

GRAND JUNCTION CITY COUNCIL
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
AGENDA

WEDNESDAY, JUNE 26, 2002, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance Invocation – Pastor Jerry Boschen, First Assembly of God

APPOINTMENTS

TO THE PARKS AND RECREATION ADVISORY BOARD

PRESENTATION OF CERTIFICATE OF APPOINTMENT

DDA REPRESENTATIVE TO THE HISTORIC PRESERVATION BOARD

SCHEDULED CITIZEN COMMENTS

***** CONSENT CALENDAR *****

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Summary of the June 3, 2002 Workshop and the Minutes of the June 5, 2002 Regular Meeting

2. **Police Services at Mesa State College**

[Attach 2](#)

This request is for Council to approve the annual contract with Mesa State College for police services that are provided by the Grand Junction Police Department. The request is essentially a renewal process of the City's annual agreement with Mesa State College

Action: Authorize the City Manager to Execute a Contract with Mesa State College for the City to Provide Police Services

Staff presentation: Lynden Benoit, Police Lieutenant

3. **Sole Source Purchase of Microwave Transmission Equipment for the Comm Center** [Attach 3](#)

The GJRCC Radio Committee is seeking approval for the sole source purchase of microwave transmission equipment. The equipment will be used to provide a connection to the Fire B transmitters as well as MCSO radio resources when they are ready to move to the new site.

Action: Authorize the City Manager to Execute a Contract with Somera Communications to Purchase the Microwave Transmission Equipment for \$60,000

Staff presentation: Mike Kelly, Fire Unit Supervisor
John Linko, Communications Shift Supervisor

4. **CDOT Contract for Traffic Signal Communication System** [Attach 4](#)

Acceptance of funds from CDOT to purchase materials for the Traffic Signal Communication System.

Resolution No. 58-02 - A Resolution of the City Council of the City of Grand Junction Authorizing an Agreement between the City of Grand Junction and the Colorado Department of Transportation for the City to Purchase Materials for the Signal Communications Project

**Action: Adopt Resolution No. 58-02*

Staff presentation: Tim Moore, Public Works Manager

5. **Bookcliff Avenue Reconstruction** [Attach 6](#)

The Bookcliff Ave. Improvements project, between 9th Street and 12th Street, consists of the installation of water line, curb, gutter, sidewalk, and pavement.

The following bids were opened on June 4, 2002:

<u>Bidder</u>	<u>From</u>	<u>Bid Amount</u>
Taylor Constructors	Grd Jct	\$473,514.10
M.A. Concrete Construction	Grd Jct	\$453,355.74
Skyline Contracting	Grd Jct	\$439,418.04
United Companies	Grd Jct	\$421,204.14
Elam Construction, Inc	Grd Jct	\$418,325.88
Engineer's Estimate		\$436,571.46

Action Authorize the City Manager to Execute a Construction Contract for the Bookcliff Ave. Improvements Project with Elam Construction, Inc. in the Amount of \$418,325.88

Staff presentation: Tim Moore, Public Works Manager

6. **Engineering Lab Remodel**

[Attach 7](#)

Engineering staff has outgrown the current facility. The project consists of new construction and remodeling to the current Engineering Lab. The proposed expansion of the current facility will address their needs for several years into the future. The project consists of 1,500 square feet of demolition and remodeling of the old building and 1,500 square feet of new construction.

The following bids were opened on May 21, 2002:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Triple J Construction	Grd Jct	\$215,957.00
Harney Nail Inc	Avon	\$221,945.00
R.W. Jones Construction	Fruita	\$233,700.00
Architect's Estimate	DKO, Inc	\$168,000.00

Total project cost of the Engineering Lab including additional expenses is \$233,069.00.

Action: Authorization for the City Manger to Execute a Contract for the New Construction and Remodeling of the Engineering Lab with Triple J Construction for \$215,957.00

Staff presentation: Tim Moore, Public Works Manager

7. **Amending the Grant Funding Agreement for 29 Road Phase II Reconstruction Project**

[Attach 8](#)

Amendment to the agreement with the State of Colorado, Department of Transportation for the improvement of 29 Road to change the northern limit of the project from Orchard Avenue to Patterson Road.

Resolution No. 60-02 – A Resolution of the City Council of the City of Grand Junction Amending the Grant Funding Agreement for 29 Road Phase II Reconstruction Project, STM-M555-016

**Action: Adopt Resolution No. 60-02*

Staff presentation: Tim Moore, Public Works Manager

8. **Setting a Hearing on Rezoning Valley Meadows North Located at the North End of Kapota Street** [File #RZP-2002-019] [Attach 9](#)

Reconsideration and first reading of the Rezoning Ordinance for the Valley Meadows North property located at the north end of Kapota Street, from Residential Single Family Rural (RSF-R) to Residential Single Family-4 (RSF-4), and setting a hearing date of July 17, 2002. This hearing is for the purpose of reconsidering the rezone criteria.

Proposed Ordinance Rezoning the Valley Meadows North Property, Located at the North End of Kapota Street, from Residential Single Family Rural (RSF-R) to Residential Single Family-4 (RSF-4)

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 17, 2002

Staff presentation: Lisa Gerstenberger, Senior Planner

9. **Setting a Hearing on Zoning the Mesa County Human Services Annexation Located at 510 29 ½ Road** [File #ANX-2002-100] [Attach 10](#)

The Mesa County Human Services Annexation is three parcels of land located at 510 29 ½ Road. The petitioner is requesting a zone of General Commercial (C-2), which is equivalent to the existing Mesa County Zoning. Planning Commission recommended approval at its June 11, 2002 meeting.

Proposed Ordinance Zoning the Mesa County Human Services Annexation to General Commercial (C-2) Located at 510 29 ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 17, 2002

Staff presentation: Ronnie Edwards, Associate Planner

10. **Setting a Hearing on Zoning the Feix Annexation Located at 229 Jacquie Road to RSF-4** [File #ANX-2002-114] [Attach 11](#)

The Feix Annexation, comprised of 4.68 acres, is located at 229 Jacquie Road. The petitioner is requesting a zone of RSF-4, which conforms to existing County zoning and the Growth Plan Land Use designation for the site. The Planning Commission, on June 11, 2002, recommended approval of the zoning to the City Council.

Proposed Ordinance Zoning the Feix Annexation to the Residential Single Family – 4 dwelling units per acre (RSF-4) District Located at 229 Jacquie Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 17, 2002

Staff presentation: Pat Cecil, Development Services Supervisor

11. **Setting a Hearing on Zoning the Statler Annexation to RSF-E Located at 2134 Buffalo Drive** [File #ANX-2002-110] [Attach 12](#)

The 5.846-acre Statler Annexation area consists of one parcel of land, approximately 5.775 acres in size. The remaining acreage is comprised of right-of-way along Buffalo Drive, from South Camp Road. There is a single-family residence on this lot. The applicants are in the simple subdivision process to create a new vacant lot.

Proposed Ordinance Zoning the Statler Annexation to Residential Single Family, Estate (RSF-E) Located at 2134 Buffalo Drive

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 17, 2002

Staff presentation: Lori Bowers, Associate Planner

12. **Vacation of Easement – Pepper Tree Filing 4A Located at Indian Creek Drive South of F Road** [File #SS-2002-098] [Attach 13](#)

The applicant proposes to vacate a 15-foot wide easement dedicated to the City of Grand Junction for utility and drainage purposes. The easement is located on the east side of Pepper Tree Filing 4A, located at the south end of Indian Creek Drive, south of F Road. At it's hearing of June 11, 2002 the Planning Commission recommended approval of this request.

Resolution No. 61-02 – A Resolution Vacating a Utility and Drainage Easement Located on the East Side of Pepper Tree Filing 4A at the South End of Indian Creek Drive, South of F Road

*Action: Adopt Resolution No. 61-02

Staff presentation: Bill Nebeker, Senior Planner

13. *****Appointment of Downtown Development Authority Executive Director** [Attach 22](#)

The Downtown Development Authority is requesting Council approval of Harold Staff as the new Executive Director of the Downtown Development Authority Board of Directors.

Action: Approval of Harold Stalf as the Downtown Development Authority Executive Director

Staff presentation: Bruce Hill, Chair, Downtown Development Authority Board of Directors

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

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

14. **Traffic Calming Policy** [Attach 5](#)

Adoption of the Traffic Calming Policy with revisions as directed by City Council at the June 3 workshop. The proposed policy is intended to address spot locations in existing neighborhoods for requests for traffic calming measures that are initiated by citizens.

Resolution No. 59-02 -A Resolution of the City Council of the City of Grand Junction Adopting the Neighborhood Traffic Calming Policy

**Action: Adopt Resolution No. 59-02*

Staff presentation: Jody Kliska, Transportation Engineer

15. **Public Hearing – Vacating Ouray Avenue Between 5th and 6th Streets and Vacating Several Alley Rights-of-Ways for the Mesa County Public Library Expansion** [File #VR-2002-079] [Attach 14](#)

Request for a Public Hearing and approval of the second reading of the ordinances vacating Ouray Avenue between 5th and 6th Streets; the east/west alley between 5th and 6th Streets, north of Ouray; the remainder of two north/south alley ways between Grand Avenue and Ouray Ave; the remainder of the east/west alley between 5th and 6th Streets, south of Ouray Avenue. This is the 2-block area from Grand Avenue, north to Chipeta Avenue, between 5th and 6th Streets. Proposal is to facilitate the new design of the Mesa County Public Library, in conformance with the approved Master Plan.

Ordinance No. 3437 - An Ordinance Vacating Ouray Avenue between 5th and 6th Streets and Establishing a 30-Foot Utility Easement; Vacating the East/West Alley between 5th and 6th Streets, North of Ouray Avenue and Establishing Utility and Ingress/Egress Easements; Vacating the Remainder of the North/South Alleyway between Grand Avenue and Ouray Avenue; Vacating the Remainder of the East/West Alley between 5th and 6th Streets, South of Ouray Avenue and Vacating and Relocating the Utility Easement in this Area

*Action: Adopt Ordinance No. 3437 on Second Reading

Staff presentation: Lori Bowers, Associate Planner

16. **Public Hearing – Vacation of a Portion of the Right-of-Way for Crosby Road** [File #VR-2002-105] [Attach 15](#)

The petitioner is requesting approval of a vacation of a portion of the dedicated right-of-way for Crosby Road, located between the Union Pacific RR right-of-way and 25 ½ Road. The Planning Commission reviewed the request on May 28, 2002, and recommended approval of the vacation to the City Council.

Ordinance No. 3438 - An Ordinance Vacating a Portion of Crosby Road Located between the Union Pacific RR Right-Of-Way and 25 ½ Road

*Action: Adopt Ordinance No. 3438 on Second Reading

Staff presentation: Pat Cecil, Development Services Supervisor

17. **Public Hearing – Rezoning the Appleton Corners Property Located at 797 24 Road** [File #RZ-2002-051] [Attach 16](#)

Second reading of the Rezoning Ordinance to rezone the Appleton Corners property, 1.85 acres located at 797 24 Road, from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1).

Ordinance No. 3439 – An Ordinance Rezoning the Appleton Corners Property Located at 797 24 Road from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1)

*Action: Adopt Ordinance No. 3439 on Second Reading

Staff presentation: Lisa Gerstenberger, Senior Planner

18. **Public Hearing – Rezoning the Lewis Property Located at 2258 South Broadway** [File #GPA-2001-178] [Attach 17](#)

Second reading of the Rezoning Ordinance to rezone the Lewis property, 1.83 acres located at 2258 South Broadway, from Residential Single Family 4 (RSF4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR).

Ordinance No. 3440 – An Ordinance Rezoning the Lewis Property Located at 2258 South Broadway from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR)

*Action: *Adopt Ordinance No. 3440 on Second Reading*

Staff presentation: Lisa Gerstenberger, Senior Planner

19. **Redlands Area Plan, Part of the Grand Junction Growth Plan** [File #PLN-2002-060] [Attach 18](#)

A request to adopt the Redlands Area Plan as a part of the Grand Junction Growth Plan. Planning Commission recommended approval at its May 7, 2002 meeting.

Resolution No. 62-02 – A Resolution Adopting the Redlands Area Plan as a Part of the Grand Junction Growth Plan

*Action: *Adopt Resolution No. 62-02*

Staff presentation: Kathy Portner, Planning Manager

20. **Redlands Area Transportation Plan, Part of the Grand Valley Circulation Plan** [File #PLN-2002-060] [Attach 19](#)

A request to adopt the Redlands Area Transportation Plan as a part of the Grand Valley Circulation Plan, dated September 25, 2001. Planning Commission recommended approval at its June 6, 2002 meeting.

Resolution No. 63-02 – A Resolution Adopting the Redlands Area Transportation Plan as a part of the Grand Valley Circulation Plan

*Action: *Adopt Resolution No. 63-02*

Staff presentation: Tim Moore, Public Works Manager

21. **Contract and Permits with Outdoor Promotions for GVT Bus Benches and Shelters** [File #RVP-2002-020] [Attach 20](#)

Consideration of a Resolution authorizing the issuance of a Revocable Permit to allow the Petitioner to install 72 bus benches in the City right-of-way along the adopted GVT bus routes. Fifteen of these benches are not allowed to have advertising on them since they are adjacent to residentially zoned properties. This Resolution also revises the previously approved Revocable Permit for 28 bus shelters, four of which are not allowed to have advertising. The City Attorney may have further comment on the agreement between the City and Outdoor Promotions.

a. Contract

Action: *Authorize the City Manager to Sign a Contract with Outdoor Promotions*

b. Revocable Permit – Benches and Shelters

Resolution No. 64-02 – A Resolution Concerning the Issuance of a Revocable Permit to Outdoor Promotions, Inc.

**Action: Adopt Resolution No. 64-02*

Staff presentation: Lori Bowers, Associate Planner

21. **NON-SCHEDULED CITIZENS & VISITORS**

22. **OTHER BUSINESS**

23. **ADJOURNMENT**

Attach 1

Minutes of June 3, 2002 Workshop and June 5, 2002 Regular Meeting

GRAND JUNCTION

CITY COUNCIL WORKSHOP

June 3, 2002

The City Council of the City of Grand Junction, Colorado, met on Monday, June 3, 2002 at 7:10 p.m. in the City Auditorium to discuss workshop items. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry, Reford Theobald and President of the Council Cindy Enos-Martinez. Councilmember Janet Terry excused herself from the meeting at 8:10 p.m.

Summaries and action on the following topics:

1. **TRAFFIC CALMING:** Jody Kliska, Transportation Engineer, presented a proposed policy and program for determining traffic calming options. Mark Relph, Public Works and Utilities Director, clarified that some of the criteria will eliminate consideration of some requests and the installation would be tested via a temporary installation. He explained that the "ballot" is used once a specific project is chosen and presented to the neighborhood as a solution.

Action Summary: Council voiced concerns over the neighborhood having the impression that the request is approved before Council has the final say. It was also suggested that the extent of neighborhood support be determined early on. Council also expressed concern that not everyone affected will be informed or involved in the process. The approval levels were amended to two levels: a list of measures that can be approved administratively and those that require City Council approval.

A resolution to formally adopt an amended policy will be presented at the next meeting for consideration and/or further amendment.

2. **BUS BENCH AGREEMENT AND REVOCABLE PERMIT:** City Manager Kelly Arnold presented a proposed agreement with Outdoor Promotions. He pointed out the significant terms and changes in the agreement. At least two or three outstanding issues will need to be addressed by Council. Gary Young, President of Outdoor Promotions, addressed ratios and the amortization schedule. He felt the dollar amounts are too low and asked that the County language be used in the event the entire agreement is canceled. A bench costs \$460. The required concrete pad adds to the cost, about \$900.

Action Summary: Council concerns included the pad for the bench, for safety and security reasons, and the method of determining the ratio. The Council agreed to a figure of \$1,000 for the benches and \$8,000 for the shelters with an amortization of twenty years or the term of the agreement whichever is less with the figures to include City ownership of the benches and shelters. The contractor would have the duty to restore the site. Council can waive the restoration requirement. The Council accepted the ratio as presented in the amended agreement, 5 to 1 for benches, 6 to 1 for shelters. Concrete pads and ADA accessibility is required.

The changes will be made to this agreement, the revocable permit will be prepared and the previous revocable permit for the transit shelters will also be amended. These documents will be brought to Council on June 26th for final consideration.

ADJOURNED at 9:35 p.m.

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

June 5, 2002

The City Council of the City of Grand Junction convened into regular session on the 5th day of June 2002, at 7:39 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry, Reford Theobold and President of the Council Cindy Enos-Martinez. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson and City Clerk Stephanie Tuin.

President of the Council Cindy Enos-Martinez called the meeting to order. Council-member Spehar led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Zeke Leija, Zion Assembly of God.

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING THE WEEK OF JUNE 17 THROUGH JUNE 23, 2002 AS "BETA SIGMA PHI WEEK" IN THE CITY OF GRAND JUNCTION

SCHEDULED CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

It was moved by Councilmember Terry, seconded by Councilmember Theobold and carried by a roll call vote, to approve the Consent Items #1 through #14 with Mayor Enos-Martinez and Councilmember Kirtland abstaining from item #14.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the May 13, 2002 Workshop, the Minutes of the May 15, 2002 Regular Meeting and the May 29, 2002 Special Meeting

2. **Contract for West Scenic Sewer Improvement District**

This contract would include construction of over 1,270 feet of sanitary sewer within the existing Scenic Drive Subdivision located north of the intersection of West Scenic Drive and Highway 340. Bids were received and opened March 11, 2002. Skyline Construction submitted the low bid in the amount of \$76,567.90.

The following bids were received for this project:

<u>Contractor</u>	<u>From Bid</u>	<u>Amount</u>
Skyline Contracting	Grand Junction	\$ 76,567.90
Sorter Construction	Grand Junction	\$ 86,386.00
Taylor Constructors	Grand Junction	\$ 90,502.50
M.A. Concrete Construction	Grand Junction	\$103,412.60
RW Jones Construction	Fruita, CO	\$230,988.00
Engineer's Estimate		\$ 71,098.00

Action: Authorize the City Manager to Execute a Construction Contract for the West Scenic Sewer Improvement District with Skyline Construction in the Amount of \$76,567.90 Contingent on Formation of the District by Mesa County on June 13, 2002

3. Contract for Skyway Sewer Improvement District

This contract would include construction of over 27,800 feet of sanitary sewer within the existing Skyway Subdivision located northeast of the intersection of 23 Road and E Road. Bids were received and opened on April 9, 2002. Mendez Construction submitted the low bid in the amount of \$1,902,875.15.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Mendez Construction	Grand Junction	\$1,902,875.15
M.A. Concrete Construction	Grand Junction	\$2,125,841.80
Skyline Construction	Grand Junction	\$2,230,591.10
Precision Excavating	Hayden, CO	\$2,538,307.07
Engineer's Estimate		\$2,011,666.25

Action: Authorize the City Manager to Execute a Construction Contract for the Skyway Sewer Improvement District to Mendez Construction in the Amount of \$1,902,875.15 Contingent on Formation of the District by Mesa County on July 18, 2002

4. Contract for 2002 Waterline Replacements/12th Street Waterline

Bids were received and opened on May 21, 2002. M.A. Concrete Construction submitted the low bid in the amount of \$325,491.60. The project consists of the replacement of 1350 LF of 8-inch PVC waterline on 12th Street from North Avenue to Elm Avenue, 650 LF of 6-inch PVC waterline on Glenwood from 12th Street to 13th Street, and 650 LF of 6-inch PVC waterline on Bunting from 12th Street to 13th Street. The project is needed to ensure adequate fire flows to Mesa State's new fine arts building.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
M.A. Concrete Construction	Grand Junction	\$325,491.60
Taylor Constructors	Grand Junction	\$417,036.00
Engineer's Estimate		\$316,389.00

Action: Authorize the City Manager to Execute a Construction Contract for the 2002 Waterline Replacements (12th Street Waterline) to M.A. Concrete Construction in the Amount of \$325,491.60

5. **Contracts for Track Replacement, Stocker Stadium**

Phase I construction consists of removing the existing track and curb, excavating the sub-grade, preparing the new sub-grade, back filling, compaction and a new asphalt mat. Phase II construction consists of track surfacing, striping and certification for newly constructed Stocker Stadium running track.

Action: Authorization for the City Manger to Sign Contracts with a) American Civil Constructors for Track Removal and Replacement, Phase I in the Amount of \$199,000.00; and, b) Southwest Recreational Industries, Inc. for Phase II in the Amount of \$122,315.00

6. **Participation Agreement with Patterson Road Development (Village Park Subdivision) for Reconstruction of 28 ¼ Road Entranceway**

In 1997 the City indicated its willingness to work with the developer to construct the full width of 28 ¼ Road for north of Patterson and to adjust the radii on the south side of that intersection. This document reduces to writing the agreement between the City and the developer of the subdivision regarding these improvements along 28 ¼ Road.

Action: Authorize the City Manager to Sign an Agreement to Reimburse Patterson Road Development, LLC, for the Described Improvements along 28 ¼ Road at Patterson and to the North Thereof

7. **Joint Resolution Concerning FY2003 Regional Transportation Planning Contract (RPC)**

A joint Resolution between Mesa County and the City of Grand Junction adopting the FY2003 Regional Transportation Planning Contract (RPC). The work under this contract consists of regional transportation planning; the contract period is July 1, 2002 through June 30, 2003. Mesa County is a co-signer to this agreement.

Resolution No. 49-02 – A Joint Resolution of the County of Mesa and the City of Grand

Junction Concerning Adoption of the Fiscal Year 2003 Regional Transportation Planning Contract

Action: *Adopt Resolution No. 49-02*

8. **Selenium Water Quality Grant Application**

The City of Grand Junction is applying for a \$75,000 grant from the Environmental Protection Agency (EPA). The grant proposal will study selenium and other water quality parameters in the Grand Valley and resulting impacts of these parameters on the City of Grand Junction wastewater discharge into Persigo Wash. It is recommended the grant award be sole-source to sub-recipient URS Corporation, who put together the original grant application to EPA and are recognized as national experts in this concept.

Action: *Approve Grant Application; Approve URS Corporation as Sole-Source Grant Sub-Recipient for the \$75,000 Grant*

9. **Advertising Services Contract Renewal**

Annual renewal of a contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the VCB.

Action: *Authorize the City Manager to Sign a Contract with Hill & Company Integrated Marketing and Advertising in the Amount of \$360,000*

10. **Setting a Hearing on the Feix Annexations No. 1, 2, and 3, Located at 229 Jacquie Road** [File # ANX-2002-114]

The Feix Annexations No. 1, 2 and 3 is a serial annexation comprising 3 parcels of land including portions of the right-of-way for Kathy Jo Lane and Jacquie Road along with acreage located at 229 Jacquie Road, comprising a total of 5.386 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Control and Jurisdiction**

Resolution No. 50-02 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Feix Annexation Located at 229 Jacquie Road

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Feix Annexation No. 1, Approximately 0.063 Acres, Located in the Kathy Jo Lane Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Feix Annexation No. 2, Approximately 0.102 Acres, a Portion of the Kathy Jo Lane Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Feix Annexation No. 3, Approximately 5.221 Acres, Located at 229 Jacquie Road and Including a Portion of the Kathy Jo Lane and Jacquie Road Rights-of-Way

Action: Adopt Resolution No. 50-02 and Proposed Ordinances on First Reading Setting a Hearing for July 17, 2002

11. **Setting a Hearing on the Vacation of a Portion of the Right-of-Way for Crosby Road** [File #VR-2002-105]

The petitioner is requesting approval of a vacation of a portion of the dedicated right-of-way for Crosby Road, located between the Union Pacific RR right-of-way and 25 ½ Road. The Planning Commission reviewed the request on May 28, 2002, and recommended approval of the vacation to the City Council.

Proposed Ordinance Vacating a Portion of Crosby Road Located Between the Union Pacific Railroad Right-of-Way and 25 ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 26, 2002

12. **Setting a Hearing on the Statler Annexations No. 1, No. 2 and No. 3 Located at 2134 Buffalo Drive** [File #ANX-2002-110]

The 5.846-acre Statler Annexation area consists of one parcel of land, approximately 5.775 acres in size. The remaining acreage is comprised of right-of-way along Buffalo Drive, from South Camp Road. There is a single-family residence on this lot. The applicants are in the simple subdivision process to create a new vacant lot. The owner of the property has signed a petition for annexation.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 51-02 – A Resolution Referring a Petition to the City Council for the

Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Statler Annexation Located at 2134 Buffalo Drive

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Statler Annexation No. 1, Approximately 0.020 Acres Right-of-Way Located along Buffalo Drive

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Statler Annexation No. 2, Approximately 0.051 Acres Right-of-Way Located along Buffalo Drive

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Statler Annexation No. 3, Approximately 5.775 Acres Located at 2134 Buffalo Drive

Action: Adopt Resolution No. 51-02 and Proposed Ordinances on First Reading Setting a Hearing for July 17, 2002

13. **Setting a Hearing on Vacating Ouray Avenue Between 5th and 6th Streets and Vacating Several Alley Rights-of-Ways for the Mesa County Public Library Expansion** [File #VR-2002-079]

Request for approval of the first reading ordinances vacating Ouray Avenue between 5th and 6th Streets; approval of the vacation of the east/west alley between 5th and 6th Streets, north of Ouray; the remainder of two north/south alley ways between Grand Avenue and Ouray Avenue; the remainder of the east/west alley between 5th and 6th Streets, south of Ouray Avenue. This is the 2-block area from Grand Avenue, north to Chipeta Avenue, between 5th and 6th Streets. Proposal is to facilitate the new design of the Mesa County Public Library, in conformance with the approved Master Plan.

Proposed Ordinance Vacating Ouray Avenue Between 5th and 6th Streets and Establishing a 30-Foot Utility Easement; Vacating the East/West Alley Between 5th and 6th Streets, North of Ouray Avenue and Establishing Utility and Ingress/Egress Easements; Vacating the Remainder of the North/South Alleyway Between Grand Avenue and Ouray Avenue; Vacating the Remainder of the of the East/West Alley Between 5th and 6th Streets, South of Ouray Avenue and Vacating and Relocating the Utility Easement in this Area

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 26, 2002

14. **Setting a Hearing on the Mesa County Human Services Annexations 1 & 2 Located at 510 29 ½ Road** [File #ANX-2002-100]

The Mesa County Human Services Annexation No. 1 and No. 2 is a serial annexation comprised of 3 parcels of land and a portion of the North Avenue and 29 ½ Road rights-of-way on 7.64 acres located at 510 29 ½ Road. Mesa County, the petitioner, is seeking annexation as part of their request for an administrative review of a simple subdivision and site plan review for a proposed new community services building to house Mesa County's Department of Health and Human Services, pursuant to the 1998 Persigo Agreement with Mesa County.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 52-02 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Mesa County Human Services Annexation Located at 510 29 ½ Road and Including a Portion of 29 1/2 Road and North Avenue Rights-of-Way

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Mesa County Human Services Annexation No. 1 Approximately .765 Acres Located on a Portion of 510 29 ½ Road and Includes a Portion of 29 ½ Road and North Avenue Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa County Human Services Annexation No. 2 Approximately 6.875 Acres Located at 510 29 ½ Road and Includes a Portion of the 29 ½ Road Right-of-Way

Action: Adopt Resolution No. 52-02 and Proposed Ordinances on First Reading Setting a Hearing for July 17, 2002

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

Property Boundary Line Resolution/Orchard Mesa Burkey Park

The Orchard Mesa Burkey Park was gifted to the City of Grand Junction in 1967. At that time, of the approximately 15 acres gifted, the two properties to the north had encroached onto the northern 23 feet of the western half of Burkey Park. A Quitclaim Deed from the City to the two adjoining property owners is appropriate.

City Attorney Dan Wilson briefed Council on the history of Burkey Park in Orchard Mesa and how the City came into possession of the property. At one point, the City Attorney believed that adverse possession existed on the portion of the property in question when the law was in affect (prior to 1967). The current Lamplight Trailer Park was built after 1958. The earliest aerial photograph in the City's possession was taken in 1958, but whether the fence line is there cannot be determined from the current photograph. Another photo will be required to determine that, but that will take six weeks.

Wilson stated he feels there is reasonable evidence that the fence existed and advised Council that it is safe to go forward with the Quitclaim Deed as proposed. Councilmember Butler moved to authorize the Mayor to sign a Quitclaim Deed to the two property owners to the north. Councilmember McCurry seconded. Motion carried.

Public Hearing - Beagley Annexations No. 1, 2 and 3, Located at 3049 Walnut Avenue and Zoning the Beagley Annexation Located at 3049 Walnut Avenue [File #ANX-2002-084]

Resolution for Acceptance of Petition to Annex and Second Reading of the Annexation Ordinance for the Beagley Annexations No. 1, 2 and 3 Located at 3049 Walnut Avenue and Including a Portion of the F Road, Grand Valley Drive and Walnut Avenue Rights-of-Way. The 5.92-acre Beagley Annexation consists of one parcel of land.

The petitioner is requesting a zone of RSF-4, which conforms to the Growth Plan. Planning Commission recommended approval at its May 14, 2002 meeting. The owners have signed a petition for annexation as part of a proposed simple subdivision to create one new residential lot, which is in administrative review.

The public hearing was opened at 7:56 p.m.

Ronnie Edwards, Associate Planner, reviewed this item and the zoning in one presentation.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing closed at 8:00 p.m.

a. Accepting Petition

Resolution No. 53-02 – A Resolution Accepting a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control Beagley Annexation Located at 3049 Walnut Avenue and Including a Portion of F Road, Grand Valley Drive and Walnut Avenue Right-of-Way

b. Annexation Ordinance

Ordinance No. 3432 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beagley Annexation No. 1, Approximately 0.153 Acre, a Portion of the F Road Right-of-Way

Ordinance No. 3433 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beagley Annexation No. 2, Approximately 1.028 Acres, a Portion of the F Road and Grand Valley Drive Rights-of-Way

Ordinance No. 3434 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beagley Annexation No. 3, Approximately 4.739 Acres, Located at 3049 Walnut Avenue and Including a Portion of Grand Valley Drive and Walnut Avenue Rights-of-Way

c. Zoning Ordinance

Ordinance No. 3435 – An Ordinance Zoning the Beagley Annexation to Residential Single Family with a Density Not to Exceed Four Units Per Acre (RSF-4), Located at 3049 Walnut Avenue

Upon motion made by Councilmember Spehar, seconded by Councilmember McCurry, and carried by a roll call vote, Resolution No. 53-02 was adopted, and Ordinances No. 3432, 3433, 3434 and No. 3435 were adopted on Second Reading and ordered published.

Public Hearing – Amending the Zoning and Development Code Regarding the Development Review Process [File #TAC-2002-112]

The proposed amendments remove the development review process timelines from the Zoning and Development Code and make changes to which development applications require General Meetings.

The public hearing was opened at 8:01 p.m.

Bob Blanchard, Community Development Director, reviewed this item and explained the significant changes being made to the Zoning and Development Code. Removing timelines are the main affect.

He explained that over about two months, meetings were held with developers and other interested parties.

The Mayor indicated that the current five-day response time was insufficient. Mr. Blanchard agreed and said the change of that item was well received.

Councilmember Terry asked for further clarification for the viewing audience. Mr. Blanchard explained the current process versus the new proposed process and how the changes to the time frames benefit the process.

The public hearing was closed at 8:12 p.m.

Ordinance No. 3436 – An Ordinance Amending the Zoning and Development Code Development Review Process

Upon motion made by Councilmember Kirtland, seconded by Councilmember Butler, and carried by a roll call vote, Ordinance No. 3436 was approved on Second Reading and ordered published.

Growth Plan Amendment for ISRE Property Located at 2990 D ½ Road [File #ANX-2002-049]

The ISRE property is a single parcel of land consisting of 14.149 acres located at 2990 D ½ Road. The petitioner is requesting to amend the Future Land Use Map of the Growth Plan to redesignate the property from Residential Medium-Low (2-4 units per acre) to Residential Medium (4-8 units per acre).

Kristen Ashbeck, Senior Planner, reviewed this item. She noted that the item for consideration does not include the rezone.

She reviewed the Growth Plan Amendment criteria and stated that she feels the criteria have been met.

Councilmember Theobald asked how the property to the south is developed. Ms. Ashbeck replied it is built at 5 to 6 units per acre.

The applicant was present but had nothing to add.

Resolution No. 54-02 – A Resolution Amending the City of Grand Junction Growth Plan Future Land Use Map to Redesignate Approximately 13 acres known as the ISRE Property Located at 2990 D-1/2 Road from Residential Medium Low (2 to 4 units per acre) to Residential Medium (4 to 8 units per acre)

Upon motion made by Councilmember Theobald, seconded by Councilmember Kirtland, and carried by a roll call vote, Resolution No. 54-02 was adopted. Two Rivers Convention Center/Avalon Operations Proposal to operate the Avalon Theater as an extension of Two Rivers Convention Center, beginning July 1. Full report includes transition plan from current to proposed operation.

Joe Stevens, Parks & Recreation Director, reviewed the current proposal for the City Parks and Recreation Department to take over operations of the Avalon Theater under the

management of the Two Rivers Convention Center Manager. The proposal is for three years with a review of the operations afterwards. Mr. Stevens outlined the additional staff requirement and the anticipated City subsidy.

Councilmember Terry asked for clarification on the additional staffing. Mr. Stevens explained that the duties would be assigned as a Crew Leader, 75% to the Avalon Theater and 25% to Two Rivers Convention Center; the manager would be a 50-50 position between the two facilities; and one administrative staff person would be spending 15% of his time at the Avalon Theater and the remaining 85% at Two Rivers Convention Center.

Councilmember Kirtland expressed, that with the success of Two Rivers, there will be some economies of scale, and if the City does not agree to take over the operation of the Avalon Theater, the Avalon Theater may not be able to continue to operate.

Councilmember Spehar added that this proposal would allow the Avalon Board to concentrate on raising capital funds.

Councilmember Kirtland noted that there would be a higher level of service expectations once the City takes over. Mr. Stevens said matching fees to the level of service is probably the hardest balance to achieve, as was the case for Two Rivers Convention Center.

Councilmember Terry suggested an interim advisory group should be formed for the initial time period. City Manager Arnold said he had considered expanding the duties of the Two Rivers Advisory Board and perhaps recruit one more person. The board has not responded that they are willing to oversee the Avalon Theater in addition to Two Rivers Convention Center.

Councilmember Terry urged that such a board be followed through and that after six-months, a status report be submitted to Council.

Ed Lipton, Chair of Avalon Board, said there is a liaison between the Staff and the Avalon Board. The Board intends to leave things in order for the City. The \$200,000 renovation is being completed and Mr. Lipton invited the Council to stop in and visit the facility.

Councilmember Theobald wants the management relationship between the Avalon Theater and the City to work, but expressed reservations that a private entity involvement had not been explored. He was distressed at the statement that if the City doesn't take over the operation, the Avalon Theater will close; and lastly, the subsidy which was originally to stop at five years is now in its 8th year and will now triple, and he feels it will never end. He hopes the Council will remember the original intent after three years have passed.

Councilmember Spehar said the City owns this property and therefore the request is different than the other takeover requests received in the past.

Upon motion made by Councilmember Butler, seconded by Councilmember Spehar, and carried by a roll call vote, with Councilmember Theobold voting **NO**, Council approved the recommended Operational Plan, including appropriate Budget Allocation and Staff Additions, to enable the Parks & Recreation Department to fully operate the Avalon Theater in complement to its existing Two Rivers Convention Center operations for the remainder of 2002 and full year of 2003.

Final Hearing – CDBG 2002 Program Year Action Plan, a Part of the 5-Year Consolidated Plan

Final adoption of the 2002 Program Year Action Plan. This annual plan is required by the Department of Housing and Urban Development (HUD) for the use of CDBG funds. The Action Plan includes the CDBG projects for the 2002 Program Year approved for funding on May 15, 2002.

The public hearing was opened at 8:38 p.m.

David Thornton, Principal Planner, gave an overview of the Action Plan and the funding recommendations for this program year.

Councilmember Kirtland explained the funding of City projects and the concerns that came up. He further stated that he would like Council to look at some programs for neighborhood improvements like El Poso that would be apart from the CDBG. The Mayor said Staff has started to address that.

Councilmember Spehar felt this was appropriate. He pointed out that in alternate years CDBG funds are allocated to City projects that address some of the problems in these areas. He agreed with the suggestion that Staff address other ways to help those neighborhoods.

Councilmember Terry said she would vote “no” to reflect the concerns mentioned by Councilmembers Kirtland and Spehar and the use of CDBG funds for City projects. She respects the other side’s opinion, but cannot support the plan.

Councilmember Butler agreed with Councilmember Terry, but said he will vote in favor of the plan.

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

Resolution No. 55-02 – A Resolution Adopting the 2002 Program Year Action Plan as a Part of the City of Grand Junction’s 2001 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

Upon motion made by Councilmember Spehar, seconded by Councilmember Kirtland, and carried by a roll call vote, with Councilmember Terry voting **NO**, Resolution No. 5502 was adopted.

Grant Application between Great Outdoors Colorado (GOCO) and the Riverfront

Commission to Initiate the Development of Las Colonias Park and Community Separators

At the May 13, 2002 Council Workshop, the Riverfront Commission made a presentation for their next GOCO Legacy Grant application which is due June 17, 2002. The presentation centered on the development of Las Colonias Park as part of the continuation of the Riverfront Greenway Legacy Project throughout Mesa County. The application also included funding Community Separators between the City of Fruita and the Town of Palisade. The discussion focused on partnerships for the grant application. To outline the extent of the City of Grand Junction's partnership in the grant, a resolution similar to the attached resolution should be adopted.

City Manager Arnold reviewed the status of the proposal and the revised information that has been supplied to Council. He pointed out the area of Las Colonias Park that could be developed through this grant and how the City is quantifying the local match. The other part of the grant is for the community separators (buffer areas). Mr. Arnold recommended that over the next two years the City budget \$400,000 cash, \$442,000 towards the clarity basins, and \$130,000 towards the community separators. He said the deadline for the grant application is June 17th. He further explained the need for Council to adopt a resolution at this meeting committing their support for the project and identifying the source of the funds.

Councilmember Terry wanted to clarify that the total commitment was \$972,000 over two years.

Councilmember Spehar wanted to propose a slightly different proposal due to the TABOR committee position and the direction they have had from Council on educating the public on the budget constraints due to TABOR. Another consideration is the letter from the Parks and Recreation Advisory Board on changing priorities and impacting the budget. His proposal would change the City's cash contribution to \$350,000, still leaving the local match at over 50%. He identified the funding sources for this match. He noted that the Parks & Recreation Director disagrees and would rather deduct the monies from a major project rather than take a percentage from the minor parks and land acquisition line item. He then stated the total amount the City has dedicated to the Riverfront Commission projects.

He also wanted to bring two more items the Council's attention. He urged the establishment of some sort of procedure that would require applications to be presented to the Parks and Recreation Advisory Board for their review early on in the process for proposals such as this one. The Parks and Recreation Advisory Board would then give their recommendation to City Council. And lastly, Councilmember Spehar advised the City Council not to include the Arts Center commitment in the application for the grant, since it is not prudent at this time, and it will not help the grant application. Since the Arts Center does not have funding identified, the City should leave that site commitment open as a site for a Cultural Facility and have the Arts Commission facilitate discussions of possibilities.

Joe Stevens, Parks and Recreation Director, explained his difficulty in wrapping this into the current parks budget, his concerns about taking these funds out of the minor parks improvements budget, and which items have been identified for those funds. He suggested a deferral of restroom projects and a slow-down on parkland acquisitions.

Councilmember Spehar suggested that perhaps Bob Cron, the grant writer, address his suggested reduction.

Bob Cron, 310 Dakota Drive, Legacy Coordinator for the 15 Partners on the Greenway Committee asked Council to refocus on the partnerships for the grant application. He pointed out that the clarity ponds might not be eligible since they are not part of Phase I nor are they for recreation. The GOCO board and staff will look at each project element, of which one is Phase I of Las Colonias. He didn't think the City wanted to be a minority shareholder. He said the DDA and the Riverfront Commission wanted the City to match them dollar-for-dollar. He met with the partners last Wednesday, and they pledged their unanimous support to put Las Colonias in the first 50% of the grant.

Councilmember Spehar said he is trying to be sensitive to the City's cash position, and he added that the \$284,000 budgeted for trails reconstruction for 2003, 2004 and 2005 could perhaps be added to the \$350,000.

Mr. Cron explained that cash expenditures are not eligible unless the improvements are in Phase I of the Las Colonias Park.

Councilmember Terry wanted to know from Mr. Cron if the clarity basins are not allowed.

Mr. Cron replied that he received an email from a GOCO representative indicating that the clarity basins will not qualify since they are not a part of Phase I, but might be useable as leverage.

Councilmember Spehar asked if the clarity basins could be used for educational purposes.

Mr. Cron said it would be within the guidelines, but only for leverage and not for matching funds.

Councilmember Terry asked Mr. Cron to reclarify Phase I.

Mr. Cron explained that they reduced their original request of \$600,000 when they heard that the City could contribute \$400,000, and they increased their request to GOCO to \$1,000,000.

Councilmember Spehar wanted to know how the \$50,000 reduction would affect the DDA.

Bruce Hill, Chairman of the Downtown Development Authority, said it was never presented to the DDA Board as a one-to-one match and certainly 42% participation is better than 25%, and of course there would be a better chance of approval at 50%, but their \$200,000 was what the DDA Board wanted to contribute.

Pat Kennedy, 2296 South Arriba Circle, and Lenna Watson 720 Wedge Drive, co-chairs of the Riverfront Commission and members of the Riverfront Foundation, thanked Council for their commitment of \$350,000 and said their \$200,000 commitment was not dependent on a dollar-for-dollar match. Mr. Kennedy said he didn't know how GOCO would react and thanked Councilmember Spehar for his extra effort.

Councilmember Spehar suggested Council pass amended Resolution No. 56-02 excluding Section 3 & 4.

Dan Patton, Executive Director of The Arts Center, living at 414 Eagle Crest Court, said when he got involved two years ago it seemed like a good match when Las Colonias had money budgeted, and it was just a reason to show broader support for the project. He said that if Council eliminates Section 3 regarding discussions with the Arts Center that's fine with him.

Councilmember Spehar suggested continued discussions with other cultural organizations and, if necessary, build a larger facility.

Mr. Patton replied that he had approached the other organizations to look for collaboration, and that the ground work had been laid.

Councilmember Terry wanted to verify that Mr. Patton was still supporting ongoing discussions with other organizations.

Mr. Patton pointed out that the Arts Center should be considered on its own merit, but certainly other organizations could also be approached.

Councilmember Terry asked Mr. Patton if the resolution were to be adopted as proposed by Councilmember Spehar, eliminating negotiations with the Art Center at this time, would he still be supportive.

Mr. Patton answered it is not an issue with the Arts Center but that the Parks and Recreation Advisory Board needs to communicate with the Arts Commission.

Councilmember Spehar said the Parks And Recreation Advisory Board needs to make the final recommendation for the Final Master Plan to Council. In addition any discussions of what would be built on the site, would be designated as a site of a cultural facility and needs to be facilitated by the Arts and Culture Commission and not limited to the Arts Center.

Councilmember Terry thanked Councilmember Spehar and wondered how this moves forward to include the Arts Center on the site. She asked for a timeline on that project.

Councilmember Spehar agreed with Councilmember Terry.

City Manager Arnold suggested exploring that process once the grant application was decided upon, which would be no later than November.

Councilmember Spehar pointed out the timeline request is not dependent on the grant.

Councilmember Terry said she is concerned about mandating the source of the funds, which would not allow Staff to seek those funds elsewhere.

Councilmember Spehar replied that certainly adjustments could be made when CIP is reviewed.

Councilmember Kirtland thanked Councilmember Spehar for his initiative and for looking at the budget philosophy so that Council is true to the TABOR policy, and he supports the suggested \$350,000 commitment.

Councilmember Theobald agreed with Councilmember Terry and hoped the \$50,000 was not the difference between a yes or no vote by GOCO. He said he is sympathetic to Mr. Stevens' concerns about the parks' funding, and he agrees with removing Sections 3 & 4 from the resolution.

City Manager Arnold reminded Council that this resolution was for the grant application only. Councilmember Terry said there is a real benefit to the clarity basins for this project and rewording the application will hopefully help balance out the \$50,000.

Bob Cron said he is still hopeful about selling the clarity basins as wetlands.

Resolution No. 56-02 - A Resolution Supporting and Authorizing the Submittal of a Grant Application between Great Outdoors Colorado (GOCO) and the Riverfront Commission for the Continuation of the Riverfront Greenway Legacy Project throughout Mesa County

The motion was made by Councilmember Spehar to amend Resolution 56-02 by deleting Sections 3 & 4 and renumbering the amended resolution. The motion was seconded by Councilmember Theobald, and carried by a roll call vote. The amended Resolution No. 56-02 was adopted.

City Manager Kelly said it was an enlightening discussion that he definitely will pass on to the Department Heads. The Council has done a great job with the current budget and with the reality of the budget and Council formatted a procedure on how to do it within the current budget. Councilmember Terry said they proceeded with caution and figured out a way for this request to work within Council's constraints, but didn't want to be closed to future opportunities when presented.

Councilmember Spehar said to also honor the Parks and Recreation Advisory Board

priorities and suggested discussions or a policy, to have applications submitted to the Parks and Recreation Advisory Board with their recommendation for City Council's approval. He also suggested having the City Manager involved right from the start.

City Manager Arnold promised better collaboration of the various teams in the future.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

EXECUTIVE SESSION – To Discuss Property Negotiations and Receive Legal Advice on Pending Litigation

It was moved by Councilmember Spehar, seconded by Councilmember Theobald, and carried by all ayes, to go into executive session for the following purpose: 1) To discuss under C.R.S. 24-6-402(4)(a) the purchase, acquisition, lease, transfer or sale of real, personal or other property, particularly the bus depot under the Open Meetings Act 402(4)(a); and

2) Consult with the City Attorney under C.R.S. 24-6-402(4)(b) and to receive legal advice about litigation arising from a land use decision by the City Council under the Open Meetings Act 402(4)(b).

Councilmember Spehar announced that Council would not be returning to regular meeting.

ADJOURNMENT

The meeting adjourned into executive session at 9:56 p.m.

Stephanie Tuin, CMC
City Clerk

**Attachment 2
Police Services – Mesa State**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Police Services Contract with Mesa State College					
Meeting Date	June 26, 2002					
Date Prepared	June 19, 2002					
Author	Lt. Lynden Benoit		Police Lieutenant			
Presenter Name	Lt. Lynden Benoit		Police Lieutenant			
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop		Formal Agenda	X	Consent	Individual Consideration

Summary:

This request is for council to approve the annual contract with Mesa State College for police services that are provided by the Grand Junction Police Department. The request is essentially a renewal process of the city's annual agreement with Mesa State College.

Budget:

Cost to Mesa State College for police services under the agreement is \$243,082.00. (See Exhibit 1)

Action Requested/Recommendation:

Authorize the City manager to sign the contract.

Attachments:

- 2002-2003 Annual Contract with Mesa State College
- Exhibit 1: Spread Sheet with Services Contract Calculations

Background Information:

The Grand Junction Police Department has provided police services to Mesa State College on a contract basis for the past two years. There are three officers and one supervisor assigned to this duty. They provide direct police services to the Mesa State College campus and related facilities.

Officers assigned to the college conduct their primary duties during the school year. The officers are typically assigned to other uniformed patrol related duties during the summer months when activities at the college are minimal.

This request to council is to approve the renewal of the contract/agreement with Mesa State College. The contract/agreement performance dates are July 01, 2002 through June 30, 2003.

AGREEMENT

THIS AGREEMENT is made and entered into this ___ day of _____, 2002 by and between the CITY OF GRAND JUNCTION, COLORADO, hereinafter referred to as the CITY and THE TRUSTEES OF THE STATE COLLEGES OF COLORADO, by and on behalf of MESA STATE COLLEGE, hereinafter referred to as TRUSTEES or MESA;

RECITALS: The CITY and MESA have agreed to enter into a contract wherein the CITY will provide police and law enforcement services to and for Mesa State College. The TRUSTEES have concluded that the provision of law enforcement services by the CITY will assist in furthering MESA's security, including crime prevention and personal security. The CITY represents that it is qualified, ready, willing and able to perform the services set forth in this Agreement;

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the parties hereto agree as follows:

SCOPE OF SERVICES

1. The CITY shall provide three police officers and a sergeant (collectively referred to as "the Officers" or "Officers") that shall be assigned to the main campus of Mesa State College and the Unified Technical Education Center campus beginning July 01, 2002, to and through June 30, 2003. The Agreement may subsequently be renewed thereafter on mutually agreeable terms. For all times prior to August 31 of any contract year, staffing and duty assignment(s), if any, shall be as determined by the CITY. Beginning September 1 of any contract year, officers shall be assigned to fulfill the obligations of this Agreement. At all times the officers' duties shall be as defined by the CITY in accordance with the GJPD Directive Manual, as amended and as determined by the commanding officer(s). The Directive Manual, as amended, is incorporated by this reference as if fully set forth. Generally, the officers' activities and the services, which will be provided in accordance with this agreement, may include, but are not necessarily limited to:

- a. enforcing all laws of the City of Grand Junction, Mesa County and the State of Colorado;
- b. performing walking, bicycle and motor patrols of the City-designated beat area. The beat area shall generally include, but not limited to, Bergman Field and the nearby residential streets and areas. A copy of the designated MSC Beat Area map is attached hereto and incorporated by this reference as if fully set forth.
- c. performing building security, security patrol and uniformed escort services;
- d. providing security for on-campus special events and sporting events as determined is necessary or required by the City;
- e. acting as a community service/liaison officer/crime prevention officer;
- f. taking crime/criminal activity reports;
- g. completion and submission of all required reports and documentation including, but not limited to, "Student Right to Know" and UCR reports, statistical analyses and compilation; and
- h. other duties as assigned.

2. The CITY, by and through the Grand Junction Police Department and the Chief of Police, is responsible for authorizing, approving and supervising the work performed under this Agreement. The CITY shall consult with MESA on staffing, scheduling and the scope of duties assigned to the Officers. MESA shall be deemed to have consented to all operations of the Grand Junction Police Department provided under or in accordance with this Agreement, knowing that the services shall be performed in accordance with standards of care, skill, training, diligence and judgment provided by officers and police organizations who perform work of a similar nature to the work described in this Agreement. If MESA objects in writing to any tactic, operational or functional decision, including staffing, scheduling or the scope of duties assigned to the Officers, then MESA and CITY shall meet and confer. If MESA continues to object or an accommodated position mutually suitable to the parties is not determined after meeting and conferring with the CITY about any tactic, operational or functional decision, including staffing, scheduling or the scope of duties assigned to the Officers, MESA may terminate in accordance with paragraph 2 of the TERMINATION provisions hereof.

3. The CITY shall hire, train and equip the Officers assigned to MESA in accordance with standard departmental practices.

4. MESA shall provide to the CITY suitable, secure office space, including telephone connections, telephones, heating, cooling, lighting, parking and any and all reasonably necessary or required physical facilities, including, but not limited to, desks, chairs, countertops and filing cabinets. All physical facilities shall be at no cost to the CITY and shall reasonably provide the Officers with the space necessary to write reports, conduct confidential interviews and otherwise conduct the duties and activities of the Officers. MESA shall provide keys, access code or combination to the offices and any other space or area reasonably required by the CITY.

5. MESA shall provide no less than 10 suitable locations, as determined by the CITY, for crime prevention pamphlets and safety material distribution racks. MESA shall furnish the racks; the CITY shall furnish the printed material.

6. MESA shall provide access to records kept or maintained by the MESA police department and/or other records kept or maintained by MESA for law enforcement purposes concerning suspected, alleged or charged criminal activity, building security, threats or other matters concerning the safety of persons or property. MESA may disclose to the CITY students' education records or information in a health and safety emergency as defined in 34 C.F.R. and 99.33. MESA shall disclose to the CITY records of its law enforcement unit as those expressions are defined in 34 C.F.R. 99.8 and other records which are not student education records when necessary for the CITY's performance of law enforcement services under this Agreement.

TIME OF PERFORMANCE

The Agreement shall be for the term of July 01, 2002 to June 30, 2003. The Agreement may be renewed annually on mutually agreeable terms and conditions thereafter for 12-month periods. Either party, upon 12-months' written notice after the initial agreement term, may terminate the Agreement. Between June 30 and August 31 of any contract year, the CITY may assign, reassign or schedule the MSC Beat Area to receive more or less service than as generally provided pursuant to this Agreement during other months.

COMPENSATION

1 The TRUSTEES hereby agree to facilitate the provision of City law enforcement services to MESA by paying for those services in advance of delivery. Payment shall be made in full on or before August 31 of each year of the Agreement.

2 The TRUSTEES hereby agree to pay the CITY a sum not less than \$243,082.00 for services under and for 2002-2003. The attached financial schedule labeled Exhibit 1, incorporated herein by this reference as if fully set forth, details the cost of service through June 30, 2003, together with the stipulated accrual cost for the police automobile.

3 The TRUSTEES hereby agree that if this Agreement is not renewed through June 30, 2005, MESA shall be liable to the CITY for payment of the police automobile at the rate of \$6000.00 per year for each year the contract is not renewed. MESA and the CITY agree that the payment does not represent a penalty or liquidated damages but instead are compensation necessary and required to make the CITY whole. MESA may pre-pay the automobile accrual costs in such amounts and on such schedule as agreed to by the Parties.

4 During any Transitional Period, which term shall be generally defined as any period of 30 continuous days or more, for any or no reason, that the CITY is not at full force on the campus, costs billed to the college shall be on a pro-rata basis reflecting actual costs incurred by the City. For purposes of determining a Transitional Period, the months of July and August shall be excepted. In July and August of any contract year the CITY may assign, reassign or schedule the MSC Beat Area to receive more or less service than as generally provided pursuant to this Agreement during other months.

TERMINATION

In the event that the CITY shall fail to perform to the satisfaction of the TRUSTEES, or the TRUSTEES and/or MESA shall fail to perform to the satisfaction of the CITY, either party shall be entitled to terminate this Agreement.

1 If this Agreement is terminated solely for the convenience of MESA and/or the TRUSTEES and/or because funds are not appropriated, budgeted or otherwise available for the next succeeding fiscal year, the Agreement may be terminated on 60-days' written notice. The CITY shall be compensated for stipulated police automobile accrual costs and for the value of its services actually performed before the date of termination.

2 If this Agreement is deemed void, voidable or illegal by a finding or judicial order, determination, judgment or decree by a court of competent jurisdiction because it violates the Civil Service Amendment, the TRUSTEES and/or MESA may immediately terminate the Agreement. The CITY shall be compensated for its start-up costs and for the value of its services actually performed before the date of termination.

NOTICES

Notices concerning this Agreement shall be made in writing by the CITY to the TRUSTEES at the Office of Financial and Administrative Services, Mesa State College, 1100 North Avenue, Grand Junction, Colorado 81501-3122 and by the TRUSTEES to the CITY at 250 North 5th Street, Grand Junction, Colorado 81501, with a copy to the Office of the City Attorney at 250 North 5th Street, Grand Junction, Colorado 81501, by prepaid United States mail, return receipt requested. Mailed notices shall be deemed effective upon deposit with the U.S. Postal Service.

SEVERABILITY

In the event any of the provisions, or applications thereof, of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity and enforceability of the remaining provisions, or applications thereof, shall not be affected.

NO THIRD PARTY BENEFICIARIES

The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement shall be strictly reserved to the CITY and the TRUSTEES, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person on such agreement. It is the express intention of the CITY and the TRUSTEES that any other person other than the CITY or MESA and/or the TRUSTEES receiving any benefits from this Agreement shall be deemed to be incidental beneficiaries only.

INDEMNIFICATION

The CITY hereby agrees to, as allowed by law, indemnify and hold harmless the TRUSTEES, MESA and the State of Colorado, their officers, agents and employees from any and all claims, suits, damages, costs, expenses, liabilities, actions or proceedings arising out of the City's

negligent performance under this Agreement, or its entry of State-owned property upon which the work under this Agreement is to be performed and including acts and omissions of the CITY's officers, employees and representatives. The CITY's obligation to indemnify or hold harmless the TRUSTEES, MESA and the State of Colorado, their officers, agents and employees under this paragraph shall not apply to liability and/or damages resulting from the negligence, reckless and or willful act of the TRUSTEE's and/or MESA's students, officers, agents or employees or the officers, agents or employees of the State of Colorado. This paragraph shall survive the termination of this Agreement.

1. The TRUSTEES and MESA hereby agree to indemnify and hold harmless the CITY and its officers, agents and employees from any and all claims, suits, damages, costs, expenses, liabilities, actions or proceedings arising in any way from the negligence of the TRUSTEES, MESA and their officers, agents and employees in the execution and performance of this Agreement.
2. Notwithstanding any other provision of this Agreement to the contrary, no term or condition of this Agreement shall be construed or interpreted as a waiver of any provision of the Colorado Governmental Immunity Act 24-10-101 *et. seq.*, C.R.S., as now or hereafter amended. The parties hereto understand and agree that liability for claims for injuries to persons or property and other injuries which lie in tort or could lie in tort that arise out of the negligence of the CITY, the TRUSTEES and/or MESA and their respective officers, agents and employees is controlled and limited by the provisions of 24-10-101 *et. seq.*, C.R.S., as now or hereafter amended and as to the TRUSTEES, MESA and their officers, agents and employees by the provisions of 2430-1501 *et. seq.*, C.R.S., as now or hereafter amended. Any provision of this Agreement, whether or not incorporate herein by reference, shall be controlled, limited and modified so as to limit the liability of the CITY, MESA and the TRUSTEES to and in accordance with the above-cited law.

ASSIGNMENT

This Agreement shall not be assigned, pledged or transferred in whole or in part.

STATUS OF CITY

For all purposes under this Agreement, the CITY, its officers, agents and employees are and shall be deemed an independent contractor retained on a contractual basis to perform professional services and it is not intended nor shall it be construed that employees of the CITY are employees of the Trustees of the State Colleges of Colorado, Mesa State College or the State of Colorado. The law enforcement services provided hereunder are not and shall not be considered exclusive to MESA, but such services shall be considered the principal assignment of any Officer so assigned. The parties acknowledge and agree that the assigned Officer(s) may at certain times be required to respond to other locations, situations or emergencies other than those directly arising from or related to the provision of services under or pursuant to this Agreement.

HEADINGS

The headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.

ENTIRE AGREEMENT

The parties acknowledge and agree that the provisions contained herein constitute the entire agreement and that all representations made by any officer, agent or employee of the respective parties, unless included herein, are null and void and of no effect. Alterations, amendments, changes or modifications to this Agreement may be made but the same shall be valid only if they are contained in an instrument, which is executed by all the parties with the same formality as this Agreement.

VENUE

- 1 This Agreement shall be deemed to have been made in, and shall be construed and interpreted in accordance with the laws of the City of Grand Junction, Mesa County and Colorado.
- 2 Any legal action shall be brought in the Mesa County District Court.

CONTROLLER'S APPROVAL

This Agreement shall not be deemed valid until the Controller of the State of Colorado or his designee shall have approved it. This provision is applicable to any contract involving the payment of money by the State.

FUND AVAILABILITY

Financial obligations of the State payable after the fiscal year are contingent upon funds for that purpose being appropriated, budgeted and otherwise made available.

DISCRIMINATION AND AFFIRMATIVE ACTION

1. The CITY agrees to comply with the letter and spirit of the Colorado Antidiscrimination Act of 1957, as amended, and other applicable law respecting discrimination and unfair employment practices (24-34-402, C.R.S.), and as required by Executive Order, Equal Opportunity and Affirmative Action, dated April 16, 1975.

During the performance of this Agreement, the CITY agrees as follows:

MSC Police Service Agreement
2002-2003 Agreement
Page 7

a. The CITY will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, marital status, religion, ancestry, mental or physical handicap or age. The CITY will take affirmative action to ensure that applicants are employed and the employees are treated during employment, without regard to the above-mentioned characteristics. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; lay-offs or terminations; rates of pay or other forms of compensation; and selection for training, including apprenticeship, the contractor agrees to post in conspicuous places, available to employees and applicants for employment.

b. The CITY will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, national origin, sex, marital status, religion, ancestry, mental or physical handicap or age.

c. The CITY will furnish all information and reports required by Executive Order, Equal Opportunity and Affirmative Action of April 16, 1975, and by the rules, regulations and Orders of the Governor, or pursuant thereto, and will permit access to his books, records and accounts by the contracting agency and the office of the Governor or his designee for purposes of investigation to ascertain compliance with such rules, regulations and orders.

d. A labor organization will not exclude any individual otherwise qualified from full membership rights in such labor organizations, or expel any such individual from membership in such labor organization or discriminate against any of its members in the full enjoyment of work opportunity, because of handicap, race, creed, color, sex, age, national origin or ancestry (24-34-402(1)(c), C.R.S.).

e. A labor organization, or the employees thereof, will not aid, abet, incite, compel or coerce the doing of any act defined in this Agreement to be discriminatory or obstruct any person from complying with the provisions of this contract or any order issued thereunder, or attempt either directly or indirectly, to commit any act defined in this contract to be discriminatory (24-34-402 (1)(e), C.R.S.).

f. In the event of the CITY's non-compliance with the non-discrimination clauses of the Agreement or with any of such rules, regulations or orders, this Agreement may be canceled, terminated or suspended in whole or in part and the CITY may be declared ineligible for further state contracts in accordance with procedures authorized in Executive Order, Equal Opportunity and Affirmative Action of April 16, 1975, and the rules, regulations or orders promulgated in accordance therewith, and such other sanctions as may be imposed and remedies as may be invoked as provided in

Executive Order, Equal Opportunity and Affirmative Action of April 16, 1975, or by rules, regulations or orders promulgated in accordance therewith, or as otherwise provided by law.

GENERAL

1 The laws of the City of Grand Junction, Mesa County Colorado and rules and regulations issued pursuant thereto shall be applied in the interpretation, execution and enforcement of this Agreement. Any provision of this Agreement, whether or not incorporated herein by reference, which provides for arbitration by any extra-judicial body or person or which is otherwise in conflict with said laws, rules and regulations shall be considered null and void. Nothing contained in any provision incorporated herein by reference which purports to negate this or any other special provision in whole or in part shall be valid or enforceable or available in any action at law, whether by way of complaint, defense or otherwise. Any provision rendered null and void by the operation of this provision will not invalidate the remainder of this contract to the extent that the contract is capable of execution.

2 At all times during the performance of this Agreement, the CITY shall strictly adhere to all applicable federal and state laws, rules and regulations that have been or may hereafter be established.

3 The signatories hereto aver that they are familiar with 18-8-301, *et. seq.*, (Bribery and Corrupt Influences) and 18-8-401, *et. seq.* (Abuse of Public Office), C.R.S. and that no violation of such provisions is present.

4 The signatories aver that, to their knowledge, no state employee has a personal or beneficial interest whatsoever in the service or property described herein:

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first written above.

CITY OF GRAND JUNCTION

by: _____
Kelly E. Arnold
City Manager

RECOMMENDED AND APPROVED

by: _____
Greg Morrison
Chief of Police

ATTEST:

by: _____
Stephanie Tuin
City Clerk

TRUSTEES OF THE STATE COLLEGES IN COLORADO FOR THE USE AND BENEFIT OF
MESA STATE COLLEGE

by: _____
Michael Gallagher
President
Mesa State College

ATTEST:

by: _____

STATE CONTROLLER

by: _____

ATTEST:

by: _____

EXPENSE	Fiscal Year	Fund	Org	Account	Activity
LABOR	Jul-02 thru Jun-03				
Salaries:					
Sergeant	\$62,449	100	4220	50816	N/A
Police Officers (3)	\$149,727	100	4220	50703	N/A
Overtime	\$21,824	100	4220	53990	N/A
Benefits & Other	\$55,797				
Subtotal: Labor	\$289,796				
NON-PERSONNEL OPERATING					
MDC, Repairs & Maintenance	\$320	100	4220	62230	134300
MDC, Cell Phone Charges	\$800	100	4220	65106	134300
MDC, Vendor Maintenance	\$165	100	4220	70433	134300
MDC, Data Processing / Accrual	\$625	100	4220	70623	111035
Vehicle Fuel	\$850	100	4220	70682	D06200
Vehicle Accrual	\$5,400	100	4220	70688	D06200
Subtotal: Oper.	\$8,160				
TOTAL EXPENSE	\$297,956				
REVENUE					
<u>MESA STATE CONTRACT</u>					
Labor @ 75%	\$217,347				
Non-Personnel Operating Costs @ 100%	\$8,160				
Vehicle Amortized Over 5 Years	\$6,000				
Subtotal	\$231,507				
Admin. Fee, 5% of Subtotal	\$11,575				
TOTAL CONTRACT AMOUNT	\$243,082	100	4220	43212	120050

**Attachment 3
Microwave Transmission Equipment**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Sole Source Purchase of GJRCC Microwave Transmission Equipment					
Meeting Date	June 17, 2002 workshop and June 19, 2002 meeting					
Date Prepared	June 6, 2002				File #	
Author	Susan J. Hyatt			Senior Buyer		
Presenter Name	Mike Kelly/John Linko			Fire Unit Spvsr/Communications Shift Spvsr		
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The GJRCC Radio Committee is seeking approval for the sole source purchase of microwave transmission equipment. The equipment will be used to provide a connection to the Fire B transmitters as well as MCSO radio resources when they are ready to move to the new site.

The equipment is available through a company called Somera Communications located in Santa Barbara, California. Somera resells equipment at discounted prices. This microwave equipment was purchased previously and re-sold to Somera. It has never been installed or used and carries the manufacturer's full warranty.

Budget: The amount budgeted for this project is \$150,000. This budget amount was set based on a verbal quote from Legacy Communications, a local vendor. The Sole Source purchase price from Somera is \$60,000.

Action Requested/Recommendation: The GJRCC Radio Committee recommends Council grant approval to purchase the microwave transmission equipment.

Attachments: The equipment list and price quote is attached for reference and outlines the cost for the microwave and additional equipment needed to complete the project.

Background Information: The microwave transmission equipment will be placed at GJRCC and the Grand Mesa radio site. Purchasing the microwave is just one piece of equipment needed to complete the project. There will be additional costs, \$5206, for ancillary

equipment such as antenna dishes, power supplies, back-up batteries and transmission line. The ancillary equipment was budgeted with the original project of \$150,000. The estimated savings by using Somera's equipment is over \$80,000 compared to the budgeted amount.

Form A

CITY OF GRAND JUNCTION
SOLE SOURCE JUSTIFICATION FORM

Date: <u>6/3/02</u>	Requested By: <u>Paula Creasy</u>
Department: <u>GSPD/Comm</u>	Division: _____
Vendor Name: <u>Somera</u>	Net Cost Delivered: \$ <u>60,000</u>

SOLE SOURCE JUSTIFICATION
(INITIAL ALL ENTRIES THAT APPLY)

Material/Service Description: Radio Microwave

- The Vendor is the original equipment manufacturer and there are no regional distributors;
- The product, equipment or service requested is clearly superior functionally to all other similar products, equipment or service available from another manufacturer or vendor;
- The over-riding consideration for purchase is compatibility or conformity with City-owned equipment in which non-conformance would require the expenditure of additional funds.
- No other equipment is available that shall meet the specialized needs of the department or perform the intended function; or
- Detailed justification is available which establishes beyond doubt that the Vendor is the only source practicably available to provide the item or service required.
- Detailed justification is available which proves it is economically advantageous to use the product, equipment or service.

I recommend that competitive procurement be waived and that the service or material described herein be purchased as a sole source.

Department Approval

Date: _____

Purchasing Approval:

Based on the above and attached documents, I have determined this to be a sole source with no other vendor practicably available.

Purchasing Manager Approval: [Signature] Date: 6/10/02

Final Authorization

City Council Approval Required (\$25K and over)

City Manager Approval Required (\$10K to less than \$25K)

yes/no
yes/no

[Signature]

Attach Justification Documentation and Forward to City Purchasing Manager



Grand Junction Police Department Memorandum

To: Greg Morrison, Police Chief
From: Paula Creasy, Communication Center Manager *PC*
Date: June 3, 2002
Subject: Microwave and radio equipment sole source request

Capt. Mike Kelley of the Grand Junction Fire Dept., a member of the GJRCC Radio Committee, was able to find radio equipment that we planned on purchasing this year for less than half the cost of what was budgeted. We want to purchase microwave transmission equipment and place it at GJRCC and at our Grand Mesa radio site. This equipment will be used to provide a connection to the Fire B transmitter, as well as MCSO radio resources when they are ready to move to the new site. The equipment list and price quote is attached to this memo for reference, and outlines the cost for the microwave and additional equipment needed to complete the project.

The amount budgeted for this project was \$150,000. Mike found microwave equipment through a company called Somera Communications, located in Santa Barbara, California. Part of Somera's business is reselling equipment at discounted prices. The equipment in question was purchased previously and re-sold to Somera, and has never been installed or used. The equipment carries the manufacturer's full warranty. Somera's quoted price for the microwave is \$60,000, half of what was quoted from Legacy Communications, a local vendor.

Purchasing the microwave is just one piece of equipment needed to complete the project. There will be additional costs for ancillary equipment such as the antenna dishes, power supplies, back up batteries and transmission line. The ancillary equipment was budgeted with the original project of \$150,000. The estimated savings on this project would be \$50,000.

SOMERA

YOUR TELECOM EQUIPMENT RESOURCE

5383 Hollister Ave., Ste. 100
 Santa Barbara, CA 93111
 (805) 681-3322 ext. 259 Voice
 (805) 692-6755 Fax

Quotation

No. 10097282

Date: 05/24/02

Company: **Grand Junction Regional Comm. Center**
 Address:

City of Grand Junction

City/State/Zip: **Grand Junction, CO 81501-5159**

Attn: **Mike Kelly**
 Phone: **970-248-5757** Fax: **970-248-5777**

SALESPERSON / EXT.	FOB	TERMS	WARRANTY	DELIVERY
Kurt Steinert/259	ORIGIN	NET 30	One Year	1 WEEK ARO

QTY	ITEM #	DESCRIPTION	PRICE	EXTENSION
1	Alcatel HOP MDR-5606	1DS3, Protected, 29dBm Frequency Pairs: 6605.00/6765.00 Date of manufacture: 11/06/98 <ul style="list-style-type: none"> • Rack Output Power: 29dBm • -48VDC Power • Hot Standby/Space Diversity • External Alarms Enabled • Orderwire not installed 	\$30,000/end \$60,000/HOP Unused New these would cost: \$60,000/radio Savings: \$60,000	
		M13 MUX		
2	Carrier Access 740-0029	Wideband 28 NEBS Certified DS-3 Controller Card, without Fan Face Plate Option	\$850/each Manu Warranty	
		Channel Banks	Manu Warranty	
	Carrier Access 930-0075	Access Bank One channel bank, AB1 LIU+, Logic for	\$1,045	
	Carrier Access 730-0124	115V AC Power Supply	\$175	
	Carrier Access 710-0041	19" Rack Mount Kit	\$51	
	Carrier Access 710-0048	E&M Face Plate	No Charge	
	Carrier Access 740-0003	12 Channel E&M	\$1,150	
	Carrier Access 005-0006	E&M Card special Cable	\$110	
	Carrier Access 740-0004	FXO/DPT 12 Channel Card	\$1,100 NEW	

	Carrier Access 740-0008	FXS 12 Channel Card, with Ring Generator	\$725 New	
			TOTAL:	\$

All equipment is subject to prior sale. All equipment is used unless otherwise indicated. Quote valid for -30- days.

SPECIAL COMMENTS:

**Attachment 4
CDOT Contract – Traffic Signal Communication System**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	CDOT Contract for Purchase of Signal System Materials					
Meeting Date	June 26, 2002					
Date Prepared	June 10, 2002				File #	
Author	Jody Kliska			Transportation Engineer		
Presenter Name	Tim Moore			Public Works Manager		
Report results back to Council	x	No		Yes	When	
Citizen Presentation		Yes	x	No	Name	
	Workshop	X		Formal Agenda	x	Consent
						Individual Consideration

Summary: Adoption of a resolution accepting funds from CDOT to purchase materials for the signal communications system project in the amount of \$200,000.

Budget: City capital funds have been budgeted for Project F33800 in the amount of \$353,451. CDOT's share of the cost would be approximately half and not to exceed \$200,000. The funding is earmarked for design of the next phase as well as installation of fiber optic cable to connect the traffic signals on Highway 340, 1st Street, I-70B and along Patterson Road by Mesa Mall to the City Transportation Engineering Shop. Funds from CDOT will be used to purchase materials needed for the project. The project is currently out for bid and will be brought to Council in July for contract award.

Action Requested/Recommendation: Approve and sign the Resolution to authorize the City Manager to sign the contract with CDOT.

Attachments: Resolution.

Background Information: The city, county and CDOT jointly commissioned a study in 1999 to evaluate the feasibility of an interconnected signal system in the valley and recommend a method to achieve the system. The resulting plan has been incorporated into the Transportation Engineering Design Standards. The city had a consultant develop construction plans for the first piece of a long-term project to connect traffic signals with fiber optic cable for better signal communication. The signal system will ensure that traffic signals operate in a safe and efficient manner. The system will provide the following: automatic resynchronization of time clocks; remote upload and download of timing and coordination

patterns; automatic reporting and logging of errors and exceptions; remote monitoring of intersection and system performance; and remote access to system databases.

RESOLUTION NO. ____ -02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE
COLORADO DEPARTMENT OF TRANSPORTATION FOR THE CITY TO PURCHASE
MATERIALS FOR THE SIGNAL COMMUNICATIONS PROJECT**

RECITALS:

The State has certain legal obligations to maintain State highways in and through the City. To maximize its efficiency and effectiveness, the State has proposed a contract whereby the City will purchase materials for the signal communications project.

The State will reimburse the City for purchases up to \$200,000.00.

The City is ready, willing and able to proceed with the work and the City Council has authorized the City Manager to sign the agreement so that the City staff may deliver the work.

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

1 The City Council hereby authorizes the City Manager to sign the Contract for signal communications materials with the Colorado Department of Transportation.

2 The City Council hereby authorizes the expenditure of funds and the commitment of resources, as necessary, to meet the terms and obligations of the agreement.

3. This resolution shall be in full force and effect from the date on which it is signed.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2002.

ATTEST:

CITY CLERK

PRESIDENT OF THE COUNCIL

**Attachment 5
Traffic Calming Policy**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Traffic Calming Policy					
Meeting Date	June 26, 2002					
Date Prepared	June 15, 2002				File #	
Author	Jody Kliska			Transportation Engineer		
Presenter Name	Jody Kliska			Transportation Engineer		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent
						Individual Consideration

Summary: Adoption of the Traffic Calming Policy with revisions as directed by City Council at the June 3 workshop.

Budget: N/A

Action Requested/Recommendation: Approve Resolution adopting the Traffic Calming Policy.

Attachments: Traffic Calming Policy, Resolution

Background Information: At the June 3, 2002 workshop staff presented the proposed Traffic Calming Policy to City Council for review and feedback.

The following changes were made subsequent to Council input:

- Clarified in the introduction that the policy and process applies to existing neighborhoods.
- Defined vertical displacements as speed humps and raised intersections
- Clarified in Step 2 of the Process that staff would determine if there is sufficient support for identifying problems and solutions.
- Clarified in Step 5 that City Council makes the decision on the proposed traffic calming plan.
- Clarified in Step 7 that test projects would be conducted, if it is possible to test, and measures may not always be temporary.

- Deleted measures that require City Manager approval and added those measures to City Council approval.

The proposed policy is intended to address spot locations in existing neighborhoods for requests that are initiated by citizens and includes the following:

- goals and objectives of the traffic calming program
- minimum requirements for undertaking traffic calming measures
- an update of the 10-step process to include a memo of preliminary findings to Council early in the process
- defines specific measures that may be implemented with staff review and measures that require City Council approval
- imposes time limitations for various steps and includes a one-year time period to complete the first five steps before re-applying.
- includes a prioritization worksheet to allow staff to prioritize requests

City of Grand Junction Neighborhood Traffic Calming Policy

The City of Grand Junction recognizes that quality of life and a sense of community and personal well-being for residents may be affected by intrusive vehicular traffic. Livable streets can be attained in several ways – through good design of new development, through reconstruction of existing streets by Capital Improvement Projects, or by spot improvements initiated by neighborhood requests.

This policy sets the framework for staff and citizens to work together to identify problems in spot locations and work toward implementing solutions that are initiated by neighborhood requests.

Goal:

Address public neighborhood livability concerns resulting from a documented vehicular problem including speeding, cut-through traffic, and hazards. Actively involve the people who live in the project area in the planning and decision-making process.

Objectives:

- Encourage reasonable driver and pedestrian behavior in residential neighborhoods.
- Improve neighborhood livability by encouraging adherence to the speed limit.
- Effectively balance the public safety interests of traffic mitigation and emergency response.
- Encourage citizen involvement and input into the determination of appropriate measures.
- Integrate education, enforcement and engineering.
- Create or maintain quality residential environments.
- Improve safety and convenience for pedestrians, cyclists, the elderly and other vulnerable street users.
- Reduce the number and severity of accidents.
- Discourage the use of inappropriate routes by motor vehicles.
- Improve the visual environment.
- Balance traffic space demands.

Minimum Requirements for Traffic Calming Measures

Public resources need to be managed responsibly to serve all citizens equitably. The following requirements are necessary to balance the City's resources to most effectively address concerns.

Local Streets – Residential streets that are not classified as a collector or higher on the Grand Valley Circulation Plan are considered local. These streets' primary function is for access to the adjacent properties. Cul-de-sacs and streets shorter in length than 1000' are eligible only for educational activities such as distributing flyers and limited enforcement activity such as the neighborhood speed watch or radar trailers. Installation of traffic control devices will be made as needed in accordance with the Manual on Uniform Traffic Control Devices. No physical measures such as speed humps will be considered. Other local streets where data collection indicates the presence of vehicles exceeding the speed limit or traffic volumes higher than what would normally be generated by the houses served by the street are eligible to participate in the traffic calming process. Vertical displacements such as speed humps and raised intersections may be considered where the grade, topography and roadside drainage will allow safe installation.

Collector Streets – Streets designated as collectors on the Grand Valley Circulation Plan may participate in the traffic calming process. Streets where the data collection indicates 85th - percentile speeds greater than 5 MPH over the posted speed limit and traffic volumes that fall within the ranges shown for the street cross-sections in the adopted Standard Drawings will be given priority consideration. Vertical displacements such as speed humps and raised intersections may be considered if the street is not identified as an Emergency Response Route.

Arterial Streets – Streets designated as arterials on the Grand Valley Circulation Plan will likely be identified as Emergency Response Routes and will not be considered for vertical displacements such as speed humps and raised intersections. These streets may be considered for medians and landscaping treatments as well as enforcement activities. Except in unique circumstances, the traffic calming process will not be applicable. Improvements made to arterial streets will be part of a larger Capital Improvement Project.

Projects will be evaluated on a first-come, first-served basis ranked by priority and are subject to availability of funds.

Procedures

All neighborhoods requesting traffic calming must follow the 10-Step Process for Initiating Traffic Calming Projects outlined below. Progressive authority for installation is shown in the list of Potential Traffic Calming Measures.

Process for Initiating Traffic Calming Projects on Existing Streets

Step 1: City receives notification from neighborhood of problem and sends an application package. The applicant has 30 days to complete the application and return it. Once the application is received, the City does basic data collection - volumes, speeds, accidents, geometrics within 30 days. The problem is scored and assigned a priority. Staff reviews appropriate actions and follows the implementation outlined in the Traffic Calming Measures list.

Step 2: Hold neighborhood information session and determine if there is sufficient support in the affected neighborhood to pursue problem identification and solution. The session is scheduled within 30 days of the completion of data collection by City staff. Invite representatives from other City departments who may have an interest such as Police, Fire, Parks, Community Development. Identify, quantify problems. Solicit volunteers for project neighborhood traffic committee.

Step 3: Staff/project neighborhood traffic committee develop plan for traffic calming of the project area. Staff prepares a memo of preliminary findings for City Council and receives Council feedback on the traffic calming plan that will include limitations or restrictions imposed by Council or the City Manager. Time frame for the preparation of the memo and receipt of feedback is 30 days.

Step 4: Public information meeting held by the neighborhood traffic calming committee to present plan to neighborhood. The meeting will be held within 30 days of receiving Council feedback.

Step 5: Circulate neighborhood ballot. Approval of traffic calming plan by 2/3 (66%) of affected area is required to proceed to City Council for the Council decision. The neighborhood traffic calming committee has 90 days to complete the balloting process.

If Step 5 has not been completed within one year from the date the original application is mailed, the application will expire.

Step 6: Ballot results for measures requiring City Council approval will be scheduled for a Council workshop within 45 days of completion of the balloting. A Public Works staff report will be prepared for the meeting. Council action on temporary installation of traffic calming in accordance with the plan developed by staff/project traffic committee with Council input in Step 3.

Step 7: Installation and monitoring of test project, if the traffic calming can be a test project. It is possible at this step to install permanent measures. City collects appropriate traffic data.

Step 8: Survey neighborhood for acceptance and present results of data collection.

Step 9: Request Council action, if necessary, for installation of permanent improvements.

Step 10: Design and construction of permanent improvements.

Potential Traffic Calming Measures

The following traffic calming measures may be implemented with staff review only and most may not require a balloting process:

- Stop signs as warranted by MUTCD (Manual on Unified Traffic Control Devices).
- Speed limit signs with issuance of speed resolution
- No outlet signs
- Other signing in accordance with the MUTCD
- Striping/markings changes or additions
- Radar trailer
- Neighborhood Speed Watch
- Informational flyers
- Delineation and plastic curbing
- Installation of street lights through the petition process

Measures that require City Council approval:

- Speed humps and raised crosswalks
- Street closures
- Medians and entry islands
- Bulbouts
- Roundabouts
- Traffic diverters
- Lane reductions
- Street re-alignments

Prioritization Worksheet

Traffic Volumes

Greater than 2000 vehicles per day	5 points
1500 to 2000 vehicles per day	4 points
1000 to 1500 vehicles per day	3 points
500 to 1000 vehicles per day	2 points
< 500 vehicles per day	1 point

Traffic Accident History

5 or more accidents per mile per year	3 points
2 to 4 accidents per mile per year	2 points
1 accident per mile per year	1 point

Traffic Speeds

85 th % speed exceeds speed limit > 10 MPH	5 points
85 th % speed exceeds speed limit by 9 MPH	4 points
85 th % speed exceeds speed limit by 8 MPH	3 points
85 th % speed exceeds speed limit by 5-7 MPH	2 points
85 th % speed exceeds speed limit by < 5 MPH	1 point

Number of houses facing the street (both sides)

>55 per mile 4 points 40 to 55 per mile 3 points 25 –40 per mile 2 points 10 –25 per mile 1 point

Schools and Public Facilities adjacent to the street

5 points for each school 4 points for each recreation facility (park, pool, etc) 3 points for each trail crossing 2 points for other public facilities

Cut-through traffic pattern

25% or more of traffic cutting through	5 points
15-25% traffic cutting through	2 points

Residents have expressed a concern

Yes	3 points
No	0 points

Total Score:

RESOLUTION NO. _____ 02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND
JUNCTION ADOPTING THE NEIGHBORHOOD TRAFFIC CALMING POLICY**

RECITALS:

The City of Grand Junction Public Works Department, Transportation Engineering Division has developed a Neighborhood Traffic Calming Process that sets the framework for staff and citizens to work together to identify problems in spot locations and work toward implementing solutions that are initiated by citizen requests.

The policy was presented to City Council at the June 3, 2002 workshop. Feedback from Council was incorporated into the policy.

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

The City of Grand Junction Neighborhood Traffic Calming Policy is approved and shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2002.

Attest:

Stephanie Tuin, City Clerk

President of the Council

**Attachment 6
Bookcliff Ave Reconstruction**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Construction Contract for Bookcliff Ave. Improvements, 9 th Street to 12 th Street					
Meeting Date	June 26, 2002					
Date Prepared	May 28, 2002				File # N/A	
Author	Kent W. Marsh, Project Engineer					
Presenter Name	Tim Moore, Public Works Manager					
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
Workshop	X	Formal Agenda		x	Consent	Individual Consideration

Summary: The Bookcliff Ave. Improvements project, between 9th Street and 12th Street, consists of the installation of 1,360 l.f. of 8" C-900 PVC water line, 1,642 l.f. of 7' vertical curb, gutter and sidewalk, and 6,434 s.y. of asphalt pavement.

The following bids were opened on June 4, 2002:

Bidder From Bid Amount

Taylor Constructors	Grand Junction	\$473,514.10
M.A. Concrete Construction	Grand Junction	\$453,355.74
Skyline Contracting	Grand Junction	\$439,418.04
United Companies	Grand Junction	\$421,204.14
Elam Construction, Inc.	Grand Junction	\$418,325.88
Engineer's Estimate		\$436,571.46

Project Costs: Phase I Utilities Construction Contract \$160,034.00 Right-of-Way and Easement Acquisition \$ 28,500.00 Project Design: \$ 29,000.00
Street, Drainage and Irrigation \$ 25,000.00
Waterline \$ 4,000.00 Construction Inspection and Administration (Estimated) \$ 16,000.00 Phase II Street Construction Contract: \$418,325.88

Street Construction Costs \$345,325.88 Waterline Construction Costs \$
73,000.00 Electric Service Conversions
Street Lighting Costs \$ 6,163.00
Total Project Costs \$658,022.88

Budget:

2011 Fund – Project budget \$500,000.00 301 Fund – Project Budget \$ 81,000.00
Revenue from joint utility trench reimbursement \$ 3,000.00 2002 Transfer from Fund 207 \$
73,222.88

Total Project Funding \$658,022.88

Staff recommends that monies be appropriated from Fund 207 (half street/TCP fund) in September, during the supplemental appropriation period, to offset the shortfall of \$73,222.88. A portion of the shortfall in funding can be attributed to the following: \$300,000.00 was budgeted for street reconstruction costs versus actual contract costs of \$345,325.88, for a shortfall of \$45,325.88; \$37,000 was budgeted for irrigation system improvements versus actual construction cost of \$52,000, for a shortfall of \$15,000; Lastly, right-of-way and easement acquisition costs were \$13,000.00 more than originally estimated. The balance in the TCP fund is approximately \$750,000.00

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **Bookcliff Ave. Improvements project** with Elam Construction, Inc. in the amount of \$418,325.88.

Attachments: None

Background Information: The Bookcliff Avenue Reconstruction project is the second phase in a two phase project that will reconstruct Bookcliff Avenue between 9th Street and 12th Street. The first phase of the project included the installation of approximately 1,100 feet of 12" PVC irrigation pipe and 900 feet of 24" storm sewer pipe.

The second phase of the project will include widening the roadway to accommodate one travel lane in each direction, curb, gutter, sidewalk, and bike lanes on both sides of the street. The existing 6" Cast Iron waterline will also be replaced with a new 8" PVC waterline. The reconstruction of Bookcliff Ave. will be coordinated with the reconstruction of 7th Street between Center Ave. and Patterson Road, to maintain access into the medical offices adjacent to Wellington Ave. at all times.

The City of Grand Junction's Public Works Department designed the project. Work on Phase II is scheduled to begin on June 24, 2002 and continue for 11 weeks, with an anticipated completion date of September 12, 2002.

**Attachment 7
Engineering Lab Remodel**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Engineering Lab Remodel						
Meeting Date	June 26, 2002						
Date Prepared	June 10, 2002				File #		
Author	Rex D. Sellers Tim Moore			Senior Buyer Public Works Manager			
Presenter Name	Tim Moore			Public Works Manager			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The project consists of new construction and remodeling to the current Engineering Lab. The proposed expansion of the current facility will address their needs for several years into the future. The project consists of 1,500 square feet of demolition and remodeling of the old building and 1,500 square feet of new construction.

The following bids were opened on May 21, 2002:

Contractor	From	Bid Amount
Triple J Construction	Grand Junction	\$215,957.00
Harney Nail Inc	Avon	\$221,945.00
R. W. Jones Const.	Fruita	\$233,700.00
Architect's Estimate	DKO, Inc.	\$168,000.00

Budget:

Construction Cost	\$215,957.00
Other Expenses	
Trailer Rental	1,400.00
New Fiber to building	3,316.00
Data/Voice Line	7,136.00

Temporary Storage	260.00
Contingency	5,000.00
Total Costs	\$233,069.00
Budget	\$168,000.00
Current Expenditures	16,011.72

Current remaining Budget	\$151,988.28
Budget Shortfall	\$81,080.72

Action Requested/Recommendation: Authorization for the City Manger to execute a contract for the new construction and remodeling of the Engineering Lab with Triple J Construction for \$215,957.00. Total project cost of the Engineering Lab including additional expenses is \$233,069.00.

Proposed funding of Shortfall	
Sewer Fund	\$12,162.11
Water Fund	\$20,270.18
Transfer from 2011 - F00400	\$48,648.43
Total Additional Funding Requested	\$81,080.72

Attachments: N/A

Background Information: During 2001 budget process the need to expand and remodel the Engineering Lab was identified. The solicitation package was advertised in the local newspaper as required. There were 14 solicitation packages mailed and 11 general contractors that attended the bid tour. There were 3 responsible bids received and opened on May 21, 2002. Triple J Construction submitted the low bid in the amount of \$215,957.00.

The project budget was based on the architect's estimate during the budget process. To balance the project budget, staff recommends delaying planned repairs to the stucco walls on Patterson Road between 1st and 7th Streets and transferring those funds (\$48,648.43) to the Engineering Lab improvements. City crews will complete some of the repairs to the walls this fall and engineering staff will plan to bid the remaining repairs next year.

**Attachment 8
Amending Grant Funding Agreement – 29 Rd Phase II**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	A Resolution Amending the Grant Funding Agreement for 29 Road Phase II Reconstruction Project, STM-M555-016					
Meeting Date	June 26, 2002					
Date Prepared	June 17, 2002				File #	
Author	Don Newton			Engineering Projects Manager		
Presenter Name	Tim Moore			Public Works Manager		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X		Formal Agenda	x	Consent
						Individual Consideration

Summary: A City Council Resolution amending the agreement with the State of Colorado, Department of Transportation for the improvement of 29 Road to change the northern limit of the project from Orchard Avenue to Patterson Road.

Budget: The budgeted amount is unchanged with Federal funds in the amount of \$370,017.00 in the Statewide Transportation Improvement Program (STIP) for this project. The grant requires local matching funds in the amount of \$76,929.00 and local agency non-participation costs of \$14,310. Additional Federal funds will become available for Phase III of this project July 2002.

Action Requested/Recommendation: Authorize City Manager to approve a resolution amending the agreement with the Colorado Department of Transportation.

Attachments: Resolution Amending the Grant Funding Agreement for 29 Road Phase II Reconstruction, Project No. STM-M555-016.

Background Information: Originally, the 29 Road improvements were scheduled for construction in three separate phases based on availability of Federal funds. The three phases included Phase I, the Intersection of 29 Road and North Avenue in 2001; Phase II, road improvements between North Avenue and Orchard in 2002; and the final phase from Orchard Ave. to Patterson Road scheduled in 2003.

In 2001 the Colorado Department of Transportation implemented new procedures for right-of-way acquisition on Federal funded projects. These procedures required additional time

for land acquisition in Phase II and necessitated rescheduling of construction in 2003. This resolution simply extends the limits of Phase II to include the Phase III improvements so that both phases will be included under one agreement for purposes of administering Federal funds.

RESOLUTION NO. ____-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
AMENDING THE GRANT FUNDING AGREEMENT FOR 29ROAD PHASE II
RECONSTRUCTION PROJECT, STM-M555-016.**

RECITALS:

On September 14, 2001 the City Council of the City of Grand Junction entered into an agreement with the State of Colorado, Department of Transportation (State) for the improvement/re-construction of 29 Road from north of North Avenue to the Grand Valley Canal. The project is funded substantially by funds made available under the Transportation Equity Act for the 21st Century of 1998 also known as T-21. This resolution amends that contract changing the northern limit of the work to Patterson Road.

The budgeted cost of the construction is unchanged at \$447,000.00 consisting of \$370,017.00 federal funds and local matching funds in the amount of \$91,239.00 for Project STM-M555-016.

The City Council approves the amendment of the agreement.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2002.

Attest:

Stephanie Tuin, City Clerk

President of the Council

**Attachment 9
Rezoning Valley Meadows North**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Reconsidering the Rezone Request for the Valley Meadows North development					
Meeting Date	June 26, 2002					
Date Prepared	June 19, 2002				File # RZP-2002-019	
Author	Lisa Gerstenberger			Senior Planner		
Presenter Name	Same			Same		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent
						Individual Consideration

Summary: Reconsideration and first reading of the Rezoning Ordinance for the Valley Meadows North property located at the north end of Kapota Street, from Residential Single Family Rural (RSF-R) to Residential Single Family-4 (RSF-4), and setting a hearing date of July 17, 2002. This hearing is in accordance with a settlement of a lawsuit and is for purposes of reconsidering the rezone criteria.

Budget: **N/A**

Action Requested/Recommendation: It is recommended that City Council approve first reading of the Rezoning Ordinance and set a date for the public hearing of July 17, 2002.

Attachments:

- 1 Site location map
- 2 Preliminary Plan
- 3 **Rezone Ordinance**

Background Information: **See attached report.**

CITY COUNCIL

STAFF PRESENTATION: Lisa Gerstenberger

AGENDA TOPIC: RZP-2002-019, Valley Meadows North Subdivision.

SUMMARY: Request to rezone from Residential Single Family Rural (RSF-R)* to Residential Single Family-4 (RSF-4)** for approximately 7.65 acres located at the north end of Kapota Street, and to set a hearing date of July 17, 2002.

BACKGROUND INFORMATION					
Location:		North end of Kapota Street			
Applicants:		Ed Lenhart, Just Companies, Owner Brian Hart, Representative			
Existing Land Use:		Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		RSF-R			
Proposed Zoning:		RSF-4			
Surrounding Zoning:	North	RSF-2			
	South	PD 2.93			
	East	RSF-R			
	West	RSF-4			
Growth Plan Designation:		Residential Medium-Low, 2-4 du/ac			
Zoning within density range?		X	Yes	<input type="checkbox"/>	No

*RSF-R: Residential Single Family Rural (1 dwelling unit per 5 acres)

**RSF-4: Residential Single Family-4 (2-4 units per acre)

ACTION REQUESTED: Consideration of request to rezone approximately 7.65 acres from Residential Single Family Rural (RSF-R) to Residential Single Family-4 (RSF-4).

Project Background/Summary

The proposed Valley Meadows North subdivision is located north of F1/2 Road and east of 25 ½ Road. The applicant has requested a rezone from RSF-R to RSF-4 in an effort to develop the property as a 26 lot single family subdivision on approximately 7.65 acres.

The proposed development has 15' of road frontage on 25 ½ Road which will be utilized for pedestrian access. The only other point of public access is from Kapota Street (located on the southern property line) from the Valley Meadows East subdivision. The proposed density is 3.4 units per acre which is in keeping with the allowable density levels of the Residential Medium-Low land use classification.

The rezone request from RSF-R to RSF-4 and Preliminary Plan for the proposed Valley Meadows North Subdivision which is to be constructed on this property, has been processed in the following manner:

- Rezone request and preliminary plans submitted and reviewed by City staff and various other review agencies, April 2002
- Planning Commission reviewed and approved both the rezone request and Preliminary Plans at its March 12, 2002 meeting
- An appeal of the Planning Commission decision approving the Preliminary Plan was filed for City Council consideration
- Council denied the rezone request at its May 1, 2002 meeting making the appeal moot
- A lawsuit challenging the denial of the rezone request was filed in early June

This hearing is in accordance with a settlement of a lawsuit and is for purposes of reconsidering the rezone criteria. If the rezone request is approved, the appeal of the Planning Commission approval of the Preliminary Plan will be reinstated.

Access for the proposed project will be provided through the Valley Meadows East subdivision via Westwood Drive, Chama Lane, McCook Avenue and/or Kapota Street. Kapota Street will be extended into the proposed development with a street stubbed to the east to provide access for future development.

Several letters from neighbors expressing their concern about access coming only from Kapota Street and increased levels of traffic have been received and are available for review.

Lot Configuration and Bulk Requirements

Lot configuration and bulk standards for the RSF-4 zone district have been utilized in the design process.

Drainage for the proposed development will be handled by a detention pond located in the

southwest corner of the property in a tract to be owned and maintained by the Home Owner's Association.

All required utilities are available and will be extended to the site or installed during construction. There is no irrigation water available to this site.

REZONING CRITERIA:

The rezone request must be evaluated using the criteria noted in Section 2.6.A of the Zoning and Development Code. The criteria are as follows:

1. The existing zoning was in error at the time of adoption. The existing zoning of RSF-R, Residential Single Family-Rural, is not consistent with the current land use classification of Residential Medium-Low (2-4 du/ac) as shown on the Future Land Use Map of the Growth Plan. While the RSF-R zone district was applied consciously in 2000, it was recognized that it would likely change as the neighborhood transitioned to a density consistent with the Growth Plan. The Residential Single Family-2 (RSF-2) and Residential Single Family-4 (RSF-4) zone districts implement the Residential Medium-Low land use classification of the Growth Plan.

1 There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. **The property is located in an area that is developing in a residential manner consistent with the Growth Plan, although some parcels (located to the north and east) have lower density zoning than indicated by the Growth Plan. This property is an example of infill development where a public street and utilities have been stubbed to its southern property line in anticipation of future development. The changes occurring are consistent with the Growth Plan but inconsistent with surrounding zoning.**

2 The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. **The requested rezone to RSF-4 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the RSF-4 zone district, therefore this criterion is met.**

3 The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines. **The rezone request has been made to develop the property in a manner consistent with the density range allowed by the Growth**

Plan. The proposed subdivision has been designed in accordance with the provisions of the Zoning and Development Code and TEDS manual. In reviewing the goals and

policies of the Growth Plan, it is apparent that the proposal is consistent with some of the goals and policies, but not all.

Examples of goals and policies of the Growth Plan that support the rezone request include:

Policy 5.2: **The City and County will encourage development that uses existing facilities and is compatible with existing development.**

Policy 5.3: **The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services (“leap-frog” development) will be discouraged.**

Example of a Growth Plan policy that does not support the rezone request:

Policy 24.2: **When improving existing or constructing new streets which pass through residential neighborhoods, the City will balance the desires of residents with the need to maintain a street system which safely and efficiently moves traffic throughout the community.**

1 Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. **Adequate public facilities are currently available and can address the impacts of development consistent with the RSF-4 zone district.**

2 There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. **The neighborhood has a limited amount of land that is undeveloped. The proposed development is considered an infill project which will utilize or extend existing public facilities.**

3 The community or neighborhood will benefit from the proposed zone. **The community will benefit from the infill development of this property and utilization of existing public facilities whether the property is developed at a density as allowed by RSF-4 or RSF-2.**

FINDINGS OF FACT/CONCLUSIONS:

Upon review of the request to rezone from RSF-R to RSF-4, staff makes the following findings of fact and conclusions:

1 **The request to rezone is consistent with the goals and policies of the Growth Plan.**

2 **The request to rezone meets the approval criteria of Section 2.6.A of the Zoning and Development Code.**

STAFF RECOMMENDATION

Staff recommends approval of the request to rezone with the finding that the request is

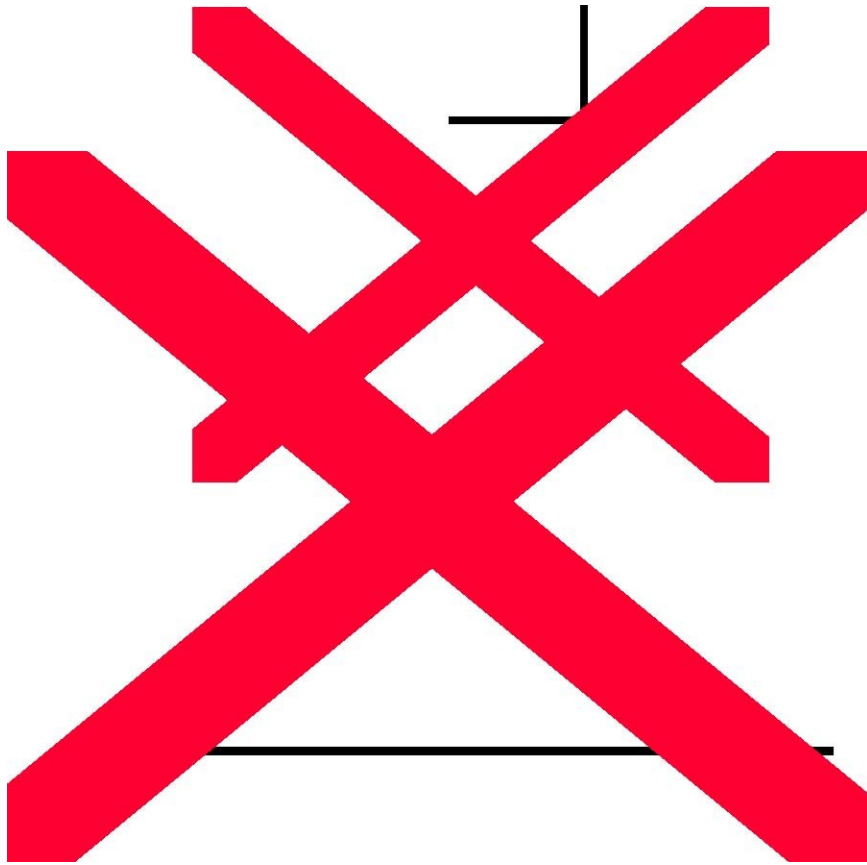
consistent with the goals and policies of the Growth Plan and the rezone criteria of Section 2.6.A of the Zoning and Development Code:

PLANNING COMMISSION RECOMMENDATION: The Planning made a recommendation to approve the request to rezone from Residential Single Family Rural (RSF-R) to Residential Single Family-4 (RSF-4) with the findings that the request is consistent with the goals and policies of the Growth Plan and meets the criteria of Section 2.6.A of the Zoning and Development Code. .

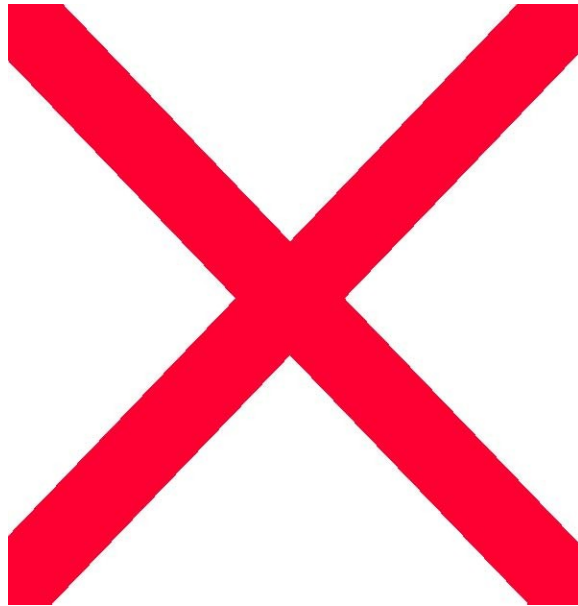
Attachments:

- 1 Site location map
- 2 Preliminary Plan
- 3 Rezone Ordinance

Site Location Map



Preliminary Plan



CITY OF GRAND JUNCTION, COLORADO

REZONING ORDINANCE No. ____

***Ordinance Rezoning the Valley Meadows North property,
located at the north end of Kapota Street,
from Residential Single Family Rural (RSF-R)
to Residential Single Family-4 (RSF-4)***

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Valley Meadows North property, located at the north end of Kapota Street, from the from Residential Single Family Rural (RSF-R) to Residential Single Family-4 (RSF-4), for the following reasons:

- 1 The zone district is consistent with the goals and policies of the Growth Plan.
- 2 The zone district meets the criteria found in Section 2.6.A of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the Residential Single Family-4 (RSF-4) zone district be established.

The Planning Commission and City Council find that the Residential Single Family-4 (RSF-4) zoning is in conformance with the stated criteria of Section 2.6.A of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned to the Residential Single Family-4 (RSF-4) zone district:

Parcel One: That part of the S 632.50' of the W 786.00' of the NW1/4 NE1/4 of Sec 3, T1S, R1W of the UM, being more particularly described as follows: Commencing at the N1/4 corner of said Sec 3, and considering the W line of the NE1/4 of said Sec 3 to bear S 00°00'00" W with all bearings contained herein relative thereto; thence S 00°00'00" W along said W line of the NE1/4 of said Sec 3, 688.50'; thence N 89°59'00" E 265.00' to the POB; thence continuing N 89°59'00" E 521.00'; thence S 00°00'00" W 632.50'; thence S 89°59'00" W 521.00'; thence N 00°00'00" E 632.50' to the POB.

Parcel Two: The S 15' of the following described tract: That part of the S 632.50' of the W 786.00' of the NW1/4 NE1/4 of Sec 3, T1S, R1W of the UM, being more particularly described as follows: Commencing at the N1/4 corner of said Sec 3 and considering the W line of the NE1/4 of said Sec 3 to bear S 00°00'00" W with all bearings contained herein relative thereto; thence S 00°00'00" W along said W line of the NE1/4 of Sec 3, 688.50' to the POB; thence N 89°59'00" E 265.00'; thence S 00°00'00" W 632.50'; thence S 89°59'00" W 265.00' to a point on said W line of the NE1/4 of said Sec 3; thence N 00°00'00" E 632.50' to the POB.

Introduced on first reading this 26th day of June, 2002.

PASSED and ADOPTED on second reading this ____ day of July, 2002.

Mayor

ATTEST:

City Clerk

**Attachment 10
Zoning Mesa County Human Services**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Mesa County Human Services Annexation Located at 510 29 ½ Road					
Meeting Date	June 26, 2002					
Date Prepared	June 6, 2002				File # ANX-2002-100	
Author	Ronnie Edwards			Associate Planner		
Presenter Name	Ronnie Edwards			Associate Planner		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent
						Individual Consideration

Summary: The Mesa County Human Services Annexation is three parcels of land located at 510 29 ½ Road. The petitioner is requesting a zone of General Commercial (C-2), which is equivalent to the existing Mesa County Zoning. Planning Commission recommended approval at its June 11, 2002 meeting.

Budget: N/A

Action Requested/Recommendation: Adopt the ordinance zoning the Mesa County Human Services Annexation.

Attachments:

- 1 Background Information/Staff Analysis
- 2 Annexation Map
- 3 Future Land Use Map
- 4 Zoning Ordinance

BACKGROUND INFORMATION			
Location:		510 29 ½ Road	
Applicants:		Mesa County	
Existing Land Use:		Mesa County Community Services	
Proposed Land Use:		Mesa County Community Services	
Surrounding Land Use:	North	Memorial Gardens Cemetery Land	
	South	Commercial Services	
	East	Memorial Gardens Cemetery Land	
	West	Commercial Services/Multi-family Residential	
Existing Zoning:		County C-2	
Proposed Zoning:		City C-2	
Surrounding Zoning:	North	County RSF-R and C-2	
	South	County C-2 and City C-1	
	East	County RSF-R and C-2	
	West	County C-2 and RMF-8	
Growth Plan Designation:		Commercial and Public	
Zoning within density range?	X	Yes	No

Staff Analysis:

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zoning of C-2 is equivalent to the current Mesa County zoning.

C-2 ZONE DISTRICT

- This property is currently zoned C-2 in Mesa County which is equivalent to the C-2 zoning in the City of Grand Junction.
- The C-2 does conform to the recommended future use on the Growth Plan Future Land Use map currently designated as Commercial and Public.
- Zoning this annexation with the C-2 zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.
- The property is surrounded by other commercial services with equivalent uses.

ZONING AND DEVELOPMENT CODE CRITERIA:

Section 2.14.F: “Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.”

Section 2.6.A. Approval Criteria. In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

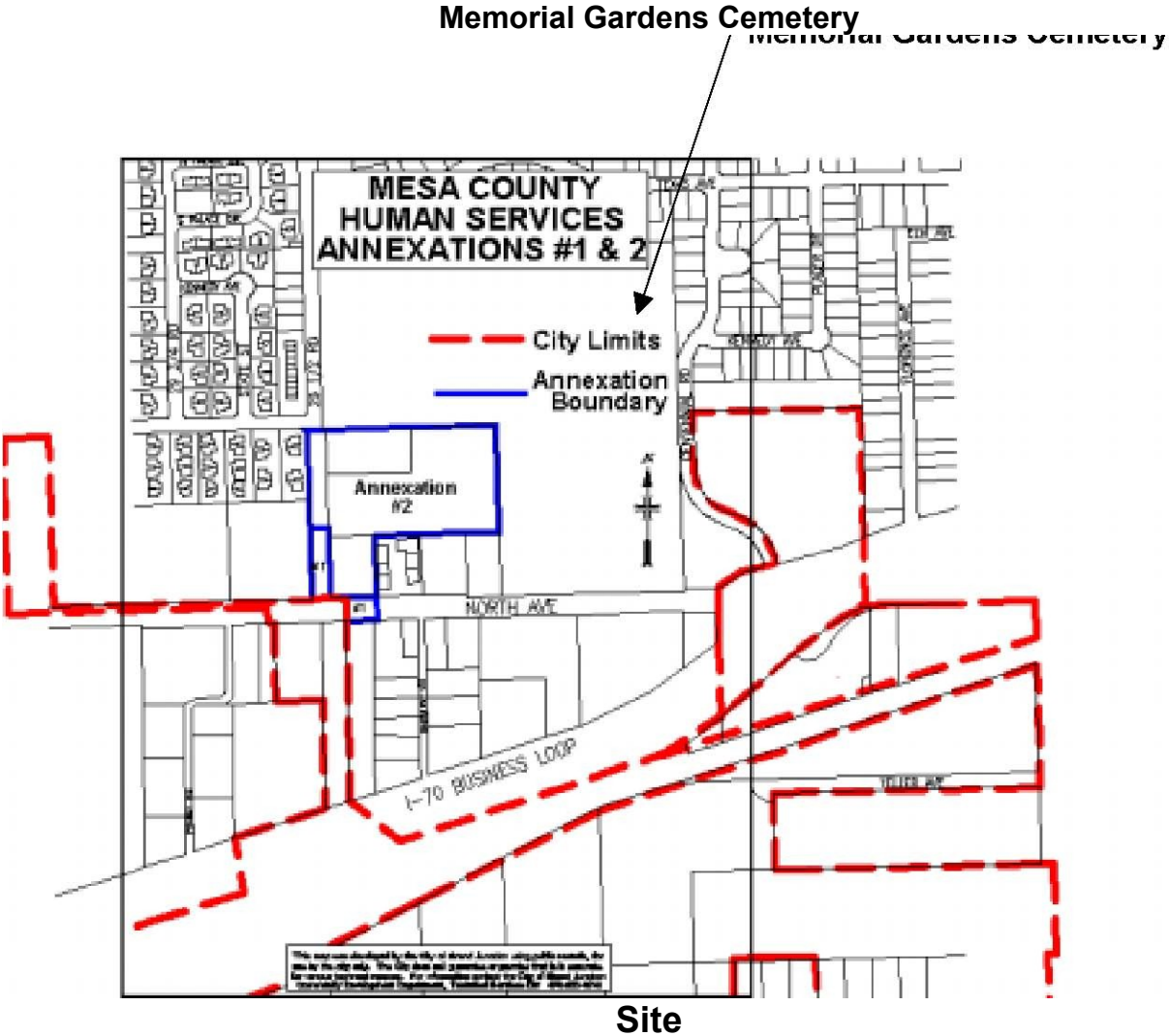
- 1. The existing zoning was in error at the time of adoption;**
The existing zoning is C-2 in the County and the rezone to City C-2 supports the Future Land Use Map.
- 2. There as been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;**There has been no change of character in the neighborhood. The zone change is being required to give a City zoning designation to the subject property.
- 3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;**The proposed zoning is compatible with the neighborhood and will not create adverse impacts.
- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines.**The proposal conforms with the Growth Plan as it supports commercial uses in this particular area. The simple subdivision being created meets the requirements of the Zoning and Development Code. The site plan review submittal is currently being administratively reviewed under the requirements of Section 2.2.D.4 of the Zoning and Development Code.
- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;**Public facilities and services are available for the commercial use as the proposed use is equivalent to the current community services buildings.
- 6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and**
Not applicable. This proposal is to allow a County commercial designation to be changed to a City commercial designation.
- 7. The community or neighborhood will benefit from the proposed zone.**The proposed zone will benefit the neighborhood as it is keeping in place an equivalent commercial zone district that is harmonious to the adjacent neighborhood.

**MESA COUNTY HUMAN SERVICES ANNEXATION
SUMMARY**

File Number:	ANX-2002-100	
Location:	510 29 ½ Road	
Tax ID Number:	2943-084-19-931, 938, 939	
Parcels:	3	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	7.64 acres for annexation area	
Developable Acres Remaining:	6.56 acres	
Right-of-way in Annexation:	611' of 60' ROW of 29 ½ Road, and 117' of 90' ROW of North Avenue; See Map	
Previous County Zoning:	C-2	
Proposed City Zoning:	C-2	
Current Land Use:	Mesa County Community Services	
Future Land Use:	Mesa County Community Services	
Values:	Assessed:	= \$ 387,840
	Actual:	= \$1,337,320
Census Tract:	11	
Address Ranges:	500 to 512 29 ½ Road and 2952 to 2958 North Avenue	
Special Districts:	Water:	Ute Water District
	Sewer:	Fruitvale Sanitation
	Fire:	Grand Junction Fire District
		Grand Valley Irrigation District
	Drainage:	Grand Junction Drainage District
	School:	District 51

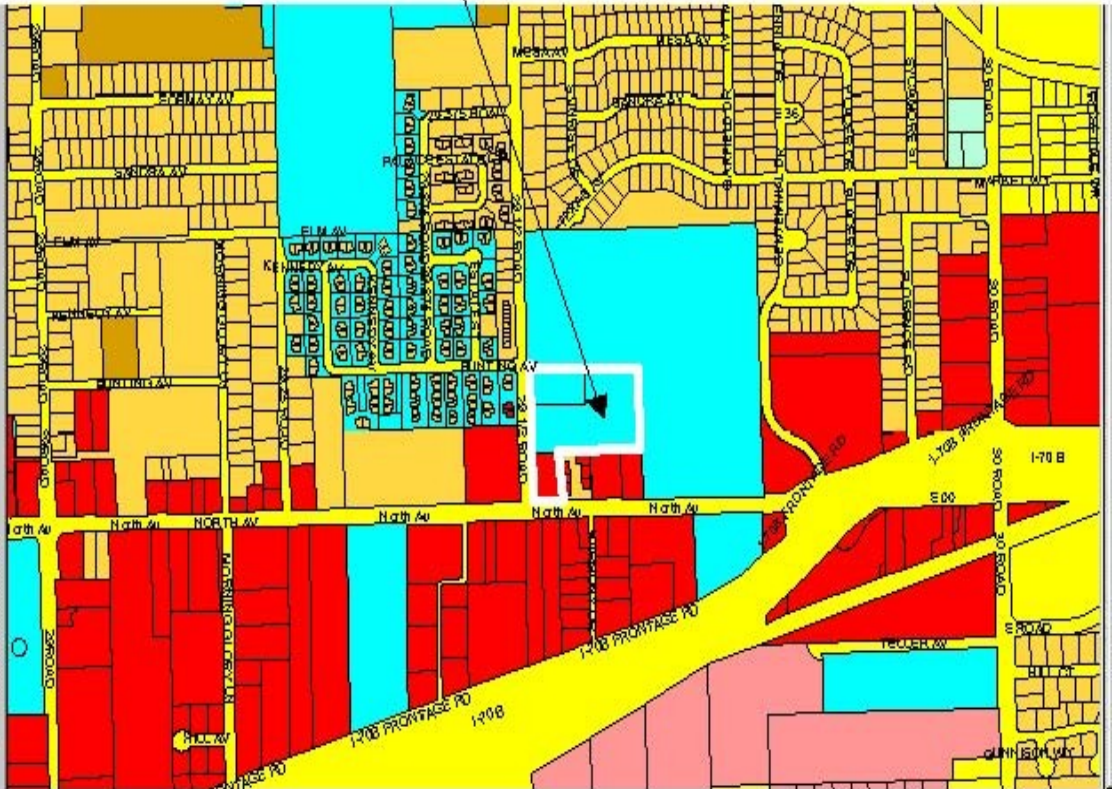
The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
June 5, 2002	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
June 11, 2002	Planning Commission considers Zone of Annexation
June 26, 2002	First Reading on Zoning by City Council
July 17, 2002	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
August 18, 2002	Effective date of Annexation and Zoning



Future Land Use

- AG
- RUR
- EST
- RL
- RML
- RM
- RMH
- RH
- C
- CI
- I
- MU
- CON
- P
- PK
- ROW
- W



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**ZONING THE MESA COUNTY HUMAN SERVICES ANNEXATION TO
GENERALCOMMERCIAL (C-2)**

LOCATED AT 510 29 ½ ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a C-2 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-2 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following property shall be zoned the General Commercial (C-2) zone district

Includes the following tax parcels 2943-084-19-931, 938, 939

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

A certain parcel of land lying in the Southwest Quarter (SW ¼) and the Southeast Quarter (SE ¼) of Section 8, Township One South, Range One East of the Ute Principal Meridian, and a portion of J and J Subdivision, as same is recorded in Plat Book 12, Page 125, Public Records of Mesa County, Colorado, all lying in Mesa County, State of Colorado, and being more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 7 of said J and J Subdivision and considering the South line of the SE ¼ of said Section 8 to bear N 89°58'35" W with all bearings contained herein being relative thereto; thence from said POINT OF COMMENCEMENT, N 00°05'12" W along the West line of said J and J Subdivision, being a line 40.00 feet East of and parallel with the West line of the SE ¼ of said Section 8 and also being the East right of way for 29 ½ Road, a distance of 10.00 feet

to a point being the TRUE POINT OF BEGINNING; thence from said POINT OF BEGINNING, continue N 00°05'12" W along said East right of way, a distance of 292.00 feet; thence S 89°54'48" W a distance of 70.00 feet to a point on the West right of way for 29 ½ Road; thence N 00°05'12" W along said West right of way, being a line 30.00 feet West of and parallel with the East line of the SW ¼ of said Section 8, a distance of 308.99 feet to a point on the Westerly extension of the North line of said J and J Subdivision; thence S 89°57'03" E along said North line and its Westerly extension, a distance of 691.61 feet to a point being the Northeast corner of said J and J Subdivision; thence S 00°04'27" E along the East line of said J and J Subdivision to a point being the Southeast corner of Lot 4 of said J and J Subdivision; thence N 89°57'57" W along the South line of said Lot 4 and the Westerly extension thereof, a distance of 454.76 feet to a point on the East line of Lot 7 of said J and J Subdivision; thence S 00°05'12" E along said East line of Lot 7, a distance of 210.08 feet; thence N 89°58'35" W along a line 10.00 feet North of and parallel with the South line of said Lot 7, a distance of 166.76 feet, more or less, to the POINT OF BEGINNING.

CONTAINING 299,463.7 Square Feet or 6.875 Acres, more or less, as described.

INTRODUCED on first reading on the 26th day of June, 2002.

ADOPTED and ordered published this _____ day of _____, 2002.

Attest:

City Clerk

President of the Council

**Attachment 11
Zoning Feix Annexation**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Feix Annexation, located at 229 Jacquie Road					
Meeting Date	June 26, 2002					
Date Prepared	June 19, 2002				File #ANX-2002-114	
Author	Pat Cecil			Development Services Supervisor		
Presenter Name	Pat Cecil			Development Services Supervisor		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent
						Individual Consideration

Summary: The Feix Annexation, comprised of 4.68 acres, is located at 229 Jacquie Road. The petitioner is requesting a zone of RSF-4, which conforms to existing County zoning and the Growth Plan Land Use designation for the site. The Planning Commission, on June 11, 2002, recommended approval of the zoning to the City Council.

Budget: N/A

Action Requested/Recommendation: First reading of the Zone of Annexation and set the hearing date for the Second reading for July 17th, 2002.

Attachments:

- 1 Staff report/Background information
- 2 Location Map
- 3 Ordinance

Background Information: See attached Staff Report/Background Information

Staff Report/ Background Information

BACKGROUND INFORMATION					
Location:		229 Jacquie Road			
Applicants:		Dan Feix – Petitioner Terry Lorentzen – Developer Thompson-Langford – Representative			
Existing Land Use:		Residential			
Proposed Land Use:		Residential subdivision			
Surrounding Land Use:	North	Residential			
	South	Golf Course			
	East	Residential			
	West	Residential			
Existing Zoning:		Residential Single Family – 4 dwelling units per acre (RSF-4) (County)			
Proposed Zoning:		RSF-4 (City)			
Surrounding Zoning:	North	RSF-4 (County)			
	South	PUD (County)			
	East	RSF-4 (County)			
	West	RSF-4 (County)			
Growth Plan Designation:		Residential Medium Low 2-4			
Zoning within density range?		X	Yes	<input type="checkbox"/>	No

Staff Analysis of Rezoning: The petitioner is requesting the rezoning in conjunction with an annexation application and a preliminary plan. The preliminary plan was not ready for Planning Commission review, but to keep the annexation on schedule, the zone of annexation is being separated from the preliminary plan review. The preliminary plan will be scheduled once outstanding issues are resolved.

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

1. The existing zoning was in error at the time of adoption;

Petitioner Response: Not applicable, this is a rezone from County RSF-4 to City RSF-4.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, ect.;

Petitioner Response: Not applicable.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or nuisances;

Petitioner Response: The rezoning is compatible with the surrounding neighborhood and will not adversely affect utilities or street capacities.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and policies, the requirements of this Code, and other City regulations and guidelines;

Petitioner Response: This rezone is consistent with the Growth Plan land use goals and policies. It is the intent to conform to all other applicable codes and regulation.

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;

Petitioner Response: It appears that all facilities and services are available. The development of this parcel was anticipated as evidenced by the stub streets and surrounding utilities.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and

Petitioner Response: This development completes the infill of the Loma Linda Subdivision.

1. The community or neighborhood will benefit from the proposed zone.

Petitioner Response: The benefits as derived by the area will primarily consist of the infill of a parcel within a developed area. The development plan will be consistent with the existing street and utility circulation plans.

Staff believes that justification for the zoning has been made by the petitioner and that the request for an RSF-4 zoning is consistent with the Growth Plan and also consistent with adjacent County zoning.

PLANNING COMMISSION RECOMMENDATION: City Council approval of the rezoning on second reading, finding the rezoning to the RSF-4 zone district to be consistent with the Growth Plan, existing County Zoning and Sections 2.6 and 2.14.F. of the Zoning and Development Code.



**GENERAL LOCATION
FEIX ANNEXATION**

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. _____

**Zoning the Feix Annexation to the Residential Single Family – 4 dwelling units per acre
(RSF-4) district
Located at 229 Jacquie Road**

Recitals:

After public notice and public hearings as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-4 zone district to the annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14. F. of the Zoning and Development Code.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following property shall be zoned Residential Single Family – 4 dwelling units per acre (RSF-4) district:

A parcel of land situated in the NW1/4 SW1/4 SEC 29, T1S, R1E, UM Mesa Co., CO. being more particularly described as follows:

Beginning at a point on the S line NW1/4 SW1/4 SEC 29, whence the SW corner of said NW1/4 SW1/4 bears S89°49'30"W a distance of 208.00';

Thence N00°10'06"W, a distance of 302.44' to the SW corner of Blk 2 of Loma Linda Sub, a plat recd in Mesa Co., Clerk & Records REC #1106028;

Thence along the boundary of said Loma Linda Sub N89°49'54"E, a distance of

614.62';Thence departing said boundary S00°10'06"E, a distance of 145.00';Thence N89°49'54"E a distance of 114.90' to the boundary of Loma Linda Sub;

Thence along said boundary S00°10'06"E, a distance of 157.36' to the S line of

the NW1/4 SW1/4 SEC 29;Thence along said S line S89°49'30"W a distance of 729.52' to the Point of Beginning.

Containing 4.682 ac more or less. Introduced on the first reading this 26th day of June, 2002. PASSED and ADOPTED on second reading this _____ day of July, 2002.

President of Council

ATTEST:

City Clerk

**Attachment 12
Zoning Statler Annexation**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Zoning the Statler Annexation, the requested zoning is RSFE (Residential Single Family-Estate, not to exceed 1 unit per 2 acres)							
Meeting Date	June 26, 2002							
Date Prepared	June 18, 2002				File # ANX-2002-110			
Author	Lori V. Bowers		Associate Planner					
Presenter Name	Lori V. Bowers		Associate Planner					
Report results back to Council	X	No		Yes	When			
Citizen Presentation	X	Yes		No	Name	Rod Statler, owner		
	Workshop	X		Formal Agenda	X	Consent		Individual Consideration

Summary: The 5.846-acre Statler Annexation area consists of one parcel of land, approximately 5.775 acres in size. The remaining acreage is comprised of right-of-way along Buffalo Drive, from South Camp Road. There is a single-family residence on this lot. The applicants are in the simple subdivision process to create a new vacant lot.

Budget: N/A

Action Requested/Recommendation: First Reading of the Zoning Ordinance

Attachments:

Staff report Annexation Map Zoning Ordinance

Background Information: **Attached RELATIONSHIP TO COMPREHENSIVE PLAN:** The City of Grand Junction's Growth Plan identifies the entire subject parcel to develop as "Residential Low", ½ acre to 2 acres per dwelling unit. The petitioner's request for RSF-E (Residential Single-Family Estate, not to exceed 1 unit per 2 acres) is within the range recommended in the Growth Plan.

BACKGROUND INFORMATION			
Location:		2134 Buffalo Drive	
Applicant:		Rod Statler, Owner	
Existing Land Use:		Single Family Residence	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential	
	West	Colorado National Monument	
Existing Zoning:		RSF-4 (Mesa County)	
Proposed Zoning:		RSF-E (Residential Single-family Estate, not to exceed 1 unit per acre 2 acres)	
Surrounding Zoning:	North	RSF-4 (Mesa County)	
	South	RSF-4 (Mesa County)	
	East	RSF-4 (Mesa County)	
	West	Colorado National Monument	
Growth Plan Designation:		Residential Low - ½ acre to 2 acres per dwelling unit	
Zoning within density range?		X	Yes
			No

STAFF ANALYSIS: Due to the Persigo Agreement, the property owner is required to annex into the City for the purpose of a Simple Subdivision. The applicant requests to divide his parcel into 2 lots. The existing house will be on a 3.66 acre lot and the remaining 2.07 acres creates another residential lot.

Zoning- the applicant requests the zoning designation of RSF-E (Residential Single Family, not to exceed 1 unit per 2 acres). The zoning is consistent with the Growth Plan for this area.

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

The existing zoning was in error at the time of adoption; The existing zoning is Mesa County zoning. Staff does not know if the zoning was in error or not.

There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;

There has been no change in the character of this neighborhood.

The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or nuisances;

The proposed zone of annexation/rezone is compatible with the neighborhood and should not create any adverse impacts.

The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and policies, the requirements of this Code, and other City regulations and guidelines;

The proposal conforms to the Growth Plan. With the exception of sanitary sewer in the area, the proposal conforms to the Zoning and Development Code. The proposal conforms to the Persigo Agreement by annexing the property into the City due to their request to subdivide the subject property into 2 lots.

Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development; Adequate facilities currently exist on the property with the exception of sanitary sewer. The existing house is currently serviced by a septic system.

There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
(Not applicable to annexation)

The community or neighborhood will benefit from the proposed zone. The Community will benefit by the development of this property.

Growth Plan Goals and Policies are as identified in Policy 1.7 state: "The City and County will use zoning to establish the appropriate scale, type, location and intensity for development..." and Goal 11: To promote stable neighborhood and land use compatibility throughout the community."

PLANNING COMMISSION RECOMMENDATION: At their regularly scheduled meeting of June 11, 2002, the Planning Commission recommended to the City Council the zoning designation of RSF-E (Residential Single-family Estate, not to exceed 1 unit per 2 acres) for the Zone of Annexation of the Statler Annexation, finding that the project is consistent with the Growth Plan, the Persigo Agreement and Sections 2.6 of the Zoning and Development Code.

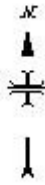
STATLER ANNEXATIONS NO. 1, 2, & 3

 City Limits
 Annexation
Boundary

Annexation
#3

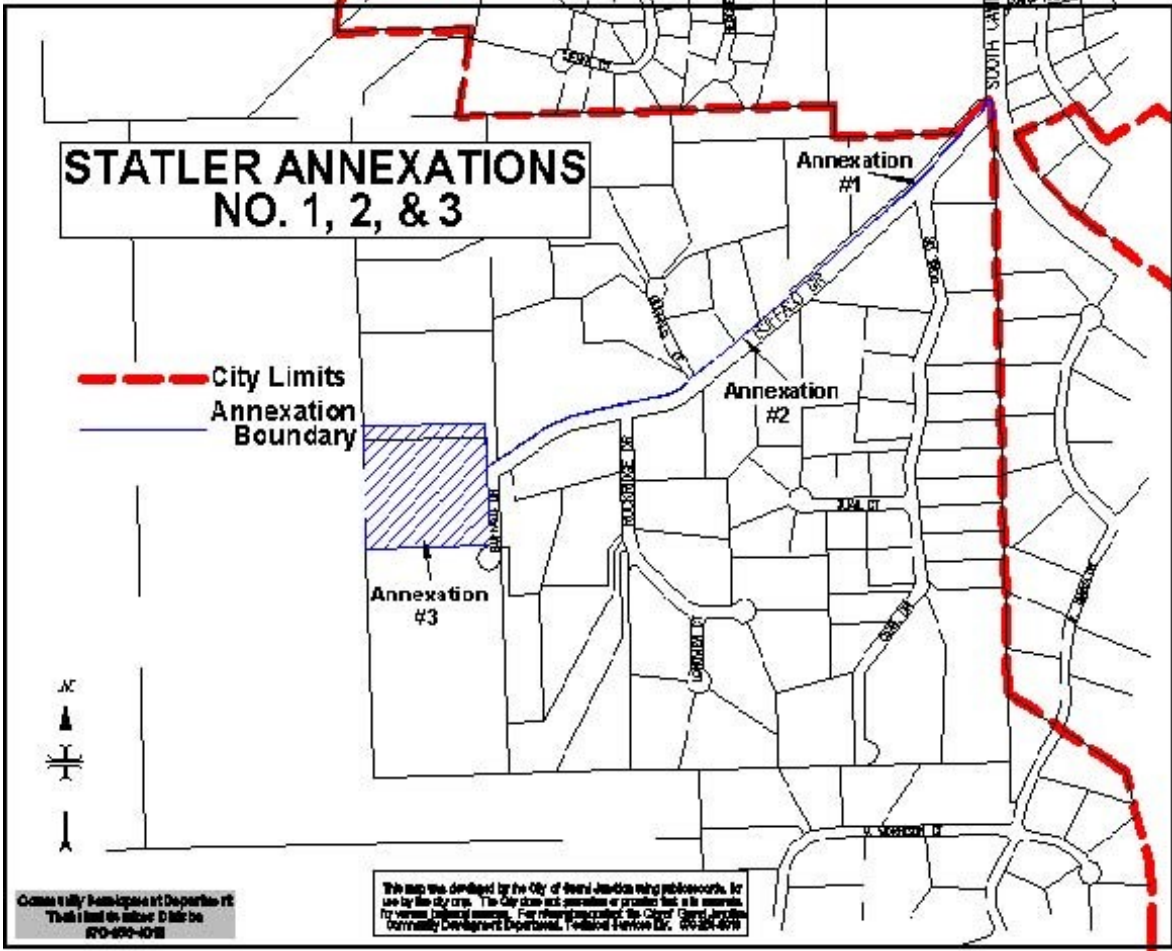
Annexation
#2

Annexation
#1



Comprehensive Department of
That is not to be used
20-000-000

This map was created by the City of Steel Junction using information for use by the City of Steel Junction. The City does not warrant or provide any liability for any use of this information. For more information, contact the City of Steel Junction, Community Development Department, 1-800-368-6777.



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

**ZONING THE STATLER ANNEXATION TO RESIDENTIAL SINGLE FAMILY, ESTATE
(RSF-E)**

LOCATED AT 2134 Buffalo Drive

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-E zone district (Residential Single Family – Estate, not to exceed 1 dwelling unit per 2 acres) to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-E zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following property shall be zoned the Residential Single Family, Estate (RSFE) zone district

Includes the following tax parcel 2947-353-00-050

PERIMETER BOUNDARY LEGAL DESCRIPTION STATLER ANNEXATION

A certain parcel of land lying in Tract 39 of Section 35, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northeast corner of said Tract 39, and considering the East line of said Tract 39 to bear S 00°06'50" W with all bearing contained herein being relative thereto; thence from said Point of Commencement, S 49°21'51" W a distance of 1164.11 feet to a point 1.00 feet South of, as measured at right angle thereto, the Northerly line of that certain 60.0 foot

right of way for Buffalo Drive, as same is described in Book 974, Page 695, Public Records of Mesa County, Colorado, and being the TRUE POINT OF BEGINNING; thence, from said Point of Beginning, S 37°05'03" E a distance of 1.00 feet; thence S 52°54'57"W along a line 2.00 feet South of and parallel with the Northerly line of said Buffalo Drive, a distance of 593.63 feet to a point being the beginning of a 122.00 foot radius non-tangent curve, concave Northwest; thence Southwesterly 56.15 feet along the arc of said curve, through a central angle of 26°22'19", having a long chord bearing of S 66°25'26" W with a chord length of 55.66 feet; thence S 79°36'36" W along a line 2.00 feet South of and parallel with the Northerly line of said Buffalo Drive, a distance of 430.19 feet; thence N 10°23'24" W a distance of 1.00 feet to a point being the beginning of a 309.00 foot radius non-tangent curve, concave South; thence Westerly 108.28 feet along the arc of said curve, through a central angle of 20°04'41", having a long chord bearing of S 69°23'08" W with a chord length of 107.73 feet; thence S 59°20'47" W a distance of 314.10 feet to a point on the West line of that certain 50.0 foot parcel of land for road and utility purposes, as described in Book 1038, Page 377, Public Records of Mesa County, Colorado; thence S 00°31'13" E along said West line and being parallel with the West line of said Tract 39, a distance of 304.74 feet; thence N 89°53'12" W a distance of 525.04 feet, more or less, to a point on the West line of said Tract 39, said point lying 909.13 feet North of, as measured along the West line of said Tract 39, the Southwest corner of said Tract 39; thence N 00°31'13" W along the West line of said Tract 39, also being the East line of the Colorado National Monument, a distance of 479.68 feet; thence S 89°53'13" E a distance of 515.00 feet to a point on the West line of that certain parcel of land described in Book 1189, Page 839, Public Records of Mesa County, Colorado; thence S 00°31'12" E along the West line of said parcel, a distance of 179.72 feet to a point on the Westerly extension of the Northerly line of said Buffalo Drive; thence N 59°20'47" E along the Northerly line of said Buffalo Drive, a distance of 325.13 feet to a point being the beginning of a 310.00 foot radius non-tangent curve, concave South; thence Westerly 109.64 feet along the arc of said curve, through a central angle of 20°15'49", having a long chord bearing of N 69°28'41" E with a chord length of 109.07 feet; thence S 10°23'24" E a distance of 1.00 feet; thence N 79°36'36" E along a line 1.00 feet South of and parallel with the Northerly line of said Buffalo Drive, a distance of 429.19 feet to a point being the beginning of a 121.00 foot radius non-tangent curve, concave Northwest; thence Northeasterly 55.69 feet along the arc of said curve, through a central angle of 26°22'19", having a long chord bearing of N 66°25'26" E with chord length of 55.20 feet; thence N 52°54'57" E a distance of 593.62 feet, more or less, to the Point of Beginning.

CONTAINING 251,563.0 Square Feet or 5.775 Acres, more or less, as described.

Introduced on first reading this _____ day of _____, 2002.

PASSED and ADOPTED on second reading this ____ day of , 2002.

Attest:

City Clerk

President of the Council

**Attachment 13
Vacation of Easement – Pepper Tree Filing 4A**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Vacation of Easement – Pepper Tree Filing 4A located at Indian Creek Drive South of F Road					
Meeting Date	June 26, 2002					
Date Prepared	June 19, 2002				File # SS-2002-098	
Author	Bill Nebeker			Senior Planner		
Presenter Name	Bill Nebeker			Senior Planner		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: The applicant proposes to vacate a 15-foot wide easement dedicated to the City of Grand Junction for utility and drainage purposes. The easement is located on the east side of Pepper Tree Filing 4A, located at the south end of Indian Creek Drive, south of F Road. At it's hearing of June 11, 2002 the Planning Commission recommended approval of this request.

Budget: N/A

Action Requested/Recommendation: Adopt resolution.

Attachments:

- 1 Staff Report
- 2 Vicinity map
- 3 Plat Map/Easement Vacation Exhibit
- 4 Resolution vacating easement

Background Information: See attached

CITY OF GRAND JUNCTION

HEARING DATE: June 26, 2002

CITY COUNCIL

STAFF PRESENTATION: Bill Nebeker

BACKGROUND INFORMATION					
Location:		South end of Indian Creek Drive, S of F Rd			
Applicants:		Patterson Road Development			
Existing Land Use:		5-plex (attached single family)			
Proposed Land Use:		No change proposed			
Surrounding Land Use:	North	Attached single family residential			
	South	Vacant			
	East	Vacant			
	West	Attached single family residential			
Existing Zoning:		County RSF-4			
Proposed Zoning:		Planned Development (PD)			
Surrounding Zoning:	North	PD			
	South	PD			
	East	RMF-8			
	West	RMF-8			
Growth Plan Designation:		Residential Medium High (8 to 12 du/acre)			
Zoning within density range?		X	Yes		No

Easement Vacation

The applicant proposes to vacate a 15-foot wide easement dedicated to the City of Grand Junction for utility and drainage purposes. The easement is located along the east side of Pepper Tree Filing 4A plat, but was dedicated prior to Filing 4 being recorded. Recently a review of the title work for Filing 4A (an amended plat that adjusts lot lines to match the building footprint of an existing single family attached 5-plex) showed that the easement existed and was not properly vacated. A portion of the easement is located under the structure constructed on lot 5 of this subdivision. The purpose of this vacation is to release the encumbrance of the easement under the structure. There were no utilities found by the developer while constructing the 5-plex. The remaining area where the easement is to be vacated is located in Tract A and was previously dedicated as a multipurpose easement for utilities, drainage and other purposes.

FINDINGS OF FACT/CONCLUSIONS: At its hearing of June 11, 2002 the Planning Commission found that the proposed easement vacation conforms to the review criteria set

forth in Section 2.11C of the Zoning and Development Code as follows and recommended approval of the vacation request:

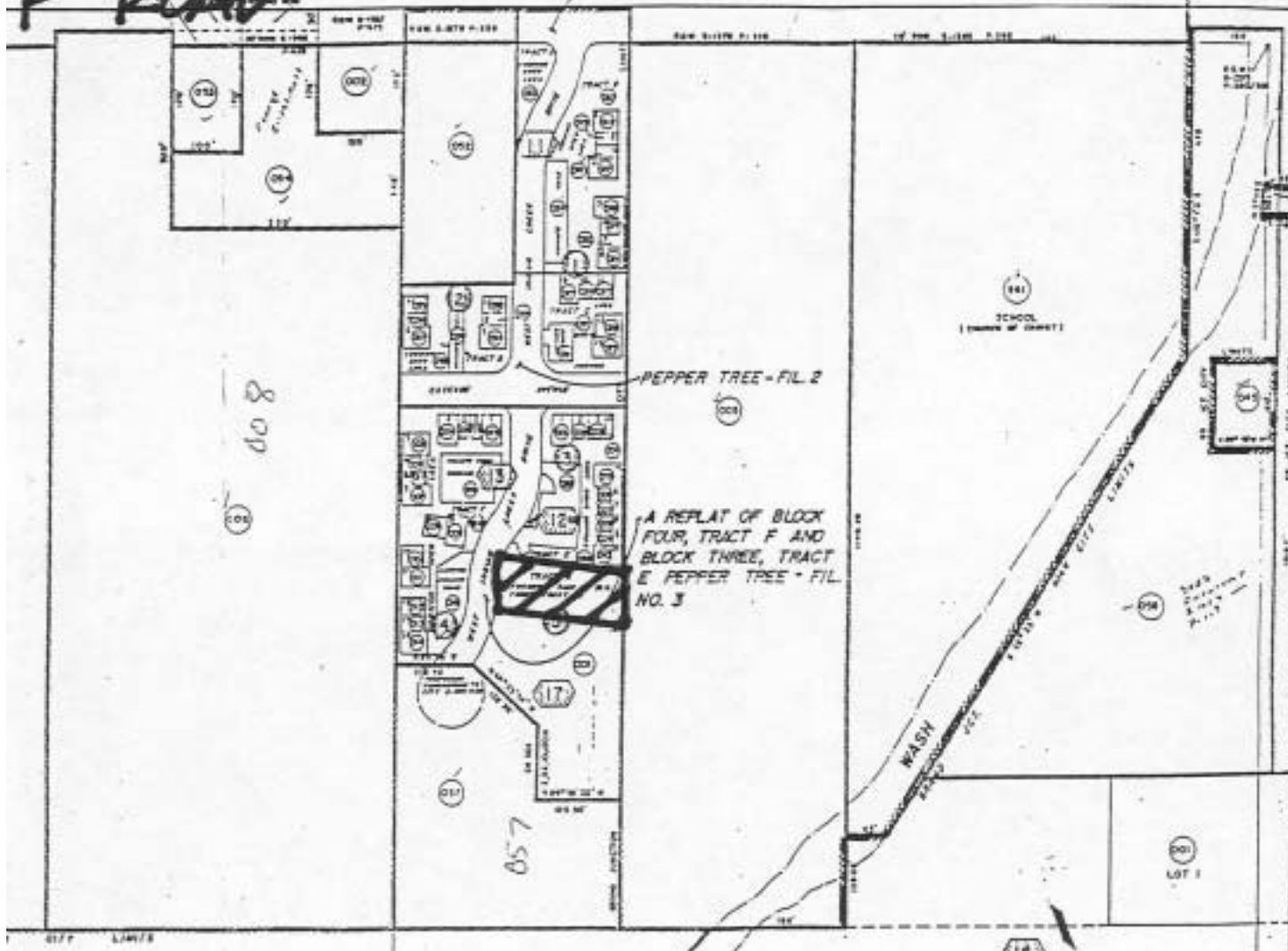
- 1 Granting the easement vacation does not conflict with applicable Sections of the Growth Plan, major street plan and other adopted plans and policies of the City.
- 2 No parcel becomes landlocked as a result of the vacation.
- 3 Access to any parcel is not restricted.
- 4 There are no adverse impacts on health, safety or welfare of the general community. The quality of public facilities and services provided to any parcel is not reduced due to this vacation.
- 5 The provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 6 of this Code.
- 6 The proposal provides benefits to the City by allowing the sale of the dwelling on lot 5, which is currently encumbered by the easement.

Action Requested/Recommendation: Adopt resolution vacating easement.

F ROAD

2943-06

PEPPER TREE - FIL 1
A REPLAT OF PEPPER TREE - FIL NO. 1



808

PEPPER TREE - FIL 2

A REPLAT OF BLOCK FOUR, TRACT F AND BLOCK THREE, TRACT E PEPPER TREE - FIL NO. 3

057

WASH

SCHOOL (TRACT OF GRANT)

29 Road

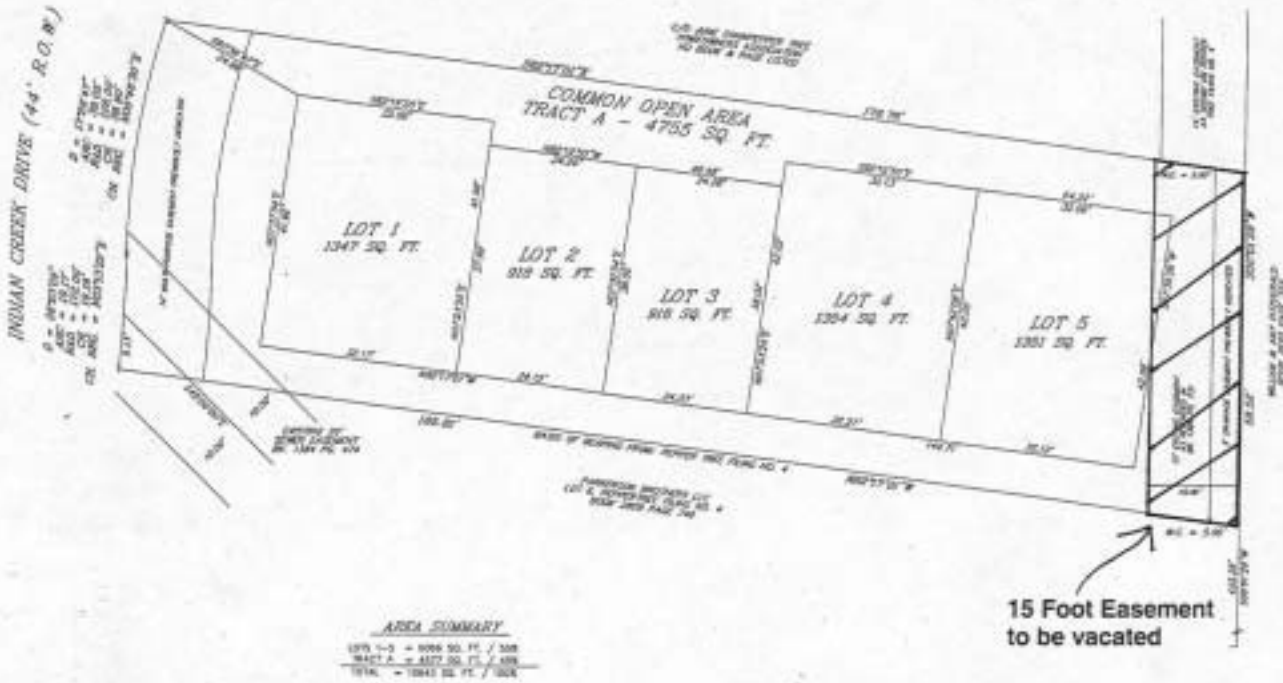
LOT 1

0177 LAM/8

1 23

PEPPER TREE FILING NO. 4A

A REPLAT OF PEPPER TREE FILING NO. 4



That the undersigned, of the County of Santa Clara and State of California, do hereby certify that the foregoing is a true and correct copy of the original plan on file in the office of the County Clerk of Santa Clara County, California, and that the same is a true and correct copy of the original plan on file in the office of the County Clerk of Santa Clara County, California, and that the same is a true and correct copy of the original plan on file in the office of the County Clerk of Santa Clara County, California.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County at Santa Clara, California, this _____ day of _____, 19__.

Clerk of Santa Clara County

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

VACATING A UTILITY AND DRAINAGE EASEMENT LOCATED ON THE EAST SIDE OF PEPPER TREE FILING 4A AT THE SOUTH END OF INDIAN CREEK DRIVE, SOUTH OF F ROAD

Recitals.

In conjunction with a request to develop Pepper Tree Subdivision, Filing 4A, the applicant has requested that the City vacate a portion of a drainage and utility easement. The easement is located along the east-end of the subdivision; an existing residential dwelling was constructed in the easement. No utilities were located in the to be vacated easement.

After public notice and hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission found that the proposed easement vacation meets the criteria set forth in Section 2.11.C of the Zoning and Development Code. The Planning Commission recommended approval of vacation of that portion of the easement described in this resolution.

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

City Council finds that the vacation meets the criteria set forth in Section 2.11C of the Grand Junction Zoning and Development Code and in accordance therewith the following described easement for drainage and utility purposes is hereby vacated:

A portion of a 15 foot utility and drainage easement as recorded in Book 1385 at Page 731 of the records of the Mesa County Clerk and Recorder, located in the NE 1/4 of Section 7, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the southwest corner of the NE 1/4 NE 1/4 of said Section 7, the basis of bearing being N00°02'00"E along the west line of said NE 1/4 NE 1/4; thence S89°55'17"E a distance of 330.20 feet along the south line of said NE 1/4 NE 1/4; thence N00°01'29"E a distance of 455.28 feet to the southeast corner of Tract A, Pepper Tree Filing No. 4 and the point of beginning; thence N82°17'01"W a distance of 15.14 feet along the south line of said Tract A; thence N00°01'29"E a distance of 58.52 feet to the north line of said Tract A; thence S82°17'01"E a distance of 15.14 feet to the northeast corner of said Tract A; thence S00°01'29"W a distance of 58.52 feet to the point of beginning.

PASSED and ADOPTED this ____ day of , 2002.

Attest:

City Clerk

President of the Council

**Attachment 14
Public Hearing – Vacating Ouray Ave – Mesa County Public Library**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Vacating Ouray Avenue between 5 th and 6 th Streets and Vacating Several Alley Right-of-ways for the Mesa County Public Library expansion					
Meeting Date	June 5, 2002					
Date Prepared	May 29, 2002				File # VR-2002-079	
Author	Lori V. Bowers		Associate Planner			
Presenter Name	Lori V. Bowers		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Daniel Gartner, Chamberlin Architects
	Workshop	X		Formal Agenda		Consent X Individual Consideration

Summary: Request for a Public Hearing and approval of the second reading of the ordinances vacating Ouray Avenue between 5th and 6th Streets; approval of the vacation of the east/west alley between 5th and 6th Streets, north of Ouray; the remainder of two north/south alley ways between Grand Avenue and Ouray Ave; the remainder of the east/west alley between 5th and 6th Streets, south of Ouray Avenue. This is the 2-block area from Grand Avenue, north to Chipeta Avenue, between 5th and 6th Streets. Proposal is to facilitate the new design of the Mesa County Public Library, in conformance with the approved Master Plan.

Budget: N/A

Action Requested/Recommendation:
Public Hearing and Second reading for the Ordinance

Attachments:
Vacation of rights-of-way map
Ordinance

Background Information: Please see the attached Staff Report.

BACKGROUND INFORMATION					
Location:		502 Grand Avenue			
Applicants:		Mesa County Public Library Chamberlin Architects, Representative			
Existing Land Use:		Alleys and street near Mesa County Library			
Proposed Land Use:		Expansion of Mesa County Public Library			
Surrounding Land Use:	North	Single family residential			
	South	Office			
	East	Single family residential			
	West	Church, parking lot and residential			
Existing Zoning:		B-1 (Neighborhood Business) RMF-8 (Residential multi-family, not to exceed 8 units per acre) and RO (Residential Office).			
Proposed Zoning:		No change in zoning is requested but will require a Conditional Use Permit (CUP) in the future.			
Surrounding Zoning:	North	RMF-8 (Residential multi-family, not to exceed 8 units per acre)			
	South	B-2 (Downtown Business)			
	East	RMF-16 (Residential Multi-family) & B-1 (Downtown Business)			
	West	B-1 (Neighborhood Business) RO (Residential Office) and RMF-24 (Residential multi-family not to exceed 24 units per acre).			
Growth Plan Designation:		Commercial			
Zoning within density range?		N/A	Yes		No

Project Analysis: The Mesa County Public Library Master Plan was approved in January of this year. To accomplish the goals in the approved Master Plan Ouray Avenue is to be vacated between 5th and 6th Streets; several alley right-of-ways are to be vacated as well as some easements. New and relocated easements will need to be provided in other areas. If final approval is granted by the City Council for these vacations, it does not mean that the next day Ouray Avenue will be shut down, or that the existing alleys will be closed. These elements will all be tied to the “Final Site Plan” and its approval along with the granting of the required CUP (Conditional Use Permit) for this use. The final plat will also be recorded and will reflect all new easements. Due to the complexity of this project and the fact that the vacation of the right-of-ways and certain utility easements need be vacated, the architects

cannot determine the final design until these items are addressed. We are trying to create as much of a “blank sheet” as we can to facilitate the design and implementation of this project. Therefore this approval is conditioned on several things occurring during the final approval stages.

Right-of-Way Vacation and Easements: The vacation of the alley right-of-ways and the vacation of Ouray Avenue between 5th and 6th Streets provides more development options for the future expansion of the Mesa County Public Library. There are some existing utilities in Ouray Avenue and an easement must be provided for those. Additional easements are to be provided in the alleys proposed for vacation. There are some utility easements that need to be relocated or totally vacated and new ones provided as the plans progress.

The vacation of the right-of-way must be reviewed for conformance with the criteria established by Section 2.11 of the Zoning and Development Code. The applicant responds as follows:

1. The Growth Plan, major street plan and other adopted plans and policies of the City; “This proposal conforms to the Growth Plan and, since it proposes to close only the minor (street classification) Ouray Avenue between 5th and 6th Streets, it also conforms to the Major Street Plan”.
2. No parcel shall be landlocked as a result of the vacation; “No parcel is landlocked by this proposal”.
3. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation: “Access to adjacent parcels remains essentially as is. Access to the Library is improved”.
4. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services); “There are no adverse impacts on public health, safety or welfare”.
5. The provisions of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of this Code; and “Public facilities and services are not inhibited to any parcel”.
6. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, ect. “The proposal benefits the City by creating an enhanced public library”.

Simple Subdivision Plat Review:

The proposed Simple Subdivision Plat is currently under review by City Staff. Simple Subdivision is approved at the staff level. The purpose of the Simple Subdivision Plat is to combine 52 existing City lots into 1 parcel for development. The plat is correct and the City Real Estate Manager has no further concerns with this plat. City Staff and library representatives understand that this plat will not be recorded until it is revised to reflect the development once the final site plan is designed and approved. The new plat will reflect all new easements created with the new site plan and CUP approval.

PLANNING COMMISSION RECOMMENDATION:

At their regularly scheduled meeting of May 14, 2002 the Planning Commission recommended approval of the following:

1. The vacation of the alley right-of-ways vacated as requested;
2. Utility and access easements provided in those vacated areas, or relocated where required.
3. The vacation of Ouray Avenue, and the placement of a 30-foot utility easement in this area.
4. Cross-access easements where needed between the Mesa County Public Library, the Gray Gourmet and the Senior Recreation Center.
5. Revised final plat showing all easements to be recorded when the final site plan and CUP are approved.
6. The concerns of the Development Engineer and Planning Staff being addressed per the items that are stated in the staff "Review Comments" dated April 16, 2002.

The Planning Commission found that the findings of the proposed vacations were consistent with Section 2.11 of the Zoning and Development Code, the Grand Valley Circulation Plan, and the Growth Plan.

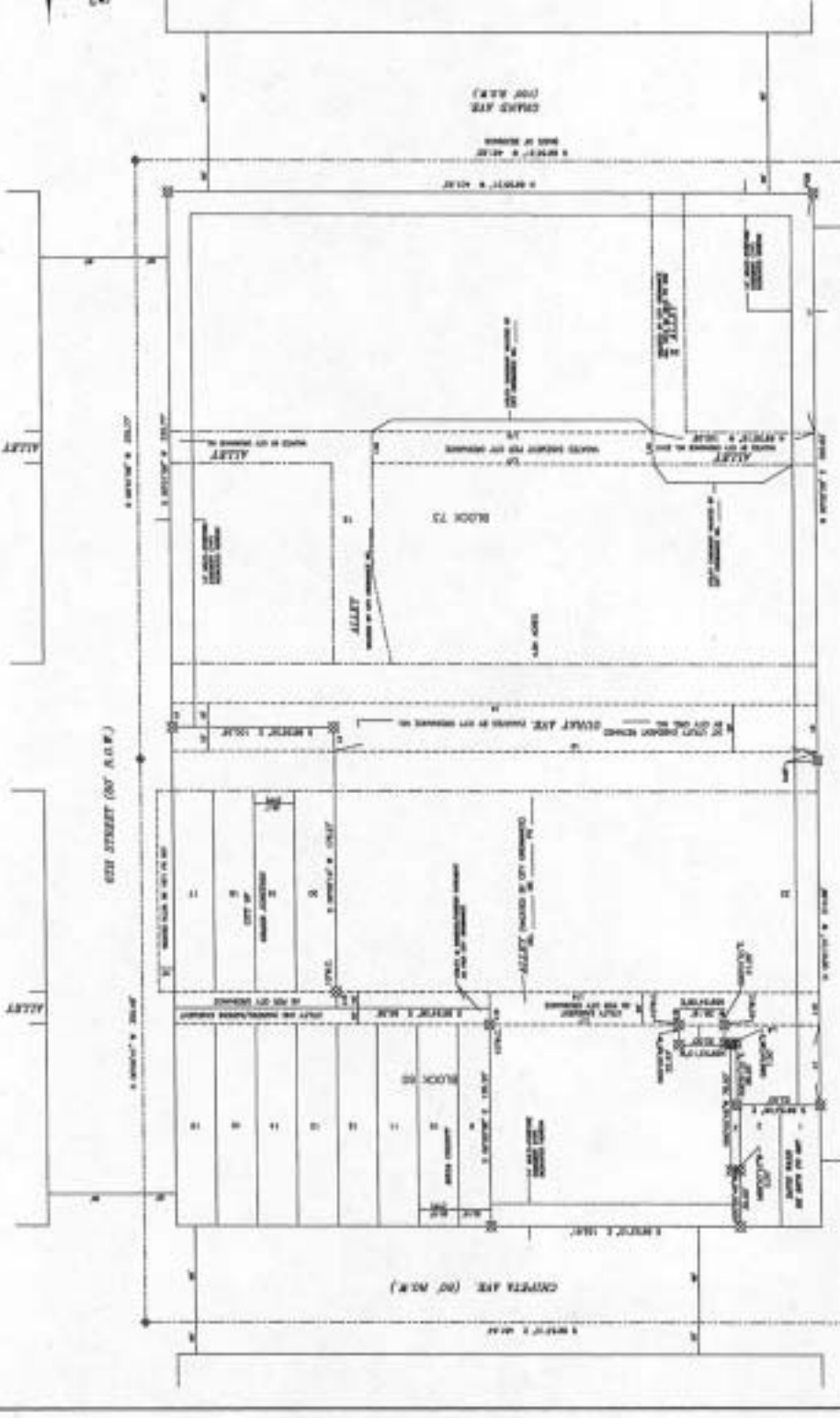
MESA COUNTY PUBLIC LIBRARY VACATION OF RIGHTS-OF-WAY MAP



- LEGEND**
- CITY BLOCK
 - CITY BLOCK
 - VACATED & REVERTED TO ADJACENT OWNER
 - VACATED & REVERTED TO ADJACENT OWNER
 - VACATED & REVERTED TO ADJACENT OWNER

TABLE 1

Block	Area	Area (sq. ft.)	Area (sq. ft.)
1	1	10,000	10,000
2	2	10,000	10,000
3	3	10,000	10,000
4	4	10,000	10,000
5	5	10,000	10,000
6	6	10,000	10,000
7	7	10,000	10,000
8	8	10,000	10,000
9	9	10,000	10,000
10	10	10,000	10,000
11	11	10,000	10,000
12	12	10,000	10,000
13	13	10,000	10,000
14	14	10,000	10,000
15	15	10,000	10,000
16	16	10,000	10,000
17	17	10,000	10,000
18	18	10,000	10,000
19	19	10,000	10,000
20	20	10,000	10,000
21	21	10,000	10,000
22	22	10,000	10,000
23	23	10,000	10,000
24	24	10,000	10,000
25	25	10,000	10,000
26	26	10,000	10,000
27	27	10,000	10,000
28	28	10,000	10,000
29	29	10,000	10,000
30	30	10,000	10,000
31	31	10,000	10,000
32	32	10,000	10,000
33	33	10,000	10,000
34	34	10,000	10,000
35	35	10,000	10,000
36	36	10,000	10,000
37	37	10,000	10,000
38	38	10,000	10,000
39	39	10,000	10,000
40	40	10,000	10,000
41	41	10,000	10,000
42	42	10,000	10,000
43	43	10,000	10,000
44	44	10,000	10,000
45	45	10,000	10,000
46	46	10,000	10,000
47	47	10,000	10,000
48	48	10,000	10,000
49	49	10,000	10,000
50	50	10,000	10,000
51	51	10,000	10,000
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88	88	10,000	10,000
89	89	10,000	10,000
90	90	10,000	10,000
91	91	10,000	10,000
92	92	10,000	10,000
93	93	10,000	10,000
94	94	10,000	10,000
95	95	10,000	10,000
96	96	10,000	10,000
97	97	10,000	10,000
98	98	10,000	10,000
99	99	10,000	10,000
100	100	10,000	10,000



CHRYSTAL AVE (10' R.O.W.)

CHRYSTAL AVE (10' R.O.W.)

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CHRYSTAL AVE (10' R.O.W.)

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

VACATING OURAY AVENUE BETWEEN 5TH AND 6TH STREETS AND ESTABLISHING A 30-FOOT UTILITY EASEMENT; VACATING THE EAST/WEST ALLEY BETWEEN 5TH AND 6TH STREETS, NORTH OF OURAY AVENUE AND ESTABLISHING UTILITY AND INGRESS/EGRESS EASEMENTS; VACATING THE REMAINDER OF THE NORTH/SOUTH ALLEYWAY BETWEEN GRAND AVENUE AND OURAY AVENUE; VACATING THE REMAINDER OF THE EAST/WEST ALLEY BETWEEN 5TH AND 6TH STREETS, SOUTH OF OURAY AVENUE AND VACATING AND RELOCATING THE UTILITY EASEMENT IN THIS AREA.

Recitals:

The Planning Commission at their regularly scheduled meeting of May 14, 2002 recommended approval of the vacation to vacate Ouray Avenue between 5th and 6th Streets, and providing a 30-foot utility easement in this area. The also recommended approval of vacating the east/west alley between 5th and 6th Streets, north of Ouray Avenue. There is also a north/south alleyway between Grand Avenue and Ouray Avenue, the remainder of which is recommended by Planning Commission for vacation as well as the remainder of the east/west alley between 5th and 6th Streets, south of Ouray Avenue and relocating the utility easement in this area.

In order to allow Mesa County to hold an election for a bond issue, for the construction of a new library, and to enable the architects to design a new structure void of the existing right-of-ways and easements, the vacations shall not become affective until the final site plan has been approved and the required Conditional Use Permit obtained. Vacation of the subject right-of-ways will take place upon recording of the approved Final Plat for the Mesa County Public Library.

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

That the land described below, known as Ouray Avenue, between 5th and 6th Streets is hereby vacated and a 30 (thirty) foot wide utility easement is retained:

All that part of Ouray Avenue in the City of Grand Junction lying between the east right-of-way line of Fifth Street and the west right-of-way line of Sixth Street, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County, Colorado; retaining a thirty-foot wide easement lying fifteen feet right and fifteen feet left of the centerline of said Ouray Avenue for utility purposes.

That the land described below, known as the east/west alley between 5th and 6th Streets, north of Ouray Avenue is hereby vacated and a 20-foot utility easement and ingress/egress easement retained:

All of the twenty-foot public alley across the center of Block 60, City of Grand Junction, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County Colorado, said alley running between the east right-of-way line of Fifth Street and the west right-of-way line of Sixth Street; retaining a twenty-foot easement over, above and across said alley for utility purposes. A twenty-foot-wide ingress and egress easement above, over, and across the twenty foot alley. in Block 60, City of Grand Junction, situate in the NW1/4 of Section 14, Township One, South, Range One West of the Ute Meridian, Mesa County, Colorado.

That the land described below, known as the remainder of the east/west alley, south of Ouray Avenue, between 5th and 6th Streets and the utility easement located therein is hereby vacated:

All of the twenty-foot public alley across the center of Block 73, City of Grand Junction, said alley running between the right of way line of Fifth Street and the west right-of-way line of Sixth Street. All that certain easement retained over an alley vacated by City Ordinance No. 1467 as recorded in Book 1003 at Page 161, said easement being located in Block 73, City of Grand Junction, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County Colorado; AND ALSO all that certain easement retained over an alley vacated by City Ordinance NO. 3310 as recorded in Book 2815 at Page 552, said easement being located in Block 73, City of Grand Junction, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County, Colorado.

That the land described below, know as the remainder of the north/south alley between Grand Avenue and Ouray Avenue is hereby vacated:

All of the twenty-foot public alley lying between the eastern most property line of Lot 11 to the western most property line of Lot 13, Block 73, and from the northern most property line of Lot 21, Block 73, to Ouray Avenue, City of Grand Junction, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County Colorado;

Vacation of the subject right-of-ways will take place upon recording of the approved Final Plat for the Mesa County Public Library.

INTRODUCED for FIRST READING and PUBLICATION this ____ day of _____,

PASSED on SECOND READING this ____ day of _____, 2002.

ATTEST:

President of City Council

City Clerk

**Attachment 15
Public Hearing – Vacation Right-of-Way Crosby Road**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Vacation of a portion of the right-of-way for Crosby Road							
Meeting Date	June 26, 2002							
Date Prepared	June 19, 2002				VR-2002-105			
Author	Pat Cecil			Development Services Supervisor				
Presenter Name	Pat Cecil			Development Services Supervisor				
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When		
Citizen Presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No	Name		
Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Individual Consideration

Summary: The petitioner is requesting approval of a vacation of a portion of the dedicated right-of-way for Crosby Road, located between the Union Pacific RR right-of-way and 25 ½ Road. The Planning Commission reviewed the request on May 28, 2002, and recommended approval of the vacation to the City Council.

Budget: N/A

Action Requested/Recommendation: Conduct the public hearing and adopt the vacation ordinance.

Attachments:

1. Staff Report/Background Information
2. General Location Map
3. Ordinance with Exhibit A

Background Information: See attached Staff Report/Background Information

Staff Report/Background Information

BACKGROUND INFORMATION			
Location:		East of 690 ½ Crosby Road	
Applicants:		Juan F. Venegas – Petitioner Landesign – Representative	
Existing Land Use:		Underdeveloped right-of-way	
Proposed Land Use:		N/A	
Surrounding Land Use:	North	Agricultural/residential	
	South	Union Pacific RR right-of-way, Crosby Road	
	East	Union Pacific RR right-of-way	
	West	Residential/commercial	
Existing Zoning:		Light Commercial (C-1)	
Proposed Zoning:		Same	
Surrounding Zoning:	North	Light Commercial (C-1)	
	South	General Commercial (C-2) and Light Industrial (I-1)	
	East	Light Industrial (I-1)	
	West	General Commercial (C-2)	
Growth Plan Designation:		Commercial	
Zoning within density range? N/A	<input type="checkbox"/>	Yes	<input type="checkbox"/> No

Staff Analysis: The petitioner is requesting vacation of the underdeveloped right-of-way for Crosby Road that is located along his east property line. In exchange for the vacated right-of-way, new right-of way will be dedicated along his west property line, to align with 25 ½ Road. By dedicating right-of-way for 25 ½ Road along the west property line, no properties will become landlocked as a result of the vacation. As part of the Rimrock Marketplace project, 25 ½ Road is to be constructed to the portion of Crosby Road that is not being vacated. The vacation of the road right-of-way must be reviewed for conformance with the criteria established by Section 2.11 of the Zoning and Development Code, as follows:

1. The Growth Plan, major street plan and other adopted plans and policies of the City;

The proposed vacation of right-of-way conforms to the Growth Plan, the Grand Valley Circulation Plan and policies adopted by the City.

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

No parcel will be landlocked by the vacation.

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

Access will not be restricted to any parcels. Upon completion of the vacation and subsequent dedication of new right-of-way for 25 ½ Road, a new road will be constructed within the newly dedicated right-of-way that will supply improved access to all parcels.

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

The vacation will have no impacts to the health, safety, and welfare of the general public.

5. The provisions of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of this Code; and

There will be no impacts to public facilities as a result of the vacation.

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

The vacation will a benefit to the City in releasing a road right-of-way that is not planned for use in the future.

Conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. Prior to the recording of the Vacation Ordinance, the existing house located adjacent to the proposed dedicated right-of-way for 25 ½ Road shall be relocated to an area that meets all City development criteria.
3. Easement(s) shall be recorded at the time of recordation of the Vacation Ordinance for any utilities that may be existing within the right-of-way to be vacated.
4. Dedication of right-of-way for 25 ½ Road shall be recorded concurrently with the Vacation Ordinance.



General Location Map

**VACATING A PORTION OF CROSBY ROAD LOCATED BETWEEN THE UNION PACIFIC
RR RIGHT-OF-WAY AND 25 ½ ROAD**

RECITALS:

A vacation of a portion of the dedicated right-of-way for Crosby Road has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way for Crosby Road is hereby vacated subject to the listed conditions:

- 1 Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
- 2 Prior to the recording of the Vacation Ordinance, the existing house located adjacent to the proposed dedicated right-of-way for 25 ½ Road shall be relocated to an area that meets all City development criteria.
- 3 Easement(s) shall be recorded at the time of recordation of the Vacation Ordinance for any utilities that may be existing within the right-of-way to be vacated.
- 4 Dedication of right-of-way for 25 ½ Road shall be recorded concurrently with the Vacation Ordinance.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A portion of a parcel of land located in the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of Section 15, Township 1 South, range 1 West of the Ute Meridian, described in Book 24, Page 129, being more particularly described by metes and bounds, as follows:

Commencing at the Northwest corner of the SE ¼ NW ¼ said Section 15, whence the Northeast corner of said SE ¼ NW ¼ said corner bears South 89 degrees 55 minutes 45 seconds East, a distance of 1321.19 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence, along the North line of said SE ¼ NW ¼ said Section 15, south 89 degrees 55 minutes 45 seconds East, a distance of 911.29 feet to

a point on the Southeasterly right-of-way line of Crosby Road, as described in Book 24, Page 129, also being the Northeasterly right-of-way line of a 100 foot wide railroad right-of-way, the POINT OF BEGINNING; thence South 89 degrees 55 minutes 45 seconds East, a distance of 79.22 feet, to a point on the Northeasterly right-of-way line of said Crosby Road; thence, along said Northeasterly right-of-way line of said Crosby Road, South 40 degrees 41 minutes 51 seconds East, a distance of 457.13 feet, to a point 33 feet West of the East line of said SE ¼ NW ¼ said Section 15; thence, along said East line, South 00 degrees 03 minutes 59 seconds East, a distance of 92.14 feet, to a point on the Northeasterly right-of-way line of a 100 foot wide railroad right-of-way; thence, along said railroad right-of-way line, North 40 degrees 41 minutes 51 seconds West, a distance of 578.79 feet to the POINT OF THE BEGINNING.

Said parcel containing an area of 0.713 Acres more or less, as described.

Introduced for first reading on this 5th day of June, 2002

PASSED and ADOPTED this 26th day of June, 2002.

ATTEST:

City Clerk

President of City Council

EXHIBIT A

NE1/4 NW1/4 SECTION 15

NW Corner
SE1/4 NW1/4
Section 15
Blk 1989
POB

S89°55'45"E
79.22'

Point of Bearings
S89°55'45"E 1321.19'

NE Corner
SE1/4 NW1/4
Section 15
Blk 1989

SE1/4 NW1/4 SECTION 15

House

690 Crosby Avenue
Blk 510, Page 875

S40°41'51"E 457.13'
Crosby Avenue
Blk 510, Page 875

ROW to be Vacated
0.713 Acres

N40°41'51"W 578.79'
100' Railroad ROW

River Road

20' Utility Easement for Sanitary Sewer
Blk 1007, Page 227

Line of Existing Easement

S00°03'59"E
82.14'

East Line SE1/4 NW1/4 Section 15
Blk 1989

SE Corner
SE1/4 NW1/4
Section 15
45 Rebar in
Concrete Slab



SCALE: 1"=60'
NTS



**Attachment 16
Public Hearing – Rezoning Appleton Corners**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Rezoning the Appleton Corners property located at 797 24 Road					
Meeting Date	June 26, 2002					
Date Prepared	May 29, 2002				File # RZ-2002-051	
Author	Lisa Gerstenberger			Senior Planner		
Presenter Name	Same			Same		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X		Formal Agenda		Consent X Individual Consideration

Summary: Second reading of the Rezoning Ordinance to rezone the Appleton Corners property, 1.85 acres located at 797 24 Road, from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1).

Budget: **N/A**

Action Requested/Recommendation: **Approve Second reading of the Rezoning Ordinance.**

Attachments:

- 1 Site location map
- 2 Rezone ordinance Background Information: **See attached report.**

AGENDA TOPIC: RZ-2002-051, Appleton Corners Rezone.

SUMMARY: Request to rezone 1.85 acres from Residential Single Family Rural (RSFR) to Neighborhood Business (B-1).

BACKGROUND INFORMATION			
Location:		797 24 Road	
Applicants:		Richard Pennington, Owner Mike Joyce, Representative	
Existing Land Use:		Residential	
Proposed Land Use:		Residential (unchanged)	
Surrounding Land Use:	North	Commercial	
	South	Commercial/Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		Residential Single Family Rural (RSF-R)	
Proposed Zoning:		Neighborhood Business (B-1)	
Surrounding Zoning:	North	County B-1	
	South	County AFT	
	East	County AFT	
	West	County Planned Development	
Growth Plan Designation:		Neighborhood Commercial	
Zoning within density range?	X	Yes	No

ACTION REQUESTED: Approve Second reading of the Rezoning Ordinance.

Staff Analysis:

Project Background/Summary

The applicant owns property located at 797 24 Road and has requested a rezone from Residential Single Family Rural (RSF-R), 5 acres per dwelling unit, to Neighborhood Business (B-1). The applicant has no current plans to develop the property, but would like to rezone the property in accordance with the goals of the North Central Valley Plan to market the property for future development. The North Central Valley Plan represents a joint planning process between the County and City to develop a neighborhood master plan for the North

Central Valley area and was adopted by Mesa County and the City of Grand Junction on March 18, 1998.

The proposal to rezone to B-1 at the southwest corner of 24 Road and H Road is consistent with the findings of the North Central Valley Plan for commercial uses at that intersection. The Plan also acknowledged that design standards and guidelines should be established for those uses. Mesa County has not yet developed or adopted such design standards or guidelines, however, the City of Grand Junction is currently working to development them for the North Central Valley Plan area and the Neighborhood Business (B-1) zone district. At the time of development, the applicant or current property owner will be responsible for compliance with the design standards and guidelines after they have been adopted by City Council.

REZONING CRITERIA:

The rezone request must be evaluated using the criteria noted in Section 2.6.A of the Zoning and Development Code. The criteria are as follows:

1. **The existing zoning was in error at the time of adoption.** The existing zoning is not in error. The property was recently annexed into the City and assigned a City zone district compatible with the previous County zoning in accordance with the Persigo Agreement.
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. **The property is located in an area that has historically had commercial development located on the four corners of the intersection of 24 Road and H Road. The North Central Valley Plan recognizes the historical development patterns of this area, and as such indicates Neighborhood Commercial for the intersection of 24 Road and H Road as the most appropriate land use.**
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. **The proposed rezone is in keeping with the goals of the North Central Valley Plan and historical development patterns. Infrastructure and utilities either currently exist or can be extended to the property at the time of development. There are no adverse impacts anticipated as a result of the rezone request.**
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines. **The North Central Valley Plan, as a neighborhood plan, supercedes the Growth Plan. The proposed rezone is consistent with the findings of the North Central Valley Plan.**

Examples of goals and policies that support the rezone request are:

Goal 4: Use zoning and area plans to describe the preferred types of non-residential development in various parts of the community.

Goal 8: Limit non-residential development in the North Central Valley to the areas indicated on the future land use map as follows: #D: Intersection of 24 and H Roads – allow low scale neighborhood service and retail uses.

Future Land Use Map of the North Central Valley Plan: *Neighborhood Commercial shall apply to all four properties at the intersection of 24 and H Roads plus any additional properties in the immediate vicinity of that intersection which may be identified as having historically been commercial uses as a result of the inventory process and subject to implementation item numbers 3 and 4 in the Community Image/Character Action Plan of this Plan.

- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. Adequate public facilities are available, or will be extended to the site during development.**
- 6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. The proposed rezone is consistent with adjacent developments and is compatible with the goals and policies of the North Central Valley Plan. The four corners of the Appleton neighborhood represent the only area recommended for neighborhood commercial in the North Central Valley Plan.**
- 7. The community or neighborhood will benefit from the proposed zone. The proposed rezone would provide the developing neighborhood with additional property to be developed in a manner compatible with the North Central Valley Plan.**

Access to the property is provided from 24 Road and H Road. Access for specific uses in the future for this property will be reviewed at the time of development and be compliant with City access standards.

Lot Configuration and Bulk Requirements

Bulk and development standards are currently under review for the B-1 zone district. After the design standards and guidelines have been developed and adopted by the City for the North Central Valley Plan area, and development standards have been developed for the Neighborhood Business (B-1) zone district, the applicant or current property owner will need to comply with those standards.

Drainage concerns will be addressed at the time of development. All required utilities are available or will be extended to the site for development.

STAFF RECOMMENDATION:

Staff recommends approval of the request to rezone 1.85 acres from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1), with the finding that the proposed zone district is consistent with the North Central Valley Plan and with Section 2.6.A of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

Planning Commission made the recommendation of approval for the request to rezone from Residential Single Family Rural (RSF-R) zone district to Neighborhood Business (B-1), with the findings that the request is consistent with the North Central Valley Plan and Section 2.6.A of the Zoning and Development Code and that they owner will comply with the future design and development standards and guidelines that the City may adopt for the B-1 zone district.

Attachments:

1. Site location map
2. Rezone Ordinance

Site Location Map



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

***Ordinance Rezoning the Appleton Corners Property
Located at 797 24 Road
from Residential Single Family Rural (RSF-R)
to Neighborhood Business (B-1)***

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Appleton Corners property to the Neighborhood Business (B1) zone district for the following reasons:

1. The zone district meets the recommended land use category as shown on the North Central Valley Plan future land use map and the Plan's goals and policies.
2. The zone district meets the criteria found in Section 2.6.A of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the B-1 zone district be established.

The Planning Commission and City Council find that the B-1 zoning is in conformance with the stated criteria of Section 2.6.A of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned to Neighborhood Business (B-1) zone district:

BEG at a pt 30' W of the NE corner of SEC 32, T1N, R1W, UM S 320.5', W 281.4', N1°47'E to the N line of SEC 32, E 260' POB.

Property owner shall comply with the design and development standards and guidelines for the B-1 zone district as adopted by the City of Grand Junction.

Introduced on first reading this _____ day of May, 2002.

PASSED and ADOPTED on second reading this ____ day of June, 2002.

President of the Council

ATTEST:

City Clerk

**Attachment 17
Public Hearing – Rezoning Lewis Property**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Rezoning the Lewis property located at 2258 South Broadway					
Meeting Date	June 26, 2002					
Date Prepared	June 12, 2002				File # GPA-2001-178	
Author	Lisa Gerstenberger			Senior Planner		
Presenter Name	Same			Same		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X		Formal Agenda		Consent X Individual Consideration

Summary: Second reading of the Rezoning Ordinance to rezone the Lewis property, 1.83 acres located at 2258 South Broadway, from Residential Single Family 4 (RSF-4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR).

Budget: **N/A**

Action Requested/Recommendation: **Approve Second reading of the Rezoning Ordinance.**

Attachments:

1. Site location map
2. Letter from HOA
3. Rezone ordinance

Background Information: **See attached report.**

AGENDA TOPIC: GPA-2001-178, Lewis Rezone.

SUMMARY: Second reading of the Rezoning Ordinance to rezone 1.83 acres from Residential Single Family 4 (RSF-4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR).

BACKGROUND INFORMATION			
Location:		2258 South Broadway	
Applicants:		Roxanne and Mikel Lewis, Owners Mike Joyce, Representative	
Existing Land Use:		Residential/Vacant	
Proposed Land Use:		Commercial	
Surrounding Land Use:	North	Vacant	
	South	Commercial	
	East	Residential	
	West	Residential	
Existing Zoning:		RSF-4 (2-4 units per acre)/CSR	
Proposed Zoning:		Neighborhood Business/CSR	
Surrounding Zoning:	North	County RSF-4 (R2) and City PD	
	South	City PD (Planned Business)	
	East	County RSF-4 (R2)	
	West	County RSF-4 (R2)	
Growth Plan Designation:		Commercial and Residential Low, 1/2 to 2 acres per dwelling unit	
Zoning within density range?		X	Yes
			No

ACTION REQUESTED: Approve Second reading of the Rezoning Ordinance.

BACKGROUND: The Lewis property is located at 2258 South Broadway and consists of tax parcels 2945-074-09-015 and 018 at the northwest corner of Hwy 340 and Kansas Avenue. The property is bounded by vacant property to the north, Hwy 340 to the south, residential property to the east and the Redlands Parkway to the west. The applicant previously requested a Growth Plan Amendment and rezone for their property which they would like to develop in the future as a carwash. The Growth Plan Amendment from Residential Low (1/2-2

acres per dwelling unit) to Commercial was reviewed by the Planning Commission and recommended for denial to the City Council.

The applicant filed an appeal to City Council, and after consideration of the request, the City Council granted the Growth Plan Amendment by a super majority vote of 5-2 at its January 16, 2002 meeting. The applicant is now requesting a rezone of their property from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR). The applicant proposes to rezone .93 acres of the property to Neighborhood Business (B-1) and to rezone the balance of .90 acres to Community Services and Recreation (CSR).

The proposed carwash would take access from Kansas Avenue only. Access to Hwy 340 or the Redlands Parkway would not be permitted. As noted, the total acreage of the property is 1.83 acres, however only a .93 acre portion would be utilized for the commercial development, with the balance of approximately .90 acres to be left as open space and to act as a buffer between the proposed commercial use and the residential uses to the north. A large portion of the property that will not be developed is a ravine with steep sides and contains wetlands. The applicants are currently implementing an approved plan to remediate an existing area of fill in a wetland area that has been identified and approved for mitigation by the US Army Corps of Engineers.

In an effort to analyze the “worst case scenario”, the applicant was asked by City staff to prepare a traffic study using the most intensive land use allowable in the C-1 district.

The applicant’s original request was to rezone to C-1, however they have since revised their request to B-1, Neighborhood Business, based partially on staff recommendation. Staff suggested using a convenience store with gas pumps as the most intensive use for the traffic study. When the traffic study had been completed, City staff met the applicant and their representative to discuss the findings and consider possible responses to the traffic issues that will occur over time. The traffic study noted future deficiencies in levels of services (LOS) even if the Lewis property does not develop. Traffic concerns will be addressed and resolved during the review and approval process for the proposed carwash development.

REZONING CRITERIA:

The proposed rezone for the Lewis property is from Residential Single Family 4 (RSF4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR). The request to rezone must be evaluated using the criteria noted in Section 2.6(A) of the Zoning and Development Code. The criteria are as follows:

1. **The existing zoning was in error at the time of adoption.** The existing Residential Single Family-4 (RSF-4) zoning is not consistent with the Future Land Use Map designation of Commercial. The Conservation Services and Recreation (CSR) zoning is also not consistent with the Future Land Use Map designation of Residential Low. The current RSF-4 and CSR zoning are consistent however with the current land uses of the parcels, which are residential and vacant open space. Given

the inconsistencies with the current zoning relative to the land use classification shown on the Future Land Use Map, it is possible that the existing zoning was in error.

2. **There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc..** A Growth Plan amendment and rezone was granted in 1999 for the property located to the south on the southeast corner of Redlands Parkway and Hwy 340. The Plan amendment redesignated the property from Residential to Commercial and rezoned the property to Planned Development (utilizing B-1 as a base zone). The development of the property to the south and an increase in traffic represent the most significant changes of the immediate area, however, character of the neighborhood remains primarily residential and unchanged.
3. **The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances.** Uses allowed in the B-1 district tend to be less intensive in nature and are considered more compatible with residential uses. Any future development would be required to adhere to all City design standards and regulations such as parking requirements, stormwater and drainage design, and lighting.
4. **The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines.** The proposed rezone to Neighborhood Business (B-1) is consistent with the Growth Plan Future Land Use Map.

Examples of goals and policies that support the request are:

Goal 12: To enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located.

Policy 12.1: The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.

Policy 12.2: The City and County will limit the development of large scale retail and service centers to locations with direct access to arterial roads within commercial nodes shown in the Future Land Use Map.

An example of a goal that does not support the proposed request is:

Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.

5. **Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development.** There are existing public facilities (utilities) that are available, or that could be extended to serve the site. The issue of traffic and the ability of the existing road network to accommodate development is not yet resolved. The difficulty of that issue is that Level of Service (LOS) for the existing roads will diminish in the future with or without development of the site.
6. **There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs.** There are currently very few sites available in the Redlands area to accommodate commercial and neighborhood businesses. There have not been any recent studies completed to evaluate the need for additional areas to be zoned for commercial use, however, there is a transportation study currently underway which is examining this issue as a part of the study. The Mesa County Redlands Policies (adopted in 1986 by Mesa County but not the City of Grand Junction) does identify this area as a Village Center indicating that commercial use of this site has been given consideration in the past.
7. **The community or neighborhood will benefit from the proposed zone.** Rezoning property in a manner that is consistent with the Growth Plan and compatible with surrounding uses while providing opportunities for development that meets the objectives of the Growth Plan and other City regulations is generally considered beneficial. Development of this property will have to contend with mitigation of an existing wetlands violation. To this extent, there is benefit to the community in the mitigation effort which is consistent with the goals and policies of the Growth Plan. Examples of goals and policies that encourage the mitigation work include:

Goal 13: To enhance the aesthetic appeal of the community.

Goal 20: To achieve a high quality of air, water and land resources.

Policy 20.6: The City and County will promote State, Federal and private efforts to clean up contaminated sites in the community.

Policy 20.9: The City and County will encourage dedications of conservation easements or land along the hillsides, habitat corridors, drainageways and waterways surrounding the City.

STAFF ANALYSIS:

In reviewing the goals and policies of the Growth Plan, it is apparent that some of the goals and policies would support the rezone request. Specific goals and policies that support the request are:

Goal 12: To enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located.

Policy 12.1: The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.

Policy 12.2: The City and County will limit the development of large scale retail and service centers to locations with direct access to arterial roads within commercial nodes shown in the Future Land Use Map.

Goal 20: To achieve a high quality of air, water and land resources.

Policy 20.6: The City and County will promote State, Federal and private efforts to clean up contaminated sites in the community.

Policy 20.9: The City and County will encourage dedications of conservation easements or land along the hillsides, habitat corridors, drainageways and waterways surrounding the City.

Staff received a considerable number of letters, emails and telephone calls from citizens who live in the area of the proposed rezone. Some citizens wrote to express their support of the proposed development, others wrote to express their opposition. Letters and emails received by citizens were previously included with the staff report for the Growth Plan Amendment request, and continue to be available for review.

FINDINGS OF FACT/CONCLUSIONS: Upon review of the request to rezone from Residential Single Family 4 (RSF-4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR), staff makes the following findings of fact and conclusions:

- 1. The request to rezone is consistent with certain goals and policies of the Growth Plan.**
- 2. The request to rezone meets the criteria of Section 2.6.A of the Zoning and Development Code.**

STAFF RECOMMENDATION:

Staff recommends approval of the request to rezone 1.83 acres from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR) with the findings that the rezone request meets the goals and policies of the Growth Plan and the rezone criteria of Section 2.6 .A of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION:

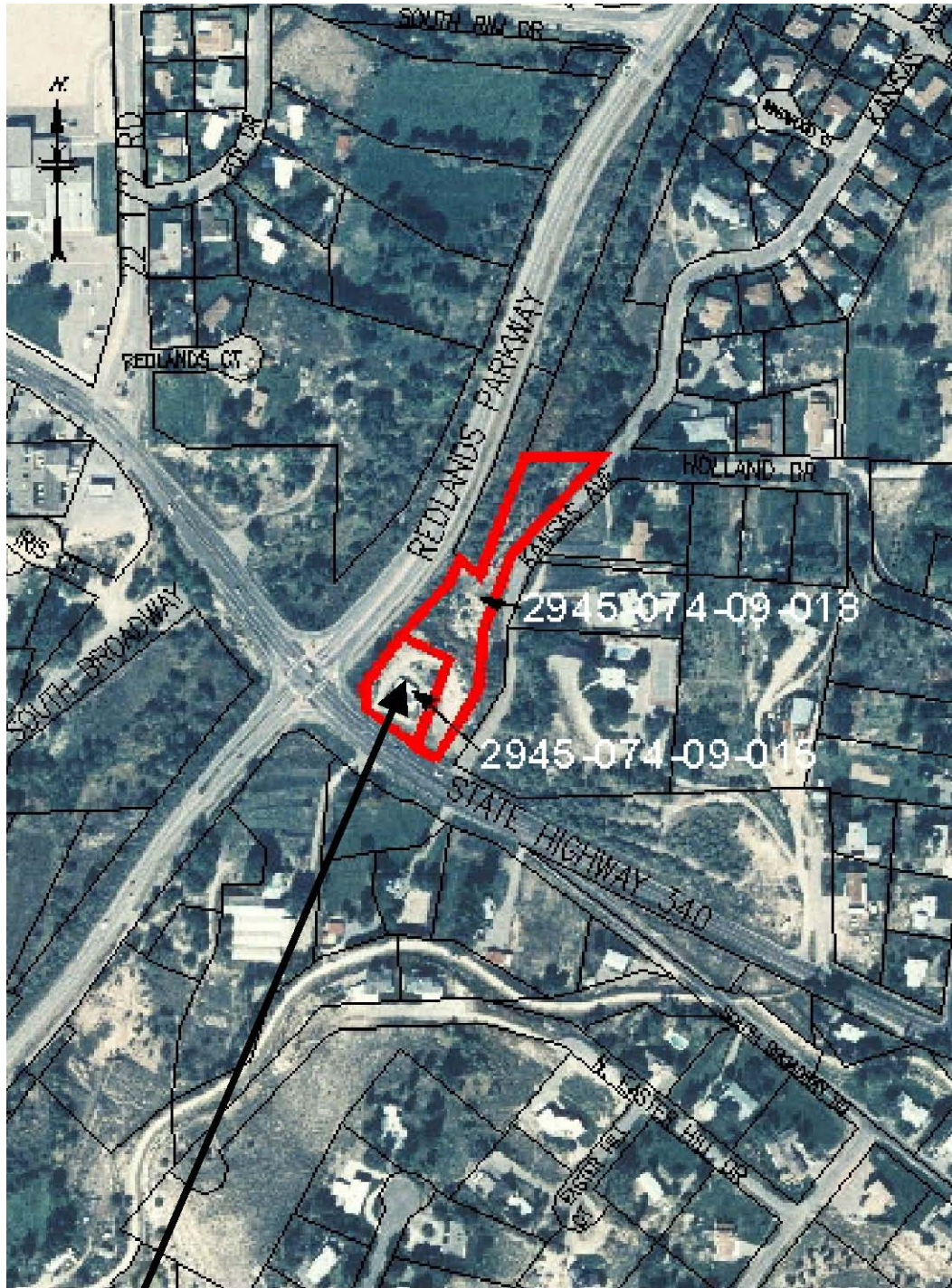
The Planning Commission made a recommendation of approval for the request to rezone 1.83 acres from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR) with

the findings that the rezone request meets the goals and policies of the Growth Plan and the rezone criteria of Section 2.6 .A of the Zoning and Development Code.

Attachments:

1. Site map
2. Letter from Canyon Vista HOA
3. Rezone Ordinance

Site map





Rezone to CSR

Rezone to B-1 CITY OF GRAND JUNCTION, COLORADO

May 29, 2002

City of Grand Junction
Planning Dept, Lisa Gerstenberger
250 N. Fifth St.
Grand Junction, CO 81501

RECEIVED
MAY 30 2002
COMMUNITY DEVELOPMENT
DEPT.

Re: Lewis Property GPA-2001-178
Proposed Car Wash

Re-zoning approved 4/19/02, Final approval for construction June 26.

We represent 90 property owners in Canyon Vista Subdivision and want to register our opposition to this project:

1. The city currently has 17 car washes – there are three(3) coin-operated, drive-thru, ugly car washes within 3 miles of this project. (see photos).
2. This visual impact is not commensurate with The Redlands Plan (2/8/02, pages 11-14) Community Image/Character which states “high quality development regarding site and architectural planning” “Development on Broadway and Monument Rd. are identified as visually important to maintain the residential nature of the Redlands .

This proposed coin-op, open, drive-thru car wash with vacuums and Cleaning supplies (see photo again) does not comply with The Plan.

3. The completed development on the southeast corner of Broadway & Redlands – the Bank of GJ and Meadowlark Gardens is visually attractive.
4. The Redlands needs a Fire Station and Post Office – not a car wash.
5. We will submit a written petition with property owner signatures if Required as part of the protest process. Please advise ASAP.

Please enter this letter on the record at the petition hearing June 26

Canyon Vista Homeowners Association
PO Box 3914, Grand Junction, CO 81502
Contact: Ken Washburn, E-mail: sakewa@msn.com



3 Car Washes Within 3 mi - Conoco 24 & F, Vans Monument Rd, 24 1/2 + Patterson



ORDINANCE No. _____

Ordinance Rezoning the Lewis Property Located at 2258 South Broadway from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR)

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Lewis property to the Neighborhood Business (B-1) Community Services and Recreation (CSR) zone districts for the following reasons:

1. The zone district meets the recommended land use category as shown on the Growth Plan Future Land Use Map and meets the Plan's goals and policies.
2. The zone district meets the criteria found in Section 2.6.A of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the B-1 and CSR zone districts be established.

The Planning Commission and City Council find that the B-1 and CSR zoning is in conformance with the stated criteria of Section 2.6.A of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned to Neighborhood Business (B-1) and Community Services and Recreation (CSR) zone districts:

Rezone to B-1 .93 acres located at 2258 South Broadway to B-1, the parcel being more fully described as follows: A certain parcel of land lying in the Southeast Quarter (SE ¼) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian and being a portion of Lot 18, Redlands Estates Subdivision as same is recorded in Plat Book 8, Page 74, and all of Outlot 2, Columbine Subdivision as same is recorded in Plat Book 8, Page 72, all being recorded in the Public Records of Mesa County, Colorado, all of said property being located in the State of Colorado, County of Mesa, City of Grand Junction, being more particularly described as follows:

COMMENCING at the South Quarter (S ¼) Corner of said Section 7, and considering the South line of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) to bear S 89°46'38" W with all bearings contained herein being relative thereto; thence from said Point

of Commencement, N 63°51'22" E a distance of 468.94 feet to a point on the Northerly right of way for Colorado State Highway 340 and the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 02°50'30" W a distance of 44.32 feet; thence N 40°26'59" E a distance of 121.91 feet; thence N 45°08'50" E a distance of 64.51 feet; thence S 45°07'15" E a distance of 166.78 feet, more or less, to a point on the Westerly right of way for Kansas Avenue; thence S 04°20'16" W, along said Westerly right of way, a distance of 30.29 feet; thence continuing along said Westerly right of way, S 32°21'16" W a distance of 171.19 feet to a point on the Northerly right of way for said Colorado State Highway 340 and being the beginning of a 1387.53 foot radius non-tangent curve, concave Northeast; thence Northwesterly 183.63 feet along the arc of said curve, through a central angle of 07°34'58", having a long chord bearing of N 53°10'54" W with a chord length of 183.50 feet, to the Point of Beginning. Containing 0.93 Acres, more or less, as described.

Rezone to CSR .90 acres located at 2258 South Broadway to CSR, the parcel being more fully described as follows:

A certain parcel of land lying in the Southeast Quarter (SE ¼) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian and being a portion of Lot 18, Redlands Estates Subdivision as same is recorded in Plat Book 8, Page 74, and all of Outlot 2, Columbine Subdivision as same is recorded in Plat Book 8, Page 72, all being recorded in the Public Records of Mesa County, Colorado, all of said property being located in the State of Colorado, County of Mesa, City of Grand Junction, being more particularly described as follows:

COMMENCING at the South Quarter (S ¼) Corner of said Section 7, and considering the South line of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) to bear S 89°46'38" W with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 63°51'22" E a distance of 468.94 feet to a point on the Northerly right of way for Colorado State Highway 340; thence N 02°50'30" W a distance of 44.32 feet; thence N 40°26'59" E a distance of 121.91 feet; thence N 45°08'50" E a distance of 64.51 feet to a point being the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continue N 45°08'50" E a distance of 84.86 feet; thence N 24°51'08" E a distance of 54.88 feet; thence S 45°51'50" E a distance of 52.70 feet; thence N 22°14'43" E a distance of 261.74 feet; thence N 88°33'51" E a distance of 161.94 feet to a point on the Westerly right of way for Kansas Avenue, as same is shown on the Plat of Columbine Subdivision, recorded in Plat Book 8, Page 72, Public Records of Mesa County, Colorado; thence S 45°10'16" W along said Westerly right of way, a distance of

274.26 feet; thence S 21°35'16" W along said Westerly right of way, a distance of 171.02 feet; thence S 04°20'16" W along said Westerly right of way, a distance of 84.82 feet; thence departing said Westerly right of way, N 45°07'15" W a distance of 166.78 feet, more or less, to the Point of Beginning.

Introduced on first reading this _____ day of May, 2002.

PASSED and ADOPTED on second reading this ____ day of June, 2002.

ATTEST:

President of the Council

City Clerk

**Attachment 18
Redlands Area Plan, Part of Grd Jct Growth Plan**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Redlands Area Plan					
Meeting Date	June 26, 2002					
Date Prepared	June 20, 2002				File #PLN-2002-060	
Author	Kathy Portner			Planning Manager		
Presenter Name	Kathy Portner			Planning Manager		
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: A request to adopt the Redlands Area Plan as a part of the Grand Junction Growth Plan. Planning Commission recommended approval at its May 7, 2002 meeting.

Budget: N/A

Action Requested/Recommendation: Adopt the Resolution approving the Redlands Area Plan as a part of the Grand Junction Growth Plan.

Attachments:

1. Staff Report
2. Resolution adopting the Redlands Area Transportation Plan
3. Redlands Area Plan

Background Information: See attached Staff Report.

PROJECT REVIEW
April 25, 2002

A. PROJECT: PLN-2002-060, REDLANDS AREA PLAN

Request: To adopt the *Redlands Area Plan* as a part of the City of Grand Junction's Growth Plan.

Reviewed by: City of Grand Junction Community Development Department Mesa County Department of Planning and Development

Presented by: Kathy Portner, Planning Manager

B. PROJECT LOCATION/DESCRIPTION

The Redlands planning area is located south and west of the Colorado River, from the Highway 340 Colorado River Bridge at Fruita on the northwest, the Colorado National Monument on the south and the Gunnison River on the east. The Redlands Area Plan is an update of the Mesa County 1986 *Redlands Goals and Policies Plan*. The *Mesa Countywide Land Use Plan* and *City of Grand Junction Growth Plan*, adopted in 1996, as well as the *Fruita Community Plan*, provide the basis for this more detailed neighborhood plan. The *Redlands Area Plan* was developed in conjunction with the *Redlands Area Transportation Plan*.

Status of Previous Plans The proposed *Redlands Area Plan* will replace Policy #30 Redlands, adopted in 1986 by the Mesa County Planning Commission. The *Redlands Area Plan*, when adopted, will be the guiding land use plan for this area. Further, the *Redlands Area Plan* follows the goals, policies, and general desired land uses expressed in the *Mesa Countywide Land Use Plan* and the *Grand Junction Growth Plan* (Chapter 5 of these plans are identical). The adoption of the *Redlands Area Plan* will result in a more detailed direction for future land use than what is provided in the *Mesa Countywide Land Use Plan* and the *Grand Junction Growth Plan*. The *Mesa Countywide Land Use Plan* and the *Grand Junction Growth Plan* goals and policies remain in effect and will continue to apply.

C. PUBLIC PROCESS

City and County planning staff conducted baseline inventories, reviewed the 1986 plan for relevant and outdated policies, and identified key issues. The staff held numerous Public Forums and Planning Commission Workshops in conjunction with the Redlands Area Transportation Plan process. **Briefing – Background/Process** (July 18, 2001) Joint Mesa County, City of Grand Junction Planning Commission

Public Forum #1 (June 5, 2001) Open house in conjunction with Transportation Plan Issue Identification

Public Forum #2 (October 3, 2001) Open house in conjunction with Transportation Issue Refinement

Public Forum #3	(November 27, 2001) Open house and public forum Input on Future Land Use Map Inconsistencies and Future Commercial Development
Public Forum #4	(January 8, 2002) Open house in conjunction with Transportation Plan Input on additional proposed Future Land Use Map changes Design standards/guidelines
Briefing	(February 28, 2002) Joint Mesa County, City of Grand Junction Planning Commission
Briefing	(April 15, 2002) Grand Junction City Council (February 25, 2002) Board of County Commissioners

D. PUBLIC COMMENT

The planning process began in the Spring of 2001. Public input was solicited at four public open houses/public forums, written comments, phone calls, e-mail, and personal communications. The public meetings were well attended with, typically, 60 to 100 people. Four newsletters were mailed to every property owner in the planning area (approximately 5,400) announcing public forums and soliciting input and comments. In addition, the Mesa County Long Range Planning internet web site kept the public up-to-date on issues and progress of the plan through posted newsletters, meeting summaries, comment response logs and copies of the draft plan. Staff received over 80 e-mails, letters, and phone calls.

E. MARY OF PLAN RECOMMENDATIONS

E. PLAN CONTENT

Each section of the proposed plan contains general descriptions and finding, goals, policies and implementation steps. There are seven major sections, including general services, community image and character, land use and growth management, parks, recreation and open space, transportation, housing and historic preservation. The recreation and open space section references the recently adopted City of Grand Junction Parks and Recreation Plan. Likewise, the transportation section references the Redlands Area Transportation Plan that will be considered for adoption in conjunction with this plan (the Transportation Plan will be considered at a joint meeting on June 6th).

Some of the major issues addressed in the draft plan and recommended for future implementation are as follows:

- Highway 340 and Monument Road overlay zone to address setbacks and aesthetic treatments for development along these major accesses to the Colorado National Monument
- Colorado River bluff and geologic hazard area overlay to address mitigation for development proposed in those areas
- Design standards for commercial development on the Redlands.
- Night lighting standards

- Buffer area overlay zone

Also recommended in the draft plan are some changes in the future land use map to address inconsistencies between land use designations and current zoning and/or development. Also discussed at one of the public forums was a property owner proposal to change the land use designation of the Three Sisters area from Conservation to Residential Low. In response to the overwhelming public opposition, the owner has withdrawn his request.

The future of commercial development on the Redlands sparked, perhaps, the most lively discussion and debate. Guided by this public input, the draft plan recommends that large neighborhood centers be limited to the two existing centers, Redlands Marketplace (Albertson's) and Monument Village Shopping Center (Safeway). Both centers have room for expansion. There are five smaller convenience centers indicated in the draft plan. Those include the existing Meadowlark Gardens, Country Corner and the Ridges. Two future sites are proposed, one in the Seasons, which already had a commercial site designated in the original Planned Development ordinance; and one in the 23 Road south area, between Highway 340, South Camp Road and South Broadway.

F. COMPLIANCE WITH THE *GRAND JUNCTION GROWTH PLAN* AND THE *GRAND JUNCTION ZONING AND DEVELOPMENT CODE*

Rationale for updating the *Redlands Area Plan* is articulated in *Grand Junction Growth Plan* of 1996. The plan contains language that directs staff to periodically review and update the *Redlands Area Plan*. Amendments are also consistent section 2.5.C of the *Grand Junction Zoning and Development Code* 2000.

The Planning Commission may approve proposed Master Plan Amendments only if it is determined that the proposed amendment is consistent with the overall purpose and intent of the Plan and with any intergovernmental agreements then in effect between the County and any other unit of government and only after consideration of each of the following criteria: *Growth Plan Amendment Review Criteria (section 2.5.C of the Grand Junction Zoning and Development Code)*

1. There was an error in the original Master Plan such that then-existing facts, projects, or trends (that were reasonably foreseeable) were not accounted for;

Findings: *The 1996 Joint Planning Area Future Land Use Map did contain numerous land use classifications that were incorrect. The errors did not accurately represent development that was already in existence, or there were mapping errors that were made when the map was printed. The map corrections will eliminate potential confusion. The proposed changes were available for citizen review and comment at the November open house, and from then on, on the web site.*

2. Events subsequent to the adoption of the Master Plan have invalidated the original premises and findings;

Findings: *Numerous elements of the 1986 Redlands Policy # 30 are invalid because the condition and character of the area has changed. Other elements are invalid because they have been completed or partially completed since the plan was adopted. New information is available that was not available for the 1986 plan.*

3. The character and/or condition of the area has changed enough that the amendment is acceptable.

Findings: *Numerous elements of the 1986 Redlands Policy # 30 are invalid because the condition and character of the area has changed since the plan's adoption. New inventory and analysis was necessary to create a relevant plan for the area. The new plan (or amendment) is necessary and recommended in the 1996 Plans.*

4. The change is consistent with the goals and policies of the Master Plan, including applicable special area, neighborhood, and corridor plans;

Findings: *The new plan (or amendment) is necessary and recommended in the 1996 Plans. Because of changes in the character and condition of the area and new information became available since the 1986 plan, it was necessary to conduct a new inventory and analysis. The outcome is a new and relevant plan for the area.*

5. Public and community facilities are adequate to serve the type and scope of land use proposed;

Findings: A current inventory, analysis, and public input shaped the policies of the plan. As a result, the community facilities are adequate, or can be provided, to serve the scope of land uses proposed. An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and

Findings: the presiding bodies directed staff, as recommended in the 1996 Mesa Countywide Land Use Plan and Grand Junction Growth Plan, to update the Redlands Policy #30. An inventory and analysis indicated that the existing land is available and adequate for the recommended land use, facilities, open space, community image/character policies of the plan.

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

Findings: *the new plan will provide benefits for the Redlands Area, and the community as a whole. The updated plan will eliminate confusion over errors or outdated material contained in the 1986 plan. The proposed plan reflects the current desires of the Redlands Area residents as gathered from public meetings and associated communications. The plan reflects changes in the character of the area since the 1986 plan was adopted. The plan provides a more clear direction in land use, decision making for residents, elected officials, and others.*

G. STAFF RECOMMENDATION:

Staff finds that the proposed amendments are consistent with the review and approval criteria of Section 2.5.C of the Zoning and Development Code and recommends approval.

H. PLANNING COMMISSION ACTION (May 7, 2002):

The City of Grand Junction Planning Commission, jointly with the Mesa County Planning Commission, recommended approval of the Redlands Area Plan, dated April 25, 2002, with the following amendments:

- Page 56 and 57 of the proposed plan (Transportation Action Plan) will be modified to retain the first two paragraphs and delete the remainder of page 56 and all of page 57.
- Page 56 will be modified to reference the adopted Urban Trails Master Plan and Redlands Area Transportation Plan.

CITY OF GRAND JUNCTION, COLORADO

Resolution No.

ADOPTING THE REDLANDS AREA PLAN AS A PART OF THE GRAND JUNCTION GROWTH PLAN

Recitals:

The Redlands planning area is located south and west of the Colorado River, from the Highway 340 Colorado River Bridge at Fruita on the northwest, the Colorado National Monument on the south and the Gunnison River on the east. The Redlands Area Plan is an update of the Mesa County 1986 *Redlands Goals and Policies Plan*. The *Mesa Countywide Land Use Plan* and *City of Grand Junction Growth Plan*, adopted in 1996, as well as the *Fruita Community Plan*, provide the basis for this more detailed neighborhood plan. The *Redlands Area Plan* was developed in conjunction with the *Redlands Area Transportation Plan*.

Staff finds that the proposed Redlands Area Plan is consistent with the review and approval criteria of section 2.5.C of the *Grand Junction Zoning and Development Code* and recommends the Grand Junction City Council adopt the *Redlands Area Plan* as a part of the Grand Junction Growth Plan.

The Grand Junction Planning Commission, at their May 7, 2002 hearing, recommended approval of the Redlands Area Plan, with the following amendments:

- Page 56 and 57 of the proposed plan (Transportation Action Plan) will be modified to retain the first two paragraphs and delete the remainder of page 56 and all of page 57.
- Page 56 will be modified to reference the adopted Urban Trails Master Plan and Redlands Area Transportation Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE REDLANDS AREA PLAN IS HEREBY ADOPTED, WITH THE AMENDMENTS RECOMMENDED BY THE PLANNING COMMISSION, AND MADE A PART OF THE GRAND JUNCTION GROWTH PLAN.

PASSED on this _____ day of _____, 2002.

ATTEST:

City Clerk

President of Council

**MESA COUNTY PLANNING COMMISSION
CITY OF GRAND JUNCTION PLANNING COMMISSION**

**May 7, 2002, Public Hearing
MINUTES**

Call to order at 7:01 p.m. by Chairman Paul Dibble of the City of Grand Junction Planning Commission and Chairman Jeff Over of the Mesa County Planning Commission. The hearing was held at City Hall Auditorium, Grand Junction, Colorado.

Chairman Dibble explained tonight's presentation would be devoted to the public testimony, recommendation and proposal of the Redlands Area Plan. The County will decide upon adoption of the Plan and the City will decide upon recommendation to the City Council. The Redlands Area Transportation Plan will not be discussed tonight. It will be heard on June 6, at the Whitman Building, Museum of Western Colorado, at 7:00 p.m.

In attendance, representing the Mesa County Planning Commission, were: Mark Bonella, David Caldwell, Thomas Foster, Bruce Kresin, and Jeff Over.

In attendance, representing the City of Grand Junction Planning Commission, were: Richard Blosser, Roland Cole, Paul Dibble, John Evans, Bill Pitts, and John Redifer.

In attendance, representing the Department of Planning and Development, were: Kurt Larsen, Director, Department of Planning and Development; and Keith Fife and Michael Warren, Mesa County Long Range Planning Division, were in attendance. Kristy Pauley was present to record the minutes.

In attendance, representing the City of Grand Junction Community Development Department, were: Bob Blanchard, Director of Community Development, Kathy Portner, and Dave Thornton.

There were approximately 20 citizens present throughout the course of the hearing.

2001-258 REDLANDS AREA PLAN PLN-2002-060

Petitioner: City of Grand Junction & Mesa County

Location: South and west of the Colorado River, from the Highway 340 Colorado River Bridge at Fruita on the northwest, the Colorado National Monument on the south and the Gunnison River on the east.

The Redlands Area Plan is an update of the 1986 Redlands Goals and Policies Plan. The Mesa Countywide Land Use Plan and City of Grand Junction Growth Plan, adopted in 1996, as well as the Fruita Community Plan, provide the basis for this more detailed neighborhood plan. The Redlands Area Plan was developed in conjunction with the Redlands Transportation Plan.

Staff's Presentation: Michael Warren, Senior Planner, Long Range Planning, Mesa County. Mr. Warren introduced the City and County representatives. Mr. Warren entered into the record the Redlands Area Plan Master plan amendment, County file #2001-258 MP1 and City file #PLN-2002-060. Staff prepared this plan concurrently with the Redlands Area Transportation Plan. That Plan will be heard on June 6, 2002. Guidelines for the Joint City/County Master Plan amendment are in Chapter 3, Section 3.2.6 of the Mesa County Land Development Code and Chapter 2, Section 2.4 of the Grand Junction Zoning and Development Code. A Powerpoint slide presentation was the basis for the remaining staff presentation. A map depicting the Redlands Area boundary was exhibited. The planning process began in spring of 2001 and the purpose is to adopt the Redlands Area plan as an amendment to the Mesa County Master Plan and as an element of Grand Junction's Growth Plan. There was extensive citizen participation, numerous public forums and briefings. Process involved open houses, well attended from a planning perspective. Obtained numerous comments via e-mail, phone calls, letters and personal communication. There were mailings of newsletters to residents of the planning area. A website was maintained for contact.

The Plan is organized into six chapters of action plans: General Services, Community Image/Visual Character; Land Use/Growth Management; Parks, Recreation and Open Space; Housing; Historic Preservation. Numerous key issues were identified throughout the process. There were concerns about setback, aesthetics, geological hazards, ridgelines and bluffs. Site design for commercial development was discussed.

Light pollution, both residential and commercial was a concern. The rural character of the area was expressed as a desire to maintain. An overlay for the community separator or buffer area was encouraged. Mr. Warren discussed the inconsistencies of the Future Land Use Map, i.e., mapping errors and conservation areas. The Swan Lane area was recommended for a change in the future land use density. The designation of Three Sisters was discussed and representative of that property withdrew his intent for a change and staff recommended to stay with the conservation designation in that area of the Redlands.

Kathy Portner, Planning Manager, City of Grand Junction Community Development, continued the slide presentation. Ms. Portner discussed issues and recommendations for future commercial development of the Redlands. Outcome and recommendation in the Plan is the two large shopping center areas, Albertson's and Safeway, with possibility of expansion, is enough commercial to serve the Redlands for a long time. There is need for only a couple of additional small convenience areas. The Plan proposes goals for commercial development including design standards and guidelines, high quality was important, encourage high quality visual, site planning and architecture, and reduce number of trips and travel for residents. The Redlands is seen as a bedroom community. Using vacant land for expansion of existing centers and not create additional areas for large commercial centers. A map depicting existing commercial areas on the Redlands was exhibited. Neighborhood shopping centers that exist are Safeway and Albertson's. They may include other employment or office areas. Monument Village (Safeway) and Redlands Marketplace (Albertson's), and Monument Road commercial have been identified as neighborhood shopping centers. Monument Village has 7

additional acres available for development. There has been discussion about other retail or restaurants in that area. Redlands Marketplace has 9.72 acres; 66,000 sf existing retail; 20,000 sf future retail (including Wendy's). Monument Road commercial (Dos Hombres), 10 acres existing commercial. There is potential for additional square footage. The land could be used more efficiently with redevelopment. Neighborhood convenience centers are smaller; less than 8 acres, 4 or more business establishments, for a variety of uses. The Seasons has commercial zoned property that has not developed yet. This Plan would support and maintain that as neighborhood commercial. The 23 Road south area could develop for a small neighborhood convenience area. Existing Meadowlark Gardens has substantial square footage for future development. The Ridges has a small commercial center, with 2 additional lots there. Country Corner has a very small area for future expansion. It is a nice mix of office and neighborhood convenience. The public forums included discussion on whether the Monument and South Camp Road area needed a small commercial center. Residents don't want that. The draft Plan does not include the Monument Road and South Camp Road area for a future commercial site. The Plan calls for developing design standards and guidelines. The proposed Future Land Use Map was exhibited.

Staff recommended approval of the proposed Plan as presented.

Chairman Over inquired why the Future Land Use Map didn't show anything for commercial for the 23 Road area. Ms. Portner said they don't know where in the area it might occur, so there is an area on a separate map showing where existing and future commercial development is recommended. The text of the Plan also includes these recommendations.

Chairman Dibble thanked staff for their presentations. He instructed the public to limit comments to 3 minutes.

Public Comments: Carl Noble, owner of 21 acres off Sequoia. There are 3 parcels; one is 11 acres. It was designated as conservation. They bought the property 9 years ago. He was never notified of four different meetings on the Plan. He was trying to understand how his property is being designated.

Chairman Dibble asked staff to comment on this. Ms. Portner said conservation land use designation is to identify properties with topographic constraints or floodplain constraints and to identify appropriate future land uses. If it is an existing legal lot, he could get a building permit to build home. The conservation designation does not limit that. If it were to be proposed for further subdivision, it would be annexed to City of Grand Junction. Generally they can apply zoning, RSF-R, 1 unit for 5 acres. It wouldn't necessarily limit ability to build more than one structure, but may limit further subdivision of the property. Mr. Fife indicated the property is currently zoned RSF-4.

Carl Noble. 3 properties totaling 21 acres. 3 different deeds. He talked with planning many years ago. He wanted to know what had changed from his designation of RSF-4.

Keith Fife, Long Range Planning. The Future Land Use map designation does not change zoning. If Mr. Noble wanted to develop the property into more lots, he would have to be annexed to the City and apply for City zoning at that time. The conservation designation follows the bluff-line.

Greg Jouflas, 113 Mira Monte Road. His property adjoins the Three Sisters area. It was his understanding to continue with current conservation of area. Change requested by adjacent property owner would change character of their neighborhood.

Chairman Over informed Mr. Jouflas the petitioner rescinded that request.

David Hoefer, 440 Meadows Way. A car wash was recently approved across from the Meadowlark Gardens. Is this a convenience center or commercial development? If the car wash doesn't prove successful, what happens to the property?

Ms. Portner indicated this is a commercial designation. There was a Future Land Use map change to commercial by the City Council recently. That was a separate process from this process. That piece of commercial will remain as a future land use on that corner. The land use plan change has been approved, but zoning has not gone to City Council yet. It will be some type of commercial.

Ken Washburn, 389 Granite Falls Way, Canon Vista Subdivision. Representing HOA, 90 property owners. In this current proposal, pages 11-14, there are references to image, character, and visual. Isolate in this Plan are Monument Road, Broadway, etc. There were two recent approvals on Monument Road and Broadway totally in conflict with this plan. Why? One is the car wash. Much vocal and written opposition. Two is residence with commercial garage that from 100 yards back from Monument Road obliterates the view of the National Monument. If Plan goes through are we going to continue to disregard it?

Terri Binder, 1885 Broadway. Read the plan. Thinks it's good. It is good to clean up inconsistencies. She received all information through the entire process. Did not attend meetings, due to other commitments. Good that plan has been updated since 1986. Supports design standards and guidelines. Believes there is enough commercial at this point in time. Supports overlays with community buffer zone. Lived in Arvada when it was 19,000 people. As time went on, it combined with other towns. Boundaries were not clear. Thinks people would like to preserve Fruita, Grand Junction and Palisade as distinct towns. Needs to be prevented to avoid one big city.

Chairman Dibble asked for any other comments. Seeing none, he closed the public portion of the hearing. Chairman Dibble asked staff for comments on particular points.

Questions: Kathy Portner responded to approval of things inconsistent with this plan. At the time projects are approved, they rely on regulations in place at the time. This Plan sets a framework for establishing better regulations to do some of the things suggested in the way of design and better compatibility. Monument Road overlay would address setbacks and

building dimensions. Those projects did not have the benefit of this Plan and recommendations of this Plan, because it was in draft form.

Commissioner Caldwell commented about the facility on Monument Road. In that situation, that lot is in the County limits. It is just a parcel of land so a planning process was not required. Ms. Portner indicated that is correct. He received planning clearance for construction. It is outside the city limits.

Commissioner Redifer asked if any area in the urban planning area would have to be annexed to city, specifically in regard to the owner of the property off Sequoia. Ms. Portner said they can build a house without annexing, but if they want to subdivide, it would have to be annexed. The City can zone in accordance with County zoning or the Land Use Plan. The owner may have different designations on the parcels. Commissioner Redifer said inconsistencies are to be worked out. Ms. Portner said City tried to zone in accordance with the Land Use Plan. Commissioner Blosser asked if each individual parcel or request would use this Plan as guidance? Ms. Portner responded they have to take the map in conjunction with goals and policies of the Plan. Other goals of the Plan may override certain factors. City's approval criteria include consistency with the Plan. It takes the whole Plan, goals and policies into consideration. Commissioner Pitts said neighborhoods are taken into account as well. Ms. Portner said depending on parcel size and what is adjacent to proposed development, densities can be shifted. Commissioner Foster asked about raising the bar on design guidelines on commercial in the Redlands. Does this include parking lots and user friendly atmospheres in parking lots that have been established in other parts of the city? Ms. Portner said 24 Road guidelines could be used as a model when regulations are revised. Commissioner Cole asked if all comments have been taken into consideration with this Plan. Ms. Portner indicated the City uses this when talking with applicants to help fit with their property. Commissioner Kresin asked about the area in the center of the Redlands with 600 acres, west of Redlands Mesa. Ms. Portner said when factoring in the golf course, they are at low end of recommended density. But it is difficult to go to high end due to the topography. Commissioner Caldwell asked about the lack of open space and parks, etc. in the Plan. Commissioner Kresin said there are none. Commissioner Caldwell would like to see more parks and open spaces. It was mentioned in the Plan. Ms. Portner said City has an adopted parks plan to be incorporated into this Plan. Has identified needs for areas for parks. The Parks Department looks at the Plan and determines whether park is needed in that area. They have the right to request a 10% land dedication. Commissioner Kresin asked if it is fair to designate as parks golf courses and open space which will never be developed as parks? Park, is anything owned by a taxing entity, which may or may not be a park. Parks Department is to team with the school district and to use existing school yards as more developed parks but recognize need for developed parks. Parks Department has acknowledged the need for more parks in the Redlands.

Samuel Basler, 173 Little Park Road. Page 44-45 of Plan, suggesting interconnecting trails to developed parks. He was most involved in 60's and early 70's with the Colorado River Trail. At that time, trail system would follow the river to be a connection park between developed park, and trail, and so forth. Plan generally puts forth this idea, but not specifically. Needs to be a designation of specific corridors for trails and parks in this Plan. Idea is a good one, but not specific enough for a program that is going to be adopted.

Chairman Dibble asked about how the Urban Trails Plan would fit with this.

David Thornton, City Community Development, said the Urban Trail Plan was adopted by the City. Throughout the Redlands, that Plan shows various links to neighborhoods.

Public can pick up this Plan at the Community Development Department. Commissioner Foster commented the revisions to the Urban Trails Plan are being worked on very diligently. Worked on canal banks for trails and have gotten bogged down. Suggested turning attention to using trails that could be developed without litigation. Trails Plan can be picked up from the City. Problem with putting it on this map at this point is premature. It is still in progress. Commissioner Caldwell said Redlands Plan does make a reference to the Urban Trails Plan on page 57. Keith Fife told Mr. Basler the revised Urban Trails Plan could be heard in June by the County Planning Commission.

Discussion: Commissioner Caldwell said he finds objection to the 23 Road connection to South Camp Road. One objection to Plan is referencing this new proposed road. To state that particular item and several others proposed in the Redlands Area Transportation Plan should be spoken to as a separate issue in the Transportation Plan. Chairman Dibble said if the transportation plan would be denied, that these references would be superseded. If there are inconsistencies between the two Plans, then they would have to be in correlation. Ms. Portner said staff recommends the summary not be included in the Final Plan. It was only a reference point. Pages 56 and 57, except for the first two paragraphs, are recommended for removal. Reference the Transportation Plan as adopted.

Commissioner Bonella asked about mineral resources on the Redlands. Any future mining where there is residential development is a concern. He would like a reference to existing resources that have been identified, residential development should only be developed with minimal impact on the extraction of mineral resources. Keith Fife indicated page 38 refers to that in first paragraph. Commissioner Bonella asked about trying to identify areas for future development that have resources on it now. Mr. Fife indicated page 39 refers to the intent to give people advance notice that when they develop the land they recognize it is a mineral resource area. New development must comply with the Mineral Extraction Policy. Chairman Over asked how you could force a developer to wait to develop if gravel can't be extracted for a long period of time? Commissioner Caldwell said even if developer is aware of resources, he sells lots and goes away, and owners have no realization that resources are nearby, then how is that solved? Chairman Over said a developer should know about resources, i.e. gravel. Chairman Dibble said developers should look into this as well as the homeowners. Caveat emptor. It behooves the City and County to make this type of information readily available. Mr. Fife indicated the vast majority of sand and gravel not developed on the Redlands is in the community separator.

Commissioner Over commented it is a good Plan. Staff did a good job. Agreed with Mr. Noble. Would like to see why would we want to change zoning on Mr. Noble's land if development standards are in place. Should leave as RSF-4 or RMLF 2-4. If Mr. Noble tries to develop he'll have to annex into the City. Chairman Dibble asked if staff could identify Mr. Noble's parcels and how many other parcels may fall in this category.

Mr. Noble showed these areas on the Future Land Use Map and indicated the area is along

the river and on the bluff. Mr. Noble said if clustering were done, the County told him they would look at it more favorably.

Commissioner Foster commented on limited flexibility of the Plan once it is accepted. It is possible to change the Plan. Car wash went through 3 or 4 different requests and appeals. Finally got to City Council and succeeded in getting a change to the Land Use Plan. Hopes when Transportation Plan is viewed this situation will be considered. It is possible to change the Plan. It is not carved in granite.

Commissioner Blosser commended staff. Comprehensive in many issues. Not cast in concrete. Will be looked at over the years and if needs to be changed they can change it. It lays out groundwork for the area. Commissioner Pitts said staff did a good job with many hearings and forums. Commissioner Evans commented this is a basic outline. It needed upgrading from 1986. Long overdue. Not cut in stone, but gives direction with new updates. Chairman Dibble said Grand Junction is in need of a Plan. The Valley is changing. Annexation occurs and is taking place. Need stable way of changing. Subject to change and subject to changing times. Staff did a fine job of putting this together. Public input has been good. It is not planned to make everyone happy but is a place to start and a place to ground ourselves toward goals. Brings into land classifications that have existed. In favor of proposals with adjustments that have been noted. They will next tackle the Transportation Plan.

MOTION: Commissioner Caldwell moved that project 2002-258 MP1, Redlands Area Plan, be adopted as part of the Mesa County Master Plan in accordance with Section 30-28-108 of the Colorado Revised Statutes as presented, with the exception of page 56 and 57 of the proposed Plan. The first two paragraphs on page 56 will be retained and reference made to the adoption of the Redlands Area Transportation Plan and Urban Trails Master Plan. Commissioner Kresin seconded the motion. A vote was called and the motion passed unanimously 5-0.

MOTION: Commissioner Blosser moved that project PLN-2002-060, Redlands Area Plan, be forwarded to the City Council, as modified by the County Planning Commission, but only including the first two paragraphs on page 56 and referencing the Redlands Transportation Plan and Urban Trails Plan as similarly to the motion by the County. Commissioner Evans seconded the motion. A vote was called and the motion passed unanimously 6-0.

Chairman Dibble adjourned the hearing at 8:36 p.m.

Respectfully Submitted,

Bruce Kresin, Secretary Date Mesa County Planning Commission

INTRODUCTION

The Redlands Planning area is located south and west of the Colorado River from the Highway 340 Colorado River Bridge at Fruita on the Northwest , the Colorado National Monument on the south and the Gunnison River on the east (*Figure 1*).

The Redlands is named for the area's red soils and spectacular red cliffs and canyons of the Colorado National Monument, which rise as much as 2,000 feet from the floor of the Grand Valley.

In concert with the *Redlands Area Transportation Study (RATS)* Mesa County and the City of Grand Junction conducted a process to update the *1986 Redlands Goals and Policies Plan* to reflect the specific needs of the Redlands. *The Mesa Countywide Land Use Plan* the *City of Grand Junction Growth Plan*, adopted in 1996, and the *Fruita Community Plan 2020* provide the basis for this more detailed neighborhood plan.

The purpose for updating the plan is to identify and articulate detailed needs of the area as they have changed over the last several years. The plan will help achieve community goals by providing specific policies and implementation strategies.

PLANNING PROCESS

Public input was solicited at four public open houses/public forums and through written comments. Four newsletters were mailed to every property owner in the planning area announcing public forums soliciting input and comments. The newsletters contained phone numbers and addresses to which property owners could comment. Numerous written responses were received. (See response log in appendix)

The Mesa County Long Range Planning internet web site kept the public up-to-date on issues and progress of the plan through posted newsletters, meeting summaries and comment response logs.

SCHEDULE

SPRING 2001

- Staff reviewed 1986 and 1996 Plans
- Identified accomplishments and outstanding issues

JUNE 2001

- Open house in conjunction with *Redlands Area Transportation Study*
- Issue Identification
- Joint Planning Commission Workshop
- Review of Issues to Date

AUGUST 2001

- Newsletter #1

OCTOBER 2001

- Open house in conjunction with *Redlands Area Transportation Study*
- Refined issues
- Newsletter #2

NOVEMBER 2001

- Open house and public forum
- Input on: Future Land Use Map Inconsistencies & Future Commercial Development

DECEMBER 2001

- Newsletter #3

JANUARY 2002

Open house in conjunction with *Redlands Area Transportation Study*

Input on: Additional proposed Future Land Use Map changes and Design standards/guidelines

FEBRUARY 2002

- Newsletter #4
- Draft Plan Available for review
- Joint Planning Commission Workshop
- Review Draft Plan

SPRING 2002

- Planning Commission Public Hearing(s)
- City Council Public Hearing(s)
- Present Adopted plan to Board of County Commissioners

Accomplishment Highlights

The following highlights some of the many accomplishments/activities that have taken place since adoption of the *1986 Redlands Goals and Policies Plan* and *1996 Mesa Countywide Land Use Plan/Grand Junction Growth Plan*. (See Appendix for Summary of Accomplishments)

Community Organization/ General Services

- Sewer service has been extended to many new and developed areas.
- In 1998 the "Persigo Sewer System Agreement between Mesa County and Grand Junction" was signed.

- Numerous Local Improvement Districts have been and are being formed for sewer service.
- The *1996 Mesa Countywide Land Use Plan* and *Grand Junction Growth Plans* were adopted.
- New *City and County Development Codes* adopted.
- The *City and County adopted the Grand Valley Circulation Plan - Functional Classification Map*.
- City and County Staff participate on a long range planning committee of School District #51.

Irrigation

- Development Codes require use of non-potable irrigation water for landscaping purposes where available.

Fire Protection & Emergency Medical Service

- City and County continue to address the issues and needs of fire protection and emergency medical services on the Redlands. Both jurisdictions have money budgeted for 2002 to begin the process to acquire land and/or facilities.

Drainage

- Development Codes require minimum 100 foot setbacks from Colorado and Gunnison Rivers.
- The City and County maintain Geographic Information Systems with drainage and a geo-hazards map of the Redlands.
- Adopted the *Storm Water Management Manual (SWMM)*.

Land Use and Urban Design

- Connected Lakes area was rezoned to AFT (RSFR).
- Fruita, Grand Junction, and Mesa County signed an intergovernmental agreement establishing a Cooperative Planning Agreement, Buffer Area, as a community separator in 1998.
- Development Codes establish new standards for new development.
- Development Codes include standards for new development on ridgelines and steep slopes.
- 1998 Persigo Agreement requires annexation of certain new development. *City of Fruita Community Plan 2020* adopted in 1994 and updated in 2001 includes:
- A Monument Preservation area outside of the Persigo 201 - 5 acre minimum lots, and;
- Removing most of the Redlands area east of Kings View Estates from the Fruita 201 Sewer Service Area.

Parks, Recreation, Historic Places

- Riggs Hill acquired by the Museum of Western Colorado and Dinosaur Hill is protected by the Bureau of Land Management.

- Audubon and Blue Heron trail sections of the Colorado River Trail System have been built and are very popular.
- Mesa County transferred ownership of the reclaimed Connected Lakes gravel pits to the State of Colorado as part of the Colorado River State Park system.
- Urban Trails Master Plan adopted.
- Tabeguache mountain bike trail established between Monument Road and Little Park Road.
- Land at the confluence of Gunnison and Colorado Rivers purchased by US government Bureau of Reclamation as a wildlife preserve.
- Redlands Middle School built.
- *The Grand Junction Master Parks Plan* was updated in 2001.
- Grand Junction Country Club (Redlands Community Club) designated on State Register of Historic Places in 1995.
- National Monument - designations of historic buildings and sites.

GENERAL SERVICES ACTION PLAN

FINDINGS

General

Utility services in the area are provided as follows:

- Domestic Water -Ute Water Conservancy District, Bruners Water System, Irrigation – Redlands Water and Power Company.
- Sewage Collection -City of Grand Junction/Mesa County Joint Sewer System (Persigo).
- Sewage Treatment -City/County Persigo Wastewater Treatment Plant.
- Solid Waste Collection -Several private haulers in addition to the City of Grand Junction

Domestic water

Service provided by Ute Water has been interrupted several times in the recent past due to line breaks. Many existing waterlines do not meet current fire protection standards particularly in terms of line size and looping requirements. There are issues with varying water pressure day to day. The various providers in the valley have adopted common water system construction standards.

Bruners Water System (Artesian Water Services), a private water provider, serves over 200 homes on the Redlands. These residences at some point may need to be integrated into the Ute Water system. Estimated costs of 1.2 million dollars are needed to upgrade the existing water line infrastructure before Ute Water could serve these residences.

There are also several residences on wells. Over time, these residences may want or need to connect to Ute Water's facilities.

Irrigation/Drainage

Irrigation water is supplied to a majority of the Redlands via the Redlands Water and Power District. Irrigation water comes from a dam on the Gunnison River that diverts water for irrigation and the power plant. The Ridges / Redlands Mesa takes their water out after it passes through the power plant.

Redlands Water and Power is not responsible for handling drainage in the area. Mesa County has already compiled drainage information from the various private development studies that have been completed to date.

Drainage is a very high concern on the Redlands due to the large amount of steep, impervious land to the southwest of the Redlands within the Colorado National Monument. Runoff from most storm events start southwest of the area and move northeasterly essentially "following" the drainages to the Colorado River. Because of the above factors, all of the washes and streams are subject to flash flooding and should be very closely analyzed when developing new drainage plans or siting structures.



Sewer

The Redlands area within the Grand Junction sewer service area is or will be served by sanitary sewer. Within the City of Fruita's sewer service area much of the area is slated to be removed from the service area. The 2001 City of Fruita Community Plan 2020 recommends removing most of the Redlands area east of Kings View Estates from the Fruita 201 Sewer Service Area and utilizing individual sewage disposal systems.

Much of the existing housing in the Grand Junction Persigo 201 Sewer Service Area is not currently being served by sanitary sewer. It is estimated that 1400 homes in the Redlands are served by onsite sewage disposal systems. Although septic tank and soil treatment of domestic wastewater is an effective and proven means of sewage treatment, the age of many

systems in the area and the lack of adequate installation area for replacement fields have begun to produce complex and expensive repairs of existing systems. The proliferation of small parcels and the resulting high density has made many areas in the Redlands impractical for on-site wastewater disposal. The City of Grand Junction and Mesa County have recommended that new development within the urban boundary be constructed with provisions for sewer service.

The Septic System Elimination Program has been established to convert neighborhoods from individual septic systems to a public system where raw sewage will be treated at the Persigo Wastewater Treatment Plant. Under the program the City/County sewer fund subsidizes the cost of constructing sewer infrastructure to the property lines by 30%. The subsidy is intended to bring the cost of sewer service down to approximately the same amount as replacement of a septic system.

Several neighborhood sewer improvement districts have been formed to provide sanitary sewer service and eliminate individual septic systems. The following list of neighborhood areas are completed, under construction, or are being planned:

- Monument Meadows (12 homes / completed 2001)
- Columbine Area (66 homes / completed 2001)
- Manzana (8 homes / completed 2001)
- Country Club Park #2 / Mesa Vista (66 homes / 2002 completion)
- Redlands Village South (118 homes / 2002 completion)
- West Scenic Area (13 homes / under design)
- Skyway (231 homes / under design)
- Redlands Village North (205 homes / 2002 construction)
- 23 Road and Broadway Area (31 homes / under design)

Solid Waste Collection/Trash Pick-up

There are several private haulers, in addition to the City of Grand Junction, that provide solid waste collection to the Redlands area. City ordinance requires residences within the City of Grand Junction to have their trash picked up by either the City or private hauler.

With multiple private haulers there are issues with noise, aesthetics and number of large trucks driving on neighborhood streets throughout the workweek. Consolidating services for individual neighborhoods would reduce the frequency of noisy refuse trucks, reduce the number of days that refuse containers are placed at the curb, and reduce the number of large trucks using the neighborhood streets.

Public Safety (Law Enforcement & Fire)

- Fire protection is provided by Grand Junction City/Rural Fire Districts Station #1 at 6th

Street and Pitkin Avenue. Many concerns have been expressed during this planning process as well as previous discussion at the City and County regarding the need for better fire protection in the Redlands area, including a new fire station. For wildfires, please see the “*Land Use/Growth Management Action Plan*” section of this plan.

- Emergency medical service is provided by the Grand Junction Fire Department and area ambulance services. As part of a new fire station, an emergency response facility may be constructed first. Currently nine out of ten emergency calls on the Redlands are for medical needs only.

Schools

There are three elementary schools and one middle school located on the Redlands. Statistics show that the actual growth in the number of students attending School District 51 schools located on the Redlands has remained steady at around 1600 students for K-8 during the past four years.



Redlands Middle School

School District 51’s Long-Range Planning Committee has made recommendations to the School Board that in the short term, through 2010, the need for new schools within the District do not include any new schools in the Redlands (including a high school). In looking at the need for a new high school in the Redlands, the majority of current high school students living in the Redlands attend Fruita Monument High School in Fruita with a small number of students attending Grand Junction High School. Redlands Middle school, which feeds into these two high schools, has not increased in enrollment over the past four years. With little or no high school student growth coming from the Redlands area, the need for a new high school on the Redlands is not justified. Even though the number of new homes continues to increase in the Redlands, the demographics of those homes is changing. This trend shows the population is

changing, with households having fewer or no school-aged children (*Table 1*).

Table 1				
School Enrollment				
<i>October of each year</i>				
	1998	1999	2000	2001
ELEMENTARY SCHOOLS				
Broadway	302	287	284	289
Scenic	235	230	240	261
Wingate	471	493	458	446
SECONDARY SCHOOLS				
Redlands Middle	598	593	599	598

Source: Mesa County School District 51

GOALS, POLICIES, IMPLEMENTATION

Goals

- To make available at an urban level, all utility, solid waste, drainage and emergency response services to all properties located within the urban boundaries on the Redlands.
- To provide a rural level of services to properties outside of urban areas.
- To promote the cost-effective provision of services for businesses and residents by all service providers.

Policies

- Coordinate between public and private service providers to develop and maintain public improvements which efficiently serve existing and new development.
- Provide an urban level of services, all utility, solid waste, drainage and emergency response services to all properties located within the urban boundaries on the Redlands and a rural level of services to properties outside of urban areas.
- Design and construct water and sanitary sewer systems with adequate capacity to serve future populations.
- Encourage service providers to participate in joint service ventures that reduce service costs while maintaining adequate levels of service.
- Encourage consolidations of services whenever such consolidations will result in improved service efficiencies while maintaining adopted level of service standards.

- Encourage the use of non-potable water for irrigation.

Implementation

- The City and County shall coordinate with public and private service providers to develop and maintain public improvements which efficiently serve existing and new development.
- The City and County shall maintain and annually update ten-year capital improvements plans that identify specific improvements required to serve existing and approved development.
- The City and County shall limit urban development¹ outside of the Urban Growth Boundary.
- The City and County shall ensure that water and sanitary sewer systems are designed and constructed with adequate capacity to serve proposed development.
- The City and County shall coordinate with other service providers to identify opportunities for improving operating efficiencies. The City and County will encourage service providers to participate in joint service ventures that reduce service costs while maintaining adequate levels of service.
- The City and County shall encourage consolidation of services whenever such consolidation will result in improved service efficiencies while maintaining adopted level of service standards.
- The City and County shall encourage the use of non-potable water for irrigation, particularly for recreation areas, common areas and other public spaces.

¹ Urban development includes all projects of a sufficient intensity to require connection to an organized wastewater collection and treatment system or other urban services. Urban development includes residential development on lots smaller than 2 acres, and non-residential development other than agricultural, mining or approved home occupations.

COMMUNITY IMAGE/CHARACTER ACTION PLAN

FINDINGS

Hills, Bluffs, and Other Visually Prominent Areas

The Grand Junction Zoning and Development Code identifies key ridgelines along Monument Road, South Camp Road and South Broadway on which new development must maintain sufficient setbacks as to not be visible on the horizon, or provide mitigation through design to minimize the visibility of development along the corridors. *Mesa County's Land Development Code* also identifies key corridors, including Highway 340, Monument Road, South Camp Road and South Broadway, along which views of new structures along ridgelines must be minimized. (Figure 2)

Development on steep slopes, including the bluffs overlooking the Colorado River, should be avoided or minimized and follow the requirements of the Hillside Development regulations in the *City Zoning and Development Code* and the slope conditions

standards in the *County's Land Development Code*.

Monument Road has been identified as a visually important corridor on the Redlands, providing access to the Tabeguache trailhead and a gateway to the Colorado National Monument. In addition to the ridgeline views along the corridor, the views on either side of the roadway are also of importance to maintain the open vistas to the Monument. Similarly, the approach to the west entrance to the Monument along Highway 340 should maintain open unobstructed vistas.

GOALS, POLICIES, IMPEMENTATION

Goals

- Protect the foreground, middleground, and background visual/aesthetic character of the Redlands Planning Area.
- Minimize the loss of life and property by avoiding inappropriate development in natural hazard areas.

Policies

- Development on prominent ridgelines along the major corridors of Highway 340, South Broadway, South Camp Road and Monument Road shall be minimized to maintain the unobstructed view of the skyline.
- Development along Monument Road, as an access to the Tabeguache trailhead and gateway to the Colorado National Monument, and along Highway 340, as the west entrance into the Monument, shall be sufficiently setback from the corridors to maintain the open vistas of the Monument.
- Development in or near natural hazard areas shall be prohibited unless measures are taken to mitigate the risk of injury to persons and the loss of property.
- The City and County will limit cut and fill work along hillsides. In areas where cut and fill is necessary to provide safe access to development, mitigation shall be required to reduce the visual impact of the work.

Implementation

- Revise the City's and County's development codes to have the same standards in the urban area for development of ridgelines and other visually prominent areas. Such standards should incorporate the use of colors, textures, and architecture to blend in with surrounding landscape.
- Create a Monument Road and Highway 340 corridor overlay to address setbacks and design standards for development along the Colorado National Monument access corridors.
- Create an overlay zone for the Colorado River bluffs area and other geologic hazard areas to minimize development of geological sensitive areas.
- Revise the City's and County's development codes to have the same standards in the urban area for development of steep slopes, minimizing the aesthetic and stability impacts of development.

Visual Character

One of the goals of the Redlands Area Plan is to achieve high quality development on the Redlands in terms of site planning and architectural design, especially as it relates to commercial development. Public improvements should establish this quality within the public realm, including roadway design and open space areas. This high quality development should be carried over to private sites by establishing and applying design standards and guidelines.

The Redlands has a distinct character, with the varying topography, scenic vistas, open and somewhat rural feel. Being a bedroom community, it's important that the identified commercial centers and convenience centers are designed to fit in with the residential nature of the Redlands. Design elements, including architectural style, use of materials, landscaping, signage and site plan features and elements can be addressed in guidelines and standards.

GOALS, POLICIES, IMPLEMENTATION

Goals

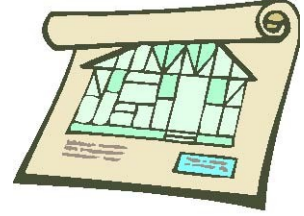
- Achieve high quality development on the Redlands in terms of public improvements, site planning and architectural design.

Policies:

- Opportunities for creating gateway features on the Redlands through public improvements shall be considered.
- New commercial development on the Redlands shall maintain and enhance the character of the area through good design standards.
- Roadway and other public improvement design shall respect and enhance the character of the Redlands.

Implementation

- Establish design standards and guidelines for commercial development that address the following elements:
 - Building massing, height and rooflines
 - Variation of materials, color and texture
 - Placement of windows and other openings
 - Types and quality of building materials
 - Building and parking lot location
 - Landscaping, screening and buffering
 - Site circulation and pedestrian connections
 - Signage
- Establish roadway design standards for the major corridors that reflect the open, rural character of the Redlands.
- Establish design standards for key entry nodes to the Redlands, such as the intersection of Highway 340 and Redlands Parkway and Highway 340 and Monument Road.



Outdoor Lighting

The enjoyment of the night-sky is also a high priority for residents of the Redlands. Specific standards should be developed to address light pollution concerns. The varying topography and proximity to the Colorado National Monument makes it that much more important that the amount of lighting in certain areas of the Redlands be kept to a minimum. Generally, that area south of Highway 340 should have reduced requirements for street lighting and other public space lighting, allowing the lighting to be low level and spaced to provide the minimum light necessary to meet safety needs. (See also Land Use/Growth Management Action Plan)

GOALS, POLICIES, IMPLEMENTATION

Goals

- Enhance and maintain, to the greatest extent possible, the darkness of the night sky.

Policies

- Minimize the number and intensity of street lighting and public space lighting.
- Encourage homeowners to minimize outdoor lighting.

Implementation

- Establish street lighting standards for the Redlands, especially that area south of Highway 340, that minimizes the number and location of street lights and uses fixtures that reduce the upward glow of lighting.
- Strengthen the standards in the City's and County's Codes to minimize light spillage outward and upward.
- Create informational materials for homeowners to minimize outdoor lighting while still maintaining needed security for their homes.

Code Enforcement

The Grand Junction Code Enforcement Division strives to provide exceptional customer service, community education and outreach and support community vision for an outstanding quality of life. The main purpose is to ensure compliance with the provisions of the *Zoning and Development and Municipal Codes*. Types of violations the division responds to include junk and trash, fences or signs constructed without permits, improper storage of recreational vehicles or other household goods, too many animals and questionable home occupations. Code Enforcement also administers a contract to provide free graffiti removal for any property in City limits to discourage repeat vandalism in neighborhoods.

The approach is to provide and explain code information and then partner with individuals, business groups or neighborhood groups to find solutions to problems. The Division is also willing to attend neighborhood meetings or business group meetings to establish ongoing relationships for better lines of communication.

It is the policy of the Mesa County Code Enforcement to investigate all complaints for compliance with *Mesa County Land Development Code*. Complaints in the County are similar to City complaints, however, the County has no weed ordinance or graffiti removal. As the urban area develops and expands, increasing pressures occur between existing and new uses. The aim of the Department is to balance rights of all property owners and tenants, and to maintain the quality of life for all residents.

LAND USE/GROWTH MANAGEMENT ACTION PLAN

FINDINGS

Current Land Use Summary

The Redlands Planning Area consists of a diverse mixture of land use, management, and ownership. An evaluation of the Mesa County Assessor's records reveal that agriculture, business, commercial, conservation, industrial, public/quasi-public, residential, and tourist land uses are widely distributed throughout the planning area (*Figure 3*). As of December 2001, there were approximately 6,686 tax parcels within the planning area. About 72.2 percent of the area is private and 27.8 percent is public or quasi public. Residential land use is the most prevalent use in the planning area, it comprises about 46 percent of the area.

Lands with a primarily agricultural land use make-up about 13 percent of the planning area. The uses include: lifestyle agriculture, orchards, pastures, road-side fruit stands, nursery, and some grazing (limited) on the west end of the planning area. The Redlands Water and Power Company supplies irrigation water to agricultural and residential properties.

More than one-half of the property taxed as agriculture lies in a district that is zoned for residential use. About 30 parcels on 295 acres lie in a zone that permits a density of two units per acre (Residential Single Family 2 [RSF-2]). Another 25 parcels – 1,453 acres --lie in a zone district that allows a density up to four units per acre (Residential Single Family 4 [RSF-4]). As the area continues to develop, existing agricultural uses will experience increased conflicts with suburban residential lifestyles.

Business, commercial, industrial, and tourist land uses make-up a small percent of the planning area – about two percent. The Redlands area is generally considered a bedroom community for the City of Grand Junction and contains little local employment.

The largest employers in the area are Safeway, the schools, Albertsons, and Pepsi Bottling Company. There are, however, several small neighborhood retail businesses, generally located along Highway 340. They include a bank, convenience stores with gas stations,

restaurants, mini-storage, water bottling, and a landscaping and nursery business. The potential for expanded commercial uses exists at the Redlands Marketplace, Monument Village, and neighborhood convenience centers. Industrial uses within the area are limited to gravel pits along the floodplains and terraces of the Colorado River.

There are numerous public/quasi-public/conservation lands within the planning area. These land uses account for a relatively large portion – 28 percent --of the planning area. Schools in the planning area include: Broadway, Scenic, and Wingate Elementaries; and Redlands Middle School. There are numerous churches throughout the planning area. City, County, and State agencies own/manage parks within the planning area. Parks range from passive recreation and open space (Grand Valley Audubon Society property, Connected Lakes State Park) to active recreation with playgrounds. There are two golf courses in the area -- Tiara Rado and Redlands Mesa. Numerous trails and trail connections exist within the planning area. In 1997 *Mesa County and the City of Grand Junction adopted the Urban Trails Master Plan* as an updated plan of all pedestrian and bicycle routes in the *Multi-Modal Transportation Study* which includes the Redlands Area. Routes depicted on the *Urban Trails Master Plan* represent a concept of getting from one point to another, rather than the exact position of each route. The Bureau of Land Management and National Park Service manage lands within or adjacent to the planning area. The Redlands Power and Water Company operates a private water distribution system and hydro power plant.

Residential uses include condos, duplex/triplex, multi-family, and townhomes. Of the 6,686 parcels, 5,142 had structures assessed at \$10,000 or more with at least one bathroom on the first floor (a housing unit), (according to the Mesa County Assessor’s records). The average tax parcel size (public and private) in the study area is about 2.5 acres (vacant tax parcels average 9.7 acres); and tax parcels with residential improvements average 1.4 acres. (Table 2) (Figure 3)

Table 2
Land Use Summary

	# of Parcels/Units	Total # of Acres	% of Planning Area	Max. Size	Min. Size	Mean Size	Structures Over \$10K
Plan Area Summary	6686	17,039	100%	919 (BLM)	.05	2.5	5209
Agriculture	82	2,291	13.4%	558	.5	28	35
Exempt	145	4,748	27.8%	893	.05	32.6	
Commercial	56	369	2.1%	87	.23	6.6	32
Industrial	1	65	0.38%	65			
Residential	5821	8,203	34.1%	192	.05	1.4	5142

Condo	155	4.5	0.026%				
Duplex/Triplex	74	53	0.31%				
Multi-family 4-8	4	1.3	0.007%				
Multi-family 9+	1	0.61	0.003%				
Townhouse	227	16	0.09%				
No Information	120	1,288	7.6%				

Source: Mesa County Assessor - 2001

Agriculture

Agricultural land uses make-up about 13 percent of the planning area, and includes lifestyle agriculture, orchards, pastures, road-side fruit stands, nursery, vineyards and some grazing (limited) on the west end of the planning area. While it is widely accepted that market economics have a large negative influence on agriculture operators and their willingness/ability to continue operations, the stresses and impacts created from urban influences also have a significant negative impact on agricultural operations (traffic, domestic pets, trespass, improper management of irrigation/tailwater and others). Fragmentation of land uses further complicates the viability of continuing traditional agriculture.

GOALS, POLICIES, IMPLEMENTATION

Goals

- Encourage residential development patterns that preserve agricultural land, open space, sensitive natural areas, and the rural character.
- Promote the use of land conservation tools and techniques that will protect agricultural land.
- Encourage residential development on land that is unsuitable for agriculture and require sufficient buffering adjacent to prime agricultural land.
- Conserve productive agricultural farmland designated prime per the Natural Resource Conservation Service.
- Minimize conflicts between residential and agricultural uses.
- Support local agricultural operations and products.
- Protect irrigation water/infrastructure for future agricultural use. Policies
- New development is encouraged to locate on land least suitable for productive agricultural use (productive land in this area may include lands with dry land grazing having a history of grazing use).
- Appropriate buffering of new developments is required adjacent to agricultural operations.
- New development proposals which may result in conflicts with wildlife and/or agricultural uses will require consultation with the appropriate land and resource manager (e.g., CDOW, BLM) and area residents to minimize and mitigate such conflicts.
- Support farmers' markets and promote the purchase of local goods.
- Support and encourage voluntary techniques to preserve agricultural lands.
- Promote multiple/compatible uses of agricultural lands.

- Approve rezone requests only if compatible with existing land use and consistent with the Future Land Use Map.

Implementation

- Provide, to new subdivisions, model homeowners association Conditions, Covenants, & Restrictions that address agricultural protection efforts (control of domestic pets, setbacks, etc.).
- Utilize the Mesa County Technical Resource Advisory Committee to share agricultural preservation options for landowners.
- The County shall enforce the Mesa County Right-to Farm and Ranch Policy by use of the Agricultural Advisory Panel to mediate conflicts.
- The County will continue to distribute the *Code of the New West*.

Future Land Use & Zoning

The Redlands area is a joint planning area of Mesa County, the City of Grand Junction, and the City of Fruita. Much of the planning area is located within the Joint Urban Planning Area as depicted in the *Mesa Countywide Land Use Plan* and the *Grand Junction Growth Plan*. (The western portion of the planning area includes the GJ/Fruita/Mesa County Cooperative Planning Area (buffer or community separator) and the City of Fruita's Community Planning area (3 mile radius from city limits). The area within the Joint Urban Planning area has a more detailed land use classification system than the more rural areas of Mesa County because of the more intense urban pressures it experiences. The planning area has 14 future land use classifications. The City and County's Development Codes implement these classifications. The City and County's zoning districts are used to establish the conditions for the use and development of land in each of the future land use categories. Lands that lie within the Redlands Planning Area and within the joint urban planning area of the City and County use the same Future Land Use Map for reference. However, the City's interpretation of the map has a regulatory effect, while the County's interpretation of the map has an advisory effect.

Most of the Future Land Use Classifications in the planning area are not being changed from their current classification. Some changes are being made because of inconsistencies with existing uses or zoning map conflicts. The following areas require changes to the Future Land Use Map.

Future Land Use Map Inconsistencies (Figure 4)

Scenic Area

Area currently has 362 parcels shown as Residential Low (lots size between one half acre and 2 acres) and 4 parcels shown as Conservation. Changed this area to Residential Medium Low (with densities between 2 and 3.9 units per acre), to more accurately reflect existing lot sizes and development trends in the area.

Area currently has 10 parcels along the east side of Rio Hondo Drive shown as Residential Medium (with densities between 4 and 7.9 units per acre).

Changed to Residential Medium Low (with densities between 2 and 3.9 units per acre), to more accurately reflect existing development pattern in the area.

Currently 8 parcels located on the north side of Dike Road near the Colorado State Park were shown as Public and changed to Residential Low (with lot size between one half acre and 2 acres). Also;

- Grand Valley Audubon Property – Four parcels changed from Park, Public and Residential Low to Conservation.
- Whitewater Building Materials Property – Two parcels from Public to Rural and one parcel from Residential Low to Rural.
- Colorado River Area - One parcel and the river portion of another parcel from Commercial to Conservation and one parcel changed from Park to Conservation.

Corrected to reflect the approved commercial and residential uses. One parcel currently shown as Residential Medium (with densities between 4 and 7.9 units per acre) changed to Commercial. This parcel is approved for commercial uses by Mesa County.

Two parcels shown as Commercial changed to Residential Medium (with densities between 4 and 7.9 units per acre). These two residential parcels are part of the Monument Village Subdivision

Twenty-four residential parcels on north end of subdivision were shown as Park and changed to Residential Medium Low (with densities between 2 and 3.9 units per acre).

Changed from Park to Conservation for 4 parcels that largely encompass hillside and riverbank areas along river bluff.

Parcels of land that are designated as Conservation are generally properties that have limited development potential due to one or more of the following issues; floodplain, steep slopes, wetlands or major drainage issues. Properties that have such constraints, with little build-able area are shown as conservation on the Future Land Use Map. Several properties previously shown as Conservation were identified as being in error and should be designated the same land use classification as other adjacent properties. These properties include:

- One parcel located at 2067 E ½ Road from Conservation to Estate (Lots = 2 to 5 acres)
- Two parcels located at 120 Mesa Grande Drive and 2336 S. Broadway respectively from Conservation to Residential Low (Lots = .5 to 2 acres)
- One parcel located at 2525 D Road from Conservation to Residential Medium Low (2-4

du/acre)

A commercial business property at 2245 ¾ Broadway changed to Commercial, that was shown as Public.

A single family residence at 2458 Broadway which was shown as Water changed to be the same as surrounding properties shown as Residential Low (lots size between one half acre and 2 acres).

Property at 363 South Redlands Road changed from Estate to Residential Low and 379 South Redlands Road changed from Residential Medium to Residential Low.

Designation as “Cooperative Planning Area (Community Separator)” to fully implement the Intergovernmental Agreement between Mesa County, City of Fruita and the City of Grand Junction.

all properties that are owned by “tax supported” public entities be shown as public on the *Future Land Use Map* with the exception as noted below. These include property owned by the following public entities:

- BLM
- Bureau of Reclamation
- Colorado National Monument
- Mesa County
- School District 51
- Ute Water
- City of Grand Junction (except existing or future park sites which will be designated as Park)

There are four churches on the Redlands that were previously shown as Public. They changed from Public (see 9, above) to the same land use category as adjacent properties Which for all four properties is Residential Medium Low.

- Redlands United Methodist Church at 527 Village Way
- Liberty Baptist Church at 405 South Camp Road
- Church on the Rock at 2170 Broadway
- Monument Baptist Church at 486 23 Road

Swan Lane Area

This neighborhood has 58 properties with 39 of them less than one half acre in size. The area is bounded by Mockingbird Lane on the west, Highway 340 on the north, Reed Mesa Drive and 22 ¼ Road on the east, and Mudgett Avenue on the south. The 39 parcels are

nonconforming to the Land Use category of “Residential Low”. Changing the Future Land Use Map to “Residential Medium Low” will bring all properties into compliance with the Future Land Use Map and bring the area into conformance with Mesa County Zoning of Residential Single Family with a maximum density of 4 units per acre (RSF-4).

Zoning in the planning area contains both unincorporated Mesa County land and areas within the City limits of Grand Junction. Land that is unincorporated Mesa County is zoned and regulated by the County, while land that is within the municipal boundaries of the City of Grand Junction is zoned and regulated by the City. The two governments have agreed to work together to create an orderly transition from County to City.

[\(Figure 4\)](#)

[Persigo Wash Agreement](#)

The 1998 Intergovernmental Agreement between the City of Grand Junction and Mesa County relating to City growth and joint policy making for the Persigo Sewer System (the Persigo Agreement) affects land use and development in the area. Pursuant to the Persigo Agreement certain new development within the Persigo 201 Sewer Service Area (which is the same as the Urban Growth Boundary) must annex to the City of Grand Junction. Provision of sewer service does not automatically require annexation. Existing residential development connecting to sewer is not required to annex nor provide a Power of Attorney (POA) for annexation in the future. (Figure 5)

GOALS, POLICIES, IMPLEMENTATION

Goals

- New development will pay its fair, equitable, and proportionate share of the cost of providing necessary services, utilities, and facilities at the applicable service levels.

Policies

- The City and County will use the Future Land Use Plan (Map) in conjunction with other policies to guide new development decisions. (Figure 5)
- Urban land uses will be encouraged to occur in municipalities and not outside municipal limits.
- The City and County will place different priorities on growth, depending on where proposed growth is located within the joint planning area, as shown in the Future Land Use Map. (Figure 5) The City and County will limit urban development² in the joint planning area to locations within the urbanizing area with adequate public facilities as defined in the City and County codes.

Implementation

- With voluntary bulk rezones to AF35, AFT, RSF-R, or RSF-E consistent with the plan. The County will initiate and assist property owners with voluntary bulk rezones to AF35 where

consistent with the plan.

- The City shall zone annexed properties consistent with this Plan.

² Urban development includes all projects of a sufficient intensity to require connection to an organized wastewater collection and treatment system or other urban services. Urban development includes residential development on lots smaller than two acres and non-residential development other than agricultural, mining, or approved home occupations.

Neighborhood Shopping Centers and Neighborhood Convenience Centers

Neighborhood Shopping Centers are sites of 10 to 15 acres, designed to meet consumer needs from adjacent neighborhoods. Uses usually include a supermarket with associated mixed retail and personal services. These centers might also include employment uses, such as office. Examples of Neighborhood Shopping Centers on the Redlands are Monument Village Shopping Center, with Safeway as the anchor, and Redlands Marketplace, with Albertson's as the anchor.



Monument Village Shopping Center and surrounding commercial property, located on Highway 340 and Monument Village Drive, consists of approximately 12 acres. Five acres is developed with approximately 45,000 square feet of retail, including a grocery store, liquor store, restaurant and gas station/convenience store. The remaining seven acres could develop as additional retail, or, more likely, office and service uses.

Redlands Marketplace, located on Highway 340 and Power Road, consists of approximately 10 acres with 66,000 square feet of retail, including a grocery store, liquor store, video store, packing and shipping outlet and beauty salon. There is another 20,000 square feet of retail planned for the site. The area also includes substantial commercial development on the remaining three corners of the intersection with the possibility for new development and redevelopment.

These two neighborhood shopping center areas on the Redlands are well located and will serve the needs of the Redlands into the foreseeable future.

Neighborhood Convenience Centers are sites of 8 acres or less, with four or more business

establishments located in a complex that is planned, developed and managed as a unit. Convenience Centers are located within and intended to primarily serve the consumer demands of adjacent residential neighborhoods. Uses may include retail, personal services, convenience grocery stores (with accessory gas pumps), restaurants without drive-up windows, liquor sales, beauty or barber shops, dry cleaners, and equipment rental (indoor only). Secondary uses may include professional offices, limited banking services such as automated teller machines, multi-family dwellings, medical offices and clinics, small animal veterinary clinics and child care centers.

The existing convenience centers on the Redlands are Meadowlark Gardens and Country Corner, located on Highway 340 and South Broadway, and the office service area of the Ridges, located on Ridges Boulevard and Ridge Circle Drive.

The Meadowlark Gardens development consists of 5 acres with 20,000 square feet developed as a bank and nursery and 23,000 square feet of future office/retail space. Country Corner includes 1.3 acres developed with 17,000 square feet of office/retail and just under an acre remaining for additional development. The Ridges commercial area consists of 2 acres with 14,000 square feet of office and service space, and very little area for additional commercial development.

There are two other sites on the Redlands recommended for future neighborhood convenience development. Those are the Seasons, on South Broadway, and the 23 Road area south of Highway 340. (*Figure 6*)

The “Beach” property, adjacent to the Seasons development, currently includes a clubhouse building of 8,500 square feet, a swimming pool, tennis courts and volleyball courts, as well as a parking lot. The property would be appropriate for a recreation/health club facility that could serve the Redlands area. Adjacent to the Beach property is a large tract of land that has an approval for residential and business uses. A maximum of 12,000 square feet of light business uses, as approved with the annexation of the Seasons development, would be appropriate. Development of this property should be in character, in terms of scale and architecture, with the surrounding residential development.

Likewise, neighborhood convenience uses may be appropriate integrated into future development of the 23 Road south area. Such commercial uses should be located on the north end nearer the South Camp and South Broadway corridors to benefit the existing development in the South Camp areas, as well as new development.

It is not anticipated that additional convenience centers will be needed on the Redlands to serve the projected population. (*Figure 6*)

GOALS, POLICIES, IMPLEMENTATION

Goals

- Support the long-term vitality of existing neighborhood shopping centers and existing and

proposed neighborhood convenience centers.

- To enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located.

Policies

- The City and County will limit commercial encroachment into stable residential neighborhoods. No new commercial development will be allowed in areas designated for residential development unless it has been identified as a neighborhood shopping center or neighborhood convenience center by this plan.
- The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.
- The City and County will protect stable residential neighborhoods from encroachment of incompatible residential and non-residential development.

Implementation

- Rezoning for commercial uses in areas other than those identified in this plan for neighborhood shopping centers and neighborhood convenience shall require a Plan amendment.
- Design standards and guidelines shall be established for commercial development on the Redlands.

Buffer Area-Community Separator

The Mesa County/Fruita/Grand Junction Community Separator (Fruita/GJ buffer) was created in 1998 by an intergovernmental agreement (IGA) among the three entities of Grand Junction, Fruita, and Mesa County. The primary function of the buffer is to maintain distinct communities within Mesa County. It is implemented through a variety of voluntary techniques to ensure a physical separation between the cities of Fruita and Grand Junction. (*Figure 7*)

Approximately 1716 acres of the buffer area lie in the Redlands planning area. There are 29 parcels taxed as agricultural that account for a total of 1130 acres with the average parcel size being 47 acres. The number of residential lots in the area total 153 and account for 501.7 acres; the average residential lot size is 3.3 acres. Tax exempt lands account for 85 acres (public and quasi-public land uses).

The buffer landscape is varied and includes: highway corridors, the Colorado River and its floodplain, important agricultural land, wildlife habitat, scenic bluffs and canyons, and a patchwork of rural residential development. The Colorado National Monument abuts the south border of the buffer.

Currently, the three parties to the IGA are actively exploring, developing, and supporting options and seeking funding mechanisms to preserve open lands and enhancing the rural character of the buffer area. A wide variety of implementation tools is being explored to make the buffer agreement successful. The Future Land Use map depicts these IGAs, Persigo, Buffer and Future Land Use Designations. (*Figure 5*)

GOALS, POLICIES, IMPLEMENTATION

Goals

- Preserve and protect the agricultural/rural character of the Buffer area.
- Promote and implement the Intergovernmental Agreement (IGA) between Fruita, Grand Junction, and Mesa County.
- Approve rezone requests only if compatible with existing land use and consistent with the Future Land Use Map.

Policies

- Seek funds to support the Purchase of Development Rights (PDR) program for the buffer.
- Development projects that are proposed in the buffer should be thoroughly evaluated for their individual and cumulative impact to the agriculture and rural character of the area.
- PDR and transfer of development rights (TDR) projects should be expanded to protect more agricultural land in the buffer.

Implementation

- The County will assist property owners to voluntarily rezone multiple properties to AFT and RSF-E where consistent with the objectives of the buffer agreement.
- Assist area residents with education and implementation of land conservation tools and techniques.
- An overlay zone shall be created for the buffer area to include land use standards as well as design guidelines and standards to preserve the rural character that is contained in the buffer area within the planning area.

[Colorado National Monument](#)

The Colorado National Monument is a major tourist attraction of the Western Slope and the Grand Junction area. Each year approximately 300,000 people visit the Monument to see its spectacular scenery. Besides being an economic asset to the area, it contains a wealth of vegetation, and wildlife resources. Development contiguous or adjacent to the Monument has a direct negative impact to its aesthetics and natural resources. Habitat loss, night lighting, domestic pets, nonnative non-desirable plants, fencing, and subdivision development detrimentally effect the resources of the Monument. Each new development adds to the cumulative impact of previous change. For example, cliff nesting raptors depend on canyon walls of the Monument for perching, roosting, and nest sites. Raptors forage for insects, rodents, and small birds that depend on agricultural fields and upland grasslands in the planning area. As the fields and open lands are converted to urban uses reductions of available food occurs throughout the entire food chain.

Monument Valley Estates with the Colorado National Monument looming in the backdrop



The following broad principles (landscape scale) are applicable as new development(s) occurs contiguous or adjacent to the Monument:

- Maintain buffers between areas dominated by human activities and core areas of wildlife habitat in the Monument.
- Facilitate wildlife movement across areas dominated by human activities.
- Control domestic pets associated with human dominated areas.
- Mimic features of the natural landscape in developed areas.

In addition to the broad principles stated above, specific (site scale), efforts are necessary to avoid, minimize and mitigate impacts to the Monument. Such efforts include maintaining/mimicking natural landscape features, maintaining/enhancing movement corridors for wildlife, minimizing contact with domestic pets, avoiding night time light pollution, minimizing ridgeline/backdrop visual impacts from development. Area residents and developers have expressed interest in promoting/implementing architectural designs that compliment the natural features of the area, including color, texture, materials, scale, and lighting.

The 1986 *Redlands Plan* states “Densities along the border of the Colorado National Monument for new developments shall be limited to low density (1 du per 5 acres) and no structures except those within the 5 acre density range will be allowed within 1,000 feet of the Monument boundary, if property lines of any parcel exceed that setback. (Planned Unit Development that have received final approval and platted subdivisions would not be subject to this policy.) This setback area may be counted, however, as part of the open space requirement in a Planned Unit Development and overall densities established as part of a Planned Unit Development may be transferred from this area to

other locations within the Planned Unit Development (Transfer of Development Rights).” While this policy has not been fully implemented over time, the policy is sound and should remain in effect for those parcels that do not have structures on them yet.

The City of Fruita also has identified some lands adjacent to the Colorado National Monument as a Monument Preservation District. The *Fruita Community Plan 2020* describes the district and its recommended land uses more specifically.

In 1999 Mesa County and the National Park Service entered into a memorandum of understanding (MCA 99-48) that, among other things, requires both parties to share information and opportunities for input on land use and management. (See also *Community Image Action Plan*)

GOALS, POLICIES, IMPLEMENTATION

Goals

- Protect the aesthetic and natural resource values of the Monument from the impacts of new development.

Policies

- Minimize, avoid, and/or mitigate the impacts of development to the Monument.
- Promote the use of native plants for landscaping new developments adjacent to the Monument and washes coming from the Monument.
- Promote landowner and resident awareness about the impacts that domestic pets can have on wildlife.
- Densities along the border of the Colorado National Monument for new developments shall be limited to low density (1 du per 5 acres) and no structures except those within the 5 acre density range will be allowed within 1,000 feet of the Monument boundary, if property lines of any parcel exceed that setback.

Implementation

- Develop night lighting (floodlight) standards within the City and County’s Development Codes for the planning area, to apply to existing and new lighting.
- Create and distribute a list of locally available native plant materials that can be used for revegetation and landscaping of new developments.
- Distribute information about the Mesa County noxious weed list.
- Provide information to the public and HOAs about proper fencing techniques to protect wildlife. (Division of Wildlife fencing pamphlet).
- Utilities shall be placed underground for all new development.
- Develop gateway aesthetic and architectural guidelines/standards for commercial and residential development for the entryways to the Monument.
- Improve signing/trespass problems/issues for both landowners and the Monument in cooperation with public land and resource managers.
- Continue to implement the Memorandum of Understanding (MCA 99-48) between the

Monument and Mesa County.

- Create a Monument setback overlay district incorporating conservation design guidelines and standards.

ENVIRONMENTAL RESOURCES

Paleontological Resources

Paleontological resources are an irreplaceable element of the heritage of Mesa County, Colorado, and the United States. The resources are increasingly endangered because of their commercial attractiveness, ease of accessibility, and their rare or unique value. Paleontological resources are nonrenewable and have important heritage value. They offer significant educational opportunities to all citizens.

Over one hundred years of paleontological work in Mesa County has produced many beautiful, exotic, and scientifically important fossils. The first specimen of *Brachiosaurus*, found at Riggs Hill in 1901, was taken to the Chicago Field Museum for display. It is still on display today. While the extent and significance of paleontologic resources in the planning area is not fully known, the area around Riggs Hill is recognized for its fossil resources. Other paleontologic sites and resources such as Little Park Road and Dinosaur Hill are located within the planning area and they are irreplaceable. A comprehensive inventory of the resources is needed. Every effort shall be made to preserve and protect significant paleontologic resources whenever possible and reasonable. Any development or mineral extraction shall be discouraged in sensitive areas.



Colorado State law identifies the State Archaeologist as the administrator of historical, prehistorical, and archaeological resources in the State. The State

Archaeologist is the individual ultimately responsible for permitting, controlling, and enforcing resource exploration and recovery on state, county, , city, town, district, or other political subdivision of the state (CRS 24-80-401).

GOALS, POLICIES, IMPLEMENTATION

Goals

- **Every effort shall be made to identify and protect paleontologic and prehistoric sites from destruction or harmful alteration.**

Policies

- Protect and interpret paleontologic resources of the planning area.
- The Museum of Western Colorado shall be a review agency for all land use proposals where a possible impact to a paleontologic/prehistoric or archaeological site has been identified.

Implementation

- Conduct a comprehensive inventory of paleontologic resources in the planning area in conjunction with the Museum of Western Colorado.
- Identify properties containing paleontologic resources or other sensitive resources that could be threatened by development or surface mineral extraction/development.
- Encourage the Museum of Western Colorado to preserve and interpret sites to promote understanding and appreciation of paleontologic resources. The *Mesa County Land Development Code* and *City of Grand Junction's Development Code* along with applicable regulations shall be updated/amended to insure that paleontologic, archaeological, and/or historic resources are protected (Paleontological, archaeological, and historical resources shall be preserved as required/determined by the Board or Council).

Geologic Hazards

Section 7.6.1 of the *Mesa County Land Development Code, 2000* contains the following language about hazard areas. "Land subject to hazardous conditions such as wildfire, land slides, gamma radiation, mud flows, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods, and polluted or nonpotable water supply, shall be identified in all applications, and development shall not be permitted in these areas unless the application provides for the avoidance of the particular hazards. If avoidance is impossible or would require the construction to violate other development standards, then such hazards shall be minimized or mitigated. Land subject to severe wind and water erosion shall be identified on all plans and shall not be subdivided unless the problems are mitigated by density limitation or some other practical method."

Similarly, the *City of Grand Junction's Zoning and Development Code* sets forth specific criteria for land use and development activities in areas identified on the Geologic Hazards Map. The criteria is found in Chapter 7, Section 7.2.J.

The planning area contains numerous, and widespread geologic hazards according to Stephen Hart's 1976 *Geology for Planning in the Redlands Area Mesa County, Colorado*. Hart's report depicts and describes the following hazards (*Figure 8*):

- Landslide Deposits
Areas of slope material that show geologic or physiographic evidence of past

failure.

- Potentially Unstable Slopes
Areas showing evidence of creep or past slope failure.
- Rockfalls
Areas susceptible to nearly instantaneous downslope movement of large rock blocks.
- Expansive Soil and Rock
Areas underlain by potentially swelling and/or shrinking soil and rock.
- Corrosive Soil and Rock
Areas underlain by soil or rock that contains high concentrations of sulfate and/or sodium salts. These salts may produce corrosion of concrete or metal objects (floor slabs, pipes, etc.) in contact with the soil or rock.
- Overbank Flooding
Areas along the Colorado River susceptible to overbank flooding and high water table.
- Flash Flooding
Areas along minor drainages susceptible to flash flooding. (Note: Not all drainages are mapped and require consultation with the Army Corps of Engineers.)

Due to the extent and diversity of hazards in the planning area, and language in the Mesa County and City of Grand Junction land development codes, every effort should be made to avoid, minimize, and mitigate development in mapped hazard areas. Further, a detailed geologic and engineering investigation should be made at every building site before beginning design or construction. Investigations shall be performed by a professional geologist pursuant to the Colorado Revised Statutes, 34-1-201(3).

Evidence of residential development built on unstable slopes, soil creep and slumping is easily seen along the bluffs of Colorado River (south side), west of the Redlands Parkway. Numerous locations along the Colorado River bluffline show signs of soil movement and unstable slopes.



Unstable Slopes along the bluffs south of the Colorado River, west of the Redlands Parkway

Faults

According to the *Mineral Resources Survey of Mesa County* (1978), the planning area contains part or all of the following three faults: Kodel Canyon Fault, Redlands Fault, and Jacobs Ladder Fault complex. The faults are primarily located on BLM lands and residents should be aware of their existence and location (*Figure 8*). Avoidance, minimization, and mitigation are strategies for dealing with development activity in fault areas. Mapping fault locations, zoning for low density development, classifying fault areas as recreation areas, utility corridors, open space, and establishing setbacks are specific tools used to protect individuals and communities from damage that can be caused by faulting and subsequent geologic hazards.

GOALS, POLICIES, IMPLEMENTATION

Goals

- Inappropriate development in hazard areas should be reduced as much as possible or eliminated in order to minimize potential harm to life, health and property.
- Efforts to mitigate existing areas at risk to the impacts of natural hazards and disasters should be made to minimize the potential for harm to life, health, and property.
- The costs (economic, environmental and social), associated with natural hazards should be reduced by avoiding potential hazard situations/areas; by mitigating activities that cannot be avoided; and by promoting prevention measures accompanied with education and incentives for mitigation.

Policies

- The City and County shall strongly discourage intensive uses in hazard areas as identified on the geologic hazards areas map.
- Educate residents of the planning area about the extensive geologic hazards in the area.

Implementation

- Use the geologic hazards map to identify areas of concern and require detailed geologic and engineering reports (evaluation) for each site and development prior to design and development. Such evaluations shall be conducted by either a member of the American Institute of Professional Geologists, a member of the Association of Engineering Geologists, an individual registered as a geologist by a state, or a "professional geologist" as defined in C.R.S. 34-1-201(3). Such evaluations should incorporate analytical methods representing current, generally accepted, professional principles and practice.
- Develop setbacks from mapped geologic hazard areas.
- Develop and adopt a hazardous lands overlay district for the Redlands area.



Soaring Eagle Gravel Pit

MINERAL RESOURCES

Extraction Policies Sand & Gravel

New development in unincorporated Mesa County must comply with State law, (C.R.S.34-1-301, 1973). The *Mesa County Mineral Extraction Policies* protect undeveloped, commercially valuable mineral resources from other types of development and require new extraction operations in residential areas to mitigate impacts on existing developments. As the Redlands area continues to develop, the potential for land use conflicts will increase between gravel operations and other development. The current Mesa County Agricultural Policies (Policy #

17 of the *Mesa County Land Use and Development Policies*) which encourages the retention of large tracts of prime and unique agricultural lands are often in conflict with the Mineral Extraction Policies. According to the *Mineral Resources Survey of Mesa County* (1978), “gravel deposits of the greatest economic importance in Mesa County lie along the Colorado River between the mouth of the canyon east of Palisade and the point near Loma at which the river enters canyon country of the Uncompahgre Plateau. Only a small portion exposed along the river can be considered economically viable.” (*Figure 9*)

“Colorado River terrace deposits exist on the Redlands. These deposits are about 12 to 22 feet thick with 3 to 5 feet of overburden.” Gravel extraction in the planning area occurs along either side of the river wherever access is available and practical. Bluffs on the south side of the river limit access to many resource sites. Most of the gravel is used for building materials and highway projects.

Mesa County requires a conditional use permit for gravel extraction and processing in the following zone districts: AFT, AF-35, RSF-4, and I-2. Specific criteria for the permit are found in Chapter 5, Section 5.2.13 of the Code.

The City of Grand Junction allows gravel extraction (after obtaining a Conditional Use Permit [CUP) in the RSFR, I-0, I-1, I-2, and CSR zone districts. The City’s *Zoning and Development Code* sets forth the specific criteria, which is found in Chapter 4, Section 4.3.K.

The Mineral Resources Survey of Mesa County did not identify or map any gas fields in the planning area. There are no oil wells, and only one gas well was identified in the planning area.

Coal deposits are located throughout the planning area in relatively small amounts. Presently there are not any active mine sites in the planning area.

GOALS, POLICIES, IMPLEMENTATION

Goals

- Utilize the mineral resources of the planning area while protecting residents of the area from the impacts of mineral/gravel extraction.

Policies

- New development must comply with the Mesa County Mineral Extraction Policies which generally protect and preserve commercially valuable mineral resources from incompatible land uses.
- Allow sand and gravel extraction to occur in areas with minimal impact on other uses.
- Reclaim gravel pits for agricultural, residential, and/or other approved uses.

- Educate the public on mineral extraction policies and location of valuable resources.

Implementation

- Gravel extraction areas along the Colorado River floodplain shall be reclaimed for agricultural, public open space, wildlife areas, or other permitted uses.
- Mesa County shall publish and distribute a Mesa County Mineral Resource and Extraction Policy brochure/handout. (Realtor offices, Assessor's office, *etc.*).
- Gravel operations shall continue to be regulated on a case by case basis using the Conditional Use Permit process; however, in developed areas, limited impact mining operations in terms of surface disturbances, tonnages mined, and daily vehicular traffic will be encouraged and should be given preference over higher impact operations.

The *1986 Redlands Plan* states that “washes, stream beds, and water courses shall have a minimum setback of 100 feet from the top elevation of the stream bed.” Recent riparian, wash/drainage studies indicate that buffers can vary from 10 to 300 feet either side of a wash/drainage depending on soil, vegetation, and topographic conditions. Setbacks for washes, stream beds, and water courses should be reevaluated and new setbacks established.

The following mapped drainages and washes provide important values and functions to the residents of the Redlands area and require the use of best management practices and protection (*Figure 8*): No Thoroughfare, Red Canyon, Limekiln, Goldstar, Ute Canyon/Goat Wash, North Entrance, East Entrance, Lizard, and Fruita Canyon. There are numerous other smaller, unnamed washes that provide important drainage functions and values in the landscape and to the residents of the planning area. All of the prominent washes in the planning area have been impacted by development to some degree. Consultation with the Army Corp of Engineers is required for any new development. (*Figure 8*)

GOALS, POLICIES, IMPLEMENTATION

Goals

- Conserve, protect, or restore the integrity of the values and functions that drainages/washes provide in the Redlands Planning area.

Policies

- Drainage from development or any alterations to historic drainage patterns shall not increase erosion either on site or on adjacent properties.
- Erosion from development and other land use activities should be minimized, and disturbed or exposed areas should be promptly restored to a stable, natural, and/or vegetated condition using native plants and natural materials.
- The City and County shall work toward minimizing human impacts to riparian ecosystems of drainages/washes from development, roads and trails.
- Disturbed drainages/washes should be restored to pre disturbed condition as much as practicable.

Implementation

- Management of riparian/wash/drainage areas shall encourage use or mimicry of natural processes, maintenance or reintroduction of native species, restoration of degraded plant communities, elimination of undesirable exotic species, and minimizing human impacts.
- A citizen group shall be established to study and prepare wash/drainage buffer width setbacks, and revegetation guidelines for the Redlands Planning Area.
- The preferred reclamation/stabilization for drainage/washes is the use of tree stumps, boulders, soil and native vegetation; channelizing or hardening off with concrete or rip-rap is discouraged. The use of rip-rap should be kept to a minimum.



Rivers/Floodplains

The City of Grand Junction and Mesa County *Floodplain Regulations* are required for City/County residents to be eligible for federal floodplain insurance. The primary goals of the floodplain regulations include:

- to help minimize property damage to Mesa County residents during flood events;
- to ensure that life, property, or new improvements will be safe during flooding events;
- to make sure that any structures or improvements in the floodplain will not cause additional drainage problems;
- to protect the natural resource values of floodplain areas;
- to guide development in the floodplain of any watercourse subject to flooding; and,
- to minimize the expense and inconvenience to property owners and the general public due to flooding.

The 100 year floodplains of the Gunnison and Colorado Rivers are designated as critical wildlife habitat by the U.S. Fish and Wildlife Service for several endangered fish species. They are: the Colorado pikeminnow, razorback sucker, bonytail chub, and humpback chub. The *Mesa County Land Development Code* and *City's Zoning and Development Code* require

minimum setbacks from the Colorado and Gunnison Rivers.

The County's requirements are depicted in Chapter 7 Section 7.6.4. while the City's criteria are found in Chapter 7, Section 7.1.

As new development occurs in unmapped floodplains, the developer is responsible for mapping and providing floodplain data to Mesa County. Development on 5 acres or more requires that construction runoff protection measures be used. A permit is required from the Water Quality Division of the Colorado Department of Public Health and Environment, and Best Management Practices (BMPs) must be used to mitigate erosion on the development site for up to 15 years.

GOALS, POLICIES, IMPLEMENTATION

Goals

- To ensure that life, property, or new improvements will be safe during flood events. Conserve, protect or restore the integrity of the values and functions that rivers and floodplains provide.

Policies

- Any proposed land use or development which may involve an identified natural hazard area will require an evaluation to determine the degree to which the proposed activity will:
- Expose any person, including occupants or users of the proposed use or development, to any undue natural hazard
- Create or increase the effects of natural hazard areas on other improvements, activities or lands.
- Development in floodplains, drainage areas, steep slope areas, and other areas hazardous to life or property will be controlled through local land use regulatory tools.
- The City and County shall strongly discourage and control land use development from locating in designated floodplains, as identified on the FEMA Maps and other unmapped floodplains.
- The City and County shall ensure, to the extent possible, that land use activities do not aggravate, accelerate, or increase the level of risk from natural hazards.

Implementation

- Map unmapped floodplains.

Wetlands

Wetlands provide a variety of important functions and values that are important to the environment and the economic health of the County. Often they are impossible or costly to replace. They also serve as habitat for many species of plants and animals. Wetlands filter runoff and adjacent surface water to protect the quality of reservoirs, creeks, and drinking water. They are a natural flood control. They protect shorelines from erosion and retain floodwaters, thereby protecting against the loss of life and property. Wetland plants provide

shelter for many animals and are the basis for complete natural food chains. Two tree species, Russian olive, *Elaeagnus angustifolia* and tamarisk, *Tamarisk parviflora* pose a threat to wetlands because of their aggressive nature and prolific reproductive rate. They have the ability to eliminate native plant associations of a wetland which in turn destroy many of its functions and values.



*Grand Valley Audubon
Society Nature Center*

The federal government recognizes the values of wetlands and has established wetland protection programs. The protection takes the form of regulation for certain types of activities and actions unless a permit is obtained first. Regulatory programs alone are not sufficient to protect important wetlands. Voluntary efforts by the City, County, and landowners can extend protection to these important areas. Wetlands should be recognized as part of a complex, interrelated, hydrologic system, as well as an integral component of a community's infrastructure just as roads, schools, *etc.* are.

Specific functions and values of wetlands are:

Flood storage/Sediment trapping (within basin)

Shoreline anchoring/Aquifer recharge

Groundwater discharge Nutrient retention, storage, and removal Wildlife Habitat

Food chain support

Fish habitat
Passive recreation, heritage value, public education

GOALS, POLICIES, IMPLEMENTATION

Goals

- Preserve/conservate wetlands, minimize impacts to important ecological functions, and restore or enhance suitable wetland areas.

Policies

- Protect significant wetlands, minimize impacts to important ecological functions, and enhance or restore degraded wetlands caused by development.
- Work cooperatively with adjacent property owners to prevent/minimize land use activities adjacent to wetlands.

Implementation

- Inventory and map wetlands in the planning area.
- Develop best management practices for wetland protection in the Redlands Planning Area.
- Promote and distribute best management practices information to the public and development community.
- Encourage landowners of existing significant wetlands to seek assistance from the Natural Resource Conservation Service or USDA Farmland Protection Program for the purpose of formulating management plans to protect wetlands.
- Require the use of Best Management Practices to mitigate disturbed wetland areas.
- Amend the Codes to require utility companies to coordinate with the City, County, Engineers and Fish and Wildlife Service prior to conducting any activity in identified wetlands.
- The City and County shall coordinate with the Corps of Engineers prior to conducting any activity in identified wetlands.
- The City, County, and residents of the Redlands should continue to work with the Tamarisk Coalition to reduce/eliminate Russian olive and tamarisk from wetlands and riparian areas.

Wildlife

The planning area contains a unique mix of wildlife species. The uniqueness is due to the presence of the Colorado River riparian area, drainages and their associated vegetation, agricultural fields, and upland grasslands. Riparian areas, for instance, support more than 90 percent of birds in the west. They rely on riparian corridors for food, shelter, or breeding habitat during some portion of their lives. The Colorado River is critical habitat of the Colorado pikeminnow, *Ptychocheilus lucius*; razorback sucker, *Xyrauchen texanus*; bonytail chub, *Gila elegans*; and humpback chub, *Gila cypha* endangered fish.

Numerous ground-nesting birds rely on agricultural hayfields for breeding sites. Some birds return year after year. Upland grasslands provide habitat for numerous small rodents,

amphibians, and invertebrates. Cliff nesting raptors depend on canyon walls of the adjacent Colorado National Monument for perching, roosting, and nest sites. Raptors forage for insects, rodents, and small birds that depend on agricultural fields and upland grasslands in the planning area. In addition to birds species, many mammals including large and small predators (coyotes, bobcats and mountain lions) move back and forth between the Monument and adjacent private lands for food, cover, and reproduction. Small to mid-sized wildlife thrive in urban and semi urban environments where non-native food sources are available.

According to criteria set forth in the *Mesa County Land Development Code 2000* : “Any development that falls within a moderate, high, or very high potential for impact category on the 1995 Wildlife Composite Map for Mesa County, or an amended map approved by the Mesa County Planning Commission, (*Figure 10*) shall require consultation with the Colorado Division of Wildlife to substantiate the basis for the potential impact and to address various, specific measures to avoid, minimize, or mitigate negative impacts to wildlife and its habitat.” Specific criteria is found in Section 7.6.4 of the *Mesa County Land Development Code*. The *City of Grand Junction Zoning and Development Code* sets forth specific criteria for land use and development in areas mapped as moderate, high, or very high on the 1999 Wildlife Composite Map. The criteria is found in Chapter 7, Section 7.2.E.

The Colorado Natural Heritage Program has identified several plant and animal species of concern in the planning area. They are found along the Colorado River riparian area. The riparian area is documented habitat for the Corn snake, while the cliffs/bluffs above the river provide seasonal roosting for raptors, including peregrine falcons and bald eagles. Colorado Natural Heritage rarity ranks do not imply any legal designation or regulatory actions.

In the Redlands Area there is a presence of medium and large native predators including coyotes, bobcats and mountain lions. Residents should educate themselves on best practices of living around such predators.

GOALS, POLICIES, IMPLEMENTATION

Goals

- Preserve/conservate Mesa County’s natural heritage of plants, animals, and biological conservation sites.

Policies

- Preserve or mimic the native-natural landscape in disturbed, developed areas.
- Maintain/Create buffers between areas dominated by human activities and areas of wildlife habitat.
- Minimize disturbance to wildlife from domestic pets.
- Protect wildlife habitat by avoiding, minimizing, or mitigating impacts to identified habitat areas.
- Preserve Mesa County’s natural heritage of plants, animals, and biological conservation

sites identified in *the Natural Heritage Inventory of Mesa County, Colorado*.

Implementation

- Coordinate with Colorado Division of Wildlife to identify site specific wildlife habitats in the planning area.
- Restrict domestic pets from roaming freely (especially dogs and cats) by including fencing, leash, etc. language in Home Owners' Association Covenants, Conditions & Restrictions and through education and information.
- Provide well marked designated areas where domestic pets can run.
- Control non-native food sources (garbage) Through model homeowners association conditions, covenants and restrictions.
- Educate pet owners about the possibility of their pets being prey for medium and large native predators through model homeowners association conditions, covenants and restrictions.
- Amend the Codes to require consultation with Division of Wildlife for any development in "Bear/Lion/Human Conflict Area."

Weed Management

The aggressive nature of weeds (nonnative, undesirable plant species) and a lack of their control can present problems in agricultural areas and can have a negative impact on agriculture. According to the Governor's Idaho Weed Summit, Boise, Idaho 1998 "The Departments of Agriculture in eleven western states estimate that there are about 70,000,000 acres of weed seed being produced every year on private, state, and federal wildlands. Much of it is being carried to other wildlands by wind, water, wildlife, livestock, people, and equipment." Infestations of nonnative plant species of concern threaten native and desirable nonnative plant communities and agricultural operations by displacing desirable species. Exotic plants are highly invasive and usually do not have natural pathogens and predators to keep their populations in check. As of 2000, there are eighteen noxious weeds on the Mesa County Noxious Weed list that require control (see list in appendix). However, the primary nonnative undesirable species of concern in the planning area are: purple loosestrife, *Lythrum salicaria*; Russian knapweed, *Acroptilon repens*; Whitetop/Hoary Cress, *Cardaria draba*; Yellow toadflax, *Linaria vulgaris*. These four plants are designated as undesirable plants in Mesa County and are being controlled/managed by policies set forth in the *Mesa County Weed Management Plan*.

While not on the County's noxious weed list, two tree species, Russian olive, *Elaeagnus angustifolia* and tamarisk, *Tamarisk parviflora* pose a threat to many native upland and wetland plant communities because of their aggressive nature and prolific reproductive rate. They have the ability to eliminate entire native plant communities. The Tamarisk Coalition in Mesa County have been active in efforts to remove tamarisk and Russian olive trees from areas along the Colorado River floodplain.

The City manages noxious weeds and utilizes integrated weed management planning/techniques to control/eradicate weeds and numerous nonnative, undesirable plant

species. The City adopted five weed species identified by the State as weeds requiring management action. The five species are: Russian knapweed, *Centaurea repens*; diffuse knapweed, *Centaurea diffusa*; spotted knapweed, *Centaurea maculosa*; purple loosestrife, *Lythrum salicaria*; and leafy spurge, *Euphorbia esula*. Of these five plants, only Russian knapweed and purple loosestrife are of concern to the City.

The City manages noxious weeds by:

- Weed mapping (specifically Russian knapweed and purpleloosestrife).
- Working with landowners: requesting management plans for the control/eradication of the weeds from property owners who have the plants on their property.
- Annual public outreach efforts: reminding owners of their responsibility to control/eradicate noxious weeds and nonnative, undesirable plants.
- Providing technical expertise on integrated weed management planning techniques and implementation methods (mechanical, chemical, biological, and cultural).
- Maintaining, updating, and identifying any recognized change in effective methods of control.
- Working with other land management agencies: for control of the four undesirable noxious weeds in rights-of-way as identified by the County.

In addition to the five specific noxious weeds identified above, the City has an annual proactive weed abatement program from May through October. The program requires property owners to keep all weeds on their property and adjacent rights-of-way between curb and center of alley to a height below six inches. Undeveloped lands over one acre in size are required to cut a twenty foot (20') perimeter along any roadway, and along any side of the property adjacent to a developed property. Agricultural lands (as defined in 39-1-102 (1.6)(a), C.R.S) are required to keep weeds cut within twenty feet (20') of any adjacent developed property.

Property owners are responsible for any cost of cutting and removing of weeds by City crews that are not removed within ten days (10) after notification of the violation (Municipal Code, Chapter 16, Article 2).

GOALS, POLICIES, IMPLEMENTATION

Goals

- Prevent, reduce, or eradicate weeds and non-native, non-desirable vegetation in Mesa County.
- Educate residents about the economic, biological, and social threat weeds pose to the County.

Policies

- The City and County, through their Weed Management Programs, shall discourage the introduction of exotic or non-native, undesirable plants and shall work to eradicate existing infestations through the use of Integrated Weed Management throughout the City and County on private and public lands.

- Weed control plans should be submitted to the Mesa County Pest and Weed Inspector for any projects causing disturbance in existing or new rights-of-way.

Implementation

- Distribute the City and County's noxious weed list to the public, development community, and nurseries.
- Continue to conduct weed mapping efforts in the planning area.
- Continue to work with other jurisdictions and agencies to map and implement weed reduction strategies.
- Straw or hay bales used for mulch or erosion control on disturbed areas shall be certified "weed free" to help prevent weed infestations.
- New development shall be reviewed by the appropriate City/County Pest and Weed Inspector to:
- Identify if weed problems exist and work with home owners associations and landowners to develop integrated pest management strategies for common open spaces or open lands.
- Review revegetation/reclamation projects (including but not limited to, new construction, utility easement, and telecommunication tower projects) to assure that best management practices are used to prevent weed infestations and properly revegetate disturbed sites.
- The City, County, and residents of the Redlands should continue to work with the Tamarisk Coalition to reduce/eliminate Russian olive and tamarisk trees from upland, wetlands, and riparian areas of the planning area.

Wildfire

Wildfire is recognized as a natural and/or human-caused occurrence resulting in certain benefits to the ecosystem, yet they frequently burn structures resulting in a great economic loss to the landowner. In Mesa County, the potential for loss of life and property due to wildfire increases as more and more residents choose to live in areas of the County that have wildfire hazards. The area where human-built improvements intermix with wildland fuels is known as the wildland urban interface.

Colorado State law identifies the sheriff as the "fire warden" for Mesa County and the individual ultimately responsible for controlling and extinguishing prairie and forest fires on private and state lands within Mesa County (CRS 30-10-513). The role of the Colorado State Forest Service (CSFS) is to aid and assist the sheriff and County fire departments with this responsibility. The CSFS fulfills this role by providing training, equipment, technical assistance, and funding; and facilitating interagency mutual aid agreements and annual operating plans. However, for wildfires that start/burn within a fire protection district, the fire protection district (not the sheriff or state forest service) is the first responder and is responsible for controlling and extinguishing the fire.

The Redlands planning lies within the Lower Valley Fire District and the Grand Junction City and Rural Fire Districts. The planning area has not been mapped by the Colorado State

Forest Service for its wildfire hazard potential, so it is not known if the area can be described as being a wildland urban interface. However, the area contains natural vegetation communities that can generate wildfire fuels. Riparian forest galleries, washes containing thick growth of tamarisk, and fields of cheat grass are potential wildland fuel sources. These potential fuel sources are common throughout the planning area.

GOALS, POLICIES, IMPLEMENTATION

Goals

- Protect Mesa County residents from the loss of life or property due to wildfire.

Policies

- Continue to encourage interjurisdictional and interagency cooperation to further the goals of protection of life and property from wildfires.
- Recognize wildfire as a natural and/or human-caused occurrence that results in certain benefits to the ecosystem.

Implementation

- The Redlands Planning area shall be surveyed and mapped to locate the extent of wildfire hazards and areas at risk.
- The County will continue to work in partnership with the local fire protection districts and departments in improving fire protection services to address the increasing concerns of wildfire and the increase in development in areas of the County with a mapped wildland fuel hazard.
- The County shall encourage private and public landowners to manage their land to serve as a natural deterrent to fire outbreaks (defensible space).
- The County shall implement measures to guard against the danger of fire in developments within and adjacent to forests or grasslands (defensible space).
- Wildfire prevention measures shall be identified and reviewed for appropriate approvals in each new development. Ground cover and weed control as well as defensible space and general clean up should be addressed in specific guidelines.
- The County, City, Colorado State Forest Service, and fire protection districts shall continue to promote education and awareness of wildfire hazards in the planning area and Mesa County. A beneficial source of information is the web site at www.firewise.org.

PARKS, RECREATION AND OPEN SPACE ACTION PLAN

FINDINGS

2001 City of Grand Junction Parks Master Plan

The City of Grand Junction adopted the *2001 Parks Master Plan* on February 21, 2001. This Plan recommends several neighborhood parks located throughout the Redlands Area.

The Parks Master Plan discusses that one of several measures of the adequacy of a park system is the location of facilities relative to users – whether the parks are convenient to the community. Distance to neighborhood parks has been identified as a “service area” which is represented by a desirable maximum distance that any home should be from the Neighborhood Park. The service area for a neighborhood park is a ½ mile radius or a 5-10 minute walk. Neighborhood parks are intended to be walk-to parks; therefore the service areas are truncated at major roads or natural barriers. It is assumed that parents or children who walk or ride bikes to a park should not have to cross arterial streets. Significant street barriers on the Redlands includes Broadway (Highway 340). Other conflicts include natural barriers such as the Colorado River. An assumption has been made that irrigation ditches can be crossed with pedestrian bridges at key points.

The Parks Master Plan identifies the Ridges School site and City land next to Wingate Elementary School as high priorities for development as the City already owns the land and neighborhoods have been waiting for these sites to develop for a number of years.

(Figure 11)

A neighborhood park needs open turf, children’s playground, picnic facilities, and court facilities. A neighborhood park also needs to be accessible to the residents without significant restrictions (i.e. access is not restricted during the school day). For this reason, school grounds are currently only considered as neighborhood parks where they serve an area that is otherwise difficult to serve. This is the case for the school site in the Redlands area along Broadway. The Parks Master Plan recommends that the City of Grand Junction pursue mutually beneficial agreements with the School District to allow public access and development of school grounds to meet neighborhood park standards. In 2000, Mesa County Planning Commission Sunset 1984 and 1995 Parks Masterplans. In 2001 the Board of County Commissioners passed a resolution establishing a parks policy for Mesa County (MCM2001-183).

Colorado River State Park - Connected Lakes Section

Colorado River State Park is actually five sections of beautiful stops along the Colorado River as it flows through the Grand Junction area. From Island Acres on the east, the Colorado River State Park makes its way through Corn Lake, the Wildlife Area near 30 Road, then to Connected Lakes located in the north-central area of the Redlands and on down the river to Fruita. Connected Lakes Park has a trail system that winds through stands of tall trees and along the banks of Colorado River. The park offers opportunities for visitors to enjoy great fishing and picnics in beautiful settings.



Colorado River State Park Connected Lakes Area

Public Lands/Trail Heads

There is an abundance of public owned land in and around the Redlands area. Much of this land is owned and managed by the National Park Service and the Bureau of Land Management. The State of Colorado, Mesa County, City of Grand Junction, nonprofit organizations such as the Audubon Society and Museum of Western Colorado, School District 51 and the Bureau of Reclamation own other public lands. Hiking and/or biking trails have been constructed throughout the area. The Redlands area has many trailheads for these hiking and biking routes. See Redlands Area Public Lands and TrailHead Access Map (*Figure 12*).

Open Space

In the Redlands area there are many trails interwoven through passive open space. These include a trail network that is planned for the Redlands Mesa development, trails leading into the back country of the Colorado National Monument, as well as pedestrian/mountain bike trails like the Tabeguache Trail.



Tabeguache Trailhead

GOALS, POLICIES, IMPLEMENTATION

Goals

- To develop and maintain an interconnected system of neighborhood and community parks, trails and other recreational facilities throughout the urban area.
- To include open space corridors and areas throughout the Redlands Area for recreational, transportation and environmental purposes.

Policies

- Preserve areas of outstanding scenic and/or natural beauty.
- Obtain adequate parkland needed to meet neighborhood park needs.
- Pursue mutually beneficial agreements with the School District to allow public access and development of school grounds to meet neighborhood park standards.
- Encourage the retention of lands that are not environmentally suitable for construction (*i.e.*, steep grades, unstable soils, floodplains, etc.) for open space areas and, where appropriate development of recreational uses. Dedications of land required to meet recreational needs should not include these properties unless they are usable for active recreational purposes.
- Encourage citizen groups to look at innovative ways to acquire open space areas.
- Mitigate the impact of recreational use of open space on its environmental value.
- Respect or replace historic trails and access to public lands with new development.

Implementation

- The City and County will help preserve areas of outstanding scenic and/or natural beauty and, where possible, include these areas in the permanent open space system.
- The City and County will obtain adequate parkland needed to meet neighborhood park needs, as urban development occurs, through the subdivision process and other appropriate mechanisms. Other public, quasi-public and private interests will be

- encouraged to secure, develop and/or maintain parks.
- The City and County will coordinate with the school district to achieve cost savings through joint development and recreational facilities. The City of Grand Junction will pursue mutually beneficial agreements with the School District to allow public access and development of school grounds to meet neighborhood park standards.
 - The City and County will encourage the retention of lands that are not environmentally suitable for construction (*i.e.*, steep grades, unstable soils, floodplains, *etc.*) for open space areas and, where appropriate, development of recreational uses. Dedications of land required to meet recreational needs will not include these properties unless they are usable for active recreational purposes.
 - The City and County will coordinate with appropriate agencies to mitigate the impact of recreational use of open space on its environmental value.
 - The City and County will seek public and private partnerships in efforts to secure open space.
 - The City and County will require new development to respect or replace historic trails and access to public lands.
 - Enter into a Public Purpose Act lease with the Bureau of Land Management for the BLM parcel north of South Camp Road for open space.
 - Identify future trailhead locations.

TRANSPORTATION ACTION PLAN

REDLANDS AREA TRANSPORTATION PLAN 2002 (SUMMARY)

The transportation element of *Redlands Area Plan* was developed by Kimley-Horn, consultants to Mesa County's Regional Transportation Planning Office, in partnership with the Colorado Department of Transportation, the cities of Grand Junction and Fruita, Mesa County and the citizen's of the area. The transportation planning process has occurred over a yearlong time horizon – between May 2001 and expected adoption in Spring 2002. The process included 3 public forums, a design charrette, 4 technical steering committee meetings, and briefings with the elected officials of Grand Junction, Fruita, and Mesa County.

Numerous alternatives and options were proposed and reviewed as a result of the inventory and public participation process. The analysis produced four key elements that needed to be included as part of the plan. The four elements are: **1)** State Highway 340 Access Control Plan, **2)** capacity improvements on existing routes **3)** new roadways and neighborhood connections, and **4)** multi-modal accommodations.

The following summary (taken from the *DRAFT Redlands Area Transportation Plan 2002*) describes the key elements of the **PROPOSED 2020 Recommended Alternative in the Redlands Transportation Plan 2002**.

State Highway 340 Conceptual Access Control Plan -Identifies location of existing and future

driveway and roadway access points to State Highway 340 to be closed, relocated or built with future development and/or road construction projects.

Capacity Improvements on Existing Routes – addressing the capacity and safety deficiencies identified for the 2001 base and 2020 forecast years:

- a) Expand State Highway 340 in vicinity of Interstate 70 Fruita interchange.
 - b) Extend 4-5lane sections of Redlands Parkway from north of the Colorado River to State Highway 340.
 - c) Improve alignment of Monument Road from State Highway 340 to South Camp Road.
 - d) Spot intersection improvements (potential for roundabouts) at:
Monument Road and South Camp Road, South Broadway and South Camp Road, State Highway 340 and Redlands Parkway.
2. New Roadways and Neighborhood Connections – determining parallel routes to State Highway 340 that will serve local traffic:
- a) Vista Grande to Scenic
 - b) Colonial Road to Saddlehorn Road
 - c) 23 Road Connection to South Camp Road
3. Multi-Modal Accommodation – developing opportunities for using modes other than the personal automobile:
- a) Redlands Transit Center – Safeway Center
 - b) Transit Center – South 23 Road Neighborhood
 - c) Pedestrian and Bicycle Paths consistent with the Urban Trails Master Plan

The study team also considered as elements additional crossings of the Colorado River in the universe of alternatives. However, after reviewing the initial 2020 travel demand forecasts, it was determined that the demand for traffic crossing into downtown Grand Junction, the Mesa Mall commercial area, and downtown Fruita could be effectively accommodated by the existing three structures with improvements. Thus, the study team decided to leave it as a recommendation for the buildout (2050) horizon.

HOUSING ACTION PLAN

Residential uses on the Redlands include a mixture of housing types; however, the detached single family house is predominant. According to the Mesa County Assessor's records in 2001, multi family housing (condominiums, duplex/triplex, apartments and townhomes) comprised less than 10% (461 units) of the entire housing stock (5209 units) on the Redlands. (*Figure 3*)

According to the 1990 Census and the 2000 Census, the percentage of renter occupied dwelling units in the Redlands study area has been and continues to be considerably lower than the Cities of Fruita and Grand Junction as well as Mesa County as a whole. (*Table 3*)

The issue of a lack of dispersed affordable housing types throughout the Joint Urban Area is identified in the *1996 Joint Urban Area Plan* (in both *the Mesa Countywide Land Use Plan* and the *Grand Junction Growth Plan*). Specifically the plans state:

- Higher density housing is needed and an adequate supply should be provided.
- This housing should be located throughout the community rather than concentrated in a few small areas. Ideally it should be integrated into mixed density housing developments.
- Design and compatibility standards are needed to ensure that higher density housing is a long-term asset to the community.
- The plan should support creation of affordable single family homes as well as the higher density housing types. (Affordable housing doesn't have to mean attached units.)

Both *City and County Development Codes* provide density bonuses for projects which disperse compatible subsidized housing units within mixed residential development; however, to-date this incentive has not been used in the Redlands. The Codes also include review standards for clustered, zero lot line, and mixed density projects.

The Grand Junction Housing Authority is conducting a housing needs assessment for the Grand Valley urban area. A housing strategy is anticipated as an outcome of the study.

**Table 3
1990/2000 Selected Demographics**

	Year	Redlands	Grand Junction	Fruita	Mesa County
Population	1990	9.021	29.034	4.045	93.145
	2000	11.663	41.986	6.478	116.255
	% change	29.3%	44.6	60.1	24.8%
Housing Units	1990	3.551	13.689	1.583	39.911
	2000	4.726	18.784	2.610	48.427
	% change	33.1%	37.2%	64.9%	21.3%
Persons/Occupied Housing Unit	1990	2.64			2.52
	2000	2.55	2.23	2.55	2.47
% Vacant Units	1990	3.8%			7.5%
	2000	2.9%	4.9%	6.2%	5.4%
% Owner Occupied	1990	83.4%			65.1%
	2000	89.1%	62.6%	73.8%	72.7%
% Renter Occupied	1990	16.6%			34.9%
	2000	10.9%	37.4%	26.2%	27.3%

Source: U.S. Census Bureau

Notes: Redlands includes 2000 Census Tracts #s 14.02, 14.03 and 14.04
Redlands includes 1990 Census Tracts #s 1401 and 1402.

Changing Neighborhoods

Over the past decade, the Redlands has seen an increase in the number of large single family homes. According to some local developers, the sale of second homes is also becoming more common. With this trend the character of neighborhoods is likely to change as houses remain vacant for extended periods of time. A new development technique in similar communities to the Redlands is called the "scrape-off." In order to build larger "trophy homes" in established neighborhoods adjacent lots are purchased, the existing smaller homes are demolished, and new larger houses are built. Some of the older housing stock in the Redlands could experience this development trend in the future.

GOALS, POLICIES, IMPLEMENTATION

Goals

Directly from *1996 Joint Urban Area Plan*:

- Achieve a mix of compatible housing types and densities dispersed throughout the community.
- Promote adequate affordable housing opportunities dispersed throughout the community.

Policies

Directly from *1996 Joint Urban Area Plan*:

- The City and County shall encourage the development of residential projects that compatibly integrate a mix of housing types and densities with desired amenities.
- The City and County may permit the owner of a parcel of property to shift density from one portion of a parcel to another portion of the parcel to compatibly provide for a variety of housing types within a development.
- The City and County shall facilitate development of a variety of housing types (e.g., clustered units, zero lot line units, and mixed density projects) without requiring the planned development process.
- The City and County shall partner with the state, other agencies, and the private sector to promote the development of adequate affordable housing opportunities for community residents.
- The City and County shall encourage the dispersion of subsidized housing throughout the community. Subsidized housing projects should be encouraged in areas with easy access to public facilities and both existing and future transit routes.
- The City and County shall monitor the status of substandard housing units and promote the rehabilitation or redevelopment of these units. Rehabilitation will be encouraged in stable single family neighborhoods. Redevelopment will be encouraged in areas designated for medium-high density residential and high density residential uses.
- The City and County shall support affordable housing initiatives which result in high quality developments that meet or exceed local standards for public facilities and amenities.
- The City and County shall encourage the rehabilitation of historic buildings for affordable housing.

Implementation

- Revise Development Codes to provide incentives for new commercial development to include and integrate a variety of housing.
- Participate in the *Grand Junction Housing Authority's Housing Needs Assessment Study* and incorporate appropriate strategies into City and County Development Codes and other work programs such as: contributing to low interest loans and grant funds to assist moderate, low, and very low income households with improvements needed to maintain structures and improve energy efficiency.

HISTORIC PRESERVATION ACTION PLAN

FINDINGS

The Redlands, like all of Mesa County, was Ute Indian territory until 1881 when the area was opened for immigrants. In that year, George Crawford, the founder of Grand Junction, first viewed the Grand Valley from a point above the Fifth Street Bridge on Orchard Mesa. It was from here that the junction of the Grand (Colorado) and the Gunnison Rivers was viewed and the location for a new townsite determined. The Redlands is located south and west of the confluence of the rivers.

Historic buildings and sites are scattered across the planning area. According to the *100 Year History of Mesa County* the Redlands remained a desert rangeland until 1905 when the private Redlands Irrigation Company developed irrigation water from the Gunnison River and began promoting the area. The first peach orchards on the Redlands were established by 1907. In 1909 Henry L. Doherty, owner of the Interurban rail and streetcar lines, purchased large land holdings on the Redlands, and built a larger dam on the Gunnison River. As a result, a hydroelectric plant was added, and irrigation water was delivered to a wider area of the Redlands. The reorganized Redlands Company operated a home ranch, employee camps, and a canning kitchen until 1925 when ownership turned over to the shareholders and the non-profit organization changed its name to its current title of Redlands Water and Power Company.

Several bridges have spanned the Colorado and Gunnison Rivers to reach the Redlands. The first bridge to the Redlands was built in 1895. In 1912 the Grand Avenue Bridge was constructed and was later replaced by a four-lane bridge. The old Black Bridge across the Gunnison River, which was listed on the National Register of Historic Places, connected the Redlands with the Orchard Mesa. It was closed to traffic in 1983 due to damage to its stone foundations caused by flood waters and was taken down in September of 1988 by Mesa County. The Goat's Draw bridge, part of the Redlands Parkway, opened in 1984. The Fruita Bridge was completed in 1907 and served the main highway south of Fruita until the road was realigned and the Highway 340 bridge replaced the bridge in 1970. The bridge is on the national and state registers of historic places. The City of Fruita and the Colorado Riverfront Commission have plans to rehabilitate the historic Fruita Bridge as a pedestrian bridge and part of the Riverfront trail system. Colorado Preservation Inc., a non-profit organization, included the Fruita Bridge on their Year 2002 State's Most Endangered List.

The first Redlands school was built in 1916 and now houses the Church of the Nativity Episcopal. The building is located at 2157 Broadway across from the Redlands Middle School. The Redlands Community Center (previously know as the Redlands Women 's Club) was built in 1920 as the Grand Junction Country Club. It was turned into a community center when the club closed in 1929, and has served the Redlands ever since. A relatively rare example of the Mission Style in the Grand Junction area, the Club was designated on the State Register of Historic Properties in 1995.

The Colorado National Monument has several sites on the National Register of Historic Places including the Devils Kitchen Picnic Shelter, Rim Rock Drive Historic District, Saddlehorn Caretaker's House and Garage, Saddlehorn Comfort Station, Saddlehorn Utility Area Historic District and Serpents Trail. The sites, structures and districts on the Monument are significant for their engineering and development of automobile access and tourism and/or their association with the Civilian Conservation Corps (CCC) and Works Progress Administration (WPA) by whom they were constructed.

An early 1980s inventory of Mesa County sites and structures with potential for historic designation includes several Redlands houses. While the inventory is dated, it still provides a good basis for a new inventory.

The City of Grand Junction established a local Register of Historic Sites, Structures and Districts in 1994. To date, no properties on the Redlands have been included on the local register, but many are eligible for listing as noted in the inventory referenced above. The purpose of the local register is to protect and preserve Grand Junction's heritage, which is exemplified in its historic resources.

Paleontological Resources

See the Environmental Resources section of the Land Use/Growth Management Action Plan of this Plan.

GOALS, POLICIES, IMPLEMENTATION

Goals

- Protect and maintain the unique features and characteristics of the Redlands which are significant links to the past, present, and future.
- Establish and promote the historical pride and heritage of the Redlands.
- Complete an up-to-date inventory of historic structures and places as a means for listing properties on official historical registers (national, state and local).
- Pursue official designation, preservation, adaptive reuse, restoration, or relocation of eligible historic structures and places.

Policies

- New development should not remove or disrupt historic, traditional, or significant uses, structures, fences, or architectural elements insofar as practicable. Consultation with the Colorado Historical Society, Bureau of Land Management, National Park Service, City of Grand Junction Historic Preservation Board, Mesa County Historical Society, and the Museum of Western Colorado is valuable in this effort.

Implementation

- In cooperation with the Colorado Historical Society, Bureau of Land Management, National Park Service, City of Grand Junction Historic Preservation Board, Mesa County Historical Society, and the Museum of Western Colorado, the City of Grand Junction Community Development Department and Mesa County Planning Department shall: complete and

make available an up-to-date, comprehensive inventory of historic structures and places (reconnaissance survey), then, complete an intensive level survey of potentially eligible properties for designation as an historic place/structure/district.

- The City of Grand Junction Community Development Department and Mesa County Planning Department should provide technical assistance to parties interested in historic designation/preservation/interpretation.
- Adopt compatibility requirements for new development to protect the historic use of existing and adjacent properties.
- Adopt a resolution to establish a local Mesa County historic register system.

APPENDIX

Mesa County – National and State Historic Register – Redlands Area

Summary of Accomplishments

City & County Noxious Weed List

MESA COUNTY - NATIONAL AND STATE REGISTER

Properties Located in the Redlands Area

FRUITA BRIDGE

County Rd. 17.50, over Colorado River National Register 02/04/1985, 5ME4532 This three-span, pinned Parker through truss was completed in 1907 and served the main highway south of Fruita until the road was realigned in 1970. Since then, the bridge's beams and stringers have suffered fire damage, but the truss is still intact. It is one of the few spans left in the state associated with the engineer M. J. Patterson. Listed under Vehicular Bridges in Colorado Thematic Resource.

DEVILS KITCHEN PICNIC SHELTER

Colorado National Monument National Register 04/21/1994, 5ME1173 Constructed in 1941 with Emergency Conservation Works funding, the Rustic style shelter is significant for its association with the CCC and WPA. Built of locally quarried sandstone, to serve as a comfort station and picnic shelter, it is the only such structure in Colorado National Monument. Because of its size and unusual design, it is atypical when compared with picnic shelters found in other National Park Service properties. Listed under Colorado National Monument Multiple Property Submission.

GRAND JUNCTION COUNTRY CLUB (Redlands Women's Club)

2463 Broadway State Register 09/13/1995, 5ME7370 Also known as the Redlands Women's Club, the building has served as a gathering place for community groups and events for over 60 years. The 1920 clubhouse is an example of the relatively rare Mission style in the Grand Junction area.

RIM ROCK DRIVE HISTORIC DISTRICT

Colorado National Monument National Register 04/21/1994, 5ME5944 Constructed between 1931 and 1950, the district is significant for its role in the development of automobile access and tourism in Colorado National Monument and its contribution to the local economy during the Great Depression. The district's contributing features are representative of National Park Service Rustic style architecture in their use of native building materials. Also significant for its engineering, Rim Rock Drive is considered to be the first modern road within the Monument and includes three stone tunnels blasted through solid rock that conform to the rugged terrain. Listed under Colorado National Monument Multiple Property Submission.

SADDLEHORN CARETAKER'S HOUSE AND GARAGE

Colorado National Monument National Register 04/21/1994, 5ME1170 Built by the CCC in 1935 and 1936, as the first permanent buildings in Colorado National Monument, the caretaker's house and garage are significant for their association with public relief projects of the Great Depression. Constructed of sandstone blocks quarried locally, the buildings are excellent examples of National Park Service Rustic style architecture and reflect the craftsmanship of both CCC members and local workers, some of whom were reportedly stonemasons of Italian descent. Listed under Colorado National Monument

Multiple Property Submission.

SADDLEHORN COMFORT STATION

Colorado National Monument National Register 04/21/1994, 5ME1174 Built by the CCC in 1937, to accommodate the recreational needs of visitors to Colorado National Monument, the station is significant for its association with CCC and WPA relief programs during the Great Depression. It is a strong example of National Park Service Rustic style architecture. Listed under Colorado National Monument Multiple Property Submission.

SADDLEHORN UTILITY AREA HISTORIC DISTRICT

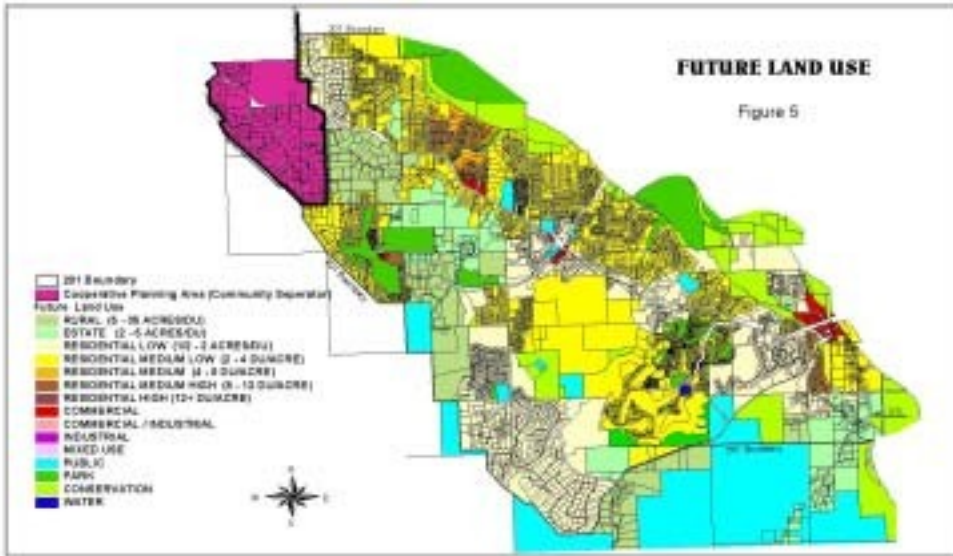
Colorado National Monument National Register 04/21/1994, 5ME7084 Significant for its association with the CCC and WPA, the district includes four good examples of National Park Service Rustic style architecture. The structures were constructed of locally quarried sandstone by the CCC with Emergency Conservation Works funding. The 1937 Roads and Trails Shop, 1938 Oil House, and 1941 Open Storage Building functioned as garages, warehouses, storage facilities, and maintenance buildings for the park. Completed in 1942, the Building and Utilities Shop housed the primary administrative offices for Colorado National Monument until 1963, when a Visitor Center was completed. Listed under Colorado National Monument Multiple Property Submission.

SERPENTS TRAIL

Colorado National Monument National Register 04/21/1994, 5ME100 Constructed between 1912 and 1921, Serpents Trail provided the only automobile access to Colorado National Monument until 1937 when the Fruita Canyon portion of Rim Rock Drive opened. Serpents Trail reflects engineering techniques used in the construction of early automobile roads in difficult terrain and was specifically designed to optimize the scenery of the park. John Otto, the original booster of the park's scenic wonders and the custodian of Colorado National Monument from 1911 to 1927, designed the original route and was involved in its sporadic construction. The project also provided access to the Glade Park region, and local engineers and citizens contributed to its construction and funding. Serpents Trail now functions as a 1.6 mile foot trail. Listed under Colorado National Monument Multiple Property Submission.

FUTURE LAND USE

Figure 5



Attachment 19
Redlands Area Transportation Plan
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Redlands Area Transportation Plan					
Meeting Date	June 26, 2002					
Date Prepared	June 20, 2002				File #PLN-2002-060	
Author	Ken Simms			RTPO Transportation Planner		
Presenter Name	Tim Moore			Public Works Manager		
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: A request to adopt the Redlands Area Transportation Plan as a part of the Grand Valley Circulation Plan, dated September 25, 2001. Planning Commission recommended approval at its June 6, 2002 meeting.

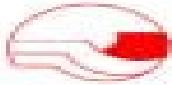
Budget: N/A

Action Requested/Recommendation: Adopt the Resolution amending the Grand Valley Circulation Plan to add the Redlands Area Transportation Plan.

Attachments:

- 1 Staff Report
- 2 Resolution adopting the Redlands Area Transportation Plan
- 3 Redlands Area Transportation Study document (folded in notebook sleeve)
- 4 Redlands Area Transportation Plan—Final Report CD (includes all background information)

Background Information: See attached Staff Report.



PROJECT REVIEW
May 23, 2002

A. PROJECT: PLN-2002-060 –*REDLANDS AREA TRANSPORTATION PLAN*

Request: To adopt the *Redlands Area Transportation Plan* as part of the Grand Valley Circulation Plan, dated September 25, 2001.

Project Summary

The primary goal of the *Redlands Area Transportation Study* was to identify a long-range vision of coordinated state and local transportation improvements for the Redlands area. The following briefly describes the steps that the project team followed and the conclusions that were formed during the process. More detailed information is in the companion ***Final Report*** CD-ROM.

Key points of the proposed plan are:

1. Develop consensus on a long-range plan of coordinated state and local transportation improvements for the Redlands area.
2. Evaluate roadway capacity issues on the state and local transportation system.
 - a. Evaluate safety and multi-modal mobility opportunities and constraints within the Redlands study area.
 - b. Identify appropriate capital improvements, land use alternatives, or strategies to accommodate future transportation needs.
 - c. Evaluate access related operational issues and potential solutions, using flexible and creative design criteria.

Reviewed by: Mesa County Regional Transportation Planning Office (RTPO)
City of Grand Junction Community Development Department
City of Grand Junction Public Works Department
Mesa County Department of Planning and Development
Mesa County Department of Public Works
City of Fruita Community Development Department

Presented by: Tim Moore, Public Works Manager

F. PROJECT LOCATION/DESCRIPTION

The Redlands planning area is located south and west of the Colorado River, from the Highway 340 Colorado River Bridge at Fruita on the northwest, the Colorado National Monument on the south and the Gunnison River on the east. and includes the Highway 340 corridor from Aspen Street in Fruita to First Street in Grand Junction. The *Redlands Area Transportation Plan* was developed in conjunction with the *Redlands Area Plan*.

G. PUBLIC CONSENT PROCESS

Citizen Participation (CP) is an important part of any public project process. With this in mind the Project Team used a process known as the “Bleiker Method for Public Consent Building.” This method’s primary goal is to get the “Informed Consent” of the citizens, ensuring the success of the project.

The project team held three public meetings to provide opportunities for the team and citizens to exchange ideas and achieve solutions together. Other CP techniques employed during the course of the project included small group meetings, three project newsletters, a project web site, a telephone comment line, a citizen survey, and e-mail.

The team compiled a project response log consisting of all comments received during the course of the project and the team-recommended response.

Two-way communication and the ability of the Project Team to adapt to situations needing additional communication efforts were an integral part of this Citizen Participation Program. The Team’s commitment to the goals and objectives that were defined early in the process, in addition to their continuing efforts to increase the understanding of the Public on vital issues, led the Citizens to gain a new understanding of their community and helped them make an “informed” decision on how this project’s final solution was derived. This spirit of working together toward a common goal of bettering the community by the Team and the Public led to the successful completion of a plan that has been generally accepted by all parties.

E. Existing Conditions

From the data collected during the course of this study, it is generally apparent that existing traffic operations on the Redlands function at an acceptable level of service. Based on this conclusion, there is little need to widen roadway segments or expand intersections to accommodate the existing travel demand.

However, over thirty locations present existing safety deficiencies. The most significant deficiencies are along SH-340, which are related to poor placement of access driveways and public streets in locations with less than sufficient horizontal and vertical sight distance. In addition, Monument Road has significant horizontal and vertical sight distance problems, particularly at the structure crossing over the Redlands Power Canal.

One concern frequently expressed by the Public was the absence of pedestrian and

bicycle facilities on the Redlands. Transportation Improvements that included sidewalks, bicycle trails and additional transit service are very important to Citizens.

F. 2020 and 2050 Conditions

Results from the travel demand forecasts show that traffic will continue to grow on the Redlands. These results indicate that the areas experiencing operational and safety difficulties presently (2001) will only be further aggravated by the travel demands of 2020. These include segments of Redlands Parkway, SH-340, Monument Rd, South Camp Rd, and the 20¾ - 20½ Rd corridor. Efforts in the alternatives development portion of the project will focus on mitigating these deficiencies.

While the 2050 planning horizon was used to provide the reviewing agencies with a glimpse into the future, there are several recommendations that should be considered as part of the recommended alternative of the Redlands Area Transportation Study. These include:

- Programming for the eventual need of a fourth Colorado River crossing;
- Considering opportunities for traffic in the SH-340 corridor; either through widening or the development of parallel routes; and

Monitoring traffic operations along Monument Road, between Mariposa Drive and SH340, and through the sharp curving geometry of the 20¾ - 20½ Road corridor.

G. Access Management

Access management is the application of strategies to reduce the number and complexity of conflict points encountered along a roadway, thereby simplifying the driving task. Access management strategies include minimum access spacing and turn lane requirements, turning restrictions (such as right-turn only access), traffic signal spacing, and consolidation of accesses, where possible. Used appropriately, access management results in improved traffic operations and reduced accident potential.

As a means to maintain the safety and efficiency of travel along SH-340 and to ensure that all users are allowed adequate access from the facility, a conceptual access management plan has been prepared as part of the Redlands Area Transportation Study. New access points and modified access points were developed in conjunction with field investigations by the consultant team and consultations with staff from the aforementioned affected jurisdictions. The plan is conceptual in nature and can be used as a planning guide for the City of Grand Junction, City of Fruita, Mesa County, and the Colorado Department of Transportation (CDOT); however, adoption of the Redlands Area Transportation Plan does not make the Access Control Plan binding. Future action by the City Councils of Fruita, and Grand Junction, the Mesa County Board of Commissioners and the Colorado Department of Transportation are needed to make the document binding upon all parties.

Project Results and Recommendations

The project results and recommendations are described in the panels included in this review

packet and on the enclosed CD.

H. STAFF RECOMMENDATION:

Staff finds that the proposed Redlands Area Transportation Plan is consistent with the review and approval criteria of section 2.5.C of the *Grand Junction Zoning and Development Code* and recommend the Grand Junction City Council adopt the *Redlands Area Transportation Plan* as an amendment to the Grand Valley Circulation Plan.

I. PLANNING COMMISSION ACTION (June 6, 2002):

Pass (Mesa County) or recommend for passage (City of Grand Junction and City of Fruita) the Redlands Area Transportation Plan as presented by staff with the following conditions:

1. *The Access Control Plan Map as presented is not approved;*
2. *Recognizing that extensive access control analysis has been completed as part of this study and using it as a basis, a detailed access management plan for the Redlands planning area should be developed and approved through an intergovernmental agreement between Mesa County, the City of Grand Junction and the City of Fruita; and,*
3. *The development of the intergovernmental agreement and access management plan will include a public review process.*

J. STAFF REVISIONS:

Complying with Planning Commission Action, staff has made the following modifications to the Redlands Area Transportation Plan documents.

1. Page 4 of the Plan "Summary Map" was overlain with a note reflecting the Planning Commission's decision to not adopt the Access Control Plan.
2. Language in Tech Memo 7, "The Recommended Alternative," was modified to reflect "an" Access Control Plan" rather than "the" Access Control Plan." In context, these changes indicate a future Access Control Plan rather than an existing one. This document, located in the CD-ROM, has been modified to reflect planning commissions' action.
3. The maps illustrating the "Access Control Plan" conceived by the consultant have been removed from the companion CD-ROM and the web site.

MESA COUNTY, FRUITA & GRAND JUNCTION PLANNING COMMISSIONS JOINT PUBLIC HEARING JUNE 6, 2002 MINUTES 7:04 P.M. to 9:33 P.M.

The meeting was called to order at 7:04 P.M. by Chairman Paul Dibble of the City of Grand Junction Planning Commission. The public hearing was held in the Whitman Education Center, Museum of Western Colorado.

In attendance, representing the Fruita Planning Commission, were Mike Joseph, Dave Karisny, Kenneth Dodgion, David Shishim, Bill Tallon, Susan Carter, and Steve Moats.

In attendance, representing the Mesa County Planning Commission, were Charlie Nystrom, David Caldwell, Jean Moores, Craig Meis, Tom Foster, and Mark Bonella.

In attendance, representing the Grand Junction Planning Commission, were Paul Dibble, John Redifer, John Evans, William Putnam, and Richard Blosser.

In attendance, representing CDOT, was Jim Patton (Resident Engineer).

In attendance, representing Mesa County, were Keith Fife (Director of Long Range Planning), Michael Warren (Senior Planner), Tom Fisher (Director of Regional Transportation Planning), Ken Simms (Transportation Planner) and Kurt Larsen (Planning Director).

In attendance, representing the City of Grand Junction, were Bob Blanchard (Director of Community Development), Kathy Portner (Planning Manager), and Dave Thornton (Principal Planner). Also present was Jody Kliska (Transportation Engineer).

In attendance, representing the City of Fruita, was Bennett Boeschenstein (Director of Community Development).

Gayleen Henderson was present to record the minutes.

There were approximately 35 interested citizens present during the course of the hearing.

Chairman Paul Dibble explained that tonight's presentation would take public testimony on the proposed Redlands Area Transportation Plan and consider the adoption by the County and recommendations by Grand Junction and Fruita Commissions to their City Councils. With the Access Control Plan being conceptual in nature, the purpose of the hearing was to consider the concept of the Access Control Plan. The specifics of the draft Access Control Plan will be debated and discussed by the various departments who will then form a consensus. The Councils of Fruita and Grand Junction and the Mesa County Board of Commissioners, in conjunction with the Colorado Department of Transportation, will consider an Intergovernmental Agreement. Future action will be needed to make the document binding upon all parties. This meeting was not for the purpose of getting into final details. The Joint Urban Area, according to the City and County Codes, Chapter 2, Section 2.4 and Chapter 3, Section 3.2.6 respectively, Grand Junction and Mesa County must act jointly to adopt the Master Plan. Chairman Dibble qualified this by saying that the City may adopt the plan for the areas only within the 201 service area. Regardless of the outcome of this meeting, that may happen separately or jointly. All of the Redland planning area east and south of about 20 Rd is within the Grand Junction joint urban area. By State Statues the County Planning Commission is charged with the duty to adopt the Master Plan and will be taking action in that area. In Grand Junction and Fruita, the Planning Commissions make recommendations to the City

Council to adopt the Master Plans.

Presentation:

Ken Simms, Transportation Planner, Mesa County Regional Transportation Office offered a Power Point presentation.

The Access Control Plan is conceptual in nature and can be used as a planning guide for the City of Grand Junction, City of Fruita, Mesa County, and the Colorado Department of Transportation (CDOT); however, adoption of the Redlands Area Transportation Plan does not make the Access Control Plan binding. Future action by the City Councils of Fruita, and Grand Junction, the Mesa County Board of Commissioners and the Colorado Department of Transportation is needed to make the document binding upon all parties.

Public Comments:

Larry Beckner, Attorney representing The Bank of Grand Junction, expressed opposition to the proposed construction of an island median on SH-340 from the intersection of Redlands Parkway east to the new proposed intersection of South Broadway (SE corner of the intersection with access directly across from Kansas Ave.). The proposed concrete median from the intersection of SH-340 and Redlands Parkway approximately 2/10ths of a mile east would prohibit any left turns in and out of the property. Map designated as Figure 21 in the packets. Opposition was based on three arguments:

1) Several years ago in the development of the property, considerable expense was incurred in the traffic studies and purchase of additional property to move the access directly across from Kansas Ave. Two years ago, the City of Grand Junction Planning Commission and the City Council approved improvements to the road to allow left-hand turn access. Beckner noted that it was essential that the Bank maintain left-hand turn access for the convenience of its customers and continue the design created two years ago. A recurring theme also noted in public hearings was the desire to create left-hand turn lanes instead of four lane highways. Beckner noted that has essentially already been accomplished at the access to the subdivision.

2) Noted that of the 30 deficient areas designated on the map, the intersection at Kansas Ave. was not designated as deficient, yet it was one of the few intersections being impacted with the proposed construction of the solid median to prevent left-hand turns. To the west of the intersection exists a long strip of deficiency that goes up the hill and past the school, that does not have a median proposed on that part of the road.

The commercial development on the southwest corner has much less sight ability than the Kansas Ave intersection.

3) Beckner also proposed that a median did not make sense at that location and is not needed based on the previous studies. Of the 59 CDOT requirements, item #33 required the existing turn lanes. Since all of the items were done at the time of the development, it was asked if the median was warranted. There was a concern expressed that even with this being a

conceptual plan, that once a line was drawn on a map, it stays there as the issue has perhaps already been addressed. One of two things was asked for: either to remove the concrete median barrier from the plans that exist now or some alternatives for the future such as a potential roundabout or signal options. It was asked that these same types of options be studied at some time in the future upon specific design and construction in that area.

Robert Johnson, President of The Bank of Grand Junction, stated that the Bank has been open for one and one-half years having followed all the procedures in order to operate in that facility. He asked that the rules not be changed as direct egress and ingress was needed in order to be successful as a business. After the obtainment of additional property, any benefits gained would be lost if the property were to be made inaccessible and justice wasn't seen in that. High visibility was available at the Bank property in comparison with the Loco property, even though a median wasn't being advocated at that location. Johnson asked that the Bank not be singled out again and the median be removed.

Roxanne Lewis, owner of the proposed car wash located directly across from the Bank on Kansas Ave, indicated that the recently completed traffic study showed 200 cars a day at that intersection. With this considerably less than the number of cars at the convenience store, she questioned the need for a median at this location with this not being a safety deficient intersection. At previous public meetings, it was indeed stated that the desire was for the roads to remain with a more rural feeling, that faster was not necessarily better, and that in some instances medians could be used to slow down the traffic. Lewis also noted that SH-340 would probably be turned over to the county or city in the future. A concern was also expressed about the sidewalks and the safety for kids getting to school. There were strong feelings indicated against this median because of the additional distance required to reach Lewis property.

Don Pettygrove, a Consultant and resident of the Redlands, stated that a median would hinder the use of the Bank of Grand Junction at that location. This would entail him to either use the Mesa Mall location or doing an unsafe u-turn. He expressed his concern about this concept being adopted as the plan after several years unless removed ahead of time. Also as representative of the Vineyards HOA with 204 homes, a barrier to make left-hand turns into town would block access to that area. Pettygrove was not clear about taking a vote on a concept because of the problem if it becomes part of the plan.

Ken Simms, stated even though access management has been talked about for years, there has never been any concrete plan implemented. This will only be used as a guide for a Consultant to prepare a final access management plan to present to the two city councils, the Mesa County Commissioners, and CDOT. Adoption of the Redlands Area Transportation Plan does not make the Access Control Plan binding. Before any future action is taken, workshops and public hearings will be held.

Jody Kliska, reviewed the reasoning behind the proposed medians and the reason something needs to be done in these areas. In the thirteen-mile section reviewed with the Consultant,

there was the desire to keep large intersections closed by way of limiting access control. The distance needed for medians continues to be under consideration.

Chairman Dibble, asked about the areas on the map representing proposed intersection modifications located at each side of intersections. One was at the Parkway intersecting SH-340, but not in the divided section.

Ken Simms, noted that this was conceptual in nature with not much detail included. This will be looked at in more detail as the Access Management Plan is gone through.

Chairman Dibble, stated that the access control plan is a concept within the proposed plan and is not set in concrete.

Ken Simms, reiterated that the access management standards were part of the toolbox and everyone was encouraged to be involved in the development of the Access Control Plan.

Don Pettygrove, wondered if this was still conceptual, why was anything being shown? If other concepts were still possible, they should be shown. One of the important concerns expressed in the public meetings was the smooth flow of traffic such as demonstrated in the center turn lane at the Vineyards, rather than the blocking the access with a median. Other options should be developed with future discussion for a concept.

Paul Dibble, noted that in his understanding, the concept does include all of the items Pettygrove mentioned.

Don Pettygrove, said only one preferred alternative had been provided and perhaps there was a need for different options in terms of a concept. The concern he was expressing was that the concept was tied into the plan when it comes to the development. He stated that he has seen it happen over and over again that a concept has been incorporated into a plan.

Dennis Hutman, 1903 Broadway, shared similar concerns about recurring themes as previously expressed. He previously developed a driveway, played by the rules, and now has a driveway that serves his needs. Recently at public meetings, he was horrified to learn of the intention to consolidate driveways with his neighbor. His concern was that the driveway has been there for a number of years and he believes that we are a culture that respects private property rights in those regards. Noted that he is very much in favor of safety along SH-340 and his research with the State Hwy Patrol and the Sheriff's Dept, determined that there have not been any previous accidents at that location. Hutman doesn't want to change the amicable relationship with his neighbor in regards to his fenced property and dog. Thought that process would have been better if proposed changes had been demonstrated for individual property owners prior to public meetings where they were displayed on a map. An appreciation was expressed for the bike trails that currently exist, with the hope that the shoulders be firmer and better constructed in the future.

Chairman Dibble, asked the difference between sidewalks and pedestrian paths?

Ken Simms, answered that pedestrian facilities include sidewalks and pedestrian pathways, and they were being included in the description of the plan.

Mike Joyce, Development Concepts, asked why were we adopting the conceptual plan if there was only one conception. Thought that perhaps a statement should be included in the overall Transportation Plan that an Access Control Plan will be developed in the future or get alternatives on the existing plan, such as shown on the intersection of S. Broadway and Redlands Parkway. A roundabout or traffic signal or median should be discussed more in the future, as they are conceptual in nature. Concerned that the concepts being discussed, if adopted, would be written in stone in the future.

Jim Patton, CDOT representative, said that design details were not looked at for the study, which was just a starting point. Since the State already had an Access Code and if the Intergovernmental Agreement is adopted, more local control to access along SH340 will be given to the four members of the Agreement. Thus any new or proposed changes to access along SH-340 will go through the four members of the Agreement and stand alone over the State Access Code and would give more control to local governments.

Chairman Dibble, asked for any other comments or clarification on points from staff. Seeing none, he closed the public portion of the hearing. Chairman Dibble then asked the Commissioners to respond and discuss this prior to any decisions on voting.

Discussion:

Charles Nystrom, requested any questions from the Mesa County Planning Commissioners.

Mark Bonella, asked Ken Simms that in lieu of the presentation of recurring themes of turning lanes along SH-340 with three lanes instead of four lanes, why were medians presented that blocked off access? Also there was the question as to what SH-340 was considered – rural roadway, collector street, minor arterial, or major arterial?

Ken Simms, answered that the State classifies SH-340 as a rural arterial. This is to indicate the volume of traffic it is intended to handle. Up to the year 2020, the vast majority of SH-340 needs to be only two to three lanes and not that much length of median barrier is being proposed along there. There are some areas of development that simply provide no options, thus the emphasis on three lanes to allow turns, and medians in some areas.

Mark Bonella, asked about a traffic count for Redlands Parkway from SH-340 to the Mall, and also from Redlands Parkway to Safeway.

Ken Simms, noted that he was not able to respond to that right now, and stressed both today's volumes and future volumes are anticipated.

Mark Bonella, noted that was the same answer he got at the workshop and had a hard time

believing that Redlands Parkway has more traffic than SH-340 and warrants up to four lanes, where SH-340 doesn't have any warranty of even going to three lanes. Yet the proposal is to widen bridges on Redlands Parkway without a definitive count. He is concerned that everybody that goes out there says SH-340 is definitely busier than Redlands Parkway.

Ken Simms, addressed the volume of traffic on Redlands Parkway to Mesa Mall and the 24 Road area in regards to the traffic model for the year 2025. The attraction of using Redlands Parkway and the continued growth of the land use in that area, at a much faster rate, would create an increase in the traffic volume. Roads are only a response to the future land uses.

Craig Meis, asked if there were any other alternatives available other than the medians to the conceptual plan? If so, could those not be added as a toolbox approach.

Ken Simms, indicated the only alternatives were either with or without median barriers. Until the time comes when CDOT actually does the preliminary design based on drawings and accidents in a future year, the length of medians is not known. Simms said the biggest thing he can say about the concept plan is that it illustrates all the tools that are used to do the Access Management, whether it is median barriers, access consolidations, or traffic signal spacing. Any new process can strive to minimize harm to anyone. Many communities have successfully gone through Access Management Plans. An Access Management Plan is also a cheap way to retain capacity and allows the roadways to operate more efficiently without building extra lanes which is in accordance with the expressed comments of the public.

Richard Blosser, stated that there was no access control purpose for the median on Redlands Parkway before the left turn onto SH-340. He thought it was a valid point being brought up as to why medians were being proposed in one area and not in another. Perhaps making this wider in scope and showing more alternatives would be appropriate.

David Caldwell, continued with one of his standing objections to the road that is shown from the Ute water tank to S Camp Rd. He could not support this plan because it would greatly impact his neighborhood in terms of noise and quality of peace. A three-lane road in that area would create more headlights in backyards and more noise.

Tom Foster, focused that of the 13 miles of roads, the majority of time has been spent on the 700 ft intersection of Kansas and SH-340. This intersection has been noted before as one that would fail in the future, and has failed in the concept plan presented here. He suggested going back to the drawing board and coming up with something different in the highway program. Perhaps support of a cloverleaf approach than a roundabout instead of cramming so much activity into a tight corner. He thought the medians would not solve any problems. In his 2,000-mile trip in the South, Foster noted that larger areas were used in the intersections of major arterials.

Jean Moores, no comments.

Mark Bonella, suggested addressing more concrete ideas before accepting this conceptual plan. Noted that Mr. Johnson had brought up a good point that medians were proposed even though there was a recurring theme of three lanes. Medians would be detrimental to the access of any business, consolidating driveways would create a burden on property owners, and he didn't agree with that plan. Bonella did agree with previous testimony that questioned the need to adopt a conceptual plan. His opinion is that this would be a band-aid fix for major surgery.

Dave Karisny, expressed that there are a number of small elements that have to do with this thirteen miles. What he has heard is a concern that these elements won't be addressed. The sense he has is that this is a concept where further public hearings will address specific details. He posed the question about making this specific document work as a concept, and still address specific concerns. He suggested using a toolbox approach to identify certain areas that will need access control, or should this be tabled, address all the specific things and bring it back.

Kenneth Dodgion, wanted to echo Mr. Karisny's concerns that this is just a concept issue with a long way to go. This starting point has some issues that Fruita will want to address, which should result in a comfortable agreement.

David Shishim, was very happy to see that access has been retained on the roadway to his subdivision.

Bill Tallon, knew from his previous experience how difficult obtaining state funding is to get projects going. He felt assured that the final improvements would take place and the details worked out. Spoke of the dangerous road without shoulders many of the distances which needs to be proceeded with from this conceptual point.

Susan Carter, concurred that the conceptual plan was too specific. Once in the preliminary stages, the specifics should be looked at. The reason for this meeting is the desire to work together.

Steve Moats, understands the concerns about the medians being permanent. He wondered how difficult it would be to adopt the conceptual plan after erasing all or a portion of the median.

Tom Fisher, suggested taking the map out completely and adding language that supports using access management and a toolbox. This would acknowledge that the work has been done to come up with a concept that can be used as a starting off point to the IGA in the future. That way, the things that seem to be the specifics are taken out of the plan.

Dave Karisny, asked at what point then is a conceptual plan developed?

Tom Fisher, suggested putting language into the adoption of the plan that would give the staff direction to come up with an IGA within a year.

Mark Bonella, asked if Fisher agreed with the comment by Ken Simms earlier, that it is either with or without a median?

Tom Fisher, responded that he did not agree with that statement.

Steve Moats, questioned if the conceptual plan was adopted this evening, how difficult would it be to change? Tom Fisher, said it would not be difficult to change.

Charlie Nystrom, mentioned that several of his neighbors recently had great difficulty obtaining a driveway permit off of a state highway and wondered how difficult would it be to go before the different groups for approval after the IGA?

Tom Fisher, said that in light of that concern, in the development of the IGA would appear some very clear language about timeframes and where to appear. The concept details such as changes to the roadway would be difficult to change once there is an agreement in place. Additional accesses still would remain the responsibility of CDOT. The IGA should speak with one voice about the details.

Charlie Nystrom, asked if the Planning Commission would have any voice in developing this IGA?

Tom Fisher, responded that they were having that voice at tonight's meeting. The Board of County Commissioners would adopt the IGA.

Keith Fife, noted that Jim Patton from CDOT indicated that in the interim before this IGA is adopted, we are living with the Access Management Plan that the state adopted which is currently more restrictive. Questioned was the proposed access management control more liberal than the current rules.

Jim Patton, responded that parts of the IGA would accept parts of the Access Code such as design features and work development. In most actions, the State would not be involved other than a new access. Any existing changes would be handled at a local level.

Keith Fife, noted that the concept of an IGA is very similar to the Master Plan about community separators. He spoke of the merits of an IGA about Access Control along SH-340 being accepted with the details worked out in the future.

Mike Joseph, this very vocalized issue best summarized as a conceptual plan with potential solutions. With the primary problem areas identified, perhaps more than one potential solution should have been presented.

Richard Blosser, understood this overall plan as being of a conceptual nature. He is concerned with the attempt to work out all the details before going forth with the plan. He supports the plan along with the recognition that some valid concerns exist. He suggested there be some possible alternatives shown on the maps noting where some access control

methods might be used.

William Putnam, in light of waiting another year, he supports the plan. The details need to be worked out for a current plan as well as a 20-50 year plan. Without the need to micromanage the details of the plan, he recommended approval of the plan.

John Redifer, agreed and understood the concerns of the concept plan. He thought that by implication some things are said and some things are not, and can be figured out by where choices are designated. These choices seem to affect a number of people who don't think roundabouts are the solution to anything. He would support a clearer plan showing the access controls are still under discussion with changes still possible.

John Evans, sees the plan as a historical ruling that merits going forward. Lots of money has been spent and the group needs to work together to make it work.

Chairman Dibble, summarized that the purpose of the meeting was to hear a portion of the Master Plans of the County and the Grand Valley Circulation Plan, specifically the transportation sector. A plan is subject to change at any one time. The good reasons for the access management outlined:

- 1) the future volume is going to increase
- 2) access to properties can't be restricted by law
- 3) safety factors dictate the need for signals
- 4) pedestrian and sidewalks

Access management is proposed with a toolbox approach. In order to postpone the development of a five-lane highway in the Redlands, alternatives must be addressed in terms of safety factors and congestion delay. He suggested the present goal and the responsibility would be to approve the plan to add to the circulation plans that are in place. He also recommends taking another look at the map to meet the needs of public.

Jean Moores, asked if a signal light would work in place of a median and suggested a change of wording on the maps indicating potential access control sites.

Mark Bonella, noted that Fruita's toolbox is bigger with more options. Bonella stressed that the proposed plan says with or without a median. He thought it best to go forward with the plan even though, as it is written right now, it is not good. He suggested coming back in a month with new ideas such as taking out the medians and making the toolbox bigger, and making it more open-ended. He would like more concepts besides just one because he has a problem with the way it is.

Dave Karisny, shared some possible language that he was handed, that we propose to adopt the conceptual plan with the understanding that the plan to be approved would integrate affected parties concerns, contacting them is critical to the effectiveness of the project. The

variety of proposed solutions should be considered during the dialogue of the public hearing process and we support the concept of local control over one fate, cooperation with our partners in consideration for the hope of the best proposals to meet one emerging need.

Chairman Dibble, called a recess at 9 p.m. The meeting reconvened at 9:15 p.m.

Tom Fisher, offered solutions suggesting the following: Pass (Mesa County) or recommend for passage (City of Grand Junction and City of Fruita) the Redlands Area Transportation Plan as presented by staff with the following conditions:

1. The Access Control Plan Map as presented is not approved;
2. Recognizing that extensive access control analysis has been completed as part of this study and using it as a basis, a detailed access management plan for the Redlands planning area should be developed and approved through an intergovernmental agreement between Mesa County, the City of Grand Junction and the City of Fruita; and,
3. The development of the Intergovernmental Agreement and Access Management Plan will include a public review process.

Tom Foster, requested some clarification on the attachment to the map, which was explained as only being a basis for a starting point and would not be on the plan.

Charlie Nystom, expressed his feeling that there should be another hearing or two to draw input from the community.

Chairman Dibble, responded that this would be done in the City Council process.

Keith Fife, provided that there would be other public hearings before this matter goes before the County Commissioners.

Tom Fisher, suggested that language be added concerning the public process. The major points of the proposed adoption were repeated.

MOTION:

William Putnam, Grand Junction Project #PLN-2002-060, moved to adopt staff's recommendations and recommend to the Grand Junction City Council adoption of the Redlands Area Transportation Plan as an amendment to the Grand Valley Circulation Plan subject to the amendments that were presented by Tom Fisher.

Richard Blosser, seconded the motion. A vote was called and the motion passed unanimously.

Jean Moores, Mesa County Project #2002-081, moved that a motion be made to adopt with the recommendations already made by Tom Fisher.

Mark Bonella, seconded the motion. A vote was called and the motion passed with one opposition expressed from David Caldwell about the inclusion of the Ute water tank to the S. Camp Rd. section of roadway. Otherwise, he would probably vote for the passage.

Dave Karisny, Fruita Project # 6-4-02, moved to adopt the Redlands Area Transportation Plan as part of the City of Fruita's Master Plan and Community Plan in accordance with Section 30-28-108 Colorado Revised Statutes with the amendments provided by Tom Fisher. Kenneth Dodgion, seconded the motion. A vote was called and the motion passed unanimously.

David Caldwell, made motion to adjourn. Charlie Nystrom, seconded the motion. A vote was called and the motion passed unanimously.

Chairman Dibble, with no further business to discuss, adjourned the meeting at 9:26 p.m.

CITY OF GRAND JUNCTION, COLORADO

Resolution No.

**ADOPTING THE REDLANDS AREA TRANSPORTATION PLAN AS A PART OF THE
GRAND VALLEY CIRCULATION PLAN**

Recitals:

The Redlands planning area is located south and west of the Colorado River, from the Highway 340 Colorado River Bridge at Fruita on the northwest, the Colorado National Monument on the south and the Gunnison River on the east. and includes the Highway 340 corridor from Aspen Street in Fruita to First Street in Grand Junction. The *Redlands Area Transportation Plan* was developed in conjunction with the *Redlands Area Plan*. Staff finds that the proposed Redlands Area Transportation Plan is consistent with the review and approval criteria of section 2.5.C of the *Grand Junction Zoning and Development Code* and recommend the Grand Junction City Council adopt the *Redlands Area Transportation Plan* as an amendment to the Grand Valley Circulation Plan.

The Grand Junction Planning Commission, at their June 6, 2002 hearing, recommended approval of the Redlands Area Transportation Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE REDLANDS AREA TRANSPORTATION PLAN IS HEREBY ADOPTED AND MADE A PART OF THE GRAND VALLEY CIRCULATION PLAN.

PASSED on this _____ day of _____, 2002.

ATTEST:

City Clerk

President of Council

Attachment 20
GVT Bus Benches & Shelters
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Contract and permits for GVT Bus Benches and Transit Shelters					
Meeting Date	June 26, 2002					
Date Prepared	June 21, 2002				File # RVP-2002-020	
Author	Lori V. Bowers		Associate Planner			
Presenter Name	Lori V. Bowers		Associate Planner			
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes		No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Consideration of a Resolution authorizing the issuance of a Revocable Permit to allow the Petitioner to install 72 bus benches in the City right-of-way along the adopted GVT bus routes. Fifteen of these benches are not allowed to have advertising on them since they are adjacent to residentially zoned properties. This Resolution also revises the previously approved Revocable Permit for 28 bus shelters, four of which are not allowed to have advertising. The City Attorney may have further comment on the agreement between the City and Outdoor Promotions.

Budget: N/A

Action Requested/Recommendation: Adopt the Resolution for the bus benches and revised shelter Revocable Permits and acceptance of the agreement between the City and Outdoor Promotions.

Attachments:
 Resolution for benches and shelters
 Revocable Permit for benches Revised
 Revocable Permit for shelters Agreement

Background Information: See attached Staff report

BACKGROUND INFORMATION	
Locations:	Various sites along existing bus routes

Project Background: Summary -In January, the applicant requested that City Council approve a Revocable Permit for approximately 64 bus benches throughout the City. The Resolution was not formally adopted and the applicant was given additional time to submit GPS locations for all of the proposed benches. Staff has received those locations and we have mapped them out with the corresponding zoning adjacent to the benches. There are a total of 72 benches, 15 of which may not have advertising on them. The Revocable Permit for the bus shelters has been revised and is attached. An agreement/contract has been drafted by the City Attorney and will be presented by him.

Background -In February of last year, Outdoor Promotions signed a contract with Mesa County to provide services, equipment, personnel and management for safe, clean, attractive bus passenger shelters and benches. The City of Grand Junction amended the Sign Code in 1999 to allow for advertising on City approved transit shelters. Benches were not mentioned. In October 2001, the Code was further amended to allow for advertising on bus benches and regulate their placement and installation. The proposed benches for this Revocable Permit are under review for current Code criteria. Benches are allowed only on a Principal or Minor Arterial Street, major collectors and designated Dial-A-Ride stops. Benches with advertising will only be allowed in these locations provided the adjacent property is not zoned for residential use. Benches (and shelters) are also not allowed within the Main Street Shopping Park bounded by 2nd Street and 7th Street or within the North 7th Street Residential Historic District. This Revocable Permit will be conditioned similar to the Revocable Permit for bus shelters. One, the City must be listed as an added insured on the Liability Policy and two, if and when it may be determined that a bench is in a sight distance triangle or poses to be detrimental to traffic, it must be removed or relocated.

At the direction of the City Manager, it is recommended that the “break-away” anchor design be waived with this application due to the construction of the benches to be used in Grand Junction. All other installation requirements do apply to this request for a Revocable Permit per Section 4.3.S.19.

Staff Analysis:

A request for a Revocable Permit must be reviewed for conformance with the criteria established by Section 2.17 of the Zoning and Development Code, as follows:

There will be benefits derived by the community or area by granting the proposed revocable permit. *The community will benefit by providing benches for GVT patrons. The benches further define the bus stop location.*

There is a community need for the private development use proposed for the City Property. *The community will benefit from the benches by providing funding for GVT from revenues generated by the advertising on the benches. By privatizing this project, Outdoor Promotions relieves the City of installation and maintenance costs.*

The City property is suitable for the proposed uses and no other uses or conflicting uses are anticipated for the property. *The City proposes no other use at this time.*

The proposed use shall be compatible with adjacent land uses. *The proposed use is compatible with the growing GVT system as it is designed to get the riders as close as it can to numerous essential destinations. Benches with advertising area deemed to be compatible with adjacent non-residential uses.*

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

The installation of the bus benches better defines the bus stops. City and County Traffic Engineers have reviewed many of these stops with GVT and Outdoor Promotions. The character of the bus benches will provide a more urban look to the City. No benches are proposed in sensitive areas or natural hazard areas. The benches are not allowed to affect pedestrian walkways.

The proposed use is in conformance with and in furtherance of the implementation of the goals, objectives and policies of the Growth Plan, other adopted plans and the policies, intents and requirements of this Code and other City policies. *The proposed use does conform to the above referenced plans and policies.*

The application complies with the submittal requirements as set forth in the Section 127 of the City Charter, this Chapter Two and SSID Manual. *The application is in progress with the above referenced codes and manuals and will meet the requirements prior to the issuance of the Revocable Permit.*

Staff Findings:

The City Charter gives Council authority to allow private use of public property provided such use is substantiated by resolution. This Revocable Permit gives the applicant a license to use the public property for a public benefit, through privatization. The City may revoke the permit and require the applicant to restore the property to its original condition by giving 30 days written notice. The project shall meet the criteria for a Revocable Permit as set forth in Section 127 of the City Charter, the SSID Manual and Section 2.17 of the Zoning and Development Code prior to the issuance of the Revocable Permit. The approval of the revocable permit does not necessarily imply that the installation requirements have been met and the requirements of the public property for a public benefit, through privatization. The City may revoke the permit and require the applicant to restore the property to its original condition by giving 30 days written notice. The project shall meet the criteria for a Revocable Permit as set forth in Section 127 of the City Charter, the SSID Manual and Section 2.17 of the Zoning and Development Code prior to the issuance of the Revocable Permit. The approval of the revocable permit does not necessarily imply that the installation requirements have been met and the requirements of Section 4.3.S. The revocable permit if granted, is only for benches located in the public right-of-way, along designated routes. Unless the City Engineer approves placement on private property, all benches shall be placed within the

public right-of-way. A bench placed outside of the right-of-way also requires written consent from the property owner. Bench placement and installation shall be in accordance with Section 4.3.S.19.

STAFF RECOMMENDATION: Staff recommends approval of the resolution authorizing the Revocable Permit upon a findings of compliance with criteria of Section 2.17 of the Zoning and Development Code, Section 127 of the City Charter and the SSID Manual. All proposed bench locations are found to be compliant with the provision of Section 4.2 of the Zoning and Development Code. Location and installation requirements shall be met, except with the variance to using a “break-away” anchor design for the installation of the benches. The Revocable Permit has designated which locations may and which locations may not have advertising on them.

RESOLUTION NO.

CONCERNING THE ISSUANCE OF REVOCABLE PERMITS TO OUTDOOR PROMOTIONS, INC.

Recitals.

1. Outdoor Promotions, Inc., a Colorado corporation, hereinafter referred to as the Petitioner, represents that it is a legally created entity authorized to conduct business in the State of Colorado. Petitioner represents that it has entered into agreements with the City and the County of Mesa, respectively, which authorizes the Petitioner to provide Transit shelters at various transit stops in the City's limits and in Mesa County.
2. The Petitioner has requested that the City Council issue two Revocable Permits: one to allow the Petitioner to install Transit shelters, with advertising where allowed, in the public right-of-way at 28 locations in the City limits and the second, to allow for benches, addressed in a separate revocable permit. The Petitioner warrants and represents that the Transit shelters the Petitioner proposes to install at the locations described below, the locations of which were provided by the Petitioner and described by the Petitioner by GPS coordinate data in UTM Zone 12 metric format, shall be situated entirely within the limits of the City's public right-of-way:
3. Based on representations made by the Petitioner, and the fact that Mesa County has entered into an agreement with the Petitioner, the City Council has determined that the request 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:

That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the stated purposes, within the City's public right-of-way in the specific locations shown, subject to each and every term and condition contained herein and in the attached Revocable Permit.

The City's existing prohibitions against advertising and signs in residential areas shall apply to each Transit shelter located adjacent to a residentially zoned area of the City ("residential shelter").

Permittee shall not use or construct any Transit shelter in the City's limits unless it also uses and maintains the five residential shelters without any signs or advertising on or within or a part of the residential shelters.

PASSED and ADOPTED this _____ day of June, 2002

Attest:

City Clerk

President of the City Council

REVOCABLE PERMIT
To Outdoor Promotions, Inc. For Transit Benches
Recitals.

- Outdoor Promotions, Inc., a Colorado corporation, hereinafter referred to as the Petitioner, represents that it is a legally created entity authorized to conduct business in the City and the State of Colorado. Petitioner represents that it has entered into an agreement with the County of Mesa, Colorado pursuant to which the Petitioner will provide Transit benches at various transit stops in Mesa County. The Petitioner has requested that the City Council issue a Revocable Permit to allow the Petitioner to install 72 Transit benches in the public right-of-way in the City limits, fifteen (15) of which shall have no advertising. The Petitioner warrants and represents that the Transit benches shall be located only at the locations described, which locations were provided by the Petitioner and described by the Petitioner by GPS coordinate data in UTM Zone 12 metric format, and shall be situated entirely within the limits of public right-of-way:

Bench No.	UTM_North	UTM_East	Advertising Allowed	General Location
1015	4332683.91300	713486.26200	Yes	MOTEL 6 SOUTH BOUND
1014	4332663.44400	713502.32200	Yes	MOTEL 6 NORTH BOUND
1016	4332514.94700	713326.84200	Yes	HORIZON DR AND HILLARY AVE. NORTH
1017	4332384.06300	713139.89000	Yes	HORIZON DR BEST WESTERN NORTH
1018	4332308.98800	713039.13400	Yes	HORIZON DR AND CROSSROADS BLVD. NORTH
1019	4332304.81800	712986.07700	Yes	HORIZON DR VILLAGE INN SOUTH
1021	4331657.82600	712417.11700	Yes	HORIZON DR SHANGHAI GARDEN SOUTH
1022	4331617.70200	712425.57100	Yes	HORIZON DR DENNYS NORTH
1020	4331454.79200	712292.32400	Yes	HORIZON DR PIZZA HUT SOUTH
1058	4329881.26800	714615.07200	No	PATTERSON RD AND INDIAN CREEK EAST
1057	4329863.88900	713895.83800	Yes	PATTERSON RD AND GRAND CASCADE WAY EAST
1055	4329874.26100	713315.97200	No	PATTERSON AND 28 RD WEST
1080	4329083.83500	714145.34500	Yes	ORCHARD AND 28 1/2 RD EAST
1081	4329072.70600	713783.76500	Yes	ORCHARD AND 28 1/4 RD EAST
1082	4329089.79300	713773.42600	Yes	ORCHARD AND 28 1/4 RD WEST
1087	4328292.19800	714245.51700	Yes	NORTH AVE @ LE MASTER MOTEL WEST
1085	4328289.87100	714093.39500	Yes	NORTH AVE AND 28 1/2 RD WEST
1086	4328266.74000	714167.65700	Yes	NORTH AVE AND 28 1/2 RD EAST
1023	4330631.75300	711295.12000	No	HORIZON DR - LAKESIDE DR SOUTH
1056	4329859.11800	712819.91700	No	PATTERSON RD AND BEECHWOOD ST WEST
1083	4329047.59500	713197.89900	Yes	ORCHARD AND 26 TH ST EAST
1054	4329812.71800	711932.06000	No	1441 PATTERSON RD EAST
1053	4329189.87900	711690.48400	Yes	12 TH STREET AND WALNUT AVE SOUTH
1052	4329010.67100	711768.58300	Yes	ORCHARD AND 12TH ST EAST
1026	4330307.79200	708640.53400	Yes	UTEC -BLICHMAN
1040	4329615.72700	710681.93100	Yes	ST MARY HOSPITAL WEST ENTRANCE
1027	4329908.17800	709264.01900	Yes	251/2 RD DEWEY PLACE SOUTH
1028	4329879.75300	709283.13900	No	251/2 RD DEWEY PLACE NORTH
1029	4329540.50700	709296.80900	Yes	251/2 RD PARADISE VALLEY NORTH
1024	4329911.31600	708478.56800	Yes	25 RD @ KIDPLEX NORTH

Bench No.	UTM_North	UTM_East	Advertising Allowed	General Location
1025	4329922.51400	708458.45200	Yes	25 RD @ KIDPLEX SOUTH
1084	4328223.87600	712530.20200	Yes	NORTH AVE AND VETERANS HOSPITAL EAST
1033	4328193.76500	711327.23300	Yes	NORTH AVE AT CANNEL AVE EAST
1032	4328213.88200	711146.65700	Yes	NORTH AVE AND 8TH WEST
1034	4327577.89100	711749.50500	No	12 ST AND OURAY AVE NORTH
1035	4327429.74300	711396.89900	Yes	GRAND AVE AT MDS WEST
1037	4327312.15000	711015.14000	Yes	7TH AND WHITE AVE NORTH
1036	4327245.17700	710989.55900	Yes	7TH AND WHITE AVE SOUTH
1030	4328498.10200	710107.35200	Yes	1ST STREET AND KENNEDY SOUTH
1031	4328326.23400	710112.28200	No	1ST STREET AT SHERWOOD DR SOUTH
1039	4327057.15000	710290.33400	Yes	MAIN AND 2ND ST EAST
1038	4327074.08200	710276.58700	Yes	MAIN AND 2ND ST WEST
1048	4325011.62000	712656.49000	No	UNAWEEP AVE AND 27 1/2 RD EAST
1047	4325024.26700	712393.56500	Yes	UNAWEEP AVE AND 27 3/8 RD WEST
1050	4324245.91900	713406.34400	Yes	B 1/2 RD AND 28 RD WEST
1049	4324238.77800	713134.07500	Yes	B 1/2 RD AND E LYNWOOD ST WEST
1046	4324995.46700	712009.98300	No	UNAWEEP AVE AND PINON ST EAST
1045	4325006.29300	711698.04700	No	UNAWEEP AVE AND KATHY LYNN WEST
1044	4325010.63800	711387.34300	Yes	UNAWEEP AVE AND ROUBIDEAU ST WEST
1043	4325004.39500	711012.63700	No	UNAWEEP AVE AND ASPEN ST WEST
1041	4325181.60200	710566.25000	Yes	5TH ST AND SANTA CLARA AVE NORTH
1042	4325197.32300	710531.70300	Yes	5TH ST AND SANTA CLARA AVE SOUTH
1013	4328370.47900	712924.90500	Yes	23 RD ST @ BUNTING AVE
1012	4328132.22300	712929.64300	Yes	23 RD ST @ VA HOSPITAL
1011	4327969.82700	713039.07100	No	24 TH ST @ TELLAR AVE
1014	4328247.15200	712438.51000	Yes	NORTH AVE @ 18 ST
1015	4328241.76200	712271.19200	Yes	NORTH AVE @ 16 ST
1016	4328236.25000	712042.82300	Yes	NORTH AVE @ 14 ST
1017	4328342.00000	711733.09100	Yes	12 TH ST @ GLENWOOD AVE
1000	4326941.63700	711308.61000	Yes	9 TH ST @ COLORADO AVE
1002	4328874.43300	710668.33300	Yes	5 TH ST @ HALL AVE
1003	4328568.03300	710678.82400	Yes	5 TH ST @ ELM CT
1004	4328342.56500	710668.26200	Yes	5 TH ST @ GLENWOOD
1005	4328202.51400	710660.24500	Yes	NORTH AVE @ 5 TH ST
1006	4328194.58300	710349.44700	Yes	NORTH AVE @ 3 TH ST
1001	4327796.32600	710699.34900	No	5 TH ST @ GUNNISON ST
1010	4328769.83400	709296.92900	Yes	25 1/2 RD @ TENNIS CT
1007	4327436.03300	710549.96200	Yes	4 TH ST @ GRAND AVE
1009	4327054.19100	710720.33600	Yes	5 TH ST @ MAIN ST
1008	4326897.76000	710725.91000	Yes	5 TH ST @ UTE AVE
1022	4324236.38100	713030.59600	Yes	B 1/2 RD @ 27 3/4 RD
1021	4325008.57000	711806.49100	No	UNAWEEP AVE @ 27 RD

3. Based on representations made by the Petitioner, 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 purposes described and within the limits of the public right-of-way described; provided, however, that Petitioner warrants and promises to abide by the following conditions and terms:

The Petitioner warrants and represents that the Transit benches to be installed or maintained by the Petitioner at the above stated locations: will be situated entirely within the limits of public right-of-way except as otherwise approved by the Director of Public Works and Utilities in writing upon his receipt of evidence that each affected landowner has consented in writing;

will not encroach over or across, or be located above, any buried utility or if so, is done at the risk of Petitioners; and

No Transit bench in the City shall be lawful or authorized unless each Transit bench that is adjacent to a residentially zoned area has no advertising or signs, consistent with the City's Zoning and Development Code.

The Petitioner shall at all times maintain in effect suitable comprehensive general liability and hazard insurance which will protect the City, its officers, employees, agents and assets from liability in the event of loss of life, personal injury or property damage suffered by any person or persons arising from the facilities of the Petitioner authorized pursuant to this Permit.

Such insurance policy shall have terms and amounts approved by the Risk Manager of the City. Such insurance shall not be cancelable without thirty (30) days prior written notice to the City and shall be written for at least a minimum of One Million Dollars (\$1,000,000), combined single limit. A current certificate of insurance shall at all times while this Permit is effective be on deposit with the City's Risk Manager. Such certificate shall designate "the City of Grand Junction, its officers, employees and agents" as additional insureds.

The installation, operation, maintenance, repair and replacement of Transit benches by the Petitioner within 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 to persons and/or property, and to avoid damaging public or private property and assets, including roadways, sidewalks, utilities, or any other facilities presently existing or which may in the future exist in said right-of-way.

Petitioner's use hereunder is subject to the City's, and its assignees and designees, right and privilege to use all or any portion of an City right of way for any purpose whatsoever. As provided in the City's charter, Petitioner acknowledges the risk that the City may, without reason being stated, revoke this Permit at any time and in such event Petitioner shall remove all such Transit benches and appurtenances and shall restore the right of way, or private property as the case may be, to the original or better condition prior to Petitioner's use and installation of such Transit bench(s). The City Council may revoke particular locations and/or uses under this Permit without revoking the entire permit.

1 The Petitioner, for itself, its officers, share holders, successors and assigns, agrees and covenants that by acceptance of this Permit it releases and waives and covenants that it shall not hold, nor attempt to hold, the City of Grand Junction (and the City's officers, employees and agents, collectively herein "City"), liable for damages caused to the facilities, personnel, assets, and property to be installed by the Petitioner within the limits of said public right-of-way (including the removal thereof), or any other 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 or City authorized public service providers including utilities.

2 The Petitioner agrees that it shall at all times keep the above described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

This Revocable Permit shall not be effective except upon 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 expense and cost 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 described public right-of-way available for use by the City or the general public.

The provisions concerning release, waiver, holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit .

1 The Petitioner, for itself and for its successors and assigns, agrees that it shall be solely responsible for maintaining and repairing the condition of facilities authorized pursuant to this Permit. The schedule and standards provided for in the City Council's hearing and/or in the approving resolution, which ever is the most strict and beneficial to the City and its citizens, shall govern.

2 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.

The Petitioner shall not assign this Permit or any right or privilege connected therewith, or allow any other person to install any other facility within the described right-of-way or any part thereof without first obtaining the written consent of the City, which consent must be approved and ratified by the City Council of the City. Any attempt to sublet, assign or transfer without the prior written consent of the City shall be void *ab initio*. Any consent by the City shall not be a consent to a subsequent assignment or occupation by any other party. Any unauthorized assignment or permission to occupy by the Petitioner shall be void and shall, at the option of the City, provide reasonable cause for the City to revoke this Permit. This Permit shall not be assignable by operation of law without the formal

approval and ratification by the City Council of the City.

12. By signing this Permit, Gary Young affirmatively represents that he has authority to bind Outdoor Promotions, Inc., to the terms and conditions of this Permit.

Dated this _____ day of _____, 2002.

Attest:

The City of Grand Junction,
a Colorado home rule municipality

City Clerk

City Manager

Attest:

Outdoor Promotions, Inc.

Secretary of Outdoor Promotions

Gary D. Young, President

To Outdoor Promotions, Inc. For Transit Shelters
Recitals.

1. Outdoor Promotions, Inc., a Colorado corporation, hereinafter referred to as the Petitioner, represents that it is a legally created entity authorized to conduct business in the City and the State of Colorado. Petitioner represents that it has entered into an agreement with the County of Mesa, Colorado pursuant to which the Petitioner will provide Transit shelters at various transit stops in Mesa County.

3. The Petitioner has requested that the City Council issue a Revocable Permit to allow the Petitioner to install 28 Transit shelters in the public right-of-way in the City limits, four (4) of which shall have no advertising. The Petitioner warrants and represents that the Transit shelters shall be located only at the locations described, which locations were provided by the Petitioner and described by the Petitioner by GPS coordinate data in UTM Zone 12 metric format, and shall be situated entirely within the limits of public right-of-way:

Shelter No.	Utm North	Utm East	Advertising Allowed	General Location
5043	4332396.1030	713113.9240	Yes	Horizon Drive at the Grand Vista Hotel
5032	4332200.3570	712898.5500	Yes	Horizon Drive at Wendy's Restaurant
5031	4332199.2350	712845.3500	Yes	Horizon Drive at Holiday Inn Hotel
5029	4331974.6650	712599.8500	Yes	Horizon Drive at Burger King Restaurant
5033	4331904.0470	712591.7000	Yes	Horizon Drive at Super 8 Motel
5028	4331618.9020	712395.0390	Yes	Horizon Drive at Applebee's Restaurant
5017	4329910.7640	715740.9810	Yes	Southeast Cor. Patterson Rd. & 29.5 Rd.
5036	4329893.1120	714968.9060	Yes	Southeast Cor. Patterson Rd. & 29 Rd.
5013	4329856.7240	713621.0790	No	Southwest Cor. Patterson Rd. & 28.25 Rd.
5019	4328270.9200	714588.9390	Yes	Southeast Cor. North Ave. & 28.75 Rd.
5018	4328297.2510	714450.6310	Yes	Northwest Cor. North Ave. & 28.75 Rd.
5020	4328285.2860	713916.3230	Yes	North Avenue at City Market Fuel Station
5021	4328255.4540	713772.6530	Yes	Southeast Cor. North Ave. & 28.25 Road
5022	4328250.1970	713548.6420	Yes	North Avenue at K-Mart
5038	4331436.9890	712314.4170	Yes	Northeast Cor. Horizon Drive & G Road
5037	4329830.1050	712706.7400	No	Patterson Rd. South of Spring Valley Sub.
5010	4329817.4830	712152.9680	No	Southeast Cor. Patterson Rd. & 15th St.
5011	4329840.3500	712053.7810	Yes	Northwest Cor. Patterson Rd. & 15th St.
5023	4328270.8200	713318.1870	Yes	Northwest Cor. North Avenue & 28 Road
5024	4328237.8330	713085.0150	Yes	Southwest Cor. North Avenue & 25th St.
5003	4328228.0700	711619.3020	Yes	Northwest Cor. North Avenue & 12th St.
5002	4328022.8800	711744.6630	Yes	12th Street at Lincoln Park
5001	4327970.1710	711719.7560	Yes	12th Street at Messiah Lutheran Church
5035	4328189.7880	711189.2960	Yes	Southeast Cor. North Avenue & 8th St.
5039	4327317.7960	711018.2320	Yes	7th Street at R-5 High School

Shelter	Utm North	Utm East	Advertising	General Location
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No.			Allowed	
5006	4328346.1240	710131.6960	No	1st Street & Sherwood Drive
5027	4328202.7630	710660.6030	Yes	Northwest Cor. North Avenue & 5th St.
5025	4328178.5550	710734.7590	Yes	Southeast Cor. North Avenue & 5th St.

3. Based on representations made by the Petitioner, 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 purposes described and within the limits of the public right-of-way described; provided, however, that Petitioner warrants and promises to abide by the following conditions and terms:

The Petitioner warrants and represents that the Transit shelters to be installed or maintained by the Petitioner at the above stated locations: will be situated entirely within the limits of public right-of-way except as otherwise approved by the Director of Public Works and Utilities in writing upon his receipt of evidence that each affected landowner has consented in writing; will not encroach over or across, or be located above, any buried utility or if so, is done at the risk of Petitioners; and No Transit shelter in the City shall be lawful or authorized unless each Transit shelter that is adjacent to a residentially zoned area has no advertising or signs, consistent with the City's Zoning and Development Code.

The Petitioner shall at all times maintain in effect suitable comprehensive general liability and hazard insurance which will protect the City, its officers, employees, agents and assets from liability in the event of loss of life, personal injury or property damage suffered by any person or persons arising from the facilities of the Petitioner authorized pursuant to this Permit.

Such insurance policy shall have terms and amounts approved by the Risk Manager of the City. Such insurance shall not be cancelable without thirty (30) days prior written notice to the City and shall be written for at least a minimum of One Million Dollars (\$1,000,000), combined single limit. A current certificate of insurance shall at all times while this Permit is effective be on deposit with the City's Risk Manager. Such certificate shall designate "the City of Grand Junction, its officers, employees and agents" as additional insureds.

The installation, operation, maintenance, repair and replacement of Transit

shelters by the Petitioner within 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 to persons and/or property, and to avoid damaging public or private property and assets, including roadways, sidewalks, utilities, or any other facilities presently existing or which may in the future exist in said right-of-way.

Petitioner's use hereunder is subject to the City's, and its assignees and designees, right and privilege to use all or any portion of an City right of way for any purpose whatsoever. As provided in the City's charter, Petitioner acknowledges the risk that the City may, without reason being stated, revoke this Permit at any time and in such event Petitioner shall remove all such Transit shelters and appurtenances and shall restore the right of way, or private property as the case may be, to the original or better condition prior to Petitioner's use and installation of such Transit shelter(s). The City Council may revoke particular locations and/or uses under this Permit without revoking the entire permit.

5. The Petitioner, for itself, its officers, share holders, successors and assigns, agrees and covenants that by acceptance of this Permit it releases and waives and covenants that it shall not hold, nor attempt to hold, the City of Grand Junction (and the City's officers, employees and agents, collectively herein "City"), liable for damages caused to the facilities, personnel, assets, and property to be installed by the Petitioner within the limits of said public right-of-way (including the removal thereof), or any other 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 or City authorized public service providers including utilities.

6. The Petitioner agrees that it shall at all times keep the above described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

This Revocable Permit shall not be effective except upon 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 expense and cost 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 described public right-of-way available for use by the City or the general public.

The provisions concerning release, waiver, holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit .

9, The Petitioner, for itself and for its successors and assigns, agrees that it shall be solely responsible for maintaining and repairing the condition of facilities authorized pursuant to this Permit. The schedule and standards provided for in the City Council's hearing and/or in the approving resolution, which ever is the most strict and beneficial to the City and its citizens, shall govern.

10. 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.

The Petitioner shall not assign this Permit or any right or privilege connected therewith, or allow any other person to install any other facility within the described right-of-way or any part thereof without first obtaining the written consent of the City, which consent must be approved and ratified by the City Council of the City. Any attempt to sublet, assign or transfer without the prior written consent of the City shall be void *ab initio*. Any consent by the City shall not be a consent to a subsequent assignment or occupation by any other party. Any unauthorized assignment or permission to occupy by the Petitioner shall be void and shall, at the option of the City, provide reasonable cause for the City to revoke this Permit. This Permit shall not be assignable by operation of law without the formal approval and ratification by the City Council of the City.

12. By signing this Permit, Gary Young affirmatively represents that he has authority to bind Outdoor Promotions, Inc., to the terms and conditions of this Permit.

Dated this _____ day of _____, 2002.

Attest:

The City of Grand Junction,
a Colorado home rule municipality

City Clerk

City Manager

Attest:

Outdoor Promotions, Inc.

Secretary of Outdoor Promotions

Gary D. Young, President

AGREEMENT

Outdoor Promotions, Inc., a Colorado corporation, for itself and for its successors and assigns, does hereby agree to: Abide by each and every term and condition contained in the foregoing Revocable Permits; As set forth, indemnify the City of Grand Junction, its officers, employees and agents and hold the City of Grand Junction, its officers, employees and agents harmless from all claims and causes of action as recited in said Permit; Within thirty (30) days of revocation of said Permit, peaceably surrender said public right-of-way to the City of Grand Junction and, at its sole cost and expense, remove any encroachment so as to make said public right-ofway fully available for use by the City of Grand Junction or the general public.

Dated this _____ day of _____, 2002.

Outdoor Promotions, Inc.

Gary D. Young, President

Secretary of Outdoor Promotions

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this _____ day of _____, 2002, by Gary D. Young as President of Outdoor Promotions, Inc., a Colorado corporation.

My Commission expires: _____

Witness my hand and official seal.

Notary Public

AGREEMENT

This Agreement is made and signed this _____ day of _____, 2002 between the City of Grand Junction ("City" or "Grand Junction") and Outdoor Promotions, Inc., a Colorado Corporation ("OPRO").

Recitals.

OPRO entered into a written contract with Mesa County, Colorado doing business as Grand Valley Transit ("GVT"). One of the terms of that Agreement required OPRO to obtain permits from, and comply with the rules of, the City of Grand Junction.

Pursuant to the contract with Mesa County, OPRO and its successors must provide shelters and benches in coordination with GVT, including within the City.

OPRO placed benches throughout the City during the spring of 2001 without having obtained permission from the City.

OPRO applied for a revocable permit from the City, to obtain permission to maintain and install shelters within the City, and the City Council authorized its revocable permit for the transit shelters on October 17, 2001. OPRO has not accepted the permit, thus it has no authority to obtain advertising revenues from shelters and benches in the City.

In order to comply with the City charter and codes, OPRO must accept a revocable permit from the City for shelters and must apply for a revocable permit for benches in the City.

The City's Charter dictates that the only right-of-way permission the City can grant is a revocable permit which must be terminable on 30 days written notice from the City Council.

OPRO has indicated that it is not willing to install and operate benches and shelters pursuant to such revocable permits unless it has reasonable assurances that if it invests in the shelters and benches to serve transit within the City it has a chance to make a profit. OPRO represents if the City cannot extend the term of the revocable permits, the City must at least agree to compensate OPRO as provided herein if the revocable permits are terminated without fault of OPRO.

NOW, THEREFORE, the parties agree as follows:

Term.

This Agreement shall be for five years, with the possibility of three (3) five (5)-year

extensions each of which is contingent on the following:

This Agreement is effective only while Mesa County provides transit services within the City on a basis substantially equivalent to that provided to other county residents; and

OPRO is not in breach of any approved Mesa County permit, contract or license between Mesa County and OPRO for the provision of shelters and benches to transit users; and

Notwithstanding any other provision to the contrary, this Agreement and any subsequent term is effective only while Mesa County and OPRO are bound to each other by contract whereby OPRO provides shelters and benches to Mesa County.

OPRO may elect to continue this Agreement for up to three successive five (5) year terms if all contingencies of this Agreement are met, including the preceding subparagraph (a), by giving written notice to the City Manager at least three (3) months before the end of a five (5) year term; if all extensions occur this Agreement can extend for twenty (20) years.

Notwithstanding any provision to the contrary, this Agreement and any additional term hereof shall terminate unless at all pertinent times, including the final three (3) months of a term:

- (i) This Agreement is otherwise in full force and effect; and
- (ii) Neither party is then in breach of any term of this Agreement;

OPRO provides benches and shelters throughout the GVT service area, including within the City's limits, pursuant to an Agreement with Mesa County; and OPRO is not in breach of any term or provision of its Agreement(s) with Mesa County.

Each party shall have a thirty (30) day right to cure a breach, following written notice of such breach.

- (e) Regardless of whether cured within the thirty (30) day cure period, (d) above, the City shall have the right to terminate this Agreement based on the fault of OPRO, if a material term hereof is breached three (3) or more times in any sixty (60) month period.

Shelters and Benches. General. OPRO shall install, repair and maintain transit shelters and benches at all bus and transit stops in the City in accordance with state, federal and City

laws and standards, as amended from time-to-time, including but not limited to: The Americans with Disabilities Act;

OPRO agrees to become familiar with and abide by the City's TEDS manual and other standards that govern the placement of such shelters and benches;

OPRO agrees to become familiar with and abide by the City's sign code which prohibits advertising and signs on benches and shelters in and adjacent to residential uses; nothing in this Agreement amends or changes the City's codes or standards;

For shelters and benches that are not made of concrete, anchoring/break-away design and construction systems, as required by the City Traffic Engineer ("Traffic Engineer").

Shelters/benches location. Owner consent. OPRO shall place shelters and benches at City approved locations within the City controlled right-of-ways as provided in the revocable permits relating thereto. OPRO may place a shelter or a bench on property other than City controlled right-of-way only after OPRO obtains the written permission of each such landowner and delivers a copy of the written consent to the Traffic Engineer. If a landowner engages an attorney to address a bench or shelter that has been placed without OPRO having first obtained the required written consent(s), OPRO shall pay the reasonable attorney's fees of such land owner(s).

Non-advertising benches and shelters. OPRO shall not allow or install any sign or advertising ("sign(s)") on any shelter or bench within the City until OPRO has placed shelters and benches without signs according to the following ratios:

For each bench in a residential area on which there are no commercial signs, OPRO may place no more than five (5) benches in non-residential areas of the City with signs;

For each shelter located in a residential area on which there are no commercial signs, OPRO may place no more than six (6) shelters in nonresidential areas with signs.

Bench and shelter specifications.

OPRO shall install each bench and shelter within the City's limits such that each is accessible, in accordance with ADAAG. OPRO shall not install any alternative to concrete without first obtaining the written permission of the City Traffic Engineer.

OPRO shall only install shelters that are designed to be and are bolted or otherwise attached to a non-slippery surface, with an interior seating bench that has at least five feet (5') of seating width.

Within each shelter, OPRO shall install a wheelchair waiting area sized and located such that the use thereof does not impede reasonable access to the seating bench nor will use of a wheelchair impede reasonable access for other transit users to the bench seating.

Each shelter shall be constructed like the existing shelter located on the Mesa State campus near the intersection of Orchard Avenue and 12th Street, to wit: a domed roof design and shall be painted using Riger Drylac color No. RAL 5005, or some equivalent

or better paint or construction, as approved in writing by the Director.

Within ninety (90) days of written notice from the City Manager, OPRO shall provide a display board for public notices and other non-commercial information within each shelter designated by the City Manager. The design and location of any display board shall be approved by the Director. The Director may authorize public notices and information on each shelter, in addition to bus schedules and information; the Director may designate others, including Mesa County (GVT) to post and police any such display boards.

OPRO shall provide site and construction drawings of each shelter and bench location prior to installation. Such drawings shall be submitted to the Traffic Engineer for approval before placement or installation, and in any event within thirty (30) calendar days of the signing of this Agreement.

Such drawings shall detail:

existing and proposed sidewalks or other access ways for wheelchairs and pedestrian users;

nearby features such as sign posts, poles, curbs, utility boxes;

other facilities in the immediate vicinity of the bench or shelter that could impede access or use by transit users or that would otherwise constitute a danger or impediment to pedestrian or vehicular use;

the proposed location of OPRO's name and telephone number of its service provider;

the City's name and logo on the shelter/bench, if later required by the City Manager;

all proposed electrical facilities, including solar and 12 volt;

trash receptacle, including the proposed method of installation.

Within ninety (90) days of written notice by the City Manager, OPRO shall display the City's name and logo at both ends of each shelter.

OPRO shall also display on each shelter and bench its name and a local telephone number of OPRO's shelter/bench service and/or maintenance provider.

OPRO shall install and pay for continuous illumination of each shelter (24 hours/365 days per year) of each day between one half hour after sunset and one half hour before sunrise. All electrical services and installations shall be underground.

OPRO shall provide a trash receptacle with each shelter like the one existing as of the date hereof at 12th and Orchard. Such trash receptacles shall be at least two feet (2') in diameter at the widest part of the opening and shall be bolted to the non-slippery surface pad or to the shelter's exterior. Each receptacle shall have a lid that is chained or connected to the receptacle.

Each shelter, trash receptacle, and advertising display frame shall have an identical color scheme to that approved by the Director for the shelter.

Bench Upgrade.

OPRO shall replace the existing concrete benches with benches meeting the specifications and design, including paint, presently in use in the City of Fort Collins (“upgraded bench”) as follows:

On or before the fifth anniversary hereof, and in any event before any extension of the term hereof; except that each time a transit stop is changed or added, only an upgraded bench shall be placed or thereafter maintained for such different or new transit stop.

3. Shelter Advertising.

All signs on shelters and benches shall either be commercial advertising controlled by OPRO (“commercial signs”) in accordance with its volunteered and long-standing policies to avoid certain products, services and messages or, shall be non-commercial advertising controlled by Grand Junction (“City signs”). Commercial and City signs and advertising shall comply with the City’s Codes.

In addition to OPRO’s policies regarding commercial signs, which are incorporated herein although initially volunteered by OPRO, OPRO shall obtain Grand Junction’s approval of every sign before it is installed or placed. If the City Manager, or his designee, does not object in writing within two City business days of receipt of a proposed commercial sign, Grand Junction will be deemed to have approved. OPRO may deliver the proposed commercial sign by fax or in person to the City Manager’s office. If Grand Junction has previously approved, or is deemed to have approved, a commercial sign but receives one or more complaints about the commercial sign, Grand Junction shall provide such complaint to OPRO and OPRO shall remove such signs unless OPRO and the City Manager otherwise agree.

Any sign or advertising that is dated by date or context shall be removed by OPRO within seven (7) calendar days after the last date or event cited or implied in the sign or advertisement.

The City and its designees may place non-commercial signs on all shelters and benches on which commercial signs are not allowed.

Shelter and Bench Maintenance.

OPRO shall clean and otherwise maintain in a neat, safe and workmanlike manner each shelter, bench and the nearby areas of each, whether or not commercial signs are located thereon.

OPRO shall clean, remove all trash and otherwise maintain each shelter, bench and

nearby area of each at least two times each calendar week. Such twice weekly cleaning shall include washing and “squeegeeing” the shelter and shelter panels, emptying each trash receptacle, replacing light bulbs as needed, and removing all trash and debris within, on and near each shelter and bench.

5. Complaints. Response. Repairs.

For purposes of determining compliance with this Agreement OPRO shall respond to each complaint by a citizen or Grand Junction within forty-eight (48) hours of delivery to OPRO of the complaint or information, or sooner if required by the City’s Code. However, OPRO acknowledges that the City’s Zoning Code, §4.3 (S) (7) requires response within 24 hours. OPRO shall have sufficient employees adequately trained and available to perform any and all maintenance activities in a timely and workmanlike manner, and to respond to complaints.

A citizen or the City may deliver a complaint to OPRO via email, fax, telephone or by mail. [Insert: This issue needs Council direction. OPRO’s position is: “We would request that Section 5.(b.) delete reference to citizen complaints initiated by telephone. Outdoor Promotions is willing to allow citizen complaints to be telephoned into the City and relayed by the City to Outdoor Promotions. This would allow the City to document a telephone complaint that had, in fact, been made and would provide the assurance that the complaint was relayed by telephone by the City to Outdoor Promotions.”]

OPRO shall repair every damaged shelter and/or bench, or remove and replace as appropriate, within three (3) City business days of delivery of a complaint to OPRO.

OPRO shall install and maintain each shelter and bench in the City’s limits in a safe and usable condition at all times. Nevertheless, if due to circumstances beyond OPRO’s control, a shelter, bench or nearby area is unsafe or unusable by any transit user and it is not reasonable to make immediate repairs or replacements, OPRO shall sign and barricade the shelter and/or bench against public use only for so long as it reasonably takes to make the repairs or replacements. Except as needed in an emergency or to prevent imminent injury to person or property, OPRO shall notify the Traffic Engineer in advance of any such barricading or signing.

6. Termination. Removal of Benches and Shelters. Restoration of Sites. Payment of Depreciated Value.

Grand Junction reserves the right to terminate this Agreement without fault of OPRO if the City finds in its sole discretion that it is in the City’s or its citizens’ best interest or is otherwise needed to protect the public health, safety and/or welfare.

In addition to the foregoing subsection, at the sole option of the City Council this Agreement shall terminate or expire:

If OPRO or its contractors are in breach of this Agreement or any Agreement between OPRO and Mesa County;

If Mesa County fails at any time to provide transit services within the City’s limits to City

residents; or

If the City Council revokes either or both of the Revocable Permits allowing the placement of shelters and benches within the City's limits.

When this Agreement terminates with or without cause or if this Agreement expires, within thirty (30) days of such termination or expiration whichever occurs first, OPRO shall remove all existing shelters, benches and associated improvements from within the City's limits unless the City Manager determines otherwise in writing; and within sixty (60) days of such termination or expiration, shall return each site back to its original or better condition.

If OPRO fails to timely remove all such shelters and benches and to restore all such sites as provided, the City may elect to forthwith remove any shelter and/or bench and to restore each site by use of City forces or by contract; in such event OPRO agrees that it shall pay and reimburse the City for the City's reasonable costs and expenses; furthermore, no payments to OPRO for each shelter and/or bench, as described in the next subsection, shall be made.

If the City terminates this Agreement or the Revocable Permits without cause or fault of OPRO or its subcontractors, the City shall pay to OPRO:

\$1,000 per bench; and

\$8,000 per shelter; but only if all of the following are true or have occurred:
OPRO had previously completed its timely compliance with the requirements of the preceding subsection (requiring removal and restoration of each bench/shelter and site);

OPRO had previously completed timely compliance with each Revocable Permit issued to OPRO;

OPRO was not then in breach of any term of this Agreement or any contract between OPRO and Mesa County; and

At the time of such termination without cause, Mesa County provides transit services to City residents on a basis equivalent to that provided to other County residents.

The amount to be paid per shelter and bench as set forth in (e), above, shall be decreased each year based on a twenty-year straight-line depreciation with

the first year being 2002.

In any event, as of January 2, 2023, OPRO shall quitclaim to the City, for no additional consideration, all benches and shelters, at the City's sole option.

- (h) Notwithstanding any provision to the contrary, the City may purchase each shelter, with no liens and encumbrances, that OPRO intends to remove. To implement this provision, even if OPRO intends to remove a shelter because the City has revoked its permit, OPRO shall notify the City in writing 30 days before demolition or removal of any shelter.

Acceptance of Terms of Revocable Permits.

The terms and provisions of two revocable permits authorized by the City Council on _____ and on _____, 2002 are incorporated herein as though fully set forth. OPRO agrees to comply with each and every term thereof.

If OPRO fails to comply with or violates any term of either revocable permit, such failure or violation is agreed to be a material breach hereof.

City designee.

The parties agree that unless the City gives OPRO written notice to the contrary from time-to-time, the Mesa County Board of County Commissioners, acting as the operators of the GVT, is the City designee for transit stop locations and for transit routes.

- 7. Advertising revenues. Credit. Reports. The parties agree that in the absence of OPRO's contract with Mesa County, OPRO would pay the City for the privilege of use of City controlled rights-of-way and the advertising revenues associated with signs on transit shelters and benches located within the City. The parties agree that instead of OPRO paying the City ten percent (10%) of the gross revenue associated with advertising on benches and shelters within the City, OPRO shall pay such sums to Mesa County pursuant to the contract between Mesa County and OPRO.

OPRO agrees to give written notice to the City's Finance Director of all amounts paid to, or for which credit is given to, Mesa County that relate to or are as a consequence advertising associated with benches and shelters located within the City.

In its business reports, press releases and similar informational efforts, OPRO shall acknowledge the annual value of money that would otherwise be delivered to the City but that is instead paid to Mesa County.

Unless directed otherwise in writing by the City Manager from time-to-time, OPRO shall deliver a copy to the City of every report, document or other information supplied or made available to Mesa County regarding the revenues, off-sets, credits costs and money paid to Mesa County by OPRO.

Commencement of the Work.

Within 30 days of execution hereof by both parties, OPRO shall commence services, relocate benches and shelters as required herein, and make such other changes as required to comply with each and every provision of this Agreement and the Revocable permits.

9. Amendments.

Neither party shall make any change or amendment of services or work, except as provided herein, unless authorized by written amendment executed by OPRO and the City Manager with the same formalities as done when this Agreement was executed.

Patents. Trademarks. Copyrights.

OPRO agrees that all work performed under this Agreement shall comply with all applicable patents, trademark, and copyright laws, rules, regulations and codes of the United States. OPRO further agrees that it will not utilize any protected patents, trademark or copyright in performance of its work unless OPRO has obtained proper permission and all releases and other necessary documents.

Release. Indemnity. Hold Harmless.

- (a) OPRO agrees to release, indemnify and hold harmless the City, its officers, agents and employees from any and all claims, damages, suits, costs, expenses, liabilities, actions, or proceedings of any kind or nature whatever resulting from or relating to, directly or indirectly:

OPRO's actions or failure(s) to act;

- (ii) OPRO's acts and failure to act which infringe(s) or allegedly violate (s) any patent, trademark or copyright protected by law;
- (iii) OPRO's failure to abide by applicable law, adopted standard(s) and/or applicable regulation(s);
- (iv) Any injury, loss, or damage caused in whole or in part by, or claimed to be caused in whole and/or in part by, the negligent and other improper act(s), errors, or omissions of OPRO, a subcontractor of OPRO, and/or any officer, employee, or agent of OPRO.

- (b) The duties and obligations to release, indemnify and hold the City (including the City's officers, agents and employees) harmless shall not apply to an injury or damage for which the City (including the City's officers, agents and employees) is determined liable by a court of competent jurisdiction as a result of the negligent act, error, or omission of the City.

12. Insurance.

OPRO agrees to procure and maintain in force continuously during the term(s) of this Agreement and any revocable permit referred to herein:

- (i) Colorado Worker's Compensation Insurance;

Employer's Liability Insurance;

Commercial General Liability Insurance with minimum combined single limits of one million dollars (\$1,000,000) each occurrence and one million dollars (\$1,000,000) general aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations;

With respect to each of OPRO's owned, hired or non-owned vehicles assigned to or used in performance of the services or work under this Agreement.

Automobile Liability Insurance with minimum combined single limits for bodily injury and property damage of not less than one million dollars (\$1,000,000) for any one occurrence.

OPRO shall ensure that each subcontractor of OPRO performing work hereunder shall procure and maintain such insurance as described herein.

Such insurance shall be procured and maintained with forms and insurers acceptable to the City's Risk Manager.

OPRO shall provide a Certificate of Insurance to the City's Risk Manager showing that policies providing the required coverages, conditions, and minimum limits are in full force and effect. The Certificate shall identify this Agreement and shall provide that the coverages afforded under the policies shall not be canceled, terminated or materially changed until at least 30 days prior written notice has been given to Grand Junction's Risk Manager. The Certificate shall name Grand Junction, its officers and its employees as additional insured(s) with respect to the liability coverage in Paragraph A, above. All such certificates and notices shall be sent to:

City of Grand Junction

Attn: Risk Manager

250 N. 5th St.

Grand Junction CO 81501

Failure on the part of OPRO or any subcontractor to procure and continuously maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of this Agreement.

Every policy described herein shall be primary insurance.

Any insurance carried by Grand Junction, its officers and employees shall be excess, and not contributory, insurance to that provided by OPRO.

OPRO and its subcontractors shall be solely responsible for any deductible losses under the policies required above.

OPRO shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure and maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types.

OPRO agrees that Grand Junction and its officials, officers, agents and employees are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations and other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10101 *et seq.*, C.R.S., as from time to time amended.

13. Independent Contractor.

The parties agree that OPRO is an independent contractor. Neither OPRO nor its officials, employees or subcontractors are agents or employees of the City. No partnership or similar relationships are created by this Agreement.

14. Review.

Grand Junction may conduct, independently of Mesa County and/or GVT or in cooperation with, an annual or other review of OPRO's services to City's residents, compliance with the standards and provisions provided herein, and the gross and net revenues including advertising revenues received by OPRO and/or paid to Mesa County.

OPRO shall provide the City and its officials such information and writings, including access to its books, so that the City may perform an effective and accurate review.

(c) In connection with the work performed hereunder, Grand Junction shall have access to all of OPRO's books, documents, papers and any other records of OPRO's which relate to this Agreement. OPRO shall retain these records for three years after the termination date of this Agreement.

15. Colorado Law. Venue.

This Agreement shall be governed by the laws of the State of Colorado. Venue for any action will be brought only in Mesa County, Colorado unless otherwise ordered by the Court.

16. Entire Agreement.

The parties acknowledge and agree that the provisions contained herein constitute their entire Agreement. The parties agree that any and all representations made by any officer, agent or employee of the respective parties unless included herein are null and void and of no effect. No alterations, amendments, changes or modifications to this Agreement shall be valid unless contained in a document that is executed by all the parties with the same formality as this Agreement.

17. Assignment.

OPRO shall not assign, pledge or transfer its duties, obligations and rights in this Agreement, in whole or in part, without first obtaining the written consent of the City which shall not be withheld unreasonably.

18. No Waiver of Rights.

No City or City official or employee assent, expressed or implied, to any breach of any one or more of the terms and conditions of this Agreement shall waive the City's right to enforce each and every subsequent breach or violation.

19. Conduct. Ethics.

OPRO agrees to comply with the City's charter, specifically § 101, the Code of Ethics of the state; §§24-18-101 *et seq* C.R.S.; 24-18-201 *et seq*. C.R.S., and all other applicable laws as though OPRO and its employees and subcontractors were either state officials, a local official or otherwise subject to the substantive provisions of those provisions.

20. Coordination.

OPRO shall coordinate its work and that of its subcontractors with the City's use of its rights-of-ways. OPRO shall follow the City's directions, including City consultants, contractors or other entities performing work in the City's right-of-ways or within the City.

21. Advertising and Public Disclosures.

OPRO shall not include any reference to this Agreement or to work performed

hereunder in any of its advertising or public relations materials without first obtaining the written approval of the City Manager or his designee. Any oral presentation or written material related to OPRO's work hereunder shall include only presentation materials, work product, designs, renderings and technical data which have been accepted by Grand Junction.

22. Time is of the Essence.

The parties agree that time is of the essence in OPRO's performance of the terms and requirements of this Agreement

23. Headings.

The headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.

24. Taxes. Licenses.

OPRO shall promptly pay when due, all taxes, excises, license fees and permit fees of whatever nature applicable to its Work and this Agreement. OPRO shall continuously maintain the required City, state and federal licenses required to comply with this Agreement and to perform the Work.

25. Severability.

In the event any of the provisions, or applications thereof, of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity and enforceability of the remaining provisions, or applications thereof, shall not be affected.

Ambiguities.

The rule that ambiguities shall be construed against the drafter shall have no application to this Agreement.

Definitions.

Director means the Director of Community Development, or his designee.

Install or place: means installation, maintenance, placement and/or construction of.

Place or install: means the dropping off, placement, installation, maintenance of, and/or exercise control over.

Residential use or residential area: means those properties zoned or used for residential uses, as determined by the Director.

Signs: The term advertising and/or signs is as defined in the City's Code, and as interpreted by the Director of Community Development in case of question or ambiguity. In this Agreement, "sign" or "signs" includes advertising.

ATTEST:

CITY OF GRAND JUNCTION

Stephanie Tuin, City Clerk

Kelly Arnold, City Manager

OUTDOOR PROMOTIONS, Inc.

Gary Young

Attachment 22
Downtown Development Authority Executive Director

Grand Junction
Downtown Development Authority
350 Main Street P.O. Box 296
Grand Junction, Colorado 81502
Phone (970) 245-2926 Fax (970) 243-1865
Email: dda@gj.net

June 17, 2002

Mayor Cindy Enos-Martinez
c/o Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

Dear Mayor Martinez:

This letter serves as a request from the Downtown Development Authority Board of Directors for City Council's approval of Harold Stalf as the new DDA Executive Director, pursuant to and in accordance with DDA bylaws.

The Board also wishes to thank the Council for the assistance of the City Human Resources Department, the Legal Department and City Administration. The support and assistance of individuals in those divisions have been immeasurable to us in this process.

Best regards,



Bruce L. Hill
Chairman of the Board

Attachment: resume'

Harold J. Staff
3401 Garland Street
Wheat Ridge, CO 80033
303.274.6269

staff@attbi.com

QUALIFICATIONS

Extensive knowledge and practical background in management, fund raising, organizational development, long range planning, marketing and mediation. Experienced in working with non-profit, public and private entities, boards of directors, and city councils. Management of organizations with staff in excess of 100 and annual budgets of \$10 million. Fund raising expertise with corporations, individuals and foundations. Emphasis on organizational development as well as team building necessary for effective leadership and vision of dynamic organizations dedicated to their mission.

PROFESSIONAL EXPERIENCE

- 1999 - 2001 **Denver Film Society, *President***
Management of non-profit organization which presents the Denver International Film Festival, Film on the Rocks and numerous other programs throughout the year. Increased corporate sponsorships from \$175,000 to over \$400,000 and the annual budget from \$400,000 to over \$1million, as well as doubling earned income from paid attendance. Positioned DFS for admission to Tier II of the Scientific and Cultural Facilities District, resulting in \$100,000 in new annual income. Negotiated partnerships resulting in a \$12 million capital program to renovate the Tivoli theaters at the Auraria campus into a FilmCenter to serve as the home of the Denver Film Society and the Denver International Film Festival. Instituted new by-laws, policies and procedures updating the operations, organizational structure and accountability of the Denver Film Society to its board of directors.
- 1992 - 1998 **Horizon Partners, *President***
Management and fund raising consulting firm to non-profit clients. Direction of assessment studies analyzing the feasibility and implementation of fund raising and capital improvement programs. Strategizing and implementing community partnerships, including site selection and design/ development programs with local government, major businesses, and numerous public and private organizations.
- 1987 - 1991 **Arvada Center for the Arts and Humanities, *Executive Director***
Management of multi-disciplinary arts center with \$2.4 million budget. Duties included resolution of conflicts within the organization as well as addressing the perception of the Center's image by both the Arvada and Denver communities resulted in enhanced reputation, increased attendance and earned income. These and other funding sources decreased the City of Arvada's subsidy from \$642,000 to \$392,000 annually. Coordinated design of a \$10 million facility expansion.

- 1985 – 1987 **Denver Regional Council of Governments, Director of Local Services**
Liaison with the 43 local governments in the Denver area. Developed management program to improve the caliber of management and supervisory skills of municipal staffs. Managed centralized programs for local governments, including the CEO Committee of DRCOG, consisting of City & County Managers. Directed awards program recognizing innovation in local government.
- 1983 – 1985 **Town of Breckenridge, Director of Community Services**
Responsible for management and reorganization of town services including Parks, Engineering, Water, Streets and Maintenance Divisions
- 1981 – 1983 **Town of Crested Butte, Town Manager**
Management of full-service resort community. Developed new accounting procedures. Adoption of sales tax for area transportation system. Completed financing, design and construction of new town streets and infrastructure. Negotiated settlement regarding Town's watershed and water rights in face of proposed mining development.
- 1980 – 1981 **City of Milton, Wisconsin, City Administrator**
Management of full-service city: 35 employees, budget of \$1.5 million.
- 1980 – 1981 **Milton College, Political Science Instructor**
- 1976 – 1980 **City of Aspen, Assistant City Manager/Acting City Manager**
General management of full-service, home rule city. Special assignments included the Economic Development Program for Aspen and Pitkin County, as well as Director of the City Transportation Department with \$1 million budget and 75 employees. Annual ridership increased from 235,000 to over 1 million.
- 1976 – 1977 **Sno Engineering, Inc., Research Assistant**
Economic analysis used to acquire charter for the Pitkin County Bank in 1977.
- 1973 – 1977 **University of Cincinnati, Office of the President/Ombudsman**
Mediation between students, faculty and staff. Dispute resolution.

EDUCATION

- 1987 – 1990 **University of Colorado at Denver**
Doctoral Student, Public Affairs
- 1985 **University of Colorado at Denver**
Rocky Mountain Program for Senior Executives
- 1976 **University of Cincinnati**
Master of Public Affairs (M.P.A.)
- 1974 **University of Cincinnati**
Bachelor of Arts – Urban Affairs (B.A.) *Cum Laude*
Bachelor of Science – Secondary Education (B.S.)