



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
MONDAY, JUNE 16, 2008, 7:00 P.M.**

Call to Order

Pledge of Allegiance
Invocation—Chaplain Abe Phiefer, New Horizons Foursquare Church

Council Comments

Citizen Comments

***** CONSENT CALENDAR ***®**

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

Action: Approve the Minutes of the June 2, 2008 and the June 4, 2008 Regular Meetings

2. **Setting a Hearing on Zoning the Sienna Creek Annexation, Located at 2052 Broadway** [File #ANX-2008-107] [Attach 2](#)

Request to zone the 5.16 acre Sienna Creek Annexation, located at 2052 Broadway, to R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Sienna Creek Annexation to R-4 (Residential 4 du/ac), Located at 2052 Broadway

*** Indicates New Item

® Requires Roll Call Vote

Action: Introduction of Proposed Ordinance and Set a Hearing for June 30, 2008

Staff presentation: Brian Rusche, Senior Planner

3. **Setting a Hearing on Zoning the Sunshine-Moir Annexation, Located at 2899 D Road and 383 29 Road** [File #ANX-2008-080] [Attach 3](#)

Request to zone the 5.54 acre Sunshine-Moir Annexation, located at 2899 D Road and 383 29 Road, to C-1 (Light Commercial).

Proposed Ordinance Zoning the Sunshine-Moir Annexation to C-1 (Light Commercial), Located at 2899 D Road and 383 29 Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 30, 2008

Staff presentation: Greg Moberg, Planning Services Supervisor

4. **Setting a Hearing on Zoning the Shores Annexation, Located at 166 Edlun Road** [File #ANX-2008-104] [Attach 4](#)

Request to zone the 17.97 acre Shores Annexation, located at 166 Edlun Road, to R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Shores Annexation to R-4 (Residential 4 du/ac), Located at 166 Edlun Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 30, 2008

Staff presentation: Lori V. Bowers, Senior Planner

5. **Setting a Hearing on the Level III Annexation, Located at 2922 B ½ Road** [File #ANX-2008-147] [Attach 5](#)

Request to annex 19.68 acres, located at 2922 B ½ Road. The Level III Annexation consists of 1 parcel and includes a portion of the B ½ Road right-of-way.

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

Resolution No. 83-08— 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, Level III Annexation, Located at 2922 B ½ Road Including a Portion of the B ½ Road Right-of-Way

®Action: *Adopt Resolution No. 83-08*

[Note: Due to a clerical error , the number assigned to this resolution was changed from Resolution No. 77-08 to Resolution No. 83-08]

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Level III Annexation, Approximately 19.68 Acres, Located at 2922 B ½ Road Including a Portion of the B ½ Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for August 4, 2008*

Staff presentation: Senta L. Costello, Senior Planner

6. **Setting a Hearing on the Fournier Annexation, Located at 2132 Rainbow Ranch Drive** [File #ANX-2008-111] [Attach 6](#)

Request to annex 6.48 acres, located at 2132 Rainbow Ranch Drive. The Fournier Annexation consists of 1 parcel and includes a portion of the Broadway right-of-way and all of the Rainbow Ranch Drive right-of-way.

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

Resolution No. 78-08—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, Fournier Annexation, Located at 2132 Rainbow Ranch Road Including a Portion of the Highway 340 (Broadway) Right-of-Way and all of the Rainbow Ranch Road Right-of-Way

®Action: *Adopt Resolution No. 78-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fournier Annexation, Approximately 6.48 Acres, Located at 2132 Rainbow Ranch Road Including a Portion of the Highway 340 (Broadway) Right-of-Way and all of the Rainbow Ranch Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for August 4, 2008*

Staff presentation: Senta L. Costello, Senior Planner

7. **Address Change for the Sale of Property at 3rd and Main Streets** [Attach 7](#)

City Council ratified the sale contract to Western Hospitality, LLC for property at 3rd and Main Streets by Resolution No. 53-08 at its May 19, 2008 meeting. City Staff then became aware of discrepancies in legal property descriptions in the contract documents. In order to proceed and close on the property, the sale contract and Resolution 53-08 need to be amended to accurately describe the property being sold to Western Hospitality and match the understanding and representations made by both parties throughout this transaction.

Resolution No. 79-08—A Resolution Amending Resolution 53-08 Regarding the Sale of Real Property Located at 236 Main Street, 238 Main Street, and an Adjoining Unnumbered Parcel

®Action: *Adopt Resolution No. 79-08*

Staff presentation: John Shaver, City Attorney

8. **Sidewalk Dining Application for Blue Moon Bar and Grille** [Attach 8](#)

WTB Enterprises Inc., dba Blue Moon Bar and Grille, is requesting an Outdoor Dining Lease for the property located at 120 N. Seventh Street. They have applied for and received a Sidewalk Café Permit to serve food outside at up to 10 tables with a maximum of 40 seats. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area, as well.

Resolution No. 80-08—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to WTB Enterprises, Inc. dba Blue Moon Bar and Grille, Located at 120 N. 7th Street

®Action: *Adopt Resolution No. 80-08*

Presentation: Heidi Hoffman Ham, DDA Executive Director

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

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

9. **Public Hearing—Simon Annexation and Zoning, Located at 3076 and 3080 F ½ Road** [File #ANX-2008-106] [Attach 9](#)

Request to annex and zone 6.30 acres, located at 3076 and 3080 F ½ Road, to R-2 (Residential 2-du/ac). The Simon Annexation consists of two parcels, a portion of the F ½ Road right-of-way, and is a two part serial annexation.

a. Accepting Petition

Resolution No. 81-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Simon Annexation, Located at 3076 and 3080 F ½ Road Including a Portion of the F ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4244—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Simon Annexation No. 1, Approximately 1.62 Acres, Located at 3076 F ½ Road Including a Portion of the F ½ Road Right-of-Way

Ordinance No. 4245—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Simon Annexation No. 2, Approximately 4.68 Acres, Located at 3080 F ½ Road Including a Portion of the F ½ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4246—An Ordinance Zoning the Simon Annexation to R-2 (Residential 2-Du/Ac), Located at 3076 and 3080 F ½ Road

®Action: Adopt Resolution No. 81-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4244, 4245, and 4246

Staff presentation: Brian Rusche, Senior Planner

10. **Public Hearing—Burnett Annexation and Zoning, Located at 2846 ½ C Road** [File #ANX-2008-099] [Attach 10](#)

Request to annex and zone 1.09 acres, located at 2846 ½ C Road, to R-4 (Residential 4-du/ac). The Burnett Annexation consists of one parcel and includes a portion of the C Road (also known as Unaweep Avenue) Right-of-Way.

a. Accepting Petition

Resolution No. 82-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Burnett Annexation, Located at 2846 ½ C Road (AKA UnawEEP Avenue) and a Portion of the C Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4247—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burnett Annexation, Approximately 1.09 Acres, Located at 2846 ½ C Road (AKA UnawEEP Avenue) and Including a Portion of the C Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4248—An Ordinance Zoning the Burnett Annexation to R-4 (Residential 4-Du/Ac), Located at 2846 ½ C Road (AKA UnawEEP Avenue)

®Action: Adopt Resolution No. 82-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4247 and 4248

Staff presentation: Brian Rusche, Senior Planner

11. **Public Hearing—South Downtown Neighborhood Plan** [File #PLN-2007-292]

[Attach 11](#)

The City Planning Commission met in a public hearing on November 13, 2007 to consider adoption of the South Downtown Neighborhood Plan. The City Planning Commission recommended approval of the South Downtown Plan, including a Growth Plan Amendment to adopt the Plan, amendments to the Zoning Map and amendments to the Zoning and Development Code to include a Zoning Overlay.

Resolution No. 83-08—A Resolution Adopting the South Downtown Neighborhood Plan as a Part of the Grand Junction Growth Plan

Ordinance No. 4249—An Ordinance Adopting a New Zoning Map for the South Downtown Neighborhood Generally Located Between the Riverside Neighborhood to the Northwest, to 28 Road on the East and from the Railroad Tracks on the North, to the Colorado River on the South

Ordinance No. 4250—An Ordinance Amending the Zoning and Development Code to Add Section 7.7 South Downtown Neighborhood Plan Zoning Overlay

®Action: Adopt Resolution No. 83-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4249 and 4250

Staff presentation: Kathy Portner, Neighborhood Services Manager

12. **Public Hearing—Zoning the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2007-051] **Continued from June 4, 2008** [Attach 12](#)

SLB Enterprises LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial/Office Park (I-O).

Ordinance No. 4251—An Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District for the Properties Located at 348 27 ½ Road and 2757 C ½ Road and Light Industrial (I-1) for the Property Located at 347 27 ½ Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4251

Staff presentation: Kathy Portner, Neighborhood Services Manager

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

14. **Other Business**

15. **Adjournment**

Attach 1
Minutes from Previous Meetings

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

June 2, 2008

The City Council of the City of Grand Junction convened into regular session on the 2nd day of June 2008 at 7:01 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Councilmember Teresa Coons was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

Council President Palmer called the meeting to order. Councilmember Thomason led in the Pledge of Allegiance. Invocation was given by Pastor Mike MacFarlane, New Day Ministries.

Council Comments

Council President Palmer said that on Memorial Day, he went to the Veterans Cemetery with Councilmember Doody for a ceremony that paid homage to those that have given the ultimate sacrifice protecting constitutional rights and freedom. He found it to be very inspiring.

Council President Palmer said he also attended JUCO Baseball the rest of the weekend and he thanked Councilmember Thomason for his participation and contribution to JUCO as a member of the Lions Club. He also thanked Councilmember Hill for all of his hard work for JUCO.

Councilmember Hill thanked Council President Palmer and said he would also like to thank Jamie Hamilton for acknowledging the City of Grand Junction and the local area Chamber of Commerce who have been co-sponsors of JUCO since day one.

Councilmember Todd asked about comments during JUCO with reference to the recycle program the City started. City Manager Kadrich stated that the report from Darren Starr, committee member for JUCO and also lead supervisor for recycling, sanitation, and streets was extremely positive. The tonnage of recycling and the numbers of volunteers far surpassed what was planned. She stated that a report on this will be forthcoming.

Citizen Comments

There was none

CONSENT CALENDAR

Councilmember Todd read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Hill, and carried by roll call vote to approve Consent Items #1 through 7.

1. **Minutes of Previous Meetings**

Action: Approve the Joint Persigo Meeting Minutes of the April 30, 2008 Meeting, the May 19, 2008 and the May 21, 2008 Regular Meetings and the Minutes of the May 21, 2008 Special Session

2. **Airport Improvement Program Grants at Grand Junction Regional Airport**

AIP-35 is for resurfacing of Runway 11/29 in preparation of a total rebuild in eight to ten years. The project will remove and replace approximately 2 inches of the runway surface and then grooved. The grant amount is \$5,301,595.00. The second grant, AIP-36 is for funding of a Master Plan study for the airport. The grant amount is \$391,980.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

Action: Authorize the Mayor to Sign FAA AIP-35 Grant for a Runway Rehabilitation and AIP-36 for a Master Plan Study at Grand Junction Regional Airport and Authorize the City Manager to Sign the Supplemental Co-sponsorship Agreements for AIP-35 and AIP-36

3. **Setting a Hearing on the Houghton Annexation, Located at 2964 D Road** [File #ANX-2008-120]

Request to annex 4.02 acres, located at 2964 D Road. The Houghton Annexation consists of 1 parcel.

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

Resolution No. 73-08—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, Houghton Annexation, Located at 2964 D Road

Action: Adopt Resolution No. 73-08

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Houghton Annexation, Approximately 4.02 Acres, Located at 2964 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for July 14, 2008

4. **Setting a Hearing on the Phillips-Ford Annexation, Located at 2894 Orchard Avenue** [File #ANX-2008-117]

Request to annex 0.53 acres, located at 2894 Orchard Avenue. The Phillips-Ford Annexation consists of 1 parcel and a portion of adjacent Orchard Avenue right-of-way.

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

Resolution No. 74-08—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, Phillips-Ford Annexation, Located at 2894 Orchard Avenue, Including a Portion of the Orchard Avenue Right-of-Way

Action: Adopt Resolution No. 74-08

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Phillips-Ford Annexation, Approximately 0.53 Acres, Located at 2894 Orchard Avenue, Including a Portion of Orchard Avenue Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for July 14, 2008

5. **Setting a Hearing on the Pioneer Meadows Annexation, Located at 3126 and 3134 E Road** [File #ANX-2008-078]

Request to annex 9.24 acres, located at 3126 and 3134 E Road. The Pioneer Meadows Annexation consists of two parcels and a portion of the E Road Right-of-way.

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

Resolution No. 75-08—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, Pioneer Meadows Annexation, Located at 3126 and 3134 E Road Including a Portion of the E Road Right-of-Way

Action: Adopt Resolution No. 75-08

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pioneer Meadows Annexation, Approximately 9.24 Acres, Located at 3126 and 3134 E Road Including a Portion of the E Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for July 14, 2008

6. Setting a Hearing on Zoning the Burnett Annexation, Located at 2846 ½ C Road [File #ANX-2008-099]

Request to zone the 1.09 acre Burnett Annexation, located at 2846 ½ C Road, to R-4 (Residential 4-du/ac).

Proposed Ordinance Zoning the Burnett Annexation to R-4 (Residential 4-Du/Ac), Located at 2846 ½ C Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 16, 2008

7. Setting a Hearing on Zoning the Simon Annexation, Located at 3076 and 3080 F ½ Road [File # ANX-2008-106]

Request to zone the 6.30 acre Simon Annexation, located at 3076 and 3080 F ½ Road to R-2 (Residential 2-du/ac).

Proposed Ordinance Zoning the Simon Annexation to R-2 (Residential 2-Du/Ac), Located at 3076 and 3080 F ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 16, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Andy's Liquor Mart Growth Plan Amendment [File #GPA-2008-058]

Request adoption of a resolution to amend the Growth Plan Future Land Use Map for property known as 145 Belford Avenue, 925 N. 2nd Street, and 927 N. 2nd Street from Residential High (12+ du/ac) to Commercial.

The public hearing was opened at 7:11 p.m.

Brian Rusche, Senior Planner, reviewed this item. He requested that the Staff report and attachments be entered into the record. He described the site, and the current uses. He noted the surrounding uses and zoning. He stated that the request meets all of the criteria of the Zoning and Development Code for an amendment to the Growth Plan and reviewed that criteria. Mr. Rusche said that the request is consistent with the goals and policies of the Growth Plan. He advised that this area is part of the North Avenue Corridor Plan. Staff and Planning Commission recommend approval.

Council President Palmer asked Mr. Rusche if, under the 2.5.C of the Zoning and Development Code, all the criteria need to be met. Mr. Rusche replied that if the City Council finds that there was an error in the Growth Plan, then no additional criteria need to be considered. However, if there is no error, then the rest of the criteria need to be met.

The applicant was present but had nothing to add.

The public hearing was closed at 7:17 p.m.

Councilmember Hill advised Mr. Rusche that he did a nice job on the presentation and showing that it is about future land use. However, he disagrees with Mr. Rusche on the analysis on the error in the Growth Plan; just because there is residential there, it is not necessarily the foundation of future land use. He does, however, find that all of the other criteria in 2.5.C were met.

Council President Palmer asked who's cost would it be for the alley to be paved. Mr. Rusche said if the applicant needs to use the alley for access, then it would be at their expense to pave it. If they don't plan to use the alley, then they are asked to sign a document to participate in a future alley improvement district.

Resolution No. 76-08—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 0.324 Acres Located at 145 Belford Avenue and 925 and 927 North Second Street, Known as the Andy's Liquor Mart Growth Plan Amendment, from Residential High (12+ Du/Ac) to Commercial
Councilmember Hill moved to adopt Resolution No. 76-08. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 7:21 p.m.

Debbie Kemp, CMC
Deputy City Clerk

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

June 4, 2008

The City Council of the City of Grand Junction convened into regular session on the 4th day of June 2008 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Councilmember Teresa Coons was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Palmer called the meeting to order. Councilmember Beckstein led in the Pledge of Allegiance.

Citizen Comments

David Barry, 530 Hall Avenue, was present to talk to Council about Code Enforcement. He had a plea for small business rights. He read three rights of an individual: life, liberty and his property as quoted by Justice George Sutherland. He referred to Leitner-Poma of America's relocation which is in an Industrial Office (I-O) Zone. He said he is in General Industrial (I-2) and is having to jump through all kinds of hoops to get to do what he wants to do with his property. He asked if planning is totally insulated from the people. He believes the Comprehensive Plan is about control. He cautioned the City Council on how they progress as he believes that less is better than more.

CONSENT CALENDAR

Councilmember Doody read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Hill, and carried by roll call vote to approve Consent Items #1 through 5.

1. **Intergovernmental Agreement for River Trail Construction**

Intergovernmental Agreement defining the conditions of a project for the construction of riverfront trail by the City of Grand Junction and being reimbursed by Mesa County with a Great Outdoors Colorado Grant.

Action: Authorize the City Manager to Enter into an Intergovernmental Agreement with Mesa County for the Reimbursement of Funds to the City of Grand Junction for Expenses to be Incurred During the Construction of the Lower No Thoroughfare Trail of the Riverfront Trail System

2. **Setting a Hearing on the City Manager's 2008-2009 Salary**

Article VII, Section 57 of the Charter states the City Manager's salary is to be fixed by the Council by Ordinance.

Proposed Ordinance Amending Ordinance No. 4115 Concerning the Salary of the City Manager

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 18, 2008

3. **Contract to Purchase Property at 318, 324, and 338 South 7th Street; 724 and 726 Pitkin Avenue**

City staff has negotiated with the owner of 318 South 7th Street, 324 South 7th Street, 338 South 7th Street, 724 Pitkin Avenue and 726 Pitkin Avenue, Grand Junction, Colorado, for purchase of the property. The negotiations have been successful and a purchase contract for \$1,000,000.00 has been signed by both parties.

Resolution No. 77-08—A Resolution Ratifying the Contract to Purchase Real Property Located at 318 South 7th Street, 324 South 7th Street, 338 South 7th Street, 724 Pitkin Avenue and 726 Pitkin Avenue, Grand Junction

Action: Adopt Resolution No. 77-08

4. **Purchase of Four BMW Police Enforcement Motorcycles**

This purchase is for four new 2008 Police Enforcement Motorcycles.

Action: Authorize the City Purchasing Division to Purchase Four (4) 2008 BMW R1200RTHP Police Enforcement Motorcycles from Grand Junction BMW, Grand Junction CO, in the Amount of \$89,225.92

5. **Setting a Hearing on Vacating a Portion of the Houston Avenue Right-of-Way and Alley Right-of-Way for Mesa State College** [File #VR-2008-139]

Mesa State College is requesting to vacate approximately 240 feet of the southern end of the Houston Avenue right-of-way, as well as the east-west alley right-of-way and the south 100 feet of the north-south alley right-of-way between Houston Avenue and Cannell Street, adjacent to Mesa State properties, in anticipation of campus expansion.

Proposed Ordinance Vacating a Portion of the Houston Avenue and Alley Right-of-Way Adjacent to Mesa State College Properties, Located Adjacent to 1121 and 1129 Houston Avenue, 936 and 950 North Avenue, and 1122, 1132 and 1142 Cannell Avenue

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 18, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Rezoning the Oral Health Partners, Located at 2552 F Road [File #RZ-2008-082]

Request to rezone 2552 F Road, consisting of one parcel of .89 acres, from R-8 (Residential, 8 du/ac) zone district to RO (Residential Office) zone district.

The public hearing was opened at 7:10 p.m.

Ronnie Edwards, Associate Planner, presented this item. She described the site and the location. She asked that the Staff Report and the attachments be entered into the record. She noted that Planning Commission recommended approval at their May 13, 2008 meeting.

The applicant was present to answer questions.

There were no public comments.

The public hearing was closed at 7:11 p.m.

Ordinance No. 4239—An Ordinance Rezoning a Parcel of Land from R-8 (Residential – 8 Units Per Acre) to RO (Residential Office), Located at 2552 F Road

Councilmember Thomason moved to adopt Ordinance No. 4239 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Zoning Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road [File #GPA-2007-051]

SLB Enterprises LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial/Office Park (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

Councilmember Hill said he has a business relationship with the owners of the property so in the interest of having no conflict of interest or appearance of such, he will recuse himself from the hearing and will leave the meeting.

Councilmember Beckstein had questions for Staff.

She asked Neighborhood Services Manager Kathy Portner if the applicant had any concerns regarding another postponement. Ms. Portner said the continuance was acceptable to the applicant. The reason for the continuance is that the request is intertwined with another proposal to be heard on June 16, 2008.

Councilmember Todd was concerned that this continuance is not in line with what has been done in the past.

City Clerk Stephanie Tuin advised that today she received a petition from neighborhood representatives which indicated they had 449 signatures. The petition asks specifically that the City initiate a land trade, swapping suitable land along the Riverside Parkway outside the flood plain adjacent to the railroad and the asphalt plant that the City owns for the Brady parcels on the riverfront. Failing this, they request a Mixed Use Zoning designation for the property rather than an Industrial/Office Zone due to the additional requirements for Mixed Use Zoning. They also asked the City Council, Planning Commission, and the Staff to examine the site plan to insure harmful effects are mitigated.

Proposed Ordinance Zoning the Brady South Annexation to Light Industrial (I-1) and Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

Councilmember Beckstein moved to continue this item until the June 16, 2008 City Council meeting. Councilmember Thomason seconded the motion. Motion carried.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

City Clerk Stephanie Tuin announced that there are two vacancies on the Parks and Recreation Advisory Board and the City is soliciting applications for this volunteer board. Applications to serve on the board may be obtained from the City Clerk or accessed on the City's website.

Adjournment

The meeting adjourned at 7:21 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2
Setting a Hearing on Zoning the Sienna Creek Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Sienna Creek Annexation - Located at 2052 Broadway		
File #	ANX-2008-107		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 2, 2008		
Author Name & Title	Brian Rusche – Senior Planner		
Presenter Name & Title	Brian Rusche – Senior Planner		

Summary: Request to zone the 5.16 acre Sienna Creek Annexation, located at 2052 Broadway, to R-4 (Residential 4 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for June 30, 2008.

Attachments:

1. Staff report/Background information
2. Annexation - Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		2052 Broadway		
Applicants:		AAA Land Holdings, LLC – William Fitzgerald, manager		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Undeveloped		
	South	Undeveloped		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)		
Proposed Zoning:		City R-4 (Residential 4 du/ac)		
Surrounding Zoning:	North	County RSF-4 (Residential Single Family 4 du/ac)		
	South	County RSF-2 (Residential Single Family 2 du/ac)		
	East	County RSF-4 (Residential Single Family 4 du/ac)		
	West	County RSF-4 (Residential Single Family 4 du/ac)		
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)		
Zoning within density range?	X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) district is consistent with the Growth Plan designation of Residential Medium Low (2-4 du/ac). The existing County zoning is RSF-4 (Residential Single Family 4 du/ac).

Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning. The request is consistent with the Growth Plan and the existing County zoning.

In order for the zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The properties on the north, east, and west are zoned County RSF-4 (Residential Single Family 4 du/ac).

The R-4 Zone is consistent with the Growth Plan designation of Residential Medium Low (2-4 du/ac), which is the prevalent land use designation for this neighborhood north of Broadway between the Independence Valley Subdivision and Panorama

Drive, except for some isolated Estate designations. This designation was affirmed in the Redlands Area Plan, adopted June 2002.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: The property will ultimately be subdivided into residential lots. Adequate public facilities will be supplied at the time of further development of the property. There is an existing 12" Ute water line under Broadway and an 8" and 24" water line under 20 ½ Road. A 15" sanitary sewer line traverses the property from southwest to northeast.

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

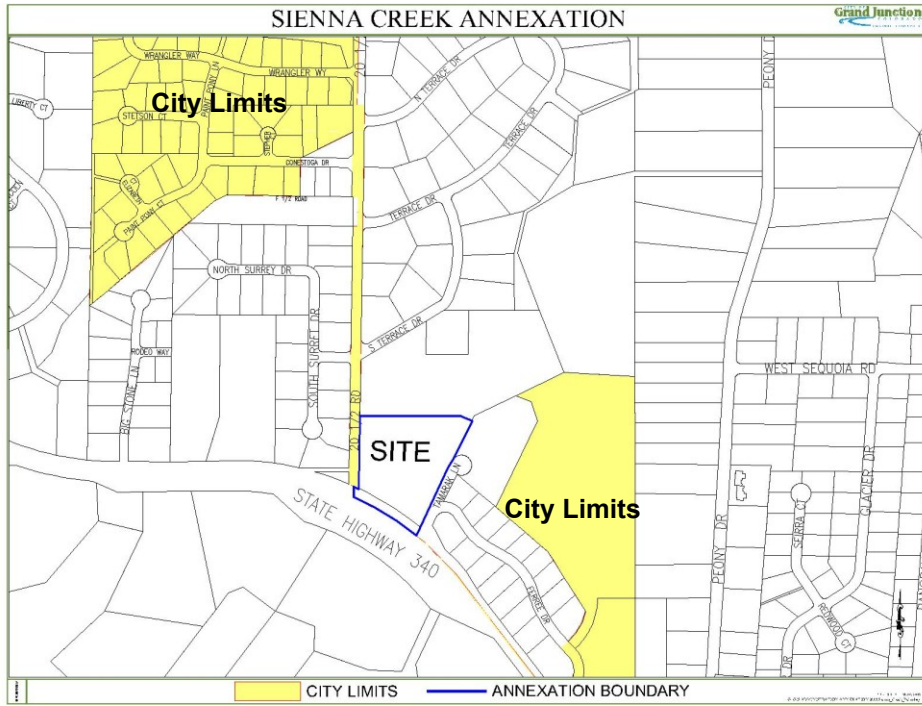
- a. R-2

If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: On May 27, 2008 the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding that zoning to the R-4 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

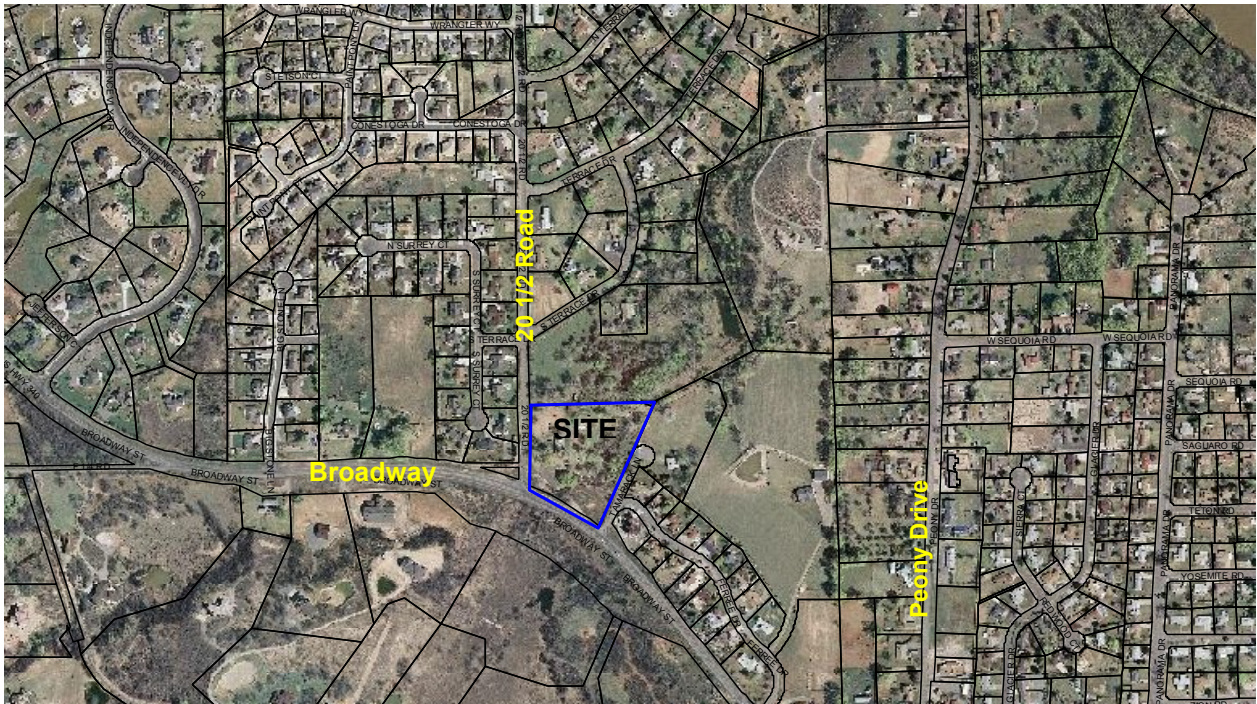
Annexation - Site Location Map

Figure 1



Aerial Photo Map

Figure 2



ORDINANCE NO. _____

**AN ORDINANCE ZONING THE SIENNA CREEK ANNEXATION TO
R-4 (RESIDENTIAL 4 DU/AC)**

LOCATED AT 2052 BROADWAY

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Sienna Creek Annexation to the R-4 (Residential 4 du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4 (Residential 4 du/ac) zone district is in conformance with the stated criteria of Section 2.6 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 be zoned R-4 (Residential 4 du/ac).

SIENNA CREEK ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) and the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 15, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southwest corner of the NW 1/4 SE 1/4 of said Section 15 and assuming the South line of the NW 1/4 SE 1/4 of said Section 15 to bear S89°26'30"E with all bearings contained herein relative thereto; thence S89°26'30"E a distance of 30.00 feet along the South line of the NW 1/4 SE 1/4 of said Section 15 to the Point of Beginning; thence N00°58'56"E a distance of 257.55 feet along a line being 30.00 feet East of and parallel with the East line of the NW 1/4 SE 1/4 of said Section 15, said line also being the Easterly line of Page Annexation No. 3, Ordinance No. 4084, City of Grand Junction; thence S89°57'57"E a distance of 499.89 feet; thence S66°21'11"E a distance of 59.64 feet; thence S26°02'26"W a distance of 209.62 feet; thence S31°49'26"W a distance of 48.90 feet; thence S24°41'02"W a distance of 375.46 feet to a point on the Northerly line of Page Annexation No. 4, Ordinance No. 4085, City of Grand Junction; thence 369.43 feet along the arc of a 1421.00 foot radius curve, concave Southwest, having a central angle of 14°53'44" and a chord bearing N58°07'00"W a distance of 368.39 feet along the Northerly line of said Page Annexation No. 4; thence N01°00'33"E a distance of 50.23 feet along a line being 4.00 feet East of and parallel with the East line of the SW 1/4 SE 1/4 of said Section 15, said

line also being the Easterly line of said Page Annexation No. 4 to a point on the Southerly line of said Page Annexation No. 3; thence S64°27'06"E a distance of 28.63 feet along the Southerly line of said Page Annexation No. 3; thence N00°58'56"E a distance of 105.39 feet along the Easterly line of said Page Annexation No. 3 to the Point of Beginning

Said parcel contains 5.16 acres (224,939.86 sq. ft.), more or less, as described.

INTRODUCED on first reading the ____ day of _____, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Attach 3
Setting a Hearing on Zoning the Sunshine-Moir Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Sunshine-Moir Annexation - Located at 2899 D Road and 383 29 Road		
File #	ANX-2008-080		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 4, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Greg Moberg – Planning Services Supervisor		

Summary: Request to zone the 5.54 acre Sunshine-Moir Annexation, located at 2899 D Road and 383 29 Road, to C-1 (Light Commercial).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for June 30, 2008.

Attachments:

1. Staff report/Background information
2. Annexation - Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2899 D Road and 383 29 Road			
Applicants:		Owner: John T. Moir Representative: Paul Johnson - Meadowlark Consulting			
Existing Land Use:		Vacant			
Proposed Land Use:		Commercial			
Surrounding Land Use:	North	Agriculture/Vacant/CSU Facility/Lineman School			
	South	Vacant/Agricultural			
	East	Commercial/Agricultural			
	West	Residential			
Existing Zoning:		RSF-R (Residential Single Family Rural)			
Proposed Zoning:		C-1 (Light Commercial)			
Surrounding Zoning:	North	Undetermined (Mesa State Property)			
	South	County RSF-R (Residential Single Family Rural)			
	East	County RSF-R (Residential Single Family Rural)			
	West	County PUD (Undeveloped)			
Growth Plan Designation:		Commercial			
Zoning within density range?		X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the C-1 (Light Commercial) district is consistent with the Growth Plan designation of Commercial. The existing County zoning is RSF-R (Residential Single Family Rural). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

The proposed C-1 zone district conforms to and furthers the goals and policies of the Growth Plan and the Pear Park Plan as the underlying Future Land Use designation is Commercial.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Adequate public facilities are available or will be supplied at the time of further development of the property. An 8" Ute water line and an 18" Central Grand Valley sanitary sewer line are located within the 29 Road right-of-way.

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

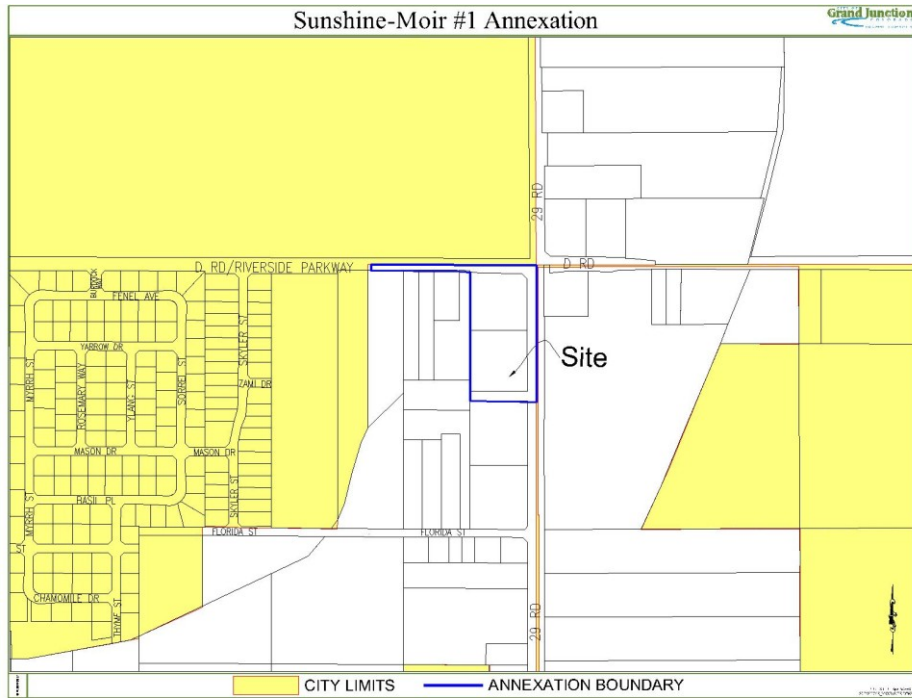
- b. R-O (Residential Office)
- c. B-1 (Neighborhood Commercial)
- d. C-2 (General Commercial)

If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: At the June 10, 2008 hearing, the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning of the C-1 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation-Site Location Map

Figure 1



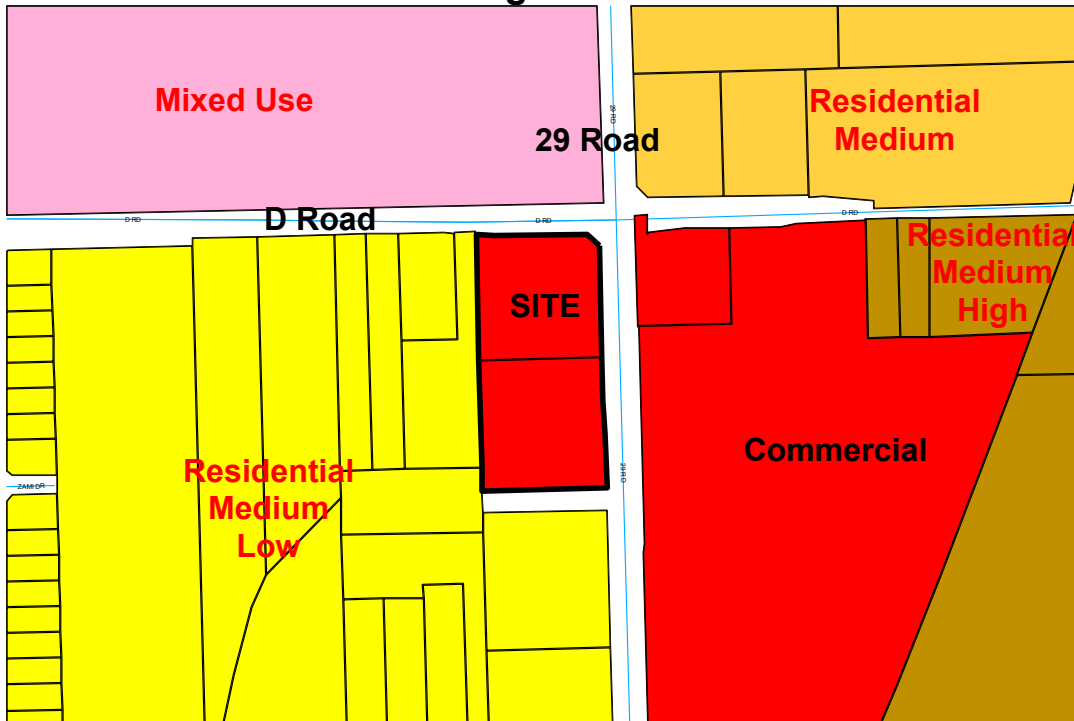
Aerial Photo Map

Figure 2



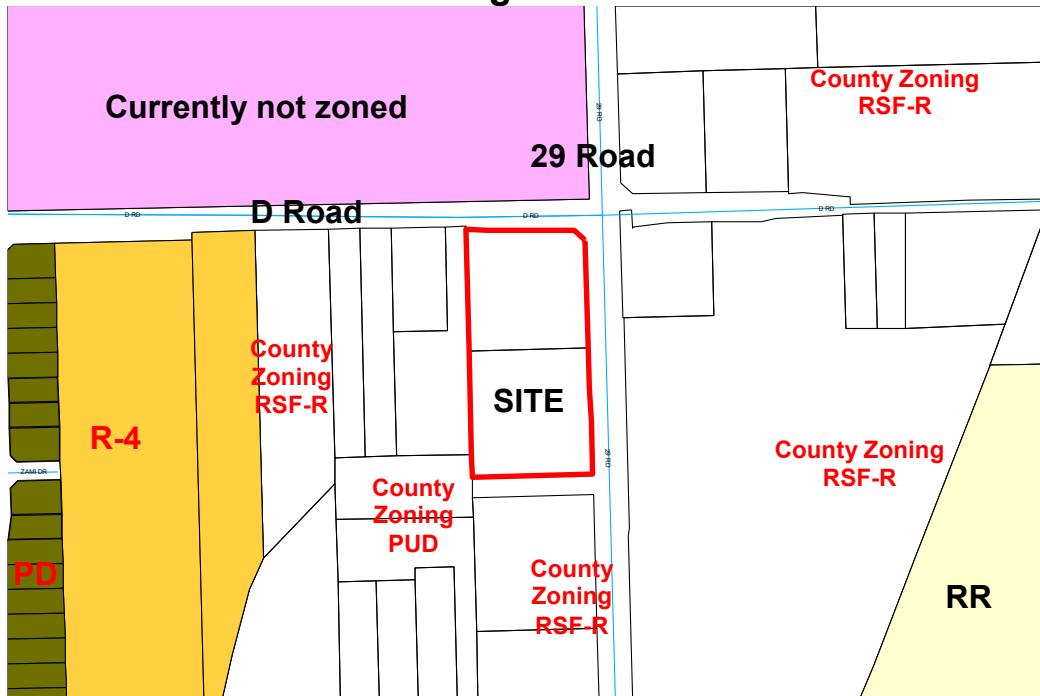
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SUNSHINE-MOIR ANNEXATION TO
C-1 (LIGHT COMMERCIAL)**

LOCATED AT 2899 D ROAD AND 383 29 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Sunshine-Moir Annexation to the C-1 (Light Commercial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1 (Light Commercial) zone district is in conformance with the stated criteria of Section 2.6 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 be zoned C-1 (Light Commercial).

SUNSHINE MOIR ANNEXATION

A certain parcel of land located in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northeast corner of the NE 1/4 NE 1/4 of said Section 19 and assuming the North line of the NE 1/4 NE 1/4 of said Section 19 to bear S89°40'49"E with all bearings contained herein relative thereto; thence S00°06'21"W a distance of 685.00 feet along the East line of the NE 1/4 NE 1/4 of said Section 19, said line also being the Westerly line of Ephemeral Annexation No. 2, Ordinance No. 3298, City of Grand Junction; thence N89°36'49"W a distance of 330.24 feet along South line of Right of Way, as same as recorded in Book 1146, Page 343 of the Mesa County, Colorado public records to a point on the East line of Wallace Minor Subdivision, as same is recorded in Plat Book 13, Page 333, public records of Mesa County, Colorado; thence along the following three (3) courses: (1) N00°07'46"E a distance of 647.67 feet along the East line of said Wallace Minor Subdivision; (2) N84°12'08"W a distance of 72.63 feet along the Northerly line of said Wallace Minor Subdivision; (3) N89°40'49"W

a distance of 422.81 feet to a point on the East line of Sky View Annexation, Ordinance No. 4098, City of Grand Junction; thence N00°04'53"E a distance of 30.00 feet along the East line of said Sky View Annexation to a point on the North line of the NE 1/4 NE 1/4 of said Section 19; thence S89°40'49"E a distance of 825.00 feet along the North line of the NE 1/4 NE 1/4 of said Section 19 to the Point of Beginning

Said parcel contains 5.54 acres (241,131.49 sq. ft.), more or less, as described.

INTRODUCED on first reading the ____ day of _____, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Attach 4
Setting a Hearing on Zoning the Shores Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Shores Annexation - Located at 166 Edlun Road		
File #	ANX-2008-104		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 4, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Lori V. Bowers – Senior Planner		

Summary: Request to zone the 17.97 acre Shores Annexation, located at 166 Edlun Road, to R-4 (Residential 4 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for June 30, 2008.

Attachments:

1. Annexation-Site Location Map / Aerial Photo Map
2. Future Land Use Map / Existing City and County Zoning
3. Trails/Transportation Map / Close-Up Aerial Photo Map
4. Topographic Map of Site
5. Draft Planning Commission minutes – not yet available, will be provided for final hearing
6. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
Location:		166 Edlun Road			
Applicants:		Owner: The Shores, LLC – Jeffrey Wald Representative: Value Engineering Services, LLC – Kris A. Pickett			
Existing Land Use:		Single Family Residential			
Proposed Land Use:		New Single Family Residential Subdivision			
Surrounding Land Use:	North	Single Family Residential			
	South	BLM / Vacant			
	East	Single Family Residential			
	West	Single Family Residential / Gunnison River			
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)			
Proposed Zoning:		Requesting City R-4 (Residential 4 du/ac) Recommendation City R-2 (Residential 2 du/ac)			
Surrounding Zoning:	North	County RSF-4 (Residential Single Family 4 du/ac)			
	South	County PUD (Undeveloped) / RSF-R (Residential Single Family Rural 1 du/5 ac)			
	East	County RSF-4 (Residential Single Family 4 du/ac)			
	West	County RSF-4 (Residential Single Family 4 du/ac)			
Growth Plan Designation:		Residential Medium Low 2-4 du/ac			
Zoning within density range?		X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) district is consistent with the Growth Plan designation of Residential Medium Low 2-4 du/ac as is the recommended designation of R-2 (Residential 2 du/ac). The existing County zoning is RSF-4 (Residential Single Family 4 du/ac). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: When reviewing the topographic maps for this area, large portions of the site contain slopes greater than 30 percent. Some portions of the site contain slopes greater than 60 percent. Access to the site from Edlun Road is just over 22 feet in width. The same applies for the right-of-way that adjoins the property from Sunlight Drive, which is also just over 22 feet in width. The Sunlight Drive access is further encumbered by the Old Spanish Trail access

easement. An easement was recorded in 1996 by the Johnsons. It is a strip of land 20 feet in width, which is parallel to the easterly most boundary of the parcel which provides access to the Old Spanish Trail. The easement states that access should be limited to foot, bicycle and horse access as documented in the recorded easement. Therefore, due to topography constraints, limited access, and the historical Old Spanish Trail, the requested R-4 zone district designation is not being supported and a recommendation of R-2 is being provided to City Council. .

Response from applicant: Since all planning documents, including the Growth Plan indicate this property is expected to be "R-4", there is a reasonable expectation by the owner; and by the neighborhood, that this property will be zoned R-4. The R-4 zoning is compatible with the adjacent Mesa County neighborhoods. Notwithstanding that expectation, the constraints on developing the property would allow up to 48 lots, or 2.78 units/acre, with the R-4 zoning. The R-2 zoning, with consideration for clustering provisions, only yields 26 lots or 1.5 units/acre.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property. There is a 6" water line in Edlun Road and an 8" water line in Sunlight Drive. Sewer can be provided to the property through an 8" line in Edlun Road and an 8" line in Sunlight Drive.

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

- e. R-2 (Recommended)

If the City Council chooses to recommend an alternative zone designation, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation to the City Council.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Shores Annexation, ANX-2008-104, for a Zone of Annexation, I recommend that the Planning Commission make the following findings of fact and conclusions:

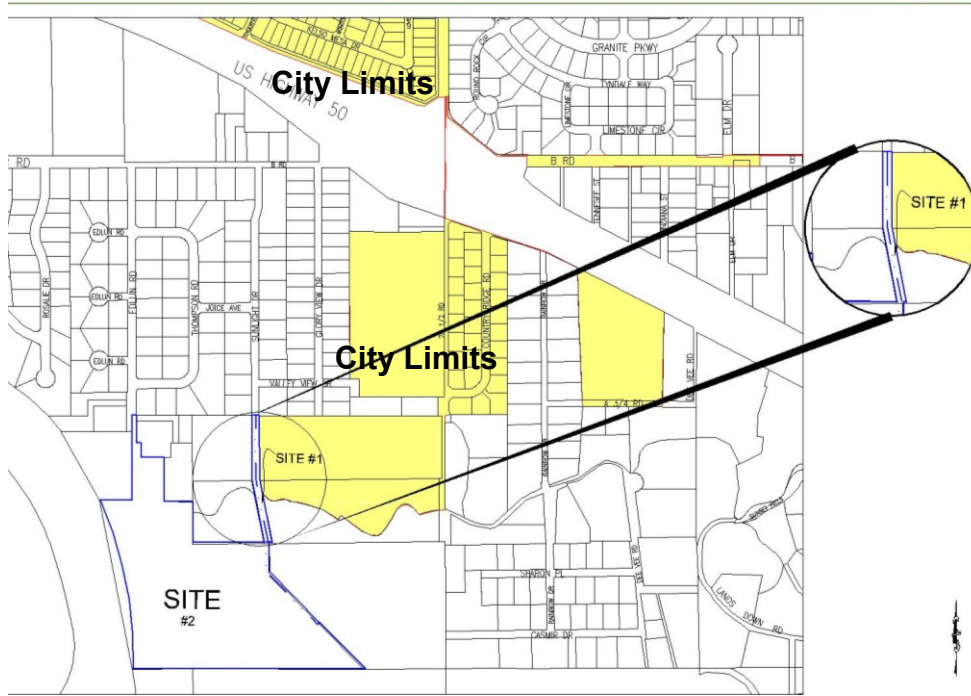
1. The requested zone is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION: At the May 27, 2008 hearing, the Planning Commission recommended denial of the requested R-4 zone district to the City Council and by separate motion forwarded a recommendation of approval of the R-

2 zone district finding the R-2 zone district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

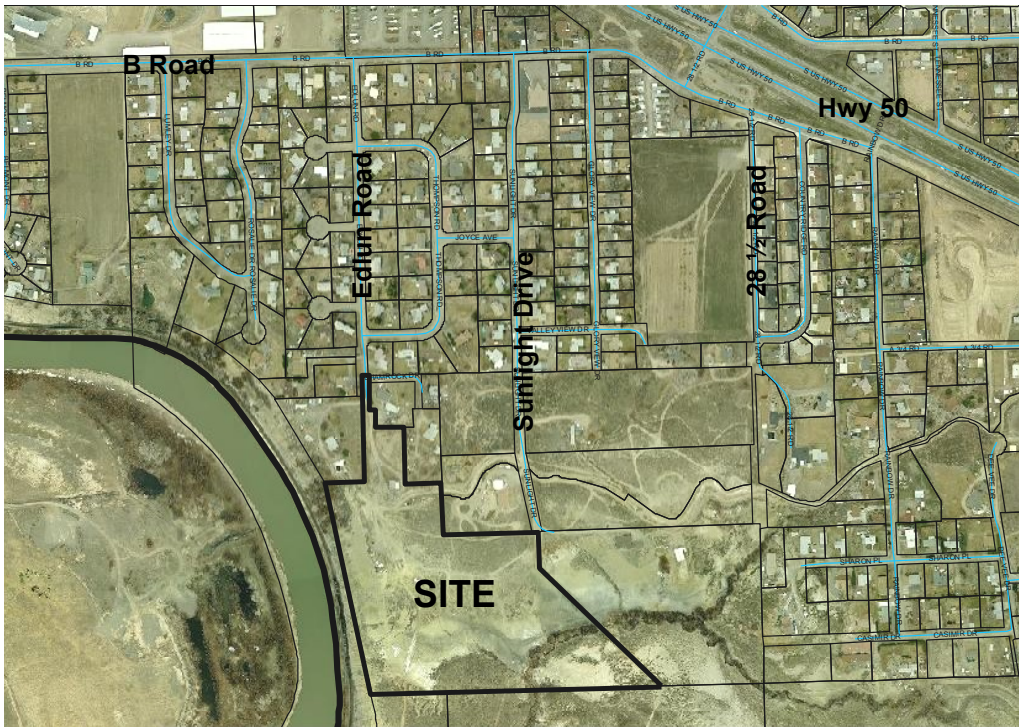
Annexation-Site Location Map

Figure 1



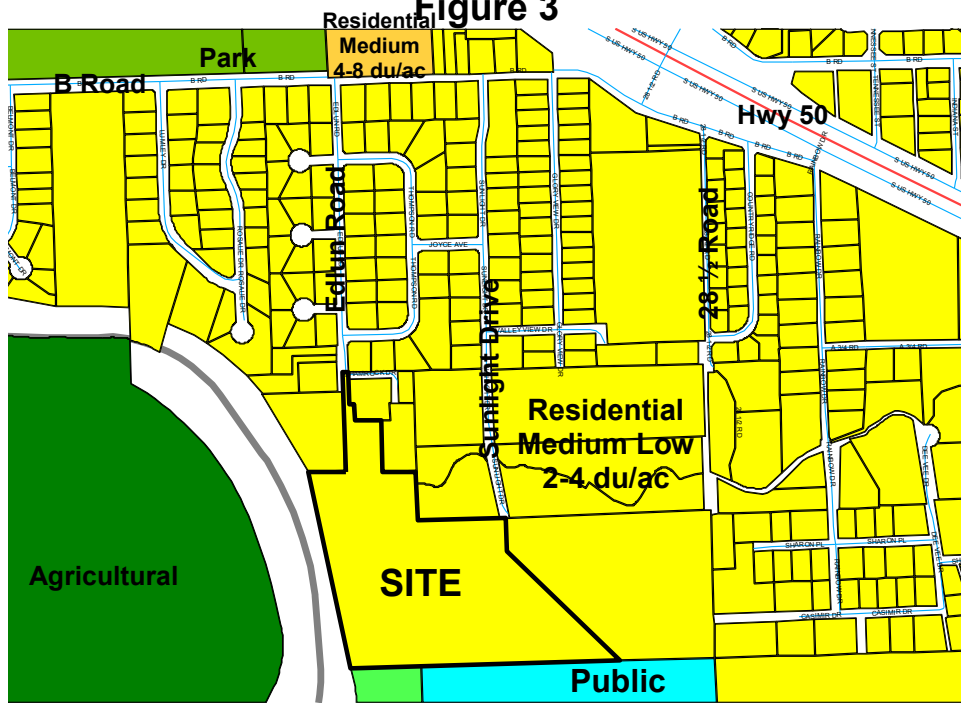
Aerial Photo Map

Figure 2



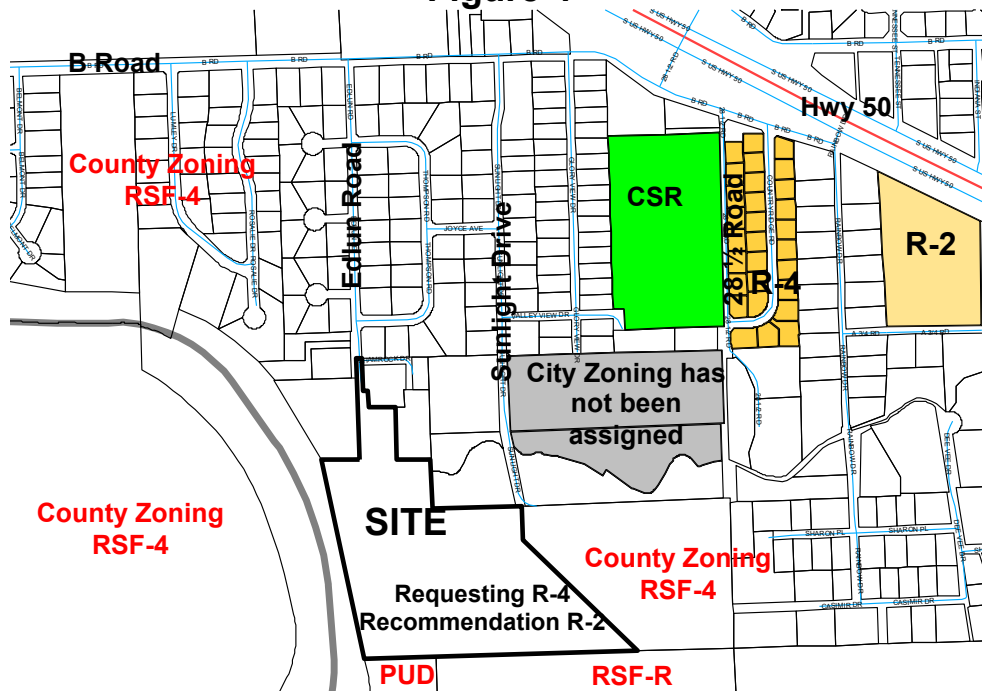
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4

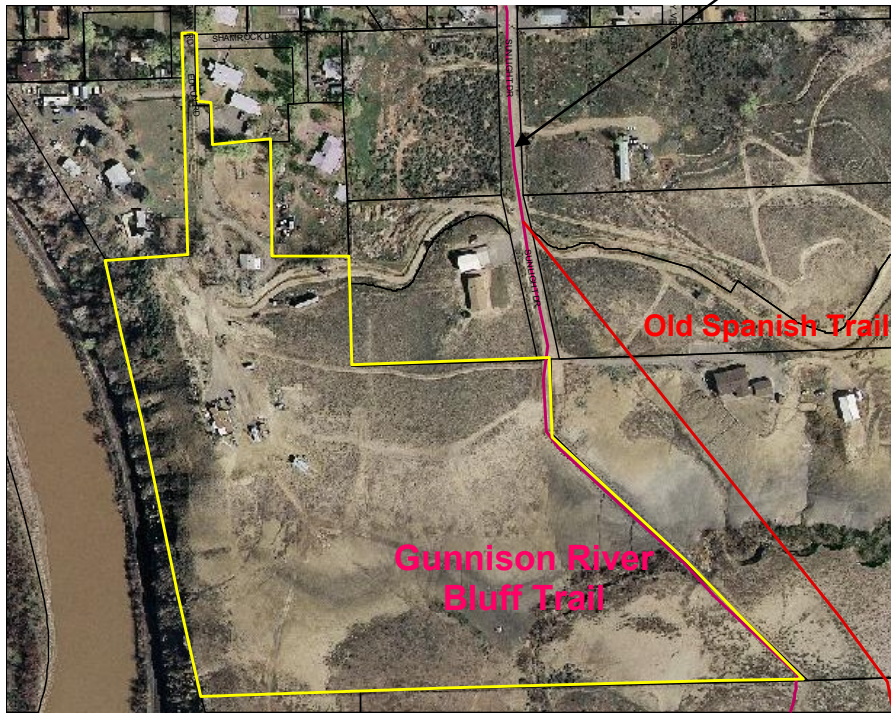


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

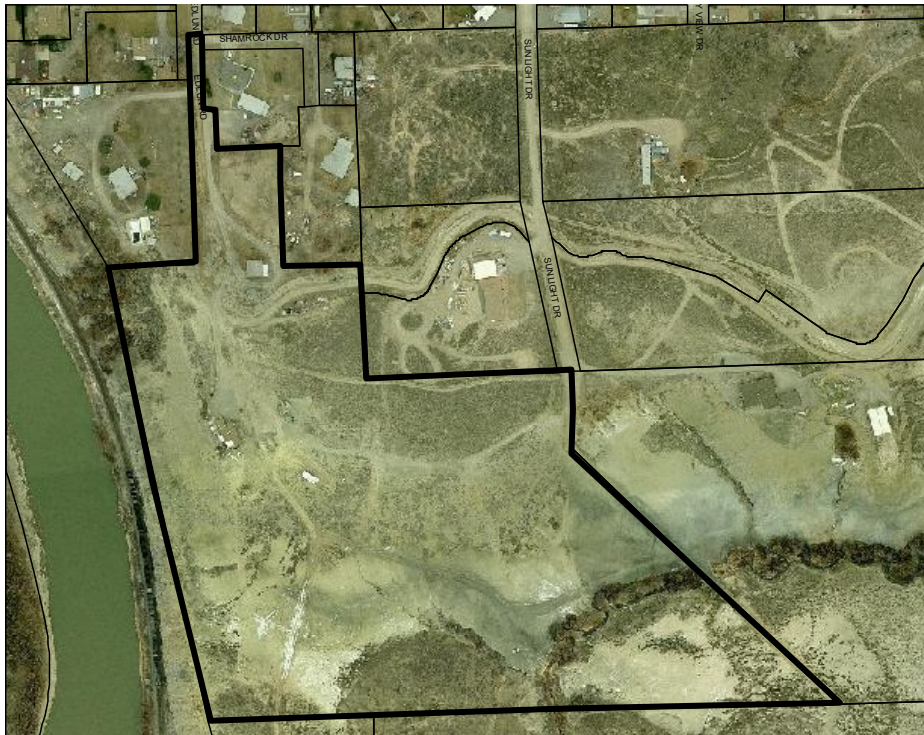
Trails/Transportation Map

166 Edlun Road Property

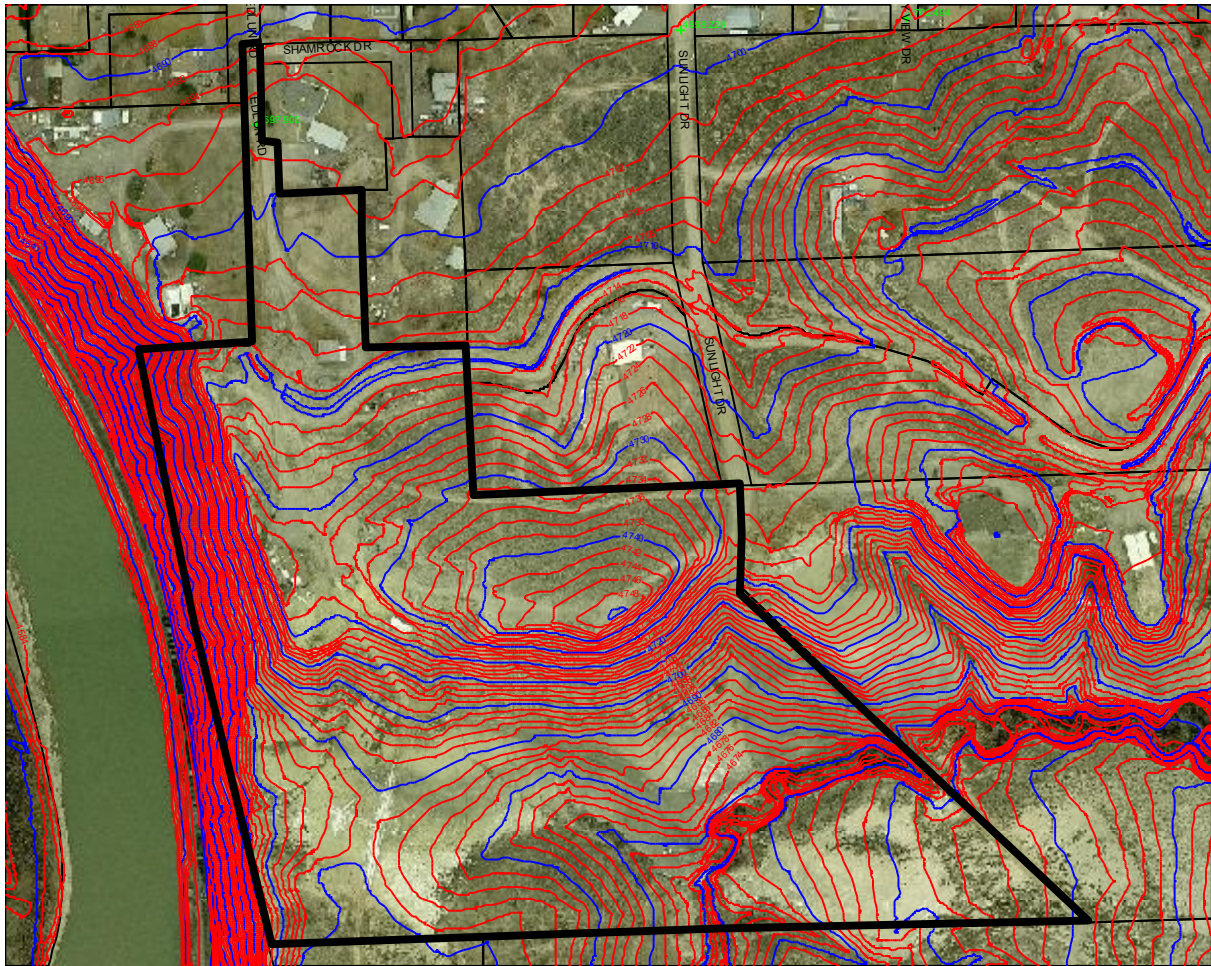
Sunlight Drive



Close-Up Aerial Photo Map



Topographic Map of Site



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SHORES ANNEXATION TO
R-4 (RESIDENTIAL 4 DU/AC)**

LOCATED AT 166 EDLUN ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Shores Annexation to the R-2 (Residential 2 du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4 (Residential 4 du/ac) zone district is in conformance with the stated criteria of Section 2.6 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 be zoned R-4 (Residential 4 du/ac).

SHORES ANNEXATION

A tract or parcel of land situated in the Northwest Quarter (NW1/4) of Section Thirty-One (31), Township One (1) South, Range One (1) East of the Ute Meridian and being more particularly described as follows:

Beginning at the Southeast corner of Lot Two (2) in said Section Thirty-One (31), whose East line is recorded as bearing North00°11'03"East in Book 1796 at Page 506 in the Mesa County Clerk and Recorder's Office and all bearings contained herein to be relative thereto; thence North89°35'23"West 314.74 feet to the Easterly right-of-way line of the Denver and Rio Grande Western Railroad, thence along said right-of-way along the arc of a curve to the left 903.07feet, with a central angle of 25°44'29", radius of 2,010.98 feet and whose long chord bears North10°42'10"West 895.50 feet, thence leaving said right-of-way line South89°45'55"East 165.38 feet, thence North00°11'03"East 442.30 feet to the Southerly right-of-way line of Edlun Road, thence South89°45'55"East along said right-of-way line of Edlun Road 25.03 feet, thence leaving said right-of-way line of Edlun Road South00°11'03"West 143.00 feet, thence South89°45'55"East 25.00 feet, thence South00°11'03"West 76.00 feet, thence South89°45'55"East 118.45 feet, thence South00°11'03"West 232.00 feet, thence South89°45'55"East 150.11 feet to the East line of said Lot Two(2), thence along said

East line South00°11'03"West 212.53 feet to the Northwest corner of the South Half of the Southeast Quarter of the Northwest Quarter (S1/2SE1/4NW1/4) of said Section Thirty-One (31), thence along the North line of said South Half of the Southeast Quarter of the Northwest Quarter (S1/2SE1/4NW1/4) South89°36'27"East 400.00 feet, thence South00°23'33"West 150.00 feet, thence South44°23'12"East 713.11 feet to the South line of said South Half of the Southeast Quarter of the Northwest Quarter (S1/2SE1/4NW1/4), thence North89°47'06"West 900.00 feet to the point of beginning, all in Mesa County, Colorado.

INTRODUCED on first reading the ____ day of _____, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Attach 5

**Setting a Hearing on the Level III Annexation, Located at 2922 B 1/2 Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Level III Annexation - Located at 2922 B 1/2 Road		
File #	ANX-2008-147		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 4, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Senta L. Costello – Senior Planner		

Summary: Request to annex 19.68 acres, located at 2922 B 1/2 Road. The Level III Annexation consists of 1 parcel and includes a portion of the B 1/2 Road right-of-way.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for Annexation and introduce the proposed Ordinance and set a hearing for August 4, 2008.

Attachments:

1. Staff report/Background information
2. Annexation / Site Location Map; Aerial Photo Map
3. Future Land Use Map; Existing City and County Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION			
Location:		2922 B 1/2 Road	
Applicants:		Owner/Developer: Level III Development LLC – Bill Ogle Representative: Austin Civil Group – Jim Joslyn	
Existing Land Use:		Single Family Residence/Agricultural	
Proposed Land Use:		Single Family Residential Subdivision	
Surrounding Land Use:	North	Single Family Residential Subdivision	
	South	Single Family Residential Subdivision	
	East	Single Family Residential Subdivision/Agricultural	
	West	Single Family Residential/Agricultural	
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)	
Proposed Zoning:		City R-4 (Residential 4 du/ac)	
Surrounding Zoning:	North	City R-4 (Residential 4 du/ac)	
	South	County RSF-4 (Residential Single Family 4 du/ac) / City R-4 (Residential 4 du/ac)	
	East	City R-4 (Residential 4 du/ac)	
	West	County RSF-4 (Residential Single Family 4 du/ac) / City R-4 (Residential 4 du/ac)	
Growth Plan Designation:		Residential Medium 4-8 du/ac	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 19.68 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Level III Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;

- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

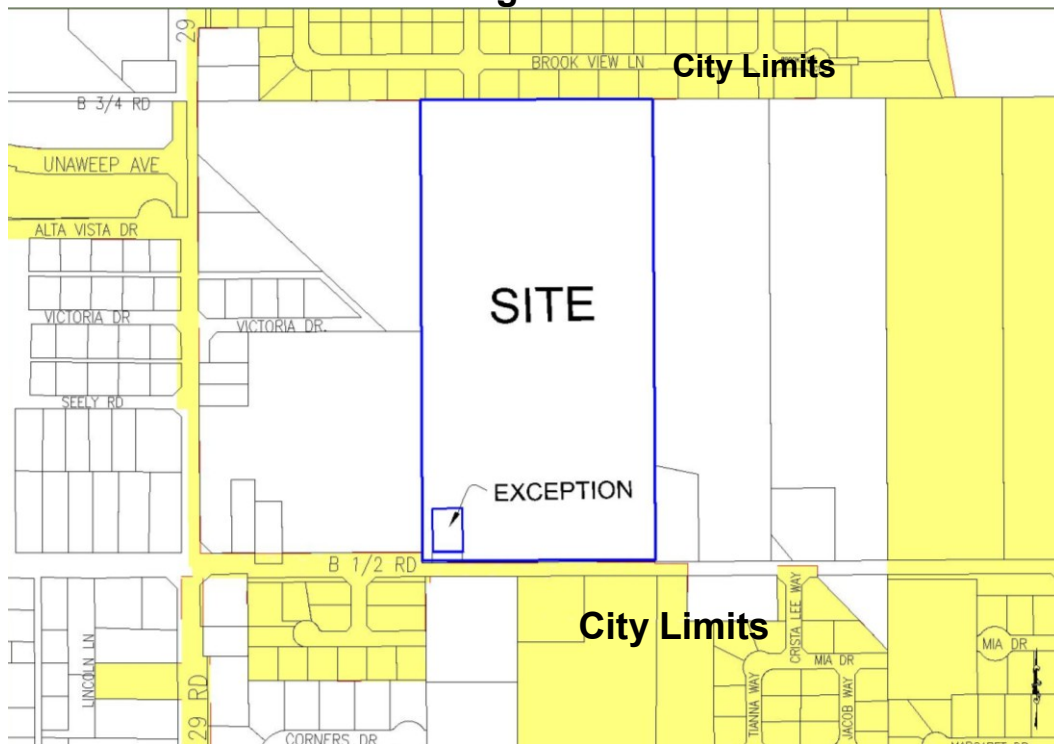
ANNEXATION SCHEDULE	
June 16, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
July 8, 2008	Planning Commission considers Zone of Annexation
July 14, 2008	Introduction of a proposed Ordinance on Zoning by City Council
August 4, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
September 5, 2008	Effective date of Annexation and Zoning

LEVEL III ANNEXATION SUMMARY

File Number:		ANX-2008-147
Location:		2922 B 1/2 Road
Tax ID Number:		2945292-00-017
Parcels:		1
Estimated Population:		1
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		19.68 acres
Developable Acres Remaining:		19.68 acres
Right-of-way in Annexation:		0.38 acres of B 1/2 Road right-of-way
Previous County Zoning:		RSF-4 (Residential Single Family 4 du/ac)
Proposed City Zoning:		R-4 (Residential 4 du/ac)
Current Land Use:		Single Family Residence / Agriculture
Future Land Use:		Single Family Residential Subdivision
Values:	Assessed:	= \$15,280
	Actual:	= \$169,370
Address Ranges:		2922-2928 B 1/2 Road (even only)
Special Districts:	Water:	Ute Water
	Sewer:	Orchard Mesa Sanitation District
	Fire:	Grand Junction Rural Fire District
	Irrigation:	Orchard Mesa Irrigation District
	School:	Mesa County Valley School District #51
	Pest:	Grand River Mosquito District

Annexation-Site Location Map

Figure 1



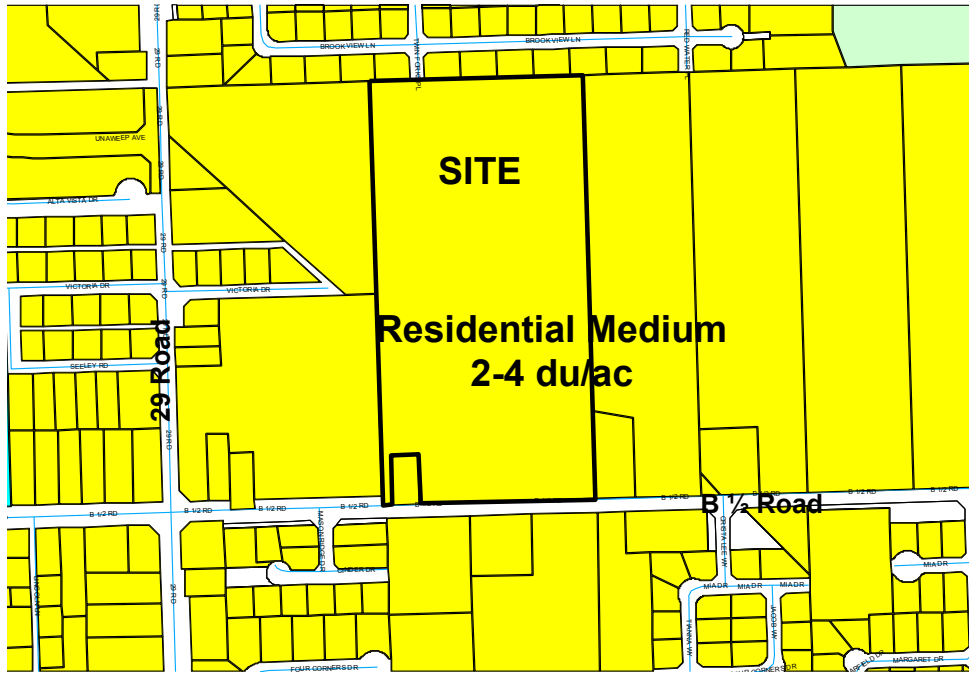
Aerial Photo Map

Figure 2



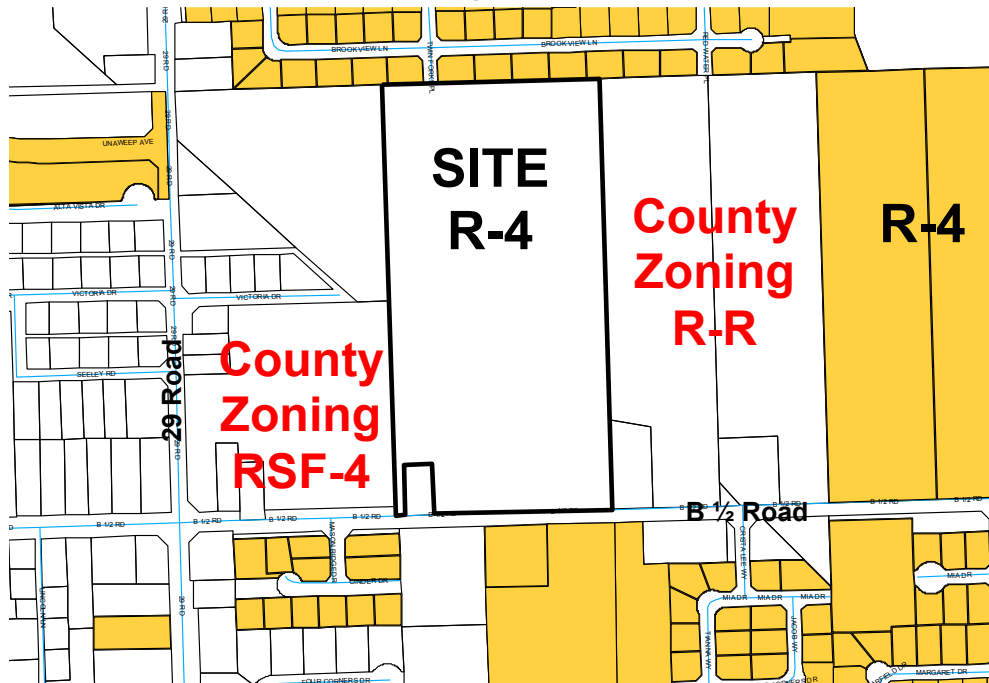
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 16th of June, 2008, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

LEVEL III ANNEXATION

**LOCATED AT 2922 B 1/2 ROAD INCLUDING A PORTION OF THE B 1/2 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 16th day of June, 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

LEVEL III ANNEXATION

A certain parcel of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 29, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East 1/2 of the SW 1/4 NW 1/4 of said Section 29 less however the South 5.00 feet thereof being Summit Annexation No. 1, Ordinance No. 3712, City of Grand Junction, also less a parcel of land recorded in Book 3524, Page 808 of the Mesa County, Colorado public records.

Said parcel contains 19.68 acres (857,363.10 sq. ft.), more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 4th day of August, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated

or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
June 18, 2008
June 25, 2008
July 2, 2008
July 9, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LEVEL III ANNEXATION

APPROXIMATELY 19.68 ACRES

**LOCATED AT 2922 B 1/2 ROAD INCLUDING A PORTION OF THE B 1/2 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 16th day of June, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 4th day of August, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

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

LEVEL III ANNEXATION

A certain parcel of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 29, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East 1/2 of the SW 1/4 NW 1/4 of said Section 29 less however the South 5.00 feet thereof being Summit Annexation No. 1, Ordinance No. 3712, City of Grand Junction, also less a parcel of land recorded in Book 3524, Page 808 of the Mesa County, Colorado public records.

Said parcel contains 19.68 acres (857,363.10 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2008 and ordered published.

ADOPTED on second reading the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

Attach 6
Setting a Hearing on the Fournier Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Fournier Annexation - Located at 2132 Rainbow Ranch Drive		
File #	ANX-2008-111		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 4, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Senta L. Costello – Senior Planner		

Summary: Request to annex 6.48 acres, located at 2132 Rainbow Ranch Drive. The Fournier Annexation consists of 1 parcel and includes a portion of the Broadway right-of-way and all of the Rainbow Ranch Drive right-of-way.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for Annexation and introduce the proposed Ordinance and set a hearing for August 4, 2008.

Attachments:

1. Staff report/Background information
2. Annexation / Site Location Map; Aerial Photo Map
3. Future Land Use Map; Existing City and County Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION			
Location:	2132 Rainbow Ranch Drive		
Applicants:	Owner: Kathleen M. Fournier Representative: Meadowlark Consulting LLC – Paul Johnson		
Existing Land Use:	Vacant		
Proposed Land Use:	Single Family Residential Subdivision		
Surrounding Land Use:	North	Monument Village Shopping Center	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:	County RSF-4 (Residential Single Family 4 du/ac)		
Proposed Zoning:	City R-5 (Residential 5 du/ac)		
Surrounding Zoning:	North	County C-1 (Light Commercial) / City B-1 (Neighborhood Commercial)	
	South	County RSF-4 (Residential Single Family 4 du/ac)	
	East	County RSF-4 (Residential Single Family 4 du/ac)	
	West	County RSF-4 (Residential Single Family 4 du/ac)	
Growth Plan Designation:	Residential Medium 4-8 du/ac		
Zoning within density range?	X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 6.48 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Fournier Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is proposed.

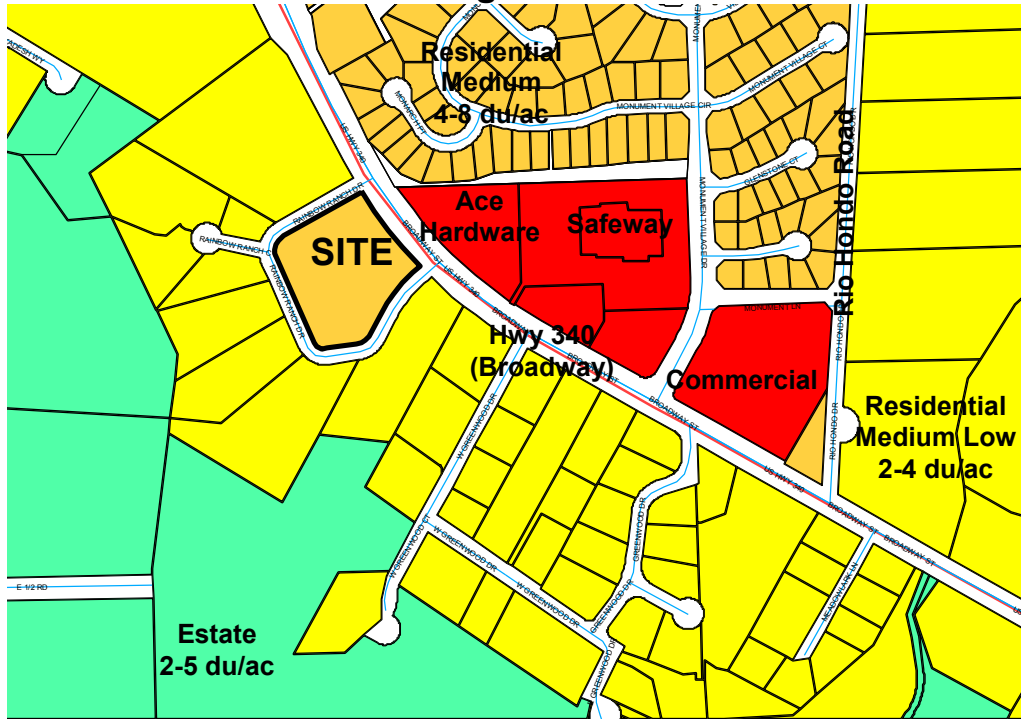
<i>ANNEXATION SCHEDULE</i>	
June 16, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
July 8, 2008	Planning Commission considers Zone of Annexation
July 14, 2008	Introduction of a proposed Ordinance on Zoning by City Council
August 4, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
September 5, 2008	Effective date of Annexation and Zoning

FOURNIER ANNEXATION SUMMARY

File Number:		ANX-2008-111
Location:		2132 Rainbow Ranch Drive
Tax ID Number:		2947-232-44-001
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		6.48 acres
Developable Acres Remaining:		3.27 acres
Right-of-way in Annexation:		3.20 acres
Previous County Zoning:		RSF-4 (Residential Single Family 4 du/ac)
Proposed City Zoning:		R-5 (Residential 5 du/ac)
Current Land Use:		Vacant
Future Land Use:		Single Family Residential
Values:	Assessed:	= \$27,550
	Actual:	= \$95,000
Address Ranges:		2126-2134 Rainbow Ranch Drive (even only)
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation:	Redlands Water & Power
	School:	Mesa County Valley School District #51
	Pest:	None

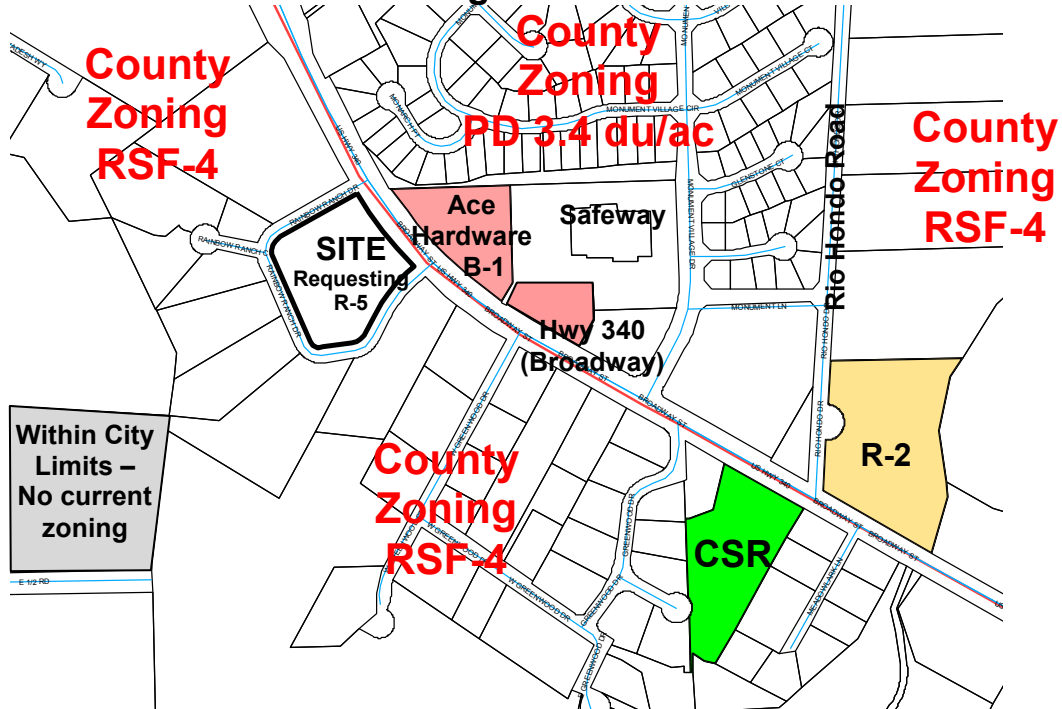
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 16th of June, 2008, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

FOURNIER ANNEXATION

**LOCATED AT 2132 RAINBOW RANCH ROAD INCLUDING A PORTION OF THE
HIGHWAY 340 (BROADWAY) RIGHT-OF-WAY AND ALL OF THE RAINBOW RANCH
ROAD RIGHT-OF-WAY**

WHEREAS, on the 16th day of June, 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

FOURNIER ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 23, Township Eleven South (11S), Range One Hundred One West (101W) of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northeast corner of Lot 2 of Rainbow Ranch Subdivision, as same is recorded in Plat Book 11, Page 7, public records of Mesa County, Colorado and assuming the East line of Lot 6 of said Rainbow Ranch Subdivision to bear N22°40'55"W with all bearings contained herein relative thereto; thence N61°25'05"E a distance of 386.95 feet along the North line of Right of Way of Rainbow Ranch Drive, as same as recorded in Book 940, Page 202 of the Mesa County, Colorado public records to a point on the West line of Monument Village Filing No. 7, as same is recorded in Plat Book 2789, Page 969, public records of Mesa County, Colorado; thence 79.64 feet along the arc of a 1379.23 foot radius curve, concave Northeast, having a central angle of 03°18'30" and a chord bearing S30°21'40"E a distance of 79.63 feet along the West line of said Monument Village Filing No. 7 to the Northwest corner of Monument Village Shopping Center, as same is recorded in Plat Book 16, Page 66, public records of Mesa County, Colorado; thence along the West line of Ace Hardware Annexation No. 3, Ordinance No. 3832, City of Grand Junction the following four (4) courses: (1) 535.59 feet along the arc of a 1382.50 foot radius curve, concave Northeast, having a central angle of 22°11'49" and a chord bearing S43°06'32"E a distance of 532.25 feet along the West line of said Monument Village Shopping Center; (2) 115.02 feet along the arc of a 1377.84 foot radius curve, concave Northeast, having a central angle of 04°46'59" and a chord bearing S56°38'24"E a distance of 114.99

feet; (3) S59°01'54"E a distance of 53.62 feet; (4) S30°59'17"W a distance of 95.33 feet; thence 84.07 feet along the arc of a 4225.09 foot radius curve, concave Northeast, having a central angle of 01°08'24" and a chord bearing N58°46'04"W a distance of 84.07 feet along the South line of Right of Way of Colorado Highway 340, as same as recorded in Book 530, Page 462 of the Mesa County, Colorado public records to the Northeast corner of Lot 11 of said Rainbow Ranch Subdivision; thence 340.63 feet along the arc of a 1498.25 foot radius curve, concave Northeast, having a central angle of 13°01'35" and a chord bearing N51°11'06"W a distance of 339.90 feet along the East line of said Rainbow Ranch Subdivision, said line also being the South line of said Right of Way; thence along the South line of Right of Way of Rainbow Ranch Drive, as same as recorded in Book 913, Page 991 of the Mesa County, Colorado public records the following four (4) courses: (1) 188.55 feet along the arc of a 445.20 foot radius curve, concave Southeast, having a central angle of 24°15'58" and a chord bearing S40°42'04"W a distance of 187.15 feet; (2) S28°34'05"W a distance of 72.50 feet; (3) 103.67 feet along the arc of a 110.00 foot radius curve, concave Northwest, having a central angle of 54°00'00" and a chord bearing S55°34'05"W a distance of 99.88 feet; (4) S82°34'05"W a distance of 100.53 feet; thence along the Westerly line of Right of Way of Rainbow Ranch Drive, as same as recorded in Book 940, Page 202 of the Mesa County, Colorado public records the following three (3) courses: (1) 118.02 feet along the arc of a 90.46 foot radius curve, concave Northeast, having a central angle of 74°45'00" and a chord bearing N60°03'25"W a distance of 109.82 feet; (2) N22°40'55"W a distance of 179.97 feet; (3) 157.85 feet along the arc of a 107.54 foot radius curve, concave Southeast, having a central angle of 84°06'00" and a chord bearing N19°22'05"E a distance of 144.06 feet to the Point of Beginning.

Said parcel contains 6.48 acres (282,393.18 sq. ft.), more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 4th day of August, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
June 18, 2008
June 25, 2008
July 2, 2008
July 9, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

FOURNIER ANNEXATION

APPROXIMATELY 6.48 ACRES

**LOCATED AT 2132 RAINBOW RANCH ROAD INCLUDING A PORTION OF THE
HIGHWAY 340 (BROADWAY) RIGHT-OF-WAY AND ALL OF THE RAINBOW RANCH
ROAD RIGHT-OF-WAY**

WHEREAS, on the 16th day of June, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 4th day of August, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

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

FOURNIER ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 23, Township Eleven South (11S), Range One Hundred One West (101W) of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northeast corner of Lot 2 of Rainbow Ranch Subdivision, as same is recorded in Plat Book 11, Page 7, public records of Mesa County, Colorado and assuming the East line of Lot 6 of said Rainbow Ranch Subdivision to bear N22°40'55"W with all bearings contained herein relative thereto; thence N61°25'05"E a distance of 386.95 feet along the North line of Right of Way of Rainbow Ranch Drive, as same as recorded in Book 940, Page 202 of the Mesa County, Colorado public records to a point on the West line of Monument Village Filing No. 7, as same is recorded in Plat Book 2789, Page 969, public records of Mesa County, Colorado; thence 79.64 feet along the arc of a 1379.23 foot radius curve, concave Northeast,

having a central angle of 03°18'30" and a chord bearing S30°21'40"E a distance of 79.63 feet along the West line of said Monument Village Filing No. 7 to the Northwest corner of Monument Village Shopping Center, as same is recorded in Plat Book 16, Page 66, public records of Mesa County, Colorado; thence along the West line of Ace Hardware Annexation No. 3, Ordinance No. 3832, City of Grand Junction the following four (4) courses: (1) 535.59 feet along the arc of a 1382.50 foot radius curve, concave Northeast, having a central angle of 22°11'49" and a chord bearing S43°06'32"E a distance of 532.25 feet along the West line of said Monument Village Shopping Center; (2) 115.02 feet along the arc of a 1377.84 foot radius curve, concave Northeast, having a central angle of 04°46'59" and a chord bearing S56°38'24"E a distance of 114.99 feet; (3) S59°01'54"E a distance of 53.62 feet; (4) S30°59'17"W a distance of 95.33 feet; thence 84.07 feet along the arc of a 4225.09 foot radius curve, concave Northeast, having a central angle of 01°08'24" and a chord bearing N58°46'04"W a distance of 84.07 feet along the South line of Right of Way of Colorado Highway 340, as same as recorded in Book 530, Page 462 of the Mesa County, Colorado public records to the Northeast corner of Lot 11 of said Rainbow Ranch Subdivision; thence 340.63 feet along the arc of a 1498.25 foot radius curve, concave Northeast, having a central angle of 13°01'35" and a chord bearing N51°11'06"W a distance of 339.90 feet along the East line of said Rainbow Ranch Subdivision, said line also being the South line of said Right of Way; thence along the South line of Right of Way of Rainbow Ranch Drive, as same as recorded in Book 913, Page 991 of the Mesa County, Colorado public records the following four (4) courses: (1) 188.55 feet along the arc of a 445.20 foot radius curve, concave Southeast, having a central angle of 24°15'58" and a chord bearing S40°42'04"W a distance of 187.15 feet; (2) S28°34'05"W a distance of 72.50 feet; (3) 103.67 feet along the arc of a 110.00 foot radius curve, concave Northwest, having a central angle of 54°00'00" and a chord bearing S55°34'05"W a distance of 99.88 feet; (4) S82°34'05"W a distance of 100.53 feet; thence along the Westerly line of Right of Way of Rainbow Ranch Drive, as same as recorded in Book 940, Page 202 of the Mesa County, Colorado public records the following three (3) courses: (1) 118.02 feet along the arc of a 90.46 foot radius curve, concave Northeast, having a central angle of 74°45'00" and a chord bearing N60°03'25"W a distance of 109.82 feet; (2) N22°40'55"W a distance of 179.97 feet; (3) 157.85 feet along the arc of a 107.54 foot radius curve, concave Southeast, having a central angle of 84°06'00" and a chord bearing N19°22'05"E a distance of 144.06 feet to the Point of Beginning.

Said parcel contains 6.48 acres (282,393.18 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

Attach 7

**Address Change for the Sale of Property at 3rd and Main Streets
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Correct Property Description Regarding the Sale of City Property at 3 rd and Main Streets		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 11, 2008		
Author Name & Title	Mary Lynn Kirsch, Paralegal		
Presenter Name & Title	John Shaver, City Attorney		

Summary: City Council ratified the sale contract to Western Hospitality, LLC for property at 3rd and Main Streets by Resolution 53-08 at its May 19, 2008 meeting. City Staff then became aware of discrepancies in legal property descriptions in the contract documents. In order to proceed and close on the property, the sale contract and Resolution 53-08 need to be amended to accurately describe the property being sold to Western Hospitality and match the understanding and representations made by both parties throughout this transaction.

Budget: There is no impact to the budget.

Action Requested/Recommendation: Authorize the City Manager to amend the Sale Contract to accurately describe the property being sold, ratify a letter from the City Manager to Abstract & Title Co. of Mesa County, Inc. acknowledging the City Council authorized changes, and approve the Resolution amending Resolution 53-08 to correct the property description.

Attachments: Resolution

Background Information: The sale of the property located at 236 Main Street, 238 Main Street and an adjoining unnumbered vacant parcel, is part of the plan for the Downtown parking system. With completion of the parking structure on Rood Avenue, the property, which consists of surface parking, can now be developed by Western Hospitality for expansion of their hotel operations.

RESOLUTION NO. __-08

**A RESOLUTION AMENDING RESOLUTION 53-08 REGARDING
THE SALE OF REAL PROPERTY LOCATED
AT 236 MAIN STREET, 238 MAIN STREET AND
AN ADJOINING UNNUMBERED PARCEL**

RECITALS:

Resolution 53-08 was approved by City Council at its May 19, 2008 meeting. The Resolution ratified the sale of city-owned property located at "238 Main Street". City staff has subsequently become aware that the property description on both the sale contract and Resolution 53-08 was inaccurately stated and does not accurately represent the entire property owned by the City and intended for sale to Western Hospitality, LLC.

In order to proceed and close on the property, it is necessary to correct the sale contract and amend Resolution 53-08 to accurately represent the property on all associated contract and public documents.

The City-owned property to be sold and conveyed to Western Hospitality, LLC, by general warranty deed for the price of \$656,250.00, is accurately described as: Lots 17 through 23, inclusive, Block 101, City of Grand Junction, County of Mesa, State of Colorado, also known as 236 Main Street, 238 Main Street and an unnumbered vacant parcel, all in Grand Junction, Colorado 81501.

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

1. The City Manager shall be authorized to make all necessary changes to correct the property description on appropriate documents, including the sale contract.
2. The City Manager is authorized to prepare and sign a letter of acknowledgement to be delivered to Abstract & Title Co. of Mesa County, Inc., acknowledging the changes and actions to be made to correct property description discrepancies.
3. Resolution 53-08 is hereby amended to correct and replace any references to "238 Main Street" with "236 Main Street, 238 Main Street and an unnumbered vacant parcel".
4. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the sale of the described property. Specifically, City staff is directed to effectuate this Resolution and the amended Sales Contract, including the execution and delivery of the deed and such documents as are necessary to complete the sale.

PASSED and ADOPTED this _____ day of _____, 2008.

ATTEST:

Gregg Palmer, President of the Council

Stephanie Tuin, City Clerk

Attach 8
Sidewalk Dining Application for Blue Moon Bar and Grille
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Outdoor Dining Lease – Blue Moon Bar and Grille		
File #			
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 10, 2008		
Author Name & Title	Heidi Hoffman Ham, DDA Executive Director		
Presenter Name & Title	Heidi Hoffman Ham, DDA Executive Director		

Summary: WTB Enterprises Inc., DBA Blue Moon Bar and Grille, is requesting an Outdoor Dining Lease for the property located at 120 N. Seventh Street. They have applied for and received a Sidewalk Café Permit to serve food outside at up to 10 tables with a maximum of 40 seats. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area, as well.

Budget: No expenditures are required.

Action Requested/Recommendation: Approval of lease.

Attachments:

1. Resolution authorizing lease of sidewalk right-of-way to WTB Enterprises Inc., DBA Blue Moon Bar and Grille
2. Outdoor Dining Lease Agreement between City of Grand Junction and WTB Enterprises Inc., DBA Blue Moon Bar and Grille
3. Diagram of proposed serving area at 120 N. Seventh Street

Background Information: Council approved the expansion of sidewalk dining with liquor service in July, 2004. However, at that time, it was made clear that permission to serve alcohol on the sidewalk would require a specific lease of the public right-of-way in order to expand the licensed premise under their individual liquor license. Approval of this lease will allow for the applicant to apply for expansion of their premise through the proper State and City agencies. The Lease includes standards for appropriate access and control of the premise and is in keeping with the standards that have been in place in other communities in Colorado and that have worked well in Grand Junction.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE LEASE OF SIDEWALK RIGHT-OF-WAY TO
WTB ENTERPRISES INC., DBA BLUE MOON BAR AND GRILLE**

Recitals

The City has negotiated an agreement for WTB Enterprises Inc., DBA Blue Moon Bar and Grille to lease a portion of the sidewalk right-of-way located in front of 120 North Seventh Street from the City for use as outdoor dining; and

The City Council deems it necessary and appropriate that the City lease said property to WTB Enterprises Inc., DBA Blue Moon Bar and Grille.

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

The City Manager is hereby authorized and directed to sign the Lease Agreement leasing the city-owned sidewalk right-of-way for a period of twelve months at \$420 per year, to WTB Enterprises Inc., DBA Blue Moon Bar and Grille.

PASSED and ADOPTED this ____ day of _____, 2008.

President of the Council

Attest:

City Clerk

OUTDOOR DINING LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into as of June 30, 2008 by and between THE CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, as Lessor, hereinafter City and WTB Enterprises Inc., DBA Blue Moon Bar and Grille, an LLC, as Lessee, hereinafter Lessee.

RECITALS.

The City by Ordinance No. 3650 and subsequently amended by Ordinance No. 4120 established a Sidewalk Restaurant commercial activity permit for restaurants in the Downtown Shopping Park (DSP) on Main Street, Seventh Street and Colorado Avenue.

In accordance with that authority the City Council and the Downtown Development Authority (DDA) desire to make certain areas of the sidewalk in DSP available by lease to approximate land owners and/or lessees that want to make use of a portion of the sidewalk in the DSP for restaurant and/or alcohol service.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, it is agreed as follows:

1. The City does hereby lease to Lessee approximately 420 square feet of the sidewalk in the DSP located in front of 120 N. Seventh Street hereinafter the Leased Area. Specifically the Leased Area is that portion of the sidewalk immediately across the sidewalk from the Lessee's business. The leased area is depicted on the attached Exhibit A.
2. The City does hereby grant an easement across the abutting sidewalk for the purpose of transporting alcohol beverages and providing food service. Such easement runs concurrent with said lease and terminates when said lease terminates.
3. The term of this lease shall be for a period of one year beginning on June 30, 2008 and terminating on June 30, 2009. Rent shall be calculated at \$1.00 per square foot per year. As rent for the Leased Area, Lessee agrees to pay the City the total sum of \$420.00 which sum shall be payable in advance on or before June 30, 2008, at the offices of the City Clerk, Grand Junction City Hall, 250 North 5th Street, Grand Junction, Colorado 81501.

If the rent payment is not paid in full when due, a Lease shall not issue.

4. Lessee agrees to use the Leased Area for the sole purpose of selling and dispensing food and/or beverages to the public. The Leased Area shall be open to the public, weather permitting, during the Lessee's normal business hours but in no event shall food and/or beverage service be extended beyond 12:00 midnight. Food shall be available to be served in the Leased Area during all hours that it is open to the public and in accordance with the Lessee's liquor license.

5. Lessee further agrees to use the Leased Area for no purpose prohibited by the laws of the United States, the State of Colorado or ordinances of the City of Grand Junction. Further, Lessee agrees to comply with all reasonable recommendations by DDA relating to the use of the Leased Area. Prior to alcohol service the Lessee shall modify its liquor licensed premises as required by the laws of the State and City. **Modification of the licensed premises, in accordance with Colorado law, is a precondition to the authority this lease.**
6. Lessee shall remove any improvements, enclosures, furniture, fixtures, equipment or structures installed by it or at its direction on the Leased Area promptly upon expiration of this Lease. Failure to remove the same within ten (10) days of expiration shall result in ownership thereof transferring to the DDA.
7. Lessee agrees to keep the Leased Area in good repair and free from all litter, dirt and debris and in a clean and sanitary condition; to neither permit nor suffer any disorderly conduct or nuisance whatsoever, which would annoy or damage other persons or property by any alteration to the Leased Area or by any injury of accident occurring thereon. Further, Lessee does, by execution of this Lease, indemnify and hold harmless the City of Grand Junction and the DDA and its employees, elected and appointed officials, against any and all claims for damages or personal injuries arising from the use of the Leased Area. Lessee agrees to furnish certificate(s) of insurance as proof that it has secured and paid for a policy of public liability insurance covering all public risks related to the leasing, use, occupancy, maintenance and operation of the Leased Area. Insurance shall be procured from a company authorized to do business in the State of Colorado and be satisfactory to the City. The amount of insurance, without co-insurance clauses, shall not be less than the maximum liability that can be imposed upon the City under the laws of the State, as amended. Lessee shall name the City and the DDA as named insureds on all insurance policies and such policies shall include a provision that written notice of any non-renewal, cancellation or material change in a policy by the insurer shall be delivered to the City no less than ten (10) days in advance of the effective date.
8. All construction, improvements, furniture, fixtures and/or equipment on the Leased Area shall comply with the following:
 - a. Not be wider than the street frontage of the business nor extend to the extent that pedestrian traffic is impeded.
 - b. No portion of the Lessee's furniture, fixtures or equipment shall extend beyond the boundaries of the Leased Area; this shall be construed to include perimeter enclosures, planters, umbrellas while closed or open and any other fixtures, furniture or equipment placed or utilized by the Lessee.

- c. The perimeter enclosure shall be angled at forty-five (45) degrees with a minimum of four (4) feet in length on the diagonal(s) with the exception that if the Lessee obtains written consent from the adjacent business, a ninety (90) degree angle will be permitted on the side(s) for which the Lessee has obtained such written consent.
 - d. The perimeter of the Leased Area shall be enclosed by a black wrought-iron fence (perimeter enclosure) as approved by DDA, no less than thirty (30) inches in height. Openings in the fence shall not be less than 44 inches wide. If there is a gate which is not self-closing and bi-directional it must swing inward to prevent obstruction of the sidewalk.
 - e. No cooking shall be located on the Leased Area.
 - f. Lessee may place furniture, fixtures and equipment in the Leased Area so long as the same are not allowed to encroach into the public right of way or otherwise to endanger any passerby or patron and are secured to resist wind.
 - g. The Lessee shall allow its fixtures and perimeter fencing to remain in place at its own discretion and liability and shall accept and retain full responsibility and liability for any damage to such fixtures and perimeter fencing caused thereby.
 - h. Neither electric (alternating current) nor gaslights are allowed on the Leased Area. Candles and battery powered lights are allowed.
 - i. No signage, including but not limited to, on furniture, planters or banners shall be allowed on the Leased Area. Menu signs shall be allowed in accordance with provisions of the City of Grand Junction sign code and subject to review by DDA.
9. The leased premises and improvements, additions and fixtures, furniture and equipment thereon shall be maintained and managed by Lessee.
10. Lessee agrees to permit agents of the City and/or DDA to enter upon the premises at any time to inspect the same and make any necessary repairs or alterations to the sidewalks, utilities, meters or other public facilities as the City may deem necessary or proper for the safety, improvement, maintenance or preservation thereof.

Lessee further agrees that if the City shall determine to make changes or improvements to the DSP, which may affect any improvements placed by the Lessee, that the Lessee, by execution of this agreement, hereby waives any and all right to make any claim for damages to the improvements (or to its leasehold interest) and agrees to remove any structures necessary during such construction periods. The City agrees to rebate all rents in the event it undertakes major structural changes during a lease period.

11. The City by this demise hereby conveys no rights or interest in the public way except the right to the uses on such terms and conditions as are above described and retains all title thereto.
12. Lessee agrees not to sublet any portion of the Leased Area, not to assign this lease without the prior written consent of the City being first obtained.
13. Lessee hereby affirms that Lessee is the owner and/or lessee of the abutting property and agrees that on sale or other transfer of such ownership interest, Lessee will so notify the City of the transfer in interest and all right and interest under this Lease shall terminate.
14. Lessee agrees to surrender and deliver up the possession of the Leased Area promptly upon the expiration of this Lease or upon five (5) days' written notice in the case of the termination of this Lease by City by reason of a breach in any provisions hereof.
15. If legal action is taken by either party hereto to enforce any of the provisions of this Lease, the prevailing party in any legal action shall be entitled to recover from the other party all of its cost, including reasonable attorney's fees.
16. It is further agreed that no assent, expressed or implied, to any breach of any one or more of the covenants or agreements herein shall be deemed or taken to be a waiver of any succeeding or any other breach.
17. Lessee agrees to comply with all laws, ordinances, rules and regulations that may pertain or apply to the Leased Area and its use. In performing under the Lease, Lessee shall not discriminate against any worker, employee or job applicant, or any member of the public because of race, color, creed, religion, ancestry, national origin, sex, age, marital status, physical handicap, status or sexual orientation, family responsibility or political affiliation, or otherwise commit an unfair employment practice.
18. Lessee and City agree that all correspondence concerning the Lease shall be in writing and either hand delivered or mailed by first class certified mail to the following parties:

City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

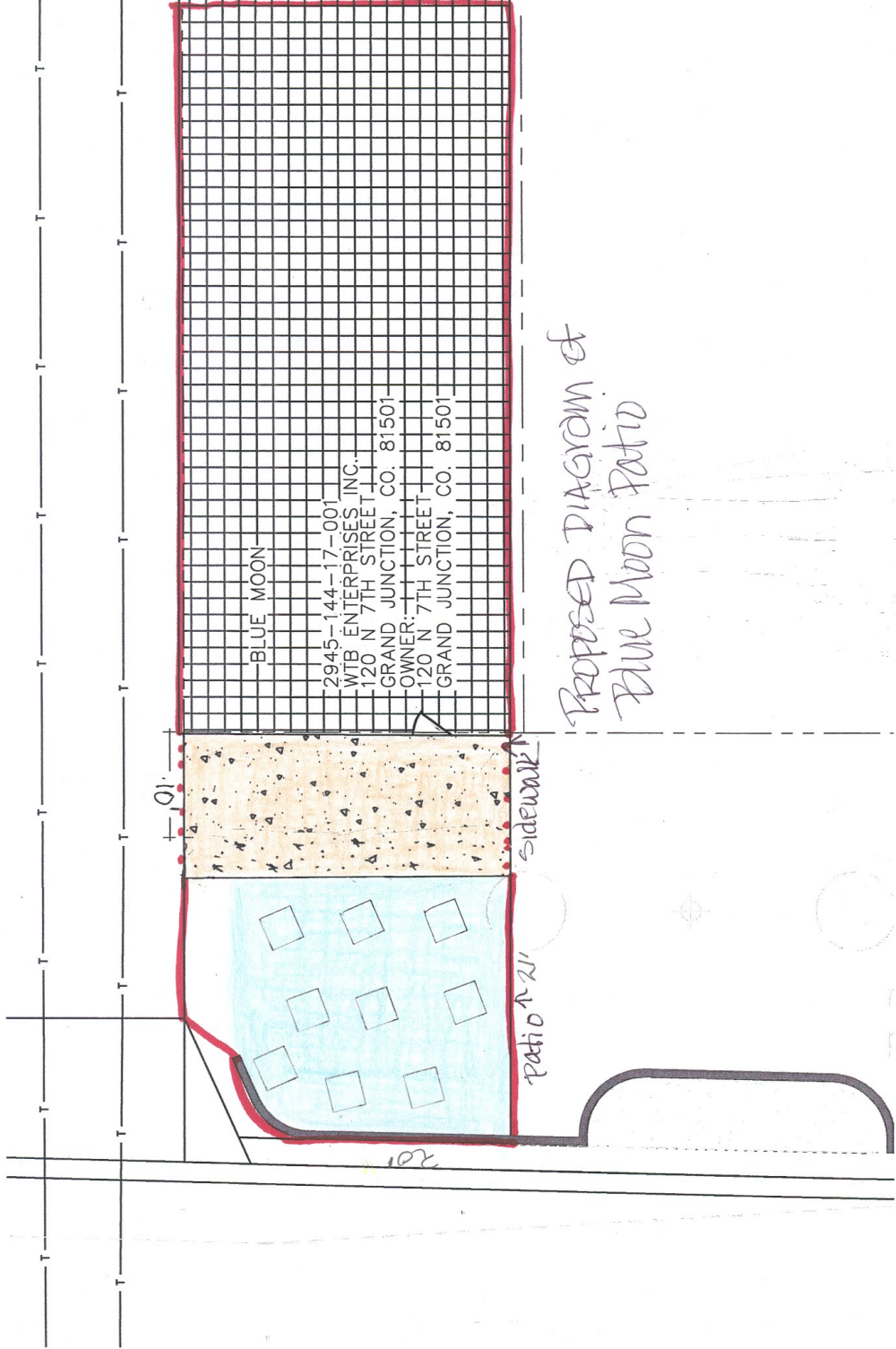
Lessee:
WTB Enterprises Inc., DBA Blue Moon Bar and Grille
120 N. Seventh St.
Grand Junction, Co. 81501

CITY OF GRAND JUNCTION

City Manager

LESSEE

Business Owner



PROPOSED DIAGRAM of
 Blue Moon Patio

Blue Moon EXHIBIT A

**Attach 9
Public Hearing—Simon Annexation and Zoning**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Simon Annexation and Zoning - Located at 3076 and 3080 F ½ Road		
File #	ANX-2008-106		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	June 4, 2008		
Author Name & Title	Brian Rusche, Senior Planner		
Presenter Name & Title	Brian Rusche, Senior Planner		

Summary: Request to annex and zone 6.30 acres, located at 3076 and 3080 F ½ Road, to R-2 (Residential 2-du/ac). The Simon Annexation consists of two parcels, a portion of the F ½ Road right-of-way, and is a two part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Simon Annexation and hold a public hearing and consider final passage of the Annexation Ordinance and Zoning Ordinance.

Attachments:

1. Staff report/Background information
2. Annexation – Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
Location:		3076 & 3080 F ½ Road			
Applicants:		Owner: Ken and Mary Simon Developer: Doug Skelton			
Existing Land Use:		Agricultural			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Agricultural			
	South	Agricultural/Residential			
	East	Agricultural/Residential			
	West	Agricultural			
Existing Zoning:		RSF-R (Residential Single Family Rural)			
Proposed Zoning:		R-2 (Residential 2-du/ac)			
Surrounding Zoning:	North	RSF-R (Residential Single Family Rural)			
	South	RSF-R (Residential Single Family Rural) R-4 (Residential 4-du/ac)			
	East	RSF-R (Residential Single Family Rural)			
	West	RSF-R (Residential Single Family Rural)			
Growth Plan Designation:		Residential Low (1.5 – 2 du/ac)			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 6.30 acres of land and is comprised of two parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Simon Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

f) No land held in identical ownership is being divided by the proposed annexation;

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
May 5, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
May 13, 2008	Planning Commission considers Zone of Annexation
June 2, 2008	Introduction of a proposed Ordinance on Zoning by City Council
June 16, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
July 18, 2008	Effective date of Annexation and Zoning

SIMON ANNEXATION SUMMARY

File Number:		ANX-2008-106
Location:		3076 and 3080 F ½ Road
Tax ID Number:		2943-041-00-168 2943-041-00-169
Parcels:		2
Estimated Population:		4
# of Parcels (owner occupied):		2
# of Dwelling Units:		2
Acres land annexed:		6.30 acres (274,573.64 square feet)
Developable Acres Remaining:		6.026 acres (263,822.16 square feet)
Right-of-way in Annexation:		0.247 acres (10,751.48 square feet)
Previous County Zoning:		RSF-R (Residential Single Family Rural)
Proposed City Zoning:		R-2 (Residential 2-du/ac)
Current Land Use:		Agricultural/Residential
Future Land Use:		Residential Low
Values:	Assessed:	\$12, 446
	Actual:	\$150,920
Address Ranges:		3076 to 3082 F ½ Road Even Only
Special Districts:	Water:	Clifton Water
	Sewer:	Persigo 201
	Fire:	Clifton Fire
	Irrigation/ Drainage:	Mesa County Irrigation Grand Valley Drainage
	School:	District 51
	Pest:	Grand River Mosquito

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-2 (Residential 2-du/ac) district is consistent with the Growth Plan designation of Residential Low. The existing County zoning is RSF-R (Residential Single Family Rural). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

The proposed R-2 zone district is compatible with the surrounding developed properties. Within the surrounding area, many of the adjacent residential properties have been zoned accordingly to meet the Future Land Use designation of Residential Low or Medium Low with some having begun to develop more of these type use developments.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Adequate public facilities are available or will be supplied at the time of further development of the property. A 16" Clifton Water Line is available in F ½ Road.

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

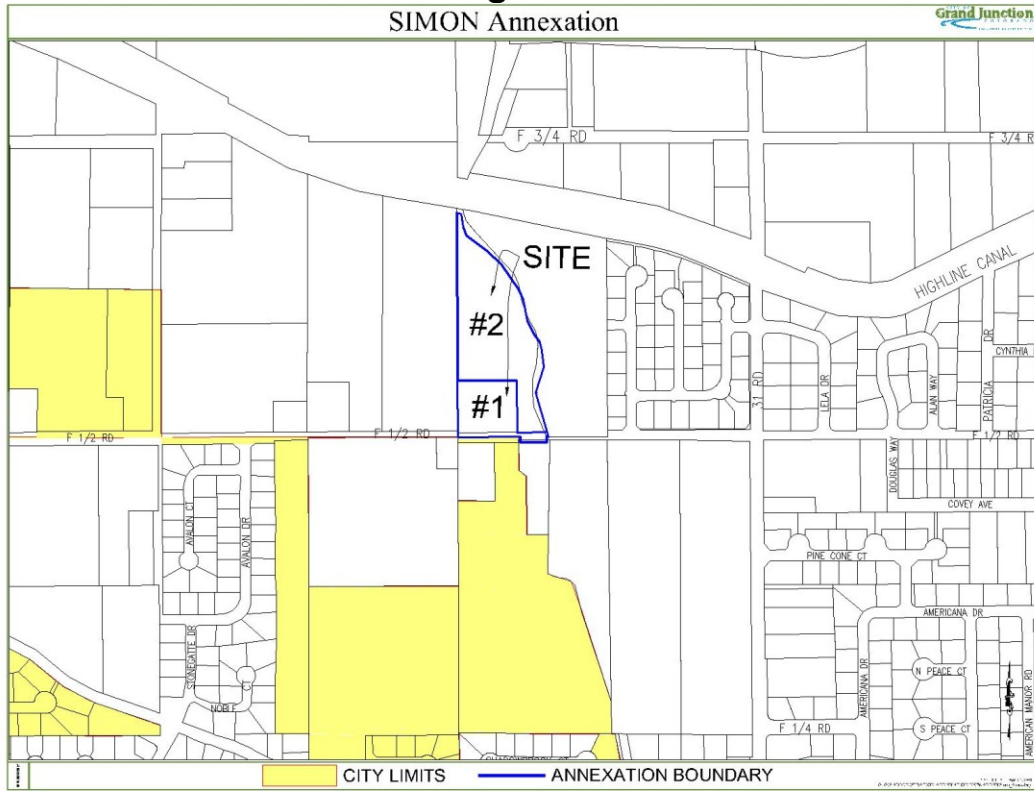
- f. R-1 (Residential 1-du/ac)

If the City Council chooses to recommend the alternative zone designation, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council on May 13, 2008, finding the zoning to the R-2 (Residential 2-du/ac) district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation/Site Location Map

Figure 1



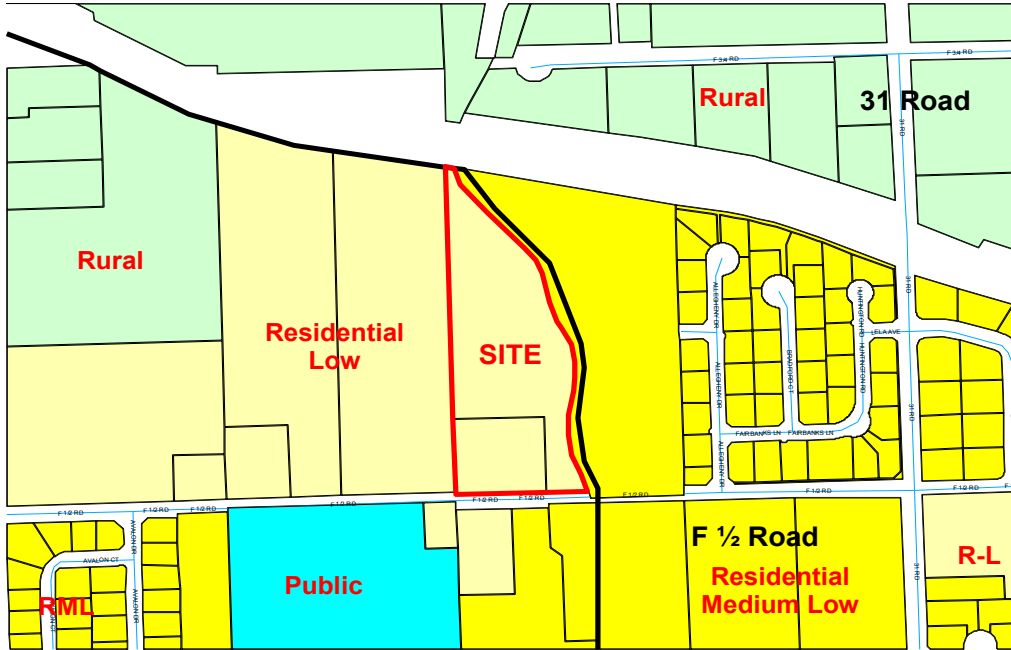
Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

SIMON ANNEXATION

**LOCATED AT 3076 AND 3080 F 1/2 ROAD INCLUDING A PORTION OF THE F 1/2
ROAD RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 5th day of May, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

SIMON ANNEXATION NO. 1

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 4, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the South line of the SE 1/4 NE 1/4 of said Section 4 to bear N89°58'59"E with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4; thence N89°58'59"E a distance of 262.42 feet; thence S00°13'12"E a distance of 228.00 feet; thence N89°58'59"E a distance of 129.78 feet along a line being 20.00 feet North of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4; thence S15°27'40"E a distance of 20.75 feet to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 8.31 feet along the SE 1/4 NE 1/4 of said Section 4; thence S00°11'24"E a distance of 25.00 feet; thence S89°58'59"W a distance of 114.10 feet along a line being 25.00 feet South of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4 to a point on the Easterly line of Thunder Hog Estates Annexation No. 2, Ordinance No. 3909, City of Grand Junction; thence N00°15'04"W a distance of 25.00 feet along the Easterly line of said Thunder Hog Estates Annexation No. 2 to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 275.22 feet along the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the North line of said Thunder Hog Estates Annexation No. 2 to the Point of Beginning

Said parcel contains 1.62 acres (1,336.59 sq. ft.), more or less, as described.

AND

SIMON ANNEXATION NO. 2

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 4, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the West line of the SE 1/4 NE 1/4 of said Section 4 to bear N00°13'10"W with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Point of Beginning; thence N00°13'10"W a distance of 743.63 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Southwest corner of Right of Way of U.S. Government Highline Canal, as same is recorded in Book 1505, Page 762, public records of Mesa County, Colorado; thence S80°28'06"E a distance of 19.89 feet along the South line of said Right of Way; thence along the approximate centerline of Lewis Wash the following fourteen (14) courses: (1) S09°42'39"E a distance of 59.97 feet; (2) S18°38'00"E a distance of 41.06 feet; (3) S54°08'10"E a distance of 113.30 feet; (4) S45°52'19"E a distance of 88.37 feet; (5) S34°09'35"E a distance of 132.84 feet; (6) S23°37'54"E a distance of 50.69 feet; (7) S10°34'42"E a distance of 91.57 feet; (8) S25°53'11"E a distance of 68.33 feet; (9) S35°40'10"E a distance of 43.82 feet; (10) S14°28'05"E a distance of 37.92 feet; (11) S06°08'39"E a distance of 73.89 feet; (12) S17°19'50"W a distance of 115.52 feet; (13) S02°40'35"E a distance of 6.92 feet; (14) S15°27'40"E a distance of 177.91 feet to the Northeasterly corner of Simon Annexation No. 1, City of Grand Junction; thence S89°58'59"W a distance of 129.78 feet along a line being 20.00 feet North and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the Northerly line of said Simon Annexation No. 1; thence N00°13'12"W a distance of 228.00 feet along the Easterly line of said Simon Annexation No. 1; thence S89°58'59"W a distance of 262.42 feet along the Northerly line of said Simon Annexation No. 1 to the Point of Beginning

Said parcel contains 4.68 Acres (203,990.60 Sq. Ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of June, 2008; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SIMON ANNEXATION NO. 1

APPROXIMATELY 1.62 ACRES

**LOCATED AT 3076 F 1/2 ROAD
INCLUDING A PORTION OF THE F 1/2 ROAD RIGHT-OF-WAY**

WHEREAS, on the 5th day of May, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of June, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

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

SIMON ANNEXATION NO. 1

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 4, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the South line of the SE 1/4 NE 1/4 of said Section 4 to bear N89°58'59"E with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4; thence N89°58'59"E a distance of 262.42 feet; thence S00°13'12"E a distance of 228.00 feet; thence N89°58'59"E a distance of 129.78 feet along a line being 20.00 feet North of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4; thence S15°27'40"E a distance of 20.75 feet to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 8.31 feet along the SE 1/4 NE 1/4 of said Section 4; thence S00°11'24"E a distance of 25.00 feet; thence S89°58'59"W a distance of 114.10 feet along a line being 25.00 feet South of and

parallel with the South line of the SE 1/4 NE 1/4 of said Section 4 to a point on the Easterly line of Thunder Hog Estates Annexation No. 2, Ordinance No. 3909, City of Grand Junction; thence N00°15'04"W a distance of 25.00 feet along the Easterly line of said Thunder Hog Estates Annexation No. 2 to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 275.22 feet along the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the North line of said Thunder Hog Estates Annexation No. 2 to the Point of Beginning

Said parcel contains 1.62 acres (1,336.59 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the 5th day of May, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SIMON ANNEXATION NO. 2

APPROXIMATELY 4.68 ACRES

**LOCATED AT 3080 F 1/2 ROAD
INCLUDING A PORTION OF THE F 1/2 ROAD RIGHT-OF-WAY**

WHEREAS, on the 5th day of May, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of June, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

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

SIMON ANNEXATION NO. 2

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 4, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the West line of the SE 1/4 NE 1/4 of said Section 4 to bear N00°13'10"W with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Point of Beginning; thence N00°13'10"W a distance of 743.63 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Southwest corner of Right of Way of U.S. Government Highline Canal, as same is recorded in Book 1505, Page 762, public records of Mesa County, Colorado; thence S80°28'06"E a distance of 19.89 feet along the South line of said Right of Way; thence along the approximate centerline of Lewis Wash the following fourteen (14) courses: (1) S09°42'39"E a distance of 59.97 feet; (2) S18°38'00"E a distance of 41.06 feet; (3) S54°08'10"E a distance of 113.30 feet; (4) S45°52'19"E a distance of 88.37 feet; (5) S34°09'35"E a distance of 132.84 feet; (6)

S23°37'54"E a distance of 50.69 feet; (7) S10°34'42"E a distance of 91.57 feet; (8) S25°53'11"E a distance of 68.33 feet; (9) S35°40'10"E a distance of 43.82 feet; (10) S14°28'05"E a distance of 37.92 feet; (11) S06°08'39"E a distance of 73.89 feet; (12) S17°19'50"W a distance of 115.52 feet; (13) S02°40'35"E a distance of 6.92 feet; (14) S15°27'40"E a distance of 177.91 feet to the Northeasterly corner of Simon Annexation No. 1, City of Grand Junction; thence S89°58'59"W a distance of 129.78 feet along a line being 20.00 feet North and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the Northerly line of said Simon Annexation No. 1; thence N00°13'12"W a distance of 228.00 feet along the Easterly line of said Simon Annexation No. 1; thence S89°58'59"W a distance of 262.42 feet along the Northerly line of said Simon Annexation No. 1 to the Point of Beginning

Said parcel contains 4.68 Acres (203,990.60 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 5th day of May, 2008 and ordered published.

ADOPTED on second reading the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SIMON ANNEXATION TO
R-2 (RESIDENTIAL 2-DU/AC)**

LOCATED AT 3076 AND 3080 F 1/2 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Simon Annexation to the R-2 (Residential 2-du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-2 (Residential 2-du/ac) zone district is in conformance with the stated criteria of Section 2.6 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 be zoned R-2 (Residential 2-du/ac).

SIMON ANNEXATION NO. 1

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 4, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the South line of the SE 1/4 NE 1/4 of said Section 4 to bear N89°58'59"E with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4; thence N89°58'59"E a distance of 262.42 feet; thence S00°13'12"E a distance of 228.00 feet; thence N89°58'59"E a distance of 129.78 feet along a line being 20.00 feet North of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4; thence S15°27'40"E a distance of 20.75 feet to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 8.31 feet along the SE 1/4 NE 1/4 of said Section 4; thence S00°11'24"E a distance of 25.00 feet; thence S89°58'59"W a distance of 114.10 feet along a line being 25.00 feet South of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4 to a point on the Easterly line of Thunder Hog Estates Annexation No. 2, Ordinance No. 3909, City of Grand Junction; thence N00°15'04"W a distance of 25.00 feet along the Easterly line of said Thunder Hog Estates Annexation No. 2 to a point on the South line of the SE

1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 275.22 feet along the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the North line of said Thunder Hog Estates Annexation No. 2 to the Point of Beginning

Said parcel contains 1.62 acres (1,336.59 sq. ft.), more or less, as described.

AND

SIMON ANNEXATION NO. 2

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 4, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the West line of the SE 1/4 NE 1/4 of said Section 4 to bear N00°13'10"W with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Point of Beginning; thence N00°13'10"W a distance of 743.63 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Southwest corner of Right of Way of U.S. Government Highline Canal, as same is recorded in Book 1505, Page 762, public records of Mesa County, Colorado; thence S80°28'06"E a distance of 19.89 feet along the South line of said Right of Way; thence along the approximate centerline of Lewis Wash the following fourteen (14) courses: (1) S09°42'39"E a distance of 59.97 feet; (2) S18°38'00"E a distance of 41.06 feet; (3) S54°08'10"E a distance of 113.30 feet; (4) S45°52'19"E a distance of 88.37 feet; (5) S34°09'35"E a distance of 132.84 feet; (6) S23°37'54"E a distance of 50.69 feet; (7) S10°34'42"E a distance of 91.57 feet; (8) S25°53'11"E a distance of 68.33 feet; (9) S35°40'10"E a distance of 43.82 feet; (10) S14°28'05"E a distance of 37.92 feet; (11) S06°08'39"E a distance of 73.89 feet; (12) S17°19'50"W a distance of 115.52 feet; (13) S02°40'35"E a distance of 6.92 feet; (14) S15°27'40"E a distance of 177.91 feet to the Northeasterly corner of Simon Annexation No. 1, City of Grand Junction; thence S89°58'59"W a distance of 129.78 feet along a line being 20.00 feet North and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the Northerly line of said Simon Annexation No. 1; thence N00°13'12"W a distance of 228.00 feet along the Easterly line of said Simon Annexation No. 1; thence S89°58'59"W a distance of 262.42 feet along the Northerly line of said Simon Annexation No. 1 to the Point of Beginning

Said parcel contains 4.68 Acres (203,990.60 Sq. Ft.), more or less, as described.

INTRODUCED on first reading the 2nd day of June, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Attach 10
Public Hearing—Burnett Annexation and Zoning
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Burnett Annexation and Zoning - Located at 2846 ½ C Road		
File #	ANX-2008-099		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	June 2, 2008		
Author Name & Title	Justin T. Kopfman – Associate Planner		
Presenter Name & Title	Brian Rusche, Senior Planner		

Summary: Request to annex and zone 1.09 acres, located at 2846 ½ C Road, to R-4 (Residential 4-du/ac). The Burnett Annexation consists of one parcel and includes a portion of THE C Road (also known as Unawep Avenue) right-of-way.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Burnett Annexation and hold a public hearing and consider final passage of the Annexation Ordinance and Zoning Ordinance.

Attachments:

1. Staff report/Background information
2. Annexation – Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2846 ½ C Road			
Applicants:		Owner: Dale A. Burnett Representative: Rob Burnett			
Existing Land Use:		Residential			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		RSF-4 (Residential Single Family 4-du/ac)			
Proposed Zoning:		R-4 (Residential 4-du/ac)			
Surrounding Zoning:	North	RSF-4 (Residential Single Family 4-du/ac)			
	South	County PUD			
	East	RSF-4 (Residential Single Family 4-du/ac)			
	West	RSF-4 (Residential Single Family 4-du/ac)			
Growth Plan Designation:		Residential Medium (4-8 du/ac)			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.09 acres of land and is comprised of one parcel and includes a portion of the C Road (Unawep Avenue) right-of-way. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Burnett Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;

- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
May 5, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
May 13, 2008	Planning Commission considers Zone of Annexation
June 2, 2008	Introduction of a proposed Ordinance on Zoning by City Council
June 16, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
July 18, 2008	Effective date of Annexation and Zoning

BURNETT ANNEXATION SUMMARY		
File Number:		ANX-2008-099
Location:		2846 ½ C Road
Tax ID Number:		2943-193-00-202
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		1.09 acres (47,313.97 square feet)
Developable Acres Remaining:		.54 acres (23,522.4 square feet)
Right-of-way in Annexation:		.55 acres (24,128.61 square feet)
Previous County Zoning:		RSF-4 (Residential Single Family 4-du/ac)
Proposed City Zoning:		R-4 (Residential 4 du/ac)
Current Land Use:		Vacant/Residential
Future Land Use:		Residential Medium
Values:	Assessed:	\$22, 140
	Actual:	\$278,110
Address Ranges:		2846 ½ to 2848 even only
Special Districts:	Water:	Ute Water
	Sewer:	Orchard Mesa Sanitation
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Orchard Mesa Irrigation Orchard Mesa Drainage
	School:	District 51
	Pest:	Grand River Mosquito

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4-du/ac) district is consistent with the Growth Plan density of Residential Medium. The existing County zoning is RSF-4 (Residential Single Family 4-du/ac). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

The proposed R-4 zone district is compatible with the surrounding developed properties. Within the surrounding area, many of the adjacent residential properties have been zoned accordingly to meet the Future Land Use Designation of Residential Medium with some having begun to develop more intensive type use developments.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Adequate public facilities are available or will be supplied at the time of further development of the property. An 8" Ute Water Line and an 8" Sanitary Sewer Line are available through Unaweep.

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

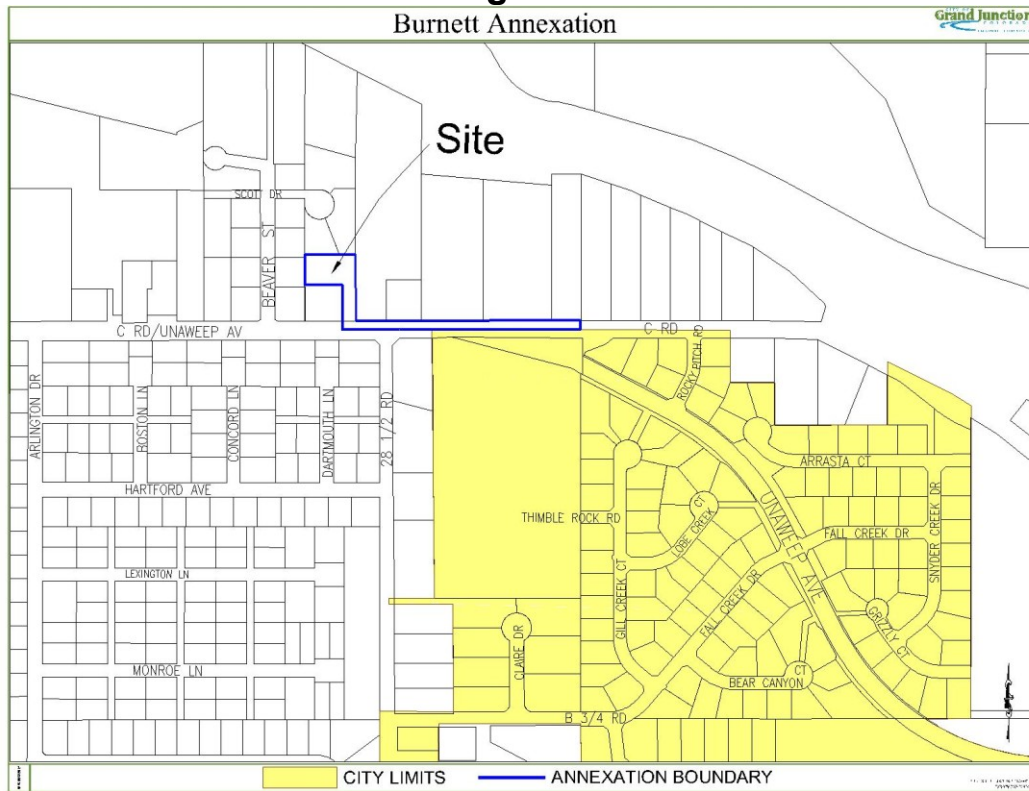
- g. R-5 (Residential 5-du/ac)
- h. R-8 (Residential 8-du/ac)

If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council on May 13, 2008, finding the zoning to the R-4 (Residential 4-du/ac) district to be consistent with the Growth Plan, the previous zoning of County RSF-4 (Residential Single Family 4-du/ac) and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation/Site Location Map

Figure 1



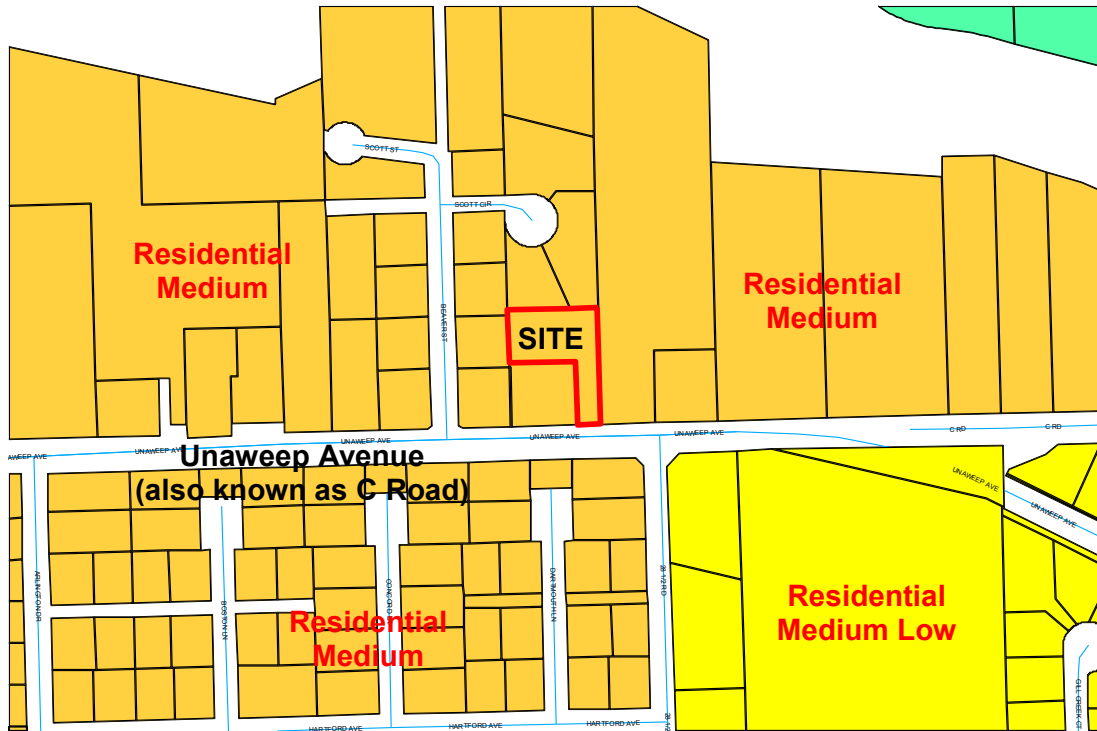
Aerial Photo Map

Figure 2



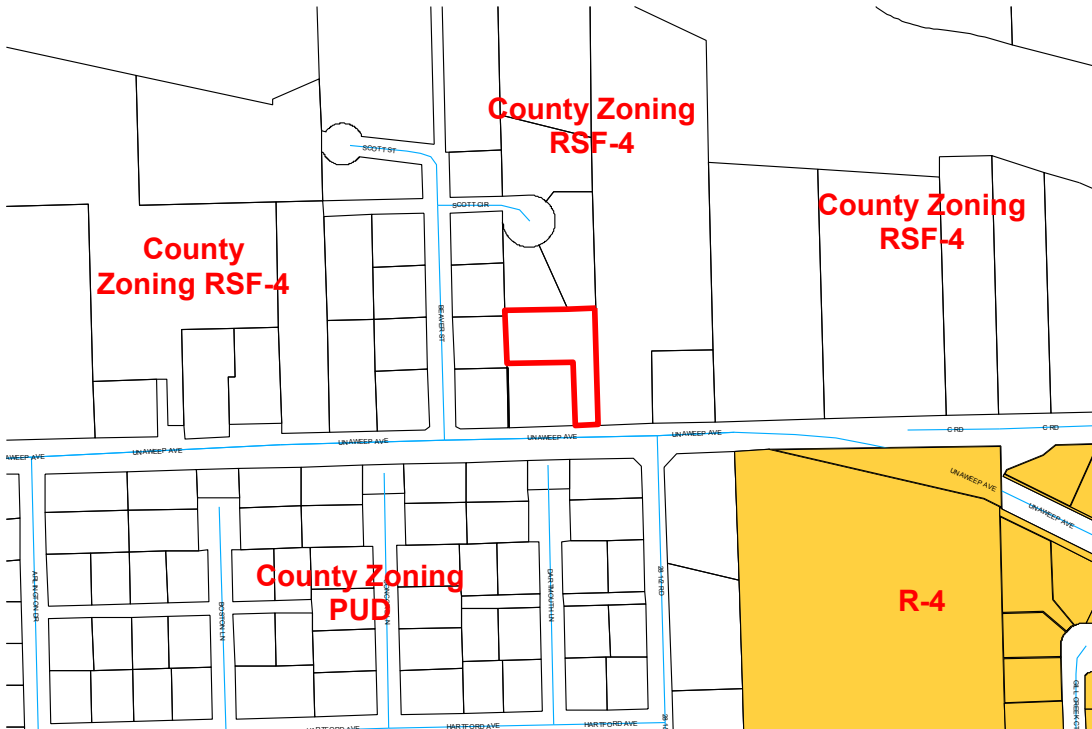
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

BURNETT ANNEXATION

**LOCATED AT 2846 1/2 C ROAD (AKA UNAWEEP AVENUE)
AND A PORTION OF THE C ROAD RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 5th day of May, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BURNETT ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southeast corner of the SE 1/4 SW 1/4 of said Section 19 and assuming the South line of the SE 1/4 SW 1/4 of said Section 19 to bear N89°58'27"W with all bearings contained herein relative thereto; thence N89°58'27"W a distance of 192.80 feet along the South line of the SE 1/4 SW 1/4 of said Section 19; thence N00°01'33"E a distance of 152.00 feet; thence N89°58'27"W a distance of 127.00 feet to a point on the East line of Lot 2 of Broadview Subdivision, as same is recorded in Plat Book 7, Page 90, public records of Mesa County, Colorado; thence N00°01'33"E a distance of 102.95 feet along the East line of said Broadview Subdivision to the Southwest corner of Lot 3 of Scott Circle Subdivision, as same is recorded in Plat Book 13, Page 95, public records of Mesa County, Colorado; thence S89°58'27"E a distance of 172.00 feet along the South line of said Scott Circle Subdivision; thence S00°01'33"W a distance of 224.95 feet; thence S89°58'27"E a distance of 147.74 feet along a line being 30.00 feet North and parallel with the South line of the SE 1/4 SW 1/4 of said Section 19; thence S89°57'14"E a distance of 610.18 feet along a line being 30.00 feet North and parallel with the South line of the SW 1/4 SE 1/4 of said Section 19; thence S00°02'43"W a distance of 30.00 feet to a point on the South line of the SW 1/4 SE 1/4 of said Section 19; thence N89°57'14"W a distance of 610.16 feet along the South line of the SW 1/4 SE 1/4 of said Section 19 to the Point of Beginning

CONTAINING 1.09 Acres (47,313.97 Sq. Ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of June, 2008; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BURNETT ANNEXATION

APPROXIMATELY 1.09 ACRES

**LOCATED AT 2846 1/2 C ROAD (AKA UNAWEEP AVENUE)
AND INCLUDING A PORTION OF THE C ROAD RIGHT-OF-WAY**

WHEREAS, on the 5th day of May, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of June, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

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

BURNETT ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southeast corner of the SE 1/4 SW 1/4 of said Section 19 and assuming the South line of the SE 1/4 SW 1/4 of said Section 19 to bear N89°58'27"W with all bearings contained herein relative thereto; thence N89°58'27"W a distance of 192.80 feet along the South line of the SE 1/4 SW 1/4 of said Section 19; thence N00°01'33"E a distance of 152.00 feet; thence N89°58'27"W a distance of 127.00 feet to a point on the East line of Lot 2 of Broadview Subdivision, as same is recorded in Plat Book 7, Page 90, public records of Mesa County, Colorado; thence N00°01'33"E a distance of 102.95 feet along the East line of said Broadview Subdivision to the Southwest corner of Lot 3 of Scott Circle Subdivision, as same is recorded in Plat Book 13, Page 95, public records of Mesa County, Colorado; thence S89°58'27"E a distance

of 172.00 feet along the South line of said Scott Circle Subdivision; thence S00°01'33"W a distance of 224.95 feet; thence S89°58'27"E a distance of 147.74 feet along a line being 30.00 feet North and parallel with the South line of the SE 1/4 SW 1/4 of said Section 19; thence S89°57'14"E a distance of 610.18 feet along a line being 30.00 feet North and parallel with the South line of the SW 1/4 SE 1/4 of said Section 19; thence S00°02'43"W a distance of 30.00 feet to a point on the South line of the SW 1/4 SE 1/4 of said Section 19; thence N89°57'14"W a distance of 610.16 feet along the South line of the SW 1/4 SE 1/4 of said Section 19 to the Point of Beginning

CONTAINING 1.09 Acres (47,313.97 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 5th day of May, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE BURNETT ANNEXATION TO
R-4 (RESIDENTIAL 4-DU/AC)**

LOCATED AT 2846 1/2 C ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Burnett Annexation to the R-4 (Residential 4-du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4 (Residential 4-du/ac) zone district is in conformance with the stated criteria of Section 2.6 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 be zoned R-4 (Residential 4-du/ac).

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southeast corner of the SE 1/4 SW 1/4 of said Section 19 and assuming the South line of the SE 1/4 SW 1/4 of said Section 19 to bear N89°58'27"W with all bearings contained herein relative thereto; thence N89°58'27"W a distance of 192.80 feet along the South line of the SE 1/4 SW 1/4 of said Section 19; thence N00°01'33"E a distance of 152.00 feet; thence N89°58'27"W a distance of 127.00 feet to a point on the East line of Lot 2 of Broadview Subdivision, as same is recorded in Plat Book 7, Page 90, public records of Mesa County, Colorado; thence N00°01'33"E a distance of 102.95 feet along the East line of said Broadview Subdivision to the Southwest corner of Lot 3 of Scott Circle Subdivision, as same is recorded in Plat Book 13, Page 95, public records of Mesa County, Colorado; thence S89°58'27"E a distance of 172.00 feet along the South line of said Scott Circle Subdivision; thence S00°01'33"W a distance of 224.95 feet; thence S89°58'27"E a distance of 147.74 feet along a line being 30.00 feet North and parallel with the South line of the SE 1/4 SW 1/4 of said Section 19; thence S89°57'14"E a distance of 610.18 feet along a line being 30.00 feet North and parallel with the South line of the SW 1/4 SE 1/4 of said Section

19; thence S00°02'43"W a distance of 30.00 feet to a point on the South line of the SW 1/4 SE 1/4 of said Section 19; thence N89°57'14"W a distance of 610.16 feet along the South line of the SW 1/4 SE 1/4 of said Section 19 to the Point of Beginning

CONTAINING 1.09 Acres (47,313.97 Sq. Ft.), more or less, as described.

INTRODUCED on first reading the 2nd day of June, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Attach 11

**Public Hearing—South Downtown Neighborhood Plan
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	South Downtown Neighborhood Plan		
File #	PLN-2007-292		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	June 5, 2008		
Author Name & Title	Kristen Ashbeck, Senior Planner		
Presenter Name & Title	Kathy Portner, Neighborhood Services Manager		

Summary: The City Planning Commission met in a public hearing on November 13, 2007 to consider adoption of the South Downtown Neighborhood Plan. The City Planning Commission recommended approval of the South Downtown Plan, including a Growth Plan Amendment to adopt the Plan, amendments to the Zoning Map and amendments to the Zoning and Development Code to include a Zoning Overlay.

Budget: NA

Action Requested/Recommendation: Hold a public hearing and consider adoption of the Resolution and final passage and final publication of the Ordinances.

Attachments:

Background Information/Analysis
Proposed Future Land Use Changes Map
Proposed Zoning Changes Map
Summary of Public Comments and Response
Comparison Use/Zone Matrix of Existing/Proposed Zone Districts
Planning Commission Minutes
Existing City Zoning Map
Existing Future Land Use Map
Existing County Zoning
Resolution
Proposed Ordinances

South Downtown Neighborhood Plan and Zoning Overlay (included in ordinances and hard copies under separate cover)

BACKGROUND INFORMATION/ANALYSIS:

Neighborhood Location and Planning Background

The South Downtown Neighborhood is located on either side of the confluence of the Gunnison and Colorado Rivers, roughly between the Riverside neighborhood to the northwest to 28 Road on the east and the railroad tracks to the Colorado River. In the early 1990s a South Downtown planning process was started but never completed since the community undertook a valley-wide land use planning process that included looking at future land uses in the South Downtown area. In addition, planning efforts began for the Riverside Parkway in the late 1990s – again it did not seem worthwhile to continue with a South Downtown planning process until the Parkway alignment was finalized.

Community Participation

The planning process for this area has taken place over the last 12 months. Fifteen meetings with small interest groups and 3 public open houses have been held. Approximately 80 to 100 people attended the last public open house held on August 22, 2007. In addition, 3 newsletters were mailed to property owners within the neighborhood as well as other neighboring and interested citizens throughout the planning process and information was made available on the City's website.

The first steps of the planning process included the site analysis and an existing conditions inventory. These were accomplished with both a consultant involved in the initial kick-off meetings and the first public open house in September 2006 and staff reviewing the natural framework, the built environment, the surrounding influences and an inventory of existing land uses.

From there, the plan evolved from discussions in a series of small group meetings held in the winter of 2006-2007. The groups included City Council, Planning Commission and Staff, large and small business and industrial interests, housing, parks/trails/botanic gardens, real estate and development and other property owners.

The results of the meetings were presented at a public open house in February 2007. A menu of design concepts was presented and participants were asked to evaluate these ideas as to what extent they agreed or disagreed with them. The menu of ideas addressed four major elements of the plan: Land Use, Circulation, Economic Redevelopment and Visual Character.

A compilation of the evaluation showed strong community support for ideas that were translated into the overall goals for the South Downtown Neighborhood Plan. The final public open house presented the draft preferred plan and public comment was solicited until the end of September 2007. The comments received did not change the basic premises of the plan; thus, we believe this plan provides a foundation and consensus toward the future development and redevelopment of the South Downtown area. A summary of the comments and staff's response are included in Attachment B.

SOUTH DOWNTOWN NEIGHBORHOOD PLAN GOALS:

- Create/maintain/enhance a green waterfront

- Recognize existing heavy industry and rail service that supports it
- Recognize distinction between “industrial” streets (9th and 12th Streets) and “public” streets (7th Street and Riverside Parkway)
- Improve streetscape on “public” streets
- Promote higher quality, “cleaner” uses in the area generally between 7th and 9th Streets
- Improve entry points to and along major corridors within the area
- Improve connections to downtown
- Create some transitional areas of mixed uses along 7th Street and Riverside Parkway to screen the heavy industry
- Create retail, general commercial and mixed use opportunities
- Increase light industrial opportunities
- Create/enhance redevelopment opportunities and partnerships

PLAN ELEMENTS:

The City has a variety of tools available through which these goals can be implemented so that the vision for the South Downtown Neighborhood can materialize and eventually be realized. This Plan represents the first phase of implementation and includes the basic strategies of designating Future Land Use categories, zoning the properties accordingly, amending development standards of the zoning districts through a zoning overlay, creating a circulation plan and establishing goals and policies for future phases of plan implementation such as economic (re)development strategies.

Future Land Use

The South Downtown Neighborhood Plan is formulated around six general land use categories: Estate Residential (EST), Park/Open Space (PK), Mixed Use (MU), Corridor Commercial (CC), Commercial Industrial (C/I) and Industrial (I). These categories are intended to replace the categories presently designated on the City’s Growth Plan Future Land Use Map. The South Downtown Neighborhood Land Use Plan is depicted in Appendix C of the Plan document (Attachment A). While much of the area remains the same in terms of future land use designation, the two major changes to the current Growth Plan are:

- Creating a new future land use category for South Downtown called “Corridor Commercial”. A new land use category will set it apart from the other commercial areas designated on the valley-wide Growth Plan Future Land Use Map. The Corridor Commercial areas are intended to provide opportunities for a wide range of uses and encourage mixed uses in South Downtown; and
- Changing the land use designation in portions of the South Downtown area along the more public corridors (7th Street and Riverside Parkway) from Industrial to Corridor Commercial to begin to effect a change in character and use commensurate with the public investment in the Riverside Parkway as well as in the future development of Las Colonias Park.

The Estate Residential (EST) areas on the plan currently exist along the River from approximately 27-1/2 Road east to the 28 Road boundary. These are existing large lot single family residences and the plan does not propose any changes in this area.

The Park/Open Space (PK) land use areas primarily correspond to the public or private lands reserved for active park and recreation sites and open space. They include the riverfront areas on the city-owned Jarvis Property, the Botanical Gardens and the Las Colonias Park site.

The proposed Future Land Use Map designates the remainder of the Jarvis property south of the Parkway as Mixed Use (MU). This land use category recognizes the potential future development of this area to include employment, residential, open space and/or retail commercial uses.

The most significant change to the Future Land Use Map is the proposal for a new land use category specifically designed for the South Downtown area. The new land use category is referred to as Corridor Commercial (CC). It includes 2 subareas – the commercial core, along 7th Street and the Parkway Corridor Commercial along the Parkway. The concept behind these areas is to permit a wide range of commercial development including mixed use and residential opportunities where feasible. These areas are intended to provide transition and screening between the more public areas and the industrial uses.

The Commercial Industrial (C/I) areas provide another tier of transition between commercial and industrial uses. In the areas east of 12th street, the Commercial Industrial areas provide the most opportunity to expand light industrial uses in South Downtown.

The Industrial (I) land use areas are designated for heavy commercial and industrial operations, particularly those requiring rail access. These areas generally correspond with the rail sidings where there is the potential for new industrial development or it corresponds with the existing heavy industries that currently utilize the rail spurs.

The Future Land Use changes proposed by the South Downtown Neighborhood Plan are more specifically described by area from west to east below (refer to attached map summarizing proposed changes).

Riverside Neighborhood to 5th Street

- Jarvis Property & Vicinity – C/I to MU and PK
- City Property North of Parkway – I to C/I

5th Street to 9th Street

- RR & Van Gundy – C/I to I
- City Property near Elam – C to C/I
- East side 7th to 8th Street – C/I to CC
- Parkway to Noland Street – C/I to CC

9th Street to 15th Street

- East side 9th to 10th – I to C/I
- Parkway to Noland – I to CC
- Noland to Winters – I to C/I
- City Property on Parkway Curve – PK to C/I

15th Street to 28 Road

- 15th Street to Parkway – I to C/I
- Parkway to Bonny Street – I to CC
- South Side of Parkway to Winters – I to C/I

Zoning

Within the land uses described above, the properties within South Downtown that are presently within the City's jurisdiction will be rezoned according to the Plan as depicted in Appendix D in the Plan document. The zoning categories will be applied to each land use category as outlined below. The South Downtown Neighborhood Plan will serve as a guide for zoning properties as they are (re)developed and annexed to the City of Grand Junction.

- **Estate Residential** – These properties are not presently within the city limits of Grand Junction thus, will retain the existing Mesa County zoning of RSF-E. If and when the properties are annexed, a zoning consistent with the South Downtown Neighborhood Plan would be applied.
- **Park/Open Space** – Areas presently in public ownership will be zoned Community Services and Recreation (CSR). Those properties not in public ownership retain existing zoning but the South Downtown Neighborhood Plan Future Land Use Plan will dictate development and zoning of these properties in the future.
- **Mixed Use** – The area shown as mixed use on the Land Use Plan will be zoned Mixed Use (MU) to afford the flexibility for development of a variety of uses on the site that is presently owned by the City of Grand Junction. Non-polluting industrial and commercial uses are encouraged adjacent to and mixed in with residential uses.
- **Corridor Commercial** – These areas will be zoned C-1 but the overlay standards of the South Downtown Neighborhood Plan make revisions to this zoning district to be more conducive to a wider range of uses and improve the quality of the important public corridor areas.
- **Commercial Industrial** – Zoning of these areas will either be Light Industrial (I-1) or Industrial/Office Park (I-O) depending on the location within the South Downtown Neighborhood. For properties fronting the Riverside Parkway, the Plan includes overlay standards to improve visual character and aesthetics along this corridor.
- **Industrial** – The areas shown as Industrial on the Plan will be zoned Light Industrial (I-1) or Heavy Industrial (I-2), depending on the existing use and/or adjacent zoning.

The zoning changes proposed by the South Downtown Neighborhood Plan are more specifically described by area from west to east below (refer to the attached map summarizing the proposed zoning changes). A use/zone comparison of the new C-1 zone district and the existing zone districts is also included in the attachments.

Riverside Neighborhood to 5th Street

- Jarvis Property & Vicinity – I-1 to MU
- Riverfront – R-8 & MU to CSR
- City Property North of Parkway – MU to I-O
- City Property @ 5th Street/Parkway Interchange – C-2 to CSRI

5th Street to 9th Street

- City Property near Elam – C-1 to I-OI
- East side 7th to 8th Street – I-1 to C-1
- Parkway to Noland Street – I-1 to C-1

9th Street to 15th Street

- East side 9th to 10th – I-2 to I-1
- Parkway to Noland – I-2 to C-1
- Noland to Winters – I-2 to I-1
- City Property on Parkway Curve – CSR to I-1

15th Street to 28 Road

- RR Property North Side of D Road/Parkway – I-1 to I-2
- Scattered Properties 27-1/2 to 28 Road – I to CC
- South Side of Parkway to Winters – I to C/I

Circulation Plan

The Circulation Plan for the South Downtown Neighborhood is shown in Appendix E of the plan document. The plan identifies a street network that includes both existing and proposed streets and both major and minor streets. The Circulation Plan also identifies the desired cross-sections and level of streetscape development along the streets within the South Downtown Neighborhood to support the proposed land uses and circulation to and from the area for pedestrian, bicycle and vehicles. The Circulation Plan adopted for the South Downtown Neighborhood will amend the Grand Valley Circulation Plan.

The general goals for the Circulation Plan are to:

- Re-establish and improve a street grid in the central area of the South Downtown Neighborhood
- Establish a new street grid in the eastern area of the South Downtown Neighborhood
- In as much as possible, encourage traffic generated from the eastern area to travel north and east rather than east through the low density residential areas

Major Streets. The street classifications and proposed street sections for the major corridors in the South Downtown Neighborhood Area are described below. Illustrations within the plan document further describe this information.

- **Riverside Parkway** – Arterial Street constructed by the City Parkway Project. The right-of-way width varies; multi-lane; bike lanes; detached walk on the south side; no on-street parking.

- **7th Street** – Collector Street. 60-foot right-of-way width; 2 lanes; bike lanes; on-street parking both sides; detached walks with landscaping.
- **9th Street and 27-1/2 and C-1/2 Roads** – Collector Street. 60-foot right-of-way width; 2 lanes; bike lanes; on-street parking both sides; detached sidewalk preferred where possible.
- **Kimball Avenue** – Collector Street. 60-foot right-of-way width; 2 lanes; on-street parking on one side; detached walks with landscaping.
- **D Road (from 9th Street east to the Riverside Parkway)** – Arterial Street. Section yet to be determined.

Local Streets. The local street network provides access to individual parcels and serves short length trips to and from collector and higher order streets. Design of local streets occurs through the development process and will be in accordance with the City's adopted Transportation Engineering Design Standards (TEDS). In the core commercial area of South Downtown, the streets will eventually be modified or retrofitted to become less industrial and more commercial in nature and provide for better pedestrian circulation.

Urban Trails Plan

The existing Urban Trails Master Plan shows the following proposals within the South Downtown Neighborhood.

- Bike Lanes on South 5th, 7th and 9th Streets, Struthers Avenue, D Road/Riverside Parkway, River Road/Riverside Parkway and 27-1/2 and C-1/2 Roads
- Off-street Trails (primarily riverfront trails) connecting from the Riverside Neighborhood, through the Jarvis Property and the Botanic Gardens/Las Colonias Park and east to 28 Road

The South Downtown Neighborhood Plan proposes the following additions/changes to the Urban Trails Plan. The Trails Plan adopted for the South Downtown Neighborhood will amend the Urban Trails Plan.

- The future off-street trail east of 27-1/2 Road is shown along the River rather than alongside C-1/2 Road.
- The Plan also provides more specific guidance in terms of pedestrian development along the streets as part of the proposed street cross-sections.

Economic Development

There are already a number of positive influences in the South Downtown Area including completion of the Riverside Parkway and development of a Master Plan for the Las Colonias Park Site. Thus, the South Downtown Plan outlines some strategies for taking advantage of these existing or potential circumstances such as:

- Analyzing how the South Downtown Neighborhood fits into the City-wide comprehensive plan

- Encouraging potential partnerships
- Taking advantage of the City's Infill and Redevelopment Program or the Mesa County Enterprise Zone or developing other incentives.

Zoning Overlay

The final element of the proposed South Downtown Neighborhood Plan is adoption of a Zoning Overlay. The standards supplement other development regulations such as the City's Zoning and Development Code. The overlay is intended to help:

- Improve the type and quality of development in the commercial core of South Downtown
- Introduce and promote a wider mix of uses
- Coordinate development in the area with other existing plans such as the Urban Trails Plan, the Las Colonias Park Master Plan, long term plans of the Botanical Gardens and the long-term ideas for the City-owned Jarvis Property.

The zoning overlay establishes a new C-1 commercial zone district in the corridor commercial areas. The new zone district is designed to specifically address the goals of the South Downtown Plan to introduce and encourage a variety and mix of new uses.

The overlay includes standards for landscaping, parking, outdoor storage, signage and architectural elements that will effect the desired higher quality and a character unique to South Downtown. Within the commercial core of South Downtown (generally between 7th and 8th Streets), the standards are intended to create a more pedestrian-friendly environment. New buildings would be compatible in style and scale – which could even include rehabilitation and reuse of some of the older homes for smaller businesses. Or the redevelopment could infill with higher density residential such as townhomes in these areas.

In the commercial core areas south of the Parkway, private development could be well integrated with the surrounding public park and botanical garden uses. The proposed zoning overlay supports higher quality structures of mixed use such as retail below and office or residential above with the overall goal of creating a higher quality image along the street as well as when viewed from the passing riverfront trail.

The character along the Parkway is of a much larger scale than the commercial core. The Parkway is wide so larger, taller structures do not feel out of scale. The existing sugar beet factory offers appropriate architectural character that is reinforced with the standards applicable to redevelopment in this area. The uses here could be mixed as with the other commercial core areas but the buildings can be bigger. The standards propose the requirement for a minimum height of 2 stories in this area in order to provide screening for the industry that lies north of the area as well as create a higher level of intensity to keep activity along the parkway across from the park. An example of a building of this scale that was recently built in South Downtown is the new Elam office on Struthers Avenue – it is a 2-story building with a flat roof and overall height of 26.5 feet. This building helped serve as a guide for developing the height standard in the South Downtown overlay zone.

Zoning overlay standards are also proposed for the industrial areas which have parcels that front Riverside Parkway. The intent of these standards is to maintain and allow industrial uses but create a higher quality visual character along the main corridor. The standards in these areas address site planning elements such as building setback and screening of outdoor storage as well as architectural considerations for the facades that face the parkway.

ANALYSIS:

Consistency with the Growth Plan

Rationale for adopting the South Downtown Neighborhood Plan is articulated in the Grand Junction Growth Plan. The Plan contains language that directs staff to conduct neighborhood and area plans. Planning Commission may recommend approval of a neighborhood plan if it is consistent with the purpose and intent of the Growth Plan and meets the Growth Plan Amendment Review Criteria in Section 2.5.C of the Grand Junction Zoning and Development Code as outlined below.

- a. Events subsequent to the adoption of the Growth Plan have invalidated the original premises and findings;

Response: The Growth Plan did not anticipate construction of the Riverside Parkway through this area nor completely address future development of the Las Colonias Park. Both the Parkway and the future park will significantly impact adjacent uses and the neighborhood in general – the existing Growth Plan did not foresee this potential for development and redevelopment in the area.

- b. The character and/or condition of the area have changed enough that the amendment is acceptable and such changes were not anticipated and are not consistent with the plan;

Response: With the imminent opening of the Riverside Parkway, traffic patterns through and within this area of the City will change significantly. In addition, the future development of Las Colonias Park will bring more visitors and a different types of users to the neighborhood. There are already indications that properties along the Parkway and the more public corridors such as 7th Street may be more viable for uses other than heavy commercial/light industrial. The current Growth Plan did not anticipate the parkway providing this impetus and subsequent evolution of the neighborhood.

- c. The change is consistent with the goals and policies of the Plan, including applicable special area, neighborhood, and corridor plans.

Response: The new plan is necessary and recommended in the 1996 Growth Plan. The following goals and policies support the South Downtown Neighborhood Plan.

- a. Goal 1, Policy 1.8: The City and County will use zoning and special area policies to describe the preferred types of non-residential development in different parts of the community.
- b. Goal 9, Policy 9.1: The City and County will update existing area plans and create new plans where more detailed planning is needed.
- c. Goal 9, Policy 9.2: The City and County will encourage neighborhood designs which promote neighborhood stability and security.
- d. Goal 10, Policy 10.4: The City and County will encourage development designs that enhance the sense of neighborhood.

- e. Goal 13, Policy 13.4: The Community's streets and walkways will be planned, built and maintained as attractive public spaces.
 - f. Goal 20, Policy 20.2: The City and County will support efforts to maintain or improve the quality of green spaces along the Colorado and Gunnison Rivers.
- d. Public and community facilities are adequate to serve the type and scope of land use proposed;

Response: A current inventory, analysis and public input shaped the direction and concepts of the South Downtown Neighborhood Plan. As a result, the community facilities are adequate or can be provided to serve the scope of land uses proposed.

- e. 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

Response: The City has envisioned creating a plan for the South Downtown Neighborhood since the early 1990s. So, with the completion of the Riverside Parkway and adoption of a new plan for Las Colonias Park, City Council directed staff to undertake the plan to include examining the designation or redesignation of land for new and different uses in the area.

- f. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The new plan will provide benefits to the South Downtown Neighborhood, and the community as a whole. The Plan reflects the current needs of the South Downtown area as gathered from public meetings and associated communications as well as the changes in the character of the area since the 1996 Growth Plan was adopted.

Rezone Criteria

Adoption of the South Downtown Plan includes the proposal to rezone many of the properties that are currently within the City limits so they are consistent with the South Downtown Future Land Use Plan. The criteria for a rezone are found in Section 2.6.A. of the Zoning and Development Code and address the same issues that are included in the Growth Plan criteria discussed above. Thus, the rezone criteria are not discussed separately.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the South Downtown Neighborhood Plan recommendations including amendments to the Zoning Map and Zoning and Development Code, Planning Commission made the following findings of fact and conclusions:

3. The proposed amendments are consistent with the purpose and intent of the Growth Plan.
4. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.
5. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION (11/13/07 7-0): Planning Commission recommended approval of the amendments to the Zoning Map and Zoning and Development Code pertaining to the South Downtown Neighborhood Plan.

ATTACH. B – PUBLIC COMMENT SUMMARY	
COMMENT	RESPONSE
Mesa County – Agree with Plan for County Properties	No response required
Request Parkway Corridor Commercial for 399 27/5 Road	Land Use Plan amended
Suggest no industrial on the river	Majority of Plan addresses this with the exception of 3 parcels at 27.5 and the River – land use was recently amended to Commercial/Industrial
No 4 story buildings in the commercial core	Height is limited in these areas to 35 feet which precludes a 4 story building
3 parcels zoned I-2 in the area shown as Commercial/Industrial	Zoning Map amended to show these parcels as I-1 to conform with Commercial/Industrial land use designation
Encourage variety in architectural design in overlay standards	Standards are written broad enough that variety can be accomplished with compatible style
Include architectural metal as an allowed material	Overlay standards amended to include
Consider adding requirement for solar equipment visual mitigation	The Plan should encourage the use of solar energy rather creating additional requirements that may not be possible to meet and still retain the viability of the solar use
Suggest leased gardens	While a good idea, it is better approached as part of detailed development plans for the Botanical Gardens and/or Las Colonias Park rather than the part of the more general Neighborhood Plan
Suggest allowing schools and community facilities in the Plan	These types of uses are allowed in some of the zone district proposed in South Downtown. However, schools generally are not appropriate in industrial areas.
Is Daily Sentinel allowed in the proposed C-1 zoning?	Use/zone matrix for the South Downtown C-1 amended to allow this and similar uses as a contractor/trade shop.
Prefer Mesa Feed silo be demolished when no longer needed rather than retained as an entry feature.	The Plan does not dictate that the silo remain. Using it as an entry feature was only an example as long as it remains on the site.
Request retaining Industrial land use category and I-2 zoning for SemMaterials site along Riverside Parkway	Land Use and Zoning Maps amended to retain Industrial land use category and I-2 zoning as it currently exists.

More specifically define “green waterfront” as 100-foot or 300-foot wide strip next to high water of Colorado River	Section 7.2 E. of the Zoning and Development Code already requires a 100-foot setback for Wildlife Habitat Protection which would apply in the South Downtown area
Refine description of Village Development to encourage live-work use	Addressed in Land Use description of uses in Corridor Commercial areas in Plan report
Refine description of mixed use	Addressed in Land Use description of Mixed Use areas in Plan report
Refine description of 7 th Streetscape	Addressed in South 7 th Streetscape discussion in Plan
Suggest only 1-story buildings in Commercial Core adjacent to riverfront	Proposed height limit is 35 feet. This will provide opportunities for higher intensity uses to keep activity near the park but should not detract from existing uses.
Refine description of 5 th Street/Parkway entry	Revised text in 5 th Street/Riverside Parkway discussion regarding neighborhood entryways
Floodplain comment in Jarvis discussion should be stated for the entire neighborhood	Floodplain compliance is already addressed in Chapter 7 of the Zoning and Development Code
Suggest two-family, single family and duplex be allowed in South Downtown C-1 to make existing residences conforming for refinancing purposes	The conformance issue for existing homes in South Downtown is already addressed in Chapter 3 of the Zoning and Development Code. Infill housing should be at a higher density to provide more intensity of use in portions of the South Downtown neighborhood.
Suggest a land swap for industrial properties that exist along the river	This concern is best addressed in detail on a property-by-property basis, rather than in the Plan.
Creation of high density residential must address floodplain	The zones in which high density residential might develop are not within the designated 100-year floodplain.
Retain zoning in vicinity of 556 Struthers that will allow existing use to expand	The existing use is office and shop without door storage of vehicles and equipment. The area is proposed to be zoned I-O which would accommodate these uses with a CUP for the outdoor storage.
City Council – Generally supportive but concern with allowing residential to construct in close proximity to existing or proposed industrial uses	Revised Use/Zone Matrix for the new C-1 zone district to require a Conditional Use Permit for all new residential uses except for a business residence. Also revised the proposed zoning overlay to include additional review criteria for residential uses in the South Downtown area.

Table 3.5 Use/Zone Comparison (New SD C-1 Zoning)

Use Category- Definition. See Chapter Nine for complete description.	Specific Use Type	SD C-1		C-1	C-2	I-O	I-1	I-2	M-U
		RESIDENTIAL							
Household Living - residential occupancy of a dwelling unit by a "household"	Business Residence	A		A	A	C	C		A
	Rooming/Boarding House	C		C					
	Two Family Dwelling ³	C							
	Single-Family Detached	C							
	Duplex ³	C							
	Multifamily ³	C		C					A
	Stacked Dwelling								
	Residential Subunits/Accessory Units								
	Agricultural Labor Housing								
	Single-Family Attached								A
	Manufactured Housing Park			C					
All Other Housing Living	C							A	
Home Occupation	Home Occupation	A		A					A
Group Living - residential occupancy of a structure by a group of people who do not meet the definition of "Household Living"	Small Group Living Facility	C		C	C				
	Large Group Living Facility (includes secure facilities)	C		C	C				C
	Unlimited Group Living Facility	C		C	C				C
INSTITUTIONAL & CIVIC									
Colleges and Vocational Schools - colleges and institutions of higher learning	Colleges and Universities	A		A	A	C	C	C	A
	Vocational, Technical & Trade Schools	A		A	A	A	C	C	A
	All Other Educational Institutions			C	C	C	C	C	A
Community Service - uses providing a local service to the community	Community Activity Building	C		A	A	C			A
	All Other Community Service	A		A	C	C	C	C	C

Cultural - establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museum, Art Galleries, Opera Houses, Libraries	A		A	C	C	C	C	A
Day Care - care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day	Home-Based Day Care (1-12)	A		C	C				C
	General Day Care	A		A	C	C			C
Detention Facilities - facilities for the detention or incarceration of people	Jails, Honor Camps, Reformatories				C		C	C	
	Community Corrections Facility			C	C				
	Law Enforcement Rehabilitation Centers			C	C		C	C	
Hospital/Clinic - uses providing medical treatment or surgical care to patients	Medical and Dental Clinics	A		A	A	C	A		A
	Counseling Centers (nonresident)	A		A	A	C			A
	Hospital/Mental Hospital	C		C	C	C			C
	Physical and Mental Rehabilitation (resident)	C		C	C	C			C
	All Other	C		C	C	C			C
Parks and Open Space - natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Cemetery	A		A	A	C	C	C	C
	Golf Course	A		A	A	C	C	C	A
	Campground, Primitive								
	Golf Driving Ranges	A		A	A	C	A	A	C
	Parks, Lakes, Reservoirs	A		A	A	A	C	C	A
	All Other	A		A	A	C	C	C	C
Religious Assembly - meeting area for religious activities	All	A		A	A		A		A
Funeral Homes/Mortuaries/ Crematories	All	C		A	A				C
Safety Services - public safety and emergency response	All	C		A	A	A	A	A	A

services									
Schools - schools at the primary, elementary, middle, junior high or high school level	Boarding Schools	C		C	C				C
	Elementary Schools	A		A					C
	Secondary Schools	A		A	A				C
Utility, Basic - Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (underground)	A		A	A	A	A	A	A
	All Other Utility, Basic	A		A	A	A	A	A	C
Utility, Corridors - passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (above ground)	C		C	C	C	C	C	C
	Transmission Lines (underground)	C		C	A	A	A	A	C
	Utility Treatment, Production or Service Facility					C	C	C	C
	All Other	C		C	C	C	C	C	C
COMMERCIAL									
Entertainment Event, Major - activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	C		C	C	C			C
	Outdoor Facilities	C			C	C	C	C	C
Lodging - hotels, motels and similar establishments	Hotels & Motels	A		A	A	C			C
	Bed and Breakfast (1-3 guest rooms)	A		C	C				C
	Bed and Breakfast (4-5 guest rooms)	A		C	C				C
Office - activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A		A	A	A	C		A
	Office with Drive-Through	C		C	A	C	C		C
Parking, Commercial - parking that is not necessary to serve a specific use	All	A		A	A	A	A	A	C

and for which fees may be charged									
Recreation and Entertainment, Outdoor - large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	Campgrounds and Camps (non-primitive)			A	A				
	Resort Cabins and Lodges								
	Swimming Pools, Community	A		A	A	C			A
	Shooting Ranges, Outdoor						C	C	
	Amusement Park	C		C	C				C
	Drive-In Theater			C	C				
	Miniature Golf	C		A	C				C
	Riding Academy, Roping or Equestrian Area								
	Zoo			C	C				
	All Other Outdoor Recreation			C	C		C	C	C
Recreation and Entertainment, Indoor - large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including health clubs, movie theaters, skating rinks, arcades	Health Club	A		A	A	A	C		A
	Movie Theater	A		A	A	A	C		C
	Skating Rink	A		A	A	A	C		C
	Arcade	A		A	A	A	C		C
	Shooting Ranges, Indoor			C	C		C	C	
	All Other Indoor Recreation	A		A	A	A	C		C
Retail Sales and Service - firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer & business goods	Adult Entertainment			A	A		A	A	
	Alcohol Sales, retail	A		A	A	C	C		C
	Bar/Nightclub	C		C	C	C	C		C
	Animal Care/Boarding/Sales, Indoor	A		A	A	C	A	A	
	Animal Care/Boarding/Sales, Outdoor			C	C	C	C	A	
	Delivery and Dispatch Services (vehicles on-site)	C		C	A	A	A	A	C
	Drive-through Uses (Restaurants)			C	C		C		
	Drive-through Uses (Retail)	C		C	C		C		
	Food Service, Catering	A		A	A	A	A		A
	Food Service, Restaurant (including alcohol sales)	A		A	A	C	C		C
	Farm Implement/Equipment Sales/Service			A	A	C	A	A	
	Farmer's Market/Flea Market	A		A	A				C
	Feed Store	A		A	A		A	A	

	Fuel Sales, automotive/appliance	C		A	A	C	A	A	
	Fuel Sales, heavy vehicle				C	C	A	A	
	General Retail Sales, Indoor operations, display and storage	A		A	A	C	C		C
	General Retail Sales, Outdoor operations, display or storage			C	A		C		
	Landscaping Materials Sale/Greenhouse/Nursery	A		A	A		A	C	
	Manufactured Building Sales and Service				A		A		
	Produce Stands ²	A		A	A	A	A	A	A
	Rental Service, Indoor display/storage	A		A	A		A		A
	Rental Service, Outdoor display/storage			A	A		A		
	Repair, small appliance	A		A	A		A		A
	Repair, large appliance			A	A		A	A	A
	Personal Services	A		A	A	C			A
	All Other Retail Sales and Services	C		A	A	C			C
Self-Service Storage - uses providing separate storage areas for individual or business uses	Mini-Warehouse			A	A	C	A	A	C
Vehicle Repair - repair service to passenger vehicles, light and medium trucks and other consumer motor vehicles	Auto and Light Truck Mechanical Repair			A	A	C	A	A	
	Body Shop			C	A	C	A	A	
	Truck Stop/Travel Plaza			C	A		A	A	
	Tire Recapping and Storage				A		A	A	
	All Other Vehicle Repair				C		C	A	
Vehicle Service, Limited - direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed	Car Wash			A	A	C	A	A	C
	Gasoline Service Station			A	A	C	A	A	C
	Quick Lube			A	A	C	A	A	C
	All Other Vehicle Service, limited			A	A		A	A	

INDUSTRIAL

Manufacturing and Production - firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	Indoor Operations and Storage								
	Assembly	A		A	A	A	A	A	A
	Food Products	A		A	A	A	A	A	A
	Manufacturing/Processing	C		C	A	A	A	A	A
	Indoor Operations with Outdoor Storage								
	Assembly			C	A	A	A	A	C
	Food Products			C	C	A	A	A	C
	Manufacturing/Processing				A	A	A	A	C
	Outdoor Operations and Storage								
	Assembly				C	C	A	A	
	Food Products				C	C	A	A	
	Manufacturing/Processing				C	C	A	A	
	All Other Industrial Service, including the storage of hazardous materials and explosives						C	C	C
Contractors and Trade Shops	Indoor operations and storage	A		A	A	C	A	A	A
-	Indoor operations and outdoor storage (including heavy vehicles)			C	A	C	A	A	C
-	Outdoor storage and operations					C	A	A	
Junk Yard	Junk Yard						C	C	
Impound Lot	Impound Lot				C		C	C	
Heavy Equipment Storage/Pipe Storage	All					C	A	A	
Warehouse and Freight Movement - firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading				A	A	A	A	A
	Indoor Storage with Outdoor Loading Docks				C	A	A	A	C
	Outdoor Storage or Loading					C	A	A	
	Gas or Petroleum Storage					C	C	C	
	Sand or Gravel Storage						A	A	
	All Other						C	C	
Waste-Related Use - uses that receive solid or liquid wastes from others, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the	Non-Hazardous Waste Transfer						C	C	
	Medical/Hazardous Waste Transfer Station						C	C	
	Solid Waste Disposal Sites						C	C	
	Recycling Collection Point	C		C	C	C	C	C	
	All Other Waste-Related						C	C	

composting of organic material									
Wholesale Sales - firms involved in the sale, lease or rental of products primarily intended for industrial, institutional or commercial businesses	Wholesale Business (No Highly Flammable Materials/Liquids)				A	A	A	A	A
	Agricultural Products					C	A	A	C
	All Other Wholesale Uses					C	A	A	C
OTHER									
Agricultural	Animal Confinement						C	C	
	Dairy						C	C	
	Confined Animal Feeding Operation, Feedlot						C	C	
	Forestry, Commercial								
	Pasture, Commercial						A	A	
	Winery					C	C	C	C
	All Other Agriculture						C	C	
Aviation or Surface Passenger Terminal - facilities for the landing and take-off of flying vehicles or stations for ground-based vehicles, including loading and unloading areas	Airports/Heliports				C	C	C	C	
	Bus/Commuter Stops	A		A	A	A	A	A	A
	Bus/Railroad Depot			A	A	A	A	A	
	Helipads	C		C	C	C	C	C	C
	All Other Aviation or Surface Passenger Terminal						C	C	C
Mining - mining or extraction of mineral or aggregate resources from the ground for off-site use	Oil or Gas Drilling						C	C	
	Sand or Gravel Extraction or Processing						C	C	C
	All Other Mining							C	
Telecommunications Facilities - devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Telecommunications Facilities & Support Structures	C		C	C	C	C	C	C

¹ Only allowed as part of a mixed use development.

² Produce stands are allowed in residential zone districts only for products produced on the premises provided no hazards are created with parking, ingress, egress and signage and the operation does not disrupt the peace, quiet and dignity of the neighborhood. Produce stands in non-residential zone districts may include products produced off-premise and require a Temporary Use Permit.

³ In some zone districts, lots originally platted and zoned for detached dwellings require a Conditional Use Permit for attached units. See Section 3.3.

**GRAND JUNCTION PLANNING COMMISSION
NOVEMBER 13, 2007 MINUTES
7:02 p.m. to 11:00 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:02 p.m. by Chairman Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul A. Dibble (Chairman), Roland Cole (Vice-Chairman), Lynn Pavelka-Zarkesh, Bill Pitts, Reggie Wall, Tom Lowrey and William Putnam.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Dave Thornton (Principal Planner), Rick Dorris (Development Engineer) and Greg Moberg (Development Services Supervisor). Also present, representing Neighborhood Services, was Kristen Ashbeck (Senior Planner).

Jamie Beard (Assistant City Attorney) was present.
Wendy Spurr (Planning Technician) was present to record the minutes.
There were 44 interested citizens present during the course of the hearing.

- 4. PLN-2007-292 AREA PLAN – South Downtown Neighborhood Plan**
Request approval to adopt the South Downtown Neighborhood Plan as an element of the City of Grand Junction Growth Plan and recommend approval to City Council to amend the City Zoning Map and zoning and Development Code accordingly.
PETITIONER: City of Grand Junction
LOCATION: Generally located between the Riverside Neighborhood on the west; 28 Road on the East; Colorado River on the South; and the Union Pacific Railroad tracks on the North
STAFF: Kristen Ashbeck, Senior Planner

STAFF'S PRESENTATION

By way of a PowerPoint presentation, Kristen Ashbeck addressed the Commission regarding the proposed South Downtown Neighborhood Plan. She stated that several public meetings were held. She added that the results were presented at a public open house in February 2007 and a menu of design concepts presented for participants to evaluate the ideas. Ms. Ashbeck stated that there were four major elements of the proposal which she identified as land use, circulation, economic development and visual character. She further stated that the results of the evaluation showed strong community support for the

waterfront. The plan also should recognize the existing heavy industry in the area and the rail service that supports that industry. According to Ms. Ashbeck, the plan should distinguish between streets in the area that are primarily used by the general public versus the streets that primarily handle the commercial and industrial. The plan should promote higher quality, cleaner uses especially in the central core which is primarily between 5th and 9th Streets and Struthers to the railroad tracks. Ms. Ashbeck stated that one of the goals of the plan would be to enhance the entries to the area and improve connections to downtown. Another goal is to create new opportunities for light industrial uses and then also create transitional areas that screen the heavy industries between the recreational users south of the parkway and heavy industries that are north of the parkway. And the last goal of the plan is to create new and take advantage of existing opportunities for public-private partnerships that support the redevelopment in south downtown. She further stated that the plan includes the basic strategies that are the first phases of the plan which would include a future land use plan, a zoning map, circulation and trails plans, overlay standards for some areas and establishes goals and policies for economic redevelopment. The land use plan basically came down to six categories – state residential, parks and open space, mixed use, corridor-commercial, commercial-industrial and industrial. The proposed categories are intended to replace the categories that currently exist on the Land Use Map and the Growth Plan. She further stated that the next phase of implementation was to rezone the properties that are currently within the City limits according to the proposed Future Land Use Plan. Another element of the South Downtown Plan is the development of plans for various modes of transportation. She stated that the three main goals of the Circulation Plan are to improve the existing street grid in the central area, establish a new grid in the eastern area and try to keep traffic separated as much as possible from the industrial traffic and the lower density residential area. Also included in the Circulation Plan are amendments to the Urban Trails Plan. She pointed out that most of the area is within the Mesa County Enterprise Zone. Another element of the proposed South Downtown Neighborhood Plan was the adoption of the zoning overlay which addresses primarily the commercial core. Ms. Ashbeck stated that the overlay includes standards for landscaping, parking, outdoor storage, signage and architectural elements. Ms. Ashbeck pointed out that there is private property on the south side of the parkway that is surrounded by open space and park uses, such as the Botanical Gardens and Los Colonias. She stated that the proposal is to support higher quality structures of mixed use with the overall goal of creating a higher quality image along the street as well as viewed along the trail. Additionally, there would be guidelines for the parcels that have frontage facing the parkway that would address the architectural character of the facades as well as screening requirements for outdoor storage and signage. She also discussed the need for land to be designated for various land uses. Ms. Ashbeck next reviewed the criteria of the Growth Plan.

QUESTIONS

Commissioner Cole asked if properties not presently in conformance with the plan would be zoned to conform. Kristen Ashbeck stated that those properties would be rezoned.

Chairman Dibble asked if sign codes were addressed in the overlay. Ms. Ashbeck said the sign code in the overlay is different than the Code but if not specifically addressed, the Code would be the default. She further pointed out that the specific requirements are outlined for each of the Commercial and Industrial core areas along the parkway.

Commissioner Wall asked if the Brady property had previously been zoned Industrial. Ms. Ashbeck advised that the Brady property has not been zoned yet.

Commissioner Lowrey stated that he has a concern where the property goes from Estate to Commercial/Industrial as it is a dramatic change. He asked if it could be Estate, Mixed Use and then Commercial/Industrial. Kristen answered that that would be possible.

Commissioner Cole asked how non-conforming uses would be handled. Ms. Ashbeck stated that the Code already handles non-conformity. She further stated that the homes in the area are currently zoned Industrial and are presently non-conforming. However, with the C-1 zoning that has been proposed, they would be more conforming. She further stated that the intent is not to take away use but to provide more opportunities for those properties of a wider range of uses.

PUBLIC COMMENT

Donna Cline, 388 Bonny Lane, stated that she is concerned about valuation of properties. She also questioned the Estate zoning as it is located in a flood plain.

Rick Krueger, 235 West Fallen Rock Road, stated that he represents the U. S. Fish and Wildlife Service. He wanted to express that the Colorado River, including the 100 year flood plain, is designated critical habitat for two federally endangered species – the Colorado pike minnow and the razorback sucker. Additionally, he also wanted to make the Commission aware that two other federally listed species – the boney tail and the humpback chub – occupy this reach of the river. He stated that the Fish and Wildlife Service supports the creation, maintenance and enhancement of the buffer area along the Colorado River.

Janet Magoon, 2752 Cheyenne Drive, stated that she believes these plans will shape the whole feeling of the City. She stated that no kind of industrial activity belongs on the river. She stated that she is particularly concerned with the Commercial core area that is closest to the river. She stated that her biggest

concern is the three parcels of land along the river, also known as the Brady parcels. She said that there is a radioactive storage bunker in the middle of the three parcels.

Mark Gardner, 2612 H-3/4 Road, stated that he is vice president of White Water Building Materials. He said that 7th and 9th Riverside Parkway are the only truck accesses into the industrial area. He also said that he does not think Mixed Use for residential use is a viable option. He encouraged industrial use to have priority

Hannah Holm, 1800 North 3rd Street, stated that she is the water organizer for Western Colorado Congress. She said that she supports the goal of creating areas for live/work environments and believes that it would help the vitality of the area. She submitted some proposed language regarding the green waterfront concept. According to Ms. Holm, this would include preserving or restoring a buffer of natural vegetation in the 100 year floodplain and at least 100 feet from the edge of the high water mark as well as limiting the immediate waterfront uses to low impact uses. She stated that this would strengthen the goal of green waterfront.

Penny Pauline Heuscher, 330 Mountain View Court, stated that it is exciting that the City is taking a look at improving the south downtown area. She further voiced a concern that the views from Eagle Rim Park should not be ruined with outdoor storage permitted in Industrial zoning. She said that it is not common sense to put Industrial zoning on the river as indicated in the plan. She also stated that she would like the rendering plant pond restored and voiced her concern for the need for riparian habitat. Ms. Heuscher said that over 400 people have signed petitions that ask for a land swap so that Industrial zoning would not be put on the riverfront.

Enno Heuscher, 330 Mountain View Court, noted what he believes to be significant errors of the plan. More particularly, he suggested the deletion of "and along the south side of C½ Road just west of 28 Road" and instead of "Commercial and Industrial" it should read "Commercial/Industrial" on page 9, paragraph 2.

Randy VanGundy, 2166 Village View Court, stated that he agrees that the issue of truck traffic needs to be taken into consideration. He also said that trails along with the truck traffic would be a problem. Additionally, he said he did not want zoning downgraded from I-1 to Commercial/Industrial.

David Berry, 530 Hall Avenue, stated that he is concerned with the zoning that will be placed on his property. He was directed to discuss his specific concerns with staff. Commissioner Wall asked if a property is zoned Industrial and by this plan the zoning would be changed to Commercial/Industrial, when would they have to come into conformity with the Commercial/Industrial zoning. Jamie

Beard, Assistant City Attorney, said that they don't have to change anything on their site unless they want to redevelop in some fashion.

Gayle Lyman, property manager for Elam Construction, 556 Struthers Avenue, voiced a concern regarding the truck traffic on 7th and 9th Streets. He also wanted to make sure that they would not be downgrading their property from an I-1 to I-O.

Mark Bonella, 11973 21½ Road, stated that he is president of Castings, Inc. as well as chairman of the Mesa County Planning Commission. He stated that he is concerned with the amount of industrially zoned properties. He went on to state that not long ago it was identified that there was a lack of Industrial properties in the community. As a result, over 100 acres of Agricultural property was changed to Industrial. Now, pursuant to this plan, there would be more Industrial property being taken out. He stated that the parkway acts as a buffer between the river and the Industrial and no further buffer is needed. He also stated that Residential has no business where there is Industrial. He said that there is a great need for industrially zoned properties.

STAFF'S REBUTTAL

Kristen Ashbeck stated that the Code contemplates looking specifically at issues of preserving habitat when a property develops. She further said that staff was hesitant to try to create a 300 foot swath limited to this portion of the riverfront when the river runs through the entire valley. She stated that Fish and Wildlife Service would be included for review of each project along this area. She also said that there would not be any Industrial zoning on the river with this plan. Also, truck traffic would not be precluded from 7th and 9th Streets. Ms. Ashbeck confirmed that there is no proposed change for the VanGundy property. With regard to the landscaping along 7th Street, the C-1 zone district as adopted allows some lessening of landscape requirements.

QUESTIONS

Commissioner Cole asked if the zoning along 10th Street and Winters Avenue would be changed from I-2 to I-1. Ms. Ashbeck confirmed that I-1 is more compatible with existing uses.

Chairman Dibble asked if the stair step affects the land use changes from Industrial to Commercial makes good sense for transitioning into the park area. Kristen stated that was a major premise of the plan to make that change both from a land use as well as a zoning perspective.

DISCUSSION

Commissioner Cole stated that he is not comfortable with the whole plan in its entirety but believes he can support it.

Commissioner Pitts stated that the plan is overwhelming. He stated that he has concerns regarding landscaping, proposed residential development, infill and redevelopment incentives, and architectural control. He said that while he was in favor of improvements and overlays, he cannot support the plan's overall concept.

Commissioner Putnam stated that he would approve the plan.

Commissioner Lowrey likewise said that he would approve the plan. He added that there were protections to the river which he finds to be important. Also of importance, the plan would preserve a vast amount of the Industrial land and would preserve the uses for the businesses that presently exist. He added that he would like to see a buffering along the Estate zoning.

Commissioner Wall stated that he too can support the plan; however, with regard to Industrial, the goal is not to take away Industrial.

Commissioner Pavelka-Zarkesh also stated that she supports the plan. She said that Industrial would be preserved in an area with an appropriate and existing infrastructure, while preserving the river corridor.

Chairman Dibble stated that he can support the plan. He stated that the plan has a lot of good sense in it, there have been many opportunities for the public to comment on the proposal, provides more flexibility and he can support forwarding this onto City Council.

Commissioner Pitts stated that he believes his concerns would be alleviated and taken care of by demand and standards and therefore, stated that he too can support the plan.

A brief recess was taken.

MOTION: (Commissioner Pavelka-Zarkesh) "Mr. Chairman, on item PLN-2007-292, I move that we forward to City Council our recommendation of approval of the South Downtown Neighborhood Plan including the changes to the circulation plan and urban trails map with the facts and conclusions listed as #1 and #2 in the staff report."

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

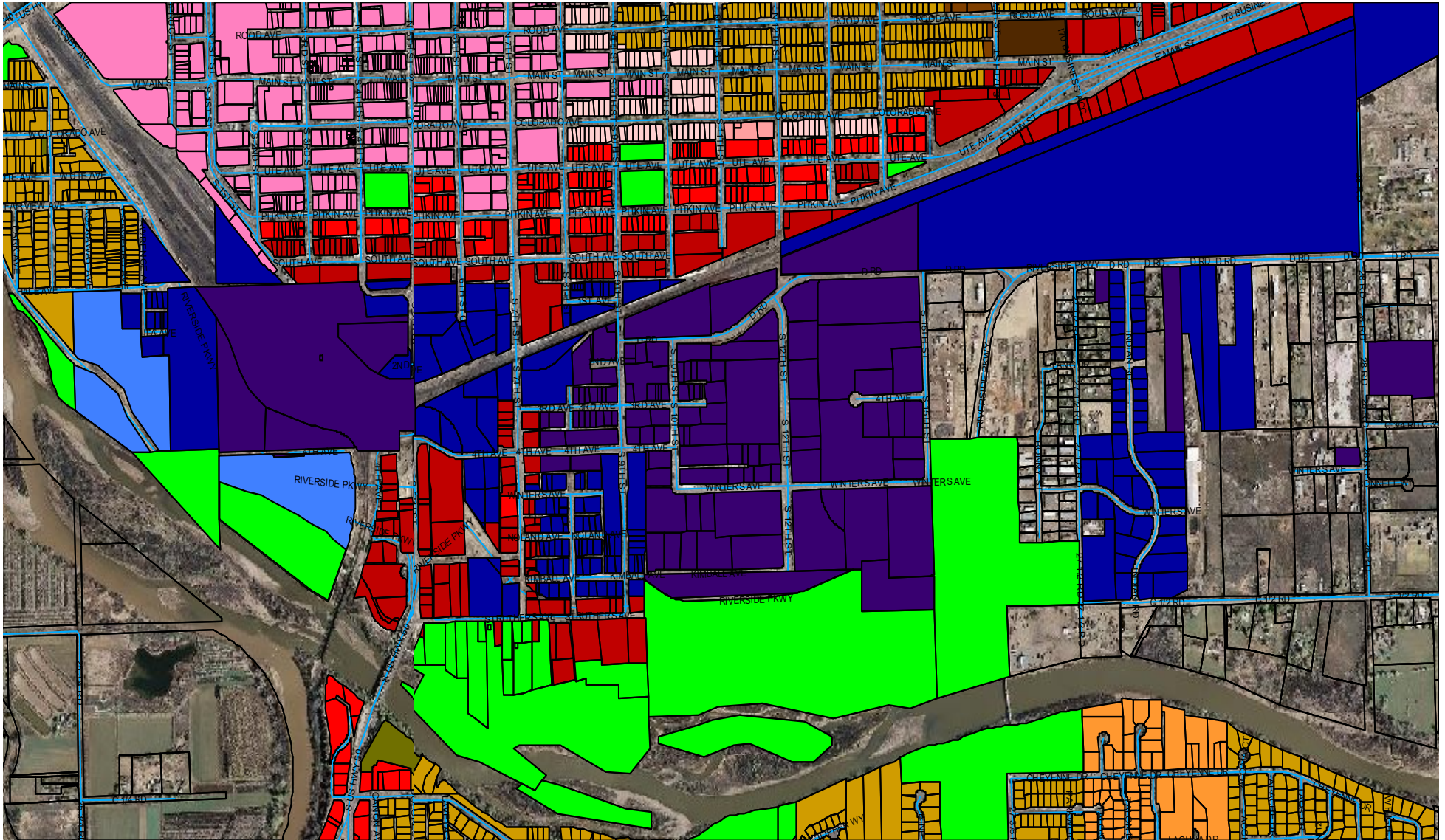
MOTION: (Commissioner Cole) "Mr. Chairman, on item PLN-2007-292, I move that we forward to City Council our recommendation of approval of the amendments to the Zoning Map with the facts and conclusions listed as #1 and #3 in the staff report."

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

MOTION: (Commissioner Pavelka-Zarkesh) “Mr. Chairman, on item PLN-2007-292, I move that we forward to City Council our recommendation of approval of the text amendments to the Zoning and Development Code including those set forth in the Zoning Overlay for South Downtown and the changes to the Table 3.5 Use/Zone Matrix based on the information included within the staff report and provided as testimony this evening.”

Commissioner Lowrey seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

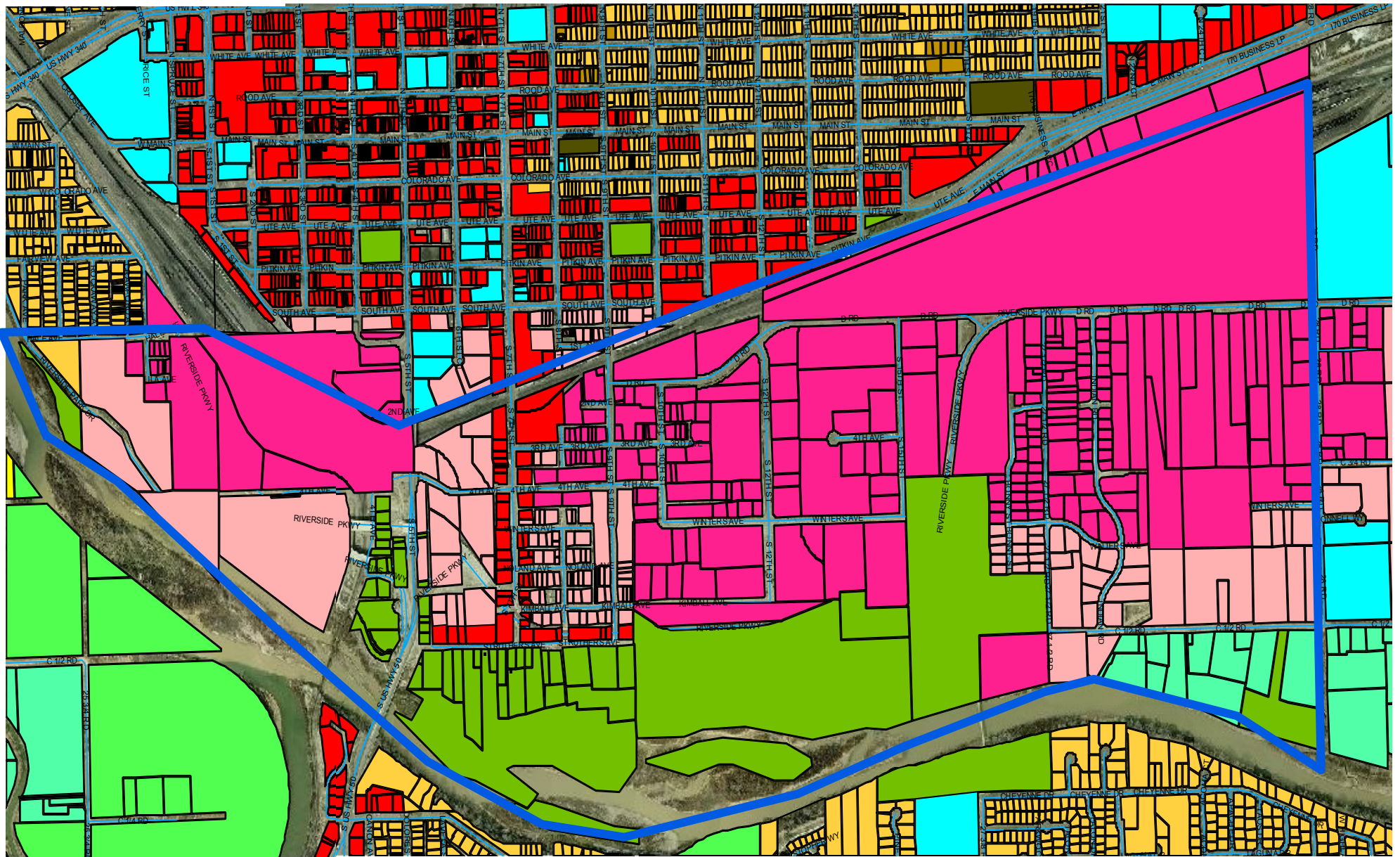
EXISTING ZONING MAP



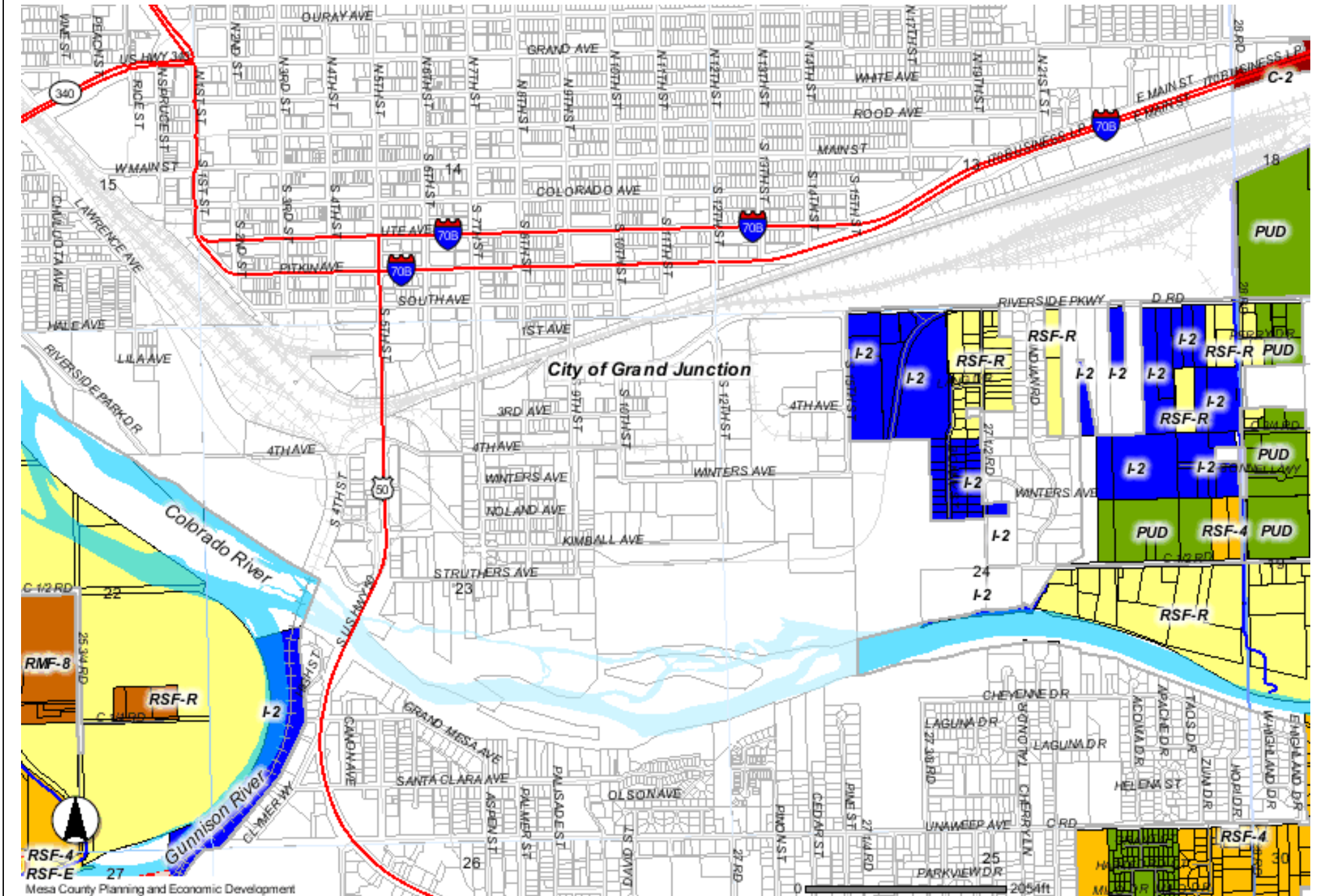
South Downtown Plan

EXISTING FUTURE LAND USE MAP

- Commercial
- Commercial - Industrial
- Industrial
- Estate
- Residential Medium 4-8 du/ac
- Park



MESA COUNTY ZONING



CITY OF GRAND JUNCTION, COLORADO
Resolution No. _____

**A Resolution Adopting the South Downtown Neighborhood Plan
as a Part of the Grand Junction Growth Plan**

Recitals.

The South Downtown Neighborhood planning area is located on either side of the confluence of the Gunnison and Colorado Rivers, roughly between the Riverside neighborhood to the northwest to 28 Road on the east and the railroad tracks to the Colorado River. The City of Grand Junction Growth Plan adopted in 1996, and updated in 2003, provides the basis for this more detailed neighborhood plan.

A plan for the area was started in the early 1990s but was not completed since the Growth Plan process was also started at that time. In addition, planning efforts began for the Riverside Parkway in the late 1990s – again it did not seem worthwhile to continue with a South Downtown planning process until the Parkway alignment was finalized. Now, with completion of the Parkway and recent adoption of a plan for Las Colonias Park, development of a plan for South Downtown was timely.

The planning process for this area included public participation with small interest group meetings, newsletters, information on the City's website and three public open houses. The plan evolved from ideas that were gathered from meetings, presented as various concepts and evaluated by the general public. Thus, this plan represents a community consensus and provides a foundation and vision for the future development and redevelopment of the South Downtown Neighborhood.

The South Downtown Neighborhood Plan includes the following elements: Future Land Use Map, Circulation Plan and Urban Trails Plan. Adoption of the South Downtown Neighborhood Plan will amend the Grand Valley Circulation Plan and the Urban Trails Plan accordingly.

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

The South Downtown Neighborhood Plan included as attached Exhibit A is hereby adopted and made a part of the Grand Junction Growth Plan and amends the Future Land Use Map, the Grand Valley Circulation Plan and the Urban Trails Plan.

PASSED on this _____ day of _____, 2008.

South Downtown Plan

ATTEST:

City Clerk

President of City Council

Exhibit A



South Downtown Neighborhood Plan



TABLE OF CONTENTS

1 SITE CONTEXT	3
2 PLANNING BACKGROUND	3
3 SITE ANALYSIS	3
Natural Framework	
Built Environment	
Surrounding Influences	
Land Use Analysis	
4 ALTERNATIVE CONCEPTS	10
General Underlying Concepts and Themes	
Concepts for Village Development	
Concepts for Community Industrial Core	
5 PREFERRED PLAN AND IMPLEMENTATION STRATEGIES	12
South Downtown Neighborhood Plan Goals	
Plan Implementation Strategies	
Future Land Use	
Zoning	
Circulation	
Development Standards	
Economic (Re)Development	
6 OTHER PLAN ELEMENTS	21
Entryways	
Streetscape	
Connections to Downtown	
Jarvis Property Master Plan	
APPENDICES	26
A – South Downtown Existing Conditions Photo Essay	
B – Tabulation of Concept Evaluation	
C – South Downtown Neighborhood Future Land Use Map	
D – South Downtown Neighborhood Zoning Map	
E – South Downtown Neighborhood Circulation Plan	
F – South Downtown Neighborhood Urban Trails Plan	
G – Development Concepts	
H – Jarvis Property Master Plan	

1 SITE CONTEXT

The South Downtown Neighborhood is located on either side of the confluence of the Gunnison and Colorado Rivers, roughly between the Riverside neighborhood to the northwest to 28 Road on the east and the railroad tracks to the Colorado River. At this “grand junction”, the area transformed from an agricultural based community into the commercial and industrial area it is today. Over time, the area has been used to store mill tailings along the river, process sugar beets in the historic beet packing complex, and provide a home to some of the City’s largest industries.

Located within walking distance from Downtown, the South Downtown Neighborhood offers both easy access to recreational amenities along the river, as well as convenient access to shopping and businesses in the adjacent downtown core. It also functions as a gateway into downtown from Highway 50. Its location and context establishes it as one of the most important places in the City.

2 PLANNING BACKGROUND

In the early 1990s a South Downtown planning process was started but never completed since the community undertook a valley-wide land use planning process that included looking at future land uses in the South Downtown area. In addition, planning efforts began for the Riverside Parkway in the late 1990s – again it did not seem worthwhile to continue with a South Downtown planning process until the Parkway alignment was finalized.

Similarly, in 1997, a master plan was prepared for Las Colonias Park, which is located adjacent to the Colorado River in the southern portion of the South Downtown Neighborhood. In 2006, construction began on the Riverside Parkway through the South Downtown area, providing a new east-west connection for travel through the downtown area. The alignment and design of the Parkway not only impacted the master plan for the Park but will also change the character of the South Downtown area. Thus, it was necessary to revisit the plan for the park as well as look at a neighborhood-wide vision for the future. A new plan for Las Colonias Park was adopted in mid-2007.

3 SITE ANALYSIS

A consultant, EDAW, was contracted to conduct an initial site inventory and analysis and a public forum as a kick-off for the South Downtown Neighborhood planning process. A summary of the consultant’s overview was provided to the City in the Fall of 2006.

NATURAL FRAMEWORK

The South Downtown Neighborhood is a critical area of the community. It virtually is THE Grand Junction. The Colorado River has a big influence on the area which presents both constraints and opportunities. The floodplain

associated with the River has been altered by construction of a levee that protects a large part of the South Downtown Neighborhood from flood inundation but there are some areas that are still impacted by potential flooding of the River.

On the other hand, the River does present excellent opportunities to maintain and enhance amenities that have already been placed along the River including the Botanic Gardens, the Riverfront trail system, the Old Mill pedestrian bridge and the community investment of the Riverside Parkway



The topography of the site is also an important consideration. While the South Downtown area itself is flat, it is significantly lower than Orchard Mesa to the south. This makes it a very visible area as well as presents some unique opportunities for views and vistas.

BUILT ENVIRONMENT

The man-made framework of the area consists of the buildings and infrastructure that already exist, some of which is very old, and some of which is still under construction. The railroad tracks along the north edge of South Downtown as well as the sidings that come into the area are very important considerations. Several spurs continue to be heavily used by the industry in the area, while others have been abandoned. Grand Junction Steel, located in the center of South Downtown estimates they receive 3 to 4 rail cars per week of raw material – finished product is then trucked from the site. Castings, Inc. handles approximately 480,000 pounds of materials and products in containers by rail each week. Thus, as in the past and as long as it continues to be used as a means of transport, the railroad is a valuable asset to this area and to the community as a whole.



The existing street network in South Downtown is incomplete. The plan for the area must address how the existing streets should be used and how new streets should be planned in the eastern and western ends of South Downtown to continue to provide and enhance access for many modes of transportation to, from and through the area. Presently, 9th, 12th and 15th Streets are the primary north-south streets utilized by the heavy commercial and industrial uses in the area. 7th Street is generally perceived by the community as the “public” access to and from the South Downtown Neighborhood.

Certainly, the completion of the Riverside Parkway through the area will have a major impact on the area – likely a positive influence. Also, there is an existing trail through the area that must be recognized as the area develops and redevelops. The plan must consider that the trail will eventually be extended to the east along the river and that improved public access to the trail system throughout the area is a necessity.

Part of the existing conditions of the built environment is the pattern of land ownership and use. In the central part of South Downtown there are numerous small parcels. Some have been aggregated into large holdings such as for the larger industries in the area including Grand Junction Steel, Whitewater Building Materials and Castings, Inc. The railroad has large landholdings in the area as do various public entities. City-owned properties include the Las Colonias Park site, the Botanic Gardens property, the Jarvis property and some remnants of land that were acquired for construction of the Parkway. Mesa County owns some smaller parcels that are likely to be disposed of in the near future and the State of Colorado has the Department of Transportation complex on the east side of 9th Street and D Road.

To the east, the parcels are larger but some are not configured very conducive to development. There are also still remnants of the early days of this area. There are some remaining pockets of occupied single family residential homes.



There are also a few isolated commercial structures with historic significance, most notably the one pictured below which is a remnant of a sugar beet factory complex. The building was previously most visible from the riverfront trail and Orchard Mesa but it is now very visible with the completion of the Riverside Parkway. As this area becomes more familiar to people passing through on the trail and on the Parkway, perhaps some of the buildings like this one can become a more integral part of redevelopment.



It is estimated that there is a daytime population of approximately 2,000 employees in the South Downtown Neighborhood with very little available in the way of goods, services, restaurants and other commercial uses in close proximity. There appears to be a need and a desire to promote and develop uses that could not only service the daytime working population but also support the recreational and park users in evenings and on weekends.

SURROUNDING INFLUENCES

There are surrounding influences that impact the South Downtown such as the proximity of the area to Downtown. This plan should consider the main entrances and connections to South Downtown and how they can be improved

as well as determine if or where there are barriers such as the railroad crossing and how those can be mitigated.



The proximity of the area to Orchard Mesa influences the plan both physically and visually. There are also recreation and open space uses within and nearby – Eagle Rim Park on Orchard Mesa and the Botanic Gardens along the River. The South Downtown Neighborhood Plan should address how these spaces should be connected, enhanced and integrated into redevelopment of the area.

In addition the plan must consider planning efforts that have been completed for areas within South Downtown including the Botanical Gardens, Las Colonias Park and the City-owned Jarvis property. The South Downtown Neighborhood Plan must also integrate with the adjacent uses to the east that were included in the Pear Park Neighborhood Plan.



Las Colonias Park Plan

LAND USE ANALYSIS

An inventory of existing land uses within South Downtown was completed as part of the planning process, identifying patterns of development and architectural character. A photographic essay of these land uses is included as Appendix A. Distinctions between existing land uses and existing zoning demonstrate how the South Downtown Neighborhood will continue to develop as an industrial area if the existing plans and zoning are implemented and also highlight the opportunities to change land use and zoning as desired by the community.

Existing land use in the more developed central area of South Downtown is and has historically been primarily heavy commercial and industrial with remnant pockets of residential. The area between 5th Street and 9th Street is characterized by smaller parcels with older structures. A few businesses have aggregated parcels into larger parcels which is more conducive to future improvement and/or redevelopment. This area presents the best opportunities within South Downtown for redevelopment that could be accomplished through creative incentives and partnerships.



The heavy industries are primarily located between 9th and 15th Streets, clustered around the existing railroad spurs on larger parcels. Since the rail and its users are valuable assets to the area and the community as a whole, the core of this area is unlikely to change. However, there appears to be some opportunity and community support to create transitional areas of varied land uses in a tier surrounding the core industrial area. These transitional areas can be used to create compatibility between adjacent uses such as the park and the heavy industrial as well as help visually screen the industrial areas.



To the west, the City-owned Jarvis property was historically used as a salvage yard until purchased and cleaned up by the City in the late 1980s. Since then, the property has been vacant with the exception of the recent trail construction through the site. Other uses on the west end of the South Downtown Neighborhood are industrial along the south side of the railroad tracks. A mixed use conceptual plan has been developed for the Jarvis property which was considered through the development of the South Downtown Neighborhood Plan.

On the eastern end of the South Downtown Neighborhood, much of the property is held in larger ownerships and is vacant or underutilized. There are areas of smaller commercial and industrial uses and pockets of residential along 27-1/2 Road just south of the Riverside Parkway and along the south side of C-1/2 Road just west of 28 Road. Much of the eastern area presents the greatest opportunity for increasing heavy commercial and industrial use within the South Downtown Neighborhood.



4 ALTERNATIVE CONCEPTS

After the kick-off efforts led by the consultant, EDAW, City staff continued with more detailed analysis in conjunction with meetings with small focus groups of various interests throughout the winter of 2006-2007. A series of approximately 15 meetings with groups that included elected City officials, representatives of large industries, economic redevelopment interests and owners of small businesses and properties. The meetings were conducted as informal brainstorming sessions in order to define more specific issues, constraints and opportunities and continue to discuss the community's vision for the South Downtown Neighborhood.

Using the results of these meetings, staff formulated a menu of design concepts to present at a public open house held in February 2007. Participants were asked to evaluate these ideas as to whether they agreed or disagreed with them. The open house was attended by 80 to 100 people of which, approximately half completed the evaluation sheets. The concepts that were presented for evaluation are listed below. They address four major topics relative to a plan: Land Use, Circulation, Economic (Re)Development and Visual Character.

GENERAL UNDERLYING CONCEPTS AND THEMES

- Create/maintain/enhance a "green" waterfront
- Recognize existing heavy industry
- Recognize existing location and use of rail spurs
- Recognize primary streets used by industrial businesses (9th and 12th)
- 7th Street will be primary public use and traffic to access area
- Establish and improve entry points into the area
- Improve connections to downtown
- Recognize existing concepts for the Jarvis Property and Las Colonias Park
- Create and take advantage of redevelopment opportunities and partnerships
- Create a tier around the heavy industrial areas to provide opportunities for different, mixed uses to transition and screen from Parkway to Heavy Industry
- Improve streetscape on 7th and 9th Streets
- Create a street system that encourages traffic to northeast
- Discourage traffic on C-1/2 Road through low-density residential area east of 28 Road

CONCEPTS FOR VILLAGE DEVELOPMENT

- Create a wide variety of uses
- Increase retail opportunities
- Create areas for high density residential
- Create opportunities for mixed use (e.g. commercial/retail; office/services)

- Minimum height of structures along north side of Riverside Parkway of at least 3 stories
- Increase light industrial and commercial uses
- Keep low density residential along Colorado River east of 27-1/2 Road
- Promote higher quality, “cleaner” uses of retail/commercial us in the area generally between 7th and 9th Streets

CONCEPTS FOR COMMUNITY INDUSTRIAL CORE

- Place a greater emphasis on increasing industrial opportunities
- Create more opportunities for general commercial activities
- Create some transitional areas of mixed uses along 7th Street and Riverside Parkway
- Minimal residential uses except for live-work opportunities in the mixed use areas
- Emphasis on redevelopment opportunities in the areas with smaller parcels, primarily between 7th and 9th Streets
- Lighter industrial uses along Colorado River east of Las Colonias to 28 Road

5 PREFERRED PLAN AND IMPLEMENTATION STRATEGIES

The results of the evaluations and comments gathered on the alternative concepts were tabulated as included in Appendix B. The results show strong community support for ideas that are translated to the goals listed below for the South Downtown Neighborhood Plan.

SOUTH DOWNTOWN NEIGHBORHOOD PLAN GOALS

- Create/maintain/enhance a green waterfront
- Recognize existing heavy industry and rail service that supports it
- Recognize distinction between “industrial” streets (9th and 12th Streets) and “public” streets (7th Street and Riverside Parkway)
- Improve streetscape on “public” streets
- Promote higher quality, “cleaner” uses in the area generally between 7th and 9th Streets
- Improve entry points to and along major corridors within the area
- Improve connections to downtown
- Create some transitional areas of mixed uses along 7th Street and Riverside Parkway to screen the heavy industry
- Create retail, general commercial and mixed use opportunities
- Increase light industrial opportunities
- Create/enhance redevelopment opportunities and partnerships

PLAN IMPLEMENTATION STRATEGIES

The City has a variety of tools available through which these goals can be implemented so that the vision for the South Downtown Neighborhood can materialize and eventually be realized. This Plan represents the first phase of implementation and includes the basic strategies of designating Future Land Use categories, zoning the properties accordingly, amending development standards of the zoning districts through a zoning overlay, creating a circulation plan and establishing goals and policies for future phases of plan implementation such as economic (re)development strategies.

Future Land Use. The South Downtown Neighborhood Plan is formulated around six general land use categories: Estate Residential, Park/Open Space, Mixed Use, Corridor Commercial, Commercial Industrial and Industrial. These categories are intended to replace the categories presently designated on the City’s Growth Plan Future Land Use Map. The South Downtown Neighborhood Land Use Plan is depicted in Appendix C and the general categories are more specifically described as follows.

- **Estate Residential** – Typical “estate” style single family homes on large lots of 2 to 5 acres. Centralized services might be needed depending on

site conditions and proximity to existing services. Zoning will regulate the intensity of agricultural operations permitted on Estate parcels.

- **Park/Open Space** – Public or private lands reserved for active park and recreation sites, open space, wildlife habitat, sensitive or hazardous land protection, and other environmental conservation purposes. Any commercial uses near or within these areas should enhance the riverfront as places where people can enjoy the river such as riverfront eating establishments, museums, outdoor amphitheaters, nature centers and botanical gardens.
- **Mixed Use** – Mixed use development to include employment, residential open space, retail commercial may be appropriate as a secondary use, integral to other uses and structures or as small village centers.
- **Corridor Commercial** – Permits a wide range of commercial development (office, retail, service, lodging, entertainment) with mixed use and residential opportunities encouraged in some areas, particularly for live-work situations. Limited outdoor storage and operations. Intended to provide transition and screening between public spaces and corridors to heavy industrial areas.
- **Commercial Industrial** – Heavy commercial, offices and light industrial uses with outdoor storage, but no outdoor operations other than sales (e.g. office/warehouse uses, auto sales, auto repair shops, lumber yards, light manufacturing). Some yard operations may be permitted through Conditional Use Permits where adequate screening and buffering can be provided to ensure compatibility with surrounding uses. Limited residential uses may be allowed for caretaker and security purposes.
- **Industrial** – Heavy commercial and industrial operations, particularly those requiring rail access. Batch plants and manufacturing uses with outdoor operations are appropriate if developed consistently with zoning regulations. Residential uses are not appropriate.

Zoning. Within the land uses described above, the properties within South Downtown that are presently within the City’s jurisdiction will be rezoned according to the Plan as depicted in Appendix D. The zoning categories will be applied to each land use category as outlined below. The South Downtown Neighborhood Plan will serve as a guide for zoning properties as they are (re)developed and annexed to the City of Grand Junction.

- **Estate Residential** – These properties are not presently within the city limits of Grand Junction thus, will retain the existing Mesa County zoning of RSF-E. If and when the properties are annexed, a zoning consistent with the South Downtown Neighborhood Plan would be applied.

- **Park/Open Space** – Areas presently in public ownership will be zoned Community Services and Recreation (CSR). Those properties not in public ownership retain existing zoning but the South Downtown Neighborhood Plan Future Land Use Plan will dictate development and zoning of these properties in the future.
- **Mixed Use** – The area shown as mixed use on the Land Use Plan will be zoned Mixed Use (MU) to afford the flexibility for development of a variety of uses on the site that is presently owned by the City of Grand Junction. Non-polluting industrial and commercial uses are encouraged adjacent to and mixed in with residential uses.
- **Corridor Commercial** – These areas will be zoned C-1 but the overlay standards of the South Downtown Neighborhood Plan make revisions to this zoning district to be more conducive to a wider range of uses and improve the quality of the important public corridor areas. Subareas within the Corridor Commercial are also defined on the plan and in the overlay standards.
- **Commercial Industrial** – Zoning of these areas will either be Light Industrial (I-1) or Industrial/Office Park (I-O) depending on the location within the South Downtown Neighborhood. For properties fronting the Riverside Parkway, the Plan includes overlay standards to improve visual character and aesthetics along this corridor.
- **Industrial** – The areas shown as Industrial on the Plan will be zoned Light Industrial (I-1) or Heavy Industrial (I-2), depending on the existing use and/or adjacent zoning.

Circulation. The Circulation Plan for the South Downtown Neighborhood is shown in Appendix E. The plan identifies a street network that includes both existing and proposed streets and both major and minor streets. The Circulation Plan also identifies the desired cross-sections and level of streetscape development along the streets within the South Downtown Neighborhood to support the proposed land uses and circulation to and from the area for pedestrian, bicycle and vehicles. The general goals for the Circulation Plan are to:

- Re-establish and improve a street grid in the central area of the South Downtown Neighborhood
- Establish a new street grid in the eastern area of the South Downtown Neighborhood
- In as much as possible, encourage traffic generated from the eastern area to travel north and east rather than east through the low density residential areas

Major Street Corridors. Major streets in the Grand Junction urbanized area are classified according to their function in the transportation network. The two components of function are to provide access to properties and to carry traffic from point to point. In order to preserve safety and capacity and enhance the quality of living, the relation of these two components should be inversely proportionate, with the busier streets having limited access and the quieter streets providing access to properties. The components of the major street system have been identified on a functional classification map, known as the Grand Valley Circulation Plan that has been adopted by the City of Grand Junction and accepted by Mesa County. The Circulation Plan adopted for the South Downtown Neighborhood will amend the Grand Valley Circulation Plan.

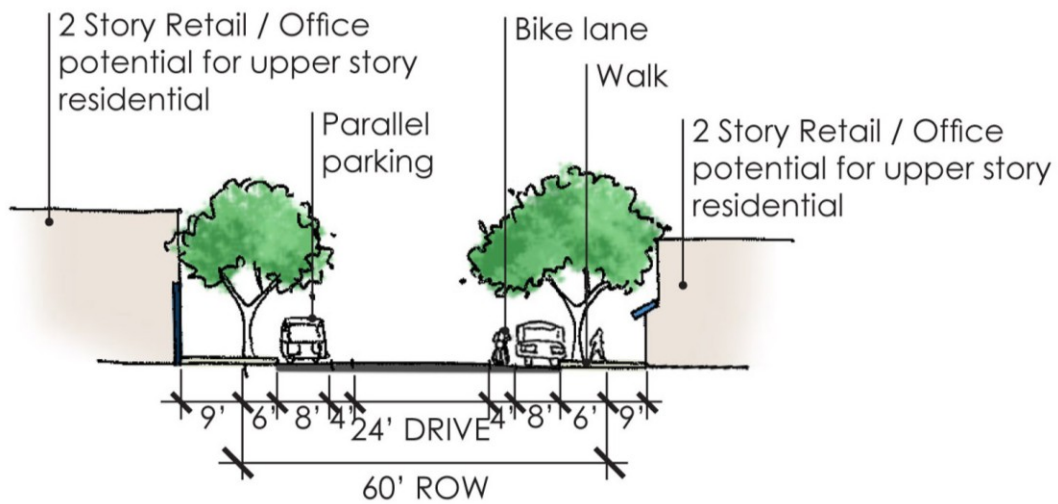
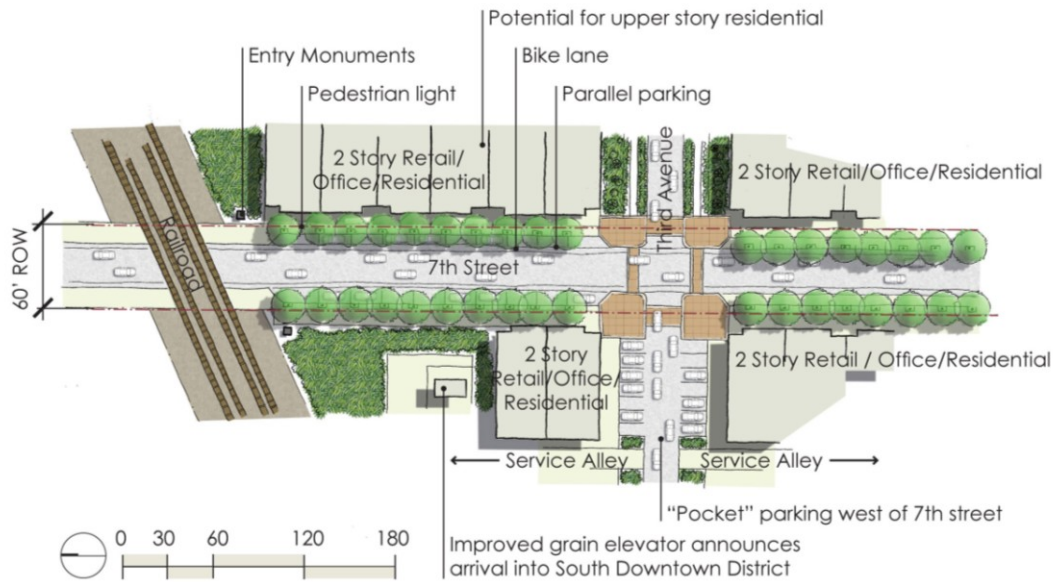


As properties develop and redevelop within the South Downtown Neighborhood, the Circulation Plan will be implemented through construction of streets through new subdivisions or developments or improvement of existing streets as the properties along them are improved and/or redeveloped. The specific design of each street is generally based on the land use and zoning of the properties along it. For example, in areas that will be zoned Commercial, the Commercial Street cross-section will apply, unless where modified by the South Downtown Neighborhood Plan. Similarly, streets within Industrial areas are to be developed/improved according to the City's adopted Industrial street cross-section or as modified by this Plan.

The street classifications and proposed street sections for the major corridors in the South Downtown Neighborhood Area are described below. The concept drawings in Appendix G further illustrate elements of the Circulation Plan.

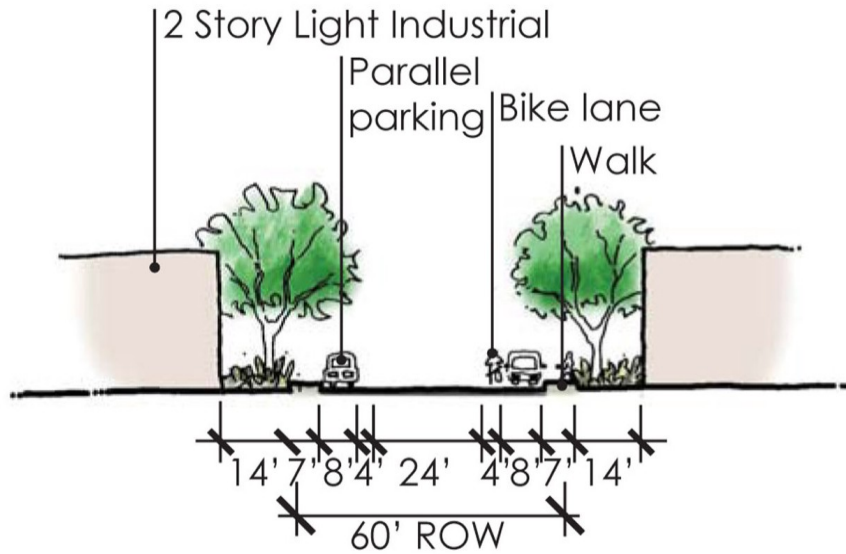
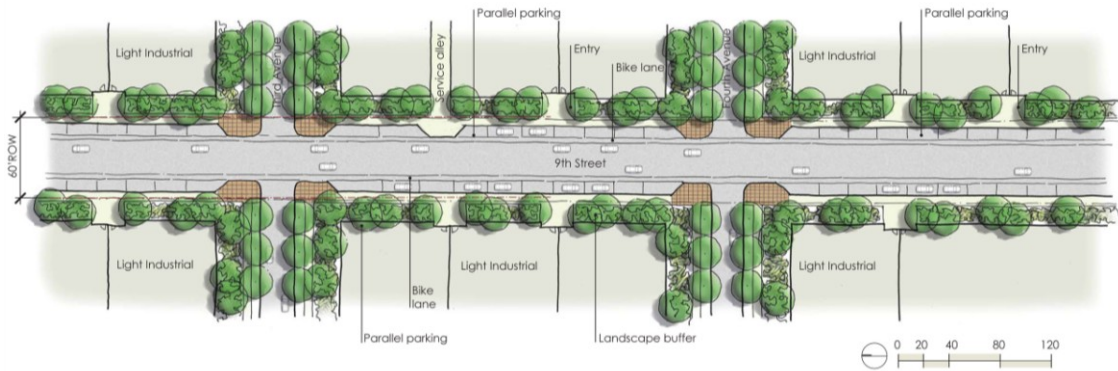
- **Riverside Parkway** – Arterial Street constructed by the City Parkway Project. The right-of-way width varies; multi-lane; bike lanes; detached walk on the south side; no on-street parking.

- **7th Street** – Collector Street. 60-foot right-of-way width; 2 lanes; bike lanes; on-street parking both sides; detached walks with landscaping.



7th Street Section

- **9th Street and 27-1/2 and C-1/2 Roads** – Collector Street. 60-foot right-of-way width; 2 lanes; bike lanes; on-street parking both sides; detached sidewalk preferred where possible.



9th Street Section

- **Kimball Avenue** – Collector Street. 60-foot right-of-way width; 2 lanes; on-street parking on one side; detached walks with landscaping.



- **D Road (from 9th Street east to the Riverside Parkway)** – Arterial Street. Section yet to be determined.

Local Streets. The Local Street network provides access to individual parcels and serves short length trips to and from collector and higher order streets. Trip lengths on local streets should be short with a lower volume of traffic along with slower speeds. Design of local streets occurs through the development process and will be in accordance with the City’s adopted Transportation Engineering Design Standards (TEDS). It is important in the design process to provide connections to adjacent parcels and subdivisions for efficient vehicle travel and a safe network for pedestrians and bicycles. In the core commercial area of South Downtown, the streets will eventually be modified to become less industrial and more commercial in nature. In doing so, the existing streets will need to be retrofitted for better pedestrian circulation.

Urban Trails. The Urban Trails Master Plan is a planning document that shows the location of future bicycle facilities, trails and pedestrian paths. Implicit in the plan is the construction of sidewalks in accordance with the adopted street cross-sections as detailed in the South Downtown Neighborhood Circulation Plan. One of the major purposes of the City’s Urban Trails Committee is facilitating linkages from the riverfront trail system to the urban area. As development or

redevelopment occurs, construction of trails, paths, bike lanes and pedestrian facilities in accordance with the adopted plan either occurs with the development or the City constructs the same with the collection of the Transportation Capacity Payment (TCP) as part of a more comprehensive capital improvement project.

The Urban Trails Master Plan shows the following proposals within the South Downtown Neighborhood.

- Bike Lanes on South 5th, 7th and 9th Streets, Struthers Avenue, D Road/Riverside Parkway, River Road/Riverside Parkway and 27-1/2 and C-1/2 Roads
- Off-street Trails (primarily riverfront trails) connecting from the Riverside Neighborhood, through the Jarvis Property and the Botanic Gardens/Las Colonias Park and east to 28 Road

The South Downtown Neighborhood Plan proposes the following additions/changes to the Urban Trails Plan. The Trails Plan adopted for the South Downtown Neighborhood (Appendix F) will amend the Urban Trails Plan.

- The future off-street trail east of 27-1/2 Road is shown along the River rather than alongside C-1/2 Road.
- The Plan also provides more specific guidance in terms of pedestrian development along the streets as part of the street cross-sections described above and included in Appendix G.

Riverside Parkway Pedestrian Overpass. It is envisioned that eventually there may be need for one or more pedestrian overpasses from the Commercial Core areas to the riverfront areas and Las Colonias Park. Development, activities and uses in the future park and types of development along the north side of the Parkway will dictate where these may be needed based on the level of pedestrian traffic. An overpass on the western end of the area in the vicinity of 7th or 9th Street could also serve as an entrance feature to the neighborhood as further discussed in Section 6.

Public Transportation (GVT). Grand Valley Transit (GVT) does not presently serve the South Downtown Neighborhood Area. The closest stops are north of the railroad tracks on South Avenue. Future transit needs within the South Downtown area will need to be monitored as more areas are developed or redeveloped and as Las Colonias Park becomes more developed and active.

Development Standards. The community desires to improve the visual character of the South Downtown Neighborhood areas that are most visible along major public corridors or from the major public spaces. Consequently, the Plan promotes a higher quality built environment through improved architectural character, reduced visual clutter and enhanced streetscape. These elements are addressed through the South Downtown Neighborhood Zoning Overlay

detailed in a companion document to this Plan. The elements of the overlay are intended to augment the zoning district standards in the Zoning and Development Code.

Economic (Re)Development. The changes that are occurring in the South Downtown Neighborhood such as completion of the Riverside Parkway and planning for the future development of Las Colonias Park have already had a positive influence on the area. Many properties have been renovated or redeveloped, new uses are relocating to the area and property values are generally on the rise. The South Downtown Neighborhood Plan envisions this trend continuing and being enhanced by the following redevelopment concepts:

- Allow existing heavy industry to remain, taking advantage of rail spurs within the area.
- Intensified commercial edge along the north side of the Riverside Parkway with opportunities for mixed use development.
- New general commercial, retail and residential uses will provide activity at the edge of the park after business hours to create a safe park environment that gives “ownership” of the park to the adjacent local business owners and residents.
- New retail and commercial uses such as restaurants, shops and personal services between 7th and 9th Streets to serve the employees, recreational users and residents of the neighborhood.
- Commercial Industrial uses bridge the existing industrial and the new Corridor Commercial district.

Positive changes to the South Downtown area are also expected to gain support and momentum from the following:

- A city wide comprehensive plan that is in the initial stages and is expected to be completed within the next two years. This plan is expected to take into account the investment in major infrastructure improvements such as the Riverside Parkway and is intended to provide guidance for smart growth such as maximizing existing infrastructure.
- The South Downtown area is included in the area of the city that is eligible to participate in an *Infill and Redevelopment Program*. The program reviews requests for incentives on proposed infill and redevelopment projects. More information about this program is available at www.gjcity.org.

In addition, discussions with the Grand Junction Economic Partnership, Business Incubator, Manufacturers’ Council and Chamber of Commerce during development of the South Downtown Neighborhood Plan brought to light many opportunities for the area, the majority of which is within the established Mesa County Enterprise Zone. The Plan outlines goals, policies and strategies that

can be used to further the economic (re)development of South Downtown with the following ideas.

- Need for flex space for different types of small business – new to area or graduating from the Business Incubator. Opportunity for these businesses to serve employee base, residents and recreational users in the area.
- Opportunity to develop additional incentives for redevelopment that has taken advantage of partnerships and/or assembled parcels of land totaling a minimum of ½ acre or more
- Allow for live-work opportunities
- Opportunity to develop partnerships

6 OTHER PLAN ELEMENTS

ENTRYWAYS

Important intersections in the street network offer opportunities to develop a unique theme and identity for the South Downtown Neighborhood. The primary intersections vary in scale and include the southwest entry at 5th Street and the Riverside Parkway, South 7th Street at the Railroad Tracks and the Riverside Parkway and 28 Road on the east side of the Neighborhood. Each of these should be developed according to general concepts and criteria that are appropriate for their scale, function and importance.

5th Street/Riverside Parkway. There are opportunities to celebrate the entry into Grand Junction and the South Downtown Neighborhood at the 5th Street bridge and Struthers Avenue area in conjunction with the Western Colorado Botanical Gardens with attractive low scale signage and sculpture. In addition, there are smaller monuments at various points along the Riverside Parkway that indicate to motorists that they are approaching or traveling on the Riverside Parkway (shown below). Due to the scale of the 5th Street/Riverside Parkway intersection and the publicly-owned area around it, this intersection affords the opportunity to create a monument/sculpture of a much larger scale to mark the entrance and give identity to the South Downtown Neighborhood and/or to this “Grand Junction”.

Another possibility in this vicinity is if a pedestrian overpass is desired/needed near the 7th Street/Riverside Parkway intersection it could serve several purposes: pedestrian access across the Parkway, include design elements that give a distinct character to the South Downtown Neighborhood and integrate with surrounding open space, pocket parks and/or water features at the landings on each side of the Parkway.

South 7th Street/Railroad Tracks. There is an existing silo on the Mesa Feed property that marks the entrance into the South Downtown Neighborhood

as you travel south on 7th Street. It is of a scale that is visible from the southern perimeter of downtown and represents the historical agriculture and industrial base upon which South Downtown has developed. Such a structure could be enhanced and/or replicated to become an even stronger element at this major entrance to the area.

28 Road/Riverside Parkway. This intersection is a smaller scale than the others but a neighborhood entry could be created, particularly along the north side. The sense of arrival at this location could be created through a water feature, public art, an architectural feature with signage paving patterns and/or landscaping. The design of the entry feature should be of the same character of those that might be created at the other major entry points.

STREETSCAPE/CONNECTIONS TO DOWNTOWN



The South 7th Street and South 9th Street corridors are the primary street and pedestrian links between the downtown core and the South Downtown Neighborhood. These connections can be improved by developing an enhanced streetscape that provides visual consistency and clearer, safe access for pedestrians, bicyclists and vehicles. In order to improve these connections, the South Downtown Neighborhood Plan proposes the streetscape improvements described below and as depicted in the Development Concepts in Appendix G.

- **South 9th Street Streetscape.** The streetscape plan for South 9th Street is to develop similar to what presently exists along South 7th Street with a more defined hardscape of curb and gutter, enhanced pedestrian facilities and street trees. This design improves the visual quality of the

corridor without requiring improvements on private property or compromising adjacent uses. The design also allows the street to function for the commercial/light industrial traffic that it carries as well as provides for a more comfortable pedestrian or bicycle environment since South 9th Street may be used by the public to access business/commercial areas and Las Colonias Park.

- **South 7th Street Streetscape.** The streetscape plan for South 7th Street should be enhanced with a similar design as what is currently under construction on 7th Street south of Grand Avenue. Generally, the design would continue the 7th Street boulevard treatments from downtown, Ute and Pitkin to the Botanical Gardens and riverfront area with additional street trees, historic street lights, street furniture and public art. This design would create a more consistent visual character to connect the South Downtown Neighborhood with the traditional downtown area and improves the visual design of the corridor and emphasizes its use as the primary public north-south corridor through the neighborhood. The design features enhanced pedestrian facilities with colored concrete, pedestrian safe zones at the “bulb-outs” for easier crossing and additional landscaping.

JARVIS PROPERTY MASTER PLAN

The City completed an initial planning analysis for the City-owned property on the west side of 5th Street between the Colorado River and the Riverside Parkway known as the Jarvis Property. The property is constrained by natural features and the encroachment of the Parkway, but does have approximately 43 acres of developable land.

The initial study was to chart a direction for revitalization of the property. It summarized the key assets, identified some important issues and potential impediments to development, analyzed current market conditions and outlined a concept for organizing potential development of the property. The property and potential project are viewed as a unique opportunity for the City to chart the future of a rare property type, a place where it may be possible to provide a mix of uses, including residences, along the bank of the Colorado River. The major concepts for potential development of the Jarvis Property are outlined below, excerpted from the Master Plan report. A conceptual plan is included as Appendix H.

The Urban Village Concept. The key concept for land uses is to create a mixed-use village, which offers the opportunity to live and work within a neighborhood that promotes pedestrian circulation. Land uses should be identified and configured to complement the existing Riverside residential neighborhood. Access points and internal streets should contain streetscape elements that result in a pedestrian-friendly environment, and on-street and off-

street parking should be strategically located to minimize the visual impact of automobiles and service/loading zones.

Commercial uses should be concentrated in a “Village Center” and include mixed-use development that contains retail and restaurant uses to serve the new development and existing Riverside neighborhood. Additional uses include upper-story office space and residential components, as well as public open space such as small hardscaped plazas and/or parks. The Village Center should integrate community services and/or civic facilities, when feasible.

Residential development should be targeted along the edge of the riparian corridor to take advantage of the proximity to the river, trail system and views. Residential development should contain a variety of product types including lofts, townhomes, condominiums and apartments. Flexible uses that permit light assembly and manufacturing would be internally located in a campus-like setting that may include some live-work opportunities. Light industrial uses would also be targeted to the eastern edge of the site, near the railroad tracks and existing heavy industrial uses.

The Riverside Parkway. The City is currently constructing the Riverside Parkway that will run through the Jarvis Property. This will be a major arterial that will carry traffic to, and through, the site. This roadway will dramatically improve access into the area for motorists. It does, however, present some potential impediments for pedestrians who seek to walk from the Jarvis Property to downtown, although these will, to some extent be mitigated by the Parkway design.

The advent of the Parkway also provides an opportunity to change the image of the site. For some, the Jarvis Property is seen as an undesirable place, in part because portions of it have an industrial heritage, but the Parkway will bring more people to the area who will see it with a fresh perspective, and many will recognize its inherent beauty and desirable location.

The Parkway also will introduce some noise. Residential uses should be located away from the road, while special assembly and professional uses will do well close to it. At present, one intersection is planned at Hale Avenue. Another intersection should also be provided, at the approximate midpoint of the property.

Habitat Restoration Area. A backwater pond exists at the southeastern edge of the property, along the river edge, which provides habitat for endangered fish and other wildlife. The pond should be treated as an asset, a focal point for the site, while maintaining necessary protective measures.

Riverfront Trail and Parks. The Riverfront Trail is a key asset to the Jarvis Property and South Downtown as a whole. New development, especially

residential uses, should be constructed to overlook the trail, while providing an appropriate landscape separation. Pocket parks that exist along the trail should be enhanced, and additional ones should be constructed to provide a string of public spaces along it.

Riverfront. The riverfront should be improved to enhance views to the river and some access to the water edge should be created. Intrusive vegetation should be removed and a more native system should be restored.

Power Lines. High voltage transmission lines traverse the site. The development envisioned in the Jarvis Property Master Plan requires their relocation.

Floodplain. A substantial portion of the Jarvis Property lies within the 100-year floodplain as defined by FEMA maps. The land should be elevated for development.

While the South Downtown Neighborhood Plan does not wholly incorporate the details of the Jarvis Property Master Plan, it does acknowledge the potential for this type of development. The South Downtown Future Land Use Map indicates the Jarvis Property has Open Space/Park and Mixed Use. The zoning will correspond with these land use categories, with CSR and Mixed Use zone districts. The Mixed Use zone district would allow for development of the Jarvis Property using concepts such as those depicted in the Jarvis Property Master Plan but can also accommodate a different mix of uses if deemed appropriate in the future.

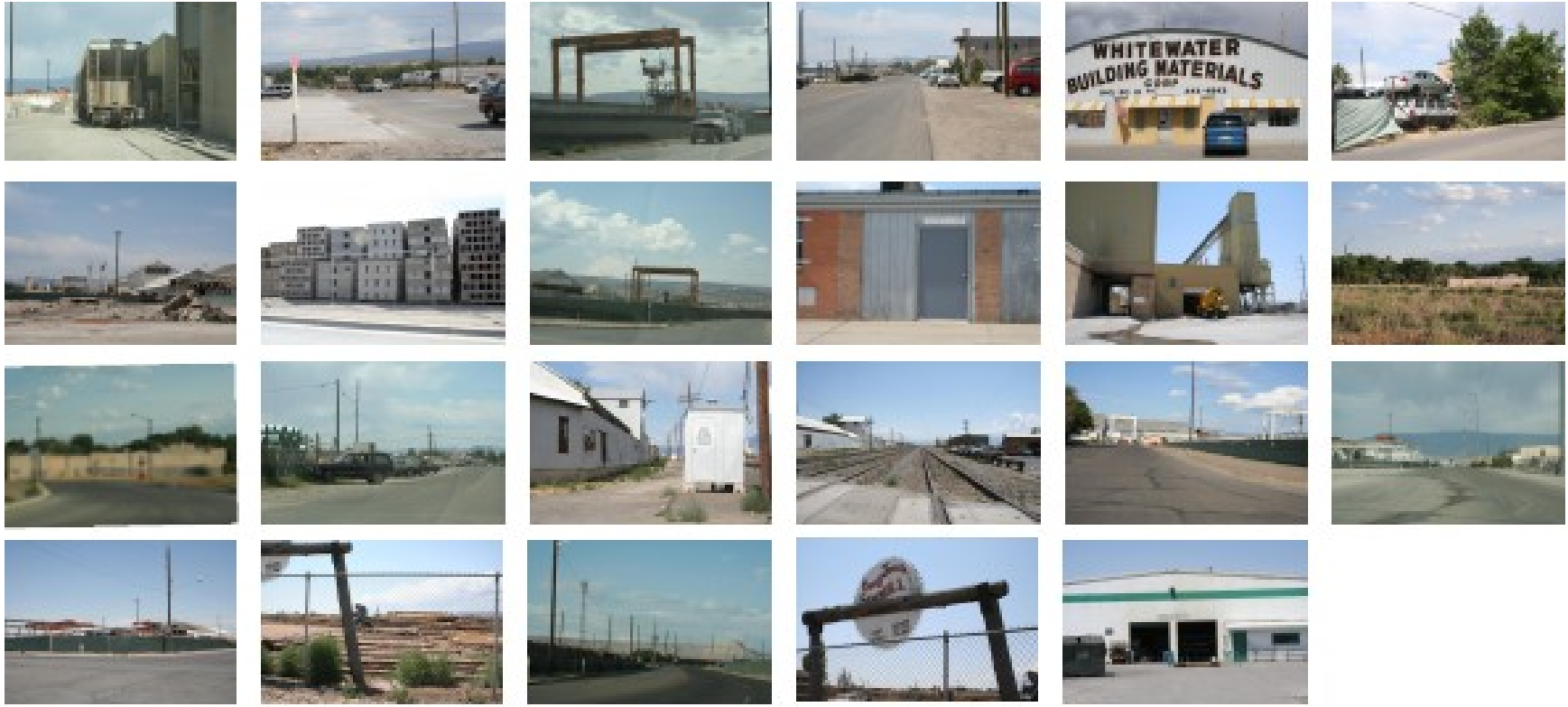
APPENDICES



Residential and Commercial Land Use



Light Industrial Land Use



Heavy Industrial Land Use



Recreation/Open Space Land Use and Historic Structure

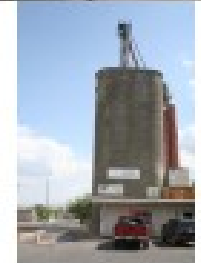
Architecture



Shopping District



Seventh Street



Site Photos

Architectural Examples

APPENDIX B
Summary of Concept Evaluation

GENERAL UNDERLYING CONCEPTS/THEMES

- 1. Create/maintain/enhance a green waterfront** (92% Strongly Agree/Agree)
- 2. Recognize existing heavy industry** (61% Strongly Agree/Agree, 20% Neutral)
- 3. Recognize existing rail spurs** (64% S Agree/Agree, 30% Neutral)
- 4. Recognize primary indus streets (9th and 12th)** (74% Strongly Agree/Agree)
- 5. 7th Street will be primary public access** (94% Strongly Agree/Agree)
- 6. Establish and improve entry points into the area** (95% Strongly Agree)
- 7. Improve connections to downtown** (95% Strongly Agree/Agree)
- 8. Recognize Jarvis & Park Concepts**
(67% Strongly Agree/Agree for Park, less re: Jarvis, 23% Neutral)
- 9. Create/enhance redev opportunities/partnerships** (72% S Agree/Agree)
- 10. Create a tier around heavy industrial for different/mixed uses to transition/screen Parkway to Heavy Industry** (67% S Ag/Agree, 23% Neutral)
- 11. Improve streetscape on 7th and 9th Streets** (74% Strongly Agree/Agree)
- 12. In the area between Las Colonias Park and 28 Road, create a street system that encourages traffic to NE** (46% S Agree/Agree, 38% Neutral)
- 13. Discourage traffic on C-1/2 Road through low-density residential area east of 28 Road** (69% Strongly Agree/Agree)
- 14. Discourage traffic on C-1/2 by disconnecting key streets**

(51% Disagree/Strongly Disagree, 23% Neutral) Concept not supported

CONCEPTS FOR VILLAGE DEVELOPMENT

- 15. Create a wider variety of uses** (62% Strongly Agree/Agree)
- 16. Increase retail opportunities** (74% Strongly Agree/Agree)
- 17. Create opportunities for medium/high density residential such as townhomes, condos and apartments** (49% S Agree/Agree, 33% Disagree) Concept of separate residential areas not strongly supported
- 18. Create opportunities for mixed use either within a site or within a building such as commercial/retail/resid or office/services/residential)**
(77% Strongly Agree/Agree but several excluded residential)
- 19. Minimum height of structures along north side of Riverside Parkway of at least 3 stories** (74% Disagree/ Strongly Disagree/Neutral)
- 20. Minimum height of structures along north side of Riverside Parkway of at least 2 stories** (64% Disagree/Strongly Disagree/Neutral)
- 21. Increase light Indus/commercial uses** (64% S Agree/Agree, 18% Neutral)
- 22. Keep low density residential on Colorado River east of 27-1/2 Rd**
(64% S Agree/Agree, 23% Neutral)
- 23. Promote higher quality, “cleaner” uses (retail/commercial) in the area generally between 7th and 9th Streets** (74% Strongly Agree/Agree)

CONCEPTS FOR INDUSTRIAL CORE DEVELOPMENT

- 24. Place a greater emphasis on increasing industrial opportunities**
(41% Strongly Agree/Agree, 31% Disagree/Strongly Disagree)
Concept does not have strong support

25. Create more opportunities for C-1 uses (74% Strongly Agree/Agree)

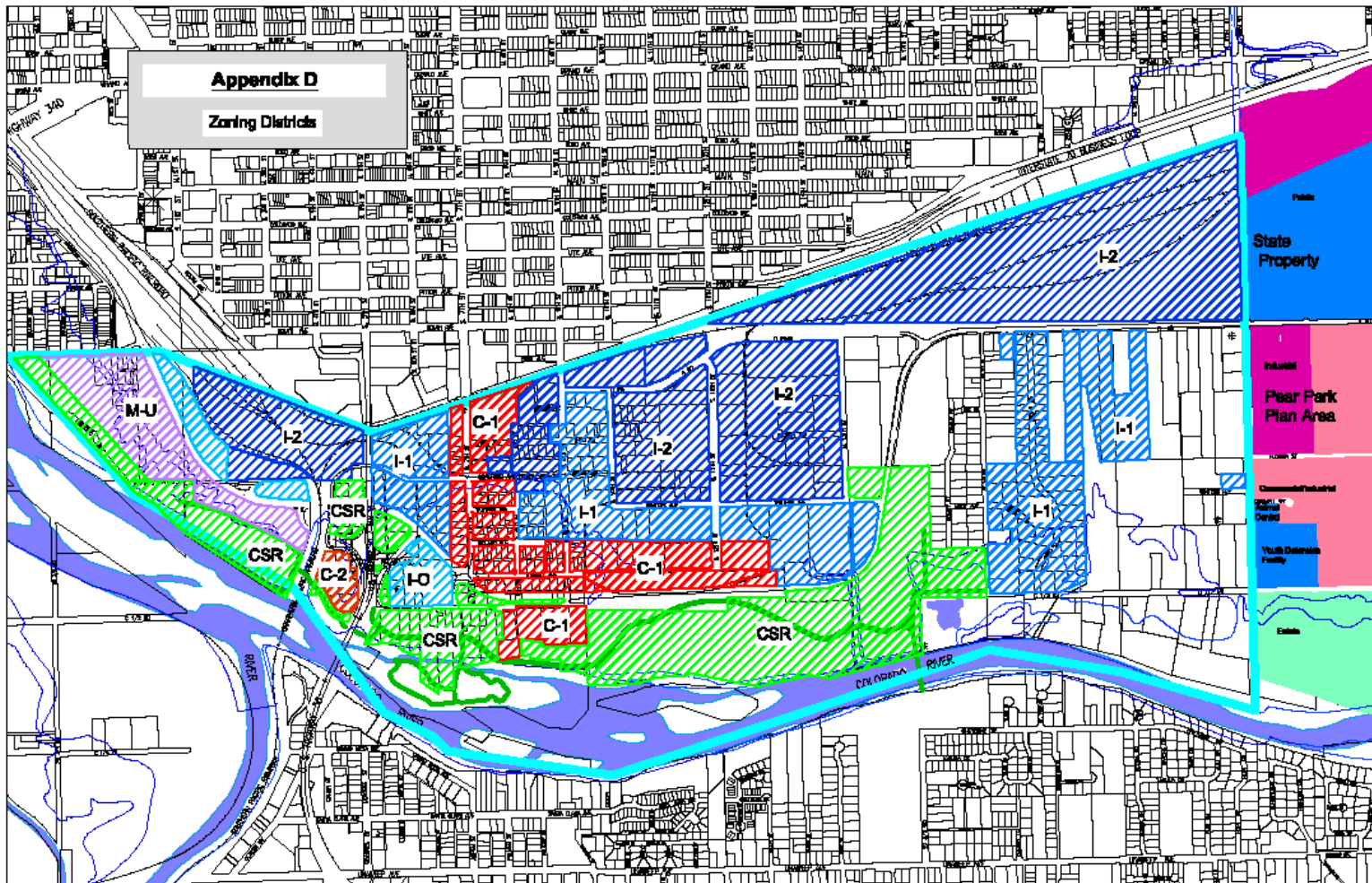
26. Create some transitional areas of mixed uses along 7th Street and Riverside Parkway (79% Strongly Agree/Agree)

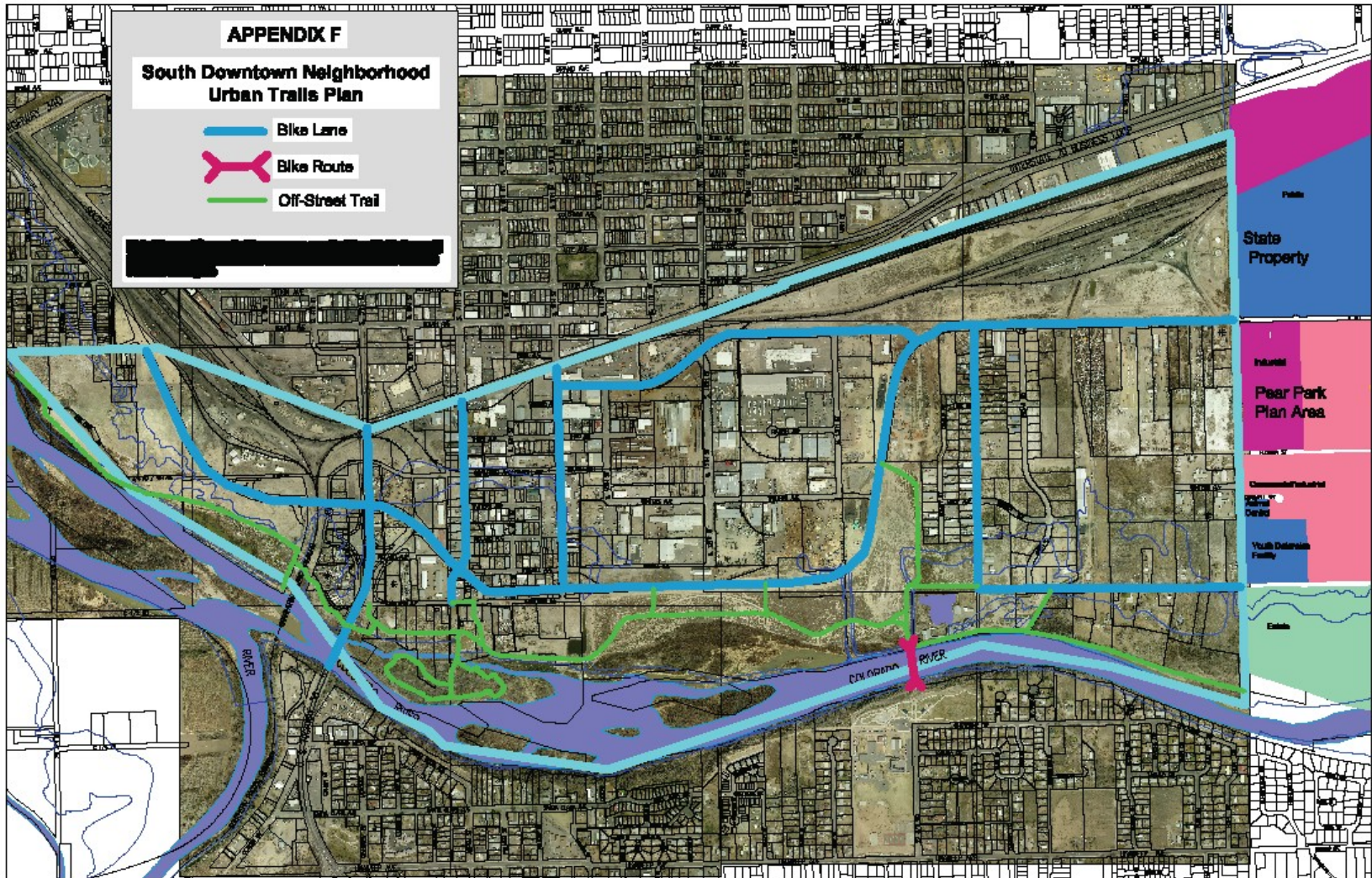
27. Minimal residential uses except for live-work opportunities in the mixed use areas (33% Strongly Agree/Agree, 31% Disagree/Strongly Disagree)

No strong support for concept either for or against

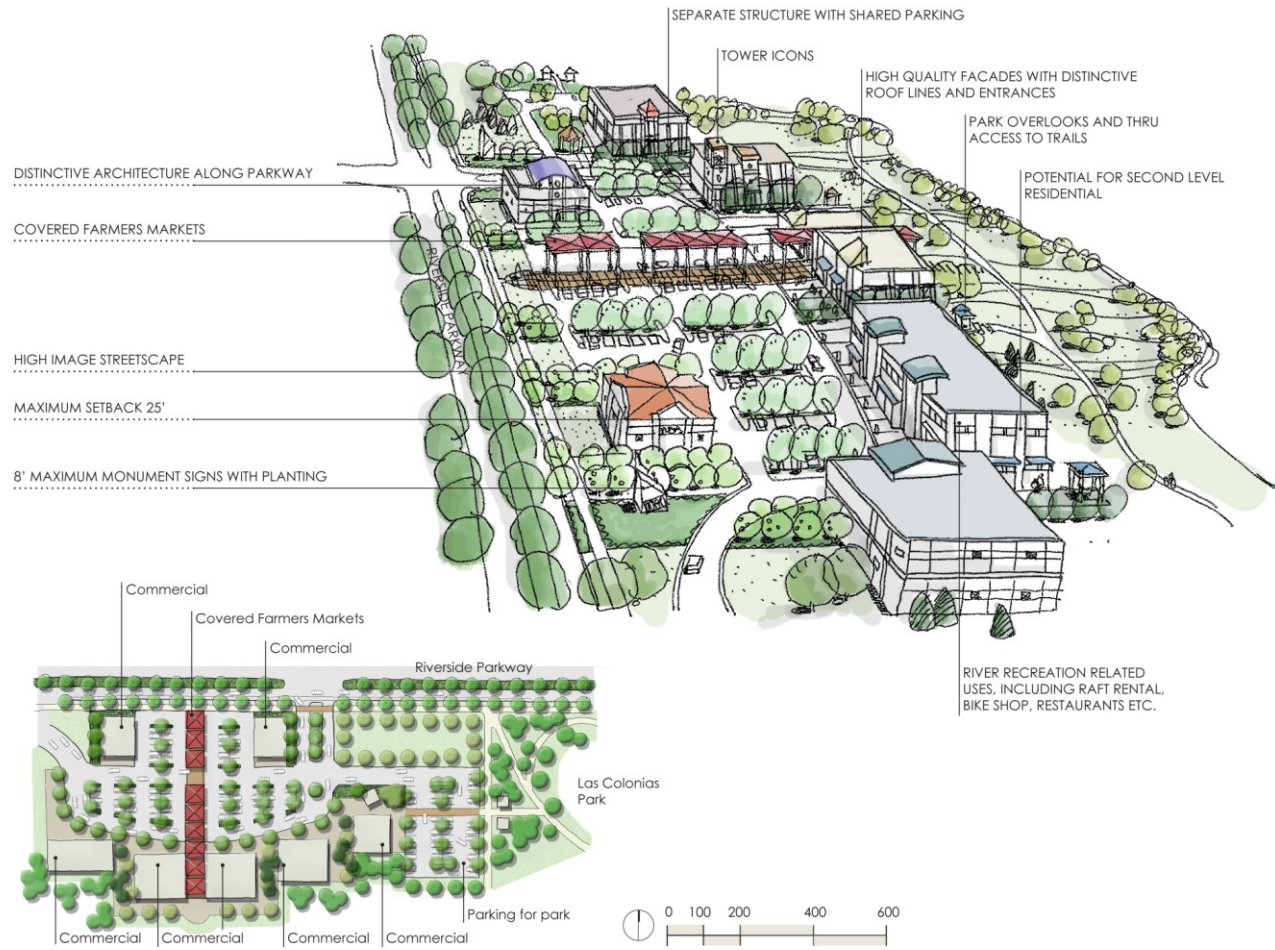
28. Emphasis on redevelopment opportunities in areas with smaller parcels, e.g. between 7th and 9th (67% Strongly Agree/Agree, 30% Neutral)

29. Lighter industrial uses along Colorado River east of Las Colonias to 28 Road (59% Strongly Agree/Agree)





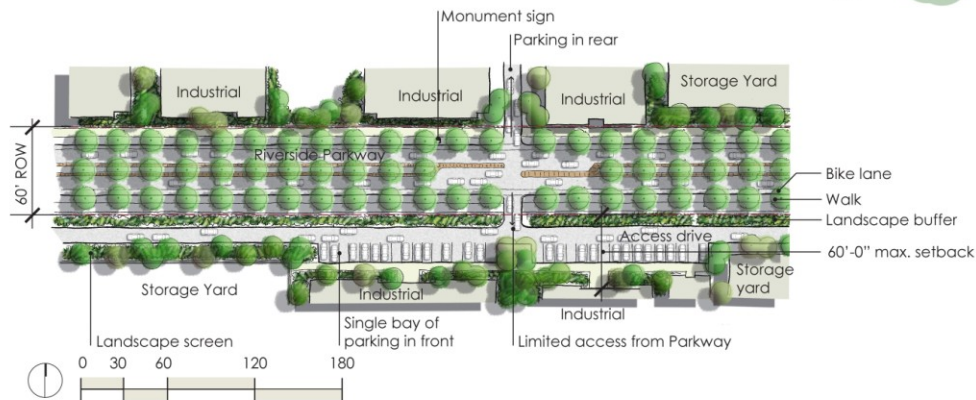
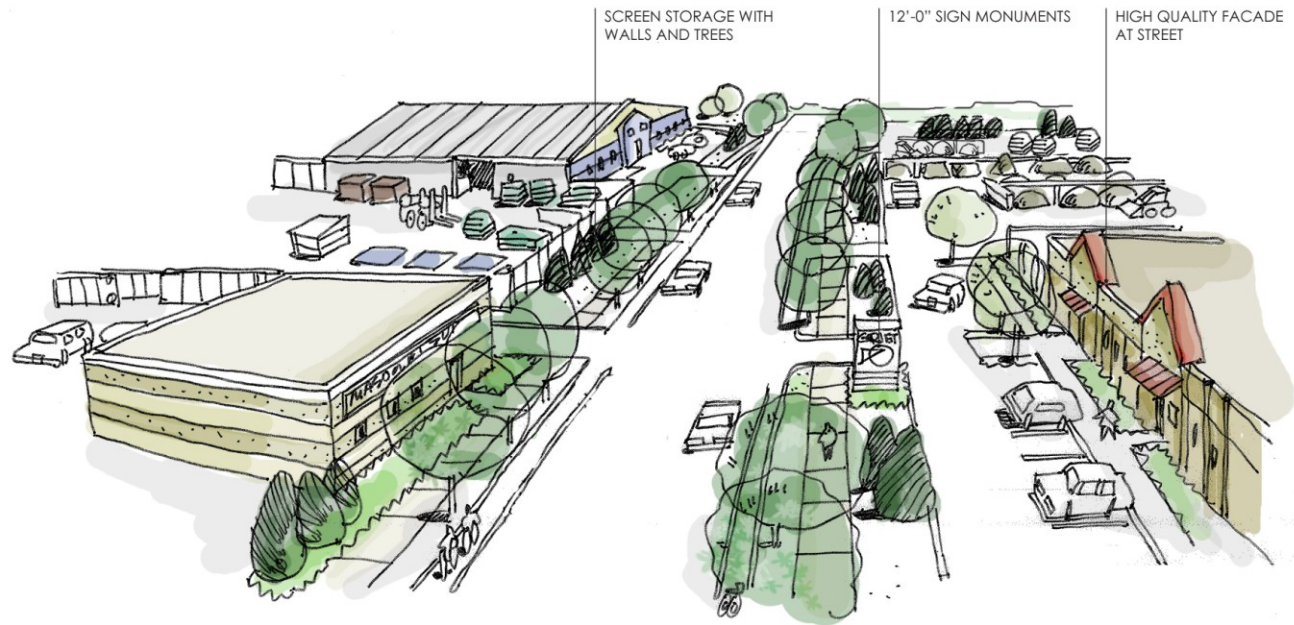
Appendix G – Development Concepts



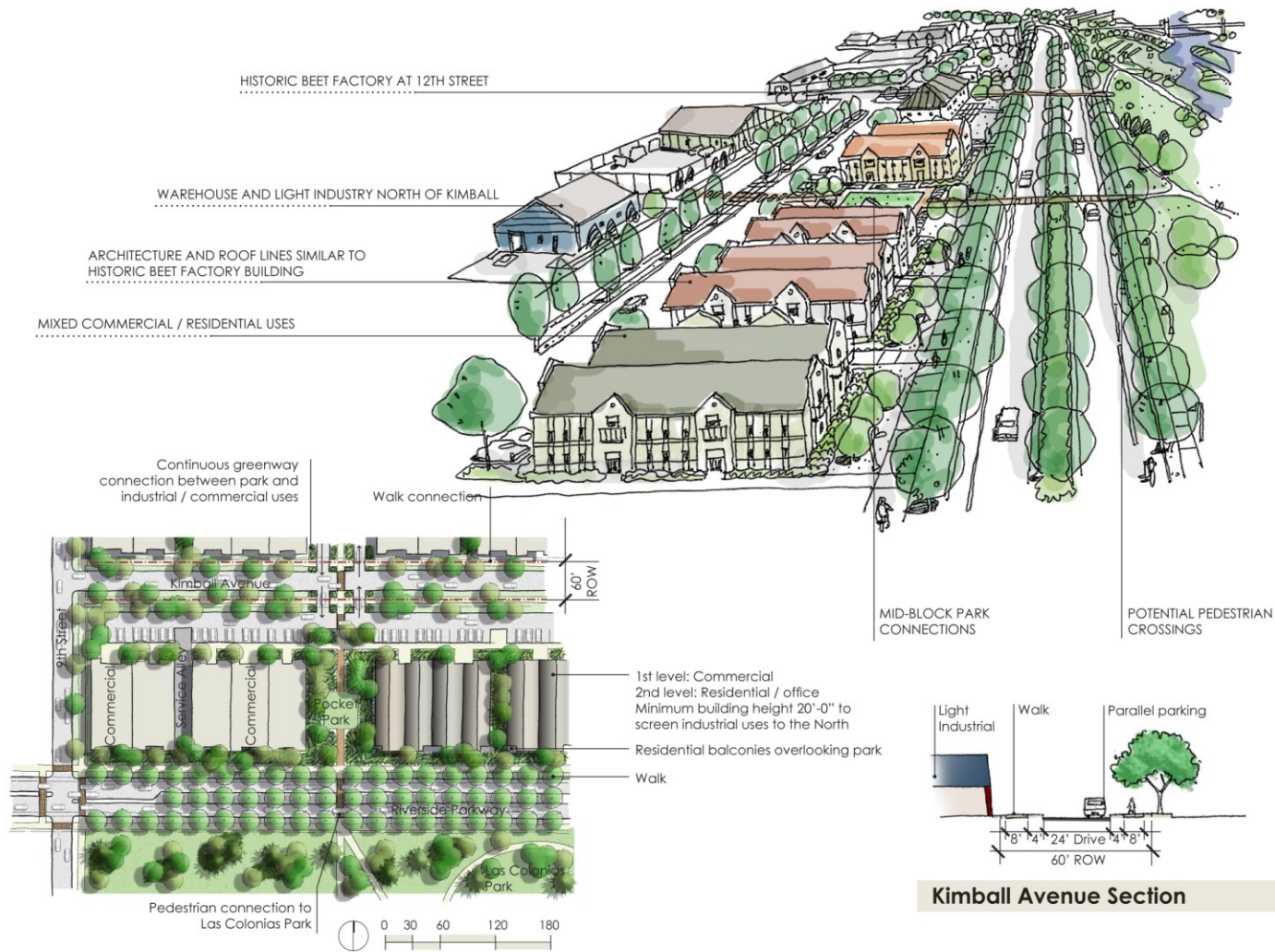
7th and Struthers Redevelopment

SOUTH DOWNTOWN DESIGN GUIDELINES

EDAW | AECOM



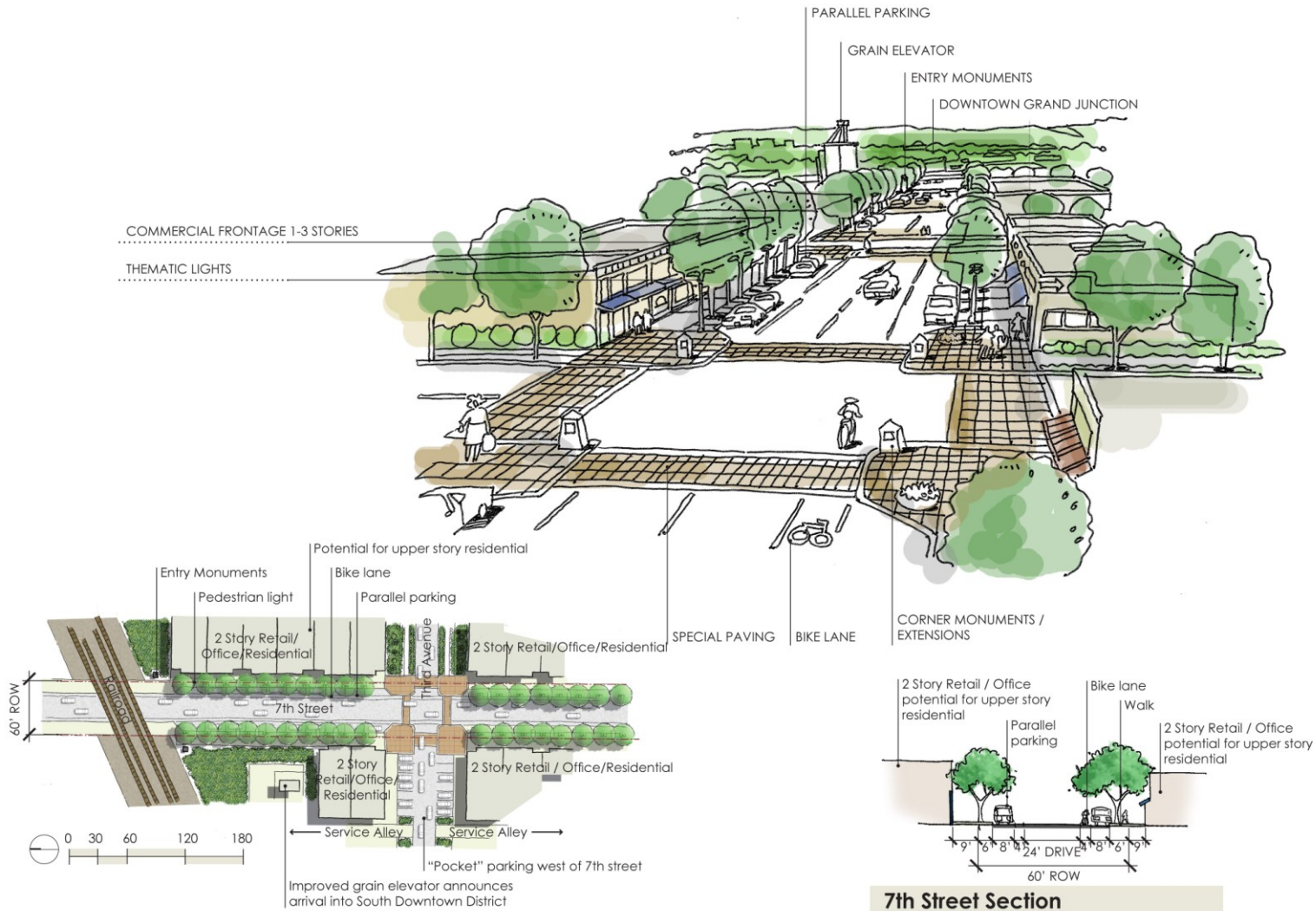
Riverside Parkway Between 27 1/2 and 28 Road



Riverside Parkway Between 5th Street East and 12th Street

SOUTH DOWNTOWN DESIGN GUIDELINES

EDAW | AECOM

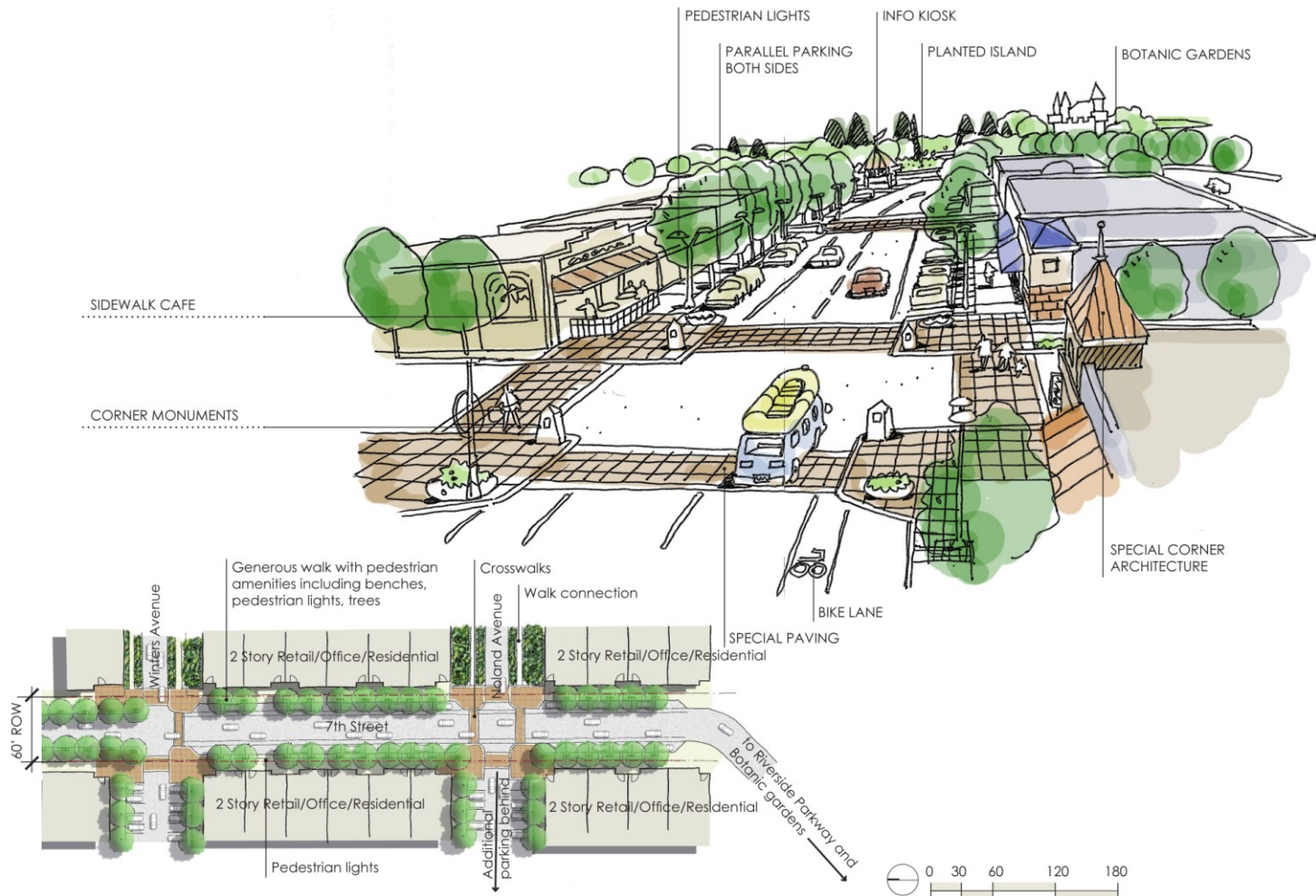


7th Street Looking North

7th Street Section

SOUTH DOWNTOWN DESIGN GUIDELINES

EDAW | AECOM



7th Street Looking South

SOUTH DOWNTOWN DESIGN GUIDELINES

EDAW | AECOM



Existing Conditions

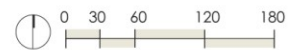
- FRONT YARD PATIO
- TREE LAWN
- NO PARKING ON SOUTH SIDE



- NEW BUILDING OF COMPATIBLE STYLE AND SCALE
- IRON FENCE
- 6'-0" GARDEN STRIP
- NEW SIDEWALK, CURB AND GUTTER
- REHABILITATE EXISTING STRUCTURES



- ON STREET PARKING NORTH SIDE
- RAISED BRICK CROSSWALK WITH CORNER PLANTING



Noland Avenue
SOUTH DOWNTOWN DESIGN GUIDELINES

EDAW | AECOM



APPENDIX H Jarvis Property Conceptual Master Plan

	Pink – Mixed Use (Office above Commercial)	Dark Blue –
Duplexes	Light Blue – Flex Space	Brown – Mixed
(Office or Residential above Commercial)	Light Brown/Yellow – Condo/Townhomes	Orange –
Live/Work	Purple – Restaurant	Lavender – Civic
	Green – Improved Landscape	Light Green –
Natural Landscape		

CITY OF GRAND JUNCTION, COLORADO
Ordinance No. _____

**An Ordinance Adopting a New Zoning Map for the South Downtown
Neighborhood**

**Generally Located Between the Riverside Neighborhood to the Northwest, to
28 Road on the east and from the Railroad Tracks on the North, to the
Colorado River on the South**

Recitals.

The City has adopted the South Downtown Neighborhood Plan (plan) as a part of the Growth Plan. The Neighborhood Plan includes a Future Land Use Map identifying uses for parcels within the neighborhood. As part of implementation of the plan, a Zoning Map has been created that is consistent with the Future Land Use Map and vision as identified in the plan.

The Grand Junction City Council has determined that this new zoning map for the South Downtown Neighborhood is necessary for the preservation of health, safety and general welfare of the citizens of Grand Junction.

City Council finds that the proposed changes to the South Downtown Neighborhood Plan Zoning Map are in conformance with the rezone criteria stated in Section 2.6.A of the Grand Junction Zoning and Development Code.

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

1. The existing maps depicting and describing the zone and districts of lands within the South Downtown Neighborhood of the City, which are a part of the City's Zoning and Development Code (the "Zoning Code") are hereby repealed and reenacted with the attached map (Exhibit A). The Clerk may publish this map in conjunction with publication of the South Downtown Plan and Zoning Overlay documents.
2. This reenactment shall not be construed to revive any ordinance or part thereof that had been previously repealed.
3. Nothing in this ordinance, nor any provision repealed by the adoption of this ordinance, shall affect any offense or act committed or done, or any penalty of forfeiture incurred, or any contract or right established or occurring before the effective date hereof.

4. Unless another provision is expressly provided in the Zoning Code, every person convicted of a violation of any provision of these newly provisions and maps shall be punished according to the City of Grand Junction Code of Ordinances, Chapter 1, Section 1-9.

5. If any zoning map or portion thereof adopted hereby or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of these zoning maps which can be given effect without the invalid provisions or applications, and to this end, the provisions of this ordinance are declared to be severable.

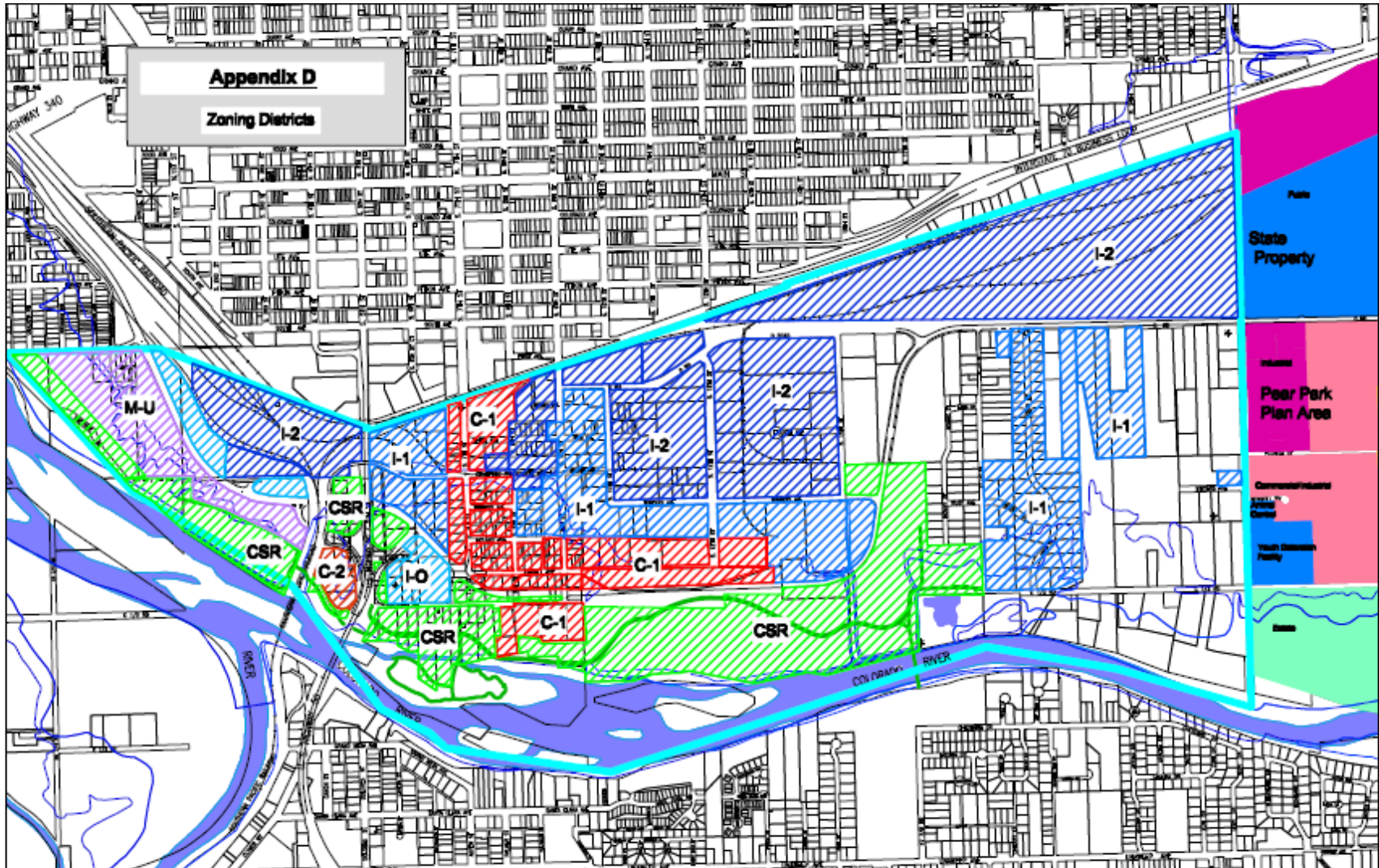
INTRODUCED on first reading the 21st day of May, 2008 and ordered published.

PASSED and **ADOPTED** on second reading the _____ day of _____, 2008.

ATTEST:

City Clerk
President of City Council

Exhibit A



South Downtown Plan

CITY OF GRAND JUNCTION, COLORADO
Ordinance No. _____

Amending the Zoning and Development Code to add Section 7.7
South Downtown Neighborhood Plan Zoning Overlay

Recitals.

One of the recommendations of the South Downtown Neighborhood Plan was to create design standards and guidelines as first step for implementing the plan. The Plan recommends adoption of these standards and guidelines as an overlay district to apply to portions of the neighborhood as specified in the Plan.

Overlay zoning is one way to create a more flexible and discretionary alternative to traditional zoning. An overlay zone is defined as “an overlay district superimposed on one or more established zoning districts which may be used to impose supplemental restrictions on uses in these districts, permit uses otherwise disallowed, or implement other forms of incentives”.

An overlay zone supplements the underlying zone with additional requirements or incentives while generally leaving the underlying zoning regulations in place. Examples might include special requirements such as design standards, different setbacks, increased height allowance or varied allowed uses. A parcel within the overlay zone area will thus be simultaneously subject to two sets of zoning regulations: the underlying and the overlay zoning requirements.

Overlay zone boundaries are also not restricted by the underlying zoning district’s boundaries. An overlay zone may or may not encompass the entire underlying zoning district. Likewise, an overlay zone can cover more than one zoning district, or even portions of several underlying zoning districts.

The South Downtown Neighborhood Plan Zoning Overlay is being proposed to cover all properties zoned C-1 and those properties zoned Industrial that have frontage on the Riverside Parkway within the South Downtown Neighborhood that is generally bounded by the Riverside Neighborhood, 28 Road, the railroad tracks and the Colorado River. The document includes a revised use/zone matrix for the C-1 zone district and standards pertaining to site design, landscaping, signage, outdoor uses, setbacks, building height and architectural character.

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

The Zoning and Development Code is hereby amended to add section 7.7 entitled "South Downtown Neighborhood Plan Zoning Overlay" to be applied to the area as described in South Downtown Zoning Overlay (Exhibit A) and generally described above.

INTRODUCED on first reading the 21st day of May, 2008 and ordered published in pamphlet form.

PASSED and **ADOPTED** on second reading the ____ day of _____, 2008.

ATTEST:

City Clerk
of City Council

President

Exhibit A



South Downtown Neighborhood Plan Zoning Overlay



TABLE OF CONTENTS

1 INTRODUCTION		5
2 CORRIDOR COMMERCIAL	5	
Allowed Uses		
6		
Intensity/Density		6
Mixed Uses		
6		
Street Design		
6		
Open Space Requirement	7	
Public Parks and Open Space Fees	7	
Service Entrances		7
Billboards		
7		
Performance Standards		7
Conditional Use Permit for Residential Uses	8	
Commercial Core		8
Parkway Corridor Commercial	14	
3 PARKWAY CORRIDOR INDUSTRIAL	19	
Allowed Uses and Intensity/Density		19
Street Design		
19		
Service Entrances		19
Outdoor Storage and Display		19
Parking		
19		
Property Signage		19
Billboards		20
Architectural Considerations	20	
APPENDICES		
22		
A : Development Concepts	23	
B : Corridor Commercial Use/Zone Matrix (C-1 Zoning)		29
C : South Downtown Neighborhood Future Land Use Map	35	
D : South Downtown Neighborhood Zoning Map		36

1 INTRODUCTION

The South Downtown Neighborhood Plan Zoning Overlay is intended to provide guidance and criteria for the planning, design and implementation of public and private improvements in the South Downtown Neighborhood. If properly administered and adhered to, the standards should result in public and private development improvements (or a combination thereof) that achieve, as a minimum, a common level of quality in terms of site design, architectural design, landscaping and other site improvements. The development concepts are illustrated in the drawings in Appendix A. The Land Use categories and zoning districts referenced herein are as shown on the South Downtown Neighborhood Future Land Use Map (Appendix C) and the South Downtown Zoning Map (Appendix D).

The general purposes of the standards are:

- To establish a practical, interconnected system of streets, pedestrian circulation, greenways and trails that allows easy orientation and convenient access for all modes of transportation.
- To accommodate a broad mix of development types that support and encourage alternative transportation, especially non-motorized and transit.
- To coordinate (re)development with existing plans – Urban Trails Plan, Las Colonias Park Master Plan, long term plans of the Botanical Gardens, long term concepts for the City-owned Jarvis Property

These standards supplement other development regulations such as the City of Grand Junction Zoning and Development Code, which includes detailed criteria by zone district, planned development regulations, design and improvement standards, supplemental use regulations and sign regulations and the City Transportation and Engineering Design Standards (TEDS). In the instance the following standards are silent on a development concern, the existing regulations shall apply.

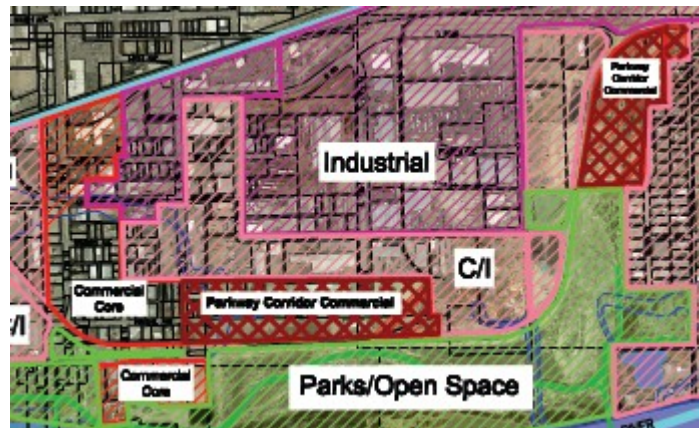
The standards identify design alternatives and specific design criteria for the visual character and physical treatment of private development and public improvements within the South Downtown Neighborhood. They are adopted through an overlay zoning district, which will establish the means by which the standards are administered and enforced.

2 CORRIDOR COMMERCIAL

The purpose of the corridor commercial areas of the South Downtown Neighborhood is to provide concentrated retail, service, office and mixed uses not including major/regional shopping centers or large outdoor sales areas. The South Downtown Corridor Commercial areas promote the vitality of the entire South Downtown Neighborhood. Pedestrian circulation is encouraged as much

of this area provides the main link between the City's traditional Downtown Area and Las Colonias Park, the Botanic Gardens and the Colorado River corridor.

The following standards apply to the Corridor Commercial (Commercial Core and Parkway Corridor Commercial) land use category and the C-1 zoning district as shown on the South Downtown Neighborhood Future Land Use Map (Appendix C) and the South Downtown Zoning Map (Appendix D) and generally shown on the map below (red cross-hatching).



ALLOWED USES

The uses allowed in the Corridor Commercial areas are listed in the Table in Appendix B. This table modifies the uses allowed in the Light Commercial (C-1) Zone District in Table 3.5, Use/Zone Matrix of the Zoning and Development Code to more specifically address the needs and desires of South Downtown.

INTENSITY/DENSITY

Subject to the density bonus provisions and other development standards of the Zoning and Development Code, the following Intensity/Density provisions shall apply:

- There shall be no maximum gross density within South Downtown Corridor Commercial areas;
- Nonresidential intensity shall not exceed a floor area ratio (FAR) of 8.0;
- Minimum net density shall not be less than eight (8) dwellings per acre if the only uses are residential. Minimum density shall not apply to mixed use development.

MIXED USES

There shall be no maximum residential density for projects that have a mix of uses in the South Downtown Corridor Commercial areas.

STREET DESIGN

Effective and efficient street design and access shall be considerations in the determination of project/district intensity and shall be in accordance with the South Downtown Neighborhood Circulation Plan.

OPEN SPACE REQUIREMENT

Multifamily or mixed use developments in the South Downtown Corridor Commercial areas shall not be subject to the open space requirements of Section 6.3.B.7 of the Zoning and Development Code but shall be required to pay 10% of the value of the raw land of the property as determined in Section 6.3.B of the Code.

PUBLIC PARKS AND OPEN SPACE FEE

The owner of any residential or mixed use project in the South Downtown Commercial Corridor zone district shall be subject to the required Parks Impact Fee.

SERVICE ENTRANCES

Service entrances, service yards and loading areas shall be located only in the rear or side yard. In the South Downtown Commercial Core a six-foot (6') high solid fence or wall of stone, wood or masonry shall screen: each service yard or area from adjoining single family residential zones and uses which are not separated by a street (not counting an alley or any easement).

BILLBOARDS

Off-premise signs and billboards as defined by the City of Grand Junction Zoning and Development Code are not allowed within the Corridor Commercial areas of the South Downtown Neighborhood.

PERFORMANCE STANDARDS

Development and redevelopment within the Corridor Commercial areas in the South Downtown Neighborhood shall be designed to develop a coherent character in site improvements, streetscape and architectural character. The following standards are intended to create this consistency. For purposes of this section, the South Downtown Corridor Commercial area is made up of two subareas as shown on the Future Land Use Map (Appendix C): **Commercial Core** and **Parkway Corridor Commercial**. The Conditional Use Permit criteria outlined below applies to residential uses in both the Commercial Core and Parkway Corridor Commercial.

1. Conditional Use Permits for Residential Uses

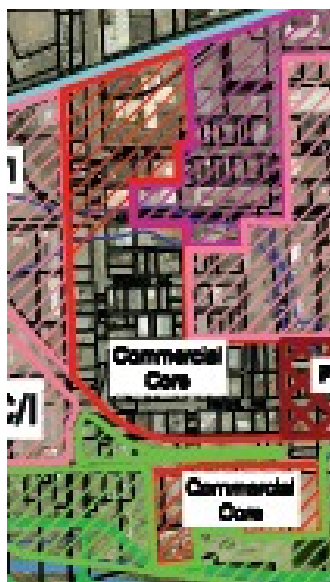
Appendix B lists the uses allowed within the South Downtown Corridor Commercial areas zoned C-1. All residential uses in these areas require a Conditional Use Permit. The following review criteria shall apply to residential

uses in addition to those outlined in Section 2.13 of the Zoning and Development Code.

- A. Protection of Privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
- B. Site Planning. Structures within the proposed plan that include residential units shall be sited and the buildings designed so as to minimize direct views from the new residences to directly-adjacent industrial uses.
- C. Protection of Use and Enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property.
- D. Compatible Design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.

2. Commercial Core

For purposes of these standards, the Commercial Core area is that depicted in the map below. The applicable areas are on either side of 7th Street and from the Riverside Parkway north to Noland.



Landscaping. Landscaping requirements may be waived by the Director for any property fronting on South 7th Street, and those portions of 3rd Avenue, 4th Avenue, and Winters, Noland and Kimball Avenues between 7th Street and 8th Street if streetscaping exists or will be provided and/or enhanced in the adjacent right-of-way.

Use of Front Yard/Parking. In order to prevent parking from dominating the visual setting of the Commercial Core, front yards shall be reserved for landscaping, sidewalks, driveway access to parking areas and signage. Parking is not to be located in the front yard – all parking shall be located behind or to the side of the building.

Sites shall be designed and operated so as not to increase on-street parking in front of neighborhood dwellings (such as along Noland Avenue). Onsite parking shall be provided unless the lot(s) are too small to accommodate onsite parking; in which case parking shall be provided by areas in the near vicinity that have a sufficient number of spaces and a lease agreement is in place with the owner of the property.

Outdoor Storage and Display. Outdoor storage and permanent display areas shall only be allowed in the rear half of the lot, beside or behind the principal structure. Portable display of retail merchandise may be permitted subject to the provisions of the Zoning and Development Code.

Hours of Business. No use in the Commercial Core shall open or accept deliveries earlier than 5:00 AM nor close later than 12:00 AM, unless modified through a Conditional Use Permit (CUP) approval. “Close” includes no customers on-site, no deliveries and no illumination of signs.

Signage. The Commercial Core provides a transition from the more public areas of the South Downtown Neighborhood to areas of heavier commercial and industrial uses. This consequently requires more restrictive sign regulations to maintain compatibility.

- **Sign Type.** Flush wall signs and monument signs shall be the only sign type allowed. One (1) real estate sign advertising the property for sale or lease shall not exceed ten (10) square feet.
- **Location and Size.** Monument signs shall be located at least five feet (5') behind the front property line and shall not be located in the sight distance triangle. Total sign allowance for the entire site, including flush wall and monument signs but excluding real estate signs advertising the property for sale or lease, shall not exceed sixty-four (64) square feet per street frontage. The sign allowance for one (1) street frontage may be transferred to a side of a building that has no street frontage, but cannot

be transferred to another street frontage. Monument signs shall not exceed eight feet (8') in height.

- **Illumination.** Signs shall be externally illuminated only. Illumination complying with Section 7.2.F. of the Zoning and Development Code shall be limited to authorized business hours.
- **Sign Area.** The area of flush wall signs and monument signs shall be calculated as per Exhibit 4.2 of the Zoning and Development Code. Sign enhancement features such as bases, pillars, and other decorative elements as part of monument signs shall not be counted as part of the maximum square footage of the sign, provided such features do not exceed the size of the sign face.

Architectural Considerations. Buildings within the South Downtown Commercial Core of South Downtown shall retain a pedestrian scale which can be accomplished through the following standards.

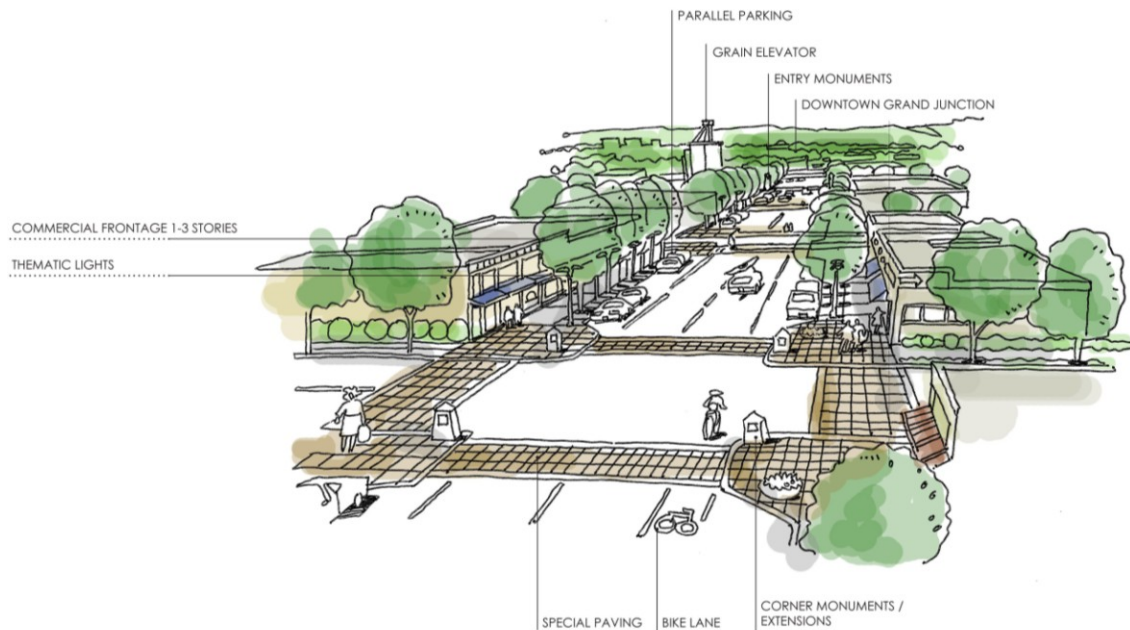
- **Building Alignment and Orientation Along Streets.** New buildings and additions shall be located close to the street, with a maximum setback of 25 feet. Main entrances shall open onto a street and shall align with those of adjacent buildings. Setbacks for buildings within the South Downtown Commercial Core may be reduced to zero feet (0') by the Director.
- **Building Mass, Scale and Proportion.** Maximum building size shall not exceed 10,000 square feet unless a Conditional Use Permit is issued.

Each new building, its mass in relation to open spaces and its windows, doors, and openings shall be visually compatible. Visually compatible means compatible with adjacent and neighboring buildings including mass, shape, window, doors, openings, roof shape, roof pitch and orientation. For example, a large building shall be compatible with surrounding smaller buildings by dividing its mass into smaller components to create a building elevation that is more like the size and proportion of the nearby structures.

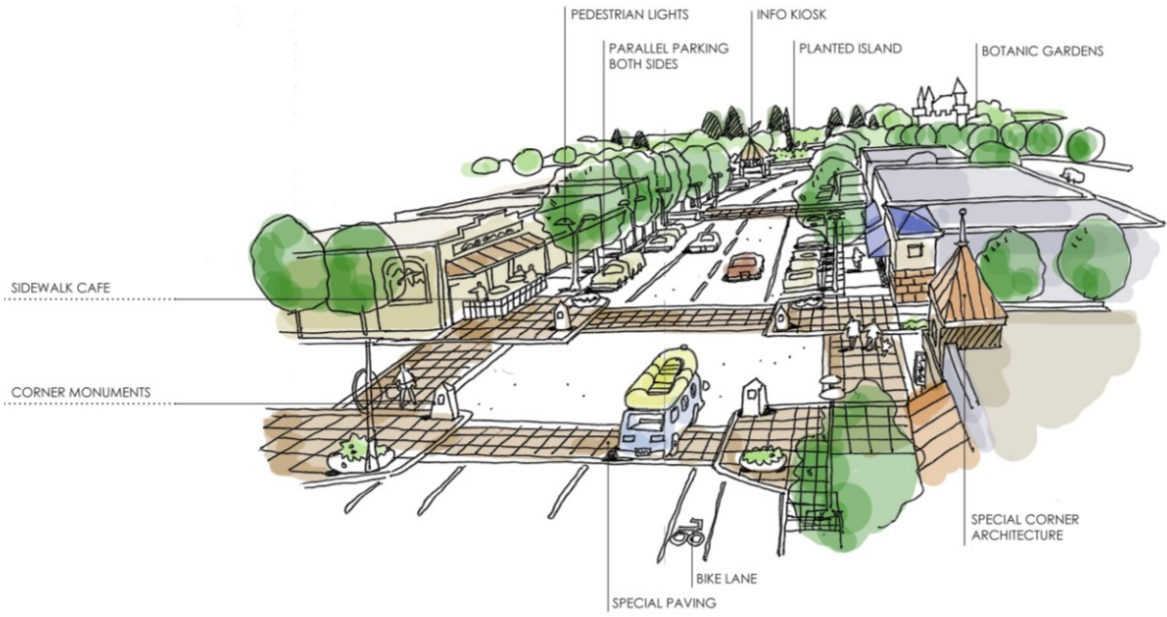
- **Height.** New buildings shall have the same number of stories and a height which is compatible with those of nearby structures. Two and one-half (2½) stories shall be the maximum subject to maximum height of thirty-five feet (35').
- **Roof Shape.** The roofs of new buildings shall be visually compatible with nearby structures.
- **Façade Materials.** All primary buildings shall use exterior materials that are durable, economically maintained, and of a quality that will retain their appearance over time including but not limited to stone, wood, brick, pre-

cast concrete, stucco and architectural metals for accents. Facades of all metal material may be used except for building facades that face public pedestrian routes (e.g. riverfront trail) or public rights-of-way. Facades facing the pedestrian routes and rights-of-way shall be finished with the materials stated above.

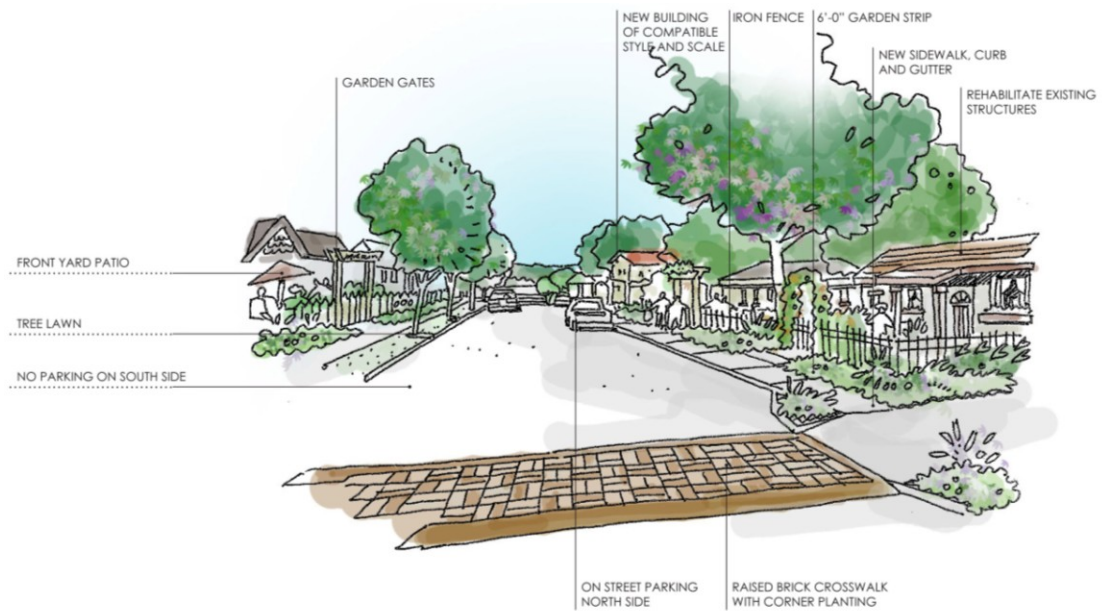
The drawings on the following pages illustrate the intent of these standards. The overlay is intended to help improve the type and quality of development in the commercial core of South Downtown; introduce and promote a wider mix of uses; and coordinate development in the area with other existing plans such as the Urban Trails Plan, the Las Colonias Park Master Plan, long term plans of the Botanical Gardens and the long-term ideas for the City-owned Jarvis Property.



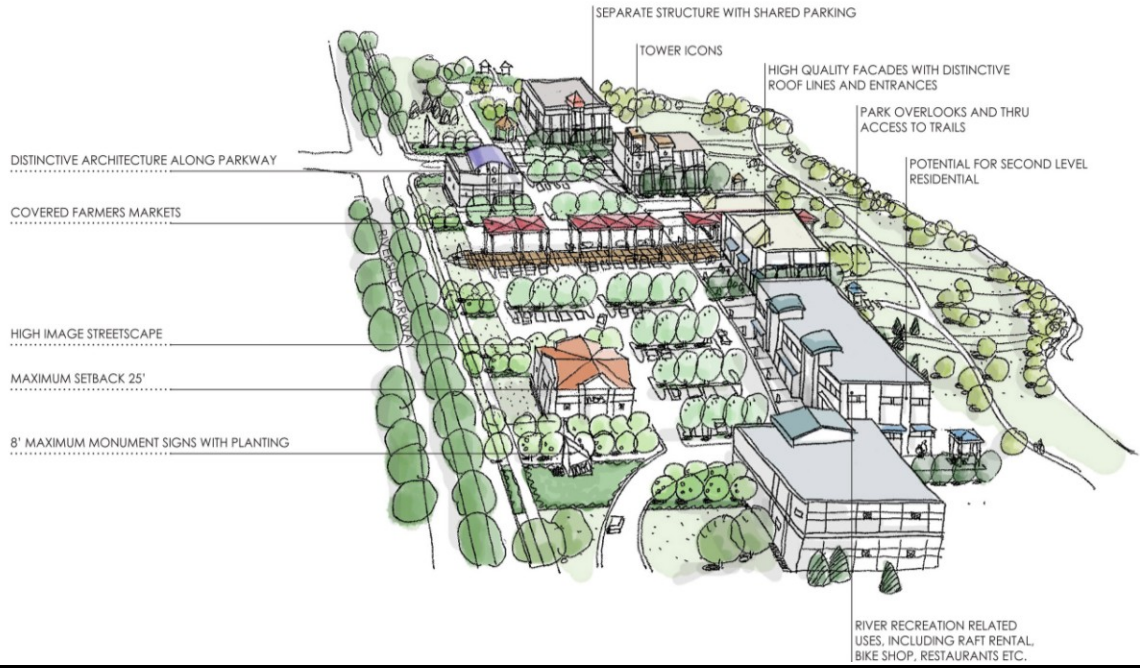
7th Street Corridor Looking North



7th Street Corridor Looking South



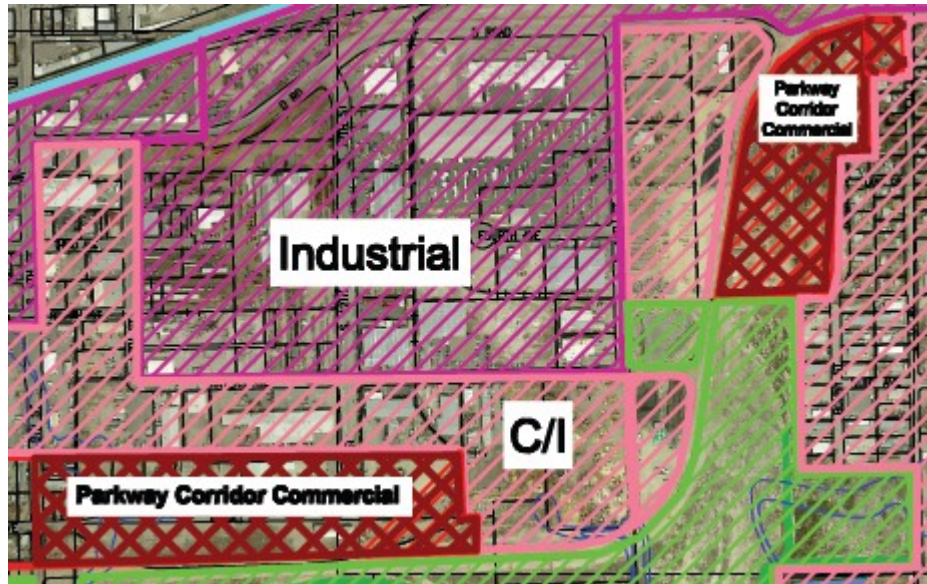
Noland Avenue between 7th and 8th Streets



Struthers Avenue between Botanical Gardens and Las Colonias Park Site

3. Parkway Corridor Commercial

For purposes of these standards, the Parkway Corridor Commercial areas are as depicted in the map below (red-hatched areas). The areas are generally located on the north side of the Riverside Parkway from 9th to 13th and south and east of the Parkway curve as it transitions to the former D Road alignment.



Landscaping. The primary goal of landscaping in the Parkway Commercial Corridor areas of the South Downtown Neighborhood is to enhance the visual character of the Parkway streetscape.

- **Parking Lot Interior Landscape.** Landscaping for the parking lot interior shall be per Section 6.5.C.1 of the Zoning and Development Code, with the following additions:
 - a. Shade trees are to be provided at a rate of one (1) shade tree for every six (6) parking spaces and distributed throughout the landscape islands, perimeter landscape and screens to maximize shade and screening.
 - b. A minimum of one (1) shrub shall be provided for every twenty-five (25) square feet of each landscape island.
- **Parking Lot Perimeter Landscape.** Landscaping for the parking lot perimeter shall be per Section 6.5.C.2 of the Zoning and Development Code with the following addition:
 - a. Turf may be allowed for up to fifty (50%) of the parking lot perimeter, at the Director's discretion. Low water usage turf is encouraged.

- b. A minimum of seventy-five percent (75%) of the parking lot perimeter landscape shall be covered by plant material at maturity.
- **Street Frontage Landscape.** Landscaping for the street frontage shall be per Section 6.5.D of the Zoning and Development Code with the following additions:
 - a. Vegetation in the sight triangle in the street frontage must not exceed thirty inches (30”) in height at maturity.
 - b. One (1) tree for every forty (40) linear feet of street frontage (excluding curb cuts) must be provided, eighty percent (80%) of which must be shade trees.
 - **Side Yard Landscape.** The first fifty feet (50’) of side yard (beginning at the front property line) shall be landscaped. The minimum width of this landscape area shall be six feet (6’) and the landscape shall include at least one (1) shade tree, or two (2) ornamental trees, or two (2) evergreen trees, with the remainder of the ground plane covered with shrubs that will grow to at least 30” in height at maturity.
 - **Public Right-of-Way Landscape.** Landscaping for the public right-of-way shall be per Section 6.5.B.16 of the Zoning and Development Code. Generally, this requires landscaping the adjacent undeveloped right-of-way. Long term maintenance of this landscaping is the responsibility of the adjacent private property owner or property owners association.
 - **Other Applicable Sections.** The requirements of Exhibits 6.5.A, 6.5.B, 6.5.C and 6.5.D of the Zoning and Development Code shall also apply.

Use of Front Yard (along Riverside Parkway). For parcels abutting the Riverside Parkway right-of-way, front yards shall be reserved for landscaping, sidewalks, driveway access to parking areas, and outdoor display of retail merchandise per standards below.

Outdoor Storage and Display. Outdoor storage is not allowed in the Parkway Commercial Corridor. Portable display of retail merchandise may be permitted subject to the Zoning and Development Code.

Trash dumpsters shall be fully screened and located in the rear half of the parcel or behind the principal structure unless screening of the property is already provided per the outdoor storage provisions above. In the instance of a double-fronting lot, this provision shall apply only to the Parkway frontage – trash dumpsters may be allowed in the front yard along the other street frontage.

Property Signage. Only flush wall and monument style signage shall be allowed within the Parkway Corridor Commercial areas. Flush wall signage shall be allowed per the Zoning and Development Code. Monument style signs shall be a maximum of eight feet (8') in height with a maximum total of 64 square feet per sign face shall be allowed. Signs shall not be internally illuminated. External illumination is allowed.

Architectural Considerations. The remnant building of the historic sugar beet factory lends architectural elements that guide potential development in the South Downtown Parkway Corridor Commercial areas. The architectural standards that follow are intended to result in new structures that are compatible with this historic structure and are applicable only to buildings on properties that directly abut the Riverside Parkway right-of-way.



- **Building Alignment and Orientation along the Riverside Parkway.** New buildings and additions shall be located close to the Riverside Parkway right-of-way, with a maximum setback of 25 feet. Main entrances shall open onto the street and shall align with those of adjacent buildings.

Every new building and addition shall be located so that it aligns with existing neighborhood buildings. "Aligns" means elevation (e.g., horizontal lines of peaks of roofs, cornices, window sills) and plan (e.g., setbacks from the street and rear property lines and spacing between structures/setbacks from side property lines).

- **Building Mass, Scale and Proportion.** Each new building, its mass in relation to open spaces and its windows, doors, and openings shall be visually compatible with the historic character of the remaining sugar beet factory building. Visually compatible means compatible with adjacent and neighboring buildings including mass, shape, window, doors, openings, roof shape, roof pitch and orientation. For example, building footprints

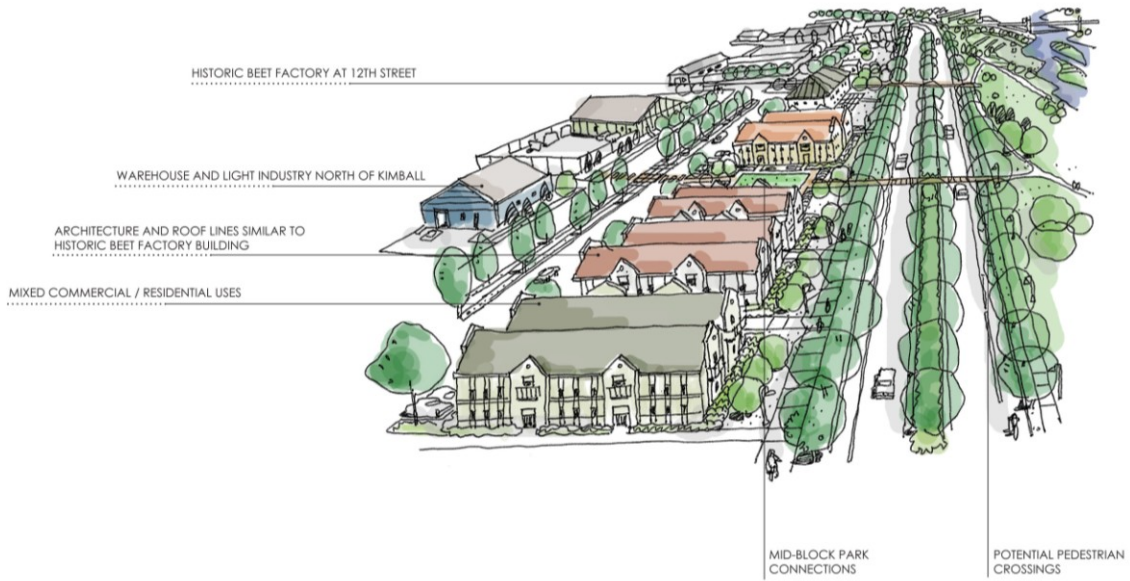
should be rectangular with the longer side of the building fronting the Riverside Parkway.

- **Fenestration and Articulation.** Blank, windowless walls are discouraged. Where the construction of a blank wall is necessary, the wall shall be articulated.

Large, monolithic expanses of uninterrupted facades (greater than 50 feet in length) are not allowed. Pilasters, texture transitions, windows and stepping of the wall plane are required.

- **Height.** In order to provide the desired visual screening to the nearby heavy industrial uses, new buildings shall have a minimum height of 30 feet, with maximum height not to exceed 50 feet.
- **Roof Shape.** A pitched roof similar to that of the sugar beet factory building is most desirable. Buildings with flat roofs shall provide a parapet with an articulated cornice.
- **Façade Materials.** All primary buildings shall use exterior materials that are durable, economically maintained, and of a quality that will retain their appearance over time including but not limited to stone, wood, brick, pre-cast concrete, stucco and architectural metals for accents. Facades of all metal material may be used except for building facades that face the Riverside Parkway and Struthers Avenue rights-of-way. Facades facing the streets listed above shall be finished with the materials stated above.

The drawings below illustrate the intent of these standards. The character along the Parkway is of a much larger scale than the commercial core. The Parkway is wide so larger, taller structures do not feel out of scale. The existing sugar beet factory shown in the background here with the dark gray roof, offers appropriate architectural character that is reinforced with the standards applicable to redevelopment in this area. The uses here could be mixed as with the other commercial core areas but the buildings can be bigger.



North Side of Riverside Parkway between 10th Street and 15th Street

3 PARKWAY CORRIDOR INDUSTRIAL

The purpose of the Parkway Corridor Industrial areas of the South Downtown Neighborhood is to provide for a variety of light and heavy industrial uses but reflect a higher quality visual character for the most visible properties along Riverside Parkway. The Parkway Corridor Industrial areas are the parcels (existing or created) that are within the Commercial/Industrial Land Use category and have frontage along the north and south sides of the Riverside Parkway right-of-way or have frontage along a common perimeter landscape tract along the Riverside Parkway from approximately 12th Street east to 28 Road. There are several zoning categories that apply to these areas but the following development standards shall apply regardless of the zone district of the property.

ALLOWED USES AND INTENSITY/DENSITY

The uses allowed in the Parkway Corridor Industrial areas are as listed in Table 3.5, Use/Zone Matrix of the Zoning and Development Code and the intensity/density is as stated in each zone district.

STREET DESIGN

Effective and efficient street design and access shall be considerations in the determination of project/district intensity and shall be in accordance with the South Downtown Neighborhood Circulation Plan.

SERVICE ENTRANCES

Service entrances, service yards and loading areas shall be located only in the rear or side yard. In the South Downtown Parkway Corridor Industrial areas a six-foot (6') high solid fence or wall of stone, wood or masonry shall screen: each service yard or area from adjoining single family residential zones and uses which are not separated by a street (not counting an alley or any easement).

OUTDOOR STORAGE AND DISPLAY

Outdoor storage and permanent display areas shall be allowed per the zone district of the property. Any storage in the front yard adjacent to the Riverside Parkway right-of-way shall be screened with a six-foot (6') high solid architectural wall constructed of stone, wood, masonry or combination thereof with a minimum 14-foot landscape buffer provided outside of the wall.

PARKING

On-site parking in the front of buildings shall be minimized. Refer to Architectural Standards, Building Setback below.

PROPERTY SIGNAGE

Only flush wall and monument style signs are allowed in the Parkway Corridor Industrial areas. Flush wall signs are allowed per the Zoning and Development Code. Monument signs shall be a maximum of 12 feet in height with a maximum

total of 100 square feet per sign face shall be allowed per parcel. Signs shall not be internally illuminated. External illumination is allowed.

BILLBOARDS

Off-Premise signs and billboards as defined by the City of Grand Junction Zoning and Development Code are not allowed on properties within the Parkway Corridor Industrial area of the South Downtown Neighborhood.

ARCHITECTURAL CONSIDERATIONS

Applies only to buildings and facades within the Parkway Corridor Industrial areas that face the Riverside Parkway right-of-way.

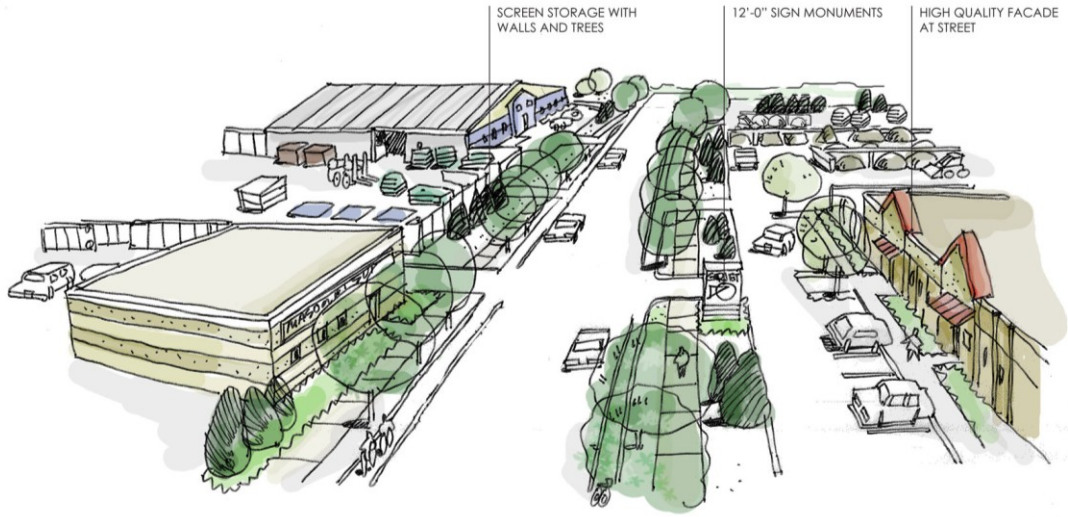
Building Setback. Maximum building setback of 60 feet allows for the required street frontage landscaping, a parking aisle and one row of parking and a sidewalk or landscape strip in front of the building.

Facade Materials. All primary buildings shall use exterior materials that are durable, economically maintained, and of a quality that will retain their appearance over time including but not limited to stone, wood, brick, pre-cast concrete, stucco and architectural metals for accents. Facades of all metal material may be used except for building facades that face the Riverside Parkway right-of-way. Parkway-facing facades shall be finished with the materials stated above.

Roof Shape. Buildings with flat roofs shall provide a parapet with an articulated cornice.

Other Standards. The following are adequately addressed under existing development codes and City of Grand Junction regulations and therefore conformance must be met through the development process under then existing Code requirements. These include but are not limited to:

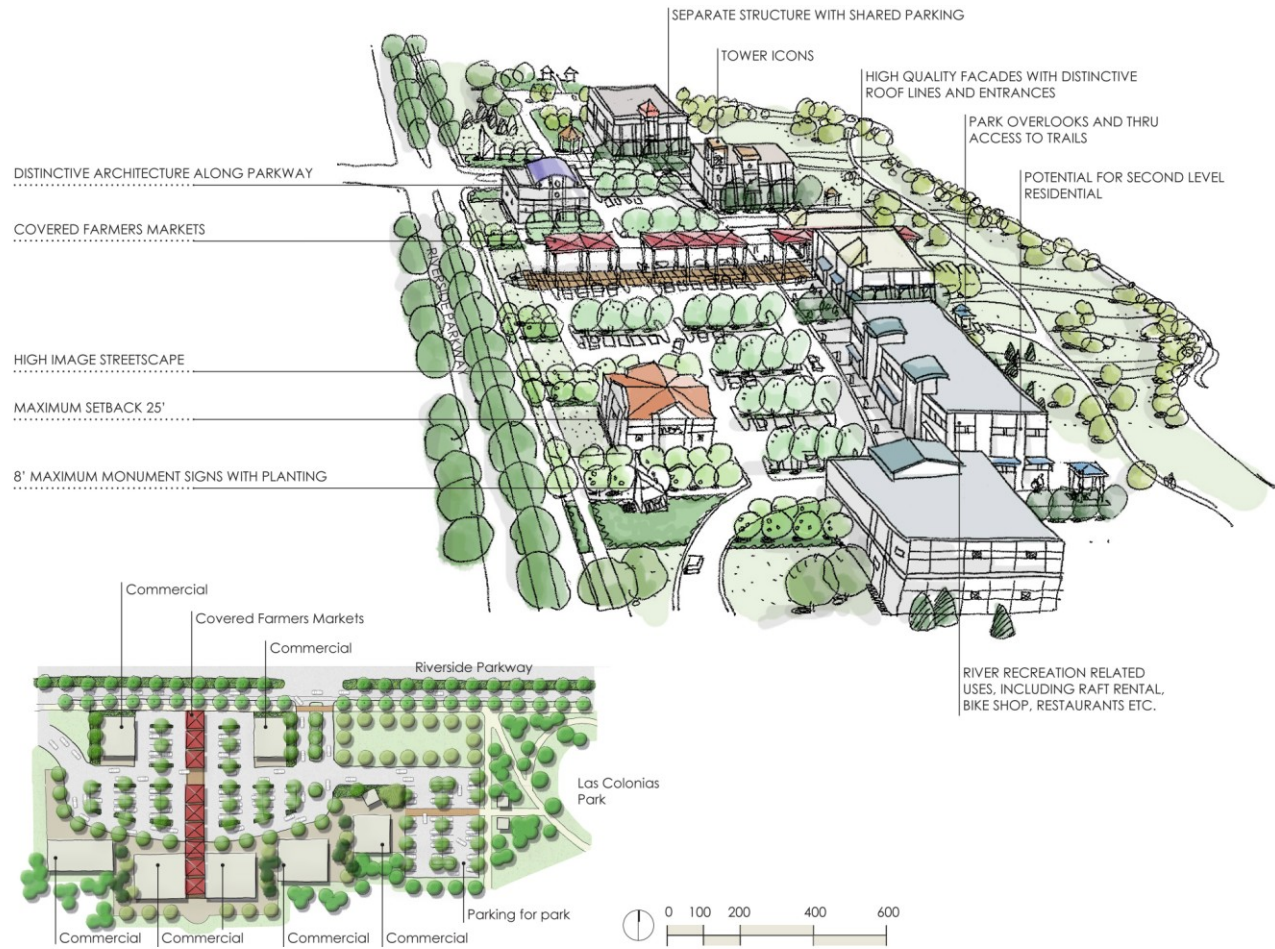
- Retail Sales/Wholesale Sales Area
- Parking Lots
- Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials
- Lighting Standards
- Loading Docks



Industrial Area Along Riverside Parkway

APPENDICES

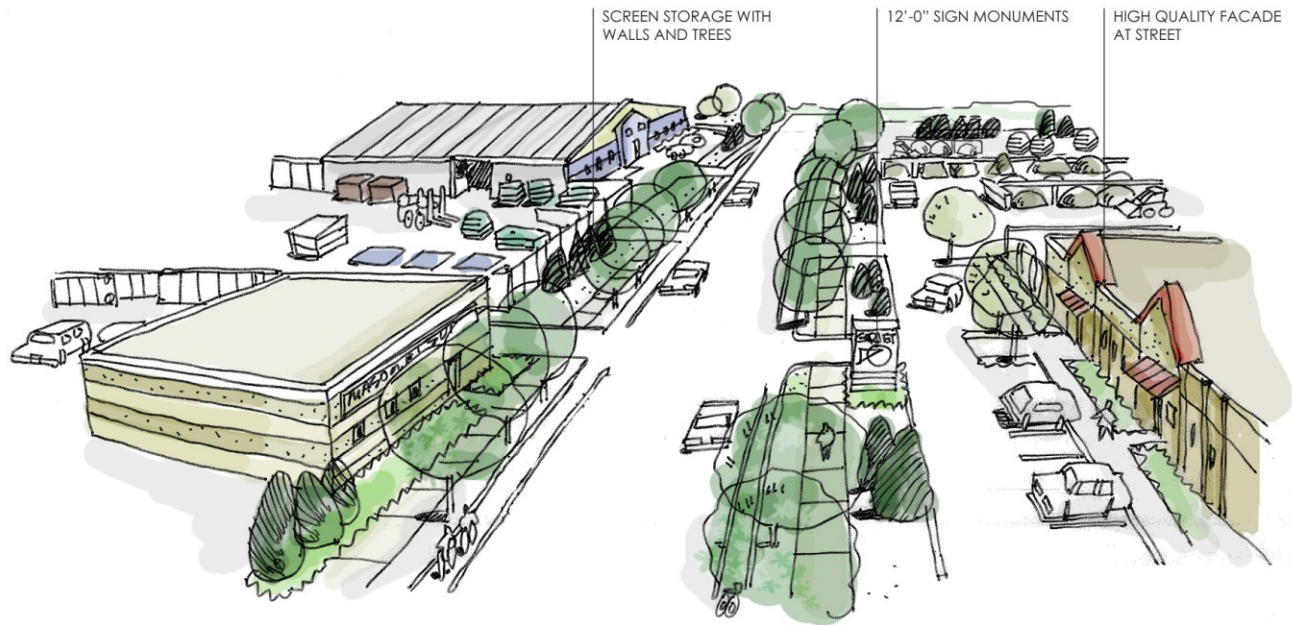
Appendix A – Development Concepts



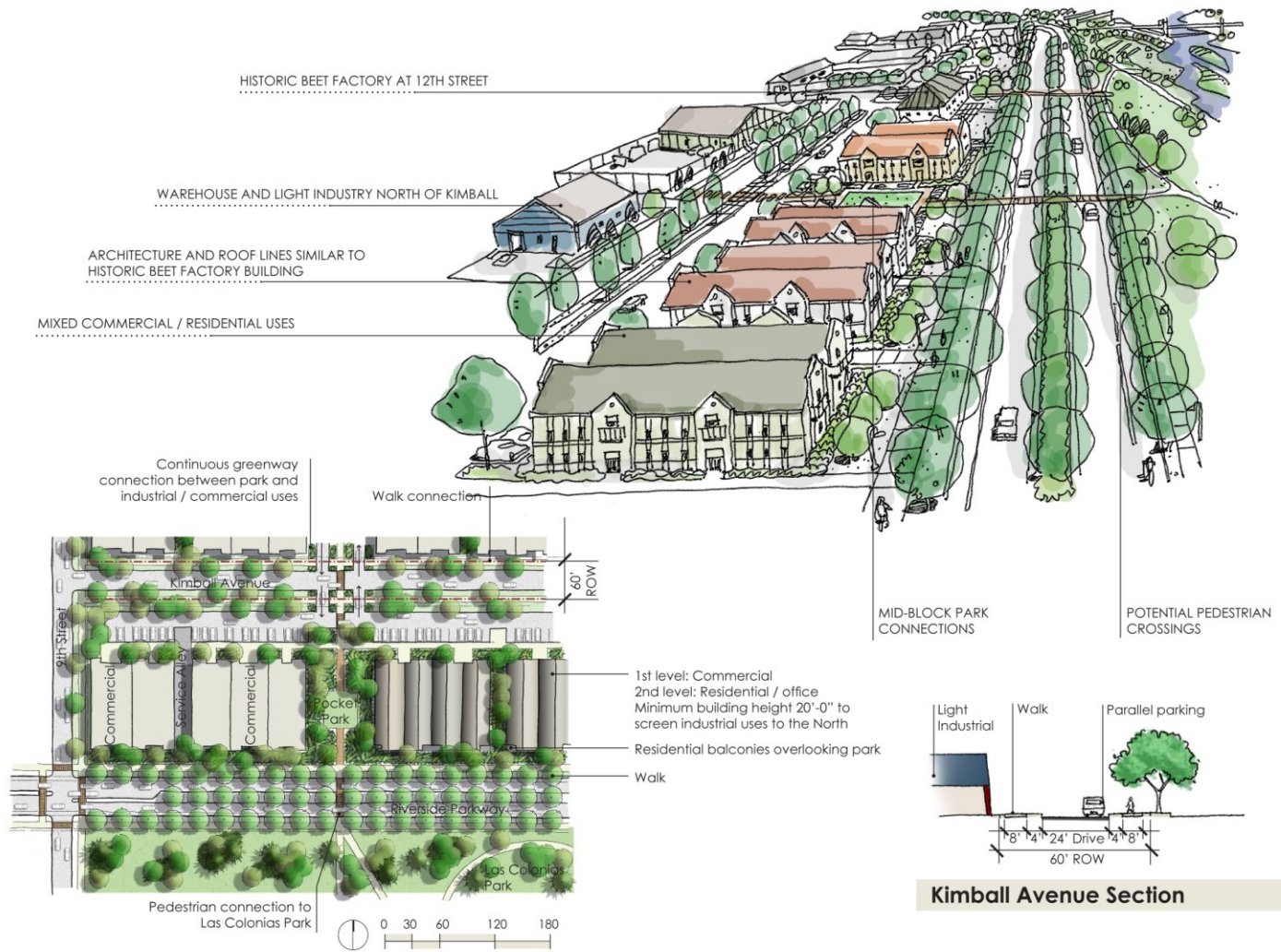
7th and Struthers Redevelopment

SOUTH DOWNTOWN DESIGN GUIDELINES

EDAW | AECOM

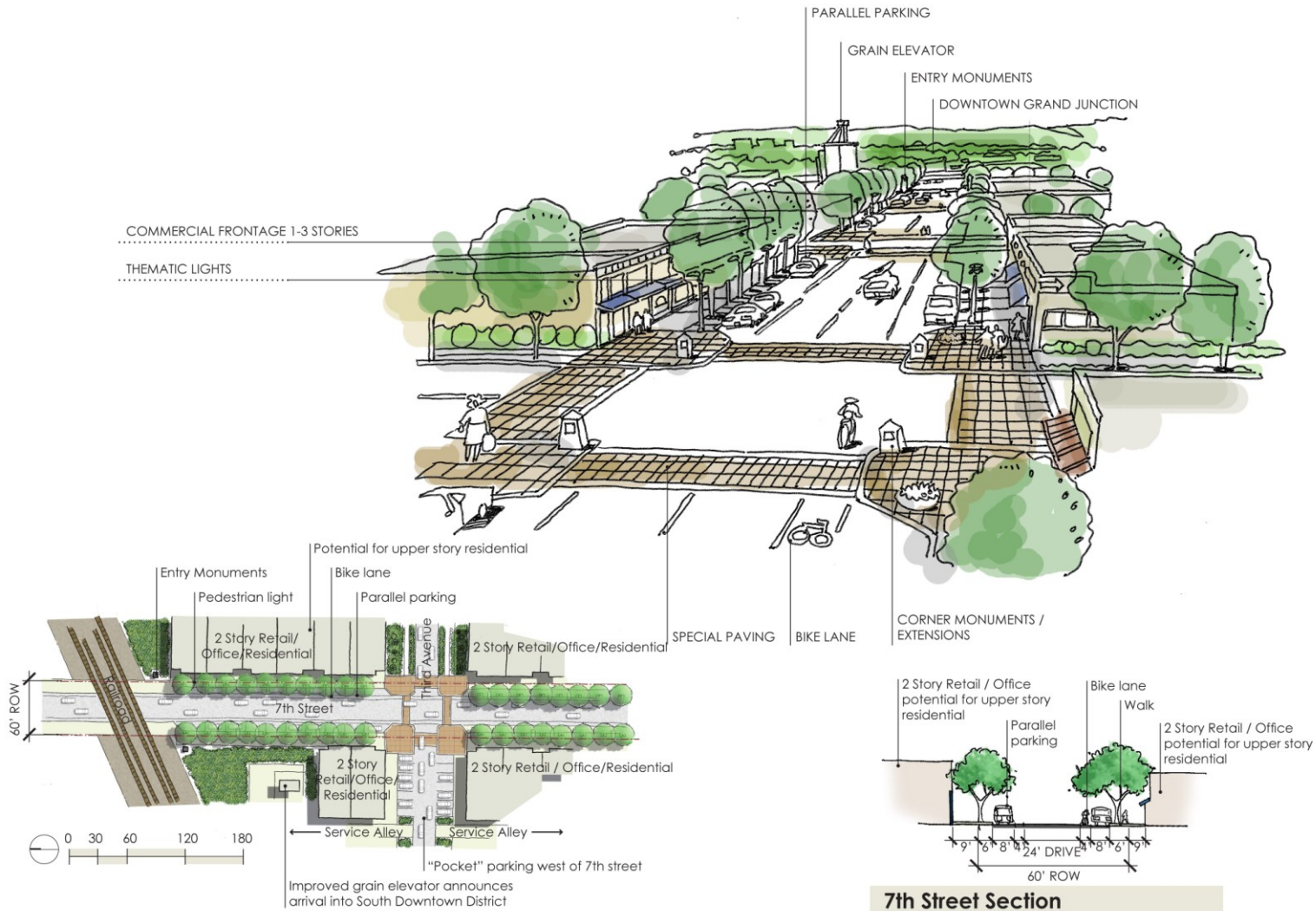


Riverside Parkway Between 27 1/2 and 28 Road

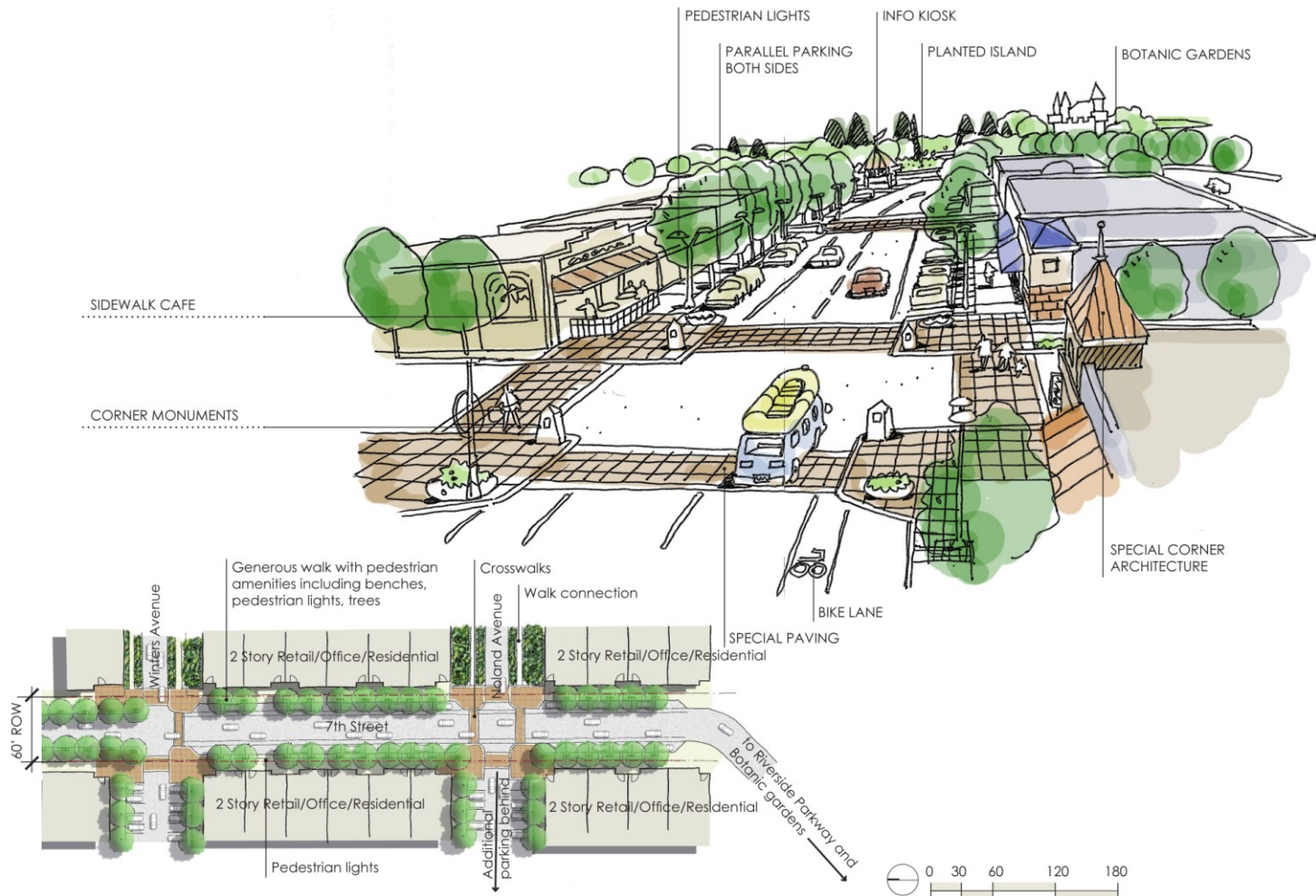


Riverside Parkway Between 5th Street East and 12th Street

SOUTH DOWNTOWN DESIGN GUIDELINES



7th Street Looking North



7th Street Looking South



Existing Conditions

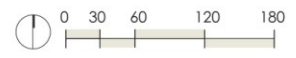
- FRONT YARD PATIO
- TREE LAWN
- NO PARKING ON SOUTH SIDE



- NEW BUILDING OF COMPATIBLE STYLE AND SCALE
- IRON FENCE
- 6'-0" GARDEN STRIP
- NEW SIDEWALK, CURB AND GUTTER
- REHABILITATE EXISTING STRUCTURES



- ON STREET PARKING NORTH SIDE
- RAISED BRICK CROSSWALK WITH CORNER PLANTING



Noland Avenue

SOUTH DOWNTOWN DESIGN GUIDELINES

Appendix B S Downtown Corridor Comm (C-1)

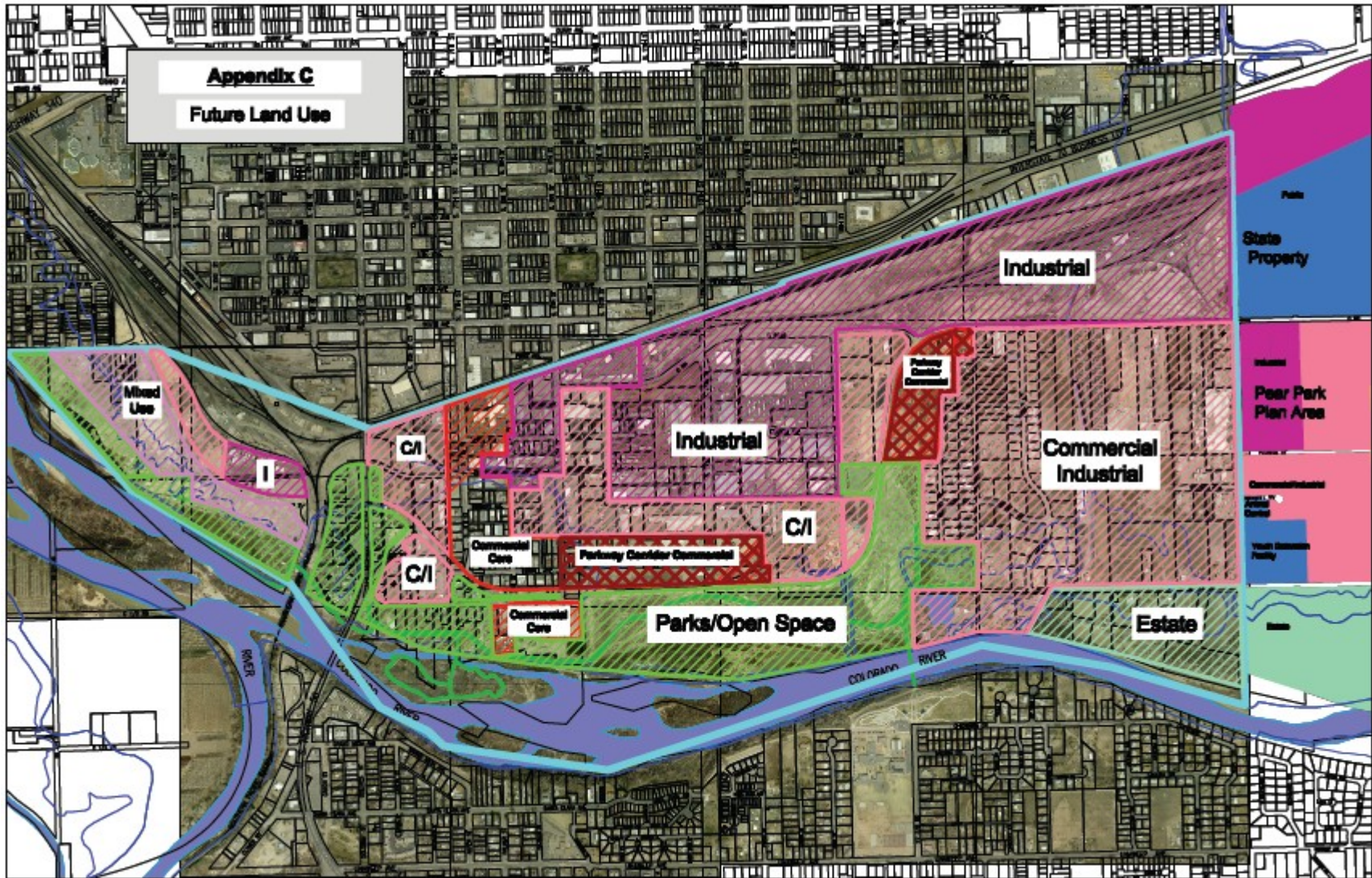
Use Category-Definition. See Chapter Nine for complete description.	Specific Use Type	SDCC	Use-Specific Standard
RESIDENTIAL			
Household Living - residential occupancy of a dwelling unit by a "household"	Business Residence	A	4.3.I
	Rooming/Boarding House	C	
	Two Family Dwelling ³	C	
	Single-Family Detached	C	4.3.N
	Duplex ³	C	
	Multifamily ³	C	4.3.O
	Stacked Dwelling		
	Residential Subunits/Accessory Units		4.1.G
	Agricultural Labor Housing		
	Single-Family Attached		
	Manufactured Housing Park		4.3.F
	All Other Housing Living	C	
Home Occupation	Home Occupation	A	4.1.H
Group Living - residential occupancy of a structure by a group of people who do not meet the definition of "Household Living"	Small Group Living Facility	C	4.3.Q
	Large Group Living Facility (includes secure facilities)	C	4.3.Q
	Unlimited Group Living Facility	C	4.3.Q
INSTITUTIONAL & CIVIC			
Colleges and Vocational Schools - colleges and institutions of higher learning	Colleges and Universities	A	
	Vocational, Technical & Trade Schools	A	
	All Other Educational Institutions	C	
Community Service - uses providing a local service to the community	Community Activity Building	C	
	All Other Community Service	A	
Cultural - establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museum, Art Galleries, Opera Houses, Libraries	A	
Day Care - care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day	Home-Based Day Care (1-12)	A	
	General Day Care	A	
Detention Facilities - facilities for the detention or incarceration of people	Jails, Honor Camps, Reformatories		
	Community Corrections Facility		

	Law Enforcement Rehabilitation Centers		
Hospital/Clinic - uses providing medical treatment or surgical care to patients	Medical and Dental Clinics	A	
	Counseling Centers (nonresident)	A	
	Hospital/Mental Hospital	C	
	Physical and Mental Rehabilitation (resident)	C	
	All Other	C	
Parks and Open Space - natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Cemetery	A	
	Golf Course	A	
	Campground, Primitive		
	Golf Driving Ranges	A	
	Parks, Lakes, Reservoirs	A	
	All Other	A	
Religious Assembly - meeting area for religious activities	All	A	4.3.P
Funeral Homes/Mortuaries/Crematories	All	C	
Safety Services - public safety and emergency response services	All	C	
Schools - schools at the primary, elementary, middle, junior high or high school level	Boarding Schools	C	
	Elementary Schools	A	
	Secondary Schools	A	
Utility, Basic - Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (underground)	A	
	All Other Utility, Basic	A	
Utility, Corridors - passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (above ground)	C	
	Transmission Lines (underground)	C	
	Utility Treatment, Production or Service Facility		
	All Other	C	
COMMERCIAL			
Entertainment Event, Major - activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	C	
	Outdoor Facilities		
Lodging - hotels, motels and similar establishments	Hotels & Motels	A	
	Bed and Breakfast (1-3 guest rooms)	A	4.3.H
	Bed and Breakfast (4-5 guest rooms)	A	4.3.H
Office - activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	
	Office with Drive-Through	C	
Parking, Commercial - parking that is not necessary to serve a specific use and for which fees may be charged	All	A	

Recreation and Entertainment, Outdoor - large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	Campgrounds and Camps (non-primitive)		4.3.E
	Resort Cabins and Lodges		
	Swimming Pools, Community	A	
	Shooting Ranges, Outdoor		
	Amusement Park	C	
	Drive-In Theater		
	Miniature Golf	C	
	Riding Academy, Roping or Equestrian Area		
	Zoo		
	All Other Outdoor Recreation		
Recreation and Entertainment, Indoor - large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including health clubs, movie theaters, skating rinks, arcades	Health Club	A	
	Movie Theater	A	
	Skating Rink	A	
	Arcade	A	
	Shooting Ranges, Indoor		
	All Other Indoor Recreation	A	
	Adult Entertainment		4.3.B
Retail Sales and Service - firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer & business goods	Alcohol Sales, retail	A	
	Bar/Nightclub	C	
	Animal Care/Boarding/Sales, Indoor	A	
	Animal Care/Boarding/Sales, Outdoor		
	Delivery and Dispatch Services (vehicles on-site)	C	
	Drive-through Uses (Restaurants)		
	Drive-through Uses (Retail)	C	
	Food Service, Catering	A	
	Food Service, Restaurant (including alcohol sales)	A	
	Farm Implement/Equipment Sales/Service		
	Farmer's Market/Flea Market	A	4.3.C
	Feed Store	A	
	Fuel Sales, automotive/appliance	C	
	Fuel Sales, heavy vehicle		
	General Retail Sales, Indoor operations, display and storage	A	
	General Retail Sales, Outdoor operations, display or storage		
	Landscaping Materials Sale/Greenhouse/Nursery	A	
	Manufactured Building Sales and Service		
	Produce Stands ²	A	
	Rental Service, Indoor display/storage	A	

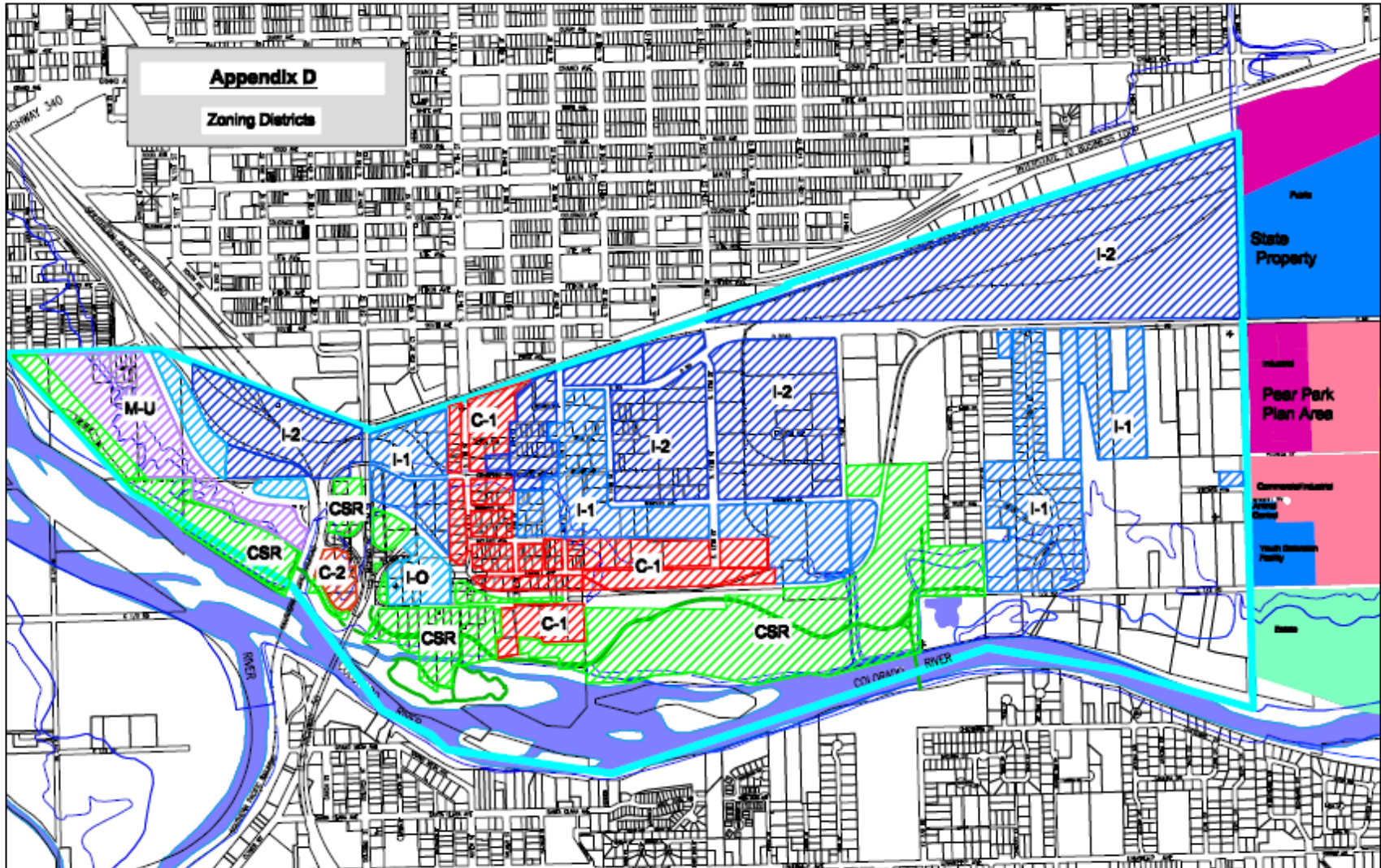
	Rental Service, Outdoor display/storage		
	Repair, small appliance	A	
	Repair, large appliance		
	Personal Services	A	
	All Other Retail Sales and Services	C	
Self-Service Storage - uses providing separate storage areas for individual or business uses	Mini-Warehouse		4.3.G
Vehicle Repair - repair service to passenger vehicles, light and medium trucks and other consumer motor vehicles	Auto and Light Truck Mechanical Repair		
	Body Shop		
	Truck Stop/Travel Plaza		
	Tire Recapping and Storage		
	All Other Vehicle Repair		
Vehicle Service, Limited - direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed	Car Wash		
	Gasoline Service Station		
	Quick Lube		
	All Other Vehicle Service, limited		
INDUSTRIAL			
Manufacturing and Production - firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	Indoor Operations and Storage		
	Assembly	A	
	Food Products	A	
	Manufacturing/Processing	C	
	Indoor Operations with Outdoor Storage		
	Assembly		
	Food Products		
	Manufacturing/Processing		
	Outdoor Operations and Storage		
	Assembly		
	Food Products		
	Manufacturing/Processing		
	All Other Industrial Service, including the storage of hazardous materials and explosives		
Contractors and Trade Shops including printing, publishing and lithography	Indoor operations and storage	A	-
	Indoor operations and outdoor storage (including heavy vehicles)		-
	Outdoor storage and operations		-
Junk Yard	Junk Yard		4.3.D
Impound Lot	Impound Lot		
Heavy Equipment Storage/Pipe Storage	All		
Warehouse and Freight Movement - firms involved in the	Indoor Operations, Storage and Loading		

storage or movement of freight	Indoor Storage with Outdoor Loading Docks		
	Outdoor Storage or Loading		
	Gas or Petroleum Storage		
	Sand or Gravel Storage		4.3.K
	All Other		
Waste-Related Use - uses that receive solid or liquid wastes from others, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material	Non-Hazardous Waste Transfer		
	Medical/Hazardous Waste Transfer Station		4.3.J
	Solid Waste Disposal Sites		
	Recycling Collection Point	C	
	All Other Waste-Related		
Wholesale Sales - firms involved in the sale, lease or rental of products primarily intended for industrial, institutional or commercial businesses	Wholesale Business (No Highly Flammable Materials/Liquids)		
	Agricultural Products		
	All Other Wholesale Uses		
OTHER			
Agricultural	Animal Confinement		
	Dairy		
	Confined Animal Feeding Operation, Feedlot		
	Forestry, Commercial		
	Pasture, Commercial		
	Winery		
	All Other Agriculture		
Aviation or Surface Passenger Terminal - facilities for the landing and take-off of flying vehicles or stations for ground-based vehicles, including loading and unloading areas	Airports/Heliports		
	Bus/Commuter Stops	A	
	Bus/Railroad Depot		
	Helipads	C	
	All Other Aviation or Surface Passenger Terminal		
Mining - mining or extraction of mineral or aggregate resources from the ground for off-site use	Oil or Gas Drilling		
	Sand or Gravel Extraction or Processing		4.3.K
	All Other Mining		
Telecommunications Facilities - devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Telecommunications Facilities & Support Structures	C	4.3.R



Appendix D

Zoning Districts



Attach 12

**Public Hearing—Zoning the Brady South Annexation
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Brady South Zone of Annexation Located at 347 and 348 27 ½ Road and 2757 C ½ Road		
File #	GPA-2007-051		
Meeting Day, Date	Monday, June 16, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	June 5, 2008		
Author Name & Title	Kristen Ashbeck, Senior Planner		
Presenter Name & Title	Kathy Portner, Neighborhood Services Manager		

Summary: SLB Enterprises LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial/Office Park (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels. **Hearing continued from the June 4, 2008 agenda.**

Budget: NA

Action Requested/Recommendation: Conduct public hearing and adopt Zone of Annexation ordinance.

Attachments:

- 1) Staff Report/Background Information
- 2) Site Location Map / Aerial Photo Map
- 3) Future Land Use Map / Existing City and County Zoning
- 4) Applicant's Requested Zoning Map
- 5) Excerpts from Zoning and Development Code, Pertinent Zone District Descriptions
- 6) Excerpt from Zoning and Development Code Table 3.5, Use Zone Matrix, Highlighting Appropriate Zone Districts
- 7) Excerpt from Zoning and Development Code, Exhibit 6.5.C., Buffering Between Zoning Districts
- 8) Comments from Concerned Citizens/Agencies
- 9) Minutes of Planning Commission Meeting
- 10) Proposed Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		347 and 348 27-1/2 Road and 2757 C-1/2 Road		
Applicants:		SLB Enterprises LLC, Owners/Developers Vortex Engineering, Robert Jones, Representative		
Existing Land Use:		Vacant – Abandoned Buildings		
Proposed Land Use:		Industrial Office Park		
Surrounding Land Use:	North	Vacant, Light Industrial and Las Colonias Park Site		
	South	Colorado River and Single Family Residential and Park South of the River		
	East	Large Lot Residential		
	West	Vacant – Las Colonias Park Site		
Existing Zoning (Mesa Co):		I-2		
Proposed Zoning:		I-O and I-1		
Surrounding Zoning:	North	CSR and I-1		
	South	R-5 and CSR (South of Colorado River)		
	East	RSF-R (County)		
	West	CSR		
Growth Plan Designation:		Industrial and Commercial Industrial		
Zoning within density range?		X	Yes	No

ANALYSIS:

1. Background:

The 12.62 acre Brady South Annexation consists of 3 parcels located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

2. Consistency with the Growth Plan:

The requested zone districts are consistent with the Future Land Use designations of Industrial and Commercial Industrial.

3. Section 2.6.A.3 and 4 of the Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the I-1 and I-O districts is consistent with the Growth Plan designation of Industrial and Commercial Industrial respectively. The existing County zoning is I-2 on all 3 parcels. Section 2.14 of the

Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

There are several zone district alternatives or combinations thereof that could be applied to the Brady South Annexation properties. The analysis below discusses the differences between the various potential zone districts and their applicability to these properties. Based on this analysis and the applicant's and neighborhood input, Planning Commission made findings on this criterion and made a recommendation to City Council.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

4. Analysis of Alternatives:

In addition to the zoning that the petitioner has requested (which is depicted in Attachment 3), the following zone districts would also be consistent with the Growth Plan designation for the subject properties.

- i. The alternative zone districts that can be used to implement the Future Land Use category of Industrial (westerly parcel only) include Industrial/Office Park (I-O), Light Industrial (I-1), Heavy Industrial(I-2) or Mixed Use (M-U).
- j. The alternative zone districts that can be used to implement the Future Land Use category of Commercial Industrial (easterly 2 parcels only) include General Commercial (C-2), Industrial/Office Park (I-O), Light Industrial (I-1), or Mixed Use (M-U).

Excerpts from the Zoning and Development Code are attached for reference. The excerpts describe each zone district, the uses allowed within each and the buffer requirement between zone districts as further discussed below. While the Heavy Industrial (I-2) zone district could be applied to the westerly parcel (former rendering

plant) due to its Growth Plan Future Land Use Map designation of Industrial, that option for zoning is not discussed since it is not being requested by the applicant.

As mentioned above, it is possible that all three parcels could be zoned the same, but there may also be merit to creating a transition across the site from west to east that would help create compatibility with land uses on both sides of the site. The applicant is suggesting a transition from I-1 on the west to I-O on the east but there are other options that could apply.

While it is likely that the three parcels will be developed as a single project, the site could be developed under two different zone districts since the primary (and maybe only) access to the site at the extension of 27-1/2 Road will divide the property into two distinct areas east and west of the entry road/drive. Thus, all three parcels do not necessarily need to be zoned the same.

General Commercial (C-2) Zone District. The C-2 zone district is intended to provide for a wide range of commercial uses with emphasis on low customer use versus retail/service type of commercial uses. The C-2 zone district allows limited outdoor display of goods and very limited outdoor operations. Many uses in the C-2 zone district are allowed in the industrial zone districts but a Conditional Use Permit may be required for some uses in the C-2 district.

Outdoor storage and display areas are not allowed within the front yard setback. Buffering required between C-2 and adjacent single family residential uses is a 6-foot wall and an 8-foot wide strip of landscaping outside the wall. Buffering required between C-2 and adjacent I-1 uses (e.g. to the north across C-1/2 Road) is 6-foot fence or an 8-foot landscape strip.

The C-2 zone district cannot implement the Industrial land use classification, thus could not be applied to the westerly Brady parcel (former rendering plant).

Industrial/Office Park (I-O) Zone District. The I-O zone district is intended to provide a mix of light manufacturing and office uses in a business park setting with adequate screening and buffering to other uses. The I-O zone district allows outdoor storage and display only in the rear half of the lot either beside or behind the principal structure. Many uses in the I-O district are allowed in the heavier industrial zone districts but a Conditional Use Permit may be required for some uses in the I-O district.

The I-O zone district does have some specific performance standards for nuisances such as noise, vibration, glare and hazardous materials that do not apply in the C-2 zone district. Additional operational restrictions and/or site design elements could be required for those uses that would require a Conditional Use Permit review process.

Buffering required between I-O and adjacent single family residential is the same as required for C-2 – a 6-foot wall and an 8-foot wide strip of landscaping outside the wall. A buffer of a 6-foot fence or an 8-foot landscape strip is required between I-O and I-1. If the I-O district is applied to the westerly site, the buffering requirement between I-O and the CSR zoning of the Las Colonias Park site is a 6-foot fence and an 8-foot wide strip of landscaping outside the wall.

The I-O zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels.

Light Industrial (I-1) Zone District. The I-1 zone district is intended to provide for areas of light fabrication, manufacturing and industrial uses. The performance standards of the I-O district apply in the I-1 district except that outdoor storage and display are allowed except for within the front yard setback. In addition, the I-1 district allows for the establishment of outdoor storage as a principal use. Uses that include outdoor operations are allowed in the I-1 district, whereas these uses require a Conditional Use Permit in the I-O zone district.

Buffering required between I-1 and adjacent single family residential uses is a 6-foot wall and a 25-foot wide strip of landscaping outside the wall. If the I-1 district is applied to the westerly site, the buffering requirement between I-1 and the CSR zoning of the Las Colonias Park site is a 6-foot wall and a 25-foot wide strip of landscaping outside of the wall. There is no buffer required between I-1 uses such as between the Brady properties and the properties to the north.

The I-1 zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels.

Mixed Use (MU) Zone District. The M-U zone district is intended to provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses and serve as a transition between residential and nonresidential uses. The most significant differences between the M-U zone district and the other districts discussed above are the allowance of residential uses and industrial outdoor storage and operations are not allowed in the M-U zone district.

The M-U zone district has some specific performance standards for nuisances such as noise, vibration, glare and hazardous materials that are very similar to those in the I-O zone district.

The M-U zone district states that there will be appropriate screening, buffering and open space and enhancement of natural features but there is no specific buffering requirement between the M-U and other zone districts. It is intended that such buffers be built into the specific site design.

The M-U zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels. However, it should be kept in mind that this zone district can allow multifamily housing that may not be appropriate to locate in the 100-year floodplain such as exists across most of the westerly parcel.

FINDINGS OF FACT/CONCLUSIONS:

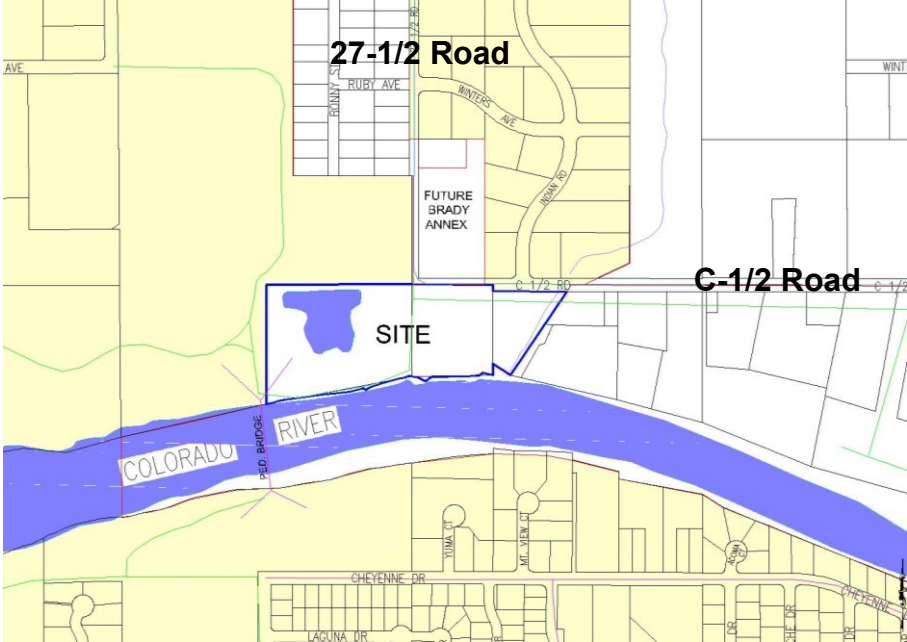
After reviewing the Brady South Annexation, GPA-2007-051, for a Zone of Annexation, Planning Commission made the following findings of fact and conclusions:

6. Planning Commission finds that the Industrial Office (I-O) zone district is consistent with the goals and policies of the Growth Plan.
7. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission heard this request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zone district for all three parcels.

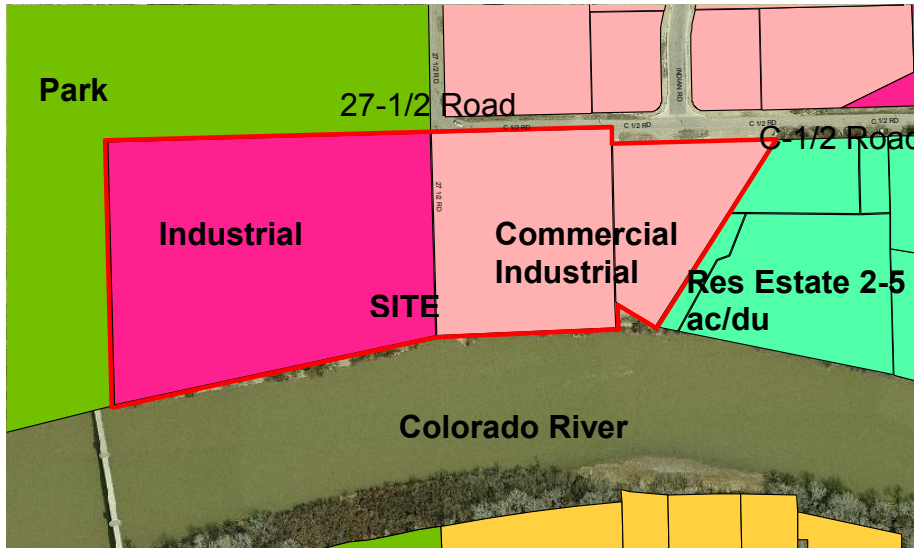
Site Location Map



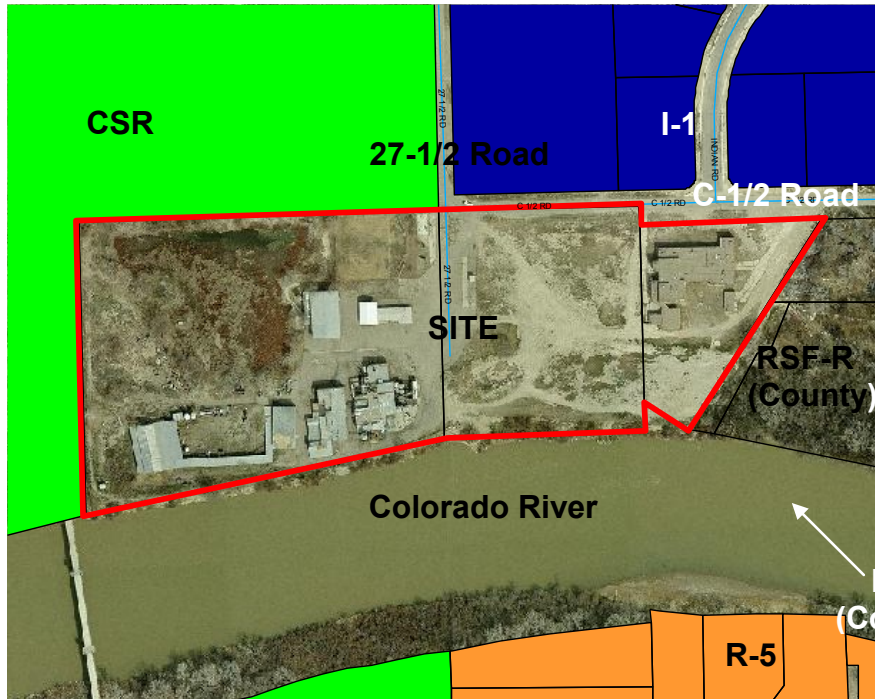
Aerial Photo Map



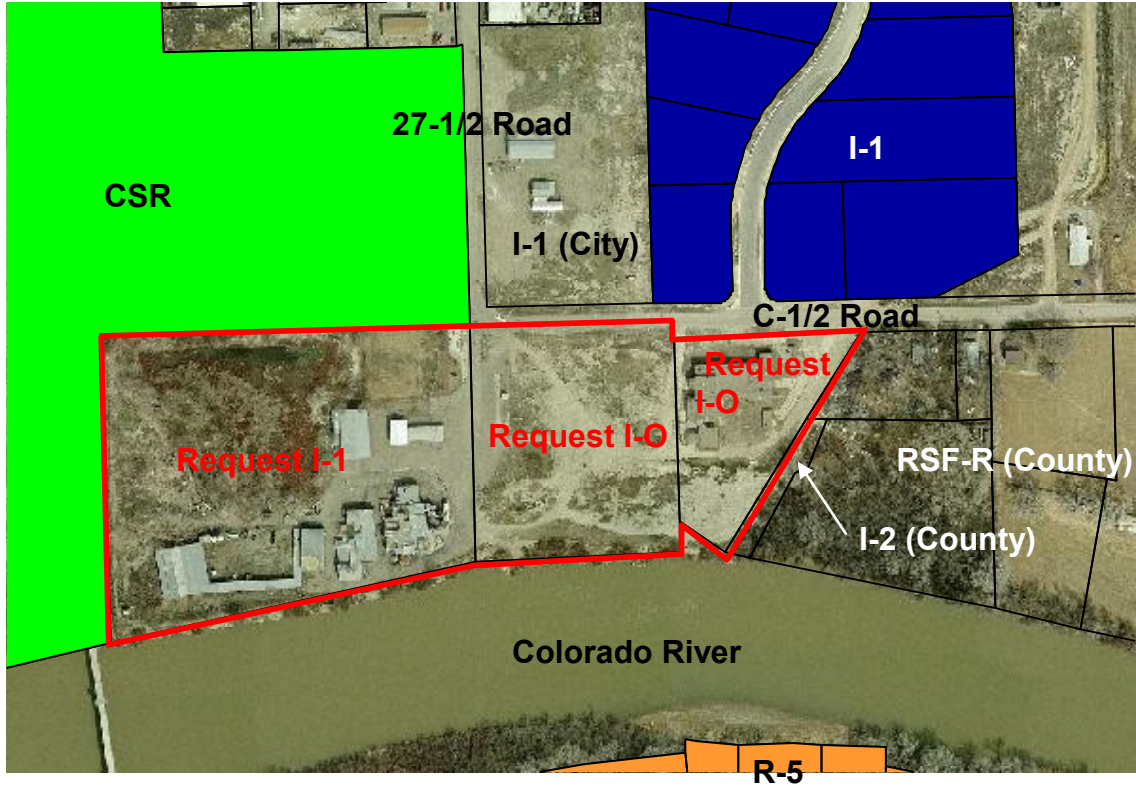
Future Land Use Map



Existing City/County Zoning



Applicant's Requested Zoning



E. **C-2: General Commercial**

1. **Purpose.** To provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited outdoor operations. The C-2 District is appropriate in locations designated for the *commercial or*

C-2 Summary	
Primary Uses	General Retail & Services
Max. Intensity	2.0 FAR
Max. Bldg. Size	150,000 sq. ft.

- a. *commercial or commercial/industrial* future land use classifications in the GROWTH PLAN.
2. **Authorized Uses.** Table 3.5 lists the authorized uses in the C-2 District.
3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:
 - a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0;
 - b. Minimum lot size shall be 0.5 acre, except where a continuous commercial center is subdivided, with pad sites or other shared facilities;
 - c. Maximum building size shall be 150,000 square feet, unless a Conditional Use Permit is issued.
4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
5. **Performance Standards.** Outdoor storage and display areas are not allowed within the front yard setback. Permanent and portable display of retail merchandise is permitted.

F. **I-O: Industrial/Office Park**

1. **Purpose.** To provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering, all compatible with adjoining uses. This District implements the *commercial/industrial* and *industrial* future land use classifications of the GROWTH PLAN.

I-O Summary	
Primary Uses	Light manufacturing, office, commercial services
Max. Intensity	0.75 FAR
Max. Bldg. Size	250,000 sq. ft.

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the I-O District.

3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:

- a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 0.75;
- b. Minimum lot size shall be one (1) acre, except where a continuous commercial center is subdivided;
- c. Maximum building size shall be 250,000 square feet, unless a conditional use permit is issued.

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

5. **Performance Standards.**

- a. **Retail Sale Area.** Areas devoted to retail sales shall not exceed: ten percent (10%) of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel.
- b. **Loading Docks.** Loading docks shall be located only in the side or rear yards.
- c. **Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials.** No person shall occupy, maintain or allow any use in an I-O District without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

- (1) **Vibration:** Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel, shall not be permitted.
- (2) **Noise:** The owner and occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point on the property line.
- (3) **Glare:** lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
- (4) **Solid and Liquid Waste:** All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
- (5) **Hazardous Materials:** Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
- (6) **Outdoor Storage and Display.** Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display of retail merchandise may be permitted as provided in Chapter Four.

G. **I-1: Light Industrial**

1. **Purpose.** To provide for areas of light fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 Zones with conflicts between other uses can be minimized with orderly transitions of zones and buffers between uses. This district implements the *commercial/industrial* and *industrial* future land use classifications of the GROWTH PLAN.

I-1 Summary

Primary Uses	Manufacturing, office, commercial services
Max. Intensity	2.0 FAR
Max. Bldg. Size	150,000 sq. ft.

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the I-1 district.
3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:
- a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0;
 - b. Minimum lot size shall be one (1) acre, except where a commercial or industrial center is subdivided with pad sites or other shared facilities;
 - c. The maximum building size is 150,000 square feet, unless a conditional use permit is issued.
4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
5. **Performance Standards.** The performance standards of the I-0 district shall apply in the I-1 district, except that principal and accessory outdoor storage and display areas shall be permitted in accordance with Chapter Four, with the following exceptions:
- a. Outdoor storage and displays shall not be allowed in the front yard setback;
 - b. Screening shall be maintained in the frontage adjacent to arterial and collector streets and along that portion of the frontage on local streets which adjoin any zone except I-1 or I-2;
 - c. Unless required to buffer from an adjoining district, screening along all other property lines is not required;
 - d. Screening of dumpsters is not required; and

- e. Outdoor storage areas may be established as a principal use without a conditional use permit.

J. **M-U: Mixed Use**

1. **Purpose.** To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character. This District implements the *commercial, commercial/industrial, industrial* and *mixed use* future land use

M-U Summary	
Primary Uses	Employment, residential, limited retail, open space
Max. Intensity	Nonresidential: 0.50 FAR
Maximum Density	Residential: 24 units per acre
Minimum Density	Residential: 8 units per acre
Max. Bldg. Size	150,000 sq. ft. (30,000 sq. ft. for retail)

- classifications of the Growth Plan, as well as serving as a transition between residential and nonresidential use areas.
2. **Authorized Uses.** Table 3.5 lists the authorized uses in the M-U district.
3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:
 - a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 0.50;
 - b. Nonresidential minimum lot size shall be one (1) acre, except where a continuous commercial center is subdivided;
 - c. Maximum building size shall be 150,000 square feet unless a Conditional Use Permit is issued;
 - d. Maximum gross residential density shall not exceed twenty-four (24) units per acre;
 - e. Minimum net residential density shall be eight (8) units per acre.
4. **Performance Standards.** Development shall conform to the standards established in this Code.
 - a. Refer to any applicable overlay zone district and/or corridor design standards and guidelines.
 - b. **Loading/Service Areas.** Loading docks and trash or other service areas shall be located only in the side or rear yards.

- c. **Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials.** No person shall occupy, maintain or allow any use in an M-U District without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional Use Permits for uses in this district may establish higher standards and conditions.
- (1) **Vibration:** Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel, shall not be permitted.
 - (2) **Noise:** The owner and occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point on the property line.
 - (3) **Glare:** Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
 - (4) **Solid and Liquid Waste:** All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
 - (5) **Hazardous Materials:** Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
 - (6) **Outdoor Storage and Display:** Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display of retail merchandise may be permitted as provided in Chapter Four.

3.5 USE/ZONE MATRIX

- A. **Principal Uses.** The only uses allowed in any zone or district are those listed in Table 3.5. The use categories listed in the first column of Table 3.5 are described in Chapter Nine. The second column of the use matrix contains an abbreviated definition of the uses. In some cases, use-specific standards are referred to in the last column of the Table. These uses are permitted subject to particular requirements listed under each zone or district.
- B. **Allowed Uses.** An "A" indicates that the listed use is allowed by-right within the respective zoning district without the need for a public hearing. If compliance with all City, state and federal requirements are fully met, the Director may allow development, construction and/or use. The text for each zone, the balance of this Code, applicable state and other City regulations and federal requirements supplement Table 3.5 and control if inconsistent or ambiguous. See the maximum building size indicated for each zone district. No person shall begin any use without a written approval of the Director.
- C. **Conditional Uses.** A "C" indicates that the listed use is allowed within the respective zoning district only after review and approval of a conditional use permit, in accordance with the review procedures of Chapter Two. Conditional uses are subject to all other applicable standards of this Code.
- D. **Prohibited Uses.** A blank space indicates that the listed use is not allowed within the district, unless otherwise expressly allowed by another provision of this Code.

Table 3.5 Use/Zone Matrix

Use Category-Definition. See Chapter Nine for complete description.	Specific Use Type	NONRESIDENTIAL				Use-Specific Standard
		C-2	O	L-1	M-U	
RESIDENTIAL						
Household Living - residential occupancy of a dwelling unit by a "household"	Business Residence	A	C	C	A	4.3.I
	Rooming/Boarding House					
	Two Family Dwelling ³					
	Single-Family Detached					4.3.N
	Duplex ³					
	Multifamily ³				A	4.3.O
	Stacked Dwelling					
	Residential Subunits/Accessory Units					4.1.G
	Agricultural Labor Housing					
	Single-Family Attached				A	
	Manufactured Housing Park					4.3.F
All Other Housing Living				A		
Home Occupation	Home Occupation				A	4.1.H
Group Living - residential occupancy of a structure by a group of people who do not meet the definition of "Household Living"	Small Group Living Facility	C				4.3.Q
	Large Group Living Facility (includes secure facilities)	C			C	4.3.Q
	Unlimited Group Living Facility	C			C	4.3.Q
INSTITUTIONAL & CIVIC						
Colleges and Vocational Schools - colleges and institutions of higher learning	Colleges and Universities	A	C	C	A	
	Vocational, Technical & Trade Schools	A	A	C	A	
	All Other Educational Institutions	C	C	C	A	
Community Service - uses providing a local service to the community	Community Activity Building	A	C		A	
	All Other Community Service	C	C	C	C	
Cultural - establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museum, Art Galleries, Opera Houses, Libraries	C	C	C	A	
Day Care - care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day	Home-Based Day Care (1-12)	C			C	
	General Day Care	C	C		C	
Detention Facilities - facilities for the detention or incarceration of people	Jails, Honor Camps, Reformatories	C		C		
	Community Corrections Facility	C				
	Law Enforcement Rehabilitation Centers	C		C		
Hospital/Clinic - uses providing medical treatment or surgical care to	Medical and Dental Clinics	A	C	A	A	
	Counseling Centers (nonresident)	A	C		A	

patients	Hospital/Mental Hospital	C	C		C	
	Physical and Mental Rehabilitation (resident)	C	C		C	
	All Other	C	C		C	
Parks and Open Space - natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Cemetery	A	C	C	C	
	Golf Course	A	C	C	A	
	Campground, Primitive					
	Golf Driving Ranges	A	C	A	C	
	Parks, Lakes, Reservoirs	A	A	C	A	
	All Other	A	C	C	C	
Religious Assembly - meeting area for religious activities	All	A		A	A	4.3.P
Funeral Homes/Mortuaries/ Crematories	All	A			C	
Safety Services - public safety and emergency response services	All	A	A	A	A	
Schools - schools at the primary, elementary, middle, junior high or high school level	Boarding Schools	C			C	
	Elementary Schools				C	
	Secondary Schools	A			C	
Utility, Basic - Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (underground)	A	A	A	A	
	All Other Utility, Basic	A	A	A	C	
Utility, Corridors - passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (above ground)	C	C	C	C	
	Transmission Lines (underground)	A	A	A	C	
	Utility Treatment, Production or Service Facility		C	C	C	
	All Other	C	C	C	C	
COMMERCIAL						
Entertainment Event, Major - activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	C	C		C	
	Outdoor Facilities	C	C	C	C	
Lodging - hotels, motels and similar establishments	Hotels & Motels	A	C		C	
	Bed and Breakfast (1-3 guest rooms)	C			C	4.3.H
	Bed and Breakfast (4-5 guest rooms)	C			C	4.3.H
Office - activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	A	C	A	
	Office with Drive-Through	A	C	C	C	
Parking, Commercial - parking that is not necessary to serve a specific use and for which fees may be charged	All	A	A	A	C	
Recreation and Entertainment, Outdoor - large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	Campgrounds and Camps (non-primitive)	A				4.3.E
	Resort Cabins and Lodges					
	Swimming Pools, Community	A	C		A	
	Shooting Ranges, Outdoor			C		
	Amusement Park	C			C	
	Drive-In Theater	C				

	Miniature Golf	C			C	
	Riding Academy, Roping or Equestrian Area					
	Zoo	C				
	All Other Outdoor Recreation	C		C	C	
Recreation and Entertainment, Indoor - large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including health clubs, movie theaters, skating rinks, arcades	Health Club	A	A	C	A	
	Movie Theater	A	A	C	C	
	Skating Rink	A	A	C	C	
	Arcade	A	A	C	C	
	Shooting Ranges, Indoor	C		C		
	All Other Indoor Recreation	A	A	C	C	
Retail Sales and Service - firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer & business goods	Adult Entertainment	A		A		4.3.B
	Alcohol Sales, retail	A	C	C	C	
	Bar/Nightclub	C	C	C	C	
	Animal Care/Boarding/Sales, Indoor	A	C	A		
	Animal Care/Boarding/Sales, Outdoor	C	C	C		
	Delivery and Dispatch Services (vehicles on-site)	A	A	A	C	
	Drive-through Uses (Restaurants)	C		C		
	Drive-through Uses (Retail)	C		C		
	Food Service, Catering	A	A	A	A	
	Food Service, Restaurant (including alcohol sales)	A	C	C	C	
	Farm Implement/Equipment Sales/Service	A	C	A		
	Farmer's Market/Flea Market	A			C	4.3.C
	Feed Store	A		A		
	Fuel Sales, automotive/appliance	A	C	A		
	Fuel Sales, heavy vehicle	C	C	A		
	General Retail Sales, Indoor operations, display and storage	A	C	C	C	
	General Retail Sales, Outdoor operations, display or storage	A		C		
	Landscaping Materials Sale/Greenhouse/Nursery	A		A		
	Manufactured Building Sales and Service	A		A		
	Produce Stands ²	A	A	A	A	
	Rental Service, Indoor display/storage	A		A	A	
	Rental Service, Outdoor display/storage	A		A		
	Repair, small appliance	A		A	A	
	Repair, large appliance	A		A	A	
	Personal Services	A	C		A	
	All Other Retail Sales and Services	A	C		C	
Self-Service Storage - uses providing separate storage areas for individual or business uses						
	Mini-Warehouse	A	C	A	C	4.3.G
Vehicle Repair - repair service to passenger vehicles, light and medium						
	Auto and Light Truck Mechanical Repair	A	C	A		

trucks and other consumer motor vehicles	Body Shop	A	C	A			
	Truck Stop/Travel Plaza	A		A			
	Tire Recapping and Storage	A		A			
	All Other Vehicle Repair	C		C			
Vehicle Service, Limited - direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed	Car Wash	A	C	A	C		
	Gasoline Service Station	A	C	A	C		
	Quick Lube	A	C	A	C		
	All Other Vehicle Service, limited	A		A			
INDUSTRIAL							
Manufacturing and Production - firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	Indoor Operations and Storage						
	Assembly	A	A	A	A		
	Food Products	A	A	A	A		
	Manufacturing/Processing	A	A	A	A		
	Indoor Operations with Outdoor Storage						
	Assembly	A	A	A	C		
	Food Products	C	A	A	C		
	Manufacturing/Processing	A	A	A	C		
	Outdoor Operations and Storage						
	Assembly	C	C	A			
	Food Products	C	C	A			
	Manufacturing/Processing	C	C	A			
	All Other Industrial Service, including the storage of hazardous materials and explosives		C	C			
	Contractors and Trade Shops	Indoor operations and storage	A	C	A	A	-
	-	Indoor operations and outdoor storage (including heavy vehicles)	A	C	A	C	-
	-	Outdoor storage and operations		C	A		-
Junk Yard	Junk Yard			C		4.3.D	
Impound Lot	Impound Lot	C		C			
Heavy Equipment Storage/Pipe Storage	All		C	A			
Warehouse and Freight Movement - firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading	A	A	A	A		
	Indoor Storage with Outdoor Loading Docks	C	A	A	C		
	Outdoor Storage or Loading		C	A			
	Gas or Petroleum Storage		C	C			
	Sand or Gravel Storage			A		4.3.K	
	All Other			C			
Waste-Related Use - uses that receive solid or liquid wastes from others, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material	Non-Hazardous Waste Transfer			C			
	Medical/Hazardous Waste Transfer Station			C		4.3.J	
	Solid Waste Disposal Sites			C			
	Recycling Collection Point	C	C	C			
	All Other Waste-Related			C			
Wholesale Sales - firms involved in the sale, lease or rental of products primarily intended for industrial,	Wholesale Business (No Highly Flammable Materials/Liquids)	A	A	A	A		
	Agricultural Products		C	A	C		

institutional or commercial businesses	All Other Wholesale Uses		C	A	C	
OTHER						
Agricultural	Animal Confinement			C		
	Dairy			C		
	Confined Animal Feeding Operation, Feedlot			C		
	Forestry, Commercial					
	Pasture, Commercial			A		
	Winery		C	C	C	
	All Other Agriculture			C		
Aviation or Surface Passenger Terminal - facilities for the landing and take-off of flying vehicles or stations for ground-based vehicles, including loading and unloading areas	Airports/Heliports	C	C	C		
	Bus/Commuter Stops	A	A	A	A	
	Bus/Railroad Depot	A	A	A		
	Helipads	C	C	C	C	
	All Other Aviation or Surface Passenger Terminal			C	C	
Mining - mining or extraction of mineral or aggregate resources from the ground for off-site use	Oil or Gas Drilling			C		
	Sand or Gravel Extraction or Processing			C	C	4.3.K
	All Other Mining					
Telecommunications Facilities - devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Telecommunications Facilities & Support Structures	C	C	C	C	4.3.R

¹ Only allowed as part of a mixed use development.

² Produce stands are allowed in residential zone districts only for products produced on the premises provided no hazards are created with parking, ingress, egress and signage and the operation does not disrupt the peace, quiet and dignity of the neighborhood. Produce stands in non-residential zone districts may include products produced off-premise and require a Temporary Use Permit.

³ In some zone districts, lots originally platted and zoned for detached dwellings require a Conditional Use Permit for attached units. See Section 3.3.

Exhibit 6.5.C
BUFFERING BETWEEN ZONING DISTRICTS

Zoning of Proposed Development	Zoning of Adjacent Property												
		R-5	R-8	R-12 & R-16	R-24	R-O	B-1	B-2	C-1	C-2 & I-O	I-1	I-2	CSR
SF (Subdivisions)	-	-	-	-	-	-	F	F	-	W	W	W	-
R-5	-	-	-	-	-	-	F	F	-	W	W	W	-
R-8	A&F ¹	-	-	A or F	A or F	A or F	F	F	-	W	W	W	-
R-12 & R-16	A&F	A&F	A&F	A&F	A or F	A or F	F	F	W	W	W	W	-
R-24	A&F	A&F	A&F	A&F	A or F	A or F	F	F	W	W	W	W	-
RO	A	A	A	A	A	-	A or F	A&F	A or F	W	W	W	-
B-1	A&F	A&F	A&F	A&F	A&F	A&F	A&F ²	A&F ²	A&F ²	A or F	A or F	A or F	-
B-2	A	A	A	A	A	A	-	-	-	-	A or F	A or F	-
C-1	A&W	A&W	A&W	A&W	A&W	A&W	-	-	-	-	A or F	A or F	F
C-2 & I-O	A&W	A&W	A&W	A&W	A&W	A&W	A&F	-	-	-	A or F	A or F	A&F
I-1	B&W	B&W	B&W	B&W	B&W	B&W	A&F	A&F	B or F	B or F	-	-	B&W
I-2	B&W	B&W	B&W	B&W	B&W	B&W	A&F	A&F	B or F	B or F	-	-	B&W
CSR ³	-	-	-	-	-	-	-	-	-	B	B	B	-

¹ Only required for multifamily development in R-8.

² Only B-1 that includes a residential component adjacent to nonresidential uses or zoning requires "A&F" buffer.

³ Gravel operations subject to buffering adjacent to residential.

Zoning of Proposed Development	Zoning of Adjacent Property											
		R-5	R-8	R-12 & R-16	R-24	R-O	B-1	B-2	C-1	C-2 & I-O	I-1	I-2

Notes

- A and B indicate landscape buffer types as described in Exhibit 6.5.D
- F and W indicate a six foot (6') fence and wall respectively as described in paragraph 1 of Section 6.5.F.
- A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet (6')
- The word "or" means either the landscape buffer or fence/wall may be provided.
- The "&" means that both the landscape buffer and the fence/wall shall be provided.
- Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than requiring a wall or fence.
- The Director may modify this table based on the uses proposed in any zone district.

**Exhibit 6.5.D
BUFFER REQUIREMENTS**

Buffer Types	Landscaping Requirements	Location of Buffers on Site
<p style="text-align: center;">Type A</p> <p style="text-align: center;">Type B</p>	<p style="text-align: center;">Eight foot (8') wide landscape strip with trees and shrubs</p> <p style="text-align: center;">Twenty-five foot (25') wide landscape strip with trees and shrubs</p>	<p style="text-align: center;">Between different uses Exhibit 6.5.C</p> <p style="text-align: center;">Between different uses Exhibit 6.5.C</p>
<p>Note: Fences and walls are required for most buffers.</p>		

LETTERS FROM CONCERNED CITIZENS/AGENCIES

>>> <Rick_Krueger@fws.gov> 8/24/2007 5:13 PM >>>

To All Concerned: Penny and Enno Heuscher contacted me earlier in the week concerning the proposal by Brady trucking to operate a trucking operation at the intersection of 27 1/2 and C 1/2 Roads adjacent to the Colorado River. They asked if there were any concerns that the Service might have about the pending proposal Brady has to construct and operate from this site adjacent to the River. I told them that the Service has several concerns that should be addressed:

The Colorado River including the 100 year flood plain is designated critical habitat for two Federally listed endangered fish the Colorado pikeminnow and razorback sucker. In addition two other Federally listed endangered species the bonytail and humpback chub occupy the river in close proximity to this site. If this project requires a Federal action (i.e. 404 permit) then the Federal agency representing the applicant will need to consult with the Service on impacts to all federally listed species.

The Service is very concerned about floodplain encroachment. The floodplain of the Colorado River has been drastically reduced and this is a major concern for the fish. If Brady plans to further restrict the floodplain at this site this could lead to increased velocities in the river and decreased over-bank flooding which is essential to the life cycles of endangered fish. If their proposal decreases the overall capacity of the floodplain this could be a concern by increasing the potential for flooding up stream and downstream of the constriction point. This tends to lead to more requests for higher dikes to protect these areas causing even further degradation of floodplain habitat. In addition, maintaining a riparian buffer (setback areas) along the river is important

for a number of species including migratory birds, another Service trust resource. Riparian areas have a number of functions besides providing habitat for birds and terrestrial species they act as a flood buffer, providing decreased velocities and creating sediment depositional areas. They also provide a source of nutrients to the river as bank side vegetation grows and falls into the river. This provides the nutrients that produce the bugs and aquatic microfauna that fish and other riparian species depend upon to live and reproduce.

As I understand it, the proposal is for a trucking operation at this site. Run-off from parking areas and loading areas are a concern from a contaminants standpoint. We would request that all storm water from the site pass through an oil/trash/water separator before entering the Colorado River. The potential for contaminants entering the river from a trucking operation are quite high and the potential for fish to be exposed to contaminants is a concern. We have had discussions with city engineers in the past about the use of water/oil separators at key areas within the valley to protect the river from contaminants. It may be prudent to look

at the stormwater within the total drainage area and determine if a central collection point should be created with an oil/ water separator designed into the containment/detention pond.

The Service has been an active participant supporting the Riverfront Commissions efforts to restore the river corridor to a more natural environment and remove historic industrial uses/users. Protecting our riverfront should be a common cause of the Grand Junction community. Most areas within the nation now recognize the value that river floodplains provide including: reducing flooding potential, providing wildlife habitat and recreational opportunities through trails and open space and natural contaminant buffers. The city and county should take an active role by changing zoning along the rivers to provide a natural buffer by

rezoning former industrial and urban development designations to open space as opportunities become available. This will preserve the Grand Valley's overall appeal and provide protection which may lead to delisting of the four Federally endangered fish that occupy our Rivers.

Rick Krueger

U.S. FWS, Contaminants Specialist
764 Horizon Drive, Bldg. B
Grand Junction, CO 81506
Phone: (970) 243-2778
Fax: (970) 245-6933
e-mail: Rick_Krueger@fws.gov

Dear Commissioners,

The proposal to establish a trucking operation at the intersection of 27 1/2 and C 1/2 Roads adjacent to the Colorado River should not be approved. Maintaining a riparian buffer along the river is important for a number of species including breeding, wintering, and migratory birds, and allowing such operations would negatively affect an already threatened resource.

Despite its occupying approximately one percent of the region's surface area, lowland riparian habitat provides support for up to 80% of the resident bird species during some part of their life cycle. Colorado Partners in Flight (a cooperative effort of governmental agencies, conservation groups, industry, the academic community, and private individuals) points out in its Bird Conservation Plan, " This system has the richest avian species component of any of Colorado's habitats." A recent study identified more than 200 bird species using a single mile of this habitat in the Grand Valley during a one-year period, including species of conservation concern such as Bald Eagle and Peregrine Falcon. Another recent survey identified the Grand Valley riparian corridor as the best representative of this habitat in Western Colorado. Because the Grand Valley riparian corridor provides critical habitat for such a large percentage of the state's bird species, Audubon of Colorado has recognized it as one of Colorado's Important Bird Areas.

Lowland riparian is, of all of our varied habitat types, the one most susceptible to loss and degradation by urban and industrial development. Allowing a trucking operation on the river's banks would be counter to the Riverfront Commission's efforts to restore the river corridor to a more natural environment by removing historic industrial uses/users. Protecting the riverfront and its riparian habitat should be a high priority for the Grand Valley. Most areas within the nation now recognize the value that river floodplains provide by reducing flooding potential and providing wildlife habitat and recreational opportunities. The city and county should take an active role in developing these values by rezoning former industrial and urban development designations to open space as opportunities become available.

Rich Levad

(co-author, "Birds of Western Colorado: Plateau and Mesa Country")

August 28, 2007

To the Grand Junction City Council Members and the Grand Junction Planning Commission:

Re: The South Downtown Plan and the Brady Trucking Zone of Annexation Between C ½ Road and the Colorado River

The zoning decisions for the Brady property along the riverfront will present a golden opportunity for the Grand Junction City Council Members to take responsible action regarding the future of the South Downtown area of our fair city.

Many people have worked diligently and unselfishly on the future of this important area of our city and there are compelling reasons for this area to be zoned for Mixed Use. The area is in the flood plain and US Fish and Wildlife Service is very concerned about floodplain encroachment. In addition, there are many homes directly across the river from the Brady property that are impacted by the noise and the unsavory view that a large trucking company, that is billed as an Oil Field Hauling and Trucking firm, would result in.

This is prime real estate that should be used to enhance our city. A riverfront location in the downtown area would be a perfect location for restaurants, parks and river trails, as many other cities throughout the country have chosen to provide for their citizens.

Other cities (see attached) have had to spend millions of dollars to change their riverfronts from prior heavy industrial use to residential, parks and neighborhood enhancing businesses, such as restaurants and theaters. It makes no sense to zone the area in question for industrial use when the potential for better alternatives is so apparent. Stating that it should be zoned for heavy industrial use because it was always that way is not taking the longer view, and it is the longer view that needs to be taken. Looking forward to what this area could look like and the tremendous income it could produce for the city is what needs to be considered. As a concerned citizen and as an active member of the Grand Valley Audubon Society, I urge the City Council Members to take this unique opportunity to improve our riverfront by voting to have this area zoned for Mixed Use.

American cities transform themselves from places of industry and commerce to centers of culture and refinement.

Chief Joseph: "Without Vision the People Perish"

Sincerely,
Paul Didier,
2808 Laddie Way
Grand Junction, CO 81506
242-8643
didier@cheerful.com

MUNICIPAL RIVERFRONT IMPROVEMENTS

American cities transform themselves from places of industry and commerce to centers of culture and refinement.

- 1 Portland, OR <http://www.tbrpc.org/waterfront/riverpl.htm>
By the early 1970s, Portlanders were deciding how they could reclaim their waterfront. A masterplan was already in place known as the Downtown Waterfront Urban Renewal Plan. The plan sought to strengthen the link between the waterfront and the central city. Portland's commitment to the South Waterfront began in 1975 when the City Council amended the plan and extended the urban renewal boundary south to Montgomery Street. In 1976 a landmark decision removed Harbor Drive, a four-lane expressway that cut off downtown from the river. The stage was set for Portlanders to again have access to their riverfront! In 1979, the Planning Commission and City Council adopted the South Waterfront Development Program developed by the Portland Development Commission. Between the years of 1980 and 1983 the Marina basin was dredged, utility relocation and street construction work were completed and the Waterfront Park Extension from the Hawthorne Bridge to Montgomery Street was underway.
- 2 Pittsburgh, PA http://www.friendsoftheriverfront.org/new_pages/links.htm
Read about Pittsburgh's extensive revitalization of its riverfronts - all three rivers at the above website.
- 3 St. Louis, MO <http://stlouis.missouri.org/government/duffy/riverfront.htm>

<http://www.explorestlouis.com/meetings/newPackage.asp?PageType=3>

The Riverfront Master Plan - St. Louis' historic riverfront is being re-made for the future thanks to a new Master Plan. A mile-long stretch of the Riverfront from the Poplar Street to the Eads bridges will be transformed into an inviting and vibrant destination with greenways, dining, attractions and a focus on the Mississippi River. The plan also will create new spaces for public performances to enhance the popular Live on the Levee summer concert series and allow for additional riverfront events.

4 Philadelphia,
PA

http://www.schuylkillbanks.org/admin/controls/doc/2_20051213115749.pdf

The New Schuylkill Riverfront - Master Plan and Priority Projects - Along the banks of the Schuylkill River, south of the Fairmount water works, a long-awaited transformation is taking place. It is not just the new trail that bends around a gracious turn in the river and continues to Locust Street. It's in the hearts and minds of Philadelphians who are experiencing the Schuylkill for the first time and discovering the joy of bringing the river back into the fabric of our lives. For many years, the lower section of the Schuylkill River has deserved only a casual glance. Due to more than a century of industrialization, it has lost the lush green banks that attracted early Dutch explorers and the city's forefathers who strategically aligned the city's development along its verdant edge. Look again.

5 Des Moines,
IA

<http://www.lib.drake.edu/heritage/odm/article.html>

As landscape architecture, municipal art and city planning gained increasing favor nationally, local architects turned to matters of site planning. At the request of the Civic Improvement Committee of the Greater Des Moines Committee (connected with the Commercial Clubs), Frank E. Wetherell prepared the "Plan of Improvement of River Front" in 1908.

6 Fort Wayne,
IN

<http://downtownfortwayne.com/story.php?cat=1&sub=253&uid=134>

Municipal Riverfront Improvement District/ CREeDAn infill strategy for the downtown core is being developed that will weld these two sets of incentives to grow **mixed-use** projects, featuring first floor retail/restaurants and upper floor housing as well as integrating arts and culture into a number of smaller developments. Setting the conditions to spur creative industries is the key goal of the strategy.

7 Sunbury, PA

<http://www.seda-cog.org/nor-sunbury/cwp/view.asp?a=863&Q=430769>

The goal of the Sunbury Riverfront Park Project is to create aesthetically pleasing riverfront improvements that combine flood protection with quality park and recreation services and facilities that benefit the diverse recreational interests of its residents, and provides access to the Susquehanna River and Lake Augusta, while serving as a catalyst for economic development.

8 Bellevue, IA

<http://www.iowaleague.org/AboutCities/CIA.aspx?id=113>

The majority of Bellevue's riverfront area had been improved with brick sidewalks, picnic tables, benches, and lighting, however the south river front was still in need of these improvements. The river front is used extensively by the community and tourists for recreation and completing the South Riverfront Park Project would finish the entire riverfront area and be another step closer to eventually encircling the entire city with a walkway system. The additions were completed in June of 2004.

9 Albany, GA

<http://www.albanytomorrow.com/projects/projects.html>

Both new and rehabilitated structures are included in Albany Tomorrow's proposed \$1.5-\$2 million development of the downtown street closest to the Flint River. The Flint River Entertainment District is envisioned as a dense mix of specialty retail, entertainment and dining establishments linking the Flint RiverCenter, the hotel and conference center, the Flint River Walk, the Albany Civic Center and riverfront amenities such as docks, plazas, parks and trails. The area would feature streetscape and lighting improvements as well as courtyards, open-air tables and inventive storefront treatments. Development along the west side of Front Street in the block between Broad and Pine Avenues is emphasized.

10 Henderson
City, KY

<http://www.courierpress.com/news/2007/jul/15/riverfront-improvements-meeting-set/?gleaner=1/>

the commission will meet in a workshop, at which time it will discuss the list of possible riverfront improvement projects.

11 Rockland
County NY

<http://www.co.rockland.ny.us/planning/landuse/rivercomm.htm>

Communities have officially agreed to work together toward preserving and enhancing one of our greatest assets, our riverfront communities

9/6/07

Dear Kristen,

Please keep the zoning mixed in the property across from Eagle Rim Park along the Colorado River. I live in Orchard Mesa and often use the bike trail in this area. It would be so great to have a picnic area here and a pond for herons and water fowl. The first summer after I moved here (2004), there was pond where the truck parking lot is now. It was filled with roosting herons. It was so neat. Thank you.

Sincerely,
Roberta Hettinger
2754 Laguna Drive GJ, CO 81503

9/6/07

I am requesting that the Brady land be zoned as mixed use. We need to preserve the land along the Colorado River for future beautification efforts compatible with the Riverfront Trail, the new parkway, the Botannic Gardens and Eagle Ridge Park across the river. It is not a good economic decision to zone these three parcels for light industrial and industrial/office use. Grand Junction's future economy will be better served by beautifying the south downtown area. Because we are attracting more and more tourists and retirees to our area, we need to enhance areas along the river as one of the important tools to continue to attract more tourists and retirees to our city. They are the true basis of Grand Junction's current and future economy - they bring MONEY with them! There are other areas in our city, such as along the Business 50 bypass, more appropriate for industrial use.

Sincerely,
Barbara Hill

9/6/07

Grand Junction Planning Commissioners:

Please keep the Brady land zoned as mixed use. Cities across the country are realizing the value of riverside property, with beautification projects, riverside walks, etc. The Colorado River runs through the center of Grand Junction, and as our centerpiece should not look like a junkyard or industrial site. A junky looking riverside does not bode well for the future of Grand Junction. Rather than zone more land along the river as industrial, Grand Junction needs to be thinking of options to move existing industrial sites away from the river. When the oil and gas jobs dry up, Grand Junction's natural beauty will be a big draw to the area. The Colorado River is the centerpiece of Grand Junction and should be a big piece of that picture.

Keeping the Brady land zoned as mixed-use is a step in the right direction for the future of Grand Junction.

Thank you,
Roy High
2821 Columbine Park Court
Grand Junction, CO 81501
970-245-5267

9/6/07

Dear Kristena et al:

Since my move to Grand Junction five years ago this week, I've wondered why? My town which is named after the river junction, does not celebrate that fact by beautifying its river front!!

Please zone the Brady land as "Mixed use" rather than Light industrial or industrial/office.

Respectfully,
Concerned citizen Barbara H. Fredell

9/11/07

To the City Planning Commission,

Re: Zoning the former rendering plant property on the banks of the Colorado River.

Much has been said about the property on the riverfront, which the Brady Trucking company wants to use for its oil field hauling and trucking operations.

My purpose in writing today is to urge you to make a decision on this zoning issue that will be right for the people of Grand Junction and Mesa County. Relying on what the land was used for in the past is no longer a valid argument. We are now in the 21st century and continuing growth of the city and county requires decisions that apply to tomorrows needs, not yesterdays.

This part of Colorado will continue to expand more rapidly than the rest of

Colorado and your planning position is one of public trust. The people respect each of you because they know they can rely on you to represent their interests. You have a huge responsibility and we the people expect our interests to be represented fairly and in a manner that will benefit the majority of us.

Recommending a plan of action to the City Council in favor of one company that just arrived on the scene is inappropriate. Some recommendations that you are asked to make are more difficult but nevertheless we expect you to rise to the challenge and recommend accordingly. It is in this spirit of respect that I come to you concerning this important issue for the people I represent.

Thank you for your consideration.

Sincerely,
Paul Didier, Grand Valley Audubon Society

9/7/07

Dear Council Members,

I recently moved my family here from the mountains of Colorado. Prior to the move, I had heard many of the old cliches about Grand Junction being a heavily industrialized town with unbounded noise and air pollution. An initial survey of the area a couple of years back certainly gave credence to some of the claims that I was hearing, but as I looked beyond the surface, I saw that there were some very commendable changes taking place. Just this past year I have seen a tremendous amount of clean-up along the Colorado River corridor in the area of the 5th street overpass. The Riverside project certainly speaks to a vast improvement of roadway and the adjoining Riverfront Park has been a pleasure to enjoy, even in its earliest stages of development. In reality, I have been quite happy with the efforts and changes that I have seen, and I trust in the vision that has been set forth in developing the quality of life in the Grand Junction area.

I have heard that there is a zoning request for property held by Brady Trucking on newly-annexed land adjoining the Colorado River located on 27-1/2 Road. I strongly urge the City Councilmembers and Planning Commission to give said property a "MIXED USE" zoning designation rather than the industrial designation that is being requested. A re-encroachment of industrial use into this area would truly be a contradiction to all the money and effort that have gone into cleaning up this part of the river corridor and our urban setting.

No doubt there is a need for industry supportive of the energy development that our area is presently experiencing. However, such industries need to be located in areas where their impacts do not degrade the quality of our urban and suburban settings. Added to this, placement of such industries in sensitive river corridors and floodplains would contradict wise-planning and jeopardize the very setting we are trying to restore.

I would strongly ask that the City Council and Planning Office continue the vision of the riverfront improvements and zone the land in question as MIXED.

Sincerely,
Jim Liewer and family

Distributed during
the Sept. 11, 2007 PC
meeting.

(File Copy)

Penny Heuscher
Grand Junction, Co.

Good Evening COMMISSIONERS

JIM ROBB , JUDGE ELA AND MANY OTHERS LED THIS COMMUNITY WITH GOVERNMENTS IN FORMULATING A VISION FOR OUR RIVERFRONT. GREAT STRIDES HAVE BEEN MADE TO IMPLEMENT THIS EXCITING, WONDERFUL VISION THAT PROMOTES HEALTHFUL RECREATIONAL USES OF OUR RIVERFRONT. WE HAVE SPENT MILLIONS TO clean IT up AND get the job done. We found an APPROPRIATE LOCATION FOR JARVIS.

.....THE POINT IS: WE HAVE TAKEN INDUSTRIAL OFF THE RIVER! WE BUILT A BEAUTIFUL PARK, EAGLE RIM ON THE SOUTH BANK. SPENT NEARLY TWO MILLION ON EAGLE RIM OVERLOOKING THE RIVER AND THE VALLEY.

RIVERBANK PROPERTY WAS RECENTLY PURCHASED BY BRADY TRUCKING ,AN OUT OF STATE FIRM. THIS BANK PROPERTY HAD COUNTY INDUSTRIAL ZONING FOR MANY YEARS BUT WE WOKE UP TO THE FACT THAT RIVERS AND THAT RIPARIAN HABITATS ARE IMPORTANT. WE LEARNED THAT INDUSTRIAL ZONING IS NOT APPROPRIATE FOR SENSITIVE AREAS. . IT HAS BEEN ANNEXED INTO GRAND JUNCTION. TONIGHT WE ARE RECOMMENDING ZONING. THERE IS A RANGE OF ZONING POSSIBILITIES FOR IT.

PAUL JONES OF THE RIVERFRONT FOUNDATION HAS STATED THAT INDUSTRIAL IS "NOT A FIT" FOR THIS PROPERTY.

WE IN GRAND JUNCTION HAVE THE OPPORTUNITY TO PLACE ZONING THAT FITS WITH THE RIVER, WE RECOMMEND MIXED USE ZONING FOR THE FOLLOWING REASONS,

IS MORE PROTECTIVE OF THE FLOOD PLAIN AND THE ADJACENT ENDANGERED FISH,

MIXED USE WOULD TRANSITION WITH THE ZONING OF THE ADJACENT LAS COLONIAS PARK AND THE NEW REC CENTER.
IT FITS BETTER WITH EAGLE RIM ABOVE IT ON THE OPPOSITE BANK.,

The SOUTHDOWN PLAN SEEKS TO PROTECT VIEWS FROM EAGLE RIM. THAT IS IN THE DOCUMENT. MIXED USE DOES NOT ALLOW OUTDOOR STORAGE AND THEREFORE WOULD BE IN AGREEMENT TO THE SOUTH DOWNTOWN PLAN - WHEREAS , Industrial -1 I-1 WHAT THEY WANT FOR THE

LARGEST PART OF THE PROPERTY AND INDUSTRIAL OFFICE ARE NOT IN AGREEMENT WITH THIS NEW PLAN.

KEEP IN MIND THAT NO AMOUNT OF SCREENING CAN BUFFER THE VIEW FROM THE PARK HIGH ABOVE THE RIVERBANK .OR FROM RESIDENTIAL AND **YES WE WERE HERE FIRST**. WE HAVE HAD OUR RESIDENTIAL ZONING IN THE CITY FOR MANY YEARS THE TRUCKING COMPANY IS APPLYING JUST NOW FOR ZONING IN THE CITY.

PERHAPS WHEN THEY BOUGHT THE PROPERTY, THEY WERE LED TO BELIEVE IT WOULD BE INDUSTRIAL.

INDUSTRIAL ZONING BY ITS' NATURE IS NOISY THE HORRIBLE LOUD RACKET FROM THE BRADY SITE THIS SUMMER WAS UNACCEPTABLE TO ANY ONE IN THE AREA NOT GOOD FOR-TRAIL USERS OR RESIDENTS OR VISITORS TO ADJACENT PARKS.

MIXED USE IS RECOMMENDED BY PLANNING STAFF AS AN ALTERNATIVE AS STATED IN YOUR STAFF REPORT. SEE PAGE() WE RECOGNIZE THE VALUE IN MIXED USE AND SEE IT AS THE BEST ZONING IF YOU MUST RECOMMEND ZONING FOR THIS AREA NOW.

DR. FINDLEY OF THE RIVERFRONT FOUNDATION BELIEVES THAT A LAND TRADE SHOULD BE IMPLEMENTED.

We prefer a land swap so that Brady can have a suitable site away from the river with access and zoned appropriately and the city could use this land for park and recreation purposes. We believe we have found suitable land that could be used for the swap.

COMMUNITY RECREATIONAL ZONING IS THE ULTIMATE BEST FOR THIS RIVERBANK. A LAND TRADE FOR BRADY WOULD SOLVE THIS DILEMMA AND IT WOULD TRULY BE BEST FOR THE RIVER AND OUR COMMUNITY.

PLANNING COMMISSIONERS, YOU SERVE AS VOLUNTEERS JUST AS JIM ROBB DID FOR THIS COMMUNITY. HE AND MANY OTHERS WORKED FOR THIS COMMUNITY TO ACTUALIZE WHAT THOUSANDS OF PEOPLE WANT -A GREEN RIVERFRONT WITHOUT INDUSTRIAL RACKET AND FUMES

THANK YOU FOR YOUR ATTENTION AND SERVICE.

From: "Tom acker" <tacker@mesastate.edu>
To: <kristena@gjcity.org>
Date: 9/2/2007 12:44 PM

Dear GJ zoning board,
Please zone the Brady parcel as "mixed use" instead of light industrial. Try and conserve the the concept which create Eagle Rim Park and the honor the location of the marker commemorating the plaque marking the crossing place of the brave trappers and explorers the preceded us.
Thanks.
Tom Acker

Thomas Acker
Associate Professor of Spanish
Mesa State College
1100 North Ave.
Grand Junction, Colorado 81501
(970)248-1068
<tacker@mesastate.edu>

From: WAYNE FLICK <waflick@yahoo.com>
To: <kristena@gjcity.org>
Date: 9/2/2007 9:34 AM
Subject: Rezoning of near the Colorado River

To Whom It May Concern:

This is about the proposed zoning change directly across the river from the popular Orchard Mesa Eagle Rim Park and adjacent to the river trail and foot bridge in Las Colonias Park. Brady Trucking is requesting that the city change the zoning to Light Industrial for the westerly parcel and to Industrial/Office for the two easterly parcels. All three parcels on directly on the river and most of the land falls within the floodplain.

I'm asking that you instead zone the Brady land as MIXED USE rather than Light Industrial or Industrial/Office. This will potentially do much less damage to the river as the former zoning.

Thank you for your consideration of this matter.

Sincerely,
Wayne Flick
3026 Cline Ct
Grand Junction, CO 81504
970 433 2035
waflick@yahoo.com

From: "Norm Kronvall" <kron530@bresnan.net>
To: <kristena@gjcity.org>
Date: 9/3/2007 5:32 PM
Subject: Riverfront

As a concerned citizen, We (my husband and I) are appealing to you to turn down the Industrial use along the Colo. River near Eagle Rim Park. This seems like backwards planning to us! After all so many people have done to try to clean up our beautiful river, let's keep it that way, it's healthier for all, people and critters. Thanks for your attention to our deep concerns, Sincerely, Mary and for Norm Kronvall

From: "Dave Murphy" <dave.murphy@bresnan.net>
To: <kristena@gjcity.org>
Date: 9/2/2007 1:09 PM
Subject: Re-zoning of Riverfront property

Dear Planning Commission:

I am concerned about possible harmful impacts from a proposed re-zoning of land along the Colorado River in the Grand Junction South Downtown area. Brady Trucking wants land they own to be re-zoned as Light Industrial or Industrial / Office. The potential re-zone would allow the company access to land along the river, removing the potential for beautification efforts along this stretch of the river corridor in the future. I urge you to have this area zoned as Mixed Use to allow for greater protection of this critical area. Thank you-

Dave and Crystal Murphy
2341 Promontory Ct
Grand Junction, CO 81503
970-241-7958

From: "joantom" <joantom@bresnan.net>
To: <kristena@gjcity.org>
Date: 9/3/2007 11:21 AM
Subject: Brady Trucking Re-zonging request

Dear Planning Commissioners:

What is the City thinking??? First we see billboards and an energy services facility on Redlands Parkway leading towards the Monument. These are huge eyesores detracting from one of the major natural attractions of the Grand Valley. And now light industry along the riverfront? If we're going to have massive sprawl, we need at least to preserve and enhance the areas that make (or made?) the Valley so attractive. Please - zone this area Mixed Use and work to make it part of a premier walking/biking corridor.

Thanks for considering my views.

Joan Woodward
254-1656

From: "Harriet Stephens" <hstephens1@bresnan.net>
To: <kristena@gjcity.org>
Date: 9/4/2007 4:46 AM

Re: Zoning of the Brady land

We need to be looking to clean and beautify the GJ riverfront; not industrialize it. There are other location options for industrial business, but there are not other locations for parks or amenable business desiring a riverfront ambiance. Also, this land is located in a floodplain and I hate to think of a flood in an industrial area - the resulting pollution to the river.

Other cities are working hard to clean up thier riverfronts'; we have an opportunity to not mess ours up in this location.

Please zone this area mixed used.

Thank you
Harriet S. Stephens
1150 Primrose Ln
Fruita, Co 81521

From: <Montelizabeth@aol.com>
To: <kristena@gjcity.org>
Date: 9/4/2007 12:28 PM
Subject: riverside property is not the best option for industrial sites

Grand Junction Planning Commission:

Please keep the Brady land as mixed use. Cities across the country are realizing the value of riverside property, with beautification projects, riverside walks, etc.

The Colorado River runs through the center of Grand Junction, and our centerpiece should not look like a junkyard or industrial site. A junky looking riverside does not bode well for the future of Grand Junction.

Rather than zone more land along the river as industrial, Grand Junction needs to be thinking of options to move existing industrial sites away from the river.

When the oil and gas jobs dry up, Grand Junction's natural beauty will be a big draw to the area. The Colorado River as the centerpiece of Grand Junction to be a big piece of that picture.

Keeping the Brady land as mixed-use is a step in the right direction for the future of Grand Junction.

Thank you,

Roy High
2821 Columbine Park Court
Grand Junction, CO 81501
970-245-5267

Get a sneak peek of the
all-new AOL at <http://discover.aol.com/memed/aolcom30tour>

From: "nancy terrill" <nordicski@msn.com>
To: <kristena@gjcity.org>
Date: 9/4/2007 11:27 AM
Subject: Mixed use urged--Brady property

Hello Kritena,

I am very concerned about the riverfront property leased by Brady Trucking.

I oppose any industrial use of the riverfront and strongly urge the City to give

a "Mixed Use" designation to this property. We have an opportunity to make the riverfront more beautiful, not less beautiful, and this wonderful life-giving resource

will stay clean and an area of recreation, enjoyment and pride for our community.

Sincerely,
Nancy Terrill
300 Cedar Ct.
Grand Junction

From: "larry arnold" <larnold47@msn.com>
To: <kristena@gjcity.org>, "larry arnold" <larnold47@msn.com>
Date: 9/4/2007 12:29 PM
Subject: Re: Brady Land at 27.5 Road in GJ

CC: "aileen lotz" <redwing@bresnan.net>, "andrea" <arobinsong@paonia.com>, "...

I neglected to mention that this is in reference to GJ Land Development Application Pending #2007-051. The area is accessible via 27.5 Road off of D Road and is well marked with yellow signs, Re: action pending (just in case anyone wants to go have a look). The Riverfront trail should be continued through that area rather than dumping both foot- and bicycle-traffic out onto C and 1/2 Road as it currently does. That riverfront property simply is not the right location for any type of industry, even "light industry" or office buildings. At dawn this morning, there were numerous waterfowl, wading birds and shorebirds moving up and down the river at that location.

Larry

----- Original Message -----

From: larry arnold<mailto:larnold47@msn.com>
To: kristena@gjcity.org<mailto:kristena@gjcity.org>
Cc: aileen lotz<mailto:redwing@bresnan.net>; andrea<mailto:arobinsong@paonia.com>; billday<mailto:billday@paonia.com>; Carole Brysky<mailto:cbandfitzie@yahoo.com>; coen dexter<mailto:coenbrenda@yahoo.com>; Craig Dodson<mailto:cddodson@mesastate.edu>; jacob cooper<mailto:certhia@bresnan.net>; jason BEASON<mailto:jasonbeason@tds.net>; JMoston<mailto:JMoston@aol.com>; john toolen<mailto:jtoolen@bresnan.net>; kathy kuyper<mailto:chswift@hotmail.com>; riversidepkwy<mailto:riversidepkwy@gjcity.org>; Robert Bradley<mailto:thrasher@bresnan.net>; ron_lambeth<mailto:rolambeth@yahoo.com>; ronda woodward<mailto:woodward@wic.net>; Terri AHERN<mailto:ahernterri@msn.com>; levadjj@bresnan.net<mailto:levadjj@bresnan.net>; paul&fran didier<mailto:didier@cheerful.com>
Sent: Tuesday, September 04, 2007 9:55 AM
Subject: Brady Land at 27.5 Road in GJ

04 September 2007

GJ Planning Commission,

The "Brady property" on the Colorado River at 27.5 Road should NOT be zoned as industrial, whether "I-1" or "I-O" for the following reasons:

* People live across the river from that area and it would degrade their neighborhood with noise pollution, light pollution, air pollution, etc

* ANY industrial activity in a riverine habitat will negatively impact water quality of both surface and ground water, in this case the Colorado River, and down the road somebody will be faced with an expensive cleanup effort and/or fines. Guaranteed. It happens every time.

* Much of this area is in the floodplain, meaning there WILL be release of hazardous materials into the river when flooding occurs.

* Industrial zoning would sabotage the city's efforts toward a green belt and "mixed use" goals, and would also deny future protection of an important wildlife corridor.

Sincere thank you for your consideration,

Larry Arnold
308 Country Club Park
Grand Junction, CO 81503

970-263-0115

From: "Brian Olson" <b.olson37@bresnan.net>
To: <kristena@gjcity.org>
Date: 9/5/2007 9:48 AM
Subject: Brady Property on Colorado Riverfront

Kristena,
With all the positive things that are happening in the southern downtown area of Grand Junction and along the riverfront, it would be a step backward to allow the Brady property along the river to be zoned anything but for MIXED USE.

Thank you.
Brian Olson
2068 Snow Mesa Lane

From: Pamela J Parrish <pparrish@mesastate.edu>
To: <kristena@gjcity.org>
Date: 9/4/2007 7:19 PM
Subject: Brady Land by the river

Hello--I'm in favor of zoning the Brady land by the Colorado river as mixed use vs industrial of any type. Industrial zoning by any river seems regressive and we can look back through time and see what a mess our rivers have been due to this kind of zoning and backward thinking. Please, let's use progressive forward thought and visualize how beautiful the river corridor should be, along with the Los Colonias park.
Pam Wieser

From: "Michael Marquardt" <mrmarquar@msn.com>
To: <kristena@gjcity.org>
Date: 9/5/2007 10:25 AM
Subject: Brady land zoning

To whom it may concern:

I am hoping that you and the Planning Commission will recommend a zoning category of "mixed use" for the Brady land rather than "light industrial" or "industrial/office". As more and more of our open land is devoured by development, please listen to your citizens that we want to retain as much open space as possible, especially on the river front. Objections by neighbors should be carefully considered, as the proposed changes directly affect them and their property. I am particularly concerned as I ride the bike trail down from Orchard Mesa and along the river in that very area on my commutes into the city from Whitewater. At present, that stretch of ride is quiet, clean, and calming, and I would hate to see noise and pollution from industrial activity replace that oasis-like quality.

Thank you for listening.

Sincerely,

Michael R. Marquardt
Whitewater

From: "MARTY GARVEY" <mgifts2@msn.com>
To: <kristena@gjcity.org>
Date: 9/5/2007 11:32 AM
Subject: Brady Trucking rezone

Rezoning for one special interest sets a bad precedent for all zoning regulation enforcement and will lead to spot zoning throughout the county. An exemption for Brady trucking is just such an example of poor zoning practice and is not in the best interest of Mesa County residents. Margaret B. Garvey

From: "Carol Ortenzio" <protenz78@gmail.com>
To: <kristena@gjcity.org>, <jimmd@gjcity.org>, <lindat@gjcity.org>, <greggp@g...>
Date: 9/5/2007 2:11 PM
Subject: Brady Land Zoning

I am writing to voice my objection to making the Brady Trucking land purchase at 27 1/2 Road I-1 & I-O. This land should be zoned MIXED USE.

The City of Grand Junction & Mesa County have spent years cleaning up this area of the riverfront at a very high cost. As you already know, uranium mill tailings have been removed from the site. Salvage yards & other heavy industrial uses were purchased & removed as part of the riverfront project. To place industrial zoning on this parcel opens the door to re-polluting the area, totally negating the efforts to clean up the riverfront & wasting monies spent on clean-up.

Also, the many homes across the river from this property would be impacted by noise, offensive odors, & an industrial view of the trucking company. This is property that should enhance, not degrade the city. We should be planning a riverfront area that is the ideal location for parks & trails, restaurants, shops, & other possibilities such as a band shell or even concert hall. Other cities have beautified their riverfronts & brought revenue & beauty to their city. Imagine the income from local & tourist dollars it could bring in!

This area is in a flood plain. With an industrial zoning, there brings the increased risk of pollution & damage to the waters & endangered fish in the Colorado River. Our water is much too valuable to risk.

Let's not become a city of ugly vistas. Let's continue on our journey to become an area of culture & beauty.

PLEASE, make these 3 parcels MIXED-USE ZONING CLASSIFICATION.

Thank you.

Carol Ortenzio, 306 Dakota Drive, GJ 81503

From: Bill Haggerty <haggerty20@bresnan.net>
To: <kristena@gjcity.org>
Date: 9/5/2007 6:36 PM
Subject: use of Brady property...

To Whom it May Concern: I'm amazed that after nearly two decades of clean-up along the Colorado River, the planning commission would even consider a light industrial designation for property near the Western Colorado Botanical Gardens. I have personally spend hundreds of hours helping to clean up the riverfront property around Watson Island and many other parcels. I've spent even more time promoting it as a clean, healthy environment we can all enjoy. Please do not designate this area as light industrial. I believe that is a step in the wrong direction.

Sincerely,

Bill Haggerty

--

Bill Haggerty
250 E. Fallen Rock Rd
Grand Junction, CO 81503
970.245.7028 (h)
970.270.3509 (c)
haggerty20@bresnan.net

From: "Magoon, Janet " <jmagoon@mesa.k12.co.us>
To: <kristena@gjcity.org>, <belindaw@gjcity.org>, <planning@gjcity.org>, <la...>
Date: 9/5/2007 4:49 PM
Subject: Industrial zoning on the river-

Members of the Planning Commission, City Council members, Mayor Doody and Laurie Kadich,

The zoning issue addressing the Brady Parcels along the banks of the Colorado River did first come to my attention because I reside across the river, however, my personal interest goes far beyond the scope of my neighborhood. Since I do have property above that area, I am extremely concerned about noise/odor/lights as are most of my neighbors and every park user I have spoken with.

Beyond that, as a concerned citizen of Grand Junction, I find the opportunity of developing Las Colonias Park and linking it to Eagle Rim Park incredible! It will unify the two parks, and a foot bridge in-between is a unique asset for commuters, nature enthusiasts, and park users. I find the future use of the 3 Brady parcels on the river bank of extreme importance from a visual and noise aspect for both parks but especially for Eagle Rim Park. It IS an awesome view from the rim and sound carries easily over the water. The Spanish Trail memorial was just placed over-looking that area. We need to make it presentable along the river for all those who value the river as the essence of life in this desert valley. An "eyesore" IS an eyesore and although Brady Trucking has not declared what they intend to put on potentially zoned I-1 land, let's face it, no amount of landscaping can obscure the view from the Eagle Rim Park.

More importantly, as a concerned citizen of the United States, I find industrial zoning along the bank of the Colorado River (in a flood plain, no less!) a reckless and irresponsible proposal. Industrial zoning would allow for heavy vehicles and equipment, outdoor storage and outdoor operations/manufacturing. We have seen what happens when big trucks have accidents or leak contents...it does not belong on the river. Brady has I-1 zoning right across the street. That is close enough to the river for that sort of zoning.

After much thoughtful consideration and input from a multitude of good people with healthy, futuristic visions, my hope for the area (if CSR is not an option) would be to zone all 3 parcels as "Mixed Use". I believe that zoning choice would be the least destructive to the environment and the most considerate to the neighboring residents and park users.

From Page 6 of the South Downtown Neighborhood Plan given to citizens at the Riverside open house August 2007....."the River does present excellent opportunities to maintain and enhance amenities that have already been placed along the River including the Botanic Gardens, the Riverfront trail system, the Old Mill pedestrian bridge and the community investment of the Riverside Parkway. The topography of the site is also an important consideration. While the South Downtown area

itself is flat, it is significantly lower than Orchard Mesa to the south. This makes it a very visible area as well as presents some unique opportunities for views and vistas."

Thank you for your time and consideration,

Sincerely,

Janet Magoon

Bennett Boeschstein, AICP
1255 Ouray Ave.
Grand Junction, CO 81501

Mayor, City Council & City Manager
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Re: Rezoning the former Rendering Plant on the Banks of the Colorado River

The Grand Junction Planning staff has listed three zoning categories it believes would be appropriate in view of the City's amendment to the master plan for the above mentioned property: 1. I-O Industrial Office, 2. I-1 Light Industrial, 3. M-U Mixed Use

It is my opinion that the MU zone would be the most appropriate zone for the site for the following reasons: 1. it has specific performance standards for nuisances such as noise, vibration, glare and hazardous materials, 2. it requires appropriate screening, buffering and open space and enhancement of natural features and 3. it does not allow outdoor storage and operations. The drawback to this zone is that it allows multi-family housing; however, any structure including multi-family housing must meet the strict standards of the City's Flood Plain ordinance which incorporate the requirements as established by the Federal Emergency Management Agency (FEMA).

In addition, I hope the City Council, Planning Commission and staff will examine the site plan of this development to insure that its possible harmful effects are mitigated. Items such as a riverfront paved trail with landscaping along the River's edge, raising any structure one foot above the 100 year flood plain and/or flood proofing below the 100 year flood plain and establishing strict environments standards to prevent noise, air and water pollution should all be part of an approved plan. (This site was underwater during the flood of 1983.)

There are appropriate alternative locations for this trucking facility which are located away from the Colorado River on the Riverside Parkway. These sites are vacant and are zoned industrial.

This community has worked too long and hard in cleaning up the riverfront of salvage yards, low- level radioactive uranium mill tailings, and polluting industries to allow a potentially new polluting industry to locate on the riverfront.

Thank you for your consideration of my request.

Sincerely,

Bennett Boeschstein, AICP

xc. City Planning Commission

Agenda Topic: Brady South Zone of Annexation-GPA 2007-051

Requesting placing I-1 on the Colorado River bank and in the extensive Flood Plain and I-O on the River bank on two parcels eastward parts of which are also Flood Plain.
Location: 347 and 348 27 ½ Rd and 2757 C ½ Rd.

Dear Planning Commissioners, City Councilmembers and City Planning Staff and City Manager.

You have a rare opportunity to weigh most carefully and consider information regarding zoning to be placed on the banks of our (Nation's-Interstate) Colorado River. This is not a decision to be made without an in depth understanding of the impact of your decision. It is not one to be made hastily. It is not a political decision but it must be an unselfish and thoughtful one based upon many facts.

You may hear arguments that some of the newly acquired Brady Trucking Firm land on the river bank was zoned industrial when it was in the County and therefore it should remain industrial in the City. Those decisions were made early in the last century. Now that it has been annexed into the City, the applicant is requesting I-1 or Industrial 1, on a west parcel and I-O (Industrial / Office) on two east parcels. The argument to keep the zoning is no longer valid. We have all learned much about the importance of rivers, riparian habitat, flood plains and water quality since those early days when Industrial uses were allowed adjacent to or close to rivers.

The U.S. Fish and Wildlife has provided to YOU compelling reasons for the City NOT to put industrial zoning back on the Colorado River. The United States Fish and Wildlife's primary concern is the flood plain of this area. The Critical Habitat for endangered fish is inclusive of the Flood Plain. The Fish and Wildlife refers to the endangered fish in the report. Nearly ALL of the West Parcel is in the Flood Plain and some amounts of the east parcels are in the flood plain. The Rendering Plant was flooded in the early 1980's. I witnessed people canoeing on the property. The flood carried off a heavy log bench that was cut from a cottonwood tree on the south bank. You have been provided with copies of that extensive letter. **Rocky Mountain Bird Observatory** has given input on this area that should not be Industrial. **The Division of Wildlife** has recommended a 300 ft corridor along the river for wildlife.

The staff report CLAIMS that the proposed zoning is "Compatible" with adjacent zoning. Let's take a closer look at that.

Please refer to the staff report on page 1. "Surrounding Zoning"

NORTH: the surrounding zoning is CSR – Recreational (Las Colonias Park) and a very small amount across C & 1/2 Rd is I-1.
SOUTH: R-5 and also CSR (Recreational). Eagle Rim Park is the CSR on the South border. Hopefully you understand that the River is not a buffer from Industrial to Residential because of the PHYSICS of sound. The BLASTING LOUD racket created by the Aspen Drilling Company, who had leased the property this summer from Brady in no.

*P. H. pg 1 of 2
copy given
to planning*

way can be considered compatible to the zoning at Eagle Rim Park or for the adjacent zoning of the neighborhoods. Proposed I-1 zoning would be noisy-not compatible to parks and residential zoning. Noise adjacent to residential areas should not be tolerated in any zone.

EAST: RSF-R in the County, again Residential Zoning

WEST: again CSR –Recreational- or Las Colonias Park

A Planning Commissioner observed that the zoning was not compatible at the Growth Plan Hearing.

An alternative could be MIXED USE, (MU. It is more protective of the River and compatible to adjacent zoning. **It has restrictions that support the South Downtown Plan** regarding Views from Eagle Rim. The applicant's proposal for zoning allows uses as outlined in **TABLE 3.5 Use/Zone Matrix - pg 23 of the staff report** that are a direct contradiction to the South Downtown Plan. **See the Downtown Neighborhood PLAN** pages 6 and 9. Heavy vehicles would be allowed and outdoor storage allowed. This can not be buffered from the view of the Orchard Mesa Eagle Rim Park which you know is high above the river.

Gas and petroleum storage is Conditional in both I/O and I-1 zones but it is not allowed in Mixed Use. No storage of gas and petroleum is more protective of the river.

The area that is not in the Flood Plain could be residential as allowed by Mixed Use although CSR would be better still.

In addition a land trade is possible and the applicant is willing. Also the applicant has received (according to the City staff) offers for this property. This matter should be tabled. However, if you must place zoning on these parcels at this point in time, then choose The City of Grand Junction's Planning Department alternative recommendation of "Mixed Use" as noted in the staff report. It respects the applicant, it is compatible to surrounding zoning and it is most protective of the river.

For your convenience I have included a copy of the U.S. Fish and Wildlife input regarding this matter, a map of the Flood Plain that he refers to and copies of the petition signed by many neighbors and trail users that was presented to the City Council when the applicant had requested a change in the "Growth Plan".

Thank you,

Penny Pauline Heuscher
330 Mountain View Ct.
Grand Junction, CO 81503
August 30, 2007

pg 20/2

For inclusion in Planning Commission and City Council Packets.

Dear GJ Planning Commission:

My name is Janelle Heiden. I have for 16 years been a proud resident of Grand Junction, Colorado. That being said, I would like to offer you my opinion on a change that may be taking place in our community. As you may already know, I am writing this letter concerning the potential development of the Eagle Rim area in Orchard Mesa. I believe that we should keep it free of industrial use and use it primarily as a mix use area. In my opinion, using the land for the Big Trucking Company would destroy a lot of beautiful wild life and land that is in use by the Community every day. Also, the eagle Rim area is very close to the river, putting a trucking company there may danger the water and its natural habitats that live in or around it. I do know that this change would bring in money and jobs to our community but is it wroth the risk or destruction of a well known area? I believe not and think that this place is not safe and/or even convient to locate such a company.

Thank you for your time,
Janelle Heiden, Central High School Student

Dear GJ Planning Commission:

I am a student at Central High School and I am expressing my opinion about the matter of the truck transporting business by the river by orchard mesa.

I think that this would be a bad thing for the people and the environment from the possible contamination of the river and the surroundings, they would also be ruining the scenery and the animals around that area.

Sincerely, Scott Miller

Dear GJ Planning Commission:

My name is Ashley, this is my senior year at Central High School. I would have to say my opinion on this matter would have to be to make it a zoned mixed use. My understanding is the neighborhood overlooking this area does not want to see a trucking business run and spread out instead of there scenery. To me that's just a materialistic problem and is not a big deal. The big deal to me is the water, and what will happen if this is placed right next to a river. Water is more important in this world than any trucking business. I do understand it is there land but keep in mind we need good water. Thank you for taking the time to read my side of this.

Ashley Taylor

Hello, my name is Tim Ostrom. I'm a senior at Central High School. I think that the neighbors have a say in how the view will look. They are living there, they should at least get to express their opinion. Sure the company owns the land but it would be nice to keep the beautiful land that we have. Thank you for considering my opinion.

Sincerely, Timmy Ostrom

Dear GJ Planning Commission:

My name is Katy. I think Brady Trucking should be able to do whatever they want with the land. It's theirs to build on.

If Brady Trucking can build there factory without polluting the River, then I'm fine with it. I'm not the one who has to look at it every day. Thank you for reading this and considering my opinion and I hope you will use this to help with your decision.

Sincerely, Katy Kean

Grand Junction Planning Commission,

My name is Seth King. I'm a Senior at CHS and have lived in Mesa County for 17 yrs. My opinion on this issue of debate is a zoned mixed use. I know that Brady Trucking Company owns the land which they want to make industrial but it's not fair. I plan to live in the Mesa County for as long as I live, but if this is the way parks and trails are going to be treated I have no interest. That is why most people are in Mesa County, because of the nice parks and beautiful trails. Good luck with your decision.

Sincerely, Seth King

Dear GJ Planning Commission,

9-11-07

My name is Samantha Martinez and I moved here close to a year ago. Grand Junction is a really great place to live and has so many places. In my opinion I think the zoned mix use would be a better thing to do for the community. We need to keep the park and the water quality in good shape. The idea of having a bunch of industrial buildings around that area is not a good idea. The neighbors around the area would like to look out their windows in the morning to see a great view of the park and stuff, not some building and industrial things. I give you my opinion here today because I care about the community and the people around. Thank you for reading this.

Sincerely, Samantha D. Martinez

Dear: GJ Planning Commission

I am a student at Centairal high school. I have lived in Grand Junction all my life. I belive that the trucking company owns the land and if they want to make it a light Industrial zone then they can. How ever I think actions to help persurve the quality of are water need to be taken.

John Vantassel

Dear GJ Planning Comission,

Hello, my name is Alexandra Fisher. I attend Central High School. I help my parents pay taxes so I feel my voice should be hurd! My grandma lived in that area for quite a wile and I remember always going to the park and play and go down to the river and catch frogs. Yes, I'll agree that the trucking company owns the land, but what will this do to the quality. The neighbors can't really choose how there view is going to look but they should have a say in water pollution. So that zone should be demmed mixed use. The company will also cause air pollution and with a school right down the street all this pollution that is going to happen can damage the well being of out youth. Thank you for taking the time to read this letter and please take into consideration what I have to say.

Sincerely, Alexandra Fisher

Dear GJ Planning Commission,

My name is Veronica and I am a senior at Central High School. My opinion on this is that, yes, it doesn't seem fair to the neighborhood because of what could happen to their water supply. They could get different chemicals in their water, that could harm them. I do have to agree that yes the neighborhood does not own the property so you could really do whatever you wanted. But you also have to think about how it could effect them.

Thank You For Taking Our Opinions In Consideration
Veronica Ortega

Dear GJ Planning Commission,

I am a senior a Central High School and I've lived here all my life. I think it would be ok to change it to a light industrial zone as long as the water quality is effected. I wouldn't mind big buildings going in there if they don't hurt the enviorment. Thank you for taking time and hearing out my opinion about this plan.

Thank you, Mac Cooke

Dear GJ Planning Commission,

I am a 17 year old Senior at Central High School. I have lived in Grand Junction for 13 years now. I recommend and hope you considering keeping the zoning as it is and wanting to change it. The Brady Trucking Company is thinking of changing it for the better but I don't think that they are considering the thought of how it will harm the water. So my vote is to keep the zoning the same as it is and changing it for industrial use.

From Daniel Ambriz

Dear GJ Planning Commision,

I'm Devin Schneider a senior at Central High School. I think the area should be zoned for mixed use. The small mountain town of Grand Junction is growing and that means more people. So there should be a park or something like it.

Sincerely, Devin Schneider 9-11-07

Dear GJ planning Commission

I am a student at Central High School. I am a Senior this year. I am writing about the Egale Rim Park. I don't really care what you decide, but I hope you make a decision that is best for everyone in the area.

Sincerely, Jeffrey Anderson

Dear GJ Planning Commission,

McKenna Blair 9-11-07

I am a senior at Central High School and would first like to thank you for taking the time to hear my opinion. I am glad that you have taken into consideration the opinions of those around this issue as well as those directly influenced by it.

As far as the "zoned" area stands with me, I must agree with the neighborhood on this topic. A light industrial zone is indeed a great and well thought-out plan, but at the same time, it only benefits the trucking company.

Should the neighborhood's plead be heard, more room for far more useful things can be created to better suite the community as a whole. I will not list these advantages because I'm sure the residence have already spoken the available possibilities.

I thank you again for listening to my opinion, and the opinion of my fellow students. My your final decision benefit our community in the best possible way.

Dear Planning Commission,

My name is Kevin Hill and being a Grand Junction citizen I believe that the trucking company should choose what they want. The trucking company owns the land. Grand Junction is a growing city and industry is going to happen. This zoning would be a great start to a blooming county and could jumpstart the towns livelihood. Brady should be allowed to build there as long as water quality measures are taken. I hope my opinion has helped you decide your choice.

Sincerely, Kevin Hill

Dear GJ planning commission,

My name is Gissela Tercero, I am a junior at Central High School. I have lived here all my life as well as my family. My opinion in all of this is that the trucking company should not go on with there plans because it would ruein the neighborhood and that part of orchard mesa. Mainly because of all the noise and trucks coming in and out. Personally I do not think it is a very good idea and the neighborhood should have this vote! Thank you very much for taking your time to read my opinion.

Gissela Tercero

Dear GJ Planning Commission,

My name is Brandon I am a junior at Central High School and I have lived in the valley for 12 years. I think that the area owned by Brady trucking should be zoned mixed so that the water won't be polluted and the park will stay pretty. These people were here first and should have the opportunity to live in a peaceful place like everyone else.

Sincerely, Brandon Kendall

Dear GJ Planning Commission,

My name is Zach Martinez. I am 16 years old. I have lived in Grand Junction for 13.

My opinion is a mix use. I am ok with that company opening their factory there. As long as it deosn't affect how the town is run. Also if it effect air pollution then i disagree. We polute to air already enough as it is. Water polution is another big deal with me. If it is going to polute anything it shouldn't be done. All polution does is kill the Earth and us faster.

Sincerely, Zach Martinez

Dear GJ Planning Commission,

9-11-7

I am a senior at Central HS, I have a job and getting ready for the real world. My opinion is that the Orchard Mesa Park should be zoned Mixed Use. I believe that even though I am only a student I should still have a say in what will happen to the Park because I will be the one who has to live with it. So please take my thought into consideration. We have to live with it so why put big companies there leave it as it is. Thanks for your time.

Concerned Student, Maggie Bagley 12th grade senior Central High School

Dear GJ Planning Commission,

Hello, I'm Chris McDonald and I am a junior at Central High School. Our teacher read a paper to us to see our opinion on what the Council is talking about doing with proposed Rezoning of the riverfront land across from Eagle Rim Park. Technically I like the idea, but what about the people that like the walk-way or the park? Where will this put the middle school? You have 29 road going right up to Orchard Mesa and 5th Street. I would stick with what we have right now, because there will be a lot of citizens upset about it if it happens. Really there isn't a reason for it. Thank you for your time spent reading this letter.

Concerned Student, Chris McDonald

Dear GJ Planning Commission,

I am a student at Central High School, and I'm a junior. I have lived in Grand Junction my whole life so far.

My opinion about the zoning is that I would like the zoned mixed use because I like the park and where it's located in Orchard Mesa. I think it should be this because I want the better water quality, and no flood plain. So this is what I think should happen.

Sincerely, Sara Ammerman

Dear GJ Planning Commission,

I'm Brittany Case, a Senior at Central High School. I think that the land should be zoned for mixed use. Grand Junction is growing big but I think that we should use that land for a park like setting. With Eagle Rim Park near by & the river front trail it should be used for recreation. I know I wouldn't want to be walking down a quiet peaceful river and then come into an industrial area that's loud, and the air is polluted. Grand Junction is a home at mountains and the small community feel. We don't need any more pollution in the air. Lets keep Grand Junction the home of the outdoors & make the zoned land park-like settings.

Thank You For your time, Brittany Case 9-11-07

Dear Grand Junction Planning Commission,

9/11/07

My name is Ashley Sidoneyz. I attend Central High School, and have lived in the Eaglerim park area a couple of times.

I think that Eaglerim should remain as a mixed use zone for a number of reasons. Considering that we are already having water issues, we need to leave the river alone to maintain good qualities of water and a good supply. Another reason being that the park serves so many purposes. Many of my friends enjoy the skate park, my younger brothers love the playground, and my parents and I enjoy the peacefulness of looking out at our city and what it is.

If we take this away, air will become polluted, we will have less clean water, and families will have to resort to other options for entertainment which may not be spent in Grand Junction. Our City is more of a homely place rather than an industrialized city. Please keep it this way.

Student of Central High School, Ashley Sidoneyz

Dear, GJ Planning Commission

Im a junior from central high School. I think the land should be zoned to mixed use. I think this because there is already a bridge put there for walking they don't need another one. I also think that by Putting another bridge there it would decrease wildlife habitat.

Sincerely, Student from central high school
Chase Liddecoat

Dear Grand Junction Planning Commission,

My name is Muranda, I'm currently a senior at Central High School. I personally believe the zoned area should be a mixed area, which would include keeping the park, keeping the water quality high, and keeping property value around the area high. Many students, including myself, throughout this Grand Valley, will consider attending Mesa State and continuing to live in this area and community and possibly raise our children here. Why would we want to take away our landscape and parks in replace to trucks and industrial type things? I'm sure many people are going to benefit from clean water and a place for children to play, than a trucking company where only a few would prefer that option. I hope you consider others opinions when deciding what to do with the zoned area in Orchard Mesa.

Thanks, Muranda O'Grey

Dear GJ planning Commission,

My name is Nathan Bell and I am a student a Central High School. I am wrighting to you because I think that the river front should be zoned for mix use. Personaly I would rather have a cleaner river than some trucks pluting it up. I also like to BMX so if that jeperdises the skate park there that would suck. Also my family really like that boardwalk for bikes and walkers. And why would you want to take all that stuff away after you pretty much just put it in. I just think that it should stay the way it is because it has worked out good so far.

Sincerely, Nathan Bell

Dear, GJ Planning Commission,

I am Bryan A. Trice a senior at Central. I think you should make the Highway. It will help people how to not have a car, turck or S.U.V. Just make life easier on workers and man kind alike. The enivorment is already destroy so Just Do It

Bryan Tice CHS.

Dear GJ Planning Commision,

My name is Janelle and I'm a junior at Central high School. I have only lived in Junction for 3 yrs. My whole family is from this area pretty much.

My opinion on the whole River front being threatened is just go ahead with zoned light industrial. Brady trucking already owns the land so really nothing more to be done. Im sure after building the offices and buildings that you can figure away around the floodplain and make it work for all.

Thank you GJ Planning Commision for caring about our opinions!

Sincerely, Janelle Heil

Dear GJ Planing Commission.

My name is David Hamilton I pay my taxes so I believe so have a right to say some thing about what goes on. I believe that the area in question should be zoned as a miexed use zone because people live in this area. There is the need to make money that is what Brady Trucking is trying to do.

David Hamilton CHS

Dear GJ Planning Commity,

I am Michael Fraser from Central High School. I have lived here for close to 10 years of my life and I have been to the Eagle rim Park countless times. I think that your group should use the land better than put a noisy highway through my fav. Roller blading spot. I also waouldn't like to see this to industrial zone.

Thank you for reading this

Sincerlly, Michael Fraser

Dear GJ Planning Commission,

I'm 17 years old & a senior at Central High School. Iv been living here in GJ since I was 4 years old so what goes on in the community is very important to me an towards the Orchard Mesa Eagle Rim Park project. I think the zone should be a a Mixed Zone use. As long as it does not affect the water quality in the river, & as long as it does not make any more air pollution.

Sincerely, Sabrina Morales

Dear GJ Planning Commission,

My name is Trish, and I'm a junior at Central High School. I've lived in Grand Junction basically my entire life. Before my mom moved down here with my sister and me, my family lived in Denver and now we live all over the country.

I have read and heard about your idea to start rezoning of riverfront land across from Eagle Rim Park. Although I'm 16 and have a lot of friends around 17-19 yrs. Old we enjoy our environment very much. We like to drive around and occasionally stop by random parks to hang out. Rocket Park, Eagle Rim Park, and Longs Family Memorial Park are our favorite parks to hang out. The view of the sky late at night when your swinging on the swings is just so sweet to lose. Sure it is only one of the three parks we like to hang out at but still we go to Eagle Rim Park we go to the most and losing all the trees and fresh air would really suck.

Yours Truly, Patricia Shubert

Dear GJ Planning commission,

My name is James Contreras and I'm a junior at Central High School. I have lived in Colorado most of my life but some changes can be good or bad. My opinion is that we should have a mixed use zone because there are homes and families that like to go out in about to have some fun. It could be dangerous in some ways like if an eight year old was playing by the construction the kid could get hurt and the family will sue the company.

Sincerely, James Contreras

Dear Brady Trucking,

9/11/07

We ask you to not put your trucking company next to our river water.

With the problems of pollution already you will add to that, along with other problems. The runoff can get high, and what if it floods? Well there goes all of your equipment down the river.

Many locals float down the river for a nice relaxed day and then when they come by you it's not so relaxed anymore. I really disagree with your company being built there. Many health problems can be a risk for not only you and your employees but the many people that live in Grand Junction. Please don't only think of you but the citizens that live here.

Sincerely Alyssa. M

MINUTES FROM 9/11/2007 PLANNING COMMISSION MEETING

**GRAND JUNCTION PLANNING COMMISSION
SEPTEMBER 11, 2007 MINUTES
7:00 p.m. to 9:40 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul A. Dibble (Chairman), Roland Cole (Vice-Chairman), Bill Pitts, Tom Lowrey, Patrick Carlow (1st alternate) and Ken Sublett (2nd alternate). Commissioners Lynn Pavelka-Zarkesh, Reggie Wall, and William Putnam were absent.

In attendance, representing the City's Public Works and Planning Department - Planning Division, were Lisa Cox (Planning Manager), Lori Bowers (Senior Planner), Ken Kovalchik (Senior Planner), and Kristen Ashbeck (Senior Planner). Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.
There were 42 interested citizens present during the course of the hearing.

IV. FULL HEARING

- 11. GPA-2007-051 ZONE OF ANNEXATION – Brady South Annexation**
Recommendation to City Council on a Zone of Annexation for property located at 347 and 348 27½ Road and 2757 C½ Road from County Heavy Industrial (I-2) to City Light Industrial (I-1) and Industrial Office Park (I-O).
PETITIONER: Jennifer Brady – SLB Enterprises, LLC
LOCATION: 347, 348 27½ Road and 2757 C½ Road
STAFF: Kristen Ashbeck, Senior Planner

Chairman Dibble mentioned that a petition had been received that pertained to the Growth Plan Amendment, not the Zone of Annexation. Therefore, the petition would not be received into evidence this evening.

PETITIONER'S PRESENTATION

Robert Jones II of Vortex Engineering, 255 Vista Valley Drive, Fruita, Colorado, addressed the Commission as applicant's representative. Mr. Jones stated that applicant was requesting a zone of annexation of three parcels located directly south of the intersection of 27½ Road and C½ Road. The requested zoning is a combination of I-1 and I-O. Mr. Jones stated that the three parcels are approximately 12.6 acres in total size. He further stated that the existing zoning of the three parcels has been Heavy Industrial, I-2, for some time in unincorporated Mesa County. Applicant is requesting to zone the westernmost parcel I-1 and transition the zoning to I-O for the

two parcels to the east. He went on to state that the proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan. He also advised that the Growth Plan designation for these parcels is Industrial on the westernmost parcel and Commercial-Industrial on the two parcels to the east. Additionally, Mr. Jones stated that adequate public facilities are available or will be supplied at the time of specific development. The proposed zoning combination would allow for an adequate buffer between the CSR zoned property to the north and west and the residential properties to the east.

STAFF'S PRESENTATION

Kristen Ashbeck, Senior Planner, of the Public Works and Planning Department made a PowerPoint presentation regarding the requested zone of annexation. Ms. Ashbeck confirmed that the annexation of the three parcels has been completed and the Growth Plan amendment was approved for the two easterly parcels in July 2007 by City Council. Kristen stated that the biggest difference between I-1 and I-O is that outdoor storage and display are allowed in I-1 much more so than they are in I-O as a CUP would be required in the I-O. Ms. Ashbeck stated that the zone districts conform with the Growth Plan Future Land Use Map and the proposed transition across the site as well as the natural buffers to the south and to the east will create the compatibility that the Code requires. She went on to state that public facilities and services are available or can be upgraded or supplied as the property develops in the future. Finding that the proposed Zone of Annexation request meets Code criteria, Ms. Ashbeck recommended approval of the I-1 and I-O Zone Districts as proposed by the applicant.

QUESTIONS

Commissioner Cole asked if the requested zoning is much less intense zoning than what is presently on the property. Ms. Ashbeck confirmed that the requested zoning represents a significant down zoning from the current I-2 zoning.

Commissioner Pitts raised a concern regarding the 100-year floodplain. Ms. Ashbeck confirmed that the westerly parcel is most impacted by the floodplain. The other two parcels are not impacted as much and can be developed more readily as there are no regulations in the 500-year flood plain.

Commissioner Lowrey asked if applicant could still make use of the land with the M-U. Ms. Ashbeck stated that there are viable uses allowed within the M-U zone district.

Chairman Dibble asked if the I-O zone district would allow more latitude in defining what is done on the property as well as floodplains and setbacks. Ms. Ashbeck confirmed that industrial uses or outdoor operations and storage require additional levels of review by the Planning Commission.

Chairman Dibble asked what the differences between the I-O designation and the M-U designation are. Ms. Ashbeck stated the M-U still does allow some outdoor storage

and outdoor operation uses. She further stated that similar to the I-O and I-1 differences, in the M-U designation there are some uses that require a CUP wherein an I-O designation may not. The other major difference is that residential uses are allowed in the M-U Zone District.

Commissioner Sublett asked for clarification about buffering differences between the M-U and the I-O. Kristen Ashbeck stated that the I-O is very defined by the Code. However, in an M-U the buffers are to be built within the project and looked at specifically as the project develops.

PUBLIC COMMENT

For:

Russ Justice, operations manager for Brady Trucking, stated that they have asked for this zoning because it is quite a bit less than what is on the property. He stated that there is already a natural buffer on the south side of the property. He stated that they intend to be friendly to the community and to the river. They believe that the lighter zoning will accommodate future development.

Dale Hart stated that he has been looking for some industrial zoning within the City limits. He believes that the M-U designation would not be a very good thing for the City. He requested approval as requested by applicant. He would also like to see the boat launch for emergency rescue services to be maintained.

Bill Wagner, 300 Cedar Court, requested that the Commission consider the Los Colonias project as well as the riverfront. He believes a buffer on the westernmost parcel is needed to transition from residential to industrial. He would also like to see the riverfront trail be continued to the east end of the property.

Terry Reynolds, 557 Sol Lane, stated that he is part owner of the video surveillance system suppliers that are working with applicant. He stated that approval of this project would be a positive thing for Grand Junction and Brady Trucking's business.

Clayton Brown, 552 Eastbrook, stated that Russ Brady can be taken by his word and applicant's zoning as applied for should be granted.

Robert Jones, 1880 K Road, Fruita, stated that approximately 12 years ago he was a general contractor for the City of Grand Junction and poured part of the Riverfront Trail that is west of the Botanical Gardens. He believes this should be approved especially considering that applicant is proposing to extend the Riverfront Trail.

Against:

Janet Magoon, 2752 Cheyenne Drive, made a PowerPoint presentation. She stated that she does not see the river as a natural buffer as it is not that wide. She further stated that the surrounding properties are primarily residential and park. Ms. Magoon

stated that she is extremely concerned about noise, odor and lights. She stated that she finds the future use of the three Brady parcels on the riverbank to be of extreme importance from a visual and noise aspect for especially Eagle Rim Park. Furthermore, she stated that no amount of landscaping can obscure the view from Eagle Rim Park. She also believes that industrial zoning along the bank of the Colorado River, in a floodplain, a reckless and irresponsible proposal. Ms. Magoon would suggest zoning all three parcels as Mixed Use as it would be the least destructive to the environment and the most considerate to the neighboring residents and park users.

Bennett Boeschstein, a retired City planner, stated that he is also a former Community Development Director for the City of Fruita, prior to that he was Grand Junction's Community Development Director and prior to that he was Mesa County Planning Director. As such, he is very aware of certain clean up projects along the river. He went on to the assessor's webpage and stated that he has found some parcels owned by the City which would be more suitable for Brady Trucking. He said that the total acreage that the City of Grand Junction owns that can be swapped for Brady Trucking's 16.15 acres is 31.75 acres. Mr. Boeschstein further stated that the industrial zoning is incompatible because to the north and west there is a park; there is residential, a park and a school across the river; and the only industrial that abuts the subject parcels is a small corner on the eastern edge. He too believes that the M-U zone would be the most appropriate because it has specific performance standards for nuisances such as noise, vibration, glare and hazardous materials and requires appropriate screening, buffering and open space and enhancement of natural features and limits outdoor storage. He also believes that the City's floodplain needs to be strictly adhered to. He suggested that if approved, staff needs to examine the plan of development so that there is a riverfront paved trail with landscaping along the river's edge, raising the structures one foot above the 100-year floodplain and/or flood proofing below the 100-year floodplain, establishing strict environmental standards to prevent noise, air and water pollution. He urged the Commission to think about what the community has done to clean up the riverfront and to be very careful about this zoning decision.

Penny Heuscher of 330 Mountain View Court addressed the Commission and stated that Judges Robb and Ela, among many others, led this community with government in formulating a vision for the riverfront. She further stated that industrial has been taken off the river and industrial zoning is not appropriate for sensitive areas. She believes that Mixed Use is the most appropriate zoning for this area because it is more protective of the flood plain and the endangered fish, it would be a better transition, and allows more restrictions on things like outdoor storage and would be more in agreement with the South Downtown Plan. Ms. Heuscher also stated that the river does not act as a buffer from noise but rather accentuates noise. Finally, she believes that Community Recreational zoning would be the ultimate best zoning and a land swap would be best for the river and the community.

Katie Sewalson, 1537 Grand, a Central High School science teacher, appeared on behalf of herself and some of her students. Furthermore, she is a truck driver in the United States Army Reserves and is aware of pollution caused by trucks,. She stated that her main concern is with the pollution as well as aesthetics. She submitted some letters written by some of her students.

Hannah Holm, 1800 North 3rd Street, stated that she is the water organizer for the Western Colorado Congress but spoke on behalf of herself and several residents. She stated that she opposes industrial zoning for these parcels, particularly the I-1 zoning, primarily on water quality grounds and because of the flood plain issues. She also said that industrial activities so close to the river raise the potential for impact to the water quality from spills and also from storm water runoff. Ms. Holm also stated that the Mixed Use zoning would likely have fewer impacts on water quality from hazardous materials and there would be higher performance standards associated with it. She also believes that the Mixed Use zoning would open up more opportunities for development that could complement rather than detract from the parks and the neighborhoods.

Lee Gelatt, 320 Country Club Park, stated that he would like to encourage the Commission to be as restrictive as possible to the zoning. He represented that protecting the riverfront and its riparian habitat should be a high priority for the Grand Valley. Mr. Gelatt submitted a letter from Mr. Rich Levad.

Enno Heuscher, Mountain View Court, stated that he is a former vice president of the Audubon Society. He recommends that the Commission turn down the current zoning request of Industrial Office and Industrial-1. According to Mr. Heuscher, the Mixed Use zoning would provide the best flexibility for the planners to help the owner have appropriate and safe development of this particularly ecologically sensitive site. The M-U zoning would allow for someone to live on the site to protect the assets of the commercial enterprise and would allow for more requirements for conditional use to ensure reasonable hours of operation.

PETITIONER'S REBUTTAL

Robert Jones II addressed the concerns raised. Mr. Jones stated that it is important to realize that the supply of larger parcels zoned industrial are short in the location of the downtown region and believes that the community will derive benefits from the proposed zoning. Additionally, he said that the City and Riverfront Commission had the chance to purchase the subject property but did not. He also stated that the I-1 district on the western parcel will provide for the maximum buffer to Los Colonias Park. Mr. Jones stated that they had met with representatives of the Riverfront Commission to specifically discuss the potential and plan for extending the riverfront trail along the south side of this property directly adjacent to the Colorado River and continuing north along the east side of the parcel in order to have a connection into C½ Road. Accordingly, the trail and buffer should provide for an acceptable mitigation to the

Colorado River and the residential homes to the east and south. The trail along the river will be provided by the applicant at the time of site development.

QUESTIONS

Chairman Dibble asked if it was Mr. Jones' understanding that both the I-O zone and M-U zone would allow outdoor storage. Mr. Jones stated that to some degree but there are many other uses not provided for in the M-U zone that are in the I-O.

Chairman Dibble asked if it was applicant's intention to include housing on any of the subject parcels. Mr. Jones said that it is not applicant's intent to place any residential units on this property.

Commissioner Cole asked whether or not the Riverfront Commission had the opportunity to buy this property. Mr. Jones said that it was his understanding that the Riverfront Commission had at one time approached the City to seek funding to purchase this property; however, it to his knowledge, that was denied.

Commissioner Pitts asked for clarification regarding outdoor storage. Kristen Ashbeck confirmed that industrial types of outdoor storage and operations are not allowed in an M-U; however, other kinds of outdoor storage are allowed.

Chairman Dibble asked Mr. Jones how applicant would deal with the floodplain issue on the western part of the property. Mr. Jones said that there are specific regulations and the present Storm Water Management Manual requires that non-habitable buildings have to be a minimum elevation above the 100-year floodplain. Also, no development in the flood way is permitted. He anticipates a fairly good size buffer on the south side of the property when you fit in some sort of trail and berm section coupled with the other regulations that are applied at the time of a site specific review, believes that would be adequate to mitigate the concerns raised.

Commissioner Sublett asked if either applicant or the Riverfront Commission has considered extending the trail directly west from the proposed I-1 property to meet the juncture of the trail with the portion coming off the pedestrian bridge across the river rather than going up to the part that already exists. Mr. Jones stated that would be the intent. He stated that the intent would be to provide for some sort of connection that would traverse the south side of the project and then come along and go along the east side and back out on C½ Road.

DISCUSSION

Commissioner Carlow stated that he did not necessarily disagree with the long term goal involving the riverfront. He also said that he did not see much difference between the M-U and the I-O zone and would be in favor of approving the zoning as requested.

Commissioner Lowrey stated that although the majority of the property from 32 Road to Los Colonias Park on the north side of the river is Estate, Park or Conservation, he thought that as proposed the zoning request ended up being the most restrictive zoning considering the decisions that had already been made. He stated that he could reluctantly vote for the proposed zoning.

Commissioner Cole said that there are three options to be looked at: leave the property zoned as it is I-2; consider the M-U zone; or consider the I-1 and I-O as requested by applicant. It seemed to Commissioner Cole that the community would be much better served to grant this request and he would favor it.

Commissioner Pitts stated that from his standpoint, he was going to request that the Commission consider an M-U rather than the requested zoning.

Commissioner Sublett stated that he also really regretted that the City had gotten itself in this mess and that it was a mess because throughout the remainder of most of the country, great efforts had been going on for a considerable time period to clean up riverfronts and to make riverfronts into something that the public could actually use and be proud of." He said that he would reluctantly vote to support the applicant's request.

Chairman Dibble said that he believed requirements for screening and buffering were very different between the I-O, I-1 and M-U. Chairman Dibble also stated that Conditional Use Permits were allowed and must be required for some uses in the I-O district and also believed that there was more control associated with the I-O. Accordingly, he would be in favor of restricting the usage of all three parcels to an I-O zone.

Commissioners Pitts, Lowrey and Sublett concurred with Chairman Dibble for I-O zoning on all three parcels. After discussion of protocol and staff's recommendation, among other things, the following motion was made.

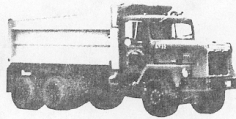
MOTION: (Commissioner Lowrey) "Mr. Chairman, on the Brady South Zone of Annexation, GPA-2007-051, I move that the Planning Commission forward to the City Council a recommendation of approval of the I-O zone district on all three parcels for the Brady South Annexation with the facts listed in the staff report as previously stated."

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

With no objection and no further business, the public hearing was adjourned at 9:40 p.m.

WHITWATER BUILDING MATERIALS CORPORATION

940 South 10th Street, P.O. Box 1769
GRAND JUNCTION, COLORADO 81502



SAND & GRAVEL PRODUCTS
Phone: (970) 242-7537



READY MIXED CONCRETE
Phone: (970) 242-4843

June 10, 2008

Grand Junction City Counsel

Regarding: South Downtown Plan

Whitwater Building Materials Corp. has been involved in the South Downtown Plan since it start. Although the current plan doesn't effect us adversely as written we still would like to voice our concerns over where the direction of the area is headed.

First we feel that the industrial area in South Downtown is a large employer and must be protected from unrealistic design criteria that could hinder continued industrial growth. Designing streets that are not truck friendly is a big concern. Trees planters and winding streets may look good on the conceptual drawings but they are not what we feel is necessary in an industrial area. Strict building design criteria also doesn't fit into my idea of what industrial buildings are for.

Also any change in zoning should only be done with the land owners approval. The South Downtown Plan will take as long as 20 years to see some of the changes that are designed for 7th Street and the Riverside Parkway. I understand that the Parkway and possibly 7th street have the potential for some new businesses to be attracted to the area, but the existing use should be upheld until such time as the redevelopment opportunities arise and make it more desirable for current land owners to switch than making them switch without the new opportunities a reality.

Lastly is my concern that this process is just the first step in eliminating industrial use in the area. We feel that down the road the city will come back and say lets designate a little more of the area mixed use or commercial and the area will be faded out over time.

Whitwater feels that this area is primarily industrial use and should remain so.

A handwritten signature in cursive script, appearing to read "Mark Gardner".

Mark Gardner
Whitwater Building Materials Corp.

June 12, 2008

Russ Justice
Brady Trucking

Re: Brady Trucking South

Dear Mr. Mayor and Council Members,

My name is Russ Justice; I am the regional manager for S.L.B. Enterprises, LLC / Brady Trucking. I am writing to you today regarding the pending zoning for 347 27 ½ Road and 2757 C ½ Road, commonly known as the Brady South Annexation. These three parcels are located adjacent to the Colorado River at the Intersection of 27 ½ and C ½ Road and the site is approximately 12.6 acres in size.

I write this letter to voice the frustration that we have experienced in the zoning process with the City of Grand Junction. The submittal for the Brady South Annexation was originally completed January 2007 and formally accepted on February 6, 2007. Additionally the two eastern parcels were taken through a Growth Plan Amendment to amend the Growth Plan to Commercial / Industrial for these properties.

As you are aware, for well over 50 years, there has been some form of the industrial zoning associated with these parcels. So that you are aware, S.L.B. Enterprises, LLC originally purchased this property which had been zoned Heavy Industrial by Mesa County for many, many years. This property is the site of old Rendering Plant and Hog Slaughtering Facility.

After spending hundreds of thousands of dollars of our own money throughout this process, dismantling and cleaning up the property which was formally somewhat of an "eye sore" for the City of Grand Junction, we continue to be met with resistance regarding the industrial zoning. City Staff has continually postponed any decision regarding the zoning of this property in an attempt to align our zoning hearing with the South Downtown Plan. Even though the South Downtown Plan does not recommend changes in zoning for these properties, this is unacceptable.

I implore the Grand Junction City Council and Mayor to realize the importance of industrially zoned property within the City and specifically within this area. We presently employ 30 employees in Grand Junction and project an increase to as many as 50 to 70 employees within the next 8 to 10 years; our employees are well paid and are provided with benefits, including health care and 401K plan. We are a good business constituent for the City of Grand Junction and hope to continue to be so. Again, I feel it necessary to voice my opinions on this process and the overall obscurity of the South Downtown Plan. I would be happy to answer any questions you may have; I can be contacted at 970-208-3677. Thank you.

Sincerely,



Russ Justice
Regional Manager SLB Enterprises, LLC

>>> "joantom" <joantom@bresnan.net> 6/16/2008 10:29 AM >>>
Dear Council Members,

As I will be unable to attend tonight's Council meeting, I wanted to send you my comment in regard to the Brady property.

While these parcels may currently be zoned for some industrial uses, the owners of course have no vested rights to any particular zoning prior to development of the property. The Council has the opportunity tonight to insure that an extremely critical segment of the riverfront is required to develop in a manner that will preserve and enhance this vital feature of the Valley. The Riverfront Commission and the City itself have long supported the concept of cleaning up and protecting the riverfront. To allow the Brady property rezoning would violate the trust that this community has placed in the Council to ensure that our most vital assets are protected.

Water quality must be protected for the wildlife that utilize this river corridor.

Neighbors must be protected from the noise, odors, and degradation of air quality that could be occasioned by this industrial use of the river.

And the Riverfront Trail, and planned Las Colonias Park and Community Center MUST be protected from this absolute violation of the qualities that make this area special.

Please uphold the trust that the people of Grand Junction have placed in you.

Thank you for your consideration.

Joan Woodward
254-1656

>>> Gregg Palmer 6/16/2008 11:07 AM >>>

>>> <RTheobold@aol.com> 6/16/2008 10:21 am >>>

Gregg:

Please pass this along to the rest of the Council.

I was at my stepmother's house downtown two or three weeks ago when a man came to the door (accompanied by a toddler) wanting my stepmother to sign a petition to allow Brady Trucking down by the river.

As the man explained it, the land was already zoned for Brady to use it, but the Council wanted a petition to show community support. So she signed the petition without reading it.

I said nothing.

I pass this along so you'll know why you may see petitions at the Brady hearing. And you'll know what kind of pitch was made to residents to obtain their signatures.

I'd offer the opinion that this petition is pretty irrelevant. The issue as presented was oversimplified, and possibly misleading.

...reford

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING THE BRADY SOUTH ANNEXATION TO INDUSTRIAL/OFFICE PARK (I-O) ZONE DISTRICT FOR THE PROPERTIES LOCATED AT 348 27-1/2 ROAD AND 2757 C-1/2 ROAD AND LIGHT INDUSTRIAL (I-1) FOR THE PROPERTY LOCATED AT 347 27-1/2 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Brady South Annexation to the Industrial/Office Park (I-O) zone district finding that it conforms with the land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The applicant has requested the zoning of the westerly parcel be I-1 and the easterly 2 parcels be I-O. The proposed zone district(s) meet(s) the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the Light Industrial (I-1) and Industrial/Office Park (I-O) zone districts are in conformance with the stated criteria of Section 2.6 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 be zoned Light Industrial (I-1):

BRADY SOUTH ANNEXATION – 347 27-1/2 Road

All of GLO Lot 3 Section 24, T1S, R1W exc W 10CH

And the following properties be zoned Industrial/Office Park (I-O):

BRADY SOUTH ANNEXATION – 348 27-1/2 Road and 2757 C-1/2 Road

W 367.65FT OF LOT 2 SEC 24 1S 1W W OF DN and a PARCEL OF LAND IN GLO LOT 2 SEC 24 1S 1W DESC ASFOLL BEG S 89DEG 53' E 367.65FT & S 30FT FR NW COR SDLOT 2 S 89DEG53' E 335.18FT TO C-LI OF DRN S 33DEG52'W ALG SD C-LI 457.11FT TO A PT 14FT N OF PRESENT LI OF COLO RIVER N 56DEG05' W & PARALLEL WITH SD RIVER 96.94FT N 326.15FT TO POB

Said parcels total 12.62 acres (549,691 square feet), more or less, as described.

INTRODUCED on first reading the 21st day of May, 2008 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk