



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
MONDAY, OCTOBER 13, 2008, 7:00 P.M.**

Call to Order

Pledge of Allegiance
Invocation/Moment of Silence

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

Certificates of Appointments

To the Urban Trails Committee – Elizabeth Collins

Council Comments

Citizen Comments

City Council/City Manager Meeting Schedule Review

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Minutes of the September 29, 2008 and the October 1, 2008 Regular Meetings

Revised December 19, 2011

**** Indicates New Item*

® Requires Roll Call Vote

2. **Downtown Grand Junction Business Improvement District 2009 Operating Plan and Budget** [Attach 2](#)

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. The Downtown Grand Junction Business Improvement District approved and filed their 2009 Operating Plan and Budget on time. It has been reviewed by Staff and found to be reasonable.

Action: Approve the Downtown Grand Junction Business Improvement District's 2009 Operating Plan and Budget

Staff presentation: Jodi Romero, Financial Operations Manager

3. **Horizon Drive Association Business Improvement District 2009 Operating Plan and Budget** [Attach 3](#)

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Horizon Drive Association Business Improvement District filed their 2009 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Approve Horizon Drive Association Business Improvement District's 2009 Operating Plan and Budget

Staff presentation: Jodi Romero, Financial Operations Manager

4. **Setting a Hearing on Rezoning Property Located at 1211 Hermosa Avenue** [Attach 4](#)
[File #RZ-2008-216]

Request to rezone .24 acres from R-8 (Residential, 8 du/ac) zone district to RO (Residential Office) zone district, located at 1211 Hermosa Avenue.

Proposed Ordinance Rezoning the Property Known as 1211 Hermosa Avenue from R-8 (Residential 8 du/ac) to RO (Residential Office), Located at 1211 Hermosa Avenue

Action: Introduction of a Proposed Ordinance and Set a Hearing for November 3, 2008

Staff presentation: Judith Rice, Associate Planner

5. **Construction Contract Amendment for the Colorado Avenue Reconstruction Project** [Attach 5](#)

The Downtown Development Authority (DDA) has requested an amendment to the Colorado Avenue Reconstruction Contract to reconstruct existing parking lots on the north side of the 500 Block of Colorado Avenue. This reconstruction work includes combining existing public parking lots with a lot on the recently acquired property at 560 Colorado Avenue. The DDA has approved additional funding for construction of the proposed parking lot improvements in the amount of \$278,559.30

Action: Authorize the City Manager to Approve an Amendment to the Contract with Mays Concrete, Inc. in the Amount of \$278,559.30 for Reconstruction of the 500 Block Colorado Avenue Parking Lots

Staff presentation: Tim Moore, Public Works and Planning Director

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

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

6. **Public Hearing—Tall Pines Investments Growth Plan Amendment, Located at 2101 Patterson Road** [File #GPA-2008-199] [Attach 6](#)

Request to amend the Growth Plan, changing the Future Land Use designation from Residential Medium (4-8 du/ac) to Residential High (12+ du/ac) for property located at 2101 Patterson Road.

Resolution No. 133-08— A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 10.44 Acres Located at 2101 Patterson Road, Known as the Tall Pines Investments Growth Plan Amendment, from Residential Medium (4-8 DU/Ac) to Residential High (12+ DU/Ac)

®Action: Adopt Resolution No.133-08

Staff presentation: Senta L. Costello, Senior Planner

7. **Public Hearing—Zoning the Mesa View Elementary School Annexation,
Located at 2967 B Road** [File #GPA-2008-206] [Attach 7](#)

Request to zone the Mesa View Elementary School Annexation, consisting of one (1) parcel at 2967 B Road, into two zone districts. The south 9.497 acres is requesting a zone district of R-4 (Residential 4 du/ac) and the north 9.991 acres is requesting a zone district of CSR (Community Services and Recreation).

Ordinance No. 4299—An Ordinance Zoning the Mesa View Elementary Annexation to R-4 (Residential 4 DU/Ac) and CSR (Community Services and Recreation), Located at 2967 B Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4299

Staff presentation: Brian Rusche, Senior Planner

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

9. **Other Business**

10. **Adjournment**

Minutes of September 29 and October 1, 2008 Meetings

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

September 29, 2008

The City Council of the City of Grand Junction convened into regular session on the 29th day of September 2008 at 7:01 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were Deputy City Manager Rich Englehart, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

Council President Gregg Palmer called the meeting to order. Councilmember Doug Thomason led in the Pledge of Allegiance.

In lieu of an invocation, a moment of silence took place.

Proclamations/Recognitions

Proclaiming the Month of October as “Breast Cancer Awareness Month” in the City of Grand Junction

Proclaiming October, 2008 as “Drug Endangered Children’s Awareness Month” in the City of Grand Junction

Proclaiming October, 2008 as “Kids Voting Month” in the City of Grand Junction

Proclaiming October 4, 2008 as “Oktoberfest Day” in the City of Grand Junction

Proclaiming the week of October 5 through October 11, 2008 as “Fire Prevention Week” in the City of Grand Junction

Proclaiming the Month of October, 2008 as “Community Planning Month” in the City of Grand Junction

Appointment

Councilmember Coons moved to Ratify the Appointment of Harry Griff as the Downtown Development Authority Representative on the Avalon Theatre Advisory Committee for the remainder of a three year term expiring June, 2011 and as a Downtown Development Authority representative to the Historic Preservation Board for the remainder of a three year term expiring December, 2011. Motion seconded by Councilmember Thomason. Motion carried.

Council Comments

Councilmember Todd wished her father-in-law and husband a Happy Birthday.

Councilmember Hill reported the US Department of Housing Community Development Block Grant money has been approved.

Council President Palmer reported what a busy weekend it was in Grand Junction from the Air Show, Fruita Fall Festival, Car Show, Color Sunday, Bronco representatives were here, and the Judicial Law Conference. He wanted to thank all involved and Staff for making it an eventful weekend. Councilmember Todd also said over 300 Rotarians were in town.

Citizen Comments

There were none

City Council/City Manager Meeting Schedule Review

Rich Englehart, Deputy City Manager, reviewed the upcoming meeting schedule.

CONSENT CALENDAR

Councilmember Beckstein read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Hill and carried by roll call vote to approve Consent Items #1 through #4.

1. Minutes of Previous Meetings

Action: Approve the Minutes of the September 15, 2008 and the September 17, 2008 Regular Meeting

2. Setting a Hearing on Zoning the Mesa View Elementary School Annexation, Located at 2967 B Road [File #GPA-2008-206]

Request to zone the Mesa View Elementary School Annexation, consisting of one (1) parcel at 2967 B Road, into two zone districts. The south 9.497 acres is requesting a zone district of R-4 (Residential 4 du/ac) and the north 9.991 acres is requesting a zone district of CSR (Community Services and Recreation).

Proposed Ordinance Zoning the Mesa View Elementary Annexation to R-4 (Residential 4 DU/Ac) and CSR (Community Services and Recreation), Located at 2967 B Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for October 13, 2008

3. **Setting a Hearing on the Allen Annexation, Located at 811 22 Road** [File #ANX-2008-258]

Request to annex 6.00 acres, located at 811 22 Road. The Allen Annexation consists of one (1) parcel and includes a portion of the 22 Road Right-of-Way.

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

Resolution No. 131-08—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, Allen Annexation, Located at 811 22 Road and Including a Portion of the 22 Road Right-of-Way

Action: Adopt Resolution No. 131-08

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Allen Annexation, Approximately 6.00 Acres, Located at 811 22 Road and Including a Portion of the 22 Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for November 17, 2008

4. **Sub-recipient Contracts for Projects within the 2008 Community Development Block Grant (CDBG) Program Year**

The Subrecipient Contracts formalize the City's award of a total of \$121,000 to various non-profit organizations allocated from the City's 2008 CDBG Program as previously approved by Council.

Action: Authorize the City Manager to Sign the Subrecipient Contracts with the Riverside Educational Center, St. Mary's Foundation Gray Gourmet Program and Partners for the City's 2008 CDBG Program Year

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Review and Decide on the Appeal of the Planning Commission's Decision Regarding a Conditional Use Permit for a Bar/Nightclub [File #CUP-2008-158]

An appeal has been filed regarding the Planning Commission's decision to deny a Conditional Use Permit for a Bar/Nightclub, located at 2256 and 2258 Colex Drive. The project sits on 1 lot in an I-1 (Light Industrial) zone district. (The project will include leased parking spaces from the lot immediately to the north.) This appeal is pursuant to Section 2.18.E of the Zoning and Development Code, which specifies that the City Council is the appellate body of the Planning Commission. According to Section 2.18.E.4.h, no new evidence or testimony may be presented, except City Staff may be asked to interpret materials contained in the record.

John Shaver, City Attorney, presented this item. City Attorney Shaver advised that this is an appeal of the record so the Council will not be receiving any new information. Council will be reviewing the record between now and November 5, 2008. City Attorney Shaver reviewed the criteria for the Council: (1) The decision-maker may have acted in a manner inconsistent with the provisions of this Code or other applicable local, state or federal law; (2) The decision-maker may have made erroneous findings of fact based on the evidence and testimony on the record; (3) The decision-maker may have failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or (4) The decision-maker may have acted arbitrarily, acted capriciously, and/or abused its discretion. In addition to one or more of the above findings, the appellate body shall find the appellant was present at the hearing during which the original decision was made.

Councilmember Hill inquired about the Code provision that states the City Council has the authority to affirm, reverse or remand the matter back to the Planning Commission; although affirm and remand are clear, he questioned the reverse authority. City Attorney Shaver explained that while the City Council has the legal authority to reverse the appeal, it does not accomplish much, as the applicant could then re-apply and the process would begin again.

City Attorney Shaver then gave a few hypothetical situations for the Council that could come forward.

Councilmember Hill moved to set a hearing for November 5, 2008, to review and decide on the Appeal of the Planning Commission's Decision regarding a Conditional Use Permit for a Bar/Nightclub located at 2256 and 2258 Colex Drive. Councilmember Beckstein seconded the motion. Motion carried.

Public Hearing—Amending the City Smoking Ordinance to Specify Signage Requirements for Public Parks and Unenclosed Public Places

City Staff has become aware of issues regarding inadequate notification of non-smoking areas in public parks and unenclosed public places. To help clarify and reinforce notification of non-smoking areas, City Staff wishes to revise the Smoking Ordinance to

include specific language regarding sign placement in public parks and unenclosed public places.

The public hearing was opened at 7:46 p.m.

John Shaver, City Attorney, presented this item. City Staff has received comments from citizens that there is not adequate notification of non-smoking areas in public parks or unenclosed public places. After review it was determined that better signage was needed to designate non-smoking areas. City Attorney Shaver read the addition to the ordinance that would allow additional signage which will be visible at the primary entrance of these properties.

President of the Council Palmer asked how the City would post a 19 acre park. City Attorney Shaver explained the main entrance would be used for posting of the sign.

Councilmember Hill stated he did not vote for the smoking ordinance but understands the enforcement issue.

Councilmember Coons agreed that with the law on the books, it needs to be made clear to the public.

There were no public comments.

The public hearing was closed at 7:50 p.m.

Ordinance No. 4296—An Ordinance Amending Chapter 16, Article VI, Section 16-127 of the Code of Ordinances to Specify Placement of Non-Smoking Signs in Public Parks and Unenclosed Public Places

Councilmember Thomason moved to adopt Ordinance No. 4296 and ordered it published. Councilmember Coons seconded the motion. Motion carried with Councilmembers Hill and Todd voting NO.

Public Hearing—Andy's Liquor Mart Rezone, Located at 145 Belford Avenue and 925 and 927 N. 2nd Street [File #RZ-2008-222]

A request to rezone 0.324 acres, located at 145 Belford Avenue and 925 and 927 N. 2nd Street, from R-O (Residential Office) to C-1 (Light Commercial).

The public hearing was opened at 7:55 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request, the location and the site. He asked that the Staff Report and the attachments be entered into the record. The Planning Commission recommended approval of the rezoning request.

The applicant was present but did not have anything to add.

There were no public comments.

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

Ordinance No. 4297—An Ordinance Rezoning the Property Known as Andy's Liquor Mart Addition from R-O (Residential Office) to C-1 (Light Commercial), Located at 145 Belford Avenue and 925 and 927 N. 2nd Street

Councilmember Todd moved to adopt Ordinance No. 4297 and ordered it published. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—Amending the Zoning and Development Code Concerning Permits and B-2 Zone District Uses [File #TAC-2008-240]

The City of Grand Junction proposes to amend Chapters 2 and 3 of the Zoning and Development Code to extend the validity of administrative and public hearing permits, and to make certain uses in the B-2 (Downtown Business) and MU (Mixed Use) zone districts uses by right.

The public hearing was opened at 8:03 p.m.

Lisa E. Cox, Planning Manager, presented this item. Ms. Cox explained that the City considers proposed updates and changes to the Zoning and Development Code on a regular basis to ensure that the Code is addressing development issues. She likes to wait until there are several to bring before the Council at one time. These amendments to Chapter 2 and 3 of the Code are intended to be responsive to economic conditions, facilitate the development review process and create a more efficient code.

There were no public comments.

The public hearing was closed at 8:04 p.m.

Council President Palmer asked if this was driven by the new Safety Building that is being proposed. Ms. Cox said no, it was not.

Ordinance No. 4298—An Ordinance Amending Sections in Chapters 2 and 3 of the Zoning and Development Code to Extend the Validity of Administrative and Public Hearing Permits and to Make Certain Uses in the B-2 (Downtown Business) and MU (Mixed Use) Zone Districts Uses by Right

Councilmember Hill moved to adopt Ordinance No. 4298 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:05 p.m.

Juanita Peterson, CMC
Deputy City Clerk

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

October 1, 2008

The City Council of the City of Grand Junction convened into regular session on the 1st day of October 2008 at 7:10 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Bruce Hill, Linda Romer Todd, Teresa Coons, and Council President Gregg Palmer. Councilmember Doug Thomason was absent. Also present were Deputy City Manager Rich Englehart, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

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

Certificates of Appointment

John Gormley, Kathy Herzog, Gust Panos, Reginald Price, and Frank Watt were present to receive their Certificates of Appointment to the Riverfront Commission.

Citizen Comments

There were none

CONSENT CALENDAR

Councilmember Hill read items on the Consent Calendar, and moved to approve the Consent Calendar with the amendment of moving Item #3 to last under Individual Consideration. Councilmember Coons seconded the motion. Motion carried by roll call vote to approve Consent Items #1 and #2.

1. **Setting a Hearing on Zoning the Lusk Annexation, located at 2105 South Broadway** [File #ANX-2007-368]

Request to zone the 8.53 acre Lusk Annexation, located at 2105 South Broadway, to Residential Estate (Residential 2 to 5 ac/Du).

Proposed Ordinance Zoning the Lusk Annexation to Residential Estate (R-E), Located at 2105 South Broadway

Action: Introduction of a Proposed Ordinance and Set a Hearing for October 15, 2008

2. **Setting a Hearing on Amending the Zoning and Development Code to Include an Administrative Development Approval for a Minor Exemption Subdivision**
[File #TAC-2008-029]

The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to allow an administrative development approval for a Minor Exemption Subdivision.

Proposed Ordinance Amending the Zoning and Development Code to Include an Administrative Development Approval for a Minor Exemption Subdivision

Action: Introduction of a Proposed Ordinance and Set a Hearing for October 15, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION

The Taxpayer Bill of Rights (TABOR) Amendment and City Ballot Questions 2A and 2B

The City Council has placed two questions on the November 4, 2008 ballot. These questions ask the voters if they want to raise the City's sales and use tax by ¼% for the construction and operation of public safety facilities in the City and if they want to lift the TABOR Amendment revenue limitation. Because of the complex nature of TABOR and the way that the ballot questions must be written to comply with TABOR, the City Council is considering a resolution that will affirm those aspects of TABOR that will not change if the ballot questions pass.

John Shaver, City Attorney, presented this item. The resolution being considered clarifies what the questions do and what the questions don't do. City Attorney Shaver read the resolution into the record in its entirety.

Councilmember Hill said the Resolution is obviously very specific to 2B, and that it is not a take away. His concern is who is going to pay for this display ad. City Attorney Shaver does not believe this will violate the Fair Campaign Practices Act, but to be more in line with normal business, the City can publish it as a legal notice.

Councilmember Coons suggested having the group that is heading the campaign pay for the ad and to put a disclaimer on the bottom "Paid for by Citizens for a Safer Grand Junction". Councilmember Hill was comfortable with that option.

Councilmember Doody asked Council President Palmer who will talk to the committee.

Council President Palmer said he would speak to the committee since he sits on the committee and see if they could possibly publish a display ad.

Resolution No. 132-08—A Resolution Affirming the Right of Citizens of the City of Grand Junction to Vote for Increased City Taxes and Prior to the City Incurring Debt

Councilmember Beckstein moved to adopt Resolution No. 132-08. Councilmember Todd seconded the motion.

Councilmember Hill advised that he will support adoption of the resolution as he thinks it is important to clarify what the ballot questions are asking. Furthermore, although he did not favor placing 2B on the ballot, he supports the majority opinion of the governing body.

Motion carried by unanimous roll call vote.

Setting a Hearing to Review the Service of William Pitts on the Grand Junction Planning Commission

In accordance with City Code the City Council may hold a hearing to consider the service and removal of any member of the Planning Commission. City Council has requested a hearing to review recent actions by Commissioner Bill Pitts and/or to consider his removal from the Planning Commission.

Councilmember Hill wanted to start the dialog by saying that the Council is required by the City Charter to hold a Public Hearing. When he saw the item on the agenda, he was concerned if Commissioner Pitts had received notice. At the pre-meeting he was told Mr. Pitts received notice on Friday but that he would be out of town.

Councilmember Hill made a motion to give Council direction to Staff to work with Planning Commissioner Pitts to get a date set by the first of the year that fits with Mr. Pitts' schedule and then bring that date back to Council for setting. Motion died for lack of a second.

Councilmember Coons asked if the Council is legally bound by any time frame to complete this action.

City Attorney Shaver said they are not. The language of the Code does not define the parameters of the hearing; Council can limit it or make it more general but that it has to be a Public Hearing. City Attorney Shaver gave City Council several options regarding the meeting format.

Council President Palmer said that he sees that there are three options: move it to a date specific, hear it tonight, or conduct a special meeting. His preference would be to consult Mr. Pitts to have him available along with all seven Council members. Council President Palmer spoke with Councilmember Thomason today, knowing this would be discussed, and Councilmember Thomason expressed an interest to be in attendance.

Councilmember Todd would like to keep all three options open and would like to explore resolving this issue in another manner.

Council President Palmer wants to make sure that the Council has an option to meet with Mr. Pitts.

City Attorney Shaver addressed the Special Meeting format, which would not be on a regular City Council meeting, but still a public hearing but not broadcast. City Attorney Shaver said City Staff and Mr. Pitts have met several times without resolve.

Councilmember Coons assumes the intent of the requirement for a meeting in public is to allow due process and ensure actions are not taken arbitrarily.

Councilmember Doody agreed about due process, but is concerned with Mr. Pitts being on the radio today and an article published in the newspaper. Councilmember Doody stated that he does not want to drag this out to the end of the year.

Councilmember Beckstein would like to see that this be brought forward to the October 15, 2008 meeting. That should allow Mr. Pitts to make arrangements to be present.

Councilmember Coons stated she will not be available the week of October 13th.

Councilmember Hill stated he believed it might be hard to get all Council present but would like to move forward with a motion.

Councilmember Hill moved to set a Hearing for October 15, 2008 for the consideration of the removal of William Pitts from the Planning Commission. Councilmember Beckstein seconded the motion. Motion carried.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 7:44 p.m.

Juanita Peterson, CMC
Deputy City Clerk

Downtown BID Operating Plan and Budget

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Downtown Grand Junction Business Improvement District 2009 Operating Plan and Budget		
File #			
Meeting Day, Date	Monday, October 13, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	September 29, 2008		
Author Name & Title	Heidi Hoffman Ham, DDA Executive Director		
Presenter Name & Title	Jodi Romero, Financial Operations Manager		

Summary:

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. The Downtown Grand Junction Business Improvement District approved and filed their 2009 Operating Plan and Budget on time. It has been reviewed by Staff and found to be reasonable.

Budget: N/A

Action Requested/Recommendation:

Approve the Downtown Grand Junction Business Improvement District's 2009 Operating Plan and Budget

Attachments:

Proposed 2009 Operating Plan and Budget for the Downtown GJBID

Background Information:

In 2005, the City Council created the Downtown Grand Junction Business Improvement District, approved their 2006 Operating Plan and Budget, conducted a mail ballot election to create a Special Assessment, and then turned over the board to the DDA.

The State Statutes (31-25-1212 C.R.S.) require business improvement districts to annually submit an operating plan and budget for the next fiscal year by September 30. The municipality shall approve or disapprove the operating plan and budget within thirty days of receipt but no later than December 5 so the BID can file their Special Assessment with the County Treasurer by December 10.

Downtown Business Improvement District 2008 Annual Report and 2009 Proposed Budget

With the successful passage of the Downtown Business Improvement District in November 2005, the Downtown Partnership (DDA and DTA) was able to embark on an expanded program of advertising and promotion. The BID covers an area of nearly 50 square blocks and has over 600 property owners and businesses representing a mix of retail, restaurants, professional services and commercial activities. The BID was formed with the intention of performing the following functions:

Downtown Marketing and Promotions

- Public relations to project a positive community and business image
- Collaborative advertising with other agencies (VCB, Chamber, etc)
- Quarterly newsletter and biweekly email to members
- Revision of website to reflect changing needs of merchants, visitors
- Holiday/seasonal advertising campaigns in print, radio, television, billboards
- Expansion of downtown gift certificate marketing
- Continued support of marketing efforts for Art on the Corner program

Staff works closely with representatives from Colorado Public Radio, the Avalon Theatre, the Museum of Western Colorado, Western Colorado Botanical Gardens, the Visitor and Convention Bureau, Two Rivers Convention Center, and local nonprofit groups to market and support downtown activities. Another successful function of the improved communication with the downtown merchants this year has been updates on the Colorado Avenue reconstruction project to increase awareness about parking, access, and road closures.

Special Events

The Art & Jazz Festival, the Farmers' Market, the Independence Day Parade, the Car Show, the Parade of Lights and the Spirit of Christmas have all continued to grow in attendance, notoriety, and sponsor support. These popular events bring thousands of people into Downtown Grand Junction to enjoy the unique atmosphere and spend additional dollars in the downtown shopping district.

Budget and Administration:

The 2009 budget (attached) continues to support the same operating plan and goals for the BID. The Board has chosen not to increase the assessment for 2009 (up to 5% allowed) due to the current national economic outlook and because the fund balance is considered to be adequate for 2009 contingency. The primary additional expenditure is

in the form of one new staff person who will assist the Marketing Coordinator in 2009, as the demands for customer service and events are expected to continue to increase. One change reflected in the budget is the transfer of the Downtown Association (DTA) operating expenses directly to the authority and responsibility of the appointed DTA Board of Directors. This Board reports to the BID Board on a quarterly basis.

Fund 711 : Business Improvement District

	2007 Actual	2008 Budget	2008 Est	2009 Budget Notes
Start Fund Balance		95,048	95,048	117,698
Revenues				
Special Assessments	130,839	135,000	133,626	135,000 0% increase per Board
Interest Income	8,103	5,348	2,848	3,000
Govt Reimbursements	48,030	34,500	34,500	34,500 City, County, and DDA
Other Income	25,450	10,000	3,095	0 Incl gift certs (DTA in 09)
Event Income	121,867	125,000	168,000	0 In DTA Budget starting 2009
Revenues Sub Total	334,289	309,848	342,069	172,500
Expenses				
Salaries	42,582	63,132	34,041	33,280 Includes new position in 09
Part-time/Contract Labor	20,786	41,250	30,347	48,400 Includes Marketing Director, seasonal labor/intern
Benefits	16,093	16,035	14,628	8,320 25% of FT salaries
Treasurer's Fees	2,619	2,500	2,662	3,000
Donations	590	0	0	0 In DTA Budget
FF&E	495	0	0	5,000 New office needs
Other	5,301	7,500	6,467	3,000 Incl 08 annual mtg (DTA in 09)
Interfund Transfers	15,250	2,566	2,870	3,500 For City services
Event Expenses	121,867	156,500	103,210	0 In DTA Budget starting 2009
Marketing Expenses	23,357	50,000	50,194	0 In DTA Budget starting 2009
DTA Expenses	39,800	75,000	75,000	94,010
Expenses Sub Total	288,740	414,483	319,419	198,510
Net Difference	45,549	-104,635	22,650	-26,010
Fund Balance	95,048	-9,587	117,698	91,688

DTA Budget

	2007 Actual	2008 Budget	2008 Est	2009 Budget Notes
Revenue				
Contributions / Friends	10,165	10,000	7,250	7,500 Enterprise zone credit available
Event Sponsorships	0	0	0	47,000 New line item
Event Revenue	0	121,000	121,000	102,500 Includes vendor fees, etc
Gift Certificates	46,854	60,000	34,325	45,000
Transfer from BID	39,800	75,000	75,000	94,010 For events, marketing
Other Income	0	0	0	2,500 Grants, gifts
Total Income	96,819	266,000	237,575	298,510
Expenses				
Events	39,750	104,500	103,210	136,520 Estimate based on previous events
Marketing	0	50,000	50,194	65,000 See detail
Contract Labor	37,500	41,500	41,500	45,000 Event Masters fee
Banners/Signage	0	0	7,040	15,000 Pole banners (7th St), one street banner
BID Contribution	5,000	0	0	0
Bank Service Charges	874	500	938	7,500 Change to internal cc processing
Gift Certificates	25,537	60,000	38,211	45,000 Direct offset (no fees)
Annual Dinner	700	5,000	245	2,500
Misc.	1,231	800	896	5,000 Including donations
Total Expenses	110,592	262,300	242,234	321,520
Net Change	-13,773	3,700	-4,659	-23,010
Fund Balance	37,669	41,369	33,010	10,000

Horizon Drive BID Operating Plan and Budget

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Horizon Drive Association Business Improvement District 2009 Operating Plan and Budget		
File #			
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Placement on the Agenda	Consent	X	Individual
Date Prepared	October 9, 2008		
Author Name & Title	Stephanie Tuin, City Clerk		
Presenter Name & Title	Jodi Romero, Financial Operations Manager		

Summary: Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Horizon Drive Association Business Improvement District filed their 2009 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Budget: NA

Action Requested/Recommendation: Approve Horizon Drive Association Business Improvement District's 2009 Operating Plan and Budget

Attachments:

1. Proposed 2009 Operating Plan and Budget for the Horizon Drive Association Business Improvement District
2. Certification of Valuations

Background Information:

In 2004, the City Council created the Horizon Drive Association Business Improvement District, approved their 2005 Operating Plan and Budget and appointed their board. The State Statutes (31-25-1212 C.R.S.) require business improvement districts to annually submit an operating plan and budget for the next fiscal year by September 30.

The municipality shall approve or disapprove the operating plan and budget within thirty days of receipt but no later than December 5 so the BID can file their mill levy certification with the County Assessor by December 10.

Horizon Drive Association

Business Improvement District

Service and Operating Plan 2009

Introduction

In the year 2008, the Horizon Drive Business Improvement District began seeing real results from its investment in the District. In cooperation with the City of Grand Junction, the I-70/Horizon Drive interchange has been substantially improved for the benefit of the District and the City.

The Board of Directors continues to operate the District conservatively regarding expenditures for administrative, staff, offices and other non-capital expenses. The District, however, anticipates more improvements to the District, and more activities. This will require substantial management and administrative time. Thus far, the District has relied on the voluntary time of the Board or volunteers. The Board is planning for the additional activity, but feels the District will need to employ staff to handle the anticipated work-load. As such, the District has budgeted for the anticipated additional expenses. Although administrative expenses will increase, the Board remains committed to primary dedication of the District's funds toward direct capital improvements to the District.

In accordance with the Board's stated objectives, the District adopts the following general Service and Operating Plan:

Goals and Objectives:

- Improve communication amongst businesses in the district
- Work together for a common goal
- Beautification
- Signage
- Coordinating holiday presentation
- Improve entrances to Grand Junction
- Serve as an ambassador to the City, County, and other organizations
- Represent the District in decisions that may impact the area

Services and Improvements Offered by the District:

- Liaison for its constituencies to the City of Grand Junction on improvement projects to

the District.

- Improve the communications throughout the district.
- Enhance the District with long range planning of improvements.
- Be accessible to constituents for questions on various issues that may arise.
- Represent the District in decisions that may impact the area..
- The district is allowed to make and contemplates a broad range of public improvements including but not limited to: streets, sidewalks, curbs, gutters, pedestrian malls, streetlights, drainage facilities, landscaping, decorative structures, statuaries, fountains, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches, rest rooms, information booths, public meeting facilities, and all incidental including relocation of utility lines.

Governance of the District:

- New Board of Directors are appointed by Grand Junction City Council.
- Board of Directors appoints management staff in accordance with District bylaws.

Powers of the District:

- The power to sue and be sued, to enter into contracts and incur indebtedness, to issue bonds subject to statutory authority.
- To consider and, if deemed necessary, provide services within the district including but not limited to:
 - * management and planning
 - *maintenance of improvements, by contract if necessary
 - *promotion or marketing
 - *organization, promotion and marketing of public events
 - *activities in support of business recruitment, management and development
 - *snow removal or refuse collection
 - *provide design assistance
- To acquire, construct, finance, install, and operate public improvements and to acquire and dispose of real and personal property.
- To refund bonds of the district.
- To have management, control and supervision of business affairs of the district.
- To construct and install improvements across or along any public street, alley or highway and to construct work across any stream or watercourse.

- To fix, and from time to time increase or decrease, rates tolls, or charges for any services or improvements. Until paid, such charges become a lien on commercial property in the district, and such liens can be foreclosed like any other lien on real or personal commercial property.
- The power to levy taxes against taxable commercial property.

Partnerships:

- Members of the existing Horizon Drive Association are encouraged to join the Horizon Drive Business Improvement District and provide feedback and opinions based upon their current concerns pertaining to the area.
- Membership to the Horizon Drive Business Improvement District may be based on a dues structure set up by the Board of Directors.

Proposed 2009 Budget:

- See attached Horizon Drive Business Improvement District's 2009 Budget

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT

Operating Budget for Fiscal Year 2009

Current Fund Balance C 9/30/2008	\$506,078	
Less Reserve For Remaining 2008 Obligations:	<u>(25,000)</u>	
Estimated Fund Balance 12/31/08		\$481,078
2009 Tax Revenues		232,208
Interest Income		<u>10,000</u>
Total Funds Available		723,286
Expenditures		
Administrative		
Insurance	3,500	
Professional Services	20,000	
Clerical/Administrative	50,000	
Office Space	10,000	
Marketing & Communications	24,000	
Miscellaneous Expenses	<u>6,000</u>	(113,500)
Horizon Drive/I70 Improvement Payment**		(57,000)
Reserve for Long Term Planning, Design & Improvement Projects		<u>(542,786)</u>
Ending Fund Balance		<u>\$10,000</u>

**Third of five annual payments to City of Grand Junction for Horizon Drive/I70 Improvements

Setting Hearing on Rezoning 1211 Hermosa Avenue
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Hermosa Rezone – Located at 1211 Hermosa Avenue		
File #	RZ-2008-216		
Meeting Day, Date	Monday, October 13, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 1, 2008		
Author Name & Title	Judith Rice, Associate Planner		
Presenter Name & Title	Judith Rice, Associate Planner		

Summary: : Request to rezone .24 acres from R-8 (Residential, 8 du/ac) zone district to RO (Residential Office) zone district, located at 1211 Hermosa Avenue.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for November 3, 2008.

Attachments:

1. Site Location Map / Aerial Photo
2. Future Land Use Map / Existing City Zoning Map
3. Proposed Ordinance

Background Information: See attached staff report and background information.

BACKGROUND INFORMATION					
Location:		1211 Hermosa Avenue			
Applicants:		Amy C. Brucker, Owner Buzz Schoenbeck, Representative			
Existing Land Use:		Residential, Single Family			
Proposed Land Use:		General Office			
Surrounding Land Use:	North	Residential, Single Family			
	South	Church			
	East	Residential, Single Family			
	West	Residential, Multifamily			
Existing Zoning:		R-8 (Residential 8 du/ac)			
Proposed Zoning:		RO (Residential Office)			
Surrounding Zoning:	North	R-8 (Residential 8 du/ac)			
	South	R-8 (Residential 8 du/ac)			
	East	R-8 (Residential 8 du/ac)			
	West	RO (Residential Office)			
Growth Plan Designation:		Residential Medium (4 to 8 du/ac)			
Zoning within density range?		X	Yes		No

Staff Analysis

1. Background

The parcel was annexed in 1966 with the North 12th Street Annexation and zoned R-1-C (Single Family Residential) in March 1967. The property was platted as Lot 1 of the B and B Subdivision in May of 1975 and City zoning maps from 1994 show an R8 (Residential 8 du/ac) zone district. With the adoption of the revised zoning and Development Code and Zoning Map in 2000, the property became RSF-8, to which the City currently refers to as R-8. This property has been a single family residence since

1945. The property contains one dwelling unit with a detached garage and is situated at the corner of 12th Street and Hermosa one block north of Patterson Road.

2. Consistency with the Growth Plan

Growth Plan Policy 1.3 states that City decisions regarding the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies. The RO zone district implements the Residential Medium future land use classification of the Growth Plan.

3. Section 2.6.A of the Zoning and Development Code

Zone requests must meet all of the following criteria for approval:

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

Response: The existing zoning was not in error at the time of adoption. However, the RO zone district was developed in the year 2000 for properties adjacent to major corridors to create transitional uses.

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

Response: This section of 12th Street, which connects the B-1 zoned businesses one block to the south on Patterson Road and the commercial area at the corner of 12th Street and Horizon Drive to the north, has become a busy corridor. Single family residential use is not the prevalent use along this section of the 12th Street corridor. Located on large lots are the following: St. Mary's Hospital Life Center, Docs on Call, two Assisted Living facilities, four churches and four large multifamily developments (Northwoods, Lakeside, Heather Ridge Apartments and Horizon Towers). Existing zones districts along this stretch of 12th Street include Planned Development (PD), R-24, R-16, R-8, R-4 and RO.

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

Response:

- a. The RO zone district was established to provide low intensity, non-retail, neighborhood service and office uses that are compatible with adjacent

residential neighborhoods. All construction in the RO district must be designed with architectural considerations consistent with existing buildings, which also includes operational, site design and layout.

- b. The proposed zoning district of RO implements the Residential Medium High land use classifications of the Growth Plan.
- c. A Site Plan Review will be required with the change in use from Residential to General Office in an RO zone district per the Zoning and Development Code and other City regulations.
- d. The request conforms to the following goals and policies of the Growth Plan and the requirement of the Code and City regulations:

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Policy 5.2: The City...will encourage development that uses existing facilities and is compatible with existing development. (V.23)

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

Policy 11.2: The City...will limit commercial encroachment into stable residential neighborhoods. In areas designated for residential development the City may consider inclusion of small scale neighborhood commercial development that provides retail and service opportunities in a manner compatible with surrounding neighborhoods in terms of scale and impact. (V.29)

Goal 18: To maintain the City's position as a regional provider of goods and services.

Policy 18.1: The City...will coordinate with appropriate entities to monitor the supply of land zoned for commercial...development and retain an adequate supply of land to support projected commercial...employment. (V.35)

Goal 28: The City of Grand Junction is committed to taking an active role in the facilitation and promotion of infill and redevelopment within the urban growth area of the City.

Policy 28.3: The City's elected officials and leadership will consistently advocate and promote the planning, fiscal, and quality of life advantages and benefits achievable through infill and redevelopment. (V.41)

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

Response: The property utilizes an 8 inch Ute water line. In addition, an 8 inch sewer line and electrical services are available and currently in use at the property. Adequate access exists from the alley which has been improved.

5. The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs

Response: The RO zoning directly across 12th Street to the west is being used only for residences. There are no properties along this length of 12th Street zoned RO that are being used for low impact office or service businesses. There is a demand for office space along 12th Street near Mesa State College, St Mary's Hospital, large apartment complexes and a commercial intersection at 12th and Patterson.

6. The community will benefit from the proposed zone

Response: The applicant indicates that the proposed business is locally owned and will provide employment for up to 5 Grand Valley residents as well as real estate services. With a change in use to office space, the property will be improved with required buffer landscaping.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Hermosa Rezone, RZ-2008-216, a request to rezone the property from R-8 to RO, the following findings of fact and conclusions have been determined:

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

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested rezone to the City Council on September 23, 2008, finding the zoning from R-8 (Residential 8 du/ac) to RO (Residential Office) zone district, to be consistent with the goals and policies of the Growth Plan and Section 2.6.A of the zoning and Development Code.

Site Location Map

Figure 1



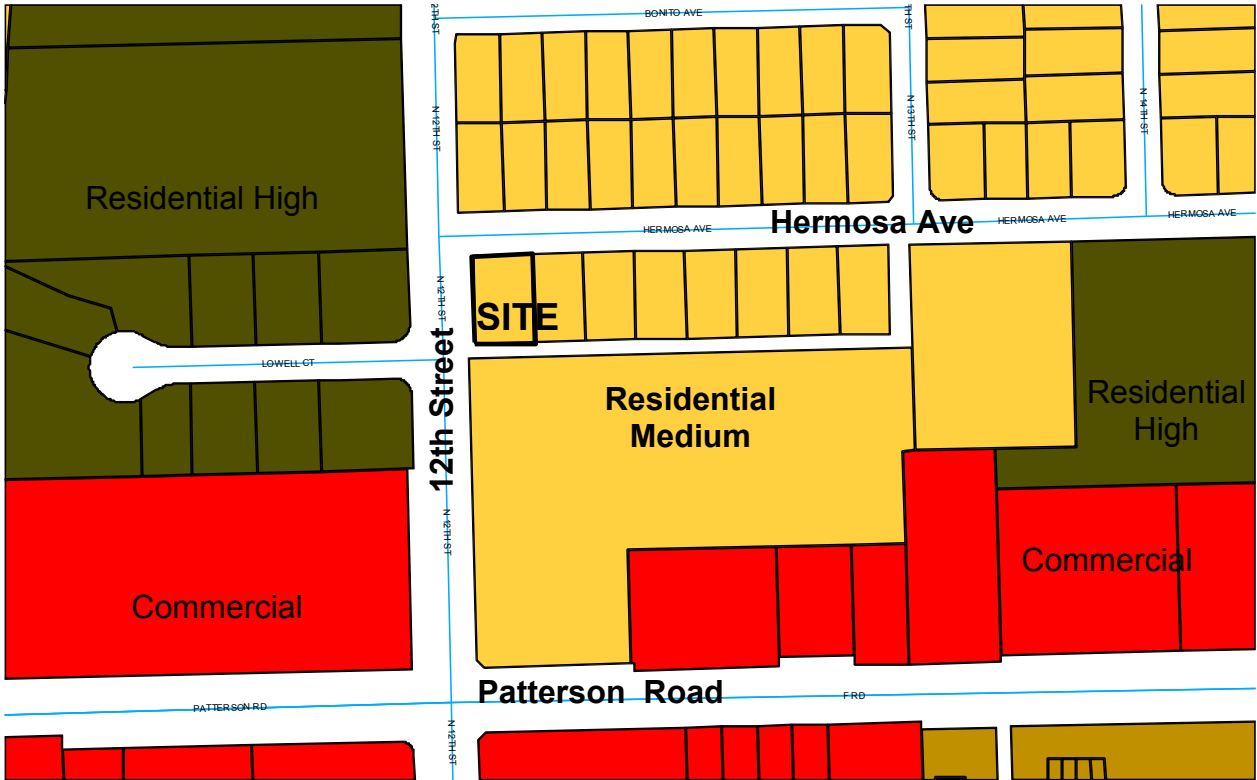
Aerial Photo Map

Figure 2



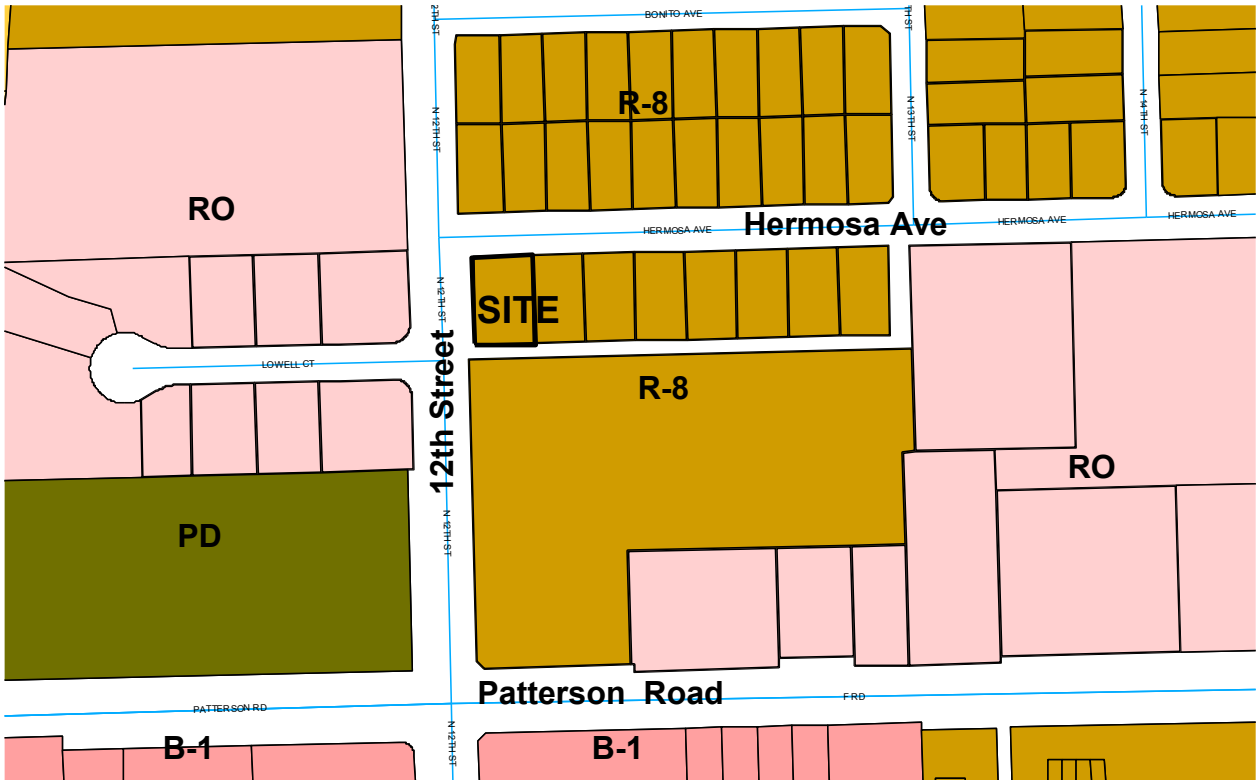
Future Land Use Map

Figure 3



Existing City Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS
1211 HERMOSA AVENUE
FROM R-8 (RESIDENTIAL 8 DU/AC) TO RO (RESIDENTIAL OFFICE)**

LOCATED AT 1211 HERMOSA AVENUE

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning property located at 1211 Hermosa Avenue to the RO (Residential Office) zone district, finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone districts meet the criteria found in Section 2.6 of the Zoning & Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RO (Residential Office) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning & Development Code.

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

The following property be zoned RO (Residential Office):

Lot 1, Block 1, B and B Subdivision

Said property contains .24 acres, more or less, as described.

Introduced on first reading this ____ day of ____, 2008 and ordered published.

Adopted on second reading this _ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Contract Amendment for Colorado Avenue Project
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Construction Contract Amendment for the Colorado Avenue Reconstruction Project		
File #			
Meeting Day, Date	Monday, October 13, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 9, 2008		
Author Name & Title	William J. Frazier, Project Engineer		
Presenter Name & Title	Tim Moore, Public Works and Planning Director		

Summary: The Downtown Development Authority (DDA) has requested an amendment to the Colorado Avenue Reconstruction Contract to reconstruct existing parking lots on the north side of the 500 Block of Colorado Avenue. This reconstruction work includes combining existing public parking lots with a lot on the recently acquired property at 560 Colorado Avenue. The DDA has approved additional funding for construction of the proposed parking lot improvements in the amount of \$278,559.30.

Budget: This project is funded by the Downtown Development Authority for Program Year 2008.

Current Contract Amount (Mays Concrete, Inc.)	\$3,219,170.40
Contract Amendment for Parking Lot Reconstruction	\$278,559.30
Revised Contract Amount	<u>\$3,497,729.70</u>

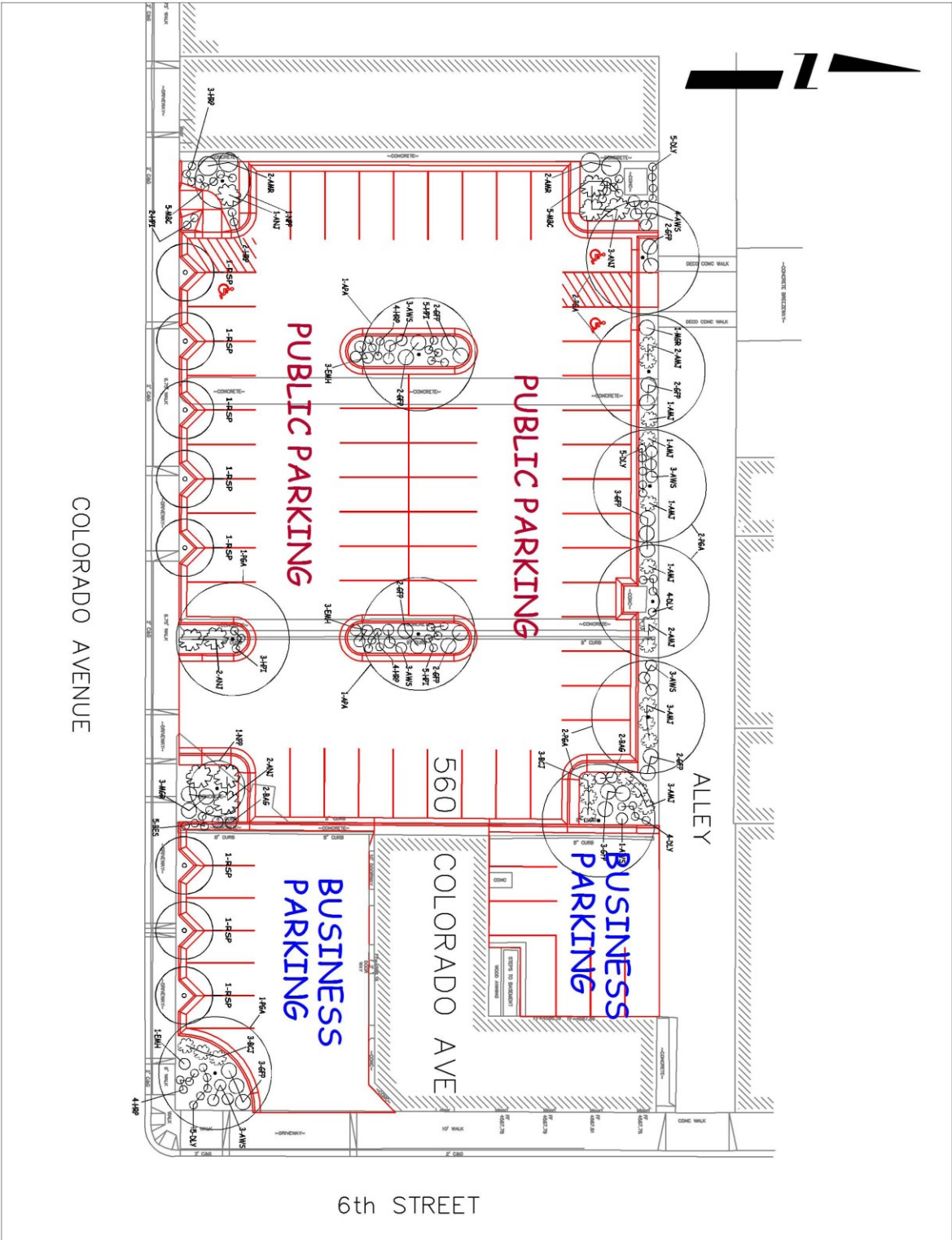
Action Requested/Recommendation: Authorize the City Manager to Approve an Amendment to the Contract with Mays Concrete, Inc. in the Amount of \$278,559.30 for Reconstruction of the **500 Block Colorado Avenue Parking Lots**.

Attachments: none

Background Information: The DDA purchased the property at 560 Colorado in May, 2008. This property consists of parking lots and a fully leased building. The parking lot on the west side of the building will be combined with the existing public lots in the middle of the block and reconstructed to create one public parking lot (see attached

drawing). The business parking areas located north and south of the building will also be reconstructed as part of this work.

The parking lot reconstruction includes demolition of the old lots and construction of new concrete curb & gutter, storm drains, landscaping, and pavement. The parking lot improvements are being improved concurrently with the reconstruction of the 500 Block of Colorado Avenue and are scheduled for completion by November 1, 2008.



COLORADO AVENUE

6th STREET

Tall Pines Investments Growth Plan Amendment
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Tall Pines Investments Growth Plan Amendment – Located at 2101 Patterson Road		
File #	GPA-2008-199		
Meeting Day, Date	Monday, October 13, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	September 24, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Senta L. Costello – Senior Planner		

Summary: Request to amend the Growth Plan, changing the Future Land Use designation from Residential Medium (4-8 du/ac) to Residential High (12+ du/ac) for property located at 2101 Patterson Road.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider adopting a Resolution amending the Growth Plan Future Land Use Map from Residential Medium (4-8 du/ac) to Residential High (12+ du/ac).

Background Information: See attached Analysis/Background Information

Attachments:

1. Staff report
2. Site Location Map/Aerial Photo Map
3. Future Land Use Map/Existing City & County Zoning Map
4. Letter from adjoining property owner
5. Draft Planning Commission Minutes for September 23, 2008
6. Resolution

BACKGROUND INFORMATION			
Location:	2101 Patterson Road		
Applicants:	Owner: Tall Pines Investments, LLC – Dave McDonald Representative: CCI Engineering – Nate Beard		
Existing Land Use:	2 apartment buildings with a total of 18 units		
Proposed Land Use:	Multi-Family development		
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Residential / Vacant	
	West	Northeast Christian Church	
Existing Zoning:	R-8 (Residential 8 du/ac)		
Proposed Zoning:	R-16 (Residential 16 du/ac)		
Surrounding Zoning:	North	R-5 (Residential 5 du/ac) / CSR (Community Services and Recreation)	
	South	R-8 (Residential 8 du/ac)	
	East	R-8 (Residential 8 du/ac)	
	West	R-8 (Residential 8 du/ac)	
Growth Plan Designation:	Current – Residential Medium 4-8 du/ac Proposed – Residential High 12+ du/ac		
Zoning within density range?	X	Yes	No

Staff Analysis:

1. Background

The property was annexed as a part of the Brodak Enclave Annexation in 1975 and zoned PD-8. In 1996, with the adoption of the Growth Plan and Future Land Use Map, the property was designated Residential Medium 4-8 du/ac. In 2000, a new Zoning and Development Code was adopted and many PD properties throughout the City were

rezoned to a straight zone in anticipation of a more comprehensive look at the zoning in the future. The subject property was rezoned to R-8 through this process.

The applicant requests a Growth Plan Amendment to allow for a higher density in order to develop the property to its maximum potential.

2. Section 2.5.C of the Zoning and Development Code

The Growth Plan can be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Plan and it meets the following criteria:

- a. There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for; or

Applicant's Response - It is not possible to justify that the current housing situation was foreseeable when the Growth Plan was adopted.

Staff's Response – The rapid rate of growth in the valley has increased the need for a variety of housing types and higher densities. Given the way in which the PD was rezoned to a straight zone, it is reasonable to conclude that the R-8 zone was an error, or, at least was not a fully thought-out decision.

- b. Subsequent events have invalidated the original premises and findings;

Applicant's Response - A Housing Market Analysis of the Grand Junction Metro Area was prepared on January 12, 2007 for the Colorado Housing and Finance Authority. This analysis suggested that the Grand Junction rental market is at a turning point. Economic growth, escalated home prices and a virtual lack of projects in the pipeline have created an opportunity and a strong demand for resurgence in rental production. Ongoing sales price increase will limit future opportunities for first time homebuyers and create some demand for market rate rentals in the \$800 to \$1,000 rent range.

Staff's Response – In addition to the increased need for a variety of housing types and higher densities, there are developments in the area that have a mix of housing types ranging in density from 5 du/ac to 16 du/ac. Infill and redevelopment opportunities have become a strong focus as tools to facilitate filling this need.

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

Applicant's Response – The subject parcel is within the Grand Junction Proposed Infill Boundary. Ninety percent of the parcel is vacant land and is bordered on three sides by developed land. Due to high land values, increased development cost, and needed infrastructure improvements in the surrounding area, it would be difficult to justify infilling this area without increasing the zoning density. Continuing to seek infill development will provide environmental benefits to the Grand Junction Metro Area. A Persayo silty clay loam makes up 80% of the property's surface. This surface encourages the Growth of weeds and also pollutes the air with dust during periods of mild to strong winds.

Staff's Response – Since the Growth Plan designation of 4-8 du/ac was adopted, the following significant changes have occurred: 1) the Grand Valley Transit bus system has been established, with an east/west route being created along Patterson Road; 2) Patterson Road has been designated as a bicycle/pedestrian route; and 3) new development in the area has changed the character from a mix of agricultural lands, single family, and townhomes to include single family housing, townhomes, assisted living facilities, group homes, and commercial properties.

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

Applicant's Response – An adequate supply of suitably designated land is not available in the community to accommodate the increased demand for affordable rental properties. Strong economic growth and escalating home prices have created an increased demand for rentals.

Staff's Response –

Goal 1: To achieve a balance of open space, agricultural, residential and non-residential land use opportunities that reflects the residents' respect for the natural environment, the integrity of the community's neighborhoods, the economic needs of the residents and business owners, the rights of private property owners and the needs of the urbanizing community as a whole.

Policy 1.1: The City and County will use the future land use categories listed and described in Exhibit V.2 (Future Land Use Categories, Page 15) to designate appropriate land uses within the Joint Planning Area identified in Exhibit V.1(Joint Planning Area, Pages 3-4). City and County actions on land use proposals within the Joint Planning Area will be consistent with the plan.

Policy 1.2: The City and County will use Exhibit V.2 (Future Land Use Categories, Page 15) to guide decisions on the gross density of residential development.

Policy 1.3: The City and County will use Exhibit V.3 (Future Land Use Map, Pages 17-18) in conjunction with the other policies of this plan to guide zoning and development decisions.

- City and County decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.
- The City and County may limit site development to a lower intensity than shown on the Future Land Use Map if site specific conditions do not support planned intensities.

Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development. Development standards should ensure that proposed residential and non-residential development is compatible with the planned development of adjacent property.

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

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

- e. Public and community facilities are adequate to serve the type and scope of the land use proposed;

Applicant's Response – Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning.

Staff's Response – Patterson Road borders the property to the north which would be utilized for access. There is also potential for a secondary future access to the southwest through the Brickyard development. There is a 20" City water line, 6" City water line, and an 8" sanitary sewer line available in Patterson Road directly in front of the property and a 15" storm sewer line at 27 1/2 Road and Patterson Road. There is a City fire station within 1 mile, the property is on a designated bike/pedestrian route, has 2 developed parks within walking distance, and has two bus stops within 120' of the property. These are all adequate and well-suited to support the additional density requested.

- f. An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and

Applicant's Response – Continued job growth and high levels of in-migration, coupled with a virtual lack of available units, will support an increase in rental demand. The rental market will support completion of 400 to 500 units over

the next four years; most of this demand will occur in the first two years of the forecast period. This is well above recent production of about 250 non-senior units over the past six years.

Staff's Response – The rapid rate of growth in the valley has created a low vacancy rate while increasing the need for a variety of housing types and higher densities. This area of Grand Junction has a few developed properties designated for higher densities and many vacant or underdeveloped parcels designated for densities of 8 du/ac or less. There are very few vacant parcels with designations of anything greater than 8 du/ac.

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

Applicant's Response - Increased zoning will ensure that more housing is closer to places of employment, social services, and public transportation. An inadequate supply of affordable housing in the area results in large-scale commuting from outside the area which overtaxes existing roads, contributes to air and noise pollution, and leads to greater than normal personnel turnover for business. This adversely affects the health, safety and welfare of, and results in an added financial burden on, the citizens of Grand Junction. This vacant area is perceived as an "eye-sore" and Grand Junction architectural and landscape requirements produce developments that area both visually appealing and provide environmental benefits. Infill development is more beneficial to the environment than even "green" suburban homes. It multiplies the reduction in vehicle miles traveled and reduces municipal investments by using existing infrastructure while increasing municipal revenues. Higher density also saves energy due to stacked units and shared walls.

Staff's Response – The rapid rate of growth in the valley has created a low vacancy rate while increasing the need for a variety of housing types and higher densities. With this property's proximity to a variety of services and existing infrastructure, higher density could fulfill a community need for more housing on an underdeveloped infill property.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Tall Pines Investments application, GPA-2008-199 for a Growth Plan Amendment, I make the following findings of fact and conclusions:

3. The proposed amendment is consistent with the purpose and intent of the Plan.

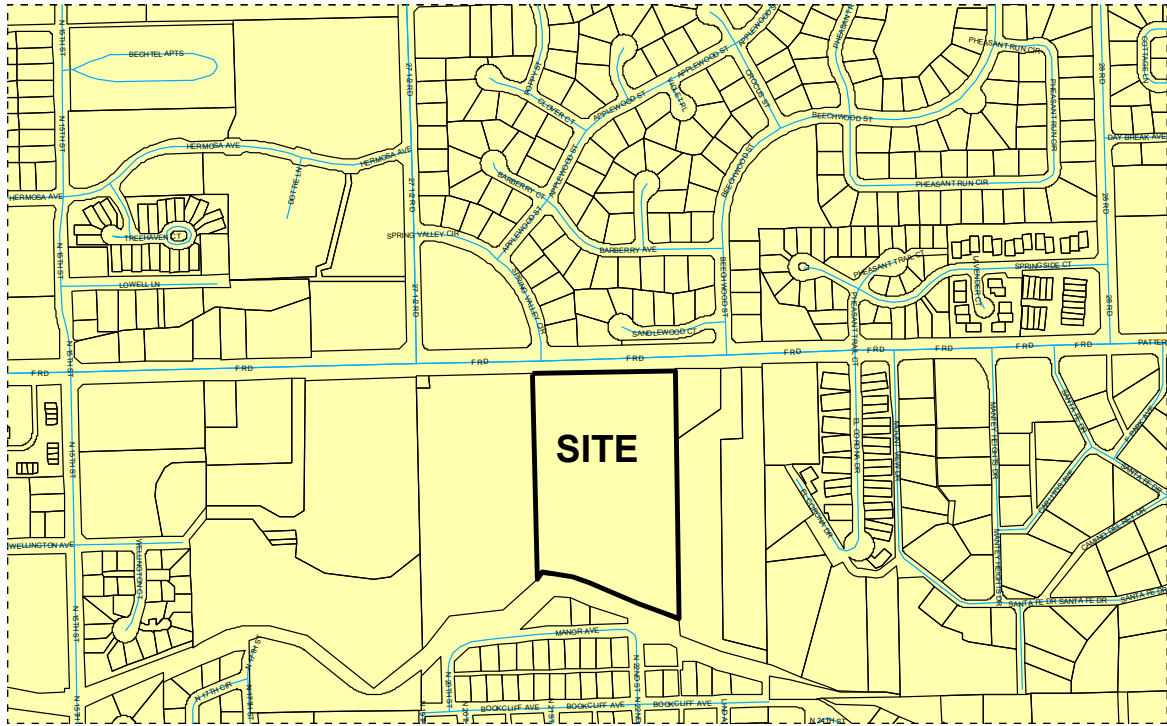
4. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

On September 23, 2008, the Planning Commission forwarded a recommendation of approval of the requested Growth Plan Amendment, GPA-2008-199 to the City Council with the findings and conclusions listed above.

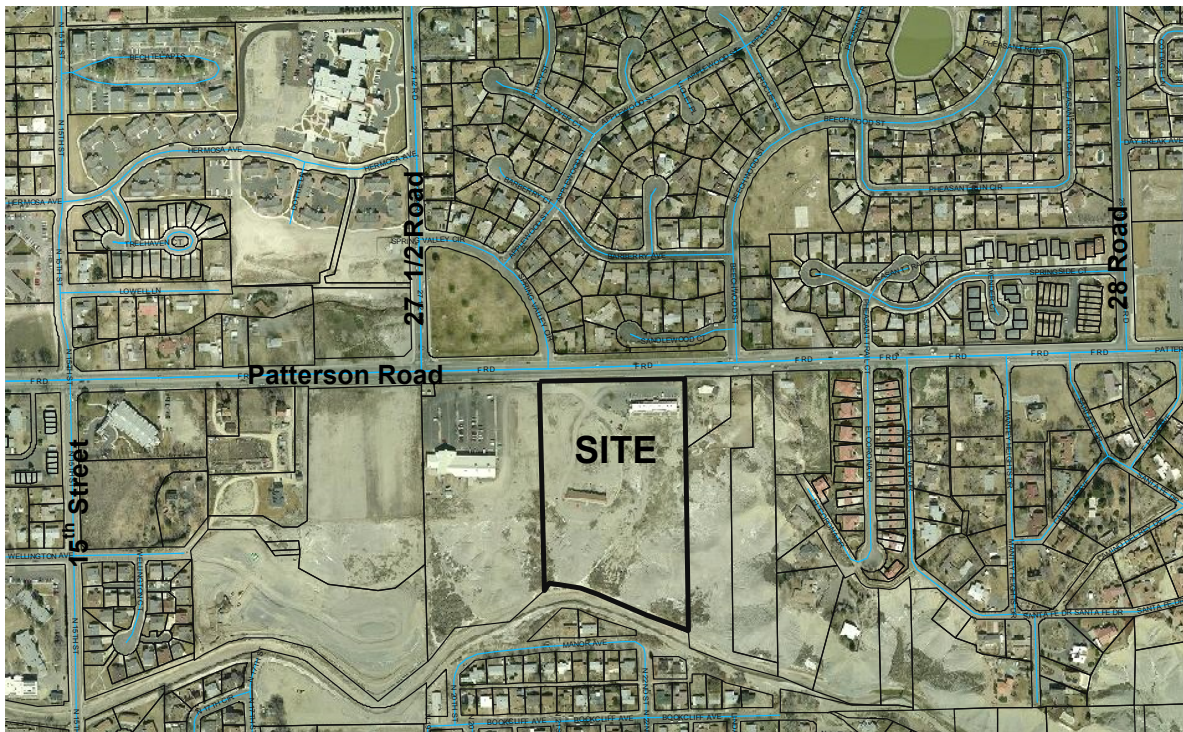
Site Location Map

Figure 1



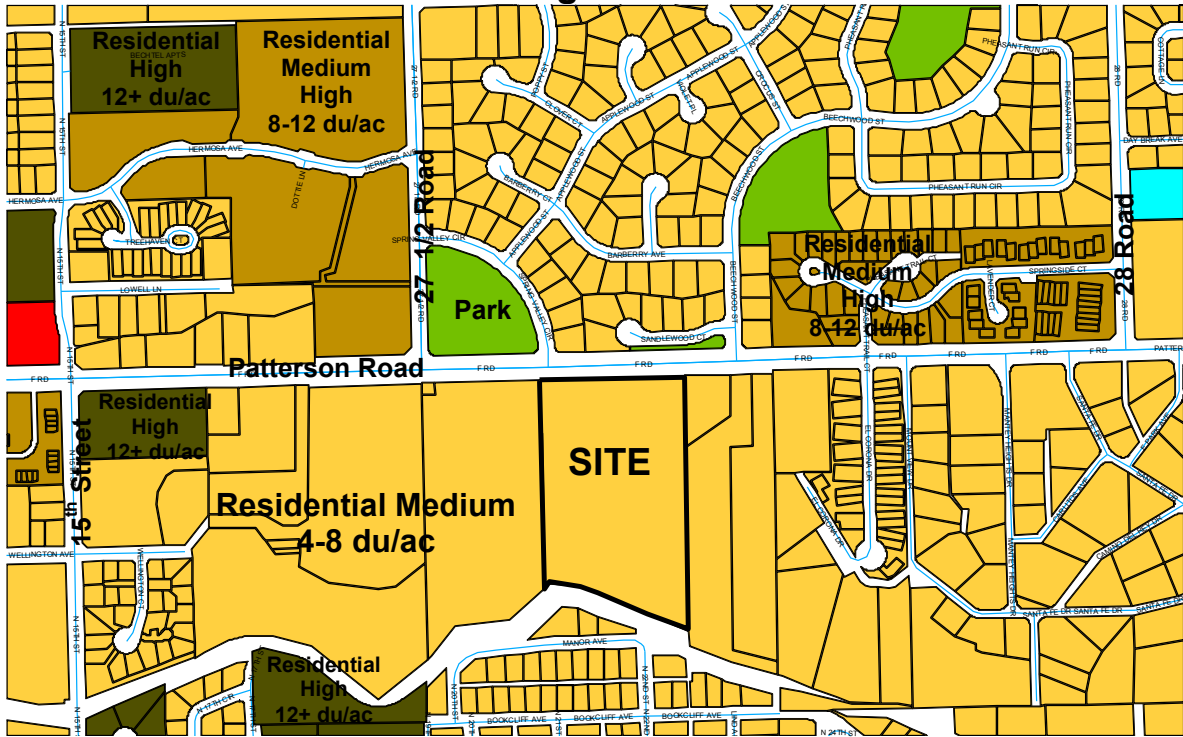
Aerial Photo Map

Figure 2



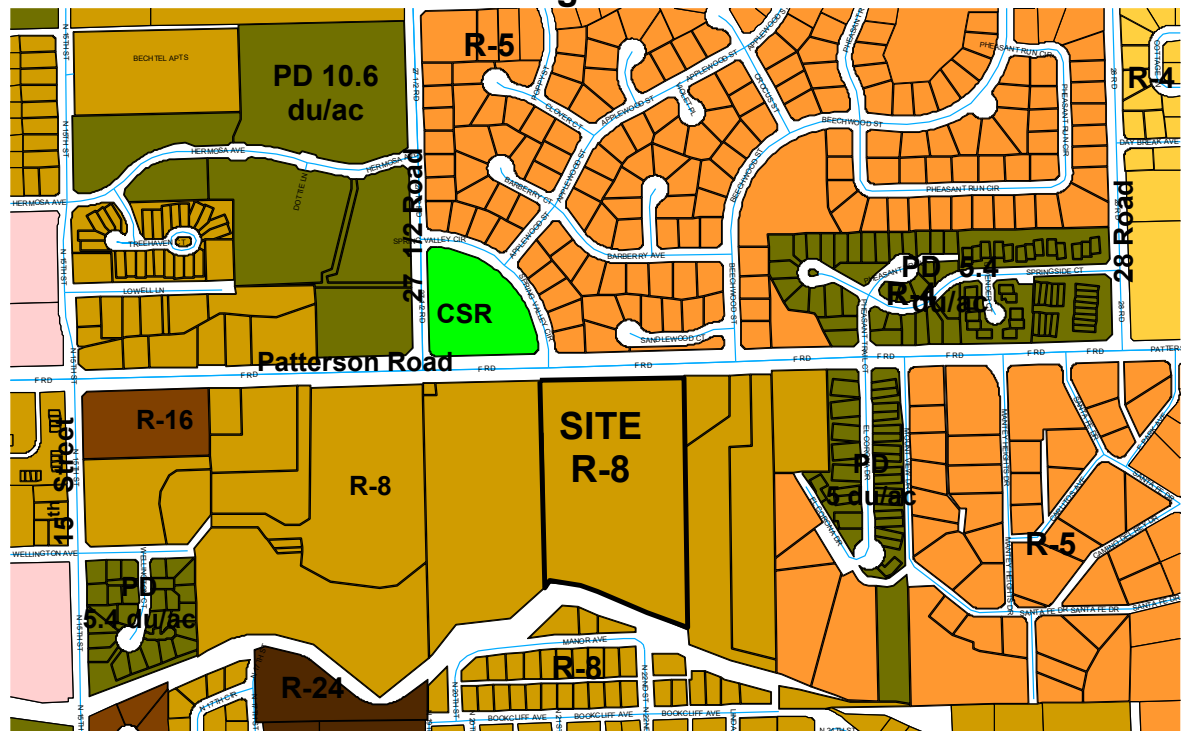
Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4





NORTHEAST CHRISTIAN CHURCH

June 24, 2008

Senta Costello, Associate Planner
GJ Planning & Zoning Dept.
250 N. 5th Street
Grand Junction, CO 81501

Dear Senta;

Northeast Christian Church would like to let you know of our objection to the development plans for re-zoning 2101 Patterson Road as presented by CCI Engineering at the neighborhood meeting held here on May 20, 2008.

Since the meeting our Board of Elders has met to discuss the merits of the zoning change, here are some of our thoughts:

- An increase in density should be considered as part of a major site plan application and should not be considered without adequate planning and input.
- Current and future zoning of R-8 and RM respectively, allows for maximum density of 8 units per acre which is consistent with final build-out of nearby properties (even those with higher densities).
- The request will create several potential problems with traffic, utility services, and neighborhood services that the property owner acknowledges. Allowing an increase in density while acknowledging the problems they will create without proposing solutions seems to only create problems and doesn't seem to fit the simple definition of "planning."

Thank you for your time and consideration. Please let us know if there is anything further we need to know concerning this matter.

Sincerely,



Michael Chase, Senior Minister

RECEIVED
JUN 26 2008
COMMUNITY DEVELOPMENT
DEPT.

2001 Patterson Road Grand Junction, CO 81506
www.northeastchristian.com
970-243-6672 - office — 970-248-0928 - fax

**GRAND JUNCTION PLANNING COMMISSION
SEPTEMBER 23, 2008 MINUTES - DRAFT
6:00 p.m. to 6:10 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Cole. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Roland Cole (Chairman), Tom Lowrey (Vice-Chairman), Dr. Paul A. Dibble, Reggie Wall, Lynn Pavelka-Zarkesh, Bill Pitts and Patrick Carlow (1st alternate). Commissioner William Putnam was absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), David Thornton, Principal Planner, Brian Rusche (Senior Planner), Senta Costello (Senior Planner), Judith Rice (Associate Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 12 interested citizens present during the course of the hearing.

Announcements, Presentations, and/or Prescheduled Visitors

Consent Agenda

3. Tall Pines Investments – Growth Plan Amendment

Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use Designation on 10.44 acres from Residential Medium (4-8 du/ac) to Residential High (12+ du/ac) designation.

FILE #: GPA-2008-199

PETITIONER: Dave McDonald – Tall Pines Investments, LLC

LOCATION: 2101 Patterson Road

STAFF: Senta Costello, Senior Planner

MOTION: (Commissioner Pitts) “Mr. Chairman, I move for approval of the Consent Agenda as items 1 through 6 as presented and clarified.”

Commissioner Dibble seconded the motion. A vote was called. Commissioner Pavelka-Zarkesh asked to abstain from the minutes. Chairman Cole stated that it was not necessary. The motion passed unanimously by a vote of 7 - 0.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE APPROXIMATELY 10.44 ACRES LOCATED AT 2101 PATTERSON ROAD KNOWN AS THE TALL PINES INVESTMENTS GROWTH PLAN AMENDMENT FROM RESIDENTIAL MEDIUM 4-8 DU/AC TO RESIDENTIAL HIGH 12+ DU/AC

Recitals:

A request for a Growth Plan Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 10.44 acres, located at 2101 Patterson Road be redesignated from Residential Medium 4-8 du/ac to Residential High 12+ du/ac on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Growth Plan Amendment and determined that it satisfied the criteria as set forth and established in Section 2.5.C of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REDESIGNATED FROM RESIDENTIAL MEDIUM 4-8 DU/AC TO RESIDENTIAL HIGH 12+ DU/AC ON THE FUTURE LAND USE MAP.

TALL PINES INVESTMENTS

Lot 2, NE Christian Church Subdivision

PASSED on this _____ day of _____, 2008.

ATTEST:

City Clerk

President of Council

Zoning Mesa View Elementary School Annexation
CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>			
Subject	Zoning the Mesa View Elementary School Annexation - Located at 2967 B Road		
File #	GPA-2008-206		
Meeting Day, Date	Monday, October 13, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	September 30, 2008		
Author Name & Title	Brian Rusche – Senior Planner		
Presenter Name & Title	Brian Rusche – Senior Planner		

Summary: Request to zone the Mesa View Elementary School Annexation, consisting of one (1) parcel at 2967 B Road, into two zone districts. The south 9.497 acres is requesting a zone district of R-4 (Residential 4 du/ac) and the north 9.991 acres is requesting a zone district of CSR (Community Services and Recreation)

Budget: N/A

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

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Minutes of September 23, 2008 Planning Commission
5. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		2967 B Road		
Applicants:		Owner: Mesa County Valley School District #51 Developer: B Road Investment, LLC Representative: Ciavonne, Roberts and Assoc.		
Existing Land Use:		Mesa View Elementary School		
Proposed Land Use:		Elementary School / Residential		
Surrounding Land Use:	North	Single Family Residential		
	South	Agricultural		
	East	Agricultural / Single Family Residential		
	West	Agricultural / Single Family Residential		
Existing Zoning:		County RSF-R (Residential Single Family Rural 1 du/ 5ac)		
Proposed Zoning:		CSR (Community Services and Recreation) – 9.991 acres R-4 (Residential 4 du/ac) - 9.497 acres		
Surrounding Zoning:	North	R-4 (Residential 4 du/ac) PD (Planned Development)		
	South	R-4 (Residential 4 du/ac)		
	East	R-4 (Residential 4 du/ac) County RSF-R (Residential Single Family Rural 1 du/ 5ac)		
	West	County RSF-R (Residential Single Family Rural 1 du/ 5ac)		
Growth Plan Designation:		Public and Residential Medium Low (2-4 du/ac) Growth Plan Amendment approved 9/3/08 (Resolution 123-08)		
Zoning within density range?		X	Yes	No

Staff Analysis:

Background:

The 19.51 acre Mesa View Elementary School Annexation consists of one (1) parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City. The annexation of this property was approved by the City Council on September 15, 2008 through adoption of Ordinance 4290. The effective date of the annexation is October 17, 2008.

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) and CSR (Community Services and Recreation) zone districts is consistent with the respective Growth Plan designations of Residential Medium Low (2-4 du/ac) and Public. A Growth Plan Amendment was approved on September 3, 2008 by Resolution 123-08 for the Residential Medium Low (2-4 du/ac) designation on the south 9.497 acres. The existing County zoning for the entire parcel is RSF-R (Residential Single Family Rural 1 du/ 5ac).

Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning. This request is consistent with the amended Growth Plan designations of Residential Medium Low (2-4 du/ac) and Public.

Section 2.6.A.3 and 4:

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

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

Response: The Mesa County Valley School District #51 intends to divest the south 9.497 acres of the Mesa View Elementary School property, retaining 9.991 acres (after dedication of B Road right-of-way) for the school. The CSR (Community Services and Recreation) Zone for the remaining school property is consistent with the Growth Plan designation of Public. The R-4 (Residential 4 du/ac) is consistent with the approved Growth Plan Amendment (Resolution 123-08) to Residential Medium Low (2-4 du/ac).

This portion of Orchard Mesa has seen an increase in residential subdivision, including: Hawk's Nest (SW corner of 30 and B Road), Osprey

(in review – adjacent to the school on the east), Chipeta Pines (northeast of the school) and Fairway Pines (directly north of the school on B Road). All of these developments are designated as Residential Medium Low (2-4 du/ac) and are zoned R-4, except Chipeta Pines, which is a Planned Development.

The Orchard Mesa Neighborhood Plan (2000) includes a goal to encourage infill development in urbanizing areas (Page 25).

The requested zoning designations of R-4 and CSR are consistent with the Land Use Map, the goals and policies of the Growth Plan, and with the zoning assigned to developing properties in the neighborhood.

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

Response: The existing elementary school will occupy 9.991 acres, which is adequate to support the facility. The District did a similar divestiture at Thunder Valley Elementary in 2006, which sits on 9.68 acres out of a 20 acre property.

The Developer is currently exploring an option to provide a public park through the development of the vacant property, consistent with the Parks, Recreation, and Open Space goals in the Orchard Mesa Neighborhood Plan (Page 36).

The elementary school will retain access to B Road, a minor collector. An easement will be provided across the west side of the school for access and utilities to the new parcel. New streets will be developed as part of a subdivision, with access available from A ½ Road on the south and Night Hawk Drive (to be constructed) on the east (adjacent to Hawks Nest). A bike route is anticipated on B Road, according to the Urban Trails Plan. The developer anticipates pedestrian access within the subdivision to the elementary school.

Persigo 201 Sewer (10" line) is available within B Road. Ute Water (12" line) is available in B Road. The Fire Department would evaluate the sufficiency of existing hydrants and require additional hydrants within a proposed subdivision.

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

North Site:

- a. No other zones implement the Public designation

South Site:

- a. R-2

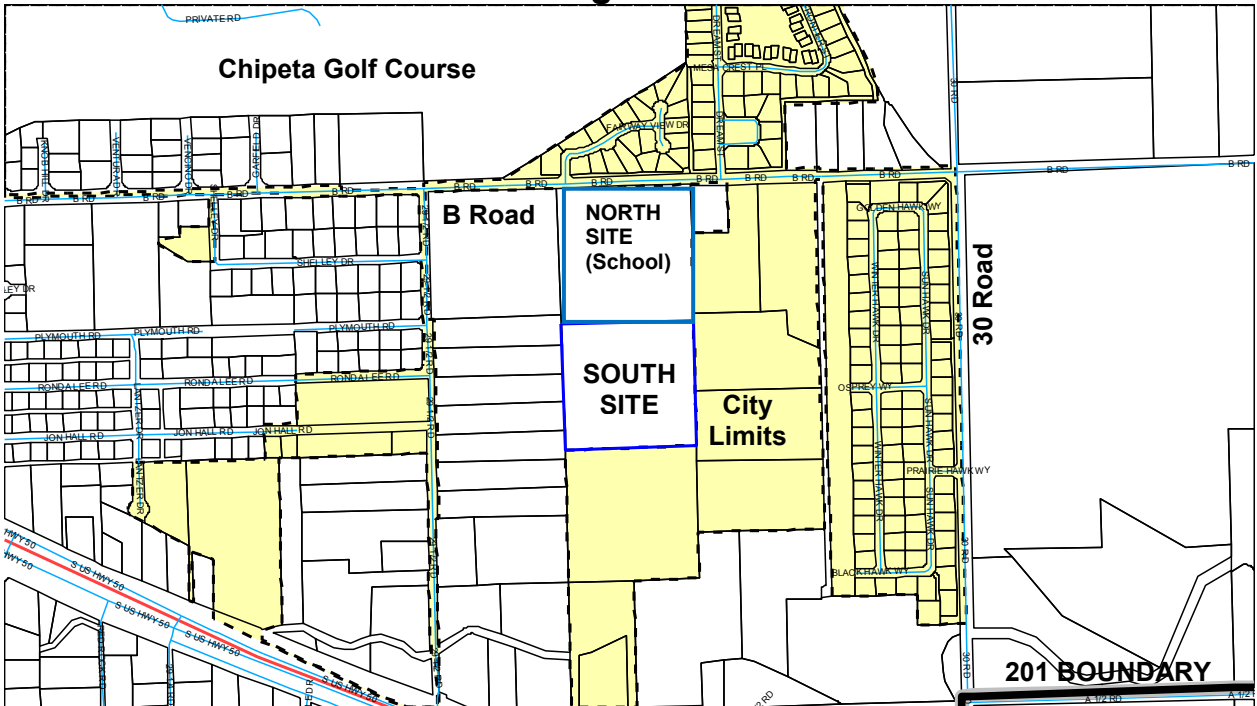
Both the R-2 and R-4 zones permit an elementary school as an allowed use.

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

PLANNING COMMISSION RECOMMENDATION: On September 23, 2008 the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding that zoning to the R-4 and CSR districts to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

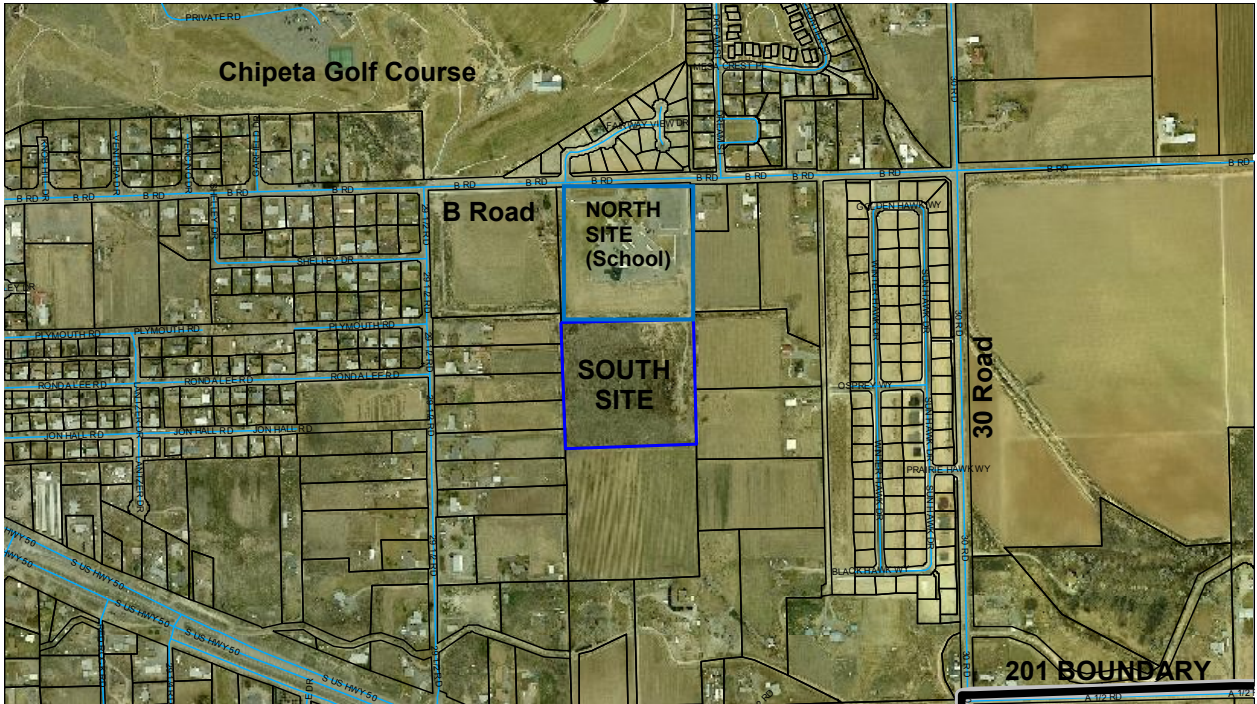
Site Location Map

Figure 1



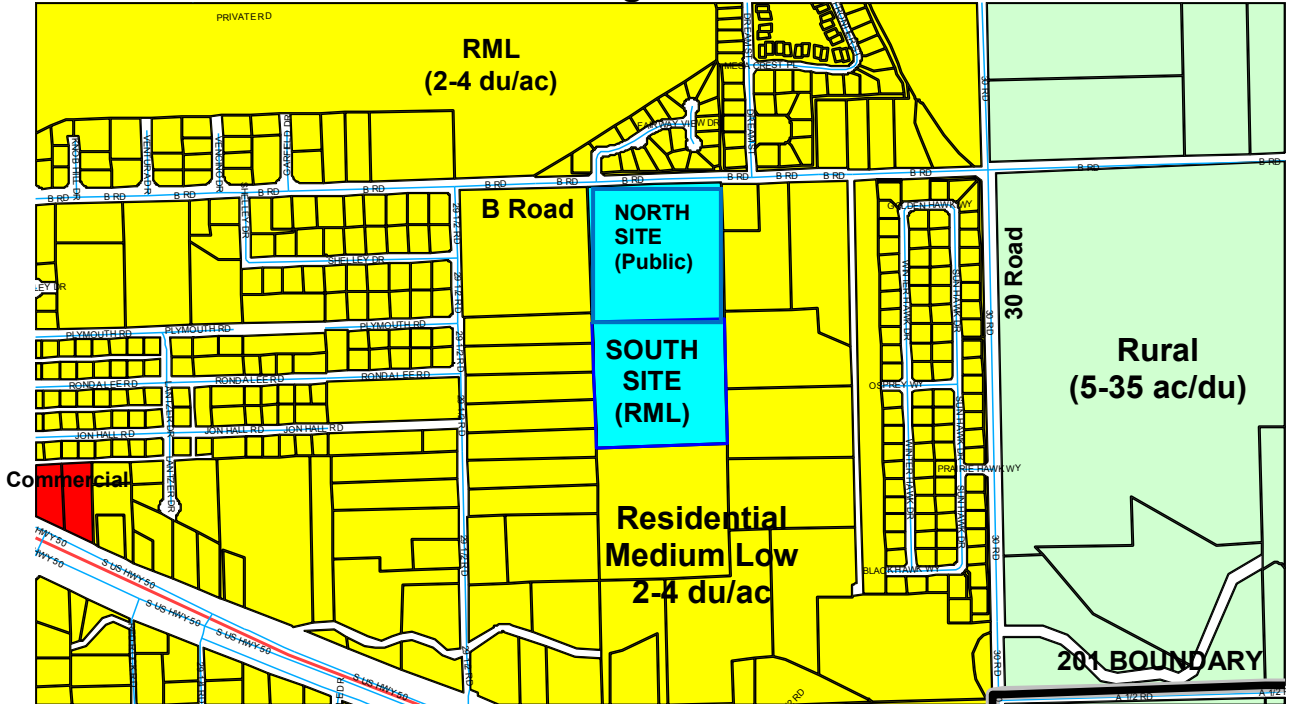
Aerial Photo Map

Figure 2



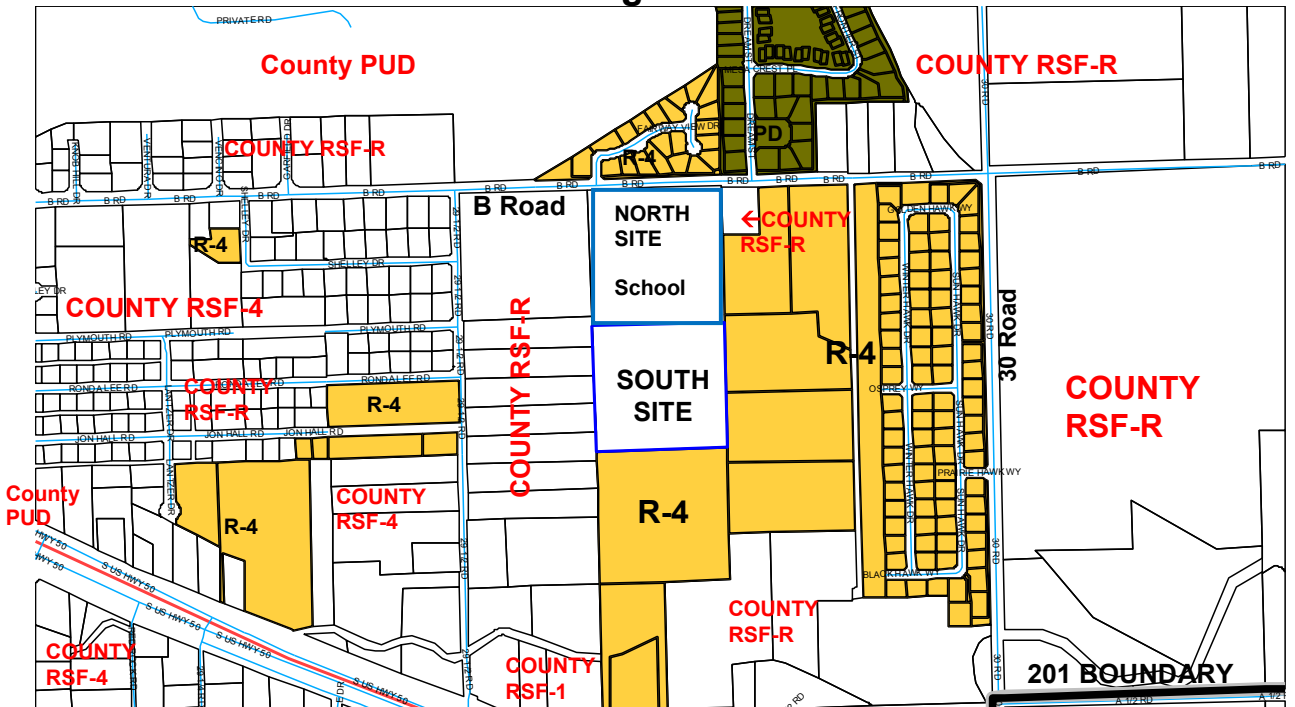
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



**GRAND JUNCTION PLANNING COMMISSION
SEPTEMBER 23, 2008 MINUTES
6:00 p.m. to 6:10 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Cole. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Roland Cole (Chairman), Tom Lowrey (Vice-Chairman), Dr. Paul A. Dibble, Reggie Wall, Lynn Pavelka-Zarkesh, Bill Pitts and Patrick Carlow (1st alternate). Commissioner William Putnam was absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), David Thornton, Principal Planner, Brian Rusche (Senior Planner), Senta Costello (Senior Planner), Judith Rice (Associate Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 12 interested citizens present during the course of the hearing.

Announcements, Presentations, and/or Prescheduled Visitors

Consent Agenda

5. Mesa View Elementary School Annex – Growth Plan Amendment

Request a recommendation of approval to City Council to zone 9.497 acres to R-4 (Residential 4 du/ac) and 9.991 acres to CSR (Community Services and Recreation) zone district.

FILE #: GPA-2008-206

PETITIONER: Melissa De Vita – Mesa County Valley School District 51

LOCATION: 2967 B Road

STAFF: Brian Rusche, Senior Planner

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

**AN ORDINANCE ZONING THE MESA VIEW ELEMENTARY ANNEXATION TO
R-4 (RESIDENTIAL 4 DU/AC) AND CSR (COMMUNITY SERVICES AND
RECREATION)**

LOCATED AT 2967 B ROAD

Recitals

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

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4 (Residential 4 du/ac) and CSR (Community Services and Recreation) zone districts are in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

MESA VIEW ELEMENTARY SCHOOL ANNEXATION

The following property be zoned R-4 (Residential 4 du/ac):

A parcel of land situated in the E1/2 NW1/4 NE1/4 of Section 32, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast one-sixteenth corner of said Section 32;
Thence along the south line of the NW1/4 NE1/4 of said Section 32, South 89°47'37"
West, a distance of 657.99 feet;
Thence along the west line of the E1/2 NW1/4 NE1/4 of said Section 32, North
00°02'09" East, a distance of 629.76 feet;
Thence South 89°57'51" East, a distance of 658.78 feet to the east line of the NW1/4
NE1/4 of said Section 32;
Thence South 00°06'31" West, a distance of 626.98 feet to the Point of Beginning.

Containing 413,709 square feet (9.497 acres), more or less.

The following property be zoned CSR (Community Services and Recreation):

A parcel of land situated in the E1/2 NW1/4 NE1/4 of Section 32, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the East one-sixteenth corner on the north line of said Section 32;
Thence along the east line of the NW1/4 NE1/4 of said Section 32, South 00°06'31" West, a distance of 691.17 feet;
Thence North 89°57'51" West, a distance of 658.78 feet to the west line of the E1/2 NW1/4 NE1/4 of said Section 32;
Thence along said west line, North 00°02'09" East, a distance of 689.24 feet to the north line of the NW1/4 NE1/4 of said Section 32;
Thence North 89°52'06" East, a distance of 659.66 feet to the Point of Beginning.

Containing 454,995 square feet (10.445 acres), more or less.

Excluding the B Road right-of-way.

INTRODUCED on first reading the 29th day of September, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk