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**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
MONDAY, NOVEMBER 1, 2010, 7:00 P.M.**

Call to Order

Pledge of Allegiance

Invocation – Pastor Ron Lee, New Vision Assembly of God Church

[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.]

Proclamations

Proclaiming November as "Pancreatic Cancer Awareness Month" in the City of Grand Junction

Proclaiming November as "Hospice and Palliative Care Month" in the City of Grand Junction

Proclaiming the Friday after Thanksgivings as "Blue Band Friday" in the City of Grand Junction

Proclaiming November as "National Runaway Prevention Month" in the City of Grand Junction

Proclaiming November 11th as "A Salute to All Veterans 2010" in the City of Grand Junction

Appointments

To the Forestry Board

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

To the Riverfront Commission

To the Planning Commission

Certificates of Appointments

To the Grand Junction Housing Authority

Council Comments

Citizen Comments

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

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

Action: Approve the Minutes of the October 18, 2010 Regular Meeting

2. **Setting a Hearing on the CB&G Rezone, Located at 531 Maldonado Street**
[File #RZ-2010-114] [Attach 2](#)

Request to amend Comprehensive Plan from Residential Medium (4 – 8 du/ac) to Commercial and rezone 2.38 +/- acres located at 531 Maldonado Street from R-8, (Residential – 8 du/ac) to C-1, (Light Commercial) zone district in anticipation of future commercial development.

Proposed Ordinance Amending the Comprehensive Plan from Residential Medium (4-8 DU/AC) to Commercial and Rezoning from R-8 (Residential – 8 DU/AC) to C-1 (Light Commercial) for the CB & G Rezone, Located at 531 Maldonado Street

Action: Introduction of a Proposed Ordinance and Set a Hearing for November 15, 2010

Staff presentation: Scott D. Peterson, Senior Planner

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

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *******3. Free Holiday Parking Downtown [Attach 3](#)**

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

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

Staff presentation: Jodi Romero, Financial Operations Manager
Heidi Hoffman Ham, Downtown Development Authority
Director

4. Public Hearing - Bookcliff Vet Rezone, Located at 564 29 Road [File #RZ-2010-118] [Attach 4](#)

A request to rezone 2.071 acres, located at 564 29 Road, from R-8 (Residential – 8 dwelling units per acre) to MXG-3 (Mixed Use General Form District – 3 stories).

Ordinance No. 4442—An Ordinance Rezoning the Property Located at 564 29 Road (Bookcliff Vet) from R-8 (Residential-8 Dwellings Units per Acre) to MXG-3 (Mixed Use General Form District-3 Stories)

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4442

Staff presentation: Brian Rusche, Senior Planner

5. Non-Scheduled Citizens & Visitors**6. Other Business****7. Adjournment**

Attach 1
Minutes

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

October 18, 2010

The City Council of the City of Grand Junction convened into regular session on the 18th day of October, 2010 at 7:03 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Bruce Hill, Tom Kenyon, Gregg Palmer, Bill Pitts, and Council President Teresa Coons. Councilmember Sam Susuras was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Coons called the meeting to order. Councilmember Hill led the Pledge of Allegiance followed by Invocation by Pastor Jim Hale, Spirit of Life Christian Fellowship.

Recognitions

Recipient of Yard of the Month for October

Tom Ziola, City Forestry Supervisor, announced that October's Yard of the Month recipient is Catherine Burkey. She was not present.

Certificates of Appointments

Charles McDaniel (C.B.) was present to receive his Certificate of Appointment to the Grand Junction Housing Authority. He thanked the City Council for the opportunity.

Council Comments

There were none.

Citizen Comments

Leslie Wilson, 54313 Highway 330, Collbran, was present to address the City Council regarding golf ball damage to her car from Lincoln Park Golf Course. In her case, it was a month ago and she was parked in the parking lot and a golf ball had smashed her vehicle. It was a lot of damage and she left work late and has a long way to drive home. Other co-workers have had similar experiences. She estimated one to three thousand dollars worth of damage per week. She has also heard of others actually personally getting hit by balls. She expressed that she did not believe the City was

providing sufficient protection. She asked that her damage be paid for and the City put in some protective netting and have an expert look at the course to determine what protection is appropriate.

City Manager's Report

City Manager Laurie Kadrach presented the City Manager's Report. She advised that the D Road Bridge over the No Thoroughfare Drainage Wash has been completed. It was a project funded by the County but the project was managed by the City. City Manager Kadrach updated the Council on the status of the 29 Road Viaduct project. The project is on time. The stabilization project at the Dual Immersion Academy is underway. When the Riverside Parkway was constructed, there was not a playground in that location but now there is and rains wash into that area. A retaining wall has been installed and the Parks and Recreation Department will be landscaping the area.

Earlier this year, Juniata Reservoir was listed as an impaired waterway due to the detection of mercury in the fish. There is no mercury detectable in the water. The City has resisted that classification and so the City is trying to get it listed in another way and the reservoir is open. Designating the reservoir as "catch and release only" is one option.

Regarding sales tax collections, they have improved, although it is still down from two years ago. Tax collections on outstanding accounts have been substantial.

Councilmember Palmer stated that tax compliance is required and the target is to have no accounts delinquent more than nine months. He encouraged continued vigilance. City Manager Kadrach agreed and said that some businesses on the list that are over nine months delinquent may be out of business. The goal is to keep the business open and collect back taxes. Four seizures have been completed to date. The City has collected \$122,000 since August.

CONSENT CALENDAR

Councilmember Beckstein read the Consent Calendar and then moved to approve that the Consent Calendar Items #1 through #6 be adopted. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the October 4, 2010 Special Meeting and Minutes of the October 4, 2010 Regular Meeting

2. **Setting a Hearing on the Bookcliff Vet Rezone, Located at 564 29 Road** [File #RZ-2010-118]

A request to rezone 2.071 acres, located at 564 29 Road, from R-8 (Residential – 8 dwelling units per acre) to MXG-3 (Mixed Use General Form District – 3 stories).

Proposed Ordinance and Rezoning the Property Located at 564 29 Road (Bookcliff Vet) from R-8 (Residential-8 Dwellings Units per Acre) to MXG-3 (Mixed Use General Form District-3 Stories)

Action: Introduction of Proposed Ordinance and Set a Hearing for November 1, 2010

3. **Downtown Grand Junction Business Improvement District (DGJBID) 2011 Operating Plan and Budget**

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. Downtown Grand Junction Business Improvement District filed their 2011 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Approve the Downtown Grand Junction Business Improvement District 2011 Operating Plan and Proposed Budget

4. **Horizon Drive Association Business Improvement District 2011 Operating Plan and Budget**

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 2011 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Approve the Horizon Drive Association Business Improvement District's 2011 Operating Plan and Budget

5. **Outdoor Dining Lease for Nepal Restaurant GJ, LLC dba Nepal Restaurant Located at 356 Main Street**

The owners of the Nepal Restaurant GJ LLC are requesting an Outdoor Dining Lease for the property located at 356 Main Street. They have been conditionally approved for a Sidewalk Café Permit to serve food outside in an area measuring 176 square feet directly in front of the property. The Outdoor Dining Lease

would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area.

Resolution No. 43-10—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Nepal Restaurant GJ, LLC

Action: Adopt Resolution No. 43-10

6. **US 6 West/State Highway 139 Access Control Plan**

The City of Grand Junction has been working with CDOT, Mesa County, and the City of Fruita for the past year on an access control plan for US 6 from Loma to Redlands Parkway and a small portion of State Hwy 139 in Loma. The purpose of the access control plan is to provide the agencies with a comprehensive roadway access control plan for managing existing and future access points. The goal of the plan is to provide appropriate access to the highway, while maintaining the safety and efficiency. The completed plan has been through extensive public review with adjacent property owners and businesses.

Resolution No. 44-10—A Resolution Authorizing an Intergovernmental Agreement between the City of Grand Junction, Mesa County and the Colorado Department of Transportation (CDOT) Regarding US 6 Access Control Plan and State Highway 139

Action: Adopt Resolution No. 44-10 and Authorize the City Manager to Sign an Intergovernmental Agreement Among the City of Grand Junction, Mesa County and the State of Colorado Department of Transportation for US Highway 6 (Mile Post 13.87 – US 6A to Mile Post 2.42 – I70B) and State Highway 139 (Mile Post 0.00 to Mile Post 2.29) Access Control Plan

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Sizemore Fence—7th Street Historic Residential District, Located at 706 N. 7th Street
[File #HDP-2010-134]

A request for a Fence Permit (Planning Clearance) for Paul and Nicole Sizemore, 706 N. 7th Street in accordance with the adopted 7th Street Historic Residential District Planned Residential Development Zoning District for a proposed 3' wrought iron and 6' wood privacy fence.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request. He stated that the City Council approved a rezone in February for the 7th Street Historic Residential District and that ordinance requires all items that require a Planning Clearance be approved by the City Council. Mr. Peterson

recommended approval for the following reasons: the Zoning and Development Code allows for up to a 4 foot fence to be located within the front yard providing that the fencing material is 2/3 open to 1/3 closed and up to 6 foot in height in areas other than the front yard set-back. The applicant's proposal allowing the fence in the front yard is historical in appearance and will be a benefit to the Historical District and to the City as well. The applicant, Mr. Sizemore, was present for any questions.

Councilmember Kenyon asked if a neighborhood meeting was held. Mr. Peterson said there was not a neighborhood meeting but a notice was sent out to every resident in the District. No comments were received back.

Councilmember Palmer moved to authorize the issuance of a Fence Permit (Planning Clearance) for Paul and Nicole Sizemore to construct a 3 foot wrought iron and 6 foot tall wood privacy fence. Councilmember Kenyon seconded the motion. Motion carried.

Public Hearing—Cris-Mar Enclave Annexation and Zoning, Located North and South of F Road and East of 29 Road [File #ANX-2010-110]

A request to annex 108.62 acres of enclaved property, located north and south of F Road and east of 29 Road, and to zone said property, less 21.94 acres of public right-of-way, to an R-5 (Residential 5 du/ac) zone district. The Cris-Mar Enclave Annexation consists of 265 parcels.

The public hearing was opened at 7:33 p.m.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. The area has been enclaved for over five years and includes several subdivisions. As required by Statute, there was an annexation committee formed and they held neighborhood meetings so that they could present an explanation of the process of the annexation and how it would affect the area. Police and other City services were represented at the meetings to answer questions of the residents. There are two religious institutions in the area. The assessed value of this area is \$4.67 million dollars. The Comprehensive Plan designates the entire area as residential medium. He asked that the Staff Report and attachments be entered into the record. The annexation meets the criteria for annexation. It is a fairly low density neighborhood. The recommendation of the Planner and the Planning Commission is to zone the entire area R-5 which is consistent with the Comprehensive Plan, the County Zoning, and the existing uses.

Councilmember Palmer inquired if the annexation of this area will create any other enclaves. Mr. Rusche responded that no, this is the "donut" hole.

There were no public comments.

The public hearing was closed at 7:40 p.m.

a. Annexation Ordinance

Ordinance No. 4438—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cris-Mar Enclave Annexation, Located North and South of F Road and East of 29 Road Consisting of Approximately 108.62 Acres

b. Zoning Ordinance

Ordinance No. 4439—An Ordinance Zoning the Cris-Mar Enclave Annexation to R-5 (Residential 5 DU/AC), Located North and South of F Road and East of 29 Road

Councilmember Kenyon moved to approve Ordinance Nos. 4438 and 4439 and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—McConnell South 12th Street Right-of-Way Vacation, Located Adjacent to 1101 Winters Avenue [File #VR-2010-093]

A request to vacate an unused portion of South 12th Street right-of-way adjacent to 1101 Winters Avenue. This vacation relieves the City of maintenance of this unused portion of right-of-way and allows the applicant to install security fencing that will meet the Code requirements.

The public hearing was opened at 7:41 p.m.

Lori V. Bowers, Senior Planner, presented this item. She described the site, the location, and the request. The entire area is designated as industrial use in the Comprehensive Plan. The remaining right-of-way will meet the amount needed for right-of-way in the Code. She asked that the Staff Report and attachments be entered into the record. The Planning Commission recommended approval on September 14, 2010. The applicant was not present.

There were no public comments.

The public hearing was closed at 7:44 p.m.

Ordinance No. 4440—An Ordinance Vacating Right-of-Way for South 12th Street, Located Adjacent to 1101 Winters Avenue (McConnell South 12th Street Vacation)

Councilmember Palmer moved to approve Ordinance No. 4440 and ordered it published. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

Public Hearing—Buescher Right-of-Way Vacation, Located Adjacent to 749 Golfmore Drive [File #VR-2010-105]

Applicant Louis Buescher is requesting to vacate a portion of unimproved G 1/2 Road right-of-way located adjacent to 749 Golfmore Drive in anticipation of a proposed single-family residence building addition.

The public hearing was opened at 7:45 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request. The right-of-way has never been utilized and affects no other parcels except the applicant's. The Mesa County Commissioners have already vacated the remaining right-of-way to the west. The City will retain right-of-way for a hammerhead turn-around for emergency vehicle access at the dead end. Grand Valley Water Users Association does maintain a line in the right-of-way and a condition of approval is that Grand Valley Water Users approve a waterline easement, which they have. The Planning Commission has recommended approval of the vacation. The applicant is present.

Councilmember Kenyon asked about where the City-County line is located. Mr. Peterson said since that vacation, the entire area has been annexed into the City.

The applicant's representative said the applicant had nothing more to present.

There were no public comments.

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

Ordinance No. 4441—An Ordinance Vacating a Portion of G ½ Road for the Buescher Right-of-Way Vacation Located Adjacent to 749 Golfmore Drive

Councilmember Beckstein moved to approve Ordinance No. 4441 and ordered it published. Councilmember Pitts seconded the motion.

Councilmember Kenyon said it is good to see this kind of vacation come forward and put the unused land to use.

Motion carried by roll call vote.

Intergovernmental Transfer of Retired Police Vehicles from the Grand Junction Police Department to Mesa State College Police Academy

The Western Colorado Peace Officers Academy, at the Mesa State College, is requesting the donation of two used/retired marked police vehicles. These two vehicles would be obtained from the “retired” pool of vehicles set to go to auction later this fall.

Troy Smith, Deputy Chief of Police, presented this item. A request came from the Academy for the donation of two retired police vehicles to use for the Academy. The Police Department is asking for the City Manager to be authorized to transfer the vehicles. The vehicles in question have excessive miles and are over service. The monetary amount of the donation is somewhere between \$1,000 and \$5,000.

Councilmember Palmer stated the monetary benefit to the City is far outweighed by the benefit it will be to the Academy and he lauded the Academy.

Councilmember Kenyon agreed and said the used vehicles are a good fit for this purpose.

Councilmember Hill moved to authorize the City Manager to approve the Intergovernmental Transfer of two vehicles to Mesa State’s Western Colorado Peace Officers Academy (WCPOA). Councilmember Pitts seconded the motion. Motion carried.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:55 p.m.

Stephanie Tuin, MMC
City Clerk



Date: October 13, 2010
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior Planner/1447
 Proposed Schedule: November 1, 2010
 2nd Reading: November 15, 2010

Attach 2
Setting a Hearing on the CB&G Rezone, Located at 531 Maldonado Street

CITY COUNCIL AGENDA ITEM

Subject: CB & G Rezone, Located at 531 Maldonado Street
File #: RZ-2010-114
Presenters Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

Request to amend Comprehensive Plan from Residential Medium (4 – 8 du/ac) to Commercial and rezone 2.38 +/- acres located at 531 Maldonado Street from R-8, (Residential – 8 du/ac) to C-1, (Light Commercial) zone district in anticipation of future commercial development.

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

By the creation of ordered and balanced growth spread throughout the community, the incorporation of appropriate buffering between existing and different land use types and land use decisions that encourage preservation and appropriate reuse. The proposed request meets with Goals, 3, 6 and 7 of the Comprehensive Plan.

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

Goal 6: Land Use decisions will encourage preservation and appropriate reuse.

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

Action Requested/Recommendation:

Introduce a Proposed Ordinance and Set a Public Hearing for November 15, 2010.

Board or Committee Recommendation:

The Planning Commission recommended approval of the requested rezone at their October 12, 2010 meeting.

Background, Analysis and Options:

See attached Staff Report.

Financial Impact/Budget:

N/A.

Legal issues:

N/A.

Other issues:

None.

Previously presented or discussed:

N/A.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City Zoning Map
Proposed Ordinance

BACKGROUND INFORMATION					
Location:		531 Maldonado Street			
Applicants:		CB & G Partnership – Gene Taylor, Owner and Grand River Mosquito Control District, Future Owner			
Existing Land Use:		Vacant lot			
Proposed Land Use:		Future location for Grand River Mosquito Control District			
Surrounding Land Use:	North	Multi-unit commercial/warehouse lease space			
	South	Single-family residential			
	East	Single-family residential			
	West	Railroad tracks/Crosby Avenue			
Existing Zoning:		R-8, (Residential – 8 du/ac)			
Proposed Zoning:		C-1, (Light Commercial)			
Surrounding Zoning:	North	C-1, (Light Commercial)			
	South	R-8, (Residential – 8 du/ac)			
	East	R-8, (Residential – 8 du/ac)			
	West	I-1, (Light Industrial)			
Future Land Use Designation:		Residential Medium (4 – 8 du/ac)			
Zoning within density range?		X	Yes		No

1. **Background:**

The existing property (Lot 10, Block 6, Six and Fifty West Subdivision, Filing No. Two – 2.38 +/- acres) located at 531 Maldonado Street is currently vacant. Grand River Mosquito Control District is currently in the process of purchasing the property in anticipation of developing and relocating their facilities and offices at some point in the future at this location. In order for the Mosquito Control District to utilize the property for commercial purposes, a rezone to C-1, (Light Commercial) would be required.

The current property owner, CB & G Partnership, held a Neighborhood Meeting on August 25, 2010 with six (6) area neighbors attending, both residential and commercial, to discuss the proposed rezone/sale of the property and project. No major objections to the commercial zone designation were raised at the Neighborhood Meeting.

2. Title 21, Section 02.140 and 02.130 of the Grand Junction Municipal Code:

Zone and Comprehensive Plan Amendment requests must meet all of the following criteria for approval:

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

Response: The property is designated Residential Medium (4 – 8 du/ac) on the Comprehensive Plan Future Land Use Map. The C-1 district is not a permitted zone district within the Residential Medium category of the Comprehensive Plan. However, the applicant may request the C-1 zone since the adjacent property to the north (685 W. Gunnison) is presently zoned C-1, Light Commercial. Due to new sections of the Code (Adjacency Rule), the Director has the authority to process Comprehensive Plan amendments with rezone applications.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: This property is a large acreage parcel of land (2.38 +/- acres) adjacent to existing commercial/warehouse and general commercial land uses to the north and east. The use of this property as a commercial land use is a logical extension of this existing commercial designation in this area due its proximity to Crosby/W. Gunnison Avenue and the railroad tracks which could preclude additional residential growth potential.

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

Response: There are adequate public and community facilities existing in the area of the proposed rezone request. City water is available in both Maldonado and Crosby Avenue with sewer available in Maldonado.

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

Response: The proposed rezone request is a logical extension of the adjacent existing C-1 zone located to the north, thus meeting Goal #3 of the Comprehensive Plan in creating an ordered and balanced growth and spreading future growth throughout the community and also Goal #6 regarding land use decisions that will encourage preservation and appropriate reuse.

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

Response: The community or area will derive benefits from the proposed rezone by the potential of a commercial development for a parcel of land that has sat vacant for a number of years with an R-8 zone designation.

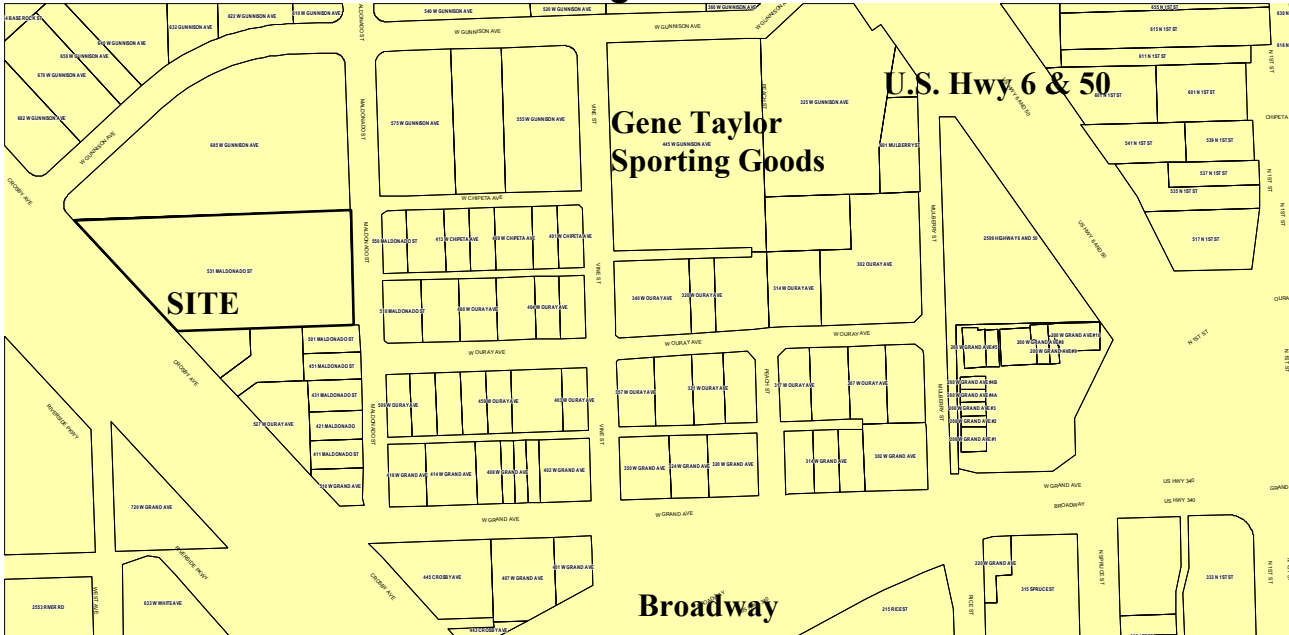
Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan designation for the subject property (Commercial).

- a. R-O
- b. B-1
- c. C-2
- d. M-U

The Planning Commission recommends a C-1 zone designation and does not recommend R-O, B-1, C-2 or M-U. If the City Council chooses to approve one of the alternative zone designations, specific alternative findings must be made as to why the City Council is approving an alternative zone designation.

Site Location Map

Figure 1



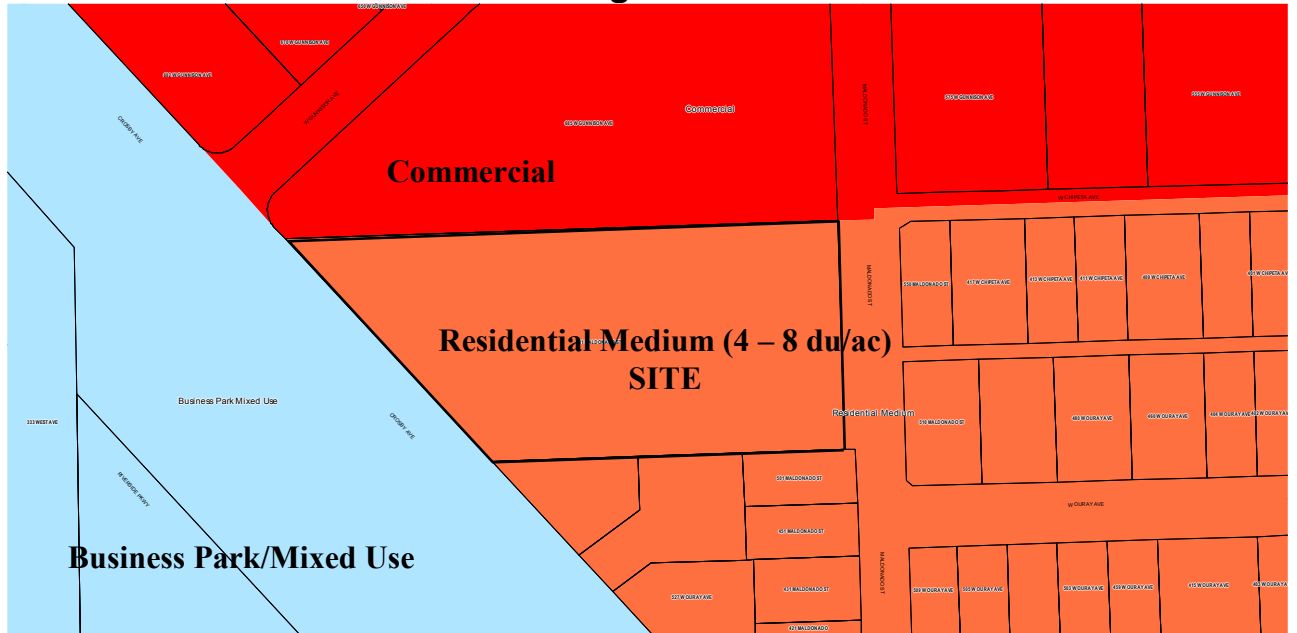
Aerial Photo Map

Figure 2



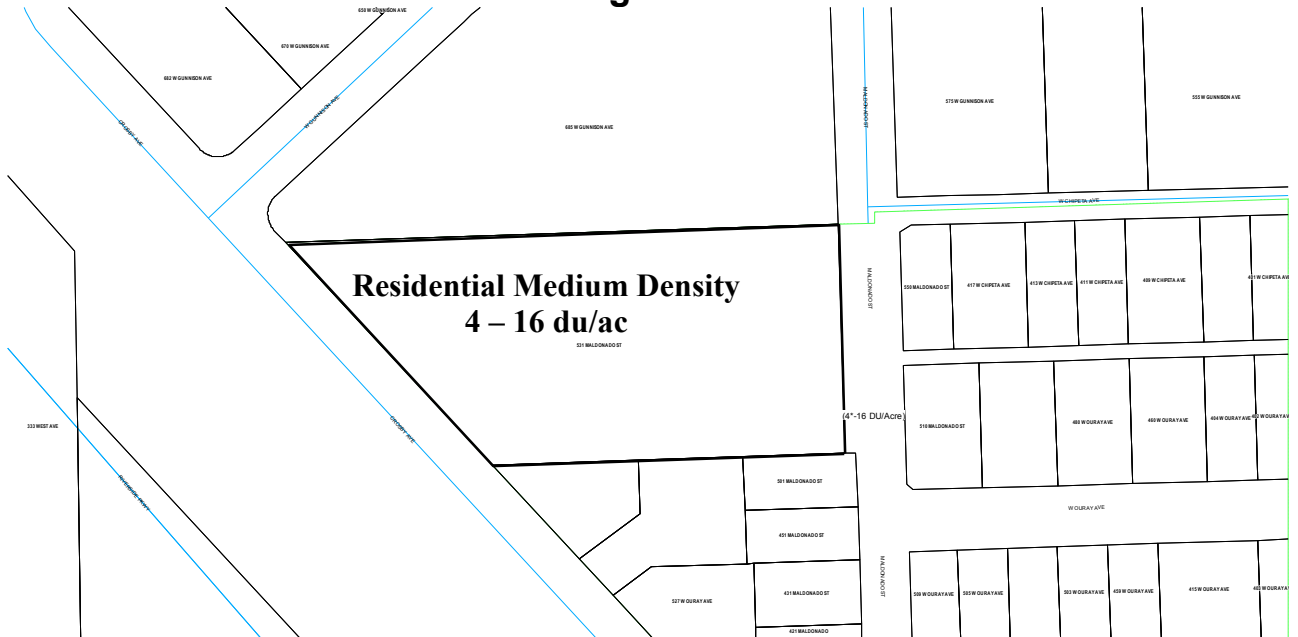
Comprehensive Plan

Figure 3



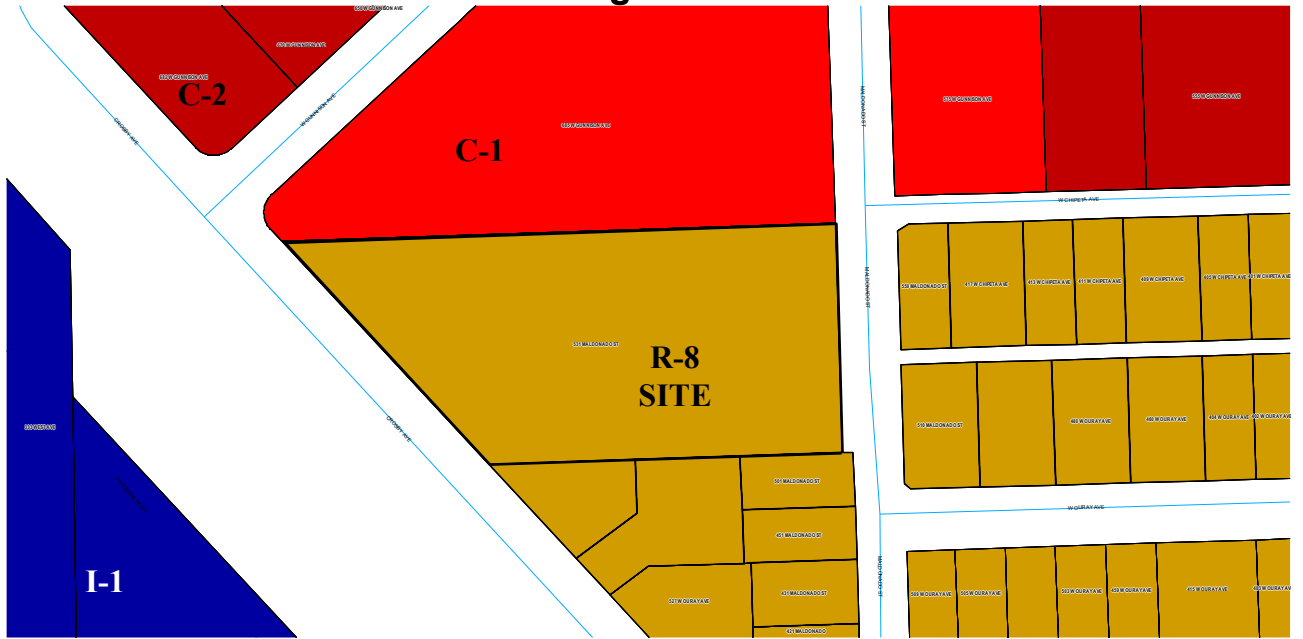
Blended Residential Map

Figure 4



Existing City Zoning

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FROM RESIDENTIAL
MEDIUM (4 – 8 DU/AC) TO COMMERCIAL AND REZONING
FROM R-8 (RESIDENTIAL – 8 DU/AC) TO C-1 (LIGHT COMMERCIAL)
FOR THE CB & G REZONE**

LOCATED AT 531 MALDONADO STREET

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 changing the Comprehensive Plan designation from Residential Medium (4 – 8 du/ac) to Commercial and rezoning from R-8, (Residential – 8 du/ac) to C-1, (Light Commercial) zone district for the CB and G rezone for the following reasons:

The zone district is an appropriate recommended land use category based on the terms of the Comprehensive Plan and the future land use map. The Comprehensive Plan's goals and policies are generally compatible with the change to Commercial as an appropriate land use considering the surrounding area. The same goals and policies support the zone district of C-1 for the property.

After public notice and public hearing, the Grand Junction City Council finds that the Comprehensive Plan designation of Commercial and the C-1 zone district are in conformance with the stated criteria in the Comprehensive Plan for an Amendment to the Land Use Map and Title 21 Section 02.140 and 02.130 of the Grand Junction Municipal Code.

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

The following property shall be designated Commercial on the Comprehensive Plan and rezoned C-1, (Light Commercial):

Lot 10, Block 6, Six and Fifty West Subdivision, Filing No. Two, City of Grand Junction, County of Mesa, State of Colorado.

Introduced on first reading this _____ day of _____, 2010 and ordered published.

Adopted on second reading this _____ day of _____, 2010.

ATTEST:

City Clerk

Mayor



Date: 10/21/10
 Author: Heidi Hoffman Ham
 Title/ Phone Ext: DDA Executive
Director/4134
 Proposed Schedule: 11/1/10
 2nd Reading
 (if applicable): _____

Attach 3
Free Holiday Parking Downtown

CITY COUNCIL AGENDA ITEM

Subject: Free Holiday Parking Downtown
File # (if applicable):
Presenters Name & Title: Jodi Romero, Financial Operations Manager Heidi Hoffman Ham, Downtown Development Authority Director

Executive Summary:

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

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

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

Free Holiday Parking supports the efforts of the downtown associations in marketing the downtown area as a retail and entertainment destination during the Holiday shopping season.

Action Requested/Recommendation:

Vacate parking enforcement at all designated downtown, metered spaces and signed parking from Thanksgiving to New Year’s Day, except loading, no parking, handicapped, and unbagged meter spaces surrounding government offices and in shared revenue lots. Free metered spaces will be clearly designated by covering the meters with the well-known “*Seasons Greetings-Free Parking*” red plastic bag.

Board or Committee Recommendation:

The Parking Management Advisory Group supports free holiday parking in the downtown area.

Background, Analysis and Options:

Holiday Parking remains a very popular program with a majority of the downtown merchants. Although there is inherent risk regarding use of the free spaces by employees, the merchants feel the benefits of providing free parking outweigh that risk.

After several years of implementing a variety of Holiday Parking methods, the system utilized the last several years seems to have worked best. While allowing the vast majority of parking to be free and unrestricted, it is critical to maintain available parking for short-term visitors to government offices (approximately 120 out of 1,100 metered spaces) with continued enforcement of the short-term meters surrounding the Post Office (4th & White), the Federal Building (4th & Rood), the City Hall/County Administration block (5th & Rood to 6th & White), and the State Building (6th & Colorado).

Additionally the shared-revenue lots at the State Building and the United Methodist Church (5th & Grand) as always are excluded from Free Holiday Parking and will continue to be enforced.

Financial Impact/Budget:

Because free holiday parking has been approved for several years now, the revenue from fines is projected with the holiday parking already in consideration, and therefore, there is not a corresponding impact to the budget. However, the amount of monthly fines and fees that could be re-captured for this time period, if parking was not free, is estimated to be approximately \$20,000.

Legal issues:

None.

Other issues:

None.

Previously presented or discussed:

N/A.

Attachments:

None.



Date: October 13, 2010
 Author: Brian Rusche
 Title/ Phone Ext: Senior Planner,
ext 4058
 Proposed Schedule: November
1, 2010
 2nd Reading : November 1, 2010

Attach 4
Public Hearing – Bookcliff Vet Rezone, Located at
564 29 Road

CITY COUNCIL AGENDA ITEM

Subject: Bookcliff Vet Rezone, Located at 564 29 Road
File #: RZ-2010-118
Presenters Name & Title: Brian Rusche, Senior Planner

Executive Summary:

A request to rezone 2.071 acres, located at 564 29 Road, from R-8 (Residential – 8 dwelling units per acre) to MXG-3 (Mixed Use General Form District – 3 stories).

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

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

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

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

This is the first property to be considered for a Mixed Use Form Based zoning district, implementing the designation of Mixed Use Opportunity Corridor and consistent with the above goals.

Action Requested/Recommendation:

Hold a Public Hearing and Consider Final Passage and Final Publication of the Proposed Ordinance

Board or Committee Recommendation:

Planning Commission recommended approval of the Bookcliff Vet Rezone to the zoning designation of MXG-3 (Mixed Use General Form District – 3 stories) on October 12, 2010.

Financial Impact/Budget:

Municipal services are already provided to this property.

Legal issues:

None.

Other issues:

A Neighborhood Meeting was held on Monday, August 9, 2010.

Previously presented or discussed:

First reading of the proposed Ordinance was on October 18, 2010.

Background, Analysis and Options:

See attached.

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Comprehensive Plan Map / Existing City and County Zoning Map
4. Blended Residential Map
5. Photo of Existing Site
6. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:		564 29 Road		
Applicants:		Bookcliff Land and Building LLC		
Existing Land Use:		Abandoned vet clinic		
Proposed Land Use:		Office		
Surrounding Land Use:	North	Multi-family Residential		
	South	Single-family and Multi-family Residential		
	East	Multi-family Residential		
	West	Single-family Residential		
Existing Zoning:		R-8 (Residential 8 du/ac)		
Proposed Zoning:		MXG-3 (Mixed Use General Form District – 3 stories)		
Surrounding Zoning:	North	County RMF-8 (Residential Multi-Family 8 du/ac)		
	South	County RMF-8 (Residential Multi-Family 8 du/ac) PD (Planned Development) – Arbors Subdivision		
	East	County RMF-8 (Residential Multi-Family 8 du/ac)		
	West	County RSF-4 (Residential Single Family 4 du/ac)		
Growth Plan Designation:		Residential Medium (4 – 8 du/ac) Mixed Use Opportunity Corridor (29 Road)		
Zoning within density range?		X	Yes	No

Staff Analysis:

The property was annexed into the City on November 5, 2007 (ANX-2007-232). Upon annexation the subject parcel was zoned R-8 (Residential – 8 dwelling units per acre). The previous use of the property as a veterinary clinic had been abandoned at the time of annexation.

A neighborhood meeting was held on Monday, August 9, 2010. No neighbors were in attendance, only the prospective tenant and his associates. The owner’s representative explained that the prospective tenant would like to utilize the existing structure for an accounting office. Cleanup of the property, which has been unused for some time, was underway. Only minor improvements to the existing structure were necessary for the prospective business. The planner discussed the concept of the Mixed Use Opportunity Corridor as well as the form district provisions, which were adopted in 2010.

Areas within a Mixed Use Opportunity Corridor that are currently zoned for residential purposes may be rezoned for more intense use (including nonresidential uses), provided that Form Districts are utilized and the depth of the lot is at least 150 feet (Grand Junction Municipal Code Section 21.02.140.c.2). The property is approximately 300 feet in depth, excluding right-of-way.

The request to rezone the property to MXG-3 (Mixed Use General Form District – 3 stories) would allow the existing structure to be used for offices, which is currently not permitted within the R-8 zone.

The building types permitted within the Mixed Use General (MXG) districts include general, apartment, townhouse, and civic. The standards for each building type would apply to new structures built upon the property.

Section 21.02.140(a) of the Grand Junction Municipal Code (GJMC) states:

In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

- 1) Subsequent events have invalidated the original premises and findings; and/or

Response: The adoption of the Comprehensive Plan in 2010 created a Mixed Use Opportunity Corridor along 29 Road. The original premise upon annexation of the property in 2007 was that commercial uses were not allowed along the corridor, only at selected locations specifically designated as commercial. The designation as a mixed use corridor dramatically changes the potential for the property.

- 2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: When the property was annexed into the City, it was zoned R-8 in anticipation of residential development. This development has not occurred. While the previous commercial use was abandoned, the structure(s) remained. The adoption of the Comprehensive Plan created an opportunity for mixed uses along the 29 Road corridor. An interested party then approached the City about reestablishing a commercial use of the property.

- 3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: There are public utilities already connected to the existing commercial building. Public utilities, including potable water provided by the Ute Water Conservancy District are adjacent to the subject parcel that can be utilized and have the capacity to facilitate new construction under the proposed form based zoning.

Community facilities, such as a convenience store, a large grocery store, restaurant and other neighborhood facilities and uses are within walking distance of the subject parcel.

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

Response: This is the first property to be considered for a Mixed Use Form Based zoning district. Areas within a Mixed Use Opportunity Corridor that are currently zoned for residential purposes may be rezoned for more intense use (including nonresidential uses), provided that Form Districts are utilized and the depth of the lot is at least 150 feet (Grand Junction Municipal Code Section 21.02.140.c.2).

In addition, the proposed MXG-3 form based zone would permit multi-family development, along with commercial uses, meaning the potential is still available to develop housing on the site.

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

Response: The proposed zoning will implement several goals of the Comprehensive Plan:

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

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

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

The location of the subject property is within an identified Mixed Use Opportunity Corridor.

In addition to the rezone criteria of Section 21.02.140(a), Section 21.02.140(c)(2) states that during consideration of the application of a Form District, the City Council shall consider the following:

- i) The extent to which the rezoning furthers the goals and policies of the Comprehensive Plan; and

Response: The proposed zoning will implement several goals of the Comprehensive Plan:

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

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

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

- ii) The extent to which the proposed rezoning would enhance the surrounding neighborhood by providing walkable commercial, entertainment and employment opportunities, as well as alternative housing choices.

Response: There are 120 apartments along Dawn Drive alone, which spans a quarter-mile (1/4 mi) walk from the subject property. While the MXG-3 would permit a variety of uses, including offices, that may not be in demand by the adjacent residents, the potential is still present. In addition, the potential for the property is complemented by the location of other commercial uses to the north, including Graff Dairy (1/10 mile north) and the Patterson Marketplace (Safeway) at 29 Road and Patterson (F Road).

After reviewing the criteria for a zoning amendment, I find that the above criteria have been met for this request. Section 21.02.140(a) requires that at least one (1) criterion be met. Therefore, I recommend approval of the MXG-3 Zone District.

Alternatives: The following zone districts would also be consistent with the Comprehensive Plan designation(s) for the subject property:

MXG-5 (Mixed Use General Form District – 5 stories).

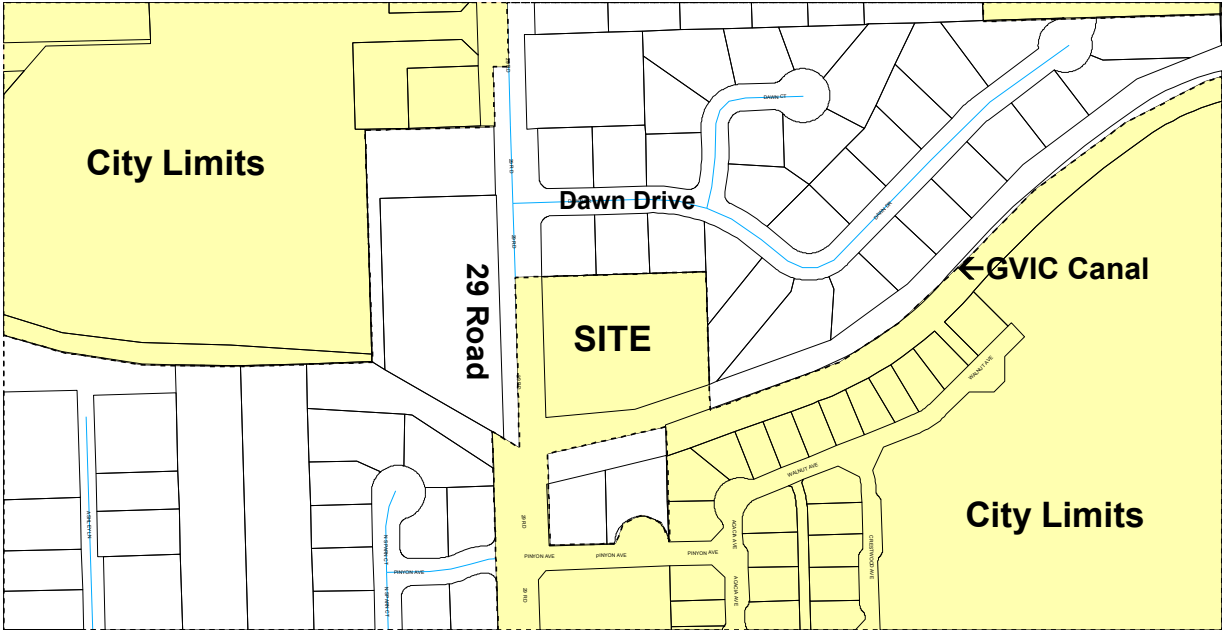
MXG-8 (Mixed Use General Form District – 8 stories).

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the rezone to the City Council, finding that a rezone to the MXG-3 (Mixed Use General Form District – 3 stories) district to be consistent with the Comprehensive Plan and Section 21.02.140 of the Grand Junction Municipal Code

Site Location Map

564 29 Road



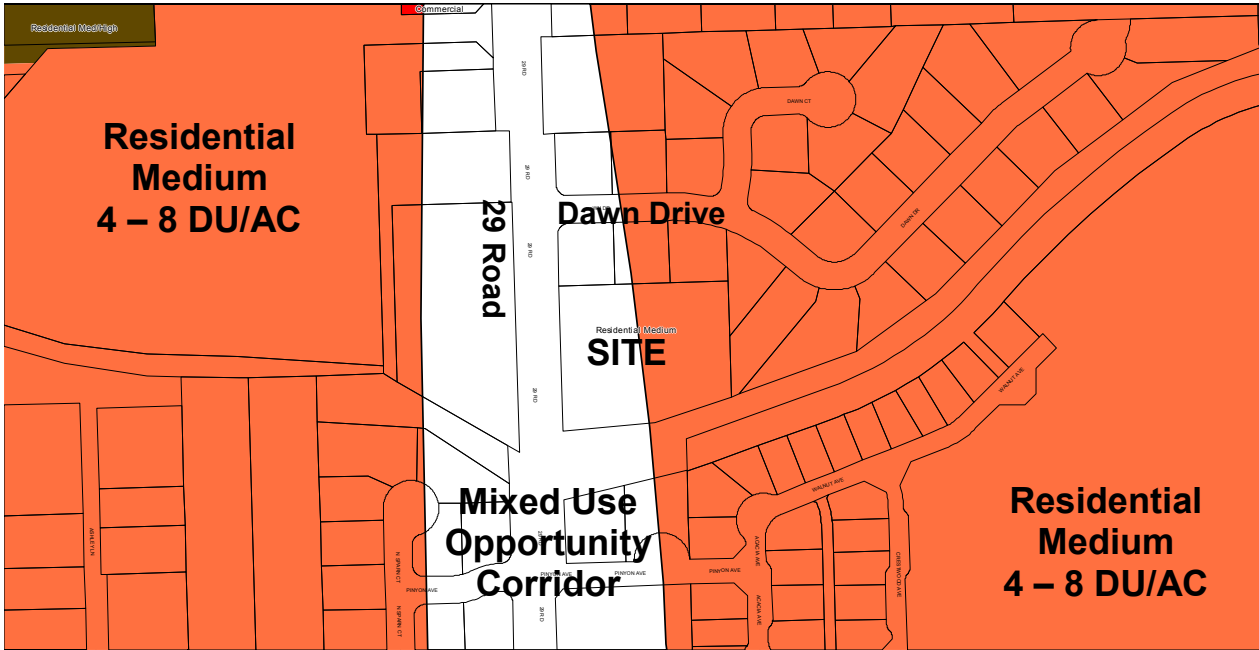
Aerial Photo Map

564 29 Road



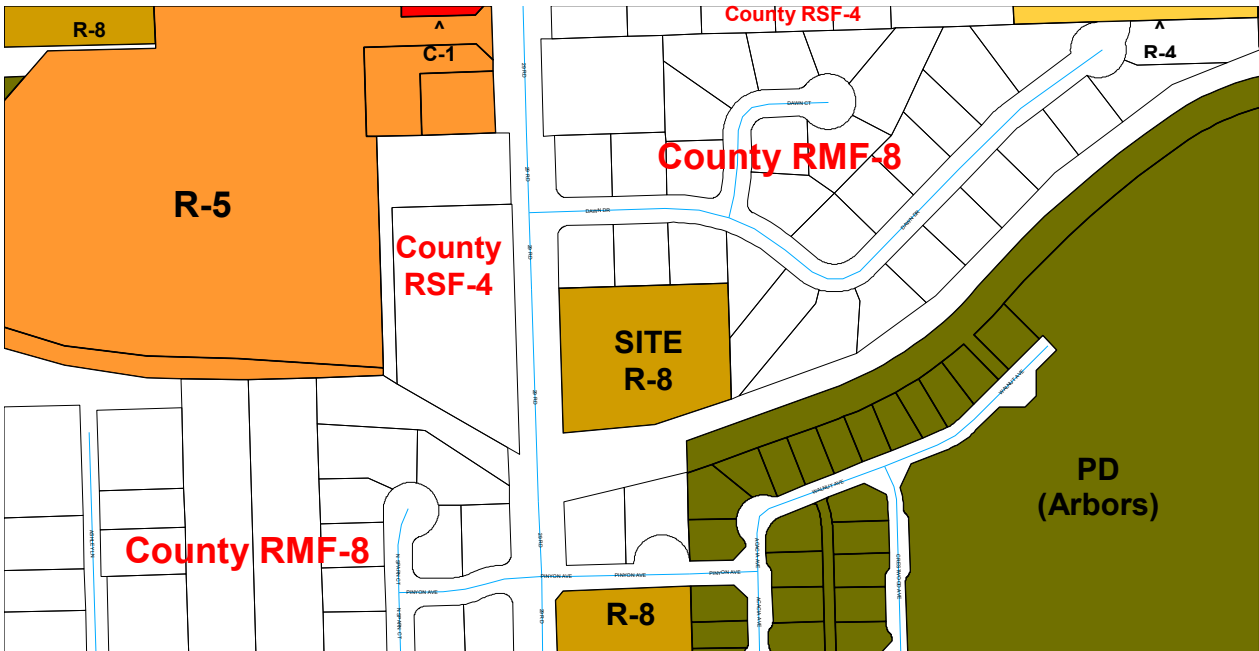
Comprehensive Plan Map

564 29 Road



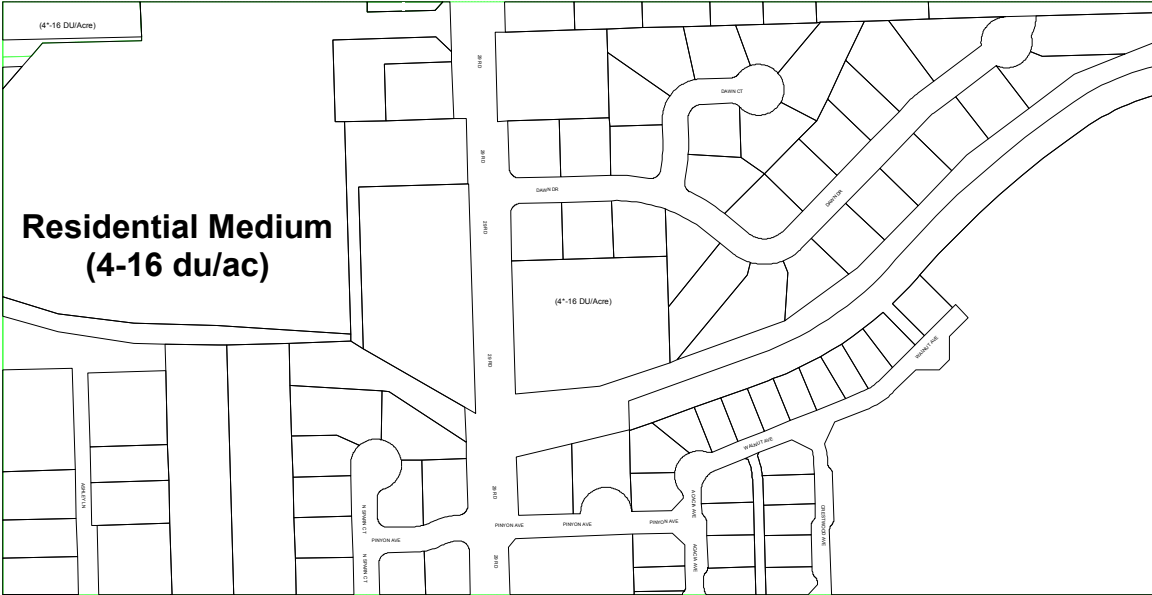
Existing City and County Zoning Map

564 29 Road



Blended Residential Map

564 29 Road



Site Photo

564 29 Road



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CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING THE PROPERTY

LOCATED AT 564 29 ROAD (BOOKCLIFF VET)

FROM

R-8 (RESIDENTIAL – 8 DWELLING UNITS PER ACRE)

TO

MXG-3 (MIXED USE GENERAL FORM DISTRICT – 3 STORIES)

Recitals.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of rezoning the property at 564 29 Road from R-8 (Residential – 8 dwelling units per acre) to the MXG-3 (Mixed Use General Form District – 3 stories) zone district for the following reasons:

The zone district is consistent with the designation of the property as a Mixed Use Opportunity Corridor as shown on the future land use map of the Comprehensive Plan, and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After the public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds that the MXG-3 zone district should be established.

The Planning Commission and City Council find that the MXG-3 zone district is in conformance with the stated criteria of Title 21, Section 02.140 of the Grand Junction Municipal Code.

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

The following property shall be rezoned to MXG-3 (MIXED USE GENERAL FORM DISTRICT – 3 STORIES):

A parcel of land located in the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) of Section 8, Township 1 South, Range 1 East, of the Ute Meridian and being more particularly described as follows:

Commencing at the Northwest corner of the SW ¼ NW ¼ of Section 8, whence the Southwest corner of said SW ¼ NW ¼ of Section 8 bears South 00 degrees 04 minutes 07 seconds East, a distance of 1317.71 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 00 degrees 04 minutes 07 seconds East, a distance of 450.00 feet, along the West line of said SW ¼ NW ¼ of Section 8; thence

North 89 degrees 55 minutes 53 seconds East, a distance of 50.00 feet to a point at the Southwest corner of Sunrise Gardens Subdivision, as shown on plat recorded in Plat Book 12, Page 135, the POINT OF BEGINNING; thence North 89 degrees 55 minutes 53 seconds East, a distance of 303.00 feet, along the South line of said sunrise Gardens Subdivision, to a point at the intersection of said South line of said subdivision and the most Southerly West line of said Sunrise Gardens Subdivision; thence South 00 degrees 04 minutes 07 seconds East, a distance of 257.84 feet, along said most Southerly West line of said Sunrise Gardens Subdivision to a point on the centerline of the Grand Valley Irrigation Company Canal; thence Southwesterly along said Northerly canal boundary the following three (3) courses: (1) South 72 degrees 49 minutes 02 seconds West, a distance of 152.54 feet; (2) South 81 degrees 07 minutes 59 seconds West, a distance of 113.91 feet; (3) North 90 degrees 00 minutes 00 seconds West, a distance of 44.64 feet, to a point on the East right-of-way line of 29 Road, as described in deed to Mesa County, recorded at Book 1425, Page 769, Mesa County records; thence North 00 degrees 04 minutes 07 seconds West, a distance of 320.10 feet, along said East right-of-way line to the POINT OF BEGINNING.

Said parcel containing an area of 2.071 acres, as described.

ALSO KNOWN AS TAX PARCEL NUMBER 2943-082-00-037

Introduced on first reading this 18th day of October, 2010 and ordered published.

Adopted on second reading this _____ day of _____, 2010.

ATTEST:

City Clerk

Mayor