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**CITY COUNCIL AGENDA
WEDNESDAY, OCTOBER 5, 2011
250 NORTH 5TH STREET
6:30 P.M. – PLANNING DIVISION CONFERENCE ROOM
7:00 P.M. – REGULAR MEETING – CITY HALL AUDITORIUM**

Call to Order
(7:00 p.m.)

Pledge of Allegiance
A Moment of Silence

Proclamation

Proclaiming October 7, 2011 as "Legends of the Grand Valley Day" in the City of Grand Junction

Proclaiming October 9 through October 15, 2011 as "Fire Prevention Week" in the City of Grand Junction

Proclaiming October as "Homeless Awareness Month" in the City of Grand Junction

Certificate of Appointment

Downtown Development Authority/Downtown Grand Junction Business Improvement District

Council Comments

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

REVISED

Citizen Comments

***** CONSENT CALENDAR ***®**

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

Action: Approve the Minutes of the September 21, 2011 Regular Meeting

- 2. **Setting a Hearing on Grand Junction Comprehensive Plan Text Amendments** [Attach 2](#)
[File #CPA-2011-994]

The proposed Grand Junction Comprehensive Plan text amendments serve to correct Chapter One, "Land Use Designations," by (1) including all of the City zone districts that implement the various Comprehensive Plan designations and eliminating those that do not, (2) removing all Mesa County zone districts from each Comprehensive Plan land use designation, (3) adding a footnote reference directing readers to the Mesa County Land Development Code for a description of which County zone districts implement which Future Land Use designation, and (4) renaming the "Agriculture" land use designation "Large Lot 35+".

Proposed Ordinance Amending the Grand Junction Comprehensive Plan, Title 31, of the Grand Junction Municipal Code, to Clarify which Zone Districts Implement Each Land Use Designation of the Comprehensive Plan

Action: Introduction of the Proposed Ordinance and Set a Hearing for October 17, 2011

Staff presentation: Lisa Cox, Planning Manager

- 3. **Setting a Hearing on Grand Junction Comprehensive Plan Future Land Use Map Amendments** [File #CPA-2011-1064] [Attach 3](#)

Proposed amendments to the Grand Junction Comprehensive Plan Future Land Use Map to eliminate the conflict between the land use designation and the current zoning of certain properties in the urban areas of Grand Junction.

Proposed Ordinance Amending the Grand Junction Comprehensive Plan Future Land Use Map

Action: Introduction of the Proposed Ordinance and Set a Hearing for October 17, 2011

Staff presentation: Tim Moore, Public Works and Planning Director
Lisa Cox, Planning Manager

4. **Construction Contract for the 12th Street Median and Sidewalk Improvements Project** [Attach 4](#)

This request is to award a construction contract for the installation of three new medians and a detached sidewalk along 12th Street adjacent to Colorado Mesa University. The three new medians are designed to enhance safety and are located between Mesa Avenue and Kennedy Avenue.

Action: Authorize the City Purchasing Division to Enter into a Contract with Clarke and Co., Inc. of Grand Junction, CO for the 12th Street Median and Sidewalk Improvements Project in the Amount of \$208,626.70

Staff presentation: Tim Moore, Public Works and Planning Director
Jay Valentine, Assistant Financial Operations Manager

5. **Free Holiday Parking Downtown** [Attach 5](#)

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. Free Metered Spaces Will Be Clearly Designated by Covering the Meters with the Well-Known "Seasons Greetings-Free Parking" Red Plastic Bag.

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

Staff presentation: Jodi Romero, Financial Operations Manager

*****6. Support for School District 51 Ballot Issue 3B**[Attach 8](#)

The City Council has concluded that investment in schools is an investment in the future. Since that investment is best accomplished at this time by passage of the School District 51 ballot issue 3B, the City Council supports it's passage.

Resolution No. 47-11—A Resolution Supporting Ballot Issue 3B

®Action: *Adopt Resolution No. 47-11*

Staff presentation: John Shaver, City Attorney

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

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

7. Special Permit for Grand Junction Metal Movers [File #SPT-2011-1085][Attach 6](#)

Grand Junction Metal Movers Inc., wants to locate a salvage yard at 711 S. 6th Street. The property is zoned I-1, (Light Industrial) and is located adjacent to the 5th Street bridge (Hwy. 50) and the S. 6th Street cul-de-sac.

Action: *Approve Special Permit No. 2011-01 to Develop a Salvage Yard (Junk Yard) in an I-1, (Light Industrial) Zone District with a Contradicting Comprehensive Plan Future Land Use Designation of Downtown Mixed Use*

Staff presentation: Tim Moore, Public Works and Planning Director
Scott D. Peterson, Senior Planner

8. Vistas at Tiara Rado Utility Easement Vacation [File #VAC-2011-1079][Attach 7](#)

Request to vacate a public utility easement identified on the Replat of the Fairway subdivision plat located adjacent to 2063 S. Broadway in anticipation of future residential development which is currently under review by the Planning Division (Vistas at Tiara Rado). The Applicants are dedicating a new utility easement on the new proposed Hatch Subdivision plat as a condition of approval for this proposed vacation request.

Resolution No. 46-11—A Resolution Vacating a Utility Easement Identified on the Replat of the Fairway Subdivision as Recorded in Plat Book 13, Page 243, Located Adjacent to 2063 S. Broadway

®Action: *Adopt Resolution No. 46-11*

Staff presentation: Scott D. Peterson, Senior Planner

***** END OF ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

9. **Non-Scheduled Citizens & Visitors**
10. **Other Business**
11. **Adjournment**

Attach 1
Minutes

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

September 21, 2011

The City Council of the City of Grand Junction convened into regular session on the 21st day of September, 2011 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras, and Council President Tom Kenyon. Also present were Deputy City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Kenyon called the meeting to order. Councilmember Doody led the Pledge of Allegiance, followed by an invocation from Pastor Ray Shirley, Monument Baptist Church.

Proclamations

Proclaiming October 1, 2011 as "Oktoberfest Day" in the City of Grand Junction

Proclaiming October as "Walk and Bike to School Month" and Wednesday, October 5, 2011 as "Walk and Bike to School Day" in the City of Grand Junction

Presentations

Yard of the Month for August

Tom Ziola, Parks and Recreation Department, introduced the winners Darrin and Tracey Heritage, 1740 Glenwood Avenue, and applauded them for their work and enthusiasm. Mrs. Heritage expressed her appreciation of the program and told the Council that they purchased the house for the yard and now there are several nice yards in the neighborhood.

Appointments

Councilmember Susuras moved to appoint Jodi Coleman Niernberg for a partial term expiring June 2014 and appoint Jason Farrington for a partial term expiring June 2012 to the Downtown Development Authority/Downtown Grand Junction Business Improvement District. Councilmember Doody seconded the motion. Motion carried.

Certificate of Appointment

Jody Motz was present to receive her Certificate of Appointment to the Historic Preservation Board.

Council Comments

Councilmember Boeschstein said he met with the Great Outdoors Colorado (GOCO) board and the Mesa Land Trust to tour the Three Sisters Site. The purpose was to discuss a grant that will help preserve the property.

Citizen Comments

Garr Roberts, 383 Cascada Drive, said he bought a property on Winters Avenue a few weeks ago. He is in the process of remodeling and beautifying the building and moving one of his companies into the establishment. His company is specialized auto services. He addressed the City Council on the Xcel Energy pole and the Qwest junction box in his driveway on Winters Avenue. He can't get equipment in and out. Qwest won't return his phone call and he has not received any relief from Xcel. He had a locator look at the Qwest box and there is no reason for the junction box to be there. The business address is 1103 Winters Avenue.

CONSENT CALENDAR

Councilmember Coons read the Consent Calendar Items #1 through #3 and then moved for approval. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the September 7, 2011 Regular Meeting

2. **CDBG Subrecipient Contracts for Funds and Projects within the Community Development Block Grant (CDBG) 2011 Program Year** [File #CDBG 2011-07; 2011-09 and 2011-10]

The Subrecipient Contracts formalize the City's award of a total of \$48,475 to non-profit organizations allocated from the City's 2011 CDBG Program as previously approved by Council.

Action: Authorize the City Manager to Sign the Subrecipient Contracts with the Center for Independence, St. Mary's Senior Companion Program and St. Mary's Foster Grandparent Program for the City's 2011 Program Year Funds

3. **Fire Pumper Truck Purchase**

Purchase request for a new Fire Pumper Truck to replace an older unit currently in the City's fleet. The current truck has reached the end of its useful life and is in need of replacement.

Action: Authorize the City Purchasing Division to Award a Contract for the Purchase of a 2012 Smeal Freedom Custom Pumper Truck to Mile Hi Fire Apparatus of Commerce City, Colorado in the Amount of \$407,291.00

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing – Amending the Ridges Planned Development for Casas de Luz Residential Development, Located Adjacent to West Ridges Boulevard and West of School Ridge Road in the Ridges Subdivision [File #PLD-2010-259]

Request for approval for an amendment to the Planned Development zoning ordinance for the Ridges Planned Development ("Ridges PD") for a portion of the property, Lots 34A-40A, Block Twenty-five of The Ridges Filing No. Five and Lots 41A-43A of the Replat of Lots 22A through 30A, Block Twenty Five The Ridges Filing No. Five, within the Ridges PD located adjacent to West Ridges Boulevard, across from the driving range for Redlands Mesa Golf Course. The applicant is also requesting approval for the vacation of a dedicated frontage road (right-of-way) and utility and drainage easements in conformance with the new plan.

The public hearing was opened at 7:22 p.m.

Scott Peterson, Senior Planner, Public Works and Planning, presented this item. He described the request, the location and the site. The request is for an amendment to the Planned Development in the Ridges. The applicant, Dynamic Investments, Inc., requests to re-subdivide the existing ten platted lots and create new residential lots, tracts, and stacked condominium units. The total number of dwelling units (20) is the same number of allowed dwelling units that were originally planned for this site. The Project may be completed over four phases. The applicant is also requesting the vacation of a dedicated frontage road and utility and/or drainage easements that are not needed with the proposed development.

The current development is Planned Development (PD). This area was originally approved as a Planned Unit Development (PUD) by Mesa County in the late 1970's.

The original developer formed the Ridges Metropolitan District in order to provide services to this development because it was unincorporated Mesa County. The PUD provided open space for parks and open trails. The PUD includes a mix of land use including a variety of housing types. In 1992 the developed and undeveloped areas of the Ridges were annexed into the City. Upon annexation, the amended plan in the zoning ordinance was adopted zoning the development Planned Development (PD). The Casas de Luz properties were designated as "A" lots with a density of two family dwellings per lot, however, it was noted on the plat that it could also be developed as a multi-family area, although there are some limitations with a maximum of ten dwelling units.

Mr. Peterson displayed the proposed site plan which is divided into four phases. The proposed development will be subject to to the provisions of the Zoning and Development Code unless specifically exempted. There will be shared accesses and driveways. The proposed phasing schedule is Phase One by 2014, Phase Two by 2017, Phase Three by 2019, and Phase Four by 2021. The community benefit is the specific housing type is needed in the community and the minimum number of access points off of Ridges Boulevard. The default zone is R-8, eight units per acre. The applicant is also asking for a deviation in the set back requirements. For Filing One they are asking for 15 feet, 11 feet for Filing Two, 16 feet for Filing Four. There will be a trail in the development. Because there is an excess right-of-way for Ridges Boulevard there is justification of the lesser setback.

There will be clustering of buildings and the roofs of the development will be lower than the houses on the properties behind the development. Mr. Peterson demonstrated this with elevation drawings. The proposed structures are two stories.

The applicant is asking for the vacation of dedicated right-of-way for frontage road that is no longer needed. The City will retain a utility easement. The applicant is asking for the vacation of a utility easement which will not be needed for the development.

In conclusion, Mr. Peterson said the application does meet all the requirements of the Zoning and Development Code and the Comprehensive Plan.

There were two letters of opposition and those two citizens spoke at the Planning Commission meeting. The minutes from the Planning Commission meeting were included in the packet.

Councilmember Pitts asked who will maintain the vacated right-of-way. Mr. Peterson said once vacated, the property owner will be responsible for maintenance. It will be a landscaped area and will be used for drainage. Councilmember Pitts asked who will maintain the open space. Mr. Peterson said the Homeowner's Association (HOA) will be responsible for that.

Councilmember Coons asked about the Future Land Use Map and that part of the property goes into the Residential Medium (RM) low and Residential Low (RL). She asked if that will require an amendment to the Comprehensive Plan. Mr. Peterson said the majority of the property is within the RM area so no amendment is required.

Councilmember Boeschstein asked if a drainage plan has been submitted. Mr. Peterson said yes and that plan was acceptable.

Councilmember Boeschstein expressed concern about drainage issues in the past and how that would be addressed. Mr. Peterson said the plans were sent to the State Geological Society for comments and the applicant did do core samples and studies. Councilmember Boeschstein asked about drainage along the foundations. Mr. Peterson deferred the question to the applicant's engineer who was present. It was noted that the landscaping is xeric type of landscaping. Councilmember Boeschstein asked if the Ridges Architectural Control Committee were able to review this. Mr. Peterson said the review comments were sent to the committee but he has not heard back from them.

Councilmember Boeschstein asked if this will block any of the solar to the passive solar houses that are to the north. Mr. Peterson said it should not affect them but there is no Code requirement to address that.

Councilmember Pitts asked about the line to the north. Mr. Peterson said that is a utility easement.

The applicant then presented their presentation. Rebecca Mendrop, representative for Casas de Luz, 215 Westwater Circle, Fruita, presented the proposal. She explained the community benefits and the applicant's vision for the proposal. They held a neighborhood meeting September 8, 2010 and the plan as discussed is not significantly different. The impact to neighbors was considered in this proposal.

Ms. Mendrop displayed some conceptual drawings for the buildings. She then stated the density does not change, the drainage plan has been completed by a licensed engineer and there is sufficient sight distance for the access points. The views will be less impacted with the new plan than with the old plan. Colorado Geological Survey (CGS) did suggest perimeter drains around the foundations and the engineer will take that into consideration. The setbacks were addressed by the applicant's representative noting there is plenty of space between the proposed buildings and the roadway. There is at least twenty feet between buildings and ten feet from the rear property line. She then introduced Mike Stubbs.

Mike Stubbs, the developer, said he was here to answer questions. He has been involved in the Ridges for twenty-five years.

Councilmember Pitts noted the area is prone to torrential rains and he is concerned with the drainage. There is also a concern over soil shifting.

Mr. Stubbs noted that things have changed since the original development thirty years ago. They are using good science for development currently and will also be addressing drainage from the properties above.

Councilmember Susuras said the Staff Report indicates the proposed development meets Comprehensive Goal #5, it provides a broader mix of housing. He asked for that to be clarified.

Mr. Stubbs said there will be eight townhomes and some duplexes. They also will have some transitional architecture between the Ridges and Redlands Mesa. They are developing a new neighborhood in that area and he wants to set the tone. He thinks there will be broad appeal but the target market is the 50+ age group. There will be elevators. The condos are two bedroom units. The townhomes will have two bedroom units with options for more (2-4 more bedrooms).

Councilmember Boeschstein asked about the steep slope, how will it be stabilized. Mr. Stubbs said Engineer Mike Berry analyzed the slope, there may be some stabilization needed but it will be addressed.

Tim Moore, Public Works and Planning Director, said Eric Hahn is the development engineer and he is comfortable that they have a good design.

Councilmember Luke asked about the size of the garage. Mr. Stubbs said it will be a two car garage with the same size behind the garage for storage.

There were no public comments.

The public hearing was closed at 8:05 p.m.

Councilmember Doody asked City Attorney Shaver about the Ridges and their covenants. Are there several homeowner associations? City Attorney Shaver said there were many different covenants filed with the various developments. The subsequent Homeowners Association (HOA) morphed into the Ridges Architectural Control Committee which has not been active. The purpose of the association is the maintenance of the landscaping improvements and must be in compliance with the other covenant filings.

Council President Kenyon asked about access with the shared driveways. It appeared the access widens. Mr. Peterson said that is part of the review process, both the Fire Department, the traffic engineer and the development engineer looked at the plan. The accesses are wide enough to accommodate a fire apparatus. TEDS requires some off-street parking spaces in multifamily developments.

Council President Kenyon asked about the phased development, if the ordinance fails will the old ordinance go back into effect? City Attorney Shaver said it is a conditional amendment of the amended plan and there are certain milestones that must be accomplished through the development. It does not compromise the plan, it allows it to progress. The amended plan is not being released, the ordinance allows the amendment.

Councilmember Boeschstein asked where the fire hydrants are located.

Steve Sharpe, the engineer for the development, pointed out the location of three fire hydrants. The locations were approved by the Fire Department.

Ordinance No. 4482—An Ordinance Amending the Amended Planned Development Zoning Ordinance for the Ridges PD for Lots 34A-40A, Block Twenty-five of the Ridges Filing No. Five and Lots 41A-43A of the Replat of Lots 22A through 30A, Block Twenty Five the Ridges Filing No. Five within the Ridges PD "Casas de Luz Property" with a Default R-8 (Residential – 8 du/ac) Zone District for the Development of 20 Dwelling Units Located Adjacent to West Ridges Boulevard and West of School Ridge Road

Ordinance No. 4483—An Ordinance Vacating Right-of-Way (Frontage Road) Abutting Lots 34A through 40A, Inclusive, Block Twenty Five of the Ridges, Filing No. Five, Located Adjacent to West Ridges Boulevard and West of School Ridge Road

Councilmember Susuras moved to approve Ordinance No. 4482 and Ordinance No. 4483 and ordered them published in pamphlet form. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

Resolution No. 45-11—A Resolution Vacating a 10' and 20' Drainage and Utility Easement for Lots 41A, 42A and 43A of the Replat of Lots 22A through 30A, Block Twenty Five the Ridges Filing No. Five Property Located Adjacent to West Ridges Boulevard and West of School Ridge Road

Councilmember Susuras moved to adopt Resolution No. 45-11. Councilmember Pitts 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 8:17 p.m.

Stephanie Tuin, MMC
City Clerk



Date: Monday, Oct. 5, 2011
 Author: Lisa Cox, AICP
 Title/ Phone Ext: Planning Manager/
x:1448
 Proposed Schedule: First reading Oct.
5, 2011
 2nd Reading: Second Reading Oct. 17,
2011
 File #: CPA-2011-994

Attach 2
Setting a Hearing on Grand Junction
Comprehensive Plan

CITY COUNCIL AGENDA ITEM

Subject: Grand Junction Comprehensive Plan Text Amendments
Action Requested/Recommendation: Request approval of the proposed text amendments to the Grand Junction Comprehensive Plan, Title 31 of the Grand Junction Municipal Code (GJMC) and Set a Hearing for October 17, 2011.
Presenter(s) Name & Title: Lisa Cox, AICP, Planning Manager

Executive Summary:

The proposed Grand Junction Comprehensive Plan text amendments serve to correct Chapter One, "Land Use Designations," by (1) including all of the City zone districts that implement the various Comprehensive Plan designations and eliminating those that do not, (2) removing all Mesa County zone districts from each Comprehensive Plan land use designation, (3) adding a footnote reference directing readers to the Mesa County Land Development Code for a description of which County zone districts implement which Future Land Use designation, and (4) renaming the "Agriculture" land use designation "Large Lot 35+".

Background, Analysis and Options:

The City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan in February, 2010. Chapter One of the Comprehensive Plan entitled "Land Use Designations" identifies the City and County zone districts that serve to implement each of the land use designations of the Comprehensive Plan. The City Zoning and Development Code also identify the zone districts that serve to implement the Comprehensive Plan. In Mesa County this information is found in Chapter Four of the Mesa County Land Development Code.

Working with the Comprehensive Plan and the City Zoning Code, City Staff identified some inconsistencies between the two regarding which City zone districts implement each land use category in the Comprehensive Plan. These inconsistencies arose primarily due to changes made late in the City's legislative process with respect to adoption of the Form Based Districts and the Blended Residential Land Use Categories Map. The proposed changes to the Comprehensive Plan clarify which zone districts implement each of the land use designations of the Comprehensive Plan. Mesa

County recently adopted an amendment to the Mesa County Land Development Code that reconciled implementing zone districts with the Mesa County Master Plan.

The proposed Comprehensive Plan text amendments serve to correct Chapter One, "Land Use Designations," by (1) including all of the City zone districts that implement the various Comprehensive Plan designations and eliminating those that do not, (2) removing all Mesa County zone districts from each Comprehensive Plan land use designation, (3) adding a footnote reference directing readers to the Mesa County Land Development Code for a description of which County zone districts implement which Future Land Use designation, and (4) renaming the "Agriculture" land use designation "Large Lot 35+".

The proposed text amendments are shown on the attached description of the Comprehensive Plan land use designations. The Public Hearing is set for October 17, 2011.

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

The proposed amendments are consistent with the following goals and policies of the Comprehensive Plan:

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Policy 1A: City and County land use decisions will be consistent with the Future Land Use Map. Mesa County considers the Comprehensive Plan an advisory document.

Policy 1C: The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

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

Policy 3A: To create large and small "centers" throughout the community that provides services and commercial areas.

Policy 3B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

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.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy 5A: In making land use and development decisions, the City and County will balance the needs of 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 proposed text amendments meet the vision, goals and policies of the Comprehensive Plan by clarifying which zone districts implement each of the land use designations of the Comprehensive Plan and by directing individuals to the Mesa County Land Development Code for information on which County zone districts implement each of the land use designations.

Board or Committee Recommendation:

Staff met with City Council at its July 18, 2011 workshop to explain the inconsistencies that were found between the text of the Comprehensive Plan and the Zoning and Development Code. Council agreed that it was appropriate to revise the text of the Comprehensive Plan document so that the two documents would contain the same information regarding zone districts that implement each of the land use designations of the Comprehensive Plan.

The Planning Commission voted to recommend approval of the proposed text amendments at its September 27, 2011 meeting with the following findings of fact and conclusions:

1. The proposed amendments are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

Financial Impact/Budget:

There are no anticipated financial or budget impacts.

Legal issues:

The proposed amendments have been reviewed and are supported by the Legal Division.

Other issues:

The Amendment Process and Criteria

The Grand Junction Comprehensive Plan is a joint collaboration between the City of Grand Junction and Mesa County to coordinate planning decisions in the immediate region around Grand Junction. The Comprehensive Plan was adopted jointly by the City and Mesa County, therefore changes to the text of the Comprehensive Plan document must also be adopted jointly.

City of Grand Junction Approval Criteria:

Chapter One, Amendments to the Comprehensive Plan (document), states that “An amendment is required when a requested change significantly alters the land use or the Comprehensive Plan document.”

The following Criteria for Plan Amendments are found in Chapter One of the Comprehensive Plan document:

(1) The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

- (i) Subsequent events have invalidated the original premises and findings; and/or
- (ii) The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or
- (iii) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
- (iv) 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
- (v) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Working with the Comprehensive Plan and the City Zoning Code, City Staff identified inconsistencies between the two regarding which zone districts implement each land use category in the Comprehensive Plan. The proposed changes to the Comprehensive Plan clarify which zone districts implement each of the land use designations of the Comprehensive Plan.

By creating consistency among the Comprehensive Plan and the development codes, the amendments express a clearer vision for the community. The community will benefit from the proposed amendments because the conflict between the language of the Comprehensive Plan and the City Zoning Code regarding land use designations and the implementing zone districts will be resolved; therefore the proposed amendments meet criterion (v) above.

Mesa County Approval Criteria:

Section 3.2.8, Approval Criteria, of the Mesa County Land Development Code states that the County Planning Commission may approve proposed Master Plan Amendments only if it is determined that the proposed amendment is consistent with the overall purpose and intent of the Mesa County Master Plan and with any intergovernmental agreements then in effect between the County and any other unit of government and only after consideration of each of the following criteria:

(Consistency with the overall purpose and intent of the Mesa County Master Plan is discussed in approval criteria D below and intergovernmental agreements are addressed in approval criteria 3.1.17.C below.)

A. *There was an error in the original Master Plan such that then-existing facts, projects, or trends (that were reasonably foreseeable) were not accounted for.*

Errors have been found within the Comprehensive Plan Future Land Use designation descriptions and it is recommended the Plan text be amended accordingly. This criterion **is met.**

B. *Events subsequent to the adoption of the Master Plan have invalidated the original premises and findings.*

There have been no events that invalidate original premises or findings. This criterion **is not applicable.**

C. *The character and/or condition of the area has changed enough that the amendment is acceptable.*

There have been no changes to the character or condition of the area. This criterion **is not applicable.**

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

The proposed changes are consistent with the goals and policies of the Grand Junction Comprehensive Plan, which is part of the Mesa County Master Plan, as described above. This criterion **is met.**

E. *Public and community facilities are adequate to serve the type and scope of land use proposed.*

The proposed amendments have no effect on public and community facilities. This criterion **is not applicable.**

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.*

The proposed amendments have no direct effect on the designation of future land uses.

This criterion **is not applicable.**

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

The amendments will benefit users of the Plan by ensuring the Plan and the Land Development Code are consistent with respect to implementing zoning districts. This criterion **is met.**

The Planning Commission must also consider the general approval criteria of Section 3.1.17:

A. *Complies with the standards, provisions and purposes of the Land Development Code.*

The proposed amendments recognize changes that have been made to the Land Development Code to implement the Plan, and generally support the Code or resolve differences that have occurred as the Code has been revised to implement the Plan. This criterion **is met.**

B. *Is consistent with review agency comments.*

No substantive review comments were received. Review comments are attached. This criterion **is met.**

C. *Is consistent with applicable intergovernmental agreements (IGAs) between the County and other entities.*

All agencies with which Mesa County has IGAs and MOUs were provided the opportunity to comment on the proposed amendments. The proposed amendments are consistent with all applicable IGAs and MOUs. This criterion **is met.**

The Mesa County Planning Commission met jointly with the City of Grand Junction Planning Commission on September 27, 2011 to consider adoption of the proposed text amendments. The Mesa County Planning Commission will vote on Resolution 2011-07 on October 27, 2011 to adopt the proposed amendments after the public hearing and adoption of the proposed amendments by City Council on October 17, 2011.

Review and Comment Process:

The proposed amendments were distributed to the Mesa County Planning Division and various external review agencies for their review and comment. The City did not receive any comments for or against the proposed amendments during the review period from external review agencies.

An Open House was held on August 31, 2011 to allow property owners and interested citizens an opportunity to review the proposed amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City and Mesa County websites with information about how to submit comments or concerns. Public review and comments were accepted from August 22, 2011 through September 2, 2011.

A joint meeting between the City and Mesa County Planning Commissions was held on September 27, 2011 to consider the proposed amendments. The City Planning Commission voted to recommend approval of the proposed amendments to the Grand Junction City Council. The Mesa County Planning Commission is responsible for adopting a resolution to adopt the proposed amendments. The Mesa County Planning Commission voted to continue the item until after the October 17, 2011 public hearing by City Council. If the proposed amendments are adopted by City Council, the Mesa

County Planning Commission will adopt Resolution #2011-07 at a later meeting in October.

Previously presented or discussed:

Staff met with City Council at its July 18, 2011 workshop to explain the inconsistencies between the text of the Comprehensive Plan and the Zoning and Development Code.

Attachments:

Proposed Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE AMENDING THE GRAND JUNCTION COMPREHENSIVE PLAN, TITLE 31, OF THE GRAND JUNCTION MUNICIPAL CODE, TO CLARIFY WHICH ZONE DISTRICTS IMPLEMENT EACH LAND USE DESIGNATION OF THE COMPREHENSIVE PLAN

Recitals:

On February 17, 2010 the Grand Junction City Council and Mesa County adopted the Grand Junction Comprehensive Plan, also known as Title 31 of the Grand Junction Municipal Code of Ordinances.

Chapter One of the Comprehensive Plan entitled "Land Use Designations" identifies the City and County zone districts that serve to implement each of the land use designations of the Comprehensive Plan.

The City Zoning and Development Code also identify the zone districts that serve to implement the Comprehensive Plan. In Mesa County this information is found in Chapter Four of the Mesa County Land Development Code.

Working with the Comprehensive Plan and the City Zoning Code, City Staff identified inconsistencies between the two regarding which City zone districts implement each land use category of the Comprehensive Plan.

These inconsistencies arose primarily due to changes made late in the City's legislative process with respect to adoption of the Form Based Districts and the Blended Residential Land Use Categories Map.

The proposed changes to the Comprehensive Plan clarify which zone districts implement each of the land use designations of the Comprehensive Plan and to rename the "Agriculture" land use designation "Large Lot 35+".

The proposed text amendments were distributed to the Mesa County Planning Division and various external review agencies for their review and comment. The City did not receive any comments for or against the proposed text amendments during the review period from external review agencies.

An Open House was held on August 31, 2011 to allow property owners and interested citizens an opportunity to review the proposed amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City and Mesa County websites with information about how to submit comments or concerns.

A joint meeting between the City Planning Commission and the Mesa County Planning Commission was held on September 27, 2011 to consider the proposed text amendments. The City Planning Commission voted to recommend approval of the proposed amendments to the Grand Junction City Council. The Mesa County Planning Commission is responsible for adopting a resolution to adopt the proposed amendments.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendments for the following reasons:

1. The proposed amendments are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that the proposed amendments will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

Chapter One of the Comprehensive Plan entitled "Land Use Designations" is hereby amended with the following text amendments as shown on the attached descriptions of land use designations.

INTRODUCED on first reading the ____ day of _____, 2011 and ordered published in pamphlet form.





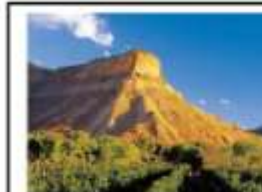

















PASSED and ADOPTED on second reading the ____ day of _____, 2011 and ordered published in pamphlet form.

ATTEST:
















President of the Council

City Clerk

The following paragraphs describe each of the use designations in detail. Zoning districts will be used to establish the conditions for the use and development of land in each of the designations. The zone districts listed under each description of a land use designation below are those zone districts which presumptively are consistent with, comply with and implement that land use designation. In addition to the following, The development codes will identify which district or districts are appropriate for each land use designation.

<p>Parks and Open Space Active park and recreation sites with significant public access, whether publicly or privately owned.</p> <p><u>Applicable Zones</u> CSR All Zone Districts</p> 	<p>Agriculture-Large Lot 35+ 1 du/35 acres or greater Private lands with homes on approximately 35 acres or more. Typical uses would consist of the farms, orchards, pastures, and other agriculture operations or open areas. Agricultural-Large Lot 35+ parcels will not receive urban level services. This designation does not include industrial farms or livestock feedlots.</p> <p><u>Applicable Zones</u> AFF² AF-35² See Note *</p> 	<p>Rural 1 du/5-10 acre lots Private land that will remain in parcels of 5 to 10 acres on average. The uses will vary among low density residential lots, low intensity agricultural operations, orchards and other small scale farm operations. Rural land use areas serve as a transition between urban and agricultural uses. Clustering techniques are required to achieve maximum density. No urban level services are supplied.</p> <p><u>Applicable Zones</u> AFF² R-4 R-B R-5 R-E CSR R-1 R-2</p> 	<p>Conservation/Mineral Extraction Public or private lands reserved for open space, wildlife habitat, sensitive or hazardous land protection, and other environmental or conservation purposes. Mining and sand/gravel operations may be permitted as a temporary use.</p> <p><u>Applicable Zones</u> CSR RR I-1 I-2</p> 	<p>Cooperative Planning Area 5 to 35 acre parcels Land uses will be in accordance with the Cooperative Planning Agreements between Mesa County and the Municipalities.</p> <p><u>Applicable Zones</u> AFF² AF-35² See Note *</p> 	<p>Urban/Residential Reserve 5 (URR) URR is intended to accommodate single family residential densities of up to one unit per two acre. Subdivided lots are grouped together with a larger building lot "reserved" for future urban development when public sewer and other urban infrastructure/services are available to serve that subdivision in the reasonable foreseeable future.</p> <p><u>Applicable Zones</u> URR² See Note *</p> 
<p>Estate 1 - 3 acre lots Typical "estate" style single family homes on large lots of 1 to 3 acres. Centralized services might be needed depending on site conditions and proximity to existing services. Uses are residential.</p> <p><u>Applicable Zones</u> R-B R-E R-1 R-2 R-4 R-5</p> 	<p>Residential Low Density (RL) Density: 0.5-2 du/acre Single family detached residences with typically 0.5 to 2 units per acre. These homes are served by a public water and wastewater system.</p> <p><u>Applicable Zones</u> R-B R-E R-1 R-2 R-4 R-5</p> 	<p>Residential Medium Low Density (RML) 2-4 du/acre Detached single family residences with typically 2 to 4 units per acre that receive full urban services. Alternative residential development types, including single family attached, townhomes, and multi-family units may be permitted in these areas.</p> <p><u>Applicable Zones</u> R-B R-E R-1 R-2 R-4 R-5</p> 	<p>Residential Medium Density (RM) 4 - 8 du/acre A mix of residential development types with gross densities of 4 to 8 dwelling units per acre are anticipated in areas with this designation. Single family development will be integrated with other dwelling types, including duplexes, and low intensity attached residential development. Some low intensity multi-family development may be permitted.</p> <p><u>Applicable Zones</u> R-4 R-16 R-5 R-O R-8 R-12</p> 	<p>Residential Medium High (RMH) Density: 8 - 16 du/acre A mix of residential development types with gross densities of 8 to 16 dwelling units per acre. Duplexes, manufactured home subdivisions and low intensity attached residential development will be integrated with townhomes and low-intensity, multi-family development. Larger multi-family developments and/or small (less than 5,000 square feet) neighborhood retail/service centers may be permitted.</p> <p><u>Applicable Zones</u> R-4 R-O R-5 MU-C² R-8 MU-R² R-12 MU-OTC² R-16 R-24 MXR MXG</p> 	
<p>Residential High Mixed-Use (RHMU) Density: 16 - 24 du/acre All types of residential development may be permitted in these areas provided that gross densities are at least 16 and up to 24 du/acre. Modest amounts (dependant on zoning applied but not intended for more than 10% of a development) of service-oriented and retail commercial are allowed in the Residential High Density Mixed use Land Use Classification. Higher density residential (and neighborhood retail/service center development) may be permitted.</p> <p><u>Applicable Zones</u> R-16 MXG R-24 MXR² R-O MUOTC² B-1 MUC² MU MXR</p> 	<p>Urban Residential Mixed Use (URMU) Density: 24+ du/acre Residential development with minor amounts of service-oriented and retail commercial are allowed (depending on zoning applied, non-residential not intended for more than 10% of a development).</p> <p><u>Applicable Zones</u> R-16 R-24 R-O B-1 MU-C² MU-R² MU-OTC²</p> 	<p>Neighborhood Center Mixed Use (NCMU) Limited employment, residential, open space and limited retail focused on uses that provide convenience items to immediate neighborhood. Residential uses are encouraged to integrate with commercial uses.</p> <p><u>Applicable Zones</u> R-8 MXR -3 R-12 MXG -3 R-16 MXS -3 R-24 MU-C² MU MU-R² R-O MU-OTC² B-1 C-1</p> 	<p>Village Center Mixed Use (VCMU) Employment, residential, service, park and retail allowed. The Village Center is intended to be at a smaller scale (1-5 stories and smaller land area) than Downtown Mixed Use. A mix of uses, either horizontal or vertical is expected unless otherwise designated in an adopted Area or Neighborhood Plan.</p> <p><u>Applicable Zones</u> R-8 MXR -3.5 R-12 MXG -3.5 R-16 MXS -3.5 R-24 MU R-O MU-C² B-1 MU-R² C-1 MU-OTC²</p> 	<p>Downtown Mixed Use (DMU) Density: 24+ du/acre Employment, residential, retail, office/business park uses allowed. A mix of uses (2 to 8 stories), either horizontal or vertical is expected. Residential densities may exceed 24 du/acre.</p> <p><u>Applicable Zones</u> R-16 R-24 B-2 C-1 MU MXG - 3.5, 8 MXR - 3.5, 8 MXS - 3.5, 8 MU-C² MU-OTC²</p> 	
<p>Mixed Use Opportunity Corridors (MUOC) Service, retail and office commercial uses that service the immediate surrounding area with no outdoor storage may be allowed at various locations along the identified corridors</p> <p><u>Applicable Zones</u> MXG - 3.5 MXR - 3.5 MXS - 3.5 R-O R-1</p> 	<p>Business Park Mixed Use (BPMU) Business, light industrial, employment-oriented areas with the allowance of multi-family development.</p> <p><u>Applicable Zones</u> R-B R-12 R-16 R-24 R-O CSR BP-MU B-1 C-1 C-2 I-O</p> 	<p>Commercial (C) Permits a wide range of commercial development (office, retail, service, lodging, entertainment) with outdoor storage or operations allowed in some locations. Mixed commercial and residential developments may be encouraged in some areas.</p> <p><u>Applicable Zones</u> R-O B-1 C-1 C-2 I-O MU</p> 	<p>Commercial Industrial (CI) Heavy Commercial, offices and light industrial uses with outdoor storage, with some outdoor operations (e.g., office/warehouse uses, auto sales, auto repair shops, lumber yards, light manufacturing, oil and gas businesses). Yard operations may be permitted where adequate screening and buffering can be provided to ensure compatibility with existing and planned development in the vicinity of the proposed use. Residential uses are limited to the business park mixed-use development.</p> <p><u>Applicable Zones</u> C-2 MU BP-MU I-O I-1</p> 	<p>Industrial (I) Heavy commercial and industrial operations are predominant in industrial areas. Batch plants and manufacturing uses with outdoor operations are appropriate if developed consistently with zoning regulations. Residential uses are not appropriate.</p> <p><u>Applicable Zones</u> MU I-O I-1 I-2</p> 	<p>Airport Land owned or managed by the Airport Authority are included in the Grand Junction Regional Airport Master Plan. These lands as they are annexed into the City of Grand Junction are zoned Planned Airport Development.</p> <p><u>Applicable Zones</u> PAD</p> 

* See Mesa County Land Development Code for zoning districts that implement future land use designations.

<p>Parks and Open Space Active park and recreation sites with significant public access, whether publicly or privately owned.</p> <p><u>Applicable Zones</u> All Zone Districts</p> 	<p>Large Lot 35+ 1 du/35 acres or greater Private lands with homes on approximately 35 acres or more. Typical uses would consist of the farms, orchards, pastures, and other agriculture operations or open areas. Large Lot 35+ parcels will not receive urban level services. This designation does not include industrial farms or livestock feedlots.</p> <p><u>Applicable Zones</u> See Note *</p> 	<p>Rural 1 du/5-10 acre lots Private land that will remain in parcels of 5 to 10 acres on average. The uses will vary among low density residential lots, low intensity agricultural operations, orchards and other small scale farm operations. Rural land use areas serve as a transition between urban and agricultural uses. Clustering techniques are required to achieve maximum density. No urban level services are supplied.</p> <p><u>Applicable Zones</u> CSR R-4 RR R-5 R-E R-1 R-2</p> 	<p>Conservation/Mineral Extraction Public or private lands reserved for open space, wildlife habitat, sensitive or hazardous land protection, and other environmental or conservation purposes. Mining and sand/gravel operations may be permitted as a temporary use.</p> <p><u>Applicable Zones</u> CSR</p> 	<p>Cooperative Planning Area 5 to 35 acre parcels Land uses will be in accordance with the Cooperative Planning Agreements between Mesa County and the Municipalities.</p> <p><u>Applicable Zones</u> See Note *</p> 	<p>Urban/Residential Reserve 5 (URR) URR is intended to accommodate single family residential densities of up to one unit per two acre. Subdivided lots are grouped together with a larger building lot "reserved" for future urban development when public sewer and other urban infrastructure/services are available to serve that subdivision in the reasonable foreseeable future.</p> <p><u>Applicable Zones</u> See Note *</p> 
<p>Estate 1 - 3 acre lots Typical "estate" style single family homes on large lots of 1 to 3 acres. Centralized services might be needed depending on site conditions and proximity to existing services. Uses are residential.</p> <p><u>Applicable Zones</u> RR R-E R-1 R-2 R-4 R-5</p> 	<p>Residential Low Density (RL) Density: 0.5-2 du/acre Single family detached residences with typically 0.5 to 2 units per acre. These homes are served by a public water and wastewater system.</p> <p><u>Applicable Zones</u> RR R-E R-1 R-2 R-4 R-5</p> 	<p>Residential Medium Low Density (RML) 2-4 du/acre Detached single family residences with typically 2 to 4 units per acre that receive full urban services. Alternative residential development types, including single family attached, townhomes, and multi-family units may be permitted in these areas.</p> <p><u>Applicable Zones</u> RR R-E R-1 R-2 R-4 R-5</p> 	<p>Residential Medium Density (RM) 4 - 8 du/acre A mix of residential development types with gross densities of 4 to 8 dwelling units per acre are anticipated in areas with this designation. Single family development will be integrated with other dwelling types, including duplexes, and low intensity attached residential development. Some low intensity multi-family development may be permitted.</p> <p><u>Applicable Zones</u> R-4 R-5 R-8 R-12 R-16 R-O</p> 	<p>Residential Medium High (RMH) Density: 8 - 16 du/acre A mix of residential development types with gross densities of 8 to 16 dwelling units per acre. Duplexes, manufactured home subdivisions and low intensity attached residential development will be integrated with townhomes and low-intensity, multi-family development. Larger multi-family developments and/or small (less than 5,000 square feet) neighborhood retail/service centers may be permitted.</p> <p><u>Applicable Zones</u> R-4 R-8 R-5 R-8 R-12 R-16</p> 	
<p>Residential High Mixed-Use (RHMU) Density: 16 - 24 du/acre All types of residential development may be permitted in these areas provided that gross densities are at least 16 and up to 24 du/acre. Modest amounts (dependent on zoning applied but not intended for more than 10% of a development) of service-oriented and retail commercial are allowed in the Residential High Mixed Use Land Use Classification. Higher density residential (and neighborhood retail/service center development) may be permitted.</p> <p><u>Applicable Zones</u> R-16 R-24 R-O B-1</p> 	<p>Urban Residential Mixed Use (URMU) Density: 24+ du/acre Residential development with minor amounts of service-oriented and retail commercial are allowed (depending on zoning applied, non-residential not intended for more than 10% of a development).</p> <p><u>Applicable Zones</u> R-16 R-24 R-O B-1</p> 	<p>Neighborhood Center Mixed Use (NCMU) Limited employment, residential, open space and limited retail focused on uses that provide convenience items to immediate neighborhood. Residential uses are encouraged to integrate with commercial uses.</p> <p><u>Applicable Zones</u> R-8 MXR - 3 R-12 MXG - 3 R-16 MXS - 3 R-O B-1 C-1</p> 	<p>Village Center Mixed Use (VCMU) Employment, residential, service, park and retail allowed. The Village Center is intended to be at a smaller scale (1-5 stories and smaller land area) than Downtown Mixed Use. A mix of uses, either horizontal or vertical is expected unless otherwise designated in an adopted Area or Neighborhood Plan.</p> <p><u>Applicable Zones</u> R-8 MXR - 3,5 R-12 MXG - 3,5 R-16 MXS - 3,5 R-24 MU R-O B-1 C-1</p> 	<p>Downtown Mixed Use (DMU) Density: 24+ du/acre Employment, residential, retail, office/business park uses allowed. A mix of uses (2 to 8 stories), either horizontal or vertical is expected. Residential densities may exceed 24 du/acre.</p> <p><u>Applicable Zones</u> R-16 R-24 B-2 C-1 MXR - 3,5,8 MXG - 3,5,8 MXS - 3,5,8</p> 	
<p>Mixed Use Opportunity Corridors (MUOC) Service, retail and office commercial uses that service the immediate surrounding area with no outdoor storage may be allowed at various locations along the identified corridors.</p> <p><u>Applicable Zones</u> MXR - 3,5 MXG - 3,5 MXS - 3,5</p> 	<p>Business Park Mixed Use (BPMU) Business, light industrial, employment-oriented areas with the allowance of multi-family development.</p> <p><u>Applicable Zones</u> R-8 R-12 R-16 R-24 R-O B-1 CSR BP I-O</p> 	<p>Commercial (C) Permits a wide range of commercial development (office, retail, service, lodging, entertainment) with outdoor storage or operations allowed in some locations. Mixed commercial and residential developments may be encouraged in some areas.</p> <p><u>Applicable Zones</u> R-O B-1 C-1 C-2 MU</p> 	<p>Commercial Industrial (CI) Heavy Commercial, offices and light industrial uses with outdoor storage, with some outdoor operations (e.g., office/warehouse uses, auto sales, auto repair shops, lumber yards, light manufacturing, oil and gas businesses). Yard operations may be permitted where adequate screening and buffering can be provided to ensure compatibility with existing and planned development in the vicinity of the proposed use. Residential uses are limited to the business park mixed-use development.</p> <p><u>Applicable Zones</u> C-2 MU BP I-O I-1</p> 	<p>Industrial (I) Heavy commercial and industrial operations are predominant in industrial areas. Batch plants and manufacturing uses with outdoor operations are appropriate if developed consistently with zoning regulations. Residential uses are not appropriate.</p> <p><u>Applicable Zones</u> MU I-O I-1 I-2</p> 	<p>Airport Land owned or managed by the Airport Authority are included in the Grand Junction Regional Airport Master Plan. These lands as they are annexed into the City of Grand Junction are zoned Planned Airport Development.</p> <p><u>Applicable Zones</u> PAD</p> 

*See Mesa County Land Development Code for zoning districts that implement Future Land Use designations



Date: Sept. 26, 2011
 Author: Lisa Cox, AICP
 Title/ Phone Ext: Planning
 Manager/x: 1448
 Proposed Schedule: First reading Oct. 5, 2011
 2nd Reading: Second reading Oct. 17, 2011
 File #: CPA-2011-1064

Attach 3
Setting a Hearing on Grand Junction Comprehensive Plan Future Land Use Map Amendments

CITY COUNCIL AGENDA ITEM

Subject: Grand Junction Comprehensive Plan Future Land Use Map Amendments
Action Requested/Recommendation: Request approval of the proposed amendments to the Grand Junction Comprehensive Plan Future Land Use Map, Title 31 of the Grand Junction Municipal Code (GJMC) and Set a Hearing for October 17, 2011.
Presenter(s) Name & Title: Tim Moore, Public Works and Planning Director Lisa Cox, AICP, Planning Manager

Executive Summary:

Proposed amendments to the Grand Junction Comprehensive Plan Future Land Use Map to eliminate the conflict between the land use designation and the current zoning of certain properties in the urban areas of Grand Junction.

Background, Analysis and Options:

The City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan in February, 2010. The Plan established or assigned new land use designations to implement the vision of the Plan and guide how development should occur. In many cases the new land use designation encouraged higher density or more intense development in some urban areas of the City.

When the City adopted the Comprehensive Plan, it did not rezone property to be consistent with the new land use designations. As a result, certain urban areas now carry a land use designation that calls for more density or more intense development than the current zoning of the property. Staff has identified twenty-four areas of the City with a conflict between the land use designation and the current zoning.

Upon analysis of each area, Staff has determined that the current zoning is appropriate and consistent with the vision of the Comprehensive Plan. In order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties (which support the vision of the Comprehensive Plan), Staff recommends amending the Comprehensive Plan Future Land Use Map to be consistent with the existing zoning. The attached maps and descriptions show the changes proposed for each of the affected areas.

The proposed amendments to the Future Land Use Map will resolve the conflicts between the land use designations and the current zoning. The proposed amendments will not change the zoning of any

parcel. Where a rezone is recommended for a specific area, there will be a separate process with formal notice to property owners and opportunity for input and participation.

If approved, the proposed amendments will result in changes to the Comprehensive Plan's Blended Residential Land Use Categories Map for certain areas. For example, an area with a land use designation of Residential Medium High that is proposed to change to a Commercial land use designation would no longer be shown on the Blended Map. If the proposed amendments to the Future Land Use Map are approved, the corresponding change to the Blended Map will also be made.

The Public Hearing is set for October 17, 2011.

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

The proposed amendments are consistent with the following goals and policies of the Comprehensive Plan:

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Policy 1A: City and County land use decisions will be consistent with the Future Land Use Map. Mesa County considers the Comprehensive Plan an advisory document.

Policy 1C: The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

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

Policy 3A: To create large and small "centers" throughout the community that provides services and commercial areas.

Policy 3B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

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.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy 5A: In making land use and development decisions, the City and County will balance the needs of 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.

Board or Committee Recommendation:

Staff met with City Council at its July 18, 2011 and August 1, 2011 workshops to review the conflicts that were found between the Comprehensive Plan land use designations and the current zoning of certain properties within the urban areas of the city. Staff received direction to proceed with proposed amendments to change the land use designations of certain properties where the current zoning was consistent with the vision and the goals of the Comprehensive Plan.

The Planning Commission voted to recommend approval of the proposed Future Land Use Map amendments at its September 27, 2011 meeting with the following findings of fact and conclusions:

1. The proposed amendments are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

Financial Impact/Budget:

There are no anticipated financial or budget impacts.

Legal issues:

The proposed amendments have been reviewed and are supported by the Legal Division.

Other issues:

The Amendment Process and Criteria

The Grand Junction Comprehensive Plan is a joint collaboration between the City of Grand Junction and Mesa County to coordinate planning decisions in the immediate region around Grand Junction. When deciding changes to the Plan, the City has jurisdiction inside the Persigo 201 Boundary. The County may, if it deems appropriate, provide comments on the change prior to adoption.

Approval Criteria

Chapter One, Amendments to the Comprehensive Plan (document), states that "An amendment is required when a requested change significantly alters the land use or the Comprehensive Plan document."

The following Criteria for Plan Amendments are found in Chapter One of the Comprehensive Plan document:

- (1) The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:
 - (i) Subsequent events have invalidated the original premises and findings; and/or
 - (ii) The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or
 - (iii) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

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

When the City adopted the Comprehensive Plan, property in the urban areas was not rezoned to be consistent with the new land use designations. As a result, certain urban areas now carry a land use designation that calls for more density or more intense development than the current zoning of the property. Twenty-four areas of the City have been identified with a conflict between the land use designation and the current zoning.

The proposed amendments to the Future Land Use Map will resolve the conflicts between the land use designations and the current zoning and facilitate development of the property when the market is ready. The community will benefit from the proposed amendments because the conflicts between the land use designation and zoning will be resolved; therefore the proposed amendments met criterion (v) above.

Review and Comment Process

The proposed amendments were distributed to the Mesa County Planning Division and various external review agencies for their review and comment. The City did not receive any comments from Mesa County during the review period regarding the proposed amendments.

Because the City is proposing to amend the Comprehensive Plan Future Land Use Map, written notice was provided to each property owner to inform them of the City's intention to change the land use designation of property that they owned. Individual letters were mailed to each property owner which informed them of the proposed Future Land Use Map amendments and how they could review the proposed amendments and provide comments.

An Open House was held on August 31, 2011 to allow property owners and interested citizens to review the proposed amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City and Mesa County websites with information about how to submit comments or concerns. Public review and comments were accepted from August 22, 2011 through September 2, 2011. Citizen comments were received by phone, email and written comments made during the Open House. Comments received are attached to this staff report.

Previously presented or discussed:

Staff met with City Council at its July 18, 2011 and August 1, 2011 workshops to review the conflicts between the land use designations of the Comprehensive Plan and the current zoning of certain properties within the urban areas of the city.

Attachments:

1. Citizen Comments

2. Master map showing proposed amendments to Future Land Use Map by area
3. Proposed Ordinance with maps of areas with proposed changes to the Future Land Use Map

Citizen Comments

From: "Keith Ehlers" <keith@ciavonne.com>
To: "'Brian Rusche'" <brianr@ci.grandjct.co.us>, "'Lisa Cox'" <lisac@ci.grandjct.co.us>, "'Greg Moberg'" <gregm@ci.grandjct.co.us>
Date: 8/11/2011 1:54 PM
Subject: Comp Plan adjustment
Staff,

In a recent General Meeting for a property that exists along Patterson within a Mixed Use Opportunity Corridor designation per the Comp Plan I was informed that the Mixed Use Form Zones was an applicable Zone within the MUOC. This email is intended as a suggestion/request to update the Comp Plan, specifically page 34, to reflect the Form districts as an applicable zone. There may be other areas that disclose this information, but the graphics found on page 34 are a helpful tool we use when working with clients that could reflect the information as well. Thanks for your time.

Keith Ehlers Ciavonne, Roberts, & Assoc.

PS - I spoke with Brian Rusche regarding this and he indicated there is possibly an amendment coming down the pipe that will address this, but I thought I would still pass this along for 'the record'.

From: David Thornton
To: JPVLEFTY@aol.com
CC: Cox, Lisa
Date: 8/19/2011 4:53 PM
Subject: Re: Rezoning

Jeff,
Come on in anytime into City Hall and we can walk through the plan amendment for your property. We are also having an open house on August 31st to talk with affected property owners of this proposal. We encourage you to attend that as well.

For the High Fashion Fabric property the proposal is to change the Comprehensive Plan designation of Residential Medium, and include the property into the Neighborhood Center land use designation which includes Corner Square across the street and the out patient facility across from you. See left side of map below, the Neighborhood Center designation would wrap to include your property, the building to the west of you and the Redstone Vet Clinic. The 8 properties to the north of you that are single family residential are not included in this proposal. Their situation is different and the proposal is to reduce the density to conform to existing conditions and zoning.

The Neighborhood Center land use designation allows business zoning which allows the existing zoning to remain. Business uses are not allowed in the Residential Medium land use category as currently represented by the Comprehensive Plan. Our desire and proposal is to change the Comprehensive Plan and leave the current business zoning intact which will remove the conflict between the zoning and the long range plan, the Comprehensive Pan.

Thanks for your inquiry. Have a great weekend.

Dave
Dave Thornton, AICP
Principal Planner
(970)244-1450
davidt@gjcity.org

Hi Dave,

Just received the notice of proposed comprehensive plan amendment. It does not state where the Public review and comment can be made. I would like to review it before I comment, where do I do this? Aug 22 thru Sept 2???? Or do I just wait till Sept 27th?

Jeff Vogel

Hi Fashion Fabrics Inc.

BERNINA and Handi Quilter dealer

2586 Patterson (F) Rd

Grand Junction, CO 81505

970-242-1890

www.hifashinfabrics.com

From: Clare Boulanger <clareboulanger@gmail.com>
To: Lisa Cox <lisac@ci.grandjct.co.us>
CC: David Thornton <davidt@ci.grandjct.co.us>
Date: 8/23/2011 11:50 PM
Subject: Re: Notice of Proposed Comprehensive Plan Amendment

Thank you for your response. I apologize for being rude. It has not been easy to live around here, with the college – excuse me, university – creeping down the street.

Clare Boulanger

On Tue, Aug 23, 2011 at 11:48 AM, Lisa Cox <lisac@ci.grandjct.co.us> wrote:

Good morning Ms. Boulanger,

I apologize if you found my letter cryptic because that was not my intention. What I hoped to say in the letter was that the City has reviewed it's Comprehensive and found errors in certain areas between the kind of development that the Plan anticipates in the future and the current development or zoning of properties.

The property that you own at 820 Elm Avenue is located in one of the areas where we feel that the Comprehensive Plan anticipated too much density or development. Your property is zoned Residential-8 (which allows 8 dwelling units per acre). The Comprehensive Plan anticipates development between 16-24 dwelling units per acre for your neighborhood. Although the City would like to encourage more residential development, we feel that 16-24 dwelling units per acre is too much for your neighborhood at this time.

The City is proposing a change to the Comprehensive Plan that would reduce the future development potential to 8-16 dwelling units per acre for your neighborhood. This would allow property owners to add an accessory dwelling unit on their property or to redevelop their property in a way that would preserve the general character that exists now, but still allow additional growth or density. The zoning of your property will not change.

I hope that I've clarified the City's proposed change to the Comprehensive Plan for property in your neighborhood, but if you have questions that I haven't addressed then please call me at 244-1448 and I would be happy to answer any questions that you have. You are also welcome to attend the Open

House on August 31, 2011 from 4:00-6:00 pm at City Hall (250 N. 5th Street). There will be several people there that can answer questions as well. Thank you.

Lisa Cox, AICP
Planning Manager
Public Works & Planning Dept
970.244.1448

>>> Clare Boulanger <clareboulanger@gmail.com> 8/19/2011 10:06
> PM >>>

OK, so I receive this notice, and it's incredibly cryptic regarding what's happening and/or what's going to happen. I quote in full the paragraph that would appear to be key: "This notice is to advise you that the City is proposing a Comprehensive Plan amendment that will change the land use designation of your property to support the current zoning or the future development potential. There will be no cost to you. Changing the land use designation on your property will not change the current zoning or impact your current land use." Could you please explain to me how changing the land use designation to support "future development potential" is NOT essentially a "change [of] the current zoning"? And what's this really all about, anyway, outside of the fact that Tim Foster wants to plow our neighborhood into parking lots prior to setting up dorms, new sporting facilities, and an events center?

Clare Boulanger
820 Elm Av

From: David Thornton
To: IKE
CC: Cox, Lisa
Date: 8/29/2011 10:29 AM
Subject: Re: re zoning and implications

Lauren,

Thanks for your inquiry. The City has reviewed it's Comprehensive and found errors in certain areas between the kind of development that the Plan anticipates in the future and the current development or zoning of properties.

The property that you own at 1416 N. 7th Street is located in one of the areas where we feel that the Comprehensive Plan anticipated too much density or development. Your property is zoned Residential-8 (which allows 8 dwelling units per acre). The Comprehensive Plan anticipates development between 16-24 dwelling units per acre for your neighborhood. Although the City would like to encourage more residential development, we feel that 16-24 dwelling units per acre is too much for your neighborhood at this time.

The City is proposing a change to the Comprehensive Plan that would reduce the future development potential to 8-16 dwelling units per acre for your neighborhood. This would allow property owners to add an accessory dwelling unit on their property or to redevelop their property in a way that would preserve the general character that exists now, but still allow additional growth or density. The zoning of your property of R-8 will not change as part of this proposed Plan amendment. There is no change to the current use of your property which means that there is no affect on city water, utilities, taxes, or tenants rights as you have asked about in your email.

I hope that I've clarified the City's proposed change to the Comprehensive Plan for property in your neighborhood, but if you have questions that I haven't addressed then please call me at 244-1450 and I would be happy to answer any questions that you have.

Have a great day! Thank you.

Dave Thornton, AICP
Principal Planner
(970)244-1450
davidt@gjcity.org

>>> IKE <laurenannino@aol.com> 8/24/2011 4:30 PM >>>

Dear Lisa and David,

Please let me know how this affects me as an owner of investment property at 1416 N 7th St. I now live in Boulder and have no way of making meetings but can send my attorney if need be.

Please address issues such as city water, utilities, taxes, tenants rights, or anything that will be considered infringing on the current and future development. please.

Thank you .

Lauren Annino, CEO
The Freedom Walker Co
303 499 2634

From: Greg Moberg
To: Lisa Cox; abunting4755@yahoo.com
Date: 8/25/2011 3:28 PM
Subject: Re: Fwd: Comp Plan question

Ms. Bunting,

Lisa needed to be out of the office this afternoon and asked me to respond to your email.

You are correct in your assertion that the current Comprehensive Plan designation for your property is Residential High Mixed Use and that the City is proposing to change that designation to Residential Medium High. Under the current designation your R-8 zoning is inconsistent with the Comprehensive Plan and the single family use would be nonconforming if zoned to a consistent zone. Because of this, the City is moving forward with a Comprehensive Plan amendment that, if approved, will remove any existing Comprehensive Plan inconsistencies.

The Residential Medium High would still allow your property to be rezoned to a higher density (R-12 and R-16) and to commercial (R-O).

If you have further questions, please do not hesitate to contact me.

Greg Moberg

Planning Services Supervisor
City of Grand Junction
Public Works and Planning Department
250 North 5th Street
Grand Junction, CO 81501
(970) 256-4023

>>> Ann Bunting <abunting4755@yahoo.com> 8/24/2011 1:53 PM >>>

Hi Lisa,

I'm Ann Bunting and I own the property at 1730 N 7th. From looking at the GJ city website, it looks as if my property is in Area 13a, with proposed change from Residential High Mixed Use to Residential Medium High. Does that mean that the few commercial applications would be phased out? And would that affect my R-8 zoning? Also, it looks like Area 13b is being opened up to the possibility of a neighborhood center. It seems contradictory that the city would reduce density in the neighborhood where new amenities were being planned. Am I understanding that correctly? I live in a different part of the state and will be unable to attend the meeting, so please accept my questions by email.

Many thanks for any clarification you can offer,

Best,

Ann Bunting

abunting4755@yahoo.com

From: David Thornton
To: L, Jeanne
CC: Cox, Lisa
Date: 8/31/2011 2:24 PM
Subject: Re: comprehensive plan and zoning changes for north 18th Street
Jeanne,

The zoning east of you is the same as you have and that is R-8 or residential up to 8 units per acre. As far as the Comprehensive Plan is concerned for both your street and the area east of you, it all has the ability to ask for a zone change to higher density up to 16 units per acre. That doesn't mean that any proposed change or any proposed development would be approved. There are many things that go into a new development that the Code requires to be looked at and mitigated that protects existing neighborhoods and helps that new development fit into the neighborhood.

Regarding giving feedback, the current schedule is for Planning Commission to review and make a recommendation to City Council on September 27th at 6 PM here in City Hall on the proposed amendment to reduce the density from Residential High to Residential Medium High for your area. Your feedback is encouraged in that meeting.

Thanks again for your email.

Dave Thornton, AICP
Principal Planner
(970)244-1450
davidt@gjcity.org

>> Jeanne L <jeannejml@yahoo.com> 8/31/2011 9:53 AM >>>

Dave,

Thanks for your timely response as well as the clarification. I am glad that the density would be lower than the comp plan indicates, however, I would feel even better if the density remained at the level it was at when I purchased my property of up to 8 units. 16 units is a lot and would greatly change the character of the neighborhood.

I do have a few more questions: What is the zoning for the next streets over (19th, 20th...) and is it the same density as my street or lower? And how do I give input/feedback about the increase in density up to 16 units (even though it is not as much of an increase as I thought)?

Thanks much,

Jeanne

From: David Thornton <davidt@ci.grandjct.co.us>

To: Jeanne L <jeannejml@yahoo.com>

Cc: Lisa Cox <lisac@ci.grandjct.co.us>

Sent: Wednesday, August 31, 2011 9:38 AM

Subject: Re: comprehensive plan and zoning changes for north 18th Street

Ms. Lelonek,

Thanks for your email. Perhaps I can clarify what the City is proposing. The City has reviewed its Comprehensive and found errors in certain areas between the kind of development that the Plan anticipates in the future and the current development or zoning of properties.

The property that you own on North 18th Street is located in one of the areas where we feel that the Comprehensive Plan anticipated too much density or development. Your property is zoned Residential-8 (which allows 8 dwelling units per acre). The Comprehensive Plan anticipates development between 16-24 dwelling units per acre for your neighborhood. Although the City would like to encourage more residential development, we feel that 16-24 dwelling units per acre is too much for your neighborhood at this time.

The City is proposing a change to the Comprehensive Plan that would reduce the future development potential to 8-16 dwelling units per acre for your neighborhood. This would allow property owners to add an accessory dwelling unit on their property or to redevelop their property in a way that would preserve the general character that exists now, but still allow additional growth or density. Changing the Comprehensive Plan to Residential Medium High removes the conflict between the Plan and the current zoning.

I hope that I've clarified the City's proposed change to the Comprehensive Plan for property in your neighborhood, but if you have questions that I haven't addressed then please call me at 244-1450 and I would be happy to answer any questions that you have.

Thanks and have a great day.

Dave Thornton, AICP

Principal Planner

(970)244-1450

davidt@gjcity.org

>>> Jeanne L <jeannejml@yahoo.com> 8/30/2011 9:35 PM >>>

Hi,

I was just reviewing the comp plan on-line and I am quite concerned about the re-zoning of my street to high mixed use. I live on North 18th street, just south of the elementary school. Our street is all single family homes and I walk my son to school daily. The next street over, North 19th street is planned as medium residential.

I am wondering why our street was chosen to have higher density? If I understand that zoning, and perhaps you could clarify, this means that my neighbor could change their house to an apartment building! This would totally ruin the character of our little street. The letter you sent is confusing---that you are not changing anything and yet this change in zoning would change a lot! This has already happened at 15th street and it looks terrible there; houses surrounded by apartments. It starts to look like a slum. I have lived here about 15 years and our street has been on an upswing. I think this kind of change will lead to more of us fleeing for the suburbs...starting more of a decline in the area.

Please let me know if I'm misunderstanding.... my address is 1850 North 18th Street. I feel like the high density should stay between 12th and 15th as it is already set up now. Is there a way to comment or let city council members know our concerns?

Thanks for any information on this.

Jeanne Lelonek

From: "Ron Abeloe" <ron@cwihomes.com>

To: <lisac@gjcity.org>

Date: 9/10/2011 12:08 PM

Subject: comp plan amndmnt

Hi Lisa,

I got a notice that one or more of the parcels I own will be affected, I own property under my name as well as 3 entities, The Greedy Group LLC, Legend Partners LLC and Chaparral West Inc. IO would be very interested in speaking to you about which parcels will be affected and what that affect will mean to future development. I can be reached at 970-234-5681.

Thanks,

Ron

Citizen Contacts by Phone:

Mr. Chuck Richardson
Elm Avenue Baptist Church
1510 N. 7th Street
243-5636

Cheryl Wilcox
2445 Hill Avenue
523-2185 or 589-2355

James Younger
East side of 25 Road, south of Patterson Road
245-8956

Johnny Schneider
(No further information provided)



OPEN HOUSE
August 21, 2011
4-6:00 p.m.

Grand Junction City Hall

Comprehensive Plan Comment Sheet

May we hear any comments or any concerns you have about proposed changes to the Comprehensive Plan?

Please consider moving the comp plan boundary North -
STARTING AT Pitkin and leave the area South of Pitkin as the
Industrial area it already is -

Name Steve Erik
Address 711 S 6th St
Phone 970 254-3040
Email sjmetalsavers@hotmail.com

Please turn your comments in tonight or mail them to:

Dave Thornton, Principal Planner
Public Works & Planning
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81506



OPEN HOUSE

August 21, 2011

4-6:00 p.m.

Grand Junction City Hall

Comprehensive Plan Comment Sheet

May we hear any comments or any concerns you have about proposed changes to the Comprehensive Plan?

Comprehensive Plan development was a major undertaking so can see that there were inconsistencies. It's okay to fix that but I still generally have the attitude that density levels should stay consistent with existing neighborhoods.

For example, properties in the Redlands built under R-1 density shouldn't have an R-5 approved next door. And that is what the Comp Plan did. 😞

Name _____

Address _____

Phone _____

Email _____

Please turn your comments in tonight or mail them to:

Dave Thornton, Principal Planner
Public Works & Planning
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81506



OPEN HOUSE
August 21, 2011

4-6:00 p.m.
Grand Junction City Hall

Comprehensive Plan Comment Sheet

May we hear any comments or any concerns you have about proposed changes to the Comprehensive Plan?

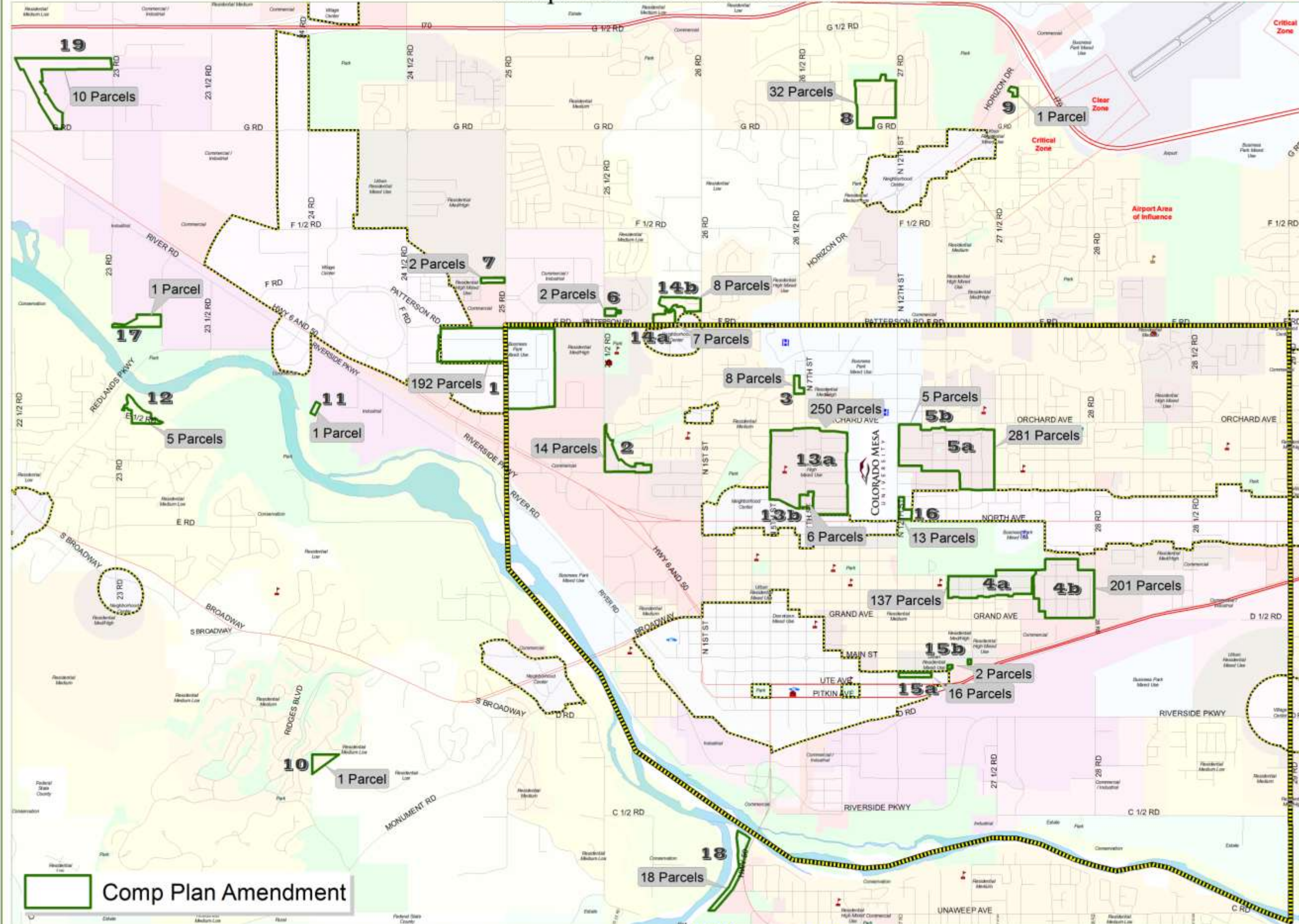
No comments or concerns because nothing will change for the properties that interest me.

Name Sandra N. Porown for Homer T. Hurst
Address 866 Texas, 745 Bunting, 139 Bunting
Phone 361-1225
Email thurst461@earthlink.com

Please turn your comments in tonight or mail them to:

Dave Thornton, Principal Planner
Public Works & Planning
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81506

Comprehensive Plan Amendment



Comp Plan Amendment

HOSPITAL
 FIRE
 POLICE
 SCHOOL
 FUTURE SCHOOL
 City Center
 Mixed Use Centers

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE AMENDING THE GRAND JUNCTION COMPREHENSIVE PLAN FUTURE LAND USE MAP

Recitals:

On February 17, 2010 the Grand Junction City Council adopted the Grand Junction Comprehensive Plan which includes the Future Land Use Map, also known as Title 31 of the Grand Junction Municipal Code of Ordinances.

The Comprehensive Plan established or assigned new land use designations to implement the vision of the Plan and guide how development should occur. In many cases the new land use designation encouraged higher density or more intense development in some urban areas of the City.

When the City adopted the Comprehensive Plan, it did not rezone property to be consistent with the new land use designations. As a result, certain urban areas now carry a land use designation that calls for a different type of development than the current zoning of the property. Twenty-four areas of the City have been identified with a conflict of this nature. Staff analyzed these areas to consider whether the land use designation was appropriate, or if the zoning was more appropriate, to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of each area, Staff has determined that the current zoning is appropriate and consistent with the vision of the Comprehensive Plan. In certain areas, the current land use designation calls for too much density or intensity and in other areas the land use designation does not require enough density or intensity.

In order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties, Staff recommends amending the Comprehensive Plan Future Land Use Map to be consistent with the existing zoning.

The proposed amendments to the Future Land Use Map will result in changes to the Comprehensive Plan's Blended Residential Land Use Categories Map for certain areas. For example, an area with a land use designation of Residential Medium High that is proposed to change to a Commercial land use designation would no longer be shown on the Blended Map. Changes to the Blended Residential Land Use Categories Map will be made when corresponding amendments to the Future Land Use Map are adopted.

The proposed Future Land Use Map amendments were distributed to the Mesa County Planning Division and various external review agencies for their review and comment. The City did not receive any comments from Mesa County or external review agencies regarding the proposed Future Land Use Map amendments.

An Open House was held on August 31, 2011 to allow property owners and interested citizens an opportunity to review the proposed map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City and Mesa County websites with information about how to submit comments or concerns. Several citizen comments were received during the review process.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendment for the following reasons:

1. The proposed amendments to the Comprehensive Plan Future Land Use Map are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that the proposed amendment will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

The Grand Junction Comprehensive Plan Future Land Use Map and Blended Residential Land Use Categories Map are hereby amended as shown on the attached area maps.

INTRODUCED on first reading the ____ day of _____, 2011 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2011 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

Area 1:

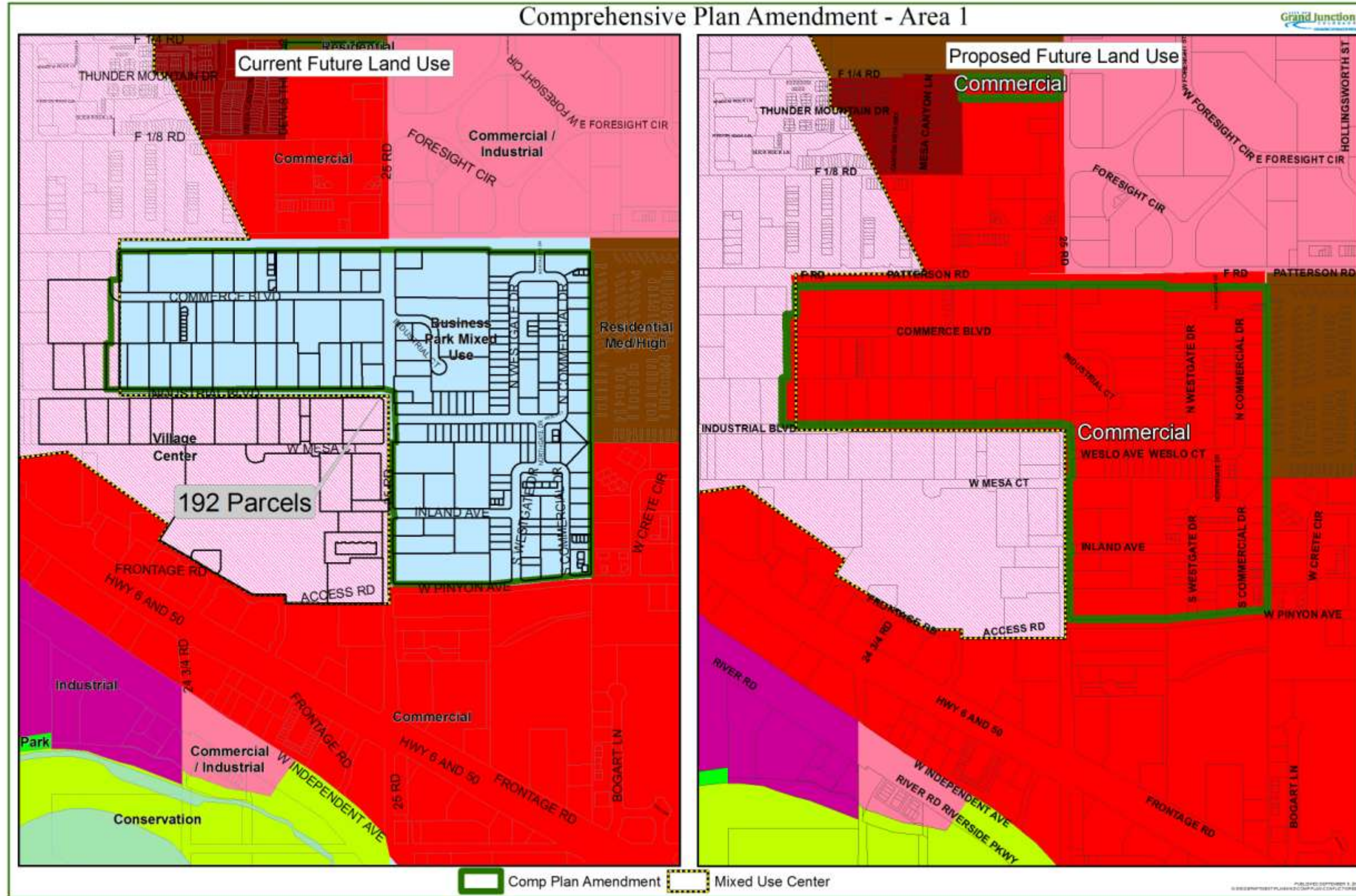
Parcels: 192

Current zoning: C-1 and C-2

Location: Generally located west of 25 Road on Commerce Boulevard and the north side of Industrial Boulevard and east of 25 Road over to North and South Commercial Drive.

Recommended change to future land use designation:

From: Business Park Mixed Use **To:** Commercial



Area 2:

Parcels: 14

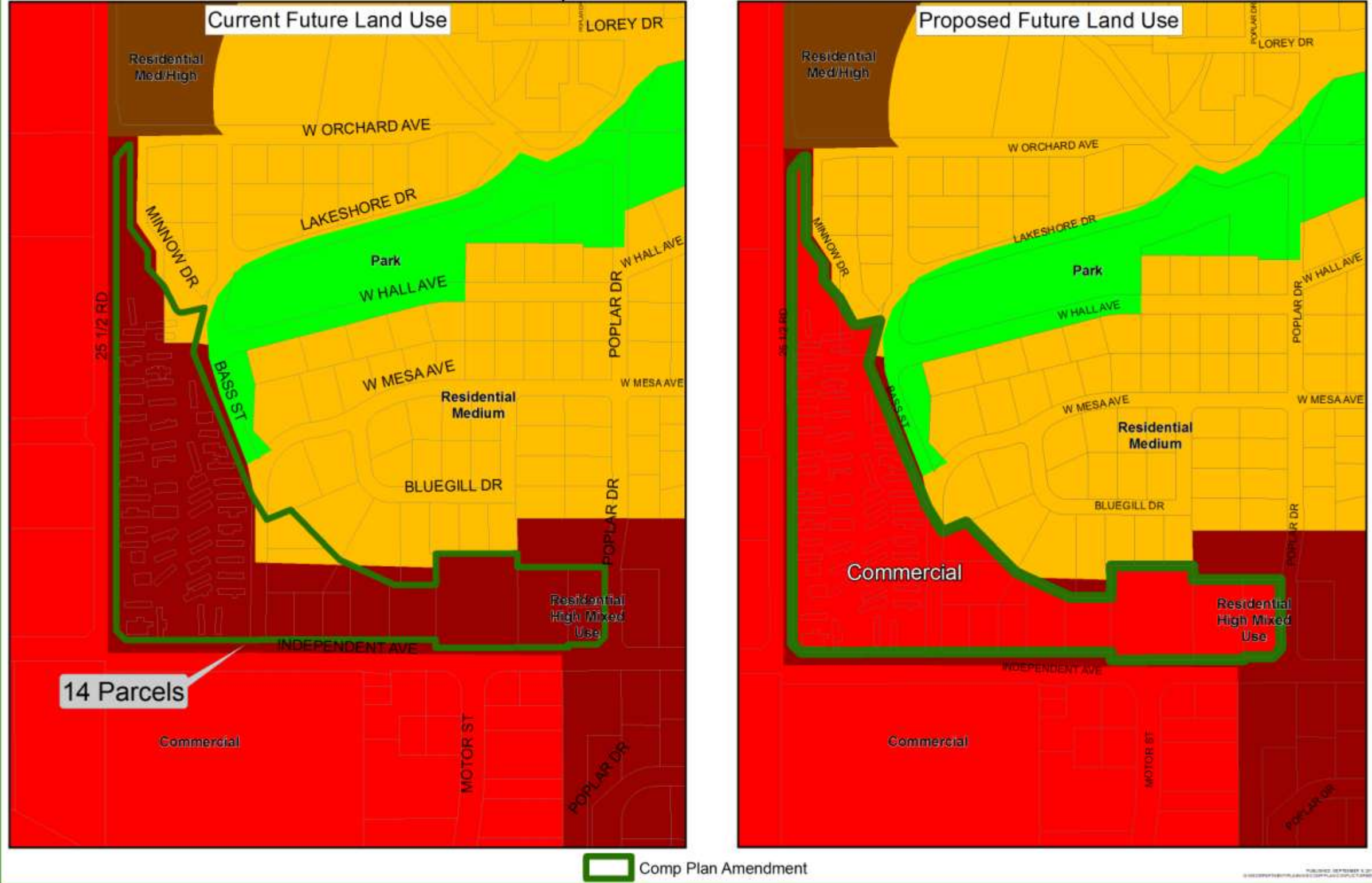
Current zoning: C-1 and C-2

Location: Generally located along the east side of 25 1/2 Road and the north side of Independent Avenue.

Recommended change to future land use designation:

From: Residential Medium High Mixed Use **To:** Commercial

Comprehensive Plan Amendment - Area 2



Area 3:

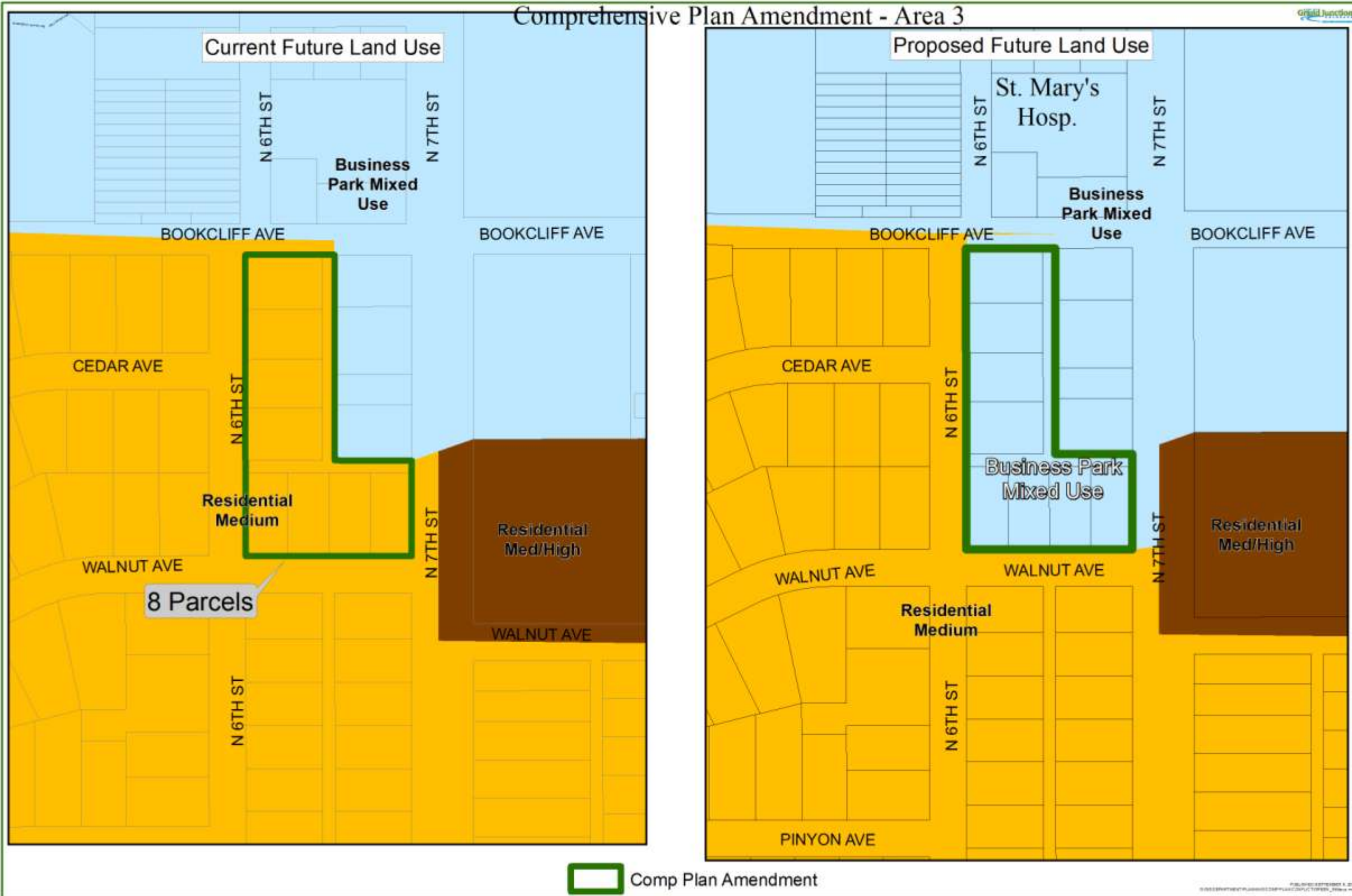
Parcels: 8

Current zoning: R-24 and B-1

Location: Generally located on the east side of N. 6th Street and the north side of Walnut Avenue.

Recommended change to future land use designation:

From: Residential Medium **To:** Business Park Mixed Use



Area 4a:

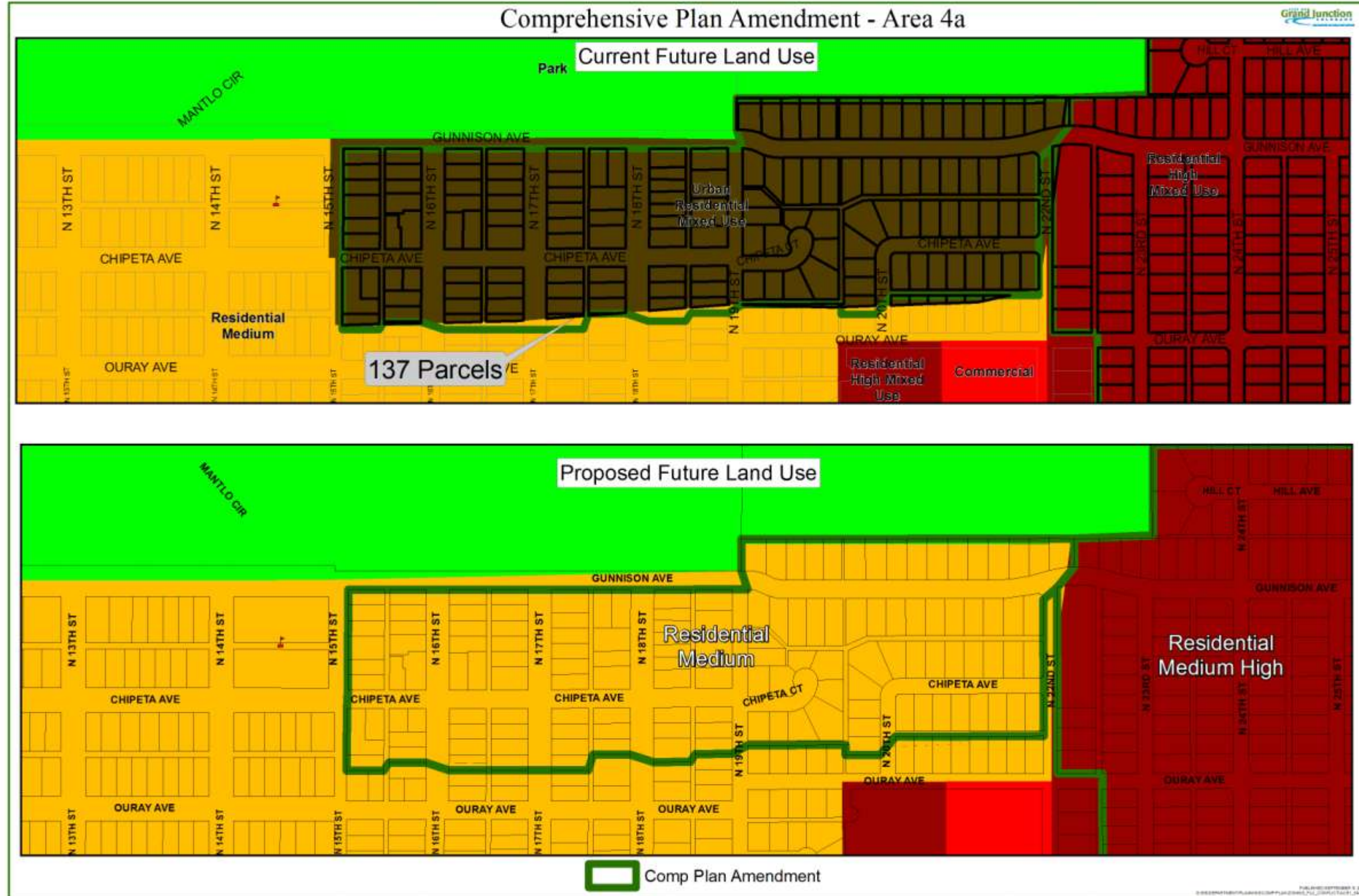
Parcels: 137

Current zoning: R-8

Location: Generally located on the east side of N. 15th Street to the west side of N. 22nd Street and from the north side of Gunnison Avenue to the south side of Chipeta Avenue.

Recommended change to future land use designation:

From: Urban Residential Mixed Use **To:** Residential Medium



Area 4b:

Parcels: 201

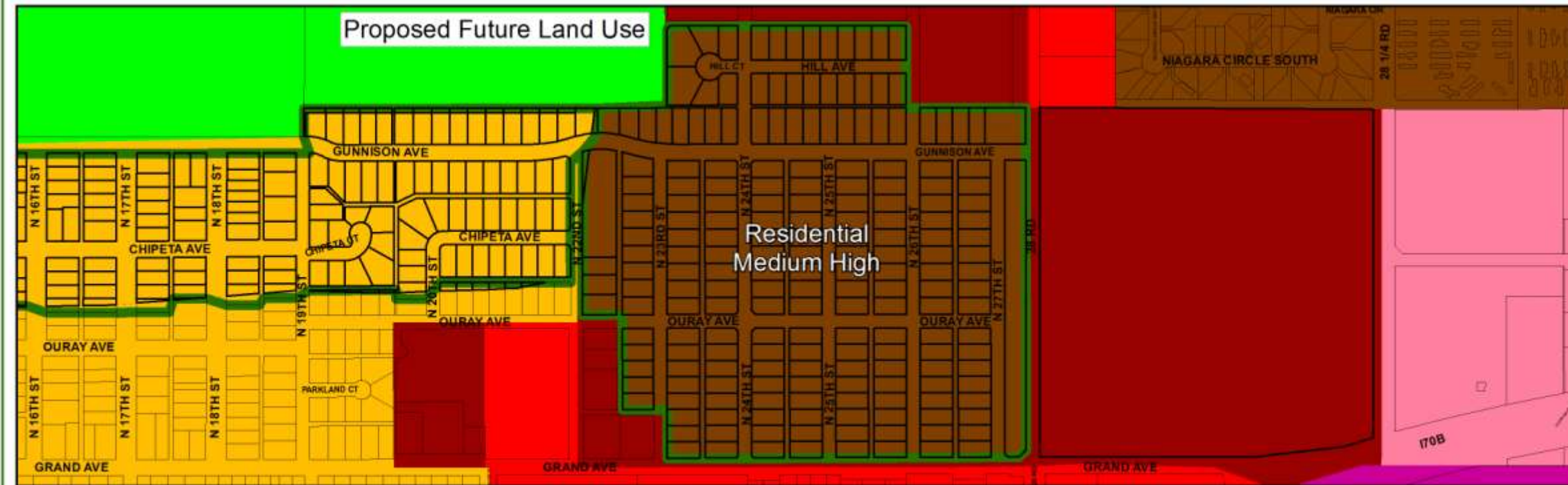
Current zoning: R-8

Location: Generally located on the east side of N. 22nd Street to the west side of 28 Road, and from the north side of Hill Avenue to the north side of Grand Avenue.

Recommended change to future land use designation:

From: Residential High Mixed Use **To:** Residential Medium High

Comprehensive Plan Amendment - Area 4b



 Comp Plan Amendment

Area 5a:

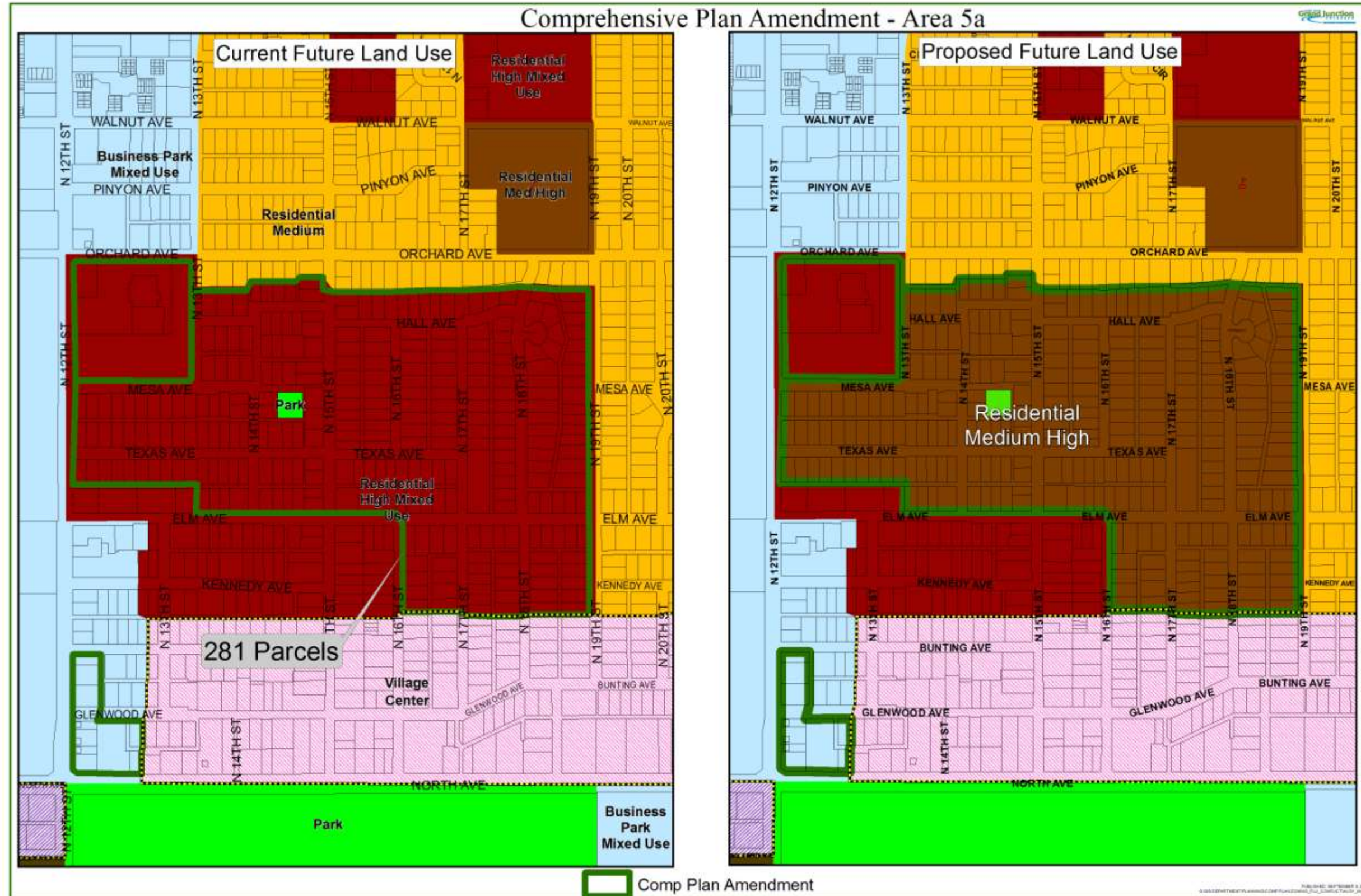
Parcels: 281

Current zoning: R-8 and C-1

Location: Generally located east of N. 12th Street to the west side of N. 19th Street, and from the north side of Hall Avenue to the middle block south of Elm Avenue. Located east of Colorado Mesa University.

Recommended change to future land use designation:

From: Residential High Mixed Use **To:** Residential Medium High



Area 5b:

Parcels: 5

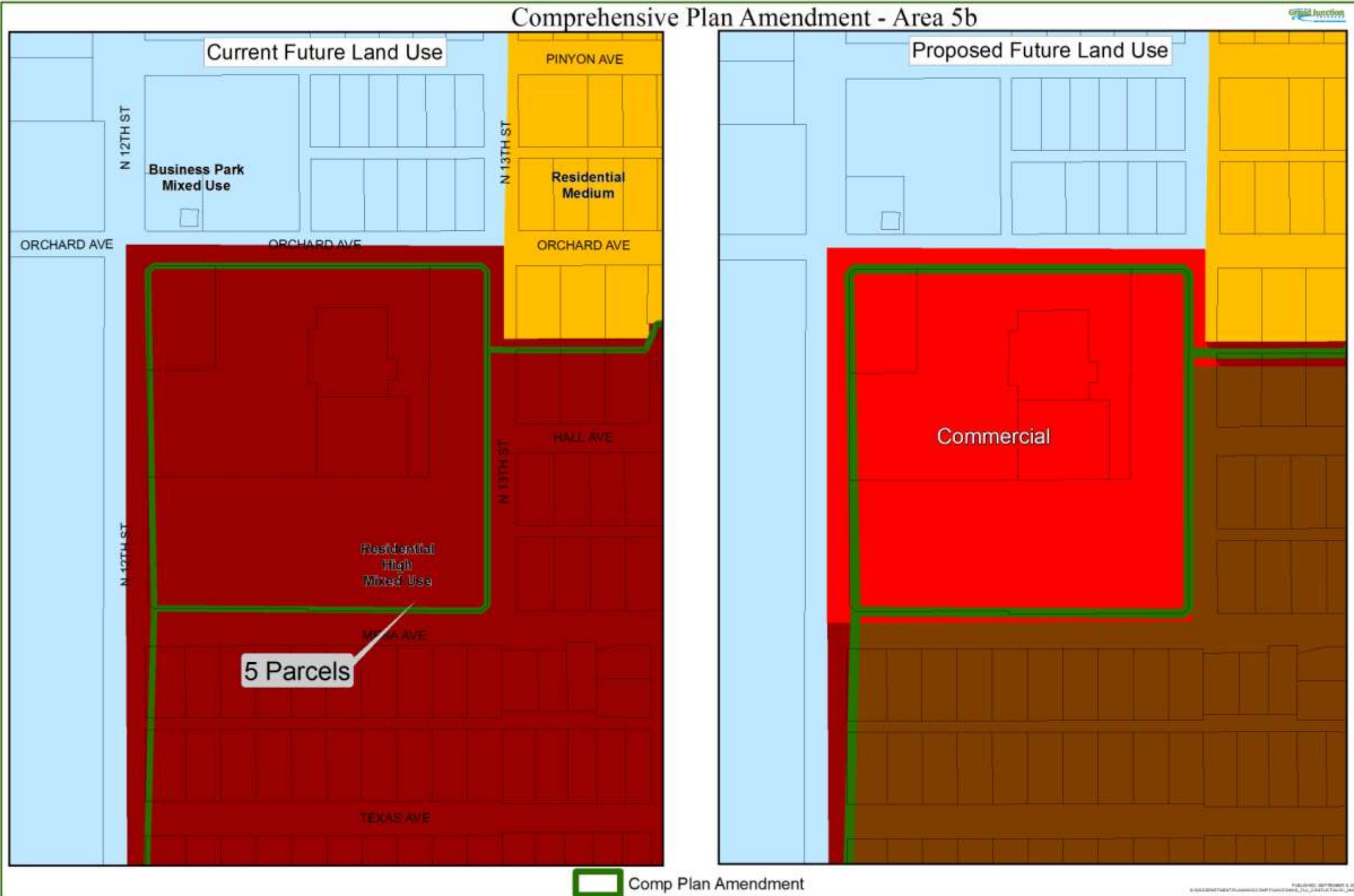
Current zoning: C-1

Location: Generally located on N. 12th Street between Mesa Avenue and Orchard Avenue just east of Colorado Mesa University.

Recommended change to future land use designation:

From: Residential High Mixed use **To:** Commercial

Comprehensive Plan Amendment - Area 5b



 Comp Plan Amendment

Area 6:

Parcels: 2

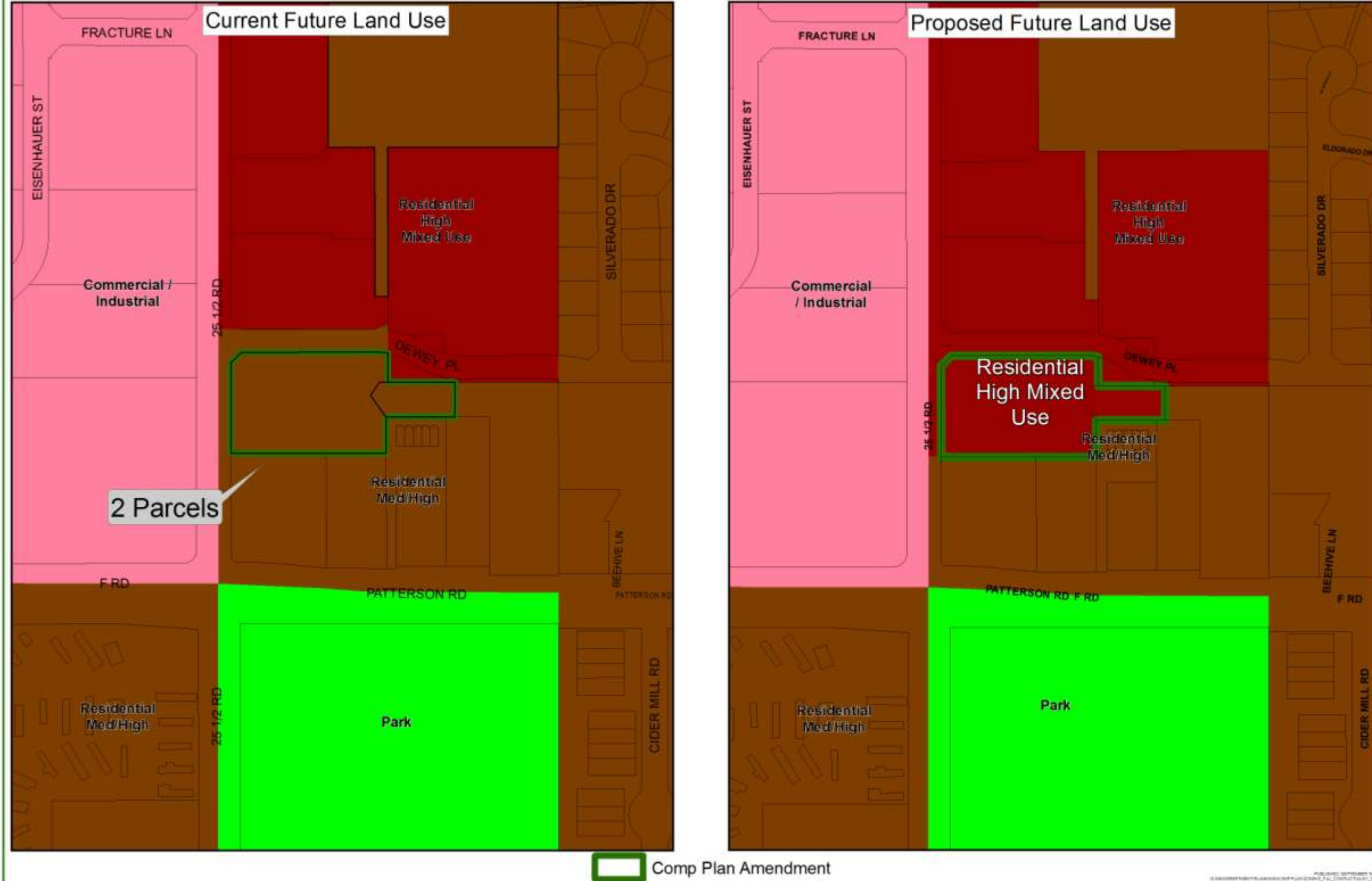
Current zoning: R-24

Location: Generally located on the east side of 25 1/2 Road at the Foresight Village Apartments.

Recommended change to future land use designation:

From: Residential Medium High **To:** Residential High Mixed Use

Comprehensive Plan Amendment - Area 6



Area 7:

Parcels: 2

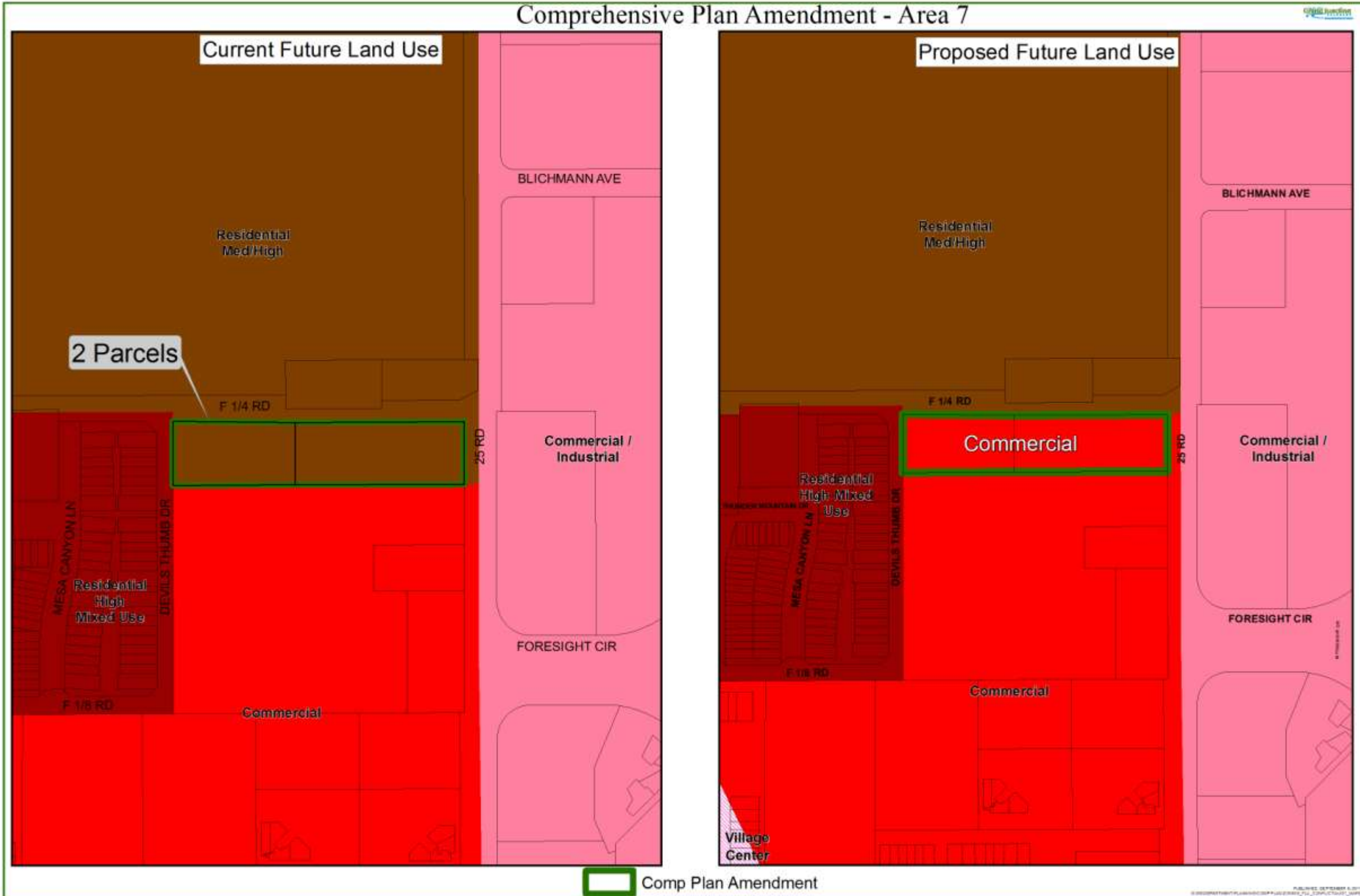
Current zoning: C-1

Location: Generally located on the south side of F ¼ Road and 25 Road.

Recommended change to future land use designation:

From: Residential Medium High **To:** Commercial

Comprehensive Plan Amendment - Area 7



Area 8:

Parcels: 32

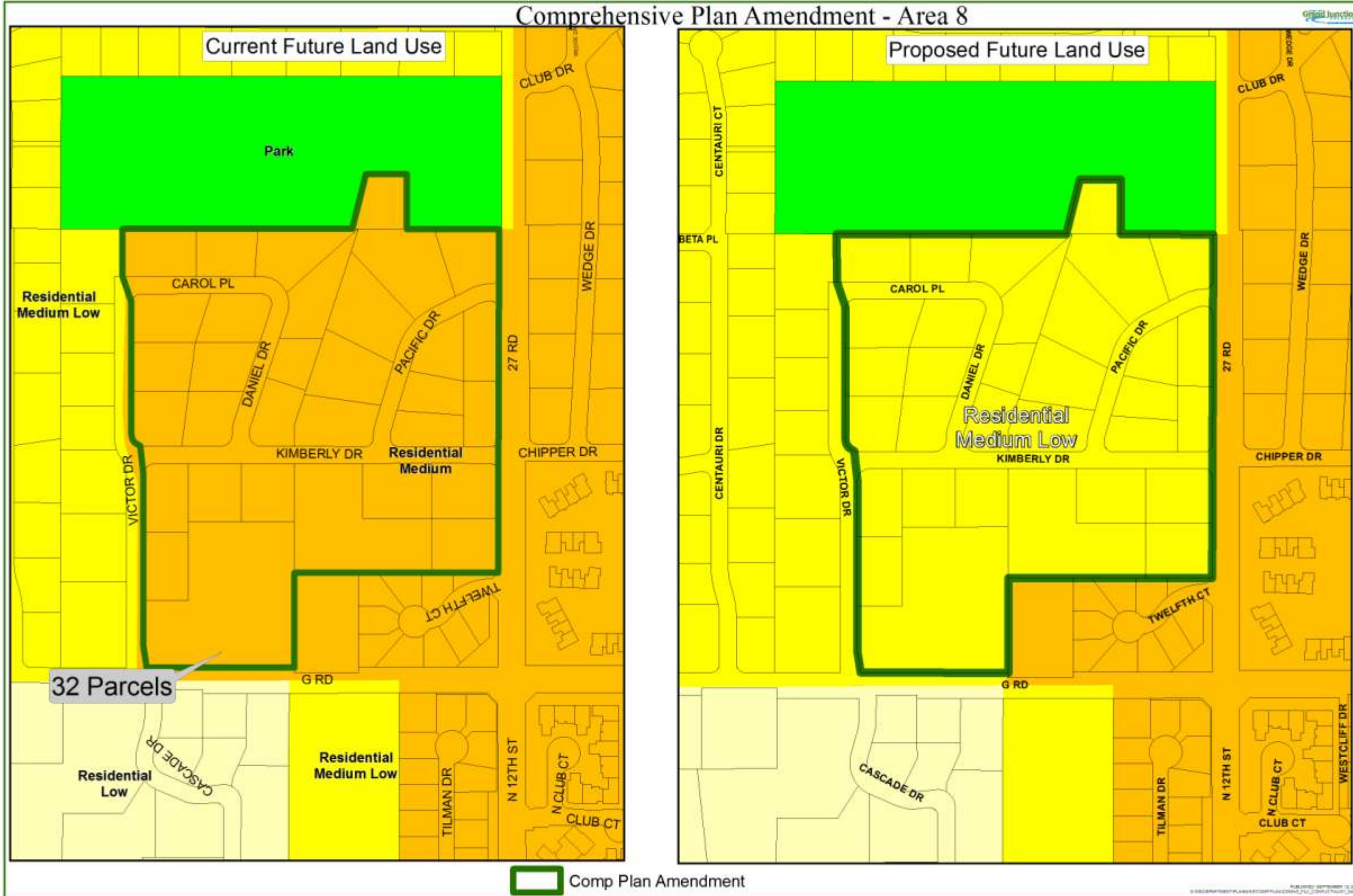
Current zoning: R-2

Location: Generally located north of G Road and west of 27 Road.

Recommended change to future land use designation:

From: Residential Medium **To:** Residential Medium Low

Comprehensive Plan Amendment - Area 8



Area 9:

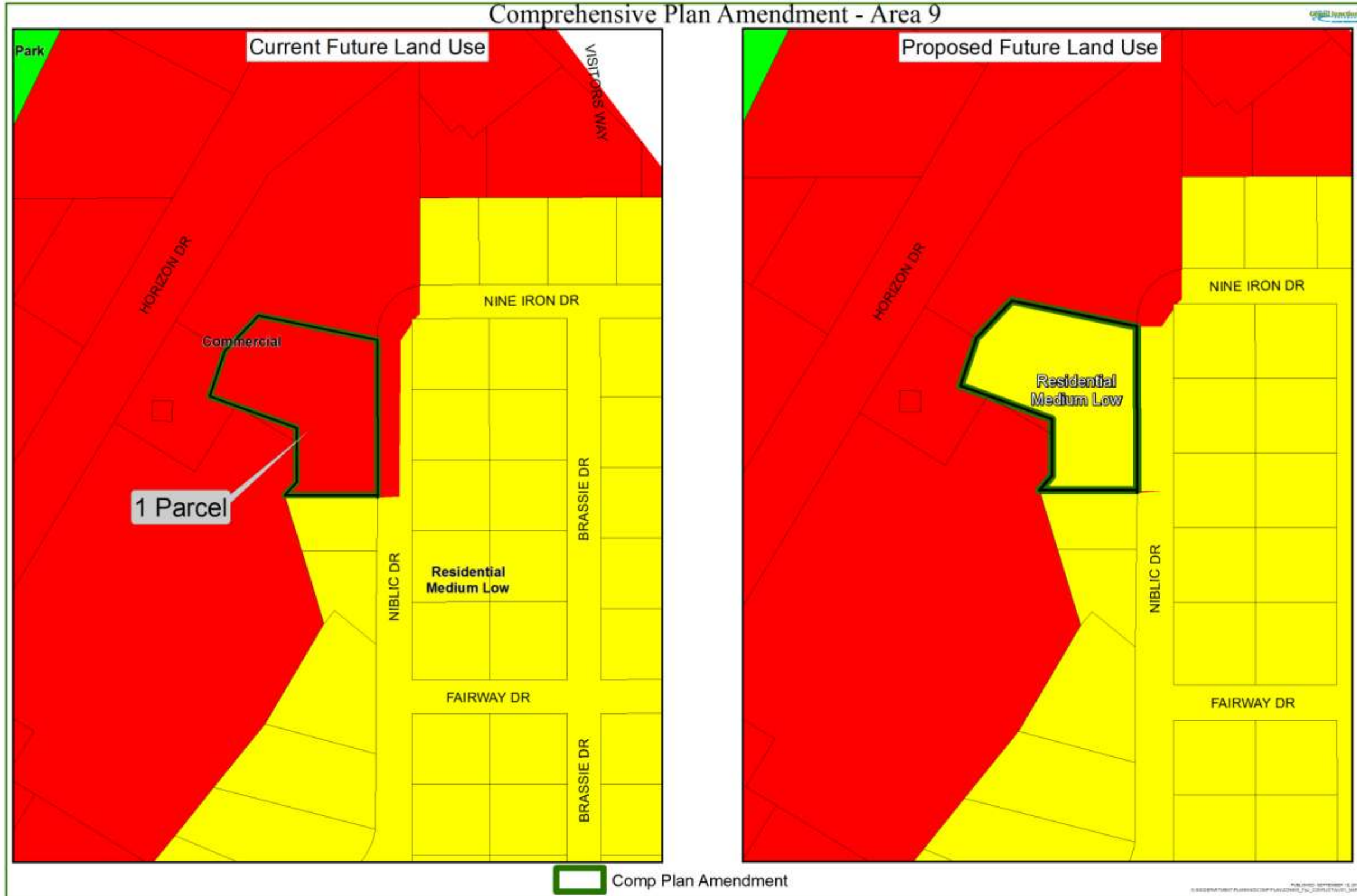
Parcels: 1

Location: Located on Niblic Drive

Recommended change to future land use designation:

From: Commercial **To:** Residential Medium Low

Current zoning: R-5



Area 10:

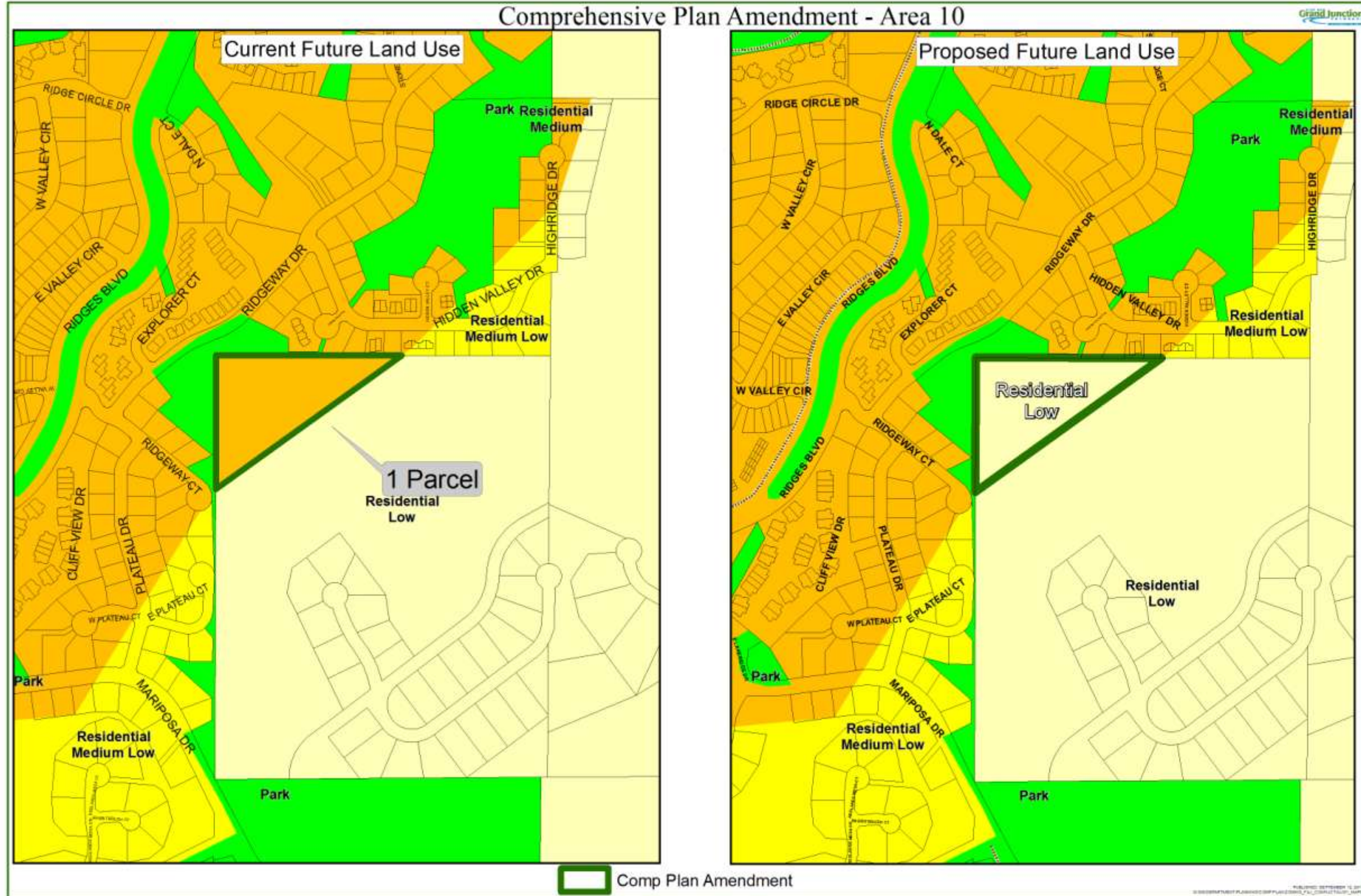
Parcels: 1

Current zoning: R-2

Location: Generally located in the Pinnacle Ridge area, south of Ridgeway Drive and Hidden Valley Drive.

Recommended change to future land use designation:

From: Residential Medium **To:** Residential Low



Area 11:

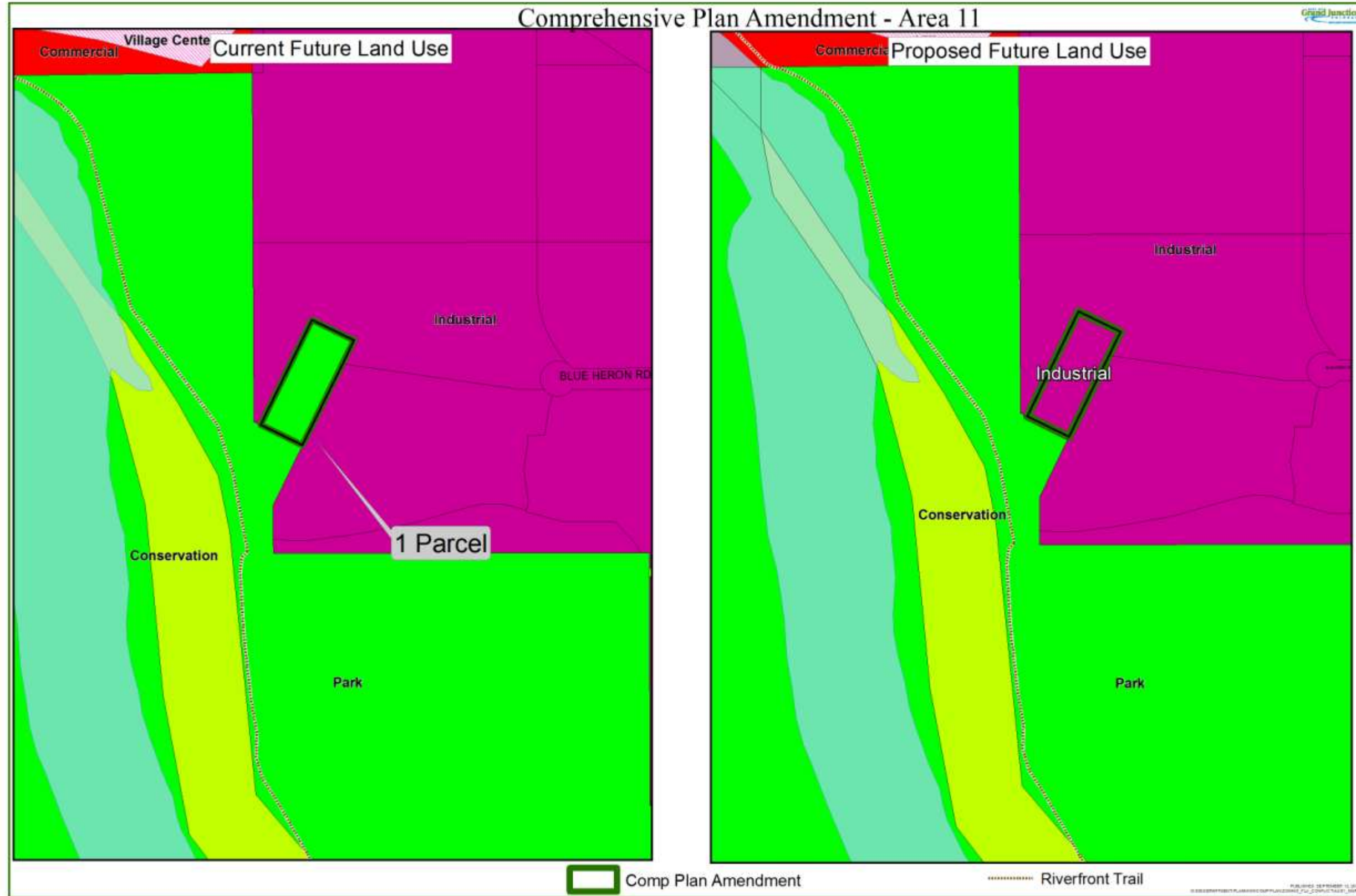
Parcels: 1

Current zoning: I-2

Location: Generally located on west side of Coors Tech property, north of the Colorado River.

Recommended change to future land use designation:

From: Park **To:** Industrial



Area 12:

Parcels: 5

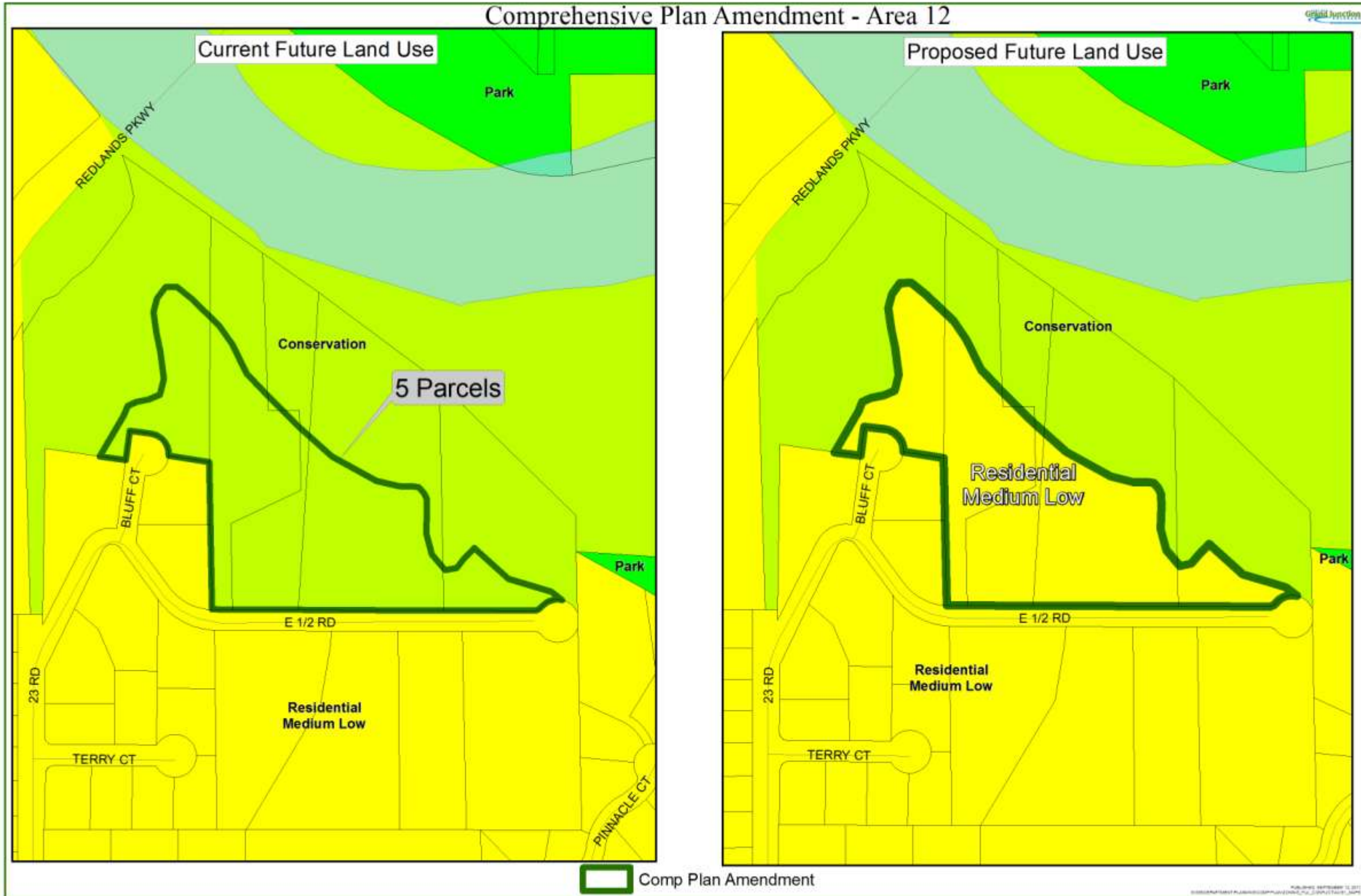
Location: Generally located north of E 1/2 Road on the Redlands.

Recommended change to future land use designation:

From: Conservation **To:** Residential Medium Low

Note: Only that area above the ridgeline will change to Residential Medium Low. The area below the ridgeline will remain Conservation.

Current zoning: R-4



Area 13a:

Parcels: 250

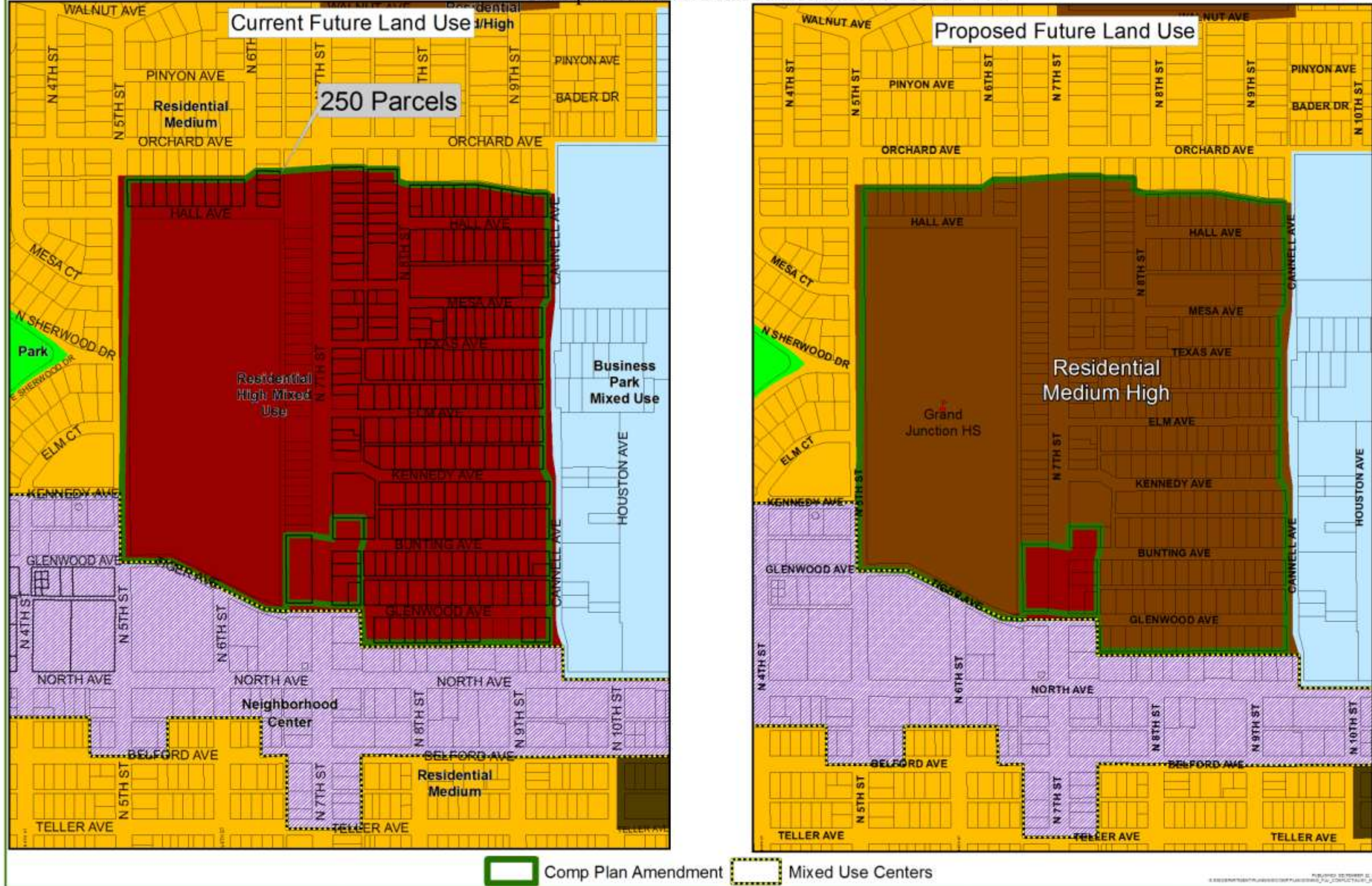
Current zoning: R-8, R-O and CSR

Location: Generally located on east side of N. 5th Street to the west side of Cannell Avenue, from the south side of Glenwood Avenue to the north side of Hall Avenue.

Recommended change to future land use designation:

From: Residential High Mixed Use **To:** Residential Medium High

Comprehensive Plan Amendment - Area 13a



Area 13b:

Parcels: 6

Current zoning: B-1

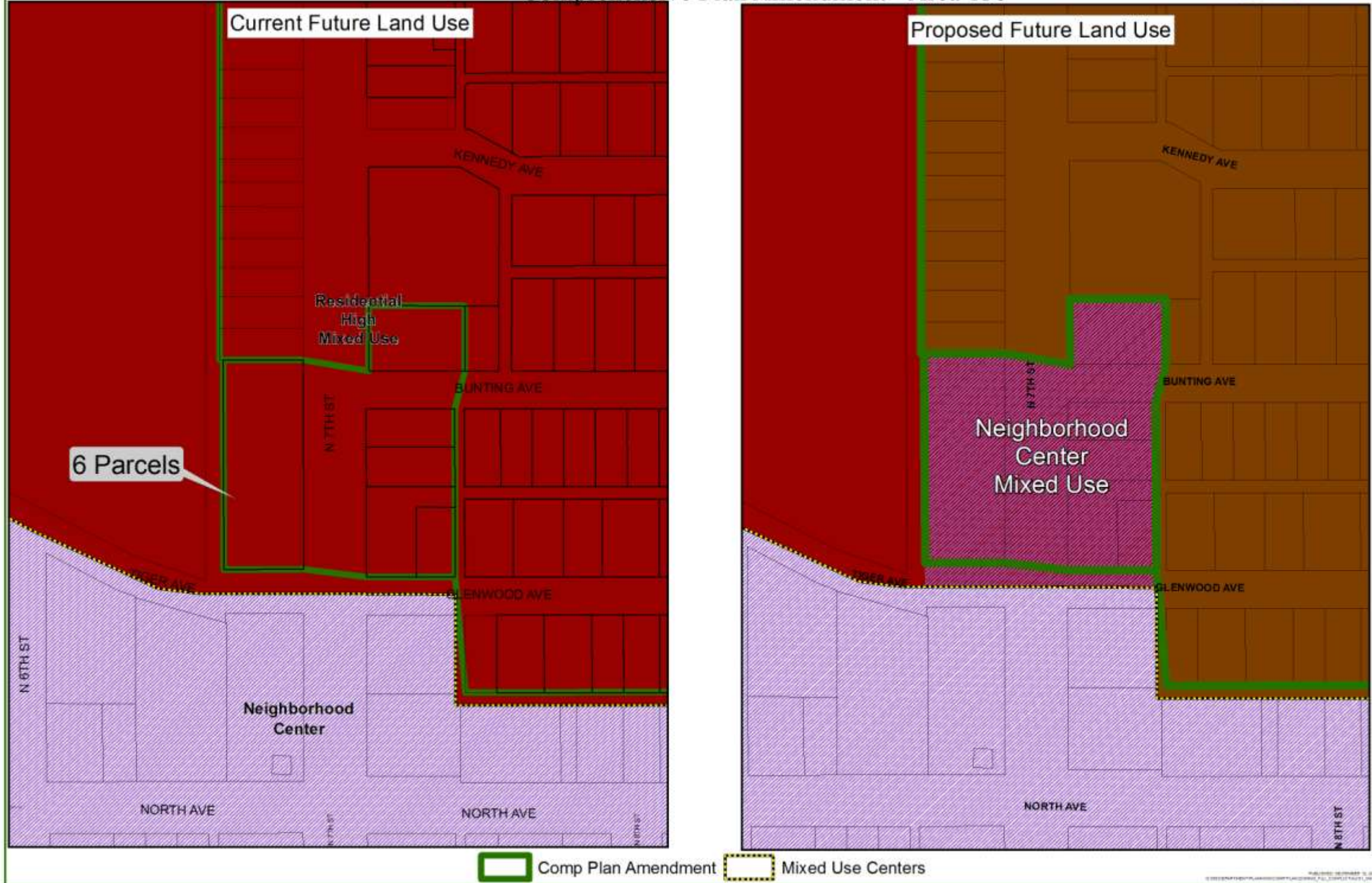
Location: Generally located on N. 7th Street between Glenwood Avenue and Bunting Avenue.

Recommended change to future land use designation:

From: Residential High Mixed Use **To:** Neighborhood Center Mixed Use

Note: Current B-1 zoning is supported by Residential High Mixed Use. Changing future land use designation to Neighborhood Center Mixed Use allows a broader mix of development as envisioned by the Comprehensive Plan.

Comprehensive Plan Amendment - Area 13b



Comp Plan Amendment Mixed Use Centers

Area 14a:

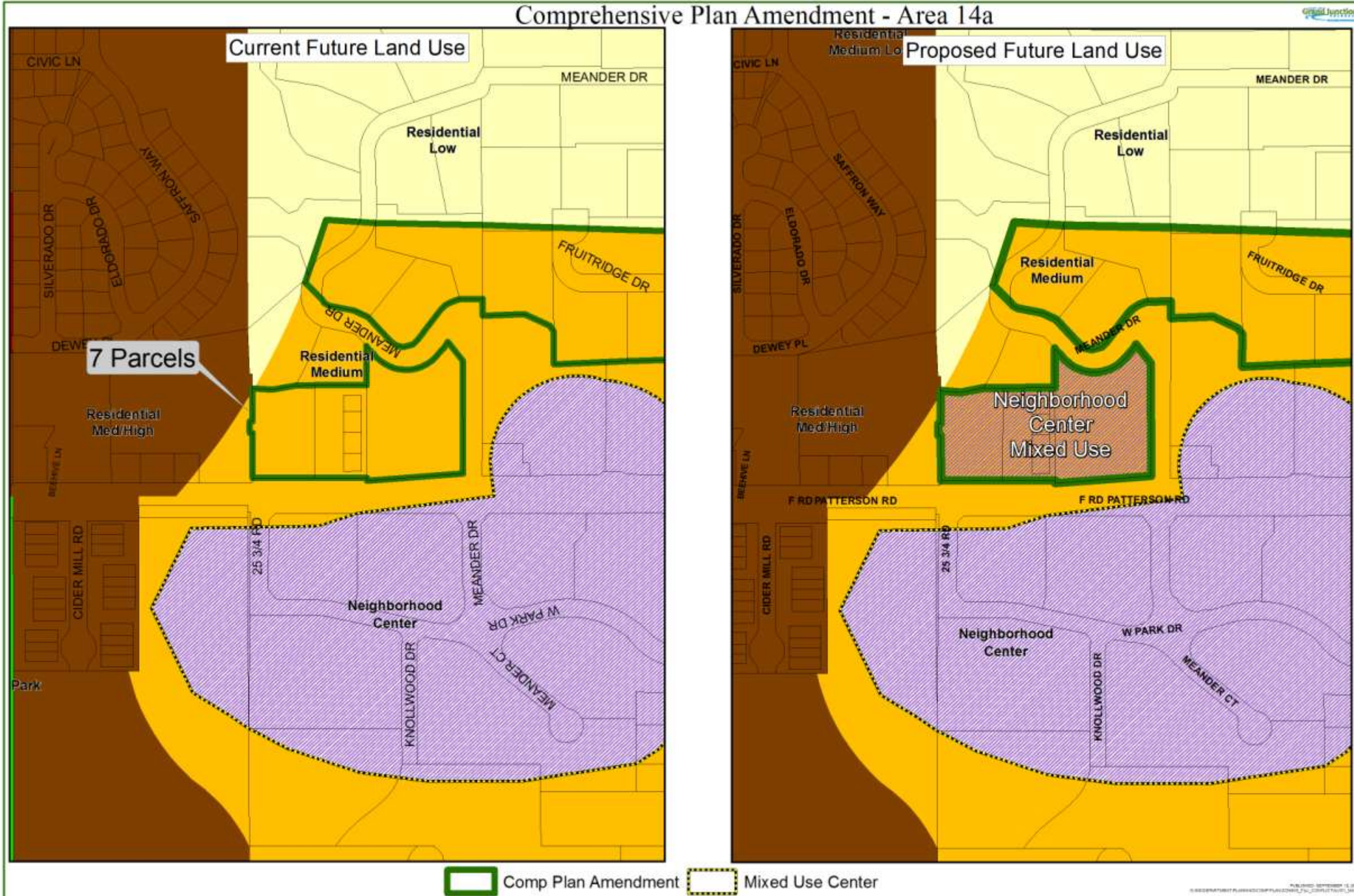
Parcels: 7

Current zoning: B-1

Location: Generally located on the north side of Patterson Road and the west side of Meander Drive.

Recommended change to future land use designation:

From: Residential Medium **To:** Neighborhood Center Mixed Use



Area 14b:

Parcels: 8

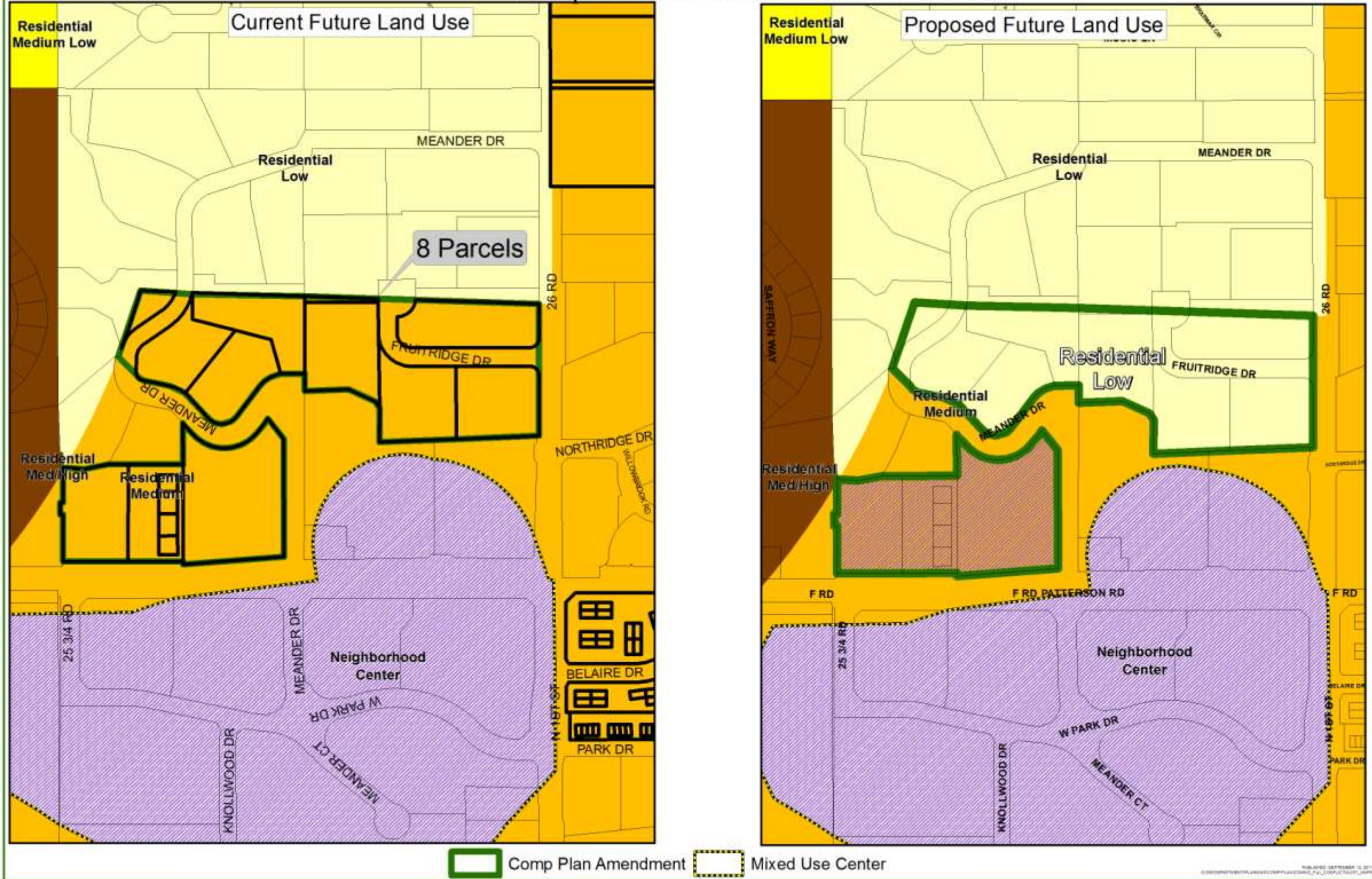
Current zoning: R-1

Location: Generally located on the west side of 26 Road to the east side of Meander Drive.

Recommended change to future land use designation:

From: Residential Medium **To:** Residential Low

Comprehensive Plan Amendment - Area 14b



Area 15a:

Parcels: 16

Current zoning: R-O

Location: Generally located on the south side of Colorado Avenue between S. 12th Street and S. 14th Street.

Recommended change to future land use designation:

From: Downtown Mixed Use **To:** Urban Residential Mixed Use



Area 15b:

Parcels: 2

Current zoning: C-2

Location: Generally located on Colorado Avenue and Main Street.

Recommended change to future land use designation:

From: Urban Residential Mixed Use **To:** Commercial



Area 16:

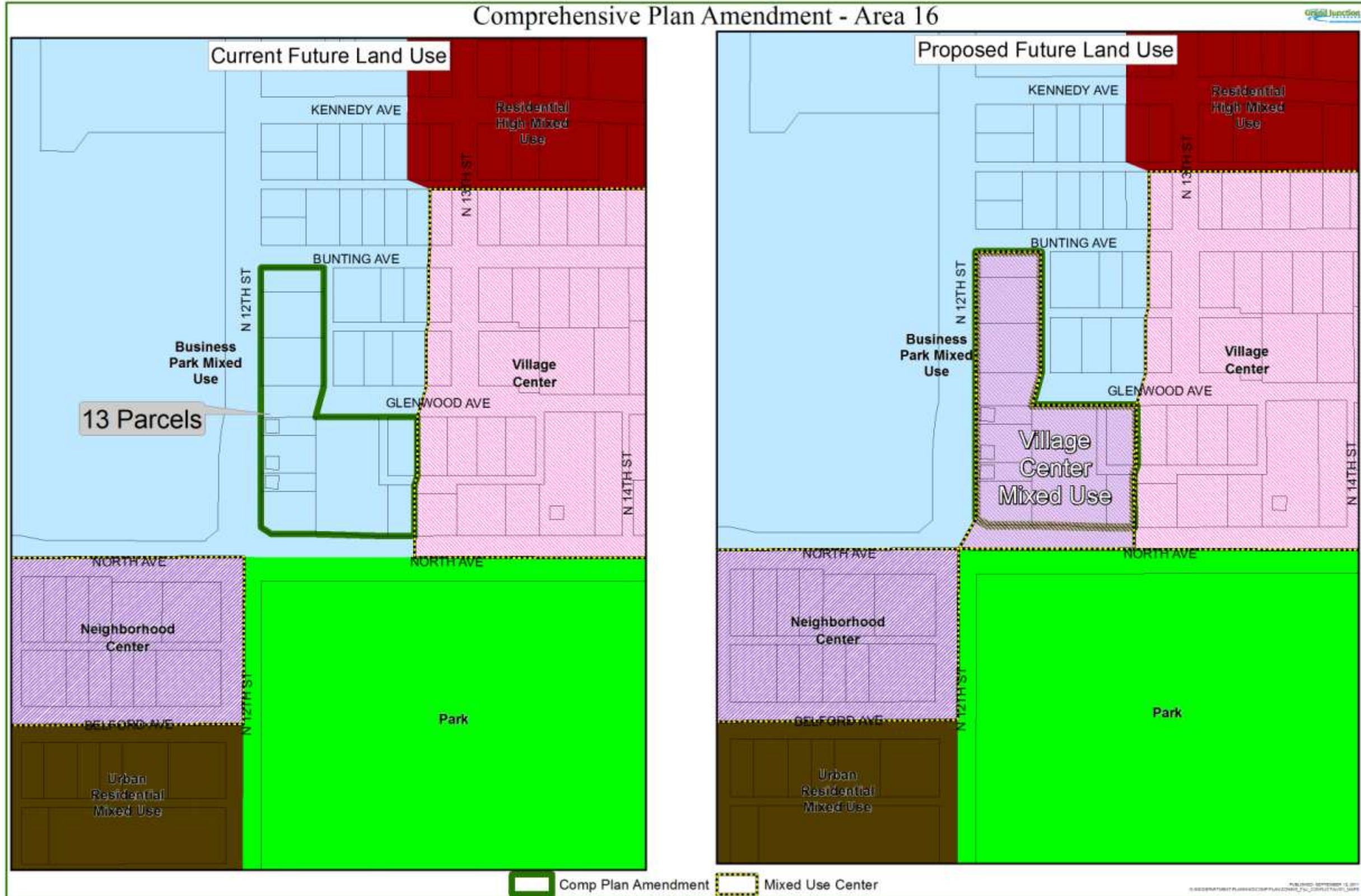
Parcels: 13

Current zoning: C-1

Location: Generally located at the northeast corner of N. 12th Street and North Avenue, just east of Colorado Mesa University.

Recommended change to future land use designation:

From: Business Park Mixed Use **To:** Village Center Mixed Use



Area 17:

Parcels: 1

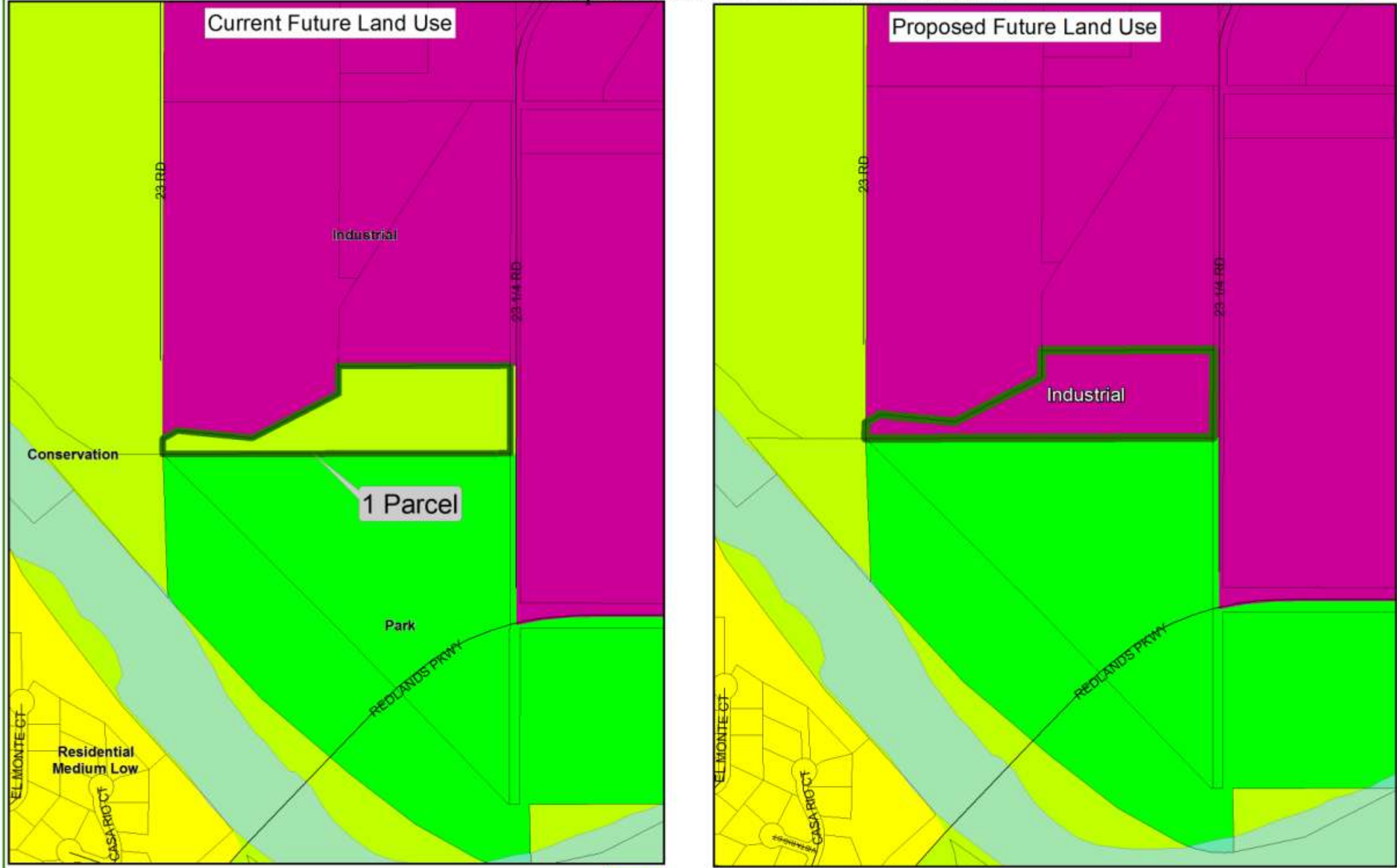
Current zoning: I-2


Location: Generally located on the west side of 23 1/4 Road just north of the Redlands Parkway.

Recommended change to future land use designation:

From: Conservation **To:** Industrial

Comprehensive Plan Amendment - Area 17



 Comp Plan Amendment

Area 18:

Parcels: 18

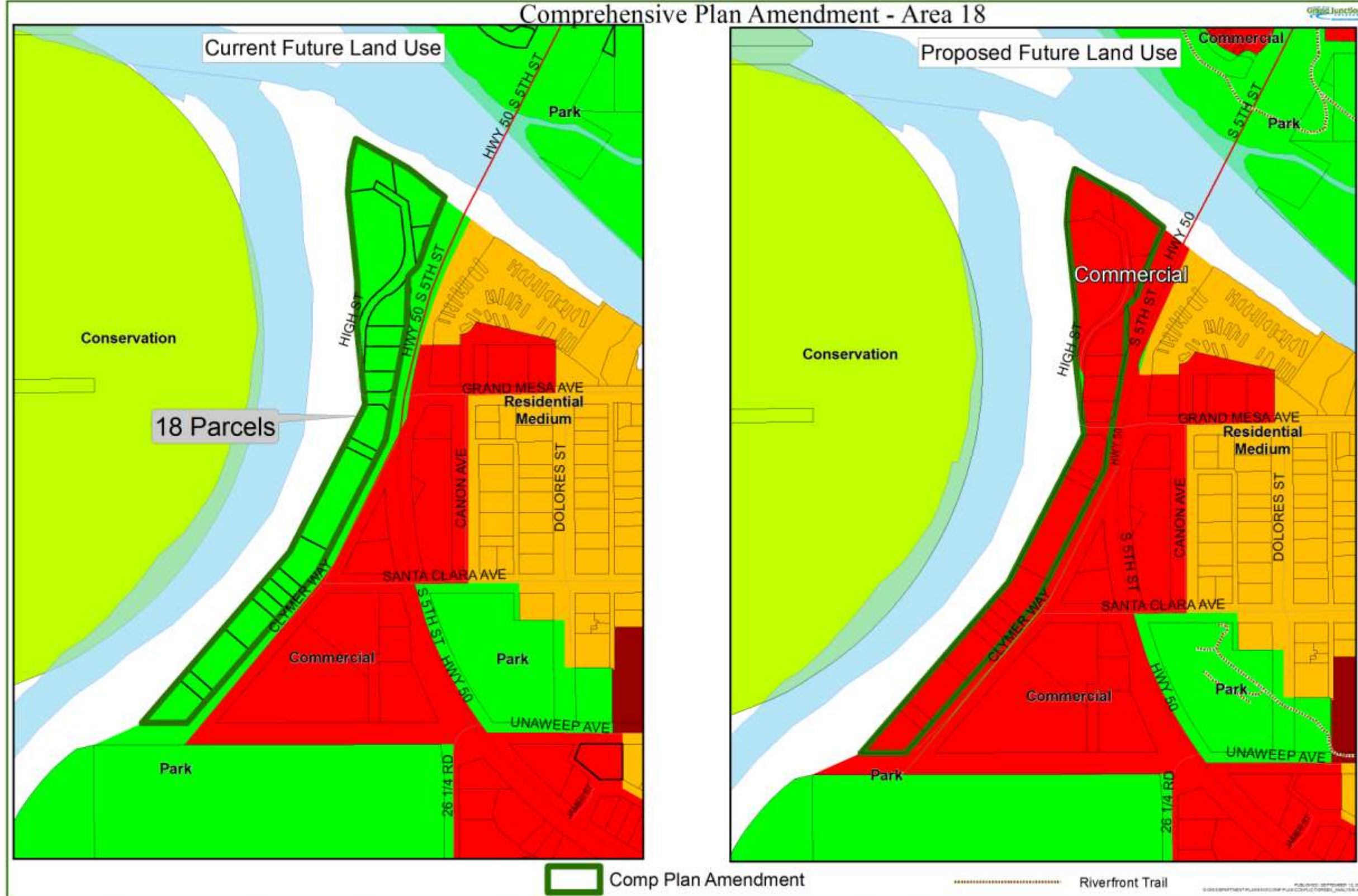
Current zoning: C-1

Location: Generally located on the west side of Clymer Way and Hwy 50 near the Confluence Point area.

Recommended change to future land use designation:

From: Park **To:** Commercial

Comprehensive Plan Amendment - Area 18



Area 19:

Parcels: 10

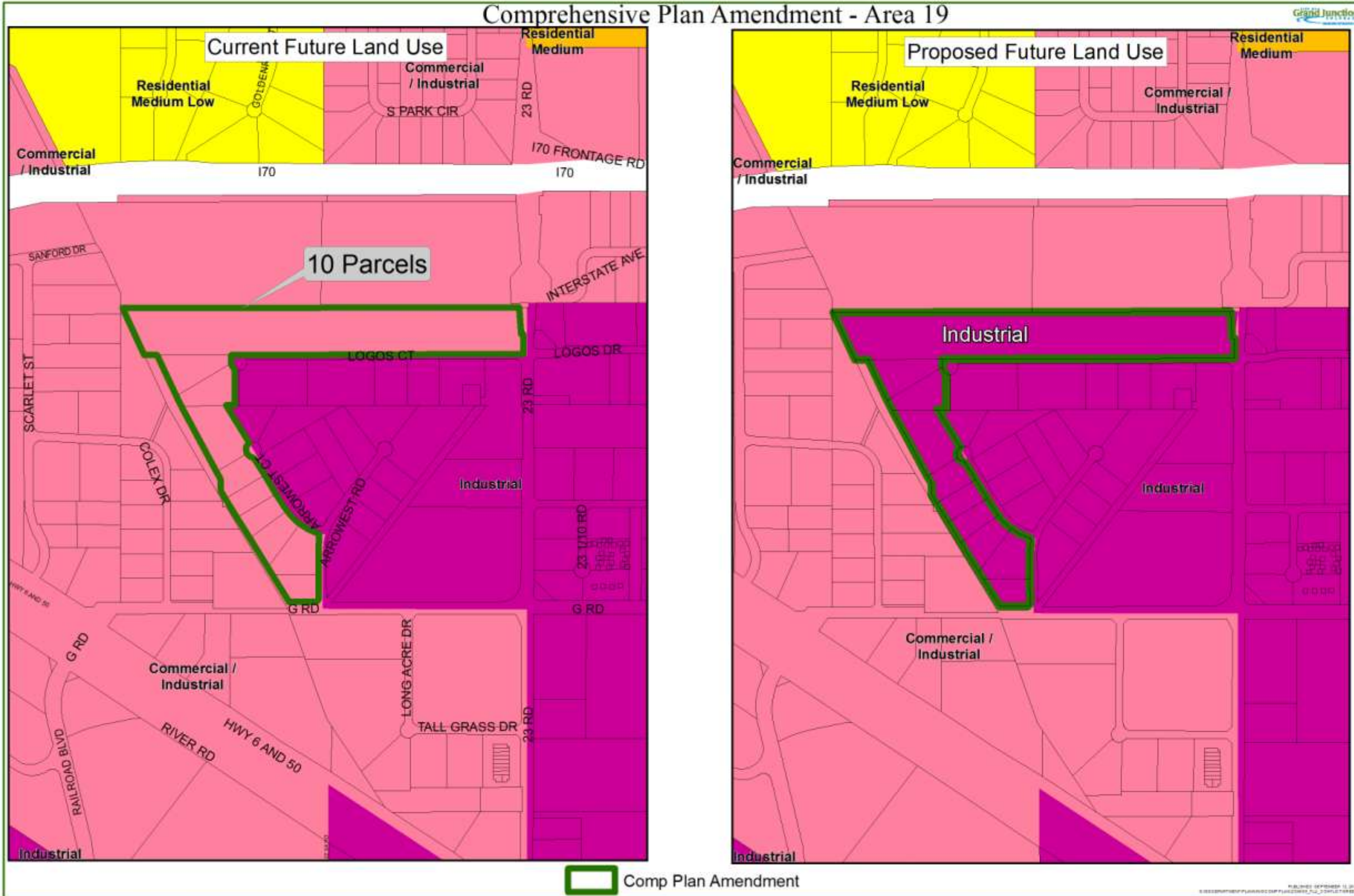
Current zoning: I-2

Location: West of 23 Road and North of G Road

Recommended change to future land use designation:

From: Commercial/Industrial

To: Industrial





Date: September 22, 2011
 Author: Lee Cooper
 Title/ Phone Ext: Project Engineer, ext. 4155
 Proposed Schedule: October 5, 2011
 2nd Reading
 (if applicable): N/A

Attach 4
Construction Contract for the 12th Street Median and Sidewalk Improvements Project

CITY COUNCIL AGENDA ITEM

Subject: 12 th Street Median and Sidewalk Improvements Project
Action Requested/Recommendation: Authorize the City Purchasing Division to Enter into a Contract with Clarke and Co., Inc. of Grand Junction, CO for the 12 th Street Median and Sidewalk Improvements Project in the Amount of \$208,626.70
Presenter(s) Name & Title: Tim Moore, Public Works and Planning Director Jay Valentine, Assist. Financial Operations Manager

Executive Summary:

This request is to award a construction contract for the installation of three new medians and a detached sidewalk along 12th Street adjacent to Colorado Mesa University. The three new medians are designed to enhance safety and are located between Mesa Avenue and Kennedy Avenue.

Background, Analysis and Options:

Due to the vicinity of the University’s dormitories and the Student Athletic Facility, there is heavy student foot traffic crossing 12th Street near Mesa Avenue. At this location near Mesa Avenue there is currently no pedestrian crosswalk and students are waiting for a gap in traffic to jaywalk across 12th Street, posing obvious safety risks. The nearest crosswalks are located at the signalized intersections of Elm Avenue to the south and Orchard Avenue to the north. However, many pedestrians aren’t taking the time to cross at these two signalized intersections.

In order to enhance safety and accommodate the heavy foot traffic across 12th Street near the Albertson’s shopping center, the City has designed a signalized crosswalk and center medians along 12th Street.

The proposed new crosswalk will be similar to the existing signalized pedestrian crosswalks located further south on 12th Street.

The medians will have concrete curbing, decorative colored concrete, landscape rock, trees, and a drip irrigation system. In addition to the medians, the detached 7-foot wide sidewalk will be constructed on the east side of 12th Street between Mesa Avenue and

Texas Avenue. Landscape rock and trees will also be installed in between the roadway and the detached sidewalk, improving the appearance of 12th Street at this location.

A formal solicitation was advertised in the Daily Sentinel, and sent to Western Colorado Contractor's Association (WCCA).

The following bids were received:

Firm	Location	Amount
Clarke and Co., Inc.	Grand Junction, CO	\$208,626.70
Vista Paving Corp.	Grand Junction, CO	\$219,360.18

This project is scheduled to begin on Monday, October 17, 2011 with an expected final completion date of mid December. Due to heavy traffic volumes, the work will take place at night between the hours of 6:30 PM and 5:00 AM.

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

Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.

Providing an additional designated signalized crosswalk will help control pedestrian traffic across 12th Street, making it safer for both pedestrians and motorists.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

The Funding to complete this project is budgeted in the Transportation Capacity Fund.

Project Costs:

Total Construction Contract Amount -

\$208,626.70

Xcel Energy Street Lights -

\$ 40,000.00

City Installed Water Tap & Meter

\$ 5,000.00

Total Estimated Project Cost -

\$253,626.70

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

Aerial Map





Date: 9/23/2011
 Author: Scott Hockins
 Title/ Phone Ext: Purchasing
Supervisor, 1484
 Proposed Schedule:
10/5/2011
 2nd Reading
 (if applicable): _____

 File # (if applicable): _____

Attach 5
Free Holiday Parking Downtown

CITY COUNCIL AGENDA ITEM

Subject: Free Holiday Parking Downtown
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
Presenter(s) Name & Title: Jodi Romero, Financial Operations Manager

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. Free Metered Spaces Will Be Clearly Designated by Covering the Meters with the Well-Known “Seasons Greetings-Free Parking” Red Plastic Bag.

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.

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.

Board or Committee Recommendation:

N/A

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:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

N/A



Date: September 20, 2011
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior Planner/1447
 Proposed Schedule: October 5, 2011
 2nd Reading
 (if applicable): N/A
 File # (if applicable): SPT-2011-1085

Attach 6
Special Permit for Grand Junction Metal Movers

CITY COUNCIL AGENDA ITEM

Subject: Special Permit for Grand Junction Metal Movers
Action Requested/Recommendation: Approve of Special Permit No. 2011-01 to Develop a Salvage Yard (Junk Yard) in an I-1, (Light Industrial) Zone District with a Contradicting Comprehensive Plan Future Land Use Designation of Downtown Mixed Use.
Presenter(s) Name & Title: Tim Moore, Public Works and Planning Director Scott D. Peterson, Senior Planner

Executive Summary:

Grand Junction Metal Movers Inc., wants to locate a salvage yard at 711 S. 6th Street. The property is zoned I-1, (Light Industrial) and is located adjacent to the 5th Street bridge (Hwy. 50) and the S. 6th Street cul-de-sac.

Background, Analysis and Options:

On March 22, 2011, the applicant requested a Conditional Use Permit (CUP) from the Planning Commission to develop a salvage yard (Junk Yard). The Planning Commission’s decision at that time was to remand the CUP application to Staff to work with the applicant regarding the open issues of multiple site plans with conflicting/incomplete information, legal access to the site, screening of the site from the 5th Street bridge and the broader issue of the salvage yard use not being in compliance with the Comprehensive Plan Future Land Use Map designation of Downtown Mixed Use.

Since March 22nd, the applicant and Staff have been working together to address the Planning Commission’s concerns regarding access, screening of the site and the discrepancy between the Comprehensive Plan and the zoning district applied to the property. Also, in the background, the City Council has provided some direction to Staff as to how it would like to resolve the broader (City-wide) discrepancies between future land use designations and current land use zoning legislatively. Although this legislative process may benefit the applicant, it may be a long time before the outcome of the process is known. The applicant does not want to wait for the outcome of that legislative process. The Zoning and Development Code allows a Special Permit for interim uses. Staff determined that a Special Permit could be appropriate for this project, with certain conditions of use, given the situation described above.

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

The site is currently zoned I-1, (Light Industrial) with the Comprehensive Plan Future Land Use Map identifying this area as Downtown Mixed Use, which are in discrepancy with each other. However, by approval of the Special Permit, does promote the following goals of the Comprehensive Plan.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy. The salvage yard and other approved uses on the site will enhance a healthy and diverse economy in the City Center by providing a central location for delivery, crushing, storage and transportation out of the City of scrap metal and resale used auto parts.

Goal 7: New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering. The applicant will pay a fee to the City for in-lieu of screening and buffering of the “gateway” 5th Street bridge. The applicant will also provide appropriate screening on the ground level of the site as well.

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. The salvage yard will provide a few jobs in the downtown area.

Board or Committee Recommendation:

The Planning Commission recommended Denial of the requested Special Permit by a vote of 4 to 1 at their September 13, 2011 meeting.

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 Zoning Map
Site Plan
Landscaping Plan
DRAFT Planning Commission Minutes
Special Permit

BACKGROUND INFORMATION			
Location:		711 S. 6 th Street	
Applicants:		Grand Junction Metal Movers, Inc., Developer Aaron Thompson, Representative	
Existing Land Use:		20,500 sq. ft. vacant warehouse building and vacant storage yard (5.09 +/- acres)	
Proposed Land Use:		Salvage yard, automotive recycling, recycled materials collection point, retail sales of salvaged auto parts	
Surrounding Land Use:	North	Xcel Energy electrical substation	
	South	Railroad corridor (with rail spur)	
	East	Industrial warehouse	
	West	5 th Street viaduct (Hwy. 50)	
Existing Zoning:		I-1, (Light Industrial)	
Proposed Zoning:		N/A	
Surrounding Zoning:	North	I-1, (Light Industrial)	
	South	I-1, (Light Industrial)	
	East	I-1, (Light Industrial)	
	West	I-1, (Light Industrial) and I-2, (General Industrial)	
Future Land Use Designation:		Downtown Mixed Use	
Zoning within density range?		Yes	No

1. Additional Background

The applicant, Grand Junction Metal Movers Inc., wants to locate a salvage yard at 711 S. 6th Street (Lots 4, 5 and 6, D & R G W Railroad Subdivision, Filing 6). The property is zoned I-1, (Light Industrial) and is located adjacent to the 5th Street bridge (Hwy. 50) and the S. 6th Street cul-de-sac. On March 22, 2011, the applicant requested a Conditional Use Permit (CUP) from the Planning Commission to develop a salvage yard (Junk Yard) in accordance with Table 21.04.010 of the Zoning and Development Code (CUP-2010-412). The Planning Commission's decision at that time was to remand the CUP application to Staff to work with the applicant regarding the open issues of multiple site plans with conflicting/incomplete information, legal access to the site, screening of the site from the 5th Street bridge and the broader issue of the salvage yard use not being in compliance with the Comprehensive Plan Future Land Use Map designation of Downtown Mixed Use. Staff had presented that the Comprehensive Plan designation

of Downtown Mixed Use conflicted with the proposed use and recommended denial of the CUP on that basis.

Since March 22nd, the applicant and Staff have been working together to address the Planning Commission's concerns regarding access, screening of the site and the discrepancy between the Comprehensive Plan and the zoning district applied to the property. Also, in the background, the City Council has provided some direction to Staff as to how it would like to resolve the broader (City-wide) discrepancies between future land use designations and current land use zoning legislatively. Although this legislative process may benefit the applicant, it may be a long time before the outcome of the process is known. The applicant does not want to wait for the outcome of that legislative process.

The Zoning and Development Code allows a Special Permit for interim uses. Staff determined that a Special Permit could be appropriate for this project, with certain conditions of use, given the situation described above.

Special Permit:

The Special Permit (21.02.120) is a City Council discretionary review process that was added to the 2010 Zoning and Development Code to add flexibility when considering a land use that may be less than permanent or temporary in nature. A Special Permit may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A Special Permit is required only when more flexibility is required beyond that afforded to the Director of Public Works and Planning through the administrative adjustment process.

This Special Permit tailored for Grand Junction Metal Movers at this location is valid for an initial term of ten years, with a review by the Planning Commission and City Council within the last six months of the initial ten year term, at which time the Special Permit may be extended for a second ten-year term, based on the Code and land use plan(s) in effect at that time. If at any time during the initial term, the City adopts an overlay zone and/or area plan which acknowledges that uses such as the applicant's are appropriate on the subject property, the Special Permit will convert to a permanent CUP, subject to compliance with the other terms as identified within the Special Permit. The conversion of the permit will be affirmed by a letter from Staff to the permit holder. If not converted to a permanent CUP, the initial 10 year term and the public review after the first term will give the community an opportunity to review the applicant's land uses in light of the rules and circumstances adopted by the City at that time.

This Special Permit shall terminate if the salvage operation is abandoned (by non-use) for six months or longer.

Access:

Access to the site will be from the S. 6th Street cul-de-sac. The applicant will asphalt or concrete the first 75' into the property from S. 6th Street for ingress/egress and also asphalt or concrete 22 parking spaces to be located on the southside of the building (see attached Site Plan).

Screening of the Site from the 5th Street bridge:

The City has been working in conjunction with the Colorado Department of Transportation (CDOT) in order to come up with an option of attaching screening to the bridge that would serve the purpose of screening the site in accordance with the Zoning and Development Code for outside storage. CDOT has suggested the attachment of a 3/8" coated mesh chain link fence to the existing bridge structure, would offer a permanent screening solution. You would be able to see portions of the site if looking straight through the fence, but would not be able to see the site if looking from an angle.

CDOT has used this type of screening fence in other parts of the State as a screening mechanism and has found it to be successful. City Staff is in agreement with this proposed screening method or some other type of screening material that would be decided upon at a later date.

The City and the applicant have agreed that the applicant will pay the City \$20,000 in order to cover the cost of installation of the fence on the bridge (\$10,000 to be paid within 90 days of approval of the Special Permit by City Council and the other \$10,000 to be paid within one year).

2. Section 21.02.120 of the Grand Junction Zoning and Development Code – Special Permit:

To obtain a Special Permit, the Applicant must demonstrate compliance with the following criteria:

(1) Comprehensive Plan. The Special Permit shall further the goals and policies of the Comprehensive Plan. The Special Permit shall serve to determine the location and character of site(s) in a Neighborhood Center, Village Center, City Center (which includes Downtown) or Mixed Use Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan;

The proposed Special Permit furthers Goals 4, 7 and 12 of the Comprehensive Plan by the support of continued development of the downtown area of the City Center into a vibrant and growing area with jobs; by including appropriate buffering of the site and; the salvage yard and other approved uses on the site will enhance a healthy and diverse economy in the City Center by providing a central location for delivery, crushing, storage, resale of used auto parts; and transportation out of the City of scrap metal/materials.

(2) Site Plan Review Standards. All applicable site plan review criteria in GJMC 21.02.070 (g) and Submittal Standards for Improvements and Development (GJMC Title 22), Transportation Engineering Design Standards (GJMC Title 24), and Stormwater Management Manuals(s) (GJMC Title 26);

The applicant has met applicable site plan review criteria as identified in the Zoning and Development Code and with the approval of the conditions identified in the Special Permit. The project also complies with the SSIDS, TEDS and SWMM manuals.

(3) District Standards. The underlying zoning district standards established in Chapter 21.03 GJMC, except as expressly modified by the proposed Special Permit; and

The proposed use as a salvage yard (Junk Yard) is an allowed land use in the I-1, (Light Industrial) Zoning District with a Conditional Use Permit. The proposed salvage yard will meet all the performance standards as identified in Section 21.03.080 (b) of the Zoning and Development Code regarding screening of the site and also as further defined in the proposed Special Permit.

(4) Specific Standard. The use-specific standards established in Chapter 21.04 GJMC.

The use-specific standards as identified in Chapter 21.04.030 (d) of the Zoning and Development Code have been met for a “salvage yard” and also as further defined by the conditions as listed in the proposed Special Permit.

3. Section 21.02.110 of the Grand Junction Zoning and Development Code – Conditional Use Permit:

To obtain a Conditional Use Permit, the Applicant must demonstrate compliance with the following criteria:

(1) All applicable site plan review criteria in Section 21.02.070 (g) of the Grand Junction Municipal Code (GJMC) and conformance with the SSID, TEDS and SWMM Manuals.

The applicant has met applicable Site Plan Review criteria as identified in the Zoning and Development Code and as further defined with the conditions as identified in the Special Permit. The project also complies with the SSIDS, TEDS and SWMM manuals.

(2) District Standards. The underlying zoning districts standards established in Chapter [21.03](#) GJMC, except density when the application is pursuant to GJMC [21.08.020\(c\)](#);

The proposed use as a salvage yard (Junk Yard) is an allowed land use in the I-1, (Light Industrial) Zoning District with a Conditional Use Permit. The proposed salvage yard will meet all the performance standards as identified in Chapter 21.03.080 (b) of the Zoning and Development Code regarding screening of the site and also as further defined in the proposed Special Permit.

(3) Specific Standards. The use-specific standards established in Chapter [21.04](#) GJMC;

The use-specific standards as identified in Chapter 21.04.030 (d) of the Zoning and Development Code have been met for a “salvage yard” and also as further defined by the conditions as listed in the proposed Special Permit.

(4) Availability of Complementary Uses. Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities.

The existing properties are located adjacent to the railroad tracks which has a railroad spur adjacent to the site that the applicant proposes to utilize in their business operations for the shipment of recycled materials, etc. Also the site is close to downtown restaurants, hospitals and other adjacent industrial commercial and business facilities.

(5) Compatibility with Adjoining Properties. Compatibility with and protection of neighboring properties through measures such as:

(i) Protection of Privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;

There are no dwelling units located on or adjacent to the site requiring privacy. The Site Plan includes screening from the neighboring Xcel Energy electrical substation and the S. 6th Street cul-de-sac. The applicant has agreed to pay to the City a fee in lieu of installation of screening on the 5th Street bridge to further screen the site from the elevated viaduct.

(ii) Protection of Use and Enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;

All adjacent properties are zoned I-1 (Light Industrial) and all existing land uses in the area are industrial in nature, the property is also adjacent to and highly visible from 5th Street and an elevated viaduct which serves as the southern gateway into the community; however, as stated above, the applicant has agreed to pay a fee of \$20,000 in lieu of installation of screening from the 5th Street elevated viaduct to protect the views along this gateway.

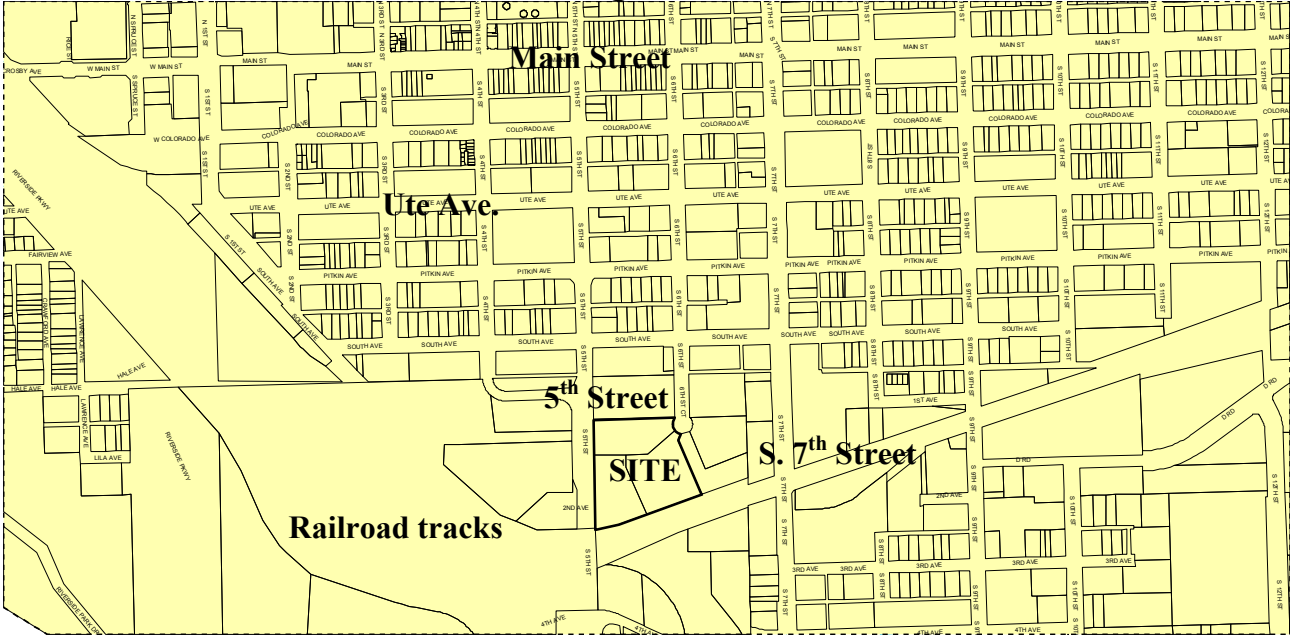
(iii) Compatible Design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include; buildings, outdoor storage areas

and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.

The applicant is proposing outdoor storage areas in five defined areas on the property: automobile storage on the north and west side of the property; recycled and scrap metal storage and circulation in the southwest corner; and materials storage, loading and circulation/staging area at the southeast corner. Screening of the properties from the 5th Street bridge is proposed by the Applicant and the City as described above and identified in the Special Permit. Ground-level screening is provided as shown on the approved Landscape Plan.

Site Location Map

Figure 1



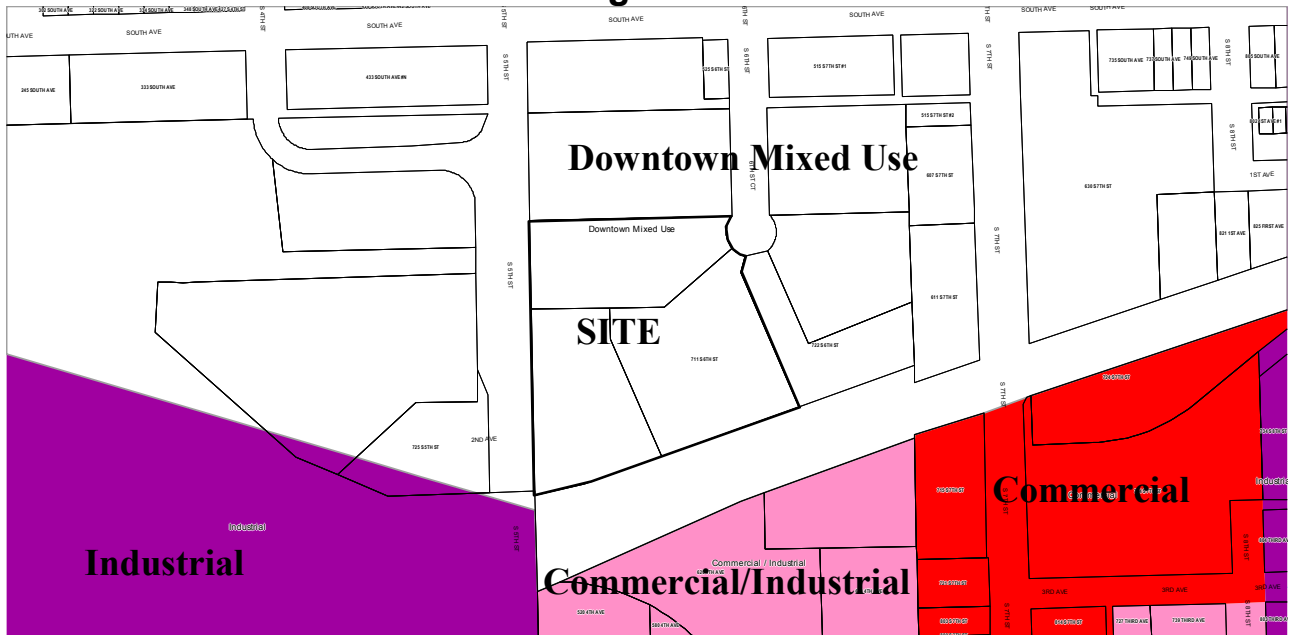
Aerial Photo Map

Figure 2



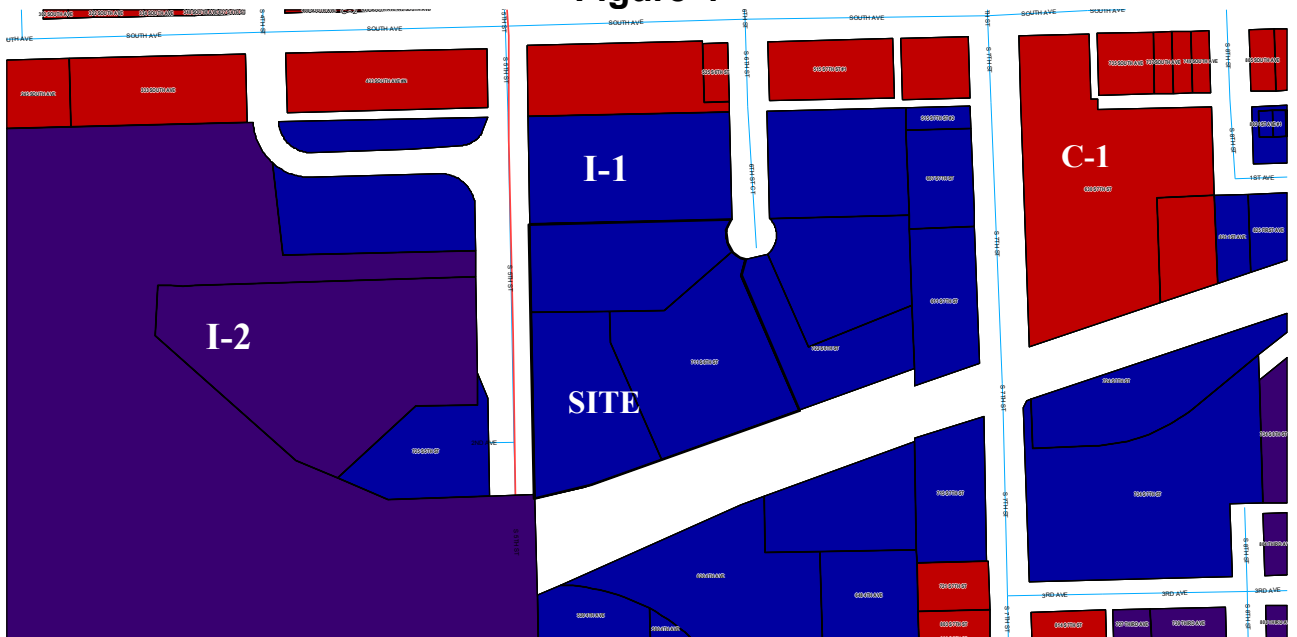
Comprehensive Plan

Figure 3



Existing City Zoning

Figure 4



DRAFT PLANNING COMMISSION MINUTES FROM 9-13-11

Planning Commission

September 13, 2011

there wasn't a decision made on the first one. Chairman Wall said that he would have an opportunity to discuss that item when it was called for a full hearing.

MOTION: (Commissioner Carlow) "So moved."

Commissioner Burnett seconded the motion. A vote was called and the motion passed unanimously by a vote of 5 - 0.

Public Hearing Items

- 3. St. Mary's 2011 Master Plan – Institutional & Civic Facilities Master Plan**
Request recommendation of approval to City Council to approve an updated 2011 Institutional & Civic Facilities Master Plan for St. Mary's Hospital in an existing PD (Planned Development) zone district.

FILE #: FMP-2011-977
PETITIONER: Dan Prinster – St. Mary's Hospital
LOCATION: 2635 North 7th Street
STAFF: Scott Peterson

MOTION: (Commissioner Williams) "Mr. Chairman, on Item FMP-2011-977, request for approval of Master Plan 2011 for St. Mary's Hospital I move that we recommend approval to City Council with the findings and conclusions as outlined in the staff report."

Commissioner Burnett seconded the motion. A vote was called and the motion passed unanimously by a vote of 5 - 0.

Lisa Cox, Planning Manager, asked for a recess in order to try to resolve the technical difficulties with the projection. A recess was taken from 6:34 p.m. to 6:45 p.m.

- 4. Grand Junction Metal Movers – Special Permit**
Request recommendation of approval to City Council for a Special Permit for a Salvage Yard on 5.09 acres in an I-1 (Light Industrial) zone district.

FILE #: SPT-2011-1085
PETITIONER: Chuck Myers – GJ Metal Movers
LOCATION: 711 South 6th Street
STAFF: Scott Peterson

Scott Peterson, Senior Planner, Public Works and Planning Department, made a PowerPoint presentation regarding the request for a Special Permit for Grand Junction Metal Movers for the establishment of a salvage yard in a Light Industrial zone district

with a Downtown Mixed Use designation pursuant to the Comprehensive Plan Future Land Use.

The proposed site, located adjacent to the 5th Street Bridge and the South 6th Street cul-de-sac, contained an existing 20,500 square foot building as well as other various accessory structures. On March 22nd, 2011, the applicant had requested a Conditional Use Permit to develop a salvage yard. At that time, the Planning Commission decided to remand the application back to staff to work with the applicant regarding the open issues of multiple site plans with conflicting and incomplete information, legal access to the site, screening of the site from the 5th Street Bridge and the broader issue of the existing zoning district of I-1 not being in compliance with the Comprehensive Plan and the Future Land Use Map designation of Downtown Mixed-Use.

Staff had presented that the Comprehensive Plan designation of Mixed-Use conflicted with the proposed use and recommended denial of the Conditional Use Permit at that time. Mr. Peterson advised that since March 22nd, the applicant and staff had worked together to address the Planning Commission's concerns regarding access, screening and the discrepancy between the Comprehensive Plan and the zoning district applied to the property. In addition, City Council had provided some direction to staff as to how it would like to resolve the issue pertaining to the City-wide discrepancy between the Future Land Use Map and the current zoning.

Mr. Peterson described possible scenarios for resolution which included an overlay district, rezone or a Future Land Use Map change. The Zoning and Development Code allowed a Special Permit for interim uses which was determined could be appropriate for this project with certain conditions. According to him, the Special Permit was a City Council discretionary review process that was added to the 2010 Zoning and Development Code to add flexibility when considering a land use that may be less than permanent or temporary in nature. The Special Permit may be permitted under certain circumstances, particular to the proposed location and subject to conditions that provided protection to adjacent land uses. A Special Permit was required only when more flexibility was required beyond that afforded to the Director of Public Works and Planning through an administrative adjustment process.

This Special Permit was tailored to GJ Metal Movers at this location and was valid for an interim term of ten years with review by the Planning Commission and City Council within the last six months of the initial ten-year term. At that time, the Special Use Permit may be extended for a second ten-year term based on the Code and the Land Use plans in effect at that time. However, if at any time during the initial ten-year term, the City adopted an overlay zone and/or area plan which acknowledged that use, the Special Permit would convert to a permanent Conditional Use Permit subject to compliance with other terms identified within the Special Permit. He went on to say that if it was not converted to a permanent Conditional Use Permit, the initial ten-year term and the public review after the first term would give the community an opportunity to review the applicant's land uses. The Special Permit would terminate if the salvage operation was abandoned by non-use for six months or longer.

Mr. Peterson showed that access to the site would be from the South 6th Street cul-de-sac and applicant would asphalt or concrete the first 75 feet into the property from South 6th Street for ingress and egress and also asphalt or concrete 22 parking spaces to be located on the south side of the building. He next discussed screening of the site from the 5th Street Bridge and stated that the City had been working with the Colorado Department of Transportation in order to come up with an option of attaching a screen to the bridge to serve the purpose of screening the site in accordance with the Zoning Code for outside storage. CDOT had suggested that the attachment of a mesh chain link fence to the existing bridge structure would offer a permanent screening solution. Portions of the site would be visible when looking straight through the fence but it would not be visible when looking at the site from an angle. He advised, however, that the final screening method would not be decided on until a later date. The applicant and the City had agreed that the applicant would pay the City \$20,000 in order to cover the cost of the installation of the fence on the bridge. They left the option open that an alternate method of screening could be used if some other type of acceptable material became available.

Mr. Peterson next discussed the landscaping plan as required by the Zoning Code. As the landscaping would not be seen from the roadway, the applicant proposed landscaping to be adjacent to the north property line. In addition, an oversized landscaping island was proposed at the northwest corner of the site to help screen the site from 5th Street. Mr. Peterson advised that a landscaping strip and solid fence adjacent to the South 6th Street cul-de-sac were also proposed.

Mr. Peterson advised that the property was adjacent to a railroad spur and noted that was one of applicant's main reasons he wanted to locate at the site which would allow for connectivity to the railroad spur for the shipment of materials off site. The property was also adjacent to other Industrial uses in the area as well as the Xcel substation to the north.

Mr. Peterson concluded that the requested application was consistent with the Comprehensive Plan with the approval of the Special Permit, and applicable review criteria for a Special Permit and a Conditional Use Permit had been met. He explained that the review criteria for the Conditional Use Permit was necessary because a salvage yard was required to have a Conditional Use Permit in the existing Light Industrial zone district. He recommended that the Planning Commission forward a recommendation of approval to the City Council of this Special Permit with the findings, conclusions and conditions as defined in the staff report and the Special Permit.

Mr. Peterson next addressed a concern raised by Mr. VanGundy regarding notification and stated that the City notified adjacent property owners within 500 feet of the property. In addition, the property was posted with a Public Hearing sign and a Public Hearing notice was posted in the newspaper.

QUESTIONS

Commissioner Williams asked if the Special Permit had a maximum height for stacking. Scott said it basically followed the current Zoning Code regarding stacking heights which provided for a 20-foot stacking height; however, applicant had requested at no more than 90 days per calendar year to go up to a 30-foot height. At that time, applicant would have to notify the City the day before they wanted to stack above 20 feet.

Commissioner Williams next asked about stacking height pertaining to tires. Mr. Peterson confirmed that the top of any tire on a rack would not be over 10 feet in height.

Commissioner Burnett asked if applicant had planned on screening only the area that would border the 5th Street Bridge. Mr. Peterson said the requirement included the area adjacent to the rights-of-way. Applicant would screen the top of the bridge with the wire mesh material and on the north property line applicant would construct an 8-foot tall cedar fence next to the cul-de-sac. He added that the south property line adjacent to the railroad tracks would not be screened.

Chairman Wall asked how high the proposed fence would be. Mr. Peterson said it might be between four and six feet in height. Lisa Cox, Planning Manager, advised that the final design of the screening fence had not yet been determined. She confirmed that it would be designed to obscure a pedestrian or a vehicle driver's view of the site along the 5th Street Bridge.

Chairman Wall asked for clarification regarding staff's agreement with the proposed screening method. Mr. Peterson said that the City would be required to install the fence with the assistance of CDOT and accordingly had requested a five-year window in order to put that fence in. If at some point within the next five years a better material would become available, they didn't want to be locked into using the wire mesh. He confirmed that an agreement had been reached whereby the applicant would pay the City to install the fence; however, the exact material to be used and the exact timeframe were not designated at this time.

Commissioner Williams asked if the cost to install the fence exceeded \$20,000 would the applicant be responsible for that cost as well. Mr. Peterson said the way the Special Permit was written, the applicant would be charged \$20,000 and if the cost went above that, the City would look at doing something with the capital improvements project to cover that cost.

APPLICANT'S PRESENTATION

Aaron Thompson, Imperial Property Consultants, 18006 East Grand Avenue, Aurora, stated that they were in agreement with everything Scott Peterson had to say. They felt they had made some major headway and took the steps necessary to resolve the outstanding issues that were open by the Commission.

QUESTIONS

Commissioner Leonard asked a question pertaining to the hazardous materials in the vehicles and when the removal was being done, was it done on an impervious surface. Mr. Thompson confirmed that it was and said, in addition, they had an approved Colorado Environmental Best Management Plan and Permit in conjunction with this specific project that detailed the procedures by which applicant must perform those operations. He identified the concrete pad where the car prep and fluid draining would be done.

Commissioner Leonard raised a question regarding decibel levels and, more specifically, along the northern-easterly property lines. He asked if a sound study had been done and if so, had it been submitted for the planner to review. Aaron Thompson said they were City-imposed limits and they had accepted those levels.

Commissioner Carlow brought up the issue regarding the previously raised conflict on access. Mr. Thompson stated they had provided full movement legal access off of the subject property from the 6th Street cul-de-sac. The Site Plan was reconfigured to allow for that access and not have traffic going through the south gate through the neighboring property.

Chairman Wall asked for clarification regarding parking and the area where the truck would enter for the sand business. Chairman Wall asked if precautions would be in place to ensure the safety of the employees as well as customers. Mr. Thompson said essentially FSDI was only there on limited times when loads were brought in. During those times, applicant would block those parking spaces off or have someone directing people not to park on the southern side of the lot so only the parking spaces on the north side of the building would be available during those operational hours for the sand company.

Chairman Wall raised a concern with the length of the Special Permit and asked why ten years was requested. Mr. Thompson said that was staff's finding and applicant would in fact prefer twenty years as it was difficult to find financing on a business with that type of limitation. He stated that it would limit the financing opportunities; however, he said staff was most comfortable with finding that to be the most amenable timeframe for review in conjunction with what was happening in progressing towards an overlay zone or rezone. He indicated that applicant was hopeful that would occur fast enough for them to become a fully operable CUP and allow them to progress with some better financing opportunities.

Chairman Wall next asked if the Special Permit was used to cover the time that it may take until a decision was made as to what the area would be zoned. Mr. Thompson said it was his understanding that the ten-year period would be an evaluatory period for the subject property as well as the entire area to see what sort of shape it took. It would be determined to be either progressive, stagnant or regressive movement in the area and that would be the base period to see what happened with the area as a whole.

Chairman Wall said his concern was if this was being done for financing or the financing was difficult to procure, if there was a decision made on the area for an overlay district or something that did not meet with applicant's business, what would happen to the business. Mr. Thompson confirmed that was a valid question and said in reality if they were tied down to a point where they could no longer operate, they would have to shut down. He reiterated a point made earlier by Mr. Peterson whereby if the site was abandoned by the use for a longer period of six months or more, then it was revoked.

PUBLIC COMMENT

John Spendrup stated that he purchased the property in January 2000. He cleaned it up to standards. He said that he received a questionnaire from the City asking what he intended to do with the property. He replied that he intended to continue what Wenman had done for many years before. Mr. Spendrup said the property was zoned I-2 and it was changed to an I-1 without his approval or consultation. He believed by doing that he lost 25 to 50 percent of his potential income. He asked the Commission to really look at this project and look favorable to the application. Mr. Spendrup summarized that competition was good for everyone.

Janet Dole addressed the Commission and stated she was a resident, a registered voter and a taxpayer in Grand Junction. She asked if value was to be given to the Development Code, the Conditional Use Permit and stated a Conditional Use Permit by definition was a contradiction of the Comprehensive Plan. The proposed site, according to Ms. Dole, was adjacent to the 5th Street Bridge and it would be the third junk yard to grace the south portal to the City. She added that the Special Permit under consideration was not in compliance with the Comprehensive Plan and Future Land Use Map. She asked how allowing a third junk yard at the south portal would be beneficial to voters and taxpayers rather than if it were located in a more benign area. Ms. Dole went on to ask if the City recently expended large funds from the public treasury in a concerted effort to clean up the 5th Street Corridor. She further stated that she doubted the subterfuge of Special Permit, interim use as a means to circumvent a well-reasoned clean-up plan made any sense. She added that to accept CDOT's recommendation to screen the bridge at additional expense to voters and taxpayers was irresponsible.

Kim Rockman said she had very much the same concern in that the taxpayers and VanGundy's spent millions of dollars to clean up the area and now the same thing was being proposed that was just cleaned up. She believed there were other portions of the valley where this could be placed where it would not be in the main area of the City.

Steve Erickson next addressed the Commission and said that he had consulted for Chuck Myers and he had seen the locations in the area and combed the entire Valley for a location for this business. He emphasized that there were very few places this can be done with a railroad spur. He believed there were ways to beautify the City and create needed jobs. He added that this particular railroad spur had been there for some time and it was a great location. Mr. Erickson said that even without this operation, the area would still look industrial and to put it in a whole different area it would simply

spread the industrial area out. He emphasized that the job situation was desperate in the Valley and asked the Commission to keep that in mind.

Janet Dole added that she was under the impression that Xcel Energy would be dismantling their Cameo plant and as such a railroad spur may be available there. Also, there were railroad spurs in Fruita.

STAFF'S REBUTTAL

In response to Mr. Spendrup's comment about the change of zoning, Scott Peterson clarified that he found no record that the property had been zoned I-2.

QUESTIONS

Commissioner Williams asked Mr. Peterson if he could show the area that was intended to be screened. Mr. Peterson said that it was 700 feet adjacent to the 5th Street Bridge with portions above the railroad that would not be screen.

Commissioner Leonard asked if the fire department would be informed where any hazardous materials would be stored. Mr. Peterson confirmed that not only the City fire department but there were also state agencies that monitored salvage yards.

Commissioner Leonard asked another question about the decibel levels and, more particularly, how would they be guaranteed that there would be none higher than 85 decibels. Mr. Peterson said that applicant had indicated they would be purchasing a new crushing machine and, therefore, staff had researched decibel levels that would be generated by them. He said the maximum of 100 decibels next to the west property line – the 5th Street Bridge – where the crushing machine would be located and confirmed that most of the crushing machines would be lower than that. Commissioner Leonard said that he would be more comfortable if the levels would have been provided as opposed to the City making the guarantee.

Commissioner Williams asked if amendments could be made to the Special Permit. Jamie Beard, Assistant City Attorney, said that in regards to the Special Permit, the Planning Commission would make a recommendation to City Council so the Commission could make a recommendation that differed from the specific items included within the Special Permit. However, those items should be very specific as to what those items were and what changes would be recommended to be made in regards to it.

APPLICANT'S REBUTTAL

Aaron Thompson said he thought Mr. Peterson had addressed everything accurately.

PUBLIC COMMENT

Steve Erickson said that he had done a lot of research on the decibel levels and contacted several companies. In looking at their case studies, they didn't peak over 90 on approximately 98 percent of the equipment that could be purchased. He had a meter at the plant at the southwest corner and when the train went by, it was about 110

decibels when empty. When the train was loaded it was a little quieter and when the whistle was blown, it was about 128 decibels. He believed there would be far less noise than anticipated.

DISCUSSION

Commissioner Leonard noted a couple of clarifications to be made. In the first paragraph of the Findings, it should state "an opportunity" and Number 26, Conditions, should state "at their expense". He went on to say that he was uncomfortable with the ten-year period. He said that if the screening fences were required to be put in by 2016, he would be much more comfortable with a five-year timeframe.

Commissioner Williams commended the applicant on reviewing the areas of concern from the prior meeting. He said that he liked the idea of the interim use that the Special Permit provided and given the current economy thought it was the most proper use right now. He said that he was unsure whether or not he could vote for a recommendation of approval without the assurance that the screening cost did not come back to the City. Commissioner Williams wanted an amendment made to the Special Permit which provided that the applicant would take responsibility of the full cost of the screening.

Chairman Wall said this was a frustrating project because there was a need for it but at the same time it was questionable as far as if it matched the criteria or not. He noted his frustration that there were no definitions for terms such as "interim time period" and "temporary". He was also unclear on the agreement reached as it had no definitive terms for the screening issue. Chairman Wall also had concerns with a ten-year period. He did not want a business there for ten years that didn't match and believed it defeated the purpose of the Comprehensive Plan. He did not think this met the requirements of a Special Permit based on the most important element for this project to be successful – the screening. He also thought ten years was more permanent than temporary. He concluded that he would not approve the Special Permit based off the section of the Code pertaining to Screening of the Site.

MOTION: (Commissioner Williams) "Mr. Chairman, on the request for a Special Permit for Grand Junction Metal Movers, Application No. SPT-2011-1085, to be located at 711 South 6th Street, I move that the Planning Commission approve the Special Permit with the facts, conclusions and conditions of approval as identified in the staff report and Special Permit."

Commissioner Carlow seconded the motion. A vote was called and the motion failed by a vote of 1 – 4 with only Commissioner Carlow in favor.

MOTION: (Commissioner Williams) "Mr. Chairman, on the request for a Special Permit for Grand Junction Metal Movers, Application No. SPT-2011-1085, to be located at 711 South 6th Street, I move that the Planning Commission approve the Special Permit with the facts, conclusions and conditions of approval as identified in the staff report and Special Permit with variances in the Special Permit of a five year term with the same review process at the conclusion of the

five years. And, in addition, with the stipulation that any fencing to the determination of an agreement between City staff and the applicant, to the type of material be completely and cost-wise covered by the applicant."

Chairman Wall clarified that the motion was to change the term from ten years to five years with the same review process of the last six months and that the applicant would be responsible for the full cost of the screening. Commissioner Williams wanted to be clear that if a better material were to become available, it could be used for the screening. Chairman Wall confirmed the applicant could apply for an extension for an additional five years.

Initially, this motion failed for lack of a second; however, after some discussion, Commissioner Williams brought his previous motion back before the Commission. Commissioner Leonard seconded the motion. A vote was called and the motion failed by a vote of 2 – 3 with Chairman Wall and Commissioners Carlow and Burnett opposed.

General Discussion/Other Business

Lisa Cox apologized for the technical difficulties experienced earlier and assured that the problems would be resolved prior to the next meeting.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 7:49 p.m.

**CITY OF GRAND JUNCTION, COLORADO
PERMIT NO. 2011-01**

**SPECIAL PERMIT PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION
MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE) FOR INTERIM USES ON
PROPERTY LOCATED AT 711 SOUTH 6TH STREET IN GRAND JUNCTION,
COLORADO IN THE DOWNTOWN MIXED USE FUTURE LAND USE AREA**

Findings:

An application for a Special Permit has been reviewed by staff in accordance with the Zoning and Development Code (Code). Applicant Grand Junction Metal Movers, LLC, is a tenant of the property located at 711 South 6th Street in Grand Junction Colorado, consisting of three lots. Co-Applicant John Spendrup is the landowner. The applicant is requesting two uses that require a Conditional Use Permit (CUP): the primary use proposed is auto and scrap metal salvage operations, and the other is for large truck repairs (for applicant's own equipment and vehicles owned by Well Waste Services, LLC and Grand Junction Metal Mover's LLC).

Applicants requested a CUP in February 2011; City Staff recommended denial based on non-compliance with the Comprehensive Plan. Planning Commission in March 2011 remanded the CUP application to Staff based on a finding that the application was incomplete. Staff and the applicant have worked as instructed to bring a more complete proposal forward.

The property is zoned I-1, while the Comprehensive Plan's designation for the property is Downtown Mixed Use. To resolve the tension between the zoning and the community's vision for future uses that conflict with current zoning, the City Council provided for a Special Permit in the Code (Section 21.02.120).

The City is engaged in a planning process to re-evaluate the types of uses that should be allowed for properties in the greater downtown area, including this property. Although it will be several months or longer before that process is complete, it is anticipated that an 'overlay' zone will result which will allow industrial uses in the area of this property to make good use of the adjacent railway. It is expected that the applicants' primary use of the property for auto and scrap metal salvage operations will require a CUP in the overlay zone, because that use requires a CUP in Industrial zones in the City.

The Special Permit allows applicant's uses as particularly described herein, subject to the stated conditions, while adequately providing for future implementation of the Comprehensive Plan's Downtown Mixed Use designation if an overlay zone is not adopted. In approving the Special Permit, the City Council has considered the approval criteria for a CUP and the approval criteria for a Special Permit as set forth in the Staff Report. The findings and conclusions in the Staff Report support the issuance of this Special Permit.

The Special Permit complies with the Comprehensive Plan in the following ways:

- 1) The Special Permit is valid for an initial term of ten years, with a review by the Planning Commission and City Council within the last six months of the initial ten year term, at which time the Special Permit may be extended for a second ten-year term, based on the Code and land use plan(s) in effect at that time. If at any time during the initial term, the City adopts an overlay zone and/or area plan which acknowledges that uses such as the applicant's are appropriate on the subject property, the Special Permit will convert to a permanent CUP, subject to compliance with the other terms hereof. If not converted to a permanent CUP, the initial 10 year term and the public review after the first term will give the community an opportunity to review the applicant's land uses in light of the rules and circumstances then prevailing.
- 2) Code Section 21.02.120 allows a Special Permit in those parts of the City designated Neighborhood Center, Village Center, City Center (which includes Downtown) and Mixed Use Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan. See Section 21.02.120(b) (1) of the Zoning and Development Code.
- 3) The current uses in the area are commercial and industrial. This Special Permit allows the future land use vision of Downtown Mixed Use (less intense commercial combined with residential use) to be phased in over time, while allowing the applicant's light industrial uses on the property as described herein.
- 4) Approval of the Special Permit promotes the following goals of the Comprehensive Plan.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy. The salvage yard and other approved uses on the site will enhance a healthy and diverse economy in the existing industrial uses abutting the rail system, near the original City square mile, by providing jobs near the City Center, promoting the green benefit of recycling and giving the public a convenient place to sell its metals that can be recycled, whether by crushing and delivery to re-users of metals or by providing a ready and convenient supply of used auto parts.

Goal 7: New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering. The applicant will pay a fee to the City for screening of the applicant's salvage operations from the gateway 5th Street elevated viaduct. The applicant is also providing ground level screening and buffering.

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. The salvage yard will provide new jobs in the downtown area and salvage materials, services and other benefits to the community.

Because no new buildings or infrastructure are foreseen and because the recycled materials and necessary equipment can readily be removed when/if the use terminates, there is negligible impediment to future implementation of the current Comprehensive Plan designation. In fact, the permittee is required to remove the materials and equipment at the end of the permit term. Section 21.02.120(b) (2) (ii) (A) and (B).

Thus, as required by the Code, the Special Permit furthers the goals and policies of the Comprehensive Plan. This Special Permit determines the location and character of the site, as required by Section 21.02.120(c) (1).

The Permit complies with the underlying zoning district standards for I-1 established in Chapter 21.03 of the Code. It satisfies the Conditional Use Permit criteria including compliance with site plan review standards, use-specific standards established in Chapter 21.04, availability of complementary uses, compatibility with adjoining properties through measures such as protection of privacy, protection of use and enjoyment, compatible design and integration and signage.

NOW THEREFORE, BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT A SPECIAL PERMIT IS APPROVED, PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE), ALLOWING THE FOLLOWING USES ON THE PROPERTY DESCRIBED BELOW WITH THE FOLLOWING CONDITIONS, WITH THE ABOVE FINDINGS BEING AN INTEGRAL PART HEREOF:

1) The site is described as follows: Lots 4, 5 and 6, D & R G W Railroad Subdivision, Filing 6 in the City of Grand Junction, County of Mesa, known as 711 South 6th Street. The area governed by this Special Permit includes the entire area of the three lots, except the area covered by the existing off-premise advertising billboard sign, and shall be referred to herein as the Site.

2) Use of the Site is limited to the following light industrial operations:

- Metal recycling, using equipment such as crushers, and/or shredders and/or balers (referred to as “Recycling Machines”) with a combined total capacity (through-put) of up to 100 tons per hour, in Area 1 not to exceed 13,000 square feet (including circulation areas) as designated on the approved Site Plan. The Director may authorize changes to the boundaries of the designated Areas shown on the Site Plan, so long as, in his discretion, the intent of the CUP criteria and Special Permit criteria continue to be fulfilled, upon the applicant’s request. In Area 1, large machinery may be used to convert recyclables into smaller, more manageable sizes.
- On site storage of up to 18,000 square feet of “Area 2” which is for reclaimed (crushed and/or shredded) metal in the location shown on the approved Site Plan. Recyclables will be stored in Area 2 until sold at retail on site or until shipped off of the property via rail or trucks. The Area 2 metals will typically have already been shredded or otherwise reduced in size;

- On site storage of up to 28,000 square feet of to-be-processed/reclaimed (unprocessed) metal in Area 3, as shown on the approved Site Plan. The recyclables in Area 3 are those that await further shredding or reduction in size, and movement to Area 2 or moved directly off-site for shipping or sale;
- On site storage of up to 65,000 square feet of used/salvage/wrecked motor vehicles in Area 4, as specified on the approved Site Plan. The “flowchart” for motor vehicles starts with delivery of the vehicle, then to the area within Area 4 marked “automobile processing & operations” and the existing concrete pad, where any fluids will be lawfully removed and disposed of. Any tires that will be sold at retail will be removed and taken to the tire storage area; the rest of the vehicle will be located in the other part of Area 4, for retail sales of parts;
- On site storage of up to 3,000 square feet of tires in Area 5, kept in racks or stacks meeting the adopted standards of the International Fire Code and condition 20, below;
- Retail sales of used/salvage/wrecked motor vehicles and parts inside the existing building, and in Area 4, with no more than 500 square feet of outdoor display space, in the location shown on the approved Site Plan;
- On site repair facilities for the applicant/permittee’s and the related enterprise named Well Waste Services, LLC leased or owned vehicles and equipment only, including large trucks, trailers and metal processing equipment, inside the existing 20,600 square foot building, except that emergency repairs may be performed outside of the building but only as needed to allow the broken/malfunctioning equipment or motor vehicle to be moved inside the building to complete the repair or maintenance, or in an emergency;
- The existing, already “Site Plan” approved sand operations operated by a third party entity pursuant to a lease with the co-applicant landowner, more particularly described as follows: loading, weighing and unloading of sand via dump truck using the rail spur on the property, in the locations shown on the approved Site Plan and following the route of circulation shown on the approved Site Plan.

3) Uses not specifically described herein, regardless of type or classification and regardless of whether such uses appear as “allowed” uses in the zone/use table of the City’s Zoning and Development Code, are prohibited on this site during the term of this Special Permit, unless the Director determines that such a use is reasonably incidental and necessary for the specified uses, in which case the Director shall so specify in writing.

4) Appropriate screening, buffering and landscaping for the ground level, consisting of fencing, trees and shrubs, as shown on the approved Landscaping Plan. All such screening and buffering shall be installed in a professional and workmanlike manner, and maintained in good condition by the permittee.

5) A fee of \$20,000.00, \$10,000 of which shall be paid within 90 days of the date of approval of this Special Permit, and \$10,000 of which shall be paid to the City within

one year of the issuance hereof, to be used by the City to install screening on the adjacent elevated portion of the 5th Street frontage. If such screening is not installed by December 31, 2016, the City shall repay said sums to the applicant, or its designee, within thirty days of written demand by applicant or applicant's designee.

6) The existing off-premise advertising billboard on the property is not considered a part of the Site for purposes of this Special Permit and is not affected by this Special Permit. The billboard will remain a non-conforming use due to visibility from the Riverside Parkway and conflict with the Comprehensive Plan. This Special Permit does not make the billboard conforming.

7) No free-standing signs are allowed on the Site. Three (3) building signs are permitted as proposed by the applicant's sign submission, subject to the following limitations: Maximum of 206 sq. ft. on the 5th Street side of the building, 206 square feet on the S. 6th Street side of the building, and 240 sq. ft. on the south or east building façade, for a total square footage of 652 square feet of façade signage. No other signage shall be permitted, except that the Director may approve minor changes to signage.

8) The buildings on the Site shall not be increased in size without a reduction in other operations on the Site and a modification of the Special Permit.

9) No new permanent or temporary, principle or accessory, buildings shall be constructed or installed on the Site. Building removal is allowed with modification of the Special Permit.

10) The cutting, shredding and materials handling operations involving heavy equipment (and the concomitant noise) shall not commence before 6 a.m. and shall not continue after 8:00 p.m. on Mondays through Saturdays, and 6 a.m. to 6 p.m. on Sundays. The retail sales of motor vehicle parts are not subject to such hour limitations.

11) The Special Permit is valid for an initial term of ten years, with a review by the Planning Commission and City Council within the last six months of the initial ten year term, at which time the Special Permit may be extended for a second ten-year term, based on the Code and land use plan(s) in effect at that time. The Special Permit shall expire 20 years from the date of approval. The Special Permit shall terminate if the salvage yard operation is abandoned (by non-use) for six months or longer. If at any time during the initial term, the City adopts an overlay zone or area plan which acknowledges that uses such as the applicant's are appropriate on the subject property, the Special Permit will convert to a permanent CUP, subject to compliance with the other terms herein.

12) The uses on the Site shall continuously meet the following minimum standards regarding smoke, odor, noise, glare, wastes, fire hazards and hazardous materials:

- Noise. The owner, occupant and operator shall regulate uses and activities on the Site so that the day-night average sound level does not exceed 85 decibels (85 dB) at any point along the eastern or northern property lines, and the day-

night average shall not exceed 100 dB at any point along the western or southern property lines. This sound level is not intended to apply to limited periods of landscape maintenance activity for the property nor for episodic periods when metals are being shredded, moved or loaded.

- Glare. Night lighting needed for operations or safety, including spotlights, shall be directed onto the working area or equipment or as needed for security, but shall not be aimed so as to shine on adjacent non-industrial or non-commercial uses. The Viaduct is not to be considered an adjacent use for purposes of this condition.
- Solid and liquid waste. All putrescible solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be unlawfully discharged or spilled on the property. No garbage or other putrescent waste, likely to attract vermin or create noxious odors, shall be kept on the premises, other than in regularly serviced dumpster or other trash container.
- Hazardous materials. Gasoline, oil, or other vehicle fluids shall be removed from scrapped vehicles and parts of vehicles kept on the premises and not allowed to leak, drip or drain onto the ground, except in accordance with applicable federal, State and local regulations. All hazardous materials shall be used or stored on the site only in accordance with applicable law.

13) The failure of this permit to specify other applicable local, state or federal laws or regulations shall not be construed to affect the enforcement thereof. A violation of such applicable laws or regulations may constitute a basis for revocation of the Special Permit, in addition to and not in lieu of any other appropriate remedies or penalties.

14) Outdoor storage and permanent display areas shall only be located on the property as shown on the Site Plan, subject to the other conditions hereof which includes the notes and details of the Site Plan. Portable display of retail merchandise may be permitted as provided in Section 21.04.040 of the Zoning and Development Code, as shown on the approved Site Plan.

15) The Director may administratively approve minor changes to the Site Plan and this Permit, if he determines that the intent of this Special Permit is maintained, the operational needs of the applicant will be benefitted, and no injury to the public will ensue.

16) No materials shall be placed, stored or maintained within the setbacks specified on the Site Plan. Due to the unique aspects of the property, the west side setback shall be 5 feet, rather than 15 feet. Fire Department has determined this 5' setback to be acceptable per Section 315.3.2 of the 2006 IFC for the west property line only.

17) Stacking of recycled and recyclable materials shall not exceed 20' feet in height at any time, except that for no more than 90 days per calendar year, the applicant may stack up to 30 feet if the applicant gives the Director at least one day's written notice of

applicant's intent to do so, which notice shall include the duration of time during which the height limit will be exceeded. The purpose of such extra stacking height is to accommodate unusual amounts of delivery of recyclable materials, or to allow the applicant to take advantage of the market prices of the wholesale/end user of applicant's materials, and/or in case of unavailability of rail road cars at the adjacent spur.

18) Stored items shall not project above the screening except for integral units as defined in Chapter 21.10 of the Zoning and Development Code, Definitions and stacking of no more than two vehicles on top of a wheel stand, or except as provided for in section 17, above. Integral units shall include shelving up to 20 feet in height for the purpose of storing recyclable materials. Integral units shall not be stored within the first 20 feet of the property from any street frontage property line, except that along the west boundary, such rule shall not apply.

19) Unusable items (items which cannot or will not be used by the permittee in the normal course of permittee's business) shall be disposed of and not be allowed to unreasonably collect on the premises.

20) All tires salvaged, kept and/or offered for sale shall be neatly stacked or placed in racks. If stacked, the stacks shall not be over six feet in height; if on racks, the top of any tire on any rack shall not be over 10 feet in height.

21) Parking shall include 22 permanent parking spaces to be located as shown on the approved Site Plan. Parking shall be located and/or managed so as not to interfere with site circulation for the sand operations.

22) Landscaping shall be installed and permanently maintained in a healthy condition on the site, as shown in detail on the approved Landscaping Plan.

23) Access and site circulation shall be in accordance with the approved Site Plan.

24) When utilities in the southwest corner of the property require repair, maintenance or replacement, the cost of removing items stored there as well as the risk of any damage or loss to such items during the repair, maintenance or replacement work shall be borne by the applicant/permittee.

25) Landowner shall grant the City a 20' utility easement in the southwest corner of the Site in the location shown on the Site Plan. The applicant shall prepare the legal description and conveyance documents to the City's standards.

26) Applicant or permittee shall, within 30 days of expiration of the Special Permit or abandonment of the salvage operation on the Site, remove all salvage items, materials, equipment, scrap, junk, rubbish, and other items from the Site at their expense.

Passed and adopted this _____ day of _____, 2011.

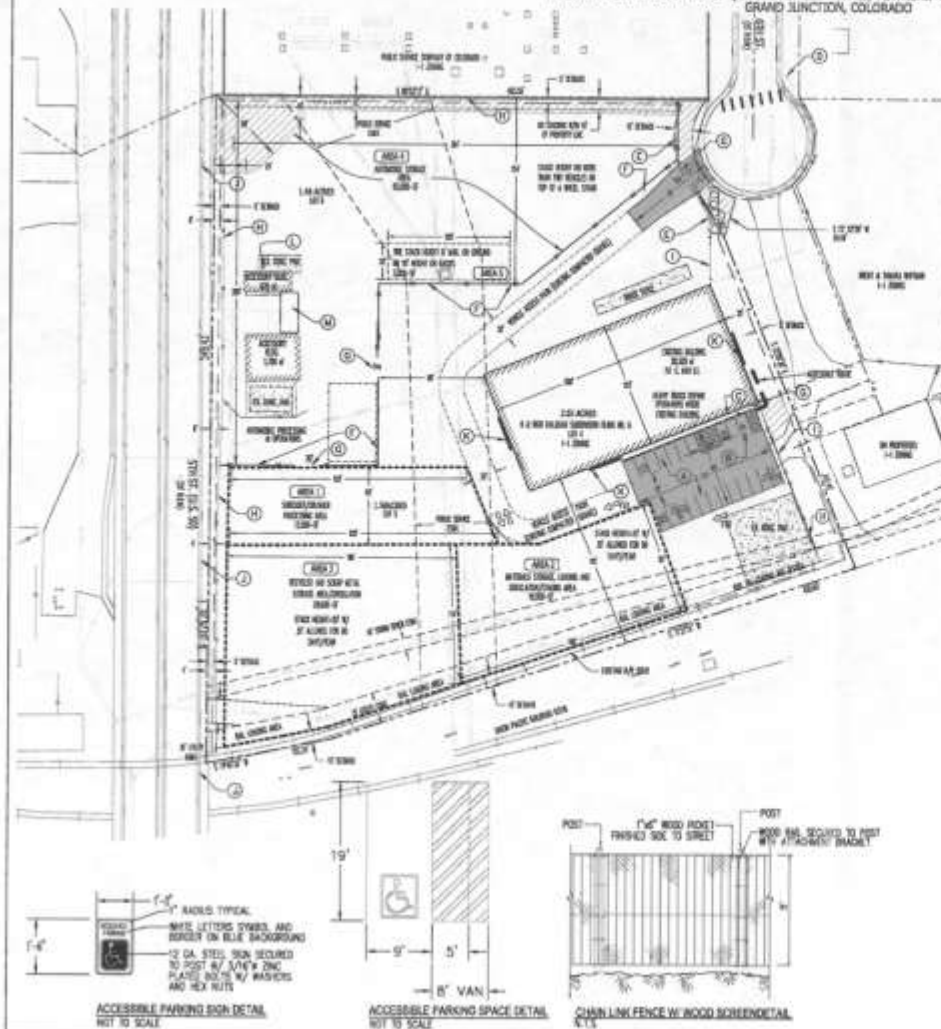
ATTEST:

President of City Council

City Clerk

GRAND JUNCTION METAL MOVERS

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 WEST, U.M.
GRAND JUNCTION, COLORADO



SITE PLAN FLAG NOTES/LEGEND

- (A) STEEL FRAMING WALL W/ CURB STOP, TP
- (B) STEEL HC PARKING WALL W/ CURB STOP
- (C) ACCESSIBLE PARKING SPOT
- (D) FIRE HYDRANT (EXISTING)
- (E) RELOCATED CHAIN LINK FENCE W/ WOOD SCREEN
- (F) PROPOSED CHAIN LINK FENCE
AREA WITH WOOD FENCE SCREEN, IF HEIGHT
- (G) PROPOSED CHAIN LINK GATE, WITH FEE PLAN
- (H) EXISTING CHAIN LINK FENCE
AREA WITH WOOD FENCE SCREEN
- (I) EXISTING CHAIN LINK GATE (SECONDARY EMERGENCY ACCESS)
- (J) EXISTING CONCRETE 50-50 CONCRETE SHARED WALL
- (K) PROPOSED BLEEDING SIGN LOCATION, WORKING HEIGHT 20' +/-
- (L) EXISTING BILLBOARD
- (M) OUTDOOR DISPLAY AREA



UTILITY PROVIDERS

- WTE 5717 OF GRAND JUNCTION
- IRRAWAY 5717 OF GRAND JUNCTION
- UGS 933 - FERRIS SPRING CO
- COGIC 933 - FERRIS SPRING CO
- UNWEIGHTED 5717 OF GRAND JUNCTION
- ELECTRIC 5811
- TR 5717 OF GRAND JUNCTION

NOTES

1. SECTIONAL CONTENT OF THE APPROVED SITE PLAN FOR PER (RMP 2338-043) ARE INCORPORATED INTO THIS SITE PLAN FOR GRAND JUNCTION METAL MOVERS. THE BOUNDARIES OF PARKING STALLS SHALL REMAIN UNCHANGED DURING THIS PER IS UTILIZING THE EXISTING CONCRETE LOADING PAD AND RAIL SPUR.
2. NO STORAGE OF MATERIALS IS PERMITTED WITHIN THE REQUIRED SETBACKS.
3. SQUARE FOOTAGES AND DIMENSIONS OF SPECIFIC USE AREAS 1-5 SHOWN HEREON ARE APPROXIMATE MEASUREMENTS AND ARE NOT INTENDED TO BE EXACT MEASUREMENTS DURING BUSINESS OPERATION, DUE TO THE INHERENTLY DYNAMIC NATURE OF THE MATERIALS AND AUTOMOTIVE RECYCLING INDUSTRY.
4. HAZARDOUS MATERIALS HANDLING AND STORAGE, REFERENCE BEST MANAGEMENT PRACTICES CONTAINED IN THE STORMWATER MANAGEMENT PLAN ASSOCIATED WITH THE CERTIFICATION TO DISCHARGE UNDER SUPERFICIAL CUP-IN-ROUNDER STORMWATER DISCHARGES ASSOCIATED WITH THE RECYCLING INDUSTRY, CERTIFICATION NO. C0000008, AS APPROVED BY THE STATE OF COLORADO.

SITE DATA

PROPERTY AREA	1.20 AC (26,347 SQ FT)	
TOTAL SQUARE FOOTAGE EXISTING	23,857 SQ FT	
OPERATIONAL BUILDING	23,857 SQ FT	
ACCESSORY BUILDING	0 SQ FT	
LANDSCAPE AREA	0 SQ FT	
PERMITTED SUBDIVISION AREA	23,857 SQ FT	
TOTAL	23,857 SQ FT	
PARKING	REQUIRED	PROVIDED
ACCESSIBLE PARKING SPACES PER ACCESSORY	0	0
TOTAL SPACES	0	0

OWNER:

JOHN G. SPENDRUP LLC
ATTN: JOHN SPENDRUP
408 MAIN ST.
GRAND JUNCTION, CO 81506
PHONE 970.240.5356

APPLICANT:

GRAND JUNCTION METAL MOVERS, INC.
ATTN: CHUCK MAYER
2526 GRAND PARK DR.
GRAND JUNCTION, CO 81506
PHONE 970.254.3040

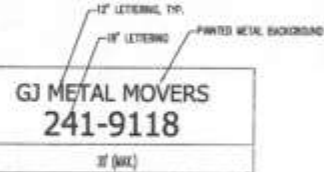
LEGAL DESCRIPTION

LOTS 4, 5 AND 6, DRAINAGE SUBDIVISION FILING 6

CITY OF GRAND JUNCTION APPROVALS:

CITY PLANNING _____ DATE: _____

CITY DEVELOPMENT ENGINEER _____ DATE: _____



TYPICAL BUILDING MOUNTED SIGNS

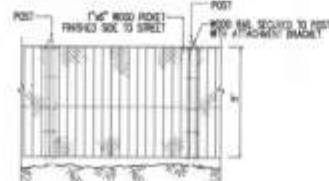
NOT TO SCALE - ACTUAL TEXT AND DIMENSIONS MAY VARY
TOTAL COMBINED AREA OF SIGNAGE NOT TO EXCEED ALLOWABLE
IF PRINTED IN SITE DATA TABLE



ACCESSIBLE PARKING SIGN DETAIL
NOT TO SCALE



ACCESSIBLE PARKING SPACE DETAIL
NOT TO SCALE

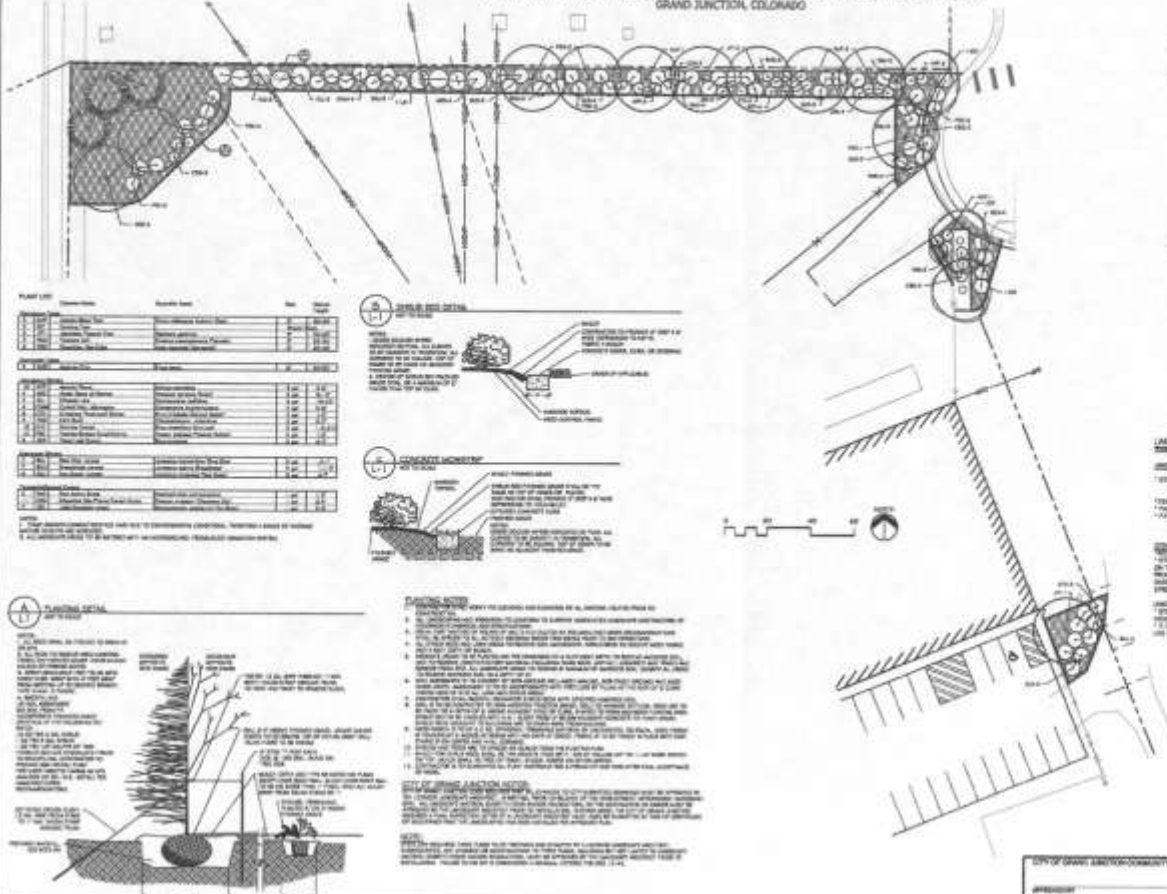


CHAIN LINK FENCE W/ WOOD SCREEN DETAIL
NOT TO SCALE

Aperio
Property Consultants, &
2000 E. GRAND AVENUE
GRAND JUNCTION, CO 81506
PHONE 970.240.5356
FAX 970.240.5357

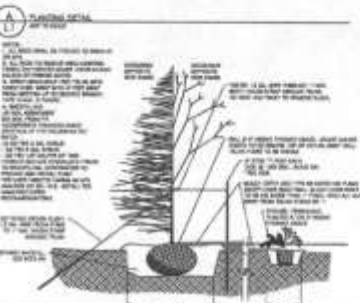
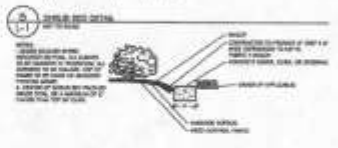
GRAND JUNCTION METAL MOVERS

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 WEST, U.M.
GRAND JUNCTION, COLORADO



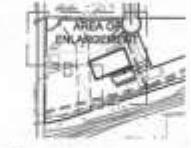
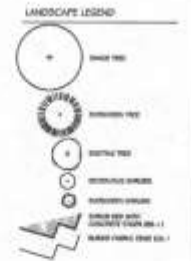
PLANT LIST

Plant Name	Quantity	Notes
...



NOTES

1. ALL PLANTINGS SHALL BE DONE BY A LICENSED LANDSCAPE ARCHITECT.
2. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED TIME FRAME.
3. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED BUDGET.
4. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED AREA.
5. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED SPECIFICATIONS.
6. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED MATERIALS.
7. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED METHODS.
8. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED PROCEDURES.
9. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED STANDARDS.
10. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED QUALITY.
11. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED SAFETY.
12. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED SECURITY.
13. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED COMPLIANCE.
14. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED LEGALITY.
15. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED ETHICS.
16. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED INTEGRITY.
17. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED HONESTY.
18. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED FAITHFULNESS.
19. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED COURAGE.
20. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED RESPECT.
21. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED KINDNESS.
22. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED PATIENCE.
23. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED HUMILITY.
24. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED MODESTY.
25. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED SINCERITY.
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30. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED LEGAL.
31. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED MORAL.
32. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED JUST.
33. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED FAIR.
34. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED EQUITABLE.
35. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED PROPORTIONATE.
36. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED BALANCED.
37. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED HARMONIOUS.
38. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED COHERENT.
39. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED CONSISTENT.
40. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED UNIFORM.
41. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED ORDERLY.
42. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED NEAT.
43. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED CLEAN.
44. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED TIDY.
45. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED WELL-MAINTAINED.
46. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED WELL-KEPT.
47. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED WELL-CARED-FOR.
48. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED WELL-LOOKING.
49. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED WELL-ORDERED.
50. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED WELL-ORGANIZED.



LANDSCAPE CALCULATIONS

PLANTING REQUIREMENTS

- 1. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED TIME FRAME.
- 2. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED BUDGET.
- 3. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED AREA.
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- 49. ALL PLANTINGS SHALL BE DONE WITHIN THE SPECIFIED WELL-ORGANIZED.

DESIGNED BY

DATE	2010.12.15
PROJECT NO.	...
CLIENT	...
LOCATION	...
SCALE	...

GRAND JUNCTION METAL MOVERS



GI METAL MOVERS

CITY OF GRAND JUNCTION COMMUNITY PLANNING

DECEMBER 15, 2010
SHEET 1 OF 2
LANDSCAPE PLAN - 15



Date: September 14, 2011
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior Planner/1447
 Proposed Schedule: October 5, 2011
 2nd Reading
 (if applicable): N/A
 File # (if applicable): VAC-2011-1079

Attach 7
Vistas at Tiara Rado Utility Easement Vacation

CITY COUNCIL AGENDA ITEM

Subject: Vistas at Tiara Rado Utility Easement Vacation
Action Requested/Recommendation: Adopt Resolution to Vacate a Public Utility Easement Identified on the Replat of the Fairway Subdivision Plat located adjacent to 2063 S. Broadway in Anticipation of Future Residential Development
Presenter(s) Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

Request to vacate a public utility easement identified on the Replat of the Fairway subdivision plat located adjacent to 2063 S. Broadway in anticipation of future residential development which is currently under review by the Planning Division (Vistas at Tiara Rado). The Applicants are dedicating a new utility easement on the new proposed Hatch Subdivision plat as a condition of approval for this proposed vacation request.

Background, Analysis and Options:

The utility easement runs as a “blanket” easement over a tract of land that is owned by the applicants. Also running over the same tract are private open space and ingress, egress easement. These latter easements are not public easements and do not need to be addressed here. Applicants are dedicating a new utility easement on the new proposed Hatch Subdivision plat as a condition of approval for this proposed vacation request.

The existing utility easement contains utilities for Ute Water and City sewer. The project, which is very near final approval, includes relocated utilities which accommodate the new residential buildings proposed in that project. Xcel Energy represents that it has been in contact with the applicants on relocating their infrastructure and is in agreement with the proposed utility easement vacation. As a condition of this easement vacation, a new subdivision plat (either the proposed Hatch Subdivision or another subdivision plat) must be recorded which includes dedication of a utility easement to cover the location for all new and existing utilities.

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

The proposed utility easement vacation for Vistas at Tiara Rado furthers Goals 3, 5, and 8 of the Comprehensive Plan by:

- Facilitating ordered and balanced growth and spreading future growth throughout the community;
- Providing a broader mix of housing types (two-family and multi-family dwelling units) in the community to meet the needs of a variety of incomes, family types and life stages, and
- By creating attractive public spaces and enhancing the visual appeal of the community through quality development.

Board or Committee Recommendation:

The Planning Commission recommended approval of the requested Utility Easement Vacation at their September 13, 2011 meeting.

Financial Impact/Budget:

N/A.

Legal issues:

N/A.

Other issues:

None.

Previously presented or discussed:

Hatch Annexation was approved by City Council on June 13, 2011.
Hatch Zone(s) of Annexation were approved by City Council on July 20, 2011.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City and County Zoning
Resolution

BACKGROUND INFORMATION					
Location:		2063 S. Broadway			
Applicants:		Robert C. and Suzanne M. Hatch, Owners			
Existing Land Use:		Vacant land and the “old Beach property”			
Proposed Land Use:		Two-Family and Multi-Family Residential Development			
Surrounding Land Use:	North	Driving range for Tiara Rado Golf Course			
	South	10 th Hole at Tiara Rado Golf Course			
	East	Residential subdivision – Fairway Villas			
	West	Clubhouse for Tiara Rado Golf Course and Six Single-Family Attached Dwelling Units			
Existing Zoning:		R-12, (Residential – 12 du/ac) and B-1, (Neighborhood Business)			
Proposed Zoning:		N/A.			
Surrounding Zoning:	North	CSR, (Community Services and Recreation)			
	South	CSR, (Community Services and Recreation)			
	East	PD, (Planned Development)			
	West	CSR, (Community Services and Recreation) and County PUD, (Planned Unit Development)			
Future Land Use Designation:		Residential Medium High (8 -16 du/ac) and Commercial			
Zoning within density range?		X	Yes		No

1. **Section 21.02.100 of the Zoning and Development Code:**

The vacation of the utility easement must conform to the following:

- a. The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.

Granting the request to vacate this utility easement does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. As a condition of approval, a new utility easement will be dedicated to cover the location for all new and existing utilities.

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

Because this is a vacation of a utility easement and not a vacation of right of way, this criterion does not apply. Vacating this utility easement will not result in any parcel being landlocked.

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

Vacation of this utility easement will not affect access to any parcel.

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

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the proposed utility easement vacation request. The utility facilities are being relocated, not discontinued. A new utility easement for the relocated utilities is required as a condition of approval of this proposed vacation request.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Section 21.06 of the Zoning and Development Code.

Adequate public facilities and services will not be inhibited to any property. Part of the existing easement area contains utilities for Ute Water and City sewer. These are being relocated as part of the redevelopment proposed in Vistas at Tiara Rado, currently under review by the City Planning Division. These infrastructure facilities will be relocated according to the Vistas at Tiara Rado approved Site Plan now under review. In addition, Xcel Energy has commented that it has been in contact with the applicants on relocating their infrastructure and is in agreement with the proposed utility easement vacation.

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

Maintenance requirements for the City will not change as a result of the proposed utility easement vacation. Old sewer lines will be removed and relocated in order to accommodate the proposed residential development and a new Utility Easement will be dedicated.

Site Location Map

Figure 1



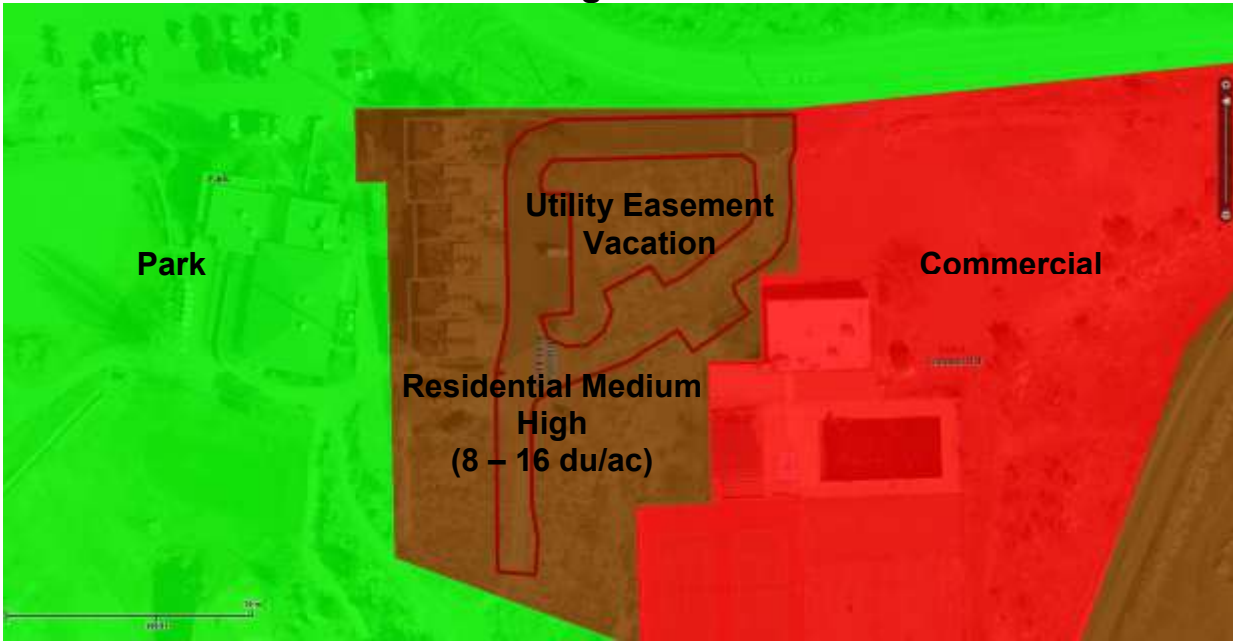
Aerial Photo Map

Figure 2



Comprehensive Plan

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION

RESOLUTION NO. _____

**A RESOLUTION VACATING A UTILITY EASEMENT IDENTIFIED ON THE REPLAT
OF THE FAIRWAY SUBDIVISION
AS RECORDED IN PLAT BOOK 13, PAGE 243
LOCATED ADJACENT TO 2063 S. BROADWAY**

RECITALS:

The applicant proposes to vacate a utility easement identified on the Replat of the Fairway subdivision as recorded in Plat Book 13, Page 243 as part of the proposed Vistas at Tiara Rado residential development (Hatch Subdivision) located adjacent to 2063 S. Broadway.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Zoning and Development Code.

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

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

The following described utility easement is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Resolution.
2. Conditioned upon the approval and recording of a subdivision plat replatting the Replat of the Fairway subdivision (such as the Hatch Subdivision) which dedicates utility easement(s) sufficient to cover the relocated utilities necessary to serve the area as determined by the Director of Public Works and Planning.

The following easement vacation is shown on "Exhibit A" as part of this vacation description.

All of that certain utility easement shown on the face of the plat of "The Fairway" subdivision plat, as recorded in Plat Book 13 at Page 141, Mesa County records, located in part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of

Section 27, Township 11 South, Range 101 West of the 6th Principal Meridian, Mesa County, Colorado.

ADOPTED this _____ day of _____, 2011.

ATTEST:

President of City Council

City Clerk



Date: October 4, 2011
 Author: John Shaver, City Attorney
and Stephanie Tuin, City Clerk
 Title/ Phone Ext: 1506, 1511
 Proposed Schedule: October 5,
2011
 2nd Reading (if applicable): NA
 File # (if applicable): _____

Attach 8
Support for School District 51 Ballot Issue 3B

CITY COUNCIL AGENDA ITEM

Subject: A Resolution of Support for School District 51 Ballot Issue 3B
Action Requested/Recommendation: Adopt Resolution
Presenter(s) Name & Title: John Shaver, City Attorney

Executive Summary:

The City Council has concluded that investment in schools is an investment in the future. Since that investment is best accomplished at this time by passage of the School District 51 ballot issue 3B, the City Council supports it's passage.

Background, Analysis and Options:

The District 51 Board of Education recently approved a ballot question for the November 1, 2011 election. That question, which will be known as ballot issue **3B** will ask voters to increase the property tax mill levy for the School District by seven mills. With current property assessments seven mills will generate approximately 12.5 million dollars. An increase of seven mills will result in an impact of \$4.62 per 100 thousand dollars of a home's market value. If 3B is approved the mill levy increase will be in effect for only six years.

During those six years District 51 will purchase additional technology for student use. Those purchases will improve instructional quality and allow more students to have access to and learn with and through technology. Furthermore, District 51 will add teachers and add more classroom days to the school year. With the mill levy increase the District will also be better prepared to deal with what are nearly inevitable reductions in State funding.

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

The mission of the City of Grand Junction is to be the most livable City west of the Rockies by 2025. The City Council fully embraces that mission and supports ballot issue 3B because the quality of our schools and, in turn, the education that is provided to students is one of the most important factors in achieving and sustaining a positive quality of life.

Board or Committee Recommendation:

The Legislative Committee recommended, at its September 28th meeting, that the resolution be considered and approved by the Council.

Financial Impact/Budget:

NA

Legal issues:

None.

Other issues:

None.

Previously presented or discussed:

This has not been previously discussed by the City Council.

Attachments:

Proposed Resolution

RESOLUTION NO. __11

A RESOLUTION SUPPORTING BALLOT ISSUE 3B

RECITALS:

The District 51 Board of Education recently approved a ballot question for the November 1, 2011 election. That question, which will be known as ballot issue **3B** will ask voters to increase the property tax mill levy for the School District by seven mills.

With current property assessments seven mills will generate approximately 12.5 million dollars. An increase of seven mills will result in an impact of \$4.62 per 100 thousand dollars of a home's market value.

If 3B is approved the mill levy increase will be in effect for only six years.

During those six years District 51 will purchase additional technology for student use. Those purchases will improve instructional quality and allow more students to have access to and learn with and through technology.

Furthermore, District 51 will add teachers and add more classroom days to the school year. With the mill levy increase the District will also be better prepared to deal with what are nearly inevitable reductions in State funding.

The mission of the City of Grand Junction is to be the most livable City west of the Rockies by 2025. The City Council fully embraces that mission and supports ballot issue 3B because the quality of our schools and in turn the education that is provided to our students is one of the most important factors in achieving and sustaining a positive quality of life.

It is undeniable that education provides opportunity; opportunity to live and work at trades, careers and professions that may otherwise be unattainable without a strong educational foundation. When a community has strong schools it likely has a well educated work force. A well educated work force in turn contributes to a more stable and economically prosperous community.

For these reasons, among many others, the City Council concludes that investment in our schools is an investment in our future. That investment is best accomplished at this time by passage of ballot issue **3B**.

NOW, THEREFORE, BE IT RESOLVED that:

The Grand Junction City Council declares its' support for ballot issue **3B** and urges all qualified voters to cast their vote in support of 3B in the November election.

Adopted this _____ day of _____, 2011.

Tom Kenyon
President of the Council

ATTEST:

Stephanie Tuin
City Clerk