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**CITY COUNCIL AGENDA  
WEDNESDAY, APRIL 21, 2021  
VIRTUAL MEETING  
LIVE STREAMED  
BROADCAST ON CABLE CHANNEL 191  
  
5:20 PM – PRE-MEETING  
5:30 PM – REGULAR MEETING**

**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.*

*Citizens have three options for providing Citizen Comments: 1) [Virtually](#) during the meeting (registration required), 2) via phone by leaving a message at 970-244-1504 until noon on April 21, 2021 or 3) submitting comments online until noon on April 21, 2021 by completing this [form](#). Please reference the agenda item and all comments will be forwarded to City Council.*

**Presentations**

Final Certification of Election Results

Recognition of Outgoing Councilmembers

**Proclamations**

Proclaiming April 24, 2021 as Arbor Day in City of Grand Junction

Proclaiming May 2021 and May 5, 2021 as Bike Month and Bike to Work and School Day in the City of Grand Junction

**Appointments**

To the Historic Preservation Board

**City Manager Report****Council Reports****CONSENT AGENDA**

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

**1. Approval of Minutes**

- a. Minutes of the April 7, 2021 Regular Meeting

**2. Set Public Hearings**

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

- a. Quasi-judicial
  - i. Introduction of an Ordinance Rezoning the Northern 21.53 Acres Portion of a Property from an I-1 (Light Industrial) to an R-5 (Residential - 5 du/ac) Zone District, Located at 853 21½ Road and Setting a Public Hearing for May 5, 2021

**3. Withdrawn Public Hearings**

- a. Quasi-judicial
  - i. An Ordinance to Amend Municipal Code Volume II: Development Regulations to Adopt Standards and Guidelines for Lincoln Park Residential Historic District as Title 30 and Amend Section 21.07.040 of the Zoning and Development Code pertaining to the Role of the Historic Preservation Board in Review of Alterations within the District **(ITEM WITHDRAWN)**

**REGULAR AGENDA**

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

**4. Public Hearings**

- a. Legislative
  - i. An Ordinance Regarding the 2021 Compensation for the Municipal Judge, City Attorney and City Manager
  - ii. An Ordinance Amending Section 5.12.220 of the Grand Junction Municipal Code Reducing the Distance Brew Pub Liquor Licensed Premises must be from Any Parochial or Public School in the City of Grand Junction
  - iii. An Ordinance to Amending Title 21 of the Grand Junction Municipal Code to Modify and Clarify Various Provisions of the Zoning and Development Code

**5. Resolutions**

- a. A Resolution Adopting the Grand Junction Destination Brand, which includes "Where Life Leads" as a Destination Platform, Logo, Fonts and Place DNA™ Direction
- b. A Resolution Authorizing a City Council Acting President Pro Tem

**6. 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.*

**7. Other Business****8. Adjournment**



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** April 21, 2021

**Presented By:** Wanda Winkelmann, City Clerk

**Department:** City Clerk

**Submitted By:** Wanda Winkelmann

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**Information**

**SUBJECT:**

Final Certification of Election Results

**RECOMMENDATION:**

Staff recommends certification of election results.

**EXECUTIVE SUMMARY:**

The purpose of this item is to issue a final certification of the April 6, 2021 election results.

**BACKGROUND OR DETAILED INFORMATION:**

On April 7, 2021 the Canvassing Board issued an initial certification of the election results based on the tabulation of qualified ballots received by Mesa County up to April 6.

In order for them to be counted, ballots from uniformed and overseas voters and those voters with signature discrepancies on their return envelope have to be received by April 14. A post-election audit will be conducted on April 19 and 20 and the final certification will be updated and available for the April 21 meeting.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

## **Attachments**

1. Final Certification of Election 2021



CITY OF GRAND JUNCTION, COLORADO  
 FINAL CERTIFICATE OF ELECTION/ABSTRACT OF VOTES  
 APRIL 6, 2021 MUNICIPAL ELECTION

**DRAFT**  
 Certificate will be updated with the final election results after the post-election audit on April 19 & 20, 2021

I, Wanda Winkelmann, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the final results of the Regular Municipal Election held in the City on Tuesday, April 6, 2021, were as follows:

Total Ballots Cast in District A	
Total Ballots Cast in District B	
Total Ballots Cast in District C	
Total Ballots Cast in District D	
Total Ballots Cast in District E	
<b>TOTAL BALLOTS CAST</b>	

**CANDIDATES**

**FOR COUNCILPERSON – DISTRICT "A" – FOUR-YEAR TERM**

Candidates	District A	District B	District C	District D	District E	TOTAL
Mark McCallister						
Rick Taggart						

**FOR COUNCILPERSON – DISTRICT "D" – FOUR-YEAR TERM**

Candidates	District A	District B	District C	District D	District E	TOTAL
Greg Haitz						
Dennis J. Simpson						

**FOR COUNCILPERSON – DISTRICT "E" – FOUR-YEAR TERM**

Candidates	District A	District B	District C	District D	District E	TOTAL
Jody Green						
Abe Herman						

**FOR COUNCILPERSON – "CITY AT LARGE" – FOUR-YEAR TERM**

Candidates	District A	District B	District C	District D	District E	TOTAL
Kraig Andrews						
Randall Reitz						

REFERRED MEASURES

CITY OF GRAND JUNCTION REFERRED MEASURE 2A

SHALL CITY OF GRAND JUNCTION TAXES BE INCREASED BY TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000) IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY INCREASING THE CITY SALES AND USE TAX ON THE RETAIL SALE OF REGULATED MARIJUANA AND MARIJUANA PRODUCTS FROM 3.25% TO 8.25% (WITH AUTHORIZATION THAT THE SPECIAL SALES AND USE TAX OF 5% COULD BE INCREASED IN THE FUTURE ABOVE 5% WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE SPECIAL SALES AND USE TAXATION DOES NOT EXCEED 15%) AND THE IMPOSITION OF AN EXCISE TAX OF 3% (WITH AUTHORIZATION THAT THE EXCISE TAX OF 3% COULD BE INCREASED IN THE FUTURE ABOVE 3% WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE EXCISE TAX DOES NOT EXCEED 10%) WHEN UNPROCESSED REGULATED MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A REGULATED MARIJUANA CULTIVATION FACILITY AND IF THE TRANSFER OR SALE IS BETWEEN AFFILIATED REGULATED MARIJUANA BUSINESS LICENSEES THE TAX SHALL BE BASED ON THE AVERAGE MARKET RATE OF UNPROCESSED MARIJUANA, AND IF THE TRANSFER OR SALE IS BETWEEN UNAFFILIATED REGULATED MARIJUANA BUSINESS LICENSEES THE TAX SHALL BE BASED ON THE CONTRACT PRICE, WITH THE REVENUES FROM EXCISE AND THE SPECIAL SALES AND USE TAXES BEING USED FOR THE IMPROVEMENT AND PROTECTION OF THE COMMUNITY AND HEALTH AND WELFARE OF ITS CITIZENS AS FOLLOWS:

- THE ENFORCEMENT OF REGULATIONS ON THE REGULATED MARIJUANA INDUSTRY AND OTHER COSTS RELATED TO THE IMPLEMENTATION OF THE USE AND REGULATION OF REGULATED MARIJUANA AND LAWFUL UTILIZATION OF MARIJUANA; AND
- BUILDING, OPERATING AND MAINTAINING THE HIGHEST PRIORITY(IES) OF THE ADOPTED PARKS AND RECREATION OPEN SPACE (PROS) PLAN WHICH INCLUDE INDOOR AND OUTDOOR RECREATION AND PARK FACILITIES, CAPITAL IMPROVEMENTS AND ENHANCEMENTS TO THE CITY’S PARKS, TRAILS AND OPEN SPACE SYSTEM;

WITH ALL EXPENDITURES SUBJECT TO ANNUAL FINANCIAL AUDIT, AND MAY THE CITY COLLECT, RETAIN AND EXPEND ALL OF THE REVENUES OF ALL OF SUCH TAXES AND THE EARNINGS THEREON AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

Measure 2A	District A	District B	District C	District D	District E	TOTAL
YES						
NO						

**CITY OF GRAND JUNCTION REFERRED MEASURE 2B**

Shall the City of Grand Junction, Colorado allow the operation of marijuana businesses in the City and amend the Grand Junction Municipal Code by the addition of new sections permitting, subject to regulations to be adopted by ordinances of the City, certain activities relating to marijuana, and by so doing repeal the 2011 Voter Approved Measure A, with the approval of this question and the repeal of the 2011 Measure A being subject to and expressly contingent upon Voter Approval of Measure 2A on the April 6, 2021 City of Grand Junction ballot authorizing taxation of marijuana businesses in Grand Junction, all as a Voter Approved Measure under Article XVI, Paragraph 137, of the City Charter?

Measure 2B	District A	District B	District C	District D	District E	TOTAL
YES						
NO						

**CITY OF GRAND JUNCTION REFERRED MEASURE 2C**

Shall Ordinance 4295, referred to voters in 2013 as Measure A, be amended in the context of the current zoning of the property by modifying certain established conditions on the development of the property located at 347 and 348 27 ½ Road and 2757 C ½ Road, which conditions include but are not limited to the dedication of a public trail easement 50 feet in width adjacent to the Colorado River along the entire southern property boundary, dedication of a public trail easement 50 feet in width along the east property boundary and installation of a landscape buffer 25 feet in width and a screen wall along the west, north and south property boundaries with the approval of a development plan which honors the requirement for a trail easement providing for connectivity for the planned trail system along the riverfront for the property located at 347 and 348 27 ½ Road and 2757 C ½ Road, which development plan is and shall be subject to the Grand Junction Municipal Code and if the Code is satisfied and this question is approved then 2013 Voter Approved Measure A shall be amended consistent with the plan, all as a Voter Approved Measure under Article XVI, Paragraph 137 and 142 of the City Charter?

Measure 2C	District A	District B	District C	District D	District E	TOTAL
YES/FOR THE ORDINANCE						
NO/AGAINST THE ORDINANCE						



## INITIAL CERTIFICATE OF ELECTION/ABSTRACT OF VOTES

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We, the undersigned Canvassing Board, have reviewed the final results of the Regular Municipal Election held April 6, 2021, and do hereby conclude:

- that **NAME** has been duly elected as Councilperson for District "A";
- that **NAME** has been duly elected as Councilperson for District "D";
- that **NAME** has been duly as Councilperson for District "E";  
and
- that **NAME** has been duly elected as Councilperson for "City at Large."

Further we, the undersigned Canvassing Board, do hereby conclude:

- that for the City of Grand Junction Referred Measure 2A (Marijuana Sales Tax) was **approved/rejected** by the greater number of votes;
- that for the City of Grand Junction Referred Measure 2B (Allowing Marijuana Sales) was **approved/rejected** by the greater number of votes;  
and
- that for the City of Grand Junction Referred Measure 2C (Modifying Property Conditions) was **approved/rejected** by the greater number of votes.

This **Final Certificate of Election** signed at the Regular City Council meeting on April 21, 2021 included the final election results issued by the Mesa County Clerk and Recorder and supersedes the **Initial Certificate of Election/Abstract of Votes** that was signed at the April 7, 2021 Regular City Council meeting.

Certified as of this 21<sup>st</sup> day of April, 2021.

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Wanda Winkelmann, MMC  
City Clerk

**INITIAL CERTIFICATE OF ELECTION/ABSTRACT OF VOTES**

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Signed this 21<sup>st</sup> day of April, 2021.

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C.E. Duke Wortmann  
Mayor, District D

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Phyllis Norris  
Councilmember, District A

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Phil Pe'a  
Councilmember, District B

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Anna Stout  
Councilmember, District C

---

Chuck McDaniel  
Councilmember, At Large

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Debra M. Kemp  
Notary Public

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Janet Harrell  
Notary Public



*City of Grand Junction, State of Colorado*

# Proclamation

- Whereas,** trees are an important natural resource asset to the City of Grand Junction, State of Colorado, providing cooling shade, filtering air pollution, improving water quality, shielding properties from storms, and providing oxygen for the air we breathe; and
- Whereas,** trees increase property values, enhance the economic vitality of business areas, and enhance the beauty of the City of Grand Junction, with various forms, textures and colors; and
- Whereas,** providing residents with a closer connection to nature through an urban tree canopy has been linked to improved mental and physical health, better social cohesion, and crime reduction; and
- Whereas,** all citizens of Grand Junction, now and in the future, will benefit from the planting of trees, and the services provided by our current canopy of over 37,000 public trees as a living component of our City's green infrastructure; and
- Whereas,** the City of Grand Junction has officially declared the 24th day of April as Arbor Day and the City will be celebrating with the distributions of tree seedlings, widespread tree planting, and educational opportunities for citizens about the care and benefits of trees;
- Whereas,** the City of Grand Junction has been recognized as a Tree City USA for thirty-eight consecutive years by The National Arbor Day Foundation and desires to continue its tree-planting ways.

**NOW, THEREFORE,** I, C.E. Duke Wortmann, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim April 24, 2021 as

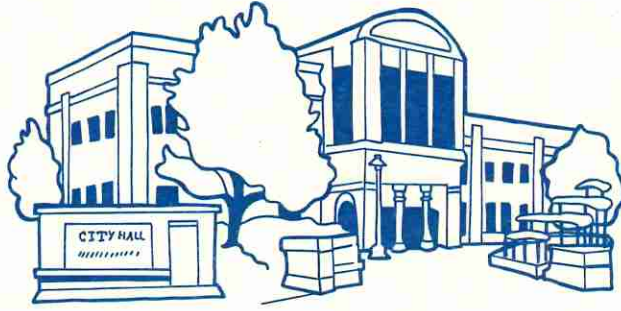
## *"Arbor Day"*

in the City of Grand Junction and encourage all citizens to support our City's Urban Forestry Program and to participate in this effort by planting a tree for a better future.

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 April 2021.



*C.E. Duke Wortmann*  
Mayor



*City of Grand Junction, State of Colorado*

# Proclamation

**Whereas,** Colorado is a premiere bicycling state and Grand Junction offers some of the most diverse bicycling opportunities; and

**Whereas,** May has been designated as Grand Valley Bike Month to celebrate bicycling for transportation, fun and health; joining a nationwide effort to encourage cycling novices and enthusiasts to experience the fun and freedom of safely riding a bike to work, school, and for errands and recreation; and

**Whereas,** the bicycle is a viable and environmentally sound form of transportation. Studies have shown that biking to work is associated with a lower risk of cardiovascular disease, cancer, diabetes and all other causes of death; and

**Whereas,** the City of Grand Junction Urban Trails Committee is taking actions to improve safety for bicycle riders and pedestrians of all ages and abilities; and

**Whereas,** bicycling activities and attractions have a positive impact on Grand Junction's economy and tourism industry and stimulates economic development by making the area attractive to businesses and citizens who enjoy the out-of-doors and healthy lifestyles; and

**Whereas,** Grand Junction has been designated a Bicycle Friendly Community by the League of American Bicyclists and recognizes that bicycle-friendly communities improve citizens' health, well-being, and quality of life, boost community spirit, improve traffic safety, and reduce pollution and congestion, all of which contribute to the City's stated goal of providing a safe and connected network of active transportation facilities; and

**Whereas,** the Urban Trails Committee and Healthy Mesa County, along with other local organizations throughout Mesa County will be promoting bicycling as an environmentally friendly and healthy alternative to the automobile with several activities during Bike Month and on Bike to Work and School Day.

**NOW, THEREFORE,** I, C.E. Duke Wortmann, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the month of May and Wednesday, May 5<sup>th</sup> as

## *"Bike Month and Bike to Work and School Day"*

in the City of Grand Junction and call upon all citizens to participate by biking as an alternative form of transportation.

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 April 2021.

*C.E. Duke Wortmann*

Mayor





**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** April 21, 2021

**Presented By:** Wanda Winkelmann, City Clerk

**Department:** City Clerk

**Submitted By:** Kerry Graves

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**Information**

**SUBJECT:**

To the Historic Preservation Board

**RECOMMENDATION:**

Appoint interview committee's recommendation to the Historic Preservation Board.

**EXECUTIVE SUMMARY:**

There is one vacancy on the Historic Preservation Board.

**BACKGROUND OR DETAILED INFORMATION:**

Brandon Stamm's term expired 12/30/2020. Applications were received from Vida Jaeger, Sean Hamaker and Darrell Manroe. Full-term appointments are made for four year terms.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I move to (appoint/not appoint) the interview committee's recommendation to the Historic Preservation Board.

**Attachments**

None

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

**April 7, 2021**

**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 April 2021 at 5:34 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 Janet Harrell.

Council President Wortmann called the meeting to order and Councilmember Andrews led the Pledge of Allegiance which was followed by a moment of silence.

**Citizen Comments**

Scott Beilfuss spoke in favor Senate Bill 21-062 concerning arrest standards, bail reform and jail management which is currently moving through the State Assembly.

Richard Swingle, via a played back voicemail, spoke about citizen participation and the number of non-working Xcel streetlights he has reported.

Public Works Director Trent Prall thanked Mr. Swingle for his diligence and spoke about Xcel Energy's reporting process.

**Presentations**

**Initial Certification of Election Results**

City Clerk Wanda Winkelmann presented initial certification of election results.

**Proclamations**

**Proclaiming April 11-17, 2021 as National Public Safety Telecommunicator Week in the City of Grand Junction**

Councilmember Norris read the proclamation. Police Chief Doug Shoemaker and Communications Center Manager Jennifer Kirkland accepted the proclamation.

**Appointments****To the Grand Junction Regional Airport Authority**

Councilmember McDaniel moved to reappoint Thaddeus Shrader and ratify At-Large member Linde Marshall to the Grand Junction Regional Airport Authority for four-year terms ending June 2025. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

**City Manager Report**

City Manager Greg Caton encouraged citizens to pledge their support to conserve water through the Wyland National Mayor's Water Challenge and noted the City is waiting for guidance from the Federal Treasury regarding direction on how the second round of COVID funds may be spent.

Councilmembers Taggart and Stout suggested Council and the community provide input regarding what projects are to be supported by the COVID funds.

**Council Reports**

Councilmember Norris thanked Western Colorado Community Foundation for helping to distribute \$250,000 from the City for community hunger issues and the Economic Development Partners who worked with small businesses through the Business Incubator Center (BIC) to distribute City funded grants. Councilmember Norris also said Grand Valley Regional Transportation Committee contracted with Greyhound for their use of the Downtown (6<sup>th</sup> Street) Transfer Facility.

Councilmember Stout said the Downtown Development Authority (DDA) is waiting on the Phase Two report regarding the purchase of the former Greyhound Bus Station and the DDA sponsored Restaurant Week is April 9<sup>th</sup> -18<sup>th</sup>. She also noted the Commission on Arts and Culture will begin to update their five year Strategic and Cultural Plan with a kickoff at the Lincoln Park Hospitality Suite on April 29<sup>th</sup>, the Grand Valley Task Force Steering Committee will meet on April 8<sup>th</sup> and the BIC Executive Director Jon Maraschin said the BIC will add non-profit programming due to information learned from the distribution of the grant funding from the City.

Councilmember Andrews said the legislative session is progressing and many bills are being watched including Senate Bill 21-062 which is on tonight's Regular Agenda.

Councilmember Pe'a said Jen Taylor presented her plan for "Casitas" at the Visit Grand Junction meeting and the Parks & Recreation Advisory Board reviewed board priorities.

Councilmember McDaniel announced John Mok-Lamme would be retiring from Karis, Inc. effective October 2021.

**CONSENT AGENDA**

Councilmember Andrews moved to adopt Consent Agenda items 1-5. Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

**1. Approval of Minutes**

- a. Summary of the March 15, 2021 Workshop
- b. Minutes of the March 17, 2021 Executive Session
- c. Minutes of the March 17, 2021 Regular Meeting
- d. Minutes of the March 22, 2021 Executive Session
- e. Minutes of the March 22, 2021 Special Meeting

**2. Set Public Hearings**

- a. Quasi-judicial
  - i. Introduction of an Ordinance to Amend Title 21 of the Grand Junction Municipal Code to Modify and Clarify Various Provisions of the Zoning and Development Code and Setting a Public Hearing for April 21, 2021
- b. Legislative
  - i. Introduction of an Ordinance Regarding the 2021 Compensation for the Municipal Judge, City Attorney and City Manager and Setting a Public Hearing for April 21, 2021
  - ii. Introduction of an Ordinance Amending Section 5.12.220 of the Grand Junction Municipal Code Reducing the Distance Brew Pub Liquor Licensed Premises must be from Any Parochial or Public School in the City of Grand Junction and Setting a Public Hearing for April 21, 2021

**3. Withdrawn Public Hearings**

- a. Legislative
  - i. Ordinance Adopting the Patterson Road Access Control Plan (ACP) as Volume III, Title 38 of the Grand Junction Municipal Code (**ITEM WITHDRAWN**)



- b. Quasi-judicial
  - i. Ordinance to Amend Municipal Code Volume II: Development Regulations to Adopt Standards and Guidelines for the Lincoln Park Residential Historic District as Title 30 and Amend Section 21.07.040 of the Zoning and Development Code pertaining to the Role of the Historic Preservation Board in the Review of Alterations within the District **(ITEM WITHDRAWN)**

#### 4. **Contracts**

- a. Contract Approval for the Architect/Engineer for the Lincoln Park Stadium Renovation Project
- b. Purchase Order for PVC Pipe for Water Supply Line Replacement Projects

#### 5. **Resolutions**

- a. Resolution Issuing a Revocable Permit to Continue to Allow and Modify an Existing Free-Standing Sign for Mesa Mall within the Right-of-Way Located at the Intersection of Patterson Road and the Mesa Mall Access Road
- b. Resolution Authorizing the City Manager to Accept Airport Authority Grant Offer
- c. Resolution Vacating a Public Sanitary Sewer Easement within the R5 Block Subdivision Amended which is Located on the Southeast Corner of 7<sup>th</sup> Street and Grand Avenue
- d. Resolution Issuing a Revocable Permit to Allow for Parking Lot and Landscaping Improvements within the Public Right-of-Way Located Adjacent to 450 West Kennedy Avenue

### **REGULAR AGENDA**

#### **Ordinance Expanding the Boundary of the Grand Junction, Colorado Downtown Development Authority to Include the Properties Located at and Known as 920 and 1020 Grand Avenue**

Property owner 1020 Grand, LLC requested incorporation of 920 and 1020 Grand Avenue into the Downtown Development Authority (DDA) boundaries in anticipation of future development of approximately 150 mixed income apartment units known as "The Lofts" project. The DDA Board of Directors approved the request.

DDA Executive Director Brandon Stam was present to answer questions.

Discussion included that the DDA was happy to approve this request and is looking forward to the development.

The public hearing opened at 6:13 p.m.

There were no public comments.

The public hearing closed at 6:13 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4988, an ordinance expanding the boundary of the Grand Junction, Colorado Downtown Development Authority to include the properties located at and known as 920 Grand Avenue and 1020 Grand Avenue on final passage and ordered final publication in pamphlet form. Councilmember Taggart seconded the motion. Motion carried by unanimous roll call vote.

**Ordinances Expanding the Boundaries of the Grand Junction, Colorado Downtown Development Authority and the Downtown Grand Junction Business Improvement District to Include the Property Located at and Known as 535 North 7<sup>th</sup> Street**

Arlo DeCristina, property owner of 535 N. 7<sup>th</sup> Street, requested incorporation this property into the Downtown Development Authority and Business Improvement District (BID) boundaries. The DDA and BID Board of Directors approved the request.

DDA Executive Director Brandon Stam was present to answer questions.

Discussion included that the DDA and BID and were happy to approve these requests and are excited for its future to include an art gallery/workshop space and that applicant has been involved with the Historic Preservation Board and the Board is welcoming the reuse of the building.

The public hearing opened at 6:15 p.m.

There were no public comments.

The public hearing closed at 6:15 p.m.

Councilmember Stout moved to adopt Ordinance No. 4989, an ordinance expanding the boundary of the Grand Junction, Colorado Downtown Development Authority to include the property located at and known as 535 N. 7<sup>th</sup> Street and Ordinance No. 4990, an ordinance expanding the boundary of and including property located at and known as 535 N. 7<sup>th</sup> Street into the Downtown Grand Junction Business Improvement District both on final passage and ordered final publications in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

**Ordinance Confirming the City - Las Colonias Development Corporation Master Lease, First Amendment and Voter Approval of Authority to Lease Certain Property at Las Colonias Park for the Purpose of Facilitating the Development of the Las Colonias Business Park in the City of Grand Junction, Colorado**

With approval of the Ordinance the City Council will confirm and ratify prior actions concerning the Master Lease and the First Amendment for Las Colonias Business and Recreation Park all in furtherance of the Las Colonias Development Corporation (LCDC) subleasing, managing and developing the property subject to the lease.

City Attorney John Shaver presented this item.

Discussion included that this confirmation is in response to pending litigation.

The public hearing opened at 6:23 p.m.

There were no public comments.

The public hearing closed at 6:23 p.m.

Councilmember Andrews moved to adopt Ordinance No. 4991, an ordinance confirming the City - Las Colonias Development Corporation Master Lease, First Amendment and Voter Approval of Authority to lease certain property at Las Colonias Park for the purpose of facilitating the development of the Las Colonias Business Park in the City of Grand Junction, Colorado on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

**Ordinance Authorizing and Confirming the Sale of Real Property Located in the Riverfront at Dos Rios Subdivisions in the City of Grand Junction, Colorado and Ratifying Actions Heretofore Taken in Connection Therewith**

Adoption of this ordinance will confirm prior City Council direction regarding the sale transactions for properties in the Dos Rios subdivisions. The Dos Rios properties are planned for redevelopment/reuse by the private sector.

City Attorney John Shaver presented this item.

Discussion included recognition of staff's work on this project.

The public hearing opened at 6:27 p.m.

There were no public comments.

The public hearing closed at 6:27 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4992, an ordinance authorizing and confirming the sale of real property located in the Riverfront at Dos Rios Subdivisions in the City of Grand Junction, Colorado and ratifying actions heretofore taken in connection therewith on final passage and ordered final publication in pamphlet form. Councilmember Stout seconded the motion. Motion carried by unanimous roll call vote.

**Ordinance Rezoning Two (2) Properties from PD (Planned Development) to C-1 (Light Commercial), Located at 287 27 Road and the adjacent Dixson Park, Collectively Comprising 8.7 Acres; and to Rezone One Property from PD (Planned Development) to M-U (Mixed Use), Located at 288 27 Road, Comprising 2.8 Acres**

Applicant 1215-1217 Perry, LLC requested rezoning of 287 27 Road and the adjacent Dixson Park from PD (Planned Development) to C-1 (Light Commercial) and rezoning of 288 27 Road from PD to M-U (Mixed Use) in anticipation of future development.

Senior Planner Lance Gloss presented this item.

Discussion included that no feedback had been received from the neighborhood and that the applicant plans to improve the warehouse, lease the vacant space, and continue to lease a portion of the space back from Ametek.

The public hearing opened at 6:36 p.m.

There were no public comments.

The public hearing closed at 6:36 p.m.

Councilmember Andrews moved to adopt Ordinance No. 4993, an ordinance rezoning the Ametek Properties to C-1 (Light Commercial) and M-U (Mixed Use) located at 287 27 Road, the adjacent Dixson Park and 288 27 Road on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

**Ordinance Rezoning Four (4) Properties from PD (Planned Development) to R-8 (Residential – 8 du/ac), Located at 585 North Grand Falls Court A, B, C, and D, Comprising 0.7 Acres**

Applicant H & M Trust requested rezoning of four properties located at 585 North Grand Falls Court A, B, C and D from PD (Planned Development) to R-8 (Residential - 8 du/ac) in order to establish development rights since the previous PD zoning no longer has an active plan.

Senior Planner Lance Gloss and applicant representative Kim Kerk presented this item.

Discussion included that this would be a higher density rezone.

The public hearing opened at 6:42 p.m.

There were no public comments.

The public hearing closed at 6:42 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4994, an ordinance rezoning H & M Trust Properties from PD (Planned Development) to R-8 (Residential - 8 du/ac), located at 585 N. Grand Falls Court A, B, C, and D on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

**Ordinance Amending the Phasing Schedule and Patio Home Orientation and Setbacks of the Red Rocks Valley Planned Development Comprising 138.97 Acres Located at South Camp Road and Rock Valley Road**

Applicants Conquest Homes, LLC and Surf View Development, Co. requested amendments to the Red Rocks Valley Planned Development and an extension of the Outline Development Plan (ODP) as they are unable to meet the originally approved phasing schedule deadline and to provide for completion of the remaining development phases by December 31, 2029. Also requested are amendments to the patio home area as defined by the original ODP.

Senior Planner Jace Hochwalt and applicant architect Dorothy Shepard presented this item.

Discussion included that the original 2007 ODP required and the Fire Department approved fire suppression systems since the properties do not have direct roadway access and further fire requirements will be addressed in the subdivision review.

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

There were no public comments.

The public hearing closed at 6:58 p.m.

Councilmember Norris moved to adopt Ordinance No. 4995, an ordinance amending Ordinance No. 4109 & 4511 for the Red Rocks Valley Planned Development Residential Subdivision revising the proposed phasing schedule and clarifying setbacks and allowed access for the patio home area, located approximately ½ mile west of Monument Road on the north side of South Camp Road on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

**Resolution Opposing Senate Bill 21-062 a Bill for an Act in the Colorado General Assembly Concerning Arrest Standards, Bail Reform and Jail Management**

Grand Junction Police Department Chief Doug Shoemaker, the Colorado Association of Chiefs of Police and the Colorado Municipal League (CML) oppose Senate Bill 21-062 as they find it would materially harm law enforcement and in turn community safety.

City Manager Greg Caton, Police Chief Doug Shoemaker and Deputy Police Chief Mike Nordine presented this item.

Discussion included that CML currently opposes the bill, that the Legislature should consider public safety and training first, this bill would remove law enforcement's ability to use discretion, this would embolden offenders, the bill allows for some low level felonies to be arrestable if a safety threat or expectation of re-offense is present, specific felonies are codified to be non-arrestable offenses up to a certain limits, violent crimes have risen locally (36% increase) and statewide (6.5% increase) and clarifying amendments are expected to be introduced before the bill goes to vote.

Citizen comment opened at 7:15 p.m.

Scott Beilfuss said he hopes for more dialogue on the issues discussed.

Citizen comment closed at 7:16 p.m.

Councilmember Norris moved to approve Resolution No. 35-21, a resolution opposing Senate Bill 21-062, a Bill for an Act in the Colorado General Assembly Concerning Arrest Standards, Bail Reform and Jail Management. Councilmember Andrews seconded the motion. Motion carried by roll call vote with Councilmember Stout abstaining.

**Non-Scheduled Citizens & Visitors**

Richard Swingle spoke about the Xcel Energy process for reporting streetlights that are out.

**Other Business**

City Council decided to reopen Council meetings to the public beginning with the April 21, 2021 meeting.

Councilmember Stout recognized Eleanor Larson as the Stout Student.

**Adjournment**

The meeting adjourned at 7:22 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:** April 21, 2021

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

**Department:** Community Development

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

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### **Information**

#### **SUBJECT:**

Introduction of an Ordinance Rezoning the Northern 21.53 Acres Portion of a Property from an I-1 (Light Industrial) to an R-5 (Residential - 5 du/ac) Zone District, Located at 853 21½ Road and Setting a Public Hearing for May 5, 2021

#### **RECOMMENDATION:**

Planning Commission heard this request at their April 13, 2021 meeting and voted (4-0) to recommendation approval of the request.

#### **EXECUTIVE SUMMARY:**

Senergy Builders, LLC ("Applicant") is requesting a rezone of a portion of the property at 853 21 ½ Road from an I-1 (Light Industrial) zone district to an R-5 (Residential - 5 dwelling units per acre) zone district. This request is consistent with the 2020 One Grand Junction Comprehensive Plan, which identifies the Land Use of the northern portion of the property (i.e. that portion which is proposed to be rezoned) as Residential Low, while the remainder of the property is identified for Industrial Land Use. This request is a component of a larger set of development requests identified as the Brookfield project, an ongoing greenfield development that comprises a mix of industrial and low-density residential subdivisions west of 21 ½ Road south of I Road. Rezoning of the northern portion of the subject property as proposed would provide for the development of between 65 and 118 dwelling units, based on the density of the R-5 zone, which would be served by public utilities that have been extended to the area as a component of the Brookfield North project. Staff recommends approval of the request, finding that it meets the relevant criteria in the Zoning and Development Code and responds to the vision and goals of the 2020 One Grand Junction Comprehensive Plan.



## **BACKGROUND OR DETAILED INFORMATION:**

### **BACKGROUND**

The subject site is comprised of the northern 21.53 acres of the property at 853 21 ½ Road. The entirety of the property remains in agricultural use and has been an irrigated field for more than 50 years. There is no structure on the subject property, but it has historically been owned and managed jointly with the property neighboring to the west at 860 21 Road, where a residence and several outbuildings have existed since 1900. Overhead electrical lines and an open drainage exist along the eastern frontage of the subject property. The subject property was annexed into the City of Grand Junction in 2009 as a part of the Northwest GJ Annexation No. 1, at which time the zone of annexation of I-1 was applied to the entire property.

Two additional development applications that concern the subject property are currently active, but both are being reviewed administratively and intended to provide for the development of the southern portion of the property that is proposed to remain in the I-1 zone district, rather than that portion which is proposed to be rezoned to R-5 herein. Those two applications are a simple subdivision (lot split) request City File (SUB-2019-352) and a major site plan request (SPN-2019-672). Together, those two proposals would facilitate development of industrial uses on the southeastern quarter of the subject property, with the southwestern corner apparently reserved for future industrial development. Neither of those development applications are directly related to eventual residential development of the area proposed to be rezoned herein, but the interface between the industrial and proposed residential area would be subject to screening and buffering standards as found in the Zoning and Development Code. That is already the case where the industrial and residential zone districts currently interface, which is at the northern edge of the subject property.

The proposed R-5 is a low-density residential zone district that provides for a residential density of between 3 and 5.5 dwelling units per acre that would result in a total number of residential units between 65 and 118 dwellings. The allowed uses within the proposed R-5 zone district include a range of residential uses, such as two-family dwellings (i.e. duplex), single-family detached dwellings, multifamily dwellings, and accessory dwelling units, as well as manufactured housing parks which require a Conditional Use Permit. Non-residential uses are limited in the R-5 zone district, and include such uses as home-based day care (maximum of 12 attendees per day), civic uses such as golf courses and elementary schools, and short-term rental or home occupation within residential dwelling units. The allowed uses within the proposed zone district of R-5 contrast substantially with the uses that are allowed in the current zone district of I-1, which is primarily industrial in nature. Uses allowed in the I-1 zone district include a wide array of commercial, industrial, and agricultural. Examples of allowed uses include feed stores, drive-through restaurants, alcohol beverage production, oil and gas support operations, and commercial pasture. Very few of the uses that are

currently allowed in the I-1 zone district would be allowed following rezoning to a residential district.

Based on the Comprehensive Plan Land Use designation of Residential Low, R-5 is one of two applicable zone districts. The alternative zone district under this designation is R-4 (Residential – 4 du/ac), which provides for a similar range of residential uses but does not allow for multifamily development, and has substantially higher minimum building setbacks than the R-5 zone district that is proposed. The Comprehensive Plan also identifies this property as part of Tier 1 – Urban Infill, which is prioritized for growth ahead of both Tier 2 – Suburban Infill and Tier 3 – Rural Areas and County Development.

### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed rezone request was held on February 11, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. There were nine attendees at the neighborhood meeting, including the development team and City project manager. No concerns were expressed with the proposed rezone, though some questions were raised about subdivision design and circulation in the event of rezoning to R-5.

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 March 1, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on April 2, 2021. The notice of this public hearing was published on April 6, 2021 in the Grand Junction Daily Sentinel.

### **ANALYSIS**

Pursuant to Section 21.02.140 of the Grand Junction Municipal Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

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

A major event has occurred since the zone of annexation was applied in 2009 that can be considered to have invalidated the original premises of the decision to zone the entirety of the subject property as I-1 (Light Industrial). This event was the adoption of the 2020 One Grand Junction Comprehensive Plan. The previous Comprehensive Plan identified the entirety of the subject property for Industrial Future Land Use. However, the newly adopted Plan identifies exactly that portion of the property proposed for rezoning herein for Residential Low Land Use, leaving the remainder of the property

under the Industrial designation. This is a substantial change in the legislative environment guiding the zoning of this property. The reason for that change in the Comprehensive Plan is complex, but one key factor of note is the development of the Brookfield North Subdivision immediately to the north of the subject property and directly adjacent to the portion of the subject property that is proposed to be rezoned to R-5. The Brookfield North Subdivision has R-4 (Residential – 4 du/ac) zoning and its construction has included the extension of utilities, including a substantial extension of public sewer services, along the eastern boundary of the subject property where such services previously did not exist. This substantially improves the viability of residential development in the area proposed for rezoning herein. The change in the Comprehensive Plan designation, as well as the factors such as infrastructure development that informed that change, lead staff to the conclude that this criterion has been met.

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

The immediate area around the subject property has not changed substantially since the decision to zone the property I-1 was made in 2009. The area is primarily agricultural with several non-agricultural residential properties of 2 to 5 acres in size. The industrial properties to the south of the subject property have also been stable for many years. The only exception to this development stability of this agricultural and industrial area is the recent and ongoing development of single-family housing immediately north of the subject property as a component of the overall Brookfield project. The subject property, if rezoned as requested would be incorporated in, and become a later phase of the Brookfield project., The limited scope of new residential development to date, relative to the general stability of the broader area (if conceived of as all properties within 1 to 2 miles of the subject property) lead staff to conclude 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*

Generally, the existing public and community facilities serving the property are adequate to support low density residential development. Public sewer service, Ute Water domestic water service, gas service, and electrical service are all available in the 21 ½ Road Right-of-Way. The roadway network, particularly 21 ½ Road, is adequate to serve the development for motor vehicle access, and upgrades to that facility that might be deemed necessary to support residential development based on this proposed rezone would be required to be implemented by the developer as a component of subdivision review. Conversely, there are no improved bicycle or pedestrian ways serving the site, nor an easily-accessible bus stop. Despite these limitations, the site is, on balance, adequately served by public and community facilities. Therefore, in

general, staff finds that this criterion is met.

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

The city is broadly in need of additional residential development if it is to meet the needs of a growing population. Citywide, low-density residential zoning is common, but very few properties with low-density residential zoning remain undeveloped. It is thus logical that, in order to continue to provide housing opportunities, and to include low-density housing patterns in the range of housing options available in the community, additional land must be zoned to low-density residential districts such as R-5. R-5 is also a more flexible zone in terms of housing types than the alternative zone for this area, based on the Comprehensive Plan, which is R-4, given that R-4 does not allow for multifamily development. Staff therefore finds this criterion to be met.

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

The community can generally be said to benefit by the facilitation and subsequent development of housing and associated infrastructure. However, the community can also be said to benefit through the provision of agricultural services as currently occupy the property, and which would be reduced or eliminated in the event of residential development under the constraints of R-5 zoning. As public utilities have already been extended past the subject property, relative to the core service area of Grand Junction, it is not evident that the community would derive benefits from the proposed change in zoning that are not counterbalanced by limitations. As a result, staff finds that this criterion is not met.

### *Comprehensive Plan Goals and Strategies*

3.1.b. Intensification and Tiered Growth – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers.

- i. Tier 1: Urban Infill
- ii. Tier 2: Suburban Infill
- iii. Tier 3: Rural Areas and County Development

5.1.c. Housing Types – Promote a variety of housing types that can provide housing options while increasing density in both new and existing neighborhoods, such as duplexes, triplexes, multiplexes, apartments, townhomes, and accessory dwelling units, while maintaining neighborhood character.

**RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Senegy Builders, LLC rezone request, RZN-2021-113, for the property located at 853 21 ½ Road, the following findings of fact have been made:

1. The request conforms with Section 21.02.140 of the Zoning and Development Code.

Therefore, Staff recommends approval of the request.

**FISCAL IMPACT:**

There is no fiscal impact associated with this request.

**SUGGESTED MOTION:**

move to introduce an ordinance rezoning H & M Trust properties from I-1 (Light Industrial) to R-5 (Residential – 5 du/ac) located at the northern 21.53 acres of 853 21 1/2 Road, City File Number Rzn-2021-113 and set a public hearing for May 5, 2021.

**Attachments**

1. Development Application
2. Map Exhibits
3. Draft Zoning Ordinance - Brookfield III IV
4. Planning Commission Minutes - 2021 - April 13 - Draft

## 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="Industrial"/>	Existing Zoning <input type="text" value="I-1"/>
Proposed Land Use Designation <input type="text" value="Split Residential Low and Industrial"/>	Proposed Zoning <input type="text" value="R-5 (northern 20 +/- AC) app"/>

Property Information

Site Location: <input type="text" value="853 21 1/2 Road, Grand Junction, CO 81505"/>	Site Acreage: <input type="text" value="43.33 Acres"/>
Site Tax No(s): <input type="text" value="2697-252-18-001"/>	Site Zoning: <input type="text" value="I-1"/>
Project Description: <input type="text" value="To rezone approximately 20 +/- acres of the northern part of the parcel to R-5. The remainder will remain"/>	

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="Tracy States"/> <small>Digitally signed by Tracy States Date: 2021.01.27 14:12:54 -07'00'</small>	Date <input type="text" value="January 27, 2021"/>
Signature of Legal Property Owner		Date <input type="text" value="Feb 13, 2021"/>

General Project Report

# **Brookfield North III & IV Rezone A Portion (North 20 Acres) of 853 21 1/2 Road, Grand Junction, CO**

February 12, 2021

Prepared for:

**Senergy Builders**

1111 S. 7<sup>th</sup> Street, Grand Junction, CO 81501

Prepared by:



**215 Pitkin, Grand Junction, CO 81501**

**Grand Junction, CO 81506**

**Phone: (970) 241-4722**

**Fax: (970) 241-8841**

### **A. Project Description**

- 1) Location: The project is located at 853 21 ½ Road, Grand Junction, CO (Parcel No. 2697-252-18-001).
- 2) Acreage: The subject parcel contains approximately 43.30 acres.
- 3) Proposed Use: This submittal is for a Rezone of the north approximately 21.53 acres of this parcel from I-1 to R-5 in accordance with the newly adopted 2020 Comprehensive Plan. The future land use indicates Residential Low zoning on the north portion of the parcel and industrial zoning on the south portion. The remaining southern acreage will remain zoned I-1.

### **B. Public Benefit**

The proposed partial Rezoning will allow the continuation of residential low-density development similar to the adjacent property to the north (Brookfield North Filing One). The partial Rezone will facilitate affordable, quality housing and the extension of services in this much desired area of Grand Junction.

### **C. Neighborhood Meeting**

A neighborhood meeting was held virtually via a zoom meeting on February 11, 2021. A summary of the meeting is included with this submittal.

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

#### **1) Adopted plans and/or policies:**

The proposed Rezoning, in conjunction with the 2020 Comprehensive Plan, will comply with the adopted codes, plans and requirements for the property.

#### **2) Land use in the surrounding area:**

The uses contained within the surrounding area are a mix of commercial/industrial, agricultural and large lot residential, as well as low density residential.

#### **3) Site access and traffic patterns:**

Not applicable for this submittal.

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

The subject parcel is served by the following:

- Ute Water
- City of Grand Junction Sewer
- Grand Valley Irrigation Company
- Xcel Energy
- Grand Valley Power
- City of Grand Junction Fire
- Spectrum/Charter



CenturyLink

Fire Hydrants are located on the east side of 21 ½ Road, across from this site, as well as to the north on Slope Creek Avenue.

**5) Special or unusual demands on utilities:**

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

**6) Effects on public facilities:**

The Rezone will have no adverse effect on public facilities.

**7) Hours of operation:**

Typical of residential development.

**8) Number of employees:**

Not applicable.

**9) Signage:**

Not applicable.

**10) Site Soils Geology:**

Not applicable.

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

None are anticipated.

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

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

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

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

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

**(ii) Compliance with this zoning and development code.**

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

**(iii) Conditions of any prior approvals.**

There are no conditions of prior approvals.

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

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

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

All applicable permits will be obtained for this project.

**Section 21.02.140 Code amendment and rezoning:**

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

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

*The proposed partial Rezone request to R-5 will bring the parcel into compliance with the newly adopted 2020 Comprehensive Plan.*

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

*The amendment would allow the continuation of low density, affordable, quality housing in this much desired area of Grand Junction and is consistent with the Comprehensive Plan.*

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

*Public and community facilities are existing and adequate and will support low density residential and industrial developments and are not affected as a result of the Rezone request.*

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

*This parcel of land is adequately serviced by utilities and roadways. There is an inadequate supply of smaller parcels in this area to accommodate residential development.*

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

*The area will benefit with the development of low-density residential development with the extension of services, i.e. sewer. It also serves as a buffer between Industrial and Rural Residential uses.*

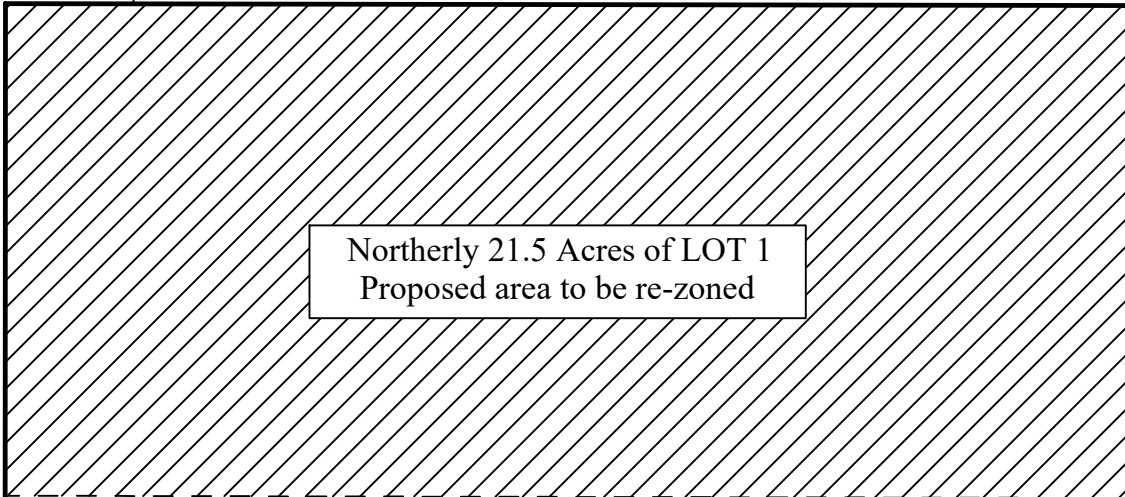
**F. Development Schedule**

Not applicable for this submittal.

The northerly 21.5 Acres of Lot 1 of the Brookfield Subdivision in the Northwest Quarter of Section 25, Township 1 North, Range 2 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, as recorded at Reception Number 2756868.

# EXHIBIT B

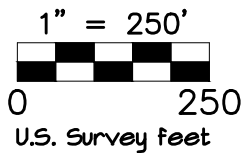
LOT 2  
19.63 ACRES



Northerly 21.5 Acres of LOT 1  
Proposed area to be re-zoned

LOT 1  
43.33 ACRES

Brookfield Subdivision  
Rec No. 2756868  
NW 1/4 SEC 25, T1N, R2W, UM  
City of Grand Junction, Mesa County, Colorado



THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

**RIVER CITY**  
CONSULTANTS

215 Pitkin Avenue, Unit 201  
Grand Junction, CO 81501  
Phone: 970.241.4722  
Fax: 970.241.8841  
www.rccwest.com

Drawn: BDM	Checked: AKT	2/2/21	Job No. 1378- 007
Z:\PROJECTS\1578 Senegy Builders\007 Brookfield South Simple Sub\Survey\DWG\1578-007 Legal For Zoning.dwg			



**Brookfield North III & IV Rezone  
Located 853 21 ½ Road, Grand Junction, CO  
(Parcel No. 2697-252-18-001)**

**SUMMARY OF VIRTUAL NEIGHBORHOOD MEETING  
THURSDAY, FEBRUARY 11, 2021 @ 5:30 PM  
VIA ZOOM**

A virtual neighborhood meeting for the above-referenced Preliminary Plan was held Thursday, February 11, 2021, via Zoom, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on January 29, 2021, per the mailing list received from the City of Grand Junction. There were approximately 9 attendees including Tracy States, Project Coordinator and Jarrod Whelan, P.E. with River City Consultants, Jace Hochwalt, Senior Planner with the City of Grand Junction, and Darin Carei with Senergy Builders, the Developer.

The meeting included a presentation, given by Tracy States, and a question-and-answer session. Information about the proposed project presented the proposed rezone on the northern half of the parcel to R-5, and a preliminary plan showing 82 lots, street with connections, on approximately 21.53 acres (3.81 DU/Acre). Also presented was a map of the Future Land Use. Tracy explained that the Comprehensive Plan adopted by the City in December 2020 indicated that the northern portion of the parcel was slated for Residential Low Development and thus the rezone request. Tracy explained that the rezone process would involve two public hearings in front of the Planning Commission and the City Council.

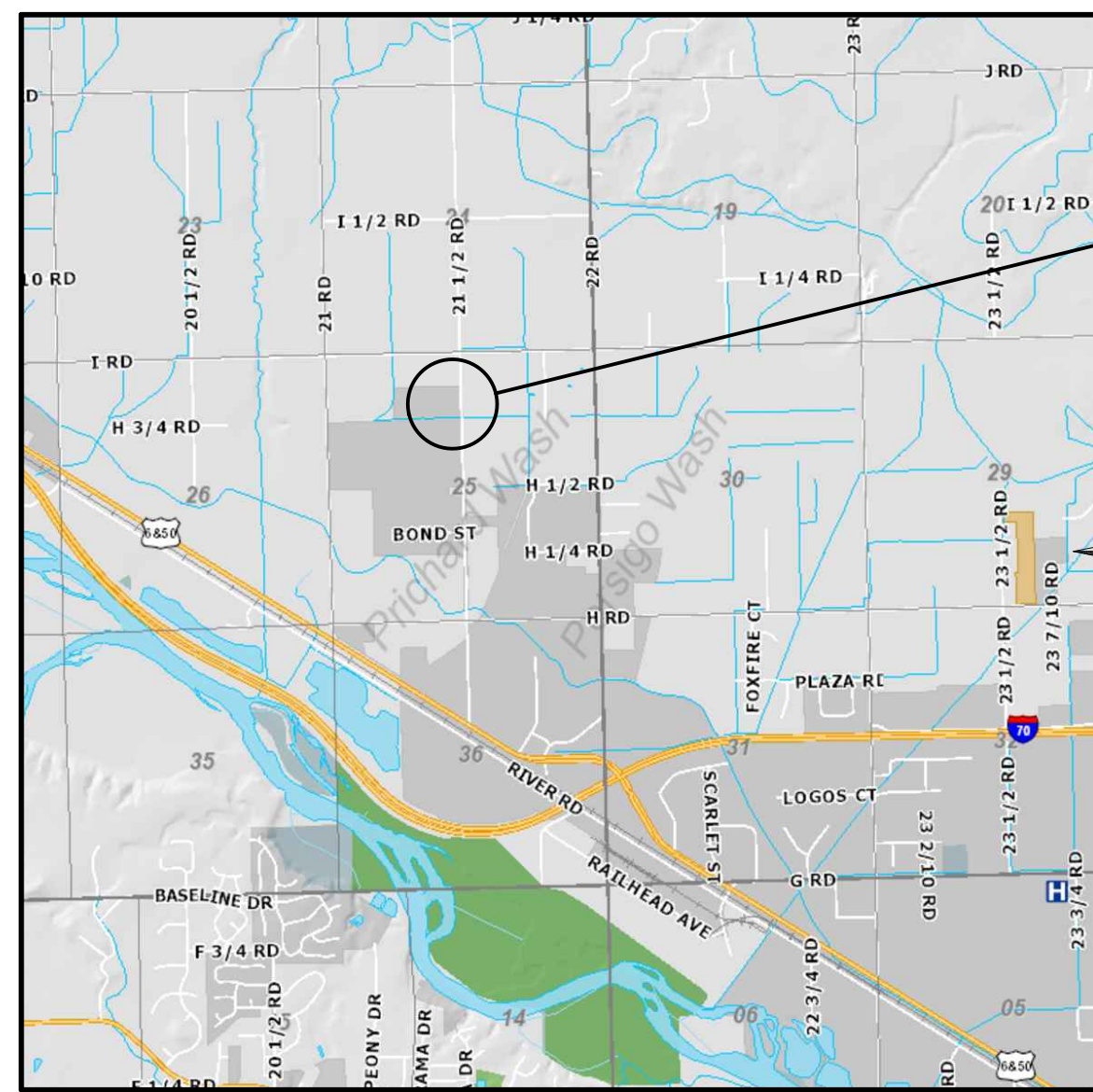
Jace Hochwalt verified the municipal process and the public hearing process for the rezone and that the subdivision process would be administrative with no further meetings. Jace stated that either R-4 or R-5 zoning were appropriate for the northern portion of the parcel and both would be supported by staff.

The only concerns expressed were the alignment of the proposed access to 21 ½ Road and perimeter fencing along 21 ½ Road. Jace stated that the City would request fencing that would match what was done in Filings I and II and that a 14' landscape strip would be required adjacent to the right-of-way on 21 ½ road, similar to what was required with Filings I and II. Increased speeding along 21 ½ Road was also expressed. The attendees seemed pleased with the chosen street alignment and that development would be residential.

The meeting adjourned at approximately 5:50 PM.

Tracy States received a notification that a neighbor tried to logon to the meeting as it concluded as well as a voicemail the morning of February 12<sup>th</sup>. Tracy contacted the individual and provided him with the maps presented at the meeting. He expressed concern about the removal of industrial zoned land and the state of 21 ½ Road and asked when it was planned to overlay 21 ½ Road to improve driving conditions. Tracy gave him the contact information for the Planner at the City to inquire further about overlay plans.

# BROOKFIELD NORTH REZONE



Project Location

**PROJECT LOCATION MAP**  
(N.T.S.)

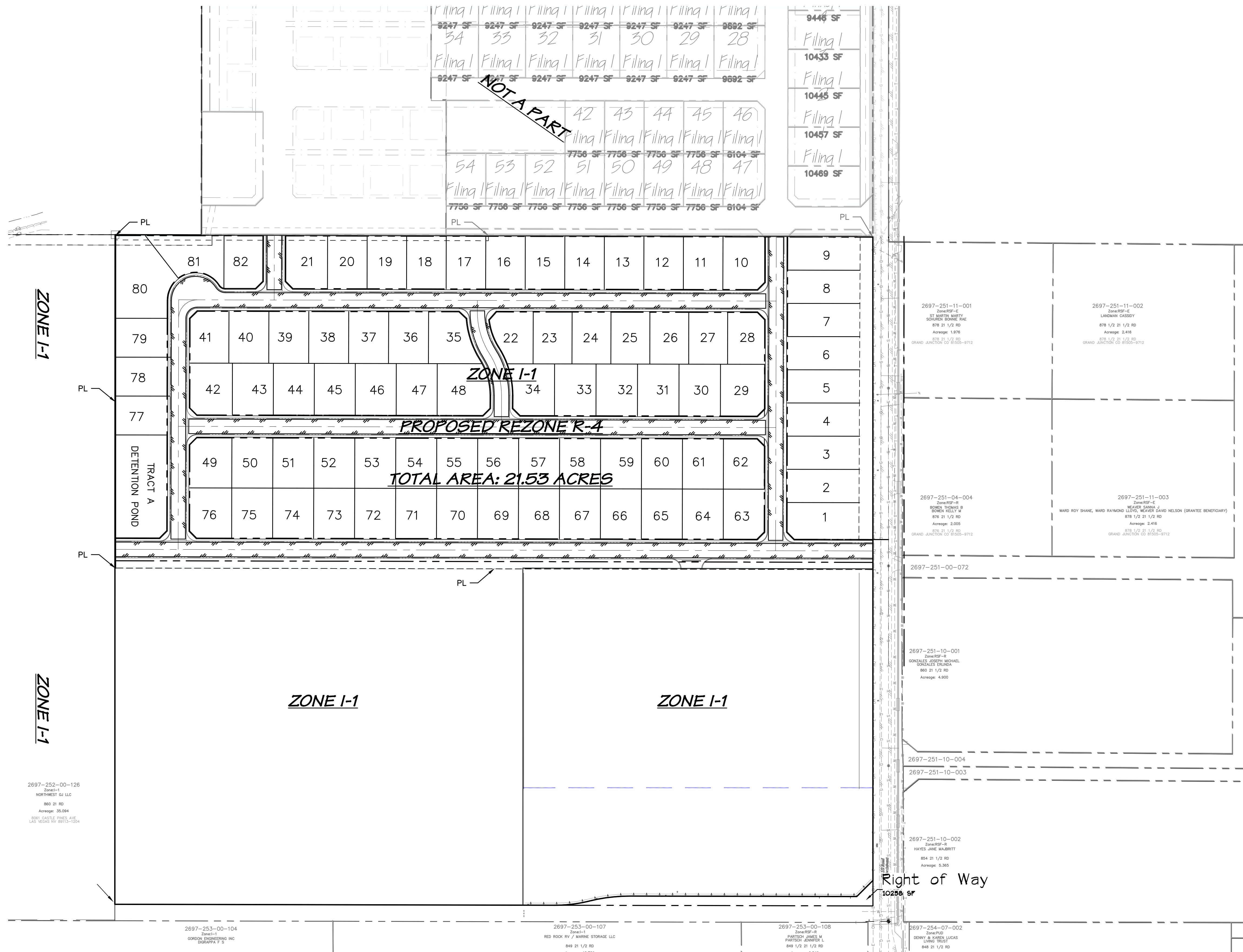
**REZONE LAND USAGE**  
Total Area: 21.53 acre  
Current Zone: Light Industrial (I-1)  
  
Proposed Zone: Residential-4 (R-4)  
Single Family Residential: 80± Units  
3.81 Unit/Acre

**PROPOSED ZONING SUMMARY**

Zoning: R-4  
Min Lot Size: 7,000 SF  
Min Lot Width: 70 FT  
Min Lot Frontage: 20 FT  
Min Setbacks:  
Front (Principle Structure): 20 FT  
Front (Accessory Structure): 25 FT  
Rear: 25 FT  
Side: 7 FT  
Identified Buffer Area: 15 FT  
Max Height: 72 FT  
Max Lot Coverage: 80%

**UTILITY CONTACTS**

Sewer – City of Grand Junction  
Contact.....970-245-6378  
Water – Ute Water District  
Contact.....970-242-7491  
Electric – Grand Valley Power  
Contact.....970-242-0040  
Gas – Xcel Energy  
Contact.....970-242-2626  
Phone – CenturyLink  
Contact.....970-244-4311  
Cable – Charter Communications  
Contact.....970-210-2550  
Irrigation – Grand Valley Irrigation Company  
Contact.....970-242-2762



ZONE I-1

ZONE I-1

ZONE I-1

ZONE I-1

ZONE I-1

PROPOSED REZONE R-4

TOTAL AREA: 21.53 ACRES

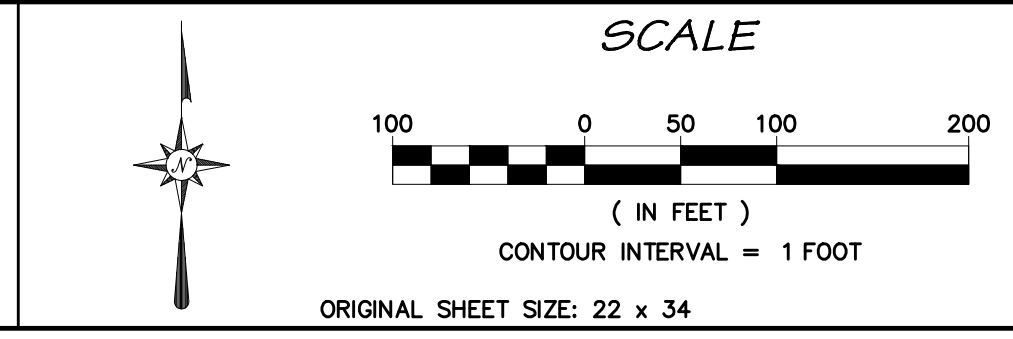
NOT A PART

Right of Way

**UNCC**  
800.922.1987  
www.uncc.org  
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

**811**  
Know what's below.  
Call before you dig.

**Project Benchmark**  
MCSM xxxx  
x Brass Cap  
Intersection of x Road and x Road  
Sec. xx, Txx, Rxx, U.M.  
Northing: xxxxxxxx  
Easting: xxxxxxxx  
Elevation: xxxxx  
Datum Source: MCLCS Zone "GVA" (NAVD 88)



NO.	DATE	DESCRIPTION	BY

REVISIONS

**RIVER CITY CONSULTANTS**  
215 Pitkin Avenue, Unit 201  
Grand Junction, CO 81501  
Phone: 970.241.4722  
Fax: 970.241.8841  
www.rcwest.com

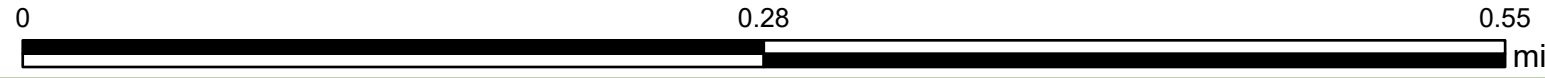
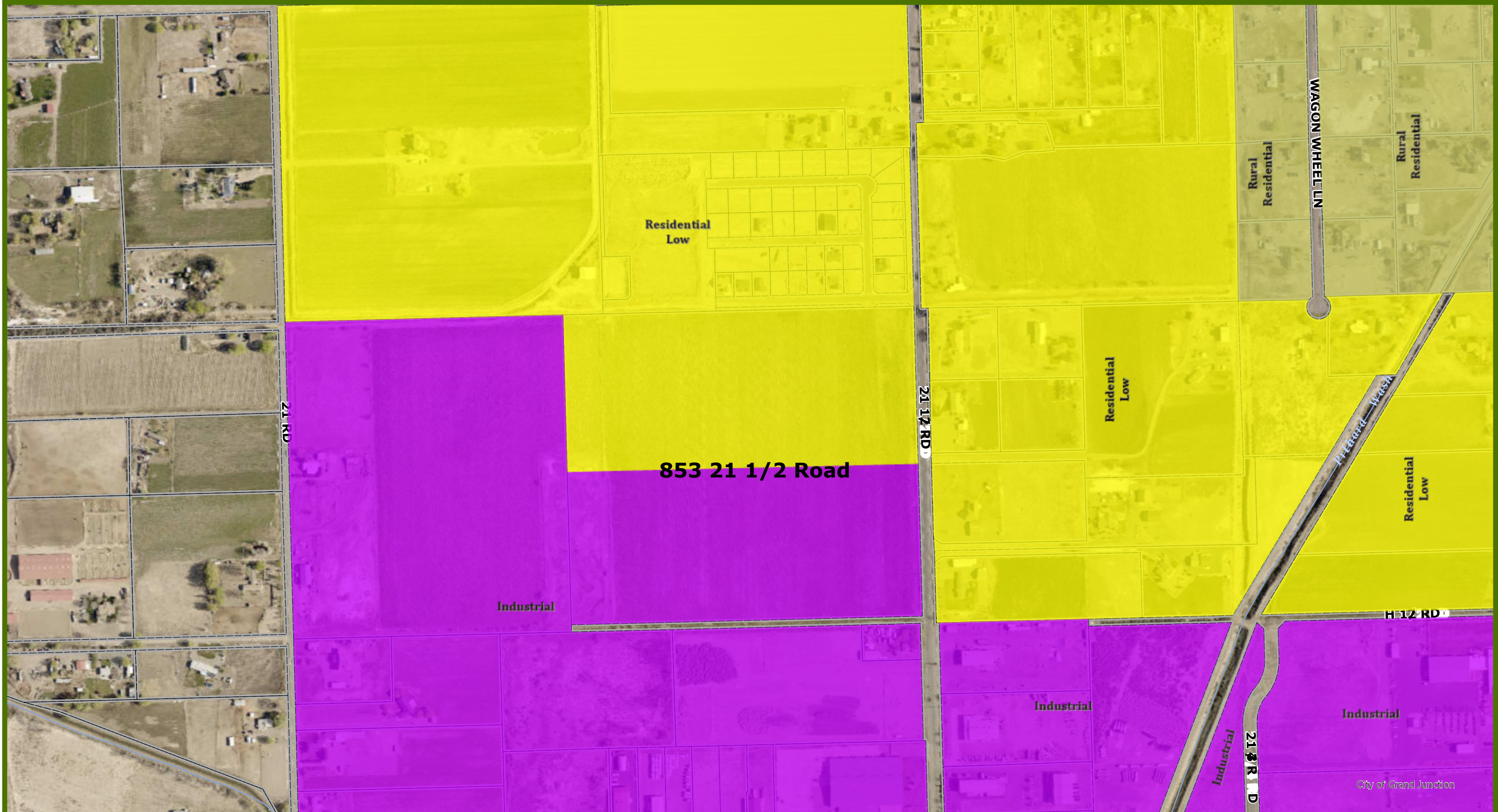
PROJECT #: 1378-013  
DATE ISSUED: 2021.02.10  
DRAWN BY: JSW  
HORIZ: AS SHOWN  
CHECKED BY: VERT: N/A

**SENERGY BUILDERS**  
BROOKFIELD NORTH  
FILING III & IV

10258 SF

01

# City of Grand Junction



Printed: 1/27/2021  
1 inch equals 376 feet  
Scale: 1:4,514

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

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

(b) 853 21 1/2 Road, Grand Junction, CO 81505

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

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

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

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

The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Rezone

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

(e) None

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

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

Signature of Entity representative: Arthur M. Pastel

Printed name of person signing: Arthur M. Pastel, Managing Member

State of Colorado )

County of Mesa ) ss.

Subscribed and sworn to before me on this 16<sup>th</sup> day of February, 20 21

by Arthur M. Pastel

Witness my hand and seal.

My Notary Commission expires on

KIM L SMEINS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19904000196  
MY COMMISSION EXPIRES JANUARY 25, 2025

[Signature]  
Notary Public Signature



4/5 2 PAGE DOCUMENT



STATE DOCUMENTARY FEE  
Date: July 28, 2008  
\$ 300.00

SPECIAL WARRANTY DEED

THIS DEED, Made on this day of July 28, 2008, between  
IRMA L. KAPUSHION REVOCABLE TRUST

\$\$\$300.00

of the County of \_\_\_\_\_ and State of \_\_\_\_\_, Grantor(s), and  
NORTHWEST GJ, LLC, A COLORADO LIMITED LIABILITY COMPANY

whose legal address is : 8061 CASTLE PINES AVENUE LAS VEGAS, NV 89113  
of the \_\_\_\_\_ County of CLARK and State of NEVADA, of the Grantee(s):

WITNESS, That the Grantor, for and in consideration of the sum of ( \$3,000,000.00 )

\*\*\* Three Million and 00/100 \*\*\* DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee(s), their heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the \_\_\_\_\_ County of MESA and State of Colorado, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

also known as street number East of  
860 21 ROAD FRUITA CO 81521

TOGETHER with all and singular and 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(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with appurtenances, unto the Grantee(s), their heirs, successors and assigns forever. The Grantor, for itself, its successors and assigns, does covenant, and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the Grantee(s), their heirs, successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor(s), SUBJECT TO GENERAL TAXES FOR THE YEAR 2008; AND EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS AND RIGHTS OF WAY OF RECORD, IF ANY; AND DISTRIBUTION UTILITY EASEMENTS; AND MATTERS NOT SHOWN BY THE PUBLIC RECORDS BUT OF WHICH GRANTEE HAS ACTUAL KNOWLEDGE; AND INCLUSION OF THE PROPERTY WITHIN ANY SPECIAL TAXING DISTRICT; AND THE BENEFITS AND BURDENS OF ANY DECLARATION AND PARTY WALL AGREEMENTS, IF ANY.

IN WITNESS WHEREOF the Grantor(s) have executed this deed on the date set forth above.

IRMA L. KAPUSHION REVOCABLE TRUST

By: Irma L. Kapushion  
IRMA L. KAPUSHION, AS TRUSTEE

STATE OF Colorado )  
County of Mesa ) ss.

The foregoing instrument was acknowledged before me on this day of July 28, 2008,  
by IRMA L. KAPUSHION, AS TRUSTEE OF IRMA L. KAPUSHION REVOCABLE TRUST

My commission expires  
Witness my hand and official seal.

SUSAN J. OTTMAN  
NOTARY PUBLIC  
STATE OF COLORADO  
My Commission Expires 11/02/2009  
County of Mesa

[Signature]  
Notary Public

Name and Address of Person Creating Newly Created Legal Description ( 38-35-106.5, C.R.S.)

Escrow# GJ65006346 When Recorded Return to: NORTHWEST GJ, LLC, A COLORADO LIMITED LIABILITY COMPANY  
Title# GJC65006346 8061 Castle Pines Avenue Las Vegas, Nv 89113

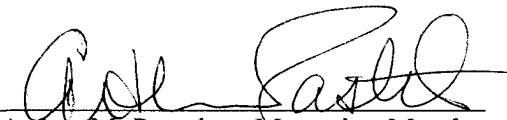
**EXHIBIT A**

A PARCEL OF LAND SITUATE IN THE NORTHWEST  $\frac{1}{4}$  OF SECTION 25, TOWNSHIP 1 NORTH,  
RANGE 2 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTH 1/16TH CORNER ON THE WEST LINE OF SAID SECTION 25,  
BEING A FOUND MESA COUNTY SURVEY MARKER, THE BASIS OF BEARING BEING  
S00°01'28"W TO THE WEST  $\frac{1}{4}$  CORNER OF SAID SECTION 25, BEING A FOUND MESA COUNTY  
SURVEY MARKER;  
THENCE S89°52'29"E ALONG THE NORTH LINE OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$   
OF SAID SECTION 25 A DISTANCE OF 1157.60 FEET TO THE POINT OF BEGINNING;  
THENCE S89°52'29"E ALONG SAID NORTH LINE, A DISTANCE OF 166.88 FEET TO THE  
NORTHWEST 1/16TH CORNER OF SAID SECTION 25, BEING WITNESSED BY A FOUND 2"  
ALUMINUM CAP MARKED "L.S.9960", N00°00'06"E A DISTANCE OF 3.67 FEET;  
THENCE N00°00'06"E A DISTANCE OF 660.59 FEET TO THE NORTH LINE OF THE SOUTH  $\frac{1}{2}$   
OF THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SAID SECTION 25;  
THENCE S89°52'26"E ALONG SAID NORTH LINE A DISTANCE OF 1324.51 FEET TO THE  
EAST LINE OF SAID NORTHWEST  $\frac{1}{4}$  OF SECTION 25;  
THENCE S00°00'15"W A DISTANCE OF 660.57 FEET TO THE CENTER NORTH 1/16TH CORNER  
OF SAID SECTION 25, BEING A FOUND 2" ALUMINUM CAP STAMPED "L. S.9960";  
THENCE S00°00'25"E A DISTANCE OF 1321.19 FEET TO THE CENTER  $\frac{1}{4}$  CORNER OF SAID  
SECTION 25, BEING A FOUND MESA COUNTY SURVEY MARKER;  
THENCE N89°51'58"W ALONG THE SOUTH LINE OF SAID NORTHWEST  $\frac{1}{4}$  A DISTANCE OF  
1492.07 FEET;  
THENCE N00°01'28"E A DISTANCE OF 1320.97 FEET TO THE POINT OF BEGINNING.

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named Northwest GJ, LLC., a Colorado Limited Liability Company.
2. The type of entity is a: Limited Liability Company
3. The entity is formed under the laws of the State of Colorado.
4. The mailing address for the entity is: ,2060 Broadway Suite 400 Boulder, CO. 80302.
5. The name and position of each said person authorized to execute instruments conveying, encumbering, or otherwise affecting the title to real property on behalf of the entity is: Arthur M. Pastel as Managing Member.
6. The authority of the foregoing person to bind the entity is not limited.
7. There are no other matter of limitations concerning the manner in which the entity deals with interests in real property.
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of Section §38-30-172, C.R.S.

Executed this 1st day of December, 2015

  
 \_\_\_\_\_  
 Arthur M. Pastel, as Managing Member

*Nevada*  
 STATE OF ~~COLORADO~~)  
*Clark* ) SS.  
 COUNTY OF ~~MESA~~ )

The foregoing instrument was acknowledged before me this 28 day of December, 2015 by Arthur M. Pastel.

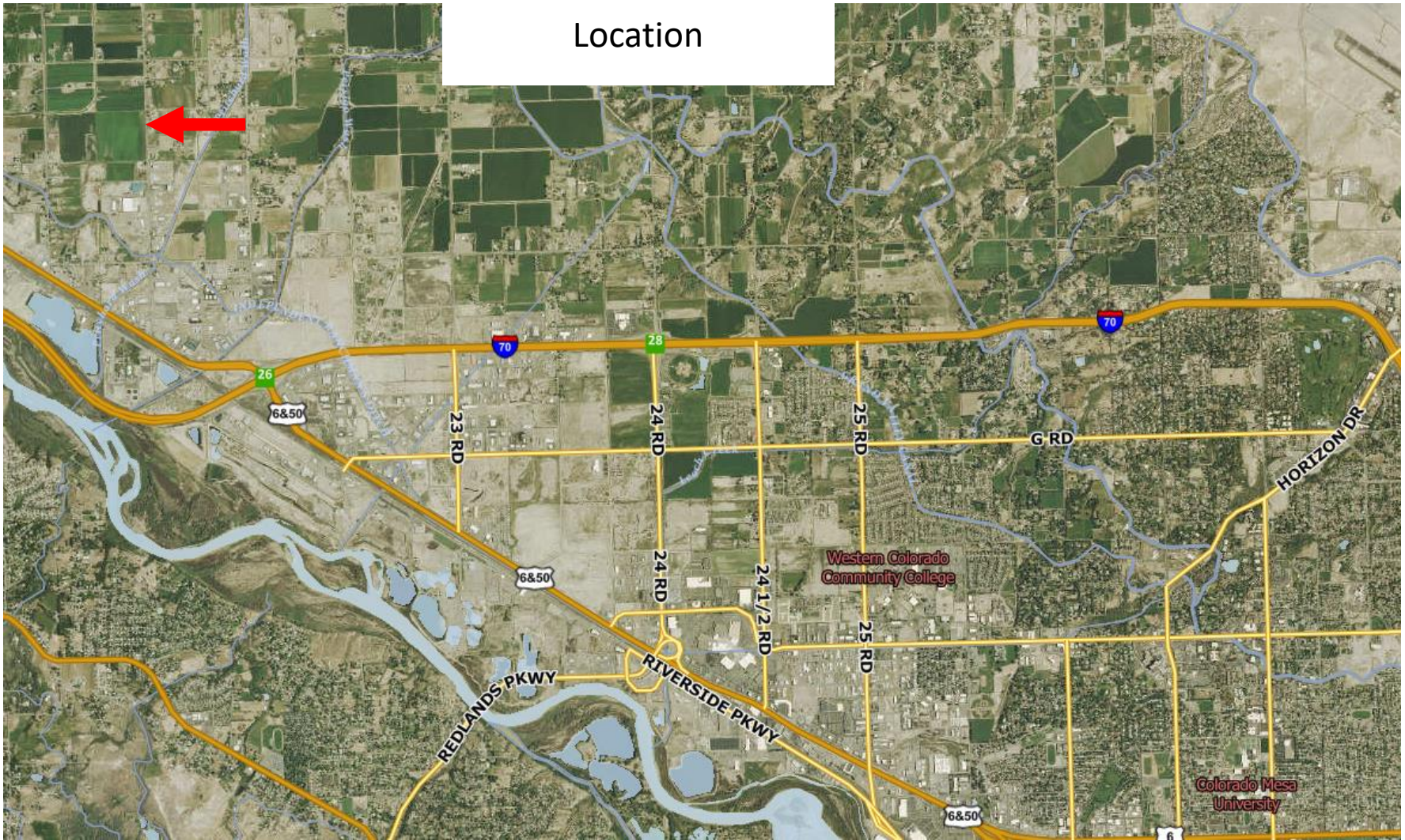
Witness my hand and official seal.

My commission expires 7-24-18



  
 \_\_\_\_\_  
 Notary Public

Location



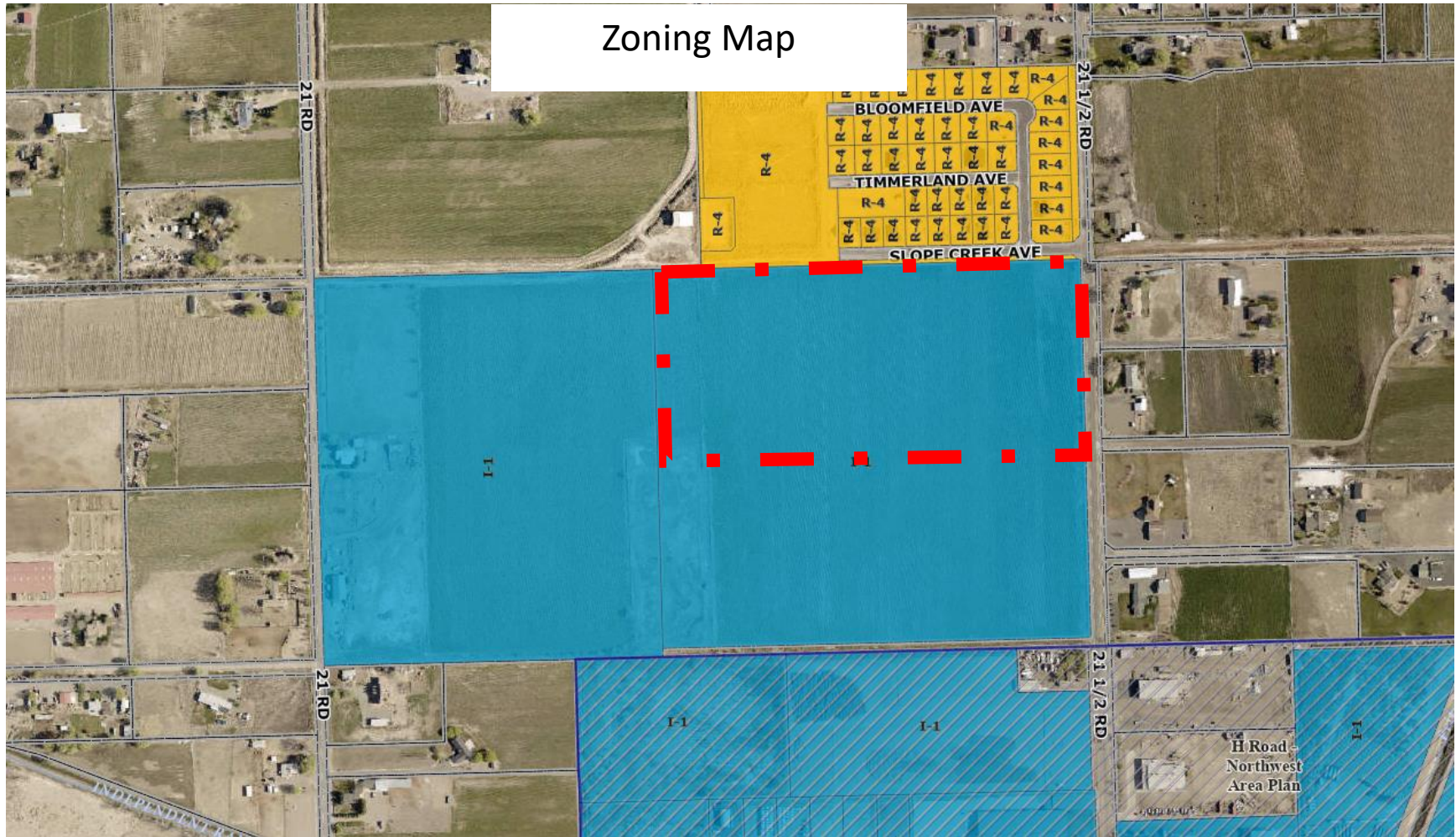
Site Vicinity Map



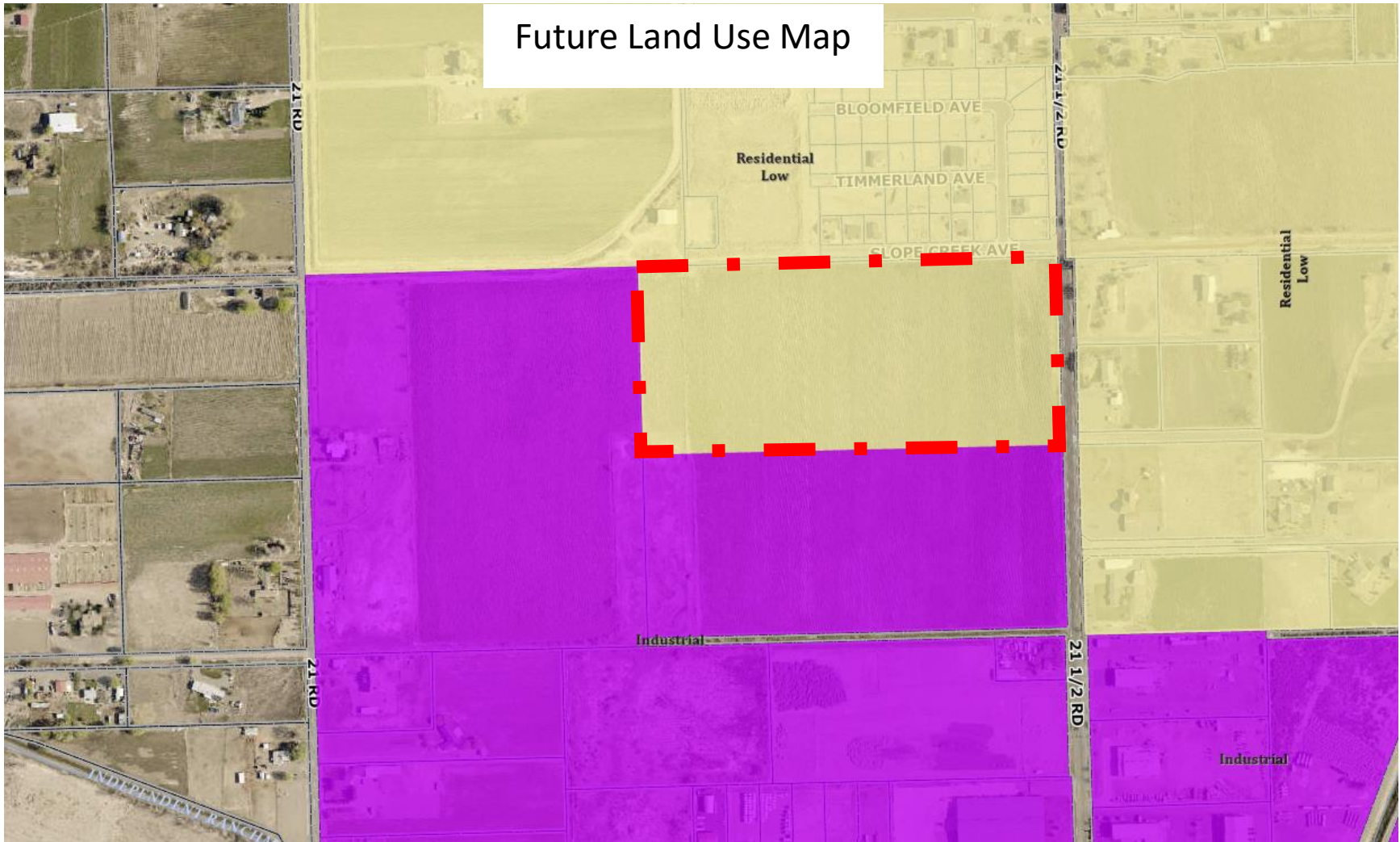
View from 21 ½ Rd



# Zoning Map

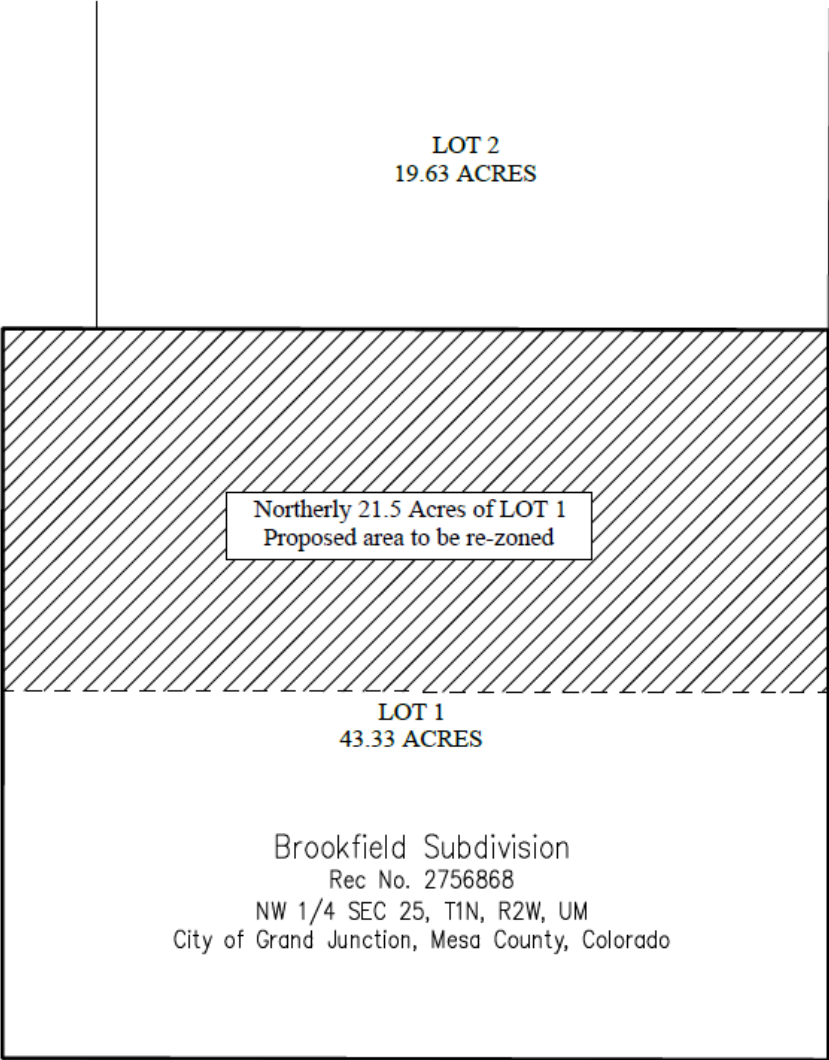


# Future Land Use Map





Exhibiting Showing  
Subject Property



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING H & M TRUST PROPERTIES  
FROM I-1 (LIGHT INDUSTRIAL)  
TO R-5 (RESIDENTIAL – 5 DU/AC)**

**LOCATED AT THE NORTHERN 21.53 ACRES OF 853 21 1/2 ROAD**

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 northern 21.53 acres of the property located at 853 21 1/2 Road to the R-5 (Residential – 5 du/ac) zone district, finding that it conforms to and is consistent with the Land Use Map designation of Residential Low 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 R-5 (Residential – 8 du/ac) 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 R-5 (Residential – 5 du/ac):

THE NORTHERLY 21.5 ACRES OF LOT 1 OF THE BROOKFIELD SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, AS RECORDED AT RECEPTION NUMBER 2756868.

Introduced on first reading this 21<sup>st</sup> day of April, 2021 and ordered published in pamphlet form.

Adopted on second reading this 5<sup>th</sup> day of May, 2021 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor

**GRAND JUNCTION PLANNING COMMISSION**  
**April 13, 2021 MINUTES**  
**5:30 p.m.**

The meeting of the Planning Commission was called to order at 5:30 p.m. by Planning Commissioner Ehlers.

Those present were Planning Commissioners; George Gatseos, Andrea Haitz, Ken Scissors, and Keith Ehlers.

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

There were 2 members of the public in virtual attendance: Sydnee Flotron and Dan Ramsay

**CONSENT AGENDA**

---

Commissioner Gatseos moved to adopt Consent Agenda Item #1. Commissioner Scissors seconded the motion. The motion carried 4-0.

**1. Approval of Minutes**

---

Minutes of Previous Meeting(s) from March 23, 2021.

*Planning Commission took a break due to technical difficulties.*

*Planning Commission resumed at 6:03. p.m.*

**REGULAR AGENDA**

---

**1. Brookfield North 3 and 4 Rezone**

**File # RZN-2021-113**

**[Agenda item can be viewed online here at 19:16](#)**

Consider a request by Senergy Builders, LLC to rezone 21.53 acres from an I-1 (Light Industrial) zone district to an R-5 (Residential - 5 dwelling units per acre) zone district, located at the northern 21.53 acres of 853 21 ½ Road.

**Staff Presentation**

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

**Questions for Staff**

Commissioner Gatseos asked a question regarding the future land use designation.

Commissioner Ehlers made a statement regarding the rezone process and future subdivision request.

### **Applicant Presentation**

Tracy States, River City Consultants, was present and available for questions.

### **Questions for Applicant**

None.

### **Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, April 6, 2021 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

The following made comments regarding the request via GJSpeaks: Scott W Claussen

The public hearing was closed at 6:24 p.m. on April 13, 2021.

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

None.

### **Discussion**

Commissioner Gatseos made a comment regarding the review criteria.

Commissioner Ehlers made a comment regarding the review criteria.

### **Motion and Vote**

Commissioner Scissors made the following motion, "Chairman, on the rezone from I-1 (Light Industrial) to R-5 (Residential – 5 dwelling units per acre) for the northern 21.53 acres of the property located at 853 21 ½ Road, City file number RZN-2021-113, 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 Haitz seconded the motion. The motion carried 4-0.

## **2. Other Business**

None.

## **3. Adjournment**

Commissioner Scissors moved to adjourn the meeting. Commissioner Haitz seconded the motion. The vote to adjourn was 4-0. The meeting adjourned at 6:28 p.m.



**Grand Junction City Council**

**Regular Session**

**Item #3.a.i.**

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**Meeting Date:** April 21, 2021

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

**Department:** Community Development

**Submitted By:**

---

**Information**

**SUBJECT:**

An Ordinance to Amend Municipal Code Volume II: Development Regulations to Adopt Standards and Guidelines for Lincoln Park Residential Historic District as Title 30 and Amend Section 21.07.040 of the Zoning and Development Code pertaining to the Role of the Historic Preservation Board in Review of Alterations within the District **(ITEM WITHDRAWN)**

**RECOMMENDATION:**

**EXECUTIVE SUMMARY:**

**BACKGROUND OR DETAILED INFORMATION:**

**FISCAL IMPACT:**

**SUGGESTED MOTION:**

**Attachments**

None





**Grand Junction City Council**

**Regular Session**

**Item #4.a.i.**

---

**Meeting Date:** April 21, 2021  
**Presented By:** Chuck McDaniel  
**Department:** City Council  
**Submitted By:** John Shaver

---

**Information**

**SUBJECT:**

An Ordinance Regarding the 2021 Compensation for the Municipal Judge, City Attorney and City Manager

**RECOMMENDATION:**

Adopt ordinance on second reading and pass for publication in pamphlet form.

**EXECUTIVE SUMMARY:**

The City Council has three employees, the Municipal Judge, the City Attorney and the City Manager. Pursuant to the City Charter, the salary of the City Manager is set by ordinance which serves to amend his employment agreement. The salary of the City Attorney and the compensation paid to the Municipal Judge are established annually by letter on terms established in the discretion of the City Council. In December 2020 the City Council approved a budget and appropriated funds to pay City employees a 2.5% wage increase for 2021. Because the City Council has determined that its employees are performing at or above expectations, with approval of this ordinance it will award 2.5% increase to the Municipal Judge, the City Attorney and the City Manager as provided in the Ordinance.

**BACKGROUND OR DETAILED INFORMATION:**

On December 2, 2020 the City Council approved Ordinance 4966 appropriating money to defray the expenses of, and setting the 2021 budget for, the City. That appropriation included a budgeted 2.5% wage increase for City employees. The wage increase for eligible employees was dependent on each employee being evaluated by his/her supervisor and being rated as performing at or above expectations. For employees

performing at that level the 2.5% increase began with City Pay Period 7.

The City Council has three employees, the Municipal Judge, the City Attorney and the City Manager. Pursuant to the City Charter, the salary of the City Manager is set by ordinance which serves to amend his employment agreement. The salary of the City Attorney and the compensation paid to the Municipal Judge are established annually by letter on terms established in the discretion of the City Council.

The Council recently reviewed the performance of its employees and found each to be performing her or his job duties above expectations and accordingly with this ordinance and the prior appropriation, increases the compensation of those employees by 2.5% annually rounded up to the next \$100.00. As necessary or required to effectuate the purposes hereof, this ordinance shall amend the terms of each employee's employment with the compensation, as established herein, being effective and beginning with City Pay Period 7 with all other terms of employment and benefits being unchanged.

**FISCAL IMPACT:**

The funds necessary for the 2.5% wage increase for the Municipal Judge, City Attorney, and City Manager are included in the 2021 Adopted Budget authorized by City Council.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 4996, an ordinance concerning the salary of the Municipal Judge, City Attorney and City Manager on final passage and order final publication in pamphlet form.

**Attachments**

1. Ordinance - 2021 Compensation



CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE CONCERNING THE SALARY OF THE MUNICIPAL JUDGE, CITY ATTORNEY  
AND CITY MANAGER

RECITALS.

On December 2, 2020 the City Council approved Ordinance 4966 appropriating money to defray the expenses of, and setting the 2021 budget for, the City. That appropriation included a budgeted 2.5% wage increase for City employees. The wage increase for eligible employees was dependent on each employee being evaluated by his/her supervisor and being rated as performing at or above expectations. For employees performing at that level the 2.5% increase began with City Pay Period 7.

The City Council has three employees, the Municipal Judge, the City Attorney and the City Manager. Pursuant to the City Charter, the salary of the City Manager is set by ordinance which serves to amend his employment agreement. The salary of the City Attorney and the compensation paid to the Municipal Judge are established annually by letter on terms established in the discretion of the City Council.

The Council recently reviewed the performance of its employees and found each to be performing her or his job duties above expectations and accordingly with this ordinance and the prior appropriation, increases the compensation of those employees by 2.5% annually rounded up to the next \$100.00. As necessary or required to effectuate the purposes hereof, this ordinance shall amend the terms of each employee's employment with the compensation, as established herein, being effective and beginning with City Pay Period 7 with all other terms of employment and benefits being unchanged.

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

That the foregoing Recitals are incorporated by reference and therefore:

- a) the compensation of Municipal Judge Tammy Eret is and shall be set at \$102.50 per hour to compensate her for her service to the City of Grand Junction in accordance with the Charter and Ordinances of the City of Grand Junction, Colorado; and,
- b) the salary of City Attorney John Shaver is and shall be set at \$197,700.00 per year and as customarily prorated for any period of less than one year, to compensate him for his service to the City of Grand Junction in accordance with the Charter and Ordinances of the City of Grand Junction, Colorado; and,
- c) that the salary of City Manager Greg Caton is and shall be set at \$229,500.00 per year and as customarily prorated for any period of less than one year, to compensate him for his service to the City of Grand Junction in accordance with his employment agreement and the Charter and Ordinances of the City of Grand Junction, Colorado.

The City Council does authorize the President of the Council to take such action as is necessary or required, consistent with this Ordinance, to effect the same upon second reading and final passage by action of the Council on the date appointed therefor.

INTRODUCED ON FIRST READING this 7th day of April, 2021.

PASSED AND ADOPTED this 21<sup>st</sup> day of April, 2021.

---

C.E. "Duke" Wortmann  
President of the City Council

Attest:

---

Wanda Winkelmann  
City Clerk



**Grand Junction City Council**

**Regular Session**

**Item #4.a.ii.**

---

**Meeting Date:** April 21, 2021

**Presented By:** John Shaver, City Attorney

**Department:** City Attorney

**Submitted By:** John Shaver

---

**Information**

**SUBJECT:**

An Ordinance Amending Section 5.12.220 of the Grand Junction Municipal Code Reducing the Distance Brew Pub Liquor Licensed Premises must be from Any Parochial or Public School in the City of Grand Junction

**RECOMMENDATION:**

Adopt ordinance on second reading and pass for publication in pamphlet form.

**EXECUTIVE SUMMARY:**

The developer of the property at the Northwest corner of 7th Street and North Avenue has determined that a Brew Pub is the preferred use for the site. Earlier this year City Council reduced the distance for Hotel and Restaurant and Beer and Wine licenses from a school campus to 450 feet (from 500). The proposed ordinance will similarly reduce the distance for a Brew Pub license.

**BACKGROUND OR DETAILED INFORMATION:**

Colorado law requires any building where the malt, vinous, or spirituous liquor is to be sold to be located at least five hundred feet from any public or parochial school or the principal campus of any college, university or seminary. The law allows for the governing body of a municipality to adopt an to eliminate or reduce the distance restrictions imposed by law on any class of license.

On February 17, 2021 the City Council approved Ordinance 4980 which Ordinance amended the Grand Junction Municipal Code ("GJMC") to reduce the distance for Beer and Wine and Hotel and Restaurant licenses to 450 feet in order to facilitate the

redevelopment of property near 7th Street and North Avenue.

The distance change assisted a possible reuse/redevelopment of vacant property at the Northwest corner of the intersection of 7th Street and North Avenue but also it was determined to not be detrimental to the safety of schools and students at other locations due to the insignificant (25 foot) reduction.

Since the adoption of Ordinance 4980 the developer of the property at 7th Street and North Avenue has determined that a Brew Pub, as defined by C.R.S. 44-3-417, is the preferred license for the site. Given that the reduction of 25 feet is insignificant and is consistent with the distance established by Ordinance 4980 for Hotel and Restaurant and Beer and Wine licenses the City Council deems the request to reduce the distance reasonable.

With this proposed ordinance the City Council is considering reducing the distance required to 450 feet between a brew pub license and public or parochial schools in the City of Grand Junction.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 4997, an ordinance amending Section 5.12.220 of the Grand Junction Municipal Code reducing the distance a Brew Pub liquor licensed premises must be (450') from any parochial or public school in the City of Grand Junction on final passage and order final publication in pamphlet form.

**Attachments**

1. Proposed Ordinance - Brew Pub School Distance Reduction

Ordinance No. \_\_\_\_\_

An Ordinance Amending Section 5.12.220 of the Grand Junction Municipal Code Reducing the Distance a Brew Pub Liquor Licensed Premises Must Be from any Parochial or Public School in the City of Grand Junction

Recitals.

44-3-313 (1)(d)(I) C.R.S. requires any building where the malt, vinous, or spirituous liquor is to be sold to be located at least five hundred feet from any public or parochial school or the principal campus of any college, university or seminary.

44-3-313 (1)(d)(III) C.R.S. provides that “The local licensing authority of any city and county, by rule or regulation, the governing body of any other municipality, by ordinance and the governing body of any other county, by resolution, may eliminate or reduce the distance restrictions imposed by this paragraph (1)(d) for any class of license, or may eliminate one or more types of schools or campuses from the application of any distance restrictions established by or pursuant to this paragraph (1)(d)”.

On February 17, 2021 the City Council approved Ordinance 4980 which Ordinance amended the Grand Junction Municipal Code (“GJMC”) to reduce the distance for Beer and Wine and Hotel and Restaurant licenses to 450 feet in order to facilitate the redevelopment of property near 7<sup>th</sup> Street and North Avenue.

The distance change assisted a possible reuse/redevelopment of vacant property at the Northwest corner of the intersection of 7<sup>th</sup> Street and North Avenue but also it was determined to not be detrimental to the safety of schools and students at other locations due to the insignificant (50 foot) reduction.

Since the adoption of Ordinance 4980 the developer of the property at 7<sup>th</sup> Street and North Avenue has determined that a Brew Pub, as defined by C.R.S. 44-3-417, is the preferred license for the site. Given that the reduction of 50 feet is insignificant and is consistent with the distance established by Ordinance 4980 for Hotel and Restaurant and Beer and Wine licenses the City Council deems the request to reduce the distance reasonable.

With a Brew Pub license a licensee may sell malt liquor for off premises consumption; however, under current Colorado law (SB 20-213 codified at C.R.S. 44-3-911) Hotel and Restaurant and Beer and Wine licensees may sell malt, vinous and spirituous liquors for off premises consumption. The requested distance reduction for the Brew Pub license type presents no greater risk to unlawful, underage consumption by virtue of the license being able to sell for off premises consumption. The law allowing other license types (C.R.S. 44-3-911) expires July 1, 2021; however, legislation (HB 21-1027) is pending to extend the authority for other types of licensees to continue takeout and delivery service of alcohol beverages.

The City Council having duly considered a reduction of distance required between a brew pub license and public or parochial schools does establish the required distance as provided with this ordinance.

NOW, THEREFORE, BE IT ORDAINED THAT:

Under the provisions of 44-3-313 (1)(d)(III) C.R.S., the distance that a Brew Pub licensed premises must be separated a public or parochial school in the City of Grand Junction is reduced from 500 feet to 450 feet. The distance shall be determined in accordance with 44-3-313 (1)(d)(II) C.R.S. and Colorado Liquor Regulation 47-326; and,

Introduced on first reading and ordered published in pamphlet form this 7th day of April 2021.

Passed on second reading and order published in pamphlet form this 21st day of April 2021.

---

C.E. "Duke" Wortmann  
President of the Council

---

Wanda Winkelmann  
City Clerk

DRAFT



## Grand Junction City Council

### Regular Session

Item #4.a.iii.

---

**Meeting Date:** April 21, 2021

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

**Department:** Community Development

**Submitted By:** Kristen Ashbeck, Principal Planner

---

### **Information**

#### **SUBJECT:**

An Ordinance to Amending Title 21 of the Grand Junction Municipal Code to Modify and Clarify Various Provisions of the Zoning and Development Code

#### **RECOMMENDATION:**

Planning Commission heard this item at its March 23, 2021 meeting and voted (6-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Community Development Director is proposing amendments to sections of the Grand Junction Municipal Code (GJMC) Title 21 to modify and clarify various provisions of the Zoning and Development Code ("Code"). The amendments address a variety of items identified by staff and members of the Development Community as being unclear, conflicting or a desired modernization of the Code.

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

In an effort to keep the Zoning and Development Code current and relevant, staff is proposing modifications to revise the Code text as outlined below. The suggested revisions govern a variety of items identified by staff and members of the Development Community as being unclear, conflicting or a desired modernization of the Code. The Planning Commission discussed these topics at its March 18, 2021 workshop and directed staff to proceed with the proposed changes.

#### **1. GJMC 21.04.040(i) Accessory Uses and Structures - Fences**

The location, setback and height of fences are currently addressed in the Zoning and Development Code text below. Other fence standards were amended in 2019 so that any variations from standard fence requirements could be approved by the Director via the Administrative Adjustment process. Thus, the last sentence in this section of the Code requiring fences over 8 feet in height be approved through a Special Permit conflicts with the 2019 amendments. Staff is proposing that this last sentence be stricken from the Code as shown in the strike-through text.

*(3)(iii) On that part of the lot other than the required front yard setback area, fences may be erected to six feet in height. Fences within a required principal structure setback exceeding six feet in height require a special permit (see GJMC 21.02.120). ~~Fences meeting principal structure setbacks shall not exceed eight feet in height without a special permit.~~*

**2. GJMC 21.02.070(a)(3)(ii)(c) and 21.02.070(s)(4)(iii) Notice for Final Plat (Subdivision)**

There are two sections of the Code that address the type of notice to the general public for a Final Plat/Subdivision application. The general notice standards for administrative permits such as a Final Plat/Subdivision (21.02.070(a)(3)(ii)(c)) are included in table format as below. These standards reference that property owners within 500 feet of a proposed Final Plat/Subdivision are notified of the application.

Type of Submittal or Request	Published Notice	Mailed Notice	Sign Notice
Administrative Development Application	–	–	–
Development Application Requiring Public Hearing	7 days	Owners within 500 feet	Yes
Comprehensive Plan Text Amendment	7 days	–	–
Code Text Amendment	7 days	–	–
Historic Preservation	7 days	–	–
Grand Junction Circulation Plan Amendment	7 days	–	–
Revocable Permit	–	–	–
Vested Rights	Within 10 days of approval	–	–
<b>Subdivisions and Major Site Plan</b>	<b>–</b>	<b>Owners within 500 feet</b>	<b>Yes</b>

However, section 21.02.070(s)(4)(iii) shown below conflicts with the table above in that it states that notice of a Final Plat/Subdivision is not required.

*(iii) Notice. Notice of a final plat is not required.*

In order to eliminate this inconsistency, staff is recommending that the latter be stricken



from the code as indicated below and the table above remain unchanged.

~~21.02.070(s)(4)(iii) Notice. Notice of a final plat is not required.~~

### **3. GJMC 21.04.040(g)(2) Home Occupation Standards**

The home occupation performance standards in this section are presented in table format as shown below. Standard 9 states *“Storage of goods and materials shall be inside and shall not include flammable, combustible or explosive materials other than those customary to household uses.”* As indicated by a “Y” in the standard 9 row, this currently applies in all zone districts except for the R-1 (Residential 1 unit per acre). Staff has been unable to discern the reasoning as to why this standard should not also be applicable in the R-1 zone district and therefor has concluded that this may have been inadvertently left out on the table. Staff is recommending that the table be revised to include a “Y” in the R-1 zone district for performance standard 9 as shown in the underlined text addition.

HOME OCCUPATION PERFORMANCE STANDARDS	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B or C	MU
1. Conform with applicable State and County statutes, City code and regulations and has obtained permits	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
2. Full-time resident operator	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3a. No employees other than those residing in home				Y	Y	Y	Y						
3b. No more than one nonresident employee	Y	Y	Y					Y	Y	Y	Y		
4. Maintain residential appearance	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Not more than six customers or clients/day are allowed to visit home occupation. Customer hours shall be between 8:00 a.m. and 8:00 p.m.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
6. Not more than 25 percent gross floor area of the residence, including accessory structure for home occupation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
7. Music, art, craft or similar lessons:													
a. Six or fewer clients per day	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
b. Six to 12 clients per day	Y	Y	Y	Y				Y	Y	Y	Y		
8. Adequate public facilities and utilities are adequate to safely accommodate equipment used for home occupation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
9. Storage of goods and materials shall be inside and shall not include flammable, combustible or explosive materials other than those customary to household uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
10. Parking shall be provided and shall not create hazard or street congestion	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
11. Mechanized equipment shall be used only in a completely enclosed building		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
12. Dust, odors, noise, vibration or electrical interference or fluctuation that is not perceptible beyond the property line	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
13. Deliveries and pickups shall be those normally associated with residential services and shall:													
a. Not block traffic circulation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
b. Occur only between 8:00 a.m. and 8:00 p.m. Monday – Saturday	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y

#### 4. GJMC 21.03 Zoning Districts – Building Size

There are several zone districts in the Code that have a maximum building size as shown in the Code excerpt below. Under Other Dimensional Requirements the last row is titled Building Size but there is no definition of such in the Code. To eliminate this inconsistency, Staff is proposing to revise the row title in the Mixed Use and Industrial Bulk Standards Summary so that it reads Gross Floor Area which is a more common term in building and architectural standards and there is already a definition of such in the Code (as provided below). In addition, Staff is proposing that an asterisk and note be added to the maximums listed in the table for the R-O (Residential Office) and B-1

(Neighborhood Business) to specifically exclude certain parts of a structure from the calculation of Gross Floor Area for structures in these zones. This change would allow for architectural and/or aesthetic building features that improve the structure but would not be included in the Gross Floor Area calculation.

**Mixed Use and Industrial Bulk Standards Summary Table**

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

**Notes**  
 B-1: **Gross Floor Area** Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000  
 B-2: Parking front setback for parking as a principal use – 30 ft., as an accessory use – 6 ft.  
 C-1: Min. rear setback – 0 if an alley is present  
 CSR: Maximum building height abutting residential – 40 ft.

The definition currently in the Code reads as below but is not proposed to change.

*Gross floor area (GFA)* means the sum of the areas of all floor levels of a building or

structure measured within the exterior face of exterior walls or the centerline of walls separating two abutting buildings but excluding any space where floor-to-ceiling height is less than 6.5 feet.

The proposed asterisked note that would be added to the table above is indicated in the underlined text below:

\*\* Gross Floor Area calculated for maximum size may exclude eaves, covered or uncovered porches, upper story decks and balconies, breezeways, exterior covered stairwells and attached decorative walls which are less than or equal to three feet in height.

### 5. GJMC 21.04.010 Use Table – Mobile Home Parks

The Use Table currently lists Mobile Home Parks as requiring a Conditional Use Permit in the R-5 (Residential 5 units per acre), R-8 (Residential 8 units per acre) and R-12 (Residential 12 units per acre) zone districts. See excerpt of table below. No other zones include a Mobile Home Park either as an Allowed Use or a Conditional Use Permit. Development of a Mobile Home Park is not unlike the intensity of a typical residential use that is contemplated by the R-5, R-8 and R-12 zone districts for which a Conditional Use Permit is not required. In addition, there are specific standards required for mobile home parks already in the Code that address the design differences between mobile home parks and other residential development. To simplify the process for mobile home parks as well as to reduce barriers for the development of this important affordable housing type, Staff is proposing that the Mobile Home Parks become an Allowed Use (“A”) in the Use Table as shown in underlined text rather than as a Conditional Use Permit (deletion shown in strikethrough).

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted

USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Household Living – residential occupancy of a dwelling unit by a “household”	Business Residence											A	A	A	A	A	A	A	A	A	A	A
	Two Family Dwelling				A	A	A	A	A			A	C									
	Single-Family Detached	A	A	A	A	A	A	A				A	C	C			A					
	Multifamily						A	A	A	A	A	A	A	A	A			A	A			
	Accessory Dwelling Unit	A	A	A	A	A	A	A				A	A									
	Agricultural Labor Housing	A															A					
	Manufactured Housing Park						<del>CA</del>	<del>CA</del>	<del>CA</del>													
	All Other Household Living																					

### 6. GJMC 21.03.050(b)(4)(iii) Zero Lot Line Development

Presently, as shown in the excerpt below, the City Code does not permit window openings of any kind on walls within three (3) feet of a property line. This provision

precludes design flexibility to allow for some windows/natural lighting elements to be on facades which have setbacks of less than three feet (e.g. zero lot line development). Upon further discussion with the Mesa County Building Department and members of the local development community, it was found that this provision is inconsistent with common treatment of façade openings on walls within three (3) feet of a property line. To remove the inconsistency, the Building Department suggested the Code language could be revised as stricken and underlined below.

~~Current Code: (iii) If the side wall of a house is on or within three feet of the property line, no windows or other openings in the wall are allowed, for privacy and due to the building and fire codes.~~

Proposed Language: (iii) If a side wall of a structure is on the property line, or within three (3) feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or translucent window, are allowed. When such openings are permitted, all building and fire codes shall apply.

## **7. GJMC 21.01.130(f) Historic Preservation Board**

The Historic Preservation ordinance was developed in the mid-1990s to establish a Historic Preservation Board, establish a City Register of Historic Structures, Sites and Districts, define the process for designation of historic resources in the Register. In conjunction with City staff, the ordinance was largely developed by the Downtown Development Authority (DDA). At that time, the DDA was working on the rehabilitation of the Avalon Theatre and one of its previous office buildings (old Dinosaur Valley at 4th and Main) and potentially other preservation projects. Consequently, the composition of the Board was written to include a representative from the DDA, as provided in the Code.

~~(f)(2) Member Qualifications. When there are more than five members, at least four shall be professionals or have expertise in a preservation-related discipline such as history, architecture, planning or archaeology; when there are five members, at least three shall have such qualifications. One member shall be a member of the Downtown Development Authority (DDA) board or an employee of the DDA.~~

Of late, the DDA has taken on new projects such as the Creative District and has recently adopted a new plan. While preservation of historic structures is still an important element of the Plan and DDA's work, it focuses more heavily on elements other than historic preservation. Therefore, the DDA has submitted a request to modify the Code to no longer require DDA participation on the Historic Preservation Board. Thus, the last sentence in this section is proposed to be deleted (strikethrough above).

## 8. GJMC 21.03.080 Mixed Use and Industrial Standards Summary Table

Presently, the Code includes a table that identifies and summarizes the bulk standards (e.g. setbacks and other dimensional requirements) in the Mixed Use and Industrial zone districts. This table as it presently exists is included below. The table provides many instances where dimensions or percentages are listed as “n/a” rather than defining a specific number. This makes the interpretation of the information ambiguous in trying to apply the bulk standards to a site or building. Thus, Staff is proposing to replace the “n/a” lines with what they are interpreted to mean such as “0” or “100 Percent” or “None”. In addition, staff is proposing to replace the “n/a” more strategically in the “side – abutting residential” rows so that the standard is either 0, 5 feet, or 10 feet depending on what is most appropriate for the particular zone district. The proposed revisions to the Table are shown stricken for deletions and underlined for additions.

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
<b>Lot</b>											
Area (min. ft. unless otherwise specified)	5,000	10,000	<del>n/a</del> None	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	<del>n/a</del> None	50	50	100	100	100	100	100	100
Frontage	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None
<b>Setback</b>											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	<del>n/a</del> <u>0</u>	10	<del>n/a</del> <u>0</u>	10	10	10	10	10	10	10	<del>n/a</del> <u>10</u>
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	<del>n/a</del> <u>0</u>	5	<del>n/a</del> <u>0</u>	5	5	5	5	5	5	5	<del>n/a</del> <u>0</u>
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
<b>Other Dimensional Requirements</b>											
Lot coverage (max.)	70%	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>	<del>n/a</del> <u>100%</u>
Height (max. ft.)	40	40	80	40	40	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	<del>n/a</del> None	16	<del>n/a</del> <u>None</u>	24	<del>n/a</del> None	<del>n/a</del> None	24	24	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None
Building size (max. sf)	10,000	15,000	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None	<del>n/a</del> None

## 9. GJMC 21.04.010 Telecommunications Facilities

Non-concealed Base Stations currently require a Conditional Use Permit (CUP) if located on a parcel with a Mixed Use (M-U) zone district. However, a CUP for this type of a telecommunications facility is not required in the Light Commercial (C-1) nor the Business Park (BP) zone district. All three zone districts (M-U, C-1 and BP) are defined as Mixed Use Districts in the Code with maximum building height limits of 65 feet, and all allow multifamily residential development as well as a mix of other similar non-residential development. This request is to eliminate the CUP requirement for the M-U zone district as currently required and included on the Use Table (excerpt from table shown below). The amendment proposes to treat non-concealed Base Stations the same in the M-U, BP and C-1 zone districts by amending the Code Use Table. The asterisked requirement: Except NOT allowed on any site or lot where the principal use is single-or two-family residential will still apply to non-concealed base stations in M-U.

Non-concealed antenna(s) on a base station rank high on the siting preferences list for Telecommunications Facilities found under 21.04.030(q)(5) Use-specific standards in the Code which implements the siting preferences determined through public engagement during the formulation of the 2016 Wireless Master Plan. In 2016, The public voiced concerns of the proliferation of new cell towers in the community and the desire to limit new towers and co-locate telecommunication facilities or use existing structures wherever possible. As stated on page 18 of the Master Plan, “Taller structures (towers, rooftops, and water tanks) may offer more opportunity for co-location which could theoretically decrease the number of additional towers and antennas required in an area....”

Concealed towers, a lower ranked siting preference under 21.04.030(q)(5) requires a CUP in the MU zone, and currently a CUP is also required in the MU zone. Therefore, to encourage telecommunication facilities to pursue a base station option rather than applying for a CUP and requesting a new telecommunication tower, removing the CUP requirement for a Base Station facility is desired. As noted above, the adopted 2016 Wireless Master Plan supports this change. It is also supported through the general policies of 21.04.030 found in the Code, therefore staff recommends a change to Base Stations in M-U as indicated in the stricken and underlined text below. Section 21.04.030(q)(8) specific standards and requirements for locating a Base Station will

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted

USE CATEGORY	PRINCIPAL USE	R-O	B-1	B-2	C-1	C-2	C-SR	M-U	BP	I-O	I-1	I-2	MX
	All Other Mining						C						C
Telecommunications Facilities – devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Facilities on Wireless Master Plan Priority Site When Developed in Accordance with Wireless Master Plan Site-Specific Requirements	A	A	A	A	A	A	A	A	A	A	A	A
	Temporary PWSF (e.g., COW)	A	A	A	A	A	A	A	A	A	A	A	A
	Co-Location	A	A	A	A	A	A	A	A	A	A	A	A
	Tower Replacement	A	A	A	A	A	A	A	A	A	A	A	A
	Dual Purpose Facility	A	A	A	A	A	A	A	A	A	A	A	A
DAS and Small Cell Facilities	DAS and Small Cell Facilities	A	A	A	A	A	A	A	A	A	A	A	A
	Base Station with Concealed Attached Antennas	A**	A**	A	A	A	A	A**	A**	A	A	A	A**
	Base Station with Non-Concealed Attached Antennas	C**	C**	C	A	A	A	C	A**	A	A	A	C**
	Tower, Concealed	C	C	C	A	A	C	C	C	C	A	A	
	Tower, Non-Concealed				C	C	C						C
	Broadcast Tower												C

NOTES:

\* Refer to Chapter 5.15 GJMC.

\*\* Except NOT allowed on structures the principal use of which is single- or two-family residential, group living, or day care, or on multifamily structures of fewer than three stories.

\*\*\* Except NOT allowed on any site or lot where the principal use is single- or two-family residential.

continue to apply.

**ANALYSIS**

In accordance with Section 21.02.140(c), a proposed Code amendment shall address in writing the reasons for the proposed amendment. There are no specific criteria for review because a code amendment is a legislative act and within the discretion of the City Council to amend the Code with a recommendation from the Planning Commission. The purpose for proposing these amendments is to eliminate unclear or conflicting provisions or modernize the Code.

**NOTIFICATION REQUIREMENTS**

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on March 16, 2021 in the Grand Junction Daily Sentinel.

**FINDINGS OF FACT AND RECOMMENDATION**

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

**FISCAL IMPACT:**

This request has no direct fiscal impact.

**SUGGESTED MOTION:**



I move to (adopt/deny) Ordinance 4998, an ordinance to amend Title 21 of the Grand Junction Municipal Code to modify and clarify various regulations of the Zoning and Development Code on final passage and order final publication in pamphlet form.

**Attachments**

1. Ordinance
2. Planning Commission Minutes - 2021 - March 23 - Draft

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE TO MODIFY AND CLARIFY VARIOUS REGULATIONS**

Recitals:

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions and has directed that the Code be reviewed and amended as necessary.

When the One Grand Junction 2020 Comprehensive Plan was adopted, Staff recommended that Title 21 be amended in its entirety to conform with and implement the vision, goals and policies of the new Plan. In the meantime, there are various elements of the Zoning and Development Code that the City Staff recommended the Planning Commission and City Council modify in order to alleviate clarity and applicability problems encountered by the development community in application submittals and the City staff in processing those applications. The amendments address ten different sections of the Code.

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

After public notice and public hearing, the Grand Junction City Council finds that the amendments to the planned development zone standards and requirements implement the vision and goals of the Comprehensive Plan provided in this Ordinance are responsive to the community's desires, encourage orderly development of real property in the City and otherwise advance and protect the public health, safety and welfare of the City and its residents.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) BE AMENDED AS FOLLOWS (new text underlined, deleted text strikethrough):**

**1. GJMC 21.04.040(i) Accessory Uses and Structures - Fences**

*(3)(iii) On that part of the lot other than the required front yard setback area, fences may be erected to six feet in height. Fences within a required principal structure setback exceeding six feet in height require a special permit (see GJMC 21.02.120). ~~Fences meeting principal structure setbacks shall not exceed eight feet in height without a special permit.~~*

**2. GJMC 21.02.070(s)(4)(iii) Notice for Final Plat (Subdivision)**

*(iii) — Notice. Notice of a final plat is not required.*

**3. GJMC 21.04.040(g)(2) Home Occupation Standards**

HOME OCCUPATION PERFORMANCE STANDARDS	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B or C	MU
1. Conform with applicable State and County statutes, City code and regulations and has obtained permits	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
2. Full-time resident operator	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3a. No employees other than those residing in home				Y	Y	Y	Y						
3b. No more than one nonresident employee	Y	Y	Y					Y	Y	Y	Y		
4. Maintain residential appearance	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Not more than six customers or clients/day are allowed to visit home occupation. Customer hours shall be between 8:00 a.m. and 8:00 p.m.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
6. Not more than 25 percent gross floor area of the residence, including accessory structure for home occupation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
7. Music, art, craft or similar lessons:													
a. Six or fewer clients per day	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
b. Six to 12 clients per day	Y	Y	Y	Y				Y	Y	Y	Y		
8. Adequate public facilities and utilities are adequate to safely accommodate equipment used for home occupation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
9. Storage of goods and materials shall be inside and shall not include flammable, combustible or explosive materials other than those customary to household uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
10. Parking shall be provided and shall not create hazard or street congestion	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
11. Mechanized equipment shall be used only in a completely enclosed building		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
12. Dust, odors, noise, vibration or electrical interference or fluctuation that is not perceptible beyond the property line	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
13. Deliveries and pickups shall be those normally associated with residential services and shall:													
a. Not block traffic circulation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
b. Occur only between 8:00 a.m. and 8:00 p.m. Monday – Saturday	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y

**4. GJMC 21.03 Zoning Districts – Building Size**

**\*\* Gross Floor Area calculated for maximum size may exclude eaves, covered or uncovered porches, upper story decks and balconies, breezeways, exterior covered**

stairwells and attached decorative walls which are less than or equal to three feet in height.

Mixed Use and Industrial Bulk Standards Summary Table

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

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

**B-2:** Parking front setback for parking as a principal use – 30 ft., as an accessory use – 6 ft.

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

**CSR:** Maximum building height abutting residential – 40 ft.

## 5. GJMC 21.04.010 Use Table – Mobile Home Parks

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted

USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Household Living – residential occupancy of a dwelling unit by a “household”	Business Residence											A	A	A	A	A	A	A	A	A	A	A
	Two Family Dwelling				A	A	A	A	A			A	C									
	Single-Family Detached	A	A	A	A	A	A	A				A	C	C			A					
	Multifamily						A	A	A	A	A	A	A	A	A			A	A			
	Accessory Dwelling Unit	A	A	A	A	A	A	A	A			A		A								
	Agricultural Labor Housing	A															A					
	Manufactured Housing Park						CA	CA	CA													
	All Other Household Living																					

**6. GJMC 21.03.050(b)(4)(iii) Zero Lot Line Development**

*(iii) If the side wall of a house is on or within three feet of the property line, no windows or other openings in the wall are allowed, for privacy and due to the building and fire codes.*

(iii) If a side wall of a structure is on the property line, or within three (3) feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or translucent window, are allowed. When such openings are permitted, all building and fire codes shall apply.

**7. GJMC 21.01.130(f) Historic Preservation Board**

*(f)(2) Member Qualifications. When there are more than five members, at least four shall be professionals or have expertise in a preservation-related discipline such as history, architecture, or planning or archaeology; when there are five members, at least three shall have such qualifications. ~~One member shall be a member of the Downtown Development Authority (DDA) board or an employee of the DDA.~~*

**GJMC 21.03.080 Mixed Use and Industrial Standards Summary Table**

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
<b>Lot</b>											
Area (min. ft. unless otherwise specified)	5,000	10,000	n/a None	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	n/a	50	50	100	100	100	100	100	100

## GJMC 21.03.080 Mixed Use and Industrial Standards Summary Table

### Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
			None								
Frontage	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None
<b>Setback</b>											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a 0	10	n/a 0	10	10	10	10	10	10	10	n/a 10
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a 0	5	n/a 0	5	5	5	5	5	5	5	n/a 0
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
<b>Other Dimensional Requirements</b>											
Lot coverage (max.)	70%	n/a 100%	n/a 100%	n/a 100%	n/a 100%	n/a 100%	n/a 100%	n/a 100%	n/a 100%	n/a 100%	n/a 100%
Height (max. ft.)	40	40	80	40	40	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a None	16	n/a None	24	n/a None	n/a None	24	24	n/a None	n/a None	n/a None
Building size (max. sf)	10,000	15,000	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None	n/a None

## 9. GJMC 21.04.010 Telecommunications Facilities

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted

USE CATEGORY	PRINCIPAL USE	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-
	All Other Mining						C						C
<b>Telecommunications Facilities</b> – devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Facilities on Wireless Master Plan Priority Site When Developed in Accordance with Wireless Master Plan Site-Specific Requirements	A	A	A	A	A	A	A	A	A	A	A	A
	Temporary PWSF (e.g., COW)	A	A	A	A	A	A	A	A	A	A	A	A
	Co-Location	A	A	A	A	A	A	A	A	A	A	A	A
	Tower Replacement	A	A	A	A	A	A	A	A	A	A	A	A
	Dual Purpose Facility	A	A	A	A	A	A	A	A	A	A	A	A
	DAS and Small Cell Facilities	A	A	A	A	A	A	A	A	A	A	A	A
	Base Station with Concealed Attached Antennas	A**	A**	A	A	A	A	A**	A**	A	A	A	A**
	Base Station with Non-Concealed Attached Antennas	C**	C**	C	A	A	A	<u>C</u> A**	A**	A	A	A	C**
	Tower, Concealed	C	C	C	A	A	C	C	C	C	A	A	
	Tower, Non-Concealed				C	C	C				C	C	
	Broadcast Tower										C	C	

**NOTES:**

\* Refer to Chapter 5.15 GJMC.

\*\* Except NOT allowed on structures the principal use of which is single- or two-family residential, group living, or day care, or on multifamily structures of fewer than three stories.

\*\*\* Except NOT allowed on any site or lot where the principal use is single- or two-family residential.

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2021 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2021 and ordered published in pamphlet form.

ATEST:

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

\_\_\_\_\_  
Mayor

**GRAND JUNCTION PLANNING COMMISSION**  
**March 23, 2021 MINUTES**  
**5:30 p.m.**

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Vice Chair Christian Reece, George Gatseos, Sam Susuras, Andrea Hartz, and Sandra Weckerly.

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

There were 6 members of the public in virtual attendance: Brenda Muhr, Daniel Nordmeyer, Ellie Schulz, Sheree Fukai, Abe Herman, Jennifer Kelly.

**CONSENT AGENDA**

Commissioner Reece moved to adopt Consent Agenda Items #1-2. Commissioner Susuras seconded the motion. The motion carried 6-0.

**1. Approval of Minutes**

Minutes of Previous Meeting(s) from March 9, 2021.

**2. R-5 High School Block Public Easement Vacation** **File # VAC-2021-99**

Consider a request by Downtown Grand Junction REGeneration LLC, Pete Hopkinson Smith Jr., Robert Wayne Traw and Robert Aaron Breeden to vacate a public sanitary sewer easement within the R-5 Block Subdivision on the Southeast Corner of 7<sup>th</sup> Street and Grand Avenue.

**REGULAR AGENDA**

**1. Patterson Road Access Control Plan** **File # CPA-2021-17**

[Agenda item can be viewed online here at 10:50](#)

Consider a request by the City of Grand Junction to adopt the Patterson Road Access Control Plan (ACP), an element of the City's Comprehensive Plan as Title 38, Volume III, of the Municipal Code.

Staff requested that the Planning Commission table the Plan.



### **Motion and Vote**

Commissioner Gatseos made the following motion, "Mr. Chairman, on the Patterson Road Access Control Plan, CPA-2021-17, I move that Planning Commission table this item."

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

## **2. Lincoln Park Historic District Guidelines and Standards File # ZCA-2021-67 Agenda item can be viewed online here at 14:00**

Consider a request by the Lincoln Park Neighborhood/Residential Historic District to amend Municipal Code Volume II: Development Regulations to adopt standards and guidelines for the Lincoln Park Historic District as Title 30 and Amend Section 21.02.040 of the Zoning and Development Code pertaining to the role of the Historic Preservation Board in the review of alterations within the District.

### **Staff Presentation**

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

### **Questions for Staff**

Commissioner Reece asked a question regarding notice to property owners in the District.

Commissioner Weckerly asked a follow-up question regarding notice.

### **Applicant Presentation**

Elizabeth Rowan, Bennett Boeschstein, and Kristen Armbruster, representing the Lincoln Park Historic District, gave a presentation regarding the request.

### **Questions for Applicant**

Commissioner Gatseos asked a question regarding the accessory dwelling unit provision.

Commissioner Reece asked a question regarding the notice.

Commissioner Weckerly asked a question about the attendance of a meeting that was held.

Commissioner Haitz

### **Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, March 16, 2021 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

The following made comments regarding the request: Akira Fukai, Jennifer Kelly (Mayo), Deese Dancy and David Dancy, Michael and Tracy LeFebre, Jeanne Haberer, Bill Scheskie, Sheree Fukai, Rebecca Mullen, Florence Irene (Renee) Sheilds, Riecke Claussen, Bennet Boeschstein, and Elizabeth Rowan.

Sheree Fukai gave testimony regarding the request.

The public hearing was closed at 6:50 p.m. on March 23, 2021.

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

None.

### **Discussion**

Commissioner Gatseos made a comment regarding the request.

Commissioner Reece made a comment regarding the request.

Commissioner Haitz agreed with Commissioner Gatseos and Reece.

Chair Teske made a comment regarding the request.

### **Motion and Vote**

Commissioner Reece made the following motion, "Mr. Chairman, on the Code amendments to 1) adopt the Lincoln Park Residential Historic District Standards and Guidelines as a new Title within Volume II, Development Regulations, of the Municipal Code; and 2) amend Title 21, Zoning and Development Code pertaining to the jurisdiction, duties and responsibilities of the City of Grand Junction Historic Preservation Board, ZCA-2021-67, I move that the Planning Commission forward a recommendation of approval of the request with the findings of fact listed in the staff report."

Commissioner Gatseos seconded the motion. The motion failed 5-1 with Commissioners Teske, Reece, Gatseos, Haitz and Weckerly voting NO.

### **3. Zoning and Development Code Amendments File # ZCA-2021-100**

[Agenda item can be viewed online here at 1:34:19](#)

Consider a Request by the City of Grand Junction to Amend Title 21 of the Grand Junction Municipal Code to modify and clarify various provisions of the Zoning and Development Code ("Code").

### **Staff Presentation**

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

**Questions for Staff**

Commissioner Reece offered appreciation of staff for this request.

Chair Teske asked questions regarding Item 5 and Item 10.

**Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, March 16, 2021 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

None.

The public hearing was closed at 7:31 p.m. on March 23, 2021.

**Questions for Applicant or Staff**

None.

**Discussion**

None.

**Motion and Vote**

Commissioner Reece made the following motion, "Chair Teske, on the Zoning and Development Code Amendments, ZCA-2021-100, I move that the Planning Commission forward a recommendation of approval of Items 1-9 with the findings of fact as listed in the staff report."

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

Commissioner Teske moved to table Item 10. Commissioner Reece seconded the motion. The motion carried 6-0.

**4. Other Business**

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None.

**5. Adjournment**

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Commissioner Reece moved to adjourn the meeting. Commissioner Teske seconded the motion. The vote to adjourn was 6-0. The meeting adjourned at 7:34 p.m.



## Grand Junction City Council

### Regular Session

Item #5.a.

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**Meeting Date:** April 21, 2021

**Presented By:** Elizabeth Fogarty, Visit Grand Junction Director

**Department:** Visit Grand Junction

**Submitted By:** Elizabeth Fogarty

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### **Information**

#### **SUBJECT:**

A Resolution Adopting the Grand Junction Destination Brand, which includes "Where Life Leads" as a Destination Platform, Logo, Fonts and Place DNA™ Direction

#### **RECOMMENDATION:**

Staff recommends adoption of resolution approving the Grand Junction Destination Brand, "Where Life Leads."

#### **EXECUTIVE SUMMARY:**

Visit Grand Junction partnered with Destination Think to assist in developing a destination brand for Grand Junction. As part of the destination brand development process, Destination Think conducted Phase One, which included an intensive Place DNA™ session with City Council members during the week of March 2, 2020. This also included resident interviews, workshops, open houses, Facebook live, community engagement sessions, interactive activations, online and paper surveys – all of which provided residents the opportunity to express their perspectives in relation to what makes Grand Junction unique, including how they would like to see Grand Junction represented as a brand.

The second phase of the process included a perceived analysis (studies what the world is saying about Grand Junction), and a projected analysis (what local organizations are telling the world about Grand Junction). During the February 1, 2021 Council Workshop, Destination Think shared the creative brand strategy recommendation with City Council. The strategy included resident insights and opinions which they expressed were important components of the brand. Thus, the community's voice is represented in Grand Junction's Brand DNA. Based on the

feedback from the Councilmembers at this workshop, Visit Grand Junction is requesting formal approval of the Grand Junction Destination Brand, "Where Life Leads."

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

Visit Grand Junction engaged in a formal RFP process in October 2019 to seek proposals from qualified firms with the experience, resources, and expertise to facilitate the creation of a destination brand for Grand Junction.

Visit Grand Junction selected Destination Think, an internationally renowned destination branding agency and foremost authority on destination management, to facilitate the project. Their proprietary process, Place DNA™, comprehensively uncovered the unique identity of Grand Junction, which assisted in developing a customized brand strategy.

A successful destination brand also brings the community's identity into focus, and ultimately ensures resident input is incorporated. Destination Think had expressed during their in-person proposal presentation, that they were interested in Grand Junction for several reasons, most importantly being that Visit Grand Junction was extremely focused and passionate about making sure residents were heavily involved in the branding process – which aligned with Destination Think's foundational beliefs. If the community's voice was not incorporated into the brand, progress for the community, in all aspects, would be difficult.

The heart of this project defined the true brand essence of Grand Junction. This was developed through a significant amount of research and data collection, including social listening tools. Analysis focused on what Grand Junction should be known for, what is unique to the destination, and how Grand Junction could stand out from other destinations, thereby allowing it to be more competitive. The brand, over time, will provoke thoughts and feelings of the destination and will establish opportunities for the community to be involved in celebrating the brand. The brand will serve as a launch pad for individual marketing efforts of partner organizations to create a cohesive, consistent message and voice for the area. Thus, the destination brand serves as a foundation for partners to work from, to assist in their own marketing initiatives.

Included in this process were several community engagement sessions with a broad mix of attendees including City Councilmembers (March 2, 2020 workshop), past councilmembers, residents, tourism industry stakeholders (retailers, hotels, restaurants, and attractions), historians, members of the arts, academia, developers, and leaders outside of the tourism industry who are involved and influential in the community. Also included was a Facebook live session on the City of Grand Junction's Facebook page (can be viewed on the City Facebook page), as well as paper and online surveys. Over

746 residents participated in the survey, which was 250% more than the normal response rate for a city this size.

The second phase of the process uncovered what local organizations are broadcasting or telling the world about Grand Junction (projected analysis), and what the world is saying about Grand Junction (perceived analysis). This was followed by a destination branding creative workshop attended by 20 community members and stakeholders, including Councilmembers Anna Stout and Phillip Pe'a, and City Manager Greg Caton. The live online session included insights, preferences, and suggestions from participants. This feedback was incorporated into the creative development, including the font, creative badges, and visual identity symbol (logo) – all of which will bring the Grand Junction brand to life. The brand framework was also designed to allow it to develop and evolve over time, as the destination matures.

Destination Think presented their Creative Brand Strategy to the Visit Grand Junction Advisory Board of Directors at their regular meeting on January 12, 2021. Feedback from the board members was positive and the Board unanimously passed a motion to accept Grand Junction's destination brand, which was based on significant resident input. A letter of support from the Visit Grand Junction Board Chair and Vice Chair, representing the board, is attached to this report. The Board's acceptance of Grand Junction's destination brand will allow for continued destination management strategies that Visit Grand Junction executes based on ongoing resident input and involvement. This strategy prioritizes quality of life to ensure residents remain the focus of all future initiatives. If residents enjoy their lifestyle in Grand Junction, then consumers will be inclined to visit. Tourism provides for a year-round economy and supports amenities that would not exist with resident patronage alone.

Destination Think also presented their Creative Brand Strategy to City Council at the February 1, 2021 Council Workshop, The Mayor and Councilmembers expressed positive feedback and were supportive of how the destination brand included insights and sentiments from residents.

With City Council's support and adoption of the destination brand, next steps will include sharing the Grand Junction Brand DNA and strategy with the community. Visit GJ will also implement activations throughout the community to reveal the brand in ways that will surprise and delight residents, creating momentum. This will generate excitement and buy-in for the brand. Ultimately, the brand will evolve over time at a comfortable and appropriate pace in partnership with the community.

**FISCAL IMPACT:**

There is no fiscal impact with this action.

**SUGGESTED MOTION:**

I move to (adopt/deny) Resolution No. 36-21, a resolution adopting "Where Life Leads" a destination brand and unique identification for Grand Junction, Colorado.

**Attachments**

1. Letter of Support Visit Grand Junction
2. Resolution - Where Life Leads

March 2, 2021

Mayor Duke Wortmann  
Grand Junction City Hall  
250 North 5<sup>th</sup> St.  
Grand Junction, CO 81501

RE: Visit Grand Junction Advisory Board of Directors Support of the Grand Junction Destination Brand

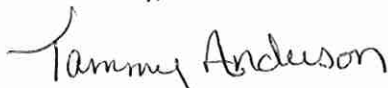
Dear Mayor Wortmann and Members of City Council:

The Visit Grand Junction Advisory Board of Directors appreciates the opportunity to share this letter of support for the Grand Junction Destination Brand, "Where Life Leads."

At the January 12, 2021, Visit Grand Junction Advisory Board Meeting, representatives from Destination Think presented their recommended brand strategy to the Board. The brand platform, "Where Life Leads," is based on the extensive Place DNA™ research outcome, which included significant resident opinions and insights. Feedback from the board members on the proposed brand strategy was positive. As a result, the Board voted unanimously to accept the Grand Junction Brand, "Where Life Leads."

We appreciate your consideration in adopting the destination brand. With Council's support, Visit Grand Junction will continue the destination branding work while implementing strategies to assist in elevating Grand Junction's public perception.

Sincerely,



Tammy Anderson

Chair

Visit Grand Junction Advisory Board of Directors



Joe Burtard

Vice Chair

Visit Grand Junction Advisory Board of Directors



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. \_\_-21

A RESOLUTION ADOPTING A DESTINATION BRAND AND UNIQUE IDENTIFICATION FOR  
GRAND JUNCTION, COLORADO

RECITALS:

Visit Grand Junction, as the destination marketing arm of the City, engaged in a formal RFP process in October 2019 to solicit proposals from firms with the experience, resources, and expertise to facilitate the creation of a destination brand for Grand Junction and the Grand Junction area.

Visit Grand Junction selected *Destination Think*, an internationally renowned destination branding agency and foremost authority on destination management, to facilitate the Grand Junction project. Destination Think's proprietary process, *Place DNA*<sup>™</sup>, comprehensively uncovered the unique identity of Grand Junction, which assisted it in developing a customized brand strategy and marks which are all adopted by and with this Resolution. Together those are referred to herein as the Grand Junction Brand.

The Grand Junction Brand, together with the use and implementation thereof by Visit Grand Junction and the City, will be beneficial to the City for several reasons. Those reasons include a means to bring the community's identity into focus, identify, define and describe what is unique to Grand Junction and to provide opportunities for the community to be involved in celebrating the unique Grand Junction Brand. The Brand will serve as a means to promote marketing efforts of partner organizations to create a cohesive, consistent message and voice for the area. Thus, the destination brand serves as a foundation for partners to work from, to assist in their own marketing initiatives.

Development of the Grand Junction Brand was with and as a result of significant public outreach and participation. The input was incorporated into the creative development, including the font, creative badges, and visual identity symbol (logo) all of which will bring the Grand Junction Brand to life. The Brand framework was designed to allow it to develop and evolve over time, as the destination matures.

The Visit Grand Junction Board endorses adoption of the Brand and is confident that it will allow for continued refinement of the destination management strategies that it and the City will utilize to encourage visitation to the community. With City Council's support and adoption of a destination brand, next steps will include sharing the Grand Junction DNA, the Brand and strategy with the community. Visit GJ will also implement and activate the Brand in ways that will surprise and delight residents, create momentum and generate excitement for the Brand.

The Grand Junction Brand will be and become the official brand strategy and brand marks of the City effective immediately and, remain in effect unless and until otherwise amended by adoption of a subsequent resolution or ordinance.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO that the destination brand and unique identification for Grand Junction generally known as *Where Life Leads*, together with the related brand marks, font, visual identify symbol(s) and all related brand strategy(ies) and implementation thereof shall be and become the official brand of the City of Grand Junction, Colorado.

ADOPTED AND APPROVED THIS 21st day of April 2021.

---

C.E. "Duke" Wortmann  
President of the City Council

ATTEST:

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Wanda Winkelmann  
City Clerk

DRAFT



**Grand Junction City Council**

**Regular Session**

**Item #5.b.**

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**Meeting Date:** April 21, 2021

**Presented By:** John Shaver, City Attorney

**Department:** City Attorney

**Submitted By:** John Shaver, City Attorney

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**Information**

**SUBJECT:**

A Resolution Authorizing a City Council Acting President Pro Tem

**RECOMMENDATION:**

Staff recommends approval of the resolution.

**EXECUTIVE SUMMARY:**

The purpose of this item is to appoint an acting Mayor *pro tempore* (pro tem).

**BACKGROUND OR DETAILED INFORMATION:**

Because the term of office for both the current Mayor and Mayor pro tem will end May 3, 2021, appointment of an acting Mayor pro tem is necessary. The Charter provides the Mayor pro tem shall perform the duties of Mayor when the Mayor is absent.

**FISCAL IMPACT:**

There is no fiscal arising out of this resolution.

**SUGGESTED MOTION:**

I move to (adopt/deny) Resolution No. 37-21, a resolution appointing an acting President *pro tempore* of the City Council.

**Attachments**

1. Resolution - Mayor Pro Tem

RESOLUTION NO. \_\_-21

A RESOLUTION APPOINTING AN ACTING PRESIDENT PRO TEMPORE OF THE CITY COUNCIL

Recitals:

At its meeting on May 6, 2020 the City Council, pursuant to the City Charter, appointed C.E “Duke” Wortmann as President of the City Council. At the same meeting the City Council appointed Kraig Andrews as President *pro tempore* of the City Council.

The President and President *pro tempore* of the Council are commonly referred to as Mayor and Mayor pro tem. The Charter provides that the Mayor *pro tempore* shall perform the duties of Mayor when the Mayor is absent.

Because the terms of office for both the Mayor and the Mayor pro tem will end on May 3, 2021, the City Council has determined that the appointment of an acting Mayor pro tem is necessary to convene and initially conduct the May 5, 2021 City Council meeting. The acting Mayor pro tem shall perform all duties defined and described by the Charter and other applicable law until a new Mayor and Mayor pro tem are elected, following which the authority conferred on the acting Mayor pro tem by this Resolution shall cease.

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

The City Council appoints and assigns \_\_\_\_ as Acting President *pro tempore* (Mayor pro tem) of the Council until such time as a Mayor and Mayor *pro tempore* are appointed.

PASSED AND ADOPTED THIS 21st day of April 2021.

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C.E. “Duke” Wortmann  
President of the City Council

ATTEST:

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Wanda Winkelmann  
City Clerk