



**CITY COUNCIL AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
WEDNESDAY, JUNE 18, 2008, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance

**Citizen Comments**

**\*\*\* CONSENT CALENDAR \*\*\*<sup>®</sup>**

1. **Contract to Purchase Property at 336 South 5<sup>th</sup> Street**

[Attach 1](#)

City staff has negotiated with the owner of 336 South 5<sup>th</sup> Street, Grand Junction, Colorado, for purchase of the property. The negotiations have been successful and a purchase contract for \$832,625.00 has been signed by both parties.

Resolution No. 84-08—A Resolution Ratifying the Contract to Purchase Real Property Located at 336 South 5<sup>th</sup> Street, Grand Junction

®Action: *Adopt Resolution No. 84-08*

Staff presentation: John Shaver, City Attorney

2. **Setting a Hearing on the Park Mesa Annexation, Located at Rosevale Road and Little Park Road in the Redlands** [File #ANX-2008-065]

[Attach 2](#)

Request to annex 13.58 acres, located at the northwest corner of Rosevale Road and Little Park Road in the Redlands. The Park Mesa Annexation consists of one parcel of land.

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

\*\*\* Indicates New Item

<sup>®</sup> Requires Roll Call Vote

Resolution No. 85-08—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, Park Mesa Annexation, Located at the Northwest Corner of Rosevale Road and Little Park Road, Including Portions of the Rosevale Road and Little Park Road Rights-of-Way

®Action: *Adopt Resolution No. 85-08*

**b. Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Park Mesa Annexation, Approximately 13.58 Acres, Located at the Northwest Corner of Rosevale Road and Little Park Road, Including Portions of the Rosevale Road and Little Park Road Rights-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for August 20, 2008*

Staff presentation: Scott D. Peterson, Senior Planner

3. **Setting a Hearing on the FedEx-Swanson Annexation, Located at 788 22 Road and 2223 H Road** [File #ANX-2008-091] [Attach 3](#)

Request to annex 13.2 acres, located at 788 22 Road and 2223 H Road. The FedEx-Swanson Annexation consists of two parcels, including a portion of the 22 Road right-of-way.

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

Resolution No. 86-08—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, FedEx-Swanson Annexation, Located at 788 22 Road and 2223 H Road, Including a Portion of the 22 Road Right-of-Way

®Action: *Adopt Resolution No. 86-08*

**b. Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, FedEx-Swanson Annexation, Approximately 13.2 Acres, Located at 788 22 Road and 2223 H Road, Including a Portion of the 22 Road Right-of-Way

*Action: Introduction of Proposed Ordinance and Set a Hearing for August 6, 2008*

Staff presentation: Ronnie Edwards, Associate Planner

4. **Setting a Hearing on Proposed Amendments to the Zoning and Development Code** [File #TAC-2008-151] [Attach 4](#)

The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to update or clarify certain provisions of the Code related to mailing notices, the calculation of density bonuses and establishing multi-family residential as an allowed use in the C-1 zone district

Proposed Ordinance Amending Various Sections in Chapter 2 and 3 of the Zoning and Development Code to Update or Clarify Certain Provisions

*Action: Introduction of Proposed Ordinance and Set a Hearing for July 2, 2008*

Staff presentation: Lisa E. Cox, Planning Manager

5. **Setting a Hearing on Proposed Amendments to Chapters 4 and 9 of the Zoning and Development Code** [File #TAC-2008-153] [Attach 5](#)

The City of Grand Junction proposes to amend Chapters 4 and 9 of the Zoning and Development Code to restrict the location of off-premises (billboard) signs on or near the centerline of the Riverside Parkway.

Proposed Amending the Zoning and Development Code Regarding Off-Premise Signs on or Near the Centerline of the Riverside Parkway

*Action: Introduction of Proposed Ordinance and Set a Hearing for July 2, 2008*

Staff presentation: Lisa E. Cox, Planning Manager

6. **Setting a Hearing on Vacating Portions of Right-of-Way for Teller Court, Located West of 30 Road at the 29 ¾ Road Alignment** [File #PFP-2007-349] [Attach 6](#)

Cal Frac Well Services Corp., property owner of 489 Teller Court and the proposed 31 acre, four lots, Calfrac Subdivision is requesting approval to vacate portions of the right-of-way for Teller Court located west of 30 Road at the 29 ¾ Road alignment.

Proposed Ordinance Vacating Portions of the Right-of-Way for Teller Court, Located at the Cul-de-Sac West of 30 Road at the 29 ¾ Road Alignment

*Action: Introduction of Proposed Ordinance and Set a Hearing for July 2, 2008*

Staff presentation: Dave Thornton, Principal Planner

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

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

7. **Public Hearing—Vacating a Portion of the Houston Avenue Right-of-Way and Alley Right-of-Way for Mesa State College** [File #VR-2008-139] [Attach 7](#)

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.

Ordinance No. 4252—An 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: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4252*

Staff presentation: Kathy Portner, Neighborhood Services Manager

8. **Public Hearing—Adoption of the CDBG 2008 Action Plan** [Attach 8](#)

City Council will consider final adoption of the 2008 Program year Action Plan. This annual plan is required by the Department of Housing and Urban Development (HUD) for the use of Community Development Block Grant (CDGB) funds. The action plan includes the CDBG projects for the 2008 Program Year City Council approved for funding on May 21, 2008.

Resolution No. 87-08—A Resolution Adopting the 2008 Program Year Action Plan as a Part of the City of Grand Junction's 2006 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

*®Action: Adopt Resolution No. 87-08*

Staff presentation: Kathy Portner, Neighborhood Services Manager

9. **Public Hearing—City Manager's 2008-2009 Salary** [Attach 9](#)

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

Ordinance No. 4253—An Ordinance Amending Ordinance No. 4115 Concerning the Salary of the City Manager

*®Action: Hold a Public Hearing and Consider Final Passage and Final Adoption of Ordinance No. 4253*

Staff presentation: John Shaver, City Attorney

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

11. **Other Business**

12. **Adjournment**

**Attach 1**  
**Contract to Purchase Property at 336 South 5th Street**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Contract to purchase property at 336 South 5 <sup>th</sup> Street,		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, June 18, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	X	<b>Individual</b>
<b>Date Prepared</b>	May 27, 2008		
<b>Author Name &amp; Title</b>	Mary Lynn Kirsch, Paralegal		
<b>Presenter Name &amp; Title</b>	John Shaver, City Attorney		

**Summary:** City staff has negotiated with the owner of 336 South 5<sup>th</sup> Street, Grand Junction, Colorado, for purchase of the property. The negotiations have been successful and a purchase contract for \$832,625.00 has been signed by both parties.

**Budget:** This purchase is a City Council authorized expenditure.

**Action Requested/Recommendation:** Adopt resolution ratifying the purchase contract and allocate the funds necessary to pay the purchase price and all costs and expenses necessary for the City's performance under the terms of the contract.

**Attachments:** Resolution

**Background Information:** City staff believes it would be in the City's best interests to acquire the property for municipal purposes, more particularly, for consideration and use for a public safety building.

RESOLUTION NO. \_\_\_\_\_ -08

**A RESOLUTION RATIFYING THE CONTRACT TO PURCHASE  
REAL PROPERTY LOCATED AT 336 SOUTH 5<sup>TH</sup> STREET, GRAND  
JUNCTION**

Recitals.

On May 9, 2008, the City Manager signed an agreement to purchase the property located at 336 S. 5<sup>th</sup> Street, Grand Junction, Colorado, from Shawn R. Cooney. The execution of the contract by the City Manager and the City's obligation to proceed under its terms and conditions was expressly conditioned upon and subject to the formal ratification, confirmation and consent of the City Council.

On May 9, 2008, the owner of the property signed the purchase contract.

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

The City, by and through the City Council and the signature of its President, does hereby ratify the terms, covenants, conditions, duties and obligations to be performed by the City in accordance with the contract and allocates funds to pay the Purchase Price and all other costs and expenses necessary to perform under the contract.

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2008.

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

Attest:

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

**Attach 2**  
**Setting a Hearing on the Park Mesa Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Park Mesa Annexation - Located at Rosevale Road and Little Park Road in the Redlands		
<b>File #</b>	ANX-2008-065		
<b>Meeting Day, Date</b>	Wednesday, June 18, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	June 6, 2008		
<b>Author Name &amp; Title</b>	Scott D. Peterson, Senior Planner		
<b>Presenter Name &amp; Title</b>	Scott D. Peterson, Senior Planner		

**Summary:** Request to annex 13.58 acres, located at the northwest corner of Rosevale Road and Little Park Road in the Redlands. The Park Mesa Annexation consists of one parcel of land.

**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 20, 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				
<b>Location:</b>		Rosevale Road and Little Park Road		
<b>Applicants:</b>		Kenneth N. and Colleen E. Scissors, Owners		
<b>Existing Land Use:</b>		Vacant land		
<b>Proposed Land Use:</b>		Residential subdivision		
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family residential		
	<b>South</b>	Single-family residential		
	<b>East</b>	Vacant land and Single-family residential		
	<b>West</b>	Single-family residential - Agricultural		
<b>Existing Zoning:</b>		RSF-4, Residential Single-Family – 4 units/acre (County)		
<b>Proposed Zoning:</b>		To be determined. Applicant has filed a Growth Plan Amendment		
<b>Surrounding Zoning:</b>	<b>North</b>	R-E, Residential – Estate (City) and RSF-4, Residential Single-Family – 4 units/acre (County)		
	<b>South</b>	RSF-4, Residential Single-Family – 4 units/acre (County) and RSF-E, Residential Single-Family – Estate (County)		
	<b>East</b>	RSF-4, Residential Single-Family – 4 units/acre (County) and RSF-E, Residential Single-Family – Estate (County)		
	<b>West</b>	RSF-4, Residential Single-Family – 4 units/acre (County)		
<b>Growth Plan Designation:</b>		Estate (2 – 5 Ac./DU)		
<b>Zoning within density range?</b>		N/A	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 13.58 acres of land and is comprised of one parcel of land. 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 Park Mesa 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.

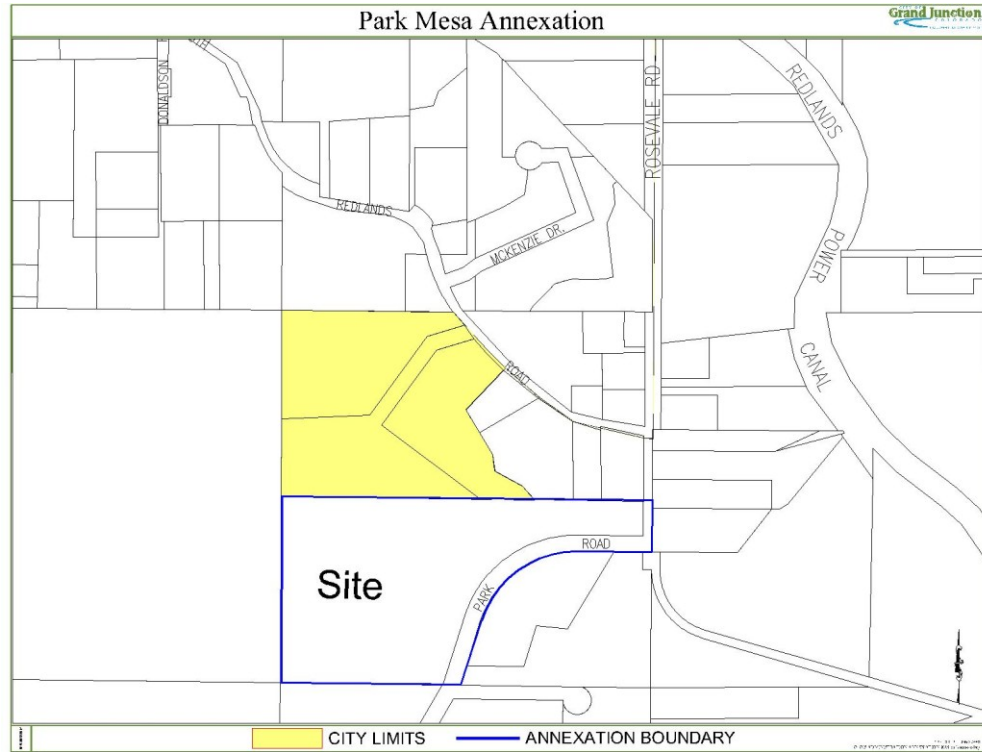
<b><u>ANNEXATION SCHEDULE</u></b>	
<b>June 18, 2008</b>	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
<b>To be scheduled</b>	Planning Commission considers Zone of Annexation
<b>To be scheduled</b>	Introduction of a proposed Ordinance on Zoning by City Council
<b>August 20, 2008</b>	Acceptance of Petition and Public Hearing on Annexation by City Council
<b>September 21, 2008</b>	Effective date of Annexation

**PARK MESA ANNEXATION SUMMARY**

<b>File Number:</b>		ANX-2008-065
<b>Location:</b>		Rosevale Road and Little Park Road
<b>Tax ID Number:</b>		2945-223-00-227
<b>Parcels:</b>		1
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		0
<b>Acres land annexed:</b>		13.58
<b>Developable Acres Remaining:</b>		12.13
<b>Right-of-way in Annexation:</b>		1.45
<b>Previous County Zoning:</b>		RSF-4, Residential Single Family – 4 units/acre
<b>Proposed City Zoning:</b>		To be determined
<b>Current Land Use:</b>		Vacant land
<b>Future Land Use:</b>		Estate (2 – 5 Ac./DU)
<b>Values:</b>	<b>Assessed:</b>	\$49,470
	<b>Actual:</b>	\$170,600
<b>Address Ranges:</b>		N/A
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Persigo Wastewater Treatment Facility
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/ Drainage:</b>	N/A
	<b>School:</b>	School District #51
	<b>Pest:</b>	N/A

# Site Location Map

Figure 1



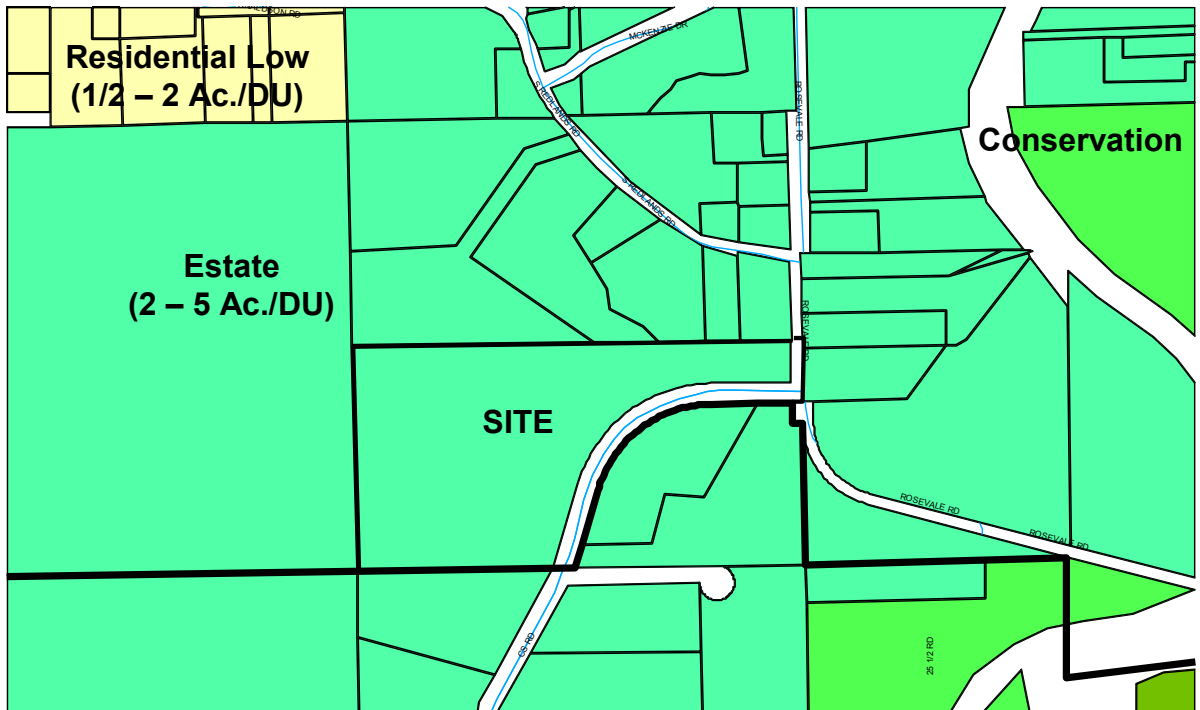
# Aerial Photo Map

Figure 2



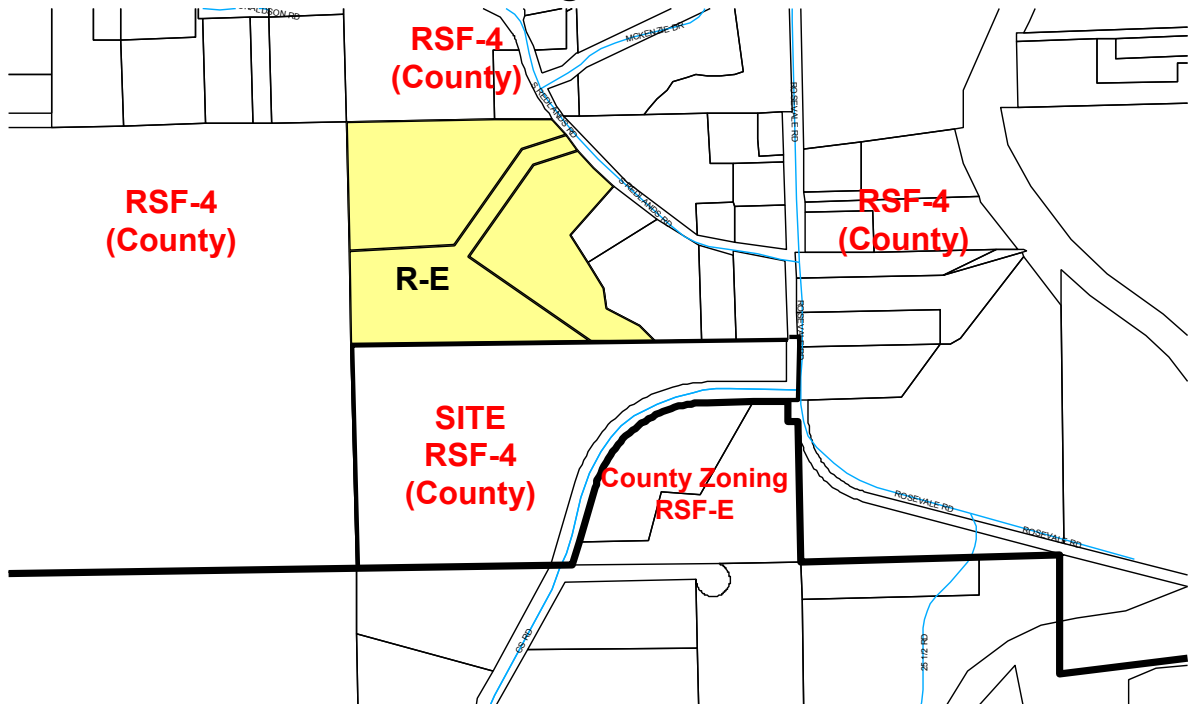
# Future Land Use Map

Figure 3



# Existing City and County Zoning

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 18<sup>th</sup> 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**

**PARK MESA ANNEXATION**

**LOCATED AT THE NORTHWEST CORNER OF ROSEVALE ROAD  
AND LITTLE PARK ROAD INCLUDING PORTIONS OF THE ROSEVALE ROAD  
AND LITTLE PARK ROAD RIGHTS-OF-WAY**

WHEREAS, on the 18th 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:

**PARK MESA ANNEXATION**

**PERIMETER BOUNDARY LEGAL DESCRIPTION**

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 22, Township One South, Range One West 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 SW 1/4 of said Section 22 and assuming the West line of the SE 1/4 SW 1/4 of said Section 22 to bear N00°22'37"E with all bearings contained herein relative thereto; thence N00°22'37"E a distance of 659.59 feet to the Southwest corner of Leah Marie's Minor Subdivision, as same is recorded in Plat Book 17, Page 286, public records of Mesa County, Colorado, said point also being the Southwest corner of Hill Annexation, Ordinance No. 3215, City of Grand Junction; thence S89°15'28"E a distance of 1310.69 feet along the south line of said Leah Marie's Minor Subdivision, said line also being the South line of said Hill Annexation to a point on the East line of Right of Way, as same as recorded in Book 2678, Page 597 of the Mesa County, Colorado public records; thence S00°25'56"W a distance of 182.17 feet along the East line of said Right of Way; thence along the Southeasterly line of Right of Way for Little Park Road, as

same as recorded in Book 906, Page 193 of the Mesa County, Colorado public records the following three (3) courses: (1) N89°34'44"W a distance of 266.89 feet; (2) 445.50 feet along the arc of a 352.00 foot radius curve, concave Southeast, having a central angle of 72°30'57" and a chord bearing S54°09'46"W a distance of 416.36 feet; (3) S17°54'16"W a distance of 238.32 feet to a point on the South line of the SE 1/4 SW 1/4 of said Section 22; thence N89°15'53"W a distance of 635.91 feet along the South line of the SE 1/4 SW 1/4 of said Section 22, said line also being the North line of Bonnie Brae Subdivision, as same is recorded in Plat Book 10, Page 12, public records of Mesa County, Colorado to the Point of Beginning

Said parcel contains 13.58 acres (591,461.89 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 20<sup>th</sup> day of August, 2008, in the City Hall auditorium, located at 250 North 5<sup>th</sup> 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:

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President of the Council

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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.

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City Clerk

<i>DATES PUBLISHED</i>
<b>June 20, 2008</b>
<b>June 27, 2008</b>
<b>July 4, 2008</b>
<b>July 11, 2008</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**PARK MESA ANNEXATION**

**APPROXIMATELY 13.58 ACRES**

**LOCATED AT THE NORTHWEST CORNER OF ROSEVALE ROAD  
AND LITTLE PARK ROAD INCLUDING PORTIONS OF THE ROSEVALE ROAD  
AND LITTLE PARK ROAD RIGHTS-OF-WAY**

**WHEREAS**, on the 18<sup>th</sup> 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 20<sup>th</sup> 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 situates in Mesa County, Colorado, and described to wit:

**PARK MESA ANNEXATION**

**PERIMETER BOUNDARY LEGAL DESCRIPTION**

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 22, Township One South, Range One West 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 SW 1/4 of said Section 22 and assuming the West line of the SE 1/4 SW 1/4 of said Section 22 to bear N00°22'37"E with all bearings contained herein relative thereto; thence N00°22'37"E a distance of 659.59 feet to the Southwest corner of Leah Marie's

Minor Subdivision, as same is recorded in Plat Book 17, Page 286, public records of Mesa County, Colorado, said point also being the Southwest corner of Hill Annexation, Ordinance No. 3215, City of Grand Junction; thence S89°15'28"E a distance of 1310.69 feet along the south line of said Leah Marie's Minor Subdivision, said line also being the South line of said Hill Annexation to a point on the East line of Right of Way, as same as recorded in Book 2678, Page 597 of the Mesa County, Colorado public records; thence S00°25'56"W a distance of 182.17 feet along the East line of said Right of Way; thence along the Southeasterly line of Right of Way for Little Park Road, as same as recorded in Book 906, Page 193 of the Mesa County, Colorado public records the following three (3) courses: (1) N89°34'44"W a distance of 266.89 feet; (2) 445.50 feet along the arc of a 352.00 foot radius curve, concave Southeast, having a central angle of 72°30'57" and a chord bearing S54°09'46"W a distance of 416.36 feet; (3) S17°54'16"W a distance of 238.32 feet to a point on the South line of the SE 1/4 SW 1/4 of said Section 22; thence N89°15'53"W a distance of 635.91 feet along the South line of the SE 1/4 SW 1/4 of said Section 22, said line also being the North line of Bonnie Brae Subdivision, as same is recorded in Plat Book 10, Page 12, public records of Mesa County, Colorado to the Point of Beginning

Said parcel contains 13.58 acres (591,461.89 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 3**  
**Setting a Hearing on the FedEx-Swanson Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	FedEx-Swanson Annexation - Located at 788 22 Road and 2223 H Road		
<b>File #</b>	ANX-2008-091		
<b>Meeting Day, Date</b>	Wednesday, June 18, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	May 30, 2008		
<b>Author Name &amp; Title</b>	Ronnie Edwards, Associate Planner		
<b>Presenter Name &amp; Title</b>	Ronnie Edwards, Associate Planner		

**Summary:** Request to annex 13.2 acres, located at 788 22 Road and 2223 H Road. The FedEx-Swanson Annexation consists of two parcels, including a portion of the 22 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 6, 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				
<b>Location:</b>		788 22 Road and 223 H Road		
<b>Applicants:</b>		FedEx Freight West/Wesley & Arlene Swanson		
<b>Existing Land Use:</b>		FedEx Facility and Single Family Residence		
<b>Proposed Land Use:</b>		FedEx Parking Area Expansion and Residence		
<b>Surrounding Land Use:</b>	<b>North</b>	Gay Johnson Storage Facility		
	<b>South</b>	Vacant		
	<b>East</b>	Agricultural/Residential		
	<b>West</b>	Henderson Trucking		
<b>Existing Zoning:</b>		County PD and County AFT		
<b>Proposed Zoning:</b>		I-1 (Light Industrial)		
<b>Surrounding Zoning:</b>	<b>North</b>	County AFT and RSF-R		
	<b>South</b>	City I-1 (Light Industrial)		
	<b>East</b>	County AFT		
	<b>West</b>	City I-1 (Light Industrial)		
<b>Growth Plan Designation:</b>		C-I (Commercial/Industrial)		
<b>Zoning within density range?</b>		N/A	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 13.2 acres of land and is comprised of two parcels, including a portion of the 22 Road 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 FedEx-Swanson 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.

<b><i>ANNEXATION SCHEDULE</i></b>	
<b>June 18, 2008</b>	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
<b>July 8, 2008</b>	Planning Commission considers Zone of Annexation
<b>July 16, 2008</b>	Introduction of a proposed Ordinance on Zoning by City Council
<b>August 6, 2008</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>September 7, 2008</b>	Effective date of Annexation and Zoning

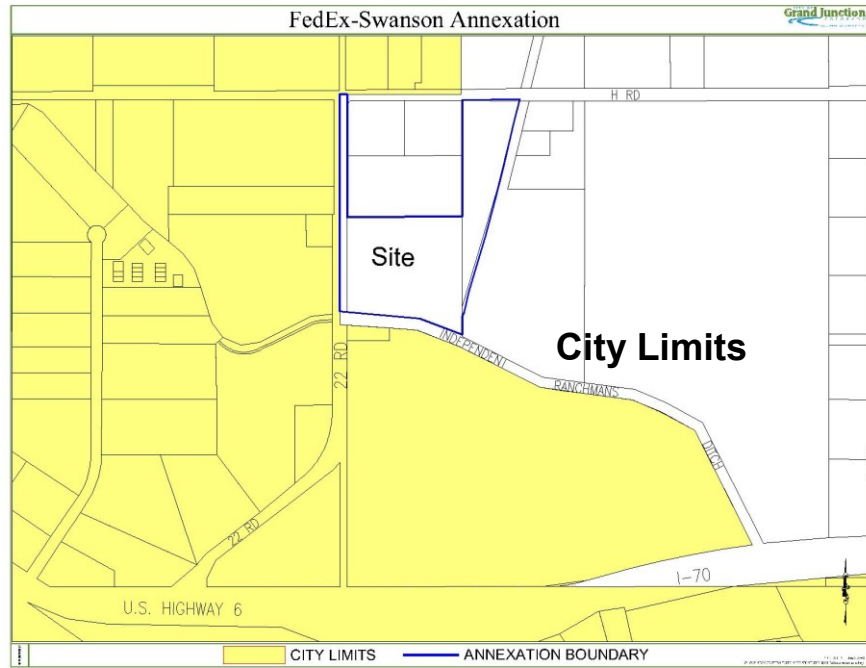
**FEDEX-SWANSON ANNEXATION SUMMARY**

<b>File Number:</b>		ANX-2008-091
<b>Location:</b>		788 22 Road and 2223 H Road
<b>Tax ID Number:</b>		2701-312-03-003/2701-312-00-205
<b>Parcels:</b>		2
<b>Estimated Population:</b>		2
<b># of Parcels (owner occupied):</b>		1
<b># of Dwelling Units:</b>		1
<b>Acres land annexed:</b>		13.2
<b>Developable Acres Remaining:</b>		4
<b>Right-of-way in Annexation:</b>		1.29
<b>Previous County Zoning:</b>		PD (Planned Development)
<b>Proposed City Zoning:</b>		I-1 (Light Industrial)
<b>Current Land Use:</b>		FedEx Facility/Agricultural & Residence
<b>Future Land Use:</b>		FedEx Parking Expansion/Agricultural
<b>Values:</b>	<b>Assessed:</b>	378,170
	<b>Actual:</b>	1,378,440
<b>Address Ranges:</b>		788-792 22 Road (even), 2217-2223 H Road (odd)
<b>Special Districts:</b>	<b>Water:</b>	Ute Water District
	<b>Sewer:</b>	Persigo WWTF
	<b>Fire:</b>	Lower Valley Fire Dept.
	<b>Irrigation/ Drainage:</b>	Grand Valley Irrigation/Grand Valley Drainage District
	<b>School:</b>	51
	<b>Pest:</b>	N/A



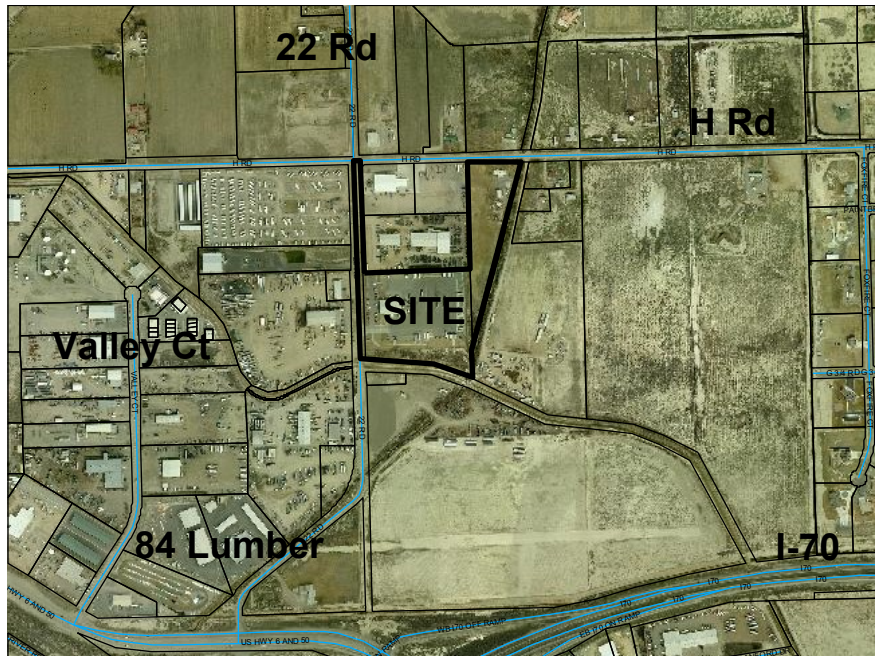
# Site Location Map

Figure 1



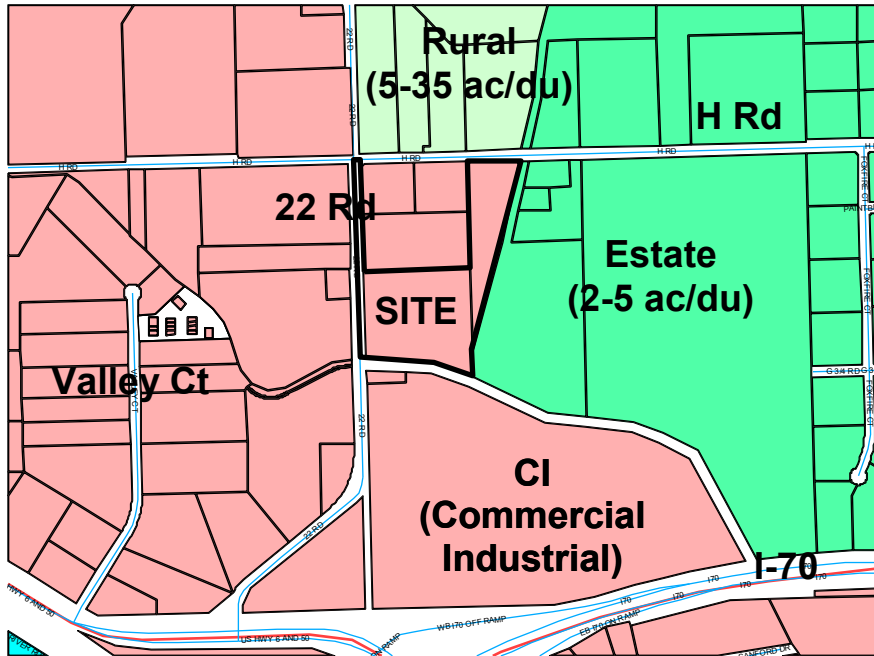
# Aerial Photo Map

Figure 2



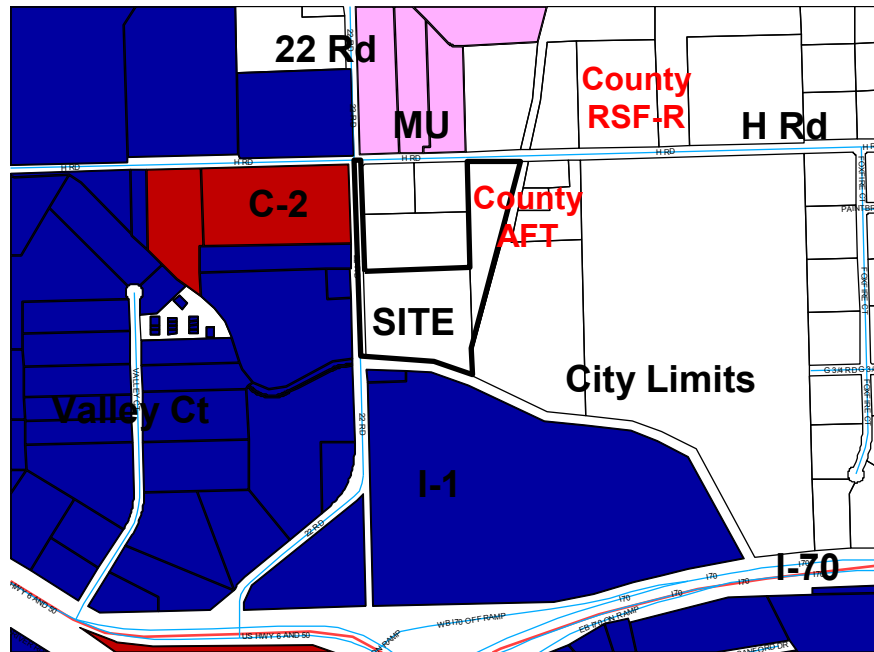
# Future Land Use Map

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 18th 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**

**FEDEX-SWANSON ANNEXATION**

**LOCATED AT 788 22 ROAD AND 2223 H ROAD,  
INCLUDING A PORTION OF THE 22 ROAD RIGHT-OF-WAY**

WHEREAS, on the 18th 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:

**FEDEX-SWANSON ANNEXATION**

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 31, Township One North, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northwest corner of the NW 1/4 NW 1/4 of said Section 31 and assuming the West line of the NW 1/4 NW 1/4 of said Section 31 to bear N00°05'29"E with all bearings contained herein relative thereto; thence N89°59'50"E a distance of 40.00 feet along the North line of the NW 1/4 NW 1/4 of said Section 31, said line also being the South line of Reigan/Patterson/Tek/Morario Annexation No. 1, Ordinance No. 4143, City of Grand Junction; thence S00°05'29"W a distance of 658.62 feet along a line being 40.00 feet East of and parallel with the West line of the NW 1/4 NW 1/4 of said Section 31, said line also being the West line of Lot 1 of Loncar Subdivision, as same is recorded in Plat Book 19, Page 302, public records of Mesa County, Colorado, said line also being the West line of Lot 2 of T.I.C. Industrial Park, as same is recorded in Plat Book 13, Page 92, public records of Mesa County, Colorado; thence N89°59'49"E a distance of 621.18 feet along the South line of said Lot 2 of T.I.C. Subdivision; thence N00°06'56"E a distance of 658.62 feet along the East line of said Lot 2 of T.I.C. Subdivision to a point on the North line

of the NW 1/4 NW 1/4 of said Section 31; thence N89°59'50"E a distance of 317.99 feet along the North line of the NW 1/4 NW 1/4 of said Section 31; thence along the following eight (8) courses: (1) S14°10'46"W a distance of 146.75 feet; (2) S13°40'43"W a distance of 272.98 feet; (3) S14°03'32"W a distance of 167.69 feet; (4) S15°34'04"W a distance of 205.24 feet; (5) S16°26'23"W a distance of 308.08 feet; (6) S14°05'48"W a distance of 106.88 feet; (7) S21°51'06"W a distance of 29.17 feet; (8) S00°06'56"W a distance of 94.39 feet to a point on the North line of Right of Way of the Grand Valley Canal, as same as recorded in Book 80, Page 320 of the Mesa County, Colorado public records; thence along the said North line of Right of Way of the Grand Valley Canal the following two (2) courses: (1) N69°21'09"W a distance of 243.90 feet; (2) N84°43'08"W a distance of 434.44 feet to a point on the West line of the NW 1/4 NW 1/4 of said Section 31, said point also being on the East line of Persigo Annexation No. 2, Ordinance No. 2556, City of Grand Junction; thence N00°05'29"E a distance of 1162.47 feet along the West line of the NW 1/4 NW 1/4 of said Section 31, said line also being the East line of said Persigo Annexation No. 2 to the Point of Beginning. Said parcel contains 13.20 acres (575,032.28 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 6th day of August, 2008, in the City Hall auditorium, located at 250 North 5<sup>th</sup> 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>
<b>June 20, 2008</b>
<b>June 27, 2008</b>
<b>July 4, 2008</b>
<b>July 11, 2008</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**FEDEX-SWANSON ANNEXATION**

**APPROXIMATELY 13.2 ACRES**

**LOCATED AT 788 22 ROAD AND 2223 H ROAD,  
INCLUDING A PORTION OF THE 22 ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 18th 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 6th 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:

**FEDEX-SWANSON ANNEXATION**

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 31, Township One North, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northwest corner of the NW 1/4 NW 1/4 of said Section 31 and assuming the West line of the NW 1/4 NW 1/4 of said Section 31 to bear N00°05'29"E with all bearings contained herein relative thereto; thence N89°59'50"E a distance of 40.00 feet along the North line of the NW 1/4 NW 1/4 of said Section 31, said line also being the South line of Reigan/Patterson/Tek/Morario Annexation No. 1, Ordinance No. 4143, City of Grand Junction; thence S00°05'29"W a distance of 658.62 feet along a line being



40.00 feet East of and parallel with the West line of the NW 1/4 NW 1/4 of said Section 31, said line also being the West line of Lot 1 of Loncar Subdivision, as same is recorded in Plat Book 19, Page 302, public records of Mesa County, Colorado, said line also being the West line of Lot 2 of T.I.C. Industrial Park, as same is recorded in Plat Book 13, Page 92, public records of Mesa County, Colorado; thence N89°59'49"E a distance of 621.18 feet along the South line of said Lot 2 of T.I.C. Subdivision; thence N00°06'56"E a distance of 658.62 feet along the East line of said Lot 2 of T.I.C. Subdivision to a point on the North line of the NW 1/4 NW 1/4 of said Section 31; thence N89°59'50"E a distance of 317.99 feet along the North line of the NW 1/4 NW 1/4 of said Section 31; thence along the following eight (8) courses: (1) S14°10'46"W a distance of 146.75 feet; (2) S13°40'43"W a distance of 272.98 feet; (3) S14°03'32"W a distance of 167.69 feet; (4) S15°34'04"W a distance of 205.24 feet; (5) S16°26'23"W a distance of 308.08 feet; (6) S14°05'48"W a distance of 106.88 feet; (7) S21°51'06"W a distance of 29.17 feet; (8) S00°06'56"W a distance of 94.39 feet to a point on the North line of Right of Way of the Grand Valley Canal, as same as recorded in Book 80, Page 320 of the Mesa County, Colorado public records; thence along the said North line of Right of Way of the Grand Valley Canal the following two (2) courses: (1) N69°21'09"W a distance of 243.90 feet; (2) N84°43'08"W a distance of 434.44 feet to a point on the West line of the NW 1/4 NW 1/4 of said Section 31, said point also being on the East line of Persigo Annexation No. 2, Ordinance No. 2556, City of Grand Junction; thence N00°05'29"E a distance of 1162.47 feet along the West line of the NW 1/4 NW 1/4 of said Section 31, said line also being the East line of said Persigo Annexation No. 2 to the Point of Beginning. Containing 13.2 Acres (575,032.28 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 4  
Setting a Hearing on Proposed Amendments to the Zoning and Development Code**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Proposed Amendments to the Zoning and Development Code		
<b>File #</b>	TAC-2008-151		
<b>Meeting Day, Date</b>	Wednesday, June 18, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	May 28, 2008		
<b>Author Name &amp; Title</b>	Lisa E. Cox, Planning Manager John Shaver, City Attorney		
<b>Presenter Name &amp; Title</b>	Lisa E. Cox, Planning Manager		

**Summary:** The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to update or clarify certain provisions of the Code related to mailing notices, the calculation of density bonuses and establishing multifamily residential as an allowed use in the C-1 zone district

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed Ordinance and set a public hearing for Monday, July 2, 2008.

**Attachments:**

1. Staff report
2. Proposed ordinance

**Background Information:** The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code (herein after known as the Code) on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan and Future Land Use Map are being implemented.

### **Staff Analysis:**

Staff is proposing various amendments to the Zoning and Development Code which are minor in nature and intended to provide clarification of various Code provisions or to facilitate the development review process.

### **Mailed Notice**

In Section 2.2.B.3.a, Notice (for Administrative Permits), the Code states that “within five (5) working days of receipt of a complete application, the Director shall give notice, at the applicant’s cost, by first class U.S. mail....” Section 2.3.B.6.c.(1) and (3), Notice (for Public Hearing items) contains the same requirement for notice by first class U.S. mail.

In an effort to be financially considerate to the applicant and the public, the required mailed notices have historically been sent out via standard (also known as bulk) mailings. The cost of standard mailing is as much as 50% less than the cost of first class mailing. The cost of first class mail was recently increased by the U.S. Postal Service to .42 for each piece of mail (letter size).

While the cost savings of using standard mail is significant, there is little to no reduction in the delivery service according to Mail Managers, the company used by the City for preparation of its mail. Standard mail with local delivery is processed and delivered in the same manner as first class mail. For this reason, I recommend that the Code be amended to allow required notices to be sent by standard mail. If this amendment is approved, first class U.S. mail may still be utilized when necessary and appropriate.

### **Table 3.5, Use/Zone Matrix**

Section 3.4D of the Code states that the purpose of the C-1 zone district is to “provide indoor retail, service and office uses....” The section further provides detail regarding the intensity/density of residential dwellings in the zone; the Code establishes a minimum of 12 and up to 24 dwelling units per acre. Residential uses are presumed notwithstanding the purpose statement of the section.

The use/zone matrix provides that multifamily residential use in a C-1 zone district is a conditional approval. The matrix also establishes that multifamily residential is subject to the use specific standards of Section 4.30 and in accordance with that section that the director is charged with authority to determine compliance with those standards. The Code sections conflict. Therefore, I recommend that the Code be amended to establish multifamily residential as an allowed use in the C-1 zone district, subject to continued compliance with the use specific standards of Section 4.30.

### **Table 3.6, Density/Bonus Provisions**

Section 3.6.B.10, Density Bonus Provisions, of the Code states “an applicant may be granted a density bonus by providing any of the community benefits listed in Table 3.6....” Table 3.6 states the community benefit that yields a specific density bonus upon satisfaction of certain criteria.

There is confusing language in Table 3.6 regarding the density bonus for dedication of Open Space. I recommend that the Code be amended to clarify the density bonus with the following revised language:

“For each whole acre in excess of one (1) acre dedicated for Open Space, a Density bonus equal to one-half (1/2) of the units that would have been permitted on the land to be dedicated may be granted. ~~To calculate the number of permitted units, all provisions of this code:~~ Severely constrained lands, such as those with wetlands, steep slopes or surface waters, would likely be permitted few, if any, units. Dedication of such lands would result in a small bonus.”

### **CONSISTENCY WITH GROWTH PLAN:**

The proposed amendments are consistent with the goals and policies of the Growth Plan, including, but not limited to the following:

Commercial land use designation: Permits a wide range of commercial development (office, retail, service, lodging, entertainment) with no outdoor storage or operations. Mixed commercial and residential developments will be encouraged in some areas.

Goal 15: To achieve a mix of compatible housing types and densities dispersed throughout the community.

Policy 15.1: The City and County will encourage the development of residential projects that compatibly integrate a mix of housing types and densities with desired amenities.

Policy 15.4: The City and County should facilitate development of a variety of housing types (e.g., clustered units, zero lot line units and mixed density projects) without requiring the planned development process.

Policy 26.3: The City and County will encourage the retention of lands that are not environmentally suitable for construction (e.g., steep grades, unstable soils, floodplains, etc.) for open space areas and, where appropriate, development of recreational uses. Dedications of land required to meet recreational needs should not include these properties unless they are usable for active recreational purposes.

**FINDINGS/CONCLUSIONS:**

I recommend approval of the proposed amendments to the Zoning and Development Code with the findings that they are consistent with the goals and policies of the Growth Plan. I find that the proposed amendments will clarify various provisions of the Code or will facilitate the development review process for our community.

**PLANNING COMMISSION RECOMMENDATION:**

During its regular June 10, 2008 meeting, the Planning Commission reviewed the proposed amendments and found that the requested amendments furthered the intent and purpose of the Growth Plan by ensuring that the Zoning and Development Code is maintained in a manner that addresses development issues in an efficient and effective manner. The Planning Commission then made a recommendation of approval to the City Council for adoption of the proposed amendments.

**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING VARIOUS SECTIONS IN  
CHAPTER 2 AND 3 OF THE ZONING AND DEVELOPMENT CODE  
TO UPDATE OR CLARIFY CERTAIN PROVISIONS**

Recitals:

The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code (Code) on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan are being implemented.

The City of Grand Junction wishes to amend and update various sections of the Code that clarify certain provisions.

The City Council finds that the request to amend the Code is consistent with the goals and policies of the Growth Plan.

The Planning Commission, having heard and considered the request, found the proposed amendments further several goals and policies of the Growth Plan and recommended approval of the proposed revisions to the Zoning and Development Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE ADMENDED AS FOLLOWS:

**Amend Section 2.2.B.3.a as follows:**

Within five (5) working days of receipt of a complete application, the Director shall give notice, at the applicant's cost, by ~~first class~~ U.S. mail to each person shown as an owner within 500 feet (500') and at the address by the County Assessor.

**Amend Section 2.3.B.6.c.(1) and as follows:**

The Director must mail notice of a public hearing, as required in Table 2.3, by ~~first class~~ U.S. mail at the applicant's cost to each owner at the address on file with the Mesa County, Colorado Assessor.

**Amend Section 2.3.B.6.c.(3) and as follows:**

Mailed notice shall state the date, time and place of the hearing, a general description of the proposal, the location of the project, a statement explaining that any person will be heard at the public hearing and other such requirements.

Newspapers clippings of the published notice shall not be used for mailed notice. Notice shall be delivered by ~~first-class~~ U.S. mail.

**Amend Table 2.3, Public Hearing Notice Provisions, 3<sup>rd</sup> column heading, as follows:**

Mailed Notice ~~First-Class Mail~~ (footnote 2)

**Amend Table 3.5, Use/Zone Matrix, to show Multifamily as an allowable use in the C-1 zone district.**

**Amend Table 3.6, Density Bonus Provisions, 3<sup>rd</sup> column entry for Open Space Dedication, as follows:**

For each whole acre in excess of one (1) acre dedicated for Open Space, a Density bonus equal to one-half (1/2) of the units that would have been permitted on the land to be dedicated may be granted. ~~To calculate the number of permitted units, all provisions of this code:~~ Severely constrained lands, such as those with wetlands, steep slopes or surface waters, would likely be permitted few, if any, units. Dedication of such lands would result in a small bonus.

Introduced for first reading this \_\_\_\_ day of \_\_\_\_\_, 2008.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Gregg Palmer  
President of the Council

Attest:

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

**Attach 5**

**Setting a Hearing on Proposed Amendments to Chapters 4 and 9 of the Zoning and Development Code**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Proposed Amendments to Chapters 4 and 9 of the Zoning and Development Code		
<b>File #</b>	TAC-2008-153		
<b>Meeting Day, Date</b>	Wednesday, June 18, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	June 10, 2008		
<b>Author Name &amp; Title</b>	John Shaver, City Attorney Lisa E. Cox, Planning Manager		
<b>Presenter Name &amp; Title</b>	Lisa E. Cox, Planning Manager		

**Summary:** The City of Grand Junction proposes to amend Chapters 4 and 9 of the Zoning and Development Code to restrict the location of off-premises (billboard) signs on or near the centerline of the Riverside Parkway.

**Budget:** N/A

**Action Requested/Recommendation:** Hold first reading of a proposed ordinance and set a public hearing for Wednesday, July 2, 2008.

**Attachments:**

1. Staff report
2. 2004 Resolution No. 141-04
3. Proposed Ordinance.

**Background:** In December of 2004 the Grand Junction City Council, by Resolution 141-04 (copy attached), authorized a temporary hiatus in the acceptance of applications for off-premise (billboard) signs near and along the proposed alignment for the City's Riverside Parkway. With construction of the Riverside Parkway nearing completion, it is desirable to make the temporary restriction on the location of off-premise (billboard) signs permanent by amending the Zoning and Development Code.



### **Staff Analysis:**

In December of 2004 the Grand Junction City Council, by Resolution 141-04 (copy attached), authorized a temporary hiatus in the acceptance of applications for off-premise (billboard) signs near and along the proposed alignment for the City's Riverside Parkway.

In November 2003, the citizens of the City of Grand Junction ("City") approved a ballot measure authorizing the City to incur bonded indebtedness for the design and construction for the Riverside Parkway ("Parkway") in the total amount of \$100 million. The Parkway will be a three and five-lane urban beltway near land along the Colorado River. The Parkway is planned as the southern segment of a loop around the City. The roadway will eliminate congestion at various intersections, eliminate at-grade railroad crossings, reduce traffic within the Riverside neighborhood, minimize stops and driveways and generally improve safety and access to existing and proposed parks and Open Space along the City's riverfront.

Much time, effort and money has been applied to designing an attractive, well-designed, efficient means of moving the public from one end of town to the other in a manner acceptable to the public. Citizens have participated in the planning process for the Parkway from the beginning. In large measure because of the significant design and planning effort, the Parkway design meets the safety and aesthetic needs of all vehicular, pedestrian and bicycle users. The road will have gentle curves, good sight distances and reasonable grades. Impacts to open space will be minimized and the views, vistas and cityscapes have been preserved and enhanced with design features.

After much consideration of the City's obligation to promote the health, safety, and general welfare of the citizens, the City would like to implement Zoning and Development Code ("Code") amendments so that off-premise advertising signs shall be prohibited on or near the Riverside Parkway. The intent is that no off-premise sign may be viewed by a parkway user, whether traveling by vehicle or on foot. Too much has been done to improve traffic safety with the design and ultimate construction of this project to allow off-premise signs which will reduce traffic safety. The aesthetics of the project will be greatly enhanced with the elimination of signs; signs create clutter and visual pollution. Statistics have shown that they also decrease safety. In the proposed amendments to the Code, the City would be acting to protect the public benefits to be derived from the expenditure of \$100 million of the City's funds for the improvement and beautification of streets and other public structures by exercising reasonable control over the character and location of sign structures.

The elimination of off-premise advertising signs is reasonable and furthers the City's rights and responsibilities to protect the health, safety and welfare of its citizens. The City encourages development of private property in harmony with

the desired character of the City while providing due regard for the public and private interests involved. The sign regulations as amended will promote the effectiveness of signs by preventing their undue concentration, improper placement, deterioration and excessive size and number. The citizens will be protected from injury or damage as a result of limiting distraction or obstruction attributable to signs.

On-site and other signs will be allowed as long as the signs otherwise comply with the Code, other City rules and regulations, and state law. With construction of the Riverside Parkway nearing completion, it is desirable to make the temporary restriction on the location of off-premise (billboard) signs permanent by amending the Zoning and Development Code.

### **LEGAL PRINCIPLES:**

All sign regulations must comport with judicially-created principles arising out of the First Amendment. The First Amendment provides that: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press or the right of the people peacefully to assemble and to petition the Government for a redress of grievances." U.S. Const. Amendment 1.

As with many forms of speech, signs possess a dual nature, including both communicative and noncommunicative aspects. The noncommunicative aspects of signs may be regulated by the government on behalf of the public welfare. In certain instances, communicative aspects of signs may be regulated as well.

Modern cases provide cities with fairly broad powers to regulate signs on public property (see, e.g., *United States v. Kokinda*, 497 U.S. 720 (1990)), but local governments have less latitude in regulating signs placed on private property. In addition to the First Amendment rights to free speech, government regulation of signs on private property may also implicate the Fifth Amendment prohibition against the taking of private property without just compensation. The United States Supreme Court has struck down statutes restricting speech, particularly signs, by citizens on their own property. *City of Ladue v. Gilleo*, 114 S. Ct. 2038, 2041 (1994). For a government regulation on private land use to be upheld, it must be beneficial to the public health, safety, and welfare, and within the scope of the police power. Id.

In constitutional law language, appropriate sign ordinances are "time, place and manner" restrictions on speech, as opposed to restrictions on content of the speech. Even a content-neutral ordinance, such as one that simply bans all signs, can become content-based, in effect, if it is selectively enforced. In any case, the three-part test courts use in reviewing the constitutionality of sign ordinances is as follows:

Is the ordinance content-neutral?

Is the ordinance narrowly tailored to serve a significant governmental interest?

Given the restrictions in the ordinance, are there ample, alternative channels of communication of the information?

**FURTHER ANALYSIS:**

**Is the ordinance content-based or content-neutral?** The proposed ordinance is content neutral. If a regulation is content-based, then the law requires the local government “to show that the regulation is necessary to serve a compelling state interest and that it is narrowly-drawn to achieve that end.” *Boos v. Barry*, 485 U.S. 312, 321, 108 S. Ct. 1157, 1164 (1988). If the regulation is content-neutral, and merely restricts speech in terms of time place or the manner, a different test applies. *Ward v. Rock Against Racism*, 491 U.S. 781, 109 S. Ct. 2746 (1989). Content-neutral, speech may be regulated where (1) the restrictions are justified without reference to the content of the regulated speech, (2) they are narrowly-tailored to serve a significant government interest, and (3) they leave open ample alternative channels for communication of the information. Id.

**Is the ordinance narrowly-tailored to serve a significant governmental interest and are there ample alternative channels of communication of the information?** The proposed ordinance is narrowly tailored to serve a significant governmental interest. Courts have applied the “narrowly-tailored/significant government interest” test in several instances. The regulation of signs for aesthetic reasons has been determined to be a significant governmental interest and squarely within the police power. *H&H Operations, Inc. v. City of Peachtree City*, supra. Despite this fact, the judicial attitude of courts historically was that sign controls based on aesthetics alone are outside the scope of legislative action. *Thomas v. City of Marietta*, 345 Ga 485, 365 S.E. 2d 775 (1980).

Contrary to this attitude, the strong public support for sign controls apparently pushed many federal and state courts to find ways to uphold sign regulations where aesthetics were not the sole basis of the regulation. The idea was to identify other purposes for the regulations which were within orthodox police power concepts. These “other purposes” included public safety and the preservation of property values. *Thomas v. Marietta*, supra.

The United States Supreme Court provided support for the view that aesthetic considerations alone are a sufficient basis for sign regulations in *Metromedia, Inc. v. City of San Diego*, supra, where seven justices agreed that San Diego’s interest in avoiding visual clutter was sufficient to justify a complete prohibition of off-site signs. The Supreme Court reaffirmed its support for aesthetic-based regulations in *Members of the City Council v. Taxpayers for Vincent*, 466 U.S. 789, 104 S. Ct. 2118 (1984). In that case, the Court upheld a ban on posting

signs on public property. This view has since been followed by courts in most jurisdictions. *H&H Operations, Inc. v. City of Peachtree City*, supra; *City of Scottsdale v. Arizona Sign Assoc., Inc.* 115 Ariz. 233 (1977); *Veterans of Foreign Wars v. City of Steamboat Springs*, 195 Col. 44 (1978); *Builders, Inc. v. Sartin*, 8 Storey 173 (Del. Super 1964); *City of Sunrise v. DCA Homes, Donnelly & Sons, Inc. v. Outdoor Advertising Board*, 369 Mass 206 (1975); *Westfield Motor Sales Co. v. Westfield*, 129 NJ Super 528 (NJ Super 1974). Based on this clear message, the primary issue in this area has become whether the specific regulations comport with the First Amendment's valid time, place and manner restrictions.

The United State Supreme Court reviewed the City of San Diego's sign ordinance in the *Metromedia, Inc. v. City of San Diego*, supra. In that case, San Diego's e regulated on-site signs and banned off-site billboards. Because of the commercial necessity of allowing signs which identify the location of a business, on-site signs are often regulated, but never completely banned. On the other hand, off-site signs are frequently deemed to be merely advertising and may be banned. *Id.* The Court unanimously agreed that, because only commercial speech is involved in making the distinction between on-site and off-site signs, an on and off-site regulatory scheme like San Diego's does not necessarily violate the First Amendment. The stated purpose of San Diego's regulation, which has consistently been upheld by the Supreme Court, is the reduction of sign clutter and the promotion of traffic safety. *Suffolk Outdoor Advertising Co. v. Hulse*, 439 U.S. 808, 99 S. Ct. 66 (1978); *Newman Signs, Inc. v. Hjelle*, 440 U.S. 901, 99 S.Ct. 1205 (1979). The standard applied in reaching to be applied is the four-part test for judging the validity of restrictions on commercial speech adopted by the Supreme Court in *Central Hudson Gas & Electric Corp. v. Public Service Commission*, 447 U.S. 557 (1980): Hudson provides that: (1) The First Amendment protects commercial speech only if that speech concerns lawful activity and is not misleading. A restriction on otherwise protected commercial speech is valid only if it (2) seeks to implement a substantial government interest, (3) directly advances that interest and (4) reaches no further than necessary to accomplish the given objective.

The seven justices in Metromedia agreed that traffic safety and aesthetics were substantial government interest and that a ban on off-site billboards was not broader than necessary to accomplish the states goals. Id.

The Court determined, however, that the specific sign regulations created by the City of San Diego were unconstitutional for reasons other than those related to the First Amendment. Specifically, the Court concluded that the ordinance favored commercial over non-commercial speech because commercial speech could be displayed on on-site signs, but not non-commercial speech. *Id.* Further, the Court concluded that the ordinance's treatment of off-site signs was unconstitutional because the regulation constituted a government choosing among various non-commercial messages. The choosing took place when the

government created exceptions for some, but not all, non-commercial message on off-site signs.

The Supreme Court further reviewed the application of the First Amendment to a local sign ordinance in *Members of the City Council v. Taxpayers for Vincent*, 466 U.S. 789, 104 S. Ct. 2118 (1984). In that case, the Court examined an ordinance banning the posting of signs on public property. The Court concluded that: (1) sign clutter is a substantive evil that a local government has a substantial interest in addressing and (2) once a kind of sign is determined by the government to contribute to the clutter, a content-neutral ordinance banning the type of sign is a sufficiently narrow governmental action.

Given the restrictions in the ordinance, are there ample, alternative channels of communication of the information? There are ample alternative channels. The proposed ordinance does not change zoning or otherwise unduly limit access to alternative channels.

Based on the cases decided by the courts, several principles regarding the local regulation of signs are clear:

- (1) A distinction between on and off-site signs which permits on-site signs and prohibits off-site signs is permissible;
- (2) Advertising is a form of constitutionally protected speech, albeit deserving of less protection than non-commercial speech;
- (3) Constitutionally protected speech may be curtailed by regulations in order to implement or further the governmental interest in aesthetics and/or traffic safety;
- (4) Although the stated rule is that the restriction must reach “no further than necessary to accomplish the given objective,” in practice the judgment of the government as to the least restrictive approach will be given great deference;
- (5) Commercial speech may never be treated more favorably in sign regulations than non-commercial speech;
- (6) Although the government may ban some commercial messages while allowing others, it must generally maintain neutrality in regulation of non-commercial speech.

**CONSISTENCY WITH GROWTH PLAN:**

The proposed amendments are consistent with the goals and policies of the Growth Plan, including, but not limited to the following:

Goal 13: To enhance the aesthetic appeal and appearance of the community's built environment.

Policy 13.1: The City and County will establish heightened aesthetic standards and guidelines for the gateway areas and high visibility corridors mapped in Exhibit V.6, Key Corridors and Gateways Map.

Policy13.12: Visual clutter along corridors will be minimized through the application of sign regulations and corridor design guidelines.

**FINDINGS/CONCLUSIONS:**

After review of the various proposed amendments, the Planning Commission made the following findings of fact and conclusions:

1. The proposed amendments are consistent with the goals and policies of the Growth Plan.
2. The proposed amendments will promote the effectiveness of signs by preventing their undue concentration, improper placement, deterioration and excessive size and number.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission forwarded a recommendation of approval of the proposed amendments to City Council for TAC-2008-153, with the findings and conclusions listed above.

**RESOLUTION NO. 141-04**

**A RESOLUTION DIRECTING THE CITY MANAGER  
CONCERNING OFF PREMISE SIGN APPLICATIONS ON OR NEAR THE  
PROPOSED ALIGNMENT OF THE RIVERSIDE PARKWAY**

Recitals.

The purpose of this Resolution is to afford the City an opportunity to carefully evaluate and determine as appropriate, the proper location, if any, the proper additional special regulation, if any and other considerations including the possible barring, as allowed by law, of off premises signs along the proposed alignment of the Riverside Parkway.

The City Council directs the City Manager to evaluate making changes to the Zoning and Development Code pertaining to the construction, development or placement of off premise signs at, near or along the proposed alignment of the Riverside Parkway, including the possibility of developing a corridor overlay and/or other specific changes to the Zoning and Development Code regulating the placement of off premise signs upon completion of the construction of the Riverside Parkway.

Consistent with the City's authority and obligation to promote the health, safety and general welfare of the citizens and residents of the City, the City Council does hereby direct the City Manager to not accept, process or act on any development applications or issue any permits for off premises signs to any applicant that may be anticipating the creation of a location for such sign(s) as a result of the construction of the Riverside Parkway.

The proposed alignment of the Riverside Parkway is generally shown on Exhibit A which is attached hereto and incorporated by this reference as if fully set forth.

This resolution is found to be reasonable and proper because the Riverside Parkway does not yet exist and therefore there are no parcels with street frontage for which an application for an off premises sign would be suitable. Any application made at this time would be speculative and would not be premised on a reasonable investment backed expectation.

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

The foregoing Recitals are adopted as the policy of the Council; that the City manager shall act consistently therewith and shall report back to City Council as soon as is practicable with recommendations.

PASSED and ADOPTED this 15th day of December 2004

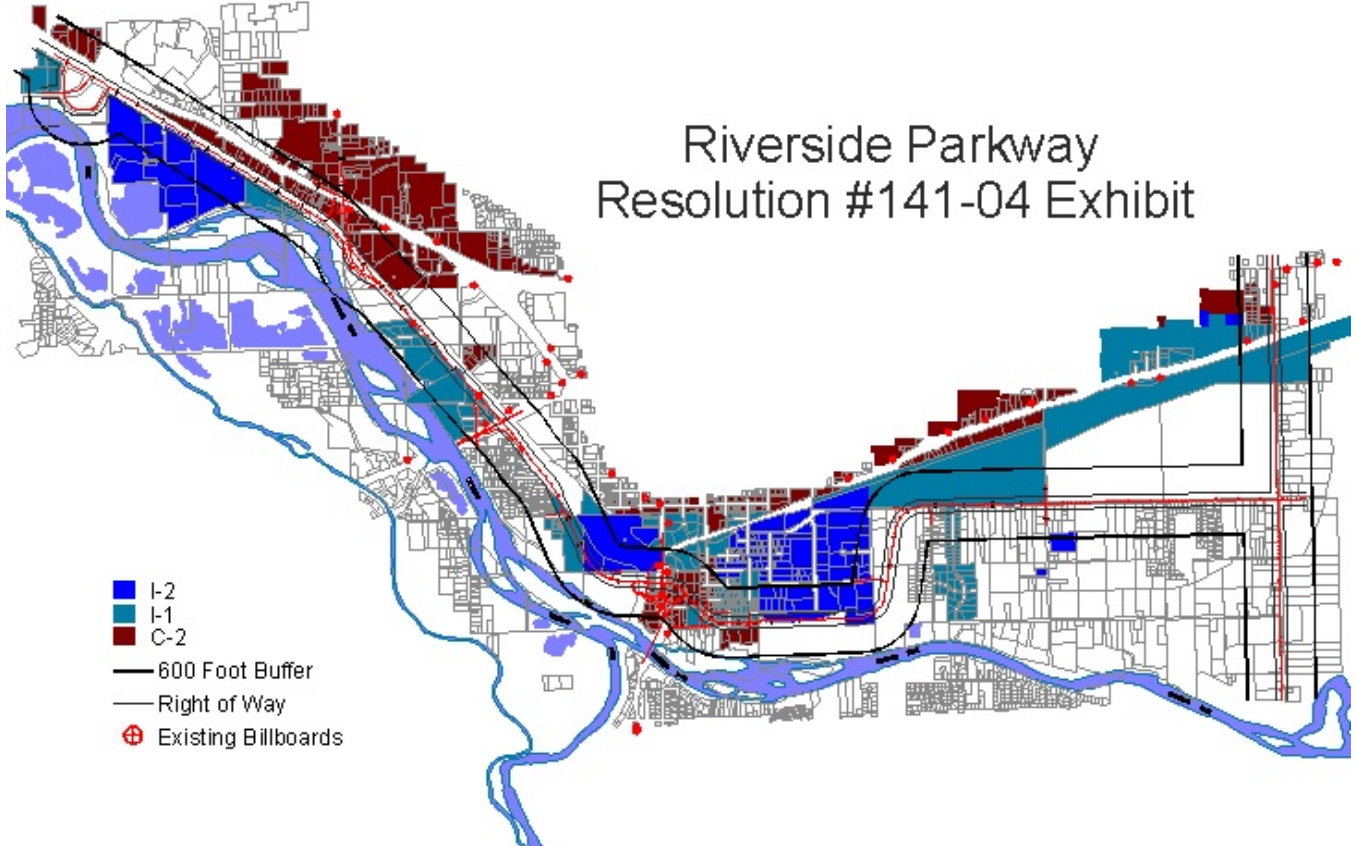
Attest:

/s/ Bruce Hill  
Bruce Hill  
President of the Council

/s/ Stephanie Tuin  
Stephanie Tuin  
City Clerk



# Riverside Parkway Resolution #141-04 Exhibit



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE  
REGARDING OFF-PREMISE SIGNS ON OR NEAR THE  
CENTERLINE OF THE RIVERSIDE PARKWAY**

Recitals:

In November 2003, the citizens of the City of Grand Junction ("City") approved a ballot measure authorizing the City to incur bonded indebtedness for the design and construction for the Riverside Parkway ("Parkway") in the total amount of \$100 million. The Parkway will be a three and five-lane urban beltway near land along the Colorado River. The Parkway is planned as the southern segment of a loop around the City. The roadway will eliminate congestion at various intersections, eliminate at-grade railroad crossings, reduce traffic within the Riverside neighborhood, minimize stops and driveways and generally improve safety and access to existing and proposed parks and Open Space along the City's riverfront.

Much time, effort and money has been applied to designing an attractive, well-designed, efficient means of moving the public from one end of town to the other in a manner acceptable to the public. Citizens have participated in the planning process for the Parkway from the beginning. In large measure because of the significant design and planning effort, the Parkway design meets the safety and aesthetic needs of all vehicular, pedestrian and bicycle users. The road will have gentle curves, good sight distances and reasonable grades. Impacts to open space will be minimized and the views, vistas and cityscapes have been preserved and enhanced with design features.

After much consideration of the City's obligation to promote the health, safety, and general welfare of the citizens, the City Council finds that off-premise advertising signs shall be prohibited on or near the Riverside Parkway. The intent is that no off-premise sign may be viewed by a parkway user, whether traveling by vehicle or on foot. Too much has been done to improve traffic safety with the design and ultimate construction of this project to allow off-premise signs which will reduce traffic safety. The aesthetics of the project will be greatly enhanced with the elimination of signs; signs create clutter and visual pollution. Statistics have shown that they also decrease safety. In this amendment to the Zoning and Development Code ("Code") the City Council is acting to protect the public benefits to be derived from the expenditure of \$100 million of the City's funds for the improvement and beautification of streets and other public structures by exercising reasonable control over the character and location of sign structures.

The elimination of off-premise advertising signs is reasonable and furthers the City's rights and responsibilities to protect the health, safety and welfare of its citizens. The City encourages development of private property in harmony with the desired character of the City while providing due regard for the public and private interests involved. The sign regulations as amended will promote the effectiveness of signs by preventing their undue concentration, improper placement, deterioration and excessive size and number. The citizens will be protected from injury or damage as a result of limiting distraction or obstruction attributable to signs.

On-site and other signs will be allowed as long as the signs otherwise comply with the Code, other City rules and regulations, and state law.

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

Chapter 4 of the Code shall be amended as follows:

Section 4.2.G.4.e shall be added to read:

e. Off-premise outdoor advertising signs shall not be visible from the Riverside Parkway. No portion of a sign may be visible from the Riverside Parkway. It is rebuttably presumed that a sign is visible if the sign is located within 600 feet from the centerline of the Riverside Parkway as that location is depicted in Exhibit A attached hereto. Exhibit A is incorporated by the reference as if fully set forth.

Sections 4.2.E.3 and 4.2.E.4 shall be added to read:

3. Any off-premise sign on or near the Riverside Parkway that becomes nonconforming due to the adoption of Section 4.2.G.4.e may continue only in the manner and to the extent that it existed at the time of the adoption of this ordinance. The sign must not be re-erected, relocated, or replaced unless it is brought into conformance. If a sign remains nonconforming, then the sign shall be discontinued and removed on or before the expiration of three years from the effective date of this ordinance.

4. A nonconforming sign which use is upgraded or exempted in writing shall be considered an allowed sign.

Chapter 9 of the Code shall be amended by including the following definition for Off-premise Sign and deleting the definition Sign, Billboard (Off-premise):

Off-premise sign is a sign that directs attention to a commercial business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located, including billboards.

This ordinance is proposed and adopted pursuant to and is consistent with the City's legal authority and obligation to promote the health, safety and general welfare of the citizens of the City. To the end, City Council does hereby direct the City Manager to take any and all lawful actions necessary or required to fully implement the terms hereof.

Introduced for first reading this \_\_\_\_ day of \_\_\_\_\_, 2008.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Gregg Palmer

President of the Council  
Attest:

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

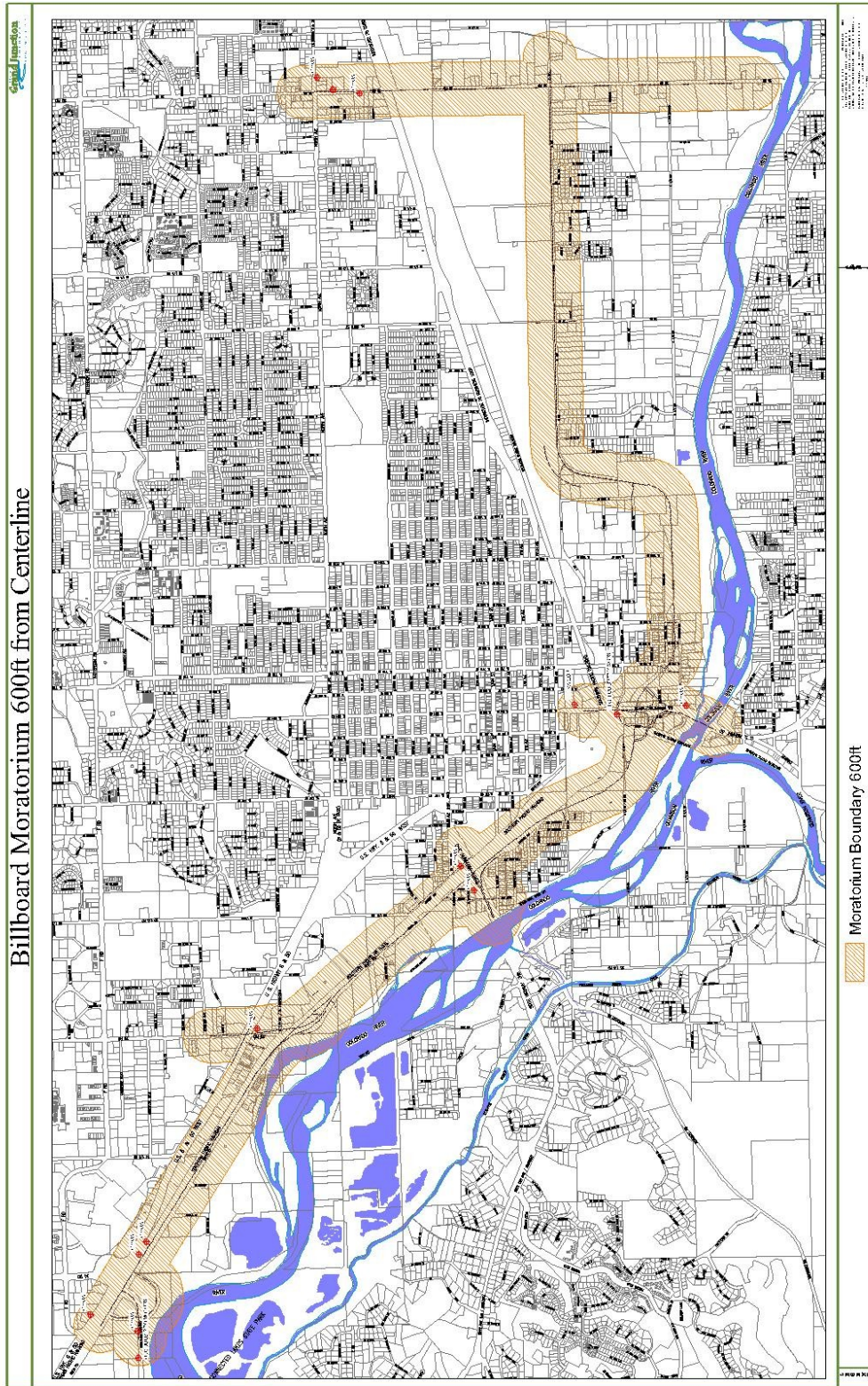


EXHIBIT "A"

**Attach 6**  
**Setting a Hearing on Vacating Portions of Right-of-Way for Teller Court**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Right-of-Way Vacation – Located West of 30 Road and the 29 2/3 Road Alignment		
<b>File #</b>	PFP-2007-349		
<b>Meeting Day, Date</b>	Wednesday, June 18, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	4 June 2008		
<b>Author Name &amp; Title</b>	Dave Thornton, AICP, Principal Planner		
<b>Presenter Name &amp; Title</b>	Dave Thornton, AICP, Principal Planner		

**Summary:** Cal Frac Well Services Corp., property owner of 489 Teller Court and the proposed 31 acre, four lots, Calfrac Subdivision is requesting approval to vacate portions of the right-of-way for Teller Court located west of 30 Road at the 29 ¾ Road alignment.

**Budget:** N/A

**Action Requested/Recommendation:** Introduction of the proposed Ordinance and set a Public Hearing for July 2, 2008.

**Attachments:**

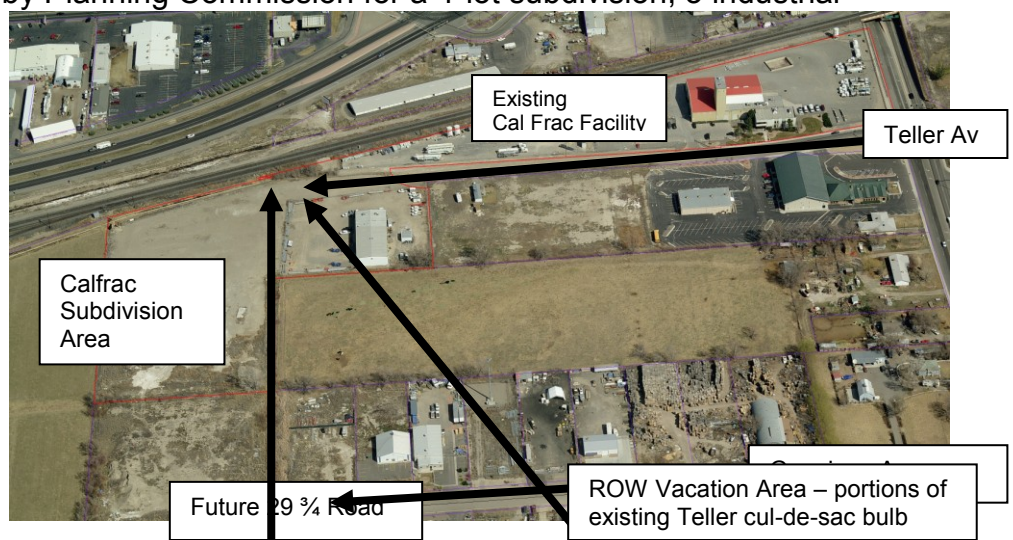
1. Site Location Map (Figure 1) / Aerial Photo Map (Figure 2)
2. Future Land Use Map (Figure 3) / Existing City and County Zoning Map (Figure 4)
3. Applicant's "General Project Report"
4. Calfrac Subdivision Plan
5. Calfrac Subdivision Plat
6. ROW Vacation Ordinance

BACKGROUND INFORMATION					
Location:		489 30 Road			
Applicants:		Cal Frac Well Services Corp Rep: Mark Austin , Austin Civil Group			
Existing Land Use:		Industrial and Vacant			
Proposed Land Use:		Industrial and Residential			
<b>Surrounding Land Use:</b>	North	Railroad and I-70 Business Loop			
	South	Residential and Church			
	East	Industrial, Residential, vacant land			
	West	RV Storage, Residential			
Existing Zoning:		I-1 and R-8 (Residential – 8 du/ac)			
Proposed Zoning:		No Change			
<b>Surrounding Zoning:</b>	North	County Commercial Zoning			
	South	Mesa County R-8 (Residential – 8 du/ac)			
	East	R-8 & C-1 & Mesa County I-2 & I-1			
	West	Mesa County I-2 and RSF-Rural			
Growth Plan Designation:		Industrial; Commercial/Industrial; and Residential Medium, 4-8 du/ac			
Zoning within density range?		X	Yes		No

**Staff Analysis:**

1. Background

The Cal Frac property was annexed into the City on January 21, 2007 as the Cal-Frac Annexation. The current zoning of the property is I-1 and R-8. The applicant received preliminary plan approval by Planning Commission for a 4-lot subdivision, 3 industrial lots and 1 residential lot on May 27, 2008. The property is located within the Pear Park Neighborhood area; the development conforms to the 2005 adopted Pear Park







no longer needed and is being requested for vacation. (See attached Ordinance for ROW vacation.)

2. Section 2.11.c of the Zoning and Development Code

Requests to vacate any public right-of-way or easement must conform to all of the following:

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

Teller Court has been a dead-end street, however it was always assumed that the street would either continue west or connect to a future street when the area to the west was developed. At such time, the bulb of the cul-de-sac would no longer be needed.

b. **No parcel shall be landlocked as a result of the vacation.**

No parcel is landlocked as a result of the vacation

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

Access is not being restricted, but instead is being enhanced with multiple ways of access with the Calfrac Subdivision dedication of 29  $\frac{3}{4}$  Road.

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

There are no adverse impacts, rather by providing additional ways to access the properties, the health, safety and welfare of the area and the ability to provide services is enhanced. Transportation will be improved with more than one access road to the property; utility lines will be upgraded through looping of water lines, etc. providing for better service.

e. **The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.**

The provision of adequate facilities and services is not being inhibited to the any property as noted above.

- f. **The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.**

Improved traffic circulation by removing a dead-end street and connecting it to another outlet (Gunnison Avenue) in the near term and additional outlets (D ½ Road, etc) in the future is a great benefit to the City.

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

After reviewing the Calfrac Subdivision application, PP-2007-349, for the vacation of a public right-of-way, Planning Commission and I make the following findings of fact, conclusions and condition:

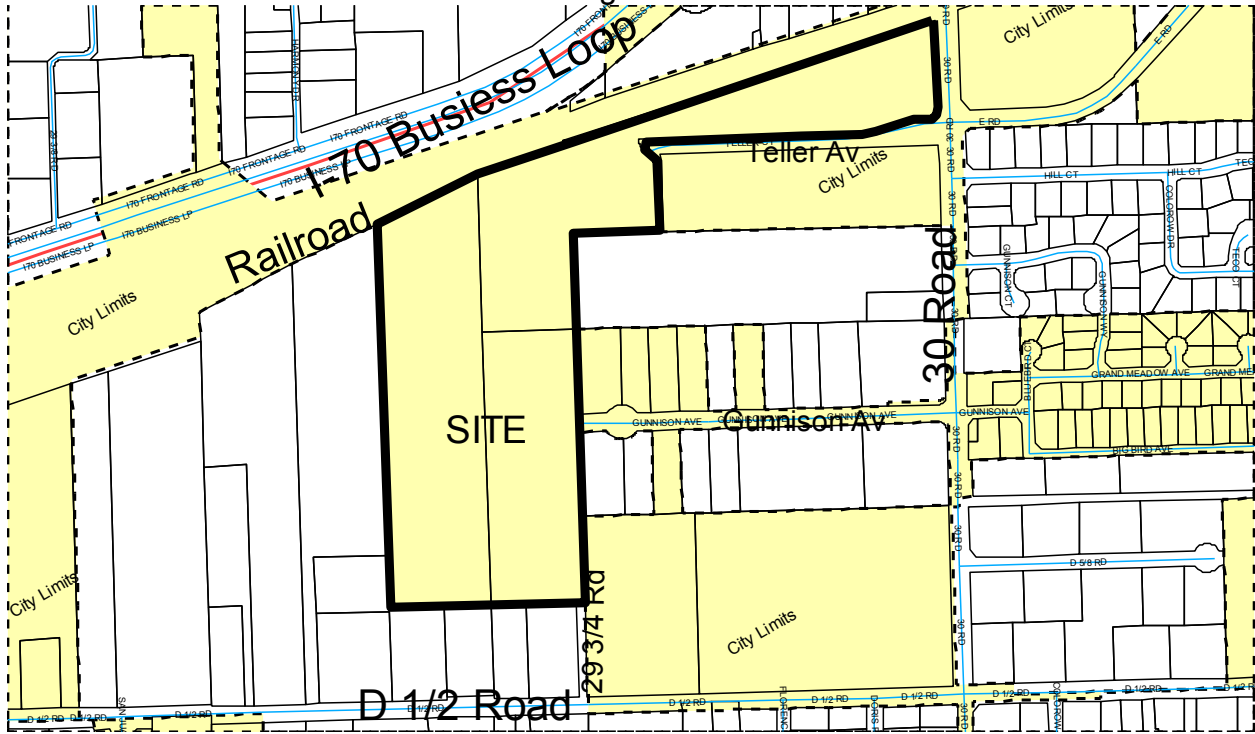
1. The requested right-of-way vacation is consistent with the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. That the Calfrac Subdivision plat is recorded dedicating 29 <sup>3</sup>/<sub>4</sub> Road that will connect to Teller Court.

## **STAFF AND PLANNING COMMISSION RECOMMENDATION:**

Planning commission and I recommend approval of the requested right-of-way vacation, PP-2007-349 to the City Council with the findings, conclusions and condition listed above.

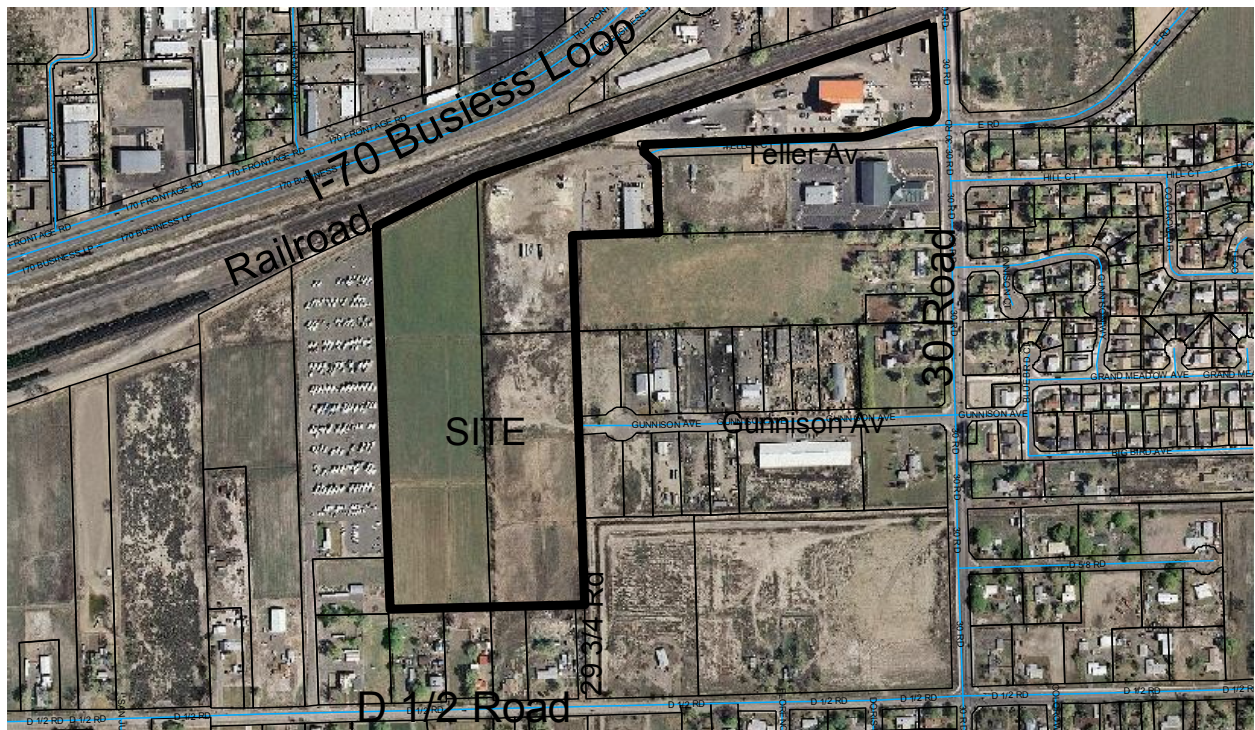
# Site Location Map

Figure 1



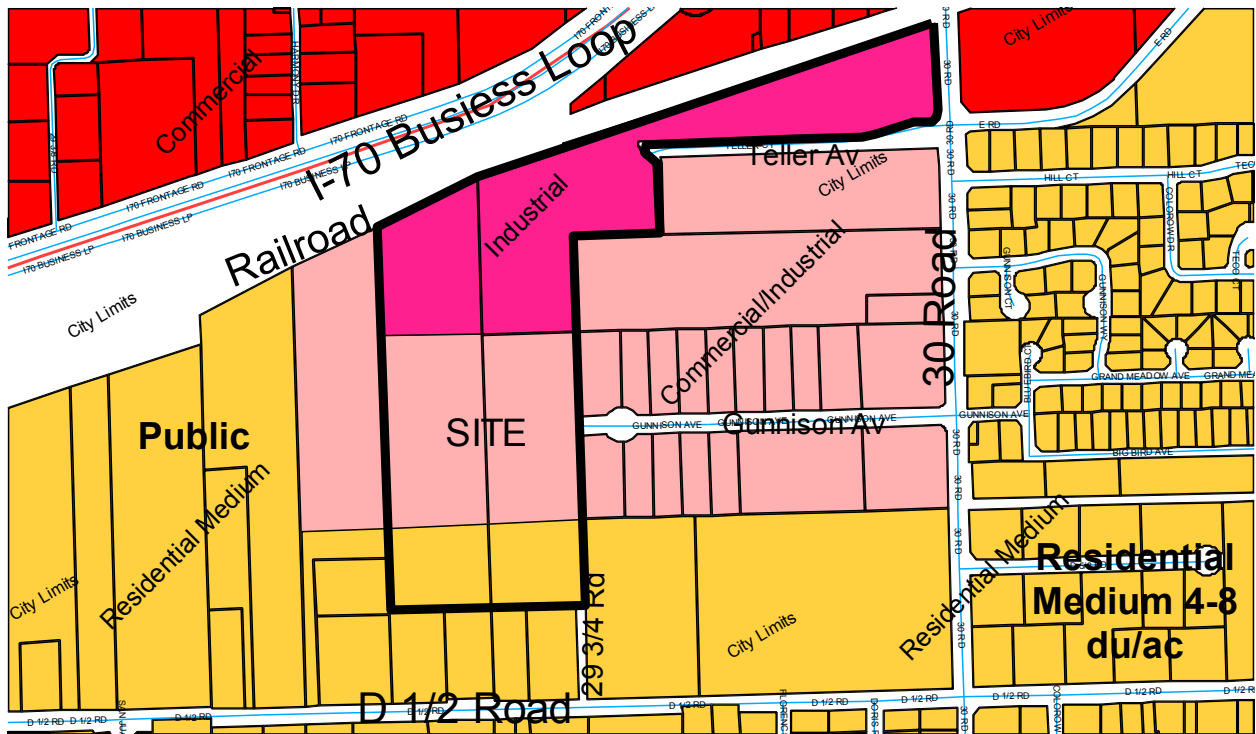
# Aerial Photo Map

Figure 2



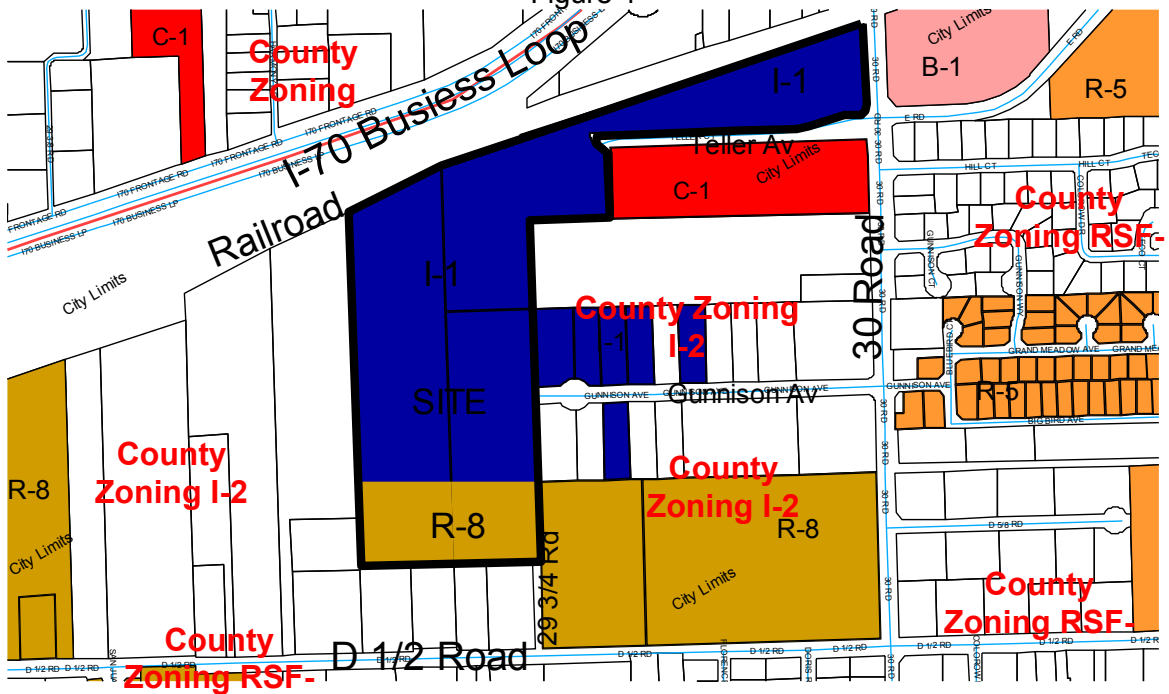
# Future Land Use Map

Figure 3



# Existing City and County Zoning Map

Figure 4



**General Project Report  
CALFRAC SUBDIVISION  
Calfrac Wells Services  
489 30 Road**

**Project Narrative**

This application is requesting review comments for a Preliminary/Final Subdivision and Vacation of Public Right-of-Ways for approximately 31.41 acres generally located north and west of Teller Court, and west of 30 Road in Grand Junction, Colorado. County Assessors identify three (3) parcels where only two (2) currently exist due to a recent boundary line adjustment through Mesa County (2005-345PA1). The northern most 12.39-acre parcel is currently occupied by Calfrac Well Services Corporation with the southern most 19.03-acre parcel being vacant land.

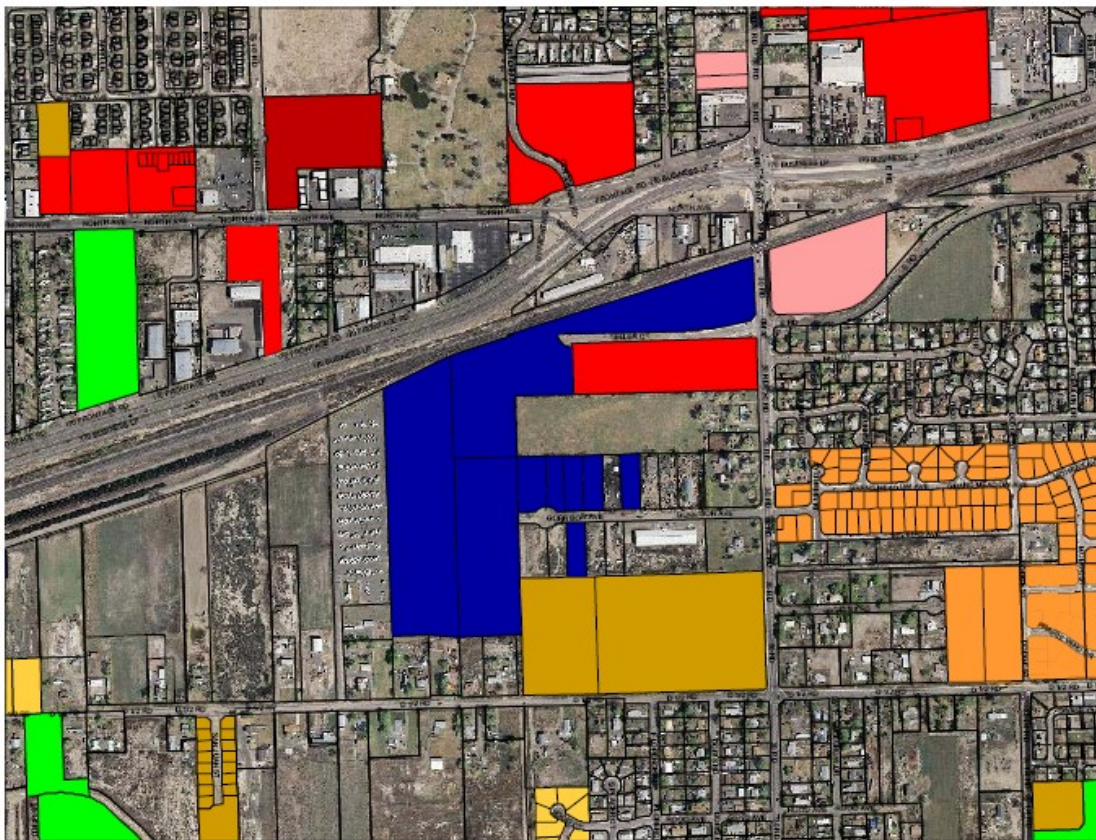


The property has recently been annexed into the City of Grand Junction and was included as part of the recent Pear Park Neighborhood Plan which was updated in December 2004. This plan calls for the southern portion (approximately 300-ft from the south property line) of the site to be zoned for medium density residential with the remaining portion to be zoned industrial.

**General Project Report  
CALFRAC SUBDIVISION  
Calfrac Wells Services  
489 30 Road**

After the annexation of the property into the City limits, the property is zoned I-1, with the exception of the southern 300 feet (approximately 4.33 acres) of the property which will be zoned RMF-8. The surrounding land uses and zoning are outlined below.

- North: I-70 Business Loop & Union Pacific Railroad
- East: City = C-1, I-1, RMF-8  
Mesa County = Residential Medium, Industrial
- South: Mesa County = Residential Medium
- West: Mesa County = Industrial



**General Project Report  
CALFRAC SUBDIVISION  
Calfrac Wells Services  
489 30 Road**

**Subdivision Project Description**

The subdivision request for the 31.41 acres will create four lots from the existing two parcels. Lot 1, the southern 3.72-acre parcel, has been created to provide a lot that can be zoned residential in accordance with the Pear Park plan. Lot 2, approximately 18.02 acres in size, will be the new location for Calfrac Well Services. Calfrac Well Services will apply for a Major Site Plan Clearance at a later date. Lot 3 is a 1.62-acre parcel that is created as the result of extending Teller Court and 29 ¾ Road south towards D 1/2 Road. This lot currently has a 9,120-square foot building that Calfrac leases out to various tenants. Lot 4, approximately 5.44 acres in size, is the current location of Calfrac's operations.

As part of the Mesa County property line adjustment process (Mesa County Project #: 2005-345PA1), the project was required to place a "reserved right to establish ingress/egress and utilities" that is 80-ft in width at the north end of the site and appears to be 66 feet in width in other areas. It appears the intent of this reserve area was to insure the ability to extend Teller Court/29 ¾ Road south to connect with D 1/2 Road. City legal staff has stated that vacation of these of easements is not necessary and may overtop the dedicated road right-of-way. Two small areas of Teller Court Right-of-Way is being requested for vacation to better extend Teller Court and 29 ¾ Road.

**Site Access**

Access to the proposed subdivision lots will be provided off Teller Court and Gunnison Avenue. Currently, Teller Court is developed as far as the existing Calfrac facility on Lot 4 of the proposed subdivision. This project will extend Teller Court and develop 29 ¾ Road to provide access to the lots within the proposed subdivision and connect with Gunnison Avenue.

The applicant is requesting roadway improvements for 29 ¾ Road to terminate at the boundary of Lots 1 and 2 because they intend to use Lot 1 as a "buffer" between their industrial property and the existing residential properties located along D 1/2 Road. If the applicant eventually sells Lot 1 for residential development, the remaining portions of 29 ¾ Road can be built as part of the residential subdivision approval.

As part of this project, dedication of road right-of-way for Silver Cholla Avenue, located adjacent to the southern lot line of Lot 1, is being proposed to allow for future access to the existing residential lots that front D ½ Road.



**General Project Report  
CALFRAC SUBDIVISION  
Calfrac Wells Services  
489 30 Road**

**Water**

This project proposes to install an 8-inch water main within the right of way of the proposed 29 ¾ Road. This main will provide a loop between existing Ute Water mains in Teller Court and Gunnison Avenue. Water Services currently exist to Lots 3 and 4 and a water service Lot 2 will be provided from this new main. The proposed 8-inch main will also be stubbed past the connection with the main in Gunnison Avenue for connection with future development of the residential Lot 1.

Currently, there are two existing fire hydrants located along Teller Court. In addition to these existing hydrants, this project will install three (3) new fire hydrants within the development. The three (3) will be located on 29 ¾ Road and will tie into the proposed 8-inch main. An additional fire hydrant may be warranted once Lot 2 applies for a development application.

**Sanitary Sewer**

Currently the subject property falls within the Central Grand Valley Sanitation District for sanitation service. The District has two (2) existing sewer lines that parallel the proposed 29 ¾ Road Improvements. The first sewer line is a 15-inch PVC Truss Pipe that was installed to provide sewer service to the Banner Industrial Park and extends from D ½ Road to existing MH TWE1 located on the north end of Lot 7 of Banner Subdivision. The second sewer line is a private 8-inch PVC sewer main that was extended from MH TWE1 to serve the current facility on the proposed Lot 3. Part of the Calfrac Subdivision infrastructure construction, a 6" sanitary sewer service tap is being proposed to provide sewer service to Lot 2. At the upstream termination of the 6" service line, a new manhole has been proposed for use of the District to monitor and sample the Lot 2 waste water.

**Stormwater**

Historically, the majority of the storm water generated from the project site, excluding the current Calfrac Well Service Facility, drains at a south-southwest direction where it intercepted by existing tail water ditches that discharge into the Beswick Drain. The runoff generated by the current operation facility for Calfrac Well Services discharges into the existing storm sewer infrastructure in Teller Court/30 Road and an existing retention pond located along the northern property line. With the creation of the subdivision, Lots 1-3's storm water will enter a new storm sewer system in Teller Court and 29 ¾ Road and convey south to a new detention pond. The detention pond will be provided with a two-stage outlet structure that will restrict discharge to the Beswick Drain at historic rates. A Final Drainage Report for Calfrac Subdivision has been prepared detailing the historic and proposed drainage characteristics.

**General Project Report  
CALFRAC SUBDIVISION  
Calfrac Wells Services  
489 30 Road**

**Other Utilities**

Gas, power and telephone utility services required for this project are located near the project site and will be extended to the individual lots. Fourteen-foot multi-purpose easements have been provided adjacent to the 29 ¾ Road right-of-way at each lot for this purpose.

**General Project Report  
CALFRAC SUBDIVISION  
Calfrac Wells Services  
489 30 Road**

**Vacation of Public Rights-of-Way Criteria (Section 2.11.C)**

- A. *The Growth Plan, major street plan and other adopted plans and polices of the City;*  
Response: This subdivision is in accordance with the Growth Plan to locate industrial and residential uses within this area. The street plan for this subdivision is for a City of Grand Junction approved Industrial Street Section.
- B. *No parcel shall be landlocked as a result of the subdivision;*  
Response: No parcel will be landlocked as a result of the subdivision. Additional public right-of-way is being proposed for future roadway connection.
- C. *Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;*  
Response: Access is provided to all proposed lots and proposed dedicated right-of-way shall provide access to future development within the area.
- D. *There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services);*  
Response: No adverse impacts on health, safety, and/or welfare of the general community as a result of vacating of easements and public rights-of-way.
- E. *The provision of adequate public facilities and services shall not be inhibited to any property as required by Chapter Six of this Code;*  
Response: Adequate public facilities will not be impacted as a result of vacating the existing easements and public rights-of-way.
- F. *The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.*  
Response: Vacating of Teller Court Road Right-of-Way shall simply the road alignment for Teller Court and 29 <sup>3</sup>/<sub>4</sub> Road.





**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE VACATING PORTIONS OF THE  
RIGHT-OF-WAY FOR TELLER COURT  
LOCATED AT THE CUL-DE-SAC WEST OF 30 ROAD  
AT THE 29 3/4 ROAD ALIGNMENT**

Recitals:

Cal Frac Well Services Corp owners of 489 30 Road and desire to subdivide their property and dedicate and build 29 3/4 Road located at the west end of Teller Court. They are requesting the vacation of Right-of-Way located with the “bulb area” of the dedicated cul-de-sac adjacent to their property. The proposed vacations are being requested because the “bulb area” will no longer be needed when 29 3/4 Road is dedicated and built as part of the Calfrac Subdivision which will connect Teller to 29 3/4 Road eliminating Teller Court as a dead-end street.

The City Council finds that the property owner’s request is consistent with the Growth Plan Future Land Use Plan and the Grand Valley Circulation Plan. The application also meets the criteria of section 2.11 of the Zoning and Development Code.

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

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, and
2. Provided that the Calfrac Subdivision Plat is recorded dedicating 29 3/4 Road that will connect to Teller Court.

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

Dedicated right-of-way to be vacated:

### **Right-of-Way Vacation Parcel 1**

A parcel of land for right-of-way to be vacated located in Northeast Quarter of Section 17, Township 1 South, Range 1 East of the Ute Meridian in the City of Grand Junction, Mesa County, Colorado, and being more particularly described as follows:

Commencing at the Northeast corner of said Section 17 whence the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) bears South 00 degrees 00 minutes 55 seconds East, a distance of 1319.12 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 58 degrees 45 minutes 39 seconds West, a distance of 1270.41 feet to the POINT OF BEGINNING; thence South 89 degrees 58 minutes 02 seconds East, a distance of 8.84 feet, along the existing North right-of-way line for Teller Court; thence, leaving said North right-of-way line, along a non-tangent curve to the left, having a delta angle of 01 degrees 34 minutes 16 seconds, with a radius of 324.09 feet, an arc length of 8.89 feet, with a chord bearing of South 83 degrees 43 minutes 42 seconds West, with a chord length of 8.89 feet, to a point on the arc of the Teller Court cul-de-sac right-of-way line; thence along a non-tangent curve to the right, having a delta angle of 00 degrees 44 minutes 44 seconds, with a radius of 75.00 feet, an arc length of 0.98 feet, with a chord bearing of North 00 degrees 19 minutes 44 seconds West, with a chord length of 0.98 feet to the POINT OF BEGINNING.

Said parcel containing an area of 4 square feet, as described.

### **Right-of-Way Vacation Parcel 2**

A parcel of land for right-of-way to be vacated located in Northeast Quarter of Section 17, Township 1 South, Range 1 East of the Ute Meridian in the City of Grand Junction, Mesa County, Colorado, and being more particularly described as follows:

Commencing at the Northeast corner of said Section 17 whence the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) bears South 00 degrees 00 minutes 55 seconds East, a distance of 1319.12 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 54 degrees 01 minutes 49 seconds West, a distance of 1249.38 feet to the POINT OF BEGINNING; thence along a non-tangent curve to the right, having a delta angle of 50 degrees 46 minutes 32 seconds, with a radius of 75.00 feet, an arc length of 66.47 feet, with a chord bearing of North 64 degrees 37 minutes 36 seconds West, with a chord length of 66.31 feet, along the arc of the Teller Court cul-de-sac right-of-way line; thence along a non-tangent curve to the right, having a delta angle of 04 degrees 51 minutes 10 seconds, with a radius of 276.00 feet, an arc length of 23.38 feet, with a chord bearing of North 87 degrees 36 minutes 23 seconds East, with a chord length of 23.37 feet; thence South 89 degrees 58 minutes 02 seconds East, a distance of 34.75 feet;

thence South 00 degrees 00 minutes 55 seconds East, a distance of 28.51 feet, along the common line between existing right-of-way line for Teller Court and that parcel described in Book 1933, Page 12, to the POINT OF BEGINNING.

Said parcel containing an area of 0.027 acres, as described.

See Right-of-Way Vacation Exhibit A attached hereto and incorporated by this reference as if fully set forth.

*Provided, however, that the Calfrac Subdivision Plat is recorded dedicating 29 3/4 Road that will connect to Teller Court.*

Introduced for first reading on this \_\_\_\_ day of \_\_\_\_\_, 2008.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

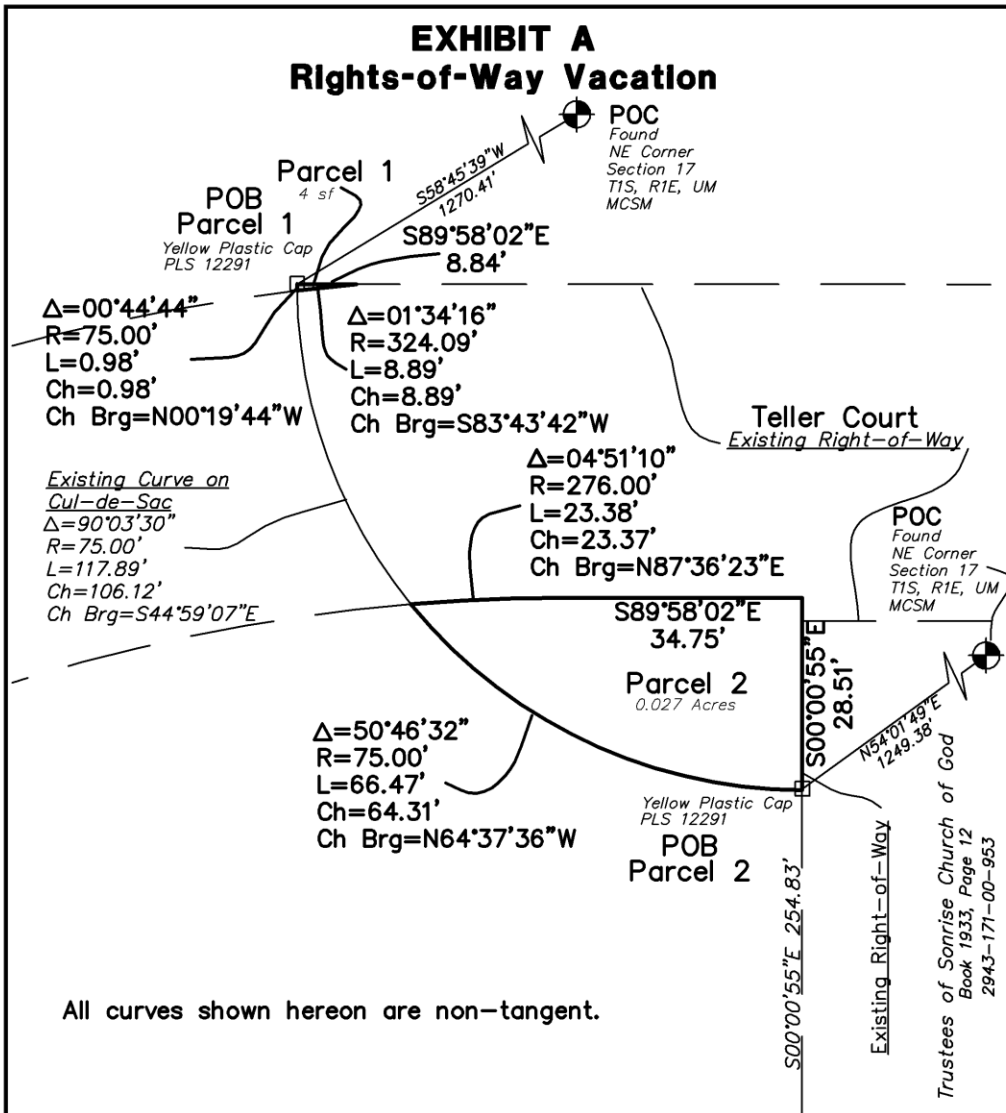
ATTEST:

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

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



# EXHIBIT A Rights-of-Way Vacation



All curves shown hereon are non-tangent.

### LEGEND

- ALIQUOT SURVEY MARKER, AS NOTED
- FOUND REBAR, AS NOTED
- $\Delta$  DELTA ANGLE OF ARC
- R RADIUS OF ARC
- L LENGTH OF ARC
- Ch CHORD DISTANCE OF ARC
- Brg CHORD BEARING OF ARC
- PLS PROFESSIONAL LAND SURVEYOR
- No. NUMBER
- DEGREES (ANGULAR)
- ' MINUTES (ANGULAR) OR FEET (LINEAR)
- " SECONDS (ANGULAR) OR INCHES (LINEAR)
- MCSM MESA COUNTY SURVEY MARKER
- ROW RIGHT-OF-WAY
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

Prepared By: All lineal units shown hereon in U.S. Survey feet.

**High Desert Surveying, LLC**

1673 Highway 50 Unit C  
Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-240-0451



SCALE: 1" = 20'



PROJ. NO. 07-13	Surveyed	Drawn	APP'D	SHEET	OF
DATE: Jan., 2007	dj/dc/jk	rsk	skw	1	1

**Attach 7**

**Public Hearing—Vacating a Portion of the Houston Avenue Right-of-Way and Alley Right-of-Way for Mesa State College**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Vacation of a Portion of the Houston Avenue Right-of-Way and Alley Right-of-Way, Mesa State College		
<b>File #</b>	VR-2008-139		
<b>Meeting Day, Date</b>	Wednesday, June 18, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input type="checkbox"/>	<b>Individual</b> <input checked="" type="checkbox"/>
<b>Date Prepared</b>	June 6, 2008		
<b>Author Name &amp; Title</b>	Kathy Portner, Neighborhood Services Manager		
<b>Presenter Name &amp; Title</b>	Kathy Portner, Neighborhood Services Manager		

**Summary:** 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.

**Budget:** N/A.

**Action Requested/Recommendation:** Hold a public hearing and consider final passage and final publication of the Ordinance.

**Attachments:**

1. Background Information / Staff Analysis
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City Zoning Map
4. Site Exhibits
4. Ordinance and Exhibit A

BACKGROUND INFORMATION				
<b>Location:</b>		Mesa State College Campus		
<b>Applicants:</b>		Mesa State College		
<b>Existing Land Use:</b>		Street and Alley right-of-way		
<b>Proposed Land Use:</b>		Development of adjacent properties for Mesa State College building expansion		
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family residential		
	<b>South</b>	Commercial		
	<b>East</b>	College Campus		
	<b>West</b>	Commercial and Single-family residential		
<b>Existing Zoning:</b>		N/A		
<b>Proposed Zoning:</b>		N/A		
<b>Surrounding Zoning:</b>	<b>North</b>	R-8, Residential – 8 units/acre		
	<b>South</b>	C-1, Light Commercial		
	<b>East</b>	CSR, Community Services and Recreation		
	<b>West</b>	R-8, Residential – 8 units/acre and C-1, Light Commercial		
<b>Growth Plan Designation:</b>		N/A		
<b>Zoning within density range?</b>		N/A	Yes	No

**PROJECT DESCRIPTION:** 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.

**RECOMMENDATION:** Staff recommends approval with conditions for the requested street and alley vacation.

## **Staff Analysis:**

### **1. Background:**

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. The College owns all of the properties directly adjacent to the right-of-way proposed for vacation and intends to build three mixed-use buildings, including dormitories, multi-family residential and retail. The vacations will necessitate the relocation of utilities and dedication of utility and access easements to accommodate the utilities and allow for traffic circulation.

The Mesa State College master plan calls for the eventual acquisition of all of the remaining properties east of Cannell Street for campus expansion. The remainder of the streets and alleys east of Cannell will be requested to be vacated once those properties are acquired. The properties adjacent to Houston and the alleys, proposed to be vacated, will be replatted to consolidate the individual lots.

The City is working with Mesa State College on the site plan for the mixed-use development to determine appropriate access and circulation through the site.

**2. Consistency with the Growth Plan:** The adjacent properties are currently zoned R-8, Residential – 8 units/acre and C-1, Light Commercial, with a Future Land Use designation of Residential Medium (4 – 8 DU/Ac.) and Commercial. As Mesa State College acquires additional properties in this area, the Future Land Use designation should be changed to Public and the properties should be rezoned to CSR. A Subdivision Plat should also be filed to consolidate property lines and identify all easements.

There are several goals and policies in the Growth Plan that support the expansion of the Mesa State College campus.

**Policy 8.12:** The City and County will encourage Mesa State College to retain its main campus in the City of Grand Junction at its current location, and will support the growth of the college at its current campus or at facilities located within non-residential portions of the urbanizing area.

**Policy 8.13:** The City will encourage the College to maximize the use of its existing land through increased height allowances, but will support the planned westward growth of the College as identified in the Mesa State College Facilities Master Plan.

**3. Section 2.11 C. of the Zoning and Development Code:**

Requests to vacate any public right-of-way or easement must conform to all of the following:

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

Granting the request to vacate the existing street and alley right-of-way does not conflict with the Growth Plan, major street plan and other adopted plans and policies of the City of Grand Junction. Utility and access easements will allow for the continuation of general traffic circulation and access to utilities.

- h. No parcel shall be landlocked as a result of the vacation.

No parcel will be landlocked as a result of this right-of-way vacation. Mesa State College owns all adjacent properties and will replat the lots.

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

Access will not be restricted. Access easements will be dedicated for traffic to continue to circulate from the alley and Houston Avenue through the proposed development.

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

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the vacation request.

- k. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

The provision of adequate public facilities and services will not be inhibited to any property as required in Chapter Six of the Zoning and Development Code. Easements for utilities and access will be dedicated to allow for the continued flow of traffic and access to utilities.

- I. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements to the City will not change significantly as a result of the proposed vacation. However, the future vacation of the balance of the right-of-way east of Cannell will further reduce the maintenance responsibilities of the City. Expansion of the Mesa State College campus is a benefit to the community.

**FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the Mesa State College application, VR-2008-139 for the vacation of street and alley right-of-way adjacent to Mesa State College properties, staff makes the following findings of fact and conclusions:

1. The requested right-of-way vacation is consistent with the Growth Plan.
2. The review criteria in Section 2.11 C. of the Zoning and Development Code have all been met.
3. Approval of the vacation request is contingent upon the approval and dedication of Utility and Access Easements.

**STAFF RECOMMENDATION:**

Staff recommends approval of the requested right-of-way vacation adjacent to Mesa State College properties, VR-2008-139, with the findings, conclusions and condition of approval listed above.

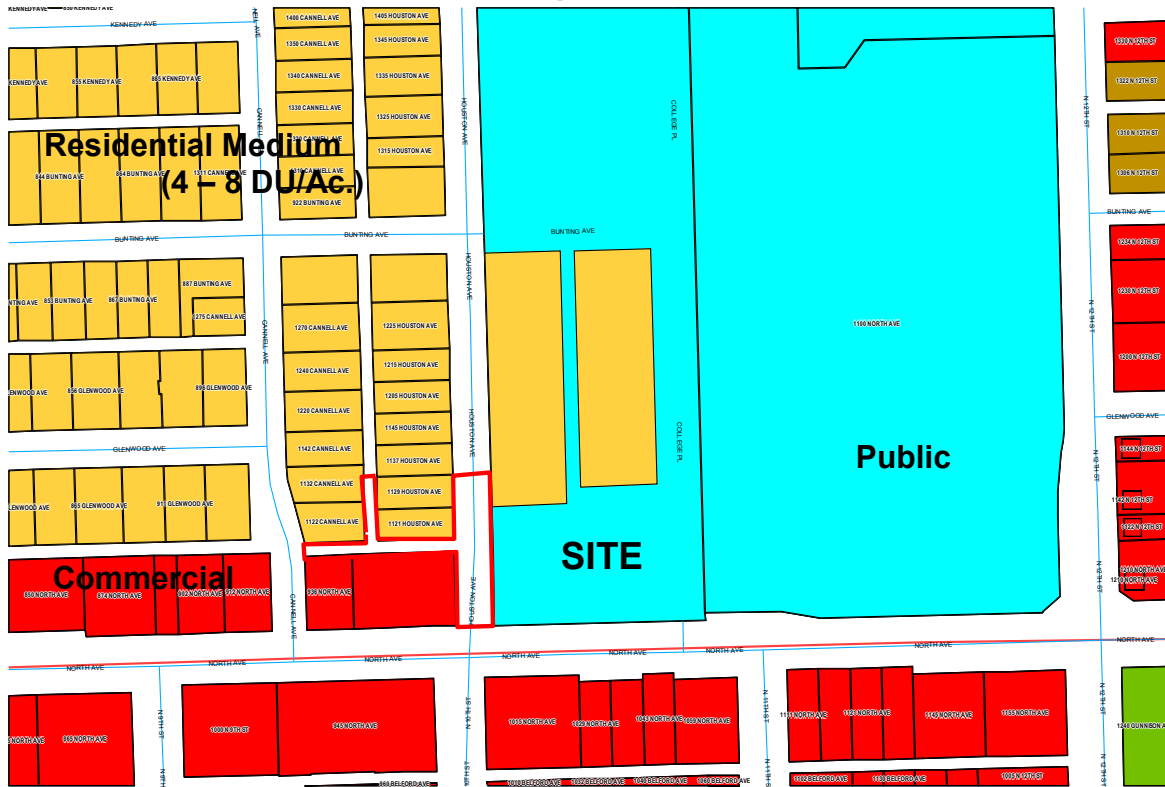
**PLANNING COMMISSION RECOMMENDATION:**

At their May 27, 2008 hearing, Planning Commission recommended approval of the right-of-way vacation.



# Future Land Use Map – ROW Vacation

Figure 3

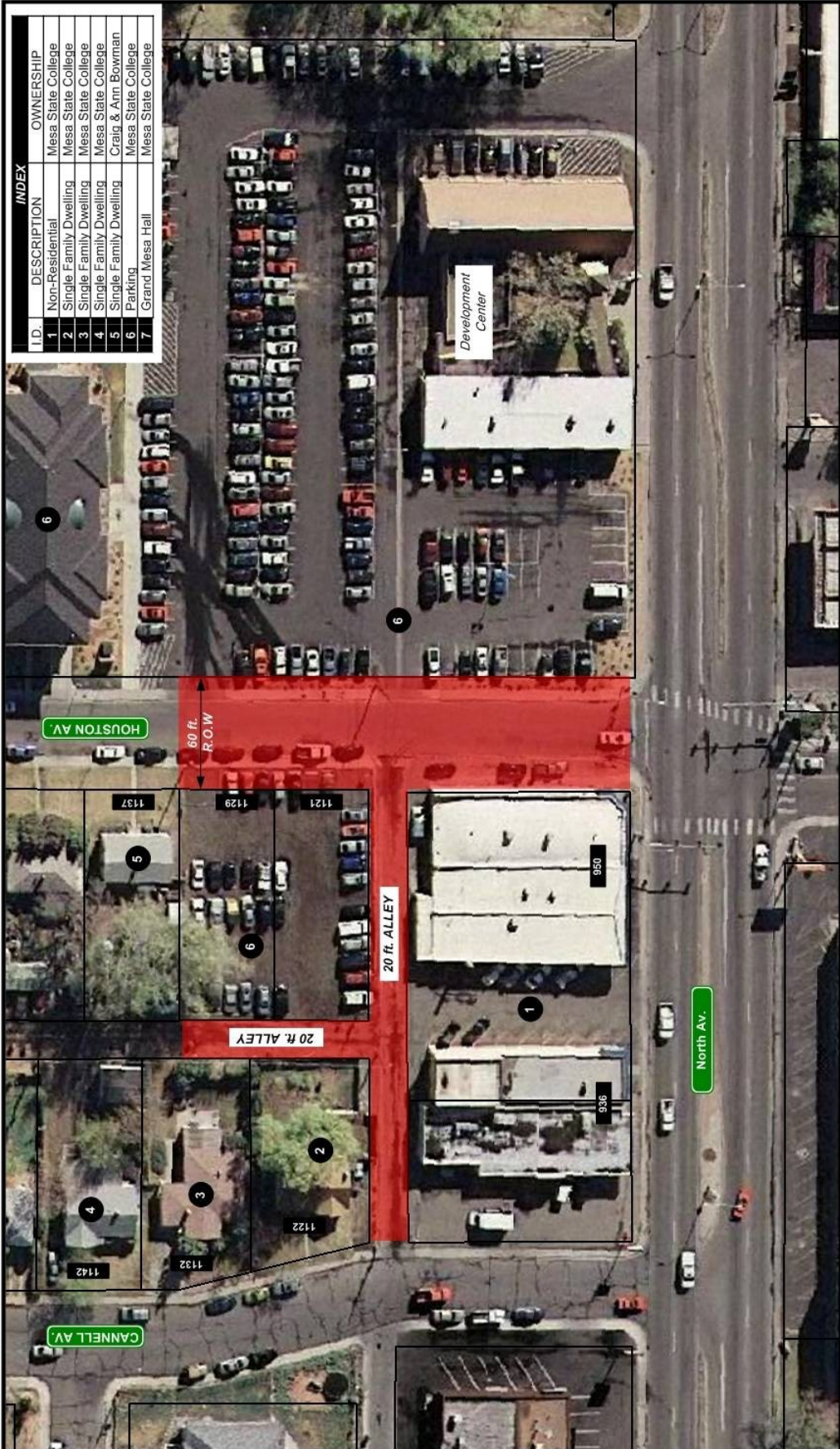


# Existing City Zoning – ROW Vacation

Figure 4

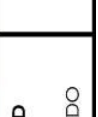






INDEX		
I.D.	DESCRIPTION	OWNERSHIP
1	Non-Residential	Mesa State College
2	Single Family Dwelling	Mesa State College
3	Single Family Dwelling	Mesa State College
4	Single Family Dwelling	Mesa State College
5	Single Family Dwelling	Craig & Ann Bowman
6	Parking	Mesa State College
7	Grand Mesa Hall	Mesa State College

Date: March, 2008  
 Scale: 1 in. = 50 ft.

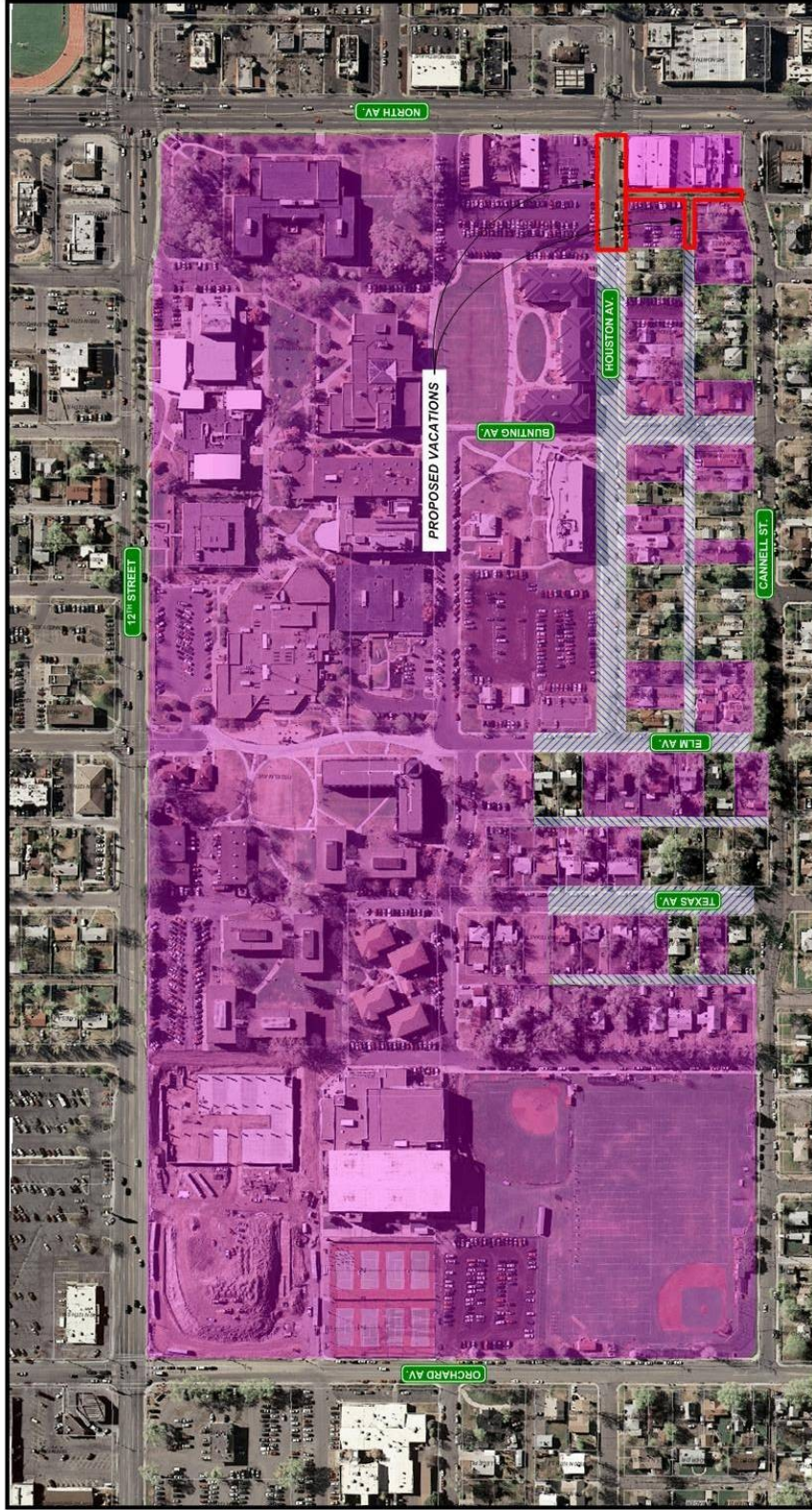


PREPARED BY:  
**THOMAS A. LOGUE**  
 LAND DEVELOPMENT CONSULTANT  
 5577 RUTHERFORD DRIVE, GRAND JUNCTION, CO 81504  
 970-434-9215

PREPARED FOR:  
**MESA STATE COLLEGE**  
 1100 NORTH AVENUE  
 GRAND JUNCTION, CO 81501

**HOUSTON AVENUE AND  
 ALLEY VACATION**  
 GRAND JUNCTION, COLORADO

EXISTING LAND USE MAP  
 (2007 Air Photo)  
 SHEET 1 OF 1



MESA STATE COLLEGE PROPERTY  
(August 22, 2007)

FUTURE STREET & ALLEY VACATION REQUESTS

**THOMAS A. LOGUE**  
LAND DEVELOPMENT CONSULTANT  
5370 FRUITWOOD DRIVE, GRAND JUNCTION, CO 81504  
970-434-8215



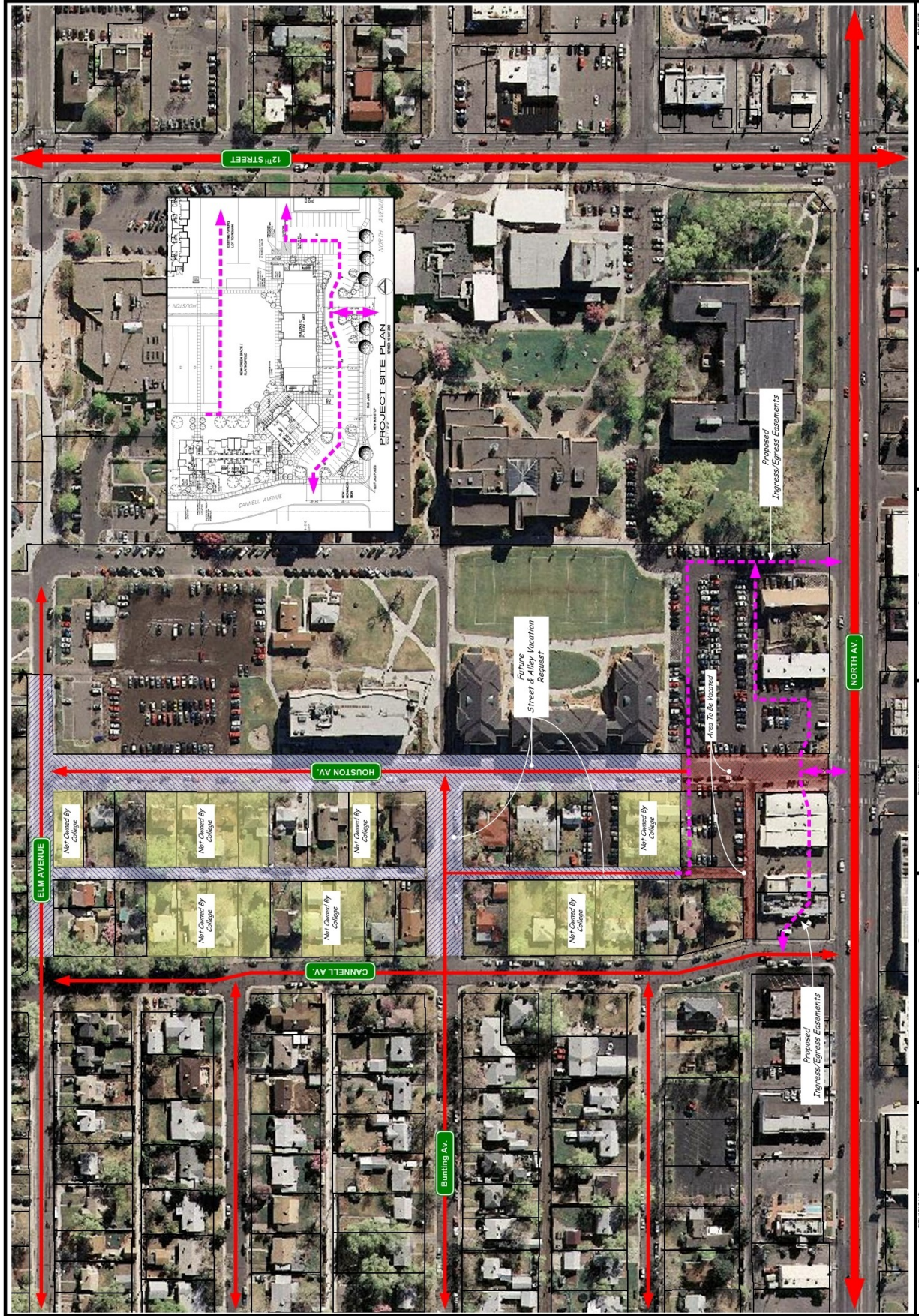
Date: April, 2008  
Scale: 1 in. = 200 ft.

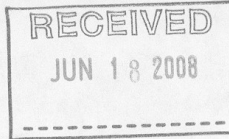
PREPARED FOR:  
MESA STATE COLLEGE  
1100 NORTH AVENUE  
GRAND JUNCTION, CO 81501

**STREET & ALLEY VACATION**  
GRAND JUNCTION, COLORADO

**AREA OWNERSHIP & FUTURE VACATION MAP**  
(2007 Air Photo)

SHEET 1 OF 1





6/18/08

City Council  
250 N. 5<sup>th</sup> St.  
Grand Jct. CO 81501

Re: Mesa College request for vacating portions of Houston Av. and adjoining alleys.  
Comments.

I have reviewed information regarding the vacating request, consulted with Kathy Portner today and have no objections .

As a general concern, it would be nice to see a complete proposal with traffic routes or flows complete prior to approvals on any project in the City. However under the direction of Kent Marsh at Mesa College and Kathy Portner of the City of Grand Junction and their departments, I have much confidence, traffic flows will be appropriate to meet the needs of the area.

In portions of the alleys and this area ,construction fences have been erected for approx. 2 weeks and I have not had any difficulties accessing my residences from the North end of the alley between Bunting and Houston avenues.

Thank you for the review of these comments regarding the proposed vacation request for the college. Should you have any questions regarding these comments please do not hesitate to contact me.

Respectfully,

A handwritten signature in cursive script, appearing to read "Clark Carroll".

Clark Carroll  
Resident/owner  
1220/1240 Cannell Av.  
Grand Jct. CO. 81501

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN 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**

**Recitals:**

Mesa State College has requested the vacation of street and alley right-of-way adjacent to their properties to allow for expansion of the campus, in accordance with the Mesa State College Master Plan. Utility and Access Easements will be dedicated to allow for the adequate circulation of through traffic and access to utilities. Only sod or asphalt surface treatment will be allowed within said Utility and Access Easement. Other surface treatment shall be subject to review and approval by the City of Grand Junction.

The City Council finds that the request is consistent with the Growth Plan goals and policies that encourage Mesa State College to remain at their existing location. It also meets the criteria of Section 2.11 of the Zoning and Development Code with the condition of approval to dedicate Utility and Access Easements.

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

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

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

**Parcel A-1**

A portion of the 20 foot wide alley located between Blocks 3 and 6, McMullin and Gormley Subdivision, a subdivision recorded at Reception Number 349926 in the records of the office of the Mesa County Clerk and Recorder, City of Grand Junction, County of Mesa, State of Colorado, being described as follows:

All that portion of said 20' wide alley lying easterly of the southerly extension of the easterly line of Lot 18, Block 3, said McMullin and Gormley Subdivision and easterly of the northerly extension of the Westerly line of Lot 9, Block 6, said McMullin and Gormley Subdivision.

**Parcel A-2**

A portion of the 20 foot wide alley located in Block 3, McMullin and Gormley Subdivision, a subdivision recorded at Reception Number 349926 in the records of the office of the Mesa County Clerk and Recorder, City of Grand Junction, County of Mesa, State of Colorado, being described as follows:

All that portion of said 20' wide alley lying southerly of the westerly extension of the northerly line of Lot 15, Block 3, said McMullin and Gormley Subdivision and northerly of the westerly extension of the southerly line of Lot 18, Block 3, said McMullin and Gormley Subdivision.

**Parcel R-1**

A portion of Houston Avenue, located between the easterly line of Blocks 3 and 6, McMullin and Gormley Subdivision, a subdivision recorded at Reception Number 349926 in the records of the office of the Mesa County Clerk and Recorder, and the Westerly line of Elam Subdivision, a subdivision recorded at Reception Number 2261431, said Mesa County records, all in the City of Grand Junction, County of Mesa, State of Colorado, being described as follows:

All that portion of said Houston Avenue lying north of the westerly extension of the southerly line of said Elam Subdivision and south of the easterly extension of the northerly line of Lot 15, Block 3, said McMullin and Gormley Subdivision.

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

Provided, however, that those certain street and alley right-of-way vacated herewith shall not be effective until the necessary utility and access easements have been dedicated for general traffic circulation and access to utilities.

Applicants shall pay all recording/documentary fees for the Vacation Ordinance.

Introduced for first reading on this 4<sup>th</sup> day of June, 2008

PASSED and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_ , 2008.

ATTEST:

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

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

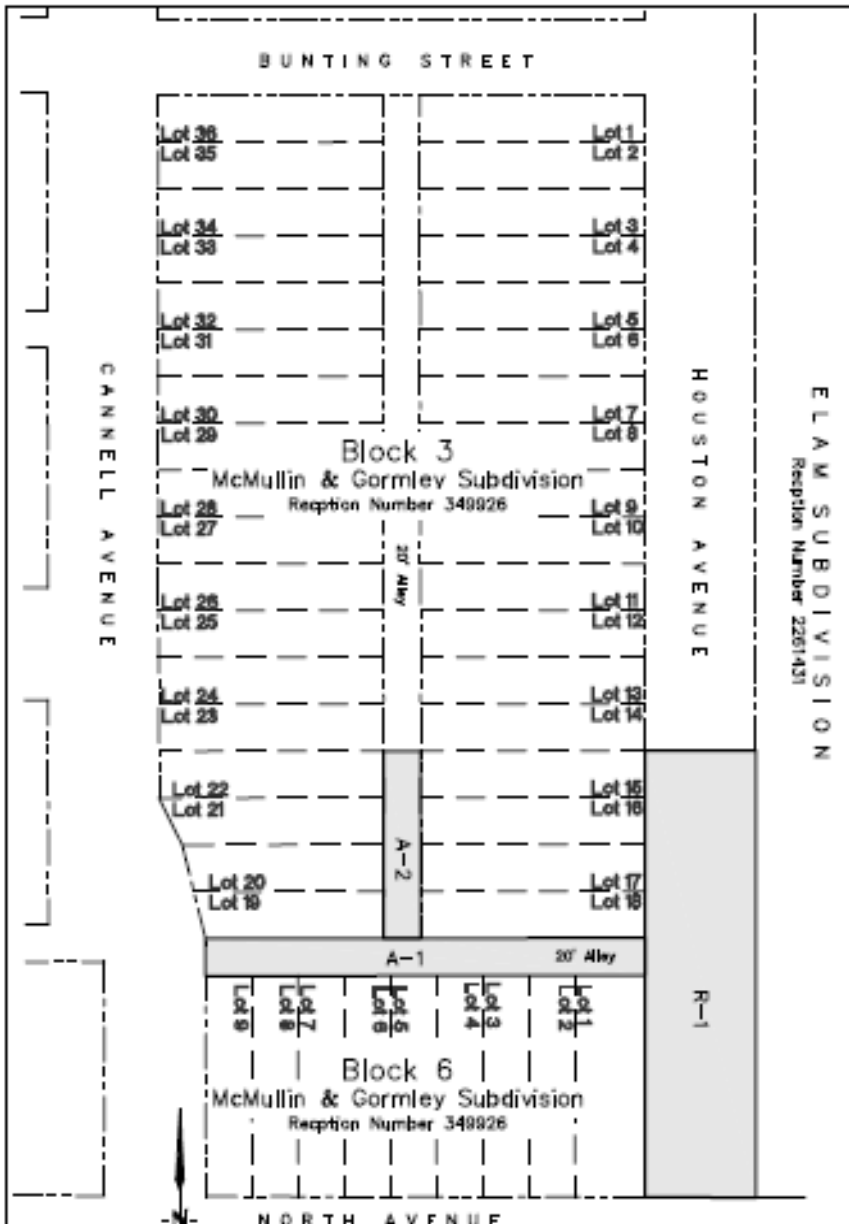
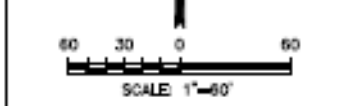


EXHIBIT MAP OF PROPOSED R.O.M. VACATIONS IN BLOCKS 3 AND 6 OF McMULLIN AND GORMLEY SUBDIVISION, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO. PREPARED FOR: MESA STATE COLLEGE



NOTE: THIS EXHIBIT DOES NOT REPRESENT AN ACTUAL SURVEY PLAT. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

<b>Drexel, Barrell &amp; Co.</b> REGISTERED PROFESSIONAL SURVEYORS 207 W. 1ST ST., SUITE 200, GRAND JUNCTION, COLORADO 81501 (970) 241-1111 1000 W. 1ST ST., SUITE 200, GRAND JUNCTION, COLORADO 81501 (970) 241-1111		REGISTERED PROFESSIONAL SURVEYORS 207 W. 1ST ST., SUITE 200, GRAND JUNCTION, COLORADO 81501 (970) 241-1111 1000 W. 1ST ST., SUITE 200, GRAND JUNCTION, COLORADO 81501 (970) 241-1111	
Revisions - Date 1-22-2008 Scale 1"=60'	Drawn By PCD	Job No. J1090	Checked By J1092-VACATION



**Attach 8  
Public Hearing—Adoption of the CDBG 2008 Action Plan  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Public Hearing – CDBG 2008 Program Year Action Plan, a Part of the 2006 Five-Year Consolidated Plan and Action Plan Amendments to Program Years 2004, 2005 and 2007		
File #	2008 CDBG		
Meeting Day, Date	Wednesday, June 18, 2008		
Placement on the Agenda	Consent		Individual XX
Date Prepared	June 5, 2008		
Author Name & Title	Kristen Ashbeck, Senior Planner		
Presenter Name & Title	Kathy Portner, Neighborhood Services Manager		

**Summary:**

City Council will consider final adoption of the 2008 Program year Action Plan. This annual plan is required by the Department of Housing and Urban Development (HUD) for the use of Community Development Block Grant (CDBG) funds. The Action Plan includes the CDBG projects for the 2008 Program Year City Council approved for funding on May 21, 2008.

In addition, adoption of the 2008 Program Year Action Plan will constitute amendments to the Action Plans for Program Years 2004, 2005 and 2007 to reallocate unspent funds from previous years.

**Budget:**

2008 CDBG ALLOCATION	\$337,951
FUNDS FROM PREVIOUS YEARS	\$246,150
TOTAL 2008 CDBG BUDGET	\$584,101

**Actions Requested/Recommendation:** Adopt by Resolution the 2008 Program Year Action Plan as part of the 2006 Five-Year Consolidated Plan which constitutes amendments to the Action Plans for Program Years 2004, 2005 and 2007.

**Attachments:**

- 1) Summary of Action Plan Amendments for Program Years 2004, 2005 and 2007
- 2) 2008 Program Year Action Plan
- 3) Resolution

**Background Information:** For each CDBG program year, a new One-Year Action Plan is completed and adopted as part of the five-year Consolidated Plan. This is a public hearing to receive input regarding the 2008 Program Year Action Plan. On May 21, 2008 the Grand Junction City Council approved 2008 CDBG funding requests totaling \$584,101 for the eight projects listed below. The 2008 Program year Action Plan is included as an attachment. In addition, adoption of the 2008 Program Year Action Plan will constitute amendments to the Action Plans for Program Years 2004, 2005 and 2007 to reallocate unspent funds from these previous years. A summary of the amendments is also included as an attachment.

- 1) City of Grand Junction – Senior MultiUse Campus Study \$80,000
- 2) Center for Independence Remodel for Vocational Program \$9,500
- 3) Riverside Educational Center – Americorps Personnel \$5,000
- 4) St. Mary’s Foundation – Gray Gourmet Program \$20,500
- 5) Homeward Bound of the Grand Valley – Screen Wall \$40,000
- 6) Riverside Task Force – Property Acquisition \$220,900
- 7) Partners – Property Acquisition \$100,000
- 8) City of Grand Junction – Capital Improvements Project \$108,201

PUBLIC REVIEW COPY



**CDBG Entitlement Program**

**SUBSTANTIAL AMENDMENTS TO THE ACTION PLAN  
PROGRAM YEARS 2004, 2005 and 2007**

SECTION 91.220 : AMENDMENTS [91.105(a)(2)]

Submit written comment by June 19, 2008 to:

City of Grand Junction

Neighborhood Services  
2549 River Road  
Grand Junction, Colorado 81501

City of Grand Junction CDBG Entitlement Program  
**SUBSTANTIAL AMENDMENT TO THE ACTION PLAN**  
**2004, 2005 and 2007 PROGRAM YEARS**  
SECTION 91.220 : AMENDMENTS [91.105(a)(2)]

**2004 ACTIVITIES AFFECTED**

- 1) The 2004 Action Plan allocated \$15,000 towards completion of the Five-Year Analysis of Impediments to Fair Housing Study. Actual cost of the study was \$12,166. The remaining funds of \$2,834 are proposed to be reallocated towards a planning/administration project in the 2008 program year as listed below.
- 2) The 2004 Action Plan also included an allocation of \$25,500 for construction of an addition to the Senior Recreation Center. Actual bids for the project ran well over this funding so the project was never completed. The funds are proposed to be reallocated towards construction projects in the 2008 program year as listed below.

**2005 ACTIVITIES AFFECTED**

- 1) The 2005 Action Plan included an allocation of \$127,500 towards acquisition of property for the Grand Junction Housing Authority. Actual CDBG expenditure on the project was \$120,000. The remaining funds of \$7,500 are proposed to be reallocated towards acquisition/construction projects in the 2008 program year as listed below.

**2007 ACTIVITIES AFFECTED**

- 1) The 2007 Action Plan allocated \$24,575 towards program administration. A portion of the funds that have not been expended (\$9,575) will be reallocated to a planning/administration project in the 2008 program year as listed below.
- 2) The 2007 Action Plan also allocated \$101,610 for the purchase of property for the TreeHouse Youth Shelter. The TreeHouse did not pursue the acquisition and has since closed the shelter. The funds will be reallocated towards construction/acquisition projects in the 2008 program year. A specific recommended project for use of a portion of these funds (\$40,000) is for construction of a screen wall at the Community Homeless Shelter.
- 3) The 2007 Action Plan allocated \$99,130 for construction of curb, gutter and sidewalk along the north side of Hale Avenue. Cost estimates for the actual design of the project were well over the monies budgeted. Consequently, the funds are proposed to be reallocated for construction/acquisition projects in the

2008 program year.

### **NEW ACTIVITIES BEING CONSIDERED FOR FUNDING**

It is proposed that the funds listed above from previous CDBG program years be added to the 2008 CDBG allocation of \$337,951 for a total of \$584,101 to be allocated in the 2008 program year. The recommended 2008 projects are as listed below, followed by a more detailed description of each project.

- 9) City of Grand Junction – Senior MultiUse Campus Study \$80,000
- 10) Center for Independence Remodel for Vocational Program \$9,500
- 11) Riverside Educational Center – Americorps Personnel \$5,000
- 12) St. Mary’s Foundation – Gray Gourmet Program \$20,500
- 13) Homeward Bound of the Grand Valley – Screen Wall \$40,000
- 14) Riverside Task Force – Property Acquisition \$220,900
- 15) Partners – Property Acquisition \$100,000
- 16) City of Grand Junction – Capital Improvements Project \$108,201

#### **1 City of Grand Junction Senior Multi-Use Campus Feasibility Study and Concept Design**

The Grand Junction Parks and Recreation Department is requesting funds for a feasibility study and conceptual design of senior complex in the vicinity of the current library/senior recreation center/Gray Gourmet area. The study would examine the possibility of collaboration between interested user groups as well as the demand for such services. The conceptual design of the complex, based on the findings of the feasibility study, would help determine possible site plans, cost estimates and specific programmatic elements.

**Recommended Funding: \$80,000**



## **2 Center for Independence (CFI) New Horizon Vocational Center**

CFI expanded its program services in September 2007 to include vocational training for persons with disabilities. To date, the program has evolved to a 4 day per week class that has culinary training, janitorial training, computer skills training and is a self-directed consumer group that establishes goals for their own program. 22 persons are presently enrolled in the program and 10 more are expected to be added in the coming year. CDBG funds are requested to assist with capital funds to upgrade dated electrical systems in the kitchen used by the program at the 740 Gunnison Avenue facility.

CFI received CDBG funds in 2003 in the amount of \$20,000 for the purchase of a 16-passenger handicapped-accessible bus.

**Recommended Funding: \$9,500**



## **3 Riverside Educational Center (REC)**

REC provides qualifying K-12<sup>th</sup> grade students facing academic and financial challenges a no-cost, after-school tutoring and enrichment program, operated in the old Riverside School. REC has had significant growth since its inception in 2006 with just 22 students to the current enrollment of 75 students. Services are primarily provided to the students by over 50 volunteers. Tutoring is provided 3

nights a week and enrichment activities are provided 1 night a week.



CDBG funds would fund 2 Americorps employees to be obtained through Mesa State College. These individuals would work directly with the Program Coordinator, outline the curriculum for sessions and recruit academic and enrichment volunteers. These employees will provide 288 hours of additional contact hours with students. The additional personnel will also allow for more students to participate in the enrichment programs offered by the Center, particularly for middle and high school aged students. CDBG funds are the only targeted funds for this purpose but the overall program has a budget of approximately \$125,000 and receives funds from a variety of private organizations and foundations as well as doing fundraising activities.

**Recommended Funding: \$5,000**

#### **4 St . Mary's Hospital Foundation Gray Gourmet Program**

This program delivers meals to homebound elderly residents. Funding is requested for food, personnel, travel, and other operating expenses to serve an additional 50 seniors. The program served 54,655 meals in 2007 and expects an increase to 57,388 in 2008. Funding is received through several in-kind and financial sources including the Area Agency on Aging and the State of Colorado. CDBG funds were provided for the same purpose in 2003 (\$5,050), 2004 (\$10,000) and 2007 (\$20,500).

**Total Program Costs: \$620,500**  
**Funds Requested: \$20,500**  
**Recommended Funding: \$20,500**



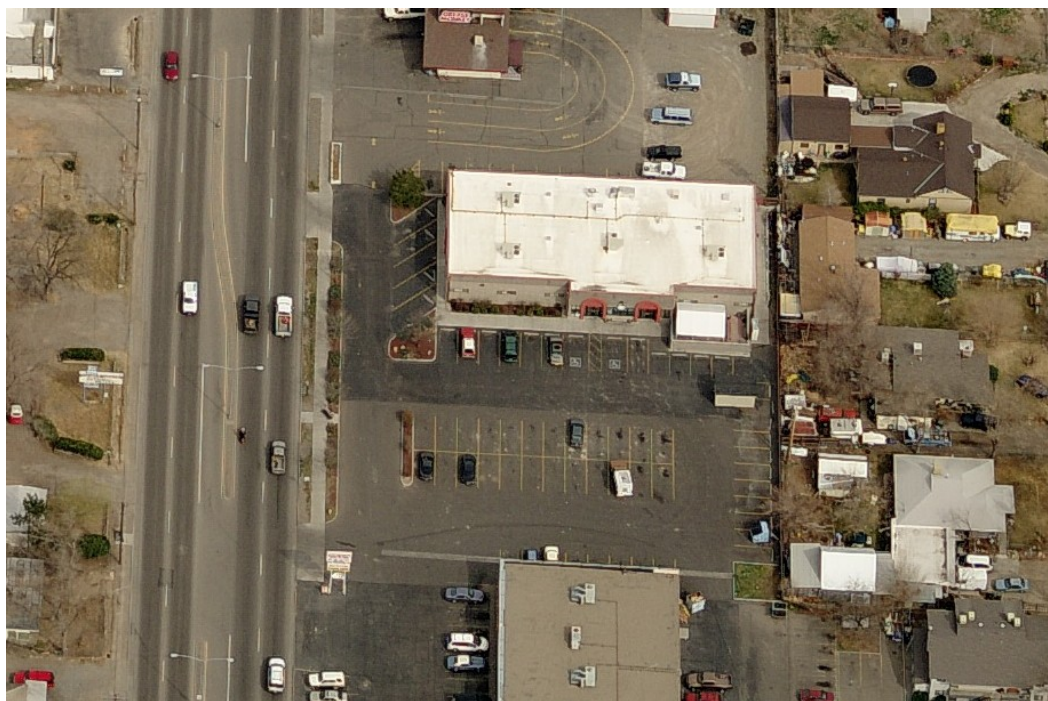
## CAPITAL AND OTHER PROJECTS

### 5 Homeward Bound of the Grand Valley

CDBG funds would be used to construct an 8-foot masonry screen wall along the shelter's south boundary to mitigate impacts on the adjacent residential neighborhood.

The homeless shelter has received CDBG funds in the past including purchase of the building in 1999 (\$205,000 CDBG) and the purchase of bunkbeds in 2002 (\$10,000 CDBG).

**Recommended Funding: \$40,000**



### 6 Riverside Task Force, Inc. Campus Expansion

The Riverside Task Force is seeking to expand the Riverside School Campus through the acquisition of two of the residential parcels east of the school. The current 2-acre campus consists of the Dual Immersion Elementary School, the Community Center in the old Riverside School which also houses some uses for the elementary school, playground and parking areas. The restored school has achieved optimal usage, with the majority of the 4,000 square feet of functional space being utilized by the elementary school, after-school programs and other

community uses.

In this final phase of campus development, the Riverside Task Force would like to utilize CDBG funds to purchase the two closest residential properties – 542 and 538 West Main Street. The acquisition would add functional acreage to the existing campus. During the course of acquisition, the Task Force would work with the community, the School District and other campus users to determine the best use of this area – whether for open space, parking, playing fields, gymnasium, etc.

The City funded the initial stages of the rehabilitation of the Riverside School with CDBG funds. In 2003 and 2004, a total of \$66,650 CDBG funds were allocated to do a Historic Structure Assessment and repair the roof of the building.

**Recommended Funding: \$220,900**



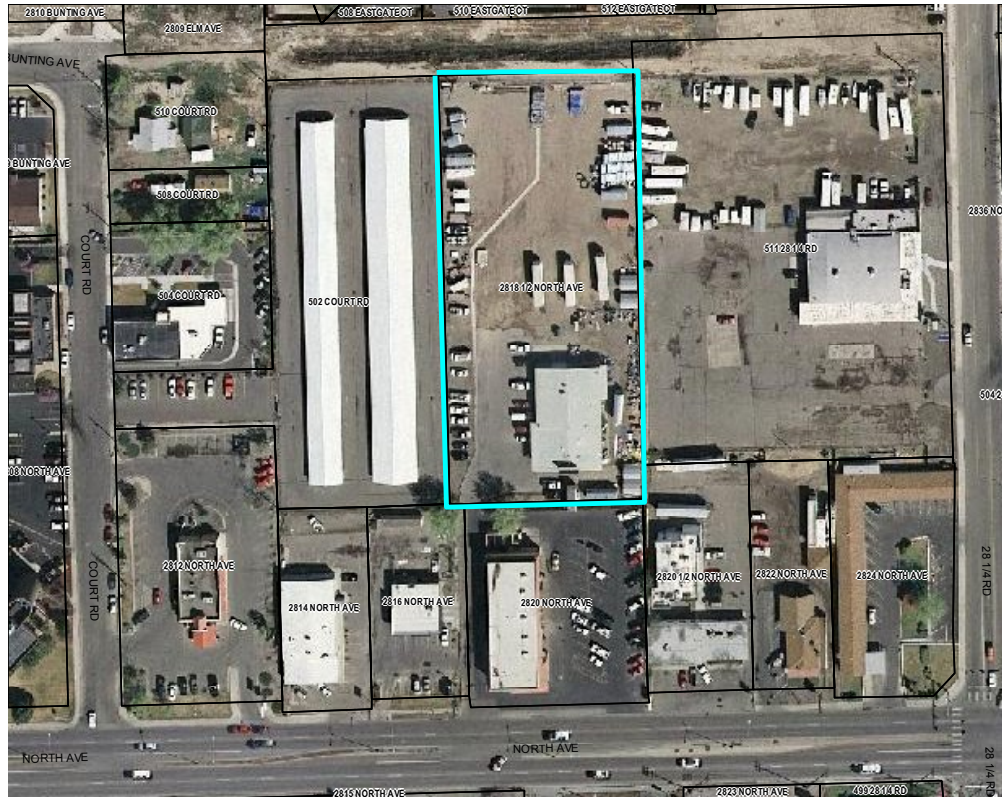
## 7 Mesa Youth Services, Inc. (Partners) Western Colorado Conservation Corps

Partners is proposing to utilize CDBG funds towards the acquisition of property at 2818-1/2 North Avenue for purposes of relocating the facilities for the operation of its Western Colorado Conservation Corps (WCCC) program. WCCC is an employment and educational experience for a diverse population of youth ranging in age from 14 to 25. Members have the opportunity to learn life skills, provide service to their community and conservation groups, as well as take on civic and environmental responsibilities. The number of youth and young adults served by the program has increased by 45% in the last two years and anticipates growth of approximately 25% in 2008. Currently, the program serves 120 local youth and young adults.

Partners is in the early stages of developing a fundraising campaign to match CDBG funds for the total purchase price of \$800,000.

Partners received CDBG funds in 2001 to landscape the new facility on Colorado Avenue (\$15,000) and 2005 to purchase a 12-passenger van (\$15,000).

**Recommended Funding: \$100,000**



**8 City of Grand Junction Public Works or Parks Project**

The City Council subcommittee recommended allocating any remaining 2008 CDBG funds to a Public Works or Parks Capital Improvements Project that is already funded in 2009. Staff has identified the replacement of the restroom in Hawthorne Park as a potential project that could be funded in part by CDBG funds. It is in an eligible neighborhood and the CIP already allocates \$200,000 for the replacement. Another potential project is the replacement of playground equipment in Duck Pond Park on Orchard Mesa which is also an eligible neighborhood.

**Recommended Funding: \$108,201**



### **THE CITY OF GRAND JUNCTION CITIZEN PARTICIPATION PLAN**

The City followed its Citizens Participation Plan and advertised and will hold a public hearing. The public hearing to amend the City's CDBG Consolidated Plan and Action Plans for Program Years 2004, 2005 and 2007 will be conducted June 18, 2008. Information will be presented regarding the change in use of these funds. A summary of this proposed amendment was published May 19, 2006 followed by a 30-day public comment period. A copy of the proposed amendments are available for review at the City Clerk's Office at City Hall, 250 North 5<sup>th</sup> Street, Grand Junction and at the main branch of the Mesa County Public Library at 530 Grand Avenue, Grand Junction. Any public comment should be submitted in writing to the City of Grand Junction, Neighborhood Services, 2549 River Road, Grand Junction, CO 81501 by June 19, 2008.



# City of Grand Junction, Colorado

## Third Program Year Action Plan

### **Executive Summary**

#### **Introduction**

In 1996 the US Department of Housing and Urban Development (HUD) established Grand Junction as a community entitled to receive Community Development Block Grant Funds. Every five years the City prepares and adopts a new five-year consolidated plan. The current Five-Year Consolidated Plan was adopted by the Grand Junction City Council in June 2006. In addition, each year the City prepares and adopts a program year action plan, which becomes a part of the five-year consolidated plan. Applications for CDBG funds are made available to all interested parties in March with an April deadline for each Program Year. Applications that are funded become a part of the respective program year action plans.

#### **Community Profile**

Grand Junction, Colorado is located in Western Colorado 250 miles from Denver. It is the largest city in Western Colorado, the County seat for Mesa County and home of Mesa State College. It is the economic and service center for communities in Western Colorado and Eastern Utah. As of July 2007, Grand Junction's population is estimated to be 139,082.

While the area's economy has demonstrated strong growth, housing market appreciation far exceeds wage increases. These trends are expected to continue for the foreseeable future, making the need for affordable housing one of many issues facing local government in Grand Junction.

#### **Citizen Participation**

The City adopted a Citizen Participation Plan in 1996 to describe citizen involvement in the Five-Year Consolidated Plan (Plan) and annual Program Year Action Plans process. The Neighborhood Services Division of the City of Grand Junction, as lead agency for the development of the Consolidated Plan and Program Year Action Plan, has invited human service agencies and citizen involvement in Plan creation. The findings and needs identified by those who serve and work with the very low- to moderate-income populations are the basis of the Plan's development. The City has met the requirements of the Citizens Participation Plan by publishing public notices and holding public meetings. The City solicited applications for 2008 funding available for the CDBG Program and received twelve requests that totaled \$744,459.

#### **Institutional Structure**

Grand Junction will carry out its Consolidated Plan through a mixture of public, private, and non-profit organizations that specialize in serving the identified needs of this plan and other

needs of the low and moderate income residents of Grand Junction. Highly effective non-profit organizations deliver a wide array of services to Grand Junction citizens. The City depends upon these private agencies to meet the needs of the low and moderate income population.

### **Housing Needs**

Population growth in Grand Junction has significantly exceeded growth in the number of affordable housing units. According to the National Association of Realtors, the median home price in Grand Junction as of the fourth quarter of 2007 was \$220,238 which is an increase of 4.9% over 2005 housing prices.

As of June 2008, the waiting list statistics for assisted housing units are as listed below. The average wait time for the limited number of existing assisted housing units is 440 days.

Total Families on Waiting Lists	1,265
Male Head of Households	282
Female Head of Households	938
Elderly	151
Disabled	305
Families with Children	740
Total Number of Children	1,312
30% of AMI	882
50% of AMI	343
80% of AMI	40

### **Homeless Needs**

Homelessness presents a growing challenge to Grand Junction. The combination of low local wages and rising housing costs is making a growing percentage of the general population vulnerable to loss of housing, and making it much more difficult for the homeless to work their way off of the streets. In addition, the high percentage of individuals and families without health insurance benefits makes many households vulnerable to housing loss in the event of an expensive major illness.

Prior to 2000, data collection about the homeless had been primarily anecdotal and informal, as there had not been a coordinated effort to build local demographic statistics. Although it is very difficult to accurately determine the number of homeless, a point in time survey was conducted in January 2007. Results of the survey indicate that there are approximately 444 homeless adults and 500 homeless children in the community. The next point in time survey will be conducted in January 2009.

A series of planning sessions were conducted to identify needs and develop action plans and a Continuum of Care to address this challenge. The highest priority homeless needs identified through this process are for an emergency shelter, transitional housing, case management, and housing placement for individuals and families.

The Continuum of Care Plan, completed in the summer of 2001 by a coalition of community homeless service providers, continues to be implemented. It is intended to provide a continuous network of housing and service support for persons working to permanently leave the streets.

### **Special Needs Housing**

Due to the fact that Grand Junction is the largest community on Colorado's Western Slope and Eastern Utah, medical and other special needs services are provided here that are not available in smaller communities. As a consequence, the percentage of the special needs population in Grand Junction is higher than surrounding communities at approximately 12 percent of the total population. The ability of persons with chronic mental illness, physical and developmental disabilities, and HIV/AIDS to compete in the housing market for appropriate housing at an affordable price is limited in many cases by their lack of income and also by their need for special housing accommodations.

### **Anti-Poverty Strategy**

The Anti-Poverty Strategy is an effort to reduce the number of people earning low- to moderate-income wages and at risk of homelessness. This Strategy, described in the 2006 Five-Year Consolidated Plan, describes community activities to:

- Collect data regarding poverty levels and local demographics to better identify the problem and monitor trends;
- Focus on a continuum of prevention and intervention strategies/activities by age group to prevent/deter persons from entering poverty situations;
- Encourage efforts to raise earned income levels;
- Maintain a strong diversified economic base;
- Increase the employability of recipients of public benefits;
- Attract higher paying employers to Grand Junction;
- Increase access to employment through expansion of the service area and hours of operation of the public transportation system and through the availability of responsible affordable childcare;
- Foster increased household stability through educational programs, drug and alcohol rehabilitation programs, and services to persons with special needs;
- Support efforts to reduce the possibility of catastrophic expense through the provision of essential healthcare to the uninsured and the availability of effective public transportation to reduce the dependence of low-income persons on private automobiles and their associated costs.
- Focus affordable housing development near employment centers.

### **Consolidated Plan**

The 2006 Five-Year Consolidated Plan integrates economic, physical, environmental, community and human development activities in Grand Junction in a comprehensive and coordinated manner so that agencies, groups, and all citizens can work together to improve the quality of life of its residents. Consolidated Plan Objectives and specific needs have been identified along with actions that define how the community will respond over the life of the five year consolidated plan.

The Consolidated Plan has three Objectives:

1. Create a Suitable Living Environment
  - a. Need for Non-Housing Community Development Infrastructure
  - b. Need for Neighborhood Program
  - c. Special Needs Populations and Other Human Service Needs

- d. Youth
2. Provide Decent Affordable Housing
    - a. Increase inventory of affordable housing units
    - b. Lead-based paint hazards
    - c. Prevent and Reduce Homelessness
  3. Create Economic Opportunities
    - a. Childcare
    - b. Economic Development

### **Summary of CDBG Activities for Program Years 2004-2007**

#### 2004 Program Year - \$407,000 – All Projects Completed

- Program Administration - \$20,000
- Five-Year Analysis of Impediments to Fair Housing Study - \$15,000
- Gray Gourmet Program - \$10,000
- Foster Grand Parents Program - \$7,000
- Senior Companion Program - \$8,000
- Radio Reading Services of the Rockies - \$4,500
- Mesa County Health Dept Purchase Equipment - \$5,000
- Riverside School Roof Repair/Rehabilitation - \$47,650
- Senior Center Masterplan Study – \$20,000
- Hilltop Community Resources Energy Improvements - \$50,000
- Housing Resources Permanent Supportive Housing - \$50,000
- Hope Haven Roof Replacement - \$7,500
- Riverside Sidewalk Improvements - \$50,000
- Grand Avenue Sidewalk Improvements - \$60,000

#### 2005 Program Year - \$387,644 – All Projects Completed

- Program Administration \$25,000
- Salvation Army Adult Rehab Program - \$25,000
- Mesa County Partners Purchase 12-passenger Van - \$15,000
- GJHA Bookcliff Property Acquisition - \$120,000
- Housing Resources Handicap Lift at 8-plex for Homeless Veterans - \$30,000
- Ouray Avenue Storm Drain Enlargement - \$172,644

#### 2006 Program Year - \$348,286

- Program Administration - \$69,656
- GJHA Village Park Property Acquisition - \$178,630 (completed)
- Orchard Mesa Drainage Improvements - \$100,000

#### 2007 Program Year - \$412,043 (includes funds transferred from 2001 and 2002 – All Projects Underway

- Program Administration - \$24,575



- Audio Information Network of Colorado - \$4,500
- Center for Enriched Communication - \$7,181
- Gray Gourmet Program - \$20,500
- Foster Grandparent Program - \$10,000
- Senior Companion Program - \$10,000
- Riverside Head Start Classroom Addition - \$110,610
- Hilltop Community Resources Daycare/Family Center Remodel - \$24,547

All Consolidated Plan Objectives will be monitored and reported to the US Department of Housing and Urban Development (HUD) by their outcomes. This outcome and performance based measurement includes 1) Availability/Accessibility; 2) Affordability; and 3) Sustainability, promoting livable and viable communities.

Though the competition for CDBG funds has continually increased since program inception and the amount of annual CDBG funds continues to decrease, the City will continue to make an effort to balance disbursement of these funds between the various needs of the community over the course of the five-year Consolidated Plan.

### **2008 Program Year Action Plan**

The purpose of the Program Year Action Plan is to identify One-Year Strategies for each of the Objectives set in the 2006 Five-Year Consolidated Plan. The Consolidated Plan Strategies are accomplished by utilizing a variety of resources including the annual allocation of CDBG funds.

For each program year, a new one-year action plan is completed and adopted as part of the five year Consolidated Plan. On May 21, 2008 the Grand Junction City Council approved 2006 CDBG funding requests totaling \$584,101 for the following eight projects, which will be made a part of the 2008 Action Plan. The total amount to be allocated includes the \$337,951 2008 allocation plus \$246,150 in funds from previous years.

- City of Grand Junction Senior Multi-Use Campus Feasibility Study \$80,000
- Riverside Educational Center – Two Americorps Personnel Positions \$5,000
- St. Mary's Hospital Foundation Gray Gourmet Program \$20,500
- Homeward Bound of the Grand Valley – Shelter Screen Wall \$40,000
- Riverside Task Force – Property Acquisition for Campus Expansion \$220,900
- Mesa Youth Services (Partners) – Property Acquisition for Western Colorado Conservation Corps Facility - \$100,000
- Center for Independence – Remodel for Vocational Program \$9,500
- City of Grand Junction – Capital Improvements Project \$108,201

## **General Questions**

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.

**RESPONSE:** Grand Junction is located in Western Colorado 250 miles from Denver. It is the largest city in Western Colorado, the County seat for Mesa County and is the economic and

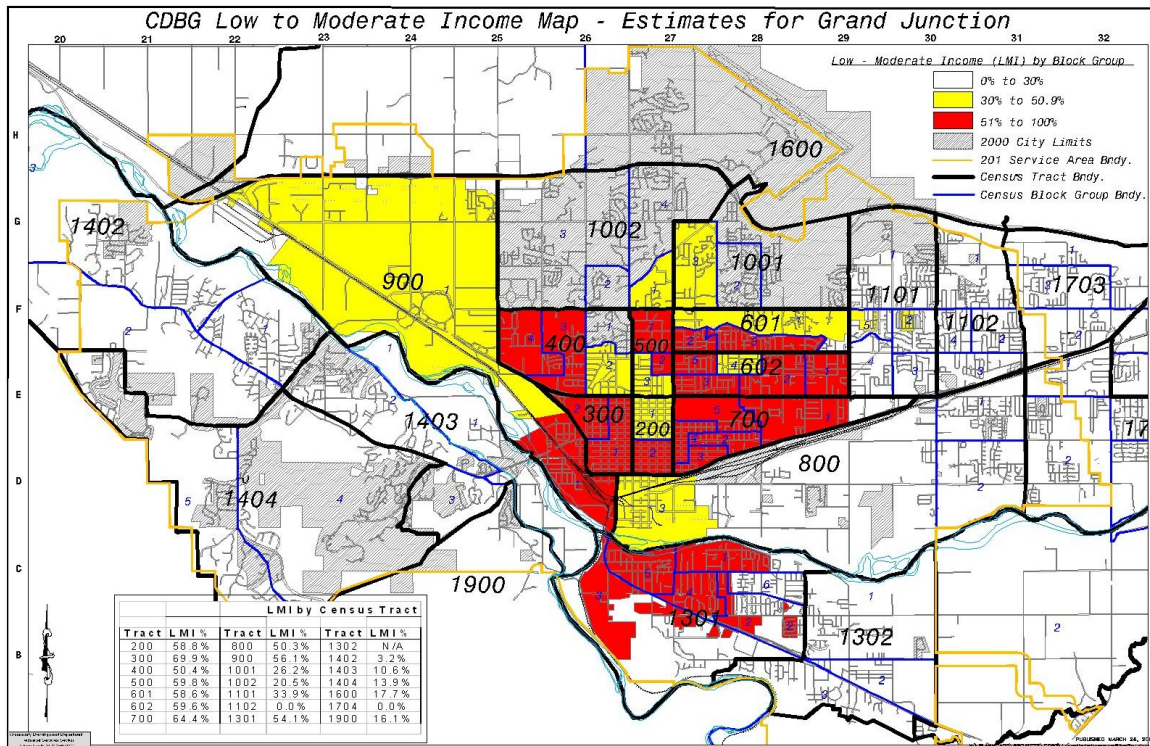
service center for communities in Western Colorado and Eastern Utah. According to Census figures released in early 2008, the Grand Junction Metropolitan Statistical Area (MSA) is the 9th fastest-growing metropolitan area in the United States from 2006 - 2007. As of July 2007, Grand Junction's population is estimated to be 139,082. In one year, Grand Junction's population increased 3.7%, ranking it 9th among all MSAs in percentage change in one year, and 1st among Colorado cities.

While the area's economy has demonstrated strong growth, housing market appreciation far exceeds wage increases. These trends are expected to continue for the foreseeable future, making the need for affordable housing one of many issues facing local government in Grand Junction.

Assistance will be directed to areas of low and moderate income concentrations, such as the Orchard Mesa, Riverside, El Poso, Downtown, and Central Grand Junction neighborhoods. These correspond to the red areas shown on the CDBG Low to Moderate Income Map on the following page.

2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.

**RESPONSE:** Investments will be allocated geographically according to HUD regulations. CDBG funding must meet national objective requirements of serving low and moderate income persons.



3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.

**RESPONSE:** Obstacles to meeting underserved needs are addressed in the following sections, however, limited funding and the increasing demand for services by a growing population are the community's major obstacles. Additionally, the need to continue to publicize available programs to those in need continues to be an obstacle. The City will encourage local non-profits who serve low to moderate income persons to apply for various funding sources through their respective programs by writing letters of support and identifying appropriate projects consistent with the 2006 Consolidated Plan.

### **Need for Non-Housing Community Development Infrastructure**

#### **City of Grand Junction Senior Multi-Use Campus Feasibility Study and Concept Design**

The Grand Junction Parks and Recreation Department will conduct a feasibility study and conceptual design of senior complex in the vicinity of the current library/senior recreation center/Gray Gourmet area. The study will examine the possibility of collaboration between interested user groups as well as the demand for such services. The conceptual design of the complex, based on the findings of the feasibility study, would help determine possible site plans, cost estimates and specific programmatic elements. CDBG - \$80,000



#### **Homeward Bound of the Grand Valley**

CDBG funds will be used to construct an 8-foot masonry screen wall along the south boundary of the existing homeless shelter to mitigate impacts on the adjacent residential neighborhood. CDBG - \$40,000



**Riverside Task Force Acquisition for Campus Expansion**

The Riverside Task Force will acquire two of the residential parcels east of the existing campus. The current 2-acre campus consists of the Dual Immersion Elementary School, the Community Center in the old Riverside School which also houses some uses for the elementary school, playground and parking areas. The restored school has achieved optimal usage, with the majority of the 4,000 square feet of functional space being utilized by the elementary school, after-school programs and other community uses.

In this final phase of campus development, the Riverside Task Force will utilize \$220,900 CDBG funds to purchase the two closest residential properties – 542 and 538 West Main Street. The acquisition would add functional acreage to the existing campus.



**City of Grand Junction Public Works or Parks Project**

The City will allocate \$108,201 2008 CDBG funds for a Public Works or Parks Capital Improvements Project that is already funded in 2009. Staff has identified the

replacement of the restroom in Hawthorne Park as a potential project that could be funded in part by CDBG funds. It is in an eligible neighborhood and the CIP already allocates \$200,000 for the replacement. Another potential project is the replacement of playground equipment in Duck Pond Park on Orchard Mesa which is also an eligible neighborhood.



#### **Riverside Head Start Classroom Addition**

The City allocated \$110,610 for this project in 2007 and it will be completed during the 2008 Program Year. The project includes construction of two additional classrooms at the existing Head Start facility in the Riverside Neighborhood. The expansion will allow for 34 more preschool-aged children to attend the program. The Head Start program provides health, nutrition, early care and education to low-income and disabled children ages 3 to 5 years.



#### **Orchard Mesa Drainage Improvements**

The City allocated \$100,000 2007 CDBG funds for drainage improvements on Linden Avenue in the Orchard Mesa Neighborhood. The project will replace a 30-inch culvert that carries the Orchard Mesa Drainage Channel across Linden Avenue with a 12' x 2' concrete box. The improvements will alleviate flooding of residences in the area during intense rain storms. As of this date, the project is nearing completion.

#### **Hilltop Community Resources Daycare/Family Center Remodel**

Hilltop was awarded \$24,547 2007 CDBG funds for improvements to entrances and landscaping. The Center is comprised of three programs: prenatal health care, parenting skills for families with increased risk for involvement in Child Protective Services and a child daycare center. The project is underway and is expected to be completed late in the 2007 Program Year or early in the 2008 Program Year.



### **Special Needs Populations and Other Human Service Needs**

#### **St . Mary's Hospital Foundation Gray Gourmet Program**

This program delivers meals to homebound elderly residents. CDBG funds in the amount of \$20,500 will be used for the purchase of food, personnel and travel to serve an additional 50 seniors. The program served 54,655 meals in 2007 and expects an increase to 57,388 in 2008. CDBG 2007 Program Year funds in the amount of \$20,500 were also awarded to this program and have been expended.

#### **Audio Information Network of Colorado (AIN)**

The City allocated \$4,500 in 2007 to AIN for audio information services for Grand Junction's blind, visually impaired, and print-handicapped citizens. The service provides access to ink print materials not otherwise available to these persons. The project is underway and funds should be expended by the end of the 2007 Program Year or early in the 2008 Program Year.

#### **Center for Enriched Communications (CEC)**

CEC was awarded \$7,181 in the 2007 Program Year to fund counseling services for low income citizens. Funds will be used to pay for approximately 200 client sessions to address a variety of mental health problems. The project is underway and is expected to be completed in the 2008 Program Year.

#### **Foster Grandparent Program**

The City allocated \$10,000 2007 CDBG funds for the Foster Grandparent Program that places low income senior volunteers in school, day care, Head Start, preschool, and safe house facilities to help children with special needs. Funding will reimburse 33 volunteers for gas and mileage for 33,000 hours of service. The project is underway and is expected to be completed in the 2008 Program Year.



### **Senior Companion Program**

The Senior Companion Program received \$10,000 2007 CDBG funds for senior volunteers to provide weekly transportation services for elderly or disabled City residents who can no longer drive. Funding is to reimburse volunteers for gas and mileage. The project was recently completed in the 2007 Program Year.

### **Youth**

#### **Riverside Educational Center (REC)**

REC provides qualifying K-12<sup>th</sup> grade students facing academic and financial challenges a no-cost, after-school tutoring and enrichment program, operated in the old Riverside School. REC has had significant growth since its inception in 2006 with just 22 students to the current enrollment of 75 students. Services are primarily provided to the students by over 50 volunteers. Tutoring is provided 3 nights a week and enrichment activities are provided 1 night a week.

CDBG funds will fund 2 Americorps employees to be obtained through Mesa State College. These employees will provide 288 hours of additional contact hours with students. The additional personnel will also allow for more students to participate in the enrichment programs offered by the Center, particularly for middle and high school aged students.



**Mesa Youth Services, Inc. (Partners) Western CO Conservation Corps**

Partners will utilize \$100,000 CDBG funds towards the acquisition of property at 2818-1/2 North Avenue for purposes of relocating the facilities for the operation of its Western Colorado Conservation Corps (WCCC) program. WCCC is an employment and educational experience for a diverse population of youth ranging in age from 14 to 25. Members have the opportunity to learn life skills, provide service to their community and conservation groups, as well as take on civic and environmental responsibilities. The number of youth and young adults served by the program has increased by 45% in the last two years and anticipates growth of approximately 25% in 2008. Currently, the program serves 120 local youth and young adults.



**Economic Development**



### **Center for Independence (CFI) New Horizon Vocational Center**

CFI expanded its program services in September 2007 to include vocational training for persons with disabilities. To date, the program has evolved to a 4 day per week class that has culinary training, janitorial training, computer skills training and is a self-directed consumer group that establishes goals for their own program. 22 persons are presently enrolled in the program and 10 more are expected to be added in the coming year.

CDBG funds in the amount of \$9,500 have been awarded to assist with capital funds to upgrade dated electrical systems in the kitchen used by the program at the 740 Gunnison Avenue facility.



4. Identify the federal, state, and local resources expected to be made available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

**RESPONSE:** The City will receive \$337,951 from HUD for the 2008 Program Year and will carry over \$246,150 of unspent funds from previous years. The City will not receive any other federal funding that will help address the needs identified in the Plan.

## Managing the Process

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.

**RESPONSE:** The Neighborhood Services Division of the Public Works and Planning Department administer the Grand Junction CDBG program.

2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.

**RESPONSE:** The City held 8 formal consultations with representatives of various organizations, including many of those listed below, who met in committee and special focus groups to formulate the 2006 Five-Year Consolidated Plan. The Plan committee played a major role in identifying the needs of the low and moderate income persons in the Grand Junction area. Drafts of the planning document and portions of the plan were sent out electronically and in paper to committee members and others for review and feedback. Many organizations participated in the development of this Consolidated Plan including:

- Grand Junction Housing Authority
- Housing Resources of Western Colorado
- Grand Valley Catholic Outreach
- Mesa County Partners
- The Treehouse Center for Youth
- The Center for Independence
- School District 51
- WestCap
- St. Mary's Hospital
- The Grand Junction Economic Partnership
- The Business Incubator
- Colorado West Mental Health
- Hilltop Community Resources

3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.

**RESPONSE:** The City holds a public open house each year inviting local human service agencies to meet and discuss the needs within the community and to participate in the CDBG process. This annual meeting occurs in March of each year.

## Citizen Participation

1. Provide a summary of the citizen participation process.

**RESPONSE:** A meeting was held in March 2008 to educate and receive input from the public. Invitations were mailed to over 85 citizens and human service providers throughout the Grand Valley. Additionally, an advertisement was placed in the Grand Junction *Daily Sentinel* inviting citizens to attend and participate. On May 21, 2008 a public hearing before City Council was conducted to discuss funding for 2008 and determine which projects would be funded out of 12 formal applications received and reviewed by the City.

On June 18, 2008 City Council will conduct a public hearing to seek public comment and consider adoption of the 2008 One Year Action Plan. A 30-day public review period will occur from June 6 to July 7, 2008. These opportunities for public input comply with the City's CDBG Citizen Participation Plan.

2. Provide a summary of citizen comments or views on the plan.

**RESPONSE:** To be completed after close of public review period.

3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.

**RESPONSE:** As previously stated, over 85 open house invitations were mailed to various organizations. The Hispanic/Latino Alliance, the Center for Independence, Mesa Developmental Services, Hilltop Community Resources, Audio Information Network and Senior Companions were among the many organizations that assist minorities and the disabled that were invited to the open house.

4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

**RESPONSE:** To be completed after close of public review period.

## Institutional Structure

1. Describe actions that will take place during the next year to develop institutional structure.

**RESPONSE:** The Neighborhood Services Division of the Public Works and Planning Department will continue to administer the CDBG program by following the City's Public Participation Plan and by following the federal regulations that govern the program. In this role, the City will disburse CDBG funds, oversee their effective use and compliance with federal regulations, submit required reports to HUD including the Consolidated Annual Performance Evaluation Report (CAPER) and maintain performance data in the Integrated Disbursement and Information System (IDIS).

## Monitoring

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

**RESPONSE:** The City of Grand Junction will use adequate and timely techniques to ensure the community development projects are compliant with CDBG requirements. This includes continued monitoring of sub-recipients for program objectives and outcomes and compliance with federal regulations such as environmental assessments. Labor standards will be adhered to when applicable. The City uses telephone, e-mail, mail and site visits to ensure program compliance. Performance measure will be determined and entered into HUD IDIS.

## **Lead-based Paint**

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

**RESPONSE:** The number of cases of children with elevated levels of lead in their blood has dropped significantly over the last decade. In a 4-year period between 1996 and 1999 there were 165 children tested Mesa County and eleven were at levels greater than 10ug/dL. During a two year reporting period (2003-2004, 968 children were tested for lead and only 3 were at levels above 10ug/dL.

### **Actions to be Taken**

- 1) Housing Resources of Western Colorado and the Grand Junction Housing Authority will continue to meet the requirements of the Federal Rule.
- 2) The City of Grand Junction will investigate, identify, coordinate and/or support additional efforts to address this potential health hazard. This includes complying with the Federal Rule as it applies to the expenditure of CDBG funds.
- 3) The Grand Junction Housing Authority will continue to provide information to residents concerning potential hazards of lead-based paint.

## **Specific Housing Objectives**

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

**RESPONSE:** The City did not receive any applications for any housing or housing-related projects for the 2008 Program Year. Thus, the City is not funding any housing projects in 2008.

## **Needs of Public Housing**

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.
2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

**RESPONSE:** The City of Grand Junction has no public housing. The Grand Junction Housing Authority has 30 units of public housing which is addressed on the 5-Year Consolidated Plan. The City will not be spending any CDBG funds on public housing in 2008.

## **Barriers to Affordable Housing**

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

**RESPONSE:** In April of 2006 the City completed An Analysis of Impediments to Fair Housing Choice study to address this issue. The City minimized the amount of 2006 funding allocated to CDBG program administration and dedicated all remaining funding to affordable housing projects. These projects are still underway. Consequently, there were no applications received for housing projects in 2008.

## **HOME/ American Dream Down Payment Initiative (ADDI)**

1. Describe other forms of investment not described in § 92.205(b).
2. If the participating jurisdiction (PJ) will use HOME or ADDI funds for homebuyers, it must state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule.
3. If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under § 92.206(b). The guidelines shall describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:

- a. Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.
  - b. Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.
  - c. State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.
  - d. Specify the required period of affordability, whether it is the minimum 15 years or longer.
  - e. Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.
  - f. State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.
4. If the PJ is going to receive American Dream Down payment Initiative (ADDI) funds, please complete the following narratives:
- a. Describe the planned use of the ADDI funds.
  - b. Describe the PJ's plan for conducting targeted outreach to residents and tenants of public housing and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide down payment assistance for such residents, tenants, and families.
  - c. Describe the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers.

**RESPONSE:** Not applicable to the City of Grand Junction

## Specific Homeless Prevention Elements

1. Sources of Funds—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness.

**RESPONSE:** For the 2008 Program Year Action Plan, there are no CDBG funds allocated to specific homeless needs or to prevent homelessness.

2. Homelessness—In a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.
3. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.

**RESPONSE:** For the 2008 Program Year Action Plan, there are no CDBG funds allocated to specific homeless needs or to prevent homelessness. However, the City of Grand Junction is supportive of the community's homeless providers. The Colorado Coalition for the Homeless is responsible for the Balance of State Continuum of Care (CoC) for the Grand Junction Community. Grand Valley Catholic Outreach will open a 23-unit apartment complex in 2008 that will be used for permanent housing for the homeless. As such projects are completed, they will be reported through the MHIS system by the Colorado Coalition for the Homeless as part of the 10-year plan to end chronic homelessness. Since CDBG funds are not being used for these projects, there will be no reporting through Grand Junction's Consolidated Plan. Obstacles include lack of sufficient CDBG funding to help fund these and other needed projects that help the homeless population of Grand Junction.

4. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.

**RESPONSE:** No CDBG funding is allocated for homeless activities in the 2008 Program Year Action Plan. The City will continue to support the various homeless providers with letters of support and letters of consistency with the Consolidated Plan as they compete for and request outside funding including other federal and state grants for homeless activities including prevention.

5. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

**RESPONSE:** Local agencies in the community have their own discharge coordination policies. For example, Homeward Bound has policies in place to accommodate most people who are released from publicly funded institutions. The Grand Junction Community Homeless Shelter is available so that no one needs to be discharged to the streets. This would include persons discharged from correctional facilities, foster care, mental health facilities and health care facilities. For the vast majority of the persons in this situation, the GJCHS is a viable alternative to sleeping on the streets. For those discharged from health care facilities with need for follow-up care or a recuperation period, there is a policy allowing limited daytime shelter at the Grand Junction Community homeless shelter during periods of recovery. Other alternatives to homelessness for this population in Mesa County include the Freedom House, for formerly incarcerated persons, and the Rescue Mission.

## Emergency Shelter Grants (ESG)

Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

**RESPONSE:** Not applicable to the City of Grand Junction

## Community Development

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.

**RESPONSE:** The only specific non-housing community development need addressed in the Community Development Needs table is the need for child care services. The City is funding the Riverside Educational Center and the Riverside Task Force for projects related to child education and day care needs. These projects are described in detail on pages 7, 8 and 9 of this report.

The City of Grand Junction provides a variety of services and programs to its citizens, many of which are eligible for CDBG funding. Such projects funded for the 2008 Program Year are:

- Senior Multi-Use Campus Feasibility Study and Concept Design
- City of Grand Junction Public Works or Parks Project

These projects are described in detail on pages 6 and 8 of this report.

2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

**RESPONSE:** Through the use of long-term CDBG funding, the City anticipates funding many different non-housing community development activities as it has done in the past (refer to project listing on page 4 of this report). All such activities will meet the CDBG program's three objectives: 1) provide decent housing; 2) create a suitable living environment; and 3) create economic opportunities for low and moderate income persons.

## Antipoverty Strategy

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.



**RESPONSE:** Actions to be taken during the 2008 Program Year to reduce the number of poverty level families include the following:

- a) Collect data regarding poverty levels and local demographics to better identify the problem and monitor trends including the following:
  - Point in Time Homeless Survey (January 2009)
  - Mesa County Human Services data
  - School District 51 data including Free and Reduced Lunch statistics
  - Grand Junction Housing Authority depth of poverty data
- b) Form an Anti-Poverty Coalition
  - Economic Development Partners and other stakeholders will be invited to the table to form an Anti-Poverty Coalition that will be responsible for implementing the Community's Anti-Poverty Strategy.

## **Non-homeless Special Needs (91.220 (c) and (e))**

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.

**RESPONSE:** The City of Grand Junction will be funding the following projects in the 2008 CDBG Program Year that will provide for non-homeless special needs including the youth of the community.

- St . Mary's Hospital Foundation Gray Gourmet Program
- Riverside Educational Center (REC)
- Mesa Youth Services, Inc. (Partners) Western Colorado Conservation Corps

These projects are described in greater detail on page 9 of this report.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

**RESPONSE:** The City will not expend any other funds on these projects but is supportive of human service agencies that supply services to this population and will support them by providing letters of support and consistency with the Consolidated Plan when they apply for outside funding, including other HUD grants.

## **Housing Opportunities for People with AIDS**

**RESPONSE:** No CDBG funds are being allocated for HOPWA in the 2008 Program Year. WestCAP will continue to be the local agency receiving HOPWA funding through DenverCAP and will continue to serve this population with existing programs. All HOPWA goals and programs are reported through DenverCAP.

## **Specific HOPWA Objectives**

Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the Action Plan.

**RESPONSE:** Not applicable to the City of Grand Junction.

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION \_\_\_-08**

**A RESOLUTION ADOPTING THE 2008 PROGRAM YEAR ACTION PLAN AS A PART OF THE CITY OF GRAND JUNCTION 2006 FIVE-YEAR CONSOLIDATED PLAN FOR THE GRAND JUNCTION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

Recitals.

WHEREAS, the City of Grand Junction was designated as an Entitlement Community by the U.S. Department of Housing and Urban Development in 1996 when Mesa County's population reached 100,000;

WHEREAS, this designation entitles Grand Junction to an annual grant of funds under the CDBG Program;

WHEREAS, to be eligible for funding, the City of Grand Junction must submit an annual Program Year Action Plan to be adopted as part of the City's Five-Year Consolidated Plan which serves as a federally-required planning document that guides community development efforts in Grand Junction;

WHEREAS, the primary objective of the City's Consolidated Plan and CDBG Program is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- and moderate-income;

WHEREAS, the planning process in developing the 2008 Program year Action Plan included an emphasis on Citizen Participation and interagency involvement;

WHEREAS, the 2006 Five-Year Consolidated Plan included a process of setting local priority needs and objectives through a coordinated effort with non-profit and government agencies in the community that serve the low income and special needs populations; and

WHEREAS, the 2006 Five-Year Consolidated Plan established a strategic plan that addresses the priority needs, goals and strategies identified by the community that will be undertaken between 2006 and 2010.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2008.

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

City Clerk

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**Attach 9**  
**Public Hearing—City Manager’s 2008-2009 Salary**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 4115 CONCERNING THE SALARY OF THE CITY MANAGER**

RECITALS.

In July 2007 the City Council adopted Resolution 110-07. That Resolution appointed Laurie M. Kadrich as City Manager. In September 2007 the City and Ms. Kadrich entered into an employment contract that related back to May 2007, the time when Ms. Kadrich was named Acting City Manager. Corresponding with the first date of her appointment, in May 2008 the Council reviewed Ms. Kadrich’s performance and salary. The City Council determined that Ms. Kadrich’s salary should be increased 3.3%.

Pursuant to the City Charter the salary of the City Manager is set by ordinance. The salary for Ms. Kadrich was most recently established by Ordinance 4115. This Ordinance amends Ordinance 4115 and sets the 2008-2009 salary of Ms. Kadrich as the City Manager.

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

That the portion of Ordinance 4115 setting the salary of the City Manager is amended, repealed and replaced by this Ordinance and the salary of the City Manager, Laurie M. Kadrich shall be set as of the effective date of this ordinance *nunc pro tunc* to July 1, 2008 at \$154,950.00 per year and as customarily prorated if she serves less than one year, to compensate her for her service to the City of Grand Junction. The balance of Ordinance 4115 and Resolution 110-07 are unchanged.

Introduced on first reading this 4<sup>th</sup> day of June 2008.

Passed and adopted on second reading this \_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
Gregg Palmer  
President of the Council

Attest:

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