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**CITY COUNCIL AGENDA  
WEDNESDAY, DECEMBER 3, 2014  
250 NORTH 5<sup>TH</sup> STREET  
6:30 P.M. – ADMINISTRATION CONFERENCE ROOM  
7:00 P.M. – REGULAR MEETING – CITY HALL AUDITORIUM**

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

**Call to Order**  
(7:00 P.M.)

Pledge of Allegiance  
Invocation – Patti Kurtzman, Ohr Shalom Jewish Community Center

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

**Presentations**

Presentation from Legends Committee to the City Council – Book Entitled “Chet” by Ann Enstrom Scott and Ken Johnson

**Citizen Comments**

**Council Comments**

*Revised December 3, 2014*

*\*\* Indicates Changed Item*

*\*\*\* Indicates New Item*

*® Requires Roll Call Vote*

**REVISED**

**\*\*\* CONSENT CALENDAR \*\*\*®**

1. **Minutes of the Previous Meeting** [Attach 1](#)

*Action: Approve the Minutes of the November 19, 2014 Regular Meeting*

2. **Setting a Hearing on the 2014 Second Supplemental Appropriation Ordinance and the 2015 Budget Appropriation Ordinance** [Attach 2](#)

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2014 amended and 2015 proposed budgets.

Proposed Ordinance Making Supplemental Appropriations to the 2014 Budget of the City of Grand Junction

Proposed Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado and the Downtown Development Authority for the Year Beginning January 1, 2015 and Ending December 31, 2015

*Action: Introduction of Proposed Ordinances and Set a Public Hearing for December 17, 2014*

Staff presentation: Jodi Romero, Financial Operations Director

3. **Property Tax Resolutions for Levy Year 2014** [Attach 3](#)

The resolutions set the mill levies of the City of Grand Junction (City) and the Downtown Development Authority (DDA). The City and DDA mill levies are for operations.

Resolution No. 42-14—A Resolution Levying Taxes for the Year 2014 in the City of Grand Junction, Colorado

Resolution No. 43-14—A Resolution Levying Taxes for the Year 2014 in the Downtown Development Authority

*®Action: Adopt Resolution Nos. 42-14 and 43-14*

Staff presentation: Jodi Romero, Financial Operations Director

4. **Setting a Hearing on the Patterson Place Rezone, Located at 2562/2566/2570 Patterson Road** [File #RZN-2014-262] [Attach 4](#)

A request to rezone properties totaling 3.523 acres from a City R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts.

Proposed Ordinance Rezoning Patterson Place from R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront), Located at 2562/2566/2570 Patterson Road

*Action: Introduction of Proposed Zoning Ordinance and Set a Public Hearing for December 17, 2014*

Staff presentation: Senta Costello, Senior Planner

5. **Setting a Hearing on the Extension of the Downtown Grand Junction Business Improvement District (DGJBID)** [Attach 5](#)

Consideration of the extension of the DGJBID for 20 years effective on the date of adoption of an ordinance amending Ordinance No. 3815.

Proposed Ordinance Amending Ordinance No. 3815 to Extend the Downtown Grand Junction Business Improvement District for 20 years

*Action: Introduction of Proposed Ordinance and Set a Public Hearing for December 17, 2014*

Staff presentation: Harry Weiss, DDA/DGJBID Executive Director  
John Shaver, City Attorney

6. **Power Transfer Switch for Generator Backup at Persigo Wastewater Treatment Plant** [Attach 6](#)

Backup power to the head works and raw sewage pump station is currently provided by two generators. In the event of a power outage the generators are manually switched to power these facilities. This purchase will allow automatic switching and transfer of backup power.

*Action: Authorize the Purchasing Division to Enter into a Contract with C.A.M. Electric, Inc. to Provide and Install Power Auto Transfer Switches for Backup Generators at Persigo WWTP, in the Amount of \$69,160*

Staff presentation: Greg Lanning, Public Works and Utilities Director  
Jay Valentine, Internal Services Manager

7. **Revocable Permit for RRB Holdings, Inc. to Display Vehicles within the F ½ Road Right-of-Way, Adjacent to 651 Market Street** [File #RVP-2014-378] [Attach 7](#)

RRB Holdings, Inc. is requesting a Revocable Permit to display vehicles within a portion of the F ½ Road right-of-way, in connection with its proposed use of the adjacent property at 651 Market Street as a car dealership.

Resolution No. 44-14—A Resolution Concerning the Issuance of a Revocable Permit to RRB Holdings, Inc. Adjacent to Property Located at 651 Market Street

*®Action: Adopt Resolution No. 44-14*

Staff presentation: Brian Rusche, Senior Planner

\*\*\*8. **2016 Persigo Sewer System Policy Development and Budget** [Attach 8](#)

In order for the City Council and the Mesa County Board of Commissioners to most efficiently and effectively consider and decide policy matters regarding the Persigo Waste Water Treatment Facility and adopt a joint annual operating budget, the proposed resolution states the expectations for 2015 meetings/2016 budget development.

Resolution No. 45-14 – A Joint Resolution Concerning 2016 Persigo Sewer System Policy Development and Budget

*®Action: Adopt Resolution No. 45-14*

Staff presentation: John Shaver, City Attorney

**\*\*\* END OF CONSENT CALENDAR \*\*\***

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\* \* \* ITEMS NEEDING INDIVIDUAL CONSIDERATION \* \* \*

9. **Public Hearing—Amending the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to add Section 21.04.030 Regarding Short-Term Rentals** [File #ZCA-2014-291] [Attach 9](#)

The proposed ordinance amends the Zoning and Development Code, Title 21, of the Grand Junction Municipal Code (GJMC), to add a section regarding Short-Term Rentals, to establish development standards and procedures for Short-Term Rentals, and to amend the table in Section 21.04.010 (Use Table) to add a row for the principal use of “Short-Term Rentals”.

Ordinance No. 4647—An Ordinance Amending the Zoning and Development Code, Grand Junction Municipal Code adding Section 21.04.030, Short-Term Rentals

*®Action: Adopt Ordinance No. 4647 on Final Passage and Order Final Publication in Pamphlet Form*

Staff presentation: Senta Costello, Senior Planner

10. **Public Hearing—Amending the Zoning and Development Code (Title 21, Grand Junction Municipal Code), Section 21.06.080 Regarding Outdoor Lighting** [File #ZCA-2014-355] [Attach 10](#)

Request to amend the Zoning and Development Code regarding outdoor lighting, specifically lighting under fueling station canopies, Section 21.06.080(c)(7).

Ordinance No. 4648—An Ordinance Amending the Grand Junction Municipal Code, Section 21.06.080 (c)(7) Concerning Outdoor Lighting

*®Action: Adopt Ordinance No. 4648 on Final Passage and Order Final Publication in Pamphlet Form*

Staff presentation: Lori V. Bowers, Senior Planner

11. **Professional Architect and Landscape Architect Services for Las Colonias Amphitheater Area** [Attach 11](#)

Parks and Recreation is seeking approval to complete final design and construction documents for the Las Colonias Park Amphitheater. The services will include architectural and landscape architectural services to prepare schematic design services for the complete amphitheater project in addition to construction documents for the first phase of construction that would include the stage, lawn seating, essential support services, utilities, and parking.

*Action: Authorize the Purchasing Division to Enter into a Contract with Method Studios for Architect Services in the Amount of \$102,503; and Design Workshop for Landscape Architect Services in the Amount of \$81,955 for the Proposed Amphitheater Project at Las Colonias Park*

Staff presentation: Rob Schoeber, Parks and Recreation Director  
Jay Valentine, Internal Services Manager

12. **Non-Scheduled Citizens & Visitors**

13. **Other Business**

14. **Adjournment**

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

**November 19, 2014**

The City Council of the City of Grand Junction convened into regular session on the 19<sup>th</sup> day of November, 2014 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Jim Doody, Duncan McArthur, Sam Susuras, and Council President Phyllis Norris. Councilmember Barbara Traylor Smith was absent. Also present were City Manager Rich Englehart, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

Council President Norris called the meeting to order. The audience stood for the Pledge of Allegiance led by Councilmember Chazen, followed by a moment of silence.

**Presentations**

**Featured Development Project**

Deputy City Manager Tim Moore introduced the first Featured Development Project, saying businesses will be recognized quarterly for their economic contribution to the community. Deputy City Manager Moore gave a brief history of Blue Star Industries and their business process. He introduced Kim Kerk, Blue Star Industries Development Manager; she thanked the City Council and Staff for recognizing their achievements and then recognized her staff.

**Children's Hospital 2014 Award for Commitment to Pediatric Emergency Care**

Grand Junction Fire Chief Ken Watkins and Health and Safety Chief John Hall presented the City Council with the Children's Hospital 2014 Award for Commitment to Pediatric Emergency Care that was recently awarded to the Grand Junction Fire Department (GJFD). Councilmember Boeschstein read the award information.

Chief Hall said the GJFD was selected from all the other Emergency Medical Service (EMS) agencies throughout the State for exceeding training requirements and having specialized equipment available for emergent pediatric care.

Chief Watkins recognized the importance of the GJFD's partnerships with healthcare providers, both locally and with Children's Hospital in Denver. He also acknowledged the role the City Council plays in providing the needed support and resources for the GJFD to be able to have this type of training and equipment. He spoke about a local case that conveyed the importance of having the specialized training and equipment.

### **Certificates of Appointment**

Councilmember Susuras presented and read the certificates of appointment.

Steve Tolle was present to receive his certificate of re-appointment to the Planning Commission; Keith Ehlers was present to receive his certificate of appointment as 1<sup>st</sup> Alternate to the Planning Commission/Zoning Board of Appeals; Dr. George Gatseos was present to receive his certificate as 2<sup>nd</sup> Alternate to the Planning Commission/Zoning Board of Appeals; and Aaron Miller was present to receive his certificate of appointment to the Zoning Board of Appeals.

Mr. Tolle and Mr. Ehlers both thanked the City Council. Dr. Gatseos thanked the City Council for the appointment. Mr. Miller appreciated the offer to serve on this board and to work for this great City.

### **Citizens Comments**

There were none.

### **Council Comments**

Councilmember McArthur attended the Grand Junction Chamber of Commerce (GJCC) business roundtable November 6<sup>th</sup>. The discussion focused on what direction the community and the GJCC should go. There were a lot of area leaders in attendance.

Councilmember Boeschenstein attended a briefing on Las Colonias Park on November 10<sup>th</sup>; groundbreaking is planned for early next year. He is excited to see the Riverfront area continue to blossom with this project. He also attended the Joint City Council and County Commissioners meeting and the North Avenue Owners Association Open House. He is glad to see the progress the North Avenue Revitalization Project is making. On November 12<sup>th</sup> he went to an Energy Briefing hosted by the GJCC and on the 13<sup>th</sup> he and other members of Council went to the Museum of the West Elected Officials Forum which focused on ways to make the Museum more of a downtown asset. On November 18<sup>th</sup> he attended the Human Services Agency breakfast that was held at Grand Valley Catholic Outreach. Councilmember Boeschenstein commended all the local agencies that provide services for the unprivileged in the Grand Valley. He

attended the Horizon Drive Business Improvement District meeting where they selected an artist for the new roundabout sculptures.

Councilmember Chazen attended many of the same meetings as Councilmember Boeschstein. On November 12<sup>th</sup> he attended the Energy Briefing hosted by GJCC. The topic was the shortage of limited natural resources in light of the growing population.

Councilmember Susuras noted he serves on the Grand Junction Regional Airport Authority Board (GJRAAB); he attended the monthly meeting on November 17<sup>th</sup>. He mentioned two issues discussed at the meeting: the Administration building has safety issues that need to be addressed immediately and progress is being made regarding the appointment of the at-large board member. The GJRAAB has received four applications and they hope to make a decision on this appointment by December 9<sup>th</sup>.

Council President Norris said she attended meetings of the Downtown Development Authority, the North Avenue Owners Association, and the Avalon Theatre. She finds these meetings interesting and enjoys participating. All of these organizations do so much for Grand Junction and she appreciates the Council's participation. One of the meetings she attended was held at the Avalon Theatre; it is a wonderful meeting venue. She thanked the Avalon Theatre Staff and encouraged others to use this facility for meetings.

### CONSENT CALENDAR

Councilmember Doody read Consent Calendar items #1 through #13 and then moved to adopt the Consent Calendar. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

1. **Minutes of the Previous Meetings**

*Action: Approve the Minutes of the November 5, 2014 Special Meeting and Regular Meeting*

2. **Setting a Hearing Amending the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to add Section 21.04.030 Regarding Short-Term Rentals** [File # ZCA-2014-291]

The proposed ordinance amends the Zoning and Development Code, Title 21, of the Grand Junction Municipal Code (GJMC), to add a section regarding Short-Term Rentals, to establish development standards and procedures for Short-Term Rentals, and to amend the table in Section 21.04.010 (Use Table) to add a row for the principal use of "Short-Term Rentals".

Proposed Ordinance Amending the Zoning and Development Code, Grand Junction Municipal Code Adding Section 21.04.030, Short-Term Rentals

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for December 3, 2014*

3. **Setting a Hearing on Amending the Zoning and Development Code (Title 21, Grand Junction Municipal Code), Section 21.06.080 Regarding Outdoor Lighting** [File #ZCA-2014-355]

Request to amend the Zoning and Development Code regarding outdoor lighting, specifically lighting under fueling station canopies, Section 21.06.080(c)(7).

Proposed Ordinance Amending the Grand Junction Municipal Code, Section 21.06.080 (C) (7) Concerning Outdoor Lighting

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for December 3, 2014*

4. **Contract Award for Visitor and Convention Bureau Advertising Services**

This request is to award a three-year, annual renewable contract for advertising services to Hill Marketing and Advertising, Inc. dba Hill and Company/Hill Aevium, from Edwards, CO, who will work closely with the Grand Junction Visitor and Convention Bureau (GJVCB) in developing and executing tourism-related marketing strategies resulting in a positive economic impact to the area.

*Action: Authorize the City Purchasing Division to Award a Contract to Hill Marketing and Advertising, Inc. dba Hill and Company/Hill Aevium in the Estimated Amount of \$340,000*

5. **Contract Award for Visitor and Convention Bureau Website Marketing Services**

This request is to award a three-year, annual renewable contract for website marketing services to Miles Media Group LLLP, from Superior, CO, who will work closely with the Grand Junction Visitor and Convention Bureau (GJVCB) in developing and executing tourism-related website marketing strategies resulting in a positive economic impact to the area.

*Action: Authorize the City Purchasing Division to Award a Contract to Miles Media Group LLLP for Website Marketing Services in the Estimated Amount of \$170,000*

6. **Leach Creek Stormwater Detention Facility Grant Request**

This is a request to authorize the City Manager to submit a request to the Colorado Department of Local Affairs for a \$200,000 grant with a local match of \$325,000 to complete the construction of the Leach Creek Stormwater Detention Facility. Funding for the local match will be provided from the proposed 2015 CIP budget.

Resolution No. 37-14 — A Resolution Authorizing the City Manager to Submit a Grant Request to the Colorado Department of Local Affairs' (DOLA) Energy and

Mineral Impact Assistance Program to Complete the Leach Creek Stormwater Detention Facility

*Action: Adopt Resolution No. 37-14*

7. **Downtown Grand Junction Business Improvement District (DGJBID) 2015 Operating Plan and Budget**

Every year the DGJBID files an Operating Plan and Budget with the City Clerk by September 30<sup>th</sup>. The City Council then approves or disapproves the plan and budget by December 5<sup>th</sup>. The plan was reviewed by the DGJBID Board and submitted within the required timeline. After further review by City staff, the Plan was found to be reasonable.

*Action: Approve the Downtown Grand Junction Business Improvement District 2015 Operating Plan and Budget*

8. **Free Holiday Parking Downtown**

The Downtown Partnership has requested free parking in the downtown area again this year during the holiday shopping season. City Staff recommends Free Holiday Parking in downtown, including the first floor of the Rood Avenue parking structure, with the exception of government offices areas and shared-revenue lots.

*Action: Vacate Parking Enforcement at Designated, Downtown, Metered Spaces and Signed Parking from Thanksgiving to New Year's Day, except Loading, No Parking, Handicapped, and Unbagged Meter Spaces Surrounding Government Offices and in shared Revenue Lots. Free Metered Spaces will be Clearly Designated by Covering the Meters with the Official Red Plastic Bag*

9. **Prohibition of Parking along Main Street during Parade of Lights**

The Downtown Grand Junction Business Improvement District (DGJBID) is requesting the prohibition of parking along Main Street during the 2014 Parade of Lights, and the authorization for towing vehicles violating the prohibition. City Staff recommends approval of the prohibition of parking on Main Street and towing during the Parade of Lights.

*Action: Prohibit Parking along Main Street from 3<sup>rd</sup> to 7<sup>th</sup> Streets during the Annual Parade of Lights December 6, 2014, and Authorize the Towing of Vehicles*

10. **Lang Drive Name Change to Winair Drive, Located between Bonny Street and 2769 Riverside Parkway** [File #SNC-2014-370]

The property owner adjoining Lang Drive between Indian Road and 2769 Riverside Parkway is requesting to change the street name from Lang Drive to Winair Drive.

Resolution No. 38-14 — A Resolution Renaming Lang Drive Between Bonny Street and 2769 Riverside Parkway to Winair Drive

*Action: Adopt Resolution No. 38-14*

11. **Revocable Permit for Weight Scale for Mesa Feed Mart, Located at 520 S. 9<sup>th</sup> Street** [File #RVP-2014-100]

Mesa Feed Mart is requesting a Revocable Permit to install a weight scale within the S. 9<sup>th</sup> Street right-of-way for use by Mesa Feed Mart and the general public.

Resolution No. 39-14 — A Resolution Concerning the Issuance of a Revocable Permit to Mesa Feed Mart, Located at 520 S. 9<sup>th</sup> Street

*Action: Adopt Resolution No. 39-14*

12. **Resolution Approving the 2014 Orchard Mesa Pool Agreement and Appointing Pool Advisory Board Representative**

The Orchard Mesa Pool Agreement has been negotiated and the City, the County, and the School District are now in agreement as to ownership, operation, and responsibilities. The next step is to assign members to serve on the Pool Committee as outlined in the agreement.

Resolution No. 40-14 — A Resolution Approving the Intergovernmental Agreement

Restating and Amending the Relationship between the City of Grand Junction, Mesa County and Mesa County Valley School District 51 concerning the Orchard Mesa Swimming Pool and Appointing and Assigning a City Councilmember to Represent the City on the Orchard Mesa Pool Advisory Board.

*Action: Adopt Resolution No. 40-14 Approving the Orchard Mesa Pool Agreement, Adopt the "Pool Board" Bylaws, and Appointing Councilmember Duncan McArthur to Represent the City on the "Pool Board"*

13. **Consultant Contract for Foreign-Trade Zone**

Staff is recommending City Council authorize the City Manager to enter into a professional service contract with Barnes & Thornburg LLP to evaluate the merits of a Foreign-Trade Zone (FTZ).

*Action: Authorize the City Manager to Enter into a Professional Service Contract with Barnes & Thornburg LLP to Evaluate the Possibility of Establishing a Foreign-Trade Zone not to Exceed \$50,000*

**ITEMS FOR INDIVIDUAL CONSIDERATION****Public Hearing-Salt Flats Comprehensive Plan Amendment and Rezone, Located at the Northeast Corner of 28 Road and Grand Avenue**

A request to change the Comprehensive Plan - Future Land Use Designation from Residential High Mixed Use to Commercial on 10.09 acres and a request to rezone 26.49 acres from a C-1 (Light Commercial) to an R-24 (Residential 24 du/ac) zone district, located at the northeast corner of 28 Road and Grand Avenue.

The public hearing was opened at 7:31 p.m.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. The purpose is to bring the zoning into compliance with the City's Future Land Use Map. The property is often referred to as the Salt Flats and is bound on all sides by public rights-of-way. Mr. Rusche described the roads bordering the property and said 28 ¼ Road is expected to become an arterial road. In 2012 an amendment to Grand Valley (GV) Circulation Plan was adopted and proposed access be provided through the property.

In 2010 the current Comprehensive Plan (CP) was adopted and designated the future land use of this property as Residential High Mixed Use. This designation rendered the existing C-1, light commercial, zoning inconsistent with the GV Circulation Plan. Since the adoption of the 2010 CP, the City has corrected several zoning inconsistencies. In 2011 a neighboring property was rezoned to preserve its character which dates back to the 1950's. The current C-1 zoning permits a wide variety of land uses which are residential, retail, office, and light manufacturing. The inconsistency with the CP has created concern for development of this property. The goal of the City and the property owners is to eliminate this inconsistency; the GV Circulation Plan allows for compromise. This request, represented by the property owner, proposes to amend the CP and designate the area south of the adopted Grand Avenue extension as Commercial and rezone the balance of the property to R-24, for higher density residential uses. If adopted this would allow for the possibility of mixed use as envisioned by the CP.

Councilmember McArthur noted the zoning to the east is industrial and asked if this change would be a typical and good transition. He also noted the zoning to the west is residential and asked if the area to the north is a residential mobile home park. Mr. Rusche answered yes, it is Niagara Village. Councilmember McArthur asked what access concerns there would be for those along 28 Road. Mr. Rusche said some businesses along 28 Road are concerned about possible modifications to the I-70 Business (I-70 B) Loop access. None of the modifications in this request require reconstruction. This request is using the current GV Circulation Plan as a guide for the zoning. Councilmember McArthur asked if the business by the northwest corner of the property is concerned that the access to I-70 B would move from 28 Road to 28 ¼ Road. Mr. Rusche said two businesses have expressed concerns that changes to the I-70 B access would negatively affect their businesses: the Brass Rail and Grand

Events and Party Rentals. The Brass Rail submitted a letter expressing this concern which is in the packet. Councilmember McArthur asked if there is a plan to connect Grand Avenue to 28 ¼ Road. Mr. Rusche said yes, the connection will go through the property from Grand Avenue to Chipeta Avenue; this connection was approved as part of the GV Circulation Plan. He then explained the processes that would need to be done to make modifications to the GV Circulation Plan. Councilmember McArthur asked if there have been discussions with business owners on ways to accommodate their access needs. Mr. Rusche said only since the rezoning request was submitted has this concern been raised. Councilmember McArthur then asked if the frontage road extended west from 28 Road to I-70 B. Mr. Rusche said it is only a partial connection. Councilmember McArthur asked if the Colorado Department of Transportation (CDOT) had addressed this proposed change. Mr. Rusche said he has not contacted CDOT.

Councilmember Boeschstein stated he lives near this area and will be glad to see this area developed. He commented that the proposed density, 24 units to the acre which would be 500 to 600 units on the property, is fairly high and asked if there would be any parks or open spaces. Mr. Rusche said at this time there is no formal development proposal. The purpose of this request is to establish zoning and the set of rules by which the developer will have to abide to ensure consistency with the vision of the CP. Councilmember Boeschstein said in order to achieve this level of density, the developer would have to make use of four-plexes, attached townhouses, and/or stacked townhouses. He would like to see the petitioner's vision and plans to know if this project will be done well. He is glad to see the through roads and the connection of Grand Avenue.

Councilmember Chazen asked if there is an existing right-of-way (ROW) on the east side of the property off of 28 ¼ Road. Mr. Rusche said there is a partial existing ROW, but more will need to be built to achieve the needed width required for an arterial roadway. Councilmember Chazen then asked where the pavement starts. Mr. Rusche indicated this on the map. Councilmember Chazen asked what the cost estimate is and who will be responsible, the developer or the City. Mr. Rusche said at this time there are no cost estimates, but much of the project will be a partnership between the City and the developer. Most of the major road development costs will fall to the City as part of capital improvement expenses. Councilmember Chazen asked what the reasoning was to propose ending 28 Road at I-70 B. Mr. Rusche believes the intent was to provide a direct route from I-70 B north to Patterson Road; 28 Road currently extends from I-70 B only to Orchard Avenue. Councilmember Chazen asked if any of the area businesses have been contacted regarding this proposed change. Mr. Rusche said no and clarified that there is no construction proposed with this request.

Council President Norris said she was concerned that only the businesses along 28 Road from North Avenue to I-70 B are being notified of this possible change; more businesses would be affected. She reminded everyone that, only the rezoning is being considered at this time; infrastructure changes will be addressed at a different time. City Attorney Shaver said this request is a specific planning element authorized by Colorado law and one of the reasons this is important is to put developers on notice of potential access expectations. When plans are drawn for a property in the future they

will already be aware of the CP and GV Circulation Plan requirements for the area. He emphasized this is only a conceptual drawing to put the developer on notice.

Council President Norris asked for public comment.

Mr. Ted Ciavonne, Ciavonne, Roberts, and Associates, is working for the property owners. Mr. Ciavonne said this property has been idle forever, being too big for a single developer. When the Growth Plan was initiated, this property was out of compliance with the CP. The owners wanted to bring this property back into compliance and explored logical ways to do so. Previous property submittals were reviewed and they showed a preference for the main connection road to be 28 ¼ Road. There was no discussion of closing 28 Road. It was important to clarify the main access road before moving forward so any future property plans respected the City's long term plan. This specification was added to the Circulation Plan. Now Mr. Ciavonne and the owners are working toward having the underlying zoning agree with the Growth Plan Amendment, making this property more attractive to sell. The property owners do not want to develop this property, only "clean up" the discrepancies in order to sell it. The owner has also submitted a request to subdivide the property which would be another change to make the property more attractive to a buyer. Mr. Ciavonne reemphasized this request is only to rezone the property so it will be in compliance with the Growth Plan Amendment.

Roger McClellan, owner of Grand Events and Party Rentals, gave a brief history of his business. He operated Party Land for 16 years and then was given an opportunity to purchase the old GV Power building. He is not speaking in opposition of the zoning, but about the possibility of moving the light from I-70 B and 28 Road. He explained the pros and cons of that property. He asked that a hard look be given to the traffic flow, especially the amount of traffic that comes off of Grand Avenue.

There were no other public comments.

The public hearing was closed at 8:07 p.m.

Councilmember Susuras thanked Mr. Rusche for his professional work and asked if the Planning Commission had voted unanimously in favor of this rezone request. Mr. Rusche said they did.

Mr. Ciavonne asked to make one more point. He does not believe it would be in the best interest of the project to close the Grand Avenue/28 Road intersection. He and the owners just need to know where the primary roads will be.

Councilmember Boeschstein stated he is glad to see the project taking off. He feels a new urban development would work best in the area; not four-plexes.

Councilmember McArthur referred to the Staff comments on the Circulation Plan which is why he asked questions on it earlier, even though this is only a rezoning request. He added that the rezone would be a good transition between the lower density residential property on the west and the industrial property on the east.

Council President Norris asked Mr. Rusche if the section of property below the proposed Grand Avenue to Chipeta Avenue roadway will be zoned differently than the property north of the roadway. Mr. Rusche said if the request is approved the southeast corner will be zoned C-1 and the remainder of the property will be zoned R-24. Council President Norris clarified that Mr. McClellan's property is zoned C-1 which will be the same as the southeast corner if this request is approved.

Councilmember Doody said this is a great opportunity. He feels the property development and increased road connections will have a positive effect on North Avenue and I-70 B businesses.

Ordinance No. 4645 — An Ordinance Amending the Comprehensive Plan from Residential High Mixed Use to Commercial and Rezoning Property from C-1 (Light Commercial) to R-24 (Residential 24+ du/ac) for Property known as the Salt Flats Located at the Northeast Corner of 28 Road and Grand Avenue

Councilmember Susuras moved to adopt Ordinance No. 4645 on Final Passage and order it published in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

**Public Hearing-Amending Sections of the Zoning and Development Code to Create a New Form-based Zoning and District and to Amend Development Standards Applicable to Form Districts**

The proposed ordinance amends the Zoning and Development Code, Title 21, of the Grand Junction Municipal Code (GJMC), to create a new form district to implement the "Mixed Use Opportunity Corridor" (MXOC) land use designation of the Comprehensive Plan, to establish development standards for the new form district, and to amend general form districts standards.

The public hearing was opened at 8:11 p.m.

David Thornton, Principal Planner, presented this item. He described the request. The proposal is to amend Form Districts which were adopted in 2010 to update the Zoning and Development Code. Form Districts are another zoning option which emphasizes building form and are more pedestrian friendly. He explained Form Based Zoning encourages connections between streets, buildings, and public spaces through mixed use development which can use horizontal or vertical mixed use buildings to house commercial and residential units. Local examples are the Corner Square on First Street and Patterson Avenue, which uses horizontal mixed use, and the Colorado Mesa University dorms off of North Avenue which uses vertical mixed use. Conventional zoning typically separates uses like residential and commercial. The City organized a committee of representatives from the development community and looked at the Form Based Zoning; they found the existing Form Districts were not working for areas like Patterson Road. This request is to create a fourth Form District exclusively for the MXOC option to allow mixed use development along corridors that are pedestrian friendly, provide transitions from nonresidential to residential areas, and recognize

these corridors as arterial streets. Mr. Thornton gave his findings and conclusions and entered the Staff report as part of this record.

Council President Norris asked if this change is a zoning overlay or a completely separate zoning. Mr. Thornton said this request is for an additional zoning option; it will not be an overlay. Council President Norris asked if any public meetings were held or if the public hearing during the Planning Commission meeting has been the only opportunity for public comment. Mr. Thornton said the committee is the voice for this change, however if someone chooses to use this option, the neighborhood would be notified of this possibility.

Councilmember Boeschstein said one issue the City doesn't want is to create another North Avenue along Patterson Road. He appreciated being able to meet with Mr. Thornton. He encouraged good site planning including the use of monument signs, and feels the Form Based Zoning is good for this area.

Councilmember McArthur thanked Mr. Thornton, the Staff, and Ted Ciavonne of Ciavonne, Roberts, and Associates for their contributions to this project. He described the process of finding committee members and that their main concern was how this zoning could be more flexible and accommodate more businesses since every site is different.

Councilmember Susuras thanked Mr. Thornton for the Staff Report and his hard work on this project. He especially liked the report section that covered how this item relates to the City's 2014 Economic Development Plan.

Council President Norris asked for public comment.

Mr. Ted Ciavonne, Ciavonne, Roberts, and Associates, agreed with Councilmember McArthur regarding the people chosen for the Committee. He explained the Committee found about 12 ways in which the zoning could be more flexible and those findings are before Council tonight.

There were no other public comments.

The public hearing was closed at 8:37 p.m.

**Ordinance No. 4646 — An Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to Create a New Form-Based Zoning District that will Implement the Mixed Use Opportunity Corridor Future Land Use Designation of the Comprehensive Plan and to Amend Development Standards Applicable to the Form Districts**

Councilmember Boeschstein moved to adopt Ordinance No. 4646 on Final Passage and order it published in pamphlet form. Councilmember Doody seconded the motion. Motion carried by roll call vote.

**CNG Vehicle Purchase Grant Request**

This is a request to authorize the City Manager to submit a request to the Colorado Department of Local Affairs for a \$352,000 grant with a local match of \$780,195 to fund the cost difference of Compressed Natural Gas (CNG) option for the replacement of ten fleet vehicles.

Kathy Portner, Community Services Manager, introduced this item and explained the grant application, the projected savings, and fuel costs. Ms. Portner commended City Council on being the inspiration for the availability of Department of Local Affairs (DOLA) grant funds for alternative fuels in Colorado. She read a DOLA announcement mentioning the success of the CNG program in the City and County.

Councilmember Chazen asked what the payback would be on the new dump trucks without the grant funds. Ms. Portner said there would not be a payback in fuel savings because of how few miles they are driven each year. However, the trucks will help the City achieve goals set forth by GJ CORE (Grand Junction Conserving Our Resources Efficiently) to promote conservation and wise use of the City's resources, and help maintain local air quality. Councilmember Chazen then asked what the fuel costs are. Ms. Portner said the stated fuel savings was based on gallon prices of \$3.33 for diesel and \$1.50 for CNG. Councilmember Chazen asked what, during the lifetime of the other CNG vehicles, would the payback be without the grant funds. Ms. Portner said without the grant funds the payback for the refuse trucks is two years.

Resolution No. 41-14 — A Resolution Authorizing the City Manager to Submit a Grant Request to the Colorado Department of Local Affairs' (DOLA) Alternative Fuels Funding Program to Purchase CNG Fleet Vehicles

Councilmember Boeschstein moved to adopt Resolution No. 41-14. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting was adjourned at 8:43 p.m.

Juanita Peterson, MMC  
Deputy City Clerk



Date: 11/23/14  
 Author: Jodi Romero  
 Title/ Phone Ext: Financial  
Operations Director  
 Proposed Schedule: December 3rd,  
2014  
 2nd Reading  
 (if applicable): December 17th, 2014  
 File # (if applicable): \_\_\_\_\_

**Attach 2**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Setting a Hearing for the 2014 Second Supplemental Appropriation Ordinance and the 2015 Budget Appropriation Ordinance
<b>Action Requested/Recommendation:</b> Introduction of Proposed Ordinances and Setting a Public Hearing for December 17th
<b>Presenter(s) Name &amp; Title:</b> Jodi Romero, Financial Operations Director

**Executive Summary:**

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2014 amended and 2015 proposed budgets.

**Background, Analysis and Options:**

The first 2014 supplemental appropriation was required in order to appropriate additional funds for the completion and scope expansion of the Avalon Theatre Core Renovation Project and 2013 carry-forward of projects. The first supplemental was passed by Council on April 2, 2014.

This is the second 2014 Supplemental Appropriation Ordinance for:

- the General Fund due to an increase in the operating subsidy for Two Rivers Convention Center;
- the Visitor & Convention Fund due to an increase in the operating subsidy for Two Rivers Convention Center;
- the DDA Operations Fund for the Legends project;
- the Community Development Block Grant Fund for the carry forward of prior year awarded projects completed in 2014;
- the Major Projects Capital Fund due to allocation of contingency for the hearing loop and fuel tank remediation;
- the Parking Fund due to unanticipated repairs to the parking garage;

The 2015 appropriation ordinance is the legal adoption of the City's budget by the City Council for the upcoming fiscal year. The components of the 2015 budget have been reviewed and discussed during several City Council workshops. In accordance with the Charter the City Manager shall prepare the annual budget and upon approval of it and the appropriation ordinance expend sums of money to pay salaries and other expenses for the operation of the City. The documentation of the proposed revenue and expenses prepared and maintained by the Financial Operations Director in support of the budget and ordinance are incorporated by this reference as if fully set forth.

**How this item relates to the Comprehensive Plan Goals and Policies:**

This action is needed to meet the plan goals and policies.

**How this item relates to the Economic Development Plan:**

The appropriation ordinances provide the legal authority for the spending budget of the City. The budget supports and implements the City Council's economic vision and in particular the roles of "providing infrastructure that fosters and supports private investment" as well as "investing in and developing public amenities."

**Board or Committee Recommendation:**

The City Council has informally deliberated these matters; at the second reading and public hearing the Council will formally consider adoption of the Ordinance as established by the Charter.

**Financial Impact/Budget:**

The supplemental appropriation ordinance, the 2014 appropriation ordinance and budget are presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City. The appropriation ordinances are consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

**Legal issues:**

The ordinance has been drawn, noticed, and reviewed in accordance with the Charter.

**Other issues:**

None known at this time.

**Previously presented or discussed:**

The 2015 City Budget has been developed with City Council and presented during budget workshops on June 30<sup>th</sup>, July 14<sup>th</sup>, August 4<sup>th</sup>, August 18<sup>th</sup>, August 20<sup>th</sup>, October 13<sup>th</sup>, November 3<sup>rd</sup>, and November 17<sup>th</sup>.

**Attachments:**

Proposed Second Supplemental Appropriation Ordinance for 2014 Budget  
Proposed 2015 Budget Appropriation Ordinance

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

**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2014  
BUDGET OF THE CITY OF GRAND JUNCTION**

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2014, to be expended from such funds as follows:

<b>Fund Name</b>	<b>Fund #</b>	<b>Appropriation</b>
General	100	\$ 100,490
Visitor and Convention Bureau	102	\$ 100,490
DDA Operations	103	\$ 25,000
Community Development Block Grant	104	\$ 28,848
Major Projects Capital	204	\$ 31,069
Parking	308	\$ 20,885

**INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM** this \_\_\_\_ day of \_\_\_\_\_, 2014.

**TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM** this \_\_\_\_ day of \_\_\_\_\_, 2014.

Attest:

\_\_\_\_\_  
President of the Council

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

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

**AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO AND THE DOWNTOWN DEVELOPMENT AUTHORITY FOR THE YEAR BEGINNING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015**

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

**SECTION 1.** That the following sums of money, or so much therefore as may be necessary, be and the same are hereby appropriated for the purpose of defraying the necessary expenses and liabilities, and for the purpose of establishing emergency reserves of the City of Grand Junction, for the fiscal year beginning January 1, 2015, and ending December 31, 2015, said sums to be derived from the various funds as indicated for the expenditures of:

<b>FUND NAME</b>	<b>FUND #</b>	<b>APPROPRIATION</b>
General	100	\$ 66,171,038
Enhanced 911 Special Revenue	101	\$ 3,147,005
Visitor & Convention Bureau	102	\$ 2,087,463
D.D.A. Operations	103	\$ 376,357
Community Development Block Grants	104	\$ 335,000
Open Space	105	\$ 678,762
Conservation Trust	110	\$ 610,920
Sales Tax Capital Improvements	201	\$ 19,136,557
Storm Drainage Improvements	202	\$ 655,400
DDA Capital Improvements	203	\$ 1,210,000
Transportation Capacity Improvements	207	\$ 1,187,056
Water Fund	301	\$ 6,511,324
Solid Waste	302	\$ 3,635,558
Two Rivers Convention Center	303	\$ 2,524,520
Golf Courses	305	\$ 1,941,386
Parking	308	\$ 506,686
Irrigation Systems	309	\$ 262,770
Information Technology	401	\$ 6,631,260
Equipment	402	\$ 6,592,447
Self Insurance	404	\$ 3,140,872
Communications Center	405	\$ 6,944,421
Facilities Management Fund	406	\$ 3,095,162

General Debt Service	610	\$	6,881,928
T.I.F. Debt Service	611	\$	2,035,350
GJ Public Finance Debt Service	614	\$	533,505
Cemetery Perpetual Care	704	\$	6,300
Joint Sewer System, Total	900	\$	14,529,135

**INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM** this \_\_\_\_ day  
of \_\_\_\_\_, 2014.

**TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM**  
this \_\_\_\_ day of \_\_\_\_\_, 2014.

Attest:

\_\_\_\_\_

President of the Council

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



Date: November 24, 2014  
 Author: Jodi Romero  
 Title/ Phone Ext: 1515  
 Proposed Schedule:  
December 3<sup>rd</sup>, 201  
 2nd Reading  
 (if applicable): \_\_\_\_\_  
 File # (if applicable): \_\_\_\_\_

**Attach 3**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Property Tax Resolutions for Levy Year 2014
<b>Action Requested/Recommendation:</b> Adoption of Proposed Resolutions Setting the 2014 Mill Levies for the City of Grand Junction, and the Downtown Development Authority
<b>Presenter(s) Name &amp; Title:</b> Jodi Romero, Financial Operations Director

**Executive Summary:**

The resolutions set the mill levies of the City of Grand Junction (City) and the Downtown Development Authority (DDA). The City and DDA mill levies are for operations.

**Background, Analysis and Options:**

The adoption of the Tax Levy Resolutions will generate property tax revenue for the City and the DDA. The amount of property tax generated is calculated by taking the adopted mill levy multiplied by the assessed valuation of property located within the taxing area. The 2014 mill levy will be assessed and collected in 2015. The mill levy for both the City and DDA will be the same as the 2013 levy.

**How this item relates to the Comprehensive Plan Goals and Policies:**

This action is needed as a financing source to meet the plan goals and policies of the City of Grand Junction and the DDA.

**How this item relates to the Economic Development Plan:**

The adoption of a mill levy will generate revenue that is used to support the City’s role in economic development; in particular providing “quality basic services”. The DDA’s property taxes are used to support and promote the Downtown area adding to the economic health and vitality of Downtown and greater Grand Junction.

**Board or Committee Recommendation:**

None

**Financial Impact/Budget:**

The revenue generated by the City's 8 mills is estimated to be \$7.4 million. The revenue generated by the Downtown Development Authority's 5 mills is estimated to be \$259,000.

**Legal issues:**

The resolution provides for the City to lawfully apply the mill levy on the total assessed value of taxable property within the City for the purpose of paying the expenses of the municipal government of the City for the fiscal year ending December 31, 2015.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

Property tax revenues are discussed in general during budget workshops.

**Attachments:**

Resolutions with Tax Levy Certifications

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION LEVYING TAXES FOR THE YEAR 2014 IN THE  
CITY OF GRAND JUNCTION, COLORADO

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

That there shall be and hereby is levied upon all taxable property within the limits of the City of Grand Junction, Colorado, for the year 2014 according to the assessed valuation of said property, a tax of eight (**8.000**) mills on the dollar (\$1.00) upon the total assessment of taxable property within the City of Grand Junction, Colorado for the purpose of paying the expenses of the municipal government of said City for the fiscal year ending December 31, 2015.

**ADOPTED AND APPROVED THIS** \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
President of the Council

ATTEST:

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

**TAX LEVY CERTIFICATION**

TO COUNTY COMMISSIONERS AND ASSESSOR

STATE OF COLORADO  
COUNTY OF MESA  
CITY OF GRAND JUNCTION

To the Commissioners of Mesa County, Colorado:

This is to certify that the tax levy to be assessed by you upon all property within the limits of the **City of Grand Junction** for the year 2014, as determined and fixed by the City Council by Resolution duly passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, is eight **(8.000)** mills, the revenue yield of said levy to be used for the purpose of paying the expenses of the municipal government, and you are authorized and directed to extend said levy upon your tax list.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Grand Junction, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Clerk, City of Grand Junction

C: County Assessor

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION LEVYING TAXES FOR THE YEAR 2014 IN THE  
DOWNTOWN DEVELOPMENT AUTHORITY

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

That there shall be and hereby is levied upon all taxable property within the Grand Junction, Colorado, Downtown Development Authority limits, for the year 2014 according to the assessed valuation of said property, a tax of five (5.000) mills on the dollar (\$1.00) upon the total assessment of taxable property within the City of Grand Junction, Colorado, Downtown Development Authority, for the purpose of paying the expenses of said Authority for the fiscal year ending December 31, 2015.

ADOPTED AND APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
President of the Council

ATTEST:

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

**TAX LEVY CERTIFICATION**

TO COUNTY COMMISSIONERS AND ASSESSOR

STATE OF COLORADO  
COUNTY OF MESA  
CITY OF GRAND JUNCTION

To the Commissioners of Mesa County, Colorado:

This is to certify that the tax levy to be assessed by you upon all property within the Grand Junction, Colorado, **Downtown Development Authority** limits, for the year 2014, as determined and fixed by the City Council by Resolution duly passed on the \_\_\_\_ day of \_\_\_\_\_, 2014, is five **(5.000)** mills, the revenue yield of said levy to be used for the purpose of paying the expenses of the Grand Junction, Colorado, Downtown Development Authority, and you are authorized and directed to extend said levy upon your tax list.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Grand Junction, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Clerk, City of Grand Junction

C: County Assessor

Attach 4

**CITY COUNCIL AGENDA ITEM**

**Subject:** Patterson Place Rezone Request, Located at 2562/2566/2570 Patterson Road

**Action Requested/Recommendation:** Introduce Proposed Zoning Ordinance and Set Public Hearing for December 17, 2014

**Presenter(s) Name & Title:** Senta Costello, Senior Planner

**Executive Summary:**

A request to rezone properties totaling 3.523 acres from a City R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts.

**Background, Analysis and Options:**

The properties have been used historically as agricultural land and more recently as single family homes. The properties were annexed into the City in 1979 (zoned R-1-C), 1980 (zoned R-1-C) and 1986 (zoned RSF-4) respectively. The properties have since been rezoned through several changes to zone district designations with updates to the Zoning and Development Code. All are currently zoned R-8.

In 2009, the City of Grand Junction City Council adopted the Comprehensive Plan followed in 2010 by an updated Zoning and Development Code. The new Plan and Code created the Mixed Use Opportunity Corridor and Form Based zone districts that could be requested within the Opportunity Corridor in addition to the other zone districts that would implement the Future Land Use Map designation.

The properties involved in this request are designated Residential Medium High;



however, they also have the Opportunity Corridor overlay allowing the request for a Form Based district which allow for both residential and commercial uses.

A neighborhood meeting was held July 1, 2014. Approximately 30 neighbors attended the meeting. Several topics were discussed; however, there were two particular points of concern from the surrounding property owners. One was the intensity/type of uses to be included along Dewey Place and the other was traffic. Overall the office and/or professional service type uses that could be constructed along the northern portion of the property was considered appropriate. The potential of traffic from the site exiting to the north was a major concern to the neighborhood north of the site and traffic entering and exiting the site onto Patterson Road and potential conflicts with the street on the south side of Patterson Road. It was explained that the current request was for the rezone only and traffic circulation had not yet been evaluated.

**How this item relates to the Comprehensive Plan Goals and Policies:**

This project is consistent with the following Goals and Policies of the Comprehensive Plan:

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

Policy A. City and County land use decisions will be consistent with the Comprehensive Plan Future Land Use Map.

The request is in conformance with the Future Lands Use Map.

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

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

The request will create opportunities for businesses along the corridor that will be accessible to the surrounding neighborhoods that will limit or eliminate the need to drive to take advantage of businesses located on these properties.

**Goal 7 – New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.**

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

The request proposes buffering the residential to the north from the busier uses and streets to the south by using the different proposed zone districts; keeping the less intense office/professional service uses/zoning closer to the residential uses and the more intense commercial/retail uses/zoning closer to Patterson Road.

**How this item relates to the Economic Development Plan:**

The purpose of the recently adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed rezone for Patterson Place meets with the goal and intent of the Economic Development Plan by creating construction jobs through the development for both public infrastructure and commercial buildings and adding shopping opportunities and locations for professional businesses.

**Board or Committee Recommendation:**

Planning Commission forwarded a recommendation of approval at their November 12, 2014 meeting.

**Financial Impact/Budget:**

The provision of municipal services will be consistent with adjacent properties in the City.

**Legal issues:**

The City Attorney's office has reviewed the proposal and found no issues.

**Other issues:**

None.

**Previously presented or discussed:**

Item has not been previously discussed.

**Attachments:**

Staff Report  
Letters/Emails from neighbors  
Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City Zoning Map  
Blended Residential Map  
Ordinance

BACKGROUND INFORMATION			
Location:		2562/2566/2570 Patterson Road	
Applicants:		DRK Investing - Masi Khaja	
Existing Land Use:		Single Family Residential	
Proposed Land Use:		Commercial	
Surrounding Land Use:	North	Single Family Residential/Multi-Family	
	South	Single Family Residential/School	
	East	Single Family Residential/Commercial	
	West	Single Family Residential/Medical office	
Existing Zoning:		R-8 (Residential 8 du/ac)	
Proposed Zoning:		MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront)	
Surrounding Zoning:	North	PD (Planned Development)/R-24 (Residential 24 du/ac)	
	South	PD (Planned Development)/CSR (Community Services & Recreation)	
	East	R-8 (Residential 8 du/ac)	
	West	R-24 (Residential 24 du/ac)/R-O (Residential Office)	
Future Land Use Designation:		Residential Medium High 8-16 du/ac	
Blended Residential Land Use Categories Map (Blended Map):		Residential Medium 4-16 du/ac	
Zoning within density range?		X	Yes
			No

**Section 21.02.140 of the Grand Junction Municipal Code**

Zone requests must meet at least one of the following criteria for approval:

*(1) Subsequent events have invalidated the original premise and findings;*

The adoption of the Comprehensive Plan in 2009 with the Future Land Use Map, which included a Mixed Use Opportunity Corridor along major transportation corridors, created new opportunities for potential development. The Comprehensive Plan was followed by a revised Zoning and Development Code in 2010 which included Form Based districts to implement the Opportunity Corridor. These occurrences offered new options.

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;*

The character of the area has been changing during the past several years. Several commercial projects have been built including dental and general offices to the west and the Corner Square development to the southeast. While these properties have been making improvements, the subject properties have been deteriorating.

This criterion has been met.

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

There are adequate public and community facilities in the area to serve the property and development as proposed. An 8" sewer line bisects the property and an 18" sewer line is located in Patterson Road. There is an 8" water line located in Patterson Road and another 8" water line located in Dewey Place. A 12" storm sewer line is located in Patterson Road. Pomona Elementary is located across Patterson Road to the south, West Middle School is approximately 1 mile away and Grand Junction High School is approximately 1.5 miles away. Baseball fields and Fire Station No. 3 are located south along 25 ½ Road and a Post Office is located to the west along Patterson Road. The properties are located along the GVT bus route with stops located near 25 ½ Road and Patterson intersection and near the North 1<sup>st</sup> Street and Patterson intersection. There are also stops on 25 ½ Road, north and south of Patterson Road.

This criterion has been met.

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

There is only one other property located within the City of Grand Junction currently zoned to a form based district. That property is located on 29 Road, south of Patterson Road, more than 3 miles away and is 1.702 acres. The subject properties will be, if approved the only other properties with a form based zone district in the community.

This criterion has been met.

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

The area will derive benefits from the proposal as a buffer between the heavily traveled Patterson Road and the residential properties to the north. The project

proposes MXG along the northern portion of the property for development of office/professional service uses closer to the residential properties and commercial/retail uses along the Patterson Road side.

This criterion has been met.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan designation for the subject property.

- a. R-4 (Residential 4 du/ac)
- b. R-5 (Residential 5 du/ac)
- c. R-12 (Residential 12 du/ac)
- d. R-16 (Residential 16 du/ac)
- e. R-O (Residential Office)
- f. MXR-3,5 or 8
- g. All MXG-3, 5 or 8
- h. All MXS-3, 5 or 8

**From:** Chuck Wiman <chuck.wiman@gmail.com>  
**To:** <sentac@gjcity.org>  
**Date:** 7/14/2014 4:15 PM  
**Subject:** RZN-2014-262

Senta Costello

My name is Chuck Wiman 618 Saffron Way Grand Jct. CO>81505. I am the point man for The Orchard HOA Board Of Directors and am the person who spoke at the July 1st meeting. We are in the process of getting all of the home owners letters with there comments regarding the Zone change hearing and subsequent development of the property delivered to your office tomorrow, there are a number of folks on vacation ect. and we will try and get there letters as soon as possible.

I believe I can honestly say that the majority of home owners have no objection to the zoning change and development of property, however we are united in our opposition to any ingress and egress on to Dewey. As far as we are concerned they can enter and exit on to Patterson the same as many of the other business up and down Patterson do. .Of course there are a number of other issues that will be aired out at the appropriate time.

Yes, it is a little tougher to try and exit the project heading east but that is something they needed to consider in there design. I am a little surprised that they chose to pursue his course. I wonder where the advise or encouragement came from. I might add I have spent over 40 years in developing residential/commercial project in Mesa county and as I recall, Planning was always in objection to dumping commercial traffic into a residential sub. If you send this to planning commission and council recommending there proposed traffic flow, You will encounter a lot of opposition. Perhaps they would be well advised to consider a plan B.

What is date council will hear this rezone petition and I assume this will be open to public and that Beehive Estates will be notified of dates, time and location of hearing. Please keep me advised of meetings,ect so we can respond.

Chuck Wiman

**From:** Nyla Kladder <nkladder@gmail.com>  
**To:** <sentac@gjcity.org>  
**Date:** 7/9/2014 9:35 AM  
**Subject:** RZN-2014-262-Patterson Place Rezone

I went to the meeting on this rezoning and saw the proposed plat. We have no objection to the rezoning - it is inevitable. Our objection is the City's requiring that the entrance to the area is placed opposite our entrance. It is difficult enough gaining access to Patterson without the competition directly opposite our drive. Why couldn't their entryway be moved to the West so it does not compete with ours.

Colony Park Homeowners Association Nyla Kladder, President, and Nyla Kladder individually as a homeowner.

**From:** <yogjo@aol.com>  
**To:** "sentac@gjcity.org" <sentac@gjcity.org>  
**Date:** 7/15/2014 3:12 PM  
**Subject:** RZN-2014-262 - Patterson Place Rezone

Hi Ms. Costello,

A concern I have for safety is the main entrance to the Patterson Place Rezone being directly opposite Cider Mill Road. I see this as being a serious health safety concern with people turning onto Cider Mill Road from the east or the west of Patterson Rd. as others are turning into Patterson Place from Patterson Rd. again from the east or west. Meanwhile, people would be turning out of Cider Mill Road going east or west on Patterson and others will be turning out of Patterson Place going east or west. Moving the entrance to Patterson Place, so that it is not directly across from Cider Mill Road would alleviate some of those issues. Additionally, not allowing a left-hand turn out of Patterson Place would eliminate some of the safety issues. I do not feel the residents on Cider Mill Road should have to be limited by a left or right hand turn due to the development/rezone of Patterson Place.

Thank you for your considerations.

Joanie Cherp

**From:** "Sherry Opp" <opp618@bresnan.net>  
**To:** <sentac@gjcity.org>  
**Date:** 7/16/2014 12:40 PM  
**Subject:** Land development at 25 1/2 Road and Patterson

I live at 618 Eldorado Drive and am writing regarding the plans for development at 25 1/2 Road and Patterson. I am very concerned regarding ANY access on Dewey Place. The street has become very busy both in the AM as well as the PM in regard to commuter traffic. Any additional traffic would become a hazard for our children, pets and homeowners. PLEASE try to find a way to do the development that we know will happen in such a way that we are able to maintain our privacy, our safety, protect our children, and retain our home values (\$300,000 range). Your help and consideration on this matter would be greatly appreciated.

Sincerely,  
Sherry Opp  
618 Eldorado Drive

**From:** "Julie Nealon" <jvela@bresnan.net>  
**To:** <sentac@gjcity.org>  
**Date:** 7/16/2014 4:18 PM  
**Subject:** Proposed Development Plans

Hello Senta,

This is in reference to the proposed development plans to rezone parcels on Patterson Road and Dewey Ct. RZN-2014-262-PATTERSON PLACE REZONE-2570,2566 and 2562 PATTERSON ROAD

A notice posted on our mail receptacle in the Fall Valley Subdivision indicated this rezoning is dependent on allowing a north commercial access through the project to Dewey Ct and that the flow of commercial traffic would then continue west to the Dewey Ct intersection or though to the Fall Valley Subdivision.

The reason for this email is that I do oppose this proposed rezoning as this specific intersection and area currently has a heavy traffic flow. Any new commercial development in this area will only add to this existing problem. In my mind, the only development or change that should be considered to the 25 1/2 Road and Patterson intersection is to build a right turn lane on 25 1/2 Road for the traffic turning west on Patterson. This would indeed help the current gridlock.

Senta, thank you again for returning my call and for your time in explaining the process.

Best Regards,

Julie Nealon  
Telephone: 970-434-1396  
Fax: 970-434-3528  
E-mail: jvela@bresnan.net

**From:** Nicole Byrnes <umber\_39@yahoo.com>  
**To:** Senta Costello <sentac@ci.grandjct.co.us>  
**Date:** 7/17/2014 6:46 AM  
**Subject:** Comments on Patterson Road Development

Good morning, Senta.

Here are my thoughts on proposed rezoning for 2562, 2566 and 2570 Patterson Road.

I agree with the residents of Beehive Estates- assigning Dewey Place as the access for a new mixed use/commercial development area is a poor idea, not only because the narrow, curving road is unsuitable for increased vehicle traffic, but also because no consideration has been given to the impacts on Fall Valley subdivision to the north, which is where I live.

Left turns between 25 1/2 Road and Dewey Place are difficult due to the busy intersection. It is reasonable to expect that traffic from the proposed development will make regular use of the roads to the north through Fall Valley for ingress and egress.

Like Beehive Estates, the roads in Fall Valley are narrow, curving two-lane roads. Residents and their visitors regularly park vehicles, motor homes, and a variety of trailers on the streets. The kids in Fall Valley play basketball in our streets. Residents frequently ride bikes up and down the roads, and there are numerous joggers and dog-walkers in the neighborhood on a daily basis. Fall Valley is not suitable for use as a main thoroughfare.

Just east of the houses in Fall Valley, we maintain a small, private park. Our enjoyment of this space will be directly impacted by increased traffic from the proposed development because vehicles coming north from Dewey Place along Saffron Way and Silver Oak Drive will be immediately adjacent to the park. It is also reasonable to expect that our park will see a substantial increase in "visitor" use due to the proposed development, especially if commercial development increases public exposure of the park, and yet the financial burden of maintaining the park will remain solely with the residents of Fall Valley.

Furthermore, there are multiple vacant lots in nearby areas such as Foresight Circle which are more appropriate for commercial development. There are multiple vacant office buildings in this town. Rezoning this portion of Patterson is not necessary to meet the needs of the larger community of Grand Junction.

One of the main purposes of zoning is to protect the character of established communities like Fall Valley. My neighbors and I value our neighborhood as a beautiful, safe and quiet place to live. I am opposed to the proposed rezoning and the proposed increase in traffic on Dewey Place.

Thank you,

Nicole Byrnes  
628 Shadowood Court  
81505

**From:** "Cameron Law" <CameronLaw@bresnan.net>  
**To:** <sentac@gjcity.org>  
**Date:** 7/8/2014 8:03 PM  
**Subject:** RZN-2014-262-Patterson Place Rezone-2570, 2566, 2562 Patterson Road

Dear Senta-

My home is located at 610 Saffron Way, and I attended the informational meeting regarding this re-zone.

I fully support using the area for light office type business, the type that exists along the north side of Patterson between 26 and 25 Roads. Our neighborhood (The Orchard), however, has serious concerns about some issues that we would ask the City Council to consider as they look at this application.

1. We are drastically opposed to any sort of business traffic access onto Dewey. Business traffic, especially drive-through traffic, will completely alter the character of our residential neighborhood. Traffic is already heavy at the intersection of Dewey and 25 1/2 Road. Access to Patterson at the light is congested and very slow. Children walk this corridor on their way to and from Pomona Elementary School, and their safety is a big concern. Any traffic coming out of the new proposed project will either turn left on to Dewey, adding to the congestion and safety issues, or turn right, accelerate up Saffron (right past my driveway and our parks) and enter 25 1/2 Road from the north, destroying the suburban area we invested in. There is no precedent along this entire corridor for access into residential areas, and we would ask for the same consideration.

2. I am concerned about the hours of operation of businesses in the proposed area. Drive-through speakers are loud and disruptive. We would ask that you only allow businesses with traditional operating hours (i.e. 9:00 a.m. to 5:00 p.m.).

3. We do not condone multi-story structures. The dentist office on the corner of Patterson and 25 1/2 has been a wonderful neighbor, as have the businesses in the Redstone Veterinary plaza. One story structures fit the existing use for the corridor.

4. We are concerned about the wetland areas to the east and south of Saffron. We had three deer behind our house just this morning, and have been enjoying a family of ducks and hundreds of hummingbirds all summer. We would like assurances that this area will be protected.

Thank you so much for your time. I would very much appreciate knowing the time and location of the final hearing so I can express my concerns in person to the city council.

Sincerely,

Cameron Law  
610 Saffron Way  
970-261-4260  
CameronLaw@bresnan.net

Barbara Holmes, President  
605 Saffron Way  
Grand Junction, CO 81505

July 15, 2014

Ms. Senta Costello, Planner  
Grand Junction City Hall  
250 N. 5th Street  
Grand Junction, CO 81501

Dear Senta,

As a homeowner in the Orchard Sub-Division and as President of the HOA I want to share my personal feelings with you on your proposed Re-zoning concept along Patterson Rd. and how I feel it will impact our neighborhood.

I can appreciate your plans in developing this area, but not at the cost of routing traffic from the businesses and shops through our sub-division. Using Dewey is unacceptable! There must be a way to avoid this at all costs.

We are a quiet neighborhood, with a variety of homeowners ranging from "young seniors" to "young families with small children and homeowners with pets" we do not want our streets to become a thoroughfare and become unsafe for our residents. Aside from this very important issue, **we do not want our property values to decline!**

There are many other retail and business complexes along Patterson Rd. where you are able to enter and exit on Patterson, why do you feel the need to create a traffic issue for the Orchard residents?

Please consider my thoughts and know that they are shared with the majority of the homeowners of this sub-division.

Thank you for allowing the homeowners to have an opportunity to express our thoughts and concerns with the revitalization project on Patterson Rd.

Sincerely,



Barbara Holmes

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

As homeowners in The Orchard/Beehive subdivision in Grand Junction, we would like to express our appreciation for being offered the opportunity to learn about the application for a proposed rezoning and subsequent development of property located near our homes. After a meeting held July 1, which was conducted by Ted Ciavonne of Ciavonne, Roberts and Associates, Inc., **the homeowners present do understand and affirm the need for rezoning.**

**HOWEVER, there are several significant concerns which homeowners expressed that could negatively impact the PEACE, SAFETY and PROPERTY VALUES of our residential neighborhood:**

1. **Traffic Flow:** Objection to any traffic pattern that would access onto Dewey Place. Such a traffic flow would cause a clear and present danger to pedestrian children, older residents, homeowners and pets that travel that street and sidewalks daily. Additionally, entrances or exits on Dewey would increase automobile, service truck, delivery truck and possible emergency vehicles on a narrow, two lane residential street. Concern was expressed for the current traffic pattern at the traffic light at 251/2 Road and Patterson.
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5. **Type of Tenants:** Knowing the leases have not been completed, homeowners request that commercial tenants are compatible with the peace and safety of a residential neighborhood.

Thank you for this opportunity to express these homeowners concerns.

Homeowner Barbara Holmes

Address 605 Saffron Gray

Date July 13, 2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Sue Rosenbaum, trustee for SGR TRUST

Address 623 SAFFRON WAY - 81505

Date JULY 13, 2014

*I ATTENDED THE JULY 1<sup>ST</sup> MEETING AND AM PARTICULARLY CONCERNED ABOUT SCHOOL CHILDREN SAFETY @ DEWEY PL # 2562R*

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner DEREK KOEHLER

Address 609 Saffron Way, Grand Jct., CO 81505

Date 7-13-14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner

CAROLYN REES



Address

615 SAFFRON WAY, G.J. CO 81505

Date

7/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Chuck & Susan Hanson

Address 620 Saffron Way

Date 7-13-14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner

 Hilary Soria JOEL & HILARY SORIA

Address

619 Saffron Way, Grand Junction, CO 81505

Date

7-13-14

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Thank you for this opportunity to express these homeowners concerns.

Homeowner

Bryan Wiman - BJEW 250-7354

Address

622 Saffron Way

Date

7/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Lee J Roger Calkins

Address 604 Silverado Drive

Date July 14, 2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Joe & Marie Tony Redding

Address 615 Silverado Drive Grand Jct Colo.

Date 7/14/2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Shirley M Cooper

Address 607 Eldorado Drive

Date July 14, 2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Kelli Kessell  
Address 605 El Dorado Dr. GJ Co. 81505  
Date 7/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner

Address

Date

Shandra Jackson Ted Jackson

602 Saffron Wy.

7-12-14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Ezequiel Perez & Ashley Perez

Address 604 Saffron Way

Date 7/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Gary Bell / Linda C. Shrago  
Address 606 Saffronway  
Date 7-14-2014

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Homeowner Dan Williams + Cheryl Williams

Address 608 Saffron Wy

Date 7-14-14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner  (Lee)

Address 612 GARDNER WAY

Date 7-13-14

Attention: Senta Costello, Planner

Community and Economic Development Division

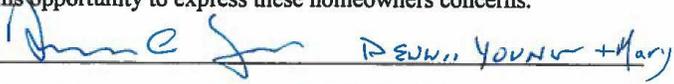
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Homeowner   
Address 614 SAFFRON WAY, GRAND JUNCTION CO 81505  
Date 7/13/2014

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Homeowner Doug + Jacquie Wigent  
Address ~~616~~ 616 Saffron Way  
Date 7-14-14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Charles D. Winson Sr. & Frances R. Winson

Address 618 Saffron way, Grand Jet. CO 81505

Date 7/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Homeowner Sean Howard

Address 612 Silverado Drive

Date \_\_\_\_\_

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Stacy Keever  
Address 1019 Silverado Dr.  
Date 7.14.14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Janis Myer

Address 621 Librado Court

Date 7/12/14

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Homeowner Sherry L. Opp

Address 618 Eldorado Drive

Date 7/12/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Eric S. James Vlach

Address 6116 Orchard Drive

Date 7/11/14

Attention: Senta Costello, Planner

Community and Economic Development Division

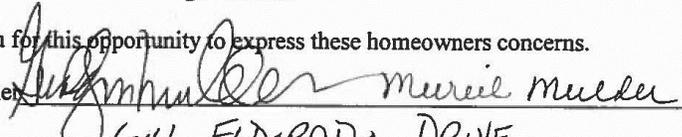
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Homeowner  Muriel Mueller

Address 614 ELDRADO DRIVE

Date JULY 12, 2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Robin Ann Seibold

Address 613 Eldorado Dr. Grand Junction, CO 81505

Date 07/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Homeowner Bethlyn & Clinton Driscoll

Address 6006 E. Prado Dr.

Date 7/13/2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Joseph B. O'Keefe

Address 608 Eldorado Drive

Date 7/12/2014

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Community and Economic Development Division

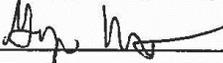
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Homeowner 

Address 611 Eldorado Dr

Date 7/13/14

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Homeowner

*Anna Rusinovic*

Address

2563 Civic Lane

Date

7/13/14

Cindy Hanson & Susan

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

As homeowners in The Orchard/Beehive subdivision in Grand Junction, we would like to express our appreciation for being offered the opportunity to learn about the application for a proposed rezoning and subsequent development of property located near our homes. After a meeting held July 1, which was conducted by Ted Ciavonne of Ciavonne, Roberts and Associates, Inc., **the homeowners present do understand and affirm the need for rezoning.**

**HOWEVER, there are several significant concerns which homeowners expressed that could negatively impact the PEACE, SAFETY and PROPERTY VALUES of our residential neighborhood:**

1. **Traffic Flow:** Objection to any traffic pattern that would access onto Dewey Place. Such a traffic flow would cause a clear and present danger to pedestrian children, older residents, homeowners and pets that travel that street and sidewalks daily. Additionally, entrances or exits on Dewey would increase automobile, service truck, delivery truck and possible emergency vehicles on a narrow, two lane residential street. Concern was expressed for the current traffic pattern at the traffic light at 251/2 Road and Patterson.
2. **Property Line Boarder/Screen** at the back of the development along Dewey Place that would maintain the residential character of the neighborhood and mitigate disruptive sounds.
3. **Building Height:** Homeowners expressed concern for the height of potential commercial or multi-unit residential buildings. Suggest limit of 2 stories.
4. **Lighting:** Homeowners have a concern for bright lighting that could be disruptive. Suggest low intensity lighting, including parking lot area.
5. **Type of Tenants:** Knowing the leases have not been completed, homeowners request that commercial tenants are compatible with the peace and safety of a residential neighborhood.

Thank you for this opportunity to express these homeowners concerns.

Homeowner J Brown & Susan Huey

Address 2565 Civic (The Orchard)

Date 7/13/14

# Site Location Map



# Aerial Photo Map



# Future Land Use Map



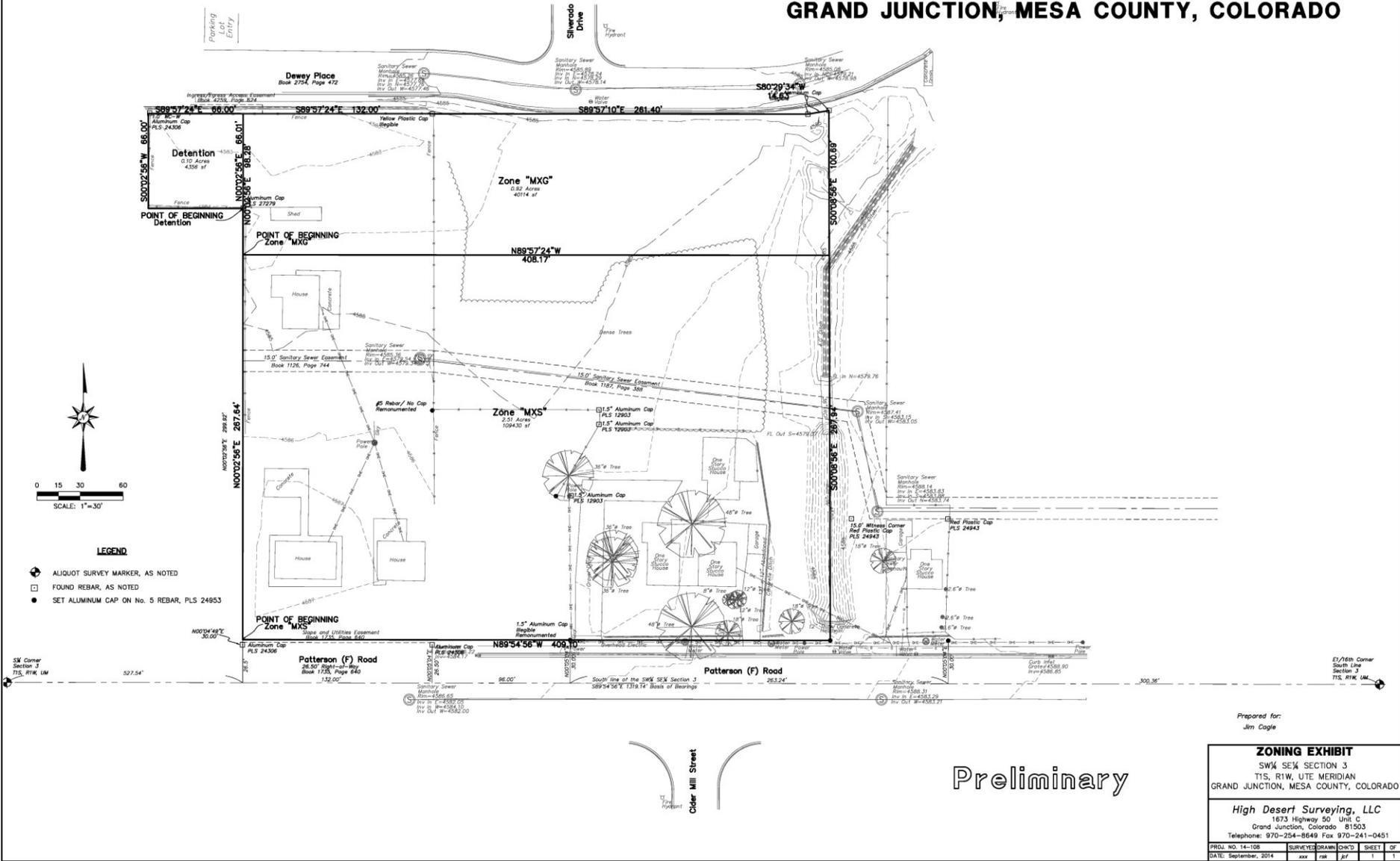
# Zoning Map



# Blended Residential Map



# ZONING EXHIBIT OF PARCELS LOCATED IN SW1/4 SE1/4 SECTION 3, T1S, R1W, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO



- LEGEND**
- ◈ ALIQUOT SURVEY MARKER, AS NOTED
  - FOUND REBAR, AS NOTED
  - SET ALUMINUM CAP ON No. 5 REBAR, PLS 24953

Preliminary

Prepared for:  
Jim Cagle

<b>ZONING EXHIBIT</b>			
SW¼ SE¼ SECTION 3 T1S, R1W, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO			
High Desert Surveying, LLC 1673 Highway 50 Unit C Grand Junction, Colorado 81503 Telephone: 970-254-8649 Fax: 970-241-0451			
PROJ. NO. 14-109	SURVYING/DRAM CHIC	SHEET	OF
DATE: September, 2014	xxy rnk jr	1	1

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING PATTERSON PLACE  
FROM R-8 (RESIDENTIAL 8 DU/AC) TO  
MXG-3 (MIXED USE GENERAL) AND MXS-3 (MIXED USE SHOPFRONT)**

**LOCATED AT 2562/2566/2570 PATTERSON ROAD**

Recitals:

The properties have been used historically as agricultural land and more recently as single family homes. The properties were annexed into the City in 1979 (zoned R-1-C), 1980 (zoned R-1-C) and 1986 (zoned RSF-4). The properties have since been rezoned through several changes to zone district designations with updates to the Zoning and Development Code. All are currently zoned R-8.

In 2009, the City of Grand Junction City Council adopted the Comprehensive Plan followed in 2010 by an updated Zoning and Development Code. The new Plan and Code created the Mixed Use Opportunity Corridor and Form Based zone districts that could be requested within the Opportunity Corridor in addition to the other zone districts that would implement the Future Land Use Map designation.

The properties involved in this request are designated Residential Medium High; however, they also have the Opportunity Corridor overlay allowing the request for a Form Based district which allow for both residential and commercial uses.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Patterson Place property from R-8 (Residential 8 du/ac) to the MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Residential Medium High and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts to be established.

The Planning Commission and City Council find that the MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property shall be rezoned MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront).

MXG-3:

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 3, Township 1 South, Range 1 West of the Ute Meridian being more particularly described as follows:

Commencing at the South Quarter (S $\frac{1}{4}$ ) corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, whence the Southeast corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3 bears South 89°54'56" East, a distance of 1319.14 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 89°54'56" East, a distance of 527.54 feet, along the South line of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3; thence North 00°04'49" East, a distance of 30.00 feet; thence North 00°02'56" East, a distance of 267.64 feet to the POINT OF BEGINNING; thence North 00°02'56" East, a distance of 98.28 feet; thence South 89°57'24" East, a distance of 132.00 feet; thence South 89°57'10" East, a distance of 261.40 feet; thence North 80°29'34" East, a distance of 14.63 feet; thence South 00°08'56" East, a distance of 100.69 feet; thence North 89°57'24" West, a distance of 408.17 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.921 Acres, as described.

and also

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 3, Township 1 South, Range 1 West of the Ute Meridian being more particularly described as follows:

Commencing at the South Quarter (S $\frac{1}{4}$ ) corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, whence the Southeast corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3 bears South 89°54'56" East, a distance of 1319.14 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 89°54'56" East, a distance of 527.54 feet, along the South line of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3; thence North 00°04'49" East, a distance of 30.00 feet; thence North 00°02'56" East, a distance of 299.92 feet to the POINT OF BEGINNING; thence North 89°57'04" West, a distance of 66.00 feet; thence North 00°02'56" East, a distance of 66.00 feet; thence South 89°57'24" East, a distance of 66.00 feet; thence South 00°02'56" West, a distance of 66.01 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.100 Acres, as described.

MXS-3:

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 3, Township 1 South, Range 1 West of the Ute Meridian being more particularly described as follows:

Commencing at the South Quarter (S $\frac{1}{4}$ ) corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, whence the Southeast corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3 bears South 89°54'56" East, a distance of 1319.14 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 89°54'56" East, a distance of 527.54 feet, along the South line of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3; thence North 00°04'49" East, a distance of 30.00 feet to the POINT OF BEGINNING;

thence North 00°02'56" East, a distance of 267.64 feet; thence South 89°57'24" East, a distance of 408.17 feet; thence South 00°08'56" East, a distance of 267.94 feet; thence North 89°54'56" West, a distance of 409.10 feet to the POINT OF BEGINNING.

Said parcel having an area of 2.512 Acres, as described.

Introduced on first reading this \_\_\_\_ day of \_\_\_\_\_, 2014 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor



Date: Nov 20, 2014  
 Author: Harry Weiss  
 Title/ Phone Ext: 256-4134  
 Proposed Schedule:  
1<sup>st</sup> reading Dec 3, 2014  
 2nd Reading  
 (if applicable): Dec 17, 2014  
 File # (if applicable): \_\_\_\_\_

**Attach 5**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Extension of the Downtown Grand Junction Business Improvement District (DGJBID)
<b>Action Requested/Recommendation:</b> Introduction of a Proposed Ordinance and Set a Public Hearing for December 17, 2014
<b>Presenter(s) Name &amp; Title:</b> Harry Weiss, DDA/DGJBID Executive Director, John Shaver, City Attorney

**Executive Summary:**

Consideration of the extension of the DGJBID for 20 years effective on the date of adoption of an ordinance amending Ordinance No. 3815.

**Background, Analysis and Options:**

Downtowns are complex environments unlike any other areas of the community. The diversity of uses, activities, opportunities, and constituencies are essential characteristics that define Downtown, and warrant focused organizational support to promote its success and mediate among its divergent interests. The alternate model of a volunteer-based, non-profit association providing similar services as a DGJBID proved unsustainable and prompted the creation of the DGJBID in 2005.

The DGJBID serves a unique role in Downtown. Its current functions of marketing and promotion are essential to the continuing success of Downtown. It complements the functions of the DDA (which cannot fulfill the functions of the DGJBID) and is immeasurably important to the health of the core commercial activities that form the foundation of the Downtown economy. The DGJBID statute provides for a range of purposes and activities which allows DGJBIDs to respond to changing circumstances and needs as Downtowns evolve.

**How this item relates to the Comprehensive Plan Goals and Policies:**

Plan Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

The DGJBID provides essential marketing and promotion of Downtown targeting both locals and visitors.

**How this item relates to the Economic Development Plan:**

This item relates to the area of emphasis in economic development and the role of supporting existing businesses.

The DGJBID exists to support existing businesses and property owners in Downtown with general district marketing and the production of special events to draw customers and visitors to the central business district as well as to reinforce Downtown as a primary center of community identity and gathering.

**Board or Committee Recommendation:**

The DGJBID Board of Directors recommends the extension of the DGJBID.

**Financial Impact/Budget:**

The Annual DGJBID Operating Plan & Budget is submitted to the City by September 30 of each year for Council's review and approval by December 5. The 2015 DGJBID Operating Plan & Budget was approved by Council at their regular meeting on November 19, 2014. The City has historically provided \$13,466 annually in support of the DGJBID.

**Legal issues:**

The Downtown Grand Junction Business Improvement District was proposed pursuant to the procedures detailed in the Business Improvement District Act (CRS 31-25-Part 12) and enacted by City Council through the passage of Ordinance No. 3815. The DGJBID became effective January 1, 2006, and will expire January 1, 2016, unless extended. The legal authority to extend the DGJBID rests solely with City Council. Extension can be enacted at any time before the expiration date.

**Other issues:**

The DGJBID is funded in part by a special assessment authorized by the DGJBID Electors at the inception of the DGJBID. This funding mechanism remains in force as long as the DGJBID exists including any extension period and does not require reauthorization. Any change in or replacement of the existing funding mechanism would require a new election by the DGJBID Electors authorizing same. No change in funding is proposed at this time.

The Downtown Development Authority Board of Directors serves as the DGJBID Board of Directors. Service on either Board may entail potential conflicts of interest for Directors, and occasionally conflicts between the missions and purposes of the two organizations. Some DGJBID constituents have expressed a preference for the establishment of a separate DGJBID Board of Directors. Statutory alternatives for the constitution of the DGJBID Board of Directors were reviewed by City Council with consensus reached to maintain the status quo.

**Previously presented or discussed:**

The extension of the DGJBID was discussed at three previous meetings of the City Council in joint session with the DGJBID Board of Directors.

**Attachments:**

Draft Ordinance Amending Ordinance No. 3815 to Extend the Downtown Grand Junction Business Improvement District for 20 Years

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

**AN ORDINANCE AMENDING ORDINANCE NO. 3815 TO EXTEND THE  
DOWNTOWN GRAND JUNCTION BUSINESS IMPROVEMENT DISTRICT  
FOR 20 YEARS**

Recitals:

On August 17, 2005 the City Council of the City of Grand Junction approved Ordinance No. 3815 an ordinance forming and creating the Downtown Grand Junction Business Improvement District. The City Council determined that the requirements of the Business Improvement District Act, Part 12 of Article 25 of Title 31, of the Colorado Revised Statutes had been met and formed the District for a period of 10 years.

Since the formation of the District it has provided resources to promote business activity in the area by improving the economic vitality and overall commercial appeal of the Downtown area. The District has operated in conformance with the Act and nothing has occurred to change or invalidate the premises of the approval of the District.

Ordinance No. 3815 established the District for an initial term of 10 years; prior to and in anticipation of the expiration of that term the City Council has determined, decided and agreed to extend the District for a term of 20 years from the effective date of this ordinance or until subsequently extended.

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

That the District shall operate in conformity with the 2015 operating plan and budget ("Plan") and any subsequent plans and budgets for a renewed term of 20 years from the effective date of this ordinance or until again extended. The 2015 Plan has been filed with the City Clerk and approved by the City Council.

The District is found to be lawful and necessary and for the extended term shall include the area described and set forth in Ordinance No. 3815 or the area as it may be lawfully amended.

To the extent necessary or required the terms of Ordinance No. 3815, except as may be in conflict herewith, is incorporated by this reference as if fully set forth. Specifically this ordinance shall amend Section 6 thereof to provide a 20 year term as provided herein.

This ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter. Within sixty days of the twentieth anniversary of the adoption of this ordinance the City Council shall consider the effectiveness of the District at achieving its planned purposes. Without further action by the City Council, the terms and provisions of this ordinance shall expire on the twentieth anniversary of the effective date hereof.

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_ 2014 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014 and ordered published in pamphlet form.

\_\_\_\_\_  
Phyllis Norris  
President of the City Council

ATTEST:

\_\_\_\_\_  
Stephanie Tuin  
City Clerk

Attach 6

## CITY COUNCIL AGENDA ITEM

**Subject:** Power Transfer Switches at Persigo Wastewater Treatment Plant

**Action Requested/Recommendation:** Authorize the Purchasing Division to Enter into a Contract with C.A.M. Electric, Inc. to Provide and Install Power Auto Transfer Switches for Backup Generators at Persigo WWTP, in the Amount of \$69,160

**Presenter(s) Name & Title:** Greg Lanning, Public Works and Utilities Director  
Jay Valentine, Internal Services Manager

### Executive Summary:

Backup power to the Head Works and Raw Sewage pump station is currently provided by two generators. In the event of a power outage the generators are manually switched to power these facilities. This purchase will allow automatic switching and transfer of backup power.

### Background, Analysis and Options:

The head works and raw sewage pump stations are located at the beginning of the water treatment process at the sewage treatment plant. Once pumped at these locations, water can generally flow by gravity through the remainder of the plant. In the event of a power outage, these critical pumps cannot operate and the process throughout the plant is affected. Permanent generators have been installed at these locations to maintain operations in the event of a power outage. Currently, these generators would be switched manually by crews at the plant in the event of a power outage and would be disengaged manually once power has been restored.

Automatic switches allow for a safer, more instantaneous operation of the pumping equipment. In the event of an outage, automatic switching reduces lost time during start up and therefore less interruption to the water treatment process.

As power is restored after an outage, automatic switch gear disengages the power from the generators preventing the possibility of allowing generated electricity back into the plant or on to the local power distribution grid.

The switch gear is the last of the equipment necessary to complete a project contemplated several years ago as generators became available from other Persigo sites to install permanent generators at these two facilities. The generators have now been installed by plant staff and will be complete with the switch gear and electric panels.

A formal Invitation for Bids was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City’s Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in The Daily Sentinel. One company submitted a formal bid, which was found to be responsive and responsible in the following amount:

<b>Firm</b>	<b>Location</b>	<b>Amount</b>
C.A.M. Electric	Montrose, CO	\$69,160

**How this item relates to the Comprehensive Plan Goals and Policies:**

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

This process equipment replacement will guard against failure and ensure longevity for the wastewater treatment system.

**How this item relates to the Economic Development Plan:**

**Section 1.4 - Providing Infrastructure that Enables and Supports Private Investment.**

Goal: Continue to make investments in capital projects that support commerce and industry and provide for long-term economic competitiveness.

Public infrastructure is the foundation for economic development. Access to roads, water, sewer, communication technologies, and electricity are all essential to the economy.

Purchase and installation of this new switch gear will aid in the safe and reliable treatment of wastewater.

**Board or Committee Recommendation:**

There is no board or committee recommendation regarding this project.

**Financial Impact/Budget:**

This project was anticipated in the 2014 financial plan as one of several projects in the fund for Plant Backbone Improvements. There are adequate budgeted funds in Wastewater Fund 902 for purchase of this equipment.

**Project Costs (Equipment and installation)**

*Equipment Purchase and installation*

**\$69,160**

**Legal issues:**

There are no known legal issues with the procurement; following approval a standard purchase order for the equipment will be executed.

**Other issues:**

There are no other issues associated with this project.

**Previously presented or discussed:**

This has not been previously discussed with City Council.

**Attachments:**

None.



Date: November 20, 2014  
Author: Brian Rusche  
Title/ Phone Ext: Senior  
Planner/4058  
Proposed Schedule: December  
3, 2014  
File #: RVP-2014-378

Attach 7

## **CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Revocable Permit for RRB Holdings, Inc., to Display Vehicles within the F ½ Road Right-of-Way, Adjacent to 651 Market Street
<b>Action Requested/Recommendation:</b> Adopt Proposed Resolution
<b>Presenters Name &amp; Title:</b> Brian Rusche, Senior Planner

### **Executive Summary:**

RRB Holdings, Inc. is requesting a Revocable Permit to display vehicles within a portion of the F ½ Road right-of-way, in connection with its proposed use of the adjacent property at 651 Market Street as a car dealership.

### **Background, Analysis and Options:**

Revocable Permits are needed to ensure that appropriate private development on public land is safely conducted in a manner that does not pose potential burdens on the public and documents to the public, applicant and future owners that the City may remove the private improvements, if necessary at any time.

The applicant requesting the revocable permit to display vehicles within an unused portion of the F ½ Road right-of-way (ROW) in conjunction with improving 7.48 acres at 651 Market Street to construct two car dealership facilities: Grand Junction Subaru and a new franchise to be announced. The new franchise will create approximately 30 new jobs at an average annual salary of \$55,000 per position. The dealer campus will produce no less than \$225,000,000 in retail sales through the year 2018.

Based on the current capital plans for the City, it is not expected that the portion of the F ½ Road ROW subject to the proposed permit will be developed as a street for at least ten years, or possibly longer. Until such time as the right-of-way is developed and the permit revoked by the City, the applicant's proposed use of the area is acceptable and will not interfere with traffic using F ½ Road.

All adjacent properties are zoned for commercial uses. The proposed vehicle display area is compatible and will be integrated into the proposed dealership campus.

### **How this item relates to the Comprehensive Plan Goals and Policies:**

Granting the Revocable Permit allows the applicant to utilize a portion of the right-of-way for their business offerings to the public, supports development within a Village Center and meets the following goals from the Comprehensive Plan:

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

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

**Economic Development Plan:**

The purpose of the recently adopted Economic Development Plan is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed Revocable Permit meets with the goal and intent of the Economic Development Plan by supporting the relocation of an existing business and its associated expansion.

**Board or Committee Recommendation:**

There is no board or committee review required.

**Financial Impact/Budget:**

No direct financial impact on the budget for this item.

**Legal issues:**

City Legal Staff has reviewed the requested Revocable Permit application.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This has not been previously discussed.

**Attachments:**

1. Staff report/Background information
2. Site Location
3. Aerial Photo
4. Comprehensive Plan Future Land Use Map
5. Zoning Map
6. Proposed Site Plan
7. Proposed Permit Area
8. Resolution
9. Revocable Permit
10. Agreement

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		Adjacent to 651 Market Street			
<b>Applicant:</b>		Ron Bubar, for RRB Holdings, Inc.			
<b>Existing Land Use:</b>		Right-of-Way			
<b>Proposed Land Use:</b>		Vehicle Display area			
<b>Surrounding Land Use:</b>	<b>North</b>	Commercial (Value Place Hotel)			
	<b>South</b>	Commercial (Regal Theater)			
	<b>East</b>	Commercial (Candlewood Suites)			
	<b>West</b>	Vacant land			
<b>Existing Zoning:</b>		MU (Mixed Use)			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	MU (Mixed Use)			
	<b>South</b>	C-1 (Light Commercial)			
	<b>East</b>	MU (Mixed Use)			
	<b>West</b>	MU (Mixed Use)			
<b>Future Land Use Designation:</b>		Village Center			
<b>Zoning within density/intensity range?</b>		X	<b>Yes</b>		<b>No</b>

**Section 21.02.180 of the Grand Junction Zoning and Development Code:**

Requests for a revocable permit must demonstrate compliance with all of the following criteria:

- a. There will be benefits derived by the community or area by granting the proposed revocable permit.

The applicant requesting the revocable permit to display vehicles in conjunction with improving 7.48 acres at 651 Market Street to construct two car dealership facilities: Grand Junction Subaru and a new franchise to be announced. The new franchise will create approximately 30 new jobs at an average annual salary of \$55,000 per position. The dealer campus will produce no less than \$225,000,000 in retail sales through the year 2018.

This criterion has been met.

- b. There is a community need for the private development use proposed for the City property.

The applicant requesting the revocable permit to display vehicles in conjunction with improving 7.48 acres at 651 Market Street to construct two car dealership facilities: Grand Junction Subaru and a new franchise to be

announced. The new franchise will create approximately 30 new jobs at an average annual salary of \$55,000 per position. The dealer campus will produce no less than \$225,000,000 in retail sales through the year 2018.

This criterion has been met.

- c. The City property is suitable for the proposed uses and no other uses or conflicting uses are anticipated for the property.

Based on the current capital plans for the City, it is not expected that the portion of the F ½ Road ROW subject to the proposed permit will be developed as a street for at least ten years, or possibly longer. Until such time as the right-of-way is developed and the permit revoked by the City, the applicant's proposed use of the area is acceptable and will not interfere with traffic using F ½ Road.

This criterion has been met.

- d. The proposed use shall be compatible with the adjacent land uses.

All adjacent properties are zoned for commercial uses. The proposed vehicle display area is compatible and will be integrated into the proposed dealership campus.

This criterion has been met.

- e. The proposed use shall not negatively impact access, traffic circulation, neighborhood stability or character, sensitive areas such as floodplains or natural hazard areas.

Based on the current capital plans for the City, it is not expected that the portion of the F ½ Road ROW subject to the proposed permit will be developed as a street for at least ten years, or possibly longer. Until such time as the right-of-way is developed and the permit revoked by the City, the applicant's proposed use of the area is acceptable and will not interfere with traffic using F ½ Road.

This criterion has been met.

- f. The proposed use is in conformance with and in furtherance of the implementation of the goals, objectives and policies of the Comprehensive Plan, other adopted plans and the policies, intents and requirements of this Code and other City policies.

The proposal conforms to all standards, codes and regulations. See previous section regarding Comprehensive Plan and Economic Development Plan compliance.

This criterion has been met.

- g. The application complies with the submittal requirements as set forth in the Section 127 of the City Charter, this Chapter Two of the Zoning and Development Code and the SSID Manual.

The application complies with all submittal requirements for a Revocable Permit.

This criterion has been met.

## **FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS**

After reviewing the application, RVP-2014-378 for the issuance of a Revocable Permit for vehicle display in a portion of F ½ Road right-of-way, City Staff makes the following findings of fact, conclusions and conditions of approval:

1. The review criteria in Section 21.02.180 of the Grand Junction Municipal Code have all been met.
2. Obtain all applicable Planning Clearance's from City Planning and Building Permits from the Mesa County Building Department.

## **STAFF RECOMMENDATION:**

City Staff recommends that the City Council approve the requested Revocable Permit, RVP-2014-378 with the findings of fact, conclusions and conditions of approval.

Site Location



0 0.075 0.15  
Miles

Printed: 11/20/2014

1 inch = 313 feet



Aerial Photo

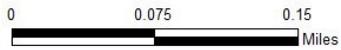


Printed: 11/20/2014

1 inch = 313 feet



# Comprehensive Plan - Future Land Use



Printed: 11/20/2014

1 inch = 313 feet



# Existing Zoning

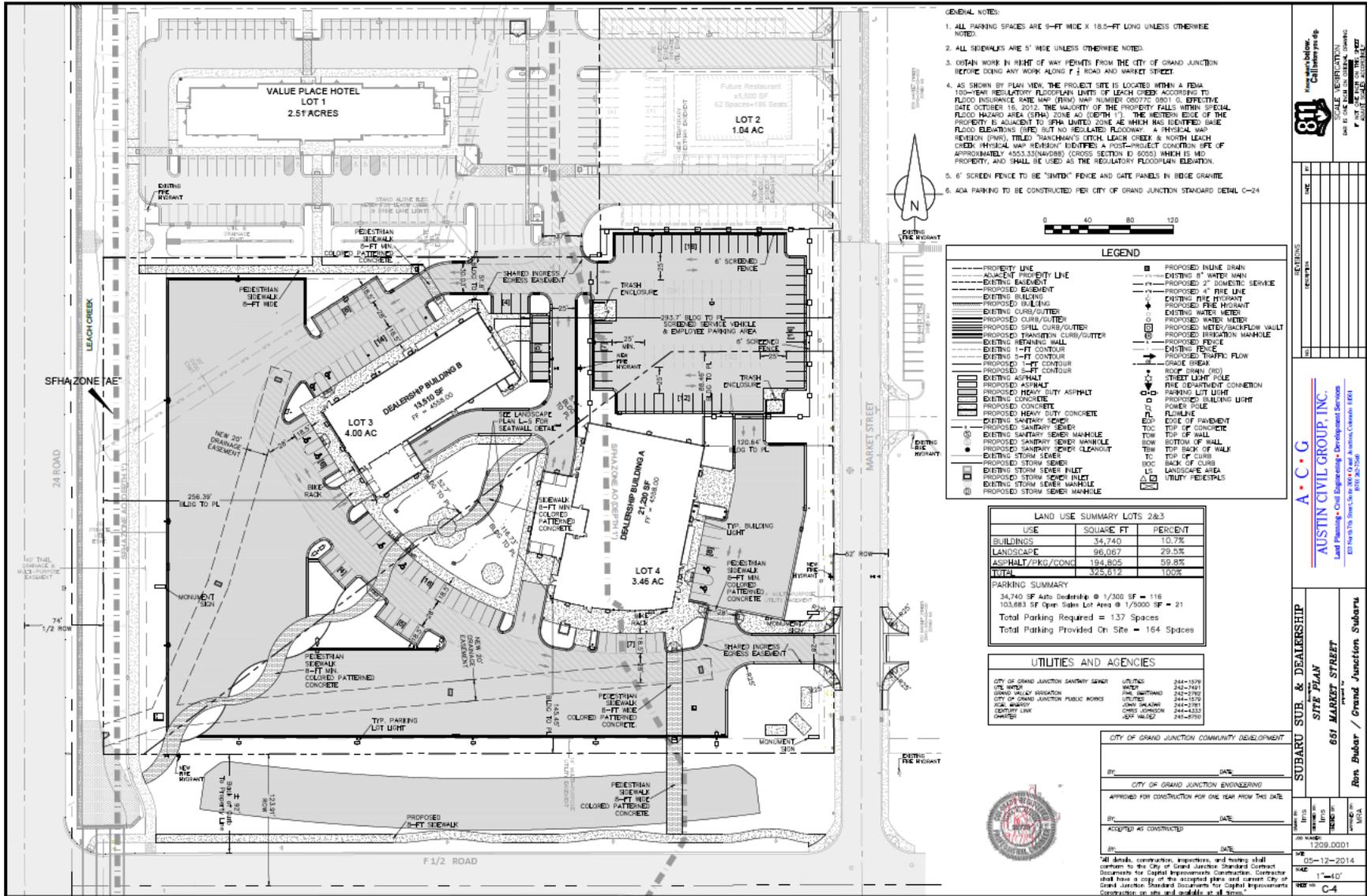


Printed: 11/20/2014

1 inch = 313 feet



# PROPOSED SITE PLAN



- GENERAL NOTES:
1. ALL PARKING SPACES ARE 9'-FT WIDE X 18.5'-FT LONG UNLESS OTHERWISE NOTED.
  2. ALL SIDEWALKS ARE 5' WIDE UNLESS OTHERWISE NOTED.
  3. DETAIL WORK IN RIGHT OF WAY PERMITS FROM THE CITY OF GRAND JUNCTION BEFORE DOING ANY WORK ALONG F & ROAD AND MARKET STREET.
  4. AS SHOWN BY PLAN VIEW, THE PROJECT SITE IS LOCATED WITHIN A FEMA 100-YEAR REGULATORY FLOODPLAIN LIMITS OF LEACH CREEK. ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 08077C 0501 G, EFFECTIVE DATE OCTOBER 18, 2012, THE MAJORITY OF THE PROPERTY FALLS WITHIN SPECIAL FLOOD HAZARD AREA (SFHA) ZONE AO (DEPTH 1'). THE WESTERN EDGE OF THE PROPERTY IS ADJACENT TO SFHA LIMITED ZONE AE WHICH HAS IDENTIFIED BASE FLOOD ELEVATIONS (BFE) BUT NO REGULATED FLOODWAY. A PHYSICAL MAP REVISION (PWRD), TITLED "BRANCHMAN'S CREEK, LEACH CREEK & NORTH LEACH CREEK: PHYSICAL MAP REVISION" IDENTIFIES A POST-FLOODWAY CONTROL LIFE OF APPROXIMATELY 4553.33(NAVIG8B) (CROSS SECTION ID 8055) WHICH IS MID PROPERTY, AND SHALL BE USED AS THE REGULATORY FLOODPLAIN ELEVATION.
  5. 6' SCREEN FENCE TO BE "SINTERED" FENCE AND GATE PANELS IN BIDDIE GRANITE.
  6. ADA PARKING TO BE CONSTRUCTED PER CITY OF GRAND JUNCTION STANDARD DETAIL C-24

**LEGEND**

---	PROPERTY LINE	---	PROPOSED INLINE DRAIN
---	ADJACENT PROPERTY LINE	---	EXISTING 8" WATER MAIN
---	EXISTING EASEMENT	---	PROPOSED 2" DOMESTIC SERVICE
---	PROPOSED EASEMENT	---	PROPOSED 4" FIRE LINE
---	EXISTING BUILDING	---	EXISTING FIRE HYDRANT
---	PROPOSED BUILDING	---	PROPOSED FIRE HYDRANT
---	EXISTING CURB/GUTTER	---	EXISTING WATER METER
---	PROPOSED CURB/GUTTER	---	PROPOSED WATER METER
---	PROPOSED TRANSITION CURB/GUTTER	---	PROPOSED METER/BACKFLOW VALVE
---	EXISTING RETAINING WALL	---	PROPOSED IRRIGATION MANHOLE
---	EXISTING 1'-FT CONTOUR	---	PROPOSED FENCE
---	PROPOSED 1'-FT CONTOUR	---	PROPOSED TRAFFIC FLOW
---	EXISTING 1'-FT CONTOUR	---	GRADE BREAK
---	PROPOSED 1'-FT CONTOUR	---	ROOF DRAIN (RD)
---	EXISTING ASPHALT	---	STREET LIGHT POLE
---	PROPOSED ASPHALT	---	FIVE DEPARTMENT CONNECTION
---	EXISTING CONCRETE	---	PARKING LIGHT
---	PROPOSED CONCRETE	---	PROPOSED BILLBOARD LIGHT
---	PROPOSED HEAVY DUTY ASPHALT	---	POWER POLE
---	PROPOSED HEAVY DUTY CONCRETE	---	FLOWLINE
---	EXISTING SANITARY SEWER	---	EDGE OF PAVEMENT
---	PROPOSED SANITARY SEWER	---	TOP OF CONCRETE
---	EXISTING SANITARY SEWER MANHOLE	---	TOP OF WALL
---	PROPOSED SANITARY SEWER MANHOLE	---	BOTTOM OF WALL
---	EXISTING SANITARY SEWER MANHOLE	---	TOP BACK OF WALK
---	PROPOSED SANITARY SEWER CLEANOUT	---	TOP OF CURB
---	EXISTING STORM SEWER	---	BACK OF CURB
---	PROPOSED STORM SEWER	---	LANDSCAPE AREA
---	EXISTING STORM SEWER INLET	---	UTILITY PERMITS
---	PROPOSED STORM SEWER INLET	---	
---	EXISTING STORM SEWER MANHOLE	---	
---	PROPOSED STORM SEWER MANHOLE	---	

**LAND USE SUMMARY LOTS 2&3**

USE	SQUARE FT	PERCENT
BUILDINGS	34,740	10.7%
LANDSCAPE	96,067	29.5%
ASPHALT/PKG/CONC	194,805	59.8%
<b>TOTAL</b>	<b>325,612</b>	<b>100%</b>

**PARKING SUMMARY**

34,740 SF Auto Dealership @ 1/300 SF = 116  
 103,883 SF Open Sales Lot Area @ 1/5000 SF = 21  
 Total Parking Required = 137 Spaces  
 Total Parking Provided On Site = 164 Spaces

**UTILITIES AND AGENCIES**

CITY OF GRAND JUNCTION SANITARY SEWER	UTL723	244-1579
UTL 724	244-1441	
UTL 725	242-7762	
CITY OF GRAND JUNCTION PUBLIC WORKS	UTL726	242-7762
UTL 727	244-7762	
UTL 728	244-7762	
UTL 729	244-7762	
UTL 730	244-7762	
UTL 731	244-7762	
UTL 732	244-7762	
UTL 733	244-7762	
UTL 734	244-7762	
UTL 735	244-7762	
UTL 736	244-7762	
UTL 737	244-7762	
UTL 738	244-7762	
UTL 739	244-7762	
UTL 740	244-7762	
UTL 741	244-7762	
UTL 742	244-7762	
UTL 743	244-7762	
UTL 744	244-7762	
UTL 745	244-7762	
UTL 746	244-7762	
UTL 747	244-7762	
UTL 748	244-7762	
UTL 749	244-7762	
UTL 750	244-7762	

**CITY OF GRAND JUNCTION COMMUNITY DEVELOPMENT**

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**CITY OF GRAND JUNCTION ENGINEERING**

APPROVED FOR CONSTRUCTION FOR ONE YEAR FROM THIS DATE

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

ACCEPTED AS CONSTRUCTED

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

1209.0001

05-12-2014

1"=10'

C-4

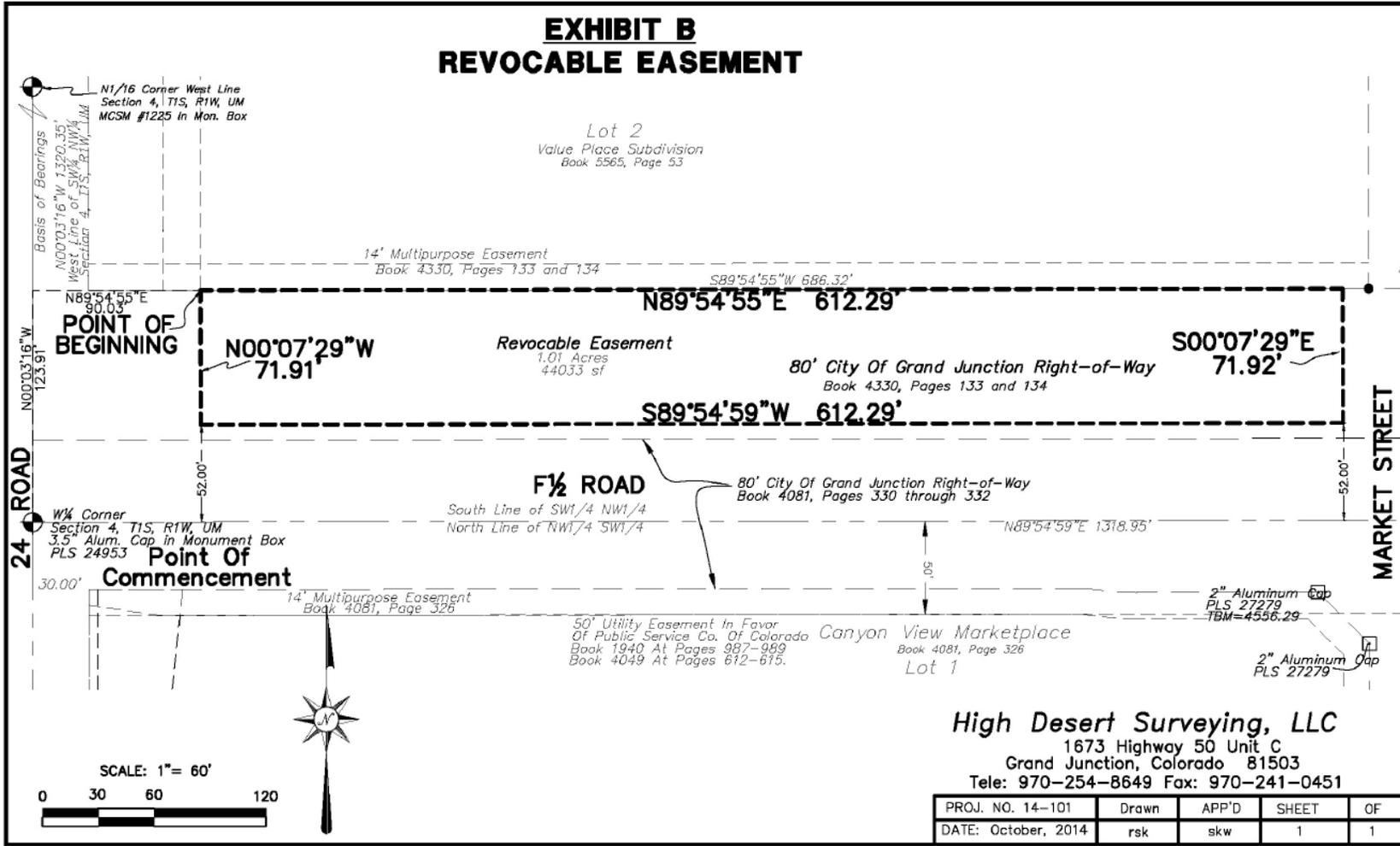
**811** SCALE: VERTICAL ONLY  
 CALL BEFORE YOU DIG  
 DATE: 10/15/2014 10:00 AM  
 PROJECT: 14-0001-001  
 SHEET: 1 OF 2

**AUSTIN CIVIL GROUP, INC.**  
 Land Planning • Civil Engineering • Development Services  
 601 North 7th Street, Suite 200 • Fort Collins, Colorado • 9871  
 970-220-7500

**SUBARU SUB. & DEALERSHIP**  
**SITE PLAN**  
 651 MARKET STREET  
 Ron Bubar / Grand Junction, Subaru

**PROPOSED REVOCABLE PERMIT AREA**

**EXHIBIT B  
REVOCABLE EASEMENT**



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

PROJ. NO. 14-101	Drawn	APP'D	SHEET	OF
DATE: October, 2014	rsk	skw	1	1

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CONCERNING  
THE ISSUANCE OF A REVOCABLE PERMIT TO  
RRB HOLDINGS, INC.  
ADJACENT TO PROPERTY LOCATED AT 651 MARKET STREET**

**Recitals.**

A. Ron Bubar, on behalf of RRB Holdings, Inc., hereinafter referred to as the Petitioner, represents that he intends to purchase or otherwise acquire the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lot 2 of Value Place Subdivision, as recorded in Book 5565, Page 53 of Mesa County Records.

Referred to herein as the Adjacent Property.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to, in connection with its proposed use of the Adjacent Property as a car dealership, display vehicles within the following described part of the public right-of-way:

A revocable license to use the following described portion of real property located in the West Half of the Northwest Quarter (W½ NW¼), Section 4, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado:

COMMENCING at the West Quarter corner (W1/4 corner) of Section 4, Township 1 South, Range 1 West of the Ute Meridian, in the City of Grand Junction, Mesa County, Colorado whence the North sixteenth (N1/16<sup>th</sup>) corner on the West line of said Section 4 bears North 00°03'16" West, a distance of 1320.35 feet, for a basis of bearings with all bearings contained herein relative thereto; thence North 00°03'16" West, a distance of 123.91 feet, along the West line of said Section 4 to the North right-of-way line of F1/2 Road, as described in Book 4330, Page 133, Mesa County records; thence along said North right-of-way line North 89°54'55" East, a distance of 90.03 feet to the POINT OF BEGINNING; thence North 89°54'55" East, a distance of 612.29 feet, continuing along the North line of said right-of-way; thence South 00°07'29" East, a distance of 71.92 feet; thence South 89°54'59" West, a distance of 612.29 feet; thence North 00°07'29" West, a distance of 71.91 feet to the POINT OF BEGINNING.

Said area having 1.011 Acres.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2014-378 in the office of the City's Community Development Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

1. That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purpose aforescribed and within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

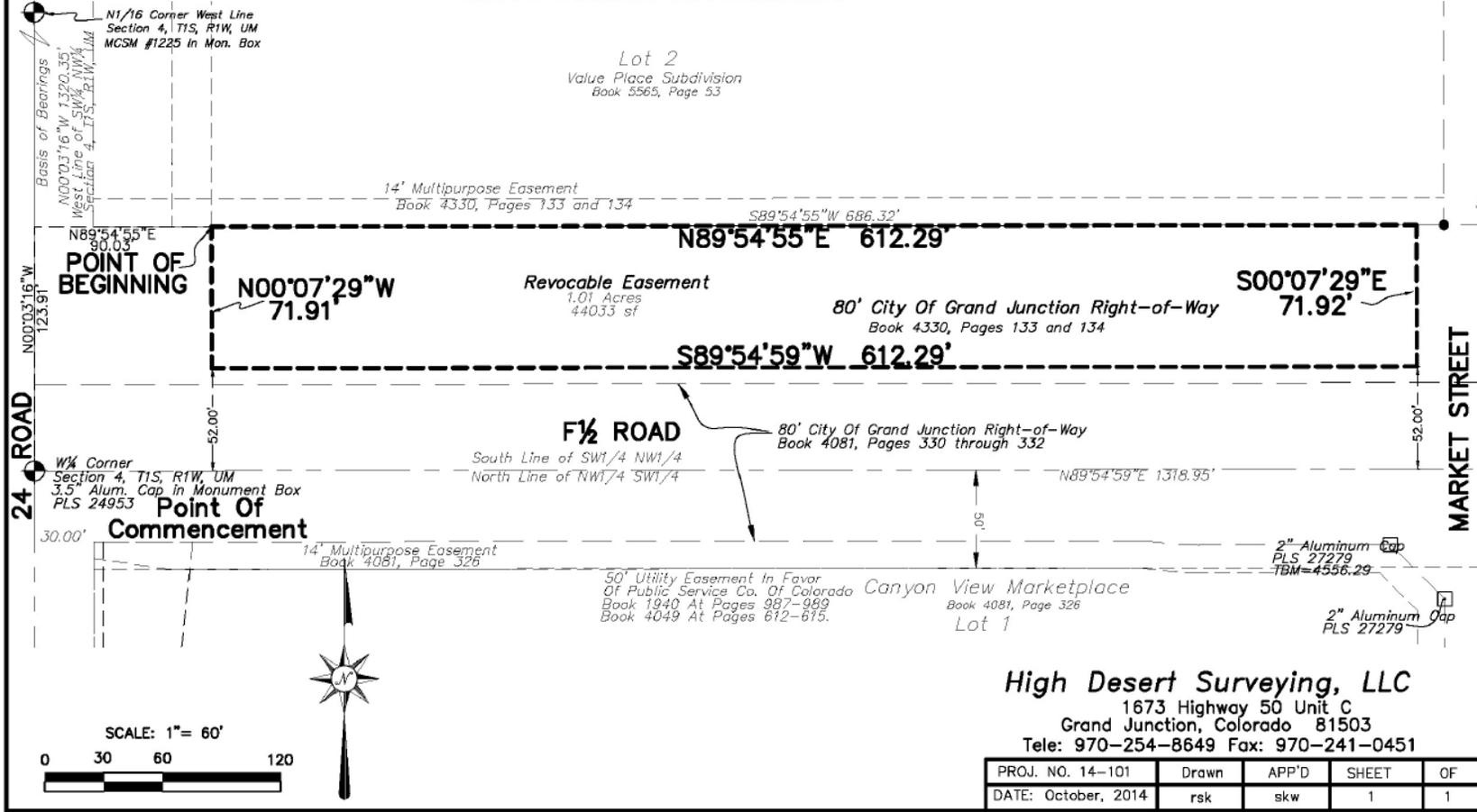
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Attest:

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

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

## EXHIBIT B REVOCABLE EASEMENT



## REVOCABLE PERMIT

### Recitals.

A. Ron Bubar, on behalf of RRB Holdings, Inc., hereinafter referred to as the Petitioner, represents that he intends to purchase or otherwise acquire the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lot 2 of Value Place Subdivision, as recorded in Book 5565, Page 53 of Mesa County Records.

Referred to herein as the Adjacent Property.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to, in connection with its proposed use of the Adjacent Property as a car dealership, display vehicles within the following described part of the public right-of-way:

A revocable license to use the following described portion of real property located in the West Half of the Northwest Quarter (W $\frac{1}{2}$  NW $\frac{1}{4}$ ), Section 4, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado:

COMMENCING at the West Quarter corner (W $\frac{1}{4}$  corner) of Section 4, Township 1 South, Range 1 West of the Ute Meridian, in the City of Grand Junction, Mesa County, Colorado whence the North sixteenth (N $\frac{1}{16}$ <sup>th</sup>) corner on the West line of said Section 4 bears North 00°03'16" West, a distance of 1320.35 feet, for a basis of bearings with all bearings contained herein relative thereto; thence North 00°03'16" West, a distance of 123.91 feet, along the West line of said Section 4 to the North right-of-way line of F1/2 Road, as described in Book 4330, Page 133, Mesa County records; thence along said North right-of-way line North 89°54'55" East, a distance of 90.03 feet to the POINT OF BEGINNING; thence North 89°54'55" East, a distance of 612.29 feet, continuing along the North line of said right-of-way; thence South 00°07'29" East, a distance of 71.92 feet; thence South 89°54'59" West, a distance of 612.29 feet; thence North 00°07'29" West, a distance of 71.91 feet to the POINT OF BEGINNING.

Said area having 1.011 Acres.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2014-378 in the office of the City's Community Development Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purpose aforescribed and within the limits of the public right-of-way aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. This Petitioner shall acquire the Adjacent Property and establish thereon the car dealership described in and approved under File No. SPN-2014-377 and shall improve and maintain the Adjacent Property and the area subject to this Permit in accordance with the plans reviewed and approved by the Community Development Division under File No. SPN-2014-377.

2. The Petitioner's use and occupancy of the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.

3. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any reason in its sole discretion.

4. The Petitioner, for itself and for its successors, assigns and for all persons claiming through the Petitioner, agrees that it shall defend all efforts and claims to hold, or attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said public right-of-way or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.

5. The Petitioner agrees that it shall at all times keep the above described public right-of-way in good condition and repair.

6. This Revocable Permit shall be issued only upon the concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioner shall, at the sole cost and expense of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said public right-of-way and, at its own expense, remove any encroachment so as to make the aforescribed public right-of-way available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.

7. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

8. Permittee shall obtain all applicable Planning Clearances from the City Community Development Division and any other clearances or permits, including a Work in the Right-of-Way permit, prior to construction of improvements within the ROW.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

The City of Grand Junction,  
a Colorado home rule municipality

Attest:

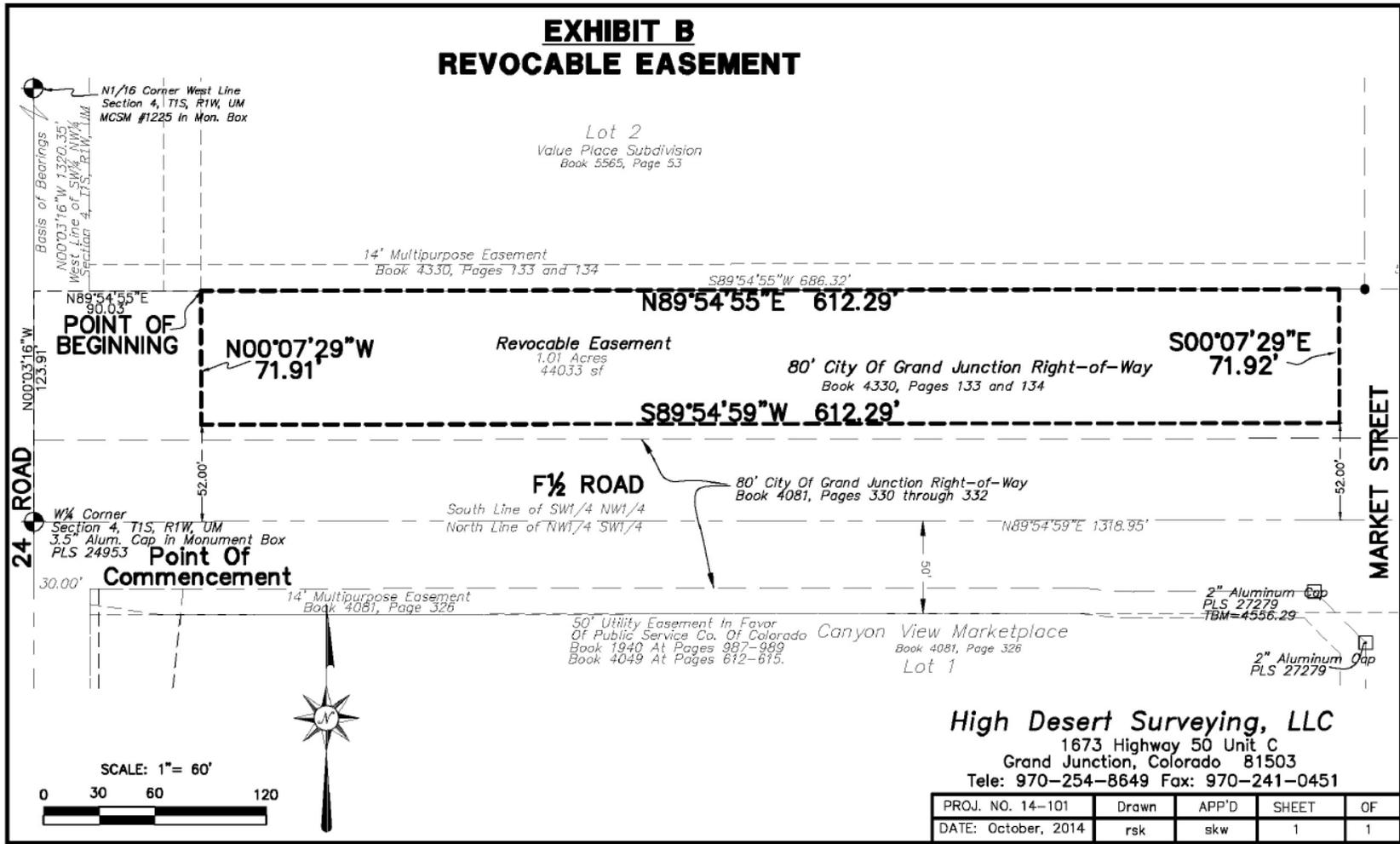
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Manager

Acceptance by the Petitioner:

\_\_\_\_\_  
Ron Bubar for RRB Holdings, Inc.

## EXHIBIT B REVOCABLE EASEMENT



**AGREEMENT**

RRB Holdings, Inc. for itself and for its successors and assigns, does hereby agree to:

(a) Abide by each and every term and condition contained in the foregoing Revocable Permit;

(b) Indemnify and hold harmless the City of Grand Junction, its officers, employees and agents with respect to all claims and causes of action, as provided for in the approving Resolution and Revocable Permit;

(c) Within thirty (30) days of revocation of said Permit by the City Council, peaceably surrender said public right-of-way to the City of Grand Junction;

(d) At the sole cost and expense of the Petitioner, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

RRB Holdings, Inc.

By: \_\_\_\_\_  
Ron Bubar

State of Colorado )

)ss.

County of Mesa )

The foregoing Agreement was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2014, by Ron Bubar, for RRB Holdings, Inc.

My Commission expires: \_\_\_\_\_

Witness my hand and official seal.

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



Date: December 2, 2014  
 Author: John Shaver  
 Title/ Phone Ext: City Attorney,  
X1508  
 Proposed Schedule: December 3,  
2014  
 2nd Reading (if applicable): \_\_  
 \_\_\_\_\_ File # (if applicable):  
 \_\_\_\_\_

**Attach 8**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> 2016 Persigo Sewer System Policy Development and Budget
<b>Action Requested/Recommendation:</b> Adopt Joint Resolution
<b>Presenter(s) Name &amp; Title:</b> John Shaver, City Attorney

**Executive Summary:**

In order for the City Council and the Mesa County Board of Commissioners to most efficiently and effectively consider and decide policy matters regarding the Persigo Waste Water Treatment Facility and adopt a joint annual operating budget, the proposed resolution states the expectations for 2015 meetings/2016 budget development.

**Background, Analysis and Options:**

On October 13, 1998 the City of Grand Junction (“City”) and Mesa County (“County”) entered into an Intergovernmental Agreement relating to City Growth and Joint Policy Making for the Persigo Sewer System (“Agreement.”) Among other things the Agreement provides for: the City Council and the Board of County Commissioners jointly establishing and providing policy direction relating to the sewer system; and, that no policy, as defined in the Agreement and shown below, shall be effective until formally adopted by both the Council and the Board of County Commissioners. The Agreement also establishes that policy guidance and decisions shall be provided by the Commission and the Council at joint meetings, which shall occur at least annually. At least one meeting is to be held before July of each year so that any policy decisions may be implemented by the City in the proposed budget for the subsequent year and in any event before September 1 so that the City can inform Orchard Mesa Sanitation District of the proposed rates by that date.

**How this item relates to the Comprehensive Plan Goals and Policies:**

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

The Persigo Waste Water Treatment Facility provides sanitary sewer services to the valley.

**How this item relates to the Economic Development Plan:**

#### **1.4 Providing Infrastructure that Enables and Supports Private Investment**

Public infrastructure is the foundation for economic development. Access to roads, water, sewer, communication technologies, and electricity are all essential to the economy. Investment in both the infrastructure (i.e., the purchase of physical plant and equipment) and the operation and maintenance (e.g., labor, supplies) of these structures can expand the productive capacity of an economy, by both increasing resources and enhancing the productivity of existing resources.

Sanitary Sewer Services is a vital piece of infrastructure to be provided.

**Board or Committee Recommendation:**

There is no board or committee recommendation.

**Financial Impact/Budget:**

There is no financial impact.

**Legal issues:**

The resolution calls for joint action and absent approval by a majority of the City Council or the County Commission it is not approved. Approval may lawfully occur at separate meetings of each body.

**Other issues:**

The Board of County Commissioners will be considering the adoption of this resolution at their December 8 meeting.

**Previously presented or discussed:**

This was presented to City Council at the December 1, 2014 workshop.

**Attachments:**

Proposed Resolution

**JOINT RESOLUTION CONCERNING  
2016 PERSIGO SEWER SYSTEM POLICY DEVELOPMENT AND BUDGET**

**City of Grand Junction Resolution No. \_\_-14    Mesa County Resolution No. MCM 2014-\_\_**

RECITALS:

On October 13, 1998 the City of Grand Junction ("City") and Mesa County ("County") entered into an Intergovernmental Agreement relating to City Growth and Joint Policy Making for the Persigo Sewer System ("Agreement.") Among other things the Agreement provides for:

The City Council and the Board of County Commissioners jointly establishing and providing policy direction relating to the sewer system; and, that no policy, as defined in the Agreement and shown below, shall be effective until formally adopted by both the Council and the Board of County Commissioners.

The Agreement also establishes that policy guidance and decisions shall be provided by the Commission and the Council at joint meetings, which shall occur at least annually. At least one meeting is to be held before July of each year so that any policy decisions may be implemented by the City in the proposed budget for the subsequent year and in any event before September 1 so that the City can inform Orchard Mesa Sanitation District of the proposed rates by that date.

Based on the direction provided in the Agreement and the 2015 budget process (and similar budget processes for the prior years' - that being separate review and approval by the City Council and the Board of Commissioners after an initial presentation at the annual meeting and detailed presentations to each body prior to approval) the Council and the Commission have determined to set a schedule and a process for the 2016 Policy discussion meetings.

According to the Agreement Policy means:

- (a) Setting goals and objectives;*
- (b) Reviewing and adopting capital improvement plans and annual operating budgets;*
- (c) Reviewing and setting System rates and fees;*
- (d) Entering into bond issues and other financing arrangements, adopting or amending Sewer Rules and Regulations;*
- (e) Adopting policies and philosophies which govern rate and capital reviews and studies;*
- (f) Acting jointly regarding any changes to the 201. The parties recognize that their joint decision and recommendation regarding the 201 boundary may be subject to the approval of others pursuant to the Federal Clean Water Act and implementing regulations; and*

*(g) Approving and entering into new sewer service contracts or amending existing sewer service contracts with special districts, municipalities, or other sewer service providers.*

In order for the Council and the Commission to most efficiently and effectively consider and decide Policy matters and adopt a joint annual operating budget, the following shall be the expectations for 2015 meetings/2016 budget development:

(1) the City Council shall convene duly noticed joint Persigo Policy discussion meetings on or before June 19 and on or before August 14, 2015. The time, location and dates of the meetings shall be determined by the County and City Managers and set as mutually acceptable with a majority of the members of both Boards. Public notice of the meeting(s) shall be provided by each Board in a manner customary to the City Council and the County Commission and as provided by law; and,

(2) any other meeting may be called by a majority of the Council and a majority of the Commission communicating through the City and County Managers, who shall find a mutually acceptable date and time to secure the attendance of a majority of both bodies; and,

3) the City as manager of the sewer system shall provide the meeting materials to the County as soon as possible prior to the meeting(s) and in any event at least 7 business days before; and,

4) if scheduling problems arise and/or a majority of both Boards are unable to attend a meeting(s), then the Mayor and the Chair of the Commission shall propose an amendment to this resolution. Any amendment(s) hereto shall be considered and adopted in a manner customary to the City Council and the County Commission.

NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA, COLORADO AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO.

The City and County recognize as provided above and in the Agreement that they have joint Policy direction and decision making and concerning the Persigo sewer system and that for the 2015 meetings and 2016 budget that they shall discuss and decide Policy matters in accordance with this Resolution.

JOINT RESOLUTION CONCERNING 2016 PERSIGO SEWER SYSTEM POLICY DEVELOPMENT AND BUDGET - Page 3

Passed and adopted this \_\_\_\_\_ day of December 2014, by the City Council of the City of Grand Junction.

\_\_\_\_\_

Phyllis Norris

Mayor and President of the City Council

Attest:

\_\_\_\_\_

Stephanie Tuin

City Clerk

Passed and adopted this \_\_\_ day of December 2014

Mesa County Board of Commissioners

\_\_\_\_\_

John Justman

Chair of the Board

Attest:

\_\_\_\_\_

Mesa County Clerk



Date: November 4, 2014  
 Author: Senta Costello  
 Title/ Phone Ext: Senior Planner/x1442  
 \_\_\_\_\_  
 Proposed Schedule: 1<sup>st</sup> Reading  
November 19, 2014  
 2nd Reading (if applicable): December  
3, 2014  
 File # (if applicable): ZCA-2014-291

Attach 9  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Amendment to the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to add Section 21.04.030 Regarding Short-Term Rentals
<b>Action Requested/Recommendation:</b> Hold a Public Hearing and Consider Final Passage of the Proposed Ordinance and Order Final Publication in Pamphlet Form
<b>Presenter(s) Name &amp; Title:</b> Senta Costello, Senior Planner

**Executive Summary:**

The proposed ordinance amends the Zoning and Development Code, Title 21, of the Grand Junction Municipal Code (GJMC), to add a section regarding Short-Term Rentals, to establish development standards and procedures for Short-Term Rentals, and to amend the table in Section 21.04.010 (Use Table) to add a row for the principal use of “Short-Term Rentals”.

**Background, Analysis and Options:**

Traditionally, travelers have stayed in a hotel and/or motel. This has changed over the years to broaden the choices available when deciding where to stay while traveling. Additional options have included bed and breakfasts, resorts, time-shares and more recently short-term rentals. While most lodging options occur in commercial areas or large acreages, short-term rentals typically occur in more traditional residential neighborhoods. The Grand Junction community is also starting to see an interest in providing this additional lodging choice to travelers; however, currently the Zoning and Development Code does not have any reference to Short-Term Rentals. This Code amendment is proposed in order to provide the community the opportunity to offer the short-term rental lodging option to travelers, while protecting the integrity of the affected neighborhood.

Other communities across the country who allow short-term rentals were researched to determine what issues they had encountered and what standards and policies they had in place to mitigate any problems. Attached is a chart depicting the communities surveyed and associated standards for each.

The Town of Palisade adopted an ordinance to add Short Term Vacation Rentals to the Palisade Land Development Code November 11, 2014. The ordinance requires the following standards:

*3.3.14 Short Term Vacation Rentals*

*A short term vacation rental use is permitted subject to the following standards:*

- A. The short term vacation rental shall be subject to major site plan approval as per Section 7.7.10 of the Town of Palisade Land Development Code. The site plan shall demonstrate compliance with the standards as set forth.*
- B. No sign to identify the short term vacation rental is permitted on the property and no changes shall be made to the dwelling or site which would diminish or detract from the residential appearance in the neighborhood.*
- C. The maximum number of occupants shall not exceed two (2) persons per bedroom plus two (2) additional renters overall.*
- D. Parking shall be provided to accommodate one space per the dwelling unit plus one space for each occupied bedroom.*
- E. All vehicles shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.*
- F. The short term vacation rental shall be subject to the same safety and health inspections, licenses, registrations, fees and taxes to which other licensed businesses or places of accommodation are subject.*

The requirements for a short term vacation rental within the Town of Palisade are minimal as a request for this type of use requires approval from the Planning Commission. The City of Grand Junction ordinance proposes an administrative review and is more detailed by providing requirements for the permitting and renewal process to be used by staff in reviewing and making decisions on short-term rental applications.

Signage is also different between the Palisade ordinance and the ordinance proposed for the City of Grand Junction. Where the Palisade standards do not allow any signage, the City of Grand Junction proposed ordinance will allow for minimal signage similar to what is allowed for home occupations.

Another difference is in the area listed in item “F” above. Rather than stating that “all short term rentals are subject to the same inspections, licenses, registrations, fees and taxes to which other licensed businesses or places of accommodation are subject”, the Grand Junction proposed ordinance reads:

(ii) The owner or responsible party shall:

(A) collect and remit all applicable local, state, and federal taxes;

(B) ensure the rental unit meets all applicable local, state, and federal regulations, including but not limited to smoke and carbon monoxide detector requirements;

(C) obtain all required permits and licenses in accordance with the City of Grand Junction Municipal Code

(D) maintain a fire extinguisher in good working order on the premises at all times;

(E) be authorized by the property owner to permit inspection of the premises by the City and/or its agent or employee to ensure compliance with the provisions of this Code and with the terms of the short-term rental permit, and shall permit such inspection upon reasonable notice.

(F) The property owner shall provide the designated responsible party with a copy of the short-term rental permit.

The proposed City of Grand Junction short-term rental ordinance has the same standards and requirements as the other standards that are in the Palisade short term vacation rental ordinance.

**How this item relates to the Comprehensive Plan Goals and Policies:**

The proposed Code amendment is consistent with the following Goals and Policies of the Comprehensive Plan:

**Goal 6 –** Land use decisions will encourage preservation and appropriate reuse.

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

Current financial situations and lifestyles choices create unique needs for property owners and their properties. The proposed addition to the Zoning and Development Code will allow additional flexibility to property owners when making decisions on options for the use/reuse of their property currently not available.

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

**Policy:** Through the Comprehensive Plan’s policies the City and County will improve as a regional center of commerce, culture and tourism.

Many travelers make choices on travel destinations based on amenities available, including lodging choices and the addition of Short-Term Rentals as a lodging option in the community adds a desirable choice for visitors.

**How this item relates to the Economic Development Plan:**

The proposed Code amendment is consistent with the following Goal and Action Step of the Economic Development Plan:

**Goal: Be proactive and business friendly. Streamline processes and reduce time and costs to the business community while respecting and working within the protections that have been put into place through the Comprehensive Plan.**

**Action Step** – Review development standards and policies to ensure that they are complementary and support the common mission.

This Code amendment is proposed in order to provide the community the opportunity to offer the short-term rental lodging option to travelers, while protecting the integrity of the affected neighborhoods. This lodging option and business opportunity is currently not permitted under the Zoning and Development Code.

**Board or Committee Recommendation:**

The VCB Board reviewed this proposal at their September 16, 2014 meeting and they agreed that the process was appropriate.

On November 12, 2014 the Planning Commission forwarded a recommendation of approval for the request to add Section 21.04.030 regarding Short-Term Rentals.

**Financial Impact/Budget:**

Owners of short-term rentals will be subject to collection of the City of Grand Junction lodging tax.

**Legal issues:**

The City Attorney's office has reviewed the request and had no concerns.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This has not been previously discussed.

**Findings of Fact/Conclusions:**

After reviewing ZCA-2014-291, Amendment to add Section 21.04.030 to the Zoning and Development Code, the following findings of fact and conclusions have been determined:

1. The requested amendment is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

**Attachments:**

Short-Term Rental Community Survey Chart  
Proposed Ordinance

Standard/Regulation	Town/City																	
	Venice, FL	San Luis Obispo Cty, CA	Mendocino Cty, CA	Isle of Palms, SC	Sonoma Cty, CA	City of Palm Springs, CA	City of St Helena, CA	Maui Cty, HI	Glenwood Springs, CO	Grand Lake, CO	Aspen, CO	Durango, CO	Ridgeway, CO	Mt Crested Butte, CO	Tillamook Cty, OR	Telluride, CO	Silverton, CO	Pallisade, CO
Zone Dist Restriction	X	X			X		X	X	X	X	X	X	X	X	X	X	X	X
On-Site Mgmt																		
Nearby Mgmt	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
Notice of Mgmt/Contact					X	X	X	X									X	X
Deposit																		
# of times/yr limitation	X														X			
% of units in MF								X										
Spacing req't		X									X							
Ratio long term to short term			X															
General Occupancy Limitations	X	X		X	X		X	X			X			X		X	X	X
Overnight Occupancy Limitations				X	X	X												
Daytime Occupancy Limitations					X	X												
Group Gathering Limitations							X	X										
Max # of Bedrooms					X		X	X				X						
Noise Limitations		X			X	X	X	X		X		X					X	X
Quiet Hours					X		X	X						X		X		
Trash Req'ts	X					X			X	X	X		X	X	X	X	X	X
Parking Req'ts	X	X		X	X		X	X	X	X	X	X	X	X		X	X	X
Business Plan						X												
Rental Agreement / Guest Registration	X					X	X	X									X	
*Good Neighbor* brochure for renter						X												
Important Contact/safety info posted	X	X				X			X		R			X		X		
Rules/Regs Posted/Provided				X		X	X	X		X	R	X		X	X		X	X
Compliance w/ Tax Regs		X	X		X	X	X	X	X	X	X	X				X	X	X
Short-term Rental Permit		X			X	X	X		X	X	X		X	X		X	X	X
Permit time frame (i.e. 2 yrs)						X		X	X									
Annual Review/Renewal						X				X	X			X		X	X	X
Permit only to owner; new owner-new permit			X		X	X	X	X			X						X	X
Only one permit / owner							X	D									X	
Ltd # of Permits issued at any given time							X	X										
Ability to inspect at any time							X											
Special "Resort" zone dist.								X										
Age of structure req't								X										
Public Notice							X	X		X								X
Public Hearing							D	D		D		X	D				X	D
No more than 1 renter in any given 7 days		X										X					X	
Residential Appearance		X						X		X		X					X	X
Signage Standards		X						X		X		X					X	X
Insurance						X								X			X	
Business License		X	X				X			D	X	X	X	X		X	X	
SF Only			X				X	X				X						
Increased Traffic Not allowed		X																

"X" - Required

"D" - Depends on specific circumstances of a property/neighborhood

"R" - Recommended but not a requirement

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE,  
GRAND JUNCTION MUNICIPAL CODE ADDING SECTION 21.04.030, SHORT-TERM  
RENTALS**

Recitals:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances.

Traditionally, travelers have stayed in a hotel and/or motel. This has changed over the years to broaden the choices available when deciding where to stay while traveling. Additional options have included bed & breakfasts, resorts, time-shares and more recently short-term rentals. While most lodging options occur in commercial areas or large acreages, short-term rentals typically occur in more traditional residential neighborhoods. Our community is also starting to see an interest in providing this additional lodging choice to travelers; however, currently the Zoning and Development Code does not have any reference to Short-Term Rentals. This Code amendment is proposed in order to provide our community the opportunity to offer the short-term rental lodging option to travelers, while protecting the integrity of our neighborhoods.

The amendments are consistent with the goals and policies of the Comprehensive Plan and implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendments, finding that:

1. The proposed amendments are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that the proposed amendments will implement the vision, goals and policies of the Comprehensive Plan and promote the health, safety and welfare of the community, and should be adopted.

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

21.04.030

(v) Short-Term Rentals

(1) Purpose

The City of Grand Junction recognizes that there are benefits to permitting short-term rental of residential units within the City for periods of fewer than thirty (30) consecutive days. Short-term rentals may bring additional visitors to the City, provide a source of income for homeowners, and provide revenues for the City through additional tax collections. Short term rentals diversify the vacation and travelling professional accommodations market. However, the potential for adverse impacts from short-term rentals necessitates some special regulation to protect the health, safety, and welfare of property owners, neighbors, and visitors.

(2) Applicability

So long as the requirements of this Section 21.04.030(v) are met, short-term rental of residential property is allowed in the City in certain zone districts as shown in the Use Table, Section 21.04.010. Private covenants may restrict or prohibit short-term rentals; it is the responsibility of the property owner to ensure compliance with restrictive covenants; the City will not consider private covenants when issuing short-term rental permits.

(3) Definitions

*Short-term rental* means a dwelling unit rented to a given occupant or group of occupants for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, boarding or rooming house, hotel/motel or transient shelter. *Short-term rental* does not include offering the use of residential property where no fee is charged or collected.

(4) Permit Required.

No person or entity shall rent or advertise for rent any residential property as a short-term rental, as that term is defined above, without first having a valid short-term rental permit issued by the City. A short-term rental permit is valid for up to one year, expiring on December 31<sup>st</sup> of the year in which the permit was issued. A separate short-term rental permit is required for each short-term rental unit. A short-term rental permit may be issued only to the owner of the property used as a short-term rental. A short-term rental permit may contain conditions.

(5) General Requirements

(i) Property owner shall designate one or more person(s) who will be permanently available for immediately responding to complaints about or violations of law or of permit terms by the renters or short-term occupants. If the designated responsible party is not local, the property owner shall certify that there are local representatives available to the designated responsible party to respond to any complaints or violations. "Local" as used herein means having a permanent address within a twenty (20) mile radius from the short-term rental property and a 24-hour contact phone number. The designated responsible party may be the owner of the property.

(ii) The owner or responsible party shall:

(A) collect and remit all applicable local, state, and federal taxes;

(B) ensure the rental unit meets all applicable local, state, and federal regulations, including but not limited to smoke and carbon monoxide detector requirements;

(C) obtain all required permits and licenses in accordance with the City of Grand Junction Municipal Code

(D) maintain a fire extinguisher in good working order on the premises at all times;

(E) be authorized by the property owner to permit inspection of the premises by the City and/or its agent or employee to ensure compliance with the provisions of this Code and with the terms of the short-term rental permit, and shall permit such inspection upon reasonable notice.

(F) The property owner shall provide the designated responsible party with a copy of the short-term rental permit.

(iii) The number of occupants at any given time in an individual short-term rental unit shall not exceed two (2) persons per bedroom plus two (2) additional renters overall. The Director shall specify the maximum number of occupants allowed in the unit in the permit.

(iv) On any property containing an accessory dwelling unit, either the primary dwelling or the accessory dwelling unit on the property may be eligible for a short-term rental permit, but not both.

(v) One (1) parking space shall be provided per bedroom. All vehicles shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.

(vi) If the short-term rental unit is accessed by a shared driveway, written permission for short-term renters to access the drive must be obtained from each property owner using the shared driveway.

(vii) Signage advertising, denoting or designating property as a short-term rental up to two square feet and containing only the name of the short-term rental or property owner and/or logo is allowed. A separate sign permit is not required.

(viii) Short-term rentals shall be subject to the same safety and health inspections to which other licensed places of accommodation are subject.

(ix) The owner of the property used as a short-term rental shall continuously maintain valid liability insurance specifically covering the operation of the premises as a short-term rental unit.

(x) The following information must be continuously, conspicuously and prominently displayed in visible and legible print in each short-term rental unit:

(A) City of Grand Junction applicable license(s);

(B) A copy of the short-term rental permit;

(C) Contact information for owner and/or responsible party;

(D) A phone number for 24 hour contact for property-related issues and inquiries;

(E) A map and/or narrative describing the location of fire extinguishers and emergency egress;

(F) The trash pickup location and schedule;

(G) A copy of the City's noise regulations.

#### (6) Application Requirements

(i) An application for a short-term rental permit shall include the following:

(A) a site sketch;

(B) The name, current address and telephone number of a designated responsible party employed or engaged by the applicant to manage, rent or supervise the short-term rental. It shall be the duty of the applicant to update such information throughout the term of the license so that City Staff always

has correct and current contact information for the designated responsible party;

(C) The number of bedrooms, approximate total square footage in the short-term rental, and the maximum number of overnight occupants;

(D) Acknowledgment that the owner, agent, and designated responsible party have read all regulations pertaining to the operation of a short-term rental and that the rental unit(s) will display all required notices;

(E) A copy of all notices that will be displayed on the premises;

(F) An illustration of what the sign will look like and where it will be located on the property, if signage is proposed,

(ii) All fees, fines and taxes owed to the City of Grand Junction at the time of the application must be fully paid before a license will be issued.

(iii) All renewal applications shall include the following:

(A) Copies of any safety or health inspections performed within the last year;

(B) Copy of a "Call for Service Report" available from the City of Grand Junction Police Department.

(7) Revocation, suspension, non-renewal and appeal.

(i) A short-term rental permit may be suspended, revoked or not renewed by the Director for any of the following reasons:

(A) The owner or designated responsible party has failed to comply with a requirement of this Section 21.04.030(v).

(B) The owner or designated responsible party has failed to comply with a condition of the short-term rental permit.

(C) The owner has failed to collect or remit lodging taxes as required by this Code.

(D) Materially false or misleading information has been provided to the City by the applicant, owner or designated responsible party on an application.

(E) Unauthorized use of the premises has occurred.

(F) The City has received excessive complaints by neighbors or affected persons that have not been adequately and timely addressed by the owner or designated responsible party.

(G) The owner or designated responsible party has been convicted within the previous 12-month period of a violation of the Zoning and Development Code relating to the property.

(H) A nuisance is present on the property or been found to be present on the property since the permit was granted, such as unnecessary noise, accumulation of trash, weeds or junk, or a nuisance has been abated on the property within the previous 24-month period.

(ii) Any aggrieved person may appeal the issuance, denial, suspension, revocation or non-renewal of a short-term rental permit to the Zoning Board of Appeals within 10 days of the issuance of the decision.

.....  
**The table in Section 21.04.010 (Use Table) is amended to add a row for the principle use of “Short-Term Rentals”, allowed in all zone districts where residential uses are allowed and referencing the use-specific standards of Section 21.04.020(v), as shown in the table excerpt below (additions underlined):**

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	MX-	Std.	
<b>COMMERCIAL</b>																									
<b>Lodging – hotels, motels and similar establishments</b>	Hotels and Motels													A	A	A		A	A	A					
	Bed and Breakfast (1 – 3 Guest Rooms)	A	A	A	A	A	A	A	A	A	A	A	A	A					A	A					<a href="#">21.04.030(h)</a>
	Bed and Breakfast (4 – 5 Guest Rooms)	C	C	C	C	C	C	C	A	A	A	A	A	A					A	A					See GJMC <a href="#">21.03.090</a> <a href="#">21.04.030(h)</a>
	<u>Short-Term Rental</u>	<u>A</u>	<a href="#">21.04.030(v)</a>																						

INTRODUCED on first reading this 19<sup>th</sup> day of November, 2014 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
 Mayor



Date: November 17, 2014  
 Author: Lori V. Bowers  
 Title/ Phone Ext: Senior Planner / 4033  
 Proposed Schedule: 1<sup>st</sup> reading November 19, 2014  
 2nd Reading: December 3, 2014  
 File # (if applicable): ZCA-2014-355

Attach 10

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Amendment to the Zoning and Development Code (Title 21, Grand Junction Municipal Code), Section 21.06.080 Regarding Outdoor Lighting
<b>Action Requested/Recommendation:</b> : Hold a Public Hearing and Consider Final Passage of the Proposed Ordinance and Order Final Publication in Pamphlet Form
<b>Presenter(s) Name &amp; Title:</b> Lori V. Bowers, Senior Planner

**Executive Summary:**

Request to amend the Zoning and Development Code regarding outdoor lighting, specifically lighting under fueling station canopies, Section 21.06.080(c)(7).

**Background, Analysis and Options:**

In September 2013, City Market requested a variance from the City of Grand Junction’s outdoor lighting standards for a fueling station. That variance request was denied by the Planning Commission. The Planning Commission recommended that Staff compare other lighting ordinances in other communities and compare existing lighting within the City and come back with some options for consideration for an amended lighting ordinance.

Staff began comparing other communities’ outdoor lighting ordinances. Over 23 Colorado communities were reviewed as well as the national Model Lighting Ordinance prepared by the IESNA (Illuminating Engineering Society of North America) and the IDS (International Dark Sky Society). Some ordinances appear to be extremely cumbersome and some communities do not regulate lighting at all. It was determined that by changing the allowed under canopy foot-candles to a maximum of 30 foot-candles, would bring the Code in line with or similar to several other communities that regulate foot-candles under canopies.

A lighting engineer was contacted during the research of this Code amendment. They suggested that a light loss factor of 1.0 be added to language.

The proposed Ordinance will bring existing service station canopies into conformance where they were made non-conforming by the 2010 Code.

**How this item relates to the Comprehensive Plan Goals and Policies:**

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

Amending the lighting ordinance will bring consistency and conformity in the lighting of existing service station canopies and possible future canopies.

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

A consistent lighting ordinance will enhance the visual appeal across the community by providing safe and efficient lighting for all service stations emphasizing non-glare of canopies for adequate nighttime vision. Placing a maximum of 30 foot-candles will retain consistency among fueling stations.

**How this item relates to the Economic Development Plan:**

**Goal:** Continue to develop tools that will promote economic gardening.

By amending the outdoor lighting section of the Code, not only will it bring existing fueling station canopies into conformance that were made nonconforming with the adoption of the 2010 Code, it will allow for future fueling station canopies to be well lit and safe for fueling, according to the IESNA (Illuminating Engineering Society of North America) and in line with or similar to other Colorado communities.

**Board or Committee Recommendation:**

Planning Commission forwards a recommendation of approval from their meeting held on November 12, 2014.

**Financial Impact/Budget:**

No financial impact can be identified at this time.

**Legal issues:**

The City Attorney has reviewed and approved the form of the proposed ordinance.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This item was presented on the Consent Agenda, November 19, 2014.

**Attachments:**

Cover email from Western Colorado Astronomy Club  
Position statement from Western Colorado Astronomy Club  
Proposed Ordinance

**From:** Greg Moberg  
**To:** Lori Bowers; Tim Moore  
**Date:** 9/9/2014 2:20 PM  
**Subject:** Re: Grand Junction City Lighting Code and Fueling Stations  
**Attachments:** GJ\_City\_Lighting\_Code-Service\_Stations.pdf

FYI

>>> <info@wcacastronomy.org> 9/9/2014 2:06 PM >>>

Dear Sir or Madame:

Please review the attached PDF letter file in response to a recent newspaper article concerning the allowed illumination levels on pumps at service stations. We support the idea, already suggested informally by planning commissioners and others, to update the Grand Junction lighting code to bring it into line with recent recommendations of the IES. Our position is that any brightness increase in the IES Model Lighting Ordinance over the current local standard is not a problem as long as other requirements for fixture and canopy design are met. Future work on the lighting code should also consider the issue of excessively bright LED display boards that seem to be proliferating in and around the city and creating a nighttime nuisance for drivers.

Sincerely,

J. Douglas Grodt  
President

Western Colorado Astronomy Club

# The Grand Junction Lighting Code and Service Stations

Comments by Members of the Board of the Western Colorado Astronomy Club  
September 7, 2014

## Executive Summary

Concerning the allowed illumination levels on pumps at service stations, we support the idea, already suggested informally by planning commissioners and others[1], to update the Grand Junction lighting code to bring it into line with recent recommendations of the IES (a.k.a. IESNA)[2]. Any brightness increase in the IES Model Lighting Ordinance[3] over the current local standard is not problematic as long as other requirements for fixture and canopy design are met, so that light is concentrated on the pumping operations and light trespass and glare into the eyes of passersby are minimized.

Future work on the lighting code should also consider the problem of excessively bright LED display boards. These can produce more glare and light trespass than the light on the pumps.

## Background

During a Grand Junction Planning Commission meeting on September 10, 2013[1], a variance request concerning the illumination of fuel pumps at a proposed City Market service station was rejected. The City's limitation on fuel pump illumination is apparently twice as strict as the national "dark-sky" recommendation[3]. City Market wanted to follow the national recommendation. The origin and basis of the City's more severe restriction is not entirely clear and it predates the national recommendation. The Planning Commission meeting ended with agreement by all or nearly all present that 1) having a local standard twice as strict as the national dark-sky recommendation makes little sense, 2) granting variances was not the proper way to fix this, and 3) the proper long-term solution would be to update the local code to be in line with the national recommendation.

We agree with these three points. "Nuisance lighting" is usually caused by bad fixture choice and canopy design rather than excessive wattage. As long as the mechanical design of the fixtures and canopy meet requirements for minimizing light trespass and glare into the eyes of passersby, most of the neighbor-friendliness and dark-sky issues are solved. We believe that the City's current limit is at the bottom end of a broader acceptable range and, if the limits prescribed in the IES Model Lighting Ordinance are somewhat brighter than the City's current limit, we have no problem with this.

As the local astronomy club for Mesa County, members of the Western Colorado Astronomy Club[4] are obviously interested in preserving the beautiful natural resource of the night sky. We also recognize the need for adequate lighting of public areas consistent with safety and their general use. Since 1989 we have worked to educate the public and advocate for better lighting techniques, which provide the necessary nighttime illumination and avoid unwanted light trespass and glare[5]. We call our approach Neighbor-Friendly Lighting[6], a term that better states the goals, and one that emphasizes this is a win-win for everyone—not just astronomers.

We are pleased that the City Market plan called for neighbor-friendly fixtures and design. However, service stations everywhere are notorious for trying to outshine one another to attract customers—like moths to flames—and this issue appeared prominently in the planning meeting minutes. These "brightness wars" are not only a form of urban blight; they create safety problems for passing motorists caught in the crossfire. Nighttime drivers need to preserve their night vision at all times in order to see pedestrians and road hazards; and their dark adaptation will be reduced in proportion to the amount of

"moth-attracting" light that strays into their eyes. Modern lighting codes stop the arms race in these brightness wars.

An issue lurking in the background is that of LED display boards. Since these are specifically aimed at readers who are off-premises, any and all excess light they produce will contribute directly to glare and light trespass. Since daylight is orders of magnitude brighter than the city at night, any such sign that is readable during the day but not dimmed at night will be orders of magnitude brighter than necessary at night. Drivers who are distracted by such signs and look at them will have their night vision burned out. Their vision of the road ahead will be impaired while looking at the sign (especially if they are watching a sign with an extended animation); and after looking back at the road, their night vision will take some time to recover.

## Our Recommendations

1. Update the Grand Junction lighting code to follow the illumination engineering recommendations in the IES Model Lighting Ordinance[3].
2. The city should call "truces" in "brightness wars." Variances should not be granted for the purpose of enabling and escalating these wars, which are a public nuisance and create safety problems that are not always understood.
3. LED display boards that are brighter than necessary for readability or that distract drivers with long animations create unsafe conditions; and the lighting code should address this issue (e.g., mandate that the nighttime display brightness be some reasonable fraction (TBD) of the daytime level).

For further information, the Western Colorado Astronomy Club can be contacted through its website[4].

## Footnotes

[1] Grand Junction Planning Commission, September 10, 2013 Minutes:  
[http://gicity.granicus.com/MinutesViewer.php?view\\_id=3&clip\\_id=836](http://gicity.granicus.com/MinutesViewer.php?view_id=3&clip_id=836)

[2] Illuminating Engineering Society (IES) a.k.a. Illuminating Engineering Society of North America (IESNA): <http://ies.org>

[3] Model Lighting Ordinance (MLO), June 15, 2011: <http://www.ies.org/redirect/MLO/MLO.html>

[4] Western Colorado Astronomy Club: <http://wcacastronomy.org>

[5] "Light trespass" is stray, waste light that, instead of shining on the subject, shines off the premises into other areas where it may impair the vision of passersby ("glare"), interfere with people sleeping, etc.

[6] Principles of Neighbor-Friendly Lighting: <http://neighborfriendlylighting.com>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE GRAND JUNCTION MUNICIPAL CODE, SECTION 21.06.080(C)(7) CONCERNING OUTDOOR LIGHTING**

Recitals:

In September 2013, City Market requested a variance from the City of Grand Junction's outdoor lighting standards for a fueling station. That variance request was denied by the Planning Commission. The Commission recommended that Staff compare other lighting ordinances in other communities and compare existing lighting within the City and come back with some options for consideration for an amended lighting ordinance. Over twenty-three lighting ordinances within Colorado were reviewed for comparison. These comparisons resulted in the proposed changes to the foot-candles in 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 amending Section 21.06.080(c)(7) Outdoor Lighting for the following reasons:

The amendment will allow adequate lighting for current and future lighting needs for service station canopies. It will bring non-conforming stations into compliance.

The amendment meets goals number one and eight of the Comprehensive Plan, and the Comprehensive Plan's policies.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the amendment to the lighting ordinance, Section 21.06.080(c)(7) be revised.

The Planning Commission and City Council find that the amendment is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The Section 21.06.080(c)(7) be amended to:

- (7) Canopy lights, such as service station lighting, shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights-of-way or adjacent properties. Canopy lighting shall ~~not exceed an average of 10 footcandles and~~ have a maximum of ~~45~~ 30 foot-candles, with a light loss factor of 1.0. Light Loss Factor (LLF) is a correction factor used to account for the difference between laboratory test results and real world

degradation of the lighting system aging over time resulting in reduced lumen output.

Introduced on first reading this 19th day of November, 2014 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014 and order published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor

Attach 11

## CITY COUNCIL AGENDA ITEM

**Subject:** Professional Architect and Landscape Architect Services for Las Colonias Amphitheater Area

**Action Requested/Recommendation:** Authorize the Purchasing Division to Enter into a Contract with Method Studios for Architect Services in the Amount of \$102,503; and Design Workshop for Landscape Architect Services in the Amount of \$81,955 for the Proposed Amphitheater Project at Las Colonias Park

**Presenter(s) Name & Title:** Rob Schoeber, Parks and Recreation Director  
Jay Valentine, Internal Services Manager

### Executive Summary:

Parks and Recreation is seeking approval to complete final design and construction documents for the Las Colonias Park Amphitheater. The services will include architectural and landscape architectural services to prepare schematic design services for the complete amphitheater project in addition to construction documents for the first phase of construction that would include the stage, lawn seating, essential support services, utilities, and parking.

### Background, Analysis and Options:

In July of 2013, the revised Las Colonias Master Plan was approved by City Council. This conceptual plan includes an amphitheater with sloped lawn seating for small events of 1,000 or large events of 10,000 with a stage, multipurpose rooms, developed plaza areas for tickets, restrooms, and vendors, a park shelter/restroom with play features, and paved/native grass parking area. A grant application was submitted to Department of Local Affairs (DOLA) in the spring of 2014 to complete design work for Phase I of the amphitheater utilizing matching funds from the Parks Open Space Fund (\$50,000) and the Grand Junction Lions Club (\$10,000). The \$180,000 request from DOLA was approved for a total project budget of \$240,000.

The master plan level cost estimates for the amphitheater phase are \$4.9 million; however, a \$1.5 million first phase is more realistic in terms of current demand for use, potential grant funds, the Grand Junction Lions Club pledge, and dedicated Parks and Recreation funding sources. Upon completion, this first phase will provide a highly desirable and functional space and would include a stage, lawn seating, and essential support services such as utilities and parking for a smaller crowd size of approximately 3,000. The \$240,000 project budget will be used for design development and construction documents for this first phase; however, schematic designs for the full

build-out of the amphitheater will also be completed. Based on future funding opportunities, these subsequent phases would include the build-out of lawn seating, support services, VIP area, play area, plazas, concessions, and parking. The project budget does not address and will not include any construction management costs for Phase I.

Two formal Request for Proposals (one for the Architect and one for the Landscape Architect) were issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City’s Purchasing website, sent to the Grand Junction Chamber of Commerce, the Western Colorado Contractors Association, and advertised in The Daily Sentinel.

For the Architectural Services solicitation, six companies submitted formal proposals, all were found to be responsive and responsible as follows:

<b>Firm</b>	<b>Location</b>
Blythe Group	Grand Junction, CO
Chamberlin Architects	Grand Junction, CO
Method Studio	Salt Lake City, UT
Sink Combs Dethlefs	Denver, CO
Yow Architects	Colorado Springs, CO
Zehren & Associates	Avon, CO

After careful evaluation of the proposals received, the top three rated firms were Blythe Group, Method Studio, and Zehren & Associates. These three firms were interviewed and Method Studio, Salt Lake City, UT was chosen as the preferred proposer.

For the Landscape Architectural Services solicitation, three companies submitted formal proposals, which were all found to be responsive and responsible as follows:

<b>Firm</b>	<b>Location</b>
Ciavonne, Roberts & Assoc.	Grand Junction, CO
Design Workshop	Denver, CO
Zehren & Associates	Avon, CO

After careful evaluation of the proposals received, all three firms were interviewed and Design Workshop, Denver, CO was chosen as the preferred proposer.

Design service fees were then negotiated with both firms in the following amounts:

<b>Firm</b>	<b>Fee</b>
Method Studio	\$102,503
Design Workshop	\$81,955

Professional services for the master plan of Las Colonias Park were provided by Ciavonne, Roberts and Associates of Grand Junction, and adopted by City Council in 2013. Ted Ciavonne will continue to provide master plan services through the development of the design phase for the amphitheater.

**How this item relates to the Comprehensive Plan Goals and Policies:**

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

*The amphitheater improvements would be a catalyst for downtown redevelopment and would greatly enhance the visual appeal for the gateway into Grand Junction.*

**Goal 10:** Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and recreational purposes.

*Once developed, the Las Colonias Amphitheater would serve as a multi-purpose venue for community and regional activities and would provide a much needed outdoor venue for medium to large performing arts events.*

**How this item relates to the Economic Development Plan:**

**Goal 1.6:** Investing in and Developing Public Amenities

*The development of the Las Colonias Amphitheater will strengthen the existing system of regional, neighborhood, and community parks for recreational uses.*

**Board or Committee Recommendation:**

None.

**Financial Impact/Budget:**

There is \$240,000 available in the Capital Improvements Projects Fund as shown below.

**Sources**

Department of Local Affairs Grant	\$180,000
Parks Open Space Fund	50,000
Donation from GJ Lions Club	<u>10,000</u>
<b>Total Project Sources</b>	<b>\$240,000</b>

**Expenditures**

<b>Architectural Contract - Method Studio</b>	<b>\$102,503</b>
<b>Architectural Contract - Design Workshop</b>	<b>81,955</b>
Project Management - Ciavonne, Roberts & Assoc.	28,200
Other (Soils testing & misc.)	<u>27,342</u>
<b>Total Project Expenditures</b>	<b>\$240,000</b>

**Legal issues:**

If the contracts are authorized the City Attorney will review and approve the form of the contract documents.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

City Council approved a resolution to submit an application to DOLA on March 19.

**Attachments:**

None.