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**CITY COUNCIL AGENDA
WEDNESDAY, FEBRUARY 19, 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, Invocation

Pastor Paul Espinoza, Junction Community Church

The invocation is offered for the use and benefit of the City Council. The invocation is intended to solemnize the occasion of the meeting, express confidence in the future, and encourage recognition of what is worthy of appreciation in our society. During the invocation you may choose to sit, stand, or leave the room.

Proclamations

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

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

Appointments

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 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

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. 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 45.543-Acres, 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. ST-20 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

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

6. **Other Action Items**

- a. I-70B Update, Discussion and Possible Direction
(Public Comment Will Be Taken on This Item)
- b. Memorandum of Understanding for Indoor Golf Facility with Colorado Mesa University

7. **Public Hearings**

- a. Quasi-judicial
 - i. An Ordinance Rezoning the Mays Rental Property from PD (Planned Development) to C-1 (Light Commercial) Located at 2389 Riverside Parkway
- b. Legislative

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

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



City of Grand Junction, State of Colorado

Proclamation

- Whereas,** TRiO, a collection of federally funded programs designated to prepare low-income and first-generation students (students from families whose parents do not have a four-year college degree) for college success, was founded in 1964; and
- Whereas,** TRiO refers to the first three programs of this nature that fell under the Higher Education Amendments of 1968, Upward Bound, Talent Search, and a program now known as Student Support Services; and
- Whereas,** the TRiO program, with the help of students, staff, and community members, has grown to eight programs that help students seek higher education; and
- Whereas,** the TRiO programs provide opportunities and access to services that assist students in their academic journey; and
- Whereas,** the TRiO Student Support Services Program at Colorado Mesa University served more than 150 students during the 2018-2019 school year with 87% returning to continue their education; and
- Whereas,** 97% of Colorado Mesa University TRiO students maintain good academic standing; and
- Whereas,** National TRiO Day is a day to celebrate its positive impact on local communities and the nation, to reflect on the importance of education, and a time to act to protect further access to higher education

NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim February 22, 2020 as

“National TRiO Day”

in the City of Grand Junction and urge all the citizens of the City to turn their attention to and increase awareness of the needs of disadvantaged young people and adults aspiring to improve their lives.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 19th day of February 2020.

Mayor



City of Grand Junction, State of Colorado

Proclamation

Whereas, the Peace Corps has become an enduring symbol of our nation's commitment to encourage progress, create opportunity, and expand development at the grass roots level in the developing world; and

Whereas, over 225,000 Americans have served as Peace Corps Volunteers and trainees in 140 host counties since 1961; and

Whereas, in 2016, 24,000 individuals volunteered for the Peace Corps and 3,800 were deployed; and

Whereas, Peace Corps Volunteers have made significant and lasting contributions around the world in agriculture, food security, business and civil society development, information technology, education, health and HIV/AIDS care and prevention, youth and community development, and the environment and have improved the lives of individuals and communities around the world; and

Whereas, Peace Corps Volunteers have strengthened the ties of friendship between the people of the United States and those of other countries, and they have been enriched by their experiences overseas, have brought their communities throughout the United States a deeper understanding of other cultures and traditions, thereby bringing a domestic dividend to our nation; and

Whereas, returning Peace Corps Volunteers nationwide are honoring the agency's anniversary by celebrating Peace Corps Week.

NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim March 1 – March 7, 2020 as

"National Peace Corps Week"

in the City of Grand Junction and urge all the citizens of the City to turn their attention to Commemorating President John F. Kennedy's establishment of the agency on March 1, 1961, and celebrate all the ways the Peace Corps makes a difference at home and abroad.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 19th day of February, 2020.

Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: February 19, 2020

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Commission on Arts and Culture

RECOMMENDATION:

Appoint members to the Commission on Arts and Culture

EXECUTIVE SUMMARY:

There are three vacancies on the Commission on Arts and Culture.

BACKGROUND OR DETAILED INFORMATION:

Vacancies are due to terms expiring.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the interview committee's recommendations to the Commission on Arts and Culture.

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: February 19, 2020
Presented By: Wanda Winkelmann, City Clerk
Department: City Clerk
Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Parks and Recreation Advisory Board

RECOMMENDATION:

Appoint members to the Parks and Recreation Advisory Board.

EXECUTIVE SUMMARY:

There is once vacancy to fill a partial term on the Parks and Recreation Advisory Board.

BACKGROUND OR DETAILED INFORMATION:

Vacancy is due to a resignation.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the interview committee's recommendation to the Parks and Recreation Advisory Board.

Attachments

None

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

January 15, 2020

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, January 15, 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, Anna Stout, Duke Wortmann, and Mayor Rick Taggart.

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

Councilmember Andrews moved to go into Executive Session:

TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402(4)(e) AND/OR 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE ACQUISITION OF REAL PROPERTY, INCLUDING BUT NOT LIMITED TO THE ORCHARD MESA POOL, LOCATED AT 2736 C ROAD, GRAND JUNCTION, COLORADO

and will not be returning to open session.

Councilmember Wortmann seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session at 5:02 p.m.

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

The meeting adjourned at 5:37 p.m.

Wanda Winkelmann
City Clerk

CITY COUNCIL WORKSHOP SUMMARY
February 3, 2020

Meeting Convened: 5:32 p.m. in the City Hall Auditorium

Meeting Adjourned: 7:29 p.m.

City Councilmembers present: Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phil Pe'a, Anna Stout, Duke Wortmann, and Mayor President Rick Taggart.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Public Works Director Trent Prall, Street Systems and Solid Waste Manager Darren Starr, General Services Director Jay Valentine, Senior Assistant to the City Manager Greg LeBlanc, and City Clerk Wanda Winkelmann.

Mayor Taggart called the meeting to order.

Agenda Topic 1. Discussion Topics

a. Recycling Update

Mr. Prall provided an overview of the duties and responsibilities of the Solid Waste Department. He noted the following facts about the recycling industry:

- The recycling market has plummeted due to stricter regulations in China.
- About 2200 tons per year of materials are recycled.
- Because of the multi-stream system, the contamination rate is low as materials are sorted separated.
- Single stream recycling results in about 25% contamination rate.

Jonathan Hahn with GJ CRI provided an introduction of the partnership with the City. There are 55 routes within City limits and customers pay \$1.75 per month for curbside service. Free public drop-offs amount to 5,000 visitors each month. The multi-stream approach is used for glass, plastic, paper, and cardboard.

Melissa Snyder with GJ CRI discussed the staffing and their duties. GJ CRI provides facility tours and participates in community events. They coordinate with other organizations to advance recycling awareness.

Steven Voss with GJ CRI discussed educating customers about recycling efforts, single stream recycling and the products being contaminated, possible advertising program, rate adjustments, and participation objectives.

Support was expressed for the recycling program to remain multi stream, with GJ CRI increasing its advertising. GJ CRI will also bring back a proposal that outlines how they will increase the number of customers recycling.

b. Colorado West Land Trust Presentation of Priorities

Rob Bleiberg and Libby Collins with the Colorado West Land Trust provided an overview on:

- The opportunities for recreational experiences, which aligns with the City's Strategic Plan.
- Land acquisitions.
- Collaboration and partnerships.
- Funding.

Discussion ensued about the Monument Corridor and how it adds to the local economy.

Agenda Topic 2. Next Workshop Topics

City Manager Caton noted that, due to Presidents Day, the February 17 Workshop is canceled.

For March 2, three topics will be discussed: Avalon Theatre Foundation Update, Branding, and a request from Catholic Outreach regarding funding for housing.

3. Other Business

Councilmember Stout noted there is a Cultural Plan Celebration at Hospitality Suite on Thursday. She also discussed the possibility of a future conversation to consider modifications and refinements to the evaluation process.

Adjournment

The Workshop adjourned at 7:29 p.m.

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

February 3, 2020

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, February 3, 2020 at 7:38 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, Anna Stout, Duke Wortmann, and Mayor Rick Taggart.

Staff present for Executive Session #1 were City Manager Greg Caton, City Attorney John Shaver, Community Development Director Tamra Allen, Public Works Director Trent Prall, Parks and Recreation Director Ken Sherbenou, Finance Director Jodi Romero, General Services Director Jay Valentine, Sr. Assistant to the City Manager Greg LeBlanc.

Staff present for Executive Session #2 were City Attorney John Shaver.

Executive Session #1

Councilmember Andrews moved to go into Executive Session:

TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402(4)(e) AND/OR 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE SALE(S) OF REAL PROPERTY(IES) LOCATED AT OR NEAR 2581 RIVERSIDE PARKWAY IN THE DOS RIOS SUBDIVISION IN GRAND JUNCTION, COLORADO

Councilmember Wortmann seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session at 7:38 p.m.

Councilmember Wortmann moved to adjourn. Councilmember Andrews seconded. Motion carried unanimously.

Executive Session #2

Councilmember Andrews moved to go into Executive Session:

TO DISCUSS PERSONNEL MATTERS PURSUANT TO SECTION 24-6-402(4)(f)(I) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A CITY COUNCIL EMPLOYEE SPECIFICALLY THE CITY ATTORNEY

Councilmember Wortmann seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session at 8:06 p.m.

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

The meeting adjourned at 8:45 p.m.

Wanda Winkelmann
City Clerk

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

February 5, 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 5th day of February 2020 at 6:00 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Duke Wortmann and Council President Rick Taggart.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Selestina Sandoval. Council President Taggart called the meeting to order. Several students led the Pledge of Allegiance which was followed by a moment of silence.

Presentations

Holiday Parking Donation to United Way

Council President Taggart presented the Executive Director of United Way of Mesa County Julie Hinkson with the donation in the amount of \$14,045.77.

Proclamations

Proclaiming February 9 - 15, 2020 as Kindness is Contagious Week

Councilmember Stout read the proclamation. Kindness is Contagious Coordinators Tatum Menon and Riley King accepted the proclamation.

Certificates of Appointment

To the Visit Grand Junction Board

Councilmember Norris presented the Certificate the Appointment to the newly appointed Visit Grand Junction Board Member Kelsey Coleman.

Citizen Comments

Jim Hargis, Gary Crist, Rob Scribner, Robert Lee Cox, Julie Dorsey and Janet Magoon spoke in support of the Orchard Mesa Pool.

Bruce Lohmiller spoke of verifying medical information, HomewardBound and the Catholic Day Center.

Jeffrey Fleming expressed concerns with a proposal from Colorado Department of Transportation (CDOT) involving I-70B and how it would impact the downtown area.

City Manager Report

City Manager Caton answered questions about the Orchard Mesa Pool.

Council Reports

Mayor Pro Tem Wortmann thanked citizens for their efforts and interest in the Orchard Mesa Pool and encouraged them to continue working with the City and County towards a solution.

Councilmember Stout invited citizens to the Cultural Plan Celebration, spoke of an upcoming Spanish Language Hispanic Outreach to be held at the Central Library, and shared some topics that were brought up during the last “Stouts with Stout”.

Councilmember Norris supported Mayor Pro Tem Wortmann's comments and encouraged people to also reach out to the County and Mesa County Valley School District #51.

CONSENT AGENDA

Item #5 was removed from the Consent Agenda to a future meeting. Councilmember Norris moved to approve Consent Agenda Items #1 - #4. Councilmember Andrews seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the January 13, 2020 Workshop
- b. Minutes of the January 15, 2020 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of 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 and Set a Public Hearing for February 19, 2020
 - ii. Introduction of 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 and Set a Public Hearing for February

19, 2020

- iii. Introduction of an Ordinance Amending Ordinance No. 4830 in Part Regarding the Effective Date of International Fire Code Provisions Pertaining to Mobile Food Preparation Trucks and Set a Public Hearing for February 19, 2020

b. Quasi-judicial

- i. Introduction of an Ordinance Rezoning the Mays Rental Property from PD (Planned Development) to C1 (Light Commercial) Located at 2389 Riverside Parkway and Set a Public Hearing for February 19, 2020
- ii. Introduction of an Ordinance Zoning the Barnes Electric Annexation Located at 2806 1/2 Perry Drive as I-1 (Light Industrial) and Set a Public Hearing for February 19, 2020

3. Contracts

- a. Purchase of Pierce Enforcer Fire Pumper Truck

4. Resolutions

- a. A Resolution Adopting City Council Agenda, Travel and Proclamation Policies

5. Other Action Items

- a. Memorandum of Understanding for Indoor Golf Facility with Colorado Mesa University - **REMOVED TO A DATE TO BE DETERMINED**

REGULAR AGENDA

Public Hearing - An Ordinance in Regards to the Issuance of \$50,000,000 in General Fund Revenue Bonds and the Refinancing of \$13,980,000, Series 2012 General Fund Revenue Bonds

On November 5, 2019, City voters authorized the City to issue debt for transportation expansion projects. D.A. Davidson is the City's underwriter and in coordination with staff has developed a financing and debt issuance plan.

The financing and debt issuance plan take advantage of historically low interest rates by refinancing the City's current Riverside Parkway 2012 Bonds and issuing new debt for the first phase or \$50 million (of a total \$70 million) in expansion projects.

Finance Director Jodi Romero introduced the item. Kyle Thomas with D.A. Davidson presented this item.

Conversation ensued clarifying net present value savings and Tabor compliance.

The public hearing was opened at 6:58 p.m.

Jim Hargis spoke in support of this item.

The public hearing was closed at 6:59 p.m.

Mayor Pro Tem Wortmann moved to adopt Ordinance No. 4902, an ordinance authorizing the issuance of one or more series of taxable or tax-exempt general fund revenue bonds or general fund revenue refunding bonds, pledging certain revenues of the City for the payment of the bonds, and making other provisions relating thereto 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 Concerning Section 3.12.020 of Chapter 3 of the Grand Junction Municipal Code Concerning the Taxability of Food Products Sold from Money Operated Machines

On November 29, 2019, the City received a request to reinstate an ordinance exempting from City sales tax certain foods sold from coin operated machines also referred to as vending machines. Approval of the ordinance would align the City's tax rules for sales through vending machines with the State of Colorado and Mesa County.

On January 13, 2020 City Council discussed this item and directed staff to place the ordinance on the agenda for first reading January 15, 2020.

Finance Director Jodi Romero presented this item.

Discussion clarified how this will align with the County and State as they currently charge this tax.

The public hearing was opened at 7:03 p.m.

There were no public comments.

The public hearing was closed at 7:03 p.m.

Councilmember Stout moved to adopt Ordinance No. 4903 concerning Section 3.12.020 of Chapter 3 of the Grand Junction Municipal Code concerning the taxability of food products sold from money operated machines on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Non-scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 7:05 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: February 19, 2020
Presented By: Lance Gloss, Associate Planner
Department: Community Development
Submitted By: Lance Gloss, Associate Planner

Information

SUBJECT:

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

RECOMMENDATION:

The Planning Commission heard this request at their February 11, 2020 meeting and recommended approval (6-0) of the request.

EXECUTIVE SUMMARY:

Staff 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 (permit 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 4, 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 introduce an ordinance amending the Grand Junction Municipal Code Title 21 Zoning and Development Code to provide for the regulation of mobile food vendors and set a public hearing for March 4, 2020.

Attachments

1. Proposed Use Table - MFV
2. Planning Commission Minutes - 2020 - February 11 - Draft
3. Draft Ordinance _ Mobile Food Vendors v2 (1)

**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. Commissioner Wade seconded the motion. Motion carried unanimously 6-0.

1. Approval of Minutes

- a. Minutes of the January 28, 2019 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 the approval of the CUP and the passage of which pods would be included.

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 that 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 including food truck operators, vendors, Mesa County Public Health, City Fire Department, Persigo staff and planning staff.

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.

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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;

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(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	21.04.030(v)

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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 #2.a.ii.

Meeting Date: February 19, 2020

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

Department: Finance

Submitted By: Jodi Romero, Finance Director

Information

SUBJECT:

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

RECOMMENDATION:

Introduce a proposed ordinance regarding 2020 supplemental appropriations for a Wastewater Master Plan in the amount of \$576,000.

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 introduce 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 and set a public hearing for March 4, 2020.

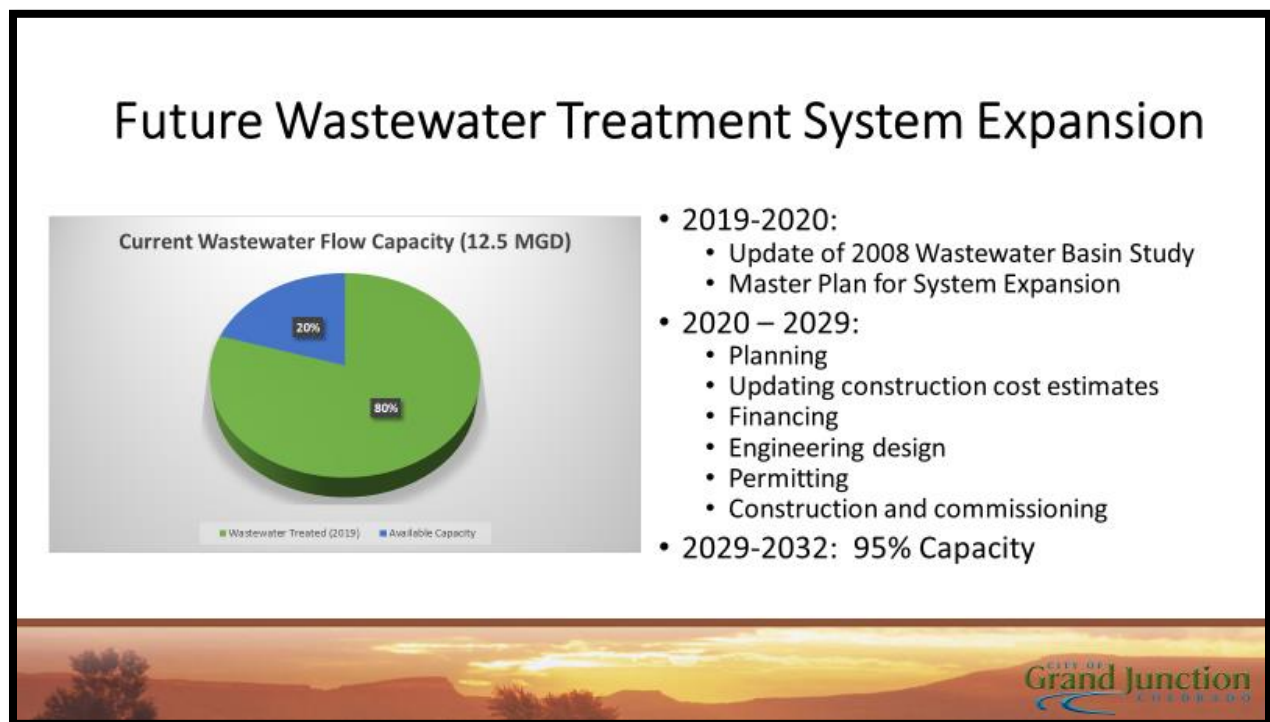
Attachments

1. Memo to Joint Persigo Board-Wastewater Master Plan
2. 1st Supplemental Appropriation-Wastewater Master Plan ORDINANCE NO

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

Regular Session

Item #2.b.i.

Meeting Date: February 19, 2020
Presented By: Scott D. Peterson, Senior Planner
Department: Community Development
Submitted By: Scott D. Peterson, 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 on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Magnus Court Annexation of 45.543-Acres, Located on the West End of Magnus Court and Set a Public Hearing for April 1, 2020

RECOMMENDATION:

Staff recommends adoption of a resolution referring the petition for the Magnus Court Annexation, introducing the proposed Ordinance and setting a hearing for April 1, 2020.

EXECUTIVE SUMMARY:

The Applicants, JLC Magnus LLC & Bonds LLC, are requesting to annex 45.543-acres located at the west end of Magnus Court in the Redlands. The proposed annexation includes 0.37-acres of the adjacent Magnus Court Right-of-Way. As part of this annexation, the City would take ownership and maintenance responsibilities of this 16,257-square feet of right-of-way. The subject properties currently contain no structures and are vacant. The owner is requesting annexation in anticipation of future residential subdivision development, which constitutes "annexable development" and as such is required to annex in accordance with the Persigo Agreement. Consideration for zoning of this annexation will be heard in a future action.

BACKGROUND OR DETAILED INFORMATION:

The Magnus Court Annexation consists of two properties that contain a total of 45.543-

acres located at the west end of Magnus Court in the Redlands. Both properties are vacant. The Applicants wish to annex the two (2) properties into the City limits in anticipation of future residential subdivision development in conjunction with the neighboring properties to the east which are also owned by applicants and previously annexed and zoned R-2 (Residential – 2 du/ac) and R-E (Residential Estate). The Applicant will be requesting a zoning for the properties of PD (Planned Development) with a default zone district of R-2 (Residential – 2 du/ac). Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

The proposed annexation includes 0.37-acres of the adjacent Magnus Court Right-of-Way (16,257-sq. ft.) which is currently not developed and contains no pavement, curb, gutter or sidewalk. As part of this annexation, the City would take ownership & maintenance responsibilities of this 16,257-square feet of right-of-way. Upon future subdivision development, the developer would be responsible for the cost and construction improvement cost of this right-of-way.

The properties are currently adjacent to existing city limits and are 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 owners have signed a petition for annexation of the properties.

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 Magnus Court 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.

As indicated in the attached Annexation and Summary, this is the first step in the annexation of property. This resolution referring a petition, taking land use jurisdiction and introducing (first reading) an annexation ordinance will be followed by a Planning Commission recommendation for the zone of annexation, introduction of an ordinance (first reading) to zone the property by Council and lastly a public hearing (second reading) for City Council decision on both the annexation and zoning. This hearing is currently scheduled for April 1, 2020.

FISCAL IMPACT:

Fire

Currently the property is in two parcels in the Grand Junction Rural Fire Protection District (Rural District) and Redlands Sub-District, both served by the Grand Junction Fire Department through a contract with the Rural District. The district collects mill levies of 5.223 and 4.904 generating a total of \$1,256 per year in property taxes that are then 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 will generate property tax revenue of \$960 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.

No changes in fire protection and emergency medical response are expected due to this annexation. Primary response is from Fire Station 5 at 2155 Broadway and from that location response times are within National Fire Protection Association guidelines. Fire Station 5 has the capacity to handle the increase in calls for service resulting from this annexation and development. At buildout, an annual incident volume of 6-10 calls for service is predicted.

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 Magnus Court.

The property is currently within the Persigo 201 Sewer Service Area. A 6-inch sewer line is available on Magnus Ct, which ultimately connects to a 15-inch interceptor line at South Broadway. This sewer line should have sufficient capacity to serve an additional 74 sewer taps. The developer will be required to extend sewer to serve the development and the builder will be required to pay Plant Investment Fees. Therefore, there is not fiscal impact to the Persigo Sewer Enterprise Fund.

Police

In an effort to determine/anticipate what the impact may be to the GJPD in providing police services should the city proceed with this annexation, calls for service during 2018 and 2019 were pulled. A review of that data revealed that there were only 10 calls for service in 2018 and 5 calls for service in 2019 to that surrounding area which is lower in residential density. Based on that information, we anticipate that any calls for service by GJPD for this location will equal to .8% of an officer.

With that said, at this point, the Police Department does not anticipate a need for an increase in personnel or equipment in order to provide law enforcement services to this proposed annexation. However, this annexation, along with any future annexations/developments will no doubt have an eventual cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide adequate services.

Public Works

Currently there are no public works improvements associated with this annexation. Future subdivision development would require the dedication of additional right-of-way and construction of at least 1500 feet of local road (Magnus Ct) to 22 ¼ Road in order to serve the development. The future subdivision proposes a total of 74 single-family detached lots in conjunction with adjacent parcels. The single family homes will generate approximately 700 “trips” per day in vehicular traffic onto adjacent roadways. Upon subdivision submittal, Public Works will be able to determine the long term maintenance impacts of the proposed roads, signage, striping, lighting, storm drainage and sweeping.

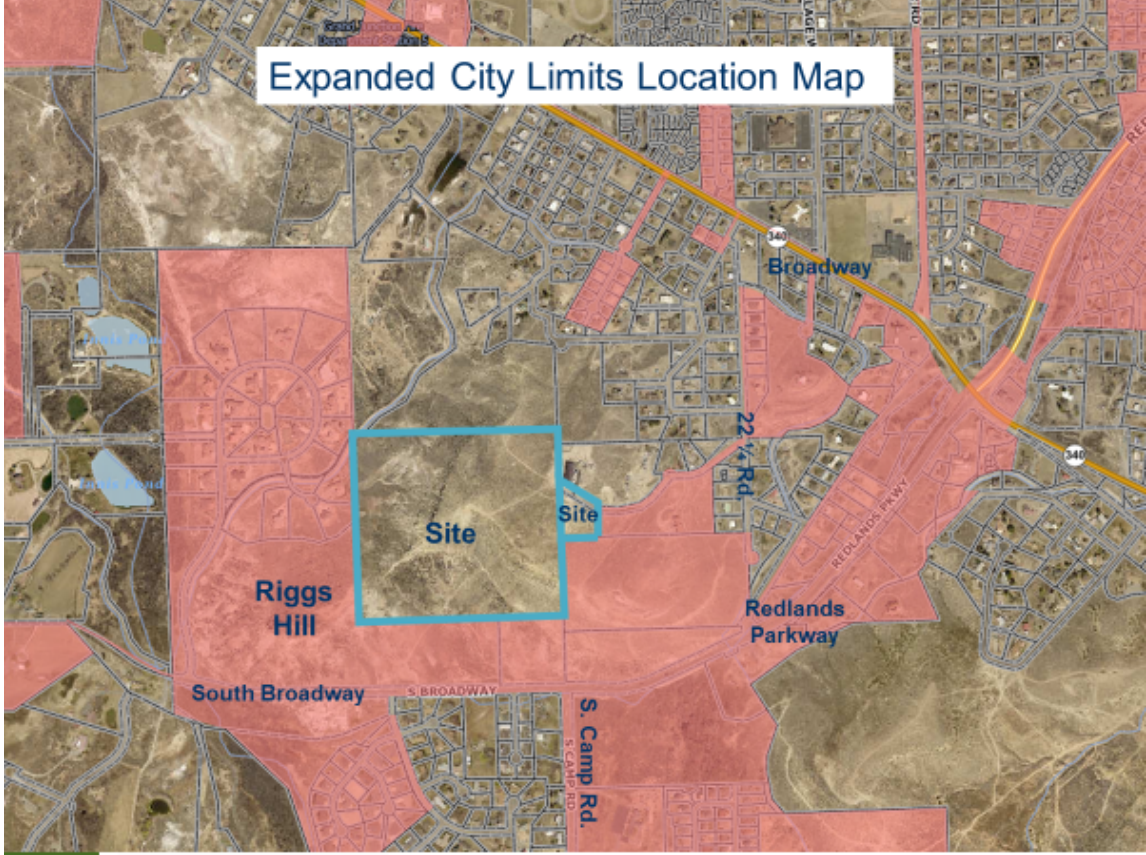
SUGGESTED MOTION:

I move to adopt Resolution No. 08-20, 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, Magnus Court Annexation, approximately 45.543-acres, located at the west end of Magnus Court as well as introduce an ordinance annexing territory to the City of Grand Junction, Colorado, Magnus Court Annexation, approximately 45.543-acres located at the west end of Magnus Court, and set a public hearing for April 1, 2020.

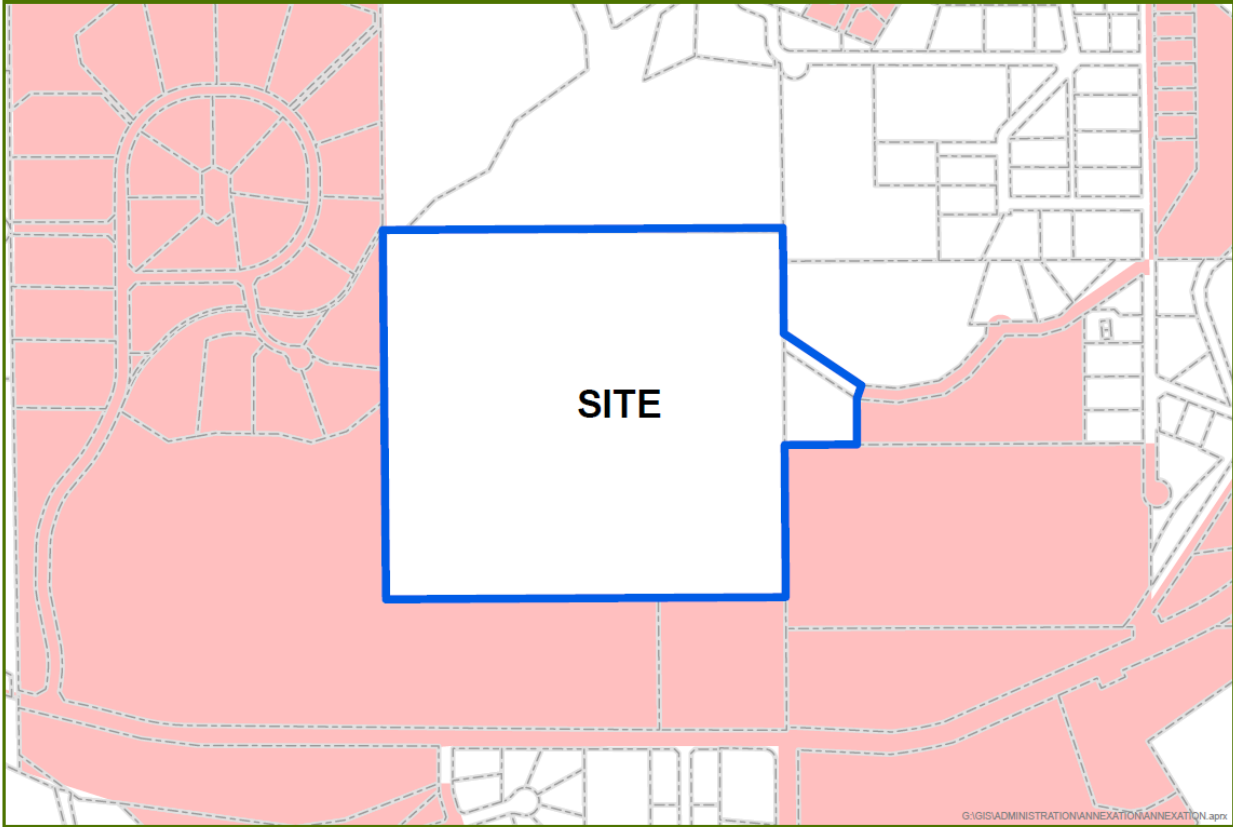
Attachments

1. Site Location, Aerial Photo, Zoning Maps, etc
2. Magnus Court Annexation Schedule & Summary
3. Resolution - Referral of Petition (Land Use Control)- Magnus Court Annexation
4. Annexation Ordinance - Magnus Court Annexation





Expanded City Limits Location Map



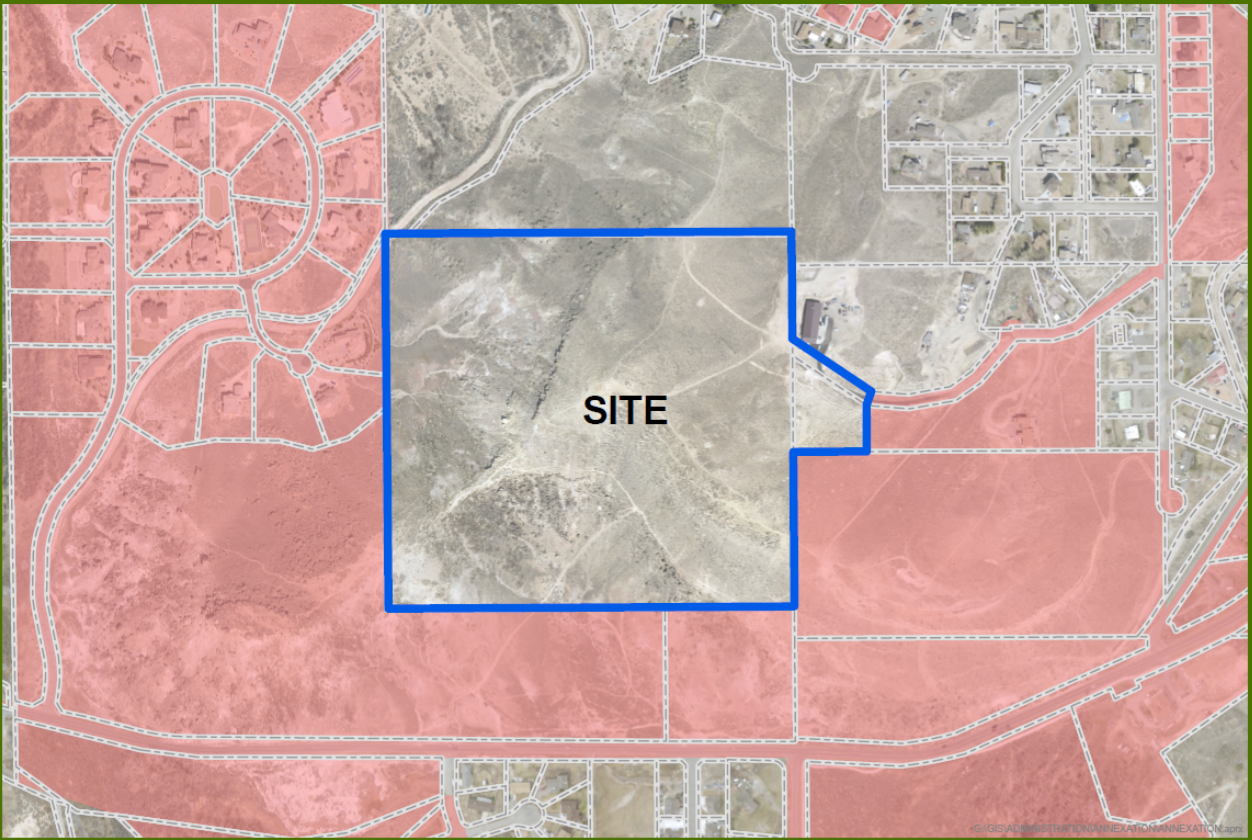
MAGNUS COURT ANNEXATION



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 0 0.05 0.1 Miles  Annexation  City Limits  **City of Grand Junction**
COLORADO
SUSTAINABLE COMMUNITY DEVELOPMENT
Date Created: 1/3/2020

MAGNUS COURT ANNEXATION



0 0.05 0.1 Miles



Annexation

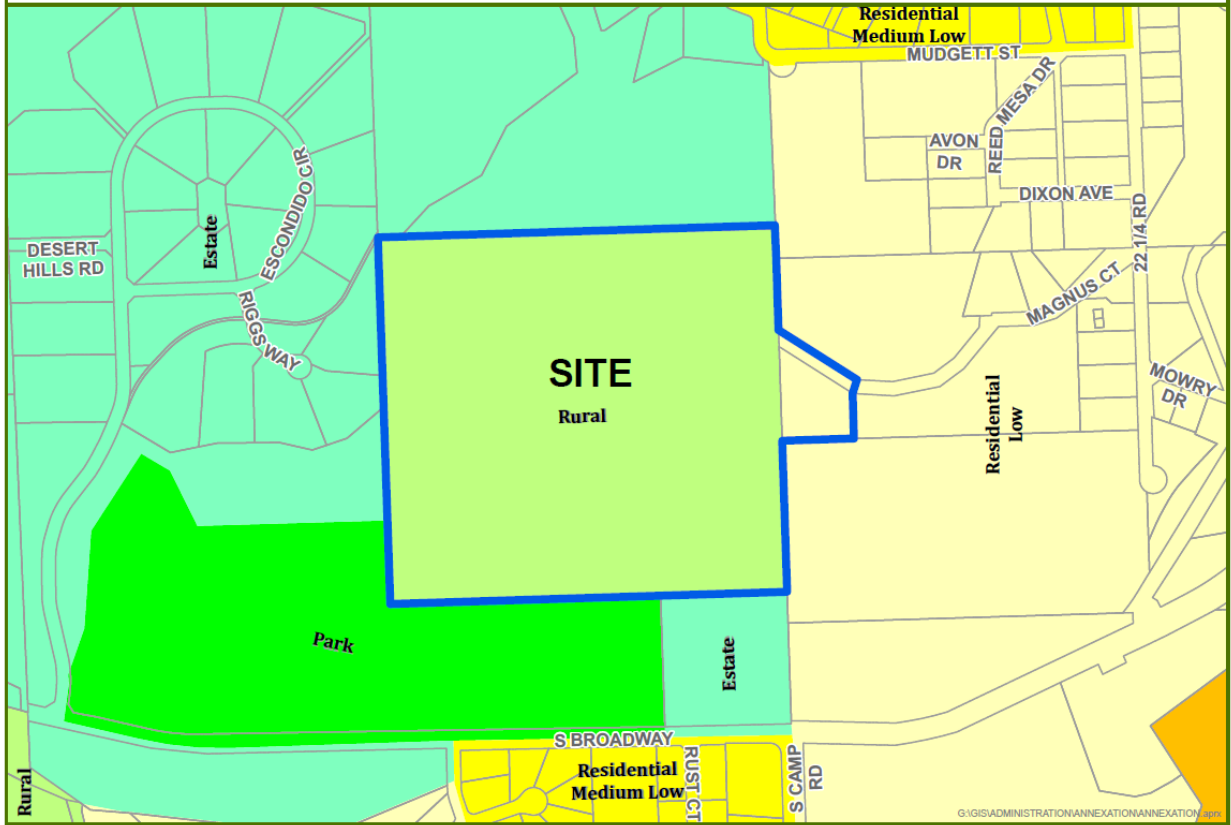


City Limits

Date Created: 1/3/2020



MAGNUS COURT ANNEXATION - FUTURE LAND USE



0 0.05 0.1 Miles

North arrow pointing up.

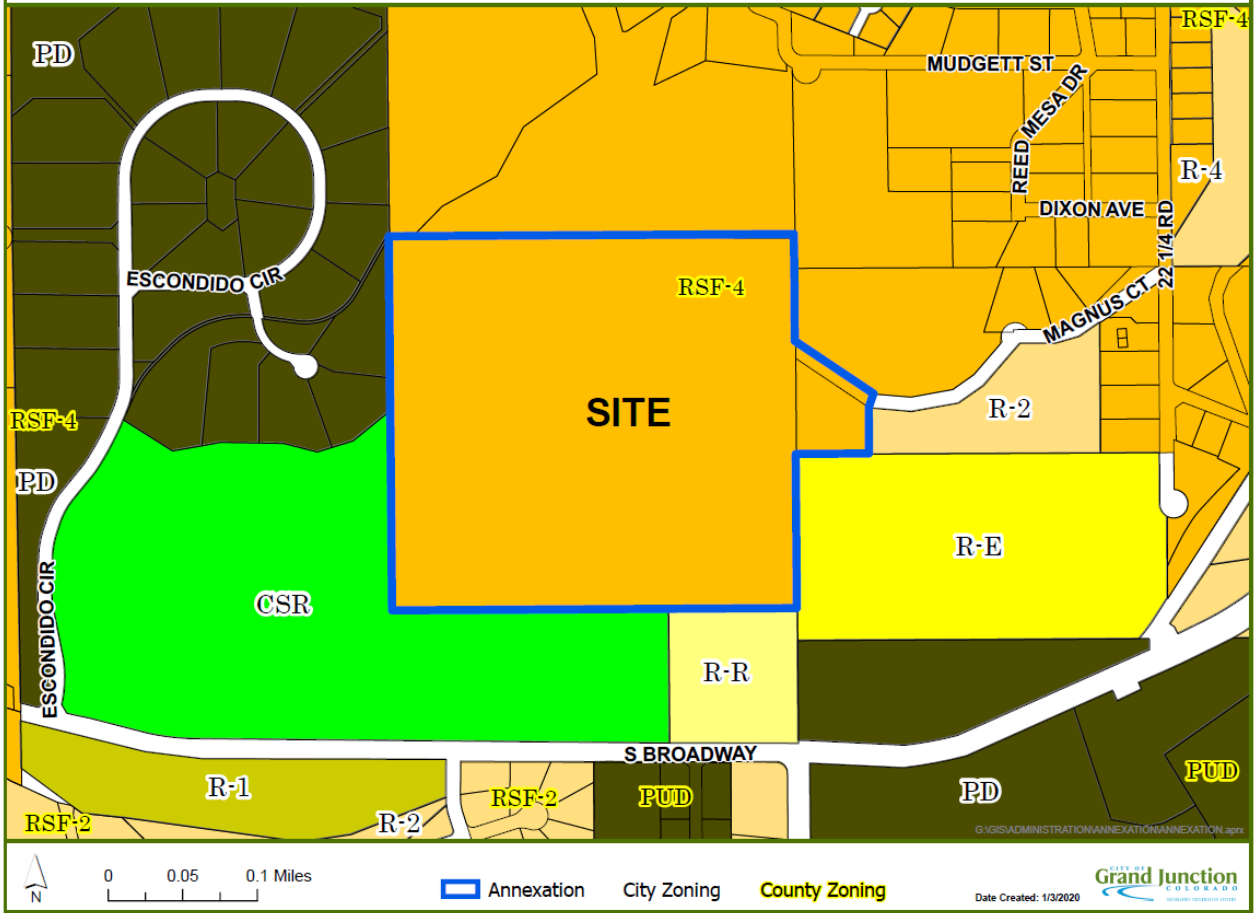
Legend: Annexation Boundary

Date Created: 1/3/2020

CITY OF Grand Junction
COLORADO
SUSTAINABLE PROGRESS. BETTER LIFE.

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MAGNUS COURT ANNEXATION - ZONING





View of Magnus Court at the intersection with 22 ¼ Road

MAGNUS COURT ANNEXATION SCHEDULE

February 19, 2020	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
February 25, 2020	Planning Commission considers Zone of Annexation
March 18, 2020	Introduction of a Proposed Ordinance on Zoning by City Council
April 1, 2020	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 3, 2020	Effective date of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2019-137	
Location:	West end of Magnus Court	
Tax ID Numbers:	2945-182-00-046 & 2947-261-00-003	
# of Parcels:	2	
Existing Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	45.543	
Developable Acres Remaining:	45.173	
Right-of-way in Annexation:	0.37	
Previous County Zoning:	RSF-4 (Residential Single Family – 4 du/ac)	
Proposed City Zoning:	PD (Planned Development)	
Current Land Use:	Vacant land	
Future Land Use:	Residential Low (.5 – 2 du/ac) & Rural	
Values:	Assessed:	\$123,980
	Actual:	\$427,500
Address Ranges:	2217 – 2221 Magnus Court	
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Redlands Water & Power Company
	School:	Fruita Monument HS / Redlands Middle / Broadway 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 19th day of February 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**

MAGNUS COURT ANNEXATION

**APPROXIMATELY 45.543 ACRES LOCATED AT THE WEST END OF
MAGNUS COURT**

WHEREAS, on the 19th day of February 2020, 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:

MAGNUS COURT ANNEXATION

A certain parcel of land lying in the North Half (N-1/2) of Government Lot 1 of Section 18, Township 1 South, Range 1 West of the Ute Principal Meridian and all of Government Lot 1 of Section 26, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described by metes and bounds as follows:

BEGINNING at the Northwest corner of said Government Lot 1 of Section 26 and assuming the North line of said Government Lot 1 of Section 26 bears N 89°47'19" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°47'19" E, along the North line of said Government Lot 1, a distance of 1,435.80 feet to a point being the Northeast corner of said Government Lot 1; thence S 00°44'28" E, along the East line of said Government Lot 1, a distance of 119.82 feet, more or less, to a point being the Northwest corner of Government Lot 1 of said Section 18; thence S 00°19'18" E, along the West line of Government Lot 1 of said Section 18, a distance of 258.91 feet, more or less, to a point on the North right of way for Magnus Court, as same is recorded in Book 1378, Page 534, Public Records of Mesa County, Colorado; thence S 56°04'41" E, along the North right of way for said Magnus Court, a distance of 335.68 feet, more or less, to a point being the Northwest corner of Gummin Annexation, City of Grand Junction Ordinance No. 4034, as same is recorded in Book 4366, Page 382, Public Records of Mesa County, Colorado; thence S 19°22'30" W, along the West line of said Gummin Annexation, a distance of 51.66 feet; thence S 00°08'08" E, continuing along the West line of said Gummin Annexation, a distance of 163.40 feet to a point on the South line of the N-1/2 of said Government Lot 1 of Section 18; thence S 89°50'09" W, along said South line and the North line of the CR Nevada

Annexation, City of Grand Junction Ordinance No. 3890, as same is recorded in Book 4160, Page 213, Public Records of Mesa County, Colorado, a distance of 259.55 feet to a point being on the East line of said Government Lot 1 of Section 26; thence S 00°19'18" E, along the East line of said Government Lot 1 of Section 26, a distance of 546.03 feet to a point being the Southeast corner of said Government Lot 1 of Section 26; thence S 89°47'00" W, along the South line of said Government Lot 1 of Section 26, a distance of 1,434.62 feet to a point being the Southwest corner of said Government Lot 1 of Section 26; thence N 00°24'33" W, along the West line of said Government Lot 1 of Section 26, a distance of 1,325.11 feet, more or less, to the Point of Beginning.

CONTAINING 45.543 Acres or 1,983,885 Square Feet, 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 1st 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 19th day of February, 2020.

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>
February 21, 2020
February 28, 2020
March 6, 2020
March 13, 2020

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MAGNUS COURT ANNEXATION

**APPROXIMATELY 45.543 ACRES LOCATED AT THE WEST END OF
MAGNUS COURT**

WHEREAS, on the 19th day of February 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 1st 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:

MAGNUS COURT ANNEXATION

A certain parcel of land lying in the North Half (N-1/2) of Government Lot 1 of Section 18, Township 1 South, Range 1 West of the Ute Principal Meridian and all of Government Lot 1 of Section 26, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described by metes and bounds as follows:

BEGINNING at the Northwest corner of said Government Lot 1 of Section 26 and assuming the North line of said Government Lot 1 of Section 26 bears N 89°47'19" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°47'19" E, along the North line of said Government Lot 1, a distance of 1,435.80 feet to a point being the Northeast corner of said Government Lot 1; thence S 00°44'28" E, along the East line of said Government Lot 1, a distance of 119.82 feet, more or less, to a point being the Northwest corner of Government Lot 1 of said Section 18; thence S 00°19'18" E, along the West line of Government Lot 1 of said Section 18, a distance of 258.91 feet, more or less, to a point on the North right of way for Magnus

Court, as same is recorded in Book 1378, Page 534, Public Records of Mesa County, Colorado; thence S 56°04'41" E, along the North right of way for said Magnus Court, a distance of 335.68 feet, more or less, to a point being the Northwest corner of Gummin Annexation, City of Grand Junction Ordinance No. 4034, as same is recorded in Book 4366, Page 382, Public Records of Mesa County, Colorado; thence S 19°22'30" W, along the West line of said Gummin Annexation, a distance of 51.66 feet; thence S 00°08'08" E, continuing along the West line of said Gummin Annexation, a distance of 163.40 feet to a point on the South line of the N-1/2 of said Government Lot 1 of Section 18; thence S 89°50'09" W, along said South line and the North line of the CR Nevada Annexation, City of Grand Junction Ordinance No. 3890, as same is recorded in Book 4160, Page 213, Public Records of Mesa County, Colorado, a distance of 259.55 feet to a point being on the East line of said Government Lot 1 of Section 26; thence S 00°19'18" E, along the East line of said Government Lot 1 of Section 26, a distance of 546.03 feet to a point being the Southeast corner of said Government Lot 1 of Section 26; thence S 89°47'00" W, along the South line of said Government Lot 1 of Section 26, a distance of 1,434.62 feet to a point being the Southwest corner of said Government Lot 1 of Section 26; thence N 00°24'33" W, along the West line of said Government Lot 1 of Section 26, a distance of 1,325.11 feet, more or less, to the Point of Beginning.

CONTAINING 45.543 Acres or 1,983,885 Square Feet, more or less, as described.

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

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

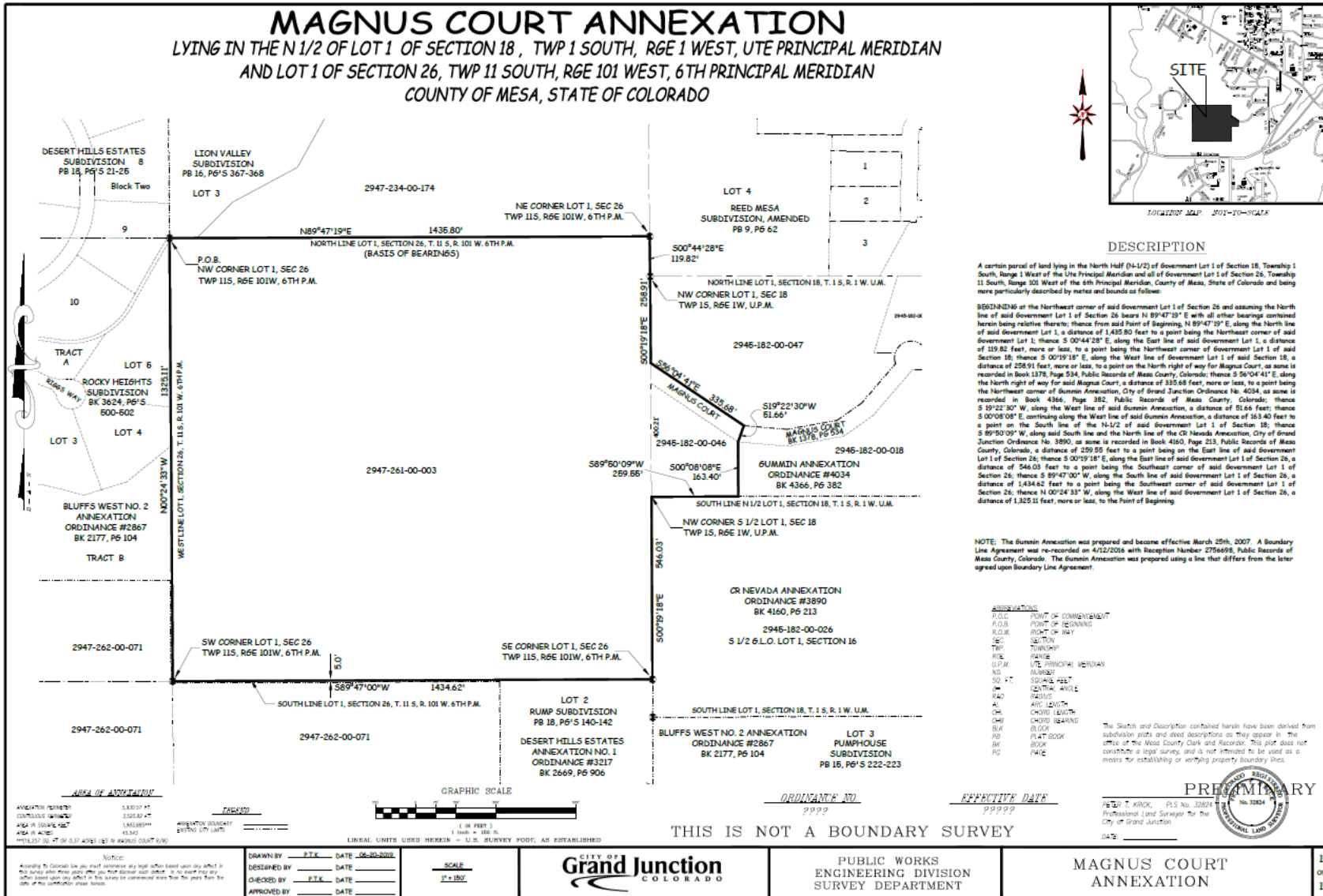
ADOPTED on second reading the _____ day of _____, 2020 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A





Grand Junction City Council

Regular Session

Item #2.c.

Meeting Date: February 19, 2020
Presented By: Trent Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

A Resolution Declaring Intent to Create Alley Improvement District No. ST-20 and Set a Public Hearing for April 1, 2020

RECOMMENDATION:

Staff Recommends approval of the resolution and to set a public hearing for April 1, 2020.

EXECUTIVE SUMMARY:

A successful petition has been submitted requesting a Local Improvement District be created to reconstruct the following alley:

- East/West Alley from 10th to 11th Street, between Pitkin Avenue and Ute Avenue

The public hearing to form the district is scheduled for April 1st as City code requires 30 days from the date of notification to the public hearing.

BACKGROUND OR DETAILED INFORMATION:

People's Ordinance No. 33 authorizes the City Council to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. Council may also establish assessment rates by resolution. Assessment rates for alleys are based on percentages of total assessable costs the City will contribute for three property uses: 85% per abutting foot for residential single-family uses, 75% per abutting foot for residential multi-family uses, and 50% per abutting foot for non-residential uses.

This is the first City of Grand Junction alley improvement district since 2010.

A summary of the process that follows submittal of the petition is provided below.

Date	Steps	Action
February 19, 2020	1.	City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
Proposed for April 1, 2020	2.	Council conducts a public hearing and passes a Resolution creating the Improvement District. The public hearing is for questions regarding validity of the submitted petitions.
Proposed for April 1, 2020	3.	Council awards the construction contract.
	4.	Construction.
	5.	After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.
	6.	Council passes a Resolution approving and accepting the improvements, gives notice of a public hearing concerning a proposed Assessing Ordinance, and conducts a first reading of a proposed Assessing Ordinance.
	7.	Council conducts a public hearing and second reading of the proposed Assessing Ordinance. The public hearing is for questions about the assessments.
	8.	The adopted Ordinance is published.
	9.	The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

This is the first City of Grand Junction alley improvement district since 2010.

FISCAL IMPACT:

The costs of the alley improvement project are shared by the property owners and the City. The cost of the alley improvement is \$134,000 and the property owners portion is \$56,000. The City's budget is in the approved 2020 capital improvement plan.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution 09-20, a resolution declaring the intention of the City Council of the City of Grand Junction, Colorado, to create within said City Alley Improvement District No. ST- 20 and authorizing the City engineer to prepare details and specifications for the same and set a public hearing for April 1, 2020.

Attachments

1. Alley ID ST-20 Resolution
2. Alley ID ST-20 Summary Sheet and Map



RESOLUTION NO. _____

**A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL
OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE
WITHIN SAID CITY ALLEY IMPROVEMENT DISTRICT NO. ST- 20 AND
AUTHORIZING THE CITY ENGINEER TO PREPARE
DETAILS AND SPECIFICATIONS FOR THE SAME.**

WHEREAS, a majority of the property owners to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that an Alley Improvement District be created for the construction of improvements as follows:

Location of Improvements:

- East/West Alley from 10th to 11th St, between Pitkin Avenue and Ute Avenue

Type of Improvements - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a Local Improvement District.

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

1. That the District of lands to be assessed is described as follows:

Lots 1 through 16, inclusive, and Lots 27 through 32, inclusive, Plat of the Town of Grand Junction; and also,
All of Preuss Subdivision;
All in the City of Grand Junction, and Mesa County, Colorado.

2. That the assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed 50 percent of the assessable cost per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of 25 percent of the assessable cost per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of 25 percent of the assessable cost per abutting foot.

Properties located in a single-family residential zone shall be assessed at 15 percent of the assessable cost per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 50 feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 200 feet; and the total amount of assessable footage receiving the non-residential rate is 550 feet.

3. That the assessments to be levied against the properties in said District to pay the cost of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's office, which shall be added to the principal payable in ten (10) annual installments, the first of which shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 6 percent per annum on the unpaid principal, payable annually.

4. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for such paving; and a map of the district depicting the real property to be assessed from which the amount of assessment to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

5. That Notice of Intention to Create said Alley Improvement District No. ST-20, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "**NOTICE**".

NOTICE

OF INTENTION TO CREATE ALLEY IMPROVEMENT DISTRICT NO. ST-20, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the request of a majority of the affected property owners, to the owners of real estate in the district hereinafter described and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Alley Improvement District No. ST-20, in said City for the purpose of reconstructing and paving certain alleys to serve the property hereinafter described which lands are to be assessed with the cost of the improvements, to wit:

Lots 1 through 16, inclusive, and Lots 27 through 32, inclusive, Plat of the Town of Grand Junction; and also,
All of Preuss Subdivision;
All in the City of Grand Junction, and Mesa County, Colorado.

Location of Improvements:

- East/West Alley from 10th to 11th St, between Pitkin Avenue and Ute Avenue

Type of Improvements: To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer.

The assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed 50 percent of the assessable cost per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of 25 percent of the assessable cost per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of 25 percent of the assessable cost per abutting foot.

Properties located in a single-family residential zone shall be assessed at 15 percent of the assessable cost per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 50 feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 200 feet; and the total amount of assessable footage receiving the non-residential rate is 550 feet.

To the total assessable cost of \$55,693.75 to be borne by the property owners, there shall be, as required by the Mesa County Treasurer's Office, added six (6) percent for costs of collection and incidentals. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's Office, which shall be added to the principal payable in ten (10) annual installments which shall become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. Simple interest at the rate of six (6) percent per annum shall be charged on unpaid installments.

On April 1, 2020, at the hour of 6:00 o'clock P.M. in the City Council Chambers in City Hall located at 250 North 5th Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this _____ day of _____, 2020.

**BY ORDER OF THE CITY COUNCIL
CITY OF GRAND JUNCTION, COLORADO**

By: _____
City Clerk

PASSED and **ADOPTED** this ____ day of _____, 2020.

President of the Council

Attest:

City Clerk



SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 10TH STREET TO 11TH STREET PITKIN AVENUE TO UTE AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
John O. Spendrup LLC	50	41.875	2,093.75
Carmen Cabrera	50	25.125	1,256.25
** Bill J. Sparks	50	41.875	2,093.75
** George E. & Debra L. Preuss	50	83.75	4,187.50
** Todd & Miyoung Taylor	50	41.875	2,093.75
** Joshua J. Ketellapper	50	41.875	2,093.75
** The Ramstetter Family Trust	50	83.75	4,187.50
Emery Telecommunications & Video, Inc.	50	83.75	4,187.50
** George E. & Debra L. Preuss	250	83.75	20,937.50
** The Ramstetter Family Trust	100	83.75	8,375.00
** Desert Auto LLC	50	83.75	<u>4,187.50</u>
ASSESSABLE FOOTAGE	TOTAL	800	55,693.75

** indicates owners in favor of the district are 8/11, or 73%, and comprise 81% of the assessable footage

Estimated Cost to Construct	\$ 134,000.00
Absolute Cost to Owners	\$ <u>55,693.75</u>
Estimated Cost to City	\$ 78,306.25

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 6% per annum on the declining balance.

PROPOSED ALLEY IMPROVEMENT DISTRICT
10TH STREET TO 11TH STREET
PITKIN AVENUE TO UTE AVENUE





Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: February 19, 2020
Presented By: Randi Kim, Utilities Director
Department: Utilities
Submitted By: Lee Cooper, Project Engineer

Information

SUBJECT:

Authorize a Construction Contract for the River Bend Lift Station Elimination Project

RECOMMENDATION:

Authorize the City Purchasing Division to Enter into a Construction Contract with Oldcastle SW Group United Companies for the Construction of the River Bend Lift Station Elimination Project in the Amount of \$772,595.

EXECUTIVE SUMMARY:

This request is to award a Construction Contract for the River Bend Lift Station Elimination Project. This project will install new sewer lines and sewer manholes between the existing River Bend wastewater lift station and the existing River Trail wastewater lift station allowing the City to have the River Bend lift station removed. This new sewer line will redirect wastewater flows currently going into the River Bend lift station and take the wastewater flows to the newer River Trail lift station.

BACKGROUND OR DETAILED INFORMATION:

In January, 2013, the City took over ownership and maintenance of the Central Grand Valley Sanitation District's wastewater collection system. Within the Persigo 201 Sewer Boundary, the Central Grand Valley Sanitation District was located between the City of Grand Junction's wastewater service area and the Clifton Sanitation Districts service area. The River Bend lift station is located within the River Bend Subdivision south of D Road and between 31 Road and 32 Road.

This project is part of Persigo's goal of eliminating wastewater lift stations that can be

replaced with gravity sewers. By eliminating the River Bend lift station, the City will be removing aging infrastructure (1982) that requires monthly preventative maintenance and frequent corrective maintenance. Eliminating this lift station will significantly reduce annual operation and maintenance costs for the sewer collection system.

Replacing the River Bend lift station with gravity sewer conveyed to the River Trail lift station will improve reliability since the River Trail lift station is relatively new infrastructure (2010).

A formal Invitation for Bids 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 companies submitted formal bids, of which, all three bids were found to be responsive and responsible bids. The bids received are as follows:

<u>Contractor</u>	<u>Location</u>	<u>Amount</u>
United Companies	Grand Jct., CO	\$772,595.00
K&D Construction, Inc.	Grand Jct., CO	\$821,171.80
M.A. Concrete Construction, Inc.	Grand Jct., CO	\$879,300.00

FISCAL IMPACT:

The 2020 Approved Capital Budget for the Sewer Fund includes \$3,000,000 for lift station elimination projects. There is sufficient budget available for this construction contract in the amount of \$772,595. The remaining budget will be available for construction oversight as well as design and construction of a second lift station elimination project.

SUGGESTED MOTION:

I move to (authorize/not authorize) the City Purchasing Division to enter into a Contract with Oldcastle SW Group United Companies for the River Bend Lift Station Elimination Project in the Amount of \$772,595.

Attachments

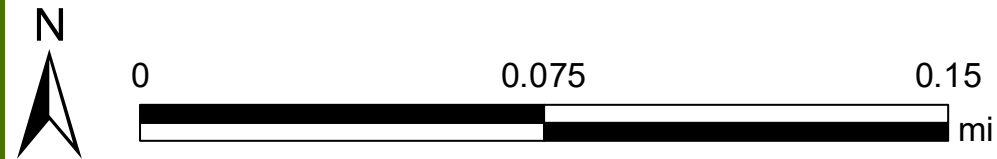
1. City Council Agenda Exhibit_2020-02-05

Proposed New Sewer Alignment between River Bend LS and River Trail LS



Date: 2/5/2020

1 inch = 188 feet





Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: February 19, 2020

Presented By: Ken Sherbenou, Parks and Recreation Director

Department: Parks and Recreation

Submitted By: Ken Sherbenou

Information

SUBJECT:

Dos Rios Bike Playground Procurement Award

RECOMMENDATION:

Staff recommends that the City Purchasing Division enter into a contract with American Ramp Company to design and build a bicycle playground at the Riverfront at Dos Rios site area in an amount not to exceed \$119,627.00.

EXECUTIVE SUMMARY:

The City of Grand Junction will be building a bike playground in the Dos Rios development. \$119,627 was the single proposal received on this project, funded largely by a Colorado Health Foundation grant that also supported the Riverside Park renovation.

BACKGROUND OR DETAILED INFORMATION:

Background

Numerous grant funders have come together, including the Colorado Health Foundation, to renovate Riverside Park and progress the development of the Dos Rios property. Dos Rios is adjacent to the Riverside Neighborhood, which is in between Dos Rios and Riverside Park. Although renovation Riverside Park is nearing completion, the central feature, the bicycle playground still needs to be built and installed. The City of Grand Junction needs to contract with a bicycle playground provider to supply the new amenity.

The area where the bike playground will reside is surrounded by a mixed used

development, the Riverfront at Dos Rios. The Riverfront at Dos Rios project restores and revitalizes 58 acres on the City-owned land along the Colorado River just west of the heart of Grand Junction, located in the River District. The Dos Rios project consists of 15.8 acres of parks and open space, 9.5 acres for light industrial/commercial and 10.2 acres for mixed use development.

Grand Junction is one of the final places in Colorado to develop the riverfront, to seize upon the virtue of its namesake with the confluence of the Gunnison and Colorado rivers in a Grand Junction. This is a transformative project. Dos Rios was formerly home to 8500 junk cars and a municipal landfill as recently as the 1980s. After millions of dollars invested to date and with millions to be invested in the coming years, Dos Rios will become a hub for commerce and quality of life that all of Grand Junction can be proud. The contrast between future and past could not be more stark.

Various facilities and park amenities have been constructed within and nearby to date, including upgrades to Riverside Park, including a new section of riverfront trail that will connect to the trail that runs through and will be enhanced within the proposed Riverfront at Dos Rios development. The City has already constructed some infrastructure improvements within Dos Rios including portions of the streets and utilities that are needed to serve parcels that have already been deeded to the first two anchor tenants. In addition, there is already a hard surface trail through the proposed Dos Rios area.

Shortly after leaving the Riverside neighborhood to the west, residents may now also go under State Highway 340 and head southwest on a new 10-foot trail separated from vehicles all the way to the popular Lunch Loop trail system. This project again tapped into GOCO for a \$1.5M grant that paid for the bulk of this trail that will connect Downtown directly to the Lunch Loop trail system less than two miles away. This complex is home to extensive mountain biking, trail running and hiking, all within close proximity to the city center. Suffice it to say, Dos Rios will be tied to an amazing network of trails.

Project Vision

Youth in the Riverside Neighborhood next to Dos Rios expressed concern about the amazing trails not too far from their homes being out of their reach. Most of these mountain biking trails require skills that take years to learn. The idea was born to provide a bicycle playground next to the Riverside neighborhood, so these local youth, along with riders of a more beginner level from across Grand Junction, could develop their skills in a lower consequence environment.

In this RFP, we sought innovative bike playground proposals that include a diversity of interesting and desirable features. The goal is to accommodate beginning levels of riders to more intermediate and confident riders. From young kids on striders to less

bike proficient adults, we want this new playground to provide fun opportunities to further biking skills for all less experienced riders.

The bicycle playground consists of a variety of sustainable features including low, risk, low-lying obstacles such as ladder bridges, small jumps, rollers, and turn features. Many of the features are designed to imitate what a rider might experience out on a trail, providing youth and beginner riders the opportunity to practice and build confidence in a lower risk environment. Some features should also be of a more intermediate level with even a few that are more advanced, to ensure the bike playground can serve a diversity of abilities. The goal is to develop riders to tackle the blue and black trails as shown on MTB project at the Lunch Loop Trail Network only two miles away.

The project must be completed and open to the public by May 31, 2020.

A formal Request for Proposals 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, sent to a secondary vendors list, and advertised in The Daily Sentinel.

FISCAL IMPACT:

The budget for this project is \$120,000, which is a part of the larger Dos Rios development budget. The Colorado Health Foundation provided a \$480,000 grant to support this, as well as the renovation of Riverside Park. These funds have been budgeted in 2020.

SUGGESTED MOTION:

I move to authorize the Purchasing Division to enter into a contract with American Ramp Company in an amount not to exceed \$119,627.00.

Attachments

None



Grand Junction Planning Commission

Regular Session

Item #4.a.

Meeting Date: February 19, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

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

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Hilltop Health Services, requests vacation of a 6-foot drainage and irrigation easement and a 10-foot drainage easement as dedicated to the City on Lot 1 in the Fountain Hills subdivision located at 3425 Cliff Court. These easements were previously recorded as part of the subdivision plat in 2018 and the City has identified that there is no City and/or public interest in the existing easements. This vacation would not impact HOA use of the easements.

BACKGROUND OR DETAILED INFORMATION:

In 2018, the Fountain Hills Subdivision plat was recorded. The request includes the vacation of a 6-foot wide drainage and irrigation easement that abuts and runs the full length of the western boundary line of Lot 1. The request also includes the vacation of a 10-foot wide drainage easement that runs between Tract C to Tract D. The easements were dedicated to both the City and the HOA. Vacation of the easements by the City would not impact the HOA's right to and/or use of the easements and would leave the easements exclusively under the control of the Fountain Hills Homeowners' Association.

The need to vacate the easements has come forth from the Applicant due to construction errors associated with several patio homes that have resulted in encroachment into both easements. In discussions and review with the City, it was identified that they City and/or the public does not have interest in the easements, as they function for the sole purpose of the internal development and the associated homeowners. As a result, the Applicant is requesting the vacation of the easements.

NOTIFICATION REQUIREMENTS

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 30, 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 January 30, 2020. The notice of this public hearing was published on February 4, 2020, in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of the drainage easements shall conform to the following:

a. The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.

The proposed drainage easement vacations are addressed by the following Goal of the Comprehensive Plan.

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

Vacation of the drainage easements will have no impact on public facilities or services provided to the general public. Staff therefore finds that the request conforms with this criterion.

b. No parcel shall be landlocked as a result of the vacation.

The request to vacate the drainage easements will not render any parcel landlocked. Therefore, staff finds the vacation request meets this criterion.

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

No access to any parcel will be restricted by the vacation of this drainage easement. Staff finds that this criterion has been met.

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

The application has been reviewed by all potentially affected utilities and no concerns have been raised with the vacation request. Based on the information available, staff has found there will be no adverse impacts to the community and no impacts on the public facilities and services that serve this or any adjacent parcel of land, and therefore finds that this request conforms with this criterion.

e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.

No facilities and services will be negatively impacted or inhibited by this request. Staff therefore finds this request to conform with this criterion.

f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Vacation of this easement will provide benefit to the City by removing the City's interest in these easements. Staff finds this request conforms with this criterion.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request by Hilltop Health Services, to vacate the City's interest in the drainage and irrigation easements on Lot 1 of Fountain Hills subdivision, VAC-2019-702, for the property located at 3425 Cliff Court, the following findings of fact have been made:

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

Therefore, Planning Commission recommends approval of the request.

SUGGESTED MOTION:

I move to adopt Resolution No. 10-20, a resolution vacating public drainage easements in Lot 1 of Fountain Hills Subdivision located at 3425 Cliff Court.

Attachments

1. Fountain Hills EV application packet

2. Fountain Hills vacation exhibit
3. Fountain Hills vicinity map
4. RES-Fountain Hills Easement Vacation

General Project Report Easement Vacation

Fountain Hills Patio Homes Tax Parcel No. 2945-013-25-001 3425 Cliff Court, Grand Junction, CO December 10, 2019

A. Project Description

1. The project is located at 3425 Cliff Court and contains eight patio homes (two per footprint) on 1.09 acres. The parcel is zoned R-5 (Residential/3-5 DU). The parcel is part of a larger subdivision known as Fountain Hills that provides a mix of dwelling unit types.
2. The parcel contains approximately 1.09 acres.
3. a) A 10-foot drainage easement was shown on the Plat for Fountain Hills - Lot 1 and was granted by a separate instrument to the Fountain Hills HOA. Language on the plat gave the City of Grand Junction a perpetual easement over that easement for inspection, installation, etc. of the drainage easement. When the patio homes were constructed, they encroached onto this drainage easement, resulting in the need to vacate the original easement and relocate it.

b) The 6' irrigation and drainage easement on the westerly boundary of Lot 1 was also affected by construction. The building located adjacent to this easement had to be moved west 1', resulting in a 5' easement rather than a 6' easement. Language on the plat gives the City of Grand Junction a perpetual easement over this easement as well therefore a slight adjustment was necessary.

B. Public Benefit

There is no public benefit resulting in the vacation and relocation of the drainage easement.

C. Neighborhood Meeting

A neighborhood meeting was not required for this submittal and none was held.

D. Project Compliance, Compatibility, and Impact

1. **Adopted plans and/ or policies are being met-** The project complies with the adopted codes and zoning requirements for this property.
2. **Land use in the surrounding area-** The land use in the surrounding is a mix of vacant and developed light industrial or office uses. This proposal is compatible with the current uses in the immediate and surrounding areas.
3. **Site access and traffic patterns-** Access is existing via Cliff Court.
4. **Availability of utilities, including proximity of fire hydrants-**
 The subject parcel is served by the following:
 - Ute Water District
 - City of Grand Junction Sanitation District
 - Xcel Energy
 - Spectrum
 - CenturyLink
 - City of Grand Junction Fire
 - Grand Valley Water Users Association
 - Grand Valley Drainage District
 All utilities are existing in this corridor and extended to the patio homes. Fire Hydrants were installed per the approved construction plans for Fountain Hills Subdivision. A Fire Flow Form was prepared and is included with this submittal.
5. **Special or unusual demands on utilities-** The demands of the proposed patio homes on utilities are similar in nature to that of surrounding development. The infrastructure is in place to meet the demand.
6. **Effects on public facilities-** The effect on public facilities, i.e. police and fire, are be minimal.
7. **Hours of operation-** The hours of access are typical of residential development.
8. **Number of employees-** N/A
9. **Signage plans-** N/A
10. **Site Soils Geology-** Soils testing was performed, and the site is suitable for the proposed development.
11. **Impact of project on site geology and geological hazards-** No significant geologic or geological hazards were identified for this property.

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

Section 21.02.100(c) Vacation of public right-of-way or easement –

Approval Criteria.

The vacation of the right-of-way or easement shall conform to the following:

- 1. The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies of the City;**
- 2. No parcel shall be landlocked as a result of the vacation;**
- 3. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;**
- 4. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services);**
- 5. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and**
- 6. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.**

The easements to be vacated and/or relocated are irrigation and drainage easements. The vacation will not impact the parcel in an adverse manner and the request meets the approval criteria of Section 21.02.100(c).

F. Development Schedule and Phasing

N/A

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: Vacation - Easement

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

Existing Land Use Designation: _____ Existing Zoning: _____

Proposed Land Use Designation: _____ Proposed Zoning: _____

Property Information

Site Location: 3425 Cliff Court Site Acreage: 1.09 Acres

Site Tax No(s): 2945-013-25-001 Site Zoning: R-5

Project Description: Drainage Easement Vacation by City of Grand Junction

Property Owner Information

Name: Hilltop Health Services

Street Address: 1331 Hermosa

City/State/Zip: Grand Junction, CO

Business Phone #: 970-242-4400

E-Mail: mikes@htop.org

Fax #: _____

Contact Person: Mike Stahl

Contact Phone #: 970-244-0401

Applicant Information

Name: Hilltop Health Services

Street Address: 1331 Hermosa

City/State/Zip: Grand Junction, CO

Business Phone #: 970-244-0808

E-Mail: don@htop.org

Fax #: 970-241-3477

Contact Person: Don Kendall

Contact Phone #: 970-244-0808

Representative Information

Name: River City Consultants, Inc.

Street Address: 744 Horizon Ct.

City/State/Zip: Grand Junction, CO

Business Phone #: 970-241-4722

E-Mail: tstates@rccwest.com


Fax #: 970-241-8841

Contact Person: Tracy States

Contact Phone #: 970-241-4722

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

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

Signature of Person Completing the Application:  Date: 12/09/2019

Signature of Legal Property Owner: _____ Date: _____

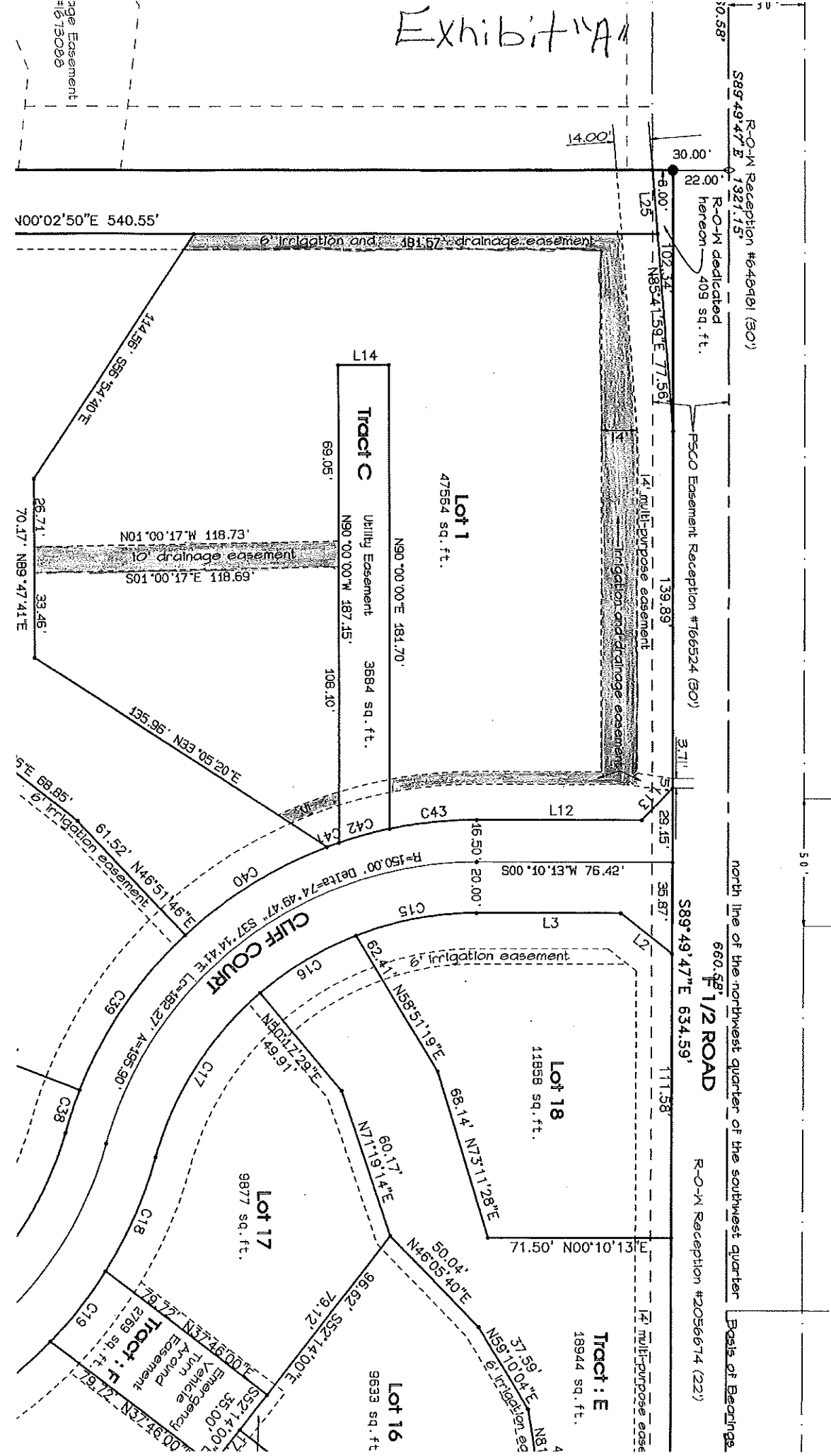
TYPE LEGAL DESCRIPTION(S) BELOW, USING ADDITIONAL SHEETS AS NECESSARY. USE SINGLE SPACING WITH A ONE INCH MARGIN ON EACH SIDE. IF LEGAL EXCEEDS ½ OF A TYPED PAGE, PLEASE PROVIDE AN ELECTRONIC COPY OF THE LEGAL DESCRIPTION. A DISC, CD, OR E-MAIL ARE ACCEPTABLE FORMS FOR THE ELECTRONIC LEGAL DESCRIPTION

Lot 1, Fountain Hills.

FOUNTAIN HILLS

NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, Township 1 South, Range 1 West, Ute
 City of Grand Junction, County of Mesa, State of Colorado

Exhibit "A"





656

653

3525

1210

1314

652

1450

3501

RIDGE DR

RIDGE DR

3490

3480 3/4

3450

3425

3470

3430

CLIFF CT

3410

3415

3405

3390

3335

3355

3395

3375

3370

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

A RESOLUTION VACATING DRAINAGE EASEMENTS IN LOT 1 OF FOUNTAIN HILLS SUBDIVISION

LOCATED AT 3425 CLIFF COURT

RECITALS:

A vacation of Drainage Easements in Lot 1 of the Fountain Hills subdivision has been requested by the applicant and developer, Hilltop Health Services Corporation, to resolve structural encroachments into the easements caused by construction errors. The applicant's request is to vacate the City's interest in those easements while retaining the HOA's ability to use them.

After public notice as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate the City's interest in the drainage easements as long as the condition is met is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan, and Section 21.02.100 of the Grand Junction Zoning & Development Code.

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

The following described drainage easements are hereby vacated subject to the Applicant:

1. Paying all recording and documentary fees for this Resolution, any easement documents and/or dedication documents; and,
2. Confirming and allowing the HOA to have continuous and historic right(s) to use and maintain the public's interest in the Drainage Easements are vacated.

Drainage Easements to be vacated upon condition(s) being met:

All those drainage easements lying within the boundaries of Lot 1 of Fountain Hills, situated in the northeast quarter of the northwest quarter of the southwest quarter of Section 1 Township 1 South, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, as recorded at Reception Number 2850461 of the Mesa County Clerk and Recorder's records.

PASSED and ADOPTED this 19th day of February, 2020.

ATTEST:

President of City Council

City Clerk



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: February 19, 2020

Presented By: Jodi Romero, Finance Director, Greg Caton, City Manager

Department: City Manager's Office

Submitted By: Jodi Romero, Finance Director

Information

SUBJECT:

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

RECOMMENDATION:

Approve the repurposing of the contribution adopted in the 2020 Budget to the Grand Junction Housing Authority to help cover costs of the reconstruction of damaged apartments at Ratekin Tower Apartments.

EXECUTIVE SUMMARY:

In the 2020 adopted budget the City Council authorized \$75,000 to go to the Grand Junction Housing Authority (GJHA) to go towards expenses for the renovation of offices in Ratekin Towers. The GJHA is requesting those funds be repurposed to be used to reconstruct apartments damaged by Methamphetamine contamination.

BACKGROUND OR DETAILED INFORMATION:

In the 2020 adopted budget the City Council authorized \$75,000 to go to the Grand Junction Housing Authority (GJHA) to go towards expenses for the renovation of offices in Ratekin Towers. Because of the significant costs, estimated at \$1.2 million, associated with the testing, relocation of residents, remediation, reconstruction and legal fees due to Methamphetamine contamination, the renovation project has been put on hold. The GJHA is requesting those funds be repurposed to be used to reconstruct damaged apartments, as described in the attached letter to the City.

FISCAL IMPACT:

Because the contribution expense is already adopted in the 2020 budget, irrespective of use, this action does not have any direct fiscal impact nor does it require a budget amendment.

SUGGESTED MOTION:

I move to (approve/not approve) the request by the Grand Junction Housing Authority to repurpose the \$75,000 approved in the 2020 budget for renovation of Ratekin Towers office space to be used instead in the reconstruction of apartments damaged by Methamphetamine contamination.

Attachments

1. GJHA Repurpose Request 020420

January 31, 2020



GRAND
JUNCTION
HOUSING
AUTHORITY

Mayor Rick Taggart
City of Grand Junction
250 North Fifth Street
Grand Junction, CO 81501

Dear Mayor Taggart:

Earlier this month Grand Junction Housing Authority was notified that the City's adopted budget included a grant of \$75,000 for the planned renovations at Ratekin Tower Apartments. We truly appreciate the City's ongoing support of Housing Authority initiatives.

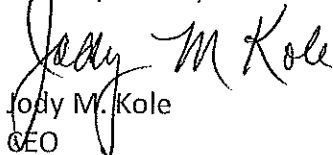
As you are aware, the Housing Authority has suffered a significant financial loss as a result of Methamphetamine contamination at Ratekin Tower Apartments and other properties. The total costs of testing, relocation of residents, remediation, reconstruction and legal fees is expected to top \$1,200,000 at Ratekin Tower Apartments alone. The planned upgrades at Ratekin Tower have been put on hold.

Our request to the City is to repurpose the City's \$75,000 to help cover the costs of reconstruction of the damaged apartments, which exceeds \$400,000.

The Housing Authority has made insurance claims for the damages, but we do not know if the insurance company will honor our claims. Even if coverage is confirmed, we are advised that many of our actual costs will not be covered.

As you can imagine, a loss of this magnitude hits the Housing Authority hard. The City's authorization to repurpose these funds will help us weather the current challenges.

Thank you for your consideration,


Jody M. Kole
CEO

Cc: Greg Caton, City Manager
Jodi Romero, Finance Director
GJHA Board

8 Foresight Circle Grand Junction, CO 81505 (970) 245-0388
(TTY) Dial 711 or 1 (800) 842-9710





Grand Junction City Council

Regular Session

Item #6.a.

Meeting Date: February 19, 2020
Presented By: Trent Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

I-70B Update, Discussion and Possible Direction
(Public Comment Will Be Taken on This Item)

RECOMMENDATION:

The purpose of this item is to seek direction from City Council.

EXECUTIVE SUMMARY:

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 Ave south to Rood Ave (Phase 5) as well as 1st Street from Rood Ave 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 or, 3) a council-defined combination of alternatives.

BACKGROUND OR DETAILED INFORMATION:

CDOT has been working on adding capacity to the I-70B corridor through the expansion, limitation/reconfiguration of accesses, and improved bicycle/pedestrian facilities from 24 Road to 15th Street since 2008. The first four phases of improvements have been completed from 24 Road to American Way.

Project Phase 5 – Phase 5 is proposed to reconfigure the intersection of 1st Street &

Grand Avenue, west to Mulberry Street, east to 2nd Street, and south to Rood Avenue. Funding for the construction of Phase 5 is in place for 2021. In preparation for the construction in 2021, the City will be replacing the sewer line in 2020.

Project Phase 6 –Phase 6 would reconstruct the 1st Street segment from Rood Ave south to 2nd Street modifying the street section from four lanes to six lanes. With Senate Bill 267, CDOT has funding available to start construction of Phase 6 in 2023.

Council previously discussed these phases at the May 6, 2019 workshop. At the workshop, CDOT staff provided City Council information on the project and various parameters driving the proposed design.

The premise for the capacity expansion was founded in the 2008 Environmental Assessment (EA) that was conducted for this corridor. Of most relevance was the EA projected the need to accommodate up to 40,000 cars per day in 2030. Since the data was collected for the 2008 EA (12 years ago), the Riverside Parkway was completed and has impacted the traffic demand on I-70B. The current 2040 projection for this portion of I-70B indicates 30,000 vehicles per day; a volume that easily fits within the capacity of a four-lane (2 lanes each direction) roadway. For comparison Patterson Road carries 35,000 vehicles per day east of 27 ½ Road and North Avenue east of 5th Street carries 28,000 cars per day.

Federal Highway Administration (FHWA) in circular PL-18-003 for a four lane, 35 mph arterial depicts the general level of service for four-lane highway based on daily traffic.

Level of Service	Average Daily Trips (ADT)
B	31,100(2040 projections: 31,000 ADT)
C	38,500
D	41,900
E	47,600

Based on the above and noting that the 1st Street curve is slower than 35 mph, a four-lane arterial would meet the proposed 2040 traffic projections with a level of service between a B and C.

CDOT states that despite the lower traffic volumes than those used for the 2008 Environmental Assessment, this could be the last significant investment for a long time. The current road section was constructed in the 1950's and is only now coming up for significant reconstruction 65 years later. Therefore, CDOT prefers the six-lane configuration be constructed to allow for growth well past 2040 as well as provide a consistent three lanes each direction through the corridor.

CDOT's current Phase 6 scope

- Still conceptual.
- Proposes a six lane configuration.
- Consistent with the 2008 Environmental Assessment (EA) that contemplated 40,000 vehicles per day on the corridor. • 2nd Street. CDOT acknowledges City's preference for two way 2nd Street north of Pitkin and closure of 2nd Street south of Pitkin.
- Does not include signalized intersection pedestrian crossing of Ute and Pitkin along the 2nd Street corridor.
- Minimal landscaping is provided, and largely unable to accommodate future landscaping within the right of way or landscaped buffers due to the width of the drive lanes and existing built environment.
- Design provides for an eight foot bike/ped path on west side but does narrow significantly near Mesa County Central Services and Knights Inn motel
- Not supported by DDA or Urban Trails Committee (UTC)
- CDOT has funding in place to construct this alternative

Option A – Refurbish existing four lane corridor:

- May require an update or reevaluation of the 2008 (EA).
- 2nd Street would remain two way providing essential two-way traffic to the convention center and other businesses.
- Includes signalized intersection pedestrian crossings of 2nd Street
- Increased opportunity for landscaping on both sides of street (1st, Ute and Pitkin).
- Four lane alternative was originally proposed in 2015 and was based on the revised and reduced traffic projections from the 2040 regional transportation plan.
- Allows space for bike/ped facilities such as a bike path and wide detached sidewalks.
- Supported by the Downtown Development Authority and the Urban Trails Committee.
- While capacity for pedestrian and bicycles would likely result from implementation of this alternative, with current funding sources, CDOT may not be able to reconstruct this section if capacity is not enhanced for vehicles by adding additional lanes. Any ineligible improvements would be left for the City to construct.

PUBLIC CONCERNS/COMMENTS

Members of the public have vocalized concerns about CDOT's plans, largely focusing on Phase 6. Concerns have generally centered on the following topics:

- By adding an additional lane in each direction, I-70B improvements threaten to cut off Lower Downtown and Depot area
- CDOT's proposed plan provides for cars and trucks and compromises connectivity and safety for other users including bicycles and pedestrians
- Riverside Parkway created traffic congestion relief so improvements are not needed
- CDOT's proposed Access Control Plan closes historical access points in favor of lower order streets
- Hundreds of train passengers interact daily with area surrounding train depot
- Traffic data is old/outdated
- Elimination of two-way vehicle access on 2nd Street between Ute and Pitkin.

Some entities as well as individuals are concerned with the urban six lane section proposed by CDOT including the Downtown Development Authority and the Urban Trails Committee. The organizations/advisory committee prefer a four-lane design that more aligns with the New Mobility West concept plan developed in 2015 (Attached). Both the Downtown Development Authority and the Urban Trails Committee will be providing position statements for the February 19 Council meeting.

Goals for the New Mobility West study included developing an option that:

- Accommodate all modes safely
- Design I-70B for urban context of downtown
- Balance throughput traffic flow with local access, livability and downtown connectivity
- Support pedestrian-first environment
- Enhance economic development and redevelopment opportunities

Planning the City's Transportation Needs

Both the City's adopted Comprehensive Plan and Greater Downtown Plan, as well as the DDA's Plan of Development all have elements that discuss the need for walkability, bikeability, and enhanced connectivity throughout the downtown.

The 2010 Comprehensive Plan established a guiding principle of having "Balanced Transportation" that will shape growth, with specific goals of creating attractive public spaces and enhancing the visual appeal of the community through quality development, and developing a well-balanced transportation system that supports

automobile, local transit, pedestrian, and bicycles. Further planning occurred in 2013, with the adoption of the Greater Downtown Plan and Overlay zone district with its goals and purpose of enhancing the transportation system to accommodate automobiles, transit, bikes and pedestrians. This downtown plan emphasized improving connections to downtown and improving “walkability” of the downtown area through street design that is pedestrian friendly and provides a foundation for a safe, active and livable area, including sidewalks, accessibility improvements, bicycle facilities, off-street trail connections and safe crossings.

In 2018 the City adopted a revised Circulation Plan and established a new Complete Streets Policy to develop a safe, efficient, reliable and connected travel network of streets, sidewalks, and urban trails throughout the City of Grand Junction serving all users and all modes of transportation.

The current Comprehensive Plan update is underway and amongst other goals, the community’s goals related to connecting our downtown and riverfront as well as providing and improving the City’s bicycle and pedestrian experience and infrastructure have been consistent and central themes in the planning process.

Other Considerations – In the formulation of a recommendation, the following list of considerations should be taken into account:

A significant transportation corridor is needed through downtown – Recently suggested options have included using the Riverside Parkway or North Avenue as the business loop. 2040 traffic modeling depicted approximately 30,000 cars per day on each of those facilities which provides for a Level of Service nearing “C”. Staff believes that both I-70B and corridors such as the Riverside Parkway and North Avenue need to remain complementary and each being optimized for the specific users/modes to provide for safe and convenient access to/through the City.

Context-Sensitive Design – Staff believes the design of transportation corridors should be sensitive to context of their location and function within the City and encourages the reduction/elimination of real/perceived barriers to walking and biking, especially in the downtown core of the City – consistent with the City’s adopted Complete Streets Policy and adopted plans.

Capacity Improvements – CDOT states its current funding sources are only valid if they are used to reconstruct the street and add transportation capacity.

Pedestrian Safety across Ute & Pitkin – Provided a red-yellow-green pedestrian signal on 2nd Street at Ute and Pitkin is the best way to ensure pedestrian safety at these intersections. This is the primary connection from the Amtrak station to Main Street as well as redevelopment areas along 2nd Street and therefore should have a convenient

crossing of Ute and Pitkin Avenues.

Blend alternatives – Staff would recommend that southbound 1st Street drop the 3rd lane at Main Street as it does today. This leaves the section from Main Street to 2nd Street a two-lane section providing for wide sidewalks/bike path/landscape opportunities in front of the depot area as well as a shorter crossing distance of Ute and Pitkin. East of 2nd Street along Pitkin is a 3-lane section today while east of 5th Street along Ute is a 3-lane configuration today. The configuration (2 lane vs. 3 lane) east of the 2nd street should be considered for further analysis and discussion at a later time.

2nd Street Two-way Traffic – 2nd Street should be kept as a two-way street north of Pitkin as that is the primary access to Two Rivers Convention Center for eastbound I-70B as well as connecting the hotels to the Depot. The decision to retain or close 2nd street south of Pitkin should be reviewed and discussed with surrounding property owners, especially as it relates to the adopted transportation corridor along South Avenue.

FISCAL IMPACT:

If CDOT's six lane section is selected, CDOT would cover the costs of the project. If the four lane section is selected, the City may be responsible for the addition of multi-modal and landscaping improvements which would need to be addressed in future budgets.

SUGGESTED MOTION:

Motion will be made as determined by City Council based on discussion/direction of Council.

Attachments

1. I70B Phase 5-7 Overview
2. New Mobility GJ I70-B 2015
3. I70B Four Lane Option and Conceptual 2nd St Promenade
4. I70B Public Comments - Portner-Fife 02072020

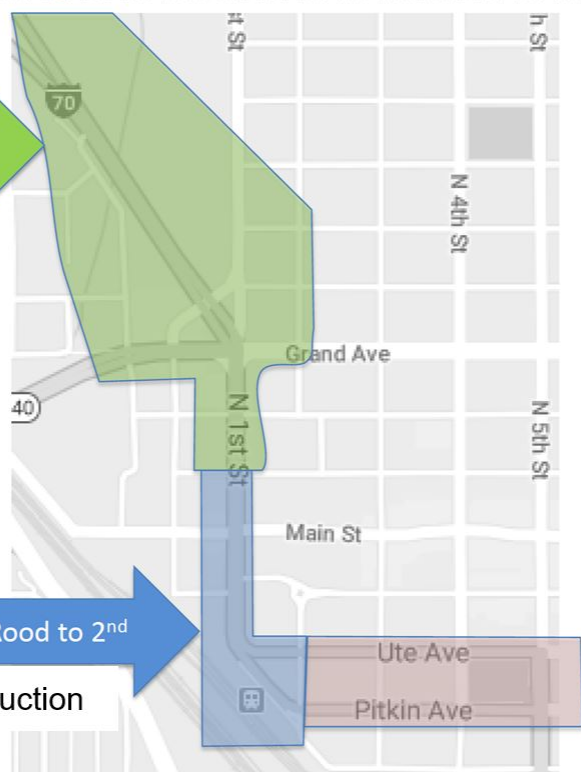


Project Phases

Phase 5: Mulberry to Rood
2021 Construction

Phase 6: Rood to 2nd
2023 Construction

Phase 7: 2nd to 5th
Funding: None



I-70B

A New Vision for Downtown Grand Junction

EA Statement of Purpose and Need

- 1) Improve traffic flow
- 2) Improve safety
- 3) Improve multimodal opportunities
- 4) Improve access management

Project History

2008: Environmental Assessment (EA) completed; forecasts over 30,000 vehicles per day by 2030

2008 – 2013: CDOT implements I-70B improvements from the west through Rimrock area

2013 – 2015: CDOT undertakes design of corridor through Grand intersection

2014 – 2015: updated regional modeling forecasts much lower future traffic

April 2015: CDOT/City/DDA workshop to reevaluate I-70B design concept south and east of Grand Avenue

Next Steps

- Continue to evaluate improvements to maintain or improve traffic flow and safety
- Complete further traffic and safety analysis of proposed mid-block crossings
- Reevaluate need for turning lanes at intersections based upon lower anticipated traffic volumes
- Conduct detailed evaluation of the proposed conversion of 4th and 5th Streets to two-way traffic, including lane reconfiguration and signal phasing/timing changes
- Revisit status of 2008 Environmental Assessment

1st & Grand

- Begin transition to urban design as context changes and capacity needs decrease
- Provide multi-use path connection between Broadway and Gunnison
- Remove right-turn slip lanes on south side of intersection to enhance pedestrian safety
- Implement 3/4 access at White Avenue to assist with 1st & Grand intersection capacity

Downtown Gateway

- Make this the gateway to Downtown from the North and West
- Narrow to existing two general purpose traffic lanes each direction south of Grand
- Slow traffic down to the 30mph posted speed
- Introduce "downtown" design finishes, including urban landscaping

1st & Main

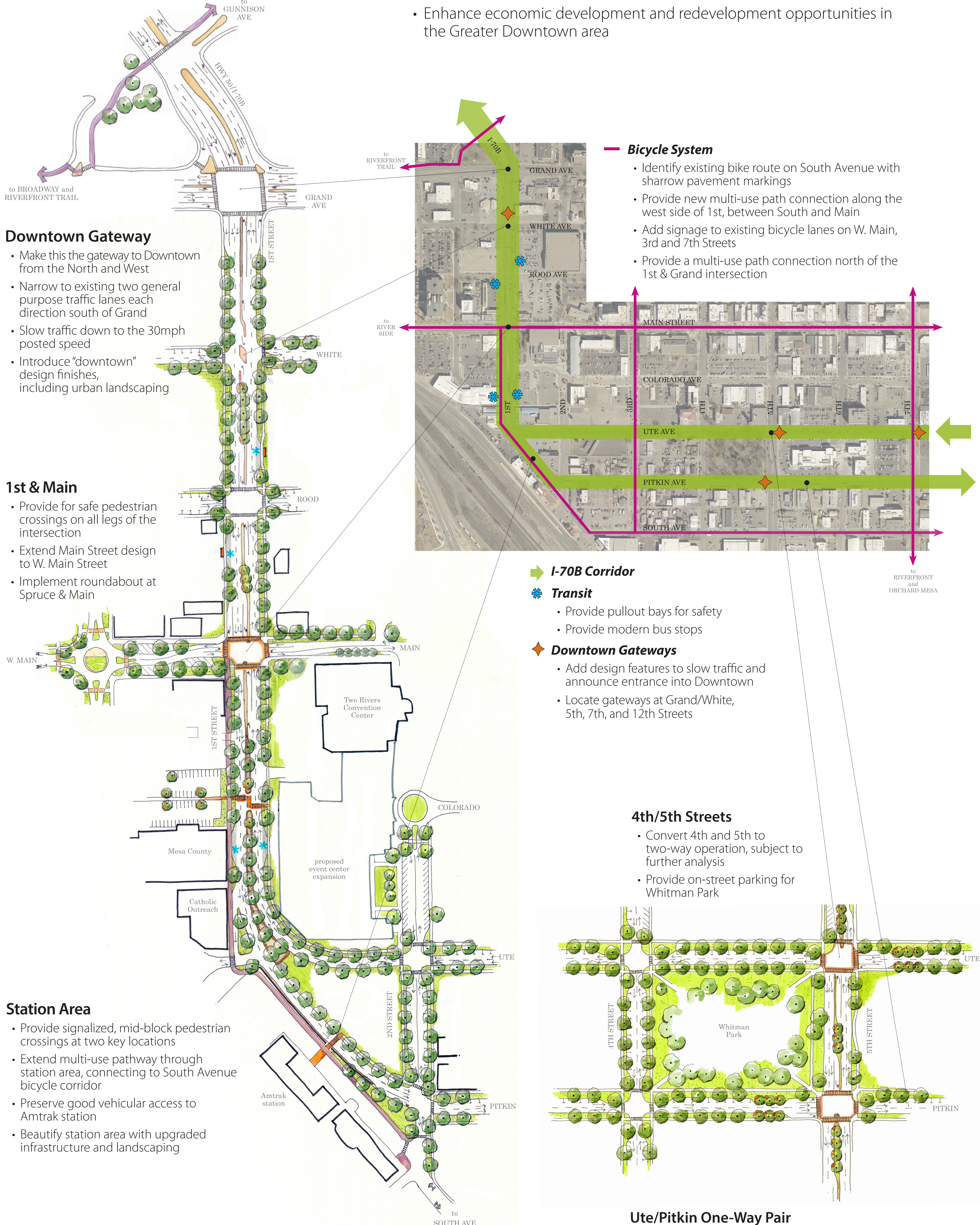
- Provide for safe pedestrian crossings on all legs of the intersection
- Extend Main Street design to W. Main Street
- Implement roundabout at Spruce & Main

Station Area

- Provide signalized, mid-block pedestrian crossings at two key locations
- Extend multi-use pathway through station area, connecting to South Avenue bicycle corridor
- Preserve good vehicular access to Amtrak station
- Beautify station area with upgraded infrastructure and landscaping

Community Goals

- Work with CDOT to update the vision and strategic plan for the I-70B corridor through Downtown Grand Junction
- Accommodate all modes safely by designing I-70B for the urban context of Downtown
- Balance throughput traffic flow with local access, livability and Downtown connectivity
- Support pedestrian-first environment in Downtown
- Enhance economic development and redevelopment opportunities in the Greater Downtown area



Revised: May 15, 2015



PHASE 6 ALTERNATIVE: 4 LANE

February 7, 2020
Grand Junction City Council
RE: I-70B Plans

Dear City Councilors:

We are writing in reference to CDOT's plans for I-70B through downtown. The plans, based on a study completed in 2008, would include 3 travel lanes along both Ute and Pitkin, merging into 6 travel lanes on 1st Street. The New Mobility West Study done several years ago, in partnership with the City and DDA, proposed a different alternative with a total of 4 travel lanes that would accommodate the anticipated vehicular traffic, as well as other modes, and be context sensitive to the downtown area. Some of the recent letters and articles about the CDOT plans seem to indicate that 6 lanes are acceptable if there's a safe crossing. We take exception to that. It's not just about safe crossings, it's about the very fabric of the downtown area and the streetscape along I-70B. Three travel lanes along Ute and Pitkin will forever isolate the blocks in-between the couplets, leading to further blight and deterioration, most notably Whitman Park. Six through lanes, combined with whatever turn lanes are deemed necessary, will make 1st Street a formidable barrier for pedestrians and bicyclists crossing at Main Street.

CDOT has indicated that if the plan developed in 2008 is not followed, a new Environmental Assessment (EA) will have to be done. We question whether that is the case if the number of lanes is being reduced, but regardless, perhaps it is time to update an EA that utilized growth projections that are no longer valid. In addition, since then, the City adopted a Comprehensive Plan and is in the process of updating the Plan and the DDA has completed a Plan of Development, all of which should be taken into account.

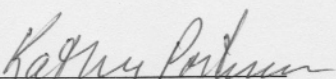
CDOT has indicated in the past that the project can only proceed if it increases capacity and that means 6 lanes. Increasing capacity on a roadway can be done in a number of ways and the capacity for all modes should be considered. It doesn't make sense to allow CDOT to change the face of downtown for the next 50+ years just because we're afraid it's 6 lanes or nothing.

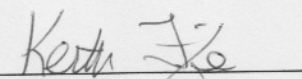
We question whether the traffic volumes anticipated would warrant 6 lanes and the difference in Level of Service for those volumes with 4 lanes versus 6 lanes. There should be a different expectation of Level of Service through a downtown area. Vibrant downtowns have some congestion and slower traffic. CDOT's proposal to soften the curve and rely on narrower lanes to "slow the traffic" along a 6 lane highway is laughable. The I-70B design used on the section of the corridor to the west is not right for downtown.

The plans to better connect downtown to the Riverfront hinge on the design of I-70B. The proposed bridge from Dos Rios would allow for pedestrians and bicyclists to safely cross Riverside Parkway and the railroad tracks only to be dumped into Ute and Pitkin with 3 lanes of traffic in each direction. Likewise, safe crossings at 5th, 7th, 9th and 12th would be compromised.

The consultant for the DDA's Plan of Development recommended the City conduct an engineering study of the corridor to verify that 2 lanes, rather than 3, in each direction would adequately serve the transportation needs, with a follow up revision to the EA. We urge you to slow down the CDOT process and allow for the study. This isn't CDOT's road, it's a public, multimodal corridor that cuts through the heart of our community. Please don't allow a highway (transportation sewer) to be built to the detriment of downtown and the riverfront. This is an opportunity to improve transportation for all users, while preserving the unique character of downtown. Thank you for your thoughtful consideration of this important matter.

Sincerely,


Kathy Portner


Keith Fife



Grand Junction City Council

Regular Session

Item #6.b.

Meeting Date: February 19, 2020

Presented By: Jay Valentine, General Services Director

Department: General Services

Submitted By: Jay Valentine, General Services Director

Information

SUBJECT:

Memorandum of Understanding for Indoor Golf Facility with Colorado Mesa University

RECOMMENDATION:

To approve the Memorandum of Understanding with Colorado Mesa University

EXECUTIVE SUMMARY:

Colorado Mesa University is requesting the City, through a Memorandum of Understanding, to 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, 3) electronics – a place for the student athletes to “hang out” building camaraderie and teamwork, 4) couches/chairs, and 5) lockers for clubs/shoes. Of the three practice bays in the facility, one will be assigned to the City to promote and market to it's golf customers.

BACKGROUND OR DETAILED INFORMATION:

Currently the Colorado Mesa University Men's and Women's golf programs do not have a practice facility in which to work and practice, especially in inclement weather. Because of this, CMU is asking the City, through a Memorandum of Understanding, to construct a Golf Performance Center at Lincoln Park Golf Course. The CMU Golf Performance Center would be the “home” where the men and women golf student athletes can visit for practice regardless of their personal class schedules, and to improve themselves whether to increase their golf skills or to prepare for

class/homework. This facility (rendering attached) is proposed to be located at the Lincoln Park 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, 3) electronics – a place for the student athletes to “hang out” building camaraderie and teamwork, 4) couches/chairs, and 5) lockers for clubs/shoes. This facility will be a significant piece to recruiting the best golf talent to Colorado Mesa University, as many competing college golf programs already have the benefit of similar practice facilities.

Prior to being approached with the idea of the Golf Performance Center in the spring of 2019, a strategic pricing structure had just been implemented at Lincoln Park intended to drive more play to the course as the number of golf rounds had seen significant declines in the few years prior. The new pricing structure was not only intended to make golf more affordable for those looking to learn and play the game, but it was priced as way to connect CMU students with Lincoln Park Golf Course. With the over 10,000 students/customers just across the street, we are looking to grow the game of golf through this younger generation through accessibility, instruction and with cost not being a prohibitor.

The benefit to the City golf operations is that CMU is dedicating one of the three practice bays within the facility to the City for public use and instruction. This dedicated practice bay occupies 400 square feet of the total approximate 2,500 square foot building. Aside from this one hitting bay, CMU will have exclusive access to the Performance Center facility.

FISCAL IMPACT:

The annual rent to be paid by CMU to the City will be ten dollars (\$10.00) The City will also retain exclusive use of one of the three practice bays. This will allow Lincoln Park Golf Course to generate additional revenue through the programming of this facility.

Although not transacted financially, the 2,500 square foot building footprint (land) has an estimated market lease value of .65 cents per square foot amounting to \$1,625 annually. The dedicated practice bay occupies 400 square feet of the total 2,500 square foot building. At \$100 per square foot, the total value to the City for this building space is \$40,000. Aside from this one hitting bay, CMU will have exclusive access to the Performance Center facility. Again, there are three bays total and the City will have exclusive rights to one of them.

CMU will pay for all utilities required for the operation of the CMU Golf Facility; provide for all maintenance and repair, trash service, utility charges and provide for all custodial needs.

The initial term of the Lease will be 25 years, however any termination provisions prior

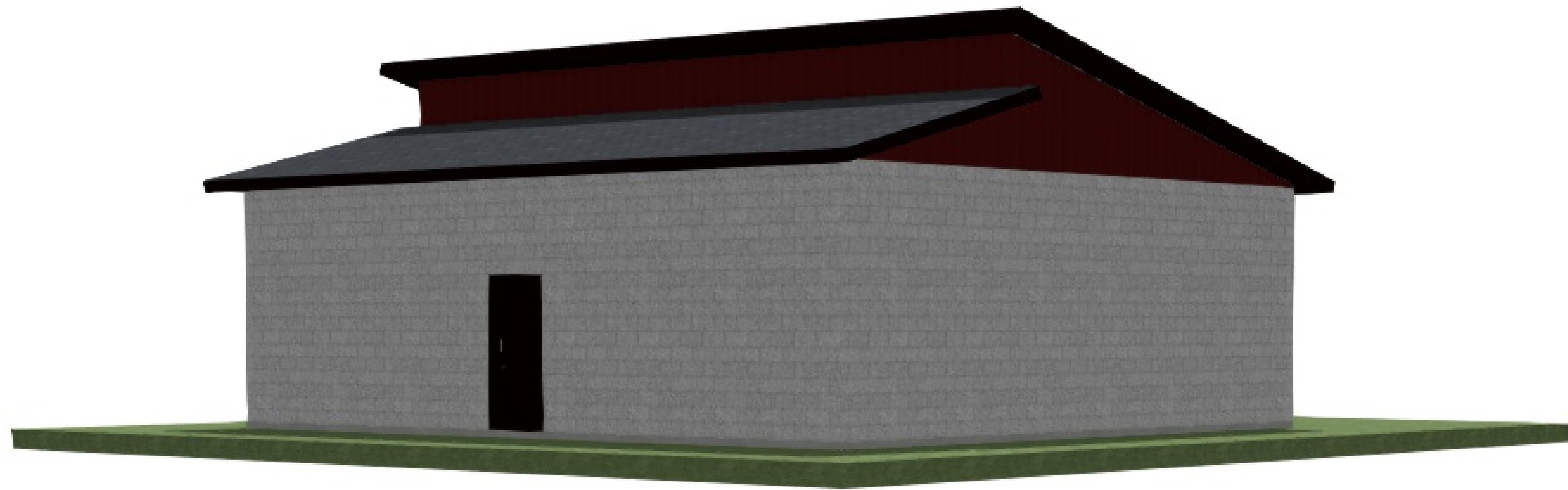
to the end of the 25 years will determined in the lease.

SUGGESTED MOTION:

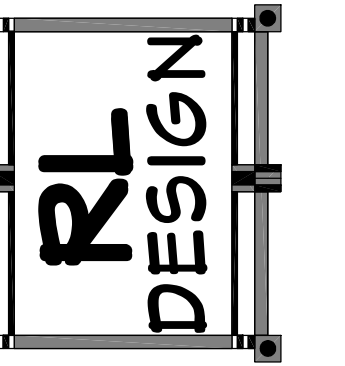
I move to (approve/not approve) the Memorandum of Understanding with Colorado Mesa University for the purposes of constructing a CMU golf facility on Lincoln Park Golf Course property.

Attachments

1. CMU Golf Performance Center Rendering
2. MOU-LPGC CMU City MOU
3. CMU - MOU Memo to Council



1 PERSPECTIVE VIEWS
1/4"=1'-0"



REVISIONS	BY	DATE

RL Design
STUDIO - GALLERY - SHOWROOM
250 S. Front Street
Sterling, Colorado 80751
970-522-9280

SHEET TITLE:
PERSPECTIVE VIEWS

HITTING BAYS FOR -
COLORADO MESA UNIVERSITY
GRAND JUNCTION, COLORADO

DATE:

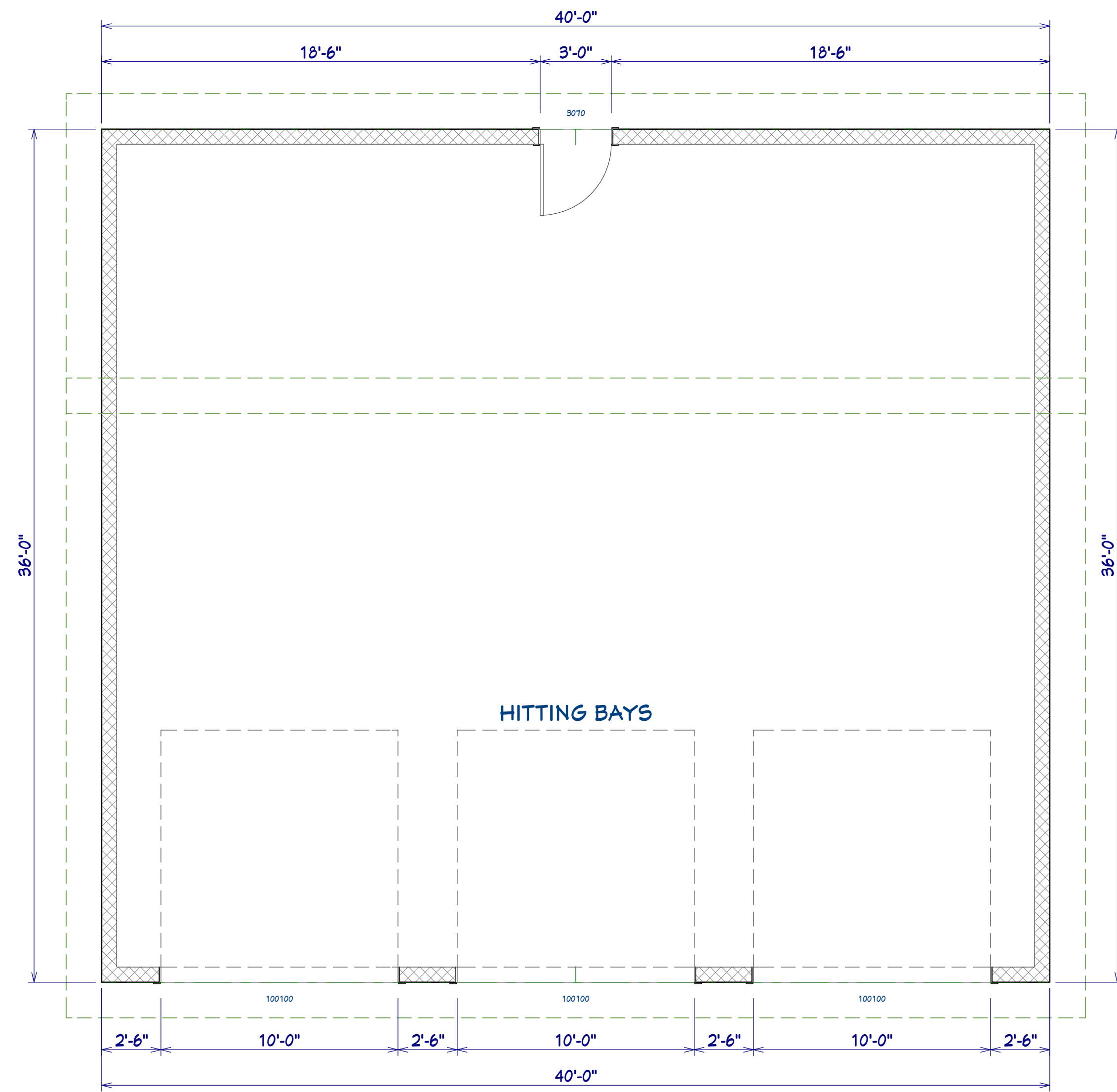
1/24/2019

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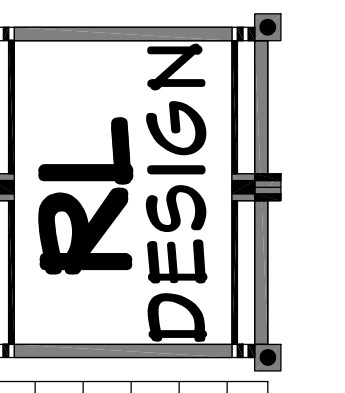
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SHEET #

P-1



1 FLOOR PLAN
 1/4"=1'-0"



REVISIONS	BY	DATE

RL Design
 STUDIO - GALLERY - SHOWROOM
 250 S. Front Street
 Sterling, Colorado 80751
 970-522-9280

SHEET TITLE:
FLOOR PLAN

HITTING BAYS FOR -
COLORADO MESA UNIVERSITY
 GRAND JUNCTION, COLORADO

DATE:

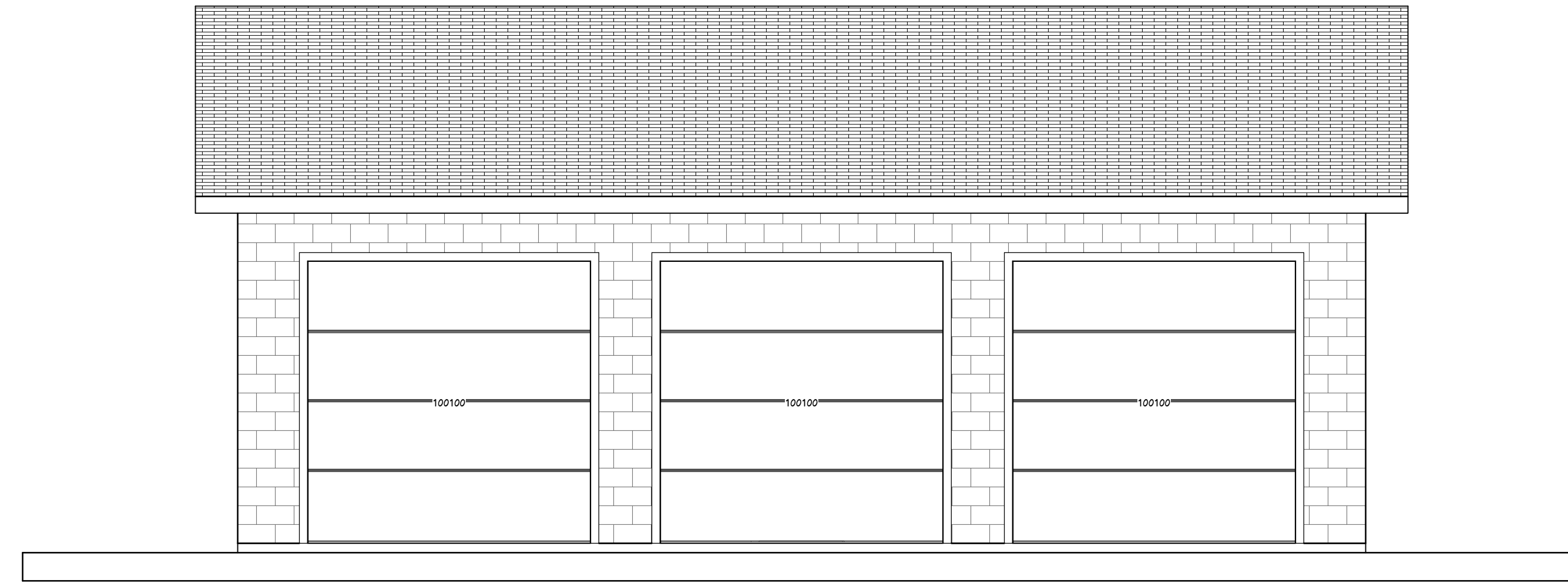
1/24/2019

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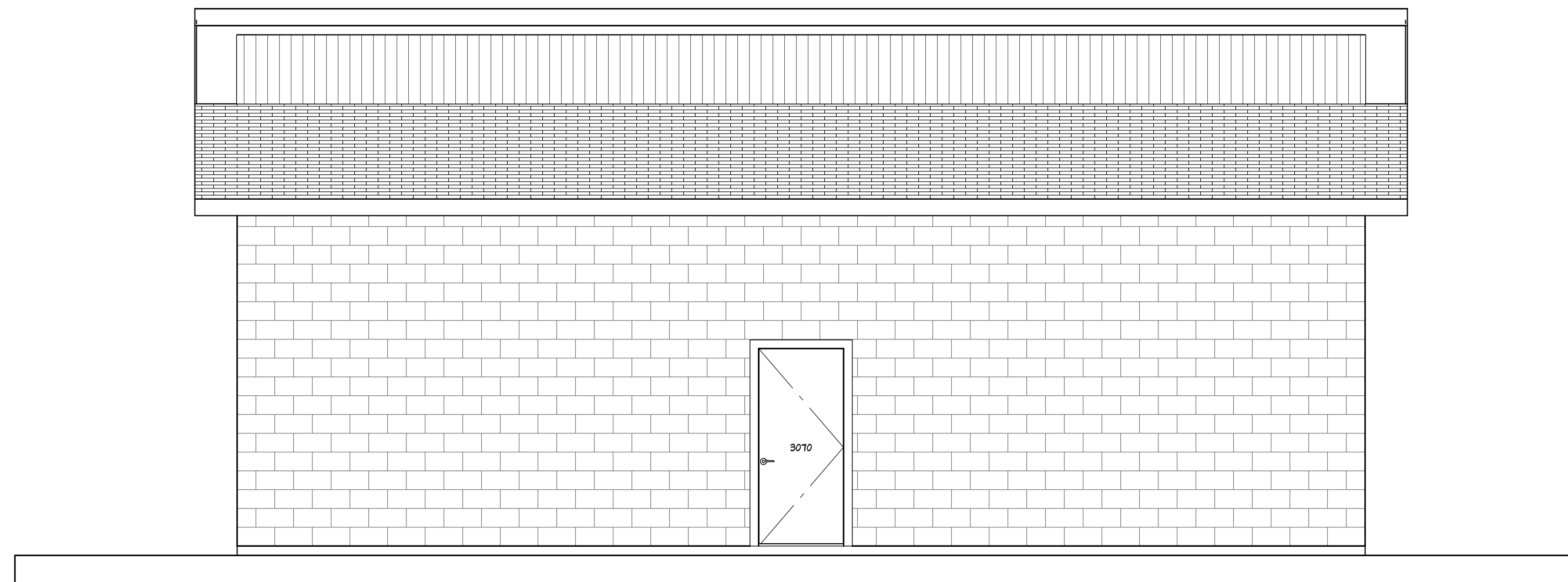
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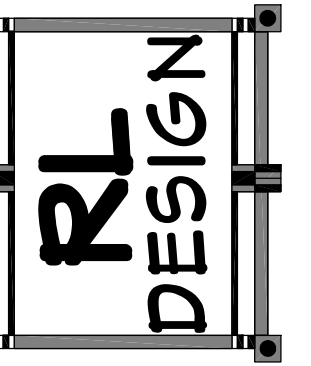
A-1



1 FRONT ELEVATION
 1/4"=1'-0"



2 BACK ELEVATION
 1/4"=1'-0"



REVISIONS	BY	DATE

RL Design
 STUDIO - GALLERY - SHOWROOM
 250 S. Front Street
 Sterling, Colorado 80751
 970-522-9280

SHEET TITLE:
ELEVATIONS

HITTING BAYS FOR -
COLORADO MESA UNIVERSITY
 GRAND JUNCTION, COLORADO

DATE:

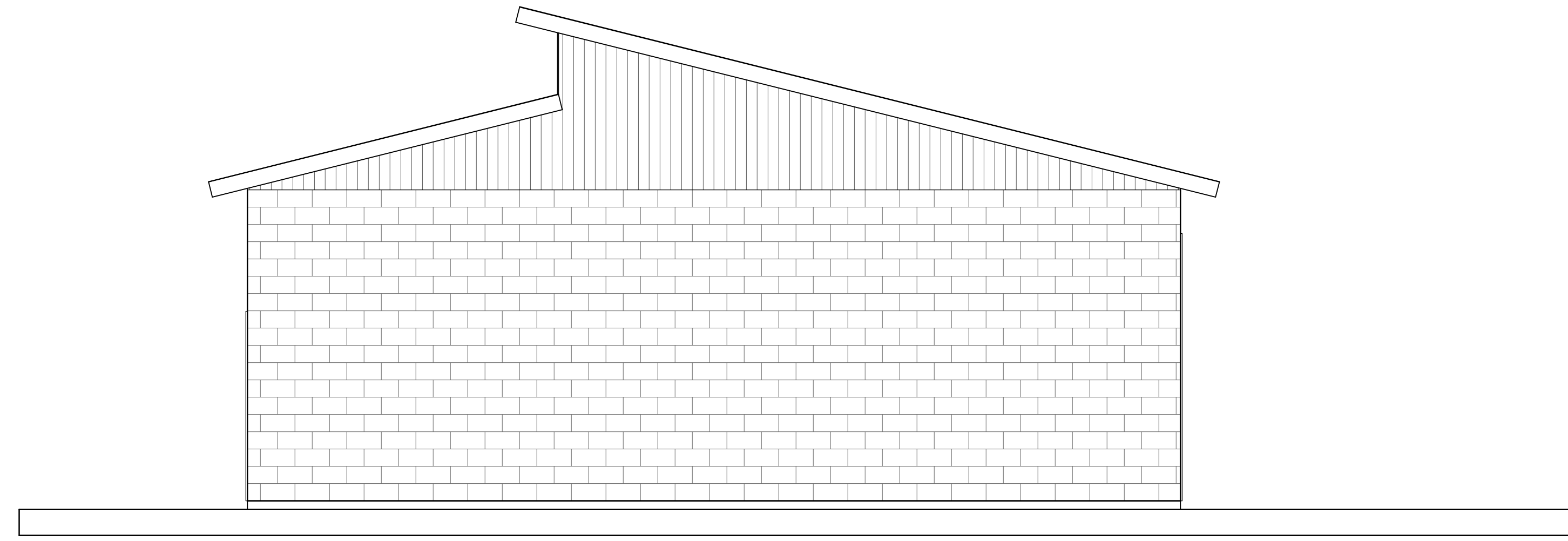
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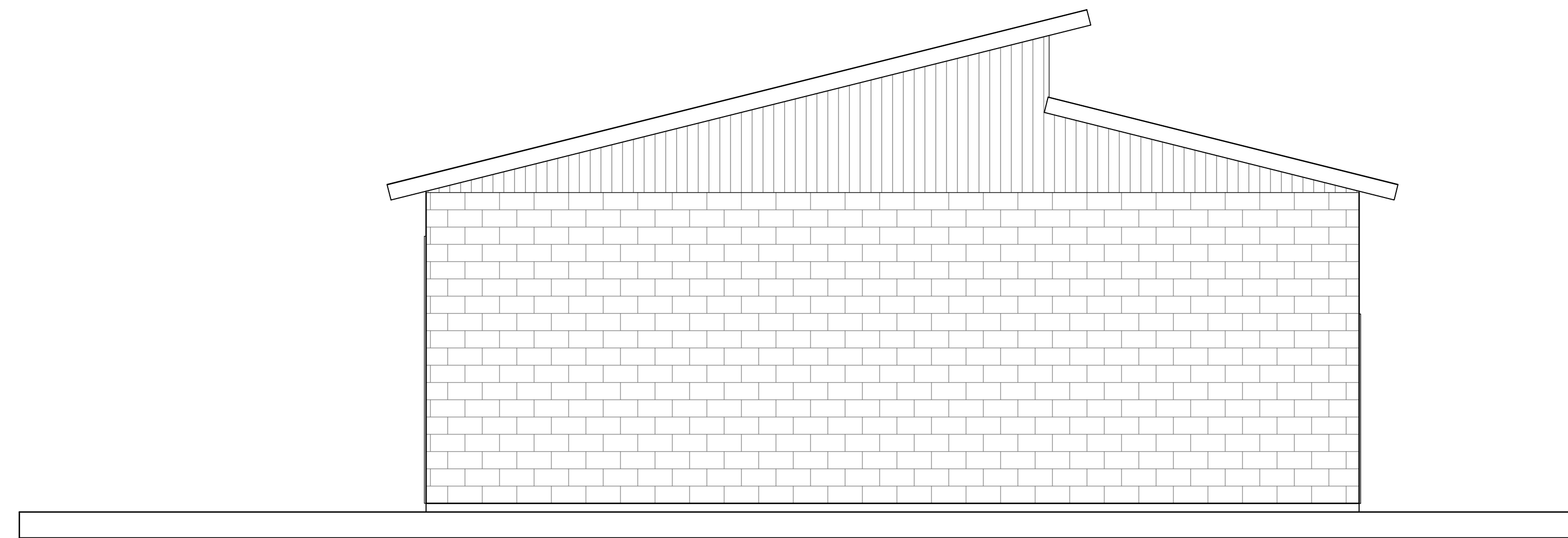
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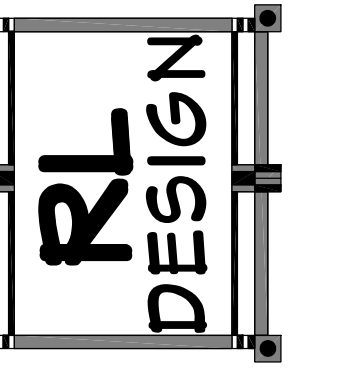
A-2



3 LEFT ELEVATION
1/4"=1'-0"



4 RIGHT ELEVATION
1/4"=1'-0"



REVISIONS	BY	DATE

RL Design
STUDIO - GALLERY - SHOWROOM
250 S. Front Street
Sterling, Colorado 80751
970-522-9280

SHEET TITLE:
ELEVATIONS

HITTING BAYS FOR -
COLORADO MESA UNIVERSITY
GRAND JUNCTION, COLORADO

DATE:

1/24/2019

SCALE:

1/4"=1'-0"

SHEET #

A-3

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered into this ____ day of _____ 2020, by and between the State of Colorado by and through the Trustees of Colorado Mesa University for the benefit of Colorado Mesa University (“CMU”) and the City of Grand Junction (“City”).

Recitals

- A. CMU is a Colorado public institution of higher education with its main campus located in Grand Junction, Colorado.
- B. The City is a Colorado home rule municipality. The City owns Lincoln Park Golf Course (“LPGC”) located close to the CMU campus at the intersection of North Avenue and 12th Street, in Grand Junction.
- C. CMU, for and on behalf of its competitive golf teams, desires to build a facility to be used by the golf teams as the teams’ headquarters and to provide locker rooms and a practice/training facility for the teams exclusive use. Collectively and for purposes of this MOU those improvements are referred to as the “CMU Golf Facility.”
- D. CMU and the City have discussed the concept of constructing the CMU Golf Facility on the LPGC property. It is contemplated that the CMU Golf Facility would include a meeting room, locker rooms, restrooms, and covered practice tee boxes all to be used by and for the CMU golf teams. In addition, a single covered practice tee box would be constructed for use by the public.
- E. CMU understands the value in having the LPGC as the home course for CMU golf, although the CMU golf teams will practice and hold events on other regional golf courses, and the City recognizes the value of potential advertising, marketing and concession rights that may result when the CMU golf team establishes LPGC as its home course.
- F. CMU and the City desire to enter into a statement of understanding and general agreement setting forth each party's expectations and understanding of possible opportunities for the financing, construction and operation of the CMU Golf Facility at LPGC.
- G. This MOU provides the basis for further effort by the parties consistent with these Recitals.

Statement of Understanding and General Agreement

The Parties understand and agree as follows.

1. Lease of Tract at Lincoln Park Golf Course. CMU will lease an area of the Lincoln Park golf course from the City on which CMU will construct the CMU Golf Facility. The annual rent to be paid by CMU to the City will be ten dollars (\$10.00) The initial term of the Lease will be 25 years. The lease will automatically renew for two (2) successive renewal terms of twenty five years each unless CMU notifies the City not less than 90 days prior to the end of the then existing term that CMU does not intend to renew. In the event of non-renewal, the City may a) require CMU to remove the CMU Golf Facility or b) purchase the CMU Golf Facility for a price and on terms mutually agreed to by the City and CMU, all as more particularly set forth in the lease agreement. The size and location of the leased area shall be determined by mutual agreement of CMU and the City, but shall generally be located near the existing driving range and be of sufficient size to accommodate a building that is approximately 50 feet by 50 feet containing a locker room, training room and club room for CMU golf teams. The CMU Golf Facility will include no less than three (3) covered tee boxes for range practice by the CMU golf teams and one (1) covered tee box for public use. The CMU Golf Facility is expected to include restrooms and showers. The City agrees the lease will establish and provide necessary utility easement(s) and the City will stub utilities (water, sewer, gas, electric, telephone, internet) to the leased parcel.
2. Design Concept for the Golf Facility. The CMU Golf Facility will be designed by CMU in consultation and agreement with the City; however, except for compliance with all applicable fire, building and life safety codes, CMU shall have the final authority concerning all aspects of the construction of the CMU Golf Facility. All costs of the construction, operation, maintenance and equipment for the CMU Golf Facility shall be paid for by CMU.
3. Obligations of the City. The City will be responsible to provide all landscaping at the CMU Golf Facility, which shall be installed and maintained at a quality that is consistent with the Lincoln Park Golf Course. The City shall provide and pick up range balls for use by the CMU golf teams at no cost to CMU.
4. Capital Campaign. CMU will conduct a fund raising campaign to finance the construction of the CMU Golf Facility and all necessary equipment. Such fundraising campaign shall be under the management and control of CMU. The lease between CMU and the City will commence upon written notice from CMU that CMU has sufficient funds raised or pledged to construct the CMU Golf Facility. Upon such notice, the parties will enter into a written lease agreement, subject to approval by the City Council, providing for CMU to lease the tract of land at Lincoln Park Golf Course in accordance with this MOU and other commercially reasonable terms including but not limited to protection of the City from the attachment of liens to the Lincoln Park Golf Course. In the event that CMU does not notify the City that it has sufficient funds to proceed with the lease within three (3) years of the date of this MOU, the MOU shall expire.
5. Additional Lease Obligations. In addition to the Lease payment set forth above, CMU will pay for all utilities required for the operation of the CMU Golf Facility; provide for all maintenance and repair, trash service, utility charges and provide for all custodial needs. The City will provide and pay for landscaping services, sidewalk and parking maintenance, and basic security. Any security needs of CMU for special events that are

beyond basic building security provided by the City shall be arranged and paid for by CMU.

6. Insurance. CMU shall, at its sole cost and expense, during the entire term hereof, carry and maintain the following insurance coverage in the amounts specified below, or at such other amounts as CMU shall, from time to time, determine, with insurance companies and in a form satisfactory to the City:
 - A. Workers' Compensation Insurance as required by state statute, and Employer's Liability Insurance covering all of CMU's employees acting within the course and scope of their employment.
 - B. Public liability and property damage liability insurance with the following limits.
 - a. \$1,000,000 each occurrence;
 - b. \$2,000,000 general aggregate;
 - c. \$1,000,000 Umbrella insurance
 - C. Fire and extended coverage insurance covering the CMU Golf Facility building and including the public tee box(es) and all of CMU's equipment, trade fixtures, appliances, furniture, furnishings, and personal property in, on, or upon the golf facility in an amount not less than the full replacement cost without deduction for depreciation.

The liability insurance referred to hereinbefore shall name the City as an additional insured. A copy of every policy or certificate of insurance pertaining to this provision shall be delivered to City within thirty (30) days of the execution of this Agreement.

7. Building Access. CMU employees and CMU golf team members will have the only keys and exclusive access to the CMU Golf Facility except for the public covered tee box that the City will oversee.
8. Independent Operation. All decisions concerning CMU staffing, name, events and activities at the CMU Golf Facility shall be the decision of CMU, unless such decisions might negatively impact the City and the golfers at Lincoln Park Golf Course. In those situations, CMU will consult in advance with the City. CMU will, from time to time, consult with the City on the activities and programs of the CMU golf teams to coordinate times and to determine if an opportunity for beneficial collaboration between CMU and the City might exist. CMU staff, volunteers, guests and golf-team members shall have unlimited access to the CMU golf facility, subject to the overall rules and regulations in effect at Lincoln Park Golf Course.
9. Cooperation. The provisions hereof are the basic understandings of CMU and the City; however, this MOU is not a contract as many matters may arise in the negotiation of the lease, the construction and the use of the CMU Golf Facility. On each occasion when CMU and the City find an issue not covered by this MOU, CMU and the City will in good faith negotiate with the guiding principle of each such negotiation being that CMU is to design, construct, operate and pay for all of the costs of the CMU golf team facility to be located at Lincoln Park Golf Course and CMU shall have the exclusive use of the CMU Golf Facility. Subsequent agreements, including but not limited to the lease will control. There may be many opportunities for CMU and the City to further collaborate in the future to benefit either or both CMU and

the City, those opportunities may be the subject of separate, additional agreements as well. CMU and the City agree to discuss issues, concerns and opportunities as they arise and to otherwise communicate and cooperate on all matters relating to the CMU Golf Facility with the mutual goal that it be successful and that it be a positive contributor to the CMU athletic department, students and economic health of the City of Grand Junction.

9. Dispute Resolution. In the event of a dispute about the understandings and general agreements established by this MOU that cannot be resolved by the parties, the parties agree that they shall proceed, in good faith, to mediation. The parties will jointly appoint an acceptable mediator and will share equally in the cost of mediation. The obligation to mediate will terminate if the entire dispute is not resolved within sixty (60) days of the date written notice requesting mediation is delivered by one party to the other.
10. Not Complete and Final Agreement. Subject to Paragraph 9 above, the parties agree that this MOU not the entire agreement between the parties relating to the construction and use of a CMU Golf Facility at Lincoln Park Golf Course and that further agreements, including but not limited to a lease, are required to fully effectuate the understandings stated herein.
11. Inurement. This Agreement shall inure to the benefit of and be binding upon each of the party's heirs, legal representatives and assigns.

In Witness Whereof, the parties have caused this agreement to be executed this ____ day of _____, 2020.

State of Colorado through the
Trustee of Colorado Mesa University

City of Grand Junction, Colorado

Memorandum

TO: Mayor and Members of Council
FROM: Greg Caton, City Manager
Jay Valentine, General Services Director
DATE: February 10, 2020
SUBJECT: CMU Golf Performance Center MOU

In advance of the upcoming City Council Meeting, this memorandum is meant to provide the background information relative to the pending approval of the Memorandum of Understanding (MOU) between Colorado Mesa University (CMU) and the City.

Last spring, the CMU Men's Golf Coach contacted the City regarding a possible location for a Golf Performance Center. The CMU Golf Performance Center would be the "home" to the men and women's golf teams where they can meet for practice, increase their golf skills and/or prepare for class/complete homework. This performance center would also help with their objective to continue the high level of athletics success at CMU, including success at a national level.

In order to accomplish this, CMU is asking that City Council consider approving the attached MOU. Currently the golf programs at CMU do not have a practice facility in which to work and practice, especially in inclement weather. After contemplating other courses such as Bookcliff Country Club and Tiara Rado, this facility is proposed to be located at the Lincoln Park driving range. The vision for the proposed 2,500 square foot building 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, 3) electronics – a place for the student athletes to build camaraderie and learn teamwork, 4) couches and chairs, and 5) lockers for clubs and shoes. This facility will be a significant piece to recruiting the best golf talent to CMU, as many competing college golf programs already have the benefit of similar practice facilities.

Prior to being approached with the idea of the Golf Performance Center in the spring of 2019, a strategic pricing structure had just been implemented at Lincoln Park intended to drive more play to the course as the number of golf rounds had seen significant declines in the few years prior. The new pricing structure was not only intended to make golf more affordable for those looking to learn and play the game, but it was priced as way to connect CMU students with Lincoln Park Golf Course. With the over 10,000 students just across the street, the City is looking to grow the game of golf with the younger generation through accessibility, instruction and without cost being a barrier.

The proposed MOU allows CMU to lease the approximate 2,500 square feet of land at the Lincoln Park driving range upon which the building will be constructed. The MOU proposes a lease amount of \$10 per year and is set only as matter of monetary exchange and is not meant to compensate for the true lease value of the land. The 2,500 square foot building footprint (land) has an estimated market lease value of \$0.65 per square foot amounting to \$1,625 annually.

The true benefit to the City golf operations is that CMU is dedicating one of the three practice bays within the facility to the City for public use and instruction. This dedicated practice bay occupies 400 square feet of the total 2,500 square foot building. At \$100 per square foot, the total value to the City for this building space is \$40,000. Aside from this one hitting bay, CMU will have exclusive access to the Performance Center facility. Again, there are three bays total and the City will have exclusive rights to one of them.

CMU has asked for a 25-year term which the City Charter allows however, any termination provisions prior to the end of the 25 years will be determined in the lease.

Attachment



Grand Junction City Council

Regular Session

Item #7.a.i.

Meeting Date: February 19, 2020

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

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

RECOMMENDATION:

The Planning Commission heard this item at its January 28, 2020 meeting and recommended approval (6 - 0).

EXECUTIVE SUMMARY:

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.

BACKGROUND OR DETAILED INFORMATION:

The subject 3.64-acre property is situated west of Redlands Parkway and south of Riverside Parkway. The property which is Lot 1 of the C. L. M. River Road I Subdivision currently contains four (4) manufactured homes that have been on the property for many years. At one time, the property contained five (5) manufactured homes. The property was annexed into the City limits in 1992 as part of the Blue Heron Annexation and zoned PI (Planned Industrial). The PI zoning district at the time was a continuation of previous County zoning of PUD (Planned Unit Development) which permitted the five (5) rental manufactured homes. The PI zoning designation in 1992 allowed the property owner to continue the land use of the rental manufactured

homes.

The Applicant has expressed the intent to redevelop the property with a commercial land use(s) and remove the remaining four (4) manufactured homes. The Applicant seeks the C-1 zone due to the allowable land uses provided within the district such as general office, self-service storage, general retail sales and automobile mechanical repair, etc. The Comprehensive Plan Future Land Use Map identifies the property as Village Center. The proposed C-1 (Light Commercial) Zone District is a zone district that implements the Village Center future land use designation. In addition to C-1 (Light Commercial) the following zone districts would also work to implement the Village Center designation.

R-8 (Residential – 8 du/ac)

R-12 (Residential – 12 du/ac)

R-16 (Residential – 16 du/ac)

R-24 (Residential – 24 du/ac)

R-O (Residential Office)

B-1 (Neighborhood Business)

M-U (Mixed Use)

MXR, G & S (Mixed Use Residential, General and Shopfront)

The purpose of the C-1 (Light Commercial) zone district is to provide indoor retail, service and office uses requiring direct or indirect arterial street access and business and commercial development along arterials. The C-1 zone district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses. This property has access to the Riverside Parkway which is classified as a Minor Arterial and proximate to Redlands Parkway which is classified as a Principal Arterial.

Properties adjacent to the subject property to the east and south, across Redlands Parkway are also owned by the Applicant. These properties contain the office, associated shop buildings and outside storage areas for Mays Concrete and is zoned PD (Planned Development). Properties to the west are zoned with I-1 (Light Industrial) and contain a commercial self-storage building along with a multi-tenant office building for contractor and trade shops. To the southwest is the Junior Service League Park and the Blue Heron Riverfront Trail adjacent to the Colorado River that are zoned CSR (Community Services and Recreation). To the north, across Riverside Parkway, Union Pacific Railroad and Highway 6 & 50 rights-of-way is the Mesa Mall area and associated retail stores, restaurants and offices, etc., zoned C-2 (General Commercial) and C-1 (Light Commercial).

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed rezone request was held on November 5, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant, Applicant's Representative and City staff were in attendance, however no members from the public attended the meeting. To date, the City has not received any public comment concerning the proposed rezone application. The application for the rezone request was submitted to the City on November 15, 2019.

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 November 22, 2019. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 17, 2020. The notice of this public hearing was published January 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

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

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

The property was originally zoned Planned Unit Development (PUD) in the County and was annexed into the City limits with the Blue Heron Annexation in 1992. At the time of annexation, a Planned Industrial (PI) zone was applied in order to allow the existing land use of a manufactured home park to continue. In 2010, the present Comprehensive Plan was adopted which designated this area as a Village Center. That action invalidated the original premises of the PI zone district since there are no industrial zone districts identified that implement the Village Center. Therefore, staff finds this criterion has been met.

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

The character and/or condition of the area has continued to change over the last 28 years including the completion and upgrade of the Riverside Parkway which provides for additional traffic capacity in the area and is classified as a Minor Arterial; and development of more commercial/industrial uses in the area have made the property no longer conducive to continued single family residential use. Based on changes that

have occurred in the vicinity of this property, staff has found this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the C-1 zone district. City sanitary sewer is presently available within Riverside Parkway and Ute Water is presently available in both Riverside Parkway and the Redlands Parkway Ramp to the west of the site. The property can also be served by Xcel Energy electric and natural gas. To the north, across Riverside Parkway, Union Pacific Railroad and Highway 6 & 50 rights-of-way is the Mesa Mall area and associated retail stores, restaurants, banks and offices, etc. A short distance away, further to the north, on G Road is Community Hospital. The adjacent street network of Riverside Parkway and Redlands Parkway are classified as Minor Arterial and Principal Arterial respectively, which are adequate to serve any type of commercial development proposed for the property.

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

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

C-1 zoned properties presently comprise approximately 5% of the total acreage within the City limits. Currently, no C-1 zoning exists on the west side of the Riverside Parkway and most C-1 is concentrated at or near the Mesa Mall, near the intersection of North Avenue and 1st street, along the North Avenue corridor with smaller pockets of C-1 near the intersection of SH 340 and Monument Road as well as flanking portions of Ute Avenue. Though there appears to be a deficit of C-1 in the area west of the Riverside Parkway and Redlands Parkway interchange, staff has been unable to determine if there is an inadequate supply of this zone district and therefore has not found this criterion to have been met. Staff finds this criterion has not been met.

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

The community and area will benefit from this proposed rezone request by creating the potential for commercial land uses that are more compatible with the surrounding existing light industrial and commercial properties in the immediate area than the existing single-family homes. The community and area will also benefit from the potential for redevelopment of this underutilized site that, should it develop, will be required to meet current code standards for such site improvements as landscaping

and other on-site improvements. Therefore, Staff finds that this criterion has been met.

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

Goal 1 / Policy A: Land use decisions will be consistent with Future Land Use Map.

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

Policy A: to create large and small “centers” throughout the community that provide services and commercial areas.

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

Goal 12: Being a regional provider of goods and services the City will sustain, develop and enhance a healthy, diverse economy.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Mays Rental Property rezone request, RZN-2019-660, from PD (Planned Development) to C-1 (Light Commercial) for the property located at 2389 Riverside Parkway, the following findings of fact have been made:

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

The request is consistent with the goals and policies of the Comprehensive Plan.

Therefore, Planning Commission recommends approval of the request.

FISCAL IMPACT:

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

SUGGESTED MOTION:

I move to (adopt/deny) 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 order final publication in pamphlet form.

Attachments

1. Development Application Dated 11-15-19
2. Site Location, Aerial, Zoning Maps
3. Planning Commission Minutes - 2020 - January 28 - Draft
4. ORD-rezoningMaysRentalProperty

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 type="text" value="Planned Development"/>	Existing Zoning <input type="text" value="PD"/>
Proposed Land Use Designation <input type="text" value="Light Commercial"/>	Proposed Zoning <input type="text" value="C1"/>

Property Information

Site Location: <input type="text" value="2389 Riverside Parkway"/>	Site Acreage: <input type="text" value="3.63"/>
Site Tax No(s): <input type="text" value="2945-081-29-001"/>	Site Zoning: <input type="text" value="PD"/>
Project Description: <input type="text" value="Rezone to Light Commercial C1"/>	

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 <input type="text" value="Pat O'Connor"/>	Date <input type="text" value="10/18/19"/>
Signature of Legal Property Owner <input type="text" value="Cliff Mays, Jr."/>	Date <input type="text" value="10/18/19"/>

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) MAYS RENTAL PROPERTIES, LLC ("Entity") is the owner of the following property:

(b) 2389 RIVERSIDE PARKWAY, G.J. CO, MESA COUNTY, TAX# 2945-081-29-001, REC# 2428252
LOT 2 OF ~~CLM~~ CLM RIVER ROAD 1 SUBDIVISION

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

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

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

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

[Empty box for limited authority details]

The Entity is the sole owner of the property.

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

[Empty box for other owners]

On behalf of Entity, I have reviewed the application for the (d) REZONE TO C-1

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

(e) N/A

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

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

Signature of Entity representative: X *Clifton L. Mays Sr*

Printed name of person signing: Clifton L. Mays Sr

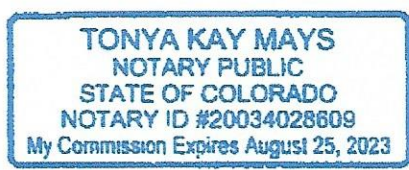
State of Colorado)

County of mesa) ss.

Subscribed and sworn to before me on this 15th day of November, 2019
by Clifton L. Mays Sr

Witness my hand and seal.

My Notary Commission expires on 8/25/23



Tonya Kay Mays
Notary Public Signature

SPECIAL WARRANTY DEED

THIS DEED, dated March 7th, 2008

Between Clifton L. Mays, Sr.

Of the *County of Mesa and State of Colorado,
grantor(s) and

Whose legal address is Mays Rental Properties, LLC, a
Colorado limited liability company
PO Box 4209
Grand Junction, CO 81502

of the County of Mesa and State of Colorado, grantee(s):

WITNESS, that the grantor(s), for and in consideration of the sum of Ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee(s), its heirs and assigns forever, all the real property, together with improvements, if any, located in the County of Mesa and State of Colorado, described as follows:

Lots 1, 2 and 3 C.L.M. River Road I Subdivision
Grand Junction, Mesa County, Colorado

as more particularly described on the Plat filed May 9, 2002 in the Mesa County Clerk and Recorder's Office in
Plat Book Number 18 at Page 397, Reception Number 2055429, Drawer Number LL-137.

Also known by street and number as: 2395 River Road, Grand Junction, CO 81505
Assessor's schedule or parcel number: 2945-081-29-002

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), its heirs and assigns forever. The grantor(s), for itself, its heirs, personal representatives, successors and assigns, does covenant and agree that it shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), its heirs and assign, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

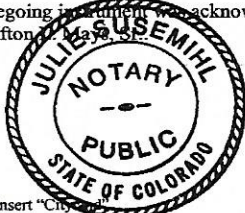
SUBJECT TO real property taxes and assessments for the year 2008 and subsequent years, all easements, reservations, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities appearing of record, if any, including, but not limited to that certain Deed of Trust in favor of Trula A. Mays, concerning Lot 2, dated February 1, 2005 and recorded March 1, 2005 in Book 3845 at page 912 Reception Number 2241268 of the records of the Clerk and Recorder for Mesa County, Colorado, and such matters as would be disclosed by a proper inspection or accurate ALTA survey of the Property; laws, ordinances, and regulations of any governmental entity related to environmental protection, and hazardous waste or substance control; existing soils and geological conditions, topography, area and configurations; and applicable planning, zoning and subdivision statutes, ordinances, regulations and permits.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

Clifton L. Mays, Sr.
Clifton L. Mays, Sr.

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 7th day of March, 2008, by Clifton L. Mays, Sr.



Witness my hand and official seal.
My commission expires: 10/2/2008
Julie Sussemill
Notary Public

*If in Denver, insert "City"

General Project Report

November 7, 2019

Mays

Rental Properties

Rezone

2389 Riverside Parkway

Grand Junction, CO

Prepared for:

Mays Rental Properties

Prepared by:

O'Connor Design Group, Inc.

P.O. Box 501

Fruita, CO

Mays Rental Properties

General Project Report - Rezone

The site is contained within Mesa County Tax Parcel 2645-081-29-001 and consists of approximately 3.64 acres located on the south side of Riverside Parkway and the west side of Redlands Parkway. The address is 2389 Riverside Parkway. A vicinity map is included in the Appendix. Four single family homes (mobile homes) currently exist on the site which at one time contained five. The petitioners are currently requesting a rezone from PD (Planned Development) to C-1 (Light Commercial) to allow development of a commercial building in the northern portion and mini-warehouse storage units in the southern portion.

The mobile homes which have existed on the site for many years have become somewhat of an eyesore and the remainder of the lot is generally vacant and used for material storage for Mays Concrete Construction (main office located on the other side of the Redlands Parkway). Development of a modest commercial building with 5 office/warehouse spaces and a number of self-storage units seems to fit a growing need for the area.

The PD zoning which currently exists seems an odd fit for an area which has steadily become a commercial hub. The proposed C-1 zone will allow development of the type described above and be more compatible with the surrounding area which is almost completely commercial in nature. Mesa Mall exists to the northeast (across the Riverside Parkway and Highway 6 & 50), Mays Concrete Construction to the east, a commercial building and storage unit complex to the west, and a small public park which borders the Colorado River to the south.

Access to the site is excellent with Riverside Parkway bordering the north side and Redlands Parkway wrapping around the south and east sides. A ramp from Redlands Parkway to Riverside Parkway borders the west side creating a site which is enveloped by roadways. Project access would come from Riverside Parkway and possibly the western ramp as Redlands Parkway itself is elevated above the developable property and not directly accessible.

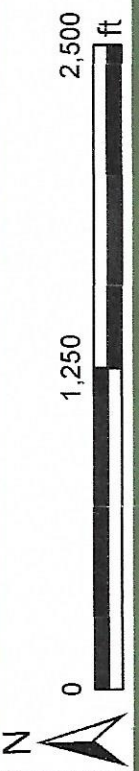
Existing utilities include a sewer main along Riverside Parkway and the site is surrounded by large water mains with two existing fire hydrants along the north and another to the west. Gas, electric, and telephone services are all also available along Riverside Parkway. No unusual demands on these services are foreseen for the proposed development which might require

upgrading or pre-treatment methods. Irrigation water is available to the site which will be used for the future landscaping requirements. There are no known soils or geological hazards at this time which is evident by the number of existing buildings and roadways located in the area.

In compliance with the review criteria contained in the Zoning and Development Code the following issues are noted: the existence of single family homes (allowed by the PD Zone) in an area completely surrounded by commercial activity is out of character for the area; vehicular access and utilities service is very well suited for the proposed commercial development; the proposed project will provide additional office/warehouse space and self-storage units which are in short supply and high demand; and the construction of such a facility will provide a benefit to the area by provision of needed additional facilities as proposed.

Timing for the development of this project would begin as soon as possible, after approval of the site plan review. Projected phasing would initially involve construction of the commercial building and a portion of the self-storage units with additional units and completion as dictated by demand over the next two to five years.

Mays Rental Prop. - Vicinity Map 2



LEGAL DESCRIPTION

Lot 1 of the C. L. M. River Road 1 Subdivision

NEIGHBORHOOD MEETING - SIGN IN SHEET
11/5/2019

	Name	Address	Phone #	Email Address
1	PATRICK O'CONNOR	901 CROWN CT. - FRUITA 81521	970-350-6393	PAT@ODGINGC.NET
2	SCOTT O. BERGERON	CITY PLANNING	970-244-1447	SCOTT@6JCI.ORG
3	Cliff Mays SR	2399 Riverside Pkwy	970-270-1780	cmays@MaysConcrete.com
4	Cliff Mays SR	973 22 Rd	970 261-1557	Cliff and Carol Mays@MaysConcrete.com
5				CMays Sr. @ Mays Concrete .com
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

Neighborhood Meeting Notes

November 5, 2019

Mays Rental Properties Rezone

2389 Riverside Parkway

Grand Junction, CO

The meeting was held at the office of Mays Concrete Construction located at 2399 Riverside Parkway in the upstairs conference room and began at 5:30 p.m. on Tuesday, November 5, 2019.

In attendance were: **Cliff Mays, Sr. and Cliff Mays, Jr.** representing the petitioner, **Scott Peterson** of the City of Grand Junction Planning Department, and **Patrick O'Connor** of O'Connor Design Group, Inc. (project engineer).

No other persons attended although all property owners listed on documents provided by the City were notified by mail.

General issues involved in the rezone and site plan review processes were discussed by the attendees with no major obstacles noted. The meeting was adjourned at 6:00 p.m. as no other invitees had arrived.

City of Grand Junction Review Comments

Date: December 10, 2019 **Comment Round No.** 1 **Page No.** 1 of 4
Project Name: Mays Rental Properties Rezone **File No:** RZN-2019-660
Project Location: 2389 Riverside Parkway

Check appropriate if comments were mailed, emailed, and/or picked up.

Property Owner(s): Mays Concrete Inc. – Attn: Cliff Mays Jr.

Mailing Address: 2399 Riverside Parkway, Grand Junction, CO 81505

Email: cmays@maysconcrete.com **Telephone:** (970) 243-5669

Date Picked Up: _____ **Signature:** _____

Representative(s): O'Connor Design Group Inc. – Attn: Pat O'Connor

Mailing Address: 2350 G Road, Suite 113, Grand Junction CO 81505

Email: pat@odginc.net **Telephone:** (970) 241-7125

Date Picked Up: _____ **Signature:** _____

Developer(s):

Mailing Address:

Email:

Telephone:

Date Picked Up: _____ **Signature:** _____

CITY CONTACTS

Project Manager: Scott Peterson, Senior Planner

Email: scottp@jcity.org **Telephone:** (970) 244-1447

Dev. Engineer: Rick Dorris

Email: rickdo@jcity.org **Telephone:** (970) 256-4034

City of Grand Junction REQUIREMENTS (with appropriate Code citations)

CITY PLANNING

1. Application is for a Rezone from PD (Planned Development) to C-1 (Light Commercial) in anticipation of future commercial development. Existing property is 3.64 +/- acres in size. Comprehensive Plan Future Land Use Map identifies the property as Village Center. The proposed C-1 (Light Commercial) Zone District is an applicable zone district within the Village Center category. No additional response required.

Applicant's Response:

Document Reference:

2. Public Correspondence Received:

As of this date, City Project Manager has not received any public correspondence concerning the proposed rezone application. If any future correspondence is received, City Project Manager will forward to the applicant and representative for their information and file.

Applicant's Response:

Document Reference:

3. Planning Commission and City Council Public Hearings:

Planning Commission and City Council review and approval required for proposed Rezone request. City Project Manager will **tentatively** schedule application for the following public hearing schedule:

- a. Planning Commission review of request: January 28, 2020.
- b. First Reading of request by City Council: February 5, 2020.
- c. Second Reading of request by City Council: February 19, 2020.

Please plan on attending the January 28th Planning Commission meeting and the February 19th City Council Meeting. The February 5th meeting you do not need to attend as that is only scheduling the hearing date and the item is placed on the Consent Agenda with no public testimony taken. Both the January 28th and February 19th meetings begin at 6:00 PM at City Hall in the Council Chambers.

If for some reason, applicant cannot make these proposed public hearing dates, please contact City Project Manager to reschedule for the next available meeting dates.

Code Reference: Sections 21.02.140 of the Zoning and Development Code.

Applicant's Response:

Document Reference:

4. Outdoor Storage:

As an FYI, outdoor storage related to contractor and trade shops, etc., is prohibited within the proposed C-1 zone district. Indoor operations and storage only. Please keep this in mind when leasing proposed/future office space units, if applicable. Please review Section 21.04.010 of the Zoning & Development Code for a list of other "allowed" and/or "conditional" land uses for your information in developing the site within the proposed C-1 zone district.

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

No engineering concerns with the rezone.

Applicant's Response:

Document Reference:

CITY SURVEYOR – Peter Krick – peterk@gjcity.org (970) 256-4003

No comments or suggestions.

Applicant's Response:

Document Reference:

CITY FIRE DEPARTMENT – Matt Sewalson – mattse@gjcity.org (970) 549-5855

The Grand Junction Fire Department's Fire Prevention Bureau has no objections to the rezoning. All applicable Fire Codes will be addressed through the building permit process. A final inspection by the Fire Department will be required before business operations begin. For questions call the Fire Prevention Bureau at 549-5800.

Applicant's Response:

Document Reference:

CITY ADDRESSING – Pat Dunlap – patd@gjcity.org (970) 256-4030

No comments.

Applicant's Response:

Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Mesa County Building Department

Contact Name: Darrell Bay

Email / Telephone Number: Darrell.bay@mesacounty.us (970) 244-1651

MCBD has no objections to this project.

Applicant's Response:

Review Agency: Xcel Energy

Contact Name: Brenda Boes

Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections at this time.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement

Applicant's Response:

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

• No objection to rezone.

• ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.

• If you have any questions concerning any of this, please feel free to contact Ute Water.

Applicant's Response:

Review Agency: Grand Valley Drainage District

Contact Name: Tim Ryan

Email / Telephone Number: tim.admin@gvdd.org (970) 242-4343

GVDD has no comment or objection.

Applicant's Response:

REVIEW AGENCIES

(Responding with "No Comment" or have not responded as of the due date)

The following Review Agencies have not responded as of the comment due date.

1. Grand Valley Irrigation Company
2. Regional Transportation Planning Office (RTPO)

The Petitioner is required to submit electronic responses, labeled as "**Response to Comments**" for the following agencies:

1. **N/A.**

Date due: **N/A. Application will proceed to public hearing schedule.**

Please provide a written response for each comment and, for any changes made to other plans or documents indicate specifically where the change was made.

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.

Applicant's Signature

Date



Site Location Map

Site

JUNIOR SERVICE



Existing Zoning Map



GRAND JUNCTION PLANNING COMMISSION
January 28, 2020 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:04pm by Chairman Christian Reece.

Those present were Planning Commissioners; Chairman Christian Reece, Vice Chair Bill Wade, George Gatseos, Kathy Deppe, Keith Ehlers, and Andrew Teske.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Scott Peterson (Senior Planner), Landon Hawes (Senior Planner), and Jarrod Whelan (Development Engineer).

There were approximately 5 citizens in the audience.

CONSENT AGENDA

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

1. Approval of Minutes

- a. Minutes of the December 10, 2019 Regular Meeting.

REGULAR AGENDA

1. Mays Rental Properties – Rezone

File # RZN-2019-660

Consider a request by Mays Rental Properties, LLC, for a rezone of 3.64 +/- acres from PD (Planned Development) to a C-1 (Light Commercial) zone district in anticipation of future commercial development.

Staff Presentation

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

Questions for Staff

Commissioner Wade asked a question regarding the infrastructure upgrades of Riverside Parkway.

Commissioner Wade asked if any of the units are occupied now.

Commissioner Reece asked a question regarding the proposed use and traffic ingress/egress.

Applicant's Presentation

Cliff Mays Jr., Mays Rental Properties, LLC, was present and did not make a comment.

Public Comment

The public hearing was opened at 6:18pm.

None.

The public hearing was closed at 6:18pm.

Motion and Vote

Commissioner Gatseos made the following motion, "Madam Chairman, on the Mays Rental Property rezone request to C-1 (Light Commercial) for the property located at 2389 Riverside Parkway, City file number RZN-2019-660, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact in the staff report."

Commissioner Deppe seconded the motion.

Discussion

Commissioner Teske made a comment in support of the request.

The motion carried 6-0.

2. Barnes Electric – Annexation **File # ANX-2019-627**

Consider a request by Old Rascal, LLC, to annex and zone approximately 0.521-acres from County PUD (Planned Unit Development) to a City I-1 (Light Industrial) for the Barnes Electric Annexation.

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, Old Rascal, LLC, was present and did not make a comment.

Public Comment

The public hearing was opened at 6:28pm.

None.

The public hearing was closed at 6:28pm.

Motion and Vote

Commissioner Deppe made the following motion, "Madam Chairman, on the annexation zoning request for the property located at 2806 ½ Perry Drive, City file number ANX-2019-627, 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 Wade seconded the motion.

Discussion

Commissioner Reece made a comment in support of the request.

The motion carried 6-0.

3. Code Text Amendment – Height in C-1, C-2 and I-O Zones File # ZCA-2019-715

Consider a request by the City of Grand Junction to amend the Mixed Use and Industrial Bulk Standards Summary Table, as well as Section 21.03.070(d)(4), of the Zoning and Development Code, regarding maximum height of structures in the C-1, C-2, and I-O zone districts.

Staff Presentation

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

Questions for Staff

None.

Public Comment

The public hearing was opened at 6:37pm.

Ted Ciavonne, Ciavonne Roberts & Associates, made a comment in support of the request.

The public hearing was closed at 6:38pm.

Discussion

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

Motion and Vote

Commissioner Wade made the following motion, “Madam Chairman, on the request to amend the Zoning and Development Code regarding height in C-1 and C-2 zone districts, City file number ZCA-2019-715, 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 Gatseos seconded the motion. The motion carried 6-0.

4. Other Business

None.

5. Adjournment

The meeting was adjourned at 6:40pm.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**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)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code (“Code”), the Grand Junction Planning Commission recommended zoning the Mays Rental Property, Lot 1, C.L.M. River Road I Subdivision, to the C-1 (Light Commercial) zone district, finding that the zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Village Center of the Comprehensive Plan and the Comprehensive Plan’s goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

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

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

Lot 1, C.L.M. River Road I Subdivision shall be zoned C-1 (Light Commercial).

Introduced on first reading this 5th day of February 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 #7.b.i.

Meeting Date: February 19, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

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

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

The Community Development Director 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.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

After reviewing recent plans for development, the Director has brought forth a request to increase height allowances in the C-1 and C-2 zone districts with the belief that this will work to establish greater flexibility and promote additional infill and redevelopment within those zone districts. These two zone districts currently allow structures up to 40

feet in height, while many commercial uses may desire to construct taller buildings, especially as the cost of land increases.

Some of the predominant land uses in the C-1 zone district include hotels, office, and retail, while the C-2 zone district allows similar uses with additional heavier commercial and light industrial uses. Several zone districts in Grand Junction already allow buildings up to 65 feet in height including Community Services and Recreation (CSR), Mixed Use (M-U), Business Park Mixed Use (BP), and Industrial/Office Park (I-O). Increasing the height limit in C-1 and C-2 would match those zones with the four that already allow 65-foot buildings. Section 21.03.070(d)(4) of the Code already allows 65-foot buildings in the C-1 zone along Horizon Drive.

There have been recent development projects that have brought to light this opportunity to consider additional height in these zone districts, including the new Timberline Bank office located near 24 Road and Market Street as well as the recently approved Railyard at Baserock Apartment project. Both projects are located in C-1 zone districts and desired extra building height to construct the type of building they desired. For Timberline Bank, the solution became seeking a rezone from C-1 to M-U to build the proposed four-story building of 64 feet on their site. For the The Railyard at Baserock project, a 196-unit apartment project located just south of the Rimrock Walmart, the applicant desired to construct buildings with a height of 44 feet. The applicant represented that this height allowed it to accommodate higher ceilings in the proposed three-story apartment buildings; however, due to the limitation of the height requirement, the applicant has modified its building plans and the roof pitch/architecture to fit within the height existing requirement but would prefer to be able to exceed the 40-foot height limitation.

The Highlands Apartments located at 805 Bookcliff Avenue are zoned PD and the buildings are 54 feet tall. That project appears to be aesthetically appropriate and visually desirable.

According to the Development Code, the purpose of the C-1 zone is “To provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. The C-1 district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses.” Similarly, the purpose of the C-2 zone is “To provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited outdoor operations.”

In contrast, the purpose of the R-O (Residential Office) zone is “To provide low intensity, non-retail, neighborhood service and office uses that are compatible with

adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment.”

The C-1 and C-2 zone districts are intended to accommodate a range of commercial development of varying intensities, as well as increase density and intensity, while the R-O zone is intended to provide residential-compatible, low-intensity commercial uses. These are distinctly different goals. However, the height limit for these zones is the same. Staff believes that increasing the height limit for C-1 and C-2 will help differentiate these zones from R-O and will remove a barrier to the development of appropriate uses (as provided in the Use Table) for the C-1 and C-2 zones.

Staff has attached the Mixed Use and Industrial Bulk Standards Summary Table that demonstrates how approval of the proposed amendment would bring the C-1 and C-2 zones in line with other zones in the city that have a 65-foot height allowance.

Should the height for C-1 be increased to 65 feet, Section 21.03.070(d)(4) of the Code would become superfluous. This section currently provides the following:

(4) Height. Maximum height for structures in the C-1 and I-O zone districts which are north of G Road and east of 27 Road along Horizon Drive (including Crossroad Boulevard and Horizon Court) shall be 65 feet, except by special permit for additional height.

This section duplicates the “Applicability” section of the Code, 21.02.120(b)(1), which reads:

(1) A special permit is allowed in those areas designated Neighborhood Center, Village Center, City Center (which includes Downtown) or Mixed Use Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan or in the C-1 and I-O zone districts along Horizon Drive north of G Road including Crossroads Boulevard and Horizon Court. A special permit shall be required prior to:

- (i) Allowing additional height beyond that permitted by a district’s bulk standards; or
- (ii) Allowing additional building area beyond that permitted by a district’s bulk standards.

Because special permits already allow additional height, a separate special permit section for structures along Horizon Drive is not needed, nor would the section need to make a specific allowance for heights of 65 in the Horizon Drive area – an area zoned C-1. Staff therefore proposes removal of Section 21.03.070(d)(4) by this code amendment.

NOTIFICATION REQUIREMENTS

The notice of this public hearing was published on January 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

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

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the City of Grand Junction's request for amendment of sections 21.03.070 and the Mixed Use and Industrial Bulk Standards Summary Table of the Development Code, File No. ZCA-2019-715, the following findings of fact have been made:

1. The request is useful in that it refines standards to provide regulations allowing for logical and orderly development, providing for greater opportunity for infill and redevelopment, and works to eliminate regulations that are functionally obsolete or superfluous.

Therefore, Planning Commission recommends approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact related to this request.

SUGGESTED MOTION:

I move to adopt 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 order final publication in pamphlet form.

Attachments

1. C-1 and C-2 Height Allowance Increase Bulk Standards Table, Exhibit 1
2. Planning Commission Minutes - 2020 - January 28 - Draft
3. ORD-C-1 and C-2 height

EXHIBIT 1

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	n/a	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	n/a	50	50	100	100	100	100	100	100
Frontage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	10	n/a	10	10	10	10	10	10	10	n/a
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	5	n/a	5	5	5	5	5	5	5	n/a
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot coverage (max.)	70%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Height (max. ft.)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a
Building size (max. sf)	10,000	15,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Notes											

B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000

B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.

C-1: Min. rear setback – 0 if an alley is present

CSR: Maximum building height abutting residential – 40 ft.

C-1: Light Commercial.

(1) Purpose. To provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. The C-1 district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses.

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

(3) Performance Standards.

(i) Service Entrances. Building entrances to service yard and loading areas shall be located only in the rear and side yard.

(ii) Outdoor Storage and Display. Outdoor storage is not allowed within the front yard. Outdoor display of retail merchandise is permitted subject to GJMC [21.04.040\(h\)](#).

~~(4) Height. Maximum height for structures in the C-1 and I-O zone districts which are north of G Road and east of 27 Road along Horizon Drive (including Crossroad Boulevard and Horizon Court) shall be 65 feet, except by special permit for additional height.~~

GRAND JUNCTION PLANNING COMMISSION
January 28, 2020 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:04pm by Chairman Christian Reece.

Those present were Planning Commissioners; Chairman Christian Reece, Vice Chair Bill Wade, George Gatseos, Kathy Deppe, Keith Ehlers, and Andrew Teske.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Scott Peterson (Senior Planner), Landon Hawes (Senior Planner), and Jarrod Whelan (Development Engineer).

There were approximately 5 citizens in the audience.

CONSENT AGENDA

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

1. Approval of Minutes

- a. Minutes of the December 10, 2019 Regular Meeting.

REGULAR AGENDA

1. Mays Rental Properties – Rezone

File # RZN-2019-660

Consider a request by Mays Rental Properties, LLC, for a rezone of 3.64 +/- acres from PD (Planned Development) to a C-1 (Light Commercial) zone district in anticipation of future commercial development.

Staff Presentation

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

Questions for Staff

Commissioner Wade asked a question regarding the infrastructure upgrades of Riverside Parkway.

Commissioner Wade asked if any of the units are occupied now.

Commissioner Reece asked a question regarding the proposed use and traffic ingress/egress.

Applicant's Presentation

Cliff Mays Jr., Mays Rental Properties, LLC, was present and did not make a comment.

Public Comment

The public hearing was opened at 6:18pm.

None.

The public hearing was closed at 6:18pm.

Motion and Vote

Commissioner Gatseos made the following motion, "Madam Chairman, on the Mays Rental Property rezone request to C-1 (Light Commercial) for the property located at 2389 Riverside Parkway, City file number RZN-2019-660, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact in the staff report."

Commissioner Deppe seconded the motion.

Discussion

Commissioner Teske made a comment in support of the request.

The motion carried 6-0.

2. Barnes Electric – Annexation **File # ANX-2019-627**

Consider a request by Old Rascal, LLC, to annex and zone approximately 0.521-acres from County PUD (Planned Unit Development) to a City I-1 (Light Industrial) for the Barnes Electric Annexation.

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, Old Rascal, LLC, was present and did not make a comment.

Public Comment

The public hearing was opened at 6:28pm.

None.

The public hearing was closed at 6:28pm.

Motion and Vote

Commissioner Deppe made the following motion, "Madam Chairman, on the annexation zoning request for the property located at 2806 ½ Perry Drive, City file number ANX-2019-627, 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 Wade seconded the motion.

Discussion

Commissioner Reece made a comment in support of the request.

The motion carried 6-0.

3. Code Text Amendment – Height in C-1, C-2 and I-O Zones File # ZCA-2019-715

Consider a request by the City of Grand Junction to amend the Mixed Use and Industrial Bulk Standards Summary Table, as well as Section 21.03.070(d)(4), of the Zoning and Development Code, regarding maximum height of structures in the C-1, C-2, and I-O zone districts.

Staff Presentation

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

Questions for Staff

None.

Public Comment

The public hearing was opened at 6:37pm.

Ted Ciavonne, Ciavonne Roberts & Associates, made a comment in support of the request.

The public hearing was closed at 6:38pm.

Discussion

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

Motion and Vote

Commissioner Wade made the following motion, “Madam Chairman, on the request to amend the Zoning and Development Code regarding height in C-1 and C-2 zone districts, City file number ZCA-2019-715, 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 Gatseos seconded the motion. The motion carried 6-0.

4. Other Business

None.

5. Adjournment

The meeting was adjourned at 6:40pm.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

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

Recitals:

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community’s desires and market conditions and has directed that the Code be reviewed and amended as necessary in furtherance of those purposes and for the community’s health, safety and welfare.

Amendments to the Zoning and Development Code to increase the height allowance for structures in the C-1 and C-2 zone districts from 40’ to 65’, allowing citizens the opportunity to develop and utilize their commercial property more effectively, and encouraging more business activity in some of Grand Junction’s primary commercial zones are consistent with the Council’s goals. The amendments also serve to remove an extraneous provision that duplicates the special permit section of the Development Code.

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 the Comprehensive Plan.

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

The Mixed Use and Industrial Bulk Standards Summary Table is amended as shown in green highlighting:

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
--	------------	------------	------------	------------	------------	------------	------------	-----------	------------	------------	------------

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	n/a	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	n/a	50	50	100	100	100	100	100	100
Frontage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	10	n/a	10	10	10	10	10	10	10	n/a
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	5	n/a	5	5	5	5	5	5	5	n/a
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot coverage (max.)	70%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Height (max. ft.)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a
Building size (max. sf)	10,000	15,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Notes											

B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000

B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.

C-1: Min. rear setback – 0 if an alley is present

CSR: Maximum building height abutting residential – 40 ft.

Section 21.03.070 is amended as follows (deletions struck through):

~~(4) Height. Maximum height for structures in the C-1 and I-O zone districts which are north of G Road and east of 27 Road along Horizon Drive (including Crossroad Boulevard and Horizon Court) shall be 65 feet, except by special permit for additional height.~~

Introduced on first reading this 5th day of February, 2020, and ordered published in pamphlet form.

Adopted on second reading this 19th day of February, 2020 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Grand Junction City Council

Regular Session

Item #7.b.ii.

Meeting Date: February 19, 2020

Presented By: Ken Watkins, Fire Chief, John Shaver, City Attorney

Department: Fire

Submitted By: Ken Watkins

Information

SUBJECT:

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

RECOMMENDATION:

Staff recommends approval of the ordinance.

EXECUTIVE SUMMARY:

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.

BACKGROUND OR DETAILED INFORMATION:

By way of Ordinance No. 4830, on January 16, 2019, City Council adopted the 2018 edition of the International Fire Code and amended certain provisions including the implementation date for IFC provisions regarding mobile food preparation trucks. The implementation date for these code provisions was set for July 1, 2020. This date was selected to allow for an 18 month period to communicate the code provisions and provide educational information to mobile food preparation truck providers and allow them time to complete requirements of the IFC.

Since adoption of the code, the City Manager's Office and Fire Department has received feedback from industry requesting more time for adoption of these provisions.

This ordinance amends the previous date of July 1, 2020 and will provide an additional six month period to January 1, 2021 for mobile food preparation truck providers to come into compliance.

FISCAL IMPACT:

This change will minimally reduce 2020 revenue for mobile food preparation truck permits charged by the Fire Department at time of inspection.

SUGGESTED MOTION:

I move to (adopt/deny) 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 order final publication in pamphlet form.

Attachments

1. ORD - Mobile Food Preparation Trucks - Fire Code

ORDINANCE NO. _____

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.

RECITALS:

After public hearing on January 16, 2019, City Council adopted Ordinance No. 4830 regarding the 2018 edition of the International Fire Code and amending certain provisions thereof.

This current ordinance amends the effective date of Chapter 1, §105.6.30 and Chapter 3, §319 pertaining to mobile food preparation trucks from July 1, 2020 to January 1, 2021.

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

Ordinance 4830 shall be amended as follows: (additions are shown in **bold print** and deletions marked with ~~strike through~~ notations):

Section 105.6.30 Mobile food preparation trucks.

Section 105.6.30 will become effective ~~July 1, 2020~~ **January 1, 2021**.

Section 319 Mobile Food Preparation Vehicles.

Section 319 will become effective ~~July 1, 2020~~ **January 1, 2021**.

ALL OTHER PROVISIONS OF ORDINANCE 4830 SHALL REMAIN IN FULL FORCE AND EFFECT. THIS ORDINANCE SHALL AMEND ORDINANCE 4830 AND AS NECESSARY REPEAL ANY PART INCONSISTENT THEREWITH.

Introduced on first reading the 5th day of February 2020 and ordered published in pamphlet form.

Adopted on second reading this 19th day of February 2020 and ordered published in pamphlet form.

J. Merrick Taggart
Mayor

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #7.b.iii.

Meeting Date: February 19, 2020
Presented By: John Shaver, City Attorney
Department: City Clerk
Submitted By: Wanda Winkelmann

Information

SUBJECT:

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

RECOMMENDATION:

Approve adoption of the ordinance.

EXECUTIVE SUMMARY:

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.

BACKGROUND OR DETAILED INFORMATION:

In 2018, amendments were made to State law regarding business classifications for liquor license occupational taxes which transitioned the 3.2% beer (on or off premises) business classification to fermented malt beverage (on or off premises) and added campus liquor complex and lodging & entertainment as new classifications.

Also amended were certain tastings laws and limitations which allow tastings to be conducted earlier and later in the day, more days per year and with qualified agents of wholesalers and manufacturer's being allowed to conduct tastings.

These proposed amendments seek to conform the GJMC with State law.

In addition, there has been an increase in liquor license applications submitted for businesses near the principal campus of Colorado Mesa University which per State law requires a distance restriction of 500 feet unless waived locally by ordinance. The City currently waives this requirement for hotel & restaurant, beer & wine, brew pub and optional premises license types. This amendment would also waive the distance restriction for lodging & entertainment and fermented malt beverage (off premises) license types.

FISCAL IMPACT:

No direct fiscal impact results from the adoption of the ordinance.

SUGGESTED MOTION:

I move to (adopt/deny) 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 order final publication in pamphlet form.

Attachments

1. Ordinance

ORDINANCE NO. _____

**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**

RECITALS:

In 2018, amendments were made to State law regarding the business classifications for liquor license occupational taxes. State law removed the business classification for 3.2% beer (on or off premises). New classifications were included for campus liquor complex, lodging and entertainment and fermented malt beverage (on or off premises).

This ordinance regarding business license classifications proposes amendments to the City's Code to conform with State law.

In 2018, State law was also amended to expand certain tastings laws and limitations. Specifically, tastings are now allowed to be conducted earlier and later in the day (from 11:00 a.m. until 9:00 p.m.) and more days per year (156 days, any day of the week).

This ordinance regarding tasting of alcoholic beverages proposes amendments to the City's Code to conform with State law.

This ordinance also changes some of the requirements of the application procedure, specifically the inclusion of an affidavit of compliance in place of a schedule of the planned tasting(s) and proof of training of the persons conducting the tasting(s) and a log which includes the dates and times of each tasting and the persons conducting the tastings and their training documentation.

Lastly, Colorado Revised Statutes § 44-3-313(1)(d)(III) allows cities and counties to eliminate or reduce the distance restrictions imposed for licensees relating to the proximity of certain liquor licenses to be sold near college or university campuses. A rise in applications for lodging and entertainment and fermented malt beverage (off premise) licenses have been submitted to the City Clerk for businesses near the principal campus of Colorado Mesa University. The Code currently waives distance requirements for hotel and restaurant, beer and wine, brew pub and optional premise licenses near Colorado Mesa University's principal campus. This ordinance amends the Code to include lodging and entertainment and fermented malt beverage (off premise) licenses

in the list of licenses where the distance requirement is waived near the college or university.

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

Chapter 4 of Title 3 Sections 020 and 040 shall be revised as follows (additions are shown in **bold print** and deletions marked with ~~strike-through~~ notations):

3.04.020 Businesses classified.

The business of selling at retail any malt, vinous or spirituous liquor, other than medicinal liquors, for beverage purposes is hereby defined and separately classified as such occupation for the purpose of this chapter as follows:

(a) Class A Operators. All operators who are licensed to sell ~~beer, wine~~ **malt or, vinous** and spirituous liquors for consumption on the premises either as **campus liquor complex**, hotels or restaurants **or lodging and entertainment** ~~or under a beer and wine licenses~~ shall be class A operators.

(b) Class B Operators. All operators licensed to sell malt ~~or~~, vinous **or spirituous** liquors only by the drink for consumption on the premises as taverns shall be class B operators.

(c) Class C Operators. All operators licensed as retail liquor stores **or liquor licensed drug stores** to sell malt, vinous or spirituous liquors in original containers for consumption off the premises shall be class C operators.

(d) Class D Operators. All operators licensed as **beer and wine** ~~drugstores~~ to sell malt **and** vinous ~~or spiritous~~ liquors for consumption on the premises shall be class D operators.

(e) Class E Operators. All operators licensed to sell malt, vinous or spirituous liquors as clubs are class E operators.

(f) Class F Operators. All operators who are licensed to sell ~~beer, wine~~ **malt, vinous** and spirituous liquors for consumption on the premises as racetracks shall be class F operators.

(g) Class G Operators. All operators licensed to sell fermented malt beverages for consumption on the premises ~~where such consumption is in a restaurant to customers of the restaurant and only if meals are actually and regularly served and provide not less than 25 percent of the gross income of the licensed premises~~ are class G operators.

(h) Class H Operators. ~~All operators licensed to sell fermented malt beverages for consumption on the premises, or for both consumption on the premises and in the original package or container for consumption off the premises where the consumption on the~~

~~premises is not to customers in a restaurant where meals are actually and regularly served and provide not less than 25 percent of the gross income of the licensed premises are class H operators.~~ **All operators licensed to sell malt, vinous and spirituous liquors on optional premises or related facilities shall be class H operators. If the operators are a campus liquor complex or hotel and restaurant with an optional premises or related facility, such operator shall be classified under this section.**

(i) Class I Operators. All operators licensed to sell only ~~3.2 percent beer~~ fermented malt beverages and who sell the same solely in the original package or container for consumption off the premises shall be class I operators.

(j) Class J Operators. All operators licensed to sell malt, vinous and spirituous liquors under an arts license shall be class J operators.

(k) Class K Operators. All operators licensed to sell malt, vinous and spirituous liquors under a brew pub or distillery pub license shall be class K operators.

(l) Class L Operators. All operators licensed to sell malt, vinous and spirituous liquors under a retail sales room license shall be class L operators.

3.04.040 Tax levied.

There is hereby levied and assessed for the year 1977 and for each year thereafter an annual occupation tax upon the business is selling fermented malt beverages or ~~3.2 percent beer~~, malt, vinous or spirituous liquors, except medicinal liquors, in the City, as such occupation has been classified in this chapter, as follows:

(a) For all class A operators, the sum of \$300.00.

(b) For all class B operators, the sum of \$500.00.

(c) For all class C operators, the sum of \$300.00.

(d) For all class D operators, the sum of \$300.00.

(e) For all class E operators, the sum of \$150.00.

(f) For all class F operators, the sum of \$300.00.

(g) For all class G operators, the sum of \$100.00.

(h) For all class H operators, the sum of \$300.00 **for establishments with 1-5 optional premises/related facilities, \$400.00 for establishments with 6-10 optional premises/related facilities and \$500.00 for establishments with 11 or more optional premises/related facilities.**

(i) For all class I operators, the sum of \$100.00.

(j) For all class J operators, the sum of \$150.00.

(k) For all class K operators, the sum of \$300.00.

(i) For all class L operators, the sum of \$300.00

Chapter 12 of Title 5 Sections 220 and 320 shall be revised as follows (additions are shown in **bold print** and deletions marked with ~~strike through~~ notations):

5.12.220. Distance restrictions.

Under the provisions of § 44-3-313(1)(d)(III), C.R.S., the distance that a hotel and restaurant liquor license premises must be separated from the principal campus of a college or university in the City is reduced to zero feet. The distance that optional premises permits issued in conjunction with hotel and restaurant liquor licenses must be separated from the principal campus of a college or university in the City is also reduced to zero feet.

Under the provisions of § 44-3-313(1)(d)(III), C.R.S., the distance that a brew pub liquor licensed premises must be separated from the principal campus of a college or university in the City is reduced to zero feet.

Under the provisions of § 44-3-313(1)(d)(III), C.R.S., the distance that a beer and wine licensed premises must be separated from the principal campus of a college or university in the City is reduced to zero feet.

Under the provisions of § 44-3-313(1)(d)(III), C.R.S., the distance that a lodging and entertainment licensed premises must be separated from the principal campus of a college or university in the City is reduced to zero feet.

Under the provisions of § 44-3-313(1)(d)(III), C.R.S., the distance that a fermented malt beverage (off premises) licensed premises must be separated from the principal campus of a college or university in the City is reduced to zero feet.

The distance shall be determined in accordance with § 44-3-313(1)(d)(II), C.R.S., and Colorado Liquor Regulation 47-326.

5.12.320. Permit Required.

(a) The City hereby authorizes tastings to be conducted by retail liquor store or liquor-licensed drugstore licensees in accordance with this section and pursuant to Section 44-3-301, C.R.S., as the term “tastings” is defined in said Section 44-3-301, C.R.S.

(b) It is unlawful for any person or licensee to conduct tastings within the City unless a tastings permit has been obtained in accordance with the article. The local

licensing authority for the City is authorized to issue tasting permits in accordance with the requirements of this article.

(c) A retail liquor store or a liquor-licensed drugstore licensee that wishes to conduct tastings shall submit an application for a tastings permit to the local licensing authority. The application shall be accompanied by an application fee of \$100.00.

(d) The local licensing authority may deny the application if the applicant fails to establish that the licensee is able to conduct tastings without violating the provisions of this article or creating a public safety risk.

(e) The local licensing authority shall establish the application procedure. Application forms will be proscribed by the local licensing authority and will include **an affidavit of compliance**, ~~a schedule of the planned tastings, a list of the names of the persons conducting the tastings and documentation that the person conducting the tasting has completed the required training, a written control plan and other such information as the local licensing authority may require. Any change to the information submitted must be submitted to the local licensing authority one week prior to the change being made.~~ **The local licensing authority must be notified in writing if any information on the application is changed.** Failure to do so constitutes a violation.

(f) Renewal of the tastings permit shall be concurrent with renewal of the retail liquor store or liquor-licensed drugstore license. The initial tastings permit shall expire on the date of the retail liquor store or liquor-licensed drugstore license and the initial fee will not be prorated.

(g) Tastings shall be subject to the limitations set forth in Section 44-3-301(10)(c), C.R.S., as amended from time to time. Compliance with the limitations and requirements set forth in Section 44-3-301(10)(c), C.R.S., shall be a term and condition of any tasting permit, whether expressly set forth in the tasting permit or not. Additionally, the following conditions shall apply to all tasting permits issued within the corporate limits of the City of Grand Junction:

1. No more than four individual samples of up to one ounce ~~each of beer,~~ **or malt, wine, vinous or spirituous liquors** may be provided to a customer. The samples must be provided free of charge.
2. Tastings may occur on **days** ~~no more than three of the six days (Monday through Saturday)~~ that the licensee may be open for business and shall not exceed ~~404~~ **156** days per year.
3. Tastings shall not exceed 5 consecutive hours per day.

4. Tastings shall be conducted during the licensee's operating hours and in any event no earlier than ~~4 p.m.~~ **11 a.m.** or later than ~~7 p.m.~~ **9 p.m.**
5. Samples to be tasted shall be served only in single use, disposable cups or containers of a size that contains a one ounce serving.
6. **Each licensee shall maintain a log that shall be subject to the review of the Licensing Authority and shall include (but is not limited to) the dates and times of each tasting, the names of the persons conducting the tastings and documentation that the person conducting the tasting has completed the required training.**

(h) Tastings authorized pursuant to this section shall be allowed only for a retail liquor store or liquor licensed drug store operating within the City whose license is valid, in good standing and in full force and effect.

ALL OTHER PROVISIONS OF TITLE 3 CHAPTER 4 AND TITLE 5 CHAPTER 12 SHALL REMAIN IN FULL FORCE AND EFFECT. THIS ORDINANCE SHALL AMEND ORDINANCE 4345 AND AS NECESSARY REPEAL ANY PART INCONSISTENT THEREWITH.

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

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

ATTEST:

J. Merrick Taggart
Mayor

Wanda Winkelmann
City Clerk

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 19/03/2020
Citizen's Name	Bruce J. Miller	
Subject	Peac Corp!	
Phone Number (optional)	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!	

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 02/19/20
Citizen's Name	Richard Swingle	
Subject	TRANSPARENCY	
Phone Number (optional)	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!	

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 19 Feb 2020
Citizen's Name	RANDY SPYDELL	
Subject	SECTION 37 CITY CHARTER	
Phone Number (optional)	970 901 0742	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!

From: Sarah Abraham <dpgraves785@gmail.com>
Sent: Tuesday, February 18, 2020 4:00 PM
To: Council <council@gjcity.org>; Scott Peterson <scottp@gjcity.org>
Subject: Change of Height Restriction for Zones C-1 and C-2

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

Mayor Taggart, City Council Members and Mr. Peterson,

We oppose the application for a change in Height Restriction for Zones C-1 and C-2 from 40 feet to 65 feet. While a 65-foot (5-6 story) building might be appropriate in some areas, it certainly is not appropriate for all.

We live in a neighborhood that is currently chiefly residential and agricultural, although C-1 Zoning is a possibility for this area in the near future. There are no fences nor are there stands of trees tall enough to protect the privacy of single-story buildings and their occupants below a 65-foot building.

We would like for you to consider height changes on a case by case basis, rather than a blanket change.

Interestingly, this application comes directly on the heels of a neighborhood meeting in which some of the residents expressed concerns over height. Please consider the neighbors near the C-1 or C-2 Zones and do not agree to a blanket change to increase height.

Sincerely,

James H. Abraham
Sarah S. Abraham
2387 H Road
Grand Junction, CO 81505

Request to review, update and clarify Section 37 of the Grand Junction City Charter 19 February 2020

My name is Randy Spydell and I am resident of, and registered voter in Grand Junction. I am here again to request you put forward a proposal to clarify the process required under item 37 of the City Charter regarding filling untimely vacancies on the council until the next regular election.

This section of the Grand Junction city charter currently exists exactly as it was adopted in the original city charter on 14 September 1909. I believe it had a different number (Section 38), but the language addressing how to deal with vacancies on the City Council has not changed in the past 111 years. I suggest now is the time to review this Section and update this process. I do not know how many times this section has been invoked to place a city council member into a untimely vacancy, but it has happened twice in the last ten years.

There are already guidelines (Election Rules [8CCR 1505-1]) issued by the Colorado Secretary of State (effective 23 August 2019) to describe the Ranked Choice Voting process, also known as Instant Runoff Voting.

Please review the article on the coloradosun.com web site placed there on 07 February 2020:
<https://coloradosun.com/2020/02/07/colorado-approval-voting-ranked-choice-voting/>

This article clearly outlines what we have now and what some future choices are. I have previously mentioned and requested you consider the Ranked Choice Voting method and the Approval Voting method.

Furthermore, I believe there should be a specified method and time frame to notify the citizens of Grand Junction of an untimely vacancy and guide all interested people how to step up to serve in the vacant seat – what the requirements are and what that process is. The current city charter in this section is silent on this.

It is becoming increasingly obvious that a system that does not allow runoffs or merely declares the winner as that candidate who receives the most votes is flawed. When we're lucky enough to have more than 2 people, maybe 4, or 5, interested in serving our city, we should have a method that tells everyone exactly how the process works, and how the winner is chosen. As the video I showed last month demonstrated, we should seek the broadest consensus in this process, and there are ways to do this.

Please. Let's fix this.