. Maintain an effective IDDE Program for facilities owned and operated by Grand Junction and compliance with CDPHE regulations and the County’s CDPS MS4 Program Description, as assisted by Grand Junction.
 - g. Maintaining an effective Pollution Prevention and Good Housekeeping Practices for Municipal Operations Program for facilities owned and operated by Grand Junction, compliant with CDPHE regulations and the County’s CDPS MS4 Program Description, as assisted by Grand Junction.
 - ii. The County shall audit Grand Junction’s IDDE program on an annual basis to ensure Grand Junction is maintaining an effective program in compliance with the County’s CDPS MS4 Permit Program Description.
 - iii. Pollution Prevention and Good Housekeeping for Municipal Operations activities specifically identified below and described in the County’s Phase II Program Description.
 - a. Coordinate training activities for Grand Junction’s staff to ensure compliance with the County’s Program Description, as assisted by Grand Junction.
 - b. The County shall audit Grand Junction’s Pollution Prevention and Good Housekeeping for Municipal Operations program on an annual basis to ensure Grand Junction’s is maintaining an effective program in compliance with the County’s CDPS Permit and Program Description.
- C. The County shall inform Grand Junction of any permit related correspondence with regulatory agencies which may affect Grand Junction’s operations or Grand Junction’s performance of its duties pursuant to this Agreement, and provide Grand Junction a duplicate copy.

- D. The County shall diligently maintain the CDPS MS4 Phase II Stormwater Permit consistent with State of Colorado regulations and approval criteria to ensure continued coverage of Grand Junction as an entity covered under said Permit. The County shall coordinate with CDPHE on the type and extent of any submittals required, accumulate documents, and/or prepare or coordinate creation of new documents as required for the submittals.
- i. The County shall administer, maintain, prepare annual reports for, and renew the Phase II permit.
 - ii. The County may pursue CDPHE approval and/or designation as a qualified local program for the construction permitting program for implementation within the Permit Area.
 - iii. Nothing in this section is intended to force the County to continue to hold a CPDS MS4 Stormwater Phase II Permit on behalf of Grand Junction in violation of CDPHE approval criteria or in violation of applicable law. It is understood that CDPHE retains the right to rescind the County's ability to hold the CPDS MS4 permit on behalf of Grand Junction if future conditions so warrant.
- E. The County shall maintain a Technical Advisory Committee ("TAC"), chaired by the County's Stormwater Manager, and comprised of a staff representative from each of the parties with which the County has agreed to provide administrative and managerial services related to the CDPS MS4 matters contemplated by this Agreement. Staff representatives to the TAC shall be determined solely by their respective entities and shall be the primary conduit for communicating information to their organization. The general role of the TAC is to provide recommendations and advice to the County's Stormwater Manager on technical, strategic planning, and permit compliance issues, in order to assist the County in performing its duties identified in the respective agreements.
- i. The County's Stormwater Manager shall hold TAC meetings as necessary as determined by the TAC members.
 - ii. The County's Stormwater Manager is responsible for ensuring the County's Engineering Division Director is kept informed of issues being discussed by the TAC, transmitting recommendations and advice from the TAC to the Engineering Division Director, and for transmitting information from the Engineering Division Director to the TAC.
 - iii. The County's Stormwater Manager shall consult with TAC members and seek recommendations prior to making decisions or implementing activities directly associated with the CDPS MS4 permit compliance commitments of the contracting parties.

END OF EXHIBIT A



Grand Junction City Council

Regular Session

Item #7.b.

Meeting Date: March 4, 2020

Presented By: Ken Sherbenou, Parks and Recreation Director, Jay Valentine,
General Services Director

Department: Parks and Recreation

Submitted By: Ken Sherbenou, Parks and Recreation Director

Information

SUBJECT:

Contract for Stocker Stadium Track Replacement

RECOMMENDATION:

Staff recommends the City Purchasing Division to enter into a Construction Contract with Renner Sports Surfaces for the Replacement of the Stocker Stadium Track Project in the amount of \$326,500.

EXECUTIVE SUMMARY:

The Stocker Stadium Track was originally installed in 2002 and repainted in 2013. The Track surface has far exceeded its life expectancy and the asphalt is heaving and cracking in many places.

Currently the Track hosts all School District 51 high school and middle school track events, Colorado Mesa University Track practices, Graduations, Special Olympics local and state games, and is open to the public Monday through Friday for general use.

The track surface will be replaced with a new 2-layer embedded track surfacing. The existing track will be removed and the asphalt will be prepped for the new surfacing. Once resurfacing is completed they will stripe the track for high school and collegiate competition.

In addition to the City of Grand Junction, funding for this project will come from stadium partners including Parks Improvement Advisory Board, and School District #51. If approved this project will be scheduled to begin in mid June after the Special Olympics

State Meet and before the first football game (mid-August).

BACKGROUND OR DETAILED INFORMATION:

The Stocker Stadium Track infrastructure, sub-base asphalt base layer and drains were originally installed in 2002. Though the track was last repainted in 2012 the infrastructure has far surpassed its useful life expectancy. The asphalt is heaving and cracking in many locations. The drains are not functioning properly thus allowing water to sit on the track and penetrate between the asphalt and the rubber surfacing causing separation. Project would consist of a complete renovation of the track surfacing to include; repair / replacement for the asphalt base, installation of a new gutter and drain system and installation of new rubber surfacing and repainting.

With over 90 organized track events per season, plus 5 days a week of public use, the track is a highly utilized amenity of Lincoln Park. Additionally, there is added wear and tear caused by people on the track during football games, marching band events and other turf usage.

Replacement will follow the current guidelines set forth by the International Amateur Athletic Federation (IAAF) and the National Collegiate Athletic Association (NCAA), along with the current material testing guidelines as published by the American Society of Testing and Materials (ASTM). The track surface will be 13 mm thick, consisting of a rubber granular base layer that is paved in place with a binder added on top of the base coat. The final layer will consist of a two component polyurethane pore sealer used with paved rubber granules and will have 3 mm to 5mm of wearing course.

A formal Invitation for Bids was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce, the Western Colorado Contractors Association, and advertised in The Daily Sentinel. Three companies submitted formal bids that were found to be responsive and responsible in the following amounts:

Contractor	Location	Amount
Renner Sports Surfaces - BSS-300	Denver, CO	\$326,500
Hellas Construction, Inc	Austin, TX	\$330,544
General Acrylics, Inc	Phoenix, AZ	\$336,397
Renner Sports Surfaces - BSS-1000ML	Denver, CO	\$366,000
Renner Sports Surfaces - BSS-1000	Denver, CO	\$405,750

FISCAL IMPACT:

The total cost of the project is \$326,500 and is approved in the 2020 Adopted Budget. This project is funded in part with revenues from the Parks Improvement Advisory Board (\$90,000) and School District #51 (\$45,000).

SUGGESTED MOTION:

I move to (authorize/not authorize) the Purchasing Division to enter into a contract with Renner Sports Surfaces in the amount of \$326,500 for replacement of the track at Stocker Stadium.

Attachments

1. Contract IFB-4746-20-DH