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**CITY COUNCIL AGENDA  
WEDNESDAY, OCTOBER 21, 2020  
250 NORTH 5<sup>TH</sup> STREET  
5:00 PM – DINNER  
5:20 PM – PRE-MEETING – CITY HALL AUDITORIUM  
5:30 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

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

**Call to Order, Pledge of Allegiance, Moment of Silence**

**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.*

**Proclamations**

Proclaiming October 24, 2020 as McInnis Canyons National Conservation Area Day in the City of Grand Junction

Proclaiming October 21, 2020 as Imagine a Day Without Water Day in the City of Grand Junction

**Presentations**

Parks, Recreation, and Open Space (PROS) Master Plan Findings Presentation

**City Manager Report**

**Council Reports**

**CONSENT AGENDA**

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

**1. Approval of Minutes**

- a. Summary of the October 5, 2020 Workshop
- b. Minutes of the October 7, 2020 Executive Session
- c. Minutes of the October 7, 2020 Regular Meeting

**REGULAR AGENDA**

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

**2. Public Hearings**

- a. Quasi-judicial
  - i. An Ordinance Amending the Comprehensive Plan Future Land Use Designation for a Property of 4.52 Acres Located at 2515 Riverside Parkway from Business Park Mixed Use to Commercial and an Ordinance Rezoning Said Property from CSR (Community Services and Recreation) to C-2 (General Commercial) [Staff Presentation](#)
  - ii. An Ordinance Amending the Planned Development (PD) Zoning Ordinance and Development Plan for the North Seventh Street Historic Residential District to Add Allowed Uses on the Property Located at 535 North 7th Street [Staff Presentation](#)
  - iii. An Ordinance Zoning the Airport North Boundary Annexation, Approximately 187.69-Acres to a City Planned Development - PAD (Planned Airport Development) and Amending the Outline Development Plan (ODP), Located Generally at the Northern Edge of the Grand Junction Regional Airport, Parcels 2701-113-00-002 and 2705-154-00-003 [Staff Presentation](#)

- iv. An Ordinance Rezoning 8.24 Acres Located at 1405 Wellington Avenue from R-O (Residential Office) to BP (Business Park) [Staff Presentation](#)
- b. Legislative
  - i. An Ordinance Amending Chapter 2 of the Grand Junction Municipal Code Regarding Campaign Violations

**3. 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.*

**4. Other Business**

**5. Adjournment**



*City of Grand Junction, State of Colorado*

# Proclamation

- Whereas,** McInnis Canyons National Conservation Area was established by Public Law 106-353 on October 24, 2000, and was renamed in honor of Representative Scott McInnis by Public Law 108-400 on January 1, 2005; and
- Whereas,** McInnis Canyons National Conservation Area consists of approximately 123,430 acres of protected public land, including the 75,000-acre Black Ridge Canyons Wilderness; and
- Whereas,** McInnis Canyons National Conservation Area includes the second-highest concentration of natural arches in North America, internationally important paleontological resources, numerous pictograph and petroglyph sites, and world-class mountain biking and other recreational opportunities; and
- Whereas,** McInnis Canyons National Conservation Area provides many benefits to our residents from recreational pursuits to ranching to other multiple uses; and
- Whereas,** residents and visitors to the City of Grand Junction enjoy the recreational, health, scenic and economic benefits from the McInnis Canyons National Conservation Area; and
- Whereas,** McInnis Canyons National Conservation Area will observe the 20th anniversary of its establishment on October 24, 2020 and will offer many special events and activities to promote McInnis Canyons National Conservation Area during the Fall of 2020.

**NOW, THEREFORE,** I, C.E. Duke Wortmann, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim October 24, 2020 as

## ***"McInnis Canyons National Conservation Area Day"***

in the City of Grand Junction to include our voice in the 20<sup>th</sup> anniversary celebration of the McInnis Canyons National Conservation Area and express the critical importance of McInnis Canyons National Conservation Area to the success and well-being of our community.

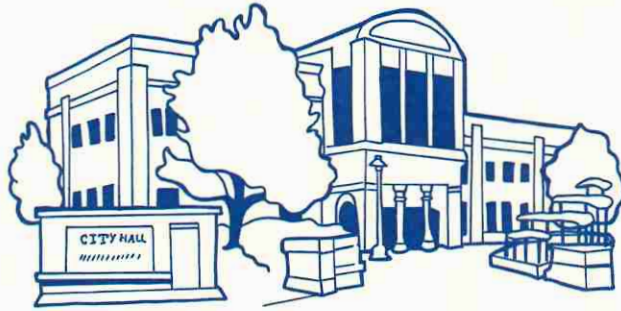
IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 21<sup>st</sup> day of October 2020.

*C.E. Duke Wortmann*

\_\_\_\_\_  
Mayor







*City of Grand Junction, State of Colorado*

# Proclamation

- Whereas,** the infrastructure that brings City of Grand Junction residents an average of 89 gallons of water per person, per day, and then safely returns water to the environment is essential to the quality of life, environment and economic vitality of the City of Grand Junction; and
- Whereas,** a day without water would be a public health and safety crisis due to the impacts which would limit the abilities of safety personnel such as firefighters and hospitals staff to do their jobs, as well as businesses and homes to function; and
- Whereas,** water infrastructure is critical in protecting public health during the coronavirus pandemic; and
- Whereas,** the City of Grand Junction formed a public water utility in 1900 and completed construction of the original water system; and
- Whereas,** America's water infrastructure is aging and failing—and there are communities that have never had access to infrastructure; and
- Whereas,** our water infrastructure is necessary for a thriving economy and public health protection, but is facing unprecedented challenges; and
- Whereas,** the City of Grand Junction is dedicated to investing in safe and reliable water and wastewater infrastructure; and
- Whereas,** “Imagine a Day Without Water” is an annual national advocacy campaign to educate the public about why water is an essential, invaluable resource, highlighting the critical importance of access to reliable, clean water and the need for water infrastructure investments necessary to maintain and rebuild these vital systems.

NOW, THEREFORE, I, C.E. Duke Wortmann, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim October 21, 2020 as

## *“Imagine a Day Without Water Day”*

In the City of Grand Junction and urge all citizens to learn about the value of water through the “Imagine a Day Without Water” campaign.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 21<sup>st</sup> day of October, 2020.

*C.E. Duke Wortmann*

Mayor





## Grand Junction City Council

### Regular Session

Item #

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**Meeting Date:** October 21, 2020

**Presented By:** Ken Sherbenou, Parks and Recreation Director

**Department:** Parks and Recreation

**Submitted By:** Ken Sherbenou

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### **Information**

#### **SUBJECT:**

Parks, Recreation, and Open Space (PROS) Master Plan Findings Presentation

#### **RECOMMENDATION:**

To update City Council.

#### **EXECUTIVE SUMMARY:**

The purpose of this presentation is to update City Council on the progress of the Parks, Recreation and Open Space (PROS) Master Plan. Of the four phases of the planning process, information gathering, findings presentation, preliminary plan and final plan, this is the presentation of findings. The large majority of this involves summarizing the results of the community survey that experienced widespread participation. The survey will be the driving force in establishing priorities for the PROS Master Plan.

#### **BACKGROUND OR DETAILED INFORMATION:**

The City, working with a consulting group, is forging a parks, recreation and open space master plan derived from public engagement and input. The central purpose of this effort is to produce a Parks, Recreation and Open Space (PROS) Master Plan. The Master Plan will provide clear direction for services, facilities and amenities for the next 5 to 8 years. This is an action step in the draft Comprehensive Plan. The PROS Master Plan will dovetail and build off of the Comprehensive Plan.

A more in depth presentation will be given at a public forum held earlier in the day, at 9am on October 21st at the Bookcliff Activity Center. The consultant group will also meet with the PROS Master Plan Advisory Committee and the Parks and Recreation

Advisory Board, along with staff. The findings from the community survey along with a level of service analysis will drive the concepts to meet the highest articulated needs for both outdoor and indoor recreation facilities.

Included in the Council Packet is a copy of the presentation slides that summarize the results of the survey. Also included is a memo from August 20th that describes the development of the survey content, which was driven by initial public feedback in the information gathering phase.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

For City Council discussion.

**Attachments**

1. Presentation
2. Memo



# PARKS, RECREATION, & OPEN SPACE MASTER PLAN

COUNCIL FINDINGS PRESENTATION



BARKER  
RINKER  
SEACAT  
ARCHITECTURE

DHM DESIGN

LANDSCAPE ARCHITECTURE  
URBAN DESIGN + LAND PLANNING  
ECOLOGICAL PLANNING



OCTOBER 21 & 22, 2020



# GRAND JUNCTION VOICES

- July 13-16 Public Input Sessions
  - Over 350 People Participated
- July 20-August 3 Public Forum Survey
  - 339 Respondents
- August 31-September 27 Community Needs Survey (2,459 Total Responses)
  - 997 Invite Responses (6,000 households)
  - 1,482 Open Link Responses



- September 21-October 3 Community Group Meetings



# COMMUNITY SURVEY

GRAND JUNCTION NEEDS ASSESSMENT

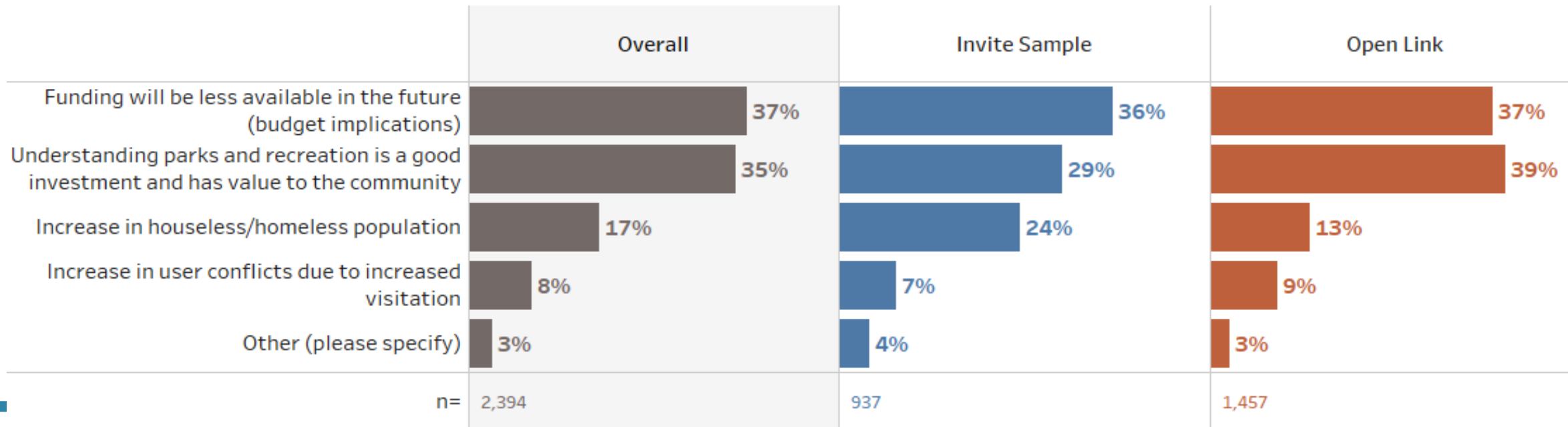


## IMPACTS OF COVID-19 ON PARKS & RECREATION

Budget/financial implications, and an increased appreciation that parks and recreation are a good investment for the community were the most frequently identified choices. The data suggest that increased awareness of parks, recreation, and open space may be a positive outcome of the pandemic. Increased homelessness was also identified as a concern, especially among Invite survey respondents.

### Q 7: What single outcome of the Covid-19 pandemic do you believe will have the greatest impact on the future of parks and recreation facilities and services?

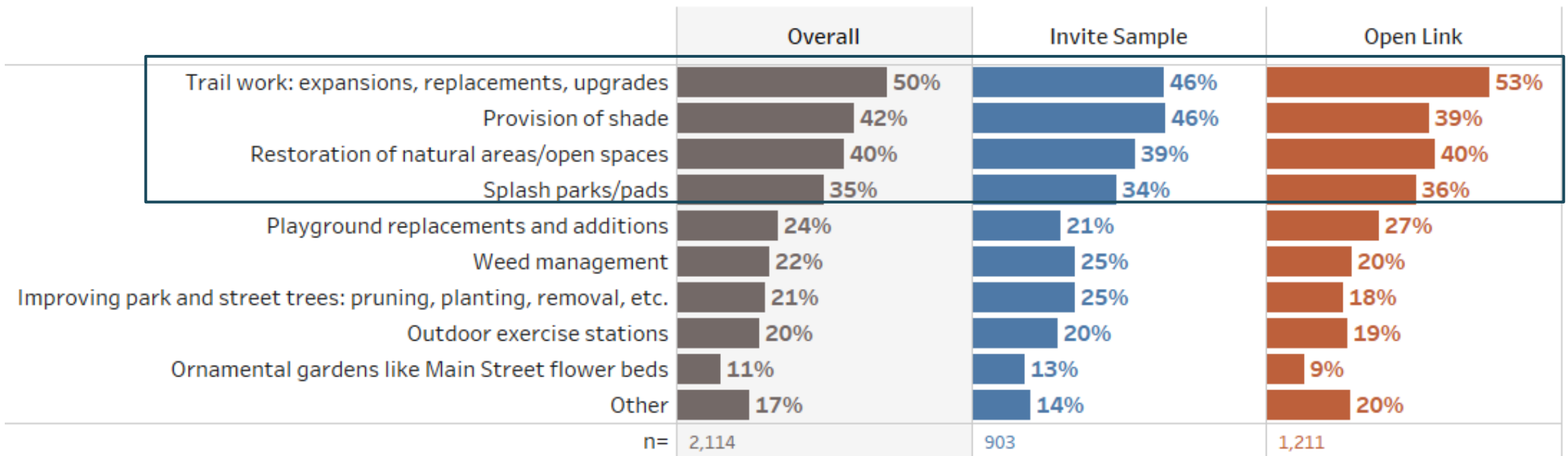
Invite vs. Open Link



Trail work was identified most often as an improvement needed at existing facilities. Provision of shade and restoration of natural areas/open spaces were also identified as necessary improvements. Common “other” suggestions included addressing issues arising from homelessness in parks (more prevalent among the Invite sample) and adding pickleball courts and an ice rink (more common in the Open link sample).

### Q 13: What top THREE improvements are needed at existing facilities?

Invite vs. Open Link





# PRIORITIES FOR THE FUTURE

Looking to the future, the survey probed a long list of **new and additional** outdoor and indoor facility and program needs. A community center was identified. It was closely followed by “trail connections and expansions for hiking, biking, and walking.” River conservation/access/improvements, and natural areas and open space are also top considerations.

Q 17: What new/additional parks, trails, open space, recreational facilities, and amenities would you like to see provided? Check your top SIX choices.

Invite vs. Open Link

	Overall	Invite Sample	Open Link
Community center (indoor recreation, community spaces and aquatic facilities)	63%	63%	62%
Trail connections and expansions for hiking, biking, and walking	57%	60%	54%
River conservation, access, and improvements	43%	46%	41%
Indoor warm water leisure pool: lazy river, zero-depth entry	40%	36%	43%
Natural areas and open space land(s) for views and habitat	39%	43%	35%
Traditional parks with shelter, picnic area, playground, and grass	30%	35%	27%
Neighborhood parks in new developments	30%	34%	26%
Splash pads	28%	28%	28%
Matchett Park (outdoor facilities for soccer, lacrosse, football, softball, pickleball, basketball)	27%	24%	30%
Matchett Park (indoor facilities)	26%	22%	29%
Whitewater park	22%	21%	24%
Improving park and street trees: pruning, planting, removal, etc.	18%	23%	15%
Dog park	18%	23%	14%
Indoor ice arena	17%	13%	20%
Pickleball courts	12%	8%	15%
Field house (indoor turf field/s)	11%	10%	13%
Skate and bike park (can be used for biking, skateboarding)	11%	9%	12%
Disc golf	10%	10%	10%
Tennis courts	6%	6%	7%
Other	7%	8%	6%
n=	2,138	933	1,205

Source: RRC Associates and GreenPlay

# Key Findings

## A COMMUNITY CENTER FOR GRAND JUNCTION

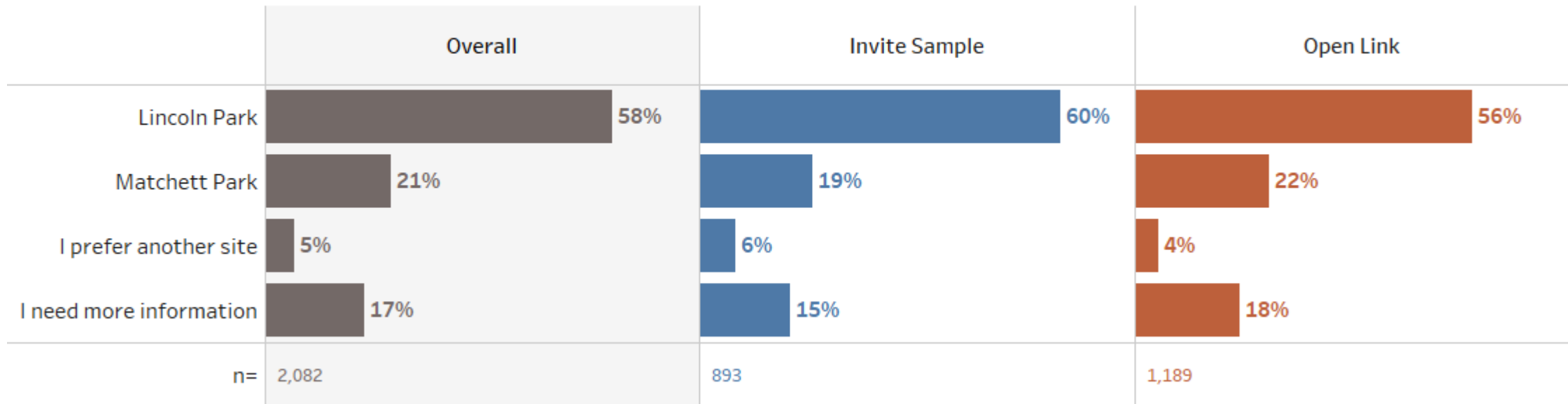


The idea of a community center received very strong support. About 80% of Invite respondents rated it “important” or “very important.” Just four percent of respondents feel that “any additional community or recreational facilities are not needed by their family or the community.”

The survey asked about a preferred location for a community center and about 60% identified Lincoln Park.

**Q 22: What site do you prefer as the primary location for further evaluation of a potential Community Center?**

Invite vs. Open Link

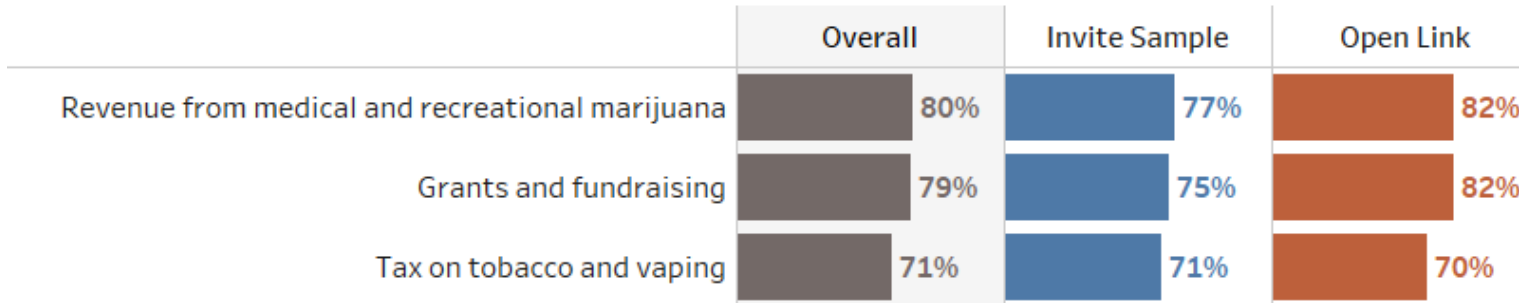


# FUNDING PARKS AND RECREATION COMMUNITY PRIORITIES



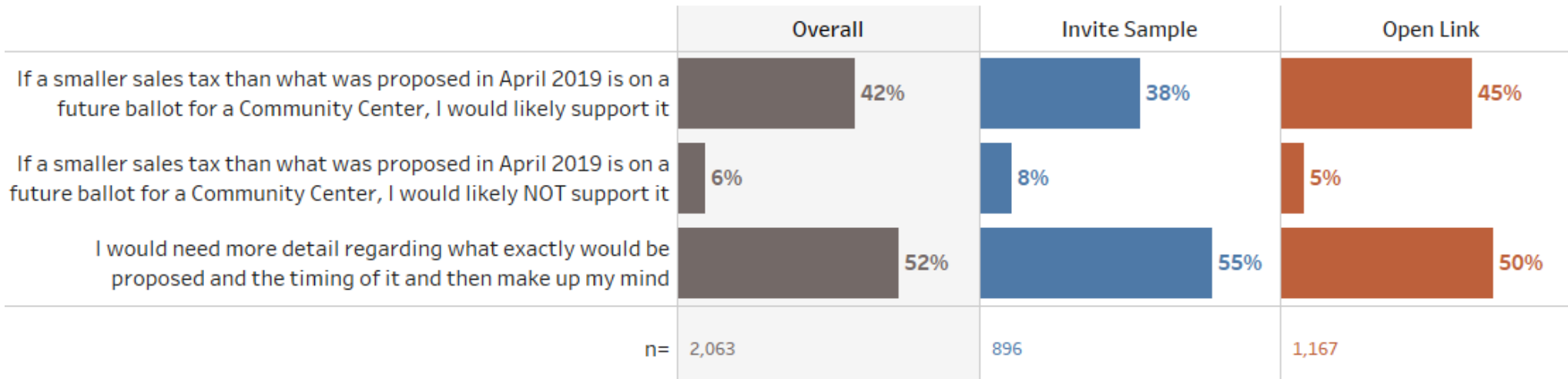
**Q 23: In concept, what funding mechanisms would you support to fund the priorities identified in the PROS Master Plan? Keep in mind, this is a plan that will cover the next 5 to 8 years (Check all that apply)**

Invite vs. Open Link



**Q 24: If a Community Center emerges as the top priority, which statement best describes your opinion regarding a tax increase to fund the construction, maintenance and operation of a Community Center (if and when funded, it would not open for at least 2 years)?**

Invite vs. Open Link



# NATIONAL RECREATION AND PARKS ASSOCIATION METRICS

## Operating Expenditure per acre of Park and Non-Park Sites

2020	
NRPA	\$6,215
GJPR	\$3,948

## Parkland Acres per 1,000 Residents

2020	
NRPA	5.00-14.90
GJPR	6.44



## PARK & RECREATION FACILITIES

- On-street and trail bike/ped improvements (increased access)
- Indoor facility
  - Lincoln Park
  - Need to know specifics of what will be provided to generate support
- Access to water for water-oriented activities and for water play
- Aquatics facility enhancements
- Street trees and right-of-way maintenance improvements
- Sports fields for youth and adult recreational programs and competitive sports

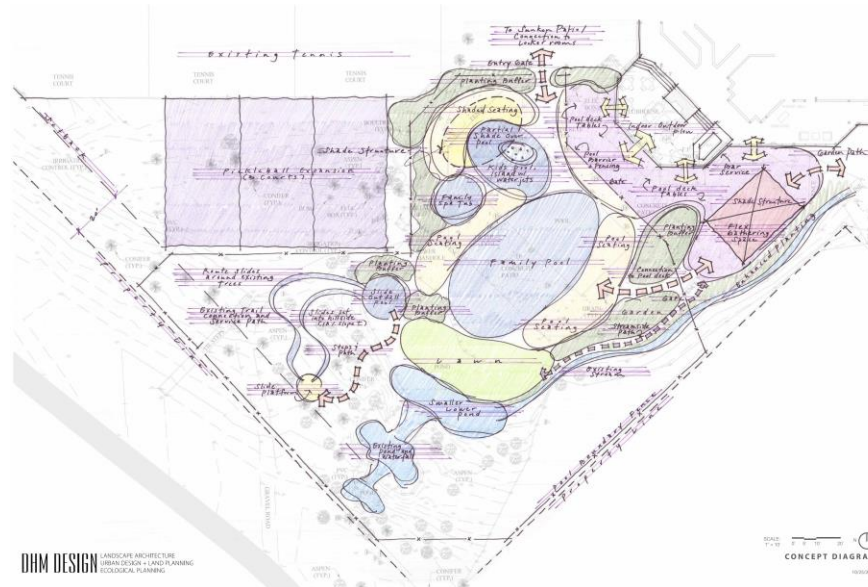
# RECREATION PROGRAMS

- Youth programming
  - Summer camps
  - Non-sports activities
  - Sports
- Special events and festivals
- Program awareness and affordability for low-income households
- Access to programs throughout system
  - Seniors
  - Youth
  - Families

# NEXT STEPS

## Development of Priority Indoor and Outdoor Cor

- BRS Architecture
- DHM Design



## NEXT STEPS

### Draft Plan Presentation

- Mon. Nov. 30, 9am: Bookcliff Activity Center, 540 29 1/4 Road
- Mon. Nov. 30, 5:30pm: City Council Meeting, 250 N. 5th Street

### Final Plan Presentation

- Mon. Dec. 14 at 9am: Bookcliff Activity Center, 540 29 1/4 Road
- Mon. Dec. 14 at 5:30pm: City Council Meeting, 250 N. 5th Street



# THANK YOU



## *Memorandum*

**TO:** Mayor and Members of Council  
**FROM:** Greg Caton, City Manager  
Ken Sherbenou, Parks & Recreation Director  
**DATE:** August 20, 2020  
**SUBJECT:** Parks, Recreation and Open Space (PROS) Master Plan Statistically Valid Survey Draft

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The Parks, Recreation and Open Space (PROS) Master Plan continues to progress. A critical component of the process is conducting a needs assessment through a statistically valid survey. A statistically valid survey is an important source of public input because the results accurately represent what the community needs and believes regarding the current and future parks and recreation system. A draft of the survey is attached for City Council to view.

Much of the survey content was derived from the forums and focus groups held in July, along with the follow up preliminary non-statistically valid survey. A primary objective of this initial public engagement was to focus on pertinent content and questions to be asked on the statistically valid survey. The survey will be sent to 6,000 randomly selected households and will also be available in Spanish.

Highlights of this preliminary survey, which is seen directly reflected in the draft statistically valid survey, include:

*What programs should be expanded (out of 19 options)?*

#1 Public Ice Skating, #2 Recreation Level Youth Sports, #3 Rec. Level for Adult Sports, #4 After School Youth Programming, #5 Summer Camps for Youth

*What is the number one impact the Pandemic will have in terms of Parks & Recreation?*

#1 Understanding Parks and Recreation is a good investment over the long term (37% of responses).  
#2 Funding will be less available in the future - budget implications (32% of responses)  
#3 Green infrastructure is better recognized as having value to the community (13% of responses)

*What improvements at existing facilities (out of 17 options)?*

#1 Provision of Shade, #2 Trail Improvements, #3 Splash Parks/Pads, #4 Restore Natural Areas  
#5 Aquatic Therapy

*What new facilities would you like to see provided (out of 30 options)?*

#1 Community Center (Indoor Recreation Facilities), #2 Indoor Ice Rink, #3 Indoor Warm Water Leisure Pool, #4 Trail Connections and Expansions, #5 Natural Areas and Open Spaces, #6 Neighborhood Parks in New Developments, #7 Skate Park, #8 Matchett Park Development

Two weeks after the statistically valid survey is distributed, an “open link” will be made broadly available for anyone to provide feedback. Distribution of the open link will occur through community presentations to various groups, and will be made available on the City website, social media, and department newsletter (with a distribution of 16,000). The “open link” will not be statistically valid but it will provide value in contrasting to the statistically valid survey.

As described in the Council Briefing from the weeks of August 3<sup>rd</sup> and 10<sup>th</sup>, there is scope within the existing project for an additional online survey to connect again with those that complete the statistically valid survey. The additional survey would ask more detailed questions about design, funding and site of priorities. Results would also be statistically valid and compatible with the original survey.

The results of the statistically valid survey along with other findings will be presented at a Council Workshop in October. By the time of the presentation, several priorities will have been identified that will require further definition, concept design and cost estimation. The Preliminary PROS Master Plan is estimated to be complete in November. The Final Plan is estimated to be ready for City Council’s consideration in December 2020.

The draft statistically valid survey is attached. Please provide any comments or concerns to the City Manager by the end of the day on Friday August 21.



CITY MANAGER'S OFFICE

# Memorandum



## Grand Junction Parks, Recreation and Open Space (PROS) Needs Assessment Survey

Help shape the future of your community by responding to this survey. The City of Grand Junction needs your feedback to inform the planning and development of future parks and recreation opportunities. The results will identify priorities to be pursued to improve the quality of life in Grand Junction. This survey content was taken from initial public input in this planning process.

Thank you for your participation.

### Information About You and Your Household

*It is very important that we know some details about your household to fully understand your needs. Please remember that this survey is CONFIDENTIAL and results will only be reported in aggregate.*

**1. What is the ZIP code of your residence?**

- 81501                       81505
- 81503                       81506
- 81504                       81507
- Other: \_\_\_\_\_

**2. Which of these categories best describes your household?**

- Single, no children     Single with children at home     Single, children no longer at home (empty nester)
- Couple, no children     Couple with children at home     Couple, children no longer at home (empty nester)

**3. What is your age?**

- Under 25                       35 - 44                       55 - 64                       75 or over
- 25 - 34                       45 - 54                       65 - 74

**4. Including yourself, how many people in total typically live in your household? \_\_\_\_\_**

**5. Approximately how long have you lived in the City of Grand Junction?**

\_\_\_\_\_ Years **OR**  Check here if less than a year

### The Challenges of COVID-19

**6. What is the single-most long-term important impact you believe the COVID-19 pandemic may have on the future of parks and recreation facilities and services?**

- Funding will be less available in the future (budget implications)
- Understanding parks and recreation is a good investment and has value to the community
- Increase in user conflicts due to increased visitation
- Increase in houseless/homeless population
- Other (please specify): \_\_\_\_\_

7. How satisfied has your household been with the overall quality of Grand Junction recreation programs/services, facilities, and events you have used in the 12 months (March 2019 to March 2020) prior to April 2020 (the start of the COVID-19 pandemic)?

	NOT AT ALL SATISFIED			VERY SATISFIED		HAVEN'T USED IN PAST 12 MONTHS
	1	2	3	4	5	
City Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreation Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreation Programs or Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Do you have any specific comments on your response to Question 7?

**Current Facilities and Programs**

8. Please rate A): how important the following existing facilities and services are to your household, and then rate B): how they are meeting the needs of Grand Junction. Please provide an answer to both A and B columns whether or not you have used the facility/program.

	A) IMPORTANCE TO YOUR HOUSEHOLD						B) MEETING THE NEEDS OF GJ RESIDENTS					
	NOT AT ALL IMPORTANT		VERY IMPORTANT			DON'T KNOW	NOT AT ALL		COMPLETELY			DON'T KNOW
Fill in two boxes per row (one each in column A and column B):	1	2	3	4	5	x	1	2	3	4	5	x
Bike/Skate parks (pump track, BMX track, etc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community/neighborhood parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fruita Community Center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ice skating for recreation and hockey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indoor aquatic facility (pool)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indoor gyms (basketball, volleyball, pickleball)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indoor fitness center/room	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Open space/natural areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor aquatic facility (pool)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor athletic courts (pickleball, basketball, tennis, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor athletic fields (football, soccer, lacrosse)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor athletic fields (baseball, softball)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Playgrounds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreation programs & activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
River access and utilization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shade structures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special events and festivals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trails and pathways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Therapy pool (warm water etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. If you indicated any ratings of "1" or "2" (not meeting needs in Grand junction), what can we do to better serve the community?

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**10. What top three improvements are needed at existing facilities? (SELECT THREE ONLY)**

- Provision of shade
- Trail work: expansions, replacements, upgrades
- Splash parks/pads
- Restoration of natural areas/open spaces
- Aquatic therapy pool elements (i.e., lazy river, warm water pool)
- Weed management
- Outdoor exercise stations
- Playground replacements and additions
- Pump tracks
- Other (please specify): \_\_\_\_\_

**11. What recreational programs or activities would you like to see the Parks and Recreation Department add or expand?**

**Please select your top 5 choices. (SELECT FIVE ONLY)**

- Public ice skating
- Recreation level sports for youth
- Recreation level sports for adults
- After-school youth programming
- Summer camps for youth
- Community gatherings (i.e., festivals, special events)
- Programs held after 5 pm
- Environmental education classes
- Aquatic or physical therapy
- Other: \_\_\_\_\_

**Future Facilities and Programs**

**12. What new/additional parks, trails, open space, recreational facilities and amenities would you like to see provided?**

**Check your top 5 choices.**

- Community center (indoor recreation and aquatic facilities)
- Indoor ice arena
- Indoor warm water leisure pool: lazy river, zero-depth entry
- Trail connections and expansions
- Natural areas and open space land(s)
- Skate and bike park (can be used for biking, skateboarding, rollerblading, scootering)
- Matchett Park (indoor facilities)
- Neighborhood parks in new developments
- Matchett Park (outdoor facilities; for soccer, lacrosse, football, softball, pickleball, basketball)
- Pickleball courts
- Splash pads
- Picnic shelters
- Indoor multi-use gymnasium(s)
- Improving trees: Pruning, planting, removal, and maintenance of park and street trees
- Tennis courts
- Climbing wall(s) and bouldering features
- Dog park



Other: \_\_\_\_\_

**13. Did you use the Fruita Community Center in the past 12 months (March 2019 to March 2020) prior to the pandemic?**

- Yes (GO TO Q.14)  
 No (GO TO Q.16)

**14. (IF YES) How frequently have you or do you use the Fruita Community Center in the past 12 months (March 2019 to March 2020) prior to the pandemic?**

- One to 3 times per year  
 4 to 6 times per year  
 7 to 12 times per year  
 More than 12 times per year

**15. Which amenities do you most frequently use in the Fruita Community Center?**

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**16. Are you using Grand Junction recreation facilities as frequently as you would like?**

- Yes (SKIP TO Q. 19)     No

**17. What keeps you from using the local parks and recreation programs/facilities as frequently as you would like? (CHECK ALL THAT APPLY)**

- |  |  |
|--|--|
| <input type="checkbox"/> Cost/user fees                                    | <input type="checkbox"/> Crowding/not enough space (such as:_____) |
| <input type="checkbox"/> Not aware of the programs/facilities offered      | <input type="checkbox"/> Too far away/inaccessible (explain:_____) |
| <input type="checkbox"/> Don't have the programs I want (such as: _____)   | <input type="checkbox"/> Hours of operation don't work for me      |
| <input type="checkbox"/> Lack of facilities and amenities (such as: _____) | <input type="checkbox"/> Other: _____                              |

**18. Do you have any comments on your response?**

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**19. In your opinion, how important is it to develop an indoor Community Center in the City of Grand Junction?**

- Very important  
 Somewhat important  
 Neutral/no opinion  
 Very low importance  
 Not at all important – I don't feel that any additional community or recreation facilities are needed for my family or the community

**20. In your opinion, why did the April 2, 2019 ballot proposal for a Community Center fail, where 45% said yes and 55% said no? (CHECK ALL THAT APPLY)**

- Too costly  
 Not right location  
 Not needed  
 Too many other tax proposals on the same ballot  
 No sunset clause to the 0.39% sales tax increase  
 Would compete with private business

- Lack of support from the community
- Other needs were higher and more pressing
- More specifics were needed in the plan
- Other (please specify): \_\_\_\_\_

**21. Matchett Park was identified as the site in the April 2019 Community Center proposal that did not pass. Since then, through additional preliminary analysis, it has been learned that the 34-year-old Lincoln Park Outdoor Pool can be replaced with a full-service Community Center of the same size as the Community Center proposed at Matchett Park in 2019. A Lincoln Park Community Center could be operated year round as opposed to three months, which is the case with the current outdoor pool. This new Lincoln Park Community Center with Indoor Pools could be built at the same site as the current Lincoln Park Outdoor Pool, and include a new, although smaller than current, Outdoor Pool next to the Community Center (see illustration). Building at Lincoln Park would be less expensive than at Matchett Park because of the existing site infrastructure such as utilities, access roads, and parking (which would be expanded). The substantial investment required with a Community Center might make more sense in a more central location. If Lincoln Park is determined to be the best site for the Community Center, Matchett Park would still be developed for outdoor facilities similar to Canyon View Park.**



**Given this background, what site do you prefer as the primary location for further evaluation of a potential Community Center?**

- Matchett Park
- Lincoln Park
- I need more information
- I prefer another site

**Funding Sources**

**22. In concept, what funding mechanisms would you support to fund the priorities fleshed out in the PROS Master Plan? (CHECK ALL THAT APPLY)**

- I do not support any additional resources to maintain and improve the Parks and Recreation system
- Sales tax increase
- Tax on sugary beverages
- Property tax increase
- Grants and fundraising
- Program fees
- Sales tax on some grocery items (most municipalities tax groceries with their sales tax; Grand Junction currently does not)
- Tax on tobacco and vaping
- Revenue from medical and recreational marijuana

**23. If a Community Center emerges as the top priority, which statement best describes your opinion regarding a tax increase to fund the construction, maintenance and operation of a Community Center (if funded, it would not open for at least 2 years)?**

- I would likely support a sales tax increase, which would be smaller than what was proposed in April 2019
- I would likely NOT support a sales tax increase even if it was smaller than what was proposed in April 2019
- I would need more detail regarding what exactly would be proposed and then make up my mind

**Communications**

24. How effective is the City of Grand Junction at reaching you with information on parks and recreation facilities, services, and programs?

NOT AT ALL EFFECTIVE VERY EFFECTIVE

1 2 3 4 5

25. How do you currently receive information on parks and recreation facilities, services, and programs?  
(CHECK ALL THAT APPLY)

- 1)  Local media (e.g., TV, radio, newspaper)
- 2)  City of Grand Junction website
- 3)  GJ Parks & Rec. Activity Guide
- 4)  At the recreation facility/program location
- 5)  Social media (e.g., Facebook, Instagram, Nextdoor)
- 6)  Email from the City such as newsletters
- 7)  School email/newsletter
- 8)  Billboard/street/bus banner
- 9)  Word of mouth
- 10)  Other (specify: \_\_\_\_\_  
\_\_\_\_\_ )

**26. What is the best way for you to receive information on parks and recreation facilities, services, and programs?**

Insert number from Question 25 \_\_\_\_\_

**About You and Your Household**

**Just a few more questions about yourself to assist in classifying your responses . . .**

**27. Please indicate your gender:**

- Male       Female
- I prefer to identify as: \_\_\_\_\_
- Prefer not to answer

**28. Are you a registered voter in the City of Grand Junction?**

- Yes       No

**29. Do you own a dog?**

- Yes       No

**30. Are you of Hispanic, Latino or Spanish origin?**

- Yes       No

**31. What race do you consider yourself to be? (CHECK ALL THAT APPLY)**

- American Indian and Alaska Native
- Asian
- Black or African American
- Native Hawaiian and Other Pacific Islander
- White
- Some other race

**32. Which of these categories best describes the total gross annual income of your household (before taxes)?**

- |  |  |
|--|--|
| <input type="checkbox"/> Under \$25,000    | <input type="checkbox"/> \$100,000 – 149,999   |
| <input type="checkbox"/> \$25,000 – 49,999 | <input type="checkbox"/> \$150,000 – 199,999   |
| <input type="checkbox"/> \$50,000 – 74,999 | <input type="checkbox"/> \$200,000 – 249,999   |
| <input type="checkbox"/> \$75,000 – 99,999 | <input type="checkbox"/> \$250,000 or more     |
|  | <input type="checkbox"/> Prefer not to respond |

**33. Do you have any additional comments or suggestions that you would like to offer regarding the future of parks and recreation in Grand Junction?**

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**Thank you for taking the time to share your opinions.  
Your input is of tremendous value in helping us plan for the future of parks and recreation  
opportunities in Grand Junction.**

## GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

October 5, 2020

**Meeting Convened:** 4:04 p.m. in the City Hall Auditorium

**Meeting Adjourned:** 7:05 p.m.

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

**Staff present:** City Manager Greg Caton, City Attorney John Shaver, Finance Director Jodi Welch, Budget Coordinator Linda Longenecker, Finance Supervisor Tatiana Gilbertson, Matt Martinez, Shane O'Neal, Public Works Director Trent Prall, Darren Starr, Senior Assistant to the City Manager Greg LeBlanc, Fire Chief Ken Watkins, Deputy Fire Chief Chris Angermuller, Utilities Director Randi Kim, Water Services Manager Mark Ritterbush, Parks & Recreation Director Ken Sherbenou, Community Development Director Tamra Allen, Police Chief Doug Shoemaker, Deputy Police Chief Matt Smith, Deputy Police Chief Mike Nordine, Financial Analyst Shay Harlow, Management Analyst Johnny McFarland, Visit Grand Junction Director Elizabeth Fogarty, Visit Grand Junction Administrative/Financial Analyst Kim Machado, and City Clerk Wanda Winkelmann.

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Mayor Wortmann called the meeting to order.

### **Agenda Topic 1. Discussion Topics**

a. Presentation of the City Manager's 2021 Recommended Budget to City Council: Police Department, Parks & Recreation, Public Works & Solid Waste, General Services, Community Development, Water Utility, Visit Grand Junction, Fire Department

The City won a *Distinguished Budget Presentation Award* by the Colorado Government Finance Officers Association. City Manager Caton presented the City of Grand Junction Recommended Budget for 2021, which totals \$199,988,627, a \$39 million, or 24% increase from the 2020 Adopted Budget of \$158.7 million. The increase is due to capital projects: Transportation expansion projects funded by debt authorized by Voters in 2019; Utility infrastructure; and Fire Station 3 (25 ½ Road & Patterson) and Fire Station 8 (Southeast area).

The General Fund is balanced with an operating surplus. With the need for \$2.5 million for Fire Station 3, only \$952,438 of fund balance was required for this expenditure.

The projected ending General Fund balance is \$30 million, which is an \$11.8 million and 65% increase from the 2017 Adopted General Fund Balance of \$18.2 million. The budget represents

the allocation of resources to achieve the goals identified in City Council's adopted Strategic Plan.

A break was called for at 5:50 p.m. The Workshop resumed at 6:11 p.m.

Mr. Caton discussed the Strategic Plan, Partnerships and Intergovernmental Relationships, Fiscal Responsibility, and 2021 Themes and Highlights. Presentations were given from these major operating departments:

- Police Department
- Parks & Recreation
- Public Works & Solid Waste
- General Services
- Community Development
- Water Utility
- Visit Grand Junction
- Fire Department

#### **Agenda Topic 2. City Council Communication**

There was none.

#### **Agenda Topic 3. Next Workshop Topics**

The October 19 Workshop will be a Budget Overview for Economic Development, Capital, and Horizon Drive Business Improvement District. The Workshop will begin at 4:00 p.m.

#### **4. Other Business**

There was none.

#### **Adjournment**

The Workshop adjourned at 7:05 p.m.



# GRAND JUNCTION CITY COUNCIL

## SPECIAL SESSION MINUTES

October 7, 2020

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, October 7, 2020 at 4:30 p.m. in the 1<sup>st</sup> Floor Breakroom, City Hall, 250 North 5<sup>th</sup> Street. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phil Pe'a, Anna Stout, Rick Taggart, and Mayor Duke Wortmann.

Staff present for the Executive Session were City Manager Greg Caton, City Attorney John Shaver, Finance Director Jodi Welch, Grand Junction Economic Partnership Director Robin Brown, Public Works Director Trent Prall, and Community Development Director Tamra Allen.

### **Executive Session #1**

Councilmember Norris moved to go into Executive Session:

EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO COLORADO REVISED STATUTE 24-6-402(4)(e)(I) REGARDING AN ECONOMIC DEVELOPMENT INCENTIVE FOR THE CONSTRUCTION OF LAS COLONIAS PLAZA ON PROPERTY(IES) LOCATED IN LAS COLONIAS BUSINESS PARK, NEAR RIVERFRONT DRIVE, GRAND JUNCTION, COLORADO

Councilmember Pe'a seconded the motion. Motion carried 5-0.

The City Council convened into Executive Session at 4:31 p.m.

Councilmember Andrews arrived at 4:34 p.m. Councilmember Stout arrived at 4:35 p.m.

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

### **Executive Session #2A**

Councilmember Norris moved to go into Executive Session:

EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402(4)(e)(I) AND 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO:

- A) A POSSIBLE PURCHASE(S) OF REAL PROPERTY(IES) FOR AND IN ANTICIPATION OF TRANSPORTATION IMPROVEMENT PROJECT(S), THE EXACT LOCATION OF WHICH WILL REMAIN CONFIDENTIAL AS DISCLOSURE WOULD

COMPROMISE THE PURPOSE FOR WHICH THE EXECUTIVE SESSION IS AUTHORIZED AS ALLOWED BY SECTION 24-6-402(4) OF COLORADO'S OPEN MEETINGS LAW

Councilmember Andrews seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session at 5:10 p.m.

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

Clerk's Note: Executive Session #2A adjourned at 5:25 p.m. City Council adjourned to the Regular City Council meeting at 5:31 p.m. and that meeting adjourned at 6:44 p.m.

### **Executive Session #2B**

Councilmember Norris moved to go into Executive Session:

EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTIONS 24-6-402(4)(e)(I) AND 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO:

B) A POSSIBLE PURCHASES(S) OF REAL PROPERTY(IES) FOR AND IN ANTICIPATION OF A POSSIBLE HOUSING PROJECT THE EXACT LOCATION OF WHICH WILL REMAIN CONFIDENTIAL AS DISCLOSURE WOULD COMPROMISE THE PURPOSE FOR WHICH THE EXECUTIVE SESSION IS AUTHORIZED AS ALLOWED BY SECTION 24-6-402(4) OF COLORADO'S OPEN MEETINGS LAW

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

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

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

The meeting adjourned at 7:12 p.m.

Wanda Winkelmann  
City Clerk

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

**October 7, 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 7<sup>th</sup> day of October 2020 at 5:31 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Rick Taggart, and Council President Duke Wortmann.

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

**Citizen Comments**

Bruce Lohmiller spoke of the Laurel House, concerns with the Veteran's Administration, and running for U.S. Senate.

Patrice Whistler, Curtis Comeau, and Raymond Plieness spoke of 1,285 petitions they submitted to Council for open space in the Redlands 360/Easter Hill Area.

Travis Brewer spoke about the need for barriers around canals to protect children and pets. He is a part of a group that has started collecting funds for a project named Addie's Fence.

Iralind Hayworth spoke of the importance of canal safety and what she is doing to help this cause at Grand Junction High School.

**Proclamations**

**Proclaiming October 4 -10, 2020 as Fire Prevention Week in the City of Grand Junction**

Councilmember Pe'a read the proclamation and Fire Chief Ken Watkins was present to accept it.

**Proclaiming October 2020 as Arts and Humanities Month in the City of Grand Junction**

Councilmember Stout read the proclamation and Commission on Arts and Culture Chair Donna Fullerton was present to accept it.

**Certificates of Appointment to the Planning Commission and Zoning Board of Appeals**

Councilmember Andrews addressed the Certificates of Appointment to the Planning Commission and Zoning Board of Appeals.

**City Manager Report**

City Manager Caton spoke of a celebration on October 16, 2020 merging Food Truck Fridays and the completion of the new Lunch Loop Trailhead.

**Council Reports**

Councilmember Stout gave an update of the Grand Valley Task Force (working groups are still collaborating and will come together in January to update of progress).

Councilmember Andrews attended a check presentation where Spectrum awarded \$4,000 and 84 safe and healthy home kits to Mesa County Partners.

Councilmember McDaniel gave a report on the Persigo Agreement Task Force.

Council President Wortmann spoke of the budget.

**CONSENT AGENDA**

Councilmember Andrews moved to adopt Consent Agenda items 1-3. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

**1. Approval of Minutes**

- a. Summary of the September 14, 2020 Workshop
- b. Minutes of the September 16, 2020 Regular Meeting
- c. Minutes of the September 14, 2020 Executive Session

**2. Set Public Hearings**

- a. Legislative
  - i. Introduction of an Ordinance Amending Chapter 2 of the Grand Junction Municipal Code Regarding Campaign Violations and Set a Public Hearing for October 21, 2020

- b. Quasi-judicial
  - i. Introduction of an Ordinance Amending the Comprehensive Plan Future Land Use Designation for a Property of 4.55 Acres Located at 2515 Riverside Parkway from Business Park Mixed Use to Commercial and Introduction of an Ordinance Rezoning Said Property from CSR (Community Services and Recreation) to C-2 (General Commercial) and Set a Public Hearing for October 21, 2020
  - ii. Introduction of an Ordinance Zoning the Airport North Boundary Annexation, Approximately 187.69 Acres to a City Planned Development - PAD (Planned Airport Development) and Amending the Outline Development Plan (ODP), Located Generally at the Northern Edge of the Grand Junction Regional Airport, Parcels 2701-113-00-002 and 2705-154-00-003, and Set a Public Hearing for October 21, 2020
  - iii. Introduction of an Ordinance Amending the Planned Development (PD) Zoning Ordinance and Development Plan for the North Seventh Street Historic Residential District to Add Allowed Uses on the Property Located at 535 North 7<sup>th</sup> Street, and Set a Public Hearing for October 21, 2020
  - iv. Introduction of an Ordinance to Rezone 8.24 Acres from R-O (Residential Office) to BP (Business Park) Located at 1405 Wellington Avenue and Set a Public Hearing for October 21, 2020

## **REGULAR AGENDA**

### **An Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-20**

Alley Improvement Districts are formed in partnership with property owners after a majority of owners petition the City for the district and corresponding alley improvements. The cost is then shared between the property owners and the City.

The alley running East to West from 10<sup>th</sup> to 11<sup>th</sup> Street, between Pitkin Avenue and Ute Avenue has been improved under this structure. The ordinance approves the assessable costs to the property owners and real property.

Public Works Director Trent Prall presented this item.

The public hearing opened 6:08 at p.m.

There were no comments.

The public hearing closed at 6:08 p.m.

Councilmember McDaniel moved to adopt Ordinance No. 4957, an Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-20, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11<sup>th</sup> Day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said Districts; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said Districts; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

**A Resolution to Authorize \$7 Million Loan Contract with the Colorado Water Conservation Board for the Purdy Mesa Flowline Replacement Project**

The Purdy Mesa Flowline is a water supply pipeline of approximately 17.5 miles between the City's watershed on the Grand Mesa and the City's Water Treatment Plant in Orchard Mesa. It is the primary structure that conveys raw water from the Juniata Reservoir to the water treatment plant. The Purdy Mesa Flow Line was originally constructed in 1955 of 18-inch and 20-inch diameter steel pipe. Steel pipe is subject to corrosion and water line breaks, particularly in corrosive soils like we have in the vicinity of the Purdy Mesa Flow Line. The average useful life of steel water pipelines is 50 years and the Purdy Mesa Flow Line has exceeded its useful life. While portions of the flow line were lined with mortar in 1968 to extend the service life, the exterior of the pipeline is still subject to corrosion which can lead to waterline breaks.

Utilities Director Randi Kim presented this item.

City Attorney Shaver noted the 5<sup>th</sup> paragraph of the resolution speaks to the section of the Colorado Constitution that specifically exempts this kind of debt from requiring voter approval.

Discussion ensued regarding the loans that are currently outstanding, pledged revenues, and base rate increases covering the debt servicing of the loan.

The floor was opened for public comment at 6:18 p.m.

There were no public comments.

Councilmember Pe'a moved to adopt Resolution No. 62-20, a resolution authorizing the City Manager to enter into a contract with the State of Colorado, Colorado Water Conservation Board for a loan in the amount of \$7,070,000.00 for the construction of the Purdy Mesa Flowline Replacement Project; to perform and observe all contractual terms, conditions, and

obligations; and pledge the revenues of the Water Enterprise Fund to assure repayment of the loan. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

### **A Resolution Supporting Ballot Measure 2A**

The City Council has referred a question to the November 3, 2020 election ballot asking the City electors to consider lifting the revenue limitation imposed on the City by the 1992 Taxpayers Bill of Rights (TABOR Amendment) and approving the use of those funds for City services and projects. The ballot question is known as Measure 2A and a copy of Measure 2A is included with the agenda materials.

Currently funds above the TABOR limit are being used to pay for transportation improvement projects and if 2A is approved those projects will continue; however, voter support of 2A will also allow the TABOR funds, without an increase in taxes or debt, to be retained and spent on other City projects and services. Measure 2A does not repeal TABOR. Instead it asks that the City not be burdened by an artificial capping of revenue. That cap may create substantial financial problems for the City and in turn hinder it from meeting service demands after the COVID-19 economic downturn.

City Attorney John Shaver was present to answer questions from Council.

Discussion ensued regarding alternate language, an overview of what this proposal is (a referred measure to lift the cap of revenue and spending limitations of the TABOR Amendment in response to how the COVID-19 Pandemic has impacted the City of Grand Junction), edits to the verbiage included in the resolution, next steps, and the lack of a sunset provision.

The floor was opened for public comment at 6:32 p.m.

There were no comments.

Councilmember Andrews moved to adopt Resolution No. 63-20 as amended, a Resolution Supporting Ballot Measure 2A. Councilmember Pe'a seconded the motion. Motion carried by roll call vote with Councilmember Stout voting no.

Councilmember McDaniel expressed concern about educating the public on this ballot measure and proposed some ideas on how to make citizens aware of this item.

### **Non-Scheduled Citizens & Visitors**

Stephanie Vasconez spoke about Random Acts of Kindness and how to share acts to social media and 211.

**Other Business**

Councilmember Stout spoke of community concerns and Council's position against violence or threats against community members.

**Adjournment**

The meeting adjourned at 6:44 p.m.

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Wanda Winkelmann, MMC  
City Clerk





## Grand Junction City Council

### Regular Session

Item #2.a.i.

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**Meeting Date:** October 21, 2020

**Presented By:** Lance Gloss, Senior Planner

**Department:** Community Development

**Submitted By:** Lance Gloss, Senior Planner

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### **Information**

#### **SUBJECT:**

An Ordinance Amending the Comprehensive Plan Future Land Use Designation for a Property of 4.52 Acres Located at 2515 Riverside Parkway from Business Park Mixed Use to Commercial and an Ordinance Rezoning Said Property from CSR (Community Services and Recreation) to C-2 (General Commercial) [Staff Presentation](#)

#### **RECOMMENDATION:**

Planning Commission heard this item at their September 22, 2020 meeting and voted (6-0) to recommend of approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, STGC Holdings, LLC, is requesting both a Comprehensive Plan Amendment and a Rezone for a 4.55-acre property located at 2515 Riverside Parkway. The first request is to the amend the Comprehensive Plan Future Land Use designation for this property from Business Park Mixed Use to Commercial. The second request is to Rezone the same property from a CSR (Community Services & Recreation) zone district to a C-2 (General Commercial) zone district in anticipation of future retail development. The requested C-2 zone district is not consistent with the existing Comprehensive Plan Future Land Use Map designation of Business Park Mixed Use but does work to implement the proposed designation of Commercial.

#### **BACKGROUND OR DETAILED INFORMATION:**

##### **BACKGROUND**

The 4.55-acre subject property is situated between the Colorado River and Riverside Parkway, due west of the Rimrock shopping complex. The property, which is Lot 1 of

the Ice Skating Subdivision, currently contains one indoor entertainment structure of approximately 36,684 square feet that was built in 2006 and has since been used as an indoor ice-skating rink. The property was annexed into the city limits in 2001 as part of the C&K Annexation.

The property was developed as an ice-skating rink in 2006 (City file no. SPR-2004-268) At the time of development, landscaping was not properly installed in connection with that site plan review and construction. The landscaping installation was disrupted for two primary reasons: the economic hardships associated with the Great Recession; and, improvements carried out by the City for Riverside Parkway. As the Parkway's construction required substantial disturbance of the areas of the site nearest the right-of-way, as well as the right-of-way itself which was originally approved to be landscaped in conjunction with the ice-skating rink by the property owner, the City allowed the improvements to be delayed but not foregone. A Certificate of Occupancy was issued at that time.

When landscaping improvements were not constructed by the property owner after the completion of the Riverside Parkway project as had been agreed, the City issued a Notice of Deficiency (Mesa County Reception No. 2592138, Bk. 5227, Pg. 71). The Notice set the condition that "use of the property is restricted until such deficiencies are cured, and that planning clearances, occupancy permits and/or other land use permits will not be granted by the City of Grand Junction without completion of the improvements described previously." The existence of this outstanding deficiency led to a delay in the processing of this request, as a primary criterion for any land-use recommendation or decision by the Planning Commission and City Council, per GJMC 21.02.080(d)(3) on General Approval Criteria, requires that the property meet "conditions of any prior approvals."

The Applicant was therefore given the option of constructing all required landscaping per the 2004 Site Plan approval as described in the exhibits, or otherwise to provide financial assurances for the construction of the required improvements. The Applicant has agreed to, and signed, a promissory note to this effect, taking financial liability for plantings and irrigation required by the Zoning and Development Code and corresponding to the approved site plan. The promissory note establishes, in the opinion of staff, adequate security to ensure the proposal's adherence to approval criteria.

Additional context is relevant to the request Comprehensive Plan Future Land Use Map amendment. The Future Land Use Map identifies the property as Business Park Mixed Use and applies the same designation to three properties to the south of the subject property, two of which are in industrial use. Adjacent to the north and west are properties under a Conservation Future Land Use, consisting largely of natural areas associated with the Colorado River. The proposed Commercial land use designation is

currently in place for properties adjacent to the subject property to the east across Riverside Parkway, including nearly all of the property bounded by Riverside Parkway and Highway 6&50 from 1st Street to Redlands Parkway. The proposed C-2 Zone District is not a zone district that implements the Business Park Mixed Use Future Land Use designation. However, the proposal for the rezone is being concurrently reviewed alongside a proposal to amend the Comprehensive Plan Future Land Use Map designation for this property to Commercial. In addition to C-2, the following zone districts would also work to implement the proposed Commercial designation.

- a. R-O (Residential Office)
- b. B-1 (Neighborhood Business)
- c. C-1 (Light Commercial)
- d. MU (Mixed Use)

Concerning the rezoning request, the purpose of the existing CSR (Community Services & Recreation) zone district is to provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. The district would include open space areas, to prevent environmental damage to sensitive areas, and to limit development in areas where police or fire protection, protection against flooding by stormwater, or other services or utilities are not readily available. The CSR district would include outdoor recreational facilities, educational facilities, open space corridors, recreational, nonvehicular transportation and environmental areas and would be interconnected with other parks, trails and other recreational facilities. (See GJMC 21.03.070(f)(1)). On the other hand, the purpose of the C-2 (General Commercial) zone district 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 (See GJMC 21.03.070(e)(1)). As specified in the Grand Junction Municipal Code, the C-2 zone district is appropriate in areas well served by transportation infrastructure and that are intended for commercial activity with limited outdoor display and operations.

Finally, it should be noted that the current land-use for the property, which is indoor entertainment and specifically a privately-operated ice-skating rink, is an allowed use under both current and proposed zoning. Thus, the rezone request has no specific relevance to the ability of the ice-skating rink to continue or expand existing operations.

## **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding a proposed rezone request and Comprehensive Plan was required in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Neighborhood Meeting was held at the subject property following proper notice on Thursday, July 16, 2020. No members of the public

attended.

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 July 24, 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 on August 28, 2020. The notice of this public hearing was published September 1, 2020 in the Grand Junction Daily Sentinel.

## **ANALYSIS**

### **Comprehensive Plan Amendment**

Pursuant to section 21.02.130(c)(1), the City may amend the Comprehensive Plan, neighborhood plans, corridor plans, and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

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

The 2010 Comprehensive Plan includes a Future Land Use Map which identifies this property as Business Park Mixed Use. The Applicant is requesting a Future Land Use designation of Commercial to allow for a range of retail and other commercial uses.

The original premise for the Business Park Mixed Use Future Land Use designation for the properties was essentially that portions of the area southwest of Riverside Parkway would develop as a transition between the conservation, commercial, and industrial uses that converge there. This vision has simply not materialized with a substantial development of the type encouraged by the Business Park Mixed Use Future Land Use. Instead, the commercial areas to the northeast of the subject property have retained a suburban shopping complex form and use; the properties to the southeast have remained in an unenhanced industrial status; and the conservation properties to the north and west have remained natural areas with a multimodal trail connection. However, this lack of development along the envisioned trajectory of Business Park Mixed Use does not constitute a subsequent event that might invalidate the original premise; rather, the conditions that led to the original premise are still in place.

Staff thus finds that this criterion is not met.

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

The character and conditions of the area have been most significantly impacted by the recent construction of Riverside Parkway, completed in 2009. That event occurred prior

to the adoption of the Comprehensive Plan Future Land Use Map and its current designation of Business Park Mixed Use for that property such that Riverside Parkway was already considered by the Plan in its current form. In the immediate vicinity of the subject property, the only major changes to character and condition since the adoption of the comprehensive Plan in 2010 were the construction of Lowes on the other side of Riverside Parkway, to which there is no direct pedestrian or automobile connection, and the ongoing construction of the Base Rock apartment complex, to which there is also no direct pedestrian or automobile connection. No other change has occurred to make the proposed designation more consistent with the Plan than the current designation already is.

Staff therefore finds that this criterion is not met.

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

The subject property is advantaged by its location near to major transportation and utility infrastructure. The site is well-served by Riverside Parkway, including by access improvements specifically serving the site; in this sense, it is a clear candidate for further commercial development. All major utilities are already serving the site with no known challenges. The site is also advantaged in that it is near to the natural area amenities of the Colorado River and the Colorado Riverfront Trail, but is separated from the 500-year floodplain of the river by a large grade change that has been reinforced to support the trail. It is apparent that, in all major respects, the site is well-served to by public and community facilities necessary for the range of uses allowed under a Commercial Future Land Use designation.

Based on the provision and concurrency of public utilities and community facilities to serve the proposed Future Land Use, staff finds that this criterion has been met.

*(iv) 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*

Many of the community's major retail areas—including portions of I-70B, Highway 50 in Orchard Mesa, and the Horizon Drive Business District—are within the Commercial land use designation creating a significant inventory of property with this designation. However, there is an evident lack of property with a Commercial Future Land Use directly accessible from Riverside Parkway, particularly west of downtown. There are no properties under the Commercial designation along the Parkway from 5th Street to Redlands Parkway. However, the overall abundance of property with a Commercial Future Land Use within a one-mile radius of the site clearly leads to the conclusion that there is not an inadequate supply of similarly designated land within the community.

Therefore, staff finds that this criterion is not met.

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

The greatest benefit to be derived from the requested changes is the potential to support future commercial growth along Riverside Parkway west of downtown, and to propel the redevelopment of properties along the Parkway as has not occurred over the decade under the existing Future Land Use Map. A re-designation from Business Park Mixed Use would allow the requested C-2 zone district but allow for the property to rezone to MU (Mixed Use) and/or C-1 (Light Commercial), allowing for the coexistence of residential and commercial uses on a single property, which would currently be possible only through an R-O (Residential – Office) zone district.

The community will also derive benefits from the general expansion of commercial opportunities along Riverside Parkway. Though there are numerous Commercial properties to the east of the subject property in the Rimrock shopping area and along the State Highway 6&50 Corridor, none of these can be directly accessed from Riverside Parkway due largely to the presence of the railroad tracks along the northeast side of the Parkway. Riverside Parkway between Grand Avenue and Redlands Parkway is significantly isolated from adjacent areas because of the lack of automobile and multimodal connections (along this segment of Riverside Parkway, there is only one such connection at 25 Road). The proposed change to the Future Land Use Map would contribute to remedying this lack of commercial property along the Parkway.

Thus, staff finds that both the community and area would derive benefits from the proposed amendment and thus has found this criterion is met.

The proposed amendments implement the following guiding principle, goals and policies:

*Guiding Principle 2: Sustainable Growth Patterns – Encourage infill and redevelopment.*

*Goal 1: To implement the Comprehensive Plan in a consistent manner.*

*Policy C: The City will make land use decisions consistent with the goal of supporting and encouraging the development of centers.*

*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 shopping and commuting and decrease vehicle miles traveled thus increasing air quality.*

*Policy F: Encourage the revitalization of existing commercial and industrial areas.*

## **Rezone**

Rezoning of the property to C-2 (General Commercial) is not aligned with the current Comprehensive Plan Future Land Use designation of Business Park Mixed Use, but the proposed rezone is aligned with the proposed Future Land Use designation of Commercial, per the Comprehensive Plan Amendment request described above.

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

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

The existing CSR (Community Services & Recreation) zoning was applied to the property in 2001 as the zone of annexation (Ordinance 3353) for the C&K Annexation. Several properties to the north and west are also zoned CSR, all of them associated with the Colorado River and related natural areas. The subject property is the only CSR zoned property in that vicinity to have developed a structure or that is used for purposes other than conservation. However, the CSR zone is intended to accommodate a range of public services not limited to open space and conservation, including public and private recreational facilities, various civic and public safety uses, and limited resource extraction. No event has taken place since 2001 that could reasonably be construed as invalidating the applicability or desirability of the CSR zone district for the subject property. The construction of Riverside Parkway has improved access to the subject property and certainly enhances the conditions for zoning other than CSR for the site. However, while improved access via Riverside Parkway makes zoning other than CSR increasingly viable, it does not eliminate the need to retain CSR zoning along stretches in the vicinity of the Colorado River for the purposes of conservation and public amenities. Alternatively, the possible closure of Glacier Ice Arena in the near future may seem to suggest that the site necessitates rezoning, as one might interpret the closure as indication that the site cannot effectively support a public amenity as allowed in a CSR zone district. However, the possible closure of Glacier Ice Arena cannot be seen as invalidating the original premises for the CSR zoning, as that original zoning decision predates the existence of the ice-skating business.

Staff thus finds that this criterion is not met.

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

The construction of the Riverside Parkway—while not invalidating the relevance or need for conservation, recreation, public facilities, or similar uses—has significantly altered the character of the area since it was constructed in 2009. The improved access and connectivity provided by the Parkway makes the subject property and other nearby properties good candidates for commercial zoning. This accords with the Comprehensive Plan, which calls for the efficient use of transportation infrastructure and the concentration of commercial and industrial uses. The proposed C-2 zoning would represent a logical progression of the property toward a more intense commercial use that accords with its improved accessibility and its proximity to the existing commercial areas east of the Parkway.

Staff therefore finds that this criterion is met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the C-2 zone district. The subject property is advantaged by its position in the City's historical and present-day core, where services and utilities exist and where new development poses fewer demands for upgrades to primary utilities. City Sanitary Sewer, City Storm Sewer, and Ute Water lines are located adjacent Riverside Parkway. The property is also served by Grand Valley Irrigation District, Xcel Energy electricity and natural gas, and cable network links. Public safety, fire, EMS and police services can adequately serve this area of the City. The subject property is also well served by both multimodal and automobile transportation facilities, namely the Colorado Riverfront Trail which crosses the property and Riverside Parkway, from which the property takes direct access. In general, staff has finds that 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-2 (General Commercial) zoning is one of the most common non-residential zone districts in the city and in the City Center, with an abundance of C-2 zoned properties east of Riverside Parkway in the Rimrock shopping area. Several of those C-2



properties east of the subject property are vacant or underutilized. However, there is no C-2 zoning that can be directly accessed from Riverside Parkway between Grand Avenue and Redlands Parkway, such that this principal arterial is largely without retail or other commercial services.

Generally, staff thus finds this criterion is not 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 medium- and high-intensity commercial development at a location in the City Center already well-served by transportation infrastructure and utilities. Residents of the lower Redlands, Downtown, and other nearby neighborhoods such as El Poso and Riverside with direct access to the Riverside Parkway will benefit from the direct accessibility of a commercial area from the Parkway. The property's rezoning and further development can also be reasonably expected to propel further commercial development along Riverside Parkway and may contribute to the more efficient use of nearby vacant and underdeveloped properties. The community and area will also benefit from the potential for further development of this site including the completion of long-delayed landscaping improvements described above.

Therefore, staff finds that this criterion is 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 shopping and 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.*

## **Recommendations and Findings of Fact**

After reviewing the request for approval to amend the Comprehensive Plan Future Land Use Map (File no. CPA-2020-419), from a Business Park Mixed Use Future Land Use designation to a Commercial Future Land Use designation, and the request to rezone (File no. RZN-2020-418) from CSR (Community Services & Recreation) to C-2 (General Commercial) a property of 4.55 acres located at 2515 Riverside Parkway, the following findings of fact have been made:

On the request for an amendment to the Comprehensive Plan, the following findings of fact have been made:

- 1) The request has met one or more of the criteria in Section 21.02.130(c)(1) of the Zoning and Development Code.
- 2) The request is consistent with the vision, goals and policies of the Comprehensive Plan.

On the request for rezoning, the following findings of fact have been made:

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

Therefore, the Planning Commission recommended 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. 4958, an Ordinance approving a Comprehensive Plan Amendment request from a Business Park Mixed Use Future Land Use designation to a Commercial Future Land Use designation for a 4.55-acre parcel, located at 2515 Riverside Parkway, on final passage and order final publication in pamphlet form.

I move to (adopt/deny) Ordinance No. 4959, an Ordinance approving a Rezone request from a CSR (Community Services & Recreation) zone district to a C-2 (General Commercial) zone district for a 4.55-acre parcel, located at 2515 Riverside Parkway, on final passage and order final publication in pamphlet form.

## **Attachments**

1. Development Application Packet
2. Existing Future Land Use Map
3. Existing Zoning
4. Existing Conditions
5. Original Glacier Landscape Plan
6. Notice of Deficiency
7. Promissory Note - Glacier Ice Arena
8. Planning Commission Minutes - 2020 - September 22 - Glacier Ice Arena CPA and Rezone
9. Draft Comprehensive Plan Amendment Ordinance
10. Draft Zoning Ordinance

## Development Application

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

Petition For: REZONE & COMP PLAN AMENDMENT

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

Existing Land Use Designation: BUSINESS PARK MIXED USE Existing Zoning: CSR

Proposed Land Use Designation: COMMERCIAL Proposed Zoning: C-2

Property Information

Site Location: 2515 RIVERSIDE PKWY G.J. CO 81505 Site Acreage: 4.52


Site Tax No(s): 2945-103-52-001 Site Zoning: CSR

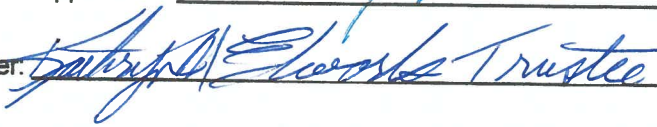
Project Description: REZONING FROM CSR TO C-2 & CHANGING THE COMP PLAN FROM BUSINESS PARK MIXED USE TO COMMERCIAL

<u>Property Owner Information</u>	<u>Applicant Information</u>	<u>Representative Information</u>
Name: <u>STGC HOLDINGS LLC</u>	Name: <u>STGC HOLDINGS LLC</u>	Name: <u>ClAVONNE, ROBERTS + Assoc</u>
Street Address: <u>2515 RIVERSIDE PKWY</u>	Street Address: <u>2515 RIVERSIDE PKWY</u>	Street Address: <u>222 NTH 7TH ST.</u>
City/State/Zip: <u>G.J. CO 81505</u>	City/State/Zip: <u>G.J. CO 81505</u>	City/State/Zip: <u>G.J. CO 81501</u>
Business Phone #: <u>260-5124</u>	Business Phone #: <u>234-3400</u>	Business Phone #: <u>970-241-0745</u>
E-Mail: <u>rgkoos657@gmail.com</u>	E-Mail: <u>akoosconstruction@gmail.com</u>	E-Mail: <u>ted@ciavonne.com</u>
Fax #: <u>      </u>	Fax #: <u>      </u>	Fax #: <u>      </u>
Contact Person: <u>ROBBIE KOOS</u>	Contact Person: <u>Alan KOOS</u>	Contact Person: <u>TED ClAVONNE</u>
Contact Phone #: <u>260-5124</u>	Contact Phone #: <u>234-3400</u>	Contact Phone #: <u>241-0745</u>

**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: 7-16-20

Signature of Legal Property Owner:  Date: 7-16-20

**Glacier Ice Arena**  
**Rezone**  
**July 21, 2020**  
**General Project Report**

**Project Overview**

STGC presently owns 4.52 acres located at 2515 Riverside Parkway. This parcel is currently zoned CSR with a land use designation of Business Park Mixed Use. We are pursuing a rezone to C-2 as well as a Comprehensive Plan Amendment to the land use designation of Commercial.

There is an existing +/- 37500 SF ice rink building on site. The property is abutting the Riverside Parkway and commercial development to the east, Riverside Parkway and commercial development to the north, Colorado River to the, and vacant land abutting the south.

The Future Land Use Plan promotes Business Park Mixed Use on this property. Business Park Mixed Use does not support a zone of C-2, so because of adjacency, we are also pursuing a Comprehensive Plan Amendment to Commercial.

**A. Project Description**

Location and Site Features

- The parcels are located at 2515 Riverside Parkway.
- There is a combined sewer main in Riverside Parkway.
- Surrounding land use /zoning is vacant land to the west (Colorado River) zoned CSR; vacant land to the south zoned I-2 in the county; commercial development (C-2) to the east; and commercial development (C-2) to the north.
- There are currently two curb cuts to the property from Riverside Parkway. One on the north corner and one on the southeast corner.
- The site is very flat, currently sloping southwest with a grade variation of 4 feet.

Existing Zoning

- This parcel is currently zoned CSR.
- As noted there is C-2 across Riverside Parkway to the east; to the south is I-2 (in the county); to the north is C-2; and to the west is CSR.
- The proposed plan rezones the property to C-2 along with a Comprehensive Plan Amendment to Commercial.

**B. Public Benefit:**

- Redevelopment aiming for better use of the property that can provide an economic return to the community;

**C. Neighborhood Meeting**

A Neighborhood Meeting was held on Thursday, July 16<sup>th</sup> on site, but no adjacent neighbors attended.

**D. Project Compliance, Compatibility, and Impact**

1. Adopted Plans and/or Policies

The Future Land Use Plan; the Land Development Code.

2. Surrounding Land Use

Surrounding land use /zoning is vacant land to the west (Colorado River) zoned CSR; vacant land to the south zoned I-2 in the county; commercial development (C-2) to the east; and commercial development (C-2) to the north.

3. Site Access and Traffic

There are currently two curb cuts to the property from Riverside Parkway. One on the north corner and one on the southeast corner.

4 & 5. Availability of Utilities and Unusual Demands

There is a combined sewer main in Riverside Parkway.

Storm Sewer is provided by the City of Grand Junction via Riverside Parkway.

6. Effects On Public Facilities

This will have expected, but not unusual impacts on the fire department, police department, and the public school system.

7. Site Soils N/A

8. Site Geology and Geologic Hazards N/A

9. Hours of Operation N/A

10. Number of Employees N/A

11. Signage Plans N/A

12. Irrigation N/A

**E. Development Schedule and Phasing**

- Submit rezone - July 2020

Legal Description

LOT 1 ICE SKATING SUBDIVISION SEC 10 1S 1W - 4.55AC

## **Neighborhood Meeting Notice Letter**

Mailing Date: July 3, 2020

RE: A Neighborhood Meeting for Glacier Ice Arena Rezone.

Dear Property Owner:

This letter is to notify you that on **Thursday (July 16th), starting at 5:30 pm**, a neighborhood meeting will be held to update you on a proposed **Rezone from CSR (Community Services and Recreation) to C-2 (General Commercial)** at 2515 Riverside Parkway, Grand Junction, Colorado. This meeting will be held on site at **Glacier Ice Arena**, 2515 Riverside Parkway Grand Junction, Colorado 81506.

The neighborhood meeting is an opportunity for adjacent property owners to learn more about the project, ask questions, and submit written statements to the developer and the City of Grand Junction staff.

The applicant will be submitting a Rezone application for this project to the City of Grand Junction. The proposal is a rezone from CSR to C-2 to allow more flexibility and be similar with surrounding land use under the same zone (C-2). As a neighbor of this property you will be notified of pending development applications and public hearings (if any) by mail.

The list of property owners being notified for this neighborhood meeting was supplied by the City of Grand Junction and derived from current records of the Mesa County Assessors. As those records are not always current, please feel free to notify your neighbors of this meeting date so all may have the opportunity to participate.

If you decide to attend this meeting in person, you are required to **wear a mask** during the entirety of the meeting to be consistent with Mesa County Public Health Phase 2 order for COVID-19.

If you are not available to attend this meeting, you can provide written comment to the City of Grand Junction Community Development, Lance Gloss ([lanceg@gjcity.org](mailto:lanceg@gjcity.org)) or to Ted Ciavonne ([ted@ciavonne.com](mailto:ted@ciavonne.com))

We look forward to seeing you at this meeting.

Sincerely,



Ted Ciavonne, PLA  
Ciavonne, Roberts and Associates, Inc



# SIGN-IN SHEET

## GLACIER ICE ARENA NEIGHBORHOOD MEETING

Thursday July 16th, 2020 @ 5:30pm

FOR: Rezone

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE # OR EMAIL</u>
Ted + Mallory	Ciavonne + Roberts	
Lance G.	City Hall	
Brian Bray	Bray Commercial	

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

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

(b) 2515 RIVERSIDE PKWY G.S. CO 81505 (2945-103-52-001)

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~~ Trustee for the Trust 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 / Comp Plan Amendment

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

(e) None

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

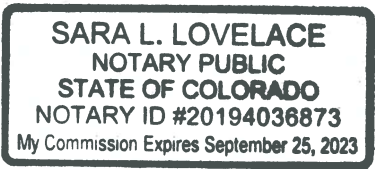
I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Kathryn M. Edwards Trustee

Printed name of person signing: Kathryn M. Edwards Trustee

State of Colorado )

County of Mesa ) ss.



Subscribed and sworn to before me on this 16 day of July, 20 20

by Slace - Sara Lovelace

Witness my hand and seal.

My Notary Commission expires on Sep 25 2023

Slace  
Notary Public Signature

2 PAGE DOCUMENT

# TREASURER'S DEED

Know all Men by these presents, That, whereas, the following described property, viz:

LOT 1 ICE SKATING SUBDIVISION SEC 10 1S 1W - 4.55AC

situated in the County of Mesa, and State of Colorado, was subject to taxation for the year (or years) A.D. 2009,  
And, Whereas, the taxes assessed upon said property for the year (or years) aforesaid remained due and unpaid at the date of sale hereinafter named:

And Whereas, the Treasurer of the said County did, on the 3rd day of November, A.D. 2010, by virtue of the authority vested in her by law, at the sale begun and publicly held on the 3rd day of November, A.D. 2010, expose to public sale at the office of the Treasurer in the County aforesaid, in substantial conformity with the requirements of the statute in such case made and provided, the tax lien on real property above described for the payment of the taxes, delinquent interest, and costs then due and remaining unpaid on said property;

\*And, Whereas, at the time and place aforesaid, W. D. Christensen  
whose street address is 340 Sienna Court, City or Town of Grand Junction,  
County of Mesa and State of Colorado, bid on the tax lien on all of the  
above described property the sum of Sixty Two Thousand Nine Hundred Thirty Nine DOLLARS  
and Eighty One CENTS, being the whole amount of taxes, delinquent interest, and costs then due and remaining unpaid upon  
said property for that year and the said W. D. Christensen

having offered in his said bid to pay the sum of One Thousand Seven Hundred DOLLARS  
and Zero CENTS in excess of said Taxes, delinquent interest, and the said bid being the largest amount which any person  
offered to pay in excess of the said taxes, delinquent interest, and costs so due upon said property for that year (or those years), and payment of the  
said sum having been made by him to the said Treasurer, the said tax lien on such property was stricken off to him at that price:

And, Whereas, the said W. D. Christensen  
whose street address is 340 Sienna Court, City or Town of Grand Junction,  
County of Mesa and State of Colorado  
did, on the 16th day of December, A.D. 2014, duly assign the certificate of the sale of the tax lien on the  
property aforesaid, and all his rights, title, and interest in said property, to STGC Holdings LLC

whose street address is 925 South Niagara Street, Suite 500, City or Town of Denver,  
County of Denver and State of Colorado;

\*And, Whereas, at the sale so held as aforesaid by the Treasurer, no bids were offered or made by any person or persons for the tax lien  
on said property, and no person or persons having offered to pay the said taxes, delinquent interest and costs upon the said property for that year,  
and the Treasurer having become satisfied that no sale of the tax lien on said property could be had, therefore the said tax lien on said property was,  
by the then Treasurer of the said County, stricken off to the said County, and a certificate of sale was duly issued therefore to the said County in  
accordance with the statute in such case made and provided;

\* And, Whereas, the said \_\_\_\_\_ County, acting by and through its Treasurer, and in conformity with the  
order of the Board of County Commissioners of the said County, duly entered of record on the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D. \_\_\_\_\_, (the said day being one of the days of a regular session of the Board of County Commissioners of the said County), did duly  
assign the certificate of sale of the tax lien on said property, so issued as aforesaid to said County, and all its rights, title, and interest in said  
property held by virtue of said sale to \_\_\_\_\_

whose street address is \_\_\_\_\_, City or Town of \_\_\_\_\_,  
County of \_\_\_\_\_ and State of \_\_\_\_\_,  
\_\_\_\_\_ DOLLARS and \_\_\_\_\_ CENTS;

\*And, Whereas, the said \_\_\_\_\_  
whose street address is \_\_\_\_\_, City or Town of \_\_\_\_\_,  
County of \_\_\_\_\_ and State of \_\_\_\_\_,  
did on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_, duly assign the certificate of the sale of the tax lien on the property as  
aforesaid, and all his rights, title, and interest in said property, to \_\_\_\_\_

whose street address is \_\_\_\_\_, City or Town of \_\_\_\_\_,  
County of \_\_\_\_\_ and State of \_\_\_\_\_.

\*And, Whereas, the said STGC Holdings LLC  
whose street address is 925 South Niagara Street, Suite 500, City or Town of Denver,  
County of Denver and State of Colorado,  
has paid subsequent taxes on said property to the amount of One Hundred Seventy Seven Thousand Six Hundred Eighty Eight DOLLARS  
and Thirty Seven CENTS;



And, Whereas, more than three years have elapsed since the date of the said sale, and the said property has not been redeemed therefrom as provided by law;

And, Whereas, the said property was valued for assessment for that year, at the amount of \$1,005,340.00;

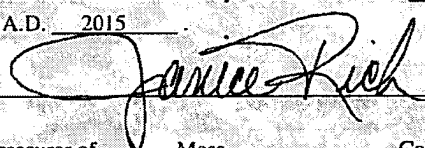
And, Whereas, all the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and are now of record, and filed in the office of the Treasurer of said County;

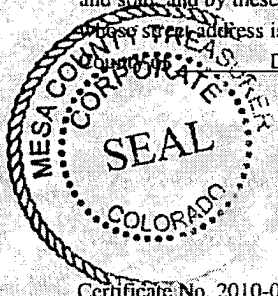
NOW THEREFORE, I, JANICE RICH, Treasurer of the County aforesaid, for and in consideration of the sum to the Treasurer paid as aforesaid, and by virtue of the statute in such case made and provided, have granted, bargained, and sold, and by these presents do grant, bargain, and sell the above and foregoing described property unto the said STGC Holdings LLC

whose street address is 925 South Niagara Street, Suite 500, City or Town of Denver and State of Colorado,

their heirs and assigns, forever, subject to all the rights of redemption by minors, or incompetent persons, as provided by law.

In Witness Whereof, I, JANICE RICH, Treasurer as aforesaid, by virtue of the authority aforesaid have herunto set my hand and seal this 29th day of May, A.D. 2015.

 (Seal)  
Treasurer of Mesa County, Colorado



Certificate No. 2010-02185 Tax Sale Record

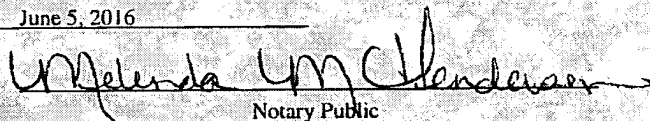
\*Strike out in accordance with fact.

STATE OF COLORADO, )  
) ss.  
County of Mesa )

The foregoing instrument was acknowledged before me this 29th day of May, 2015, by Janice Rich as Treasurer of said county.

Witness my hand and official seal.

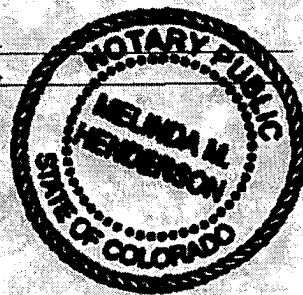
My commission expires June 5, 2016

  
Notary Public

Mailing Address for STGC Holdings LLC, 925 South Niagara Street, Suite 500, Denver, Colorado 80224

Future Tax Notices STGC Holdings LLC, 925 South Niagara Street, Suite 500, Denver, Colorado 80224

Parcel Number 2945-103-52-001



No. _____	<b>TREASURER'S DEED</b>	From _____
		County Treasurer _____ to _____
		STATE OF COLORADO, ) County of _____ )
I hereby certify that this Deed was filed for record in my office at _____ o'clock _____ M., and is duly recorded in Book _____ Page _____		
By _____	Recorder _____	Deputy _____
Fees \$ _____	Certificate No. _____	Book No. _____
		Tax Sale Record.

**FUTURE LAND USE -  
EXISTING**

Conservation

Commercial

Business Park  
Mixed Use

RIVERSIDE PKWY  
RIVERSIDE PKWY  
RIVERSIDE PKWY

RIVERSIDE PKWY







Zoning - EXISTING

CSR

C-2



2019 Aerial Photo



CHARLENE GIEBLER COMMUNITY ICE RINK  
GRAND JUNCTION, COLORADO

**PLANT LIST**

Qty	Key	Common Name	Scientific Name	Size	Mature Height
12	AAA	Autumn Applause Ash	<i>Fraxinus americana</i> 'Autumn Applause'	2" cal.	45-55'
2	BOX	Box Elder	<i>Acer negundo</i>	2" cal.	30-40'
3	CCW	Cottonless Cottonwood -Noreaster	<i>Populus deltoides</i> 'Noreaster'	2" cal.	40-60'
14	GVZ	Green Vase Zelkova	<i>Zelkova serrata</i> Green Vase	2" cal.	60-70'
11	HBV	Hackberry	<i>Celtis occidentalis</i>	2" cal.	30-50'
2	JPT	Japanese Pagoda Tree	<i>Sophora japonica</i>	2" cal.	50-60'
7	KCT	Kentucky Coffeetree	<i>Gymnocladia dioica</i>	2" cal.	30-50'
9	NPP	Newport Plum	<i>Prunus cerasifera</i> 'Newport'	2" cal.	15-20'
9	PGA	Patmore Ash	<i>Fraxinus pennsylvanica</i> 'Patmore'	2" cal.	35-55'
2	RSP	Redspire Pear	<i>Pyrus calleryana</i> 'Redspire'	2" cal.	25-35'
5	SSA	Spring Snow Crabapple	<i>Malus</i> 'Spring Snow'	2" cal.	12-18'
3	WCA	Western Catalpa	<i>Catalpa speciosa</i>	2" cal.	30-45'
4	WKH	Winter King Hawthorn	<i>Crataegus viridis</i> 'Winter King'	2" cal.	18-23'
<b>Evergreen Trees</b>					
14	RGJ	Robusta Green Juniper	<i>Juniperus chinensis</i> 'Robusta Green'	10 gal	10-15'
6	WHJ	Wichita Juniper	<i>Juniperus sabinia</i> 'Wichita'	10 gal	10-15'

**Notes:**

- See Sheets L2 and L3 for detailed plantings and notes.
- Plant growth characteristics vary due to environmental conditions, therefore a range of average mature heights are indicated.
- All landscape areas to be watered with an underground, pressurized irrigation system.

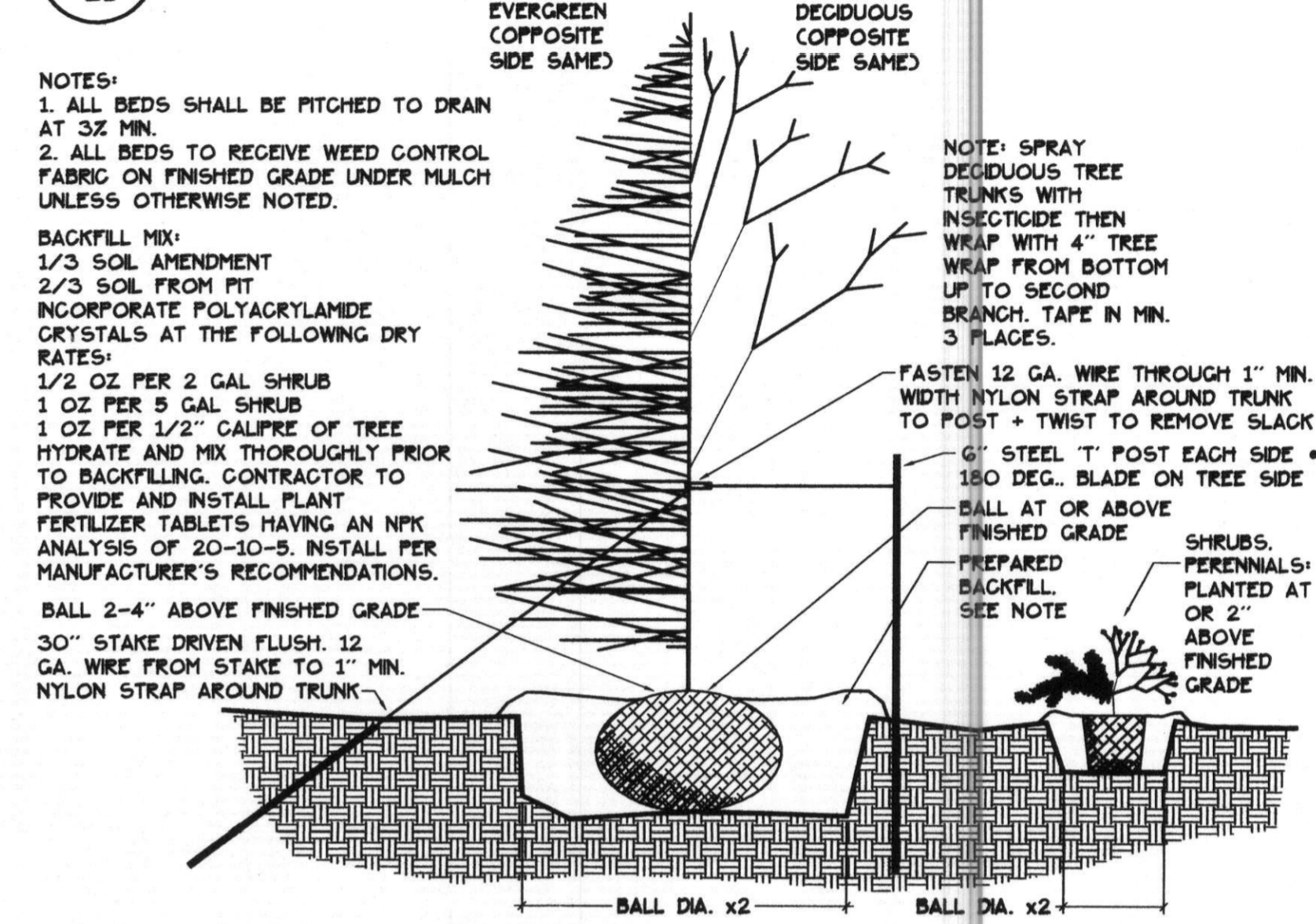
**LANDSCAPE CALCULATIONS**

221,233 SF IMPROVED AREA  
**LANDSCAPE REQUIREMENTS:**  
 1 TREE/2500 SF = 89 TREES  
 1 SHRUB/300 SF = 738 SHRUBS  
 • 10% OF REQUIRED SHRUBS (73) MAY BE CONVERTED TO PERENNIALS AT A RATE OF 3 PERENNIALS PER 1 SHRUB.

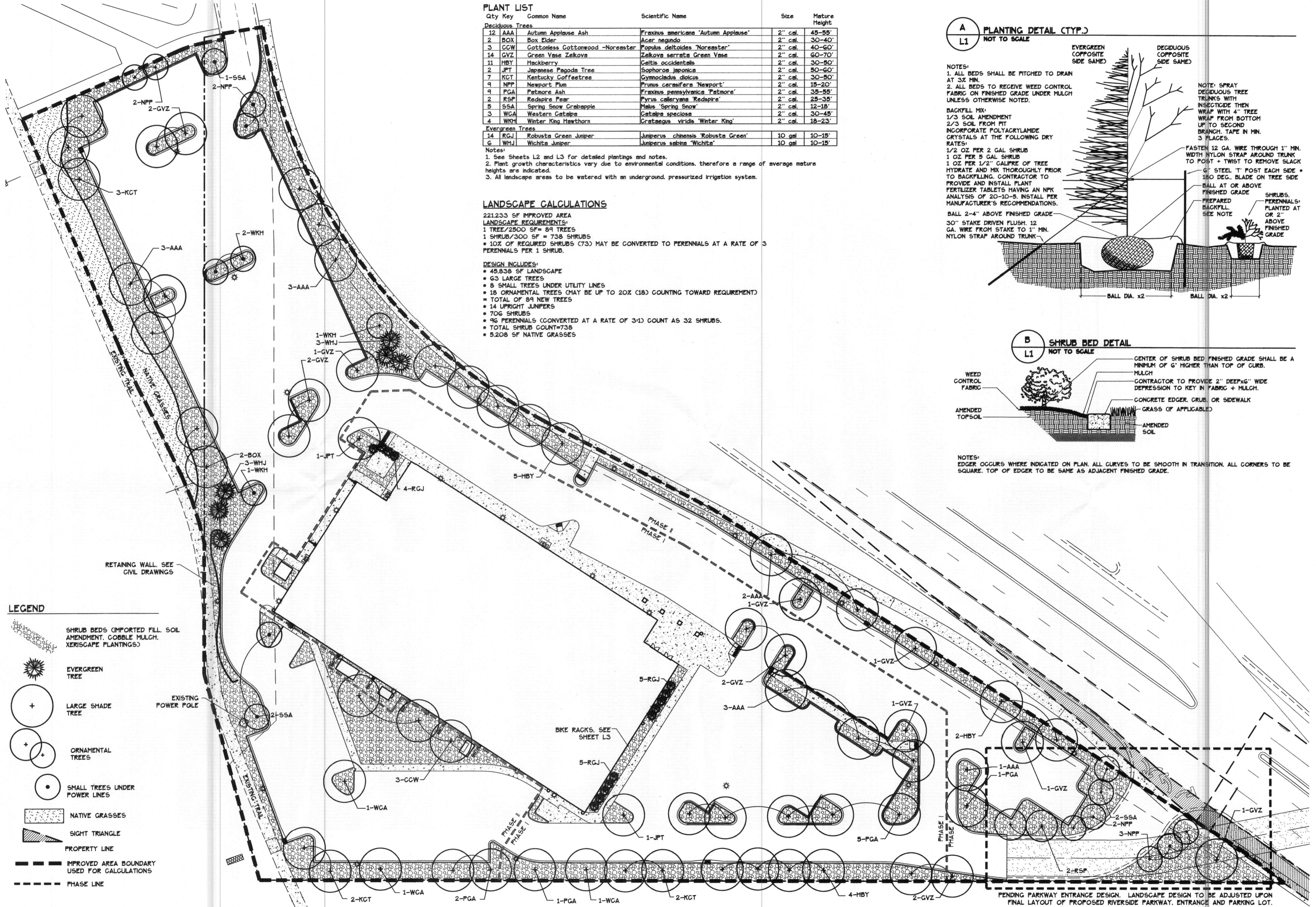
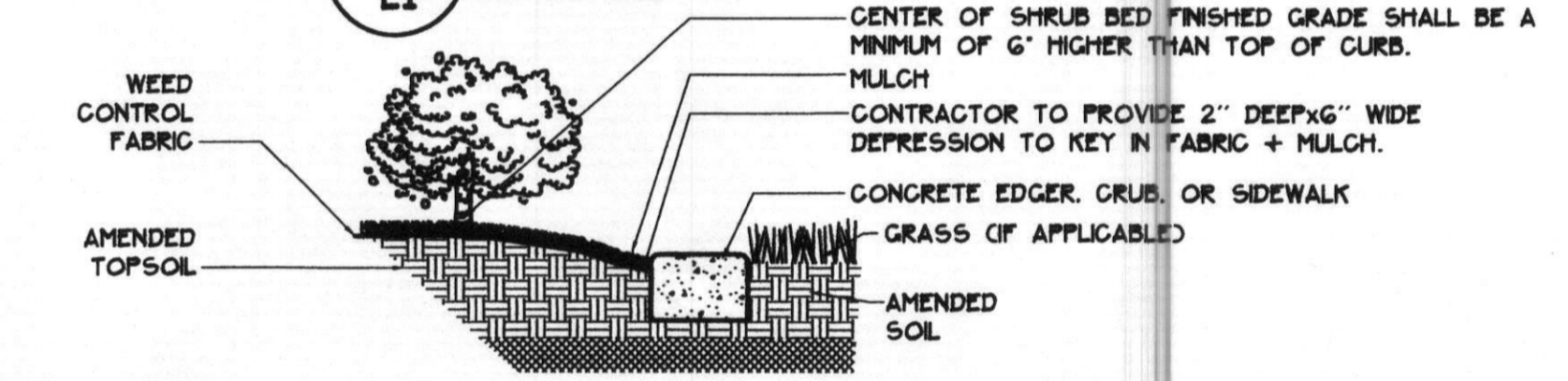
**DESIGN INCLUDES:**

- 45,838 SF LANDSCAPE
- 63 LARGE TREES
- 8 SMALL TREES UNDER UTILITY LINES
- 18 ORNAMENTAL TREES (MAY BE UP TO 20% (18) COUNTING TOWARD REQUIREMENT)
- TOTAL OF 89 NEW TREES
- 14 UPRIGHT JUNIPERS
- 706 SHRUBS
- 96 PERENNIALS (CONVERTED AT A RATE OF 3:1) COUNT AS 32 SHRUBS.
- TOTAL SHRUB COUNT=738
- 5,208 SF NATIVE GRASSES

**A PLANTING DETAIL (TYP.)**  
NOT TO SCALE

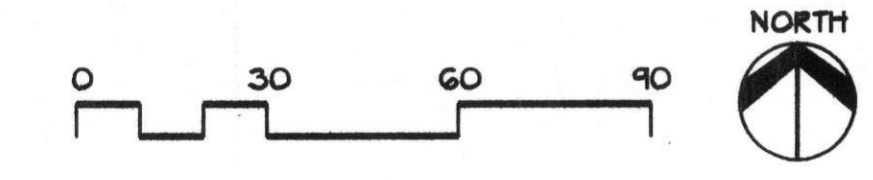


**B SHRUB BED DETAIL**  
NOT TO SCALE



**LEGEND**

- SHRUB BEDS (IMPORTED FILL SOIL AMENDMENT, COBBLE MULCH, XERISCAPE PLANTINGS)
- EVERGREEN TREE
- LARGE SHADE TREE
- ORNAMENTAL TREES
- SMALL TREES UNDER POWER LINES
- NATIVE GRASSES
- SIGHT TRIANGLE
- PROPERTY LINE
- IMPROVED AREA BOUNDARY USED FOR CALCULATIONS
- PHASE LINE



**LANDSCAPE PLAN-OVERALL**

CITY OF GRAND JUNCTION COMMUNITY DEVELOPMENT  
 APPROVED BY *Scott O. Peterson* ASSOCIATE PLANNER 3-10-07  
 TITLE DATE

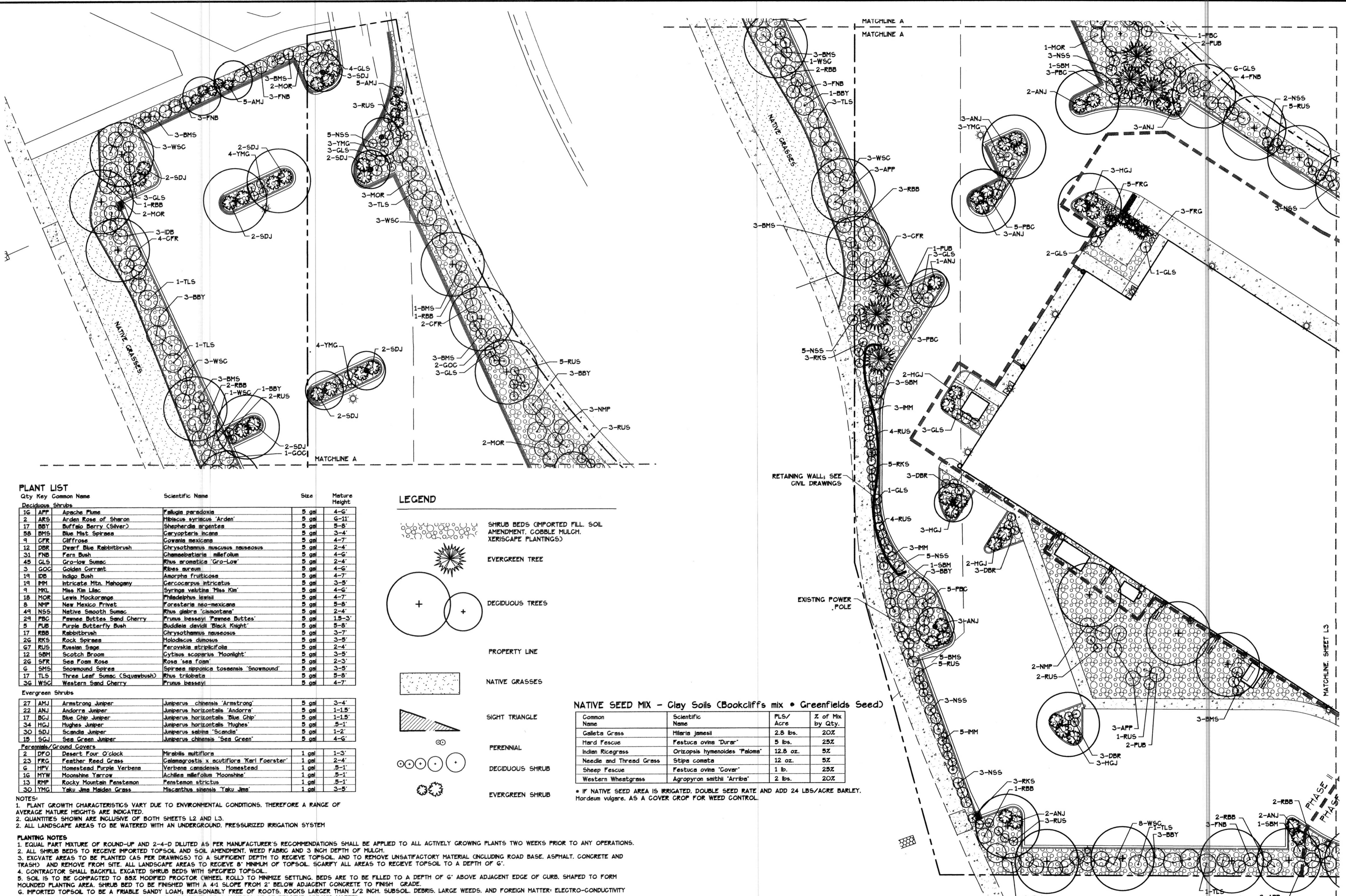
**DRAWN BY** MH  
**CHECKED** CR, TC  
**JOB NO.** 0334  
**DATE** 11-4-04  
**REVISIONS** 2-2-05  
**2ND RESPONSE TO COMMENTS**  
**DRAWING NO.** 0334-2-2-05-01

**SHEET NO.** L1 OF 3  
**STATUS**  
 DRAFT  
 PRELIMINARY  
 BID  
 CONSTRUCTION  
 AS BUILT

**CIAVONNE, ROBERTS & ASSOC., INC.**  
 LANDSCAPE AND PLANNING ARCHITECTS  
 844 GRAND AVE.  
 GRAND JCT, CO 81501  
 PH: 970-241-0745  
 FAX: 970-241-0765  
 EMAIL: info@ciavonne.com



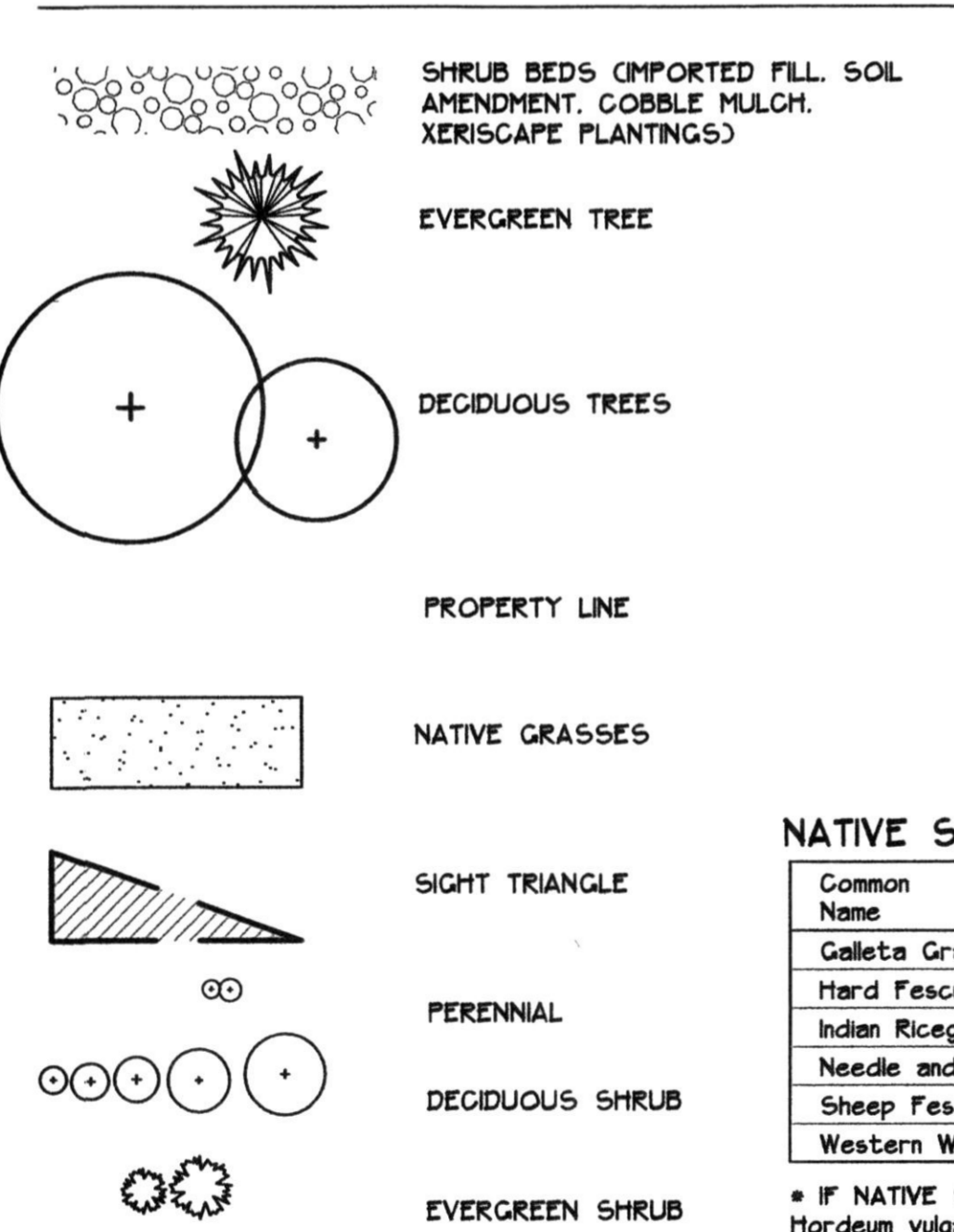
# CHARLENE GIEBLER COMMUNITY ICE RINK GRAND JUNCTION, COLORADO



### PLANT LIST

Qty	Key	Common Name	Scientific Name	Size	Mature Height
<b>Deciduous Shrubs</b>					
16	APP	Apache Plume	Fallugia paradoxa	5 gal	4-6'
2	ARS	Arden Rose of Sharon	Hibiscus syriacus 'Arden'	5 gal	6-11'
17	BBY	Buffalo Berry (Silver)	Shepherdia argentea	5 gal	5-8'
58	BMS	Blue Mist Spirea	Caryopteris incana	5 gal	3-4'
9	CFR	Cliffrose	Cowania mexicana	5 gal	4-7'
12	DBR	Dwarf Blue Rabbitbrush	Chrysothamnus muscivorus	5 gal	2-4'
31	FNB	Fern Bush	Chamaebatiaria millefolium	5 gal	4-6'
45	GLS	Gro-low Sumac	Rhus aromatica 'Gro-Low'	5 gal	2-4'
3	GOC	Golden Currant	Ribes aureum	5 gal	4-6'
19	IDB	Indigo Bush	Amorpha fruticosa	5 gal	4-7'
19	IMM	Intricate Mtn. Mahogany	Cercocarpus intricatus	5 gal	3-5'
9	MKL	Miss Kim Lilac	Syringa velutina 'Miss Kim'	5 gal	4-6'
18	MOR	Lewis Mockorange	Philadelphus lewisii	5 gal	4-7'
8	NMP	New Mexico Privet	Forestiera neo-mexicana	5 gal	5-8'
44	NSS	Native Smooth Sumac	Rhus glabra 'clamontana'	5 gal	2-4'
9	PBC	Pawnee Buttes Sand Cherry	Prunus besseyi 'Pawnee Buttes'	5 gal	1.5-3'
5	PUB	Purple Butterfly Bush	Buddleia davidii 'Black Knight'	5 gal	5-8'
17	RBB	Rabbitbrush	Chrysothamnus nauseosus	5 gal	3-7'
26	RKS	Rock Spirea	Holodiscus dumosus	5 gal	3-5'
67	RUS	Russian Sage	Perovskia atriplicifolia	5 gal	2-4'
12	SBM	Scotch Broom	Cytisus scoparius 'Moonlight'	5 gal	3-5'
26	SFR	Sea Foam Rose	Rosa 'sea foam'	5 gal	2-3'
6	SMS	Snowmound Spirea	Spiraea nipponica tosaensis 'Snowmound'	5 gal	3-5'
17	TL5	Three Leaf Sumac (Squawbush)	Rhus trilobata	5 gal	5-8'
36	WSC	Western Sand Cherry	Prunus besseyi	5 gal	4-7'
<b>Evergreen Shrubs</b>					
27	AMJ	Armstrong Juniper	Juniperus chinensis 'Armstrong'	5 gal	3-4'
22	ANJ	Andorra Juniper	Juniperus horizontalis 'Andorra'	5 gal	1-1.5'
17	BCJ	Blue Chip Juniper	Juniperus horizontalis 'Blue Chip'	5 gal	1-1.5'
34	HGJ	Hughes Juniper	Juniperus horizontalis 'Hughes'	5 gal	5-1'
30	SDJ	Scandia Juniper	Juniperus sabina 'Scandia'	5 gal	1-2'
15	SGJ	Sea Green Juniper	Juniperus chinensis 'Sea Green'	5 gal	4-6'
<b>Perennials/Grass Covers</b>					
2	DFO	Desert Four O'clock	Mirabilis multiflora	1 gal	1-3'
23	FRG	Feather Reed Grass	Calamagrostis x acutiflora 'Karl Foerster'	1 gal	2-4'
6	HPV	Homestead Purple Verbena	Verbena canadensis 'Homestead'	1 gal	5-1'
16	MYW	Moonshine Yarrow	Achillea millefolium 'Moonshine'	1 gal	5-1'
13	RMP	Rocky Mountain Penstemon	Penstemon strictus	1 gal	5-1'
30	YMG	Yaku Jma Maiden Grass	Miscanthus sinensis 'Yaku Jma'	1 gal	3-5'

### LEGEND



### NATIVE SEED MIX - Clay Soils (Bookcliffs mix • Greenfields Seed)

Common Name	Scientific Name	PLS/Acre	% of Mix by Qty.
Galleta Grass	Hilaria jamesii	2.8 lbs.	20%
Hard Fescue	Festuca ovina 'Duran'	5 lbs.	25%
Indian Ricegrass	Orizopsis hymenoides 'Paloma'	12.8 oz.	5%
Needle and Thread Grass	Stipa comata	12 oz.	5%
Sheep Fescue	Festuca ovina 'Cover'	1 lb.	25%
Western Wheatgrass	Agropyron smithii 'Arriba'	2 lbs.	20%

\* IF NATIVE SEED AREA IS IRRIGATED, DOUBLE SEED RATE AND ADD 24 LBS./ACRE BARLEY, Hordeum vulgare, AS A COVER CROP FOR WEED CONTROL.

**NOTES:**  
 1. PLANT GROWTH CHARACTERISTICS VARY DUE TO ENVIRONMENTAL CONDITIONS. THEREFORE A RANGE OF AVERAGE MATURE HEIGHTS ARE INDICATED.  
 2. QUANTITIES SHOWN ARE INCLUSIVE OF BOTH SHEETS L2 AND L3.  
 3. ALL LANDSCAPE AREAS TO BE WATERED WITH AN UNDERGROUND, PRESSURIZED IRRIGATION SYSTEM

**PLANTING NOTES:**  
 1. EQUAL PART MIXTURE OF ROUND-UP AND 2-4-D DILUTED AS PER MANUFACTURER'S RECOMMENDATIONS SHALL BE APPLIED TO ALL ACTIVELY GROWING PLANTS TWO WEEKS PRIOR TO ANY OPERATIONS.  
 2. ALL SHRUB BEDS TO RECEIVE IMPORTED TOPSOIL AND SOIL AMENDMENT, WEED FABRIC AND 3 INCH DEPTH OF MULCH.  
 3. EXCAVATE AREAS TO BE PLANTED (AS PER DRAWINGS) TO A SUFFICIENT DEPTH TO RECEIVE TOPSOIL AND TO REMOVE UNSATISFACTORY MATERIAL (INCLUDING ROAD BASE, ASPHALT, CONCRETE AND TRASH) AND REMOVE FROM SITE. ALL LANDSCAPE AREAS TO RECEIVE 8" MINIMUM OF TOPSOIL. SCARIFY ALL AREAS TO RECEIVE TOPSOIL TO A DEPTH OF 6".  
 4. CONTRACTOR SHALL BACKFILL EXCAVATED SHRUB BEDS WITH SPECIFIED TOPSOIL.  
 5. SOIL IS TO BE COMPACTED TO 85% MODIFIED PROCTOR (WHEEL ROLL) TO MINIMIZE SETTLING. BEDS ARE TO BE FILLED TO A DEPTH OF 6" ABOVE ADJACENT EDGE OF CURB. SHAPED TO FORM MOUNDED PLANTING AREA. SHRUB BED TO BE FINISHED WITH A 4:1 SLOPE FROM 2" BELOW ADJACENT CONCRETE TO FINISH GRADE.  
 6. IMPORTED TOPSOIL TO BE A FRABLE SANDY LOAM; REASONABLY FREE OF ROOTS, ROCKS LARGER THAN 1/2 INCH. SUBSOIL, DEBRIS, LARGE WEEDS, AND FOREIGN MATTER. ELECTRO-CONDUCTIVITY RANGE 0 TO 4 mmhos; CONTAINING A MINIMUM OF 4 PERCENT AND A MAXIMUM OF 25 PERCENT ORGANIC MATTER.  
 7. FERTILIZER SHALL BE APPLIED TO ALL PLANTING AREAS AND SOIL AMENDMENT IS TO BE INCORPORATED WITH FERTILIZER BY TILING AT THE RATE

DRAWN BY MH  
 CHECKED CR  
 JOB NO. 0334  
 DATE 11-4-04  
 REVISIONS 2-2-05  
 2ND RESPONSE TO COMMENTS

DRAWING NO. 0334-2-2-05-2

SHEET NO. L2 OF 3  
 STATUS  
 ○ DRAFT  
 ○ PRELIMINARY  
 ○ BID  
 ● CONSTRUCTION  
 ○ AS BUILT

CLAVONNE, ROBERTS & ASSOC., INC.  
 LANDSCAPE AND PLANNING ARCHITECTS







## NOTICE OF DEFICIENCY

City of Grand Junction  
Public Works and Planning Department

The following described real property:

Lot 1, Ice Skating Subdivision as recorded in Book No. 4231, Page No. 304 and 305, Reception No. 2334019.

is subject to development improvements required by the City of Grand Junction, Department of Public Works and Planning, as set forth in that certain Development Improvements Agreement and/or Maintenance Guarantee concerning said real property in Mesa County, Colorado by and between Legazee Properties LLC (Developer) and the City of Grand Junction (City) pertaining to Glacier Ice Arena (Project), located at 2515 Riverside Parkway.

The required improvements are conditions of the land use approval, required by law to be constructed in accordance with the approval by the City pursuant to and in accordance with the Zoning and Development Code all as more fully detailed and described in City of Grand Junction development file # SPR-2004-268.

The required improvements have not been completed as required. The deficiencies are described in the Development Improvements Agreement dated July 10, 2006 and identified in City of Grand Junction development file # SPR-2004-268.

**By virtue of this notice being recorded in the land records of the Mesa County Clerk and Recorder, subsequent owners and/or those that claim by, through or under the Developer are on notice that use of the property is restricted until such deficiencies are cured, and that planning clearances, occupancy permits and/or other land use permits will not be granted by the City of Grand Junction without completion of the improvements described previously.**

The above-referenced Development Improvement Agreement and/or Maintenance Guarantee may be inspected and/or copied at the City of Grand Junction, Public Works & Planning Department, 250 N. 5<sup>th</sup> Street, Grand Junction Colorado.

  
\_\_\_\_\_  
Development Engineer  
Public Works & Planning Department

11-21-11  
\_\_\_\_\_  
Date

## PROMISSORY NOTE

\$ 43,263.60

September 18, 2020

FOR VALUE RECEIVED, the undersigned ("Maker") hereby promises to pay to the order of the City of Grand Junction ("Payee") at 250 North 5<sup>th</sup> Street, Grand Junction, CO 81501, or such place as the holder may from time to time designate, the principal sum of Forty-Three Thousand Two Hundred Sixty-Three and 60/100 Dollars (\$43,263.60), payable in one (1) payment of the full amount hereof on or before December 31, 2020.

The principal amount of this Note is the total of: (i) \$36,053.00, which is the stipulated cost of curative improvement work to be performed pursuant to that certain Notice of Deficiency recorded on November 22, 2011, in the land and title records Mesa County, Colorado, Clerk and Recorder at Reception #2592138 (the "Notice"), and (ii) \$7,210.60, which is a twenty percent (20%) contingency reserve required by the Payee.

Legazee Properties, LLC, a Colorado limited liability company which owned the property subject to the Notice (identified therein as "Lot 1, Ice Skating Subdivision as recorded in Book 4231, Page No. 304 and 305, Reception No. 2334019") at the time of the recording thereof, and STGC Holdings, LLC, a Colorado limited liability which is the current owner of the subject property, are the makers hereunder.

1. The unpaid principal balance hereof shall not bear interest. Principal of and interest on this note shall be payable in lawful money of the United States of America.
2. This note may be prepaid in full or in part at any time without premium or penalty.
3. All payments made pursuant to this Note shall be applied first to late fees, then to unpaid principal.
4. Without affecting the liability of any maker, endorser, surety or guarantor, the holder may, from time to time and without notice, renew or extend the time for payment, accept partial payments, release or impair any collateral security for payment of this note, or decide or agree not to sue any party liable on it.
5. If the payment is not made within five (5) days of its due date, a late fee of five percent (5%) shall be added to the late payment, which amount shall be immediately due and payable. In addition, if any such payment is not made within thirty (30) days of its due date, Maker shall be in default hereunder. In the event of such a default, the unpaid balance of this Note shall, at the option of the holder and effective upon written notice to Maker from the holder, mature and become immediately payable. Payee's receipt and acceptance of any partial payment after the occurrence of a default shall not constitute a waiver of such default or of any of Payee's rights and remedies.

6. If the undersigned be more than one, their obligations hereunder shall be joint and several, the liability of each shall be absolute and unconditional, regardless of the liability of the other party. Except as otherwise expressly provided herein, the Maker and any endorsers, sureties or guarantors waive presentment, demand, notice of dishonor and protest, and agree to pay all costs of collection, before and after judgment, including reasonable attorneys' fees and costs.

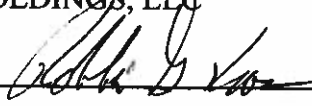
7. This Note and all questions relating to its validity, interpretation, performance and enforcement, shall be governed by and construed in accordance with the laws of the State of Colorado, notwithstanding any other conflict of law provisions to the contrary.

LEGAZEE PROPERTIES, LLC,  
a Colorado limited liability company

By: 

Its: Member

STGC HOLDINGS, LLC

By: 

Its: Managing Member

**Glacier Ice Arena – Comprehensive Plan Amendment and Rezone**

**File # CPA-2020-419; RZN-2020-418 | [Item can be viewed at 15:30](#)**

Consider a request by STGC Holdings, LLC to amend the Comprehensive Plan Future Land Use designation for a property of 4.52 acres located at 2515 Riverside Parkway from Business Park Mixed Use to Commercial and to rezone said property from CSR (Community Services and Recreation) to C-2 (General Commercial).

**Staff Presentation**

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

**Questions for Staff**

Commissioner Wade asked a question regarding the DIA versus the promissory note.

**Applicant's Presentation**

The Applicant's representative, Ted Ciavonne, was present and was available for questions.

**Questions for Applicant**

Commissioner Ehlers asked a question regarding uses in the proposed zone district.

**Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, September 15, 2020 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

None.

The public hearing was closed at 6:20 p.m. on September 22, 2020.

**Applicant's Response**

None.

**Questions for Applicant or Staff**

None.

**Discussion**

None.

**Motion and Vote**

Commissioner Susuras made the following motion, "Chairman, on the Glacier Ice Arena Comprehensive Plan Amendment from a Business Park Mixed Use Future Land Use designation to a Commercial Future Land Use designation for a 4.55-acre parcel located

at 2515 Riverside Parkway, City file no. CPA-2020-419, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

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

Commissioner Scissors made the following motion, "Chairman, on the Glacier Ice Arena Rezone request from a CSR (Community Services & Recreation) zone district to a C-2 (General Commercial) zone district for a 4.55-acre parcel located at 2515 Riverside Parkway, City file number RZN-2020-418, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

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

DRAFT

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE  
MAP OF THE CITY OF GRAND JUNCTION FROM BUSINESS PARK MIXED USE TO  
COMMERCIAL FOR A PROPERTY OF 4.55 ACRES**

**LOCATED AT 2515 RIVERSIDE PARKWAY**

Recitals:

The applicant, STGC Holdings, LLC owns 4.55 acres of land at 2515 Riverside Parkway (referred to herein and more fully described below as the "Property"), and proposes an amendment to the Comprehensive Plan Future Land Use Map, changing the property's designation from Business Park Mixed Use to Commercial.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of amending the Comprehensive Plan Future Land Use designation for the Property from Business Park Mixed Use to Commercial, finding that it conforms to and is consistent with the Future Land Use Map designation of Commercial of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that amending the Comprehensive Plan Future Land Use Map, as proposed in City file no. CPA-2020-419, from Business Park Mixed Use to Commercial for 4.55 acres of land at 2515 Riverside Parkway is consistent with the vision, intent, goals and policies of the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, as further described in the Staff Report introduced and admitted into the record.

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

The following properties shall be redesignated to Commercial Future Land Use in the Comprehensive Plan:

LOT 1 ICE SKATING SUBDIVISION SEC 10 1S 1W

CONTAINING 4.55 Acres, more or less, as described hereon.

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING A PROPERTY OF 4.55 ACRES FROM A CSR  
(COMMUNITY SERVICES & RECREATION) ZONE DISTRICT TO A C-2 (GENERAL  
COMMERCIAL) ZONE DISTRICT**

**LOCATED AT 2515 RIVERSIDE PARKWAY**

Recitals:

The applicant, STGC Holdings, LLC owns 4.55 acres of land at 2515 Riverside Parkway (referred to herein and more fully described below as the "Property"), which is designated by the Comprehensive Plan Future Land Use Map as having a Commercial Future Land Use, proposes that the property be rezoned from CSR (Community Services & Recreation) to C-2 (General Commercial).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval rezoning the property from CSR (Community Services & Recreation) to C-2 (General Commercial), finding that it conforms to and is consistent with the Future Land Use Map designation of Commercial under the Comprehensive Plan as well as with the Comprehensive Plan's goals and policies and that the proposed C-2 (General Commercial) zoning is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that a C-2 (General Commercial) zone district, as proposed in City file no. RZN-2020-418, is consistent and is in conformance with the Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies; and, the rezoning criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code; and, the applicable corridor guidelines and other overlay districts.

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

The following properties shall be rezoned C-2 (General Commercial):

LOT 1 ICE SKATING SUBDIVISION SEC 10 1S 1W

CONTAINING 4.55 Acres, more or less, as described hereon.

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.

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**Meeting Date:** October 21, 2020

**Presented By:** Kristen Ashbeck, Principal Planner/CDBG Admin

**Department:** Community Development

**Submitted By:** Kristen Ashbeck

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### **Information**

#### **SUBJECT:**

An Ordinance Amending the Planned Development (PD) Zoning Ordinance and Development Plan for the North Seventh Street Historic Residential District to Add Allowed Uses on the Property Located at 535 North 7th Street [Staff Presentation](#)

#### **RECOMMENDATION:**

Planning Commission heard this item at its September 22, 2020 meeting and voted (6-0) to recommend approval.

#### **EXECUTIVE SUMMARY:**

The Applicant, Arlo Dicristina (aka Elysium Studios), requests approval of an amendment to the Planned Development (PD) zoning ordinance and Development Plan to establish the R-O (Residential Office) as the underlying zone and add uses allowed on the property located at 535 North 7th Street within the North Seventh Street Historic Residential District. The property was formerly the First Church of Christ, Scientist but has been purchased by the Applicant for other private use.

In March 2012, the City approved Ordinance 4508 including the Plan for the PD zoning which established the underlying R-8 (Residential 8 dwelling units per acre) zone district for purposes of allowed uses within the District, adoption of guidelines and standards, and a review process by which new construction or alterations within the zone are determined. This proposal is to amend Ordinance 4508 to add uses other than those allowed in the R-8 district, applicable only to the property located at 535 North 7th Street. The proposed amendment entails 1) a revision to establish the R-O (Residential Office) district as the underlying zone; and 2) a revision to the text of the North Seventh Street Historic Residential District Guidelines and Standards to include

the proposed new uses for the property located at 535 North 7th Street. No other revisions to Ordinance 4508 are proposed.

## **BACKGROUND OR DETAILED INFORMATION:**

### **BACKGROUND**

The owner and applicant, Arlo Dicristina, recently acquired the property located at 535 North 7th Street and has been renovating the interior and has repainted the exterior trim of the structure which was formerly the First Church of Christ, Scientist. Per Ordinance 4508 adopted in March 2012, the property is currently zoned PD, including a plan that established the underlying R-8 (Residential 8 dwelling units per acre) zone district for purposes of allowed uses within the District, adoption of guidelines and standards, and a review process by which new construction or alterations within the zone are determined. The Applicant's business, Elysium Studios, has outgrown its current location at 861 Grand Avenue; thus, would like to relocate to the building in the North Seventh Street Historic Residential District. The relocation would allow the body art business to be expanded to include art classes, arts demonstrations and showings.

The Community Development Director determined that this type of business is not consistent with the types of non-residential uses allowed within the underlying R-8 zoning. While some of the proposed new uses such as the education and gallery elements could be allowed as Community Services within the underlying R-8 zoning, the primary use of the property as a body art studio more accurately falls under the Code definition of Personal Services which are not allowed uses in the R-8 zone district.

Consequently, the Applicant is requesting an amendment to the PD zoning ordinance and Plan to establish the R-O zone district as the underlying zone for the property and include the following uses that are allowed within the Residential Office (R-O) zone district in addition to the uses already allowed on the site per the underlying R-8 zone district: personal services, small appliance repair, general office, boarding school, museum, art gallery, opera house, library; medical and dental clinic, counseling center (nonresident), and health club. This list is not an exhaustive list of uses allowed in the R-O zone district. Some allowed uses in the R-O zone district are not consistent with overall uses in the historic district or the specific building and/or site is not conducive to other uses allowed in the R-O zone district. The Applicant is proposing adding uses allowed in the R-O zone district that not only accommodate the specific proposed uses but also to allow for some future uses that could also be appropriate at this site within the Historic District. If approved, it is proposed that the uses would also be subject to the performance and design standards outlined in the R-O zone district inasmuch as possible given the existing building and site improvements, except for architectural standards which are subject to the more stringent North Seventh Street Historic Residential District Guidelines and Standards. In order to make

this change, the latter must be amended.

## **NOTIFICATION REQUIREMENTS**

As required by Section 21.02.080(e) of the Zoning and Development Code, both virtual and live Neighborhood Meetings were held on July 15 and July 16, 2020 respectively for the proposed amended Planned Development (PD) zoning ordinance and Plan. In total, twelve people attended the meetings along with the applicant, the applicant's representative and City staff. At both meetings, the owners gave a presentation regarding the proposed use of the site and the proposed plan amendment, adding R-O uses to the R-8 uses already allowed for the property at 535 North 7th Street. Questions concerned the hours of operation, number of employees, timeline for relocating the business and community arts outreach. Generally, the neighborhood was supportive of the proposal and looks forward to seeing the building put to use. There were no objections or concerns expressed.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property and the subject property was posted with two application signs on August 7, 2020. The notice of this public hearing was published September 15, 2020 in the Grand Junction Daily Sentinel.

## **ANALYSIS**

### **Amendments to Approved Plans**

Pursuant to Section 21.02.150(e) of the Zoning and Development Code, the use, density, bulk performance and default standards contained in an approved PD rezoning ordinance may be amended only as follows, unless specified otherwise in the rezoning ordinance. In this instance, the Applicant seeks to amend the uses allowed in the current Planned Development/Development Plan.

(i) No use may be established that is not permitted in the PD without amending the rezoning ordinance through the rezoning process. Uses may be transferred between development pods/areas to be developed through an amendment to the development plan provided the overall density for the entire PD is not exceeded;

The Applicant is seeking an amendment to the uses permitted on the Property within the PD through the rezoning process, as required.

(ii) The maximum and minimum density for the entire PD shall not be exceeded without amending the rezoning ordinance through the rezoning process; and

No change to the maximum or minimum density for the PD is proposed by the

Applicant.

(iii) The bulk, performance and default standards may not be amended for the PD or a development pod/area to be developed without amending the PD rezoning ordinance through the rezoning process.

The only change to what will become the default zone district of R-O for this property that the applicant is seeking is that Section 21.03.070(a)(4), Architectural Consideration will not apply because all architectural standards will be drawn from the more stringent North Seventh Street Historic District Guidelines and Standards for the property within the PD.

### **Development Plan**

Pursuant to Section 21.02.150(e)(2) the approved development plan may be amended only by the same process and criteria by which it was approved, except for minor amendments. Such amendments shall be reviewed by the Director and Planning Commission and the final decision rendered by City Council pursuant to the criteria outlined below.

### **(i) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;**

**Comprehensive Plan.** The property and the portion of the North Seventh Street Historic Residential District north of Grand Avenue has a future land use designation of Residential Medium Density (4 to 8 units per acre). The applicable zones that implement this land use category include R-4, R-5, R-8, R-12, R-16 and R-O. The current underlying zone district adopted with the PD and development plan is R-8 which is consistent with the Residential Medium land use designation. However, the approved Plan described in and comprised of the zoning ordinance and the North Seventh Street Historic Residential District Guidelines and Standards also recognizes long-time non-residential uses within the District including churches, R-5 School, office buildings and a daycare center. The applicant's request is to revise the zoning ordinance and development plan to establish the R-O zone district as the underlying zone for the property and allow for some uses that are allowed in the R-O zone district which are not unlike the uses already recognized in the District. As stated above, the R-O zone district may also implement the Residential Medium land use category. Therefore, staff finds the proposed amendment consistent with the Future Land Use Map of the Comprehensive Plan.

Further, the request to amend the PD zoning ordinance and Plan is consistent with the following goals and/or policies of the Comprehensive Plan.

Goal 4: Support the continued development of the downtown area of the City Center

into a vibrant and growing area with jobs, housing and tourist attractions.

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development.

The proposed amendment to the PD will facilitate the preservation and reuse of this historic building that is a contributing structure within the National Register of Historic Places district. The former church building is a familiar landmark in the downtown area and this amendment will serve to allow for its ongoing improvement, thereby enhancing the overall character of downtown. In addition, the proposed R-O uses for this property will be subject to performance standards which are protective of the neighborhood character and further consistent with the Comprehensive Plan.

**Grand Valley Circulation Plan.** The Grand Valley Circulation Plan identifies North 7th Street as a Minor Arterial and the side street, Chipeta Avenue as a local street. As such, there is no existing nor proposed access to the property directly on North 7th Street. Access to the property is gained via the north-south alley on the west side of the property. The amended PD will not change this situation.

**North Seventh Street Historic Residential District Guidelines and Standards.** The property at 535 North 7th Street is within the planned development zone district known as the North Seventh Street Historic Residential District (“the District”). The approved Plan for the District is known as the North Seventh Street Historic Residential District Guidelines and Standards (“the Plan”). The proposed amendment would establish the R-O district as the underlying zone for the property and revise the text of Section IV, Land Use and Zoning, of the Plan (of the Guidelines and Standards).

#### IV. LAND USE AND ZONING

The present Guidelines and Standards read as follows:

The zoning for the majority of the North Seventh Street Historic Residential District is Planned Development Residential, with a default Residential 8 (R-8) zone. These Guidelines and Standards do not affect allowable uses or zoning.

Included in the North Seventh Street Historic Residential District are three properties south of Grand Avenue which are non-residential: two houses on the west side of North 7th Street and the R-5 High School on the east. The houses are zoned Downtown Business (B-2) and the school is zoned Community Services and Recreation (CSR). For more information refer to the City of Grand Junction Zoning and Development



Code.

The Applicant is requesting that this section be revised to read as below to add uses allowed in the R-O zone district, applying only to the property at 535 North 7th Street.

The zoning for the majority of the North Seventh Street Historic Residential District is Planned Development Residential, with a default Residential 8 (R-8) zone. Some parcels within the District have not, however, been used historically as residences, including the parcel located at 535 North 7th Street, which includes the First Church of Christ, Scientist building. The following uses, in addition to those allowed in the default R-8 zone district, are allowed on the parcel at 535 North 7th Street: personal services, small appliance repair, general office, boarding school, museum, art gallery, opera house, library; medical, dental clinic, counseling center (nonresident), and health club, which uses shall be subject to the R-O performance standards established in Section 21.03.070(a)(2) and(3) (but not, however, subject to subsection (4)); rather these Guidelines and Standards shall apply to architectural consideration for the site); however those uses allowed by right in the R-8 zone district are not subject to such performance standards. Except as expressly stated in this paragraph, these Guidelines and Standards do not affect allowable uses or zoning.

Staff finds that the proposed revision to the North Seventh Street Historic Residential Guidelines and Standards are consistent with the overall intent and character of the regulations and finds this criterion has been met.

**Greater Downtown Plan.** Adopted as a part of the Comprehensive Plan, Title 36 of the GJMC is the Greater Downtown Plan. The proposed Plan amendment to allow certain R-O uses on the property subject to performance standards designed to protect the overall residential character of the District furthers the following goals and policies of the Greater Downtown Plan.

36.12.020 Area-wide goals and policies.

(d) Goal 4. Redefine the land use along key corridors to provide a mix that will offer the most opportunities for redevelopment and revitalization.

(1) Policy 4a. Define subareas and corridor areas for groupings of land uses that are complementary to the rest of the Greater Downtown area.

(2) Policy 4b. Mixed uses, including residential, will be encouraged in appropriate subareas and corridors.

36.12.030 Downtown District goals and policies.

(a) Goal 1. Maintain and enhance the economic, cultural and social vitality of the Downtown

District.

(1) Policy 1a. Define subareas and corridor areas for groupings of land uses that are complementary to the rest of the Greater Downtown area.

(2) Policy 1b. Implement infill and redevelopment policies that support downtown.

The proposed Plan Amendment is otherwise consistent with the Greater Downtown Plan as it preserves the existing site and structure and minimizes impacts to the residential neighbors. Staff finds this criterion has been met.

**(ii) The rezoning criteria provided in GJMC 21.02.140**

As previously stated, a PD zoning ordinance and development plan may be amended only by the same process and criteria by which it was approved. The proposal shall meet at least one of the rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code as follows.

(1) Subsequent events have invalidated the original premises and findings; and/or The blanket adoption of the R-8 zone as the underlying zone district recognized only the uses allowed in that district but did not address the potential need for the re-use of the non-residential structures in the District, including this property. The building has not been used as a church for some time and its long-term vacancy suggests that it is not likely to be used as a church in the foreseeable future. A goal of the Comprehensive Plan is re-use of existing sites and structures, and certainly a goal of the District Guidelines and Standards is the preservation and re-use of contributing historic structures, of which the building is one. However, this does not substantiate an invalidation of the original premises of the plan. Therefore, Staff finds this criterion has not been met.

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

The former church building has been vacant for some time, but this condition does not represent a change to the overall character of the area. However, if the condition persists and the building and site continues to be vacant and left to deteriorate, it will erode the overall character of the neighborhood. Staff concludes that this criterion is not met but that the proposed amendment will be a positive step in the property's continuous use and maintenance.

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

Existing public and community facilities and services are available to the property and are adequate to serve the type and scope of the proposed new uses within the District. Therefore, staff finds this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or Because PD is a zone category based on specific design and is applied on a case-by-case basis, staff finds this criterion is not applicable to this request, and, therefore has not been met.

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

The proposed amendment to the PD and Plan will allow the ongoing maintenance, enhancement and reuse of this historic structure for potential uses other than its previous use as a church. Such potential reuse will reinvigorate the neighborhood by putting to use a long-vacant, historic building and property in the historic district and may have positive economic impact in the downtown area.

Staff finds this criterion has been met.

**(iii) The planned development requirements of Chapter 21.05 GJMC;**

The applicable development standards of Section 21.05.040 are listed below.

(c) Nonresidential Intensity. A maximum floor area shall be established at the time of planned development approval. In determining the maximum floor area, the Planning Commission and City Council shall consider:

(1) The intensity of adjacent development;

(2) The demand for and/or mix of residential and nonresidential development in the proposed PD and in the vicinity of the proposed PD;

(3) The availability of transportation facilities, including streets, parking, transit facilities and bicycle/pedestrian facilities;

(4) The adequacy of utilities and public services.

(d) Mixed Use Intensity.

(1) In mixed use developments in areas designated for residential development in the Comprehensive Plan, no more than 10 percent of the land area may be dedicated to nonresidential uses.

(2) The maximum residential densities within mixed use developments designated for nonresidential development in the Comprehensive Plan shall not exceed 24 dwelling units per acre. In such developments, residential uses shall not constitute more than 75 percent of total floor area.

To the extent this criterion is applicable since the historic district is already a PD, the Applicant's site, which Applicant proposes to dedicate to non-residential use, is less than 10% of the land area of the District, and the Applicant does not propose any change to the minimum or maximum residential density of the District. Staff finds this criterion has been met.

(e) Minimum District Size. A minimum of five acres is recommended for a planned development unless the Planning Commission recommends and the City Council finds that a smaller site is appropriate for the development or redevelopment as a PD. In approving a planned development smaller than five acres, the Planning Commission and City Council shall find that the proposed development:

(1) Is adequately buffered from adjacent residential property; (2) Mitigates adverse impacts on adjacent properties; and (3) Is consistent with the goals and policies of the Comprehensive Plan.

To the extent this criterion is applicable since the historic district is already a PD, the Applicant's site is adequately buffered by alleys and by wide, tree-lined streets from adjacent residential property. There are no adverse impacts on adjacent properties and, to the extent there are, they are effectively mitigated by the applicable performance standards of the R-O zone district and by the Historic District Guidelines and Standards. In addition, the proposed Plan amendment and new uses are consistent with the goals and policies of the Comprehensive Plan as stated above.

Staff finds this criterion has been met.

(f) Development Standards. Planned development shall meet the development standards of the default zone or the following, whichever is more restrictive.

The Applicant proposes a Plan amendment which, in establishing the R-O zone as the default district for the property, allows some uses allowed in the R-O zone district in addition to those already allowed under the R-8 zone for the specific parcel of property, which uses are consistent with the Comprehensive Plan. The proposed development standards for the R-O uses are those that are consistent with the R-O zone district. Thus, staff finds this criterion has been met.

(g) Deviation from Development Default Standards. The Planning Commission may recommend that the City Council deviate from the default district standards subject to the provision of any of the community amenities listed below. In order for the Planning Commission to recommend and the City Council to approve deviation, the listed amenities to be provided shall be in excess of what would otherwise be required by the code.

The only deviation from the standards of the R-O zone district is that the architectural considerations of the R-O zone district would be usurped by the more stringent guidelines and standards adopted for the North Seventh Street Historic Residential District. Staff finds this criterion has been met.

**(iv) The applicable corridor guidelines and other overlay districts in GJMC Titles 23, 24 and 25;**

The only overlay district that applies to the subject property is Title 24, the Greater Downtown Overlay which includes the following policies.

- (a) Maintain and enhance the economic, cultural and social vitality of downtown.
- (b) Promote downtown living by providing a wide range housing opportunities.
- (c) Enhance the transportation system to accommodate automobiles, bikes and pedestrians and provide adequate, convenient parking.
- (d) Stabilize and enhance the historic residential neighborhoods.
- (e) Establish and promote a unique identity.
- (f) Preserve and restore significant historic structures.
- (g) Activate the edges of the downtown parks with mixed use and programmed/active use of the park as urban open space rather than passive green parks.

This proposal specifically addresses policies (a), (d), (e) and (f). Due to the adoption of the PD which includes the Guidelines and Standards, there are no other guidelines and standards in the Downtown Plan Overlay that apply to the Historic District. Therefore, staff finds this criterion has been met.

**(v) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;**

Refer to rezone criteria discussion above.

**(vi) Adequate circulation and access shall be provided to serve all development**

**Pods/areas to be developed;**

Refer to rezone criteria discussion above.

**(vii) Appropriate screening and buffering of adjacent property and uses shall be provided;**

As the building and site are redeveloped, fencing and/or screening will comply with Section 21.04.040(i) of the Code and standards within the R-O zone district. As such, staff finds this criterion has been met.

**(viii) An appropriate range of density for the entire property or for each development pod/area to be developed;**

Refer to Planned Development discussion above.

**(ix) An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed;**

Refer to Planned Development discussion above.

**(x) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed; and**

Since the properties within the District are already developed, there is no phasing or development schedule. Thus, this criterion does not apply to this proposal.

**RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the request to amend the Planned Development (PD) zoning ordinance and the Development Plan pertaining to the property located at 535 North 7th Street (PLD-2020-440), the following findings of fact have been made:

1. The Planned Development is in accordance with all criteria in Sections 21.02.150 (e)(1) and (e)(2) of the Grand Junction Zoning and Development Code.

Therefore, the Planning Commission recommended approval of the request.

**FISCAL IMPACT:**

This land use action has no direct fiscal impact.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance 4960, and ordinance amending the Planned Development (PD) zoning ordinance and development plan for the North Seventh Street Historic Residential District to Add Allowed Uses on the Property Located at 535

North 7th Street.

**Attachments**

1. Application Materials
2. Maps and Photographs
3. Planning Commission Minutes - 2020 - September 22 - Draft
4. Public Comment - Planned Development Amendment
5. 7th Street Amended Plan Ordinance

## Development Application

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

Petition For:

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

Existing Land Use Designation <input type="text" value="Residential Medium"/>	Existing Zoning <input type="text" value="PD - R-8 default underlying"/>
Proposed Land Use Designation <input type="text" value="no change proposed"/>	Proposed Zoning <input type="text" value="PD - R-8 default, but also all"/>

### Property Information

Site Location: <input type="text" value="535 N. 7th Street, Grand Junction, CO 81501"/>	Site Acreage: <input type="text" value="0.39 AC"/>
Site Tax No(s): <input type="text" value="R063206 2945-141-36-005"/>	Site Zoning: <input type="text" value="PD with a default zone of R-8"/>
Project Description: <input type="text" value="Amendment to the North Seventh Street Residential Historic District Planned Development"/>	

### 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="Shelly S Dackonish"/>	Date <input type="text" value="July 27, 2020"/>
Signature of Legal Property Owner <input type="text" value="Arlo Dicristina"/>	Date <input type="text" value="7/27/2020"/>



OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Arlo Dicristina, am the owner of the following real property:

(b) Lots 11 through 15, Block 61, City of Grand Junction, Resurvey of Second Division Sec 14 1S 1W UM Recd 4/17/1905 Receipt No 54332 Mesa County, State of Colorado

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

I am the sole owner of the property.

I own the property with other(s). The other owners of the property are (c):

[Empty box for listing other owners]

I have reviewed the application for the (d) Planned Development Amendment pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) N/A (none)

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

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

Owner signature as it appears on deed: [Handwritten Signature]

Printed name of owner: Arlo Dicristina

State of Colorado )

County of Mesa ) ss.

Subscribed and sworn to before me on this 27<sup>th</sup> day of July, 2020

by Arlo Dicristina

Witness my hand and seal.

My Notary Commission expires on 9-11-2020



[Handwritten Signature]  
Notary Public Signature

## Instructions

An ownership statement must be provided by each and every owner of the property.

- (a) Insert name of owner as it appears on deed that conveys property to the owner.
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries does/do not match those on the plat, provide an explanation.
- (c) Insert name of all other owners, if any.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Explain actual or possible conflicts you have knowledge of. If none, state "none." Attach copies of related documents and refer to them here.

Doc Fee: \$49.50

**GENERAL WARRANTY DEED**

This Deed, made May 30, 2019, Between First Church Of Christ, Scientist, of Grand Junction, Colorado of the County Mesa, State of Colorado, grantor(s) and Arlo Dicristina, whose legal address is 811 Grand Avenue Grand Jct, CO 81501 County of Mesa, and State of Colorado, grantee.

**WITNESS**, That the grantor, for and in the consideration of the sum of **FOUR HUNDRED NINETY-FIVE THOUSAND DOLLARS AND NO/100'S (\$495,000.00 )** 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, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Mesa, State of Colorado described as follows:

Lots 11, 12, 13, 14 and 15 in Block 61 of City of Grand Junction, Count of Mesa, State of Colorado.

also known by street and number as **535 N 7Th St, Grand Junction, CO 81501-3312**

**TOGETHER** with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and 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, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

**TO HAVE AND TO HOLD** said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, **except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.**

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, the grantor has executed this on the date set forth above.

**SELLER:**

First Church Of Christ, Scientist, of Grand Junction, Colorado

Ronald W. Bradley  
by Ronald W. Bradley, Board Member

STATE OF COLORADO  
COUNTY OF MESA

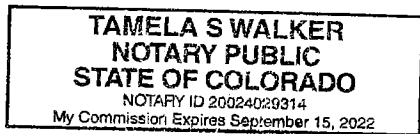
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The foregoing instrument was acknowledged, subscribed and sworn to before me May 30, 2019 by Ronald W. Bradley, Board Member of First Church of Christ, Scientist, of Grand Junction, Colorado.

Witness my hand and official seal.

[Signature]

Notary Public  
My Commission expires:



**ELYSIUM STUDIOS**

**NORTH SEVENTH STREET HISTORIC RESIDENTIAL DISTRICT  
PLAN AMENDMENT (REZONE)**

**GENERAL PROJECT REPORT**

**July 24, 2020**

**A. PROJECT DESCRIPTION**

LOCATION: 535 N. 7<sup>th</sup> Street  
LOT SIZE: +/- .39 acres  
PROPOSED USE: Fine Art and Body Art Studio  
PROPERTY OWNER: Arlo Dicristina  
PRIOR APPROVALS: N/A (prior use was as a church)  
ZONE DISTRICT: North Seventh Street Historic Residential District Planned  
Development (Default Zone R-8)  
FUTURE LAND USE: Residential Medium

Fig. 1. The Church building in the Seventh Street Historic District.

# Elysium Studios

create, educate and spread positivity through art



Fig 2. Elysium Studios’ clientele includes celebrities and people from around the world due to their artistry, philanthropic work, and strong reputation.

## CLIENTELE

Dee Snider, *lead singer, Twisted Sister*  
 Daymond John, *public speaker, author, host of Shark Tank, founder of FUBU*  
 Maria Brink, *lead singer, In This Moment*  
 Jimmy + Michelle Lewin, *leading fitness trainers and models in the world*  
 Benjamin Buckley, *lead singer, Breaking Benjamin*  
 Jonathan Casillas, *2x World Champ SB XLIV + XLIX, Team Captain of NY Giants*  
 Clinton Kelly, *host, What Not To Wear + The Chew*  
 Danny + Cody Garbrant, *former UFC Bantam Weight Champion*  
 Ash Costello, *lead singer, New Years Day*  
 Travis Barker, *drummer, Blink 182*  
 Chris Cerulli, *lead singer, Motionless in White*  
 Bush + Stone Temple Pilots

  
**2+ MILLION**  
 FOLLOWERS

  
**500K+**  
 FOLLOWERS

  
**500K+**  
 FOLLOWERS

## CHARITIES

**INKED FOR A CAUSE**  
*Free cover-ups for breast cancer mastectomy patients*

National Military Family Association, *Austin*  
 Parkinson's Foundation, *Pittsburgh*  
 GLAAD, *San Francisco*  
 Center for Addiction Treatment, *Las Vegas*  
 Colorectal Cancer Coalition Inc., *Dallas*  
 Americans For Immigrant Justice, *Miami*  
 Facing Homelessness, *Seattle*  
 The African American Association of Georgia, *Atlanta*  
 American Red Cross, *Nashville*

**INTERNATIONAL:** Healing Ink: *Israel*







## B. PUBLIC BENEFIT

Elysium Studios draws clientele, including celebrities, and artists from all over the world because of its exceptional artistry and reputation. Clients typically bring family or friends and stay one or more nights in town, taking advantage of local restaurants, hotels, entertainment, services, and other visitor amenities. The positive economic impact of the studio on the local community is significant and is expected to increase in the proposed new location.

Elysium Studios has outgrown its present location at 861 Grand Avenue. The owners would like to expand the studio to include art classes, demonstrations and showings, enhancing the vibrancy of the neighborhood and connecting with the local art community and the Downtown. Elysium Studios would reinvigorate the neighborhood by putting to use a long-vacant, beautiful old building and property in the Historic District. The Owner’s interest in preserving the historic character of the property and the residential character of the neighborhood is a personal one, as he and his wife Ryan just purchased a home in the District as well.



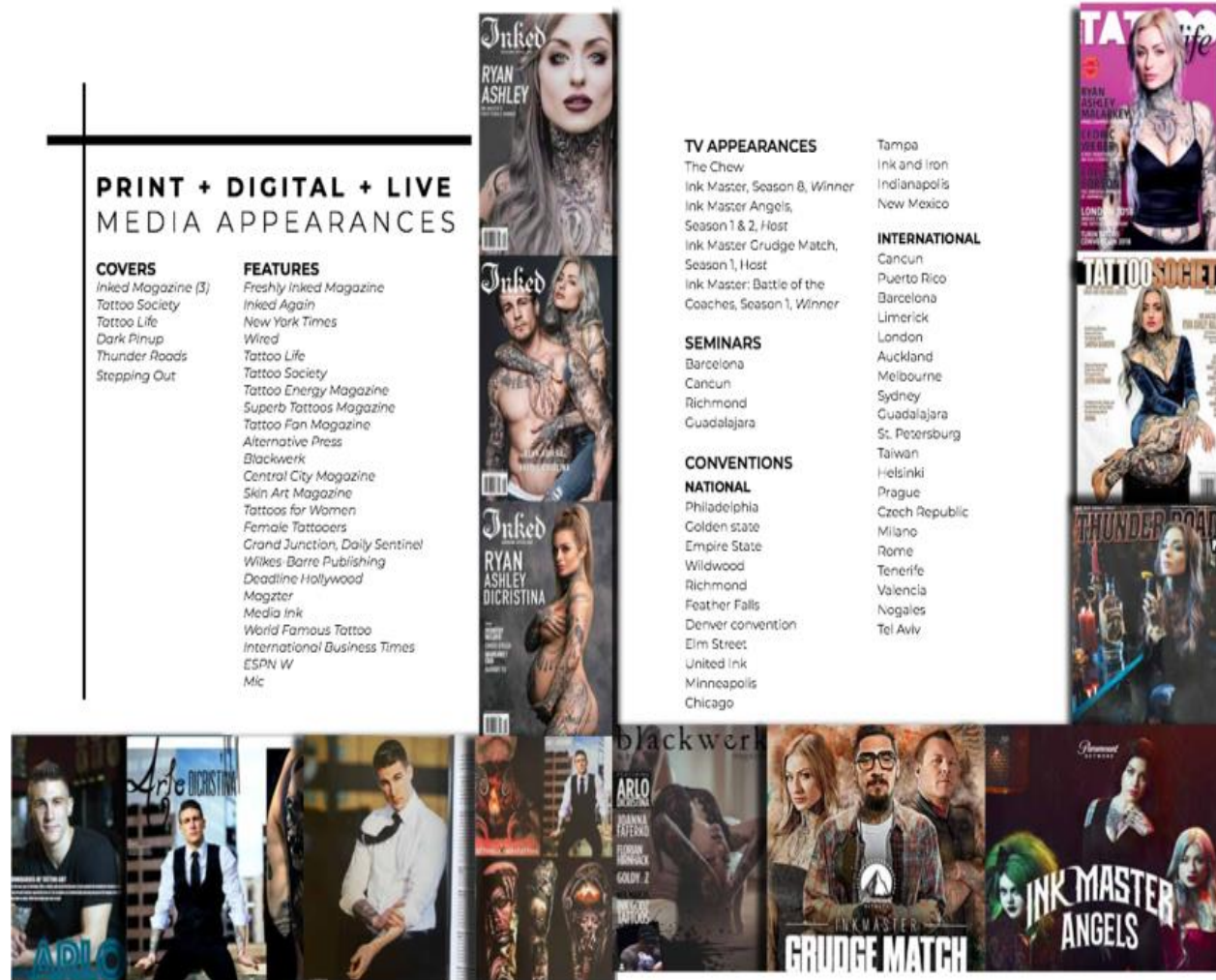


Fig. 3. Print media, television and conventions have featured the work of Elysium Studios.

### C. NEIGHBORHOOD MEETING

Two neighborhood meetings were held; one by Zoom on Wednesday, July 15, 2020 at 5:30 p.m. and one in person on Thursday July 16, 2020 in the church building on the Property (535 N. 7<sup>th</sup> Street) at 5:30 p.m. At each meeting, the Owners gave a presentation on the proposed use of the site and the proposed Plan Amendment which would add R-O uses, in addition to the R-8 uses already allowed, on the Property, subject to the R-O performance standards of Section 21.03.070(a)(2) and (3) of the Code.<sup>1</sup> All those who spoke during the meeting expressed support

<sup>1</sup> In lieu of the R-O performance standards of subsection (4), however, the North Seventh Street Historic Residential District Guidelines and Standards would control the architectural consideration and features of the site.

for and excitement about the uses proposed and felt they would be an asset to the community. More detailed notes from the neighborhood meetings are attached as Appendix 1 to this Report.



Fig. 4. The world-renowned artistry and the uniqueness and exceptional quality of the tattoo art produced by Elysium Studios draws artists and clientele from all over the world and is in great demand. In addition to tattoos, the Elysium Studios artists produce and teach other forms of fine art, including painting and photography, and the historic church building is an ideal place for classes, gallery displays, and art-related community events.





Fig. 5. The Elysium Studios existing site at 861 Grand Avenue shows the Applicant's commitment to preservation of historic and residential character. The Studio has been compatible and complementary to the Downtown area and R-O standards have been observed.

## **D. PROJECT COMPLIANCE, COMPATIBILITY, AND IMPACT**

### **1. Adopted plans and policies.**

#### **(a) Comprehensive Plan.**

*Residential Medium Density (RM) 4 - 8 du/acre A mix of residential development types with gross densities of 4 to 8 dwelling units per acre are anticipated in areas with this designation. Single family development will be integrated with other dwelling types, including duplexes, and low intensity attached residential development. Some low intensity multi-family development may be permitted. Applicable Zones R-4 R-5 R-8 R-12 R-16 R-O.*

Elysium Studios proposed land use and PD amendment adding R-O uses on the Property subject to performance standards which are protective of the neighborhood character are consistent with the Comprehensive Plan, which expressly includes the R-O zone district as an implementing zone for the Residential Medium future land use category (p. 32, Comprehensive Plan).



Elysium Studios also furthers the following goals and policies of the Comprehensive Plan:

*Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.*

Elysium Studios re-uses and preserves a beautiful historic building that has been vacant and unused for a significant amount of time.

*Policy: A. In making land use and development decisions, the City and County will balance the needs of the community.*

Elysium Studios re-uses and preserves a beautiful historic building that has been vacant and unused for a significant amount of time, and does so in a manner that is complementary to and protective of the residential character of the neighborhood and increases the vibrancy of the Downtown area.

*Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions. Policy: A. The City will support the vision and implement the goals and actions of the Strategic Downtown Master Plan (when adopted).*

*Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development. C. Enhance and accentuate the City 'gateways' including interstate interchanges, and other major arterial streets leading into the City;*

*Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy. Policies: A. Through the Comprehensive Plan's policies the City and County will improve as a regional center of commerce, culture and tourism. B. The City and County will provide appropriate commercial and industrial development opportunities.*

**(b) North Seventh Street Historic Residential District Guidelines and Standards Overlay/Plan.**

Elysium Studios is within the planned development zone district known as the North Seventh Street Historic Residential District ("the District"). The approved Plan for the District is known as the North Seventh Street Historic Residential District Guidelines and Standards ("the Plan"). Dicristina proposed amending the following section of the Plan:

*IV. LAND USE AND ZONING*

*The zoning for the majority of the North Seventh Street Historic Residential District is Planned Development Residential, with a default Residential 8 (R-8) zone. These Guidelines and Standards do not affect allowable uses or zoning.*

*Included in the North Seventh Street Historic Residential District are three properties south of Grand Avenue: two converted houses on the west side of Seventh Street and the*

*R-5 High School on the east. The houses are zoned Downtown Business (B-2) and the school is zoned Community Services and Recreation (CSR). For more information refer to the City of Grand Junction Zoning and Development Code.*

(Plan, page number 6). The Applicant proposes and requests the following amendment to the Plan, to allow, in addition to those uses allowed in the R-8 zone district, certain R-O uses on the Property, as follows:

*The zoning for the majority of the North Seventh Street Historic Residential District is Planned Development Residential, with a default Residential 8 (R-8) zone. Some parcels within the District have not, however, been used historically as residences, including the parcel located at 535 N. 7<sup>th</sup> Street, which includes the First Church of Christ, Scientist building. The following uses, in addition to those allowed in the default R-8 zone district, are allowed on the parcel at 535 N. 7<sup>th</sup> Street: personal services, small appliance repair, general office, boarding school, museum, art gallery, opera house, library; medical, dental clinic, counseling center (nonresident), and health club, which uses shall be subject to the R-O performance standards established in Section 21.03.070(a)(2) and(3) (but not, however, subject to subsection (4)); rather these Guidelines and Standards shall apply to architectural consideration for the site); however those uses allowed by right in the R-8 zone district are not subject to such performance standards. Except as expressly stated in this paragraph, these These Guidelines and Standards do not affect allowable uses or zoning.*

**(c) The Downtown Plan Overlay.**

The proposed Plan amendment to allow certain R-O uses on the property subject to performance standards designed to protect the overall residential character of the District furthers the following goals and policies of the Downtown Plan.

**36.12.020 Area-wide goals and policies.**

(d) **Goal 4.** *Redefine the land use along key corridors to provide a mix that will offer the most opportunities for redevelopment and revitalization.*

(1) *Policy 4a. Define subareas and corridor areas for groupings of land uses that are complementary to the rest of the Greater Downtown area.*

(2) *Policy 4b. Mixed uses, including residential, will be encouraged in appropriate subareas and corridors.*

**36.12.030 Downtown District goals and policies.**

(a) **Goal 1.** *Maintain and enhance the economic, cultural and social vitality of the Downtown District.*

(1) *Policy 1a. Define subareas and corridor areas for groupings of land uses that are complementary to the rest of the Greater Downtown area.*

(2) *Policy 1b. Implement infill and redevelopment policies that support downtown.*

The proposed Plan Amendment is otherwise consistent with the Downtown Plan as it preserves the existing site and structure and minimizes impacts to the residential neighbors.

## **2. Physical Characteristics of the Site and Impacts of the Proposed Plan Amendment and Land Use.**

- a. Parking. The site already includes a large parking area consisting of approximately thirty spaces, which is more than sufficient for the proposed land use. Because much of the clientele is from out of town, clients typically arrive by hired car (such as Uber) or by walking from downtown hotels. Due to the proximity to Downtown with its restaurants, hotels, entertainment, and other amenities for visitors, clientele walking to and from the Studio is highly likely.
- b. Hours of operation. The applicant proposes limiting hours of operation to commencing client appointments from 7:30 a.m. to 8:30 p.m.; however, clients whose work is not finished by 8:30 p.m. would be allowed to stay to finish up work that was commenced during the business hours. The business would be locked up at 8:30 and no more clients would enter after 8:30.
- c. Impact. Visits to the studio for body art are by appointment only. Body art is performed indoors and is a very quiet activity. Impacts on the neighborhood are expected to be minimal.
- d. Land use in the surrounding area. Land uses in the District and in the surrounding area are residential, general office, short-term lodging, day care, church, and personal services.
- e. Site access and traffic patterns. Right turn in from N. 7<sup>th</sup> Street and alley access from N. 7<sup>th</sup> and two side streets (Chipeta and Ouray Avenues) make the parking lot very accessible and movement of vehicles in and out safe and efficient.
- f. Special or unusual demands on utilities. None.
- g. Effects on public facilities. None.
- h. Number of employees. The Elysium Studios team consists currently of 11 artists and is expected to remain at that size for the near term. Elysium Studios is a very selective employer. They are a close-knit group of co-workers, friends and fellow artists.



Fig. 6. Elysium Studios current artist team and family members.

- i. Signage. Signage will comply with the North Seventh Street Historic Residential District Guidelines and Standards and will be reviewed by City staff and the Historic Preservation Board during the minor site plan review process.
- j. Site soils and geology. N/A.
- k. Impact of project on site soils and geology. N/A.
- l. Bulk standards. N/A, no changes proposed; existing building will remain as and where it is; no new buildings or external additions are proposed; external site modification shall be subject to the North Seventh Street Historic Residential District Guidelines and Standards
- m. Performance standards. R-O performance standards in Section 21.03.070(a)(2) and (3) will apply; the architectural considerations, however, will be drawn from the North Seventh Street Historic Residential District Guidelines and Standards, rather than from subsection (4) of 21.03.070(a).

- n. Use-specific standards. N/A.

## E. REVIEW CRITERIA

### 1. 21.02.150 (e) **Amendments to Approved Plans.**

(1) *Planned Development Rezoning Ordinance. The use, density, bulk, performance and default standards contained in an approved PD rezoning ordinance may be amended only as follows, unless specified otherwise in the rezoning ordinance:*

(i) *No use may be established that is not permitted in the PD without amending the rezoning ordinance through the rezoning process. Uses may be transferred between development pods/areas to be developed through an amendment to the ODP provided the overall density for the entire PD is not exceeded;*

Applicant is seeking an amendment to the uses permitted on the Property within the PD through the rezoning process, as required.

(ii) *The maximum and minimum density for the entire PD shall not be exceeded without amending the rezoning ordinance through the rezoning process; and*

No change to the maximum or minimum density for the PD are proposed by the Applicant.

(iii) *The bulk, performance and default standards may not be amended for the PD or a development pod/area to be developed without amending the PD rezoning ordinance through the rezoning process.*

Applicant is seeking an amendment to the performance standards (applying the R-O zone district performance standards in subsections (2) and (3) of Section 21.03.070(a), but not subsection (4), because all architectural considerations will be drawn from the Historic District Guidelines and Standards) for the property within the PD through the rezoning process, as required.

(2) *Outline Development Plan. The approved outline development plan may be amended only by the same process by which it was approved, except for minor amendments. Unless the adopted PD rezoning ordinance provides otherwise, the approved outline development plan may be amended as follows:*

(iii) *Major Amendments. All other amendments to the outline development plan shall be reviewed by the Director and Planning Commission using the same process and criteria used for ODP review and approval. Final decision shall be made by City Council.*

Applicant is seeking an amendment to the Plan only for Applicant's Property within the PD, and is doing so through the rezoning process, as required.

**2. 21.02.150 (b) Outline Development Plan (ODP).**

*(1) Applicability. An outline development plan is required. The purpose of an ODP is to demonstrate conformance with the Comprehensive Plan, and coordination of improvements within and among individually platted parcels, sections or phases of a development prior to the approval of a final plat. At ODP, zoning for the entire property or for each "pod" designated for development on the plan is established. This step is recommended for larger, more diverse projects that are expected to be developed over a long period of time. Through this process, the general pattern of development is established with a range of densities assigned to individual "pods" that will be the subject of future, more detailed planning.*

See Outline Development Plan (ODP) in Appendix 2 to this Report.

*(2) Approval Criteria. An ODP application shall demonstrate conformance with all of the following:*

*(i) The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies;*

See Section D above.

*(ii) The rezoning criteria provided in GJMC [21.02.140](#);*

**21.02.140 Code amendment and rezoning.**

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

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

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

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

*(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*

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

**Subsequent events have invalidated the original premises and findings.** The long-term non-use and vacancy of the beautiful old building is a subsequent event that invalidates the original premises and findings regarding land uses within the District of Ordinance No. 4403 and Ordinance No. 4508. Ordinance 4403 merely catalogs existing uses and allowed the City Council to authorize changes of use in its discretion. Ordinance No. 4403 “is founded on recording the uses of each of the 7<sup>th</sup> Street Historic Residential District Property as they exist in a point in time but the Plan is not intended to preclude new or different uses,” and provides that any change of use will be “determined ... by reference to the City’s Comprehensive Plan, by reference to the R-8 zone district standards (although those standards **shall not serve as a sole basis for denial or approval of an application but instead a frame of reference**)” (emphasis added). The inventoried use of the Property in Ordinance No. 4403 was described as “Exempt-Commercial” and “Church-Chapel” and “Religious Church.”

Ordinance No. 4508 removes that discretionary authority from the City Council and appears to just default to the uses allowed in the R-8 zone district (which is very limited as to non-residential uses), but it does so without addressing the need for re-use of the non-residential buildings in the District.

The church building has not been used as a church for some time and its long-term vacancy suggests that it is not likely to be used as a church in the foreseeable future. A goal of the Comprehensive Plan is re-use of existing sites and structures, and certainly a goal of the District Guidelines and Standards is the preservation and re-use of contributing historic structures, of which the building is one.

**The character and/or condition of the area has changed such that the amendment is consistent with the [Comprehensive] Plan.** The long-term vacancy of the building, which is decidedly non-residential in character but required to be preserved in its essential historic character, represents a change in the character and condition of the area necessitating the amendment to the Plan. As stated above the Plan was developed without regard to the need for re-use of non-residential buildings in the District. This change in character and condition, which makes this building unlikely to be used as a church, day care or other land use allowed in the R-8 zone district, necessitates a Plan amendment. The proposed Plan amendment is consistent with the Comprehensive Plan because R-O is an implementing zone district for the Residential Medium future land use designation, and because the R-O land uses and performance standards are protective of the residential character of the neighborhood.

**Public and community facilities are adequate to serve the type and scope of land use proposed.** As described above, the scope of the land use proposed is effectively and more than adequately served by streets, utilities, transportation, and other necessary and complementary amenities and services.

**The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.** The benefits from the proposed Plan amendment are described above under the heading “Public Benefit.”

(iii) *The planned development requirements of Chapter [21.05](#) GJMC;*

**21.05.040 Development standards.**

(c) **Nonresidential Intensity.** *A maximum floor area shall be established at the time of planned development approval. In determining the maximum floor area, the Planning Commission and City Council shall consider:*

- (1) *The intensity of adjacent development;*
- (2) *The demand for and/or mix of residential and nonresidential development in the proposed PD and in the vicinity of the proposed PD;*
- (3) *The availability of transportation facilities, including streets, parking, transit facilities and bicycle/pedestrian facilities;*
- (4) *The adequacy of utilities and public services.*

(d) **Mixed Use Intensity.**

- (1) *In mixed use developments in areas designated for residential development in the Comprehensive Plan, no more than 10 percent of the land area may be dedicated to nonresidential uses.*
- (2) *The maximum residential densities within mixed use developments designated for nonresidential development in the Comprehensive Plan shall not exceed 24 dwelling units per acre. In such developments, residential uses shall not constitute more than 75 percent of total floor area.*

To the extent this criterion is applicable (the District is already a PD and the Applicant’s proposed Plan amendment does not invalidate the original findings underlying the PD), the Applicant’s site, which Applicant proposes to dedicate to non-residential use, is less than 10% of the land area of the District, and the Applicant does not propose any change to the minimum or maximum residential density of the District.

(e) **Minimum District Size.** *A minimum of five acres is recommended for a planned development unless the Planning Commission recommends and the City Council finds that a smaller site is appropriate for the development or redevelopment as a PD. In approving a*



*planned development smaller than five acres, the Planning Commission and City Council shall find that the proposed development:*

- (1) Is adequately buffered from adjacent residential property;*
- (2) Mitigates adverse impacts on adjacent properties; and*
- (3) Is consistent with the goals and policies of the Comprehensive Plan.*

To the extent this criterion is applicable (the District is already a PD and the Applicant's proposed Plan amendment does not invalidate the original findings underlying the PD), the Applicant's site is adequately buffered by alleys and by wide, tree-lined streets from adjacent residential property. There are no adverse impacts on adjacent properties and, to the extent there are, they are effectively mitigated by the applicable performance standards of the R-O zone district and by the Historic District Guidelines and Standards. And the proposed Plan amendment and new uses are consistent with the goals and policies of the Comprehensive Plan as stated above.

*(f) **Development Standards.** Planned development shall meet the development standards of the default zone or the following, whichever is more restrictive.*

Applicant proposes a Plan amendment which allows uses in addition to those allowed under the default zone for a specific parcel of property, which uses are consistent with the R-O zone district. The proposed default standards for those additional uses are those that are consistent with the R-O zone district.

*(g) **Deviation from Development Default Standards.** The Planning Commission may recommend that the City Council deviate from the default district standards subject to the provision of any of the community amenities listed below. In order for the Planning Commission to recommend and the City Council to approve deviation, the listed amenities to be provided shall be in excess of what would otherwise be required by the code.*

No deviations from the default standards of the R-O zone district are proposed for the additional allowed uses on the Property.

*(iv) The applicable corridor guidelines and other overlay districts in GJMC Titles [23](#), [24](#) and [25](#);*

See Section D.1. above.

*(v) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;*

Adequate public services and facilities are already in place to support the projected impacts of the Plan Amendment. See also Section E.2. above.

*(vi) Adequate circulation and access shall be provided to serve all development pods/areas to be developed;*

Adequate circulation and access are already available to the site and are more than sufficient for the uses allowed by the proposed Plan Amendment. See Section **D.2.e.** above.

*(vii) Appropriate screening and buffering of adjacent property and uses shall be provided;*

The Property is effectively buffered, to the extent buffering is necessary, by the alleys and wide streets which surround the Property and by large street trees along the parking areas. The Applicant proposes additional buffering and screening by a proposed privacy fence on the back of the building where clients and artists may spend time on breaks. See also Section G. below.

*(viii) An appropriate range of density for the entire property or for each development pod/area to be developed;*

This criteria is not applicable since the proposed uses to be added with the Plan Amendment are not residential uses and since no amendment or changes to the density for the residential uses in the District are proposed by the Applicant.

*(ix) An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed;*

The R-O uses will be subject to the R-O performance and default standards, which are designed to be and are sufficiently protective of the residential character of the rest of the neighborhood.

*(x) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed*

This criterion is not applicable since no phased development is proposed. See also Section F. below.

## **F. DEVELOPMENT SCHEDULE OR PHASING**

Following the approval of the Plan Amendment, the Applicants will complete a minor site plan review and continue their remodeling of the interior of the building. Signage and exterior site changes will be submitted to the Historic Preservation Board for review in accordance with the North Seventh Street Historic Residential District Guidelines and Standards.

### G. SITE SKETCH

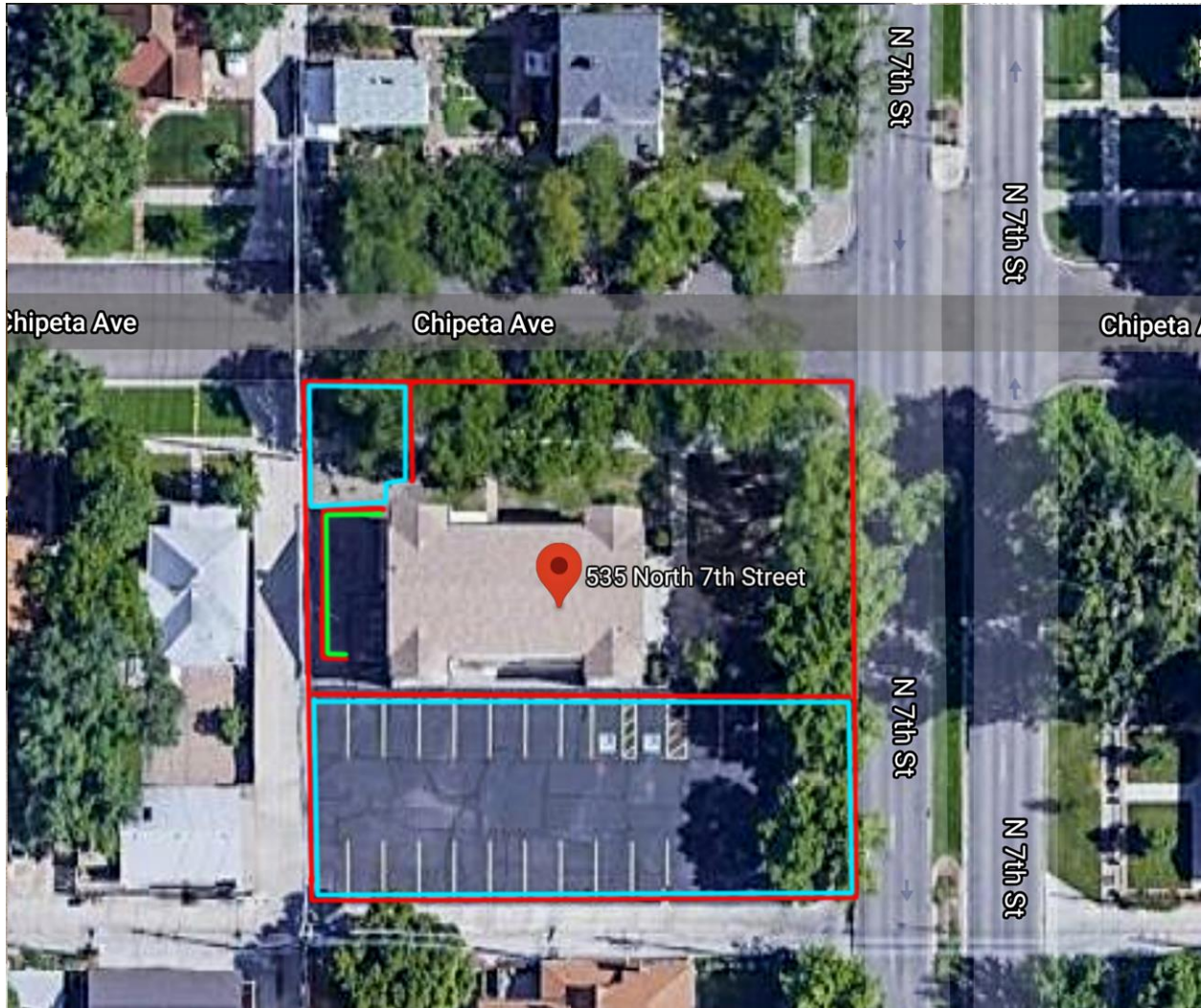


Fig. 7. The site is outlined in red; the parking areas are outlined in blue; a proposed private fenced-in outdoor area is outlined in green (there is an existing chain link fence in this area, but owners propose to install a privacy fence). The site is abutted on two sides by alleys and on two sides by wide tree-lined streets, creating buffering for the commercial land use and making site circulation and access to and from the existing parking lot excellent, efficient and safe.

## APPENDIX 1

### 535 N. 7<sup>th</sup> Street

#### Planned Development Plan Amendment

##### Neighborhood Meeting Notes

The Applicant, Arlo Dicristina, owns the property at 535 N. 7<sup>th</sup> Street, which lies within the Planned Development Zone District known as the North Seventh Street Historic Residential District. Dicristina proposes to use the property as an art and tattoo studio, with a mix of uses that includes “personal services” (tattoo studio) and “community services” (art education, art co-op space, art shows and events). This involves a change of use and plan amendment.

Two neighborhood meetings were held; one by Zoom on Wednesday, August 15, 2020 from 5:30 to 6:40 p.m., and a second in-person at 535 N. 7<sup>th</sup> Street on Thursday, August 15, 2020 from 5:30 to \_\_\_\_\_.

In attendance at both meetings were Arlo Dicristina and Ryan Mularkey, the property owners, their attorney Shelly Dackonish of Dufford Waldeck, and City planner Landon Hawes, and the neighbors listed below. Arlo and Ryan also own a home in the Historic District (433 N. 7<sup>th</sup> Street) and so are also listed below as homeowners.

##### ZOOM MEETING:

<u>Attendees:</u>	<u>Address:</u>
Rich Buffington	604 N. 7 <sup>th</sup> Street
Rosa Brey	726 Ouray
Kyle Gardner	726 Ouray
Chandler Smith	536 Gunnison
T.J. Smith	840 ½ Chipeta
Shari Seagren	635 Chipeta
Jerry Cox	629 Gunnison (Mary Lou Pierce)
Arlo Dicristina	433 N. 7 <sup>th</sup> Street
Ryan Mullarkey	433 N. 7 <sup>th</sup> Street

**Notes:** The Owners gave a presentation on the proposed use of the site and the proposed Plan Amendment, adding R-O uses, in addition to the R-8 uses already allowed, on the Property. All those who spoke during the meeting expressed support for and excitement about the uses proposed and felt they would be an asset to the community. Rich Buffington expressed support for the proposed use but suggested that some neighbors might object to including some of the higher-

impact R-O uses in the Plan Amendment at this time. Shari Seagren uses her property, which is behind the church on Chipeta, as a VRBO; she likes the quiet of the neighborhood and asked about hours of operation. Other questions were:

- a. Who owns the business? It is owned by Arlo and Ryan, and Arlo and Ryan are also artists at the studio.
- b. How many employee and where are they from? Elysium Studios currently has an 11 member artist team and this is not expected to change. They are from all over the world. They are very selective about the artists they work with and they are a very close-knit group.
- c. What is the timeline for moving the business in? The owners will diligently pursue the interior remodel and minor site plan review following the rezone decision and move in as soon as they can, but are not sure how long that will take.
- d. What outreach has there been with other art community members for the art education component? A couple of CMU professors are interested in music and film collaborations in the space. They've reached out to Brandon Stam about coordinating with the DDA and about becoming part of the Art District. The artists on their team are interested in giving classes. They have spoken with members of the Historic Preservation Board about using the facilities to host block parties and art / history walks. They've spoken with other artists about an artist co-op space and there is interest in that.

**IN-PERSON MEETING:**

Attendees:

Address:

Amy Topper	611 N. 7 <sup>th</sup> Street
Chris Dennis	640 N. 7 <sup>th</sup> Street
Ron Parron	621 N. 7 <sup>th</sup> Street
Mindy Baumgardner	621 N. 7 <sup>th</sup> Street
Jeff Bergin	428 N. 7 <sup>th</sup> Street
Arlo Dicristina	433 N. 7 <sup>th</sup> Street
Ryan Mullarkey	433 N. 7 <sup>th</sup> Street

**Notes:** The Owners gave a presentation on the proposed use of the site and the proposed Plan Amendment, adding R-O uses, in addition to the R-8 uses already allowed, on the Property. All those who spoke during the meeting expressed support and enthusiasm for the re-use of the building and for the project. They are looking forward to seeing the building put to use again. No objections or concerns were expressed.

## APPENDIX 2

### OUTLINE DEVELOPMENT PLAN

#### Section I. Code Requirements for ODP.

##### 21.02.150 *Planned Development*

##### (b) *Outline Development Plan (ODP).*

(1) *Applicability.* An outline development plan is required. The purpose of an ODP is to demonstrate conformance with the Comprehensive Plan, and coordination of improvements within and among individually platted parcels, sections or phases of a development prior to the approval of a final plat. At ODP, zoning for the entire property or for each “pod” designated for development on the plan is established. This step is recommended for larger, more diverse projects that are expected to be developed over a long period of time. Through this process, the general pattern of development is established with a range of densities assigned to individual “pods” that will be the subject of future, more detailed planning.

##### 21.05.050

(b) *Outline Development Plan (ODP).* An outline development plan (ODP) is required. The purpose of an ODP is to demonstrate conformance with the Comprehensive Plan, compatibility of land use and coordination of improvements within and among individually platted parcels, sections or phases of a development prior to the approval of an ODP. Zoning for the entire property or for each development “pod” is established at ODP. With an ODP, the pattern of development is established with densities assigned to individual “pods,” which shall be the subject of future, more detailed planning.

#### Section II. Proposed Plan Amendment.

The adopted Plan for the North Seventh Street Historic Residential District, known and titled as the North Seventh Street Historic Residential District Guidelines and Standards, is to be amended to allow, in addition to those uses allowed in the R-8 zone district, certain R-O uses on the Property located at 535 N. 7<sup>th</sup> Street, known as the First Church of Christ, Scientist Building, as follows:

*The zoning for the majority of the North Seventh Street Historic Residential District is Planned Development Residential, with a default Residential 8 (R-8) zone. Some parcels within the District have not, however, been used historically as residences, including the parcel located at 535 N. 7<sup>th</sup> Street, which includes the First Church of Christ, Scientist building. The following uses, in addition to those allowed in the default R-8 zone district, are allowed on the parcel at 535 N. 7<sup>th</sup> Street: personal services, small appliance repair, general office, boarding school, museum, art gallery, opera house, library; medical, dental clinic, counseling center (nonresident), and health club, which uses shall be subject to the*

*R-O performance standards established in Section 21.03.070(a)(2) and(3) (but not, however, subject to subsection (4)); rather these Guidelines and Standards shall apply to architectural consideration for the site); however those uses allowed by right in the R-8 zone district are not subject to such performance standards. Except as expressly stated in this paragraph, these ~~These~~ Guidelines and Standards do not affect allowable uses or zoning.*

All other aspects of the approved Plan (the Historic District Guidelines and Standards) will continue to apply to the Property.

### **APPENDIX 3**

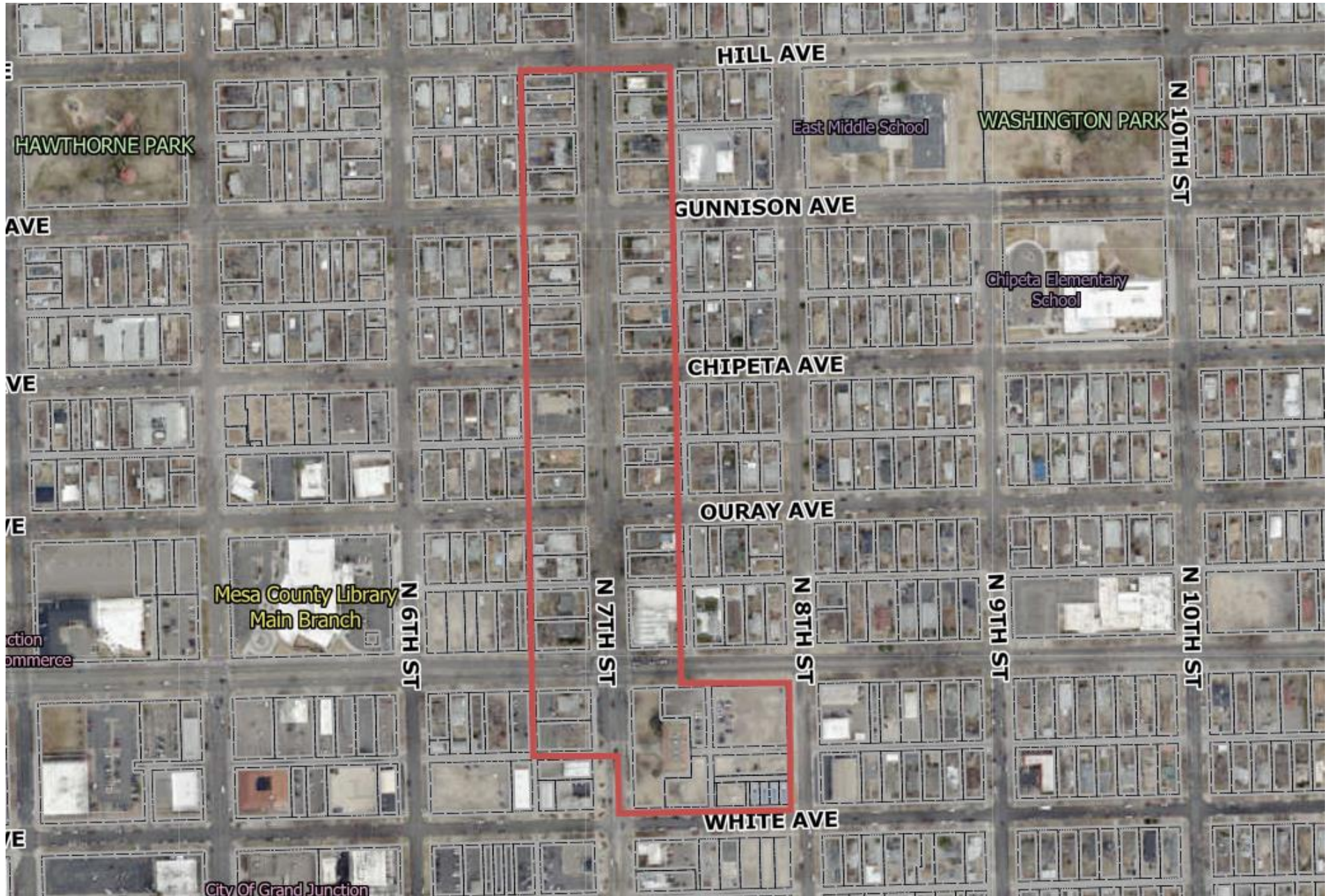
#### **LEGAL DESCRIPTION OF PROPERTY**

Lots 11, 12, 13, 14 and 15 in Block 61 City of Grand Junction, County of Mesa, State of Colorado

RESURVEY OF SECOND DIVISION SECTION 14 1S 1W UM RECD 4/17/1905 RECPT NO 54332, COUNTY OF MESA, STATE OF COLORADO

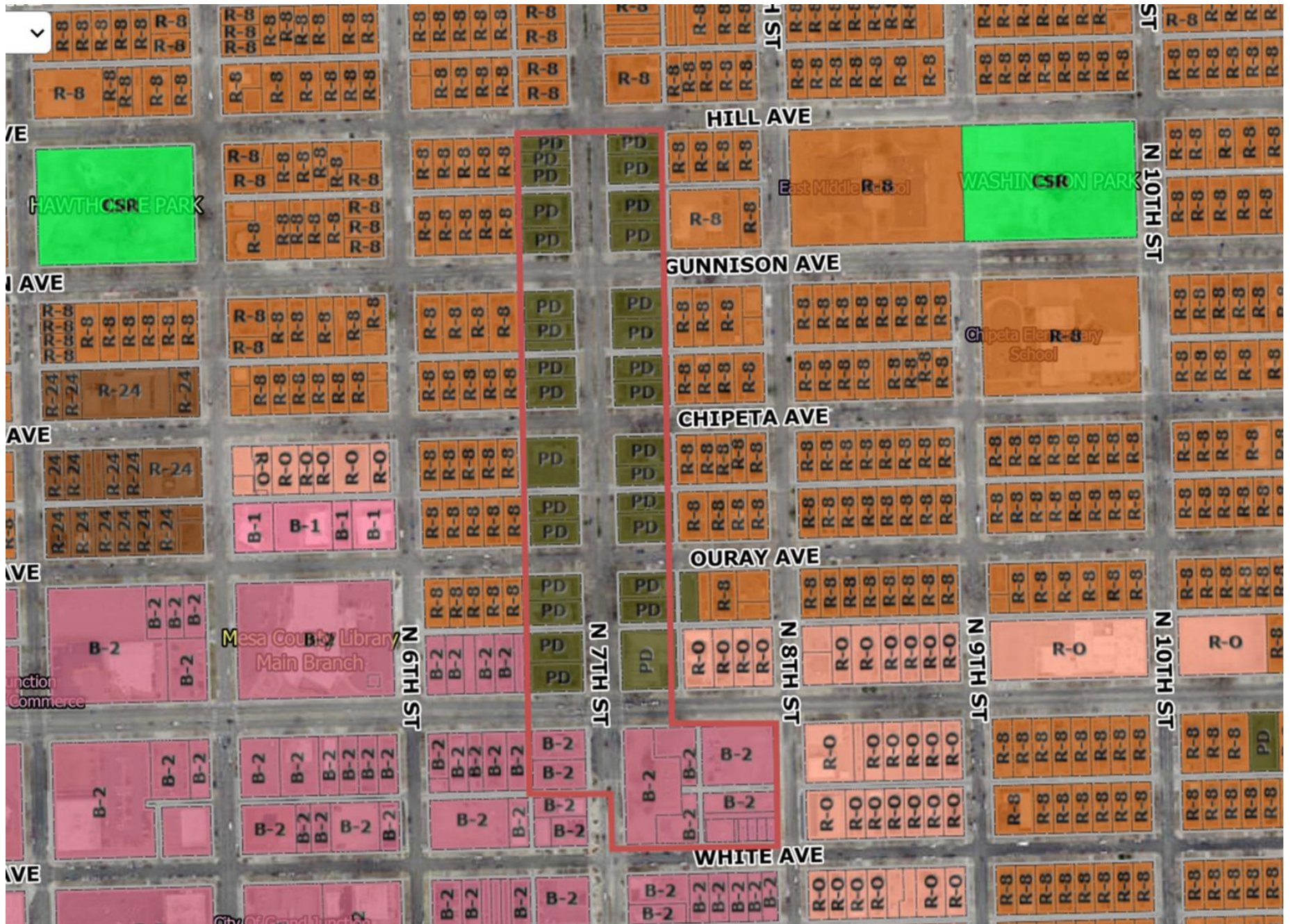


# NORTH SEVENTH STREET HISTORIC RESIDENTIAL DISTRICT LOCATION MAP



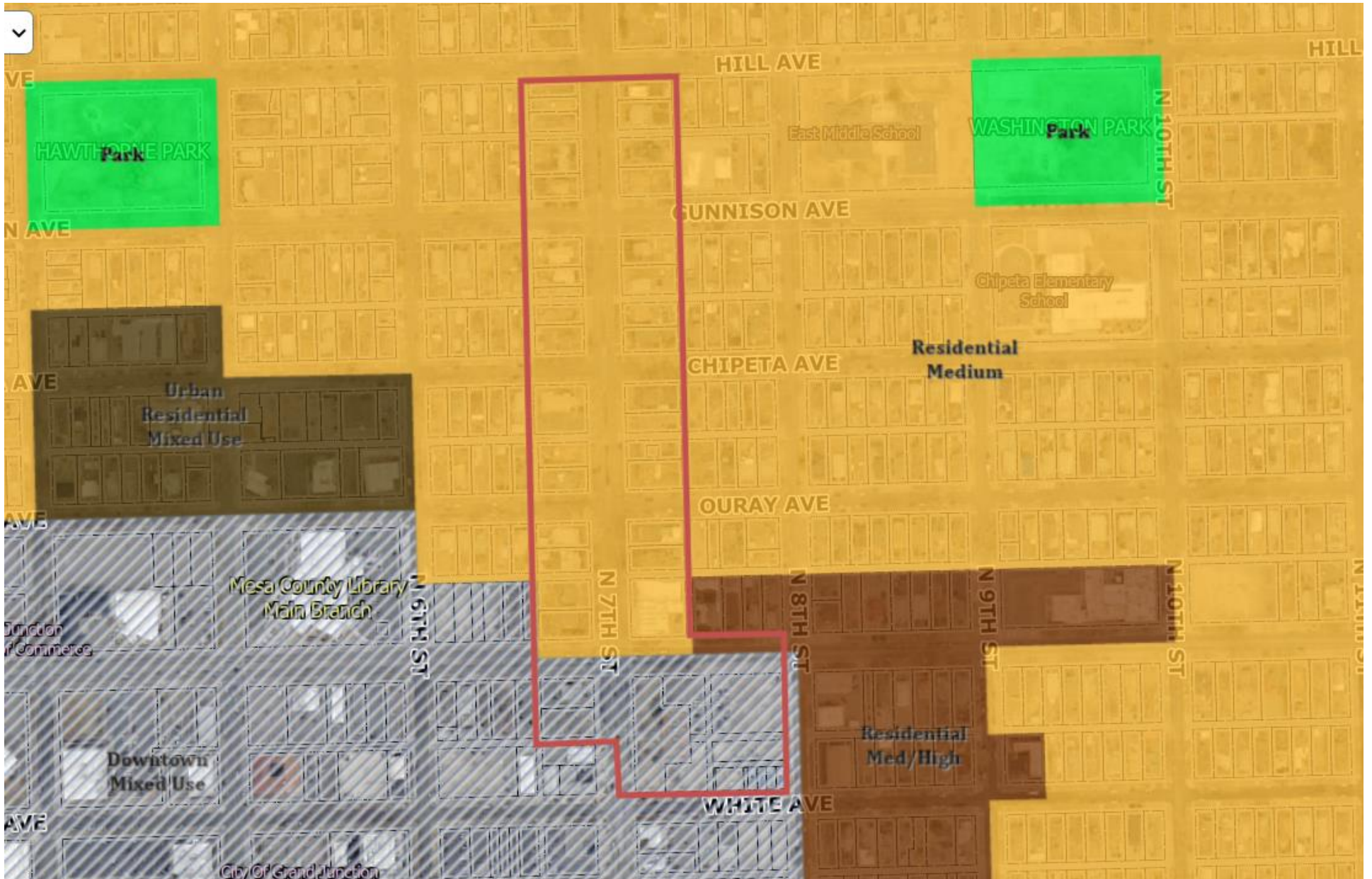


# NORTH SEVENTH STREET HISTORIC RESIDENTIAL DISTRICT ZONING MAP





# NORTH SEVENTH STREET HISTORIC RESIDENTIAL DISTRICT FUTURE LAND USE MAP



535 NORTH 7<sup>th</sup> STREET AERIAL PHOTOGRAPH





535 NORTH 7<sup>th</sup> STREET STREET VIEW – BUILDING AND PARKING LOT





535 NORTH 7<sup>th</sup> STREET STREET VIEW – FAÇADE FACING NORTH 7<sup>th</sup> STREET



**GRAND JUNCTION PLANNING COMMISSION**  
**September 22, 2020 MINUTES**  
**6:00 p.m.**

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Bill Wade, George Gatseos, Keith Ehlers, Ken Scissors and Sam Susuras.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Kristen Ashbeck (Principal Planner), David Thornton (Principal Planner), and Lance Gloss (Senior Planner).

There were 3 members of the public in attendance.

1 male, 2 female 20-30ish years old attendees  
2 reps, 4 applicants

**1. Elysium Studios – Planned Development Amendment File # PLD-2020-440**

Consider a Request by Arlo Dicristina to Approve an Amendment to the Planned Development (PD) Zoning Ordinance and Development Plan for the North Seventh Street Historic Residential District to Add Allowed Uses on the Property Located at 535 North 7th Street.

**Staff Presentation**

Kristen Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

**Questions for Staff**

Commissioner Susuras asked a question regarding objections to the request.

**Applicant's Presentation**

The Applicants, Arlo and Ryan DiCristina, were present and available for questions. The Applicant's representative, Shelley ?, was also present and available for questions.

**Questions for Applicant**

Commissioner Ehlers regarding what exactly is body art and how it falls into the personal services category.

Commissioner Gatseos asked a question regarding the business and its success.

Commissioner Wade asked a question regarding the building layout.

### **Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, September 15, 2020 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

One comment was submitted via GJSpeaks in support of the request from Mr. Abram Herman.

The public hearing was closed at 6:43 p.m. on September 22, 2020.

### **Applicant's Response**

None.

### **Questions for Applicant or Staff**

None.

### **Discussion**

Commissioner Ehlers made a comment in support of the request.

### **Motion and Vote**

Commissioner Scissors made the following motion, "Chairman, on the Amendment to the Planned Development (PD) and Development Plan established in Ordinance 4508 for the North Seventh Street Historic Residential District to establish the R-O district as the underlying zone and add allowed uses for the property located at 535 North 7th Street, file number PLD-2020-440, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

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



# Grand Junction Speaks

## Elysium Studios - Planned Development Amendment

- Details
- Comments (1)
- Staff Responses (0)
- Messages (0)
- Subscribers (1)

Status	Author	Text	Attachments	Planning Commission Review	Submitted On	Reject	Approve
Published	Abram Herman abram.herman@gmail.com	<p>I'm fully in support of amending for this use. This kind of revitalization in the downtown area is exactly what our city needs. The property is a great location for the proposed use as a tattoo studio and art space. I currently live about a block from the present location of Elysium Studios, and they have been good residents of our neighborhood. They bring out-of-town tattoo clients to our city, which contributes to the local economy and puts us on the map in a way that supports our tourism and hospitality industries, and the owner (Arlo DiCristina) is a born and raised Grand Junction local who I believe cares about creating something positive in our community—and he has the resources to do so.</p> <p>I've heard that there has been a small amount of pushback from neighbors who feel that the former church building should only be used again as a place of worship. With all due respect, we have an adequate number of places of worship in our city, and I think that turning the location into a space for art and local talent while preserving the beautiful building is an appropriate and wonderful use of the space.</p>		4/7 George Gatseos Andrew Teske Bill Wade Ken Scissors Christian Reece Keith Ehlers Sam Susuras	09/20/2020 6:41 pm		Unapprove



**CITY OF GRAND JUNCTION, COLORADO  
ORDINANCE \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE 4508  
TO ESTABLISH THE PLANNED DEVELOPMENT (PD)  
ZONE DISTRICT AND A DEVELOPMENT PLAN FOR  
THE NORTH SEVENTH STREET HISTORIC RESIDENTIAL  
DISTRICT**

**LOCATED ON NORTH 7<sup>th</sup> STREET BETWEEN HILL AND  
WHITE AVENUES**

Recitals:

The requested amended Planned Development (PD) zoning and Development Plan will establish the R-O zone district as the underlying district and allow additional uses for the property located at 535 North 7<sup>th</sup> Street. The request to amend the PD and Development Plan have been submitted in accordance with the Zoning and Development Code (Code).

In public hearings, the Planning Commission and City Council reviewed the request for the proposed amendment and determined that the proposed amended PD and Development Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed Development Plan will achieved "long-term community benefits" by the reuse of a long-vacant historic structure which will enhance the character of the neighborhood, downtown and the general community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING AMENDMENTS ARE MADE TO THE PLANNED DEVELOPMENT (PD) ZONING ORDINANCE AND DEVELOPMENT PLAN:

- 1) The default/underlying zone district for the property located at 535 North 7<sup>th</sup> Street (tax parcel number 2945-141-36-005) shall be the Residential Office (R-O) zone district.
- 2) The uses allowed with the default R-O zone district shall include all allowed uses within the Residential 8 units per acre (R-8) zone district as amended and the following uses: personal services, small appliance repair, general office, boarding school, museum, art gallery, opera house, library; medical and dental clinic, counseling center (nonresident), and health club.
- 3) The maximum residential density allowed on the property shall be in accordance with the Comprehensive Plan Future Land Use Map as amended.

- 4) The bulk standards, performance standards, site design, layout and operational considerations shall be in accordance with the R-O zone district as amended. The architectural considerations shall be in accordance with the North Seventh Street Historic Residential District Guidelines and Standards.
- 5) The North Seventh Street Historic Residential District Guidelines and Standards are revised as below (new text underlined, existing text to be deleted strikethrough).

**Chapter 26.12**  
**LAND USE AND ZONING**

**26.12.010 Land use and zoning.**

The zoning for the majority of the North Seventh Street Historic Residential District is Planned Development Residential, with a default Residential 8 (R-8) zone. Some parcels within the District have not, however, been used historically as residences, including the parcel located at 535 North 7<sup>th</sup> Street, which includes the First Church of Christ, Scientist building. The following uses, in addition to those allowed in the default R-8 zone district, are allowed on the parcel at 535 North 7<sup>th</sup> Street: personal services, small appliance repair, general office, boarding school, museum, art gallery, opera house, library; medical, dental clinic, counseling center (nonresident), and health club, which uses shall be subject to the R-O performance standards established in Section 21.03.070(a)(2) and(3) (but not, however, subject to subsection (4); rather these Guidelines and Standards shall apply to architectural consideration for the site); however those uses allowed by right in the R-8 zone district are not subject to such performance standards. Except as expressly stated in this paragraph, ~~These~~ Guidelines and Standards do not affect allowable uses or zoning.

Introduced for first reading on this \_\_\_\_ day of October 2020 and ordered published in pamphlet form.

PASSED and ADOPTED this \_\_\_\_ day of October 2020 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk



## Grand Junction City Council

### Regular Session

Item #2.a.iii.

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**Meeting Date:** October 21, 2020

**Presented By:** David Thornton, Principal Planner

**Department:** Community Development

**Submitted By:** David Thornton, Principal Planner

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### **Information**

#### **SUBJECT:**

An Ordinance Zoning the Airport North Boundary Annexation, Approximately 187.69-Acres to a City Planned Development - PAD (Planned Airport Development) and Amending the Outline Development Plan (ODP), Located Generally at the Northern Edge of the Grand Junction Regional Airport, Parcels 2701-113-00-002 and 2705-154-00-003 [Staff Presentation](#)

#### **RECOMMENDATION:**

Planning Commission heard this item at their September 22, 2020 public hearing and voted (6-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, Grand Junction Regional Airport, is requesting a zone of annexation for the Airport North Boundary Annexation from County AFT (Agricultural, Forestry, Transitional) zone district to City Planned Airport Development (PAD), a Planned Development (PD) zone district per Ordinance No. 4834; and an amendment to the Planned Development Outline Development Plan (ODP) to include the annexation area and designating it as an Aeronautical Zone (PD Zone/District) area. The annexation area is 187.69 acres and consists of two parcels of land located generally at the northern edge of the Grand Junction Regional Airport and includes property deeded to the Airport by the Bureau of Land Management (BLM), Parcels 2705-154-00-003 and 2701-113-00-002.

The Airport sought City annexation of these parcels recently deeded to them from the BLM so that the entire airport environs area is within the city limits and under the city's land use jurisdiction. Further, the parcels are located within the City's Urban

Development Boundary (UDB).

## **BACKGROUND OR DETAILED INFORMATION:**

### **BACKGROUND**

The Airport North Boundary Annexation consists of two parcels of land totaling 187.69 acres of land located; the parcel numbers are 2705-154-00-003 and 2701-113-00-002. The land was previously owned by the federal Bureau of Land Management (BLM) but has now been deeded to the Grand Junction Regional Airport. The Grand Junction Regional Airport (Airport) sought annexation of the property into the city so that the entire airport environs are within the city limits and within the city's land use jurisdiction. They are requesting to zone them the same zone district as the remaining airport land within the City limits. The Airport requests a zone of annexation for the Airport North Boundary Annexation from County AFT (Agricultural, Forestry, Transitional) zone district to City Planned Airport Development (PAD) a Planned Development (PD) zone district per Ordinance No. 4834 including a amendment to the ODP to include the annexation area and designating it as an Aeronautical Zone (PD Zone/District) area.

Further, the airport lands are located within the Urban Development Boundary (UDB). City Council approved the annexation on September 2, 2020 and awaits Planning Commission's recommendation for zoning.

Proposed PAD zoning – Planned Development – Ordinance No. 4834

PD Zoning Ordinance 4834 approved the Grand Junction Regional Airport Institutional and Civic Master Plan and provided a Planned Development Zone district for the Grand Junction Regional Airport lands. The PD zone permits the various land uses associated with airport development and provides standards and regulations that ensure the airport can provide the necessary services and functions that ensure needed air services to the community and region.

### **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 July 17, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1,000 feet, on September 11, 2020. The notice of this public hearing was published on September 15, 2020 in the Grand Junction Daily Sentinel.

### **ANALYSIS**

Zone the Airport North Boundary Annexation to Planned Airport Development (PAD) a Planned Development (PD) zone district per Ordinance No. 4834. This request is to

change the official zoning Map to add the annexation area as PAD and incorporate the PD zoning as created by Ordinance 4834 for the two parcels that are included in the annexation; and amend the ODP to include these two parcels into the Aeronautical PD District area. All land uses and performance standards established for the Aeronautical PD Zone/District as established under Ordinance 4834 will apply to the annexation areas.

### **Zone of Annexation**

In reviewing a Zone of Annexation, the decision-making body shall consider the following:

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

(1) Subsequent events have invalidated the original premises and findings; and/or The applicant has petitioned for annexation into the City limits with a requested zone district of PAD, which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Airport. Because the property is currently in the County, the annexation of the property is a subsequent event that will invalidate the original premise: a county zoning designation, therefore, 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 condition of the area has not changed. Although it is now under Airport ownership from the BLM disposing the property to them, this does not constitute a change in character or condition of the area. This ownership transfer from the BLM to the Grand Junction Regional Airport was needed by the airport for the buildout of their master plan. Staff finds that this criterion has not been met.

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

The lands proposed for annexation are meant to be incorporated into the existing airport site, which is already adequately served by utilities and other services such as fire and law enforcement. Therefore, this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or The Grand Junction Regional Airport is the only property in the City that is zoned PAD on the official zoning map with a Master Plan and zoning to Planned Development (PD)



approved by City Council per Ordinance 4834. The amount of land needed is dictated by the Airport Master Plan and any expansion of the airport would be constrained by the amount of adjacent land in the airport's ownership. The airport has been working with the BLM for several years to secure ownership of the lands being annexed to complete the needs of their master plan development and keep the airport facility operable under FAA regulations and within the guidelines of their master plan. Staff finds that there is an inadequate supply of land designated as PAD and therefore finds this criterion to have been met.

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

The zone of annexation will act to implement the Comprehensive Plan and provide a suitable area for the potential expansion of the airport use consistent with the PAD zoning district as regulated by the PD Ordinance 4834 and the Airports Master Plan. Therefore, Staff finds this criterion has been met.

#### Consistency with Comprehensive Plan

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

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

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

Goal 9: Develop a well-balanced transportation system that supports...air, and freight movement while protecting air, water and natural resources.

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

#### **Outline Development Plan (ODP) Amendment**

Ordinance 4834 adopted in 2019, established standards for the Planned Development (PD) zone district for the Airport property based on three PD Zone/Districts, 1. Aeronautical, 2. Aeronautical/Commercial and 3. Non-aeronautical. This proposal is to modify the boundary of the Aeronautical Zone/District area to include the 187.69 acres annexed as the Airport North Boundary Annexation, thereby incorporating them into the Planned Airport Development /PD zone district where all land uses and performance standards and regulations of the PD zoning ordinance will apply.

Pursuant to Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development

Code, requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

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

The Airport is located within the Urban Development Boundary and the property and some adjacent areas are designated as "Airport" on the Future Land Use Map. In addition, the improvements identified in the Airport Civic and Institutional Master Plan are designed to accommodate the level of growth anticipated in the Comprehensive Plan. The amended ODP is consistent with the following Goals of the Comprehensive Plan.

Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.

The Grand Junction Regional Airport is a vital component of the transportation system and a valuable asset to the City and surrounding region and the improvements contemplated in the Master Plan and further implemented through this revised ODP will meet the community's air transportation and air freight needs. The additional area in the Aeronautical Zone/District area provides the land area needed to accommodate the relocation of the main airport runway, better serving the community.

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

The Grand Junction Regional Airport provides airline passenger and air freight service to the City and surrounding region. The annual economic benefits of the Airport on the local and regional economy were estimated at nearly \$400,000,000 in the 2013 Colorado Airports Economic Impact Study. Providing the additional lands to the airport development only improves its ability to provide economic benefit to the region.

Therefore, this criterion has been met.

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

See analysis for Zone of Annexation above. Staff finds that four of five of these criteria have been met.

c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;

(1) Setback Standards. Principal structure setbacks shall not be less than the minimum setbacks for the default zone.

No changes are proposed.

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

This standard is not applicable to non-residential development.

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

No changes are proposed.

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

No changes are proposed.

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

No changes are proposed.

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

No changes are proposed.

d) The applicable corridor guidelines and other overlay districts.

Section 21.07.030 of the Zoning and Development Code establishes the Airport Environs Overlay Zoning District that applies additional standards and requirements to properties located in close proximity to the Airport and its facilities. The purpose of the Overlay District is to protect public health, safety and welfare by regulating development and land use within noise sensitive areas and airport hazard areas, to ensure compatibility between the Airport and surrounding land uses, and to protect the Airport from incompatible encroachment.

The Overlay includes four subdistricts: Subdistrict A, Airport Area of Influence;

Subdistrict B, Noise Zones; Subdistrict C, Critical Zone and Subdistrict D, Clear Zone.

No changes are proposed

e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

No changes are proposed

f) Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

No changes are proposed

g) Appropriate screening and buffering of adjacent property and uses shall be provided;

No changes are proposed

h) An appropriate range of density for the entire property or for each development pod/area to be developed;

This standard is not applicable for this application as the proposed amendment is not modifying density.

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

No changes are proposed

j) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

No changes are proposed

### **FINDINGS OF FACT AND RECOMMENDATION**

After reviewing the zone of annexation request by Grand Junction Regional Airport and amendment to the ODP, File No. ANX-2020-283, for the property located at Parcels 2705-154-00-003 and 2701-113-00-002, the following findings of fact have been made:

1. The Zone of Annexation to PAD, a Planned Development Zone meets one or more of the rezone criteria in accordance with Section 21.02.140(a) of the Zoning and Development Code.

2. The Zone of Annexation to PAD is consistent with the Comprehensive Plan and the Grand Junction Regional Airport Master Plan.

3. The Outline Development Plan amendment conforms with the requirements of Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code and meets more than one of the rezoning criteria provided in Section 21.02.140 of the Grand Junction Zoning and Development Code.

Therefore, the Planning Commission recommended approval of the request.

**FISCAL IMPACT:**

This land use action has no fiscal impact to the City of Grand Junction.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 4961, an ordinance approving a Zone of Annexation request for the Airport North Boundary Annexation to PAD, a Planned Development zone district per Ordinance No. 4834 and amending the Grand Junction Regional Airport ODP to include the annexation area within the Aeronautical PD Zone/District area Located along the N/NE border of airport properties including tax parcels 2705-154-00-003 and 2701-113-00-002, on final passage and order final publication in pamphlet form.

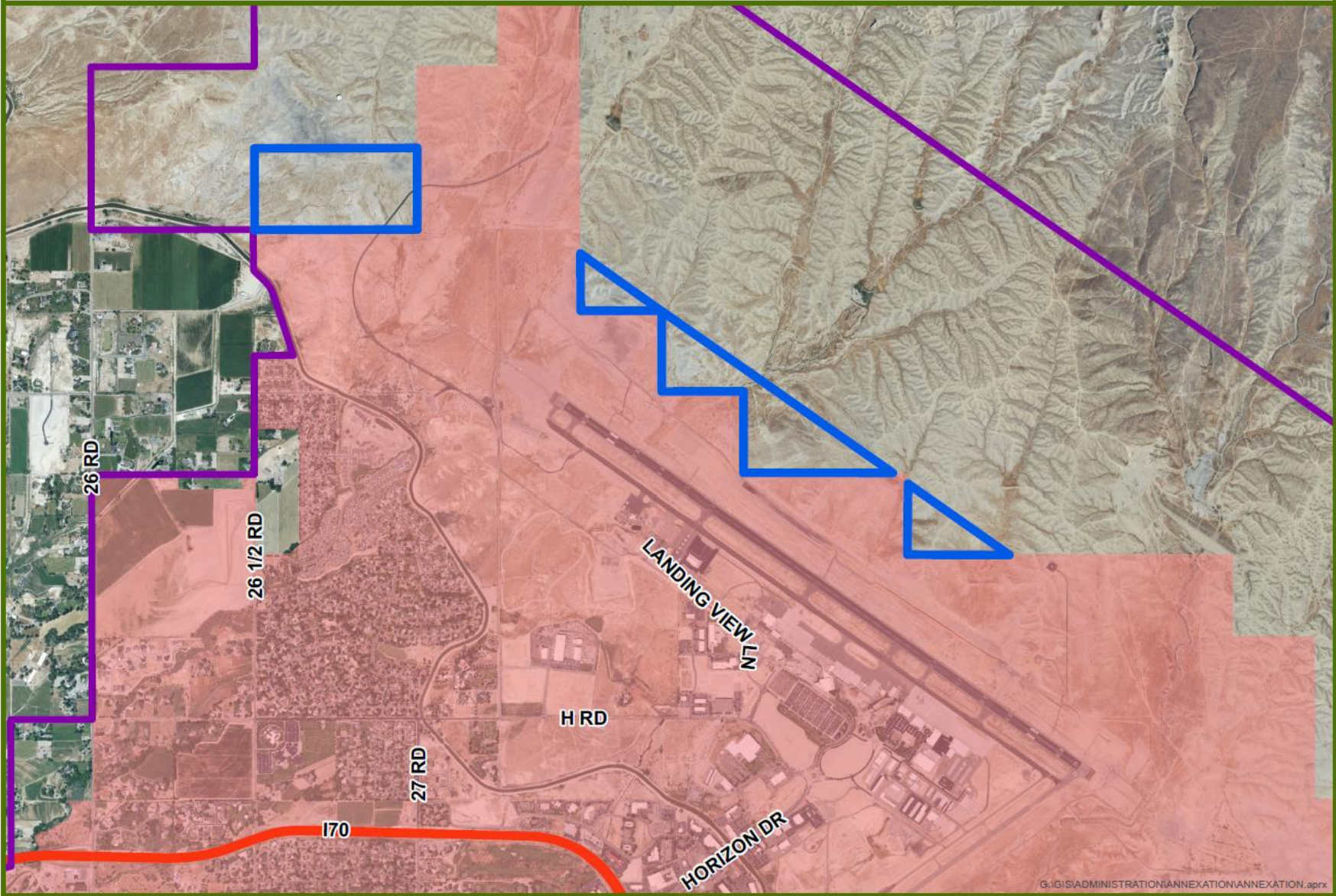
**Attachments**

1. Location Maps and Photos
2. 2019 Airport Master Plan Drawings
3. Proposed ODP Map - PD Zone-Districts
4. 2019 GJ Airport Master Plan Ordinance 4834
5. Airport North Boundary Annexation Schedule
6. Airport North Boundary Annexation PAD Zone and ODP Amendment
7. Planning Commission Minutes - 2020 - September 22 - Airport Zone of Annexation
8. ORD-Airport North Annex PAD Zoning Ordinance



# Location Maps and Photos

## AIRPORT NORTH BOUNDARY ANNEXATION



0 0.25 0.5 Miles

 Annexation

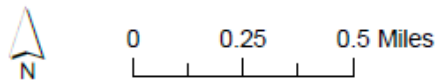
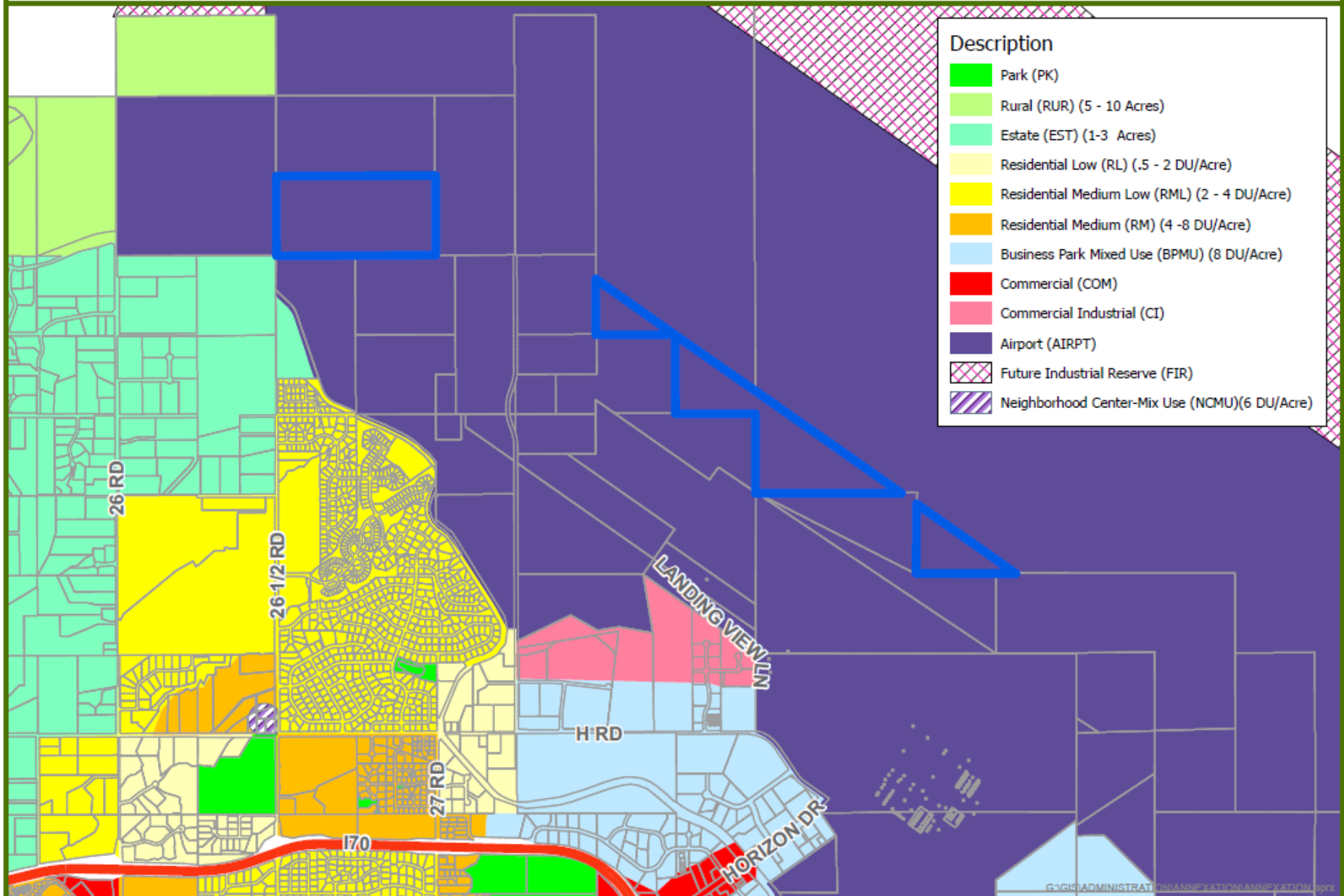
 UDB

 City Limits

Date Created: 8/10/2020



# AIRPORT NORTH BOUNDARY ANNEXATION - FUTURE LAND USE



Annexation Boundary

Date Created: 7/16/2020







# 2019 Airport Master Plan Drawings

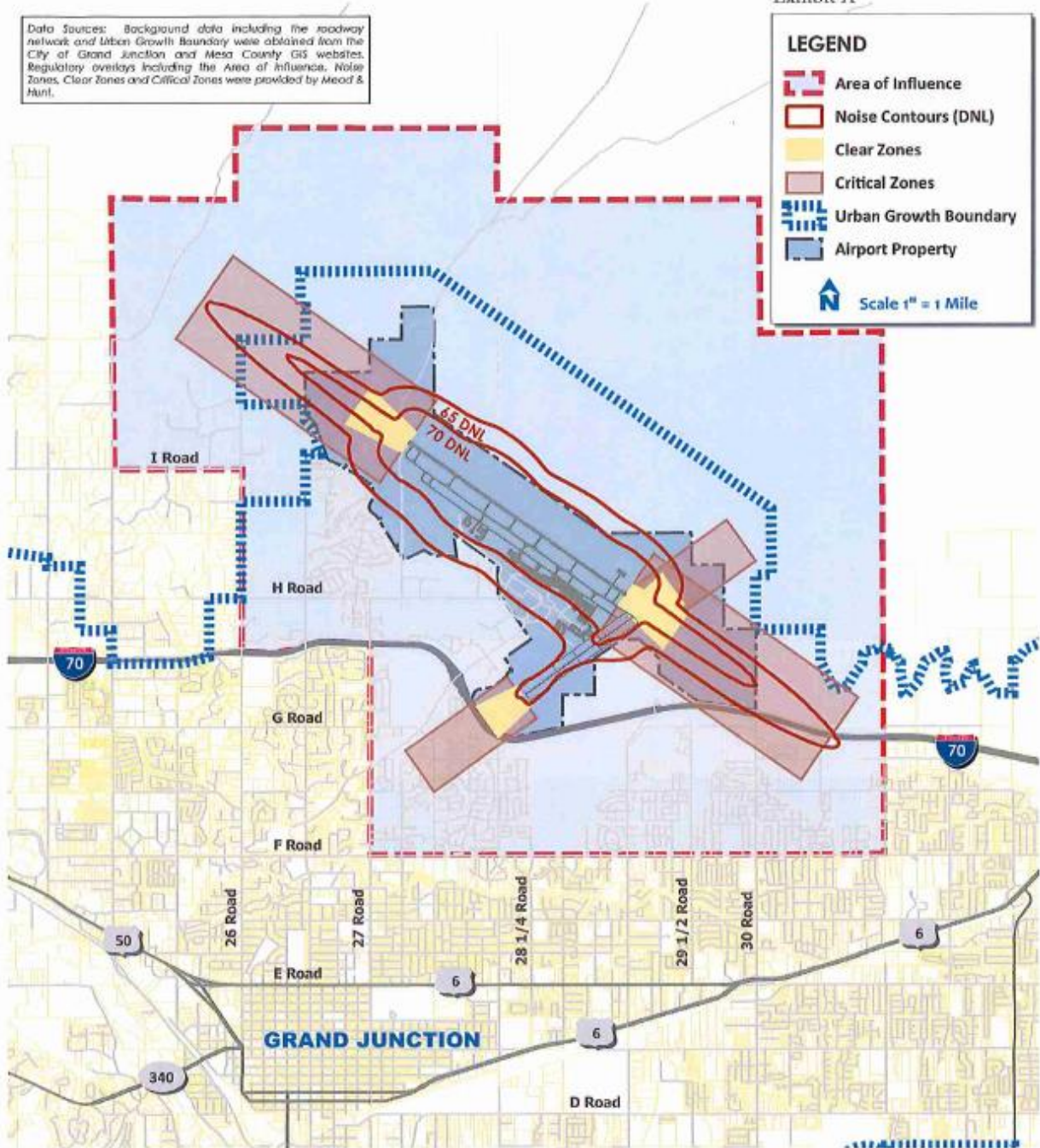
Exhibit A

Data Sources: Background data including the roadway network and Urban Growth Boundary were obtained from the City of Grand Junction and Mesa County GIS websites. Regulatory overlays including the Area of Influence, Noise Zones, Clear Zones, Critical Zones and Airport Property were provided by Mead & Hunt.

**LEGEND**

-  Area of Influence
-  Noise Contours (DNL)
-  Clear Zones
-  Critical Zones
-  Urban Growth Boundary
-  Airport Property

 Scale 1" = 1 Mile



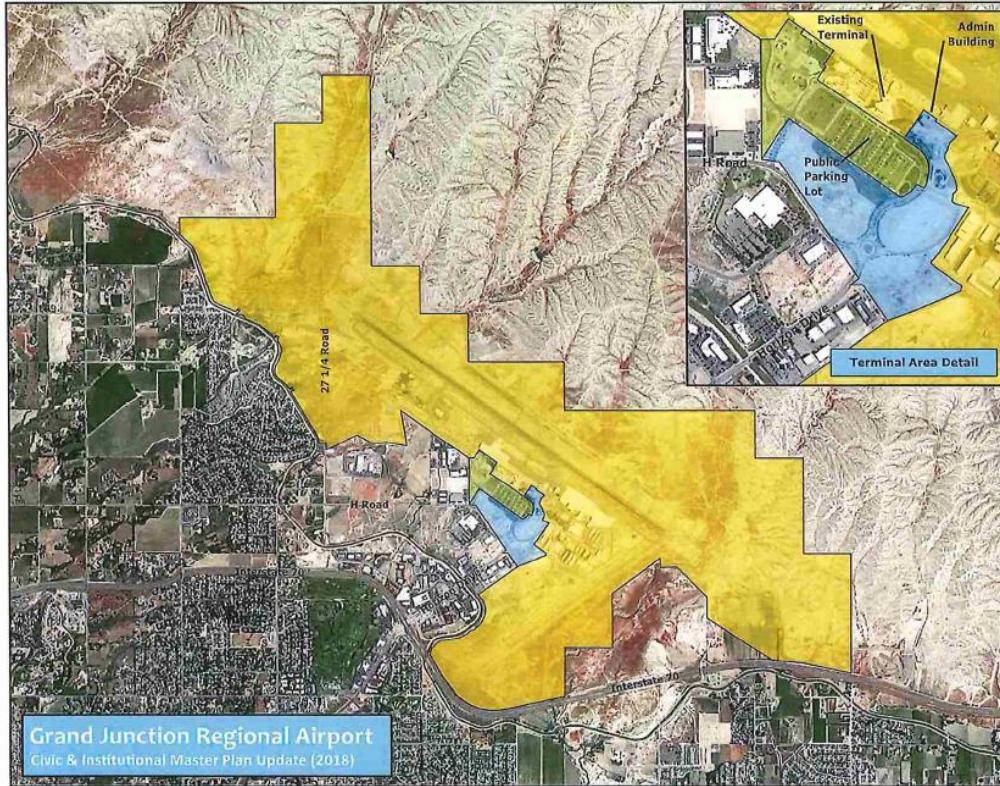
## Airport Environs Overlay Zone Districts

Reflects Future Alignment for Runway 11/29

Date: 1/24/2019



Airport Institutional and Civic Master Plan ODP – Airport PD Districts approved March 6, 2019.



**Proposed PD Districts**

**Airport Owner/Operator:**  
 GRAND JUNCTION REGIONAL AIRPORT AUTHORITY  
 Rex Tippett, Director of Aviation  
 3518 Walker Field Drive, Suite 301  
 Grand Junction, CO 81505

**Airport Planning Consultant:**  
 MEAD & HUNT  
 DENVER  
 1743 Wazee Street, Suite 400  
 Denver, Colorado 80202  
 Ph | 303.852.8844

**Planning Consultant:**  
 TC MALLOY CONSULTING, LLC  
 453 Park Drive  
 Glenwood Springs, Colorado 81601  
 Ph | 970.245.4831  
 Email | tgmalley@tcrcorp.net

**Legend**

- Aeronautical
- Aeronautical/Commercial
- Non-Aeronautical/Commercial



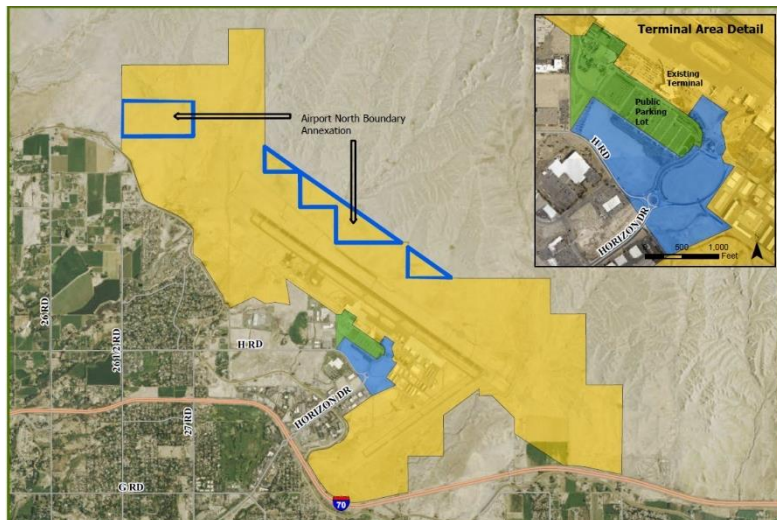
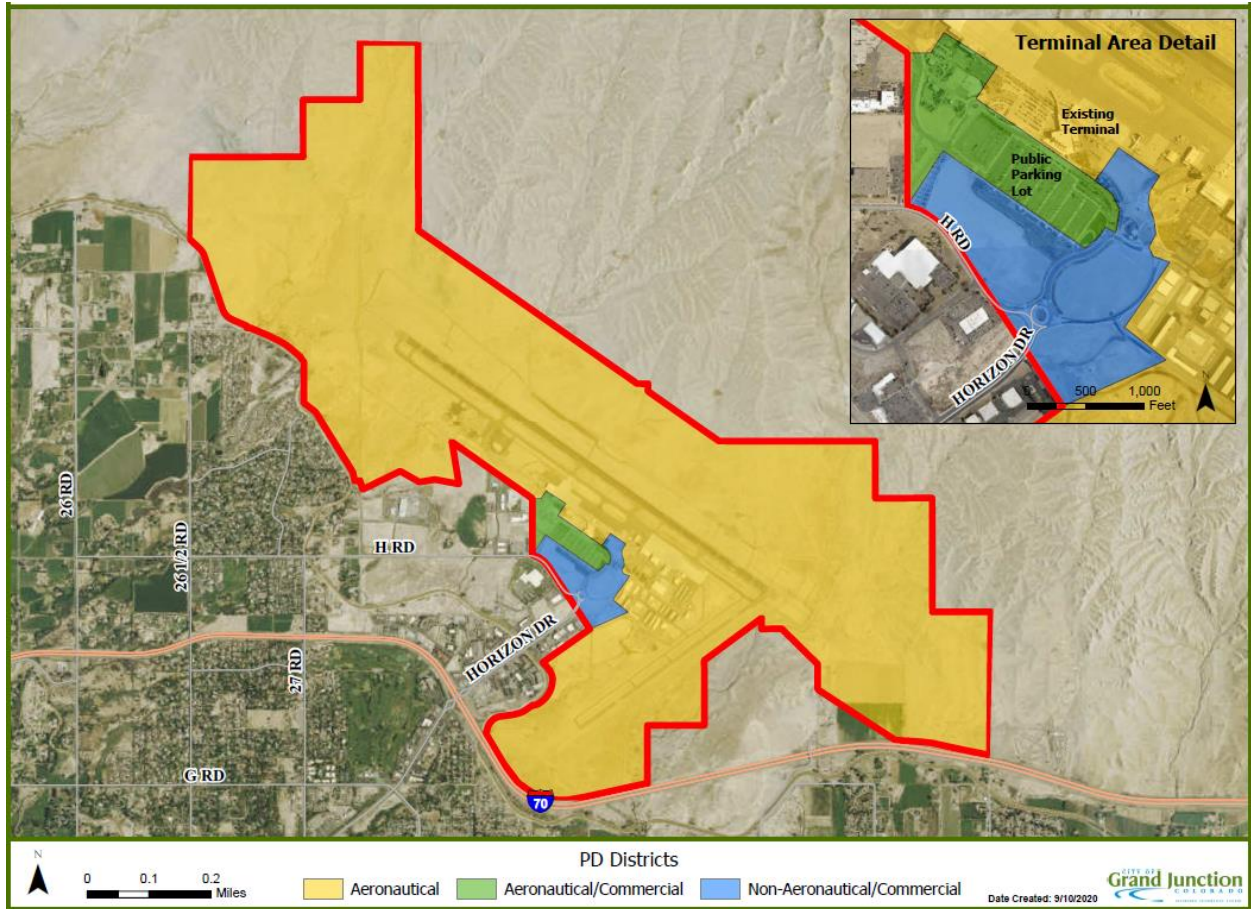
Not to Scale

May, 2018  
 Datum: World Geodetic 1984 (WGS84) Auto  
 Projection: Mercator  
 Map data obtained from Mesa County  
 GIS Department.



# Proposed ODP Map – PD Zone/Districts

Amending Exhibit 14 “Proposed PD Districts Map”  
of Ordinance 4834 to include newly annexed area in Aeronautical District area



The graphic to the left shows the area of annexation overlaid on the proposed ODP Map.



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 4834**

**AN ORDINANCE APPROVING THE GRAND JUNCTION REGIONAL AIRPORT INSTITUTIONAL AND CIVIC MASTER PLAN AND AMENDING ORDINANCE NO. 3679, PLANNED DEVELOPMENT FOR THE AIRPORT PROPERTY**

Recitals

The proposed Institutional and Civic Master Plan for the Grand Junction Regional Airport includes two components: the 2009 Airport Master Plan Update and the 2011 Terminal Area Plan and 2017 Amendment. The update addresses forecasting of future aviation activity, which serves as the basis for the facility improvements necessary to meet the needs. The Terminal Plan includes both the long term needs for the replacement of the terminal building, as well as the near-term improvements needed to maintain safe and efficient operation of the existing building until funding is available for its replacement.

Ordinance No. 3679, adopted in 2004, established standards for the Planned Development (PD) zone district for the Airport property based on three zones, 1. Aeronautical, 2. Aeronautical/Commercial and 3. Non-aeronautical. Modifications proposed for the ordinance include placing the partially constructed Administration Building in the Non-aeronautical/Commercial zone and modifying the review process to be consistent with the current Zoning and Development Code which allows for administrative review of future development.

The City Council finds, after a public hearing and review of the proposed that:

1. The requested Institutional and Civic Master Plan meets the requirements of Section 21.02.190 (c) of the Grand Junction Zoning and Development Code.
2. The Outline Development Plan conforms with the requirements of Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code and meets more than one of the rezoning criteria provided in Section 21.02.140 of the Grand Junction Zoning and Development Code.

The City Council also finds and determines that the ODP achieves substantial long-term community benefits, as required by the Zoning and Development Code, as follows:

The Airport, along with the aviation-related businesses and facilities, represents a vital and significant regional economic asset by providing commercial passenger service, general aviation facilities, air cargo, and a small amount of military activity. In addition, the Airport also provides benefits to the local businesses and industries, promotes tourism, and encourages additional business development and expansion throughout Grand Junction and the surrounding region. The 2013 Colorado Airports Economic Impact Study quantified the total impact of the Grand Junction Regional Airport at 2,871 jobs, with a total payroll of \$130,775,972 and a total economic output of \$380,039,796.

The Master Plan accommodates aircraft operations and the traveling public with great reliability and safety and makes the most efficient use of the available land for aviation related activities and supporting uses by defining improvements necessary to meet future needs.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Planning Commission reviewed the request for the proposed Institutional and Civic Master Plan, Planned Development (PD) and Outline Development Plan (ODP) and determined that it satisfies the applicable criteria of the Zoning and Development Code, is consistent with the purposes, intent, goals and policies of the Comprehensive Plan, and is generally compatible with land uses located in the surrounding area, and recommended approval.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE INSTITUTIONAL AND CIVIC MASTER PLAN (as found in City Development File #FMP-2018-405, titled Appendix A, Airport Master Plan Update and Appendix C, 2017 Terminal Areas Plan Amendment) AND OUTLINE DEVELOPMENT PLAN (attachments A and B) AS A PLANNED DEVELOPMENT FOR THE GRAND JUNCTION REGIONAL AIRPORT IS APPROVED WITH THE FOLLOWING STANDARDS:

A. This Ordinance applies to the following described property:

**Uses and Standards are as follows:**

Aeronautical Zone

Allowed uses to be determined by the GJRAA to include:

- Aircraft Maintenance, Storage, Tie-Down, and Sales
- Aircraft and Aircraft Parts Manufacturer
- Aircraft Charter and Taxi
- Fixed Base Operator (FBO)
- Commercial Airline Operation
- Federal Aviation Administration (FAA)
- Governmental Aeronautical Activities
- Fire Protection and Medical Operation
- BLM Fire Suppression Center
- Pilot and Emergency Personnel Temporary Quarters while on duty
- Civil Air Patrol
- Flight Club and School
- Pilot Supply Shop
- Food Service for Aeronautical Customers
- Fly-in Lodging
- Air Cargo Operation
- Private Hangars
- Taxiway, Runway and Run-up area
- Passenger Terminal Building
- Aircraft Safety areas
- Navigational and Landing Aids
- Aeronautical related activities approved by FAA

Street Improvements:

- All internal streets located on GJRAA property are owned and maintained by the Authority.



- Street improvements to serve the Aeronautical Zone will be determined by the Authority and FAA.
- Minimum paved street width shall be 24 feet with a minimum 5' gravel shoulder on each side.
- On-street parking is subject to Authority rules and regulations.
- Street specifications will be determined by the Authority.
- All new development is subject to the City's Transportation Capacity Payment.

#### Drainage/Stormwater Management:

- Final drainage report and stormwater permit through the State of Colorado and 521 Drainage Authority must be obtained in accordance with City standards and in accordance with the Airport Master Drainage Report.

#### Utilities:

- Utility extensions and upgrades to be determined by the Authority and utility providers.
- Fire hydrants and water main extension requirements to be determined by the Grand Junction Fire Department.

#### Site Development Bulk Requirements:

- Tenant must establish compatible grading and drainage relationships between building, parking areas, ramps, taxiways, and adjacent properties consistent with the Authority's Master Drainage Report and the City's requirements. Tenant shall be responsible for assuring that any alteration of grading or drainage does not result in damage to any other real or personal property surrounding or in the vicinity of the subject property.
- Building setback from all lease lines shall be zero (0) feet.
- Building construction and materials must be non-glare and must not interfere with aircraft operations.
- Enclosed hangars shall have a minimum of 4 inches of concrete for the floor.
- Exterior building colors shall be soft colors similar to those found in nature in soil, rocks and vegetation of the surrounding area, to be approved by the Authority.
- Aircraft movement areas shall consist of a minimum of 4 inches of asphalt or concrete and meet the design criteria for the aircraft weight contemplated.
- Compliance with adopted Fire and Building Codes.
- Approved FAA FORM 7460-1 for all improvements.

#### Parking and On-site Circulation:

- Tenant subject to adequate parking as required by Authority's Requirements and Minimum Standards for Commercial Aeronautical Services and Activities.
- Required pedestrian circulation to be determined by Authority.

#### Landscaping, Screening and Buffering:

- Landscaping not required.
- Screening and buffering to be determined by Authority.
- Tenant shall eliminate weeds on a regular basis and comply with all FAA requirements pursuant to FAR Part 139, as amended from time to time.

#### Lighting:

- Lighting must be placed or shielded to not cause glare or excessive light spillage onto adjacent properties, runways, taxiways, taxilanes, ramp areas, roadways and the air traffic control tower.

#### Signage:

- Tenants must comply with the City's sign regulations and Federal Aviation Regulations for all signage.
- All lighted signs must be approved in writing by the Authority.
- Final approval of signage will be at the sole discretion of the Authority.

#### Review Process:

- City review of projects will be limited to grading and drainage plans, site circulation and parking and adequate fire protection.
- Approved FAA FORM 7460-1 for the improvements shall be provided to the City prior to the issuance of a Planning Clearance.
- Sign permits are required. Signage must meet standards of the City and Authority, whichever is more restrictive.

#### Aeronautical/Commercial Zone

Allowed uses to be determined by the GJRAA to include:

- Pilot Supply Shop
- Car Rental
- Restaurant
- Aeronautical Support Manufacturer
- Courier Service
- Parking Infrastructure
- Gift Shop
- Service Business
- Weather Service
- Transportation Security Administration
- Ground Handling Service
- Aircraft Sales
- Multi-modal Transportation Systems
- Aeronautical Related Activities Approved by the FAA

#### Requirements:

- Compliance with all requirements of the C-1 zone district
- Review process in accordance with the City's Zoning and Development Code
- All required fees and permits in accordance with the City
- An approved FAA FORM 7460-1 for the improvements prior to issuance of a Planning Clearance
- Compliance with Building and Fire Codes
- Final drainage report and stormwater permit through the State of Colorado and 521 Drainage Authority must be obtained in accordance with City standards and in accordance with the Airport Master Drainage Report.

#### Non-Aeronautical/Commercial

Allowed Uses Include:

- Lodging



- Restaurant
- Convenience Store
- Car Wash
- Museum
- Theater
- Office Complex
- Multi-modal Transportation Complex
- Authority may consider any other uses allowed in the C-1 zone district

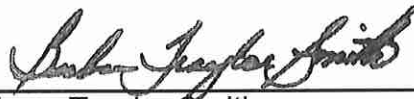
Requirements:

- Compliance with all requirements of the C-1 zone district
- Review process in accordance with the City's Zoning and Development Code
- All required fees and permits in accordance with the City
- An approved FAA FORM 7460-1 for the improvements prior to issuance of a Planning Clearance
- Compliance with Building and Fire Codes
- Final drainage report and stormwater permit through the State of Colorado and 521 Drainage Authority must be obtained in accordance with City standards and in accordance with the Airport Master Drainage Report.

Introduced for first reading on this 20th day of February, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this 6<sup>th</sup> day of March, 2019 and ordered published in pamphlet form.

ATTEST:



Barbara Traylor Smith  
President of City Council



Wanda Winkelmann  
City Clerk

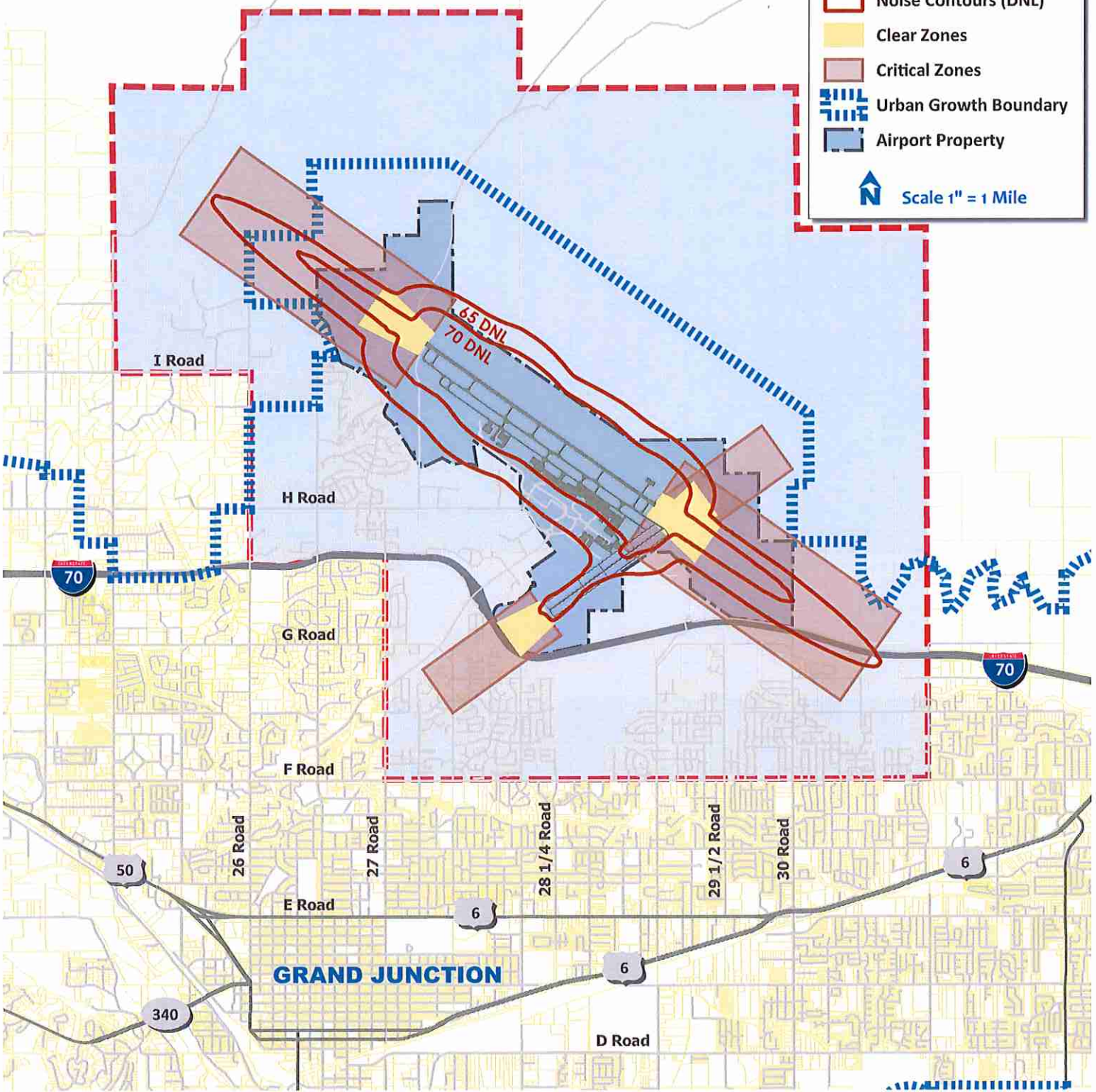


Data Sources: Background data including the roadway network and Urban Growth Boundary were obtained from the City of Grand Junction and Mesa County GIS websites. Regulatory overlays including the Area of Influence, Noise Zones, Clear Zones and Critical Zones were provided by Mead & Hunt.

**LEGEND**

-  Area of Influence
-  Noise Contours (DNL)
-  Clear Zones
-  Critical Zones
-  Urban Growth Boundary
-  Airport Property

 Scale 1" = 1 Mile



## Airport Environs Overlay Zone Districts

Reflects Future Alignment for Runway 11/29

Date: 1/24/2019

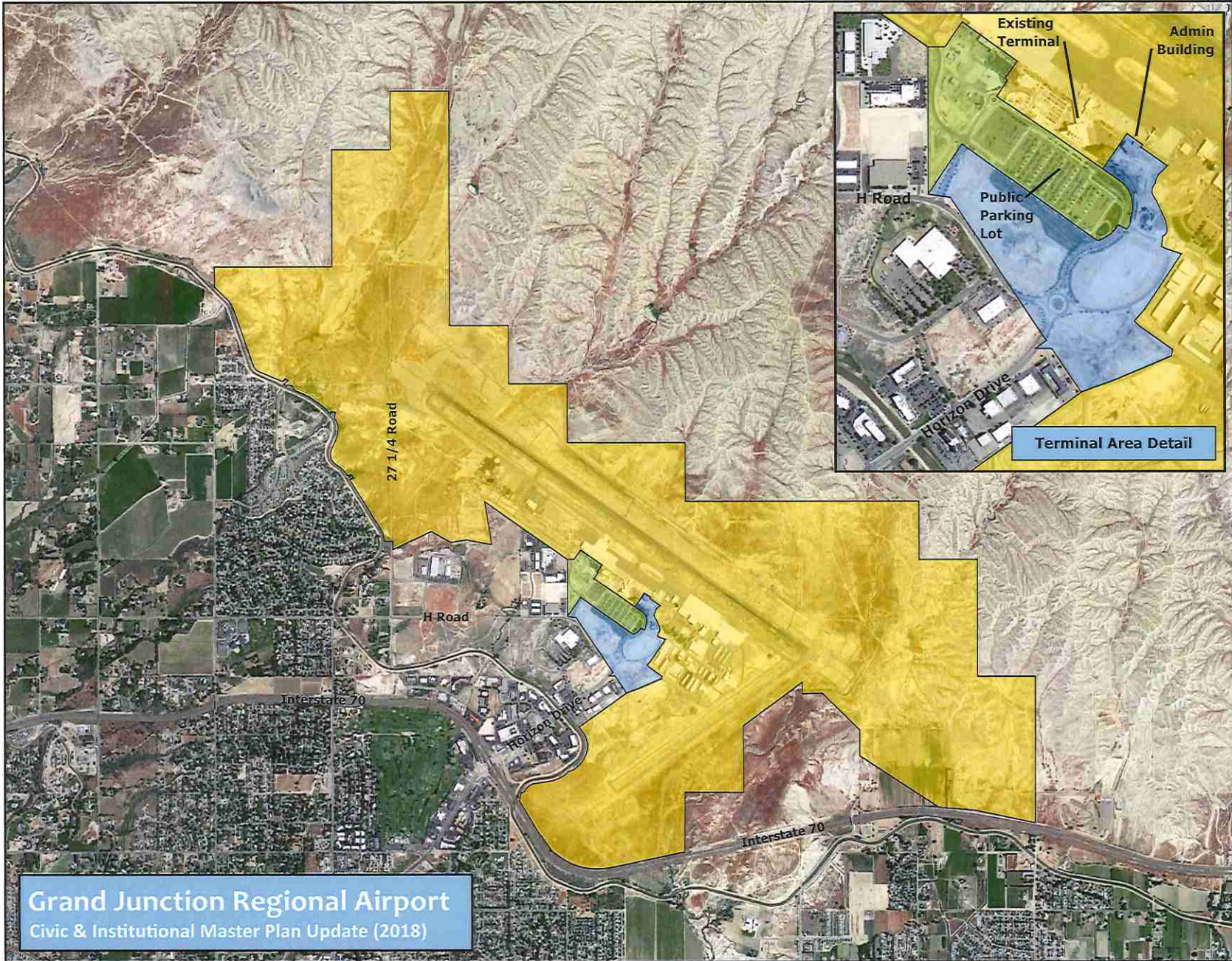
**EXHIBIT 14**  
Proposed PD Zones Map

**Grand Junction Regional Airport | Master Plan Update**

Institutional and Civic Facility Master Plan Review Application







**Grand Junction Regional Airport**  
Civic & Institutional Master Plan Update (2018)

**Proposed PD Districts**

**Airport Owner/Operator:**  
GRAND JUNCTION REGIONAL AIRPORT AUTHORITY  
Rex Tippets, Director of Aviation  
2828 Walker Field Drive, Suite 301  
Grand Junction, CO 81506

**Airport Planning Consultant:**  
MEAD & HUNT  
DENVER  
1743 Wazee Street, Suite 400  
Denver, Colorado 80202  
Ph | 303.825.8844

**Planning Consultant:**  
TG MALLOY CONSULTING, LLC  
402 Park Drive  
Greenwood Springs, Colorado 81601  
PH: 970-945-0832  
Email: tgmalley@sopris.net

- Legend**
- Aeronautical
  - Aeronautical/Commercial
  - Non-Aeronautical/Commercial



Not to Scale

**May, 2018**  
Datum: World Geodetic 1984 (WGS84) Auto  
Projection: Mercator  
Map data obtained from Mesa County  
GIS Department.



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4834 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 20<sup>th</sup> day of February, 2019 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 6<sup>th</sup> day of March, 2019, at which Ordinance No. 4834 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 6<sup>th</sup> day of March, 2019.

  
Deputy City Clerk

Published: February 22, 2018

Published: March 8, 2019

Effective: April 7, 2019



**AIRPORT NORTH BOUNDARY ANNEXATION SCHEDULE**

<b>July 15, 2020</b>	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
<b>September 22, 2020</b>	Planning Commission considers Zone of Annexation
<b>October 7, 2020</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>September 2, 2020</b>	Acceptance of Petition and Public Hearing on Annexation by City Council
<b>October 21, 2020</b>	Public Hearing on Zone of Annexation by City Council
<b>October 4, 2020</b>	Effective date of Annexation
<b>November 22, 2020</b>	Effective date of Zoning

**ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2020-283
<b>Location:</b>	2828 Walker Field Drive (GJ Regional Airport)
<b>Tax ID Numbers:</b>	2701-113-00-002 and 2705-154-00-003
<b># of Parcels:</b>	2
<b>Existing Population:</b>	0
<b># of Parcels (owner occupied):</b>	0
<b># of Dwelling Units:</b>	0
<b>Acres land annexed:</b>	187.69
<b>Developable Acres Remaining:</b>	187.69
<b>Right-of-way in Annexation:</b>	None
<b>Previous County Zoning:</b>	AFT
<b>Proposed City Zoning:</b>	PAD
<b>Current Land Use:</b>	Vacant
<b>Future Land Use:</b>	Airport
<b>Values:</b>	<b>Assessed:</b> \$1,780
	<b>Actual:</b> \$1,780
<b>Address Ranges:</b>	Same as Grand Junction Regional Airport
<b>Special Districts:</b>	<b>Water:</b> Colorado River Water Conservancy
	<b>Library:</b> Mesa County Library District
	<b>School:</b> District 51

Airport North Boundary Annexation  
Zone of Annexation to PAD  
Planned Development (PD and revised Outline  
Development Plan (ODP)

**Planning Commission – September 22, 2020**

David Thornton, Principal Planner

Planning Commission – September 22, 2020



# Background

## **Annexation**

The Grand Junction Regional Airport requested annexation of the 187.69-acre Airport North Boundary Annexation into the City of Grand Junction. It was approved by City Council on September 2, 2020

## **Zone of Annexation**

The Airport is requesting consideration for:

- 1) Zone of Annexation for the 187.69 acres from County AFT (Agricultural, Forestry, Transitional) zone district to City Planned Airport Development (PAD), a Planned Development (PD) zone district per Ordinance No. 4834; and
- 2) Amendment to the Outline Development Pan to include the annexation area and designating it as an Aeronautical Zone (PD District) area.



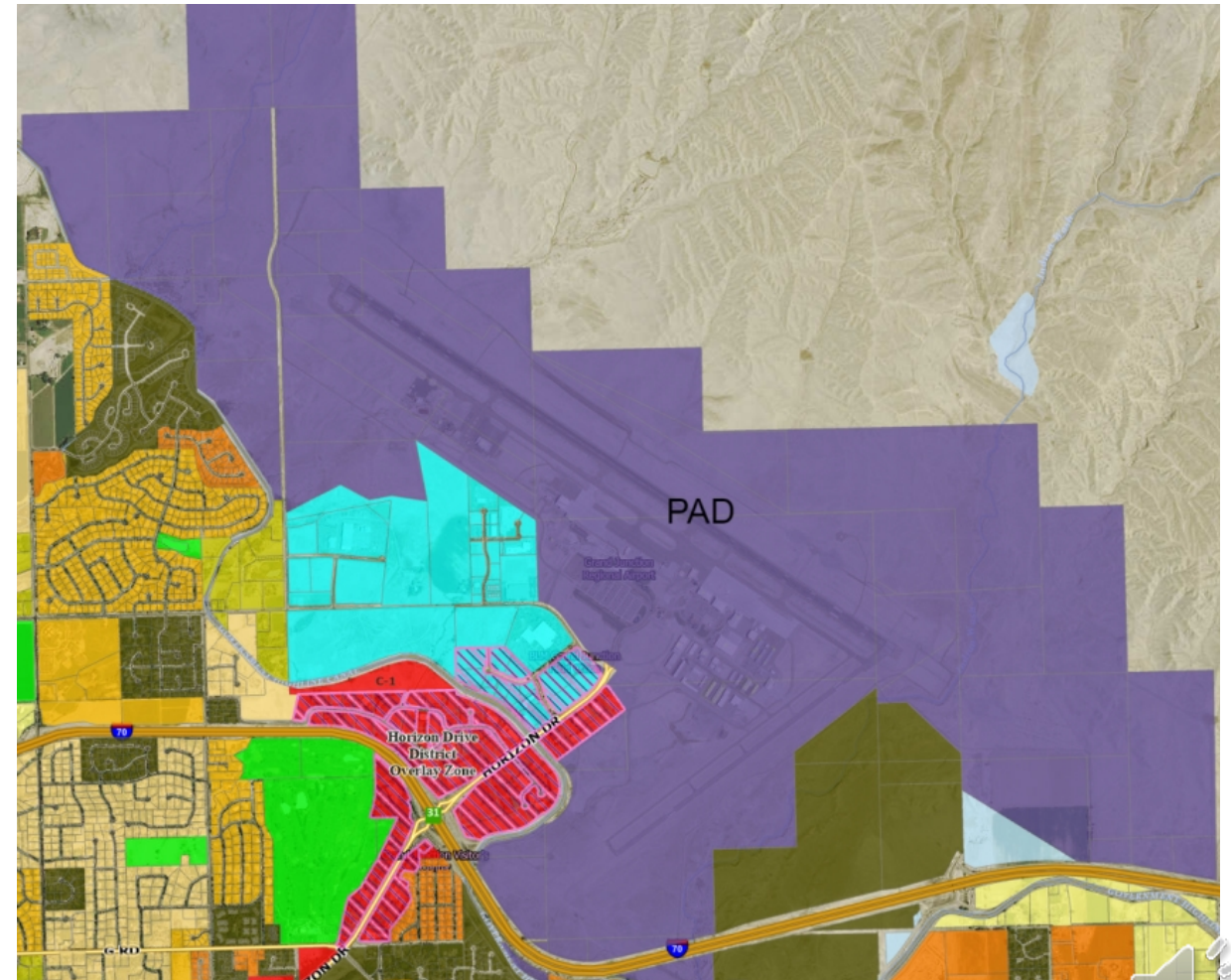
# Background Continued...

## SECTION 21.03.020 Zoning Map.

### (C) Districts

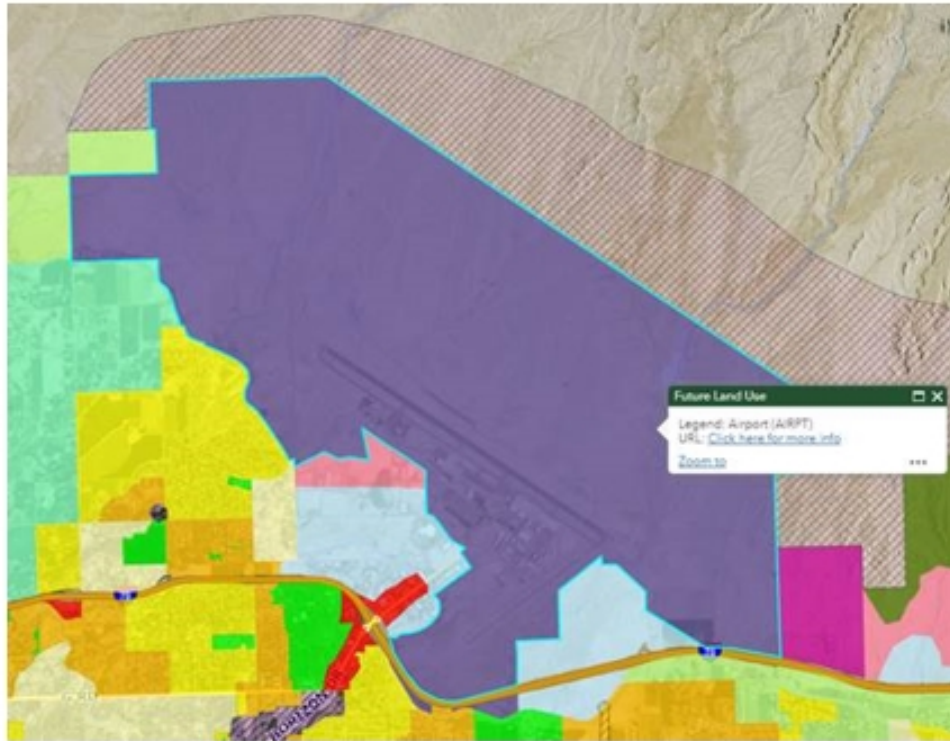
A Planned Airport Development Zone currently exists on the Official Zoning Map of the City of Grand Junction.

Ordinance 4834 adopted March 6, 2019 amended the most recent Planned Development zoning for the Airport property.





# Background Continued...



2010 Comprehensive Plan Future Land Use Map

## Airport

Land owned or managed by the Airport Authority are included in the Grand Junction Regional Airport Master Plan. These lands as they are annexed into the City of Grand Junction are zoned Planned Airport Development.

## Applicable Zones

PAD



**2010 Comprehensive Plan  
Description of Airport  
Land Use Designation  
Applicable Zone is PAD**



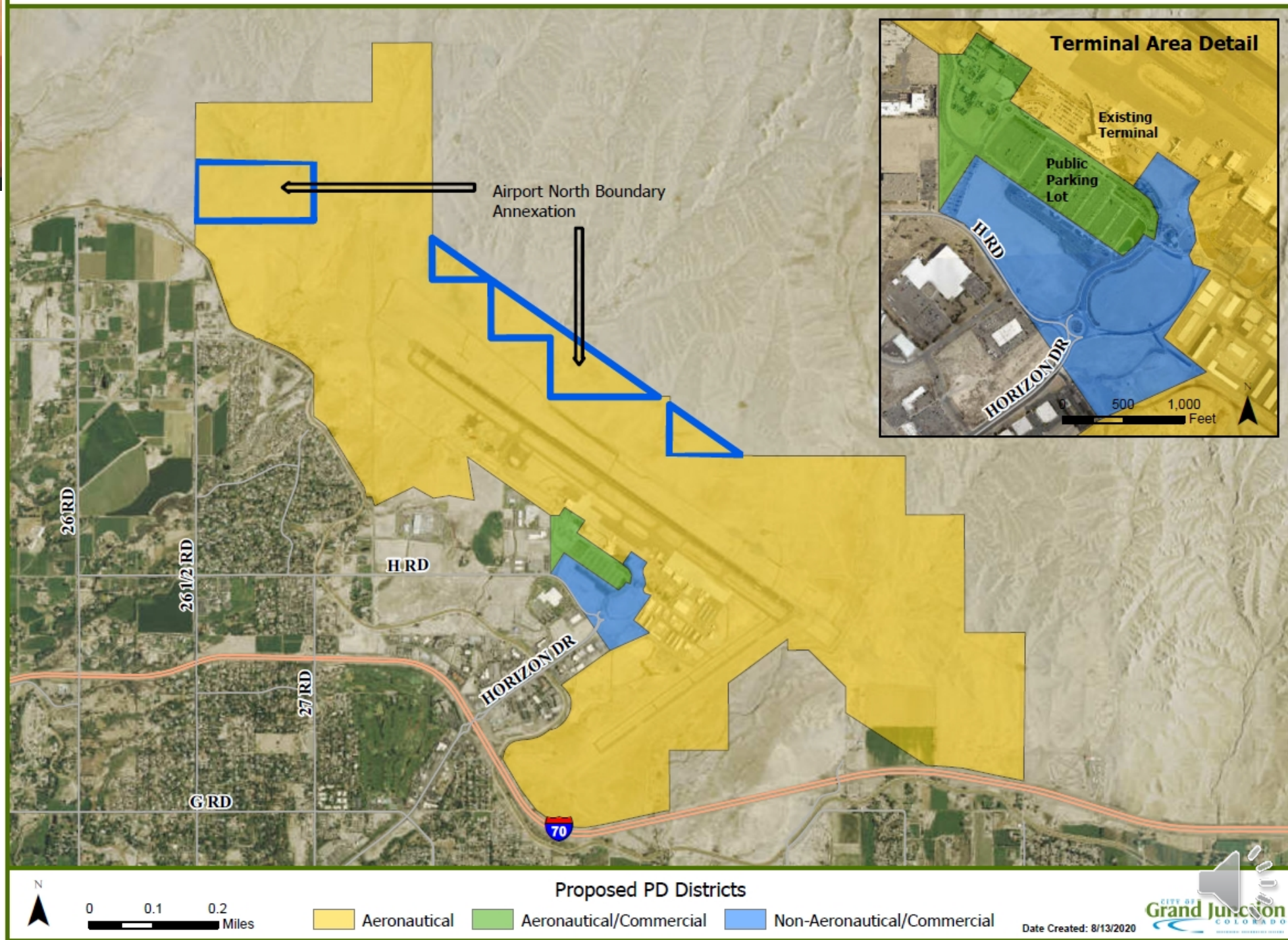




## Proposal:

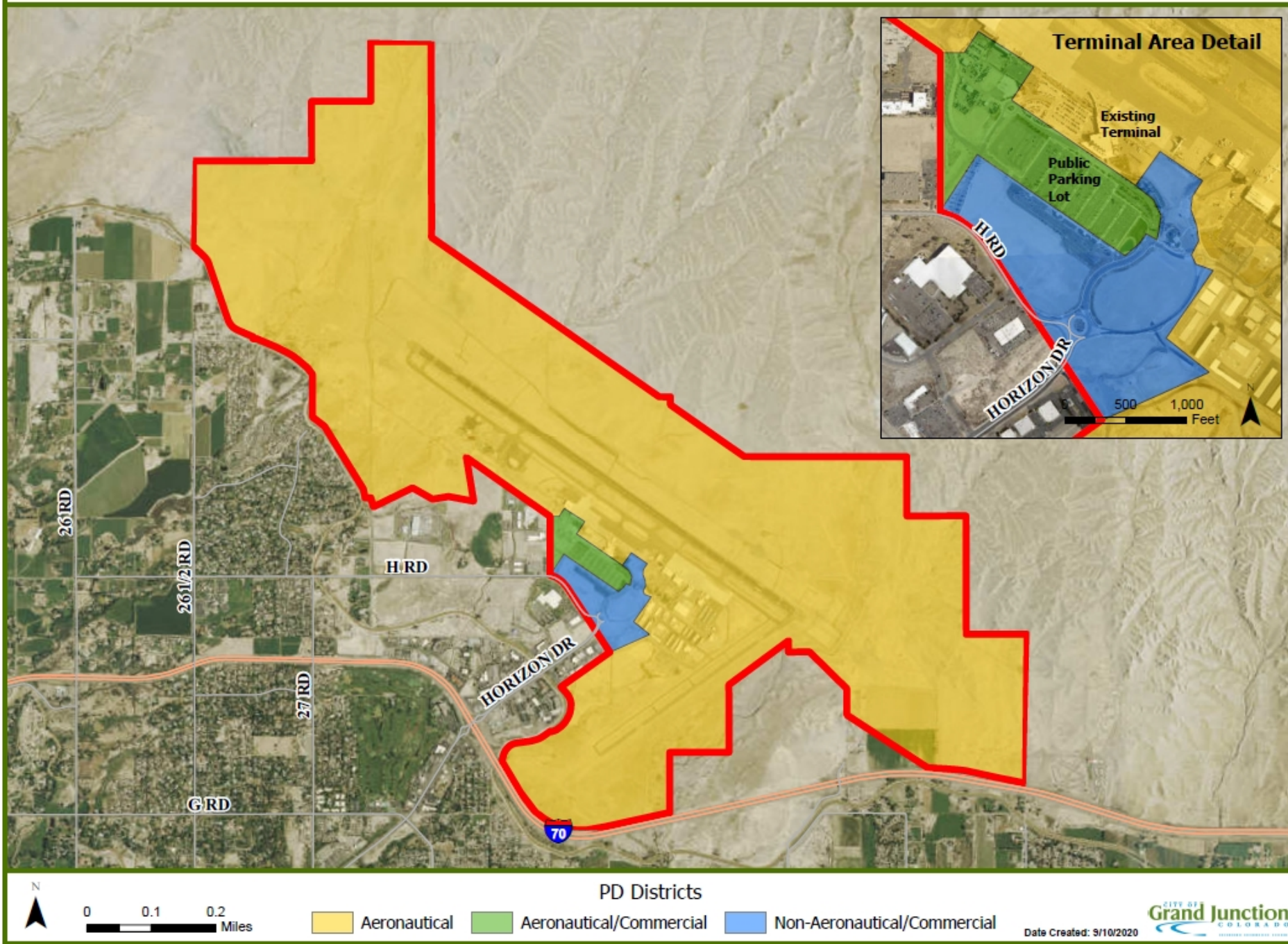
1. Zone the Airport annexation area to PAD; and
2. Amend the ODP to include the two annexation areas within the Aeronautical Zone/District area.

The graphic to the right shows the area of annexation overlaid on the proposed ODP map.





# EXHIBIT A



- All Land Uses and standards established within the Planned Development Zoning by Ordinance 4834 will apply to the newly annexed area.



# Analysis:

## **Proposed Zone of PAD - Analysis – Zoning Criteria**

### **Section 21.02.140 (a) of the Zoning and Development Code**

- (1) Subsequent events have invalidated the original premises and findings; and/or
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
- (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
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment

### **Consistency with Comprehensive Plan**

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

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

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

Goal 9: Develop a well-balanced transportation system that supports...air, and freight movement while protecting air, water and natural resources.

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





# Analysis:

## **Proposed ODP Amendment - Analysis – Plan Amendment Criteria**

### **Section 21.02.150 (b)(2) of the Zoning and Development Code**

- a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;
- b) The rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code.
- c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;
  - 1) Setback Standards
  - 2) Open Space
  - 3) Fencing and Screening
  - 4) Landscaping
  - 5) Parking
  - 6) Street Development Standards
- d) The applicable corridor guidelines and other overlay districts.
- e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.



# Analysis:

## **Proposed ODP Amendment - Analysis – Plan Amendment Criteria**

### **Section 21.02.150 (b)(2) of the Zoning and Development Code**

#### **Continued**

- f) Adequate circulation and access shall be provided to serve all development pods/areas to be developed.
- g) Appropriate screening and buffering of adjacent property and uses shall be provided;
- h) An appropriate range of density for the entire property or for each development pod/area to be developed;
- i) An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed.
- j) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.





# Findings of Fact:

## Findings of Fact

1. The Zone of Annexation to PAD, a Planned Development Zone meets one or more of the rezone criteria in accordance with Section 21.02.140(a) of the Zoning and Development Code.
2. The Zone of Annexation to PAD is consistent with the Comprehensive Plan and the Grand Junction Regional Airport Master Plan.
3. The Outline Development Plan amendment conforms with the requirements of Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code and meets more than one of the rezoning criteria provided in Section 21.02.140 of the Grand Junction Zoning and Development Code.



**[Item can be viewed at 1:04:10](#)**

Consider a request to zone approximately 187.69-acres from Mesa County AFT (Agricultural, Forestry, Transitional) to a City Planned Development - PAD (Planned Airport Development) and amend the Outline Development Plan (ODP) for the Airport North Boundary Annexation, located generally at the northern edge of the Grand Junction Regional Airport and property recently deeded to the Airport from the BLM , Parcels 2701-113-00-002 And 2705-154-00-003.

**Staff Presentation**

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

**Questions for Staff**

Commissioner Gatseos asked a question regarding the proposed commercial area in the proposed PD district.

**Applicant's Presentation**

The Applicant, Dylan Heberlein, Director of Operations at Grand Junction Regional Airport, was available and answered Commissioner Gatseos' question regarding noise concerns in the commercial area in the proposed PD District.

**Questions for Applicant**

None.

**Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, September 15, 2020 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

None.

The public hearing was closed at 7:09 p.m. on September 22, 2020.

**Applicant's Response**

None.

**Questions for Applicant or Staff**

None.

**Discussion**

None.

**Motion and Vote**

Commissioner Wade made the following motion, “Chairman, on the request by Grand Junction Regional Airport for a zone of annexation for the 187.69 acre Airport North Boundary Annexation from County AFT to City PAD, a PD zone district per Ordinance No. 4834; and an amendment to the Grand Junction Regional Airport ODP to include the annexation area within the Aeronautical PD Zone/District area, City file number ANX-2020-283, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

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

DRAFT

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ZONING THE AIRPORT NORTH BOUNDARY ANNEXATION  
AND AMENDING THE PLANNED AIRPORT DEVELOPMENT (PAD) AND THE  
OUTLINE DEVELOPMENT PLAN (ODP) TO INCLUDE THE ANNEXED LAND AND  
DESIGNATING IT AS AN AERONAUTICAL ZONE/DISTRICT**

Recitals

The Grand Junction Regional Airport Authority (GJRAA) recently acquired the land known as the Airport North Boundary Annexation from the United States. The annexation consists of 187.69 acres.

In 2019 the City approved Ordinance 4834 and adopted the GJRAA Institutional and Civic Master Plan (Master Plan) for the Grand Junction Regional Airport. The Master Plan is set forth in detail in Appendix A of the *Airport Master Plan Update* and Appendix C of the *2017 Terminal Areas Plan Amendment* contained in City development file FMP-2018-405. The Master Plan included and referred to the lands within the City limits and the lands annexed with Ordinance No. 4953, which are referenced in this ordinance, all of which will equally be in conformance with the terms of the Master Plan with adoption of this Ordinance. The Master Plan has three classified zone areas: Aeronautical, Aeronautical/Commercial, and Non-Aeronautical Commercial. The Airport North Boundary Annexation is to be included within the Aeronautical Zone (also referred to sometimes as the Aeronautical District).

GJRAA has requested that the Planned Development zoning ordinance for the airport (which was most recently amended with Ordinance No. 4834) be amended to include the Airport North Boundary Annexation and by doing so the Outline Development Plan (ODP) will show the area as an Aeronautical Zone/District, all in accordance with the uses and standards established as a part of the Planned Airport Development (PAD).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code (Code), the Grand Junction Planning Commission recommended approval of amendment of the PAD to include the land of the Airport North Boundary Annexation and amendment of the ODP to include the annexed lands within the Aeronautical Zone/District.

The City Council finds, after a public hearing and review of the application to amend the Planned Airport Development and the Outline Development Plan to include the annexed land and designate it as an Aeronautical Zone, that it conforms with the designation of Airport as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies, and that the amended ODP conforms with the requirements of §21.02.150 and meets one or more of the rezoning criteria provided in §21.02.140 of the Code.



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

**The following properties known as the Airport North Boundary Annexation, as adopted in Ordinance No. 4953, are hereby zoned with amendment to the Planned Development known as the Planned Airport Development (PAD), together with an amended ODP and designation of the properties as and within the Aeronautical Zone/District as shown on the attached Exhibit A incorporated herein:**

The South 1/2 of the Northeast 1/4 of Section 23, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado.

Lot 2 of Section 24, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado

Lot 3 of Section 24, Township 1 North, Range 1 West of the Ute Meridian, Lot 6 of Section 19, and Lots 6 and 8 of Section 30, Township 1 North, Range 1 East of the Ute Meridian, Mesa County, Colorado

Lots 9 and 11 of Section 30, Township 1 North, Range 1 East of the Ute Meridian, Mesa County, Colorado

**INTRODUCED** on first reading this 7<sup>th</sup> day of October, 2020 and ordered published in pamphlet form.

**ADOPTED** on second reading this \_\_\_\_\_ day of October, 2020 and ordered published in pamphlet form.

ATTEST:

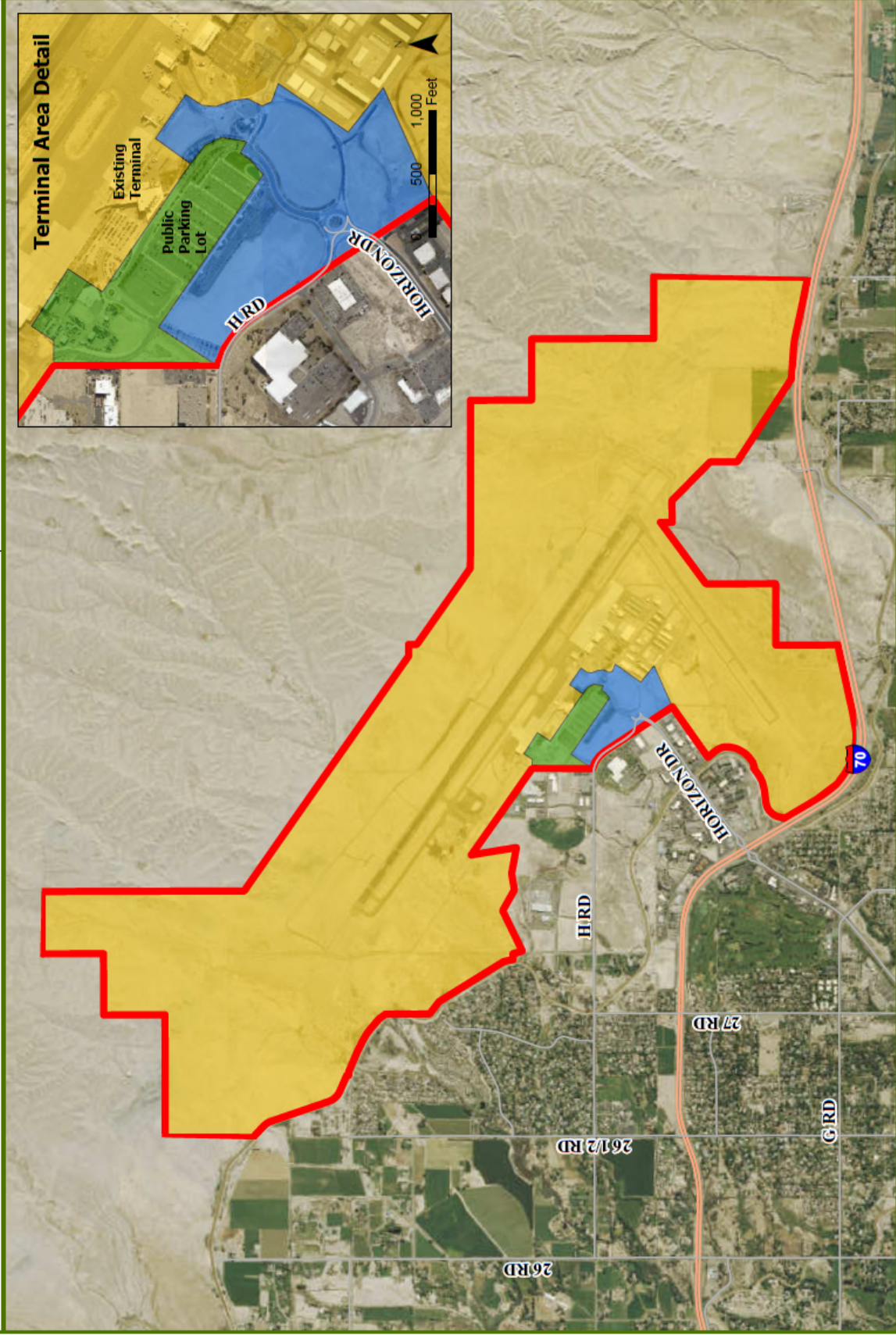
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C.E. "Duke" Wortmann  
President of the Council

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Wanda Winkelmann  
City Clerk

# EXHIBIT A



## PD Districts

- Aeronautical
- Aeronautical/Commercial
- Non-Aeronautical/Commercial





## Grand Junction City Council

### Regular Session

Item #2.a.iv.

---

**Meeting Date:** October 21, 2020

**Presented By:** Senta Costello, Planner

**Department:** Community Development

**Submitted By:** Senta Costello, Associate Planner

---

### **Information**

#### **SUBJECT:**

An Ordinance Rezoning 8.24 Acres Located at 1405 Wellington Avenue from R-O (Residential Office) to BP (Business Park) [Staff Presentation](#)

#### **RECOMMENDATION:**

Planning Commission heard this at their September 8, 2020 meeting and voted (7-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, Hilltop Health Services ("Hilltop"), is requesting a rezone from R-O (Residential – Office) to BP (Business Park) for 8.224 acres, to better align with the existing use of the property and facilitate anticipated future development on the site including, at this time, expanding the number of residents and the types of services available on the property called Bacon Campus.

#### **BACKGROUND OR DETAILED INFORMATION:**

##### **BACKGROUND**

The Hilltop Health Services Bacon Campus provides adults with traumatic brain injuries the home, community, and support essential to maintaining health and independence. Hilltop would like to be able to expand their Life Assistance Program on the western side of their campus and is looking to rezone the property to Business Park Mixed Use (BP) to better accommodate their facility and operation plans.

R-O zoning currently (1) limits the hours of operation from 7:30 AM to 8:00 PM for non-residential uses; (2) limits the size of buildings to no more than 10,000 square feet; and

(3) requires buildings to align along adjacent streets with main entries opening onto the adjacent streets. These requirements in the R-O zoning requirements present several obstacles for Hilltop -

- The existing and proposed expanded services provided to Hilltop's clients can extend beyond the designated hours of operation and may include clients that are not residents of the site.
- The site currently has one building that exceeds the 10,000-sf limit, which at the time was allowed in a R-O zone with a Conditional Use Permit. Hilltop's current facilities are spread out across the campus. State health care regulations have changed over the years and now facilities are required to provide constant oversight of their tenants. To efficiently accomplish this, facility layouts have living facilities and access corridors that connect to a common support staff central station, which ultimately require larger building footprints to comply. Hilltop is looking to expand their LAP program to the western side of the campus and anticipates the new building will be larger than 10,000 square feet in size.
- The property is currently developed in a campus style configuration with a majority of the buildings not having the entrance facing the street or oriented toward the street.

The Bacon Campus is currently zoned (R-O) Residential Office. The Comprehensive Plan Future Land Use Map for the campus is Residential Medium on the eastern portion of the property encompassing approximately 6.6 acres and Business Park Mixed Use on the western portion of approximately 1.6 acres.

Hilltop is requesting a proposed BP zone district which is compatible with the Comprehensive Plan Future Land Use Map as well as the surrounding zone districts which range from B-1, PD and R-O zoning. The surrounding area provides a mix of existing commercial and residential land uses.

The following zone districts would also be consistent with the Future Land Use designation of Business Park Mixed Use/Residential Medium for the subject property:

- a. R-4 (Residential 4 du/ac)
- b. R-5 (Residential 5.5 du/ac)
- c. R-8 (Residential 8 units/acre)
- d. R-12 (Residential 12 units/acre)
- e. R-16 (Residential 16 units/acre)
- f. R-24 (Residential – 24 units/acre)
- g. B-1 (Neighborhood Business)
- h. CSR (Community Services and Recreation)
- i. BP (Business Park Mixed Use)

## j. I-O (Industrial/Office Park)

In reviewing the other zoning district options, the residential zone districts of R-4, R-5, R-8, R-12, R-16 and R-24 could accommodate use of the properties for housing. The non-residential zones of CSR, BP, I-O are not as conducive to an entirely residential use. The BP zone district, however, allows the unlimited group living facility as it exists today, allows for the expansion of the residential component of the site and provides opportunity to further expand services the site can provide to its residents, clients and the community.

### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed rezone request was held on February 19, 2020 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. Eleven neighbors attended and asked questions focused on planned construction, timing, parking, and traffic impacts on Wellington Avenue.

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 August 28, 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 August 28, 2020. The notice of this public hearing was published on September 1, 2020 in the Grand Junction Daily Sentinel.

### **ANALYSIS**

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

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

Hilltop Health Services has been operating on this property since 1985. The need for services/homes for brain injury residents continues to grow. Hilltop is looking to continue and expand its services for these residents.

The R-O zone district previously had an allowance for buildings over 10,000 sf with a Conditional Use Permit which has been removed. The site received a CUP in 2001 for it's administrative / dining hall building which exceeds 10,000.

The applicant is anticipating the need for additional structures on the property for its LAP program on the property that will need to exceed the 10,000-sf cap in order to meet State requirements for staffing and care of the residents.



The growing needs of the applicant and the services needed by its clients, the R-O zone district is no longer the best fit as it creates operational challenges for Hilltop and how it serves its clients and residents.

Staff has found this criterion has been met.

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

The area has changed with the rezone of the property at the southeast corner of N 12th Street and Wellington Avenue to B-1 (Neighborhood Business) and the addition of the City Market shopping center at the west end of Wellington Avenue on the northeast corner, both adding new commercial uses to the neighborhood that are easily accessible to area residents and employees via walking, biking or driving.

The BP zone district allows for both non-residential and residential uses that facilitate a buffer between the developing commercial area at the west end of the block with the residential uses to the east. The rezone would allow the Applicant to expand its operations without heavily impacting the existing residential uses and being able to benefit from the proximity of the neighborhood commercial.

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

The public facilities including water, sewer and utilities are available and adequate to serve any future development of the west end of site with the expansion of the LAP program or other services Hilltop provides its clients. In addition, the area has access to shopping, restaurants, banking and other personal services within walking, biking as well as driving in close proximity.

Staff has found this criterion has been met.

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

The purpose of the BP zone district is to provide for a mix of light manufacturing and employment centers, limited commercial services, and multifamily residential uses in a business park setting with proper screening and buffering, all compatible with adjoining uses.

The City has over 21,000 acres of property zoned inside the City limits. Of that

approximately 7,400 acres (approximately 35%) is zoned for some form of mixed-use or non-residential. There is over 2,000 acres of land designated with the BP-MU (Business Park Mixed Use) Future Land Use designation and only 98 acres of land designated with the BP (Business Park) zone district (less than 1% of the total 21,000, just over 1% of the mixed-use/non-residential zones and just under 5% of the BP-MU Future Land Use land).

The stretch of N 12th Street between Patterson Road and North Avenue and partially extending to N 7th Street has a mix of multifamily, general commercial and medical office uses and is designated as BP-MU on the Future Land Use Map. There is a mix of R-8, R-16, R-24, B-1, R-O and PD zone district that fall within the same area; however, there aren't any properties zoned BP. The BP zone district has been introduced into the Zoning and Development Code after the adoption of the Comprehensive Plan in 2009, well after this area of the City was developed. As redevelopment occurs, opportunities to further evolve the area with business park type developments also occur.

With Goals of providing areas that are a mix of employment opportunities, housing types and utilizing existing infrastructure, the limited amount of land specifically zoned to provide for those purposes is inadequate.

Staff has found this criterion has been met.

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

The proposed BP zone district would work to implement Goal 5 of the Comprehensive Plan "To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages." and Goal 12 "Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy."

The BP zone supports both Goals by creating an opportunity for Hilltop to expand its housing and services provided at the Bacon Campus for persons with special needs. The most recent Grand Valley Housing Needs Assessment identified a need for housing for persons with special needs; thus, expansion of the Bacon Campus will provide a benefit to the community to help meet this need.

Staff has found this criterion has been met.

## **RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Hilltop Health Services rezone request, RZN-2020-223, for the property located at 1405 Wellington Avenue, the following findings of fact have been

made:

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

Therefore, the Planning Commission recommended approval of the request.

**FISCAL IMPACT:**

This land use action has no direct fiscal impact.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 4962, an Ordinance approving a Rezone request from a R-O (Residential – Office) to BP (Business Park) for a 8.224 acre parcel, located at 1405 Wellington Avenue, on final passage and order final publication in pamphlet form.

**Attachments**

1. Application Packet
2. Location Maps
3. Hilltop Bacon Center - Planning Commission Minutes - 2020 - September 8
4. Proposed Zoning Ordinance



# Development Application

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

Petition For:

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

Existing Land Use Designation	<input type="text" value="N/A"/>	Existing Zoning	<input type="text" value="R-0"/>
Proposed Land Use Designation	<input type="text" value="N/A"/>	Proposed Zoning	<input type="text" value="BP"/>

### Property Information

Site Location:	<input type="text" value="1405 Wellington Avenue"/>	Site Acreage:	<input type="text" value="8.22"/>
Site Tax No(s):	<input type="text" value="2945-122-57-001"/>	Site Zoning:	<input type="text" value="R-0"/>
Project Description:	<input type="text" value="Rezone the Hilltop property from R-0 to BP."/>		

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Date

Signature of Legal Property Owner

Date



**General Project Report  
For  
Hilltop Health Service Corp  
Bacon Campus Rezone**

**Project Description (location, Acreage, Proposed Use):**

The purpose of this application submittal is to obtain approval from the City of Grand Junction to rezone an 8.22-acre site located at 1405 Wellington Avenue from Residential Office (RO) to Business Park / Mixed Use (BP). The property is located on the southwest corner of Wellington Avenue and 15<sup>th</sup> Street. An air photo of the project site is depicted below:



**Project Site Location**

The property is owned and operated by Hilltop Health Services Corp and is known as the Hilltop Bacon Campus. The site is care facility for individuals with traumatic brain injuries facility that provides personalized care to allow individuals to achieve maximum self-sufficiency. Hilltop is looking to expand their Life Assistance Program (LAP) on the western side of their campus and is looking to rezone the property to Business Park Mixed Use (BP) to better accommodate their facility and operation plans.

R-O zoning currently (1) limits the hours of operation from 7:30 AM to 8:00 PM; (2) limits the size of buildings to no more than 10,000 square feet; and (3) requires buildings to align along adjacent streets with main entries opening onto the adjacent streets. These requirements in the R-O zoning requirements present several obstacles for Hilltop.



# General Project Report For Hilltop Health Service Corp Bacon Campus Rezone

The Hilltop Bacon Campus is operated and maintained 24-hours a day, seven days a week.

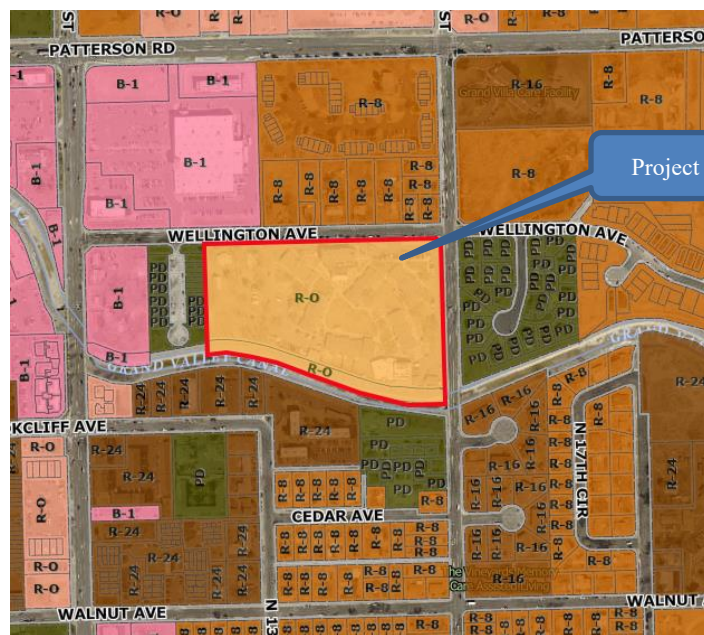
Hilltop's current facilities are spread out across the campus. State health care regulations have changed over the years and now facilities are required to provide constant oversight of their tenants. To efficiently accomplish this, facility layouts have living facilities and access corridors that connect to a common support staff central station, which ultimately require larger building footprints to comply. Hilltop is looking to expand their LAP program to the western side of the campus and anticipates the new building will be larger than 10,000 square feet in size.

Finally, the vast majority of building on the campus are not orientated to the adjacent streets nor have main access on of the adjacent streets.

In examining rezone options with City staff, the Business Park zoning designation appears to be the best option for allowing Hilltop to continue operations at this campus as well as allowing for expansion to address their future needs.

## **Surrounding Land Uses and Zoning:**

The 5 parcels are currently zoned R-8. The current City of Grand Junction Zoning Map is depicted below:



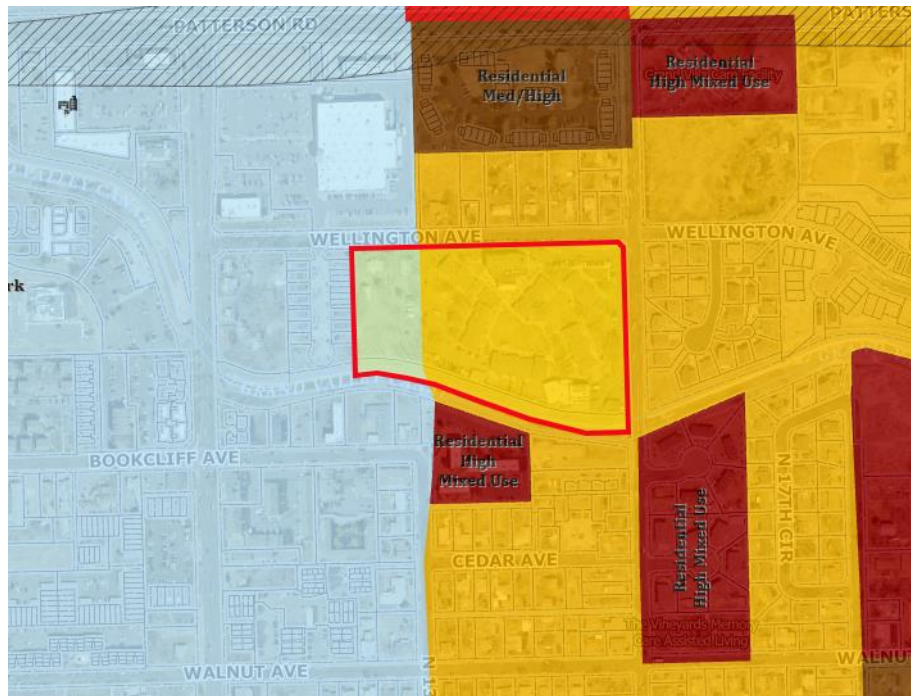
**Current City of Grand Junction Zoning**

The existing land uses adjacent to the project site include the following:

**General Project Report  
For  
Hilltop Health Service Corp  
Bacon Campus Rezone**

<b>DIRECTION</b>	<b>ZONING</b>	<b>USE</b>
North	B-1/R-8	City Market / Single Family Residential
South	R-24/PD	Multi-family Housing
East	PD	Single Family Residential
West	PD	Residential Townhomes

The future land use for this project area consist of Business Park / Mixed Use or Residential Medium 4-8 Units per Acre. The City of Grand Junction Future Land Use Map area is depicted in the graphic below:



**Future Land Use Designation**

**Neighborhood Meeting**

A neighborhood meeting for this rezone request was conducted on February 20, 2020. The meeting was attended by eleven neighbors and all neighbors were in support of the rezone request.

**Roads & Access**

Access to the site will be from two new driveways on Wellington Avenue.

**Utilities**

There are no changes to existing utilities needed for this project.

**General Project Report  
For  
Hilltop Health Service Corp  
Bacon Campus Rezone**

**21.02.140 Code Amendment and Rezoning**

**(a) Approval Criteria**

In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

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

Applicant's Response: The applicant has been operating the current Bacon Campus Facility (1405 Wellington Avenue) since 1985. The community need for these types of facilities has grown and Hilltop Health Services (HHS) is looking to continue operations and planned expansion at this facility. A Business Park / Mixed Use zoning designation is a better fit for their existing and future operations.

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

Applicant's Response: HHS has operated this facility since 1985. The current code definition for R-O is not a fit for the type of operation and existing facilities on this site. The rezone request to BP is consistent with the Future Land Use plan and also allows HHS the opportunity to meet the community needs by expanding their operations.

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

Applicant's Response: The rezone request will not modify or change any of the current public or community facilities needed to serve the facility.

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

Applicant's Response: As previously stated, HHS has operated this facility since 1985. The current code definition for R-O is not a fit for the type of operation and existing facilities on this site. The rezone request to BP is consistent with the Future Land Use plan and also allows HHS the opportunity to meet the community needs by expanding their operations.

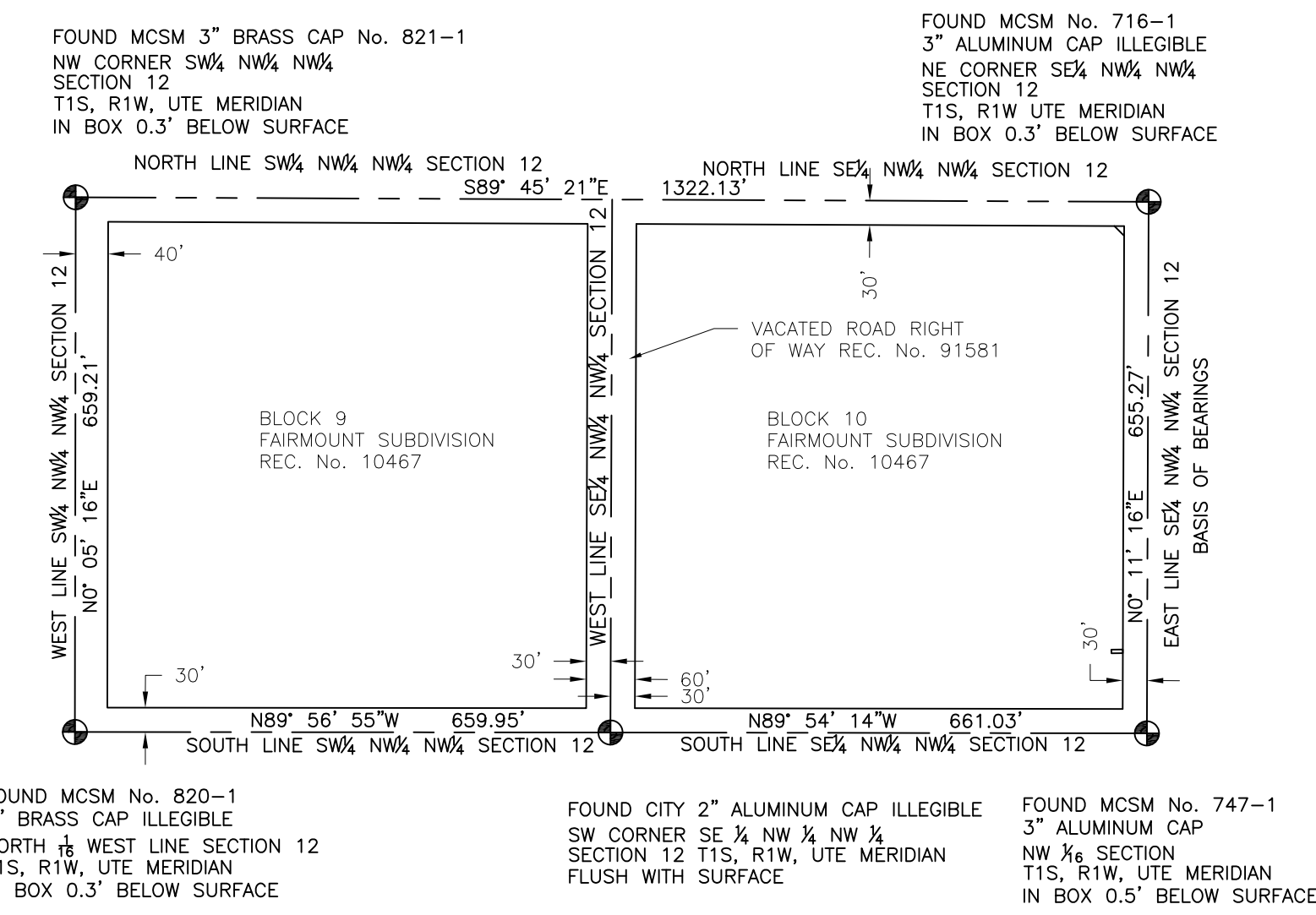
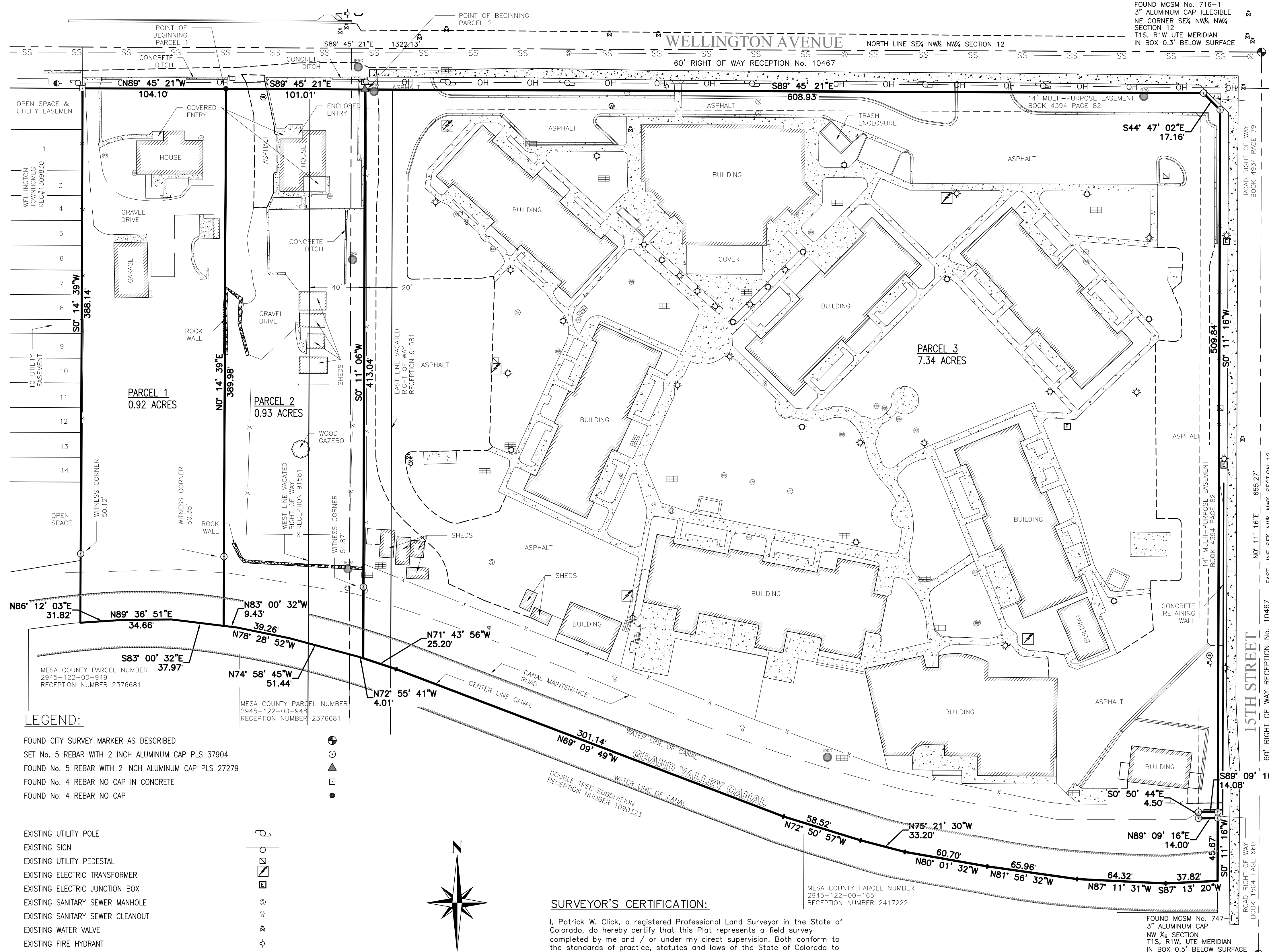
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Applicant's Response: There is a strong need in the community for these type of special care facilities and rezoning the site allows HHS the opportunity to expand their services to meet the need of the community.



# IMPROVEMENT SURVEY PLAT

SITUATED IN THE NW¼ NW¼ SECTION 12  
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN  
AND BEING A PART OF FAIRMOUNT SUBDIVISION  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



### LEGAL DESCRIPTIONS:

**PARCEL 1:** DEED RECORDED AT RECEPTION NUMBER 2739270  
BEGINNING AT A POINT 425.9 FEET EAST OF THE NORTHWEST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION; THENCE EAST 104.1 FEET; THENCE SOUTH 350 FEET, MORE OR LESS, TO THE NORTHERLY BANK OF THE GRAND VALLEY CANAL; THENCE N88°54' WEST ALONG SAID CANAL 104.1 FEET; THENCE NORTH 348 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, COUNTY OF MESA, STATE OF COLORADO.

**PARCEL 2:** DEED RECORDED AT RECEPTION NUMBER 2734216  
BEGINNING AT A POINT 40 FEET EAST OF THE NORTHEAST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION IN SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN; THENCE WEST 100 FEET; THENCE SOUTH 350 FEET TO THE GRAND VALLEY IRRIGATION CANAL; THENCE EASTERLY ALONG SAID CANAL TO A POINT DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH TO THE POINT OF BEGINNING, COUNTY OF MESA, STATE OF COLORADO.

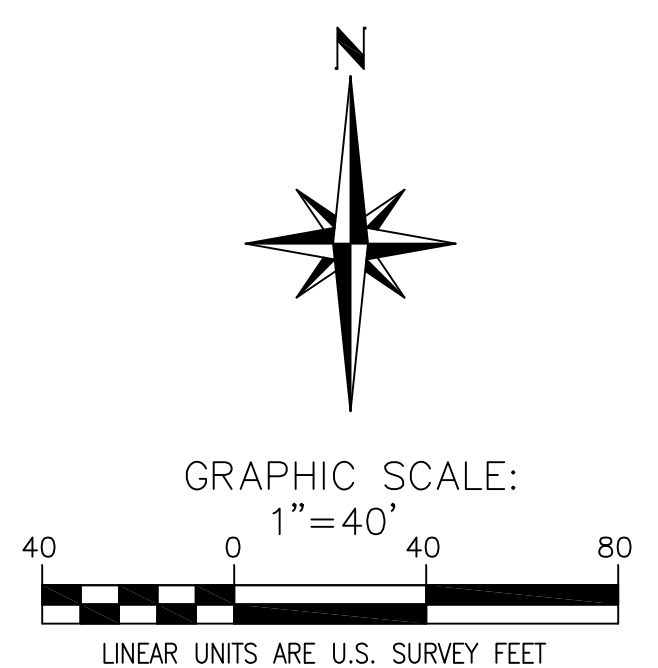
**PARCEL 3:** DEED RECORDED AT RECEPTION NUMBER 2373564  
THAT PART OF BLOCK 10 OF FAIRMOUNT SUBDIVISION, ACCORDING TO THE PLAT RECORDED NOVEMBER 4, 1891 IN PLAT BOOK 1 AT PAGE 19 OF MESA COUNTY RECORDS LYING NORTH OF THE RIGHT-OF-WAY OF THE GRAND VALLEY IRRIGATION COMPANY'S CANAL; TOGETHER WITH THE EAST 20 FEET OF THE VACATED ROAD RIGHT OF WAY ADJACENT TO THE WEST SIDE OF SAID BLOCK 10 AND LYING NORTH OF THE RIGHT-OF-WAY OF SAID CANAL; IN THE CITY OF GRAND JUNCTION;  
EXCEPT A PARCEL OF LAND FOR ROAD AND UTILITY RIGHT OF WAY PURPOSES CONVEYED TO CITY OF GRAND JUNCTION BY INSTRUMENT RECORDED AUGUST 2, 1984 IN BOOK 1504 AT PAGE 660,  
AND ALSO EXCEPT A PARCEL OF LAND FOR ROAD AND UTILITY RIGHT OF WAY PURPOSES CONVEYED TO CITY OF GRAND JUNCTION BY INSTRUMENT RECORDED APRIL 05, 2007 IN BOOK 4934 AT PAGE 79,  
COUNTY OF MESA, STATE OF COLORADO.

### NOTES

- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE USING CURRENT TITLE POLICIES BY LAND TITLE GUARANTEE COMPANY.
- BEARINGS ARE BASED ON THE EAST LINE OF THE SE¼ NW¼ SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, THE BEARING USED N89°54'16"W IS BASED ON GPS OBSERVATIONS WHILE USING THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM. FOUND IN PLACE WAS A MESA COUNTY SURVEY MARKER NUMBER 747 AT THE SOUTH END OF SAID LINE AND A MESA COUNTY SURVEY MARKER NUMBER 716-1 AT THE NORTH END OF SAID LINE.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THE PARCELS SURVEYED HEREON CALL TO THE RIGHT OF WAY, NORTHERLY BANK OR TO THE CANAL OF THE GRAND VALLEY IRRIGATION COMPANY CANAL. NO RIGHT OF WAY HAS BEEN DISCLOSED IN THE RECORDED DOCUMENTS AND THE PARCELS SURVEYED HEREON ARE SHOWN TO THE CENTERLINE OF SAID CANAL AT THE TIME OF THIS SURVEY AND DOES NOT INFER ANY RIGHT OF THE OWNER OF THE PARCELS SURVEYED HEREON TO INTERFERE WITH OPERATION AND MAINTENANCE OF SAID CANAL.

### LEGEND:

- FOUND CITY SURVEY MARKER AS DESCRIBED
  - SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904
  - FOUND No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 27279
  - FOUND No. 4 REBAR NO CAP IN CONCRETE
  - FOUND No. 4 REBAR NO CAP
- 
- EXISTING UTILITY POLE
  - EXISTING SIGN
  - EXISTING UTILITY PEDESTAL
  - EXISTING ELECTRIC TRANSFORMER
  - EXISTING ELECTRIC JUNCTION BOX
  - EXISTING SANITARY SEWER MANHOLE
  - EXISTING SANITARY SEWER CLEANOUT
  - EXISTING WATER VALVE
  - EXISTING FIRE HYDRANT
  - EXISTING STORM MANHOLE
  - EXISTING WATER METER
  - EXISTING LIGHT POLE
  - EXISTING WATER MANHOLE
  - EXISTING IRRIGATION AND / OR DRAINAGE STRUCTURE
  - EXISTING IRRIGATION CONTROL BOX
  - EXISTING OVERHEAD UTILITY LINE
  - EXISTING FENCE LINE
  - EXISTING SANITARY SEWER LINE



### SURVEYOR'S CERTIFICATION:

I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.



COLORADO REGISTERED LAND SURVEYOR PLS #37904

**IMPROVEMENT SURVEY PLAT**  
HILLTOP HEALTH SERVICES CORPORATION  
SITUATED IN THE NW¼ NW¼ SECTION 12  
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

JOB #: 2016035      FIELD WORK: OM  
DATE: 4/25/16      DRAWING NAME: WELLINGTON      DRAWN BY: PC

**POLARIS SURVEYING**  
PATRICK W. CLICK P.L.S.      3194 MESA AVE. #B  
GRAND JUNCTION, CO 81504  
PHONE/FAX (970)434-7038

Type legal description below.

**EXHIBIT A**

Lot 1 Bacon Community Campus Subdivision as recorded at reception number 2798998 in the office of the Mesa County clerk and recorder, Mesa County, Colorado





## Austin Civil Group, Inc.

Land Planning ▪ Civil Engineering ▪ Development Services

February 25, 2020

Mr. Landon Hawes, AICP  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Hilltop Bacon Campus Rezone  
Neighborhood Meeting Summary**

Dear Mr. Hawes:

The purpose of this letter is to summarize the neighborhood meeting comments for the Hilltop Bacon Campus rezone application. The project site is located at 1405 Wellington Avenue in Grand Junction, Colorado.

1. The neighborhood meeting was conducted at 5:30 PM on February 20, 2020 at the Hilltop Corporate Office building located at 1331 Hermosa Avenue.
2. The meeting was attended by 11 neighbors, three members from Hilltop, and two Austin Civil Group staff. A copy of the sign in sheet is attached.
3. Mark Austin with ACG described the purpose of the meeting which was to rezone the current "R-O" property to a "BP" zone.
4. The R-O zone district does not allow buildings larger than 10,000 square feet in size, limits the hours of operations from 7:30 AM to 8:00 PM., and requires the main entries for the building to open on the public streets. Hilltop currently have facilities larger than 10,000 square feet, operates 24/7, and none of the buildings on campus have main access location onto the adjacent streets.
5. The primary reason for the rezone request is Hilltop anticipates constructing a new assisted living care facility on the existing campus and the square footage of the new building is anticipated to exceed 10,000 square feet in size.
6. Hilltop explained the State of Colorado Licensing requires Hilltop of have their residence "under one roof" and no scattered across the campus.
7. Hilltop met with City Planning and discussed options for allowing expansion on their facility and the consensus was the BP designation was the best fit for their type of operation.

8. The neighbors had questions about what was to be constructed on the property and Mark Austin presented a conceptual plan for an assisted living facility located on the western side of the campus. This plan was only conceptual and the final plan will change from this.
9. The neighbors asked what would happen if the rezone request was not approved. Mark Austin explained the existing site has several non-conforming items from a zoning perspective that would be worked out in the site plan review process with the City.
10. Hilltop explained they aren't sure when this new facility would be constructed as it depends on their ability to obtain funding.
11. The neighbors were concerned about parking for the new facility and Hilltop explained that additional parking will be provided within the project site.
12. The neighbors agreed that Hilltop has done a good job addressing parking issues on Wellington Avenue and when it was brought to their attention, they no longer parked on the north side of the roadway.
13. The neighbors stated they were in the process of forming a neighborhood association and asked if Hilltop was interested in being a part of this program.
14. The neighbors were concerned with the amount of traffic on Wellington, especially after the new City Market development. Neighbors stated it was difficult to exit from Wellington onto 12<sup>th</sup> Street and Wellington is now busy alternate street to and from City Market.
15. The meeting concluded about 6:15 PM.

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

Sincerely,



**Austin Civil Group, Inc.**

Mark Austin, P.E.  
President

Attachment:  
(1) Sign in Sheet

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Hilltop Health Services ("Entity") is the owner of the following property:

(b) The Hilltop Bacon Campus, 1405 Wellington Avenue

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) CEO 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:

As Approved by the Board of Directors in Annual Budgets

The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Rezone

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

(e) None

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

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

Signature of Entity representative: J. Michael Stahl

Printed name of person signing: J. MICHAEL STAHL

State of Colorado )

County of Mesa ) ss.

Subscribed and sworn to before me on this 1 day of May, 2020

by J. Michael Stahl

Witness my hand and seal.

My Notary Commission expires on October 30, 2022

TRACEY BARBIERI  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184042530  
MY COMMISSION EXPIRES OCTOBER 30, 2022

Tracey Barbieri  
Notary Public Signature

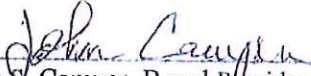


**HILLTOP HEALTH SERVICES, CORPORATION  
D.B.A. Hilltop Community Resources, Inc.**

**RESOLUTION**

**IT IS HEREBY RESOLVED** this 10<sup>th</sup> day of September, 2015, that the Chief Executive Officer, J. Michael Stahl, is hereby authorized to make, execute and deliver, on behalf of the Board, all contracts, grant agreements, representations, receipts, reports, and other instruments of every kind for Hilltop Health Services, Corporation, d.b.a. Hilltop Community Resources, Inc. and its subsidiaries / affiliates.

**IT IS FURTHER RESOLVED** that such authorization on behalf of the Board obligates Hilltop Health Services, Corporation, d.b.a. Hilltop Community Resources, Inc. and its subsidiaries / affiliates to observe all of the terms and conditions placed on grant agreements, representations, receipts, reports, and all other instruments of every kind.

  
John S. Camper, Board President

I, Jim Grisier, Secretary of Hilltop Community Resources, Inc. Board of Directors, hereby certify on this 10<sup>th</sup> day of September, 2015 that this is an exact copy of a resolution for Hilltop Community Resources, Inc.

  
Jim Grisier, Board Secretary

882973

SPECIAL WARRANTY DEED

BOOK 1612 PAGE 205

VALLEY FEDERAL SAVINGS AND LOAN ASSOCIATION OF GRAND JUNCTION ("Grantor"), a corporation organized and existing under the laws of the United States of America, whose address is Grand Junction, Colorado, in consideration of the payment of EIGHT HUNDRED FIFTY ONE THOUSAND ONE HUNDRED FIFTY EIGHT AND NO/100 DOLLARS and other valuable consideration, sells and conveys to HILLTOP SPECIAL SERVICES DIVISION, INC., a Colorado Non-Profit Corporation ("Grantee"), whose address is 2503 Foresight Circle, Grand Junction, CO, 81501, the following described real property ("Property") located in Mesa County, Colorado:

BOOK 1645 PAGE 931

That part of Block 10 of FAIRMOUNT SUBDIVISION, according to the plat recorded November 4, 1890 in Plat Book 1 at page 19 of Mesa County Records lying North of the Right-of-way of the Grand Valley Irrigation Company's Canal; TOGETHER WITH the East 20 feet of the vacated road right of way adjacent to the West side of said Block 10 and lying North of the right-of-way of said Canal; in the City of Grand Junction; EXCEPT a parcel of land for road and utility right of way purposes conveyed to City of Grand Junction by instrument recorded August 2, 1984 in Book 1504 at page 660, County of Mesa, State of Colorado.

1456712 DBC NO FEE 03:23 PM  
JUN 02, 1987 E.SAWYER, CLK&REC MESA CTY, CO

TOGETHER WITH all water and water rights appurtenant to the real property described above, if any,

also known as 1405 Wellington, Grand Junction, CO 81501

Grantor warrants title to the Property against all lawful claims of persons and entities claiming an interest in the Property by, through or under Grantor, subject to general property taxes for 1986 and all subsequent years, City of Grand Junction Special Paving Assessment 84-A, and a deed of trust payable to Valley Federal Savings and Loan Association of Grand Junction dated August 24, 1977 and recorded September 1, 1977 in Book 1118 at Page 428, Mesa County records, all of which Grantee assumes and agrees to pay; and further subject to easements, restrictions, reservations and rights of way of record, if any.

Dated this 31<sup>st</sup> day of October, 1986.

ATTEST  
Sara E. Kaley  
Assistant Secretary

VALLEY FEDERAL SAVINGS AND LOAN ASSOCIATION OF GRAND JUNCTION

By Edward R. Frost  
Edward R. Frost  
President

Re-acknowledged and re-recorded for the purpose of correcting the legal description.



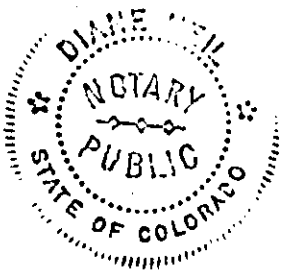
STATE OF COLORADO )  
 ) ss.  
COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of October, 1986 by Edward R. Frost as President and Sara E. Kaley as Assistant Secretary of Valley Federal Savings and Loan Association of Grand Junction.

Witness my hand and official seal.

[Signature]  
Notary Public  
Address: P.O. Box 400  
G.J. CO 81502

My commission expires: 11-30-87



STATE OF COLORADO )  
 ) ss.  
COUNTY OF MESA )

The foregoing instrument was re-acknowledged before me this 2nd day of June, 1987 by William P. Inscho, II as Senior Vice President and Patsy G. McDaniel as Assistant Secretary of Valley Federal Savings and Loan Association of Grand Junction.

Witness my hand and official seal.

[Signature]  
Notary Public  
Address: P.O. Box 400  
G.J. CO 81502

My Commission Expires: 3-5-90







State Documentary Fee  
Date: October 02, 2015  
\$ 26.00

**Warranty Deed**  
(Pursuant to 38-30-113 C.R.S.)

**THIS DEED**, made on **October 02, 2015** by **STEPHON P. MILLER** Grantor(s), of the County of **MESA** and State of **COLORADO** for the consideration of **(\$260,000.00) \*\*\* Two Hundred Sixty Thousand and 00/100 \*\*\*** dollars in hand paid, hereby sells and conveys to **HILLTOP HEALTH SERVICES CORPORATION** Grantee(s), whose street address is **1331 HERMOSA AVE GRAND JUNCTION, CO 81506**, County of **MESA**, and State of **COLORADO**, the following real property in the County of **Mesa**, and State of **Colorado**, to wit:

**BEGINNING AT A POINT 425.9 FEET EAST OF THE NORTHWEST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION;  
THENCE EAST 104.1 FEET;  
THENCE SOUTH 350 FEET, MORE OR LESS, TO THE NORTHERLY BANK OF THE GRAND VALLEY CANAL;  
THENCE N88°54' WEST ALONG SAID CANAL 104.1 FEET;  
THENCE NORTH 348 FEET, MORE OR LESS, TO THE POINT OF BEGINNING,**

**COUNTY OF MESA, STATE OF COLORADO.**

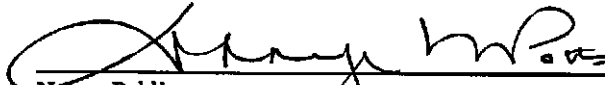
also known by street and number as: **1313 WELLINGTON AVE GRAND JUNCTION CO 81501**

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2015 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other NONE*

  
STEPHON P. MILLER

State of **COLORADO** )  
County of **MESA** ) ss.

The foregoing instrument was acknowledged before me on this day of **October 02, 2015** by **STEPHON P. MILLER**

  
Notary Public  
My commission expires 01/05/2017

**DANYA M. POTTS**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20004035620  
My Commission Expires January 5, 2017

When Recorded Return to: **HILLTOP HEALTH SERVICES CORPORATION**  
**1331 HERMOSA AVE GRAND JUNCTION, CO 81506**



# City of Grand Junction Application Review Comments

<b>Date:</b> May 27, 2020		<b>Comment Round No.</b> 1		<b>Page No.</b> 2	
<b>Project Name:</b> Hilltop Bacon Center Rezone			<b>File No:</b> RZN-2020-223		
<b>Project Location:</b> 1450 Wellington Ave					
<b>Check appropriate box(es)</b>					
<b>Property Owner(s):</b> Hilltop Health Services – Mike Stahl					
<input checked="" type="checkbox"/>	<b>Email:</b> <a href="mailto:mikes@htop.org">mikes@htop.org</a>		<b>Telephone:</b> 970-242-4400		
<b>Applicant(s):</b> Hilltop Health Services – Don Kendall					
<input type="checkbox"/>	<b>Mailing Address:</b> 1331 Hermosa Ave, Grand Junction CO 81506				
<input checked="" type="checkbox"/>	<b>Email:</b> <a href="mailto:don@htop.org">don@htop.org</a>		<b>Telephone:</b> 970-244-0808 / 970-210-1348		
<b>Representative(s):</b> Austin Civil Group Inc- Mark Austin					
<input type="checkbox"/>	<b>Mailing Address:</b> 123 N 7 <sup>th</sup> St, STE 300, Grand Junction CO 81501				
<input checked="" type="checkbox"/>	<b>Email:</b> <a href="mailto:marka@austincivilgroup.com">marka@austincivilgroup.com</a>		<b>Telephone:</b> 970-242-7540		
<b>Project Manager:</b> Senta Costello		<b>Email:</b> <a href="mailto:sentac@gjcity.org">sentac@gjcity.org</a>		<b>Telephone:</b> 970-244-1442	
<b>Development Engineer:</b> Rick Dorris		<b>Email:</b> <a href="mailto:rickdo@gjcity.org">rickdo@gjcity.org</a>		<b>Telephone:</b> 970-256-4034	

## City of Grand Junction REQUIREMENTS (with appropriate Code citations)

### PLANNING

Requirements: 1. Please provide a copy of the deed evidencing ownership of the lands included in the application as required as part of the Ownership Statement.

**Applicant's Response:** [The deeds for the property are attached.](#)

**Document Reference:**

Requirements: 2. I'm looking at the following hearing schedule. Please let me know if you have any concerns with these dates:

- Planning Commission: July 14, 2020
- City Council 1st Reading: August 5, 2020
- City Council 2nd Reading: August 19, 2020

**Applicant's Response:** [These dates work for us](#)

**Document Reference:**

### CITY DEVELOPMENT ENGINEER

Requirements: No comments.

### CITY SURVEYOR

Requirements: The Improvement Survey Plat was done on the parcel in 2016 prior to the BACON COMMUNITY CAMPUS SUBDIVISION being recorded at Rec. No. 2798998 (2017). No concerns with this. New Legal description 'LOT 1, BACON COMMUNITY CAMPUS' with an acreage of 8.22 Acres appears correct for the parcel being rezoned.

**Applicant's Response:** [No Response Required.](#)

**Document Reference:**

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

**Date due: August 26, 2020**

**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.**

A handwritten signature in blue ink, appearing to be 'Maul' followed by a stylized flourish.

---

**Applicant's Signature**

**6-9-20**

---

**Date**

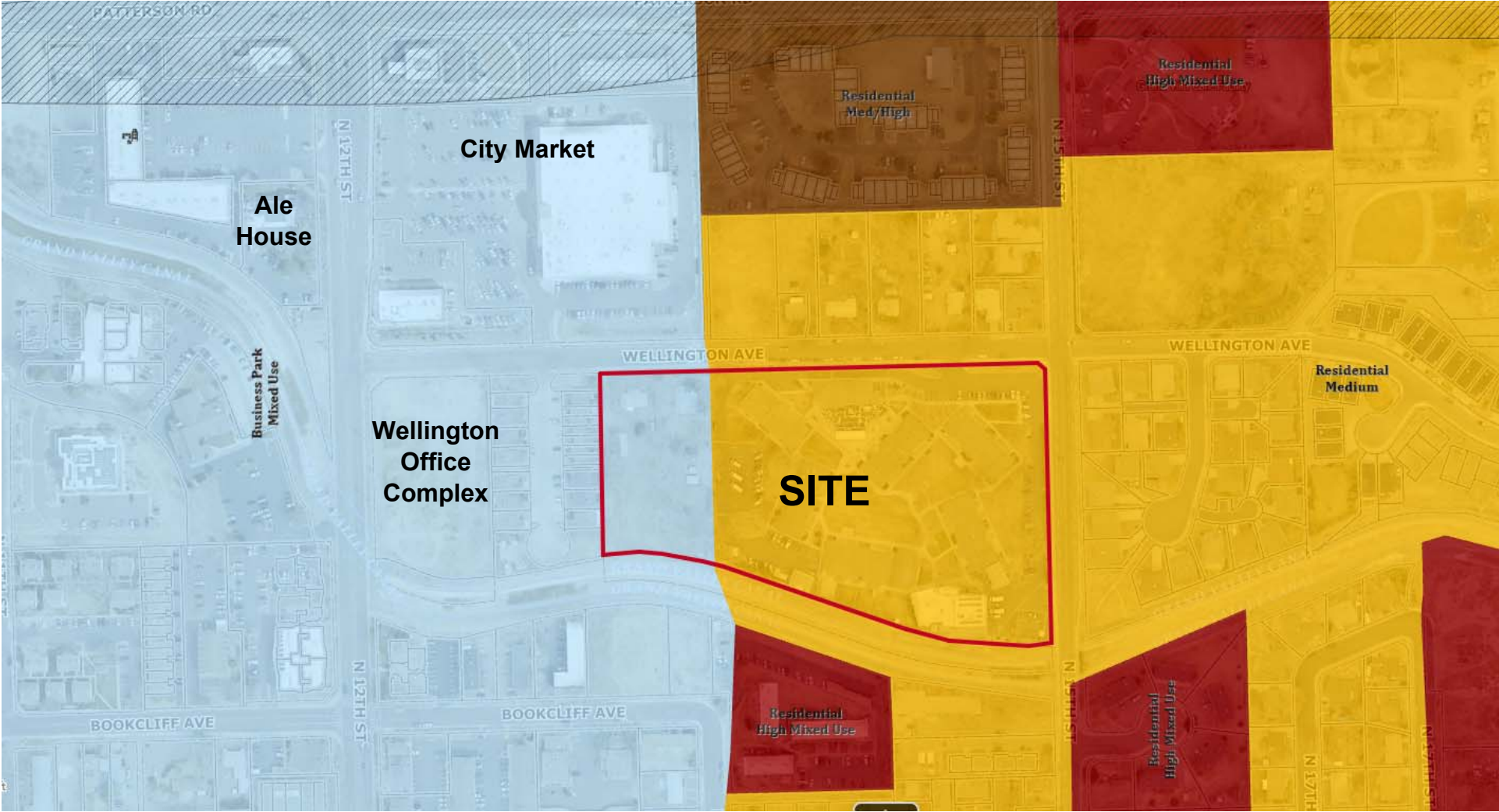


# LOCATION MAP





# FUTURE LAND USE MAP



# ZONING MAP



**[Item can be viewed at 10:20](#)**

Consider a request by Hilltop Health Services LLC to rezone 8.24 acres from R-O (Residential Office) to BP (Business Park) located at 1405 Wellington Avenue.

**Staff Presentation**

Senta Costello, Associate Planner, introduced exhibits into the record and provided a presentation regarding the request.

**Questions for Staff**

Commissioner Gatseos asked a question regarding the neighborhood meeting and the neighbors in attendance.

**Applicant's Presentation**

The Applicant's representative, Mark Austin, was present gave a short presentation regarding the request.

**Questions for Applicant**

Commissioner Ehlers asked a question regarding the request.

Commissioner Wade asked a question regarding the request.

**Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, September 1, 2020 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

No public comment was submitted or heard.

The public hearing was closed at 6:17 p.m. on September 8, 2020.

**Applicant's Response**

None.

**Questions for Applicant or Staff**

None.

**Discussion**

None.

**Motion and Vote**

Commissioner Susuras made the following motion, "Mr. Chairman, on the rezone for the property located at 1405 Wellington Avenue, City file number RZN-2020-223, I move that

the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

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



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE REZONING HILLTOP BACON CAMPUS  
FROM R-O (RESIDENTIAL – OFFICE)  
TO BP (BUSINESS PARK)**

**LOCATED AT 1405 WELLINGTON AVENUE**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Hilltop Bacon Campus to the BP (Business Park) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Business Park Mixed Use of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the BP (Business Park) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following properties shall be zoned BP (Business Park):

Lot 1 Bacon Community Campus Subdivision as recorded at reception number 2798998 in the office of the Mesa County Clerk and Recorder.

Introduced on first reading this 7<sup>h</sup> day of October, 2020 and ordered published in pamphlet form.

Adopted on second reading this 21<sup>st</sup> day of October, 2020 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #2.b.i.

---

**Meeting Date:** October 21, 2020

**Presented By:** Wanda Winkelmann, City Clerk

**Department:** City Clerk

**Submitted By:** Wanda Winkelmann

---

### **Information**

#### **SUBJECT:**

An Ordinance Amending Chapter 2 of the Grand Junction Municipal Code Regarding Campaign Violations

#### **RECOMMENDATION:**

Staff recommends adoption of the ordinance.

#### **EXECUTIVE SUMMARY:**

The purpose of this item is to amend the Grand Junction Municipal Code (GJMC) to include a procedure for the filing of alleged campaign violations.

#### **BACKGROUND OR DETAILED INFORMATION:**

In August, the Secretary of State (SOS) adopted new rules regarding the process for filing complaints related to campaign finance violations. Specifically, Rule 17.6 states that all complaints must be filed with the municipal clerk instead of the SOS's office.

Under the Constitution, the SOS is obligated to hear Fair Campaign Practices Act (FCPA) violations when a city has not adopted its own campaign finance ordinance (Colorado Constitution, Article XXVIII, Section 9(2)(a)). The adoption of the new SOS rules seems to indicate that the SOS will not be addressing future alleged violations under the FCPA at the municipal level and will instead direct complainants to the municipal clerk.

In order to have this process in place prior to the April election, staff recommends an ordinance to outline the process for the filing of an alleged violation of the FCPA.

Specifically, the ordinance indicates:

1. The timeframe required to file a complaint.
2. The manner in which to file a complaint.
3. The information required in the complaint (name of alleged violator, the provision allegedly violated, and a brief description of the offense).
4. The process used to evaluate the complaint for probable cause.

A sample of the form that would be filed is included.

**FISCAL IMPACT:**

There is no direct fiscal impact by adoption of the ordinance; some costs may be incurred to process complaints after the ordinance is adopted. Those costs include but are not limited to cost for a hearing officer and associated additional administrative costs.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 4963, an Ordinance amending Chapter 2 of the Grand Junction Municipal Code regarding campaign violations.

**Attachments**

1. Form Filing a Campaign Violation
2. ORD-Campaign Violation 101020

For City Clerk's Use Only: Date Filed: \_\_\_\_\_ Initials: \_\_\_\_\_

Return this completed form to:

City Clerk's Office, 250 North 5<sup>th</sup> Street, Grand Junction, CO 81501, or email to [cityclerk@gjcity.org](mailto:cityclerk@gjcity.org)

NOTICE OF ELECTION COMPLAINT ALLEGING A VIOLATION OF CAMPAIGN FINANCE LAWS	
<b>Complainant Information:</b> Name, address, telephone number(s), and email address of the complainant (who must be a registered elector). If more than one complainant, please provide the name, address, telephone number(s), email address, and signature of each complainant on the back of this form or on additional sheets.	
Name:	Complainant's Signature:
Street Address:	Zip Code:
Phone #:	Email:

*A complaint alleging a violation of campaign finance laws, in accordance with Section 2.20.040, must be filed with the City Clerk no later sixty (60) days after the alleged violation has occurred.*

GROUNDS FOR ELECTION COMPLAINT	
Name of alleged violator(s):	Date(s) of alleged violation:
Provision allegedly violated:	
Detailed description of the offense allegedly committed:	
Identification of any relevant documents or other evidence. Please attach copies of documents if available.	
Identification of any witnesses or persons with relevant knowledge. Please provide contact information for each witness or person identified, such as phone number, physical address, email address, etc. if available.	

**\*\*A form must be completed for each Complaint\*\***

For City Clerk's Use Only

Date Complaint Forwarded to City Manager and City Attorney: \_\_\_\_\_ Initials: \_\_\_\_\_





49 3. A clear and succinct statement or description of the offense allegedly committed and  
50 the basis for the allegation;

51 4. Identification of any relevant document(s) or other evidence;

52 5. Identification of any witness(es) or person(s) with relevant knowledge of the alleged  
53 violation(s); and

54 6. The name, address, telephone number and e-mail address of the Complainant.

55

56 (c) The City Clerk will forward the Complaint to the City Attorney, who will evaluate  
57 the complaint for probable cause.

58

59 (d) Campaign finance complaints must be filed in writing and can be submitted by  
60 hardcopy or electronically. Electronic signatures are permitted for any complaint  
61 documentation that requires a signature.

62

63 (e) A Complaint must identify both a Respondent and a Complainant. An anonymous  
64 Complaint(s) or Complaint(s) that fails to identify a Complainant and Respondent may  
65 be rejected by the City Clerk.

66

67 (f) Multiple Complaints that arise out of or under a common set of facts will be  
68 consolidated when practicable. When consolidation is not practicable and the outcome  
69 of one Complaint will be determinative of another Complaint(s), the Complaint(s) will be  
70 stayed until a final decision issues on the initial Complaint and any appeals are  
71 resolved.

72

73 (g) Violations stemming from late or missing filings that have been waived or are  
74 pending a waiver are not subject to the complaint process.

75

76 (h) A Complaint, charge/declination of charge, motions and orders relating to a  
77 Complaint will be publicly available at the time the City Clerk provides the document to  
78 the Respondent.

79

80 (i) The City may redact any document that it will otherwise make available pursuant to  
81 this rule if such redaction is necessary to protect any personal private information or  
82 personally identifiable information, is not relevant or material to the determination, or as  
83 otherwise required under the Colorado Open Records Act or other applicable law.

84

85 (j) Settlement of complaints and fine structure for violations

86 After a Complaint has been filed with a hearing officer the City Clerk, in consultation  
87 with the City Attorney, may enter into a settlement agreement with the Respondent.

88

89

90

91

92 **Sec. 2.20.041 - Evaluation of campaign complaint.**

93

94 (a) If the City Attorney determines that no probable cause exists, that the complaint  
95 fails to allege an actionable violation, or that the requirements of Section 2.20.040 were  
96 not met by the Complainant, the City Attorney shall so notify the City Clerk, who will, in  
97 turn, notify the complainant in writing.

98

99 (b) If the City Attorney determines probable cause exists, the City Attorney may  
100 notify Grand Junction Police, which, in consultation with the City Attorney, may serve a  
101 summons and complaint to the alleged violator. The City Attorney has and retains  
102 prosecutorial discretion, as provided by law and ethical responsibilities, to file or decline  
103 prosecution. If the City Attorney determines filing a summons and complaint is  
104 unjustified, he or she shall so notify the City Clerk in writing, who will, in turn, notify the  
105 Complainant and Respondent in writing.

106

107 **Sec. 2.20.042 Conflicts of Interest.**

108

109 Notwithstanding the above, nothing in this Article shall be read to preclude the City  
110 Attorney from declaring a conflict of interest, and taking appropriate action in  
111 accordance with this Code and general practices of the City, including, but not limited  
112 to, hiring special counsel, if deemed necessary and advisable under the circumstances.

113

114 **Sec. 2.20.043 Complaint not required for City action.**

115

116 Nothing in this Article shall preclude the City from pursuing an action, civil or criminal,  
117 against any person, candidate, candidate committee, issue committee, small-scale  
118 issue committee or political committee for any violation of this Chapter, regardless of  
119 whether a complaint had been filed pursuant to this Article.

120

121 **Sec. 2.20.044 Administrative Procedures.**

122

123 The City Manager is authorized to adopt administrative regulations, including but not  
124 limited to appointment of hearing officer and other procedures, consistent with the  
125 provisions of this Article.

126

127 **Sec. 2. 20.045 Action by Complainant.**

128

129 (a) After having received written notification from the City Clerk pursuant to Section  
130 2.20.040 that the City Attorney declined to prosecute, or after one hundred eighty (180)  
131 days of filing the Complaint, whichever is first, the Complainant may bring a civil action  
132 in District Court.

133

134 (b) The Complainant has one (1) year from the date of the alleged violation to bring  
135 an action.

136

137 (c) The Complainant may seek a court order to compel compliance with this Article,  
138 provided however, that Complainant must first file a Complaint with the City Clerk,  
139 pursuant to Section 2.20.040 and otherwise exhaust all administrative remedies.

140

141 **Sec. 2. 20.046 Penalties.**

142

143 A Respondent that is found to or admits a knowing violation of this Article may be civilly  
144 liable in an amount up to two thousand dollars (\$2,000), or, if applicable, three (3) times  
145 the amount of the discrepancy, whichever is greater and/or may be required to perform  
146 certain specific actions regarding the violation(s) as provided herein.

147

148 In reaching a settlement and fine amount, the following shall apply, together with  
149 mitigating and aggravating factors found:

150

151 (a) Amount of contributions or donations accepted or expenditures made while out of  
152 compliance, outlined below:

153 (1) Less than \$1,000 fine is at least \$150;

154 (2) Between \$1,001 and up to \$5,000 fine is at least \$300; or

155 (3) Greater than \$5,000 the fine of at least \$300 plus at least 10 percent of total amount  
156 of the contributions and expenditures made.

157

158 (b) Failure to file complete and accurate reports

159 (1) Failure to file complete and accurate reports is a \$100 fine per report plus 5 percent  
160 of the activity not accurately or completely reported;

161

162 (c) Failure to file, or file an accurate, candidate affidavit

163 (1) If affidavit is submitted within 14 days of registration deadline the fine is at least \$50;  
164 or

165 (2) If affidavit is submitted after 14 days post deadline, the fine is at least \$100.

166

167 (d) Prohibited contributions, donations, and expenditures

168 (1) For accepting a prohibited contribution including accepting an amount that exceeds  
169 a contribution limit or making prohibited expenditures, the fine is at least \$100 and 10  
170 percent of the prohibited activity:

171

172 (c) Prohibited use of unspent campaign funds and exceeding voluntary contribution  
173 limits

174 (1) A fine of at least \$250 per violation; and

175 (2) A fine that is up to 25 percent of the amount of the prohibited activity.

176

- 177 (d) Disclaimer and electioneering communications  
178 (1) If noncompliant communication is mitigated prior to the election: a fine of at least 5  
179 percent cost of the noncompliant communication including cost to broadcast; or  
180 (2) If noncompliant communication is not mitigated prior to the election: a fine of at least  
181 10 percent of the cost of the communication including cost to broadcast.  
182
- 183 (e) Other violations of campaign and political finance rules and regulations will be  
184 assessed penalties based on the circumstances of the violations.  
185
- 186 (f) In addition to monetary fines specific action(s), by/ of/from the Respondent may be  
187 required. Specific actions may include:  
188 (1) Registering as a committee or candidate;  
189 (2) Return or donation of prohibited contribution or disgorgement of the value of the  
190 improper conduct;  
191 (3) Filing or amending disclosure reports;  
192 (4) Inclusion or correction of disclaimer on the communication; or  
193 (5) Other specific performance or terms that may be warranted.  
194
- 195 (g) Mitigating and aggravating factors that may be considered/found to lessen or negate  
196 the imposition of fines, specific actions or other penalty(ies) are:  
197 (1) Nature and extent of the violation;  
198 (2) Timing of the violation (including proximity to the election);  
199 (3) Ability or effort to mitigate the violation;  
200 (4) Evidence of an intentional act or a pattern or practice of misconduct;  
201 (5) Extent to which the harm cause by the violation or the value of the violation cannot  
202 be reasonably calculated; or  
203 (6) Other aggravating or mitigating factors may be taken into consideration in reaching a  
204 just and equitable outcome.

205

206 Sec. 2. 20.047 Attorney Fees

207 Each party (Complainant, Respondent and City) shall bear its own attorney's fees and  
208 costs.

209

210

211 Introduced on first reading this \_\_\_ day of October 2020.

212

213

214 PASSED and ADOPTED this \_\_\_ day of October 2020.

215

216

217

218

219

220

---

C.E. Duke Wortmann

