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**CITY COUNCIL AGENDA
WEDNESDAY, JULY 15, 2015
250 NORTH 5TH STREET
6:15 P.M. – ADMINISTRATION CONFERENCE ROOM
7:00 P.M. – REGULAR MEETING – CITY HALL AUDITORIUM**

To become the most livable community west of the Rockies by 2025

Call to Order
(7:00 P.M.)

Pledge of Allegiance
Invocation – Pastor Paul Watson, Downtown Vineyard Church

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

Presentations

June Yard of the Month

2015 Mission: Lifeline EMS Silver Recognition Award Presented by Fire Chief Ken Watkins

Lisa Hemann, Chadwick, Steinkirchner, and David, Presenting the 2014 Auditor Report

*Revised July 16, 2015
** Indicates Changed Item
*** Indicates New Item
® Requires Roll Call Vote*

REVISED

Appointment

Ratify the Reappointment of Steve Peterson to a Three Year Term to the Mesa County Building Code Board of Appeals

Certificates of Appointments

To the Downtown Development Authority/Downtown Grand Junction Business Improvement District

To the Parks and Recreation Advisory Board

Citizen Comments

[Supplemental Documents](#)

Council Comments

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

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

Action: Approve the Summaries of the June 15, 2015 and June 29, 2015 Workshops, the Minutes of the July 1, 2015 Regular Meeting, and the June 24, 2015 Special Meeting

2. **Setting a Hearing on Colorado Mesa University (CMU) Rights-of-Way Vacation, Located within the CMU Area** **[Attach 2](#)**

Colorado Mesa University (CMU) requests approval to vacate portions of Cannell, Bunting, Kennedy, Elm, Texas, Hall Avenues, and parts of alleys adjacent to CMU owned properties.

Proposed Ordinance Vacating Portions of the Cannell, Bunting, Kennedy, Elm, Texas, Hall Avenues, and associated Alley Rights-of-Way and Retaining a Utility Easement, Located in the Colorado Mesa University Area

Action: Introduce a Proposed Ordinance and Set a Public Hearing for August 5, 2015

Staff presentation: Scott D. Peterson, Senior Planner

3. **Bypass Pumping Contract for the Persigo Wastewater Treatment Plan (WWTP) Aeration Basin Slide Gate and Trough Replacement Project** [Attach 3](#)

This request is for the required bypass pumping of the wastewater flows at the Persigo WWTP for the Aeration Basin Slide Gate and Trough Replacement Project. This project includes removing two existing 32 year old aluminum slide gates that are corroded and one large overflow trough that is corroded and leaking, and installing two new stainless steel slide gates and a new stainless steel overflow trough. Bypass pumping of the plant's wastewater is required in order to complete this work.

Action: Authorize the Purchasing Division to Execute a Bypass Pumping Contract with Sunbelt Rentals, Inc. for the Aeration Basin Slide Gate and Trough Replacement Project at the Persigo WWTP for an Estimated Amount of \$71,650

Staff presentation: Greg Lanning, Public Works Director
Jay Valentine, Internal Services Manager

*** 4. **Setting a Hearing on the 2015 Second Supplemental Appropriation Ordinance** [Attach 4](#)

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2015 budget amendments for establishment of an Employee Retiree Health Trust Fund and implementation of wage adjustments in accordance with the City's Class and Compensation Market Study.

Proposed Ordinance Making Supplemental Appropriations to the 2015 Budget of the City of Grand Junction

Action: Introduce a Proposed Ordinance and Set a Public Hearing for August 5, 2015

Staff presentation: Jodi Romero, Financial Operations Director

*** 5. **Setting a Hearing on the 2015 Third Supplemental Appropriation Ordinance – Colorado Mesa University** [Attach 5](#)

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2015 amended budget for contribution to the Colorado Mesa University Campus (CMU) Expansion Project.

Proposed Ordinance Making Supplemental Appropriations to the 2015 Budget of the City of Grand Junction

Action: Introduce a Proposed Ordinance and Set a Public Hearing for August 5, 2015

Staff presentation: Jodi Romero, Financial Operations Director

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

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

6. **Public Hearing – Zoning the Rodgers Annexation, Located at 2075 South Broadway** [Attach 6](#)

A request to zone 1.924 acres from County RSF-4 (Residential Single-Family 4 du/ac) to a City R-4 (Residential 4 du/ac) zone district.

Ordinance No. 4669—An Ordinance Zoning the Rodgers Annexation to R-4 (Residential 4 Du/Ac), Located at 2075 South Broadway

®Action: Adopt Ordinance No. 4669 on Final Passage and Order Final Publication in Pamphlet Form

Staff presentation: Greg Moberg, Development Services Manager

7. **Public Hearing – Zoning the Hutto-Panorama Annexation, Located at Approximately 676 Peony Drive** [Attach 7](#)

A request to zone approximately 7.921 acres from County RSF-4 (Residential Single-Family) to a City CSR (Community Services and Recreation) zone district.

Ordinance No. 4670—An Ordinance Zoning the Hutto-Panorama Annexation to CSR (Community Services and Recreation), Located at Approximately 676 Peony Drive

®Action: Adopt Ordinance No. 4670 on Final Passage and Order Final Publication in Pamphlet Form

Staff presentation: Brian Rusche, Senior Planner

** 8. **Public Hearing – 2015 First Supplemental Appropriation Ordinance** [Attach 8](#)

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2015 amended budget for major capital projects and the subjects stated in the ordinance.

Ordinance No. 4671—An Ordinance Making Supplemental Appropriations to the 2015 Budget of the City of Grand Junction

®Action: Adopt Ordinance No. 4671 on Final Passage and Order Final Publication in Pamphlet Form

Staff presentation: Jodi Romero, Financial Operations Director

9. **Public Hearing – Amending the Zoning and Development Code Section 21.03.070(d), (e), (f), (g), (h) and 21.03.080 (a), (b) Concerning Side and Rear-Yard Setbacks and Eliminating Maximum Building Sizes in Certain Zone Districts** [Attach 9](#)

Amendments to the Zoning and Development Code changing side and rear-yard setbacks in the CSR, MU, BP, I-O, and I-1 zone districts and eliminating building size restrictions (and correspondingly the requirement of a conditional use permit for buildings larger than the maximum) in the C-1, C-2, CSR, MU, BP, I-O, and I-1 zone districts.

Ordinance No. 4672—An Ordinance Amending Sections 21.03.070(d), (e), (f), (g), (h) and 21.03.080(a), (b) of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Maximum Building Size and Setbacks

®Action: Adopt Ordinance No. 4672 on Final Passage and Order Final Publication in Pamphlet Form

Staff presentation: David Thornton, Principal Planner

*** 10. **Small Community Air Service Development (SCASD) Grant** [Attach 10](#)

The Grand Junction Chamber of Commerce, the Grand Junction Economic Partnership, the Grand Junction Visitor & Convention Bureau, and the Grand Junction Regional Airport is seeking a letter of commitment of \$25,000 from the City of Grand Junction towards the local match for a potential Small Community Air Service Development (SCASD) Grant. The application deadline for this grant is July 22, 2015.

Action: Authorize the City Manager to Issue a Letter of Commitment from the City for \$25,000 towards the Funds Required for a Local Match to Receive a SCASD Grant

Staff Presentation: Tim Moore, Interim City Manager
Diane Schwenke, GJ Chamber of Commerce
Amy Jordan, Grand Junction Regional Airport
Kristi Pollard, Grand Junction Economic Partnership

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

9. **Other Business**

10. **Adjournment**

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
June 15, 2015 – Noticed Agenda Attached

Meeting Convened: 5:00 p.m. in the City Auditorium

Meeting Adjourned: 8:02 p.m.

City Council Members present: All except Chazen and Kennedy

Staff present: Englehart, Shaver, Lanning, Kovalik, Watkins, Camper, Nordine, Quimby, Tice, Portner, Thornton, and Kemp

Agenda Topic 1. Chabin Concepts Competitive Analysis

Legislative and Management Liaison Elizabeth Tice provided background and described the project. The two action steps that were identified in the Economic Development (ED) Plan were to identify and understand the existing marketing efforts of the Economic Development Partners (ED Partners) and identify potential opportunities for new or coordinated marketing efforts. Staff reached out to ED Partners with a survey asking three questions which were: 1) what are their organization's current marketing activities and investments; 2) what did they see for areas needing improvement valley wide for marketing efforts; and 3) what role did they see the City playing in economic development marketing. There were many meetings held with the ED Partners. A partnership and joint venture was formed and goals and outcomes were to have cohesive branding, have a unified voice for Economic Development marketing, and define a strategy for implementation. Council's leadership helped analyze the status quo for the opportunity and investment in the request for proposals (RFP) for a strategic plan consultant for ED implementation. North Star Destination Strategies and Chabin Concepts were selected because they are experts in ED and branding for communities the size of Grand Junction, they have an outside viewpoint with national experience, their proposal was data, research, and outreach based, and advertising strategies would utilize a local firm's involvement. Ms. Tice referred to the competitive location assessment that was conducted by Chabin Concepts and DSG Advisors that was provided to Council prior to the workshop. The assessment provided the local community's ranking relative to competitors, insight into business and site selection perception, and identified opportunities to improve a business attraction program. She reviewed the objectives which included an outside perspective on the site selection process, insights on how not to get eliminated, an understanding of market drivers, a way to better identify targets and strategies to convert leads into successes, and ideas to better position the community for economic growth. The three primary drivers for the region are the traded sector (manufacturing companies that export goods or services), visitor potential (overnight visitors spend more than day visitors), and population driven businesses (businesses that are providing goods and services to the base population). From the location assessment, Ms. Tice briefly reviewed overall factor findings for the top ten factors. Five areas that were identified for improving competitiveness were product improvement (develop

infrastructure, available building and ready sites, physical connectivity between employment centers, and community beautification), packaging (a marketing suite that sells a value proposition to businesses), operational effectiveness (community leaders together develop a broader-term strategy for success), tactical targeting (work together on strategic targeting based on value proposition and business characteristics), and brand identity (create a consistent brand identity and messaging platform). Ms. Tice advised that the next steps to be taken are to further partner outreach and gather questions and concerns. The June 29, 2015 workshop with City Council and Mesa County Commissioners where Ed Barlow with North Star Destination Strategies will present research and insight information and hopefully have Audrey Taylor with Chabin Concepts there to present. Then the Chamber of Commerce has offered to host an implementation summit and get all of the ED Partners together to go through the report.

When asked who would facilitate the summit, City Manager Englehart advised that the ED Partners and the Chamber are considering asking Audrey Taylor to act as a facilitator and help prioritize what is really important. They are considering having the summit sometime in August.

There was discussion regarding some areas of the report that need to be addressed and clarified at the presentation on June 29th such as the lack of control standards, what communities were being used for the benchmark, additional information on the need for site ready land or buildings, specificity on the need to beautify the region, eliminating the team chart, providing examples of the suggested website, clarification on wage comparisons, and an explanation on what is "site ready".

City Manager Englehart advised that the report that was provided to Council for this meeting will be sent to the County Commissioners on June 16th.

The questions will be compiled to be addressed at the June 29th presentation.

Agenda Topic 2. Update on Drainage Summit

Public Works Director Greg Lanning reviewed that about a year ago the City received a bill from the Grand Valley Drainage District (GVDD) and as a result there has been three drainage summits. GVDD has to date created a financial plan on how they can continue to operate.

Meanwhile the 5-2-1 Drainage Authority is managing the stormwater quality permits with no problems or issues. County Commissioner Scott McInnis has replaced Commissioner Justman on the 5-2-1 Board. Commissioner McInnis asked for more study on the issue and as a result the "white paper", which was distributed, was developed. The "white paper" was then presented. Council President Norris asked if the County is supportive of the recommendations in the "white paper". Councilmember McArthur said he briefly saw a letter where all three Commissioners supported the recommendations but was unsure of their support for a fee.

Mr. Lanning reviewed the recommendation for a committee to be formed to develop a valley wide drainage and stormwater organization; a (Greater) Grand Valley Drainage District. There was discussion regarding a draft bill that has been prepared for the District which would go to the legislature to propose taking on the boundaries of the 5-2-1 and changing the District's mission. A letter that the Mayor sent to GVDD in March 2015 was referred to which supported a fee. Because of Council's support, GVDD will allow two ongoing projects to proceed. Councilmember McArthur explained the options proposed and the benefits or disadvantages. One of the main disagreements is the leadership structure of the new expanded entity. The "white paper" basically recommends the expansion of the boundaries of the GVDD, transferring the dues of the 5-2-1 Drainage Authority to the GVDD, imposing a fee or a mill levy on users, and dissolving the 5-2-1 Drainage Authority. The other option is to transfer all of the authority to the 5-2-1 Drainage Authority and impose a fee. The advantage to the expansion of the GVDD and the transfer of the authority is there is no option for an entity to withdraw under that scenario.

There was discussion on the timeline for the implementation of a Greater Grand Valley Drainage District or Authority and looking at taking it to the State Legislative Session in 2016 instead of waiting until 2017 as suggested by Commissioner McInnis. Mr. Lanning reviewed a letter that was sent to City Attorney Shaver by GVDD's attorney which acknowledged that City Council is in support of finding solutions to the valley's serious drainage issues. GVDD is asking for a letter of response. City Council directed Staff to draft a letter to GVDD that will state that Council conceptually supports continuing discussions.

Councilmember McArthur then updated Council on the status of discharge permits and water quality standards.

Agenda Topic 3. Body Worn Cameras Update

Police Chief Camper advised that Commander Paul Quimby and Deputy Chief Mike Nordine have done a lot of research and put a lot of work into the matter of body worn cameras (BWC's). He advised that many law enforcement agencies are adopting the use of BWC's. Some of the advantages are: they improve evidence collection; they strengthen officer performance and accountability; they enhance agency transparency; they document encounters between police and the public; and they assist in investigating and resolving complaints and officer-involved incidents. Some of the disadvantages are the cost (cameras run from \$800 to \$2000 each plus the storage and maintenance and probably a leased program would be best to look at); the retention, redaction, and production are very labor intensive (13 minutes of camera video would require about 45 minutes of labor); privacy (HIPAA); what information would be considered protected under Colorado Open Records Act; and overly high expectations and capabilities of the camera.

Commander Paul Quimby advised that for 18 months they tested out eight cameras to see what officers like or dislike about them. Technology advances so rapidly that now there are cameras that do so much more than 18 months ago. There is not one camera that has all the

features one may want. An in-house policy has been drafted, a Colorado JAG grant was applied for but was denied, and they are staying alert to any funding/grant opportunities that may be out there. There are federal grants available but they have a lot of strings attached and would only go to 16 small agencies (defined as 250 officers or less), and Grand Junction probably would not have a chance of being awarded one of those grants.

Chief Camper stated that it is expected that there will be Federal or State legislation mandating BWC's in the near future and that is why they are researching it now to be ahead of the curve and know what is available. There was discussion about costs, retention, security, outfitting a sub group of officers with BWC's and a half time evidence staff person to handle the videos to see how that works, getting 60 BWC's for the entire patrol force and a half time evidence staff person, having an outside company handle the storage (cloud storage) and management of the videos, and the benefits of having BWC's in Grand Junction.

Chief Camper asked Council for their thoughts on whether or not to continue to pursue the use of the BWC's. City Council requested Staff provide a cost for 60 BWC's and a half-time staff person to manage the videos. Then it could be decided whether or not to add it to the budget consideration for 2016.

Agenda Topic 4. Other Business

City Manager Englehart advised that he has prepared a letter to HomewardBound regarding their request for up to \$100,000 for their development costs.

City Manager Englehart said that the Parks and Recreation Department has been talking about selling alcohol during adult league softball games at Canyon View Park. The Parks and Recreation Advisory Board was in favor of it. As a test, they will be applying for a Special Events Permit for the Boston's Tournament which is scheduled on August 8th and 9th in order to see how it might work. City Council was in favor of obtaining a Special Events Permit on a trial basis prior to considering a full time liquor license.

City Attorney Shaver advised that he received an order regarding the Panhandling court case. The claim by Eric Neiderkruger was dismissed. However, the second motion in the case is pending a Supreme Court decision regarding a "Thayer" case out of Massachusetts with a very similar ordinance that is being challenged. It was agreed by the Administrative Law Judge that the second motion would wait on that outcome.

There was discussion regarding the presentation that was given on Las Colonias on June 1st. Some Councilmembers have received some negative citizen feedback on the phasing plan. City Council agreed that the phasing should be looked at before moving forward.

Agenda Topic 5. Board Reports

Councilmember Boeschstein said that Mesa Land Trust had a picnic at Fall Creek Ranch and it was a nice gathering in a gorgeous area. He attended a meeting at the Incubator Center and he feels they are right on top of economic development and the City should support them more. The Downtown Development Authority has a contract for the demolition of the remaining part of White Hall and is pending the permit from the Colorado Department of Health for Air Quality. Councilmember Boeschstein attended a meeting with Colorado Preservation, Inc. and there are two parties very interested in purchasing the historic depot. If that happens, Bonsai Zip Line, a company currently leasing part of the depot, will need support in finding a new location in Grand Junction.

Councilmember Taggart commented on the successful Ride the Rockies Event the previous weekend and felt it was great for the community as well as other local communities. The organizers are going to try to get Grand Junction on a two or three year cycle for Ride the Rockies.

Council President Norris advised that the trip to Canada was very successful. They had lists and rated the companies as A, B, and C, and called on people. There were 30 (A) companies on the list that are interested in relocating. Their focus was mainly on manufacturing companies. They brought back some names for Grand Junction Economic Partnership to follow up on. They also visited booths of local companies (Encana and Calfrac) and thanked them for being in Grand Junction.

Councilmember McArthur attended the West Star Aviation's new hanger barbeque and commented that it was very impressive.

With no other business, the meeting was adjourned.

GRAND JUNCTION CITY COUNCIL
MONDAY, JUNE 15, 2015

WORKSHOP, 5:00 P.M.
CITY HALL AUDITORIUM
250 N. 5TH STREET

To become the most livable community west of the Rockies by 2025

1. **Chabin Concepts Competitive Analysis**
2. **Update on Drainage Summit**
3. **Body Worn Cameras Update:** The Police Department will present considerations regarding Body Worn Cameras. **Attachment**
4. **Other Business**
5. **Board Reports**

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
June 29, 2015 - Noticed Agenda Attached

Meeting Convened: 4:03 p.m. in the City Auditorium. The audience stood for the Pledge of Allegiance.

Meeting Adjourned: 6:54 p.m.

City Council Members present: All

County Commissioners present: Commission Chair Rose Pugilese and Commissioner John Justman

Staff present: Moore, Shaver (arrived at 6:15 p.m.) Lanning, Finlayson, Kovalik, Watkins, Bowman, Portner, Moberg, Thornton, and Kemp.

Economic Development Partners present from: The Business Incubator, Grand Junction Chamber of Commerce, Downtown Development Authority/Downtown Grand Junction Business Improvement District, and Grand Junction Economic Partnership

Agenda Topic 1. North Star Designation Strategies Presentation

Audrey Taylor, President of Chabin Concepts, reviewed the Competitive Location Assessment Report that was created by Chabin Concepts and DSG Advisors. She provided background for the purpose of the assessment and described how the assessment was conducted. Economic drivers for economic prosperity are the traded sector (businesses providing goods and service outside of the region), visitor potential business (overnight visitors spend 3 times more than a day visitor), and population driven businesses (businesses that provide goods and services to local residents). Ms. Taylor reviewed the findings and identified five recommended areas of focus: product improvement, packaging, operational effectiveness, tactical targeting, and brand identity.

Questions were taken and comments were made from City Council, Mesa County Commissioners, and the audience.

Ed Barlow, Vice President of Strategic Planning for North Star Destination Strategies, reviewed the segment on branding the City and County. He reviewed the research that was done in April with the community and stakeholders to find out what is being said, insights on conclusions based on the research, and creativity for brand identity and brand behavior.

Questions were taken and comments were made from City Council, Mesa County Commissioners, and the audience.

Interim City Manager Tim Moore said that the next step is for a committee to get together and provide four or five names of people within the community that are best marketers and choose one who would be qualified and able to act as a leader and work with the committee to create a brand platform.

Council President Norris said that the committee will have full support of the elected officials and they will be looking forward to hearing from the economic development partners as to how to move forward.

Adjourn

With no other business, the meeting was adjourned.

GRAND JUNCTION CITY COUNCIL
MONDAY, JUNE 29, 2015

WORKSHOP, 4:00 P.M.
CITY HALL AUDITORIUM
250 N. 5TH STREET

To become the most livable community west of the Rockies by 2025

Call to Order/Pledge of Allegiance

North Star Destination Strategies: Representatives from North Star will present a report to the City Council and the Mesa County Commissioners

Adjourn

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

July 1, 2015

The City Council of the City of Grand Junction convened into regular session on the 1st day of July, 2015 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Chris Kennedy, Duncan McArthur, Rick Taggart, Barbara Traylor Smith, and Council President Phyllis Norris. Also present were Interim City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. The audience stood for the Pledge of Allegiance led by Patrick Weir, Grand Junction High School Knowledge Bowl team member, followed by a moment of silence.

Proclamations

Grand Junction High School Knowledge Bowl Team Day

Proclaiming July 1, 2015 as “Grand Junction High School Knowledge Bowl Team Day” in the City of Grand Junction

Councilmember Boeschstein asked the entire Knowledge Bowl team to come forward and he then read the proclamation. Coaches Lyndsay Thompson, Lynn Thompson, Lorena Thompson, and team members were present to receive the proclamation. Ms. Thompson thanked Council for recognizing the kids. She related the history of the school team and what it takes to form a winning team.

EMT and Paramedic Recognition Day

Proclaiming July 1, 2015 as “EMT and Paramedic Recognition Day” in the City of Grand Junction

Councilmember Chazen read the proclamation. Grand Junction Fire Chief Ken Watkins and members of the Emergency Services staff were present to receive the proclamation. Chief Watkins lauded the work of the EMTs and Paramedics and thanked the City Council for the recognition. The Emergency Services staff is very proud of the work they do and were not surprised they received this acknowledgment. They work in partnership with the Human Resources Department to recruit the best people in order to provide the best services. He recognized the City Council's support of the department as well as the community's support. He asked the staff present to introduce themselves.

Presentations

May Yard of the Month

City Forester Randy Coleman introduced Roger and Martha McCoy, 694 Glen Caro Drive, and presented them with a plaque and gift card for May Yard of the Month. Mr. Coleman recognized the contributor of the gift card and City Council for their support.

Bicycle Friendly Community Designation by Harry Brull, Board Member from the League of American Bicyclists

Harry Brull, Board Member from the League of American Bicyclists, presented the City with a bronze recognition for Grand Junction being a Bicycle Friendly Community. Grand Junction is the third community he has presented this award to. He provided a history of the League including its beginnings as the League of American Yeomen and then described the League's partners and where they get their funding. To date, 350 awards have been granted; he noted bicycles help provide solutions for a number of things. He thanked Community Services Manager Kathy Portner and the rest of the team that made this happen. He lauded all the cycling amenities and activities in the valley. Bicycle Friendly signs will be placed at the community entrances. He gave the City Council information and pins.

Appointments

To the Parks and Recreation Advisory Board

Councilmember Kennedy moved to reappoint Kristy Emerson and appoint Steven "Nick" Adams to the Parks and Recreation Advisory Board for Three Year Terms Expiring June 30, 2018. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

To the Downtown Development Authority/Downtown Grand Junction Business Improvement District

Councilmember Chazen moved to reappoint Jason Farrington and appoint Dan Meyer for Four Year Terms Expiring June 2019 and appoint Duncan Rowley for a Partial Term Expiring June 2017 to the Downtown Development Authority/Downtown Grand Junction Business Improvement District. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

To the Riverfront Commission

Councilmember Boeschstein moved to reappoint Stacy K. Beough and Claudette Konola and appoint Gale Foster for Three Year Terms Expiring July 2018, to the Riverfront Commission. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Citizens Comments

Bruce Lohmiller, 337 Colorado Avenue, #12, thanked City Council for the City Hall Veterans Art Exhibit and stated one of the pieces was his; he invited Council to the reception. He also mentioned Whitman Park and asked if there were any plans for it. He said there is a new Superintendent of Schools and mentioned some of his past concerns with the school district. He said he spoke with Mr. Shaver and Judge Bottger and thanked police officers for lawfully resolving an incident.

Council Comments

Councilmember Taggart said Colorado Mesa University (CMU) was proud to have been able to work with the Visitor and Convention Bureau (VCB) on the Ride the Rockies event. He said Grand Junction put its best foot forward and the riders were appreciative. He met with the Grand Junction Regional Airport Authority Board; they are continuing to work on resolving the building situation, selecting a finalist for the Airport Manager position, and are reviewing options for the major runway. Councilmember Taggart also attended the VCB Board meeting, met with the Avalon Theatre Foundation, and went to the Persigo Joint Board Meeting. He and Councilmember Traylor Smith met with leaders from local businesses, the Grand Junction Economic Partnership (GJEP), CMU, and the Grand Junction Chamber of Commerce to discuss how airport services could be expanded to help promote local Economic Development (ED).

Councilmember Traylor Smith said she and Councilmember McArthur went to the Colorado Municipal League (CML) Annual Conference; it was a good conference with good networking opportunities. They discussed many of the subjects the City is currently addressing with other municipalities. She also attended the Grand Junction Housing Authority meeting; they are making progress on many projects.

Councilmember Kennedy has been helping his wife recover from knee replacement surgery over the last few weeks but also attended the Mountain Connect Conference; he and Information Technology Director Jim Finlayson are compiling information gathered

from the conference which includes what other municipalities are doing to expand their broadband services and what help is available from the business community. He hoped to have this information available soon.

Councilmember Chazen said he attended the June 17th meeting of the Associated Governments of Northwest Colorado. The meeting was a legislative update from Senator Cory Gardner, Representative Scott Tipton, and State Representatives Bob Rankin, Yeulin Willett, and Dan Thurlow; they talked about issues that are common to the six counties within the region for the upcoming legislative session. On June 25th he attended the Downtown Development Authority (DDA) meeting; the chosen candidate for the DDA Executive Director position withdrew; the position will be reposted. The DDA did obtain final approval for the demolition of White Hall and it will soon be completed. He and the rest of Council attended the North Star Destination Strategies presentation and most of Council was able to attend the Wireless Telecommunication Master Plan Kick-Off.

Councilmember Boeschstein attended the June 9th Urban Trails Committee meeting. Much of their work resulted in the award from the League of American Bicyclists that was received tonight. He thanked the Committee and Kathy Portner for spearheading the project. On June 10th he went to a presentation by Colorado Preservation, Inc.; they discussed the economic benefits of preserving the railroad depot. He also attended a meeting for the DDA, the West Star Aviation Open House, the North Star Destination Strategies presentation, and a meeting of the new Property Committee which reviews proposed property acquisitions and disposals.

Councilmember McArthur attended the 93rd CML conference which had over 1,100 hardworking participants; there were good networking opportunities and discussions on the Persigo Biogas Project. He participated in Bike to Work Day along with Councilmember Taggart and lots of staff. He also participated with about 150 others in the St. Baldrick Foundation Event where he had his head shaved to help raise money for child cancer research; they raised about \$51,000. He was honored to sit next to Grand Junction Fire Chief Watkins and Battalion Chiefs who also had their heads shaved; Chief Watkins auctioned off his moustache for the event as well.

Council President Norris said along with attending local ED events that were mentioned earlier, she and Councilmember Chazen went to Calgary, Canada to attend the Global Petroleum Show. They spoke to companies about the benefits and opportunities of relocating to Grand Junction; over 160 contacts were made, 30 of which are ready to move immediately. The contact information was given to GJEP for follow up; she has received three follow up calls from companies they spoke to. This is the most feedback they have had in a long time and she feels this was a very successful trip.

Consent Agenda

Councilmember McArthur read Consent Calendar items #1 through #9 and then moved to adopt the Consent Calendar. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summaries of the May 18, 2015 and June 1, 2015 Workshops, the Minutes of the June 3, 2015 Regular Meeting, and the June 20, 2015 Special Meeting

2. **Setting a Hearing on Zoning the Hutto-Panorama Annexation, Located at Approximately 676 Peony Drive**

A request to zone approximately 7.921 acres from County RSF-4 (Residential Single-Family) to a City CSR (Community Services and Recreation) zone district.

Proposed Ordinance Zoning the Hutto-Panorama Annexation to CSR (Community Services and Recreation) Located at Approximately 676 Peony Drive

Action: Introduce a Proposed Zoning Ordinance and Set a Public Hearing for July 15, 2015

3. **Setting a Hearing on Zoning the Rodgers Annexation, Located at 2075 South Broadway**

A request to zone 1.924 acres from County RSF-4 (Residential Single-Family 4 du/ac) to a City R-4 (Residential 4 du/ac) zone district.

Proposed Ordinance Zoning the Rodgers Annexation to R-4 (Residential 4 du/ac) Located at 2075 South Broadway

Action: Introduce a Proposed Zoning Ordinance and Set a Public Hearing for July 15, 2015

4. **Setting a Hearing on the 2015 Supplemental Appropriation Ordinance**

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2015 amended budget for major capital projects and the subjects stated in the ordinance.

Proposed Ordinance Making Supplemental Appropriations to the 2015 Budget of the City of Grand Junction

Action: Introduce a Proposed Ordinance and Set a Public Hearing for July 15, 2015

5. **Setting a Hearing on Amending the Zoning and Development Code Sections 21.03.070(d), (e), (f), (g), (h) and 21.03.080(a), (b) Concerning Side- and Rear-Yard Setbacks and Eliminating Maximum Building Sizes in Certain Zone Districts**

Amendments to the Zoning and Development Code changing side- and rear-yard setbacks in the CSR, MU, BP, I-O, and I-1 zone districts and eliminating building size restrictions (and correspondingly the requirement of a conditional use permit for buildings larger than the maximum) in the C-1, C-2, CSR, MU, BP, I-O, and I-1 zone districts.

Proposed Ordinance Amending Sections 21.03.070 (d), (e), (f), (g), (h), and 21.03.080 (a), (b) of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) regarding Maximum Building Size and Setbacks

Action: Introduce a Proposed Ordinance and Set a Public Hearing for July 15, 2015

6. **Purchase of Property at 743 Horizon Drive for the I-70 Exit 31 Horizon Drive Roundabouts**

The City has entered into a contract to purchase right-of-way at 743 Horizon Drive from Grand Junction, LLC dba the DoubleTree for construction of a roundabout on Horizon Drive in conjunction with the I-70 Exit 31 Horizon Drive Roundabouts Project. The City's obligation to purchase this right-of-way is contingent upon Council's ratification of the purchase contract.

Resolution No. 31-15 – A Resolution Authorizing the Purchase of Real Property at 743 Horizon Drive from Grand Junction, LLC dba the DoubleTree

Action: Adopt Resolution No. 31-15

7. **2015 Mesa County Hazard Mitigation Plan**

The Hazard Mitigation Planning Committee conducted a risk assessment that identified and profiled hazards that pose a risk to all of Mesa County, assessed the County's vulnerability to these hazards, and examined the capabilities in place to mitigate them. The County and City of Grand Junction are vulnerable to several hazards that are identified, profiled, and analyzed in this plan.

Resolution No. 32-15 – A Resolution Adopting the 2015 Mesa County, Colorado Hazard Mitigation Plan

Action: Adopt Resolution No. 32-15

8. **Sole Source Professional Services Contract for Engineering Design of the Diffuser Pipe Outfall for the Persigo Waste Water Treatment Plant Project**

The Public Works Department is requesting that City Council approve awarding a sole source professional design services contract for the design of a Diffuser Outfall for the Persigo Waste Water Treatment Plant. This design effort will result in a project to address restrictions on effluent limits from the Colorado Department of Public Health and Environment (CDPHE) as a result of Regulations 31 and 85.

Action: Authorize the City Purchasing Division to Enter into a Contract with Stantec Consulting Services, Inc. of Denver, CO for the Design of a Diffuser Outfall at the Persigo Waste Water Treatment Plant for the Proposal Amount of \$139,900

9. **Contract to Extend Sewer to the Redlands Club Sewer Improvement District**

Upon completion of the Redlands Club Sewer Improvement District, five properties will be able to connect to the Persigo Waste Water Treatment Plant and abandon their existing septic systems. The property owners and Persigo will share the cost of providing the sewer service.

Action: Authorize the City Purchasing Division to Enter into a Contract with Underground Obstacles, LLC for the Redlands Club Sewer Improvement District in the Amount of \$97,724 Contingent on Creation of the District by the Mesa County Board of County Commissioners

ITEMS FOR INDIVIDUAL CONSIDERATION

Authorization for the City Manager to Disburse a Portion of the J. Heywood Jones Estate Trust Funds to the Mesa County Public Library District

In 2013, the City was named as the Trustee for a portion of the J. Heywood Jones Estate Trust. Instructions were to disburse the funds for museum and library purposes. The Mesa County Public Library District (MCPLD) is requesting a disbursement of funds for a proposed production studio.

John Shaver, City Attorney, noted Joe Sanchez, Library Director for the MCPLD, had a presentation on this item. Mr. Sanchez explained the project, how the idea evolved, showed renderings of the proposed building, and explained the purpose of the design. The building is envisioned to house a soundproof recording studio, an editing and production center, a training space, and a studio for an Artist in Residence; this space will be offered to local artists for a three to four month period in exchange for holding workshops which would expand services offered to the community. A primary goal of the project is to offer entry level through advanced level services through training, access to equipment, and creation/preservation. He highlighted the Veterans Remember project, a video series on fly tying and fishing, and wildlife photos; this information is now preserved and available to the public to be used for various projects and research. He noted the Public Broadcasting Service has expressed interest in using the videos.

Councilmember Traylor Smith said she would like to encourage Mr. Sanchez to compile information from former Councilmembers and County Commissioners on how and why policies were developed.

Councilmember McArthur asked what the estimated total project cost is.

Mr. Sanchez said the project cost is about \$1.3 million.

Councilmember Boeschstein said this is a great project and he looks forward to supporting it. He then asked City Attorney Shaver if half of the trust money went to the Museum of Western Colorado.

City Attorney Shaver said the total Trust was about \$157,000 with half going to the Museum.

Councilmember Boeschstein asked how much this project would overlap with the new CMU production studio.

Mr. Sanchez said the Library plans to partner with CMU and they have been in contact with them since the project's inception; they plan to use CMU students and the studios will be complimentary and projects will be funneled back and forth.

Councilmember Chazen said he met veteran Jim Stafford and is glad his stories are being documented and captured. He asked Mr. Sanchez if funds have been secured for the rest of the project. Mr. Sanchez said funds have been secured from the Library Foundation, private sources, and a capital campaign, while the remainder will be covered from MCPLD reserves. Councilmember Chazen noted Council has a fiduciary responsibility regarding the trust funds and asked Mr. Sanchez if there is enough funding for the increased staffing needs. Mr. Sanchez said yes; he has spent eight months drilling down the numbers and assessing the need and value of the project to

ensure he is responsible with the public's dollars. The only new position will be a full-time videographer.

Councilmember Kennedy thanked Mr. Sanchez for the presentation and mentioned he has a musical background in Jazz composition and will be "jazzed" to see this come to fruition. He said it will be a great contribution to the community, especially for young people. Mr. Sanchez said he was the first librarian on the eastern slope to provide e-content and the MCPLD will be one of the nation's leaders with this type of project; other libraries in the state are looking to follow this lead. Currently the MCPLD has an exhibit traveling the state.

Councilmember Taggart said he would love to see the fly fishing video project completed first as he is an avid fly fisherman.

Mr. Sanchez said he is working on building the video now, but it may take up to a year or two until it is completed.

Council President Norris thanked Mr. Sanchez for moving this project forward and said this is another example of what makes Grand Junction one of the best places to live in the Western United States.

City Attorney Shaver restated the City has a legal duty regarding the disbursement of these funds and an obligation to ensure that the money left by the Heywood Jones family will be used for the purposes for which the trust was created; for the use and benefit of museum and library purposes.

Resolution No. 33-15 – A Resolution Authorizing the City Manager to Disburse Trust Assets

Councilmember Traylor Smith moved to adopt Resolution No. 33-15. Councilmember Kennedy seconded the motion.

Councilmember McArthur asked if the trust specifies a use for these funds. City Attorney Shaver said only in the general terms he stated earlier.

Councilmember Chazen asked if the funds are held in a trust by the City and that the disbursement will not impact City finances. City Attorney Shaver said these funds have been segregated from City funds since the City was designated to disburse the funds.

Motion carried by roll call vote.

North Avenue Catalyst Grant Application for 555 North Avenue

Mason Plaza, located at 555 North Avenue, has submitted an application for consideration for the North Avenue Catalyst Grant Program. The eligible grant amount is \$4,110.43. This is the third application for this program to come before the City Council.

Lori V. Bowers, Senior Planner, introduced this item. She described the request and the location. She explained the background of the program including the purpose and goal of an improved streetscape. She pointed out the boundaries of the program and how the applications and criteria are reviewed. Ms. Bowers detailed the items being requested which include exterior lighting upgrades, landscape improvements, and driveway widening. She noted the applicant was present. The North Avenue Catalyst Committee did recommend approval of this request at their June 4, 2015 meeting.

Councilmember McArthur noted when this program was first introduced it was called a “façade” program; he sees the driveway widening as a functional improvement not aesthetic. He expressed his concern that this program is too inclusive.

Ms. Bowers said the program includes safety improvements and widening the driveway will allow cars to pull in and out of the driveway at the same time without stopping the flow of traffic along 6th Street. Councilmember McArthur restated his concern.

Councilmember Boeschstein asked if the lighting would be downward facing. Ms. Bowers said the lighting will be downcast, shielded, and timed; the brightness will be adjusted by a dimmer. Councilmember Boeschstein asked if landscaping will be included in the upcoming North Avenue Complete Streets Project. Ms. Bowers said it will; rock was suggested so that plants would not be removed during that project.

Council President Norris said she feels these improvements would improve the look of the business; the narrowness of the driveway is detracting to people when they try to get in and out. She spoke with a member of the North Avenue Owners Association and they highly recommended widening the driveway because it poses a safety issue; originally this business had North Avenue access.

Councilmember Kennedy asked what vertical curbing is. Ms. Bowers described it as a short wall that goes 12 inches into the ground and creates a traffic barrier. She said this would be more aesthetically pleasing than a fence since it would not need maintenance.

Councilmember Traylor Smith asked if any parking spaces would be lost if these improvements were made. Ms. Bowers said they would not.

Councilmember Chazen said the purpose of the program is to encourage property owners to upgrade, beautify, and maintain their properties. He asked if the program inspired the property owner to seek these improvements. Ms. Bowers said the property owner refaced the building before the program was available, but when he found out about the program he applied for these improvements in order to complete the look.

Councilmember McArthur said he doesn't discount the fact that the driveway detracts from the function of the parking lot, but restated he does not feel that improvement qualifies as beautification.

Council President Norris asked Ms. Bowers what the program includes.

Councilmember Traylor Smith read from the application, "work to be performed on front façade improvements and/or pedestrian safety and streetscape". Ms. Bowers added that the program also includes public safety improvements.

Council President Norris said she sees this improvement as a combination of safety and beautification.

Councilmember Kennedy noted this is the third program application and it is available on a first come first serve basis. He then asked how long the program has been available. Ms. Bowers said the program is six months old. Councilmember Kennedy said he feels this is an investment in North Avenue and he hoped it would encourage others to apply while the program is still available.

Councilmember Chazen said this program was modeled after a Downtown Development Authority program that had specific guidelines; he encouraged Staff and the Committee to review the guidelines and return to Council with recommendations to better define what can be included. He will support this application, but would like to see recommendations from Staff regarding more specific guidelines.

Councilmember Traylor Smith moved to approve a North Avenue Catalyst Grant Application from Mason Plaza, Located at 555 North Avenue, in the Amount of \$4,110.43. Councilmember Kennedy seconded the motion. Motion carried by roll call vote with Councilmember McArthur abstaining.

Public Hearing - Community Development Block Grant (CDBG) 2015 Program Year Annual Action Plan

The City will receive \$374,788 CDBG funding for the 2015 Program Year which begins September 1st. The City also has \$3,462 in funds remaining from the 2014 Program Year to be allocated with the 2015 funds. The purpose of this hearing is to adopt the 2015

Annual Action Plan which includes allocation of funding for 14 projects as part of the Five-Year Consolidated Plan.

The public hearing was opened at 8:32 p.m.

Kristen Ashbeck, CDBG Administrator, presented this item. This is the 20th year the City has been an entitlement community. She reviewed the process and how the 2015 Program Year Action Plan is required to be adopted as part of the Five-Year Consolidated Plan which is attached to the Staff Report. The Plan is an outline and commitment by the City on how the 2015 funds will be allocated. City Council approved 14 funding requests and some administration costs; she highlighted some of the projects. One applicant was in the audience.

Councilmember Chazen wanted to know if there were any issues with any of the applicants or programs before Council gave their final approval. Ms. Ashbeck said at this time nothing has come up, but there are some procedural things they are still working through; most applicants are simply looking forward to getting the money for their projects.

Councilmember Boeschstein thanked Ms. Ashbeck for including Safe Routes to School projects.

There were no public comments.

The public hearing was closed at 8:37 p.m.

Resolution No. 34-15 – A Resolution Adopting the 2015 Program Year Action Plan as Part of the City of Grand Junction Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

Councilmember Boeschstein moved to adopt Resolution No. 34-15. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

Council President Norris called a ten minute recess at 8:37 p.m.

The meeting reconvened at 8:44 p.m.

Public Hearing - Amending the 24 Road Corridor Design Standards Changing the Maximum Letter Height for Building (Wall Mounted) Signs, Section 25.28 Signs

This is an amendment to the Development Regulations found in Title 25, 24 Road Corridor Design Standards, changing the maximum letter height for building (wall mounted) signs by eliminating the current 12 inch height limits of letters for all building (wall mounted) signs within the 24 Road Corridor subarea. This effectively allows for

any size lettering that also conforms to the general Sign Code allowances as found in the Zoning and Development Code and no longer restricts such signage to 12 inch letters.

The public hearing was opened at 8:45 p.m.

David Thornton, Principal Planner, presented this item. He described the reasons for the request and said since 2002, when this standard was put in place, a lettering height variance has been sought by many of the applicants within the corridor. This has been a barrier to development since a twelve inch letter is not readable from the road; to increase the letter height the applicant must apply for a Conditional Use Permit (CUP) process which added to their process time and expenses. If this is approved, the lettering will still be limited by the maximum size of the sign (100 square feet) which is not proposed to be changed. Mr. Thornton explained the exact change in the text that would remove the maximum height wording.

Councilmember Kennedy asked if there would be a possibility of a small business stand having a one hundred square foot sign. Mr. Thornton said the Code would still include a standard stating sign sizes are limited to two times the width of the building which will keep them in scale. Councilmember Kennedy asked what the original intention was of the 12 inch height limit. Mr. Thornton said the corridor was going to be developed as a business or office park, but it turned out to be more retail in nature.

Councilmember Boeschstein asked if monument style signs are required along 24 Road. Mr. Thornton said yes.

Councilmember Chazen asked what will happen to the CUPs that businesses had applied for and will a business now be able to increase the lettering size of their signs. Mr. Thornton said businesses will have that opportunity to change their signs.

Councilmember Taggart said he found the entire ordinance confusing; if he were an applicant he would have to call the Planning office for clarification. He gave an example regarding temporary and site signs; no dimensions are cited for temporary signs and it states only one site sign is allowed per building and only for the purpose of listing businesses within the building. He feels the whole ordinance needs to be reviewed and noted The Value Inn is in violation. Mr. Thornton said this corridor is on the Comprehensive Plan (CP) list to be cleaned up because the corridor did not develop the way the City envisioned. Councilmember Taggart said he would prefer to continue issuing variances until the whole ordinance could be cleaned up.

Council President Norris asked if this area has any overlays on top of the zoning. She mentioned there are some areas in the City that have multiple overlays requiring multiple documents to be reviewed to find out what can be done in these areas. This is

very confusing and a lot of cleanup needs to be done. Mr. Thornton said 24 Road just has one overlay; from 23 Road to 24 ½ Road and from Patterson Road to G ¾ Road. Council President Norris asked how many steps a 24 Road property owner would have to go through to find out what is allowed. Mr. Thornton said they would have to comply with the overlay standards and the general Code would apply in some circumstances.

Councilmember Chazen asked if Councilmember Taggart made a motion to table this and instruct Staff to come back with recommendation on how to clean up the entire ordinance.

Council President Norris said no motion had been made yet. Councilmember Taggart confirmed he did not make a motion.

Councilmember Boeschstein suggested illustrations be included in the Code to help simplify and clarify the intent; the Municipal Model Land Use Code in Colorado is a good example of this.

Councilmember Kennedy concurred with Councilmember Taggart regarding the review of the entire application process; it should be streamlined.

Councilmember McArthur said the 12 inch lettering height restriction is clearly not functional; something needs to be done. He asked if there is a downside to not having a maximum height established; are there other ways this is controlled? Mr. Thornton said it is controlled by the maximum size of signs; for example Kohl's has five foot letters now.

There were no public comments.

The public hearing was closed at 9:04 p.m.

Councilmember Chazen asked City Attorney Shaver if wording can be included in the motion to direct Staff to review this.

City Attorney Shaver said direction to Staff can be incorporated into the motion which would provide for a legal expectation, but, he suspects Interim City Manager Moore has heard Council's concerns and Council could simply ask Mr. Moore to review this as policy direction.

Councilmember McArthur asked if any applications are pending or if any businesses are under construction, and if their signs have been approved. Mr. Thornton said there is an application pending.

Councilmember McArthur asked how soon this ordinance could be reviewed. Mr. Thornton said it would depend on how much Council would like to be reviewed; just the signage portion or the overlay as a whole.

Councilmember McArthur said he is willing to support this current proposal.

Councilmember Traylor Smith suggested Councilmembers McArthur and Boeschstein work with Staff on this; she would approve this portion but would like to see the whole process reviewed.

Councilmember Chazen agreed.

Council President Norris expressed concern that reviewing the CP will be a huge job. However, she would like to make sure changes like this will be included in the CP review so that it will be easy for a builder or business to access, understand, and comply with the Codes.

Councilmember Kennedy will approve this amendment now, but would like Staff to go back to the drawing board and streamline the process and language.

Councilmember Taggart expressed concern that to approve this amendment is to approve an ordinance where the language regarding other signs is very confusing.

Council President Norris asked City Attorney Shaver if this request is for a new ordinance or an amendment to an existing ordinance.

City Attorney Shaver said this request includes some of both; to incorporate an amendment striking the letter height restriction will include that change in an existing ordinance. City Attorney Shaver said if he understands Councilmember Taggart correctly, he would like to revisit the entire sign section as it relates to the 24 Road Corridor.

Councilmember Kennedy said there is no sense just striking the language without addressing the entire section.

Councilmember Taggart said he hoped Council wouldn't be holding up an applicant if this is not approved, but variances could continue to be granted.

Councilmember Traylor Smith asked how long it takes to get a variance. Mr. Thornton said the process can take up to 90 days.

Councilmember Traylor Smith said if this is approved the business could get their signage quicker and then Staff could work on the language.

Council President Norris said she would like Interim City Manager Moore to work on this process.

Councilmember Boeschstein said variances are not automatically granted and should truly be exceptions; he would like to approve the amendment now and then work on the Sign Code.

Ordinance No. 4666 – An Ordinance Amending Section 25.28 of the 24 Road Corridor Design Standards and Guidelines (Title 25 of the Grand Junction Municipal Code) Regarding Maximum Lettering Size for Building Signs

Councilmember Chazen moved to adopt Ordinance No. 4666 on final passage and ordered final publication in pamphlet form. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

Councilmember Chazen clarified direction to Staff.

Councilmember Taggart asked that no variances be issued for advertising signs during the interim.

Public Hearing - Hutto-Panorama Annexation, Located at Approximately 676 Peony Drive

A request to annex approximately 7.921 acres, located at approximately 676 Peony Drive. The Hutto-Panorama Annexation consists of one parcel and no public right-of-way.

The public hearing was opened at 9:14 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request and the location. He noted the zoning hearing will be on July 15th due to a scheduling issue. Mr. Rusche described the previous use of the property as a sewer lagoon which has now been decommissioned. The property is now used to access sanitary sewer infrastructure and an offsite lift station. The site now functions as an open space and a conservation site due to its proximity to the Colorado River. The request meets the criteria for annexation.

Councilmember McArthur asked what the proposed use is for this site. Mr. Rusche said there are no proposed use changes to the site. The City is the applicant; it is more of a housekeeping item.

There were no public comments.

The public hearing was closed at 9:17 p.m.

Resolution No. 35-15 – A Resolution Accepting a Petition for the Annexation of Lands to the City of Grand Junction, Colorado, Making Certain Findings, and Determining that

Property Known as the Hutto-Panorama Annexation, Located at Approximately 676 Peony Drive is Eligible for Annexation

Ordinance No. 4667 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Hutto-Panorama Annexation Approximately 7.921 Acres Located at Approximately 676 Peony Drive

Councilmember Kennedy moved to adopt Resolution No. 35-15 and Ordinance No. 4667. Councilmember Chazen asked to amend the motion to include "on final passage and ordered final publication in pamphlet form". Councilmember Kennedy agreed. Councilmember Chazen seconded the amended motion. Motion carried by roll call vote.

Public Hearing - Rodgers Annexation, Located at 2075 South Broadway

A request to annex approximately 1.924 acres, located at 2075 South Broadway. The Rodgers Annexation consists of one parcel and no public right-of-way.

The public hearing was opened at 9:19 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request and the location. The zoning will be considered on July 15th. This property is separated from Seasons Drive by a piece of property owned by the Seasons Homeowner Association (HOA). This property is owned by Richard Tope who is negotiating with the Seasons property owners for the strip that separates the public right-of-way; it will require a replat to allow access onto Seasons Drive. The property would continue to have access onto South Broadway for one residence. In 2010, this property was designated as an estate for the Future Land Use Map in the Comprehensive Plan. However, the Blended Residential Category Map would allow for a range of densities that are appropriate for a particular neighborhood and would be decided on a case by case basis. The Blended Map has a residential low category that allows up to five units per acre. On July 15th a request for R-4 zoning will be presented and discussed in more detail; it is currently zoned in the county as RSF-4. The proposed zoning is consistent with the surrounding County zoning and meets Goals 3 and 5 of the CP and the ED Plan goals.

Councilmember Taggart said he doesn't have any issues with the annexation, but believes the HOA has concerns regarding the zoning that need to be resolved.

Councilmember Traylor Smith asked if there are any downsides to the City regarding this annexation if the zoning can't be changed.

City Attorney Shaver said there is no legal obligation with the annexation when making specific statutory findings relative to what the law says about the ability to be integrated

into the City Limits. One of the aspects of the upcoming public hearing is to determine whether the property is able to be developed. Therefore, no problem will be created by annexing this property into the City.

There were no public comments.

The public hearing was closed at 9:27 p.m.

Resolution No. 36-15 – A Resolution Accepting a Petition for the Annexation of Lands to the City of Grand Junction, Colorado, Making Certain Findings, and Determining that Property Known as the Rodgers Annexation, Located at 2075 South Broadway is Eligible for Annexation

Ordinance No. 4668 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Rodgers Annexation Approximately 1.924 Acres Located at 2075 South Broadway

Councilmember Boeschstein moved to Adopt Resolution No. 36-15 and Ordinance No. 4668 on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Council President Norris said the City received a demand from The Daily Sentinel (DS) for the June 20th Executive Session (ES) recording. The DS asserts the notice did not specify the topic of the meeting. In response, the City Attorney John Shaver asked City Clerk Stephanie Tuin to provide the recording of the meeting. She then deferred to City Attorney John Shaver.

City Attorney Shaver said the attorney for the DS, Steve Zansberg, said there are three elements that have to be in place for an executive session to be convened under Colorado law: a citation to a statute which allows for certain topics to be discussed in an executive session, an announcement of the topic prior to convening the session, and the session must be recorded. It is the City's custom to record all ES as required by law. After he was contacted by Mr. Zansberg, he went to the City Clerk for the disc in order to refresh his memory. He found the meeting was not recorded on the disc. As a result, the City was not able to respond to the DS's request. He recommended City

Council consider holding a Special Meeting (SM) for the purpose of discussing why Council did what they did. He said the ES can't be replicated as former City Manager Rich Englehart is no longer a City employee and that would be one of the standards for convening an ES, plus there are privacy issues involved. The DS's concern is whether the matter was decided in the ES; as he responded to the DS, Council did not do that. The DS is free to assert that but since the disc is blank, it is not able to be refuted. It may be appropriate to convene a SM to discuss the rationale relative to Mr. Englehart's proposal and Council's consideration of that proposal.

Council President Norris asked for Council comments.

Councilmember Chazen asked for confirmation that there is no recording of the June 20th ES. City Attorney Shaver said the disc is blank.

Councilmember Traylor Smith asked if the equipment was tested. City Attorney Shaver said a test was conducted at the pre-meeting that evening, but he did not know the results yet.

Councilmember Chazen asked, if there is no recording as required by law, what are the consequences?

City Attorney Shaver said at this point, he does not know; in part because he believes the decision Council made on June 24th is legally defensible. At the June 20th ES Mr. Englehart made a conditional offer to Council and the terms were discussed, but nothing was agreed upon; no signed letter was presented and there was no formal proposal. He said Council and Mr. Englehart may go into the specifics of the ES, but because it is privileged information, he cannot. He can say there was a lot of discussion relative to the options that were presented to Council and what they were tasked to do. The June 24th decision was based on those discussions. To specifically answer Councilmember Chazen's question, there is no fact pattern in cases that enable him to answer the question, but in the interest of the Open Meetings law and being able to respond to the concerns raised by the DS, because the disc is blank, he can't respond.

Councilmember Chazen asked if the decision made at the June 24th Open Meeting is invalidated because the ES was not recorded. City Attorney Shaver said, in his opinion, it is not because the purpose of the ES was to discuss a personnel matter, the subject of which was Mr. Englehart. What the DS suggested, is that the nature of the proposal and the adoption of Council's position occurred at that meeting. Since there is no recording, there is no way to respond. He recommended holding another meeting for the purpose of Council to make public statements regarding the individual and collective rationale that led to their decision on June 24th.

Councilmember Chazen asked, if Council held a SM for these purposes, would a formal motion be made. City Attorney Shaver said the nature of the recommendation is for Council to express their rationale and address, in a manner of their choice, what their thought process was. There is no law that compels Council to do this; he is recommending this because he believes the decision made on June 24th was consistent with the legal process. The DS attorney has a different view, but because there is no recording Mr. Shaver does not feel there is merit to contest the allegation. The bottom line is the City did not comply in having the meeting recorded.

Councilmember Kennedy said he has been asked a lot of questions on the street, and this has been a major topic of conversation at the different meetings he has attended. He is disappointed that there is no recording of the ES and for everyone's protection he does not want this to be repeated. He characterized the decision he made as a choice between bad and worse for a lot of reasons and said his mistake was not making a comment before the motion at the Council meeting on June 24th. He now has a desire to move the City and Staff forward in a positive direction from this very bad situation. He feels it is necessary to have another meeting to express what Council's thought process was. He also wanted to ensure the technology being used to document meetings is functional.

City Attorney Shaver said he appreciates Councilmember Kennedy's comments regarding the recording because he and City Clerk Stephanie Tuin were also disappointed. He said there is no excuse and he will find out what happened.

Councilmember Traylor Smith asked if there should be a redundant system of two recordings.

City Attorney Shaver said that is something to be considered, but he does not feel it was an equipment failure, but rather a misstep in the protocol to finalize the recording process.

Councilmember McArthur said he made his decision based on the ES discussion and did not want to encroach on any privacy or outstanding issues. He felt it was the safest course to take with respect to those involved. He agreed with the recommendation to hold an additional meeting to reaffirm how Council came to their decision and he would be willing to have a reaffirmation vote at the public meeting. He would like to hold the meeting as soon as possible based on the public notice requirements. City Attorney Shaver said a 24 hour posted notice is required.

Councilmember Chazen agreed with Councilmembers Kennedy and McArthur; a follow up public meeting is needed as soon as possible. He is willing to unequivocally state his reasons for his decision even though it will be tricky talking about things that happened in an ES since an internal investigation is still ongoing.

Councilmember Taggart echoed Councilmember Chazen and wondered if anything can be said from an expectation standpoint, in that there is no way to recreate thoughts from two weeks ago; the essence can be recreated, but it would not be a verbatim account. He did differ from Councilmember Kennedy in that he spoke to the DS after the June 24th meeting to say he had spent three days thinking about the situation and the available options; after the proposal was made and accepted he had nothing more to say.

City Attorney Shaver said he understood Councilmember Taggart's position and there is no expectation to recreate the ES. However, since the City is unable to produce what the City was obligated to secure, an attempt to recreate the essence of the ES needs to be made out of respect to the standards and the law.

Councilmember Boeschstein said he participated in the ES by phone from Boston and took notes which he still has. City Attorney Shaver said there is no legal obligation for notes to be produced under the Open Meetings law, although, if it is agreed to have a SM, they may be relevant for the purpose of any comments he would like to make. Councilmember Boeschstein said he will be on vacation next week and asked if he could participate by phone.

Councilmember Traylor Smith said she will also be absent.

Council President Norris asked for clarification that City Attorney Shaver is suggesting Council hold a SM for the purpose of discussing why each Councilmember made the decision they made, but it is not to recreate the ES.

City Attorney Shaver said that is correct. When situations like this occur, it is good to give some of the background and thoughts relative to the decision made because that is the essence of the concern expressed by the DS.

Councilmember McArthur asked if the two Councilmembers that will be absent can enter a written statement.

City Attorney Shaver said they may participate by phone or in writing; either one will demonstrate good faith.

Council President Norris said the ES was as it should have been; Council did not make a decision there, however she felt there should have been a discussion for the public at the June 24th meeting so it was known what Council was thinking in order to make that decision. She stated there is still a personnel issue that will not and should not be made totally public, but Council does need to step up and explain why they voted the way they did; Council owes that to the public. She asked City Attorney Shaver if they need to schedule another meeting where the topic will be to discuss why Council voted the way they did. City Attorney Shaver said there is no obligation to have a public

comment period; he doesn't recommend allowing public comment from citizens, but it is the decision of Council.

Councilmember Kennedy said he would welcome public comment at the meeting. He clarified that each Councilmember would have a frank and open discussion about their thought process and subsequent decision. City Attorney Shaver restated public comment is not legally required.

Councilmember Taggart said he is open to having public comment as long as it is understood that it is not for the purpose of a new vote.

Councilmember McArthur said he is open to a public comment period, but the objective of this meeting would be to reiterate their thought process. Since there was no public comment when the vote was made at the June 24th Council meeting, an opportunity should be given.

Councilmember Chazen said considering the time logistics and that July 3rd is a holiday, the earliest time a meeting could be scheduled would be before the workshop on July 6th and since there will be no voting, Councilmembers Boeschstein and Traylor Smith can participate by phone.

City Attorney Shaver said they could participate by phone or submit written comments.

Council President Norris agreed July 6th is the earliest a SM could be scheduled. She said she does not want to have a public comment period since the purpose of the meeting is to explain the reasoning behind their votes. She said Councilmembers Boeschstein and Traylor Smith can call in or leave notes to be read.

Councilmember Kennedy asked if Council could vote on whether or not to have a public comment session. He is in favor of having one.

Council President Norris asked if anyone else was in favor or having a public comment period. She said since no one else was in favor there will be no public comment period.

City Attorney Shaver asked what time the meeting should be scheduled. Council President Norris asked if the meeting could be scheduled at 4 p.m.

Councilmember Traylor Smith said everyone should have ten minutes for their comments; hers will be in writing.

Councilmember Chazen questioned if starting the meeting at 4 p.m. would give them enough time. He then asked if there would be a quorum since two Councilmembers will be absent. City Attorney Shaver said there would with five members present.

Councilmember Boeschstein asked for clarification on the sequence of events at the ES; was Mr. Englehart's letter read and did the Councilmembers have an opportunity to comment.

City Attorney Shaver said Mr. Englehart did not submit his offer letter at the ES; it was submitted for consideration as a conditional offer to amend his employment contract June 24th. At that time, Council could have not accepted the offer or negotiated the terms.

Councilmember Taggart said the ES was about two hours long and he was concerned if the SM begins at 4 p.m. it will not be enough time; he would prefer to start at 3 p.m.

All other Councilmembers agreed.

Councilmember McArthur recommended the format for the meeting be as follows: open the meeting, state there is a quorum, have each Councilmember state their thoughts, and conclude.

Councilmember Chazen said if the meeting starts at 3 p.m. and they follow the format put forward by Councilmember McArthur, it would allow for break before the workshop.

Council President Norris asked if the workshop start time could be changed to start immediately following the meeting.

City Attorney Shaver said it could.

Councilmember Chazen said he would like to start the discussion as quickly as possible regarding the replacement of the City Manager; he proposed this be added to the July 6th Workshop agenda in order to get direction from Staff.

Councilmember Traylor Smith requested the options be forwarded to her via email.

Councilmember Boeschstein said he thought Human Resources Director Claudia Hazelhurst had already started the process and was looking for a "circuit rider".

Interim City Manager Moore said Ms. Hazelhurst would provide information on her findings on July 6th.

Adjournment

The meeting was adjourned at 10:08 p.m.

Stephanie Tuin, MMC

City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

JUNE 24, 2015

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, June 24, 2015 at 5:30 p.m. in the City Hall Auditorium, 250 N. 5th Street. Those present were Councilmembers Marty Chazen, Chris Kennedy, Duncan McArthur, Rick Taggart, Barbara Traylor Smith, and President of the Council Phyllis Norris. Councilmember Bennett Boeschstein was absent. Also present were City Attorney John Shaver, Deputy City Manager Tim Moore, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. Councilmember Chazen led the Pledge of Allegiance and the audience remained standing for a moment of silence.

Council President Norris thanked all the Department Heads for being present at the meeting.

Consideration of Amendments to City Manager Rich Englehart's Employment Contract

President of the Council Norris explained the purpose of the meeting. She read Mr. Englehart's request for amendment of his contract and a conditional resignation. She then read his letter of resignation as submitted (attached). She asked the Council for comment.

Councilmember Kennedy moved to approve the request from City Manager Rich Englehart to amend his employment contract with the terms stated and to accept his immediate resignation. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Council President Norris said the termination of the City Manager is complete.

Councilmember Chazen suggested that, in the interest of continuity of operations, Deputy City Manager Tim Moore assume the responsibilities of City Manager on an interim basis until the City Council has the opportunity to discuss their next steps. He noted that all Department Heads will report to Mr. Moore and all Council requests for Staff assistance from the City Council go through Mr. Moore. With his assignment to Downtown Development Authority (DDA), perhaps he will consider assigning a

designee for DDA. He then asked the City Attorney to discuss the duties of the City Manager as stated in the City Charter and if they need a motion for this.

City Attorney John Shaver addressed the City Council on their options on how to proceed. The Council can by virtue of motion make Tim Moore Interim City Manager or can bring a resolution forward for a more formal action however a motion at this meeting is appropriate. The designation of the roles are clear in the Charter - the duties of City Manager he read paragraph 59 of the Charter: "The city manager shall see to the faithful execution of the laws and ordinances of the state and city; control and direct the several officers and departments of the city government; investigate at any time the affairs of any department; attend all meetings of the council and take part in its discussions, but not vote; keep the council advised of all the needs of the municipality; recommend measures for its adoption; prepare the annual budget, and perform such other duties as may be imposed on him by this Charter or any ordinance.". Attorney Shaver also read paragraph 60 of the City Charter: "**60. Limitations of Council.** Neither the council nor any member thereof shall dictate the appointment of any person by the city manager, or in any manner interfere with him or prevent him from exercising his own judgment in the appointment of officers and employees. Except for the purpose of inquiry, the council and its members shall deal with that part of the administrative service of the city for which the city manager is responsible solely through such manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the city manager either publicly or privately."

Council President Norris asked how the Council would like to go forward.

Councilmember Kennedy asked if a motion is necessary. City Attorney Shaver said a motion is certainly sufficient but a more formal action can come forward.

Councilmember Chazen stated if Mr. Moore accepts the role then all requests from City Council will funnel through Mr. Moore.

Deputy City Manager Tim Moore said he would be honored to serve the community in this interim period.

Councilmember Chazen moved to designate Tim Moore as Interim City Manager until the City Council has the opportunity to consider its next steps. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Council President Norris asked if there are any other comments.

Councilmember Kennedy said he would make some comments for the benefit of all those in the City organization. Any time such an important staff change takes place, it creates a lot of issues and unrest. From his perspective, they, the City Council, intend

to move forward in a positive direction; that is their main goal, to make sure the City's best interest is at heart and move forward in a positive direction.

Council President Norris thanked Rich Englehart for his dedication and work for what he has done for the City; his accomplishments will be included in the news release. Mr. Englehart pulled the Economic Development Partners together with a focus on moving Grand Junction community forward. She expressed appreciation for all of his contributions to the City.

There were no other comments.

Adjournment

With there being no further business, the meeting was adjourned at 5:45 p.m.

Stephanie Tuin, MMC
City Clerk



CITY MANAGER'S OFFICE

June 24, 2015

Mayor Phyllis Norris
c/o City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81506

Mayor Norris and City Council,

It is with a heavy heart I ask that you accept this letter as my conditional resignation as your City Manager. If you accept the following requested amendments to my current employment agreement, my resignation will become effective immediately.

I deeply care for this organization and for a number of reasons it is best I resign now. Increasing conflicts, both internally and externally, that have arisen over the last few weeks have led me to question my own effectiveness to continue to represent this Council and organization. By accepting my ultimate responsibility as a leader, I am anxious to see the City begin to heal and move forward and I believe my resignation will be the beginning of that process.

Since March 2008 when I was appointed as the Deputy City Manager and continuing through December 2011 with the Council at the time choosing me as City Manager, I have been in either a supporting role or a leadership role on behalf of the City, the City Council and this organization on a number of exciting projects and ventures that have brought about beneficial change and progress for the City. I have been supportive of our leadership team as they have delivered quality service to the citizens of this community. My work and dedication in this community has resulted in treasured professional relationships and friendships with you all, the department heads, incredible employees, our ED Partners, citizens and business leaders. I have formed lasting partnerships that will hopefully contribute to the overall success of this community now and well into the future. I am extremely proud of the work that the Council and in turn the community has undertaken and the fact that this City is on the cutting edge. You can be confident that opportunities for economic prosperity will continue and grow during the months and years ahead.

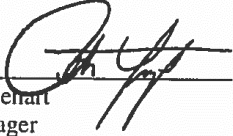
I am certain that the dedicated men and women of the City will continue to deliver excellent service day in and day out to the citizens of this community. I could not be more proud of the role that I played in meeting the objectives of this City Council and the previous Councils. It has been an honor and privilege to work with and for you all and to serve the citizens in this great community.

In light of the contributions made and mentioned above I respectfully request your approval of my resignation on the stated terms. It is my hope that the City Council will recognize my accomplishments and will agree to amend my employment agreement to pay me severance upon my resignation in the amount of \$127,680.16. As well, I would ask that the Council modify my contract to strike the 30-day notice provision.

Thank you City Council, the very talented and professional department heads, division managers and all the dedicated employees that I have had the privilege of working with and for.

Respectfully submitted,

Rich Englehart
City Manager

A handwritten signature in black ink, appearing to read 'Rich Englehart', is written over a horizontal line. The signature is stylized and includes a large initial 'R'.



Date: July 7, 2015

Author: Scott D. Peterson

Title/ Phone Ext: Senior Planner/1447

Proposed Schedule: 1st Reading: July 15, 2015

2nd Reading: August 5, 2015

File #: VAC-2015-182

CITY COUNCIL AGENDA ITEM

Subject: Colorado Mesa University Rights-of-Way Vacation, Located within the CMU Area

Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for August 5, 2015

Presenters Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

Colorado Mesa University (CMU) requests approval to vacate portions of Cannell, Bunting, Kennedy, Elm, Texas, Hall Avenues, and parts of alleys adjacent to CMU owned properties.

Background, Analysis and Options:

Colorado Mesa University ("CMU"), wishes to vacate portions of street and alley rights-of-way in order to facilitate the continued westward expansion efforts planned for the campus, specifically in the future to develop new residence halls, classroom buildings, parking lots and campus improvements.

The properties abutting the sections of right-of-way for which vacation is sought are owned or controlled by Colorado Mesa University. As a condition of approval, CMU will need to maintain a minimum 20' wide circulation drive (fire access lane) at the terminations of all vacated Avenue's (which the public could be able to utilize). Staff has discussed the options with CMU and CMU has agreed to pave the fire access lanes when the parking lots are developed. It is CMU's opinion that asphalt paving will help mitigate and control dust for the neighborhood and residents still living in the area better than magnesium chloride applied to recycled asphalt. CMU is not proposing to dedicate an access easement nor right-of-way or construct a sidewalk within the vacated areas, but the driving surface will be constructed/developed to meet City standards for fire access. These north/south, east/west connections may be closed or modified in the future, however CMU has agreed that new fire access lanes will be provided, constructed and asphalt paved to City standards if the existing connections are modified. CMU is also proposing to asphalt a new parking lot located north of Bunting Avenue and south of Kennedy Avenue as part of this phase of rights-of-way vacation. Access and maneuverability of fire and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing on the main campus of CMU.

With the vacations, the City of Grand Junction (“City”) will retain a utility easement for the existing electric, gas, water, sewer and storm drain lines that are located within the existing rights-of-way and associated alleys.

Based on the conditions recommended by the Fire Department and CMU’s intention to develop and construct paved emergency access, it is Staff’s assessment that the proposed vacations would not impede traffic, pedestrian movement or access to private property or obstruct emergency access.

Neighborhood Meeting:

CMU held a Neighborhood Meeting on March 3, 2015. Twenty-eight (28) area residents attended the meeting with CMU providing a powerpoint presentation with an update on various activities going on across campus and information regarding the most recent iteration of the ongoing right-of-way vacation process. However, after the Neighborhood Meeting, when the formal request for vacations were received by the City of Grand Junction for review, several area residents submitted letters/emails/phone messages voicing concerns regarding the existing conditions in the area from the previous vacation request and how the proposed new vacation requests will impact the area (see attached correspondence).

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

The Grand Junction Comprehensive Plan states: “Due to the inefficiencies of low density sprawl, a significant amount of projected future growth is focused inward on vacant and underutilized land throughout the community. This takes advantage of land that already has roads, utilities and public services. Infill and redevelopment is especially focused in the City Center (includes Downtown, North Avenue, Colorado Mesa University (formerly Mesa State College) area, and the area around St. Mary’s Hospital). Reinvestment and revitalization of these areas, and maintaining and expanding a ‘strong downtown’, is a high priority of the Comprehensive Plan and essential for the area’s regional economy. (Guiding Principle 1: Centers - Downtown)”

Vacating these rights-of-way supports the University in their facilities and building expansion development, enhances a healthy, diverse economy and supports a vibrant City Center, therefore, the proposed rights-of-way vacation implements and meets the following goals and policies from the Comprehensive Plan.

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

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

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

Policy A: Through the Comprehensive Plan’s policies the City and County will improve as a regional center of commerce, culture and tourism.

Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. Though the proposed rights-of-way vacation request specifically does not further the goals of the Economic Development Plan, it does allow the CMU campus to continue its westward expansion efforts in order to grow the campus for the benefit of students, community, higher educational opportunities and provides a vibrant and growing economy. Higher education is a key component of Grand Junction's status as a regional center.

Board or Committee Recommendation:

The Planning Commission will be reviewing this request at their July 14, 2015 meeting. Project Manager is recommending conditional approval of the proposed vacation requests.

Financial Impact/Budget:

Council directed Staff to evaluate on a case by case basis the value of selling ROW's at the time of a vacation request. Based on previous information and the purchase price of ROW recently acquired by the City, staff recommends a value of \$1.00 per square foot. At \$1.00 per square foot, the value of ROW requested through this vacation would be approximately \$126,487.00.

Legal issues:

The proposed vacation request has been reviewed by the Legal Division.

Previously presented or discussed:

This proposal has not been previously discussed.

Attachments:

- Staff Report/Background Information
- Location Map
- Aerial Photo Map / Comprehensive Plan Future Land Use Map
- Existing Zoning Map
- Correspondence received
- Site Plan Sketch of Fire Access Lane and Parking Lot Layout
- Ordinance

BACKGROUND INFORMATION					
Location:		Portions of Cannell, Bunting, Kennedy, Elm, Texas, Hall Avenues and parts of alleys			
Applicant:		Colorado Mesa University			
Existing Land Use:		City street and alley rights-of-way			
Proposed Land Use:		Colorado Mesa University land use development			
Surrounding Land Use:	North	Colorado Mesa University properties			
	South	Colorado Mesa University properties			
	East	Colorado Mesa University properties			
	West	Colorado Mesa University properties			
Existing Zoning:		R-8 (Residential – 8 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	R-8 (Residential – 8 du/ac)			
	South	R-8 (Residential – 8 du/ac)			
	East	R-8 (Residential – 8 du/ac) and CSR (Community Services & Recreation)			
	West	R-8 (Residential – 8 du/ac)			
Future Land Use Designation:		Residential Medium High (8 – 16 du/ac), Residential Medium (4 – 8 du/ac) and Business Park Mixed Use			
Zoning within density range?		X	Yes	<input type="checkbox"/>	No

City Fire Department Review of Rights-of-Way Vacation Request:

The Grand Junction Fire Department does not object to the University’s request to vacate certain public right-of-ways in an effort to implement their future master plan. However, it should be noted that such right of way vacations and the subsequent loss of the city street grid system in the area of the University has in the past, and could in the future, present challenges in emergency response capabilities.

Multiple problems resulted from the previous vacation of Cannell Avenue in 2014 to include, but not limited to a reduction in apparatus turning radius, parking obstructions, and the demolition of the Cannell/Elm intersection without proper notification to the fire department. These issues have been corrected by the University and the Fire Department and the University met recently to discuss better coordination and communication of these issues for the future.

In an effort to avoid future complications, the Fire Department proposes the following conditions:

1. All fire apparatus roads shall be constructed in accordance with the locally adopted 2012 International Fire Code and Appendices as well as any local City of Grand

Junction ordinances (i.e. Ordinance No. 4500) that pertain specifically to the Fire Department and their operations.

2. Final engineered construction drawings regarding fire apparatus roads and water supplies shall be submitted to the Fire Department for review and acceptance prior to any construction activities to include the demolition of existing street networks or the construction of new University buildings.

3. Any deficiencies or violations noted during an inspection of such fire apparatus roads and/or water supply items shall be promptly corrected by the University to the satisfaction of the Fire Department.

4. The University shall coordinate with the Fire Department the planning of fire department apparatus roads throughout the campus so as to diminish challenges resulting from the loss of the city street grid system. As vacated areas are developed, additional north/south and east/west primary fire lane corridors similar in appearance and functionality (i.e. minimum 20' width of concrete) to the existing fire lanes on campus will be required. All required fire apparatus roads, also known as fire lanes, are subject to review and acceptance by the Grand Junction Fire Department.

Sections 21.02.100 of the Grand Junction Zoning and Development Code:

The vacation of a portion of the existing rights-of-way shall conform to the following:

(1) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City,

Granting the request to vacate portions of the existing rights-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. CMU will construct an internal circulation drive for its own use (which the public, emergency services and trash collection would be allowed to use) that provides continued circulation between North Avenue and Orchard Avenue. A utility easement will be retained for existing utilities as a condition of approval. CMU will also be required to construct access roads in accordance with the 2012 International Fire Code etc., and keep all drive aisles free of obstructions. CMU has agreed that these fire access lanes will be asphalt paved and maintained to help mitigate and control dust for the neighborhood and residents still living in the area.

Therefore, this criterion has been met.

(2) No parcel shall be landlocked as a result of the vacation.

No privately held parcels will be landlocked as a result of these vacation requests. All properties abutting the proposed vacations are under the control of CMU. Furthermore, it is the intention of CMU to develop and maintain circulation drives that will continue to allow north/south and east/west vehicle and pedestrian connections.

Therefore, this criterion has been met.

(3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

Access will not be restricted to any privately held parcel. All properties abutting the proposed vacations are under the control of CMU.

Therefore, this criterion has been met.

(4) 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);

CMU has agreed to construct and pave new access roads in accordance with the 2012 International Fire Code etc., and keep all drive aisles free of obstructions for emergency vehicle access and maneuverability of fire equipment and garbage trucks.

The Fire Department has continued discussions with the University and is comfortable with the designation of Mr. Fox as the University contact to address future problems that arise concerning access. Fire Department would prefer to continue in good faith cooperation efforts with the University.

CMU has agreed that the fire access lanes be asphalt paved and maintained to help mitigate and control dust for the neighborhood and residents still living in the area. Concerning the maintenance of the recycled asphalt/materials parking lot areas, magnesium chloride (MC) should be applied as needed to keep the dust suppressed. CMU also agreed to add a 5' asphalt apron where vehicles enter City right-of-way.

The circulation drive could in theory be used by the trash trucks, and the public but CMU is unwilling to grant a license or easement for that purpose at this time. CMU has represented that the circulation drives would be made available to property owners in the area. Without a formal license or easement, however, there is no way for the City to ensure such access, or to represent that access would not be denied, or if granted, discontinued at any time without notice. No other adverse impacts on the health, safety and/or welfare of the general community are anticipated. The area is part of the larger existing CMU campus with future changes or modifications to access, right-of-way and utility location changes anticipated. However, with the current and future expansion of the University campus, additional educational services and opportunities will be available to the community.

Therefore, this criterion can be met, if CMU keeps the circulation drives open for public use.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Zoning and Development Code; and

No adverse comments concerning the proposed rights-of-way vacation were received from the utility review agencies during the staff review process. As a condition of

approval, a utility easement will be retained for existing utilities located within the vacated rights-of-way. There are privately owned residential properties in the area of the proposed ROW vacations whose trash collection and/or fire and ambulance services may be impacted (see discussion above).

The University shall provide continued access for the Fire Department, trash trucks and the public as otherwise described within this Staff Report, so that public facilities and services shall be not be inhibited to any property.

Concerning existing public facilities, this criterion will be met with the retention of a utility easement. Concerning public services, this criterion can be met, if CMU is willing to keep the circulation drives open for public use.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements for the City will not significantly change as a result of the proposed partial rights-of-way vacation. CMU's agreement to construct 5' aprons will reduce City maintenance by keeping the City right's-of-way clean. A utility easement will be retained to allow for the continuation and access of existing utilities. The benefit to the City is the expansion of CMU and its mission to educate and by enhancing and preserving Grand Junction as a regional center. The proposed rights-of-way vacation is needed by CMU as part of their continued campus expansion to the west.

Therefore, this criterion has been met.

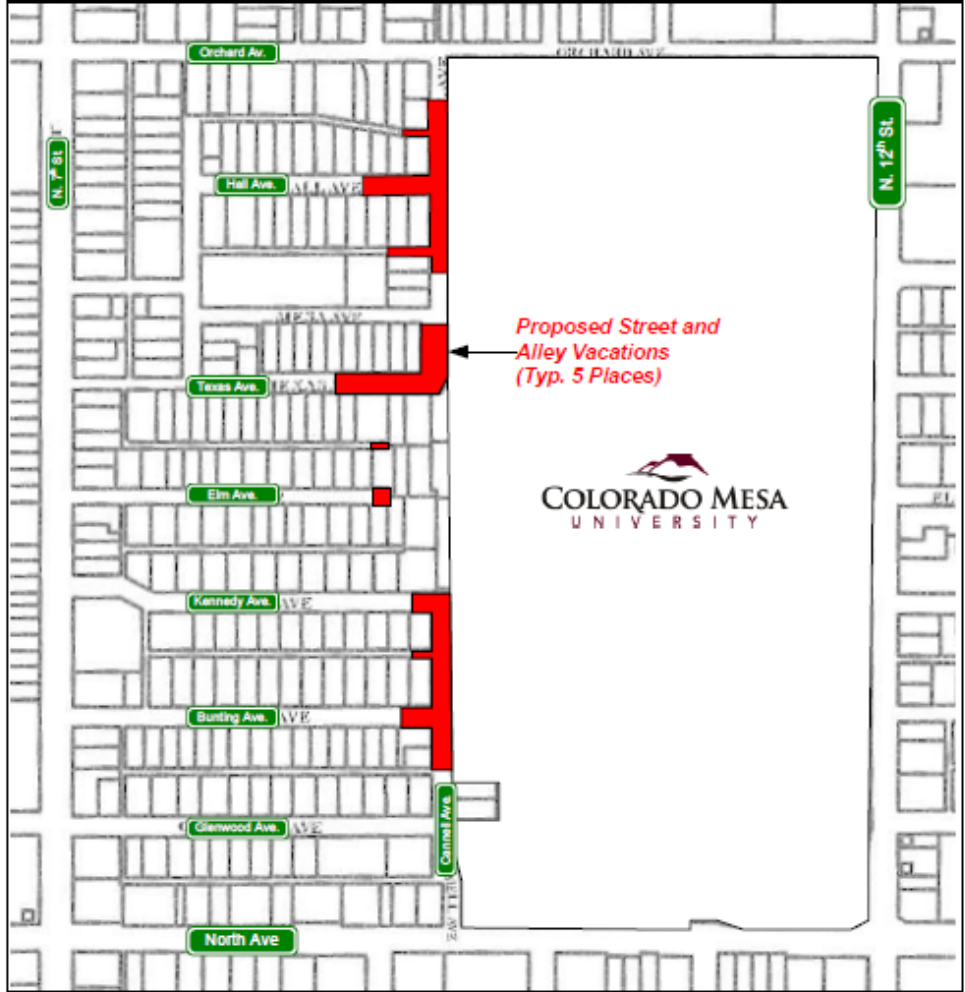
FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Colorado Mesa University application, VAC-2015-182 to vacate portions of public rights-of-way, the following findings of fact, conclusions and conditions have been determined:

1. The requested right-of-way vacation is consistent with the goals and polices of the Comprehensive Plan, specifically, Goals 1 and 12.
2. The review criteria, items 1 through 6 in Section 21.02.100 of the Grand Junction Zoning and Development Code have been met or addressed.
3. As a condition of vacation, the City shall retain a utility easement over all of the right-of-way areas to be vacated for maintenance, operation and repair of existing utility infrastructure.
4. CMU has agreed to construct a minimum 20' wide fire access lanes, with adequate turning radius and allow usage of the circulation drives by the public, trash collection trucks and emergency service vehicles and meet all requirements associated with the review and finalization of all outstanding items associated with the Right-of-Way vacation as identified with City file number VAC-2015-182.

5. CMU has agreed to meet all Grand Junction Fire Department requirements as identified within this application.
6. CMU has agreed to maintain the proposed parking lots to reduce dust. If constructed with anything other than asphalt paving, then magnesium chloride shall be applied as needed.
7. CMU agreed that all entrance/exit ways of parking lots onto City right-of-way shall have a minimum 5' deep hard surface apron.

LOCATION MAP



Aerial Photo Map



Comprehensive Plan Future Land Use Map



Existing Zoning Map



From: "bell222ut@gmail.com" <bell222ut@gmail.com>
To: <Scottp@gjcity.org>
Date: 5/18/2015 6:58 AM
Subject: University expansion

Dear Mr. Peterson,

During the night I realized that with being forced to move eventually due to the expansion of the University, I will lose the Senior citizen Property discount should it ever be reinstated.

Most people do not understand what is involved in moving at the age of seventy one. I feel that should be considered, somehow in your dealings with Tim Foster and Cannell Ave.

Also with the taking over of the proposed ally's and Cannell Ave. Bunting Kennedy Ave, Elm and Texas, how eventually are we who live in the area supposed to get to our property?

Who want's to live like the guy fenced in on Cannell Ave? And Mr. Foster say's he is Not driving people out of their homes, as I see it He has no concern for me or others as he pushes to take over the area around the University. His empire, Legacy. I'll not forget him hanging up on me when I struck a nerve!!

Do I not have some Rights here as a potential victim?

Sincerely,

Spencer Bergner
1613 N. 8th Street
Grand Jct., Co. 81501
970-245-5138

From: JC Rorex <callmejanets@yahoo.com>
To: Scott Peterson <scottp@ci.grandjct.co.us>
CC: Randall Pearce <hppc1@qwestoffice.net>, Phil Rorex <philrorex@yahoo.com>
Date: 5/13/2015 4:36 PM
Subject: Re: CMU Mailing Notice
Attachments: Notice cards.docx

Hi Scott,

Thank you for emailing this. Needless to say, finding out this information by phone from my tenant today and being told that I had to respond by tomorrow was very unsettling.

We have owned this property for many years and it has been in the family even longer than that. Since in our possession, we completely remodeled it from the 1930s house it was to a modern structure. In that time, have seen this neighborhood go from a quiet, lovely family oriented enclave, to a rundown, teenage party hangout due to the city's interventions. The past several years has been particularly disturbing.

The actions that the city has taken has already devalued this property and hindered our ability to find suitable tenants when it was needed. The gravel from the school's parking lot has cracked windows and there is a constant problem of speeding, noise, trash and beer cans left on and surrounding what used to be a quaint, solid family house. Clearly, we take very seriously any continued actions that would further degrade our property. I have contacted my attorney and we will respond to this proposal formally on Wednesday May 20, 2015 to your email address and to your postal mailing address as well.

For future reference, the Florida address is a mail service. It takes about 10 days to get mail to me in California, after they receive it. I would appreciate it if the city would take that into consideration when sending notices and setting future response requirements.

Thank you.

Sincerely,

Janet C. Sandoval
661 799 1433

From: Camille Chancellor <directorlllc@yahoo.com>
To: "scottp@gjcity.org" <scottp@gjcity.org>
Date: 5/14/2015 1:44 PM
Subject: VAC-2015-182 CMU Cannell Ave and alley vacations

Scott Peterson,

This is in regards to the proposal VAC-2015-182 - CMU Cannell Avenue area street and alley vacations. We have both a child care center and a K-8 school located on Mesa Avenue between Cannel Avenue and 8th street. We have a few concerns that we would like addressed. First, if this proposal is carried out our families routes into and out of our schools will become congested and hard to navigate leading to safety issues for our students. The majority of our families enter Mesa Avenue by way of Cannell and exit by way of 8th street. If Cannell was to be closed and there was only 8th street to enter and exit there would be major traffic congestion for both our schools during main drop off and pick up times creating safety issues for our students. Second, we have both dumpsters and large entry gates located along the alley way behind Mesa Avenue. If this alley is closed we would not have a place for our dumpsters and trash pick-up as well as no large truck entry way for our playgrounds which we need for maintenance.

Please consider our concerns and respond to us in a timely manner addressing the above issues.

Sincerely,

Camille Chancellor, Director, Little Lambs Learning Center
Casey Prindle, Principal, Intermountain Adventist Academy
Bob Nicolay, Board Chairman, Little Lambs Learning Center

860 Kennedy Ave
Grand Junction CO 81501
April 6, 2015

Dear Council Member ..., (Email copy to Scott Peterson, Senior Planner)

We write this letter to bring public safety and health issues to your attention. The issues involve the vacated portion of Cannell Ave. from Kennedy Ave to Texas Ave. This letter describes the problems and urges the paving of the Cannell road way to mitigate the problems.

The city vacated this portion of Cannell Avenue in April of last year. The new plans are described in the April 1, 2014 notes by Scott Peterson, Senior Planner, File # VAC-2014-40. More detailed plans are presented in the CMU April 14, 2014 "Plans for Construction of Cannell Avenue Vacation." The vacated land would be used as a rugby field and parking lots for commuter students and dorm residents. An access road was planned to allow vehicle traffic from Kennedy to Texas. The road would allow access to all the lots, to the alleys that accessed the lots, and to enable emergency and service vehicles to get from Texas to Kennedy.

This roadway was a key part of the CMU presentation, and it was prominently featured in the newspaper account as CMU's "emergency access road." The roadway was not listed in CMU's detailed drawings of April 14, 2014, but it took the form of an aisle running down the middle of the parking lot.

CMU decided to use crushed asphalt for the parking lot and the aisle. They explained in public meetings that crushed asphalt is often used for parking lots on campus. In this case, however, the vacated portion of Cannell is essentially a roadway, one that is heavily used by people traveling back and forth from Kennedy to Texas. We live next to the new parking lot, so we are in a good position to see conditions first-hand. This is what we have observed:

- The passage through the parking lot is used as a road way as well as access to parking. During the rush hours, we observe that more than 50% of the cars that enter Kennedy do not park. Rather, they go all the way through to Texas, perhaps on their way to Orchard. We sometimes use the Cannell road way in this manner. And we notice that the road way is used by mail trucks, FedEx trucks, pizza delivery cars etc. When defined by use, the vacated portion of Cannell is a road way as well as an aisle in a parking lot.
- The asphalt surface is not suitable for a roadway. There is a huge amount of dust stirred up by the through traffic. The dust blankets our house and the cars in the dorm parking lots. It clings to everything and is difficult to remove, possibly because of the residual coal tar.

- The public health issue involves the dispersal of crystalline silica, the key hazardous ingredient in recycled asphalt. Crystalline silica has been classified as a human lung carcinogen, and breathing silica dust can cause silicosis.
- A public safety issue involves reckless driving, often during out-of-school hours and mostly at night. Reckless drivers often speed into the lot at Kennedy, turn donuts in the lot before exiting to Elm or Texas at high speed. We often hear gravel either hitting our fence or sometimes hitting the house. We have informed the police coordinator at CMU, so he is aware of the problem.
- Another safety issue involves cars exiting the parking lot onto Kennedy. The dirt and rock accumulate on the cement apron at the exit. As the cars accelerate on that surface, the wheels spin, throwing dust and rock onto the parked cars as well as into the air. In some cases, the cars are accelerating quickly from the lot since visibility of Kennedy traffic from the right is obscured when cars park immediately to the right of the exit. CMU runs heavy equipment to smooth the lot during vacations and to remove the dirt and rock from the apron. The accumulated dirt and rock usually returns in a week or two. The accumulated dirt often goes into the gutters along Kennedy, perhaps adding to sediment load in the run-off system.
- The final safety issue involves vehicles on the alley behind Kennedy turning onto the Cannell roadway. This alley is the only access to the parking lot behind our house. The alley is 12 feet wide, narrower than the 16-foot alleys in the rest of the neighborhood. Cars parked in the Cannell lot are often immediately next to the alley, so there is no way to see cross traffic on the Cannell road way. Additionally, the alley is so narrow that cars cannot get past one another once they are on the alley. This means that someone has to back up and with the limited visibility, causing a safety problem. An easy response to these problems is to limit parking on either side of the alley intersection by installing diagonal bumpers on either side. Indeed, the diagonal bumpers were shown in the CMU April 14, 2014 drawings (sheet C-4), and they were placed into position when the parking lot was first constructed. However, for some reason, they were removed within the first month of use and have not been returned.

We explained the health and safety issues at the CMU March 3, 2014 neighborhood meeting. We suggested that CMU return the diagonal bumpers at the alley intersection to improve the turning radius and the visibility. This suggestion was greeted with silence, and the bumpers are still missing.

The CMU president showed plans for future vacation requests on Cannell, and he explained that the university was considering a wide variety of changes, including paving the asphalt lots closer to North Avenue. We asked if he and his staff had discussed paving the Cannell road way to alleviate the health and safety concerns. He responded that they had never considered it, and he made no comments on whether CMU would consider paving the road way in the future.

It has been a year since the City vacated Cannell Ave between Kennedy and Texas. We feel that neither CMU nor the city accurately anticipated the problems that would emerge on the vacated portion of Cannell. Paving the Cannell Avenue road way is the normal way to eliminate the health and safety issues that have become evident over the past 12 months.

However, some CMU spokespersons have explained that crushed asphalt parking lots are an economizing measure. There is an alternative solution if CMU lacks the funds to pave the Cannell road way. In this case, the lots could be partitioned in such a way to allow individual access from Kennedy, Elm, or Texas, but are not connected by a straight-through passage way. This change would allow permit holders to park, and it would discourage pass-through traffic. In other words, the vacated portion of Cannell would actually be an aisle in a parking lot, not a road way for through traffic. This change would lower the health and safety issues that have emerged over the past year.

If you have questions, we would be pleased to talk by phone (628-4393) or Email, and we also would welcome a discussion at our home.

Sincerely,

Amy Ford and
amy.ford71@gmail.com

Andy Ford
FordA@wsu.edu

From: "Ford, Andy" <forda@wsu.edu>
To: "scottp@gjcity.org" <scottp@gjcity.org>
Date: 5/14/2015 3:40 PM
Subject: Materials for VAC-2015-182
Attachments: Dirt on parking lot apron.jpg; Letter Copy to Scott Peterson.pdf; OSHA Fact Sheet on Silica 2002.pdf

May 14, 2015.

Scott Peterson, Senior Planner,
City of Grand Junction

Dear Scott,

I wish to submit the attached documents and this Email to the file on request VAC-2015-182, the university's request to vacate various streets and alleys in my neighborhood. (I live at 860 Kennedy, designated as 2945-114-14-029 in the Site Plan submitted by CMU). The main document is our letter to members of the City Council. This Email provides an update to the letter, along with a recent photo and the OSHA Fact Sheet on silica.

The letter from April 6 focused on the dust creation and safety issues that have arisen since the city vacated control of Cannell Avenue from Kennedy to Texas. The Planning Commission meeting of March 25, 2014 ended with expressions of pride for the CMU/City partnership and as good-faith partners, anticipated a trusting spirit to deal with problems that might arise.

Unanticipated problems have arisen due to the surfacing of the parking lots in crushed asphalt. The aisle in the interconnected parking lots that stretch from Kennedy to Texas was described as emergency access and for service trucks like garbage trucks to use. As used, however, the aisle is a de facto roadway used by vehicles traveling between Kennedy and Texas Avenues.

Normally, a parking lot surfaced in crushed asphalt would not create much of a dust problem. People enter slowly, looking for spaces to park. However, when the parking lot becomes a roadway, which by its usage this one is in fact, the traffic pattern changes completely. The through traffic leads to ongoing dust production, often from vehicles spinning their tires (sometimes accidental, sometimes just for the fun of it). This creates clouds of dust high into the air. The nearby houses are blanketed, as are the student cars parked by the dorms. Loose material accumulates on the apron and the street in front of it, and cars often spin on those surfaces as well (see photo). The solution to the problem would be to pave the access aisle with regular asphalt from Kennedy to Texas. Since it is used as a roadway, it should be treated as one. As explained to me, however, CMU uses a 5-year payback interval for the permanent pavement decision. Uncertainty over when the lot would be converted to a different permanent use would make the use of a temporary surface like crushed asphalt understandable. But for a roadway, an ongoing 5-year delay in dealing with the dust

problem is not appropriate, either for the City or for the university.

OSHA FACT SHEET

Recycled asphalt contains crystalline silica. The OSHA attachment describes the health issues from dispersal of crystalline silica in the fine dust that coats the cars and the neighborhood. CMU students and staff, along with neighborhood residents, are exposed when they inhale the fine dust. Crystalline silica has been classified as a human lung carcinogen. Additionally, breathing crystalline silica dust can cause silicosis, which in severe cases can be disabling, or even fatal.

CMU was informed of this hazard by my comments at President Foster's public meeting on March 3, 2015. CMU staff reported back that they were not aware of these risks, and they are looking into the matter.

The Mesa County Health Department deals with air pollution and dust problems, making use of particulate monitors installed by the State of Colorado. The nearest monitor is on 7th street, so it is not in a position to monitor the dust created in our neighborhood.

So, at this stage, the extent of the silica hazard is unknown. What is clearly known, however, is that paving roadways with regular asphalt is a common measure to lower dust creation from vehicle traffic.

CONCLUSION

The Grand Junction Municipal Code (8.20.010) calls for control of dust-producing areas. I encourage the City and CMU to consider paving the Cannel Avenue de facto-roadway with regular asphalt to comply with the Municipal Code. And I encourage the City and CMU to avoid a new dust creation problems if the streets and alleys in VAC-2015-182 are vacated.

With Respect,

Frederick Andrew Ford
860 Kennedy Avenue
Grand Junction, CO 81501
Phone: 970 628 4393





OSHA **FACT** Sheet

Crystalline Silica Exposure Health Hazard Information

What is crystalline silica?

Crystalline silica is a basic component of soil, sand, granite, and many other minerals. Quartz is the most common form of crystalline silica. Cristobalite and tridymite are two other forms of crystalline silica. All three forms may become respirable size particles when workers chip, cut, drill, or grind objects that contain crystalline silica.

What are the hazards of crystalline silica?

Silica exposure remains a serious threat to nearly 2 million U.S. workers, including more than 100,000 workers in high risk jobs such as abrasive blasting, foundry work, stonecutting, rock drilling, quarry work and tunneling. The seriousness of the health hazards associated with silica exposure is demonstrated by the fatalities and disabling illnesses that continue to occur in sandblasters and rockdrillers. Crystalline silica has been classified as a human lung carcinogen. Additionally, breathing crystalline silica dust can cause **silicosis**, which in severe cases can be disabling, or even fatal. The respirable silica dust enters the lungs and causes the formation of scar tissue, thus reducing the lungs' ability to take in oxygen. There is no cure for silicosis. Since silicosis affects lung function, it makes one more susceptible to lung infections like **tuberculosis**. In addition, smoking causes lung damage and adds to the damage caused by breathing silica dust.

What are the symptoms of silicosis?

Silicosis is classified into three types: chronic/classic, accelerated, and acute.

Chronic/classic silicosis, the most common, occurs after 15–20 years of moderate to low exposures to respirable crystalline silica. Symptoms associated with chronic silicosis may or may not be obvious; therefore, workers need to have a chest x-ray to determine if there is lung damage. As the disease progresses, the worker may experience shortness of breath upon exercising and have clinical signs of poor oxygen/carbon dioxide exchange. In the later stages, the worker may experience fatigue, extreme shortness of breath, chest pain, or respiratory failure.

Accelerated silicosis can occur after 5–10 years of high exposures to respirable crystalline silica. Symptoms include severe shortness of breath, weakness, and weight loss. The onset of symptoms takes longer than in acute silicosis.

Acute silicosis occurs after a few months or as long as 2 years following exposures to extremely high concentrations of respirable crystalline silica. Symptoms of acute silicosis include severe disabling shortness of breath, weakness, and weight loss, which often leads to death.

Where are construction workers exposed to crystalline silica?

Exposure occurs during many different construction activities. The most severe exposures generally occur during abrasive blasting with sand to remove paint and rust from bridges, tanks, concrete structures, and other surfaces. Other construction activities that may result in severe exposure include: jack hammering, rock/well drilling, concrete mixing, concrete drilling, brick and concrete block cutting and sawing, tuck pointing, tunneling operations.

Where are general industry employees exposed to crystalline silica dust?

The most severe exposures to crystalline silica result from abrasive blasting, which is done to clean and smooth irregularities from molds, jewelry, and foundry castings, finish tombstones, etch or frost glass, or remove paint, oils, rust, or dirt from objects needing to be repainted or treated. Other exposures to silica dust occur in cement and brick manufacturing, asphalt pavement manufacturing, china and ceramic manufacturing and the tool and die, steel and foundry industries. Crystalline silica is used in manufacturing, household abrasives, adhesives, paints, soaps, and glass. Additionally, crystalline silica exposures occur in the maintenance, repair and replacement of refractory brick furnace linings.

In the maritime industry, shipyard employees are exposed to silica primarily in abrasive blasting operations to remove paint and clean and prepare steel hulls, bulkheads, decks, and tanks for paints and coatings.

How is OSHA addressing exposure to crystalline silica?

OSHA has an established Permissible Exposure Limit, or PEL, which is the maximum amount of crystalline silica to which workers may be exposed during an 8-hour work shift (29 *CFR* 1926.55, 1910.1000). OSHA also requires hazard

communication training for workers exposed to crystalline silica, and requires a respirator protection program until engineering controls are implemented. Additionally, OSHA has a National Emphasis Program (NEP) for Crystalline Silica exposure to identify, reduce, and eliminate health hazards associated with occupational exposures.

What can employers/employees do to protect against exposures to crystalline silica?

- Replace crystalline silica materials with safer substitutes, whenever possible.
- Provide engineering or administrative controls, where feasible, such as local exhaust ventilation, and blasting cabinets. Where necessary to reduce exposures below the PEL, use protective equipment or other protective measures.
- Use all available work practices to control dust exposures, such as water sprays.
- Wear only a N95 NIOSH certified respirator, if respirator protection is required. Do not alter the respirator. Do not wear a tight-fitting respirator with a beard or mustache that prevents a good seal between the respirator and the face.
- Wear only a Type CE abrasive-blast supplied-air respirator for abrasive blasting.
- Wear disposable or washable work clothes and shower if facilities are available. Vacuum the dust from your clothes or change into clean clothing before leaving the work site.
- Participate in training, exposure monitoring, and health screening and surveillance programs to monitor any adverse health effects caused by crystalline silica exposures.
- Be aware of the operations and job tasks creating crystalline silica exposures in your workplace environment and know how to protect yourself.
- Be aware of the health hazards related to exposures to crystalline silica. Smoking adds to the lung damage caused by silica exposures.
- Do not eat, drink, smoke, or apply cosmetics in areas where crystalline silica dust is present. Wash your hands and face outside of dusty areas before performing any of these activities.
- Remember: If it's silica, it's not just dust.

How can I get more information on safety and health?

OSHA has various publications, standards, technical assistance, and compliance tools to help you, and offers extensive assistance through workplace consultation, voluntary protection programs, strategic partnerships, alliances, state plans, grants, training, and education. OSHA's *Safety and Health Program Management Guidelines* (*Federal Register* 54:3904-3916, January 26, 1989) detail elements critical to the development of a successful safety and health management system. This and other information are available on OSHA's website.

- For one free copy of OSHA publications, send a self-addressed mailing label to OSHA Publications Office, 200 Constitution Avenue N.W., N-3101, Washington, DC 20210; or send a request to our fax at (202) 693-2498, or call us toll-free at (800) 321-OSHA.
- To order OSHA publications online at www.osha.gov, go to **Publications** and follow the instructions for ordering.
- To file a complaint by phone, report an emergency, or get OSHA advice, assistance, or products, contact your nearest OSHA office under the U.S. Department of Labor listing in your phone book, or call toll-free at **(800) 321-OSHA (6742)**. The teletypewriter (TTY) number is (877) 889-5627.
- To file a complaint online or obtain more information on OSHA federal and state programs, visit OSHA's website.

This is one in a series of informational fact sheets highlighting OSHA programs, policies, or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to *Title 29 of the Code of Federal Regulations*. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999. See also OSHA's website at www.osha.gov.

This is one in a series of informational fact sheets highlighting OSHA programs, policies, or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to *Title 29 of the Code of Federal Regulations*. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999. See also OSHA's website at www.osha.gov.

From: <jonpesta@aol.com>
To: <scottp@gjcity.org>
Date: 5/15/2015 4:39 PM
Subject: Cannell Ave vacation

May 15th, 2015

To whom it may concern;

This email is to provide my written support to the comments provided by Amy and Andy Ford regarding the safety and health issues around the misuse of the "access road" within the CMU parking lots off Cannell Ave.

Their letter/email communication thoroughly outlined the concerns of the residents who continue to live in the 'growth zone' near CMU campus between Cannell and 7th street. The amount of noise, traffic, dust and lack of compliance with parking and traffic laws has dramatically escalated in the 12 months since Cannell Ave was vacated.

In effect, Cannell Ave was not vacated but merely moved West 50 feet to accommodate the rugby field. The same amount of traffic that previously used Cannell Ave as a thoroughfare between North and Orchard Ave flows through the much smaller and improperly built "access road". The minimum action that should be required of CMU is to pave the "access road" to reduce some of the serious issues. It would not reduce the traffic but would at least reduce the dust and noise from cars spinning out at all hours of the day and night.

Since most of the recently demolished home sites that are now parking lots in this neighborhood are mostly empty, the few spaces next to the Ford's home could easily be removed and allow for a reduction in traffic through this area and improve the visibility for cars entering and exiting this area. It is a serious hazard to be pulling out of your driveway with the multiple entry/exit points in such a confined area. For pedestrians the safety issue is much higher as cars cannot adequately view the sidewalks due to the congestion.

I would welcome representatives from the city or from CMU to facilitate further discussion regarding this matter and to complete a traffic study during peak campus times as well as weekend nights to gain a more realistic perspective of how the "access road" is being utilized and the dangers it has imposed in this area.

Sincerely,

Jon Pesta
865 Kennedy Ave
970-623-3099
jonpesta@aol.com

From: Susie Cunningham <susie.cunninghamgj@gmail.com>
To: <scottp@gjcity.org>
Date: 5/14/2015 7:16 PM
Subject: Notice of Application regarding CMU/Kennedy Ave

Mr. Peterson,

I reside at 850 Kennedy Ave in Grand Junction. As a home owner, I would like to say that I am dissatisfied with the development plans that have occurred and continue to take place by CMU.

The plans for the vacated portion of Cannell Ave from Kennedy Ave to Texas Ave which were presented last year has turned out to be ridicules for the home owners in the area.

The proposed "emergency access road" is a unpaved roadway for the public as well as the CMU students used as a shortcut from Kennedy Ave to Orchard Ave. Sometimes it is a drag strip for some folks. Not to mention the dust that is stirred up from the traffic. The surface on the roadway spills out into the street making our block dirty and dusty. The City Street Cleaner can not keep up in keeping the area clean.

The parking lot next to my house is used for CMU Students to gather for smoking and who knows what.

As a resident of Grand Junction, a Tax payer, and Voter, all I am asking is for are alternative solutions to eliminate problems for the existing home owners as well as the CMU Students. Surely, CMU can have all the growth they need without pushing us out of our homes.

Thank you for taking the time to read my comments.

Susie Cunningham
850 Kennedy Ave
Grand Junction, CO 81501

From: JC Rorex <callmejanets@yahoo.com>
To: "scottp@gjcity.org" <scottp@gjcity.org>
CC: Randall Pearce <hppc1@qwestoffice.net>, Phil Rorex <philrorex@yahoo.com>
Date: 5/20/2015 5:15 PM
Subject: Property of 842 Texas Avenue

May 19, 2015

Grand Junction Planning Department.
Attn: Scott Peterson scottp@gjcity.org 250 N. 5th Street
Grand Junction, CO 81501

Re: Property of 842 Texas Avenue

Dear Mr. Peterson:

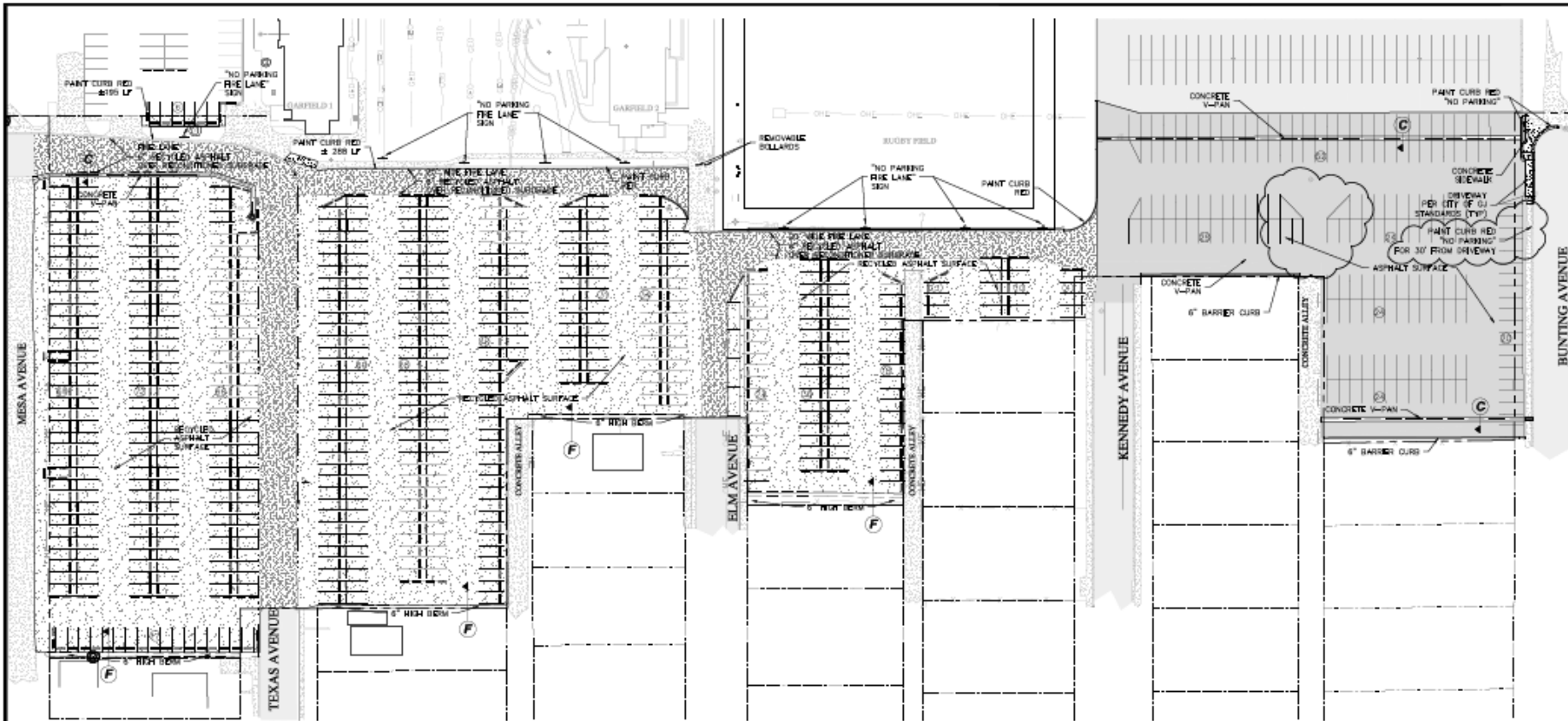
I am an owner of 842 Texas Avenue, Grand Junction, Colorado. The property is adjacent to a parking lot owned by the Colorado Mesa University. As per our conversation last week, I formally forward our objections to the proposed changes.

I have the following concerns regarding the plan to vacate a portion of Texas Avenue and Cannell Avenue:

- If Texas Avenue and Canal Avenue are vacated and through traffic is no longer allowed, my property at 842 Texas Avenue will not have adequate access for emergency vehicles.
- If Texas Avenue is blocked off to the East of my property there is not room to allow vehicles reaching the end of Texas Avenue to turn around. That would cause vehicles to use the driveway of my property as a turnaround to head west on Texas Avenue.
- The gravel and dirt parking lot has caused problems for my tenants and damage to my property because the university has not constructed a fence or barrier to separate my property from the parking lot. As a result, gravel and trash is thrown onto my property and cars leaving the parking lot cut across the driveway of my property. Further, the noise from students partying in the parking lot at night is not being controlled and is a nuisance to my tenants.
- The prior changes that have occurred have already damaged to our physical property and to the value of our property. I do not want any further damages or loss to occur.

In summary, I do object to the proposal because vacating Texas Avenue would create inadequate access to my property, my property would be burdened by an inadequate turnaround if Texas Avenue is blocked, and the continuing impact on the tenants and value of the property due to the gravel parking lot, including dust, trash and noise, on my property.

Yours truly, Janet Sandoval



LEGEND

---	PROPERTY LINE	---	PROPOSED FENCE
---	ADJACENT PROPERTY LINE	---	EXISTING FENCE
---	EXISTING EASEMENT	---	EXISTING SEWER MAIN
---	PROPOSED EASEMENT	---	PROPOSED SEWER
---	EXISTING BUILDING	○	EXISTING SEWER MANHOLE
---	EXISTING CURB/GUTTER	○	PROPOSED SEWER MANHOLE
---	PROPOSED CURB/GUTTER	○	PROPOSED TRAFFIC SIGN
---	PROPOSED STALL CURB/GUTTER	○	EXISTING STORM SEWER
---	PROPOSED STALL CURB/GUTTER	○	PROPOSED STORM SEWER
---	EXISTING 12\"/>		

- GENERAL NOTES:**
- ALL PARKING SPACES ARE 9-FT WIDE X 18.5-FT LONG UNLESS OTHERWISE NOTED.
 - OBTAIN WORK IN RIGHT OF WAY PERMITS FROM THE CITY OF GRAND JUNCTION BEFORE DOING ANY WORK ALONG TEXAS AVE, ELM AVE, KENNEDY AVE, BUNTING AVE, AND CANNELL AVE.

TOTAL PARKING SPACES = 744

SEE SHEET C-2 FOR DETAIL

UTILITIES AND AGENCIES

UTILITY	AGENCY	CONTACT	PHONE
UTILITY	CITY OF GRAND JUNCTION SANITARY SEWER	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION WATER	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION PUBLIC WORKS	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION POLICE	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION FIRE	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION PUBLIC WORKS	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION POLICE	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION FIRE	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION PUBLIC WORKS	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION POLICE	JOE TEE	244-0338
UTILITY	CITY OF GRAND JUNCTION FIRE	JOE TEE	244-0338

CMU PARKING LOTS
STATE PLAN
 prepared by
Colorado Mesa University

CITY OF GRAND JUNCTION COMMUNITY DEVELOPMENT

BY: _____ DATE: _____

CITY OF GRAND JUNCTION ENGINEERING

APPROVED FOR CONSTRUCTION FOR ONE YEAR FROM THE DATE

BY: _____ DATE: _____

ACAPADO AS CONSTRUCTED

BY: _____ DATE: _____

1162.0009

05-15-15

1"=50'

C-4



All details, conditions, inspections, and survey shall conform to the City of Grand Junction Standard Contract Documents for Capital Improvement Construction. Contractor shall take all steps to the described plans and subject City of Grand Junction Standard Documents for Capital Improvement Construction on site and available on all times.

811
 Before you dig,
 Call before you dig.
 STATE VERIFICATION
 On 11/14/2015 at 10:00 AM
 Project No. 15-0000000-0000

A.C.G.
AUSTIN CIVIL GROUP, INC.
 Land Planning • Civil Engineering • Development Services
 823 North 13th Street, Suite 208 • Grand Junction, Colorado 81501
 970.243.4444

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE VACATING PORTIONS OF THE CANNELL, BUNTING, KENNEDY, ELM, TEXAS, HALL AVENUES, AND ASSOCIATED ALLEY RIGHTS-OF-WAY AND RETAINING A UTILITY EASEMENT

LOCATED IN THE COLORADO MESA UNIVERSITY AREA

RECITALS:

Colorado Mesa University has requested to vacate portions of Cannell, Bunting, Kennedy, Elm, Texas, Hall Avenue's and adjacent alley rights-of-way in order to enable the continued westward expansion efforts planned for the campus, specifically in the future to develop new residence halls, classroom buildings, parking lots and campus improvements.

The properties abutting the sections of right-of-way for which vacation is sought are owned by Colorado Mesa University. City staff does not expect that the proposed vacations would impede traffic, pedestrian movement or access to private property, however, driving lanes will be reduced. As a condition of approval, CMU will need to maintain a minimum 20' wide circulation drive (fire access lane) at the terminations of all vacated Avenue's (which the public could be able to utilize). CMU is not proposing to dedicate an Access Easement nor right-of-way or construct a sidewalk within the vacated areas, but the driving surface will be constructed/developed to meet City standards for fire access. The driving surface treatment proposed would be either recycled asphalt or left in its current state. However, as proposed by CMU, it will be at CMU's discretion on when these north/south, east/west connections would be closed or modified in the future, provided that all new fire access lanes are provided and constructed. Access and maneuverability of fire and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing on the main campus of CMU.

With the vacations, the City of Grand Junction ("City") will retain a utility easement for the existing electric, gas, water, sewer and storm drain lines that are located within the existing rights-of-way of Cannell, Bunting, Kennedy, Elm, Texas, Hall Avenue's and associated alleys

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 Grand Junction Zoning and Development Code with the reservation of the utility easement as described within this ordinance and the construction of a new 20' wide north/south, east/west circulation drive with retention of a utility easement over all of the rights-of-way being vacated for the existing utilities. Applicant is also required to meet all Grand Junction Fire Department requirements as identified within the City Staff Report.

The Planning Commission, having heard and considered the request at two public hearings, found the criteria of the Code to have been met, and recommends that the vacations be approved with the retention of a utility easement over all of the rights-of-way being vacated for the existing utilities and the construction of a minimum of a 20' wide north/south east/west circulation drives, that CMU meet all Grand Junction Fire Department requirements as identified within the Staff Report, and.

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. The reservation of utility easements are granted as Temporary Utility Easements as it is understood that the easements are needed for the utilities presently in the rights-of-way. It is expected that some utilities will be relocated or removed with the changes and improvements being made to the Colorado Mesa University campus. Colorado Mesa University will work with the City and the appropriate public utility agencies to determine the final location of the utilities and the relocation of the utilities. Once the utilities have been relocated or it is determined that the utility infrastructure need not be moved to the satisfaction of the City Manager or the City Manager's designee, Colorado Mesa University shall grant new permanent utility easements for the new locations as required by the City Manager. Upon the City's acceptance of a utility easement, the City Manager shall release all interests in the Temporary Utility Easements pursuant to Section 21.02.100 (d) (3) of the Grand Junction Zoning and Development Code that is no longer needed due to the grant of the new permanent utility easement.
3. CMU has agreed to construct minimum 20' wide asphalt paved circulation drives (fire access lane), with adequate turning radius and allow usage of the circulation drives by the public, trash collection trucks and fire/ambulance vehicles and meet all requirements associated with the review and finalization of all outstanding items associated with the Right-of-Way vacation as identified with City file number VAC-2015-182.
4. With the vacation, has agreed to meet all Grand Junction Fire Department requirements as identified within this application.
5. CMU has agreed to maintain the proposed parking lots to reduce dust. If constructed with anything other than asphalt paving, then magnesium chloride shall be applied as needed.

6. CMU has agreed that all entrance/exist ways of parking lots onto City right-of-way shall have a minimum 5' deep hard surface apron.

The following rights-of-way are shown on "Exhibits A, B, C D and E" as part of this vacation description.

Dedicated rights-of-way to be vacated:

VACATION AREA 1

A Portion of Hall Avenue and Cannell Avenue Right-of-Way and associated Alleys as dedicated on the plat Mesa Subdivision as recorded at Reception Number 449854 of the Mesa County Records, situated in the Southeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows: All of Cannell Avenue lying south of the north line of the south 91.00 feet of Lot 11, Block 2, Mesa Subdivision and north of the south line of the north 50.00 feet of Lot 13, Block 3, Mesa Subdivision. Also all of Hall Avenue lying east of the west line of the east 22.61 feet of Lot 14, Block 2, Mesa Subdivision and adjoining to the westerly Right-of-Way line of Cannell Avenue. Also all of an Alley Right-of-Way lying east of the west line of the south 91.00 feet of Lot 11, Block 2, Mesa Subdivision and adjoining to the westerly Right-of-Way line of Cannell Avenue. Also all of an Alley Right-of-Way lying east of the west line of Lot 10, Block 3, Mesa Subdivision and adjoining to the westerly Right-of-Way line of Cannell Avenue. Containing an area of 45,192 square feet (1.037 acres) more or less, as described herein and depicted on "EXHIBIT A."

Said vacated Rights-of-Way to be retained as a Utility Easement.

VACATION AREA 2

A Portion of Cannell Avenue and Texas Avenue Road Right-of-Ways as dedicated on the plat Nelms Subdivision as recorded in Plat Book 6 Page 9 of the Mesa County Records, situated in the Southeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows: All of Cannell Avenue lying north of previously vacated Right-of-Way recorded in the Mesa County records at Book 5596 Page 612 and south of the south Right-of-Way line of Mesa Avenue. Also all of Texas Avenue lying east of the west line of Lot 16 Nelms Subdivision and adjoining the west Right-of-Way line of Cannell Avenue.

Containing an area of 35,250 square feet (.809 acres) more or less, as described herein and depicted on "EXHIBIT B."

Said vacated Rights-of-Way to be retained as a Utility Easement.

VACATION AREA 3

A Portion of Alley Right-of-Way as dedicated on the plat Nelms Subdivision as recorded in Plat Book 6 Page 9 of the Mesa County Records, situated in the Southeast Quarter of section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows: All of an Alley lying east of the west line of the east 65.00 feet of Lot 12, Elm Avenue Subdivision as recorded in Plat Book 6 Page 1 of the Mesa County records and adjoining the west line of a previously vacated Right-of-Way recorded in the Mesa County records at Book 5596 Page 612.

Containing an area of 961 square feet (.022 acres) more or less, as described herein and depicted on "EXHIBIT C."

Said vacated Rights-of-Way to be retained as a Utility Easement.

VACATION AREA 4

A Portion of Elm Avenue Right-of-Way as dedicated on the plat Elm Avenue Subdivision as recorded in Plat Book 6 Page 1 of the Mesa County Records, situated in the Southeast Quarter of section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows: All of Elm Avenue lying east of the west line of the east 65.00 feet of Lot 12, Elm Avenue Subdivision as recorded in Plat Book 6 Page 1 of the Mesa County records and adjoining the west line of a previously vacated Right-of-Way recorded in the Mesa County records at Book 5596 Page 612.

Containing an area of 2,306 square feet (.053 acres) more or less, as described herein and depicted on "EXHIBIT D."

Said vacated Rights-of-Way to be retained as a Utility Easement.

VACATION AREA 5

A Portion of Kennedy Avenue, Cannell Avenue, Bunting Avenue and Alley Right-of-Ways as dedicated on the plat Rose Park Subdivision as recorded in Plat Book 7 Page 23 of the Mesa County Records, situated in the Southeast Quarter of section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows: All of Cannell Avenue lying south of previously vacated Right-of-Way recorded in the Mesa County records at Book 5596 Page 612 and north of the south line of Lot 9, Block 3, of the Rose Park Subdivision. Also all of Kennedy Avenue lying east of the west line of Lot 17, Block 2, of the Rose Park Subdivision and west of the west Right-of-Way line of Cannell Avenue.

Also all of an Alley lying east of the west line of Lot 17, Block 2, of the Rose Park Subdivision and west of the west Right-of-Way line of Cannell Avenue. Also all of Bunting Avenue lying east of the west line of the east 32.00 feet of Lot 8, Block 3, of the Rose Park Subdivision and west of the west Right-of-Way line of Cannell Avenue.

Containing an area of 42,778 square feet (.982 acres) more or less, as described herein and depicted on "EXHIBIT E."

Said vacated Rights-of-Way to be retained as a Utility Easement.

Introduced for first reading on this _____ day of _____, 2015 and ordered published in pamphlet form.

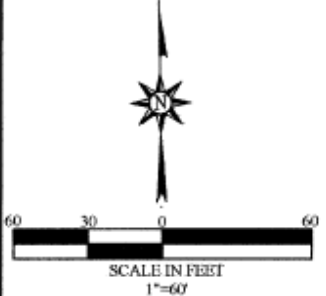
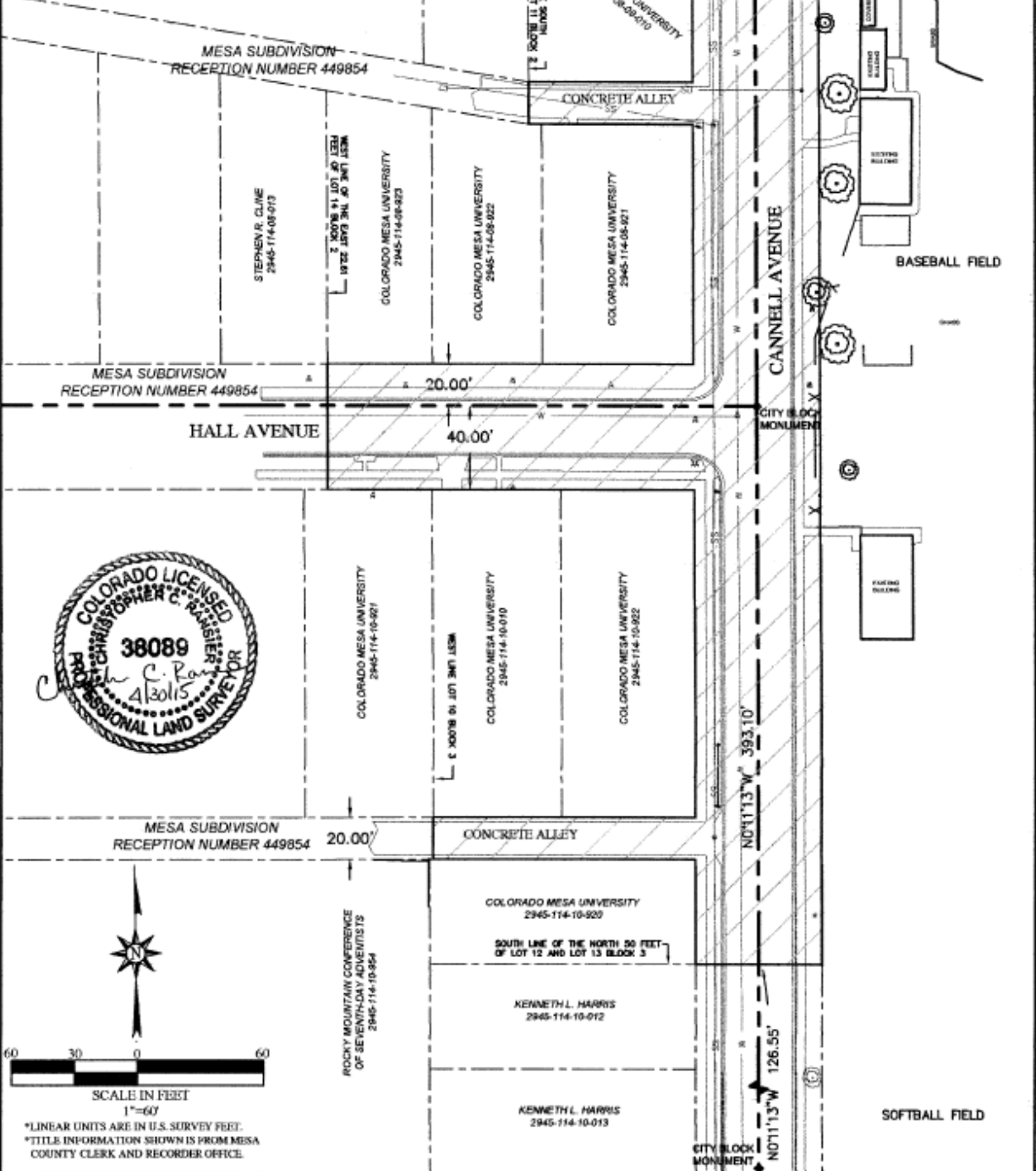
PASSED and ADOPTED this _____ day of _____, 2015 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

EXHIBIT "A"
 SOUTHEAST 1/4 OF SECTION 11,
 T1S, R1W, UTE MERIDIAN,
 IN THE CITY OF GRAND JUNCTION,
 COUNTY OF MESA, STATE OF COLORADO



*LINEAR UNITS ARE IN U.S. SURVEY FEET.
 *TITLE INFORMATION SHOWN IS FROM MESA COUNTY CLERK AND RECORDER OFFICE.

EXHIBIT "C"
 TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,
 IN THE CITY OF GRAND JUNCTION,
 COUNTY OF MESA, STATE OF COLORADO

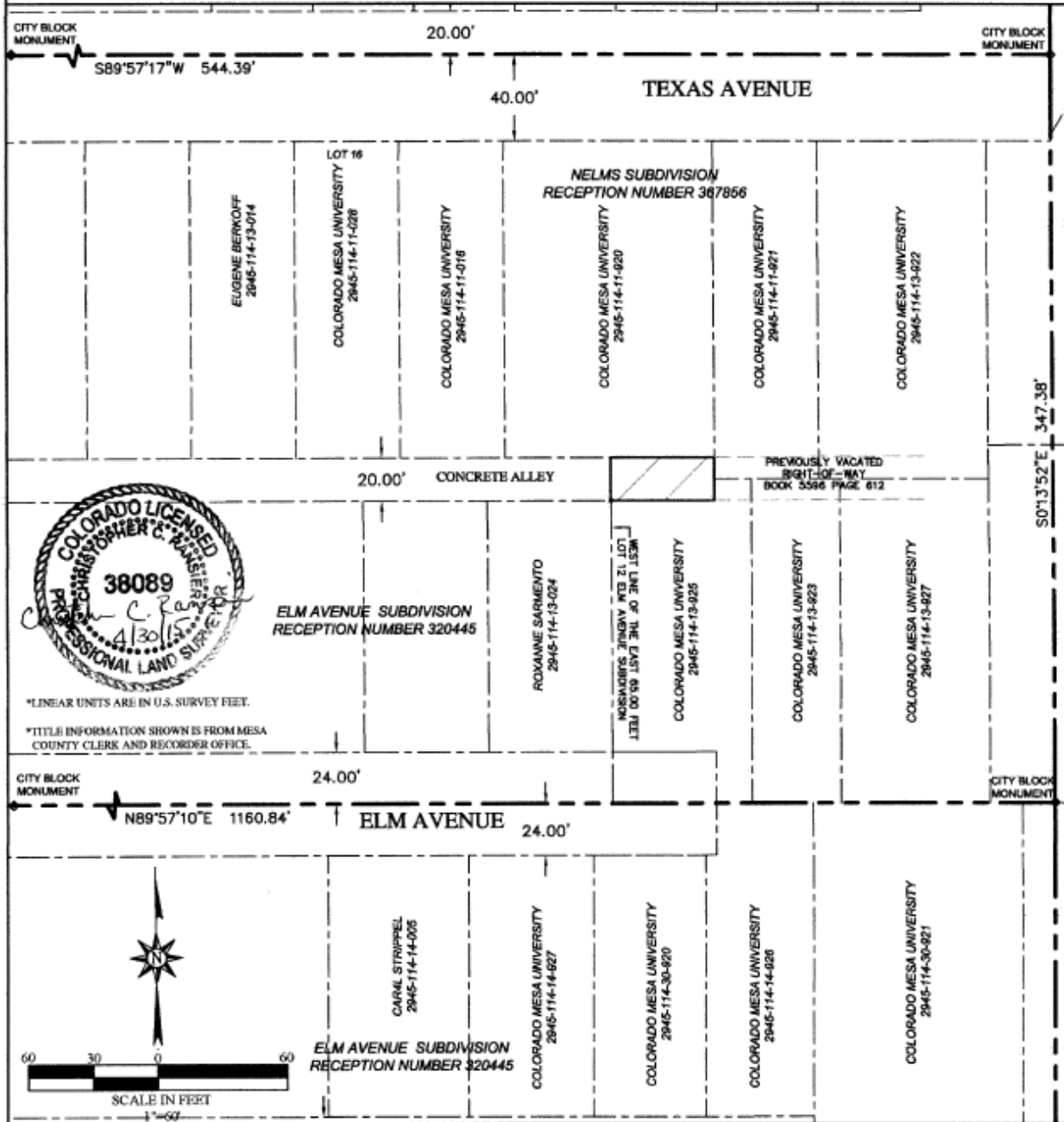
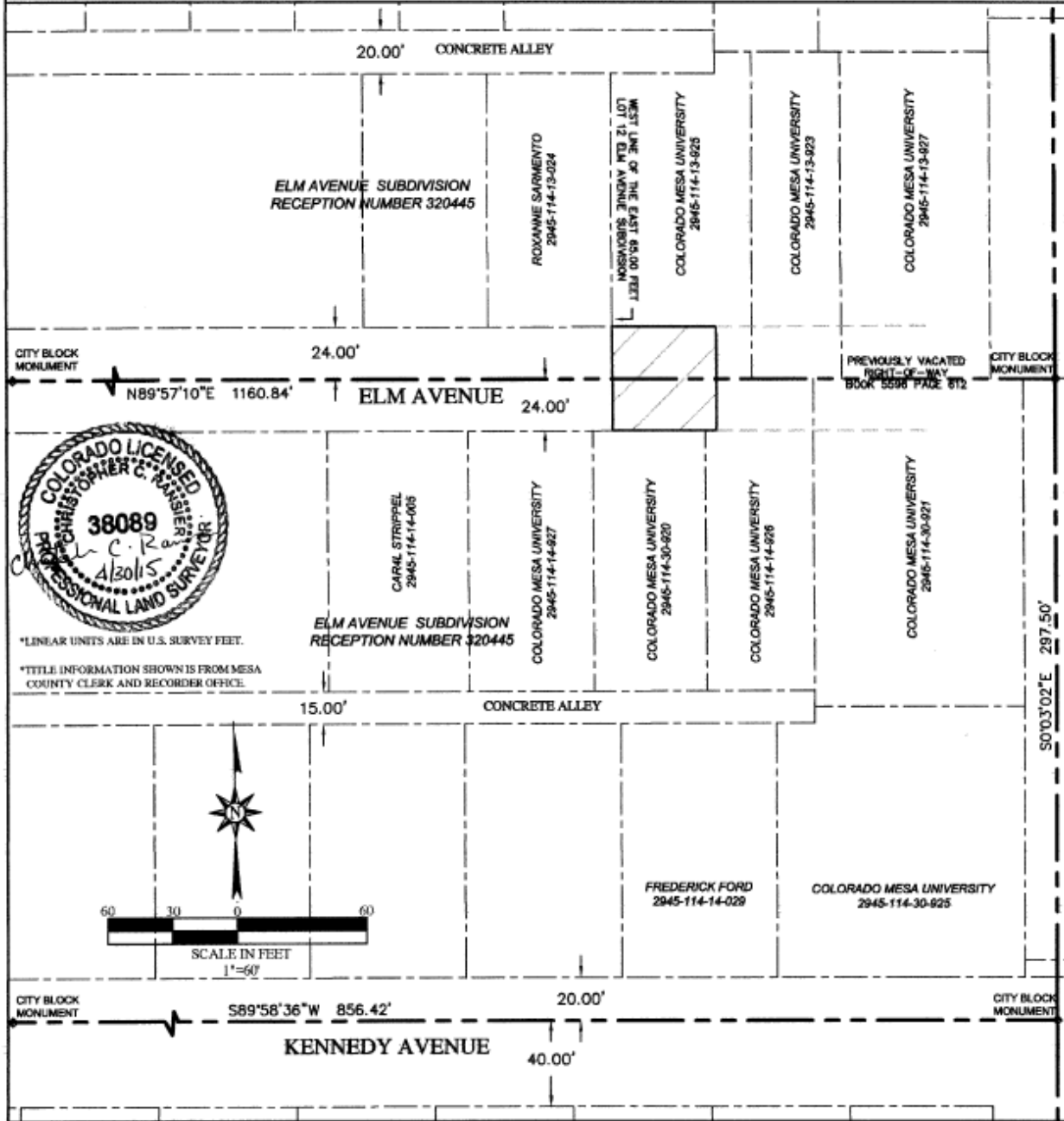


EXHIBIT "D"
TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,
IN THE CITY OF GRAND JUNCTION,
COUNTY OF MESA, STATE OF COLORADO



CITY BLOCK MONUMENT

CITY BLOCK MONUMENT

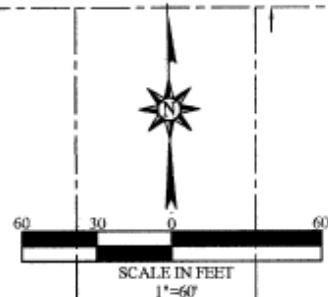
N89°57'10"E 1160.84'

ELM AVENUE

PREVIOUSLY VACATED RIGHT-OF-WAY BOOK 5598 PAGE 812



*LINEAR UNITS ARE IN U.S. SURVEY FEET.
 *TITLE INFORMATION SHOWN IS FROM MESA COUNTY CLERK AND RECORDER OFFICE.



CITY BLOCK MONUMENT

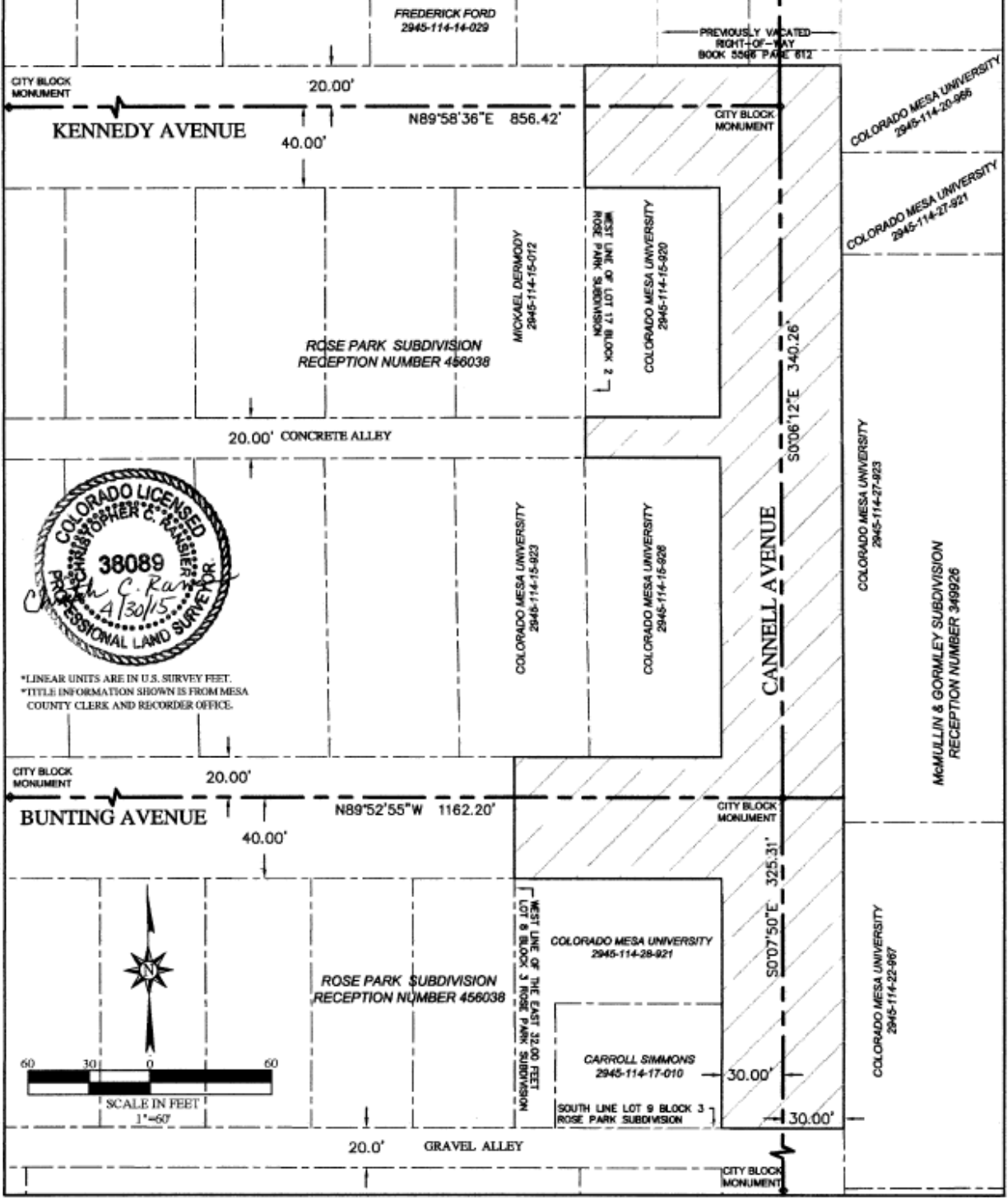
CITY BLOCK MONUMENT

S89°58'36"W 856.42'

KENNEDY AVENUE

50°03'02"E 287.50'

EXHIBIT "E"
 TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,
 IN THE CITY OF GRAND JUNCTION,
 COUNTY OF MESA, STATE OF COLORADO



FREDERICK FORD
 2945-114-14-029

COLORADO MESA UNIVERSITY
 2945-114-30-925

COLORADO MESA UNIVERSITY
 2945-114-27-922

CITY BLOCK MONUMENT

KENNEDY AVENUE

N89°58'36"E 856.42'

PREVIOUSLY VACATED
 RIGHT-OF-WAY
 BOOK 5548 PAGE 812

CITY BLOCK MONUMENT

COLORADO MESA UNIVERSITY
 2945-114-20-966

COLORADO MESA UNIVERSITY
 2945-114-27-921

ROSE PARK SUBDIVISION
 RECEPTION NUMBER 456038

MICHAEL DERMODY
 2945-114-15-012

COLORADO MESA UNIVERSITY
 2945-114-15-920

20.00' CONCRETE ALLEY



*LINEAR UNITS ARE IN U.S. SURVEY FEET.
 *TITLE INFORMATION SHOWN IS FROM MESA COUNTY CLERK AND RECORDER OFFICE.

COLORADO MESA UNIVERSITY
 2945-114-15-923

COLORADO MESA UNIVERSITY
 2945-114-15-626

CANNEL AVENUE

S006°12'E 340.26'

COLORADO MESA UNIVERSITY
 2945-114-27-923

McMULLIN & GORMLEY SUBDIVISION
 RECEPTION NUMBER 349926

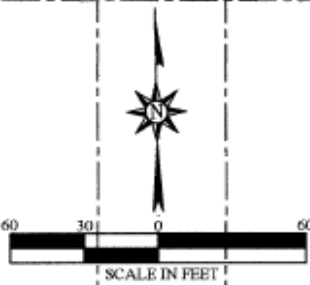
CITY BLOCK MONUMENT

BUNTING AVENUE

N89°52'55"W 1162.20'

40.00'

CITY BLOCK MONUMENT



ROSE PARK SUBDIVISION
 RECEPTION NUMBER 456038

COLORADO MESA UNIVERSITY
 2945-114-29-921

CARROLL SIMMONS
 2945-114-17-010

WEST LINE OF THE EAST 32.00 FEET LOT 8 BLOCK 3 ROSE PARK SUBDIVISION

SOUTH LINE LOT 9 BLOCK 3 ROSE PARK SUBDIVISION

S070°50'E 325.31'

COLORADO MESA UNIVERSITY
 2945-114-22-967

20.0' GRAVEL ALLEY

CITY BLOCK MONUMENT



Date: July 2, 2015
Author: Lee Cooper
Title/ Phone Ext: Project Engineer
Proposed Schedule: July 15, 2015
2nd Reading (if applicable):
File # (if applicable):

CITY COUNCIL AGENDA ITEM

Subject: Bypass Pumping Contract for the Persigo Wastewater Treatment Plant (WWTP) Aeration Basin Slide Gate and Trough Replacement Project

Action Requested/Recommendation: Authorize the Purchasing Division to Execute a Bypass Pumping Contract with Sunbelt Rentals, Inc. for the Aeration Basin Slide Gate and Trough Replacement Project at the Persigo WWTP for an Estimated Amount of \$71,650

Presenter(s) Name & Title: Greg Lanning, Public Works Director
Jay Valentine, Internal Services Manager

Executive Summary:

This request is for the required bypass pumping of the wastewater flows at the Persigo WWTP for the Aeration Basin Slide Gate and Trough Replacement Project. This project includes removing two existing 32 year old aluminum slide gates that are corroded and one large overflow trough that is corroded and leaking, and installing two new stainless steel slide gates and a new stainless steel overflow trough. Bypass pumping of the plant's wastewater is required in order to complete this work.

Background, Analysis and Options:

The diversion box structure immediately upstream of the two Persigo aeration basins is used to divert wastewater into each aeration basin. Two large slide gates in this diversion box are used to regulate how much wastewater is conveyed into each aeration basin. Excess wastewater that is not diverted into one of the aeration basin is conveyed back to the head of the plant via the flow equalization basins.

The two existing aluminum slide gates are 32 years old and are original to the plant and certain components have become badly corroded which has resulted in very poor performance and has resulted in one slide gate actually breaking apart due to the corrosion. The aluminum trough is also 32 years old and over the years the trough has developed holes in the metal due to the corrosive nature of the wastewater.

As a result, the Persigo WWTP has already purchased in-kind replacement slide gates. The new slide gates are stainless steel and not aluminum. Stainless steel will not

corrode in the wastewater environment. The new stainless steel trough was fabricated in-house by Persigo staff.

In order to remove the existing gates and trough to allow Persigo’s Staff to install the new gates and trough, the wastewater has to be bypass pumped around the diversion box. The bypass pumping operations will discharge the wastewater into the two aeration basins downstream of the diversion box. Persigo Staff anticipates this replacement work to take 3 – 4 days to complete which requires the bypass pumping.

A formal Invitation for Bid was issued via BidNet (an on-line site for government agencies to post solicitations), advertised in The Daily Sentinel, and sent to the Western Colorado Contractors Association (WCCA) and the Grand Junction Chamber of Commerce. One company submitted a formal bid which was found to be responsive and responsible, in the following amount:

Company	City, State	Rental Price per Day	Mobilization/ De-Mobilization	Total price assuming 4-days of bypass pumping
Sunbelt Rentals, Inc	Fort Mill, SC	\$8,175.00	\$38,950.00	\$71,650.00

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

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

This Persigo project relates to the Comprehensive Plan Goal above by ensuring that the Persigo WWTP is fully capable of providing the crucial services necessary of a wastewater treatment plant for sustaining a healthy economy and future development and population growth.

How this item relates to the Economic Development Plan:

This project relates to the Economic Development Plan by maintaining and improving the efficiency of the existing infrastructure at the Persigo WWTP. Providing a wastewater treatment plant that operates as efficiently as possible is crucial to all future economic development within the 201 Sewer Boundary. By completing this project, the City is ensuring that the Persigo WWTP will continue to have the productive capacity needed for a growing economy and population.

Board or Committee Recommendation:

There is no committee recommendation.

Financial Impact/Budget:

Persigo WWTP has already purchased the two new stainless steel slide gates and Persigo Staff has completed fabrication on the new stainless steel overflow trough. Persigo Staff will be used for removal of the existing equipment and for the installation of the new equipment.

Funding:

Adequate funds are available in Fund 902 - Plant Backbone Improvements.

Project Costs:

Sunbelt Rentals, Inc. Contract Amount:	\$71,650.00
City Construction Inspection and Contract Administration (in house):	<u>\$ 1,000</u>
Total Estimated Project Cost (4-days of pumping)	\$72,650.00

Note: Total project cost could be more or less than \$72,650.00 depending on the total amount of bypass pumping days needed.

Legal issues:

The services will be subject to standard City contracting. If requested by Public Works the City Attorney will review the contract prior to execution.

Other issues:

No other issues have been identified.

Previously presented or discussed:

The slide gates were discussed during budget review.

Attachments:

None.



Date: 7/14/15
 Author: Jodi Romero
 Title/ Phone Ext: Financial Operations
Director
 Proposed Schedule: July 15th, 2015
 2nd Reading
 (if applicable): August 5th, 2015

CITY COUNCIL AGENDA ITEM

Subject: 2015 Second Supplemental Appropriation Ordinance
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for August 5, 2015
Presenter(s) Name & Title: Jodi Romero, Financial Operations Director

Executive Summary:

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2015 budget amendments for establishment of an Employee Retiree Health Trust Fund and implementation of wage adjustments in accordance with the City’s Class and Compensation Market Study.

Background, Analysis and Options:

Supplemental appropriations are required to ensure adequate appropriations by fund. Capital projects that are budgeted and appropriated in a prior year but are not completed in that year, require the funds be re-appropriated in the next year in order to complete the project. Also if a new project or change of project scope is authorized by City Council a supplemental appropriation is also required for the legal authority to spend the funds.

This 2015 supplemental appropriation provides, upon passage of the ordinance, for the following by fund:

General Fund 100 (\$1,943,202)

- for the disbursement of retiree health funds and establishment of a formal trust to manage the post-employment benefit including a transfer from the Insurance Fund, as described below, in the total amount of \$1,527,202
- for the implementation of the remaining wage adjustment in accordance with the City’s Class and Compensation Market Study, in the total amount of \$416,000

Self-Insurance Fund 404 (\$500,000) for the transfer to the General Fund from Rocky Mountain HMO cost sharing reimbursement for the disbursement of retiree health funds;

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

This action is needed to meet the Plan goals and policies.

How this item relates to the Economic Development Plan:

The appropriation ordinances provide the legal authority for the spending budget of the City. The budget supports and implements the City Council's economic vision and in particular the roles of "providing infrastructure that fosters and supports private investment" as well as "investing in and developing public amenities."

Board or Committee Recommendation:

None.

Financial Impact/Budget:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City.

Legal issues:

The ordinance has been drawn, noticed, and reviewed in accordance with the Charter.

Other issues:

None known at this time.

Previously presented or discussed:

The Employee Retiree Health trust and transfer of funds from the Insurance Fund as well as the wage adjustments were discussed at the July 13th, 2015 City Council budget workshop at which time City Council directed staff to bring forward as amendments to the 2015 Adopted Budget.

Attachments:

Proposed Second Supplemental Appropriation Ordinance for 2015 Budget

ORDINANCE NO. ____

**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2015
BUDGET OF THE CITY OF GRAND JUNCTION**

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2015, to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General	100	\$ 1,943,202
Self-insurance	404	\$ 500,000

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of ____
_____, 2015.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM
this ____ day of _____, 2015.

Attest:

President of the Council

City Clerk



Date: 7/14/15
Author: Jodi Romero
Title/ Phone Ext: Financial Operations
Director
Proposed Schedule: July 15th, 2015
2nd Reading
(if applicable): August 5th, 2015

CITY COUNCIL AGENDA ITEM

Subject: 2015 Third Supplemental Appropriation Ordinance-Colorado Mesa University

Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for August 5, 2015

Presenter(s) Name & Title: Jodi Romero, Financial Operations Director

Executive Summary:

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2015 budget amendment for contribution to the Colorado Mesa University Campus (CMU) Expansion Project.

Background, Analysis and Options:

Supplemental appropriations are required to ensure adequate appropriations by fund. Capital projects that are budgeted and appropriated in a prior year but are not completed in that year, require the funds be re-appropriated in the next year in order to complete the project. Also if a new project or change of project scope is authorized by City Council a supplemental appropriation is also required for the legal authority to spend the funds.

This 2015 supplemental appropriation provides, upon passage of the ordinance, for the contribution of \$500,000 out of the General Fund to the CMU Campus Expansion Project.

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

This action is needed to meet the Plan goals and policies.

How this item relates to the Economic Development Plan:

The appropriation ordinances provide the legal authority for the spending budget of the City. The budget supports and implements the City Council's economic vision and in particular the roles of "providing infrastructure that fosters and supports private investment" as well as "investing in and developing public amenities."

Board or Committee Recommendation:

None.

Financial Impact/Budget:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City.

Legal issues:

The ordinance has been drawn, noticed, and reviewed in accordance with the Charter.

Other issues:

None known at this time.

Previously presented or discussed:

The CMU Campus Expansion contribution was discussed at the July 13th, 2015 City Council budget workshop at which time City Council directed staff to bring forward as an amendment to the 2015 Adopted Budget.

Attachments:

Proposed Supplemental Appropriation Ordinance for 2015 Budget

ORDINANCE NO. ____

**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2015
BUDGET OF THE CITY OF GRAND JUNCTION**

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2015, to be expended from such funds as follows:

	Fund Name	Fund #	Appropriation
General		100	\$ 500,000

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of ____
_____, 2015.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM
this ____ day of _____, 2015.

Attest:

President of the Council

City Clerk



Date: [June 29, 2015](#)

Author: [Greg Moberg](#)

Title/ Phone Ext: [Development Services](#)

[Manager/4023](#)

Proposed Schedule:

1st Reading: [July 1, 2015](#)

2nd Reading: [July 15, 2015](#)

File #: [ANX-2014-474](#)

CITY COUNCIL AGENDA ITEM

Subject: Zoning the Rodgers Annexation, Located at 2075 South Broadway
Action Requested/Recommendation: Hold a Public Hearing and Adopt the Zoning Ordinance on Final Passage and Order Final Publication in Pamphlet Form
Presenters Name & Title: Greg Moberg, Development Services Manager

Executive Summary:

A request to zone 1.924 acres from County RSF-4 (Residential Single-Family 4 du/ac) to a City R-4 (Residential 4 du/ac) zone district.

Background, Analysis and Options:

The property owners have requested annexation into the City and a zoning of R-4 (Residential 4 du/ac) to facilitate the development of a residential subdivision. Under the 1998 Persigo Agreement with Mesa County all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

There will be difficulties in subdividing the property. Due to safety issues with traffic on South Broadway only access for one single-family residence is allowed under City standards. Any other access will have to occur onto another right-of-way. The only feasible access at this time is on to Seasons Drive. However, there is a tract of land between this property and the right-of-way owned by a homeowners association. The property owners understand that obtaining additional access to another right-of-way is required before the property may be subdivided creating any additional lots.

Staff recommends an R-4 zone as this is an appropriate zone for the property but for the lack of additional access. Any zone will have this same concern. The property owners may develop one single-family residence in the R-4 zone. Though one of the lower density zones may first appear more appropriate, if this access becomes available more density is in conformance in this area with the Comprehensive Plan and the Future Land Use Map.

A Neighborhood Meeting was held on November 24, 2014. A summary of the discussion and attendance is attached.

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

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

Zoning the property will create an opportunity to develop a vacant parcel in a manner consistent with adjacent residential development.

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.

Zoning the property will create an opportunity for additional housing units to be brought to market.

How this item relates to the Economic Development Plan:

Goal: Be proactive and business friendly. Streamline processes and reduce time and costs to the business community while respecting and working within the protections that have been put into place through the Comprehensive Plan.

Zoning the property provides the developer with consistent development standards as other residential subdivisions under development in the City and is consistent with the Blended Residential Land Use Category of Residential Low identified in the Comprehensive Plan.

Board or Committee Recommendation:

The Planning Commission forwarded a recommendation of approval of the requested Zoning at their regular meeting of June 9, 2015.

Financial Impact/Budget:

The provision of municipal services will be consistent with adjacent properties already in the City. Property tax levies and municipal sales/use tax will be collected, as applicable, upon annexation.

Legal issues: The City Attorney's office has reviewed the request.

Other issues: The property is presently accessible from South Broadway for one single-family residence. Access to Seasons Drive is precluded by the presence of a strip of land owned by The Master Subdivision of the Seasons at Tiara Rado Owners Association (The Seasons HOA or HOA). The Applicants have assured Staff that they are negotiating with the HOA for mutually agreeable terms that would allow access to Seasons Drive by incorporating the strip into the future subdivision of the property.

The proposed zoning of the property is a precursor to review by the City of a proposed subdivision. Applicants understand that further subdivision of the property creating any additional lots shall not occur due to inability to access Seasons Drive. Any development shall be consistent with standards which limits development to one single-

family residence with the only access available being South Broadway. If additional access is obtained to Seasons Drive, then the number of lots that may be created will be contingent on the access obtained, City standards, and the zone requirements.

Previously presented or discussed:

The Annexation was approved by the Council on July 1, 2015.

First Reading of the Zoning Ordinance was before the City Council on July 1, 2015.

Attachments:

1. Background Information
2. Staff Report
3. Annexation Map
4. Aerial Photo
5. Comprehensive Plan Future Land Use Map
6. Blended Residential Category Map
7. Existing City Zoning Map
8. Neighborhood Meeting Minutes
9. Email from
10. Zoning Ordinance

BACKGROUND INFORMATION					
Location:		2075 South Broadway			
Applicant:		Richard and Melinda Tope			
Existing Land Use:		Vacant (former residence demolished)			
Proposed Land Use:		Single-Family Residential			
Surrounding Land Use:	North	Single-Family Residential			
	South	Single-Family Residential			
	East	Single-Family Residential			
	West	Single-Family Residential			
Existing Zoning:		County RSF-4 (Residential Single-Family)			
Proposed Zoning:		R-4 (Residential 4 du/ac)			
Surrounding Zoning:	North	County RSF-2 (Residential Single-Family)			
	South	PD (Planned Development)			
	East	County RSF-4 (Residential Single-Family)			
	West	PD (Planned Development)			
Future Land Use Designation:		Estate			
Blended Land Use Category:		Residential Low (Rural – 5 du/ac)			
Zoning within density/intensity range?		X	Yes		No

STAFF REPORT – ZONE OF ANNEXATION:

The property owners have requested annexation into the City and a zoning of R-4 (Residential 4 du/ac) to facilitate the development of a residential subdivision. Under the 1998 Persigo Agreement with Mesa County all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

There will be difficulties in subdividing the property. Due to safety issues with traffic on South Broadway only access for one single-family residence is allowed under City standards. Any other access will have to occur onto another right-of-way. The only feasible access at this time is on to Seasons Drive. However, there is a tract of land between this property and the right-of-way owned by a homeowners association. The property owners understand that obtaining additional access to another right-of-way is required before the property may be subdivided creating any additional lots.

Section 21.02.140 - Grand Junction Zoning and Development Code:

Section 21.02.160 of the Grand Junction Municipal Code (GJMC), states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The Comprehensive Plan Blended Residential Category Map designates the property as Residential Low (up to 5 du/ac). The request for an R-4

(Residential 4 du/ac) zone district is consistent with the Blended Residential Category of Residential Low and is equal to the density of the previous County RSF-4 (Residential Single-Family) zone district.

In addition to a finding of compatibility with the Comprehensive Plan, one or more of the following criteria set forth in Section 21.02.140 (a) of the Code must be met in order for the zoning to occur:

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

The requested annexation and zoning is being triggered by the Persigo Agreement (1998) between Mesa County and the City of Grand Junction in anticipation of development. The Persigo Agreement defines Residential Annexable Development to include any proposed development that requires approval of a subdivision plat resulting in the creation of more than one additional lot or parcel (GJMC Section 45.02.020.e.1.xi). The property owner wishes to develop the property in the near future for a residential subdivision of single-family detached dwelling units. Because of the requirement for annexation found within the Persigo agreement, the property cannot be developed as a subdivision creating additional lots in unincorporated Mesa County, despite its RSF-4 (Residential Single-Family 4 du/ac) zoning.

Based on the original County zoning of RSF-4 and the densities surrounding this property, the original premise and findings have not been invalidated by subsequent events.

However as access is presently not available to Seasons Drive, subdivision of this property is not possible at this time and therefore this criteria is not met.

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

The adjacent properties on the west and south have been subdivided and developed, beginning with The Seasons at Tiara Rado Filing No. 3 in 1993 and Filing No. 4 in 1994. Additional phases of The Seasons have been developed south and west of Tiara Rado golf course, changing the character of the area west of the Redlands Second Lift Canal from large vacant parcels to a developed neighborhood.

To the north is a recent development, Fairway Villas, which is steadily progressing toward build-out of single-family detached residences at a density of 3.89 du/ac.

The original residence on the subject property, built in 1940, was recently demolished in anticipation of development.

This criterion has been met.

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

There are public utilities available in Seasons Drive, including potable water provided by the Ute Water Conservancy District, sanitary sewer service maintained by the City, and electricity from Xcel Energy (a franchise utility). Utility mains and/or individual service connections will be extended into the property as part of the development of the parcel.

The property is presently accessible from South Broadway for one single-family residence. Access to Seasons Drive is precluded by the presence of a three (3) foot strip of land owned by The Seasons HOA separating the property from the public right-of-way. The property owners and the HOA are negotiating mutually agreeable terms that would allow access to Seasons Drive by incorporating the strip into the future subdivision of the property.

The property is within the Wingate Elementary school attendance boundary. Wingate is approximately two (2) miles southeast on South Camp Road.

Fire Station No. 5 is located just under three (3) miles driving distance northeast on Broadway (CO Highway 340).

All public and community facilities are adequate to serve the type and scope of land use proposed, however, as access is presently not available to the Seasons Drive this criteria is not met.

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

The subject property is adjacent to The Seasons at Tiara Rado, which has a total of 140 lots (17 are currently vacant) for an overall density of 2.6 du/ac. To the north is a recent development, Fairway Villas, which is steadily progressing toward build-out of single-family detached residences at a density of 3.89 du/ac.

Unplatted land adjacent to the Tiara Rado Golf Course is virtually nonexistent. Developable properties do exist within the vicinity of the golf course but must be annexed and zoned prior to development.

Because there are currently no other properties that are developable at a density of 4 dwelling units per acre (R-4), there is an inadequate supply of suitably designated land available in the community and therefore this criterion has been met.

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

The proposed R-4 zone would implement Goals 3 and 5 of the Comprehensive Plan by creating an opportunity to develop a vacant parcel and bring additional

housing units to the market in a manner consistent with adjacent residential development.

This criterion has been met.

Alternatives: The following zone districts would also be consistent with the Blended Residential Category of Residential Low for the subject property:

- a. R-E (Residential Estate)
- b. R-1 (Residential 1 du/ac)
- c. R-2 (Residential 2 du/ac)
- d. R-5 (Residential 5 du/ac)

The intent of the R-4 (Residential 4 du/ac) zone is to provide for medium-low density single-family uses where adequate public facilities and services are available. This zone is consistent with the density (+/- 3 du/ac) of the adjacent filings of The Seasons at Tiara Rado subdivision to the south and west. If the property were zoned less than R-4, the allowed density would be less than the present County zoning; this is inconsistent with Section 21.02.160(f) of the Grand Junction Zoning and Development Code, which states that generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. In contrast, the R-5 zone district would allow density that exceeds that of the surrounding neighborhoods.

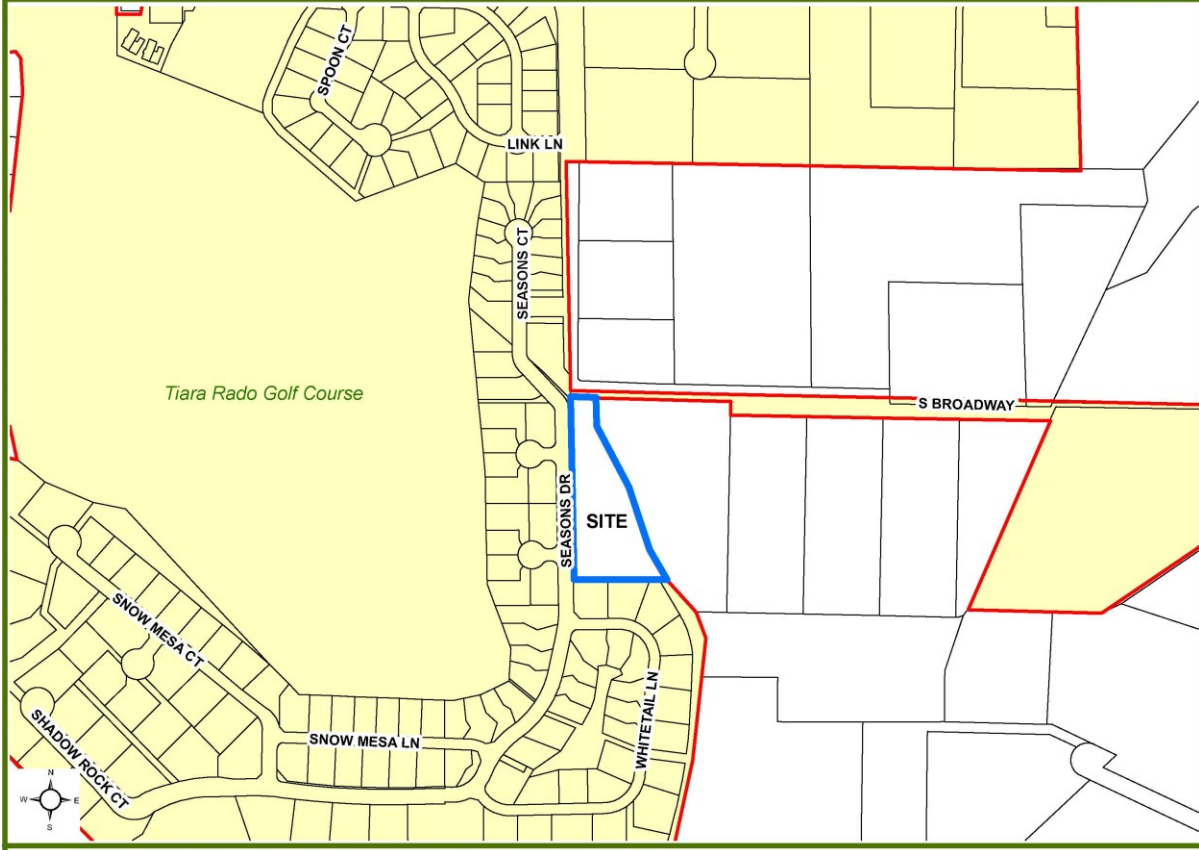
As discussed previously, access from Seasons Drive is not available until it is granted by The Seasons at Tiara Rado. Because access is currently not available onto Seasons Drive, only one dwelling unit is allowed using the existing driveway from South Broadway. If the property were zoned R-E and R-1 only one dwelling unit would be allowed as the maximum density under each zone is one dwelling unit per acre (two acres or greater would be required for two or more dwelling units). Zoning the property to R-E or R-1 would not prohibit the owner from asking for a PD or higher zone in the future when an agreement is reached with The Seasons at Tiara Rado.

PLANNING COMMISSION RECOMMENDATION:

After reviewing the Rodgers Zone of Annexation, ANX-2014-474, a request to zone 1.924 acres from County RSF-4 (Residential Single-Family) to a City R-4 (Residential 4 du/ac) zone district, the following findings of fact and conclusions have been determined:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. The review criteria 2, 4, and 5 in Section 21.02.140 of the Grand Junction Municipal Code have been met.

RODGERS ANNEXATION



 CITY LIMITS

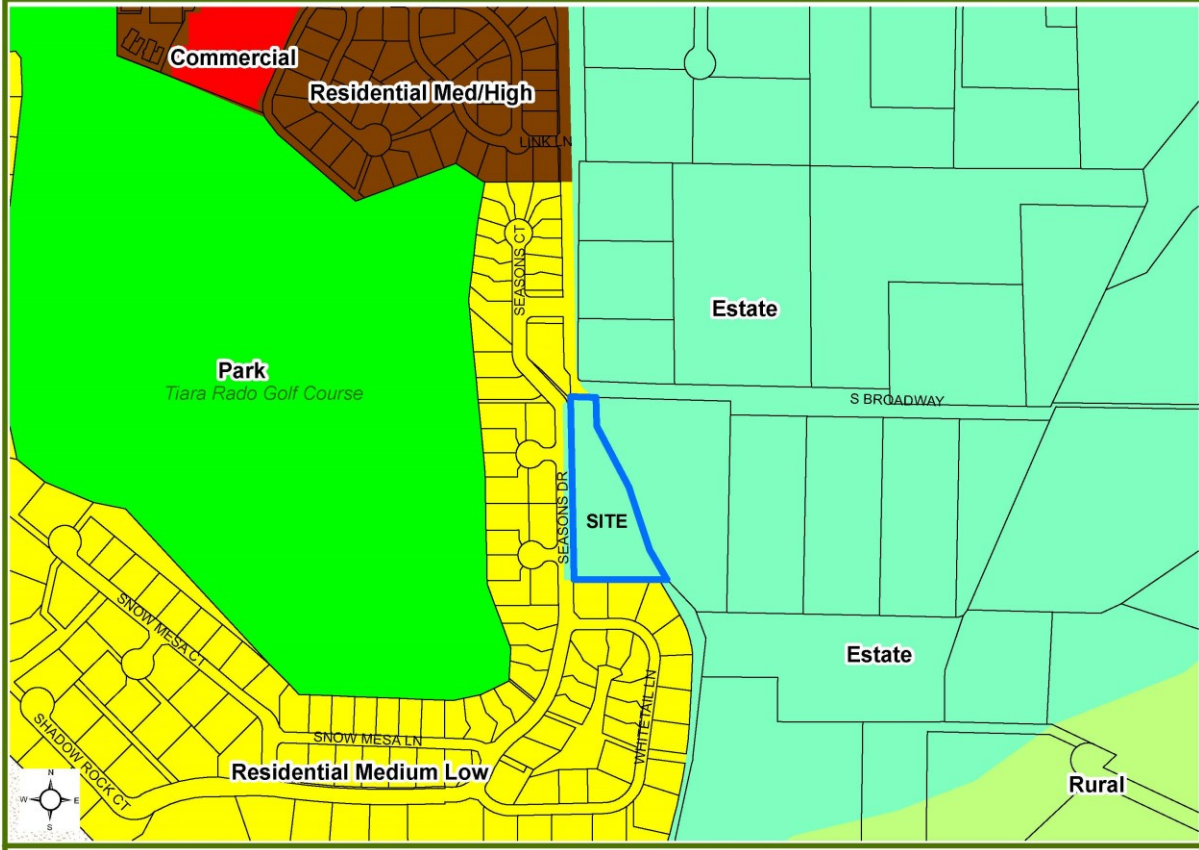
 ANNEXATION BOUNDARY

RODGERS ANNEXATION: AERIAL PHOTO



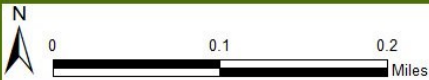
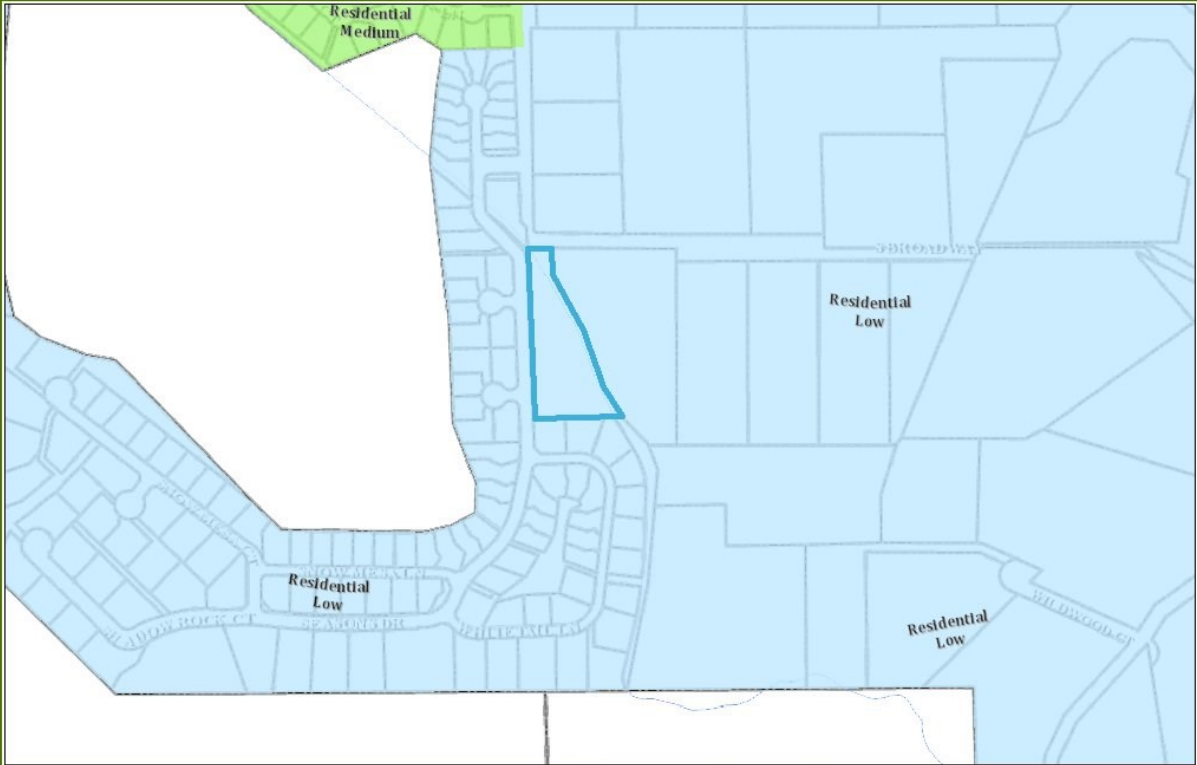
 ANNEXATION BOUNDARY

RODGERS ANNEXATION: FUTURE LAND USE



— ANNEXATION BOUNDARY

RODGERS ANNEXATION: BLENDED RESIDENTIAL CATEGORY

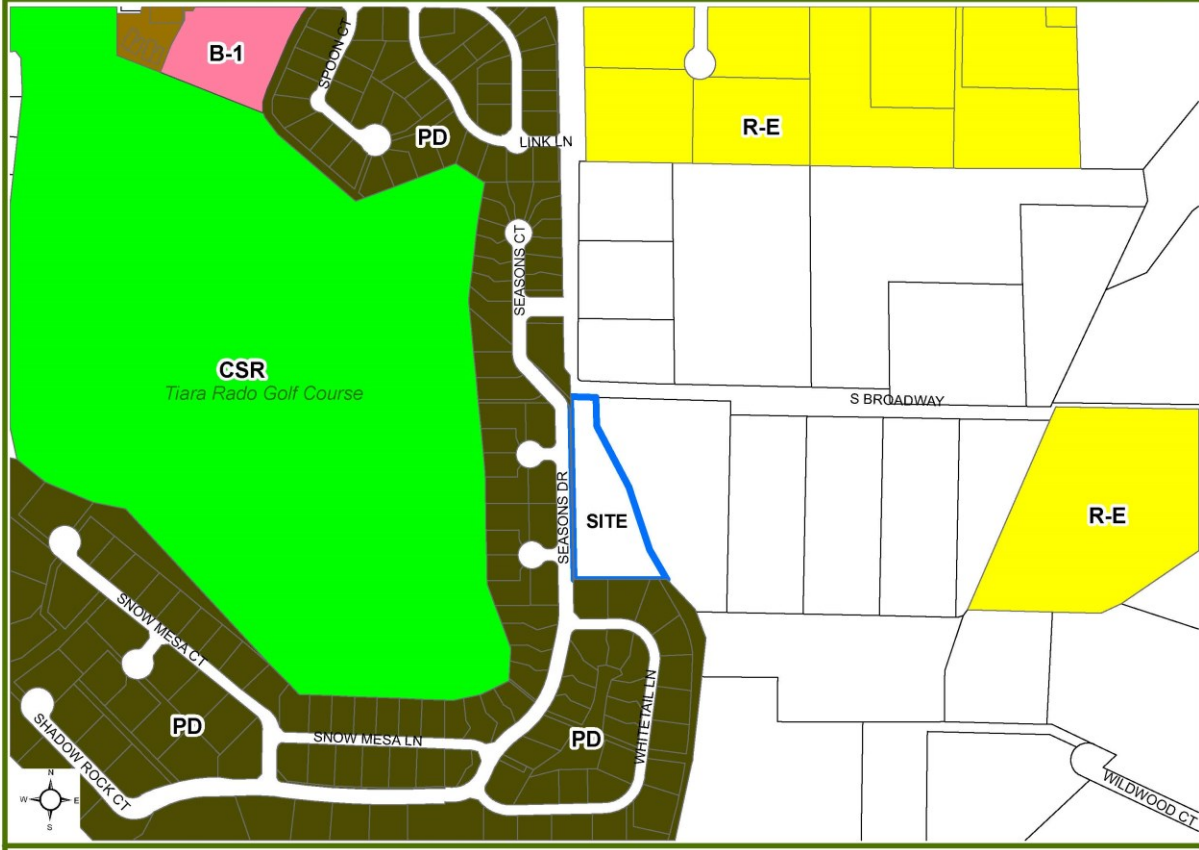


Printed: 4/17/2015

1 inch = 358 feet



RODGERS ANNEXATION: ZONING



— ANNEXATION BOUNDARY

SEASONS, Filing 7
Annexation, Zone of Annexation, and Preliminary/Final Plan
NEIGHBORHOOD MEETING
November 24, 2014

A neighborhood meeting to discuss the pending Annexation, Zone of Annexation and Preliminary/Final Plan applications was held at 5:30 p.m. on November 20, 2014 at the Tiara Rado Golf Course Clubhouse building.

In addition to Brian Rusche, Community Development Department staff planner, the land owners and their representative, approximately 45 neighbors were in attendance. An attendance roster is attached.

An overview of the proposed development and the City's approval process was presented by the owner's representative. The meeting lasted about 60 minutes. Topics discussed included:

Comment: Appearance and operation of the proposed Stormwater Management Facility.

Applicants Response: The facility will be a landscaped shallow depression for retention of stormwater. A photo of a similar facility was made available for review.

Comment: Anticipated landscaping in the area surrounding the Stormwater Management Facility.

Applicants Response: The area surrounding the Stormwater Facility will be landscaped. Attempts will be made to screen the existing utility boxes to the extent permitted by the utility company, or companies. The pond and area surrounding the pond will be owned maintained by the Home Owners Association.

Comment: Planned building restrictions and covenants and the Home Owners Association. (HOA)

Applicants Response: Two options are available at this time; create a new HOA in which the HOA documents would mirror those existing building requirements with the Seasons, or annex the property into the existing HOA. The applicant is open to either option.

Comment: Landscaping adjacent to the Redlands Water and Power Company canal and canal easement

Applicants Response: Redlands Water and Power requires maintenance road adjacent to the canal. It is anticipated that the adjoining lots will have some type of landscaping between the easement line and the edge of the canal road.

Comment: Status of irrigation water availability.

Applicants Response: Shares of irrigation water are not available at this time. Irrigation of the landscaped areas will utilize a domestic source. It is anticipated that the landscaped areas will be designed for low water requirement plantings



Comment: Proposed street improvements, sidewalk and parking.

Applicants Response: A sidewalk is proposed adjacent to the planned "eyebrow" turn around. ADA ramps will be provided at each end of the sidewalk to afford access to the existing walk along the west side of Seasons Drive. At a minimum there will be at least four parking spaces, two in a garage and two on the driveway. Adequate width of Seasons Drive can accommodate "on street" overflow parking.

Comment: Anticipated dwelling square footage.

Applicants Response: At this point in time it is anticipated that the dwellings will range in size from 1,800 square feet to 2,600 square feet.

Comment: Status of future builder or builders.

Applicants Response: It is anticipated that the applicant will construct some of the dwellings within the development. However, they have not precluded selling the lots to one or more approved home builders.

Comment: Possible preservation of an existing fruit tree near the southerly boundary.

Applicants Response: Experience has shown that whenever any major earthwork operations occur around existing trees the survival rate is very low. Efforts will be attempted to preserve the tree. However, it cannot be guaranteed at this time without the benefit of a detailed grading plan.

Comment: Status of the existing guard rail at the north boundary of the property.

Applicants Response: It appears that the guard rail is a safety feature. Additional study by the City's Transportation Engineer could be conducted.

Comment: Mail delivery.

Applicants Response: A single "gang" type mail box will be provided at a location directed by the US Postal Service.

Comment: Area lighting exemption.

Applicants Response: Since the existing light standards for The Seasons do not comply with the City's current lighting standards, an exemption request will be processed.

Comment: Dust and construction noise.

Applicants Response: Efforts will be undertaken to control dust. Control of construction noise and activities can be addressed in the covenants.

Respectfully submitted,

Richard and Melinda Tope

THE SEASONS, FILING 7 SUBDIVISION

NEIGHBORHOOD MEETING

Tiara Rado Golf Course Clubhouse
5:30 pm, November 20, 2014

Print Name	Address	Email	Phone
THOMAS MAHAN	478 SEASONS CT	mahanth@ecentral.com	
KURT KEITH	464 SHAW ROCKET		263-4112
Meredith Aldrich	" " "		
W.L. Brodak	462 Whitetail Ln.	WLBrodakInc@brossman.net	
Del Wharton	2068 Coyote Ct.	del@walstr.org	
Dan Buckstein	457 SEASONS DR		
Peter Dickies	450 WHITETAIL	pdick44@comcast.net	
Sally Haele	466 Whitetail Ln.	sallyhd@gmail.com	
DEANIS GRISSO	2058 SNOW MEADOW	demgrisso@msn.com	241-4624
Clint Roberts	466 Whitetail Lane	democratclint@comcast.net	970-531-1010
Brian Pasche	250 N. ST. ST.	brian@sjcity.org	256-4058
Maureen Ken North	2063 Snow Mesa Ln	knorth@brossman.net	243-0499
Bob & Cecylia Whitehouse	460 WHITETAIL LN	whitehouse460@brossman.net	970-424-0219
Ron & Judy Lease	2054 Snow Mesa Ln	jlease@g.com	970-763-8928
Patricia Solberg	453 Sefid ozel	PK_Solberg@comcast.net	9854/152
Andrew Sando	457 Whitetail Ln	santogs@gmail.com	261-2799
Donna Mae Donahue	2053 Canyon Shadow Ct	twobathome@brossman.net	252-9344
Allan Kiskey	"	"	"
Lois Kinsey	853 Seasons Dr	lkinsey@brossman.net	241-1509
Sue Sullivan	458 Shadow	suesullivan52@gmail.com	424-0306
Anna Smalley	454 Seasons Dr.	tsmg278047@aol.com	910-270-2335
Anthony Smalley	"	"	910-208-7616
George & Dee Hampel	471 Snow Mesa Ct	Hampeldee@juno.com	261-8988
Berkeley Kingsley	466 Tiara Vista Dr	berkingsley@gmail.com	(970) 245-2141

From: Mary Linda Jost <marylinda.jost@seasonshoa.info>
To: <brianr@gjcity.org>
CC: Richard Tope <rtandmt@bresnan.net>, Bill Brodak Seasons HOA <bill.brodak@seasonshoa.info>, Bob Whitehorne <whitehorne460@bresnan.net>, Dan Buckstein <dan.buckstein@seasonshoa.info>, Jim Anker <jda0104@comcast.net>, "Andrew H. Teske" <ateske@hfak.com>
Date: 5/26/2015 6:01 PM
Subject: Tope Property Development

Brian, Melinda Tope notified me today of your work on the Tope development approval process. After consultation with The Seasons' attorney, The Seasons can provide you this information:

The Tope project is viable, provided The Seasons at Tiara can work out the details of a final agreement with the Topes regarding access over Tract D, and obtain necessary approvals from the owners. We have not done so yet, which leaves some room for doubt, but we are not currently aware of any reason to think that approvals from owners will be a problem.

Regards,
Mary Linda Jost
President
The Seasons at Tiara Rado

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 2075 SOUTH BROADWAY

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Rodgers Annexation to the R-4 (Residential 4 du/ac) zone district, finding that it conforms with the Blended Residential category of Residential Low as shown on the Blended Residential Category Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area. Reaching the density of the R-4 zone will not be possible unless additional right-of-way is obtained as City of Grand Junction's standards for traffic and engineering will only allow one access for a single-family residence onto South Broadway. It is possible to develop one single-family residence on the property in the R-4 zone. If additional access becomes available, the greater density allowed under the R-4 zone is appropriate for this area.

After public notice and public hearing, the Grand Junction City Council finds that the R-4 (Residential 4 du/ac) zone district is in conformance with the stated criteria 2, 4 and 5 of Sections 21.02.140 of the Grand Junction Zoning and Development Code.

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

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

A certain parcel of land lying in the East-half of the Northeast Quarter (E 1/2 NE 1/4) of Section 27, Township 11 South, Range 101 West of the 6th Principal Meridian and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 19, The Seasons at Tiara Rado Filing No. 4, as same is recorded in Plat Book 14, Page 221, Public Records of Mesa County Colorado and assuming the West line of the E 1/2 NE 1/4 of said Section 27 bears N 00°46'55" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°46'55" W, along the West line of the E 1/2 NE 1/4 of said Section 27, a distance of 541.89 feet; thence S 88°50'57" E, a distance of 75.13 feet; thence Southerly and Southeasterly along a line being described in a Boundary Line Agreement, as same is recorded in Book 5680, Page 607, the following four (4) courses:

1. S 00°00'00" W, a distance of 102.60 feet; thence
2. S 28°15'00" E, a distance of 189.26 feet; thence
3. S 18°44'00" E, a distance of 193.90 feet; thence

4. S 30°12'00" E, a distance of 101.59 feet; thence departing said line, N 89°54'43" W, along the North line of The Seasons at Tiara Rado Filing No. 4, a distance of 270.68 feet, more or less, to the Point of Beginning.

CONTAINING 83,825 Square Feet or 1.924 Acres, more or less, as described.

Introduced on first reading this 1st day of July, 2015 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2015 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Date: June 30, 2015

Author: Brian Rusche

Title/Phone Ext: Senior Planner/4058

Proposed Schedule: 1st Reading: July 1, 2015

2nd Reading: July 15, 2015

File #: ANX-2014-308

CITY COUNCIL AGENDA ITEM

Subject: Zoning the Hutto-Panorama Annexation, Located at Approximately 676 Peony Drive

Action Requested/Recommendation: Hold a Public Hearing and Adopt the Zoning Ordinance on Final Passage and Order Final Publication in Pamphlet Form

Presenters Name & Title: Brian Rusche, Senior Planner

Executive Summary:

A request to zone approximately 7.921 acres from County RSF-4 (Residential Single-Family) to a City CSR (Community Services and Recreation) zone district.

Background, Analysis and Options:

This property was originally developed as the location of a sewer lagoon for the Panorama Improvement District. The City, for the benefit of the Persigo 201 Sewer System, took over the District in 2002, including ownership of this property. The lagoon has since been decommissioned and the property now functions as open space, with access to a lift station and other sanitary sewer infrastructure.

City ownership and integration of the property into the City is the impetus for the requested rezoning.

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

Goal 11: Public facilities and services for our citizens will be a priority in planning for growth.

The proposed zoning of this property will facilitate continued access to critical sanitary sewer infrastructure, while simultaneously conserving land adjacent to the Colorado River which functions as open space to the adjacent neighborhood.

How this item relates to the Economic Development Plan:

This property was acquired to provide sanitary sewer service to a portion of the Redlands which developed prior to the current Wastewater Treatment Plant (WWTP). Jurisdiction of this property will facilitate continued access to critical infrastructure. The Economic Development Plan specifically identifies as a Goal to provide infrastructure that enables and supports private investment. (Goal 1.4 – Page 7).

Board or Committee Recommendation:

The Planning Commission forwarded a recommendation of approval of the requested Zoning at their regular meeting of June 9, 2015.

Financial Impact/Budget:

The City has held ownership of this property since 2002, when it acquired, on behalf of the Persigo 201 Sewer System, the assets of the Panorama Improvement District.

Legal issues: The City Attorney's office has reviewed the request.

Other issues:

No other issues have been identified.

Previously presented or discussed:

The Annexation was approved by the Council on July 1, 2015.

First Reading of the Zoning Ordinance was before the City Council on July 1, 2015.

Attachments:

1. Background information
2. Staff report
3. Annexation Map
4. Aerial Photo
5. Comprehensive Plan Future Land Use Map
6. Existing City Zoning Map
7. Ordinance

BACKGROUND INFORMATION			
Location:		Approximately 676 Peony Drive	
Applicant:		City of Grand Junction	
Existing Land Use:		Vacant (formerly sewer lagoons)	
Proposed Land Use:		Open Space	
Surrounding Land Use:	North	Open Space	
	South	Single-Family Residential	
	East	Vacant	
	West	Single-Family Residential	
Existing Zoning:		County RSF-4 (Residential Single-Family)	
Proposed Zoning:		CSR (Community Services and Recreation)	
Surrounding Zoning:	North	County AFT (Agricultural Forestry Transitional)	
	South	County RSF-4 (Residential Single-Family)	
	East	County RSF-4 (Residential Single-Family)	
	West	R-2 (Residential 2 du/ac)	
Future Land Use Designation:		Conservation	
Zoning within density/intensity range?	X	Yes	No

STAFF REPORT – ZONE OF ANNEXATION:

This property was originally developed as the location of a sewer lagoon for the Panorama Improvement District. The City, for the benefit of the Persigo 201 Sewer System, took over the District in 2002, including ownership of this property. The lagoon has since been decommissioned and the property now functions as open space, with access to a lift station and other sanitary sewer infrastructure.

City ownership and integration of the property into the City is the impetus for the requested rezoning.

Section 21.02.140 - Grand Junction Zoning and Development Code:

Section 21.02.160 of the Grand Junction Municipal Code (GJMC), states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The Comprehensive Plan designates the property as Conservation.

In addition to a finding of compatibility with the Comprehensive Plan, one or more of the following criteria set forth in Section 21.02.140 (a) of the Code must be met in order for the zoning to occur:

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

This property was originally developed as the location of a sewer lagoon for the Panorama Improvement District. The 1996 Growth Plan designated the property as Conservation. The parcel was created in 2001 as Parcel 1 of the Hutto Subdivision. The City, for the benefit of the Persigo 201 Sewer System, took over the District in 2002, including ownership of this property. The lagoon has since been decommissioned and the property now functions as open space, with access to a lift station and other sanitary sewer infrastructure. City ownership and integration of the property into the City is the impetus for the requested rezoning.

This criterion has been met.

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

In 2002 the character and/or condition of the area has changed as the City took over the Panorama Improvement District and its assets which included the lagoon on this site. Since 2002 the lagoon has been decommissioned and the property now functions as open space, with access to a lift station and other sanitary sewer infrastructure.

This criterion has been met.

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

Since the property now functions as open space, the demand for public and community facilities are minimal and therefore the existing public and community facilities are adequate to serve the proposed land use.

This criterion has been met.

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

Conservation of the City's river corridors is one of the themes of the Comprehensive Plan. Privately held properties limit access to the Colorado and Gunnison Rivers, existing and future trail systems and State and Federal lands. Though there is a good deal of publicly held property adjoining the river corridors, whenever the opportunity arises, it is appropriate for the City to acquire and zone additional property adjoining the river corridors.

This criterion has been met.

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

Zoning this parcel to CSR acknowledges the benefits derived by the community from publicly owned property along river corridors. Publicly owned property along river corridors provides conservation, access to the rivers, State and Federal lands and existing and future trail systems.

This criterion has been met.

Alternatives: The following zone districts are consistent with the Conservation Future Land Use Comprehensive Plan designation(s) for the subject property:

- e. CSR (Community Services and Recreation)

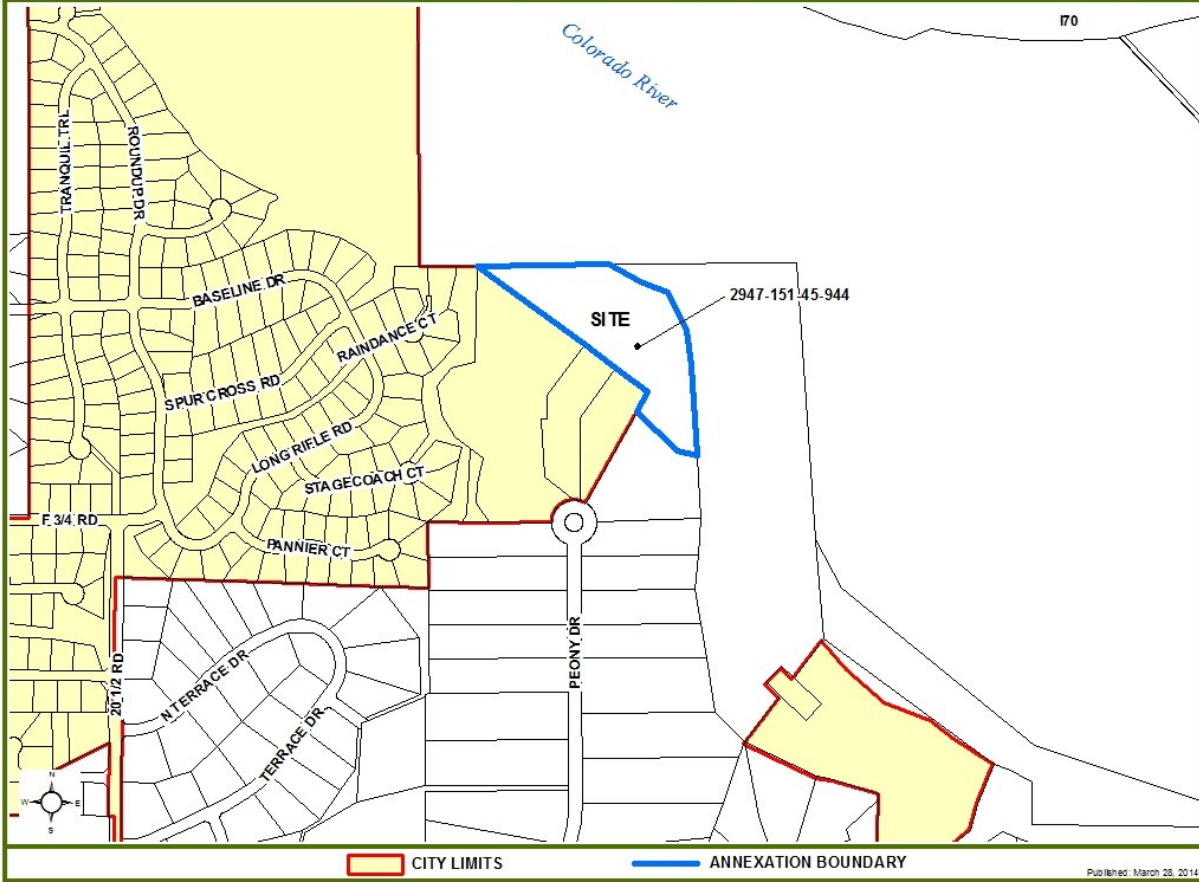
The CSR (Community Services and Recreation) zone district is the only option for the property and for implementing the goals and policies of the Comprehensive Plan.

PLANNING COMMISSION RECOMMENDATION:

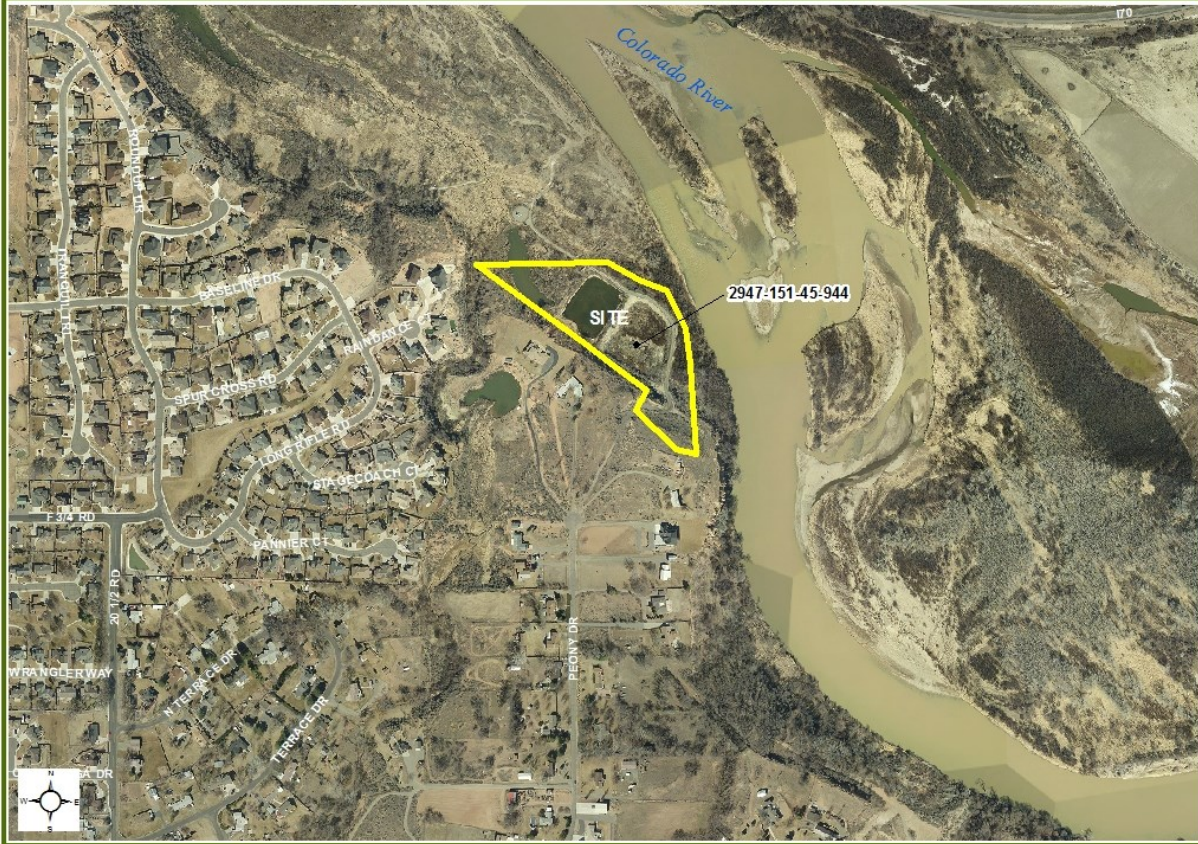
After reviewing the Hutto-Panorama Zone of Annexation, ANX-2014-308, a request to zone approximately 7.921 acres from County RSF-4 (Residential Single-Family) to a City CSR (Community Services and Recreation) zone district, the Planning Commission made the following findings of fact and conclusions:

- 3. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
- 4. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have all been met.

HUTTO-PANORAMA ANNEXATION

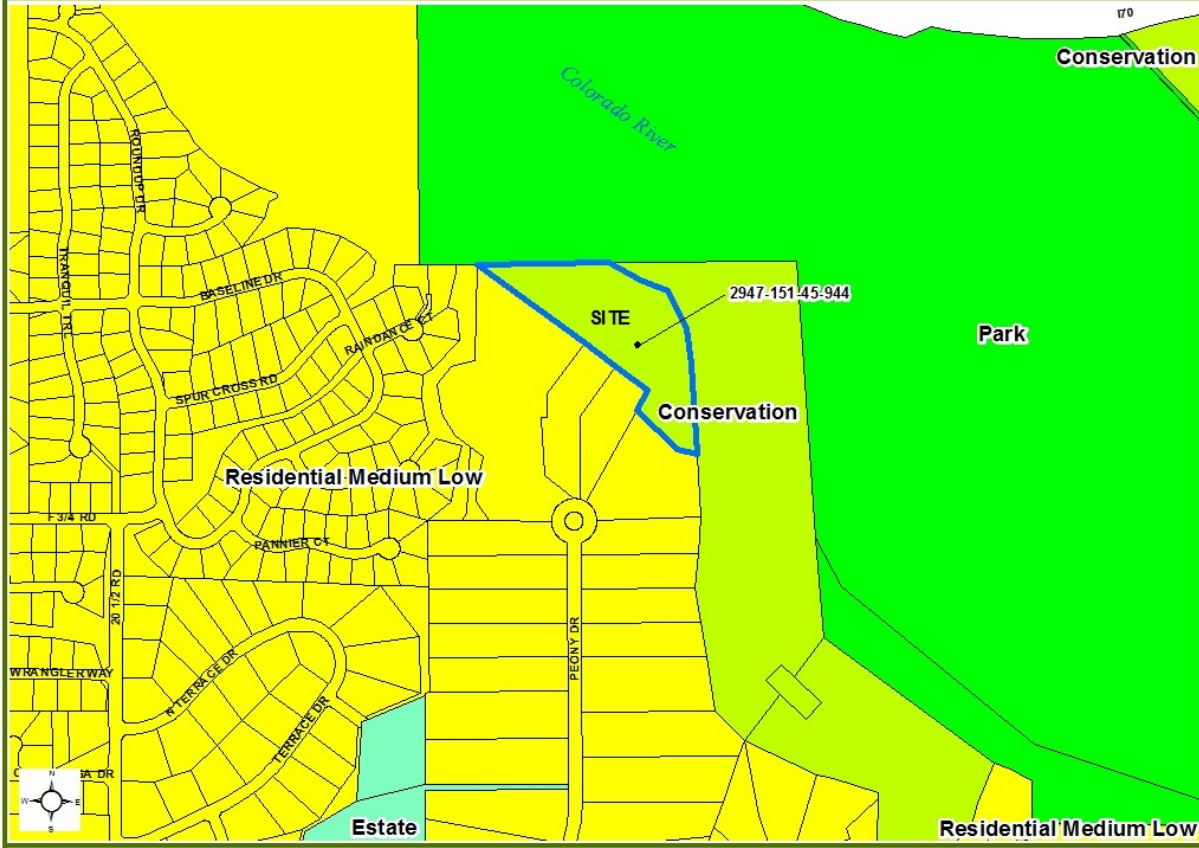


HUTTO-PANORAMA ANNEXATION: AERIAL PHOTO (2012)



HUTTO-PANORAMA ANNEXATION: FUTURE LAND USE

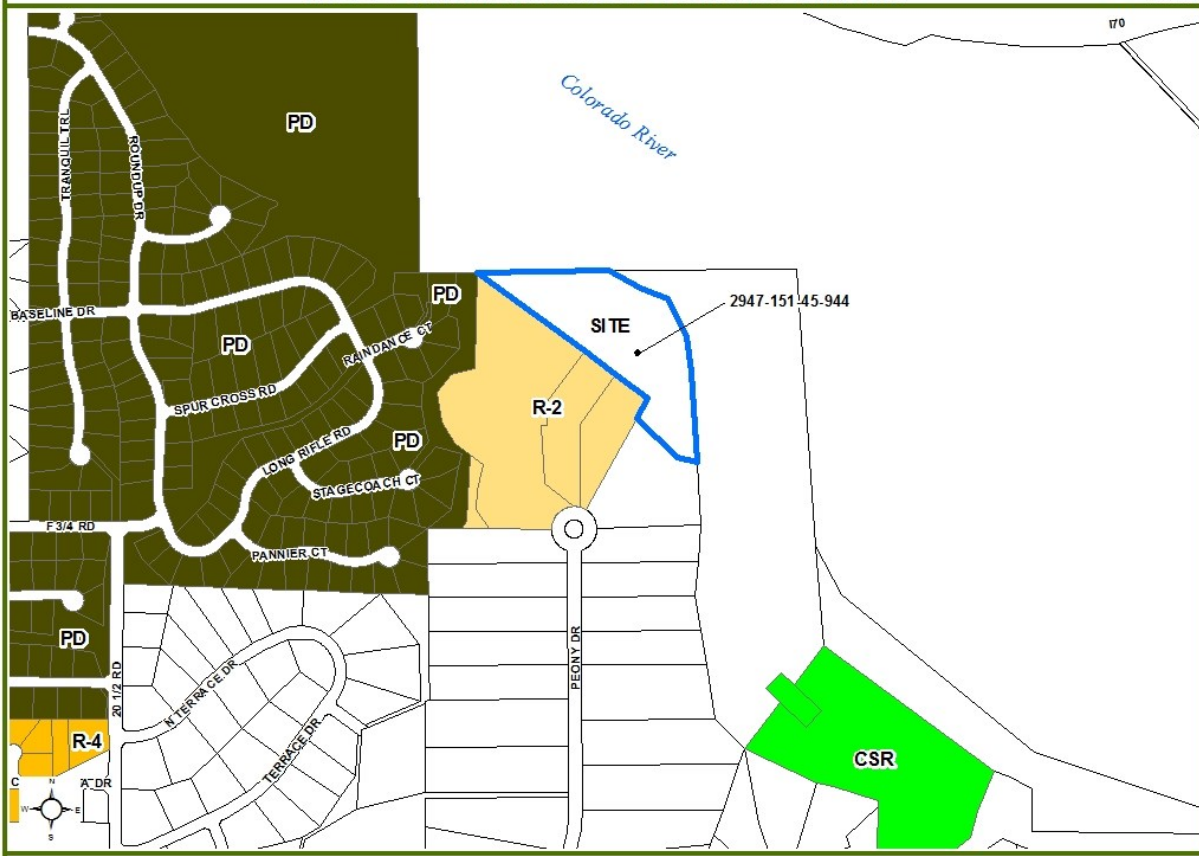
Grand Junction
City of Grand Junction



— ANNEXATION BOUNDARY

Published: March 28, 2014

HUTTO-PANORAMA ANNEXATION: ZONING



— ANNEXATION BOUNDARY

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE HUTTO-PANORAMA ANNEXATION
TO CSR (COMMUNITY SERVICES AND RECREATION)**

LOCATED AT APPROXIMATELY 676 PEONY DRIVE

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Hutto-Panorama Annexation to the CSR (Community Services and Recreation) zone district, finding that it conforms with the land use category of Conservation as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the CSR (Community Services and Recreation) zone district is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

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

A certain parcel of land lying in the North-half (N 1/2) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of Parcel 1, Hutto Subdivision, as same is recorded in Plat Book 18, Page 134, Public Records of Mesa County, Colorado.

CONTAINS 345,051 Square Feet or 7.921 Acres, more or less, as described.

Introduced on first reading this 1st day of July, 2015 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2015 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Date: 6/19/15, 7/7/15
 Author: Sonya Evans
 Title/ Phone Ext: Finance Supervisor
 Proposed Schedule: July 1st, 2015
 2nd Reading
 (if applicable): July 15th, 2015
 File # (if applicable): _____

CITY COUNCIL AGENDA ITEM

Subject: 2015 First Supplemental Appropriation Ordinance
Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Final Publication of the Proposed Ordinance
Presenter(s) Name & Title: Jodi Romero, Financial Operations Director

Executive Summary:

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2015 amended budget for major capital projects and the subjects stated in the ordinance.

Background, Analysis and Options:

Supplemental appropriations are required to ensure adequate appropriations by fund. Capital projects that are budgeted and appropriated in a prior year but are not completed in that year, require the funds be re-appropriated in the next year in order to complete the project. Also if a new project or change of project scope is authorized by City Council a supplemental appropriation is also required for the legal authority to spend the funds.

This 2015 supplemental appropriation also provides, upon passage of the ordinance, for several project carryforwards from 2014 and for a few new projects funded by associated revenues as detailed below by fund:

- the **General Fund 100 (\$524,459)** for carryforward of unspent economic development funds for the marketing plan and foreign trade zone \$211,203, new economic development contributions to Mesa Land Trust \$15,000 {authorized by City Council March 4th, 2015} and Legends \$10,000 funded by 1% for the arts {authorized by City Council June 1st, 2015}, carryforward of storm water contract for Leach Creek \$75,000, new Crown Pointe Cemetery improvements funded by private donation \$25,000, new public safety equipment funded by seized funds and the auto theft task force grant \$188,256, and;
- the **Enhanced 911 Fund 101 (\$205,825)** for transfer to the Communications Center Fund for the carryforward of the 2014 approved Logging Recorder project;

- the **Community Development Block Grant Fund 104 (\$122,522)** for transfer to the Sales Tax Capital Improvement Fund for the carryforward of the 2014 approved Nisley Elementary Safe Routes to School project;
- the **Parkland Expansion Fund 105 (\$123,557)** for transfer to the Sales Tax Capital Improvement Fund for the carryforward of the 2014 approved Las Colonias Park Development project \$100,000 and the Las Colonias Amphitheater Design project \$23,557;
- the **Conservation Trust Fund 110 (\$10,000)** for transfer to the Sales Tax Capital Improvement Fund for the carryforward of the 2014 approved Skate Park Improvement project;
- the **Sales Tax Capital Improvements Fund 201 (\$617,165)** for the carryforward of several 2014 approved projects including the Sales Tax System \$168,500, F.5 and 30.8 Road Bridge \$80,000, Nisley Elementary Safe Routes to School \$122,522, Las Colonias Park Development \$100,000, Las Colonias Amphitheater Design \$23,557, Skate Park Improvements \$10,119, and various Street Improvements \$112,467;
- the **Information Technology Fund 401 (\$96,713)** for the carryforward of the 2014 approved VDI (Virtual Desktop Interface) technology project;
- the **Fleet and Equipment Fund 402 (\$1,305,136)** for the carryforward of the 2014 approved CNG Slowfill Station Improvements \$463,361, a new CNG Maintenance Bay Upgrade \$72,125, CNG Compressor Modifications \$12,428 and CNG replacement vehicles funded by a DOLA grant \$757,222 {authorized by City Council in May 2015 as vehicles were bid and purchased};
- the **Communication Center Fund 405 (\$205,825)** for the carryforward of the 2014 approved Logging Recorder project; and,
- the **Joint Sewer Fund 900 (\$1,115,191)** for the carryforward of the 2014 approved Sewerline Replacements \$200,000, various plant backbone improvements \$372,075, the CNG Pipeline Project \$473,299, and the new Flare project \$69,817.

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

This action is needed to meet the Plan goals and policies.

How this item relates to the Economic Development Plan:

The appropriation ordinances provide the legal authority for the spending budget of the City. The budget supports and implements the City Council's economic vision and in particular the roles of "providing infrastructure that fosters and supports private investment" as well as "investing in and developing public amenities."

Board or Committee Recommendation:

None.

Financial Impact/Budget:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City.

Legal issues:

The ordinance has been drawn, noticed, and reviewed in accordance with the Charter.

Other issues:

None known at this time.

Previously presented or discussed:

The 2014 capital projects were reviewed and approved as part of the budget development process and adoption of the 2014 Budget.

Attachments:

Proposed Supplemental Appropriation Ordinance for 2015 Budget

ORDINANCE NO. ____

**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2015
BUDGET OF THE CITY OF GRAND JUNCTION**

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2015, to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General	100	\$ 524,459
Enhanced 911 Surcharge	101	\$ 205,825
Community Development Block Grant	104	\$ 122,522
Parkland Expansion	105	\$ 123,557
Conservation Trust	110	\$ 10,000
Sales Tax Capital Improvements	201	\$ 617,165
Information Technology	401	\$ 96,713
Fleet and Equipment	402	\$ 1,305,136
Communication Center	405	\$ 205,825
Joint Sewer	900	\$ 1,115,191

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this 1st day of July__, 2015.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ___ day of _____, 2015.

Attest:

President of the Council

City Clerk



Date: July 6, 2015

Author: David Thornton

Title/ Phone Ext: Principal Planner /
1450

Proposed Schedule: July 1, 2015 first
reading

2nd Reading: Wednesday, July 15, 2015

File # ZCA-2015-11

CITY COUNCIL AGENDA ITEM

Subject: Amending the Zoning and Development Code Section 21.03.070(d), (e), (f), (g), (h) and 21.03.080(a), (b) Concerning Side and Rear-Yard Setbacks and Eliminating Maximum Building Sizes in Certain Zone Districts

Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage of Proposed Ordinance and Order Published in Pamphlet Form

Presenter(s) Name & Title: David Thornton, Principal Planner

Executive Summary:

Amendments to the Zoning and Development Code changing side and rear-yard setbacks in the CSR, MU, BP, I-O, and I-1 zone districts and eliminating building size restrictions (and correspondingly the requirement of a conditional use permit for buildings larger than the maximum) in the C-1, C-2, CSR, MU, BP, I-O, and I-1 zone districts.

Background, Analysis and Options:

On April 5, 2010 the Grand Junction City Council adopted the updated Zoning and Development Code (codified as Title 21 of the Grand Junction Municipal Code). City Council has requested that staff propose amendments to Title 21 as needed to maintain a dynamic, responsive Zoning and Development Code. The proposed amendments will enhance the responsiveness and effectiveness of the Code. The proposed amendments also implement the adopted Economic Development Plan by streamlining processes and eliminating restrictions that are arguably unnecessary to protect the community.

The purposes/goals of building size limitations and setbacks in zoning regulations are to address the built environment and accommodate the needs of the community. Often in our quest to protect existing development we do so at the peril of not accommodating modern needs by business and our citizens. Since the first zoning ordinance was adopted by the City of New York in 1916, municipalities and local governments have embraced zoning codes regulating the built environment addressing building setbacks and building size. It is a dynamic and changing world and the needs of the community

continue to change. As Grand Junction continues to grow and modern business looks to larger facilities to accommodate that growth. Community expectations have changed significantly with the proliferation of larger commercial buildings as in the example of Wal-Mart and Target Super Centers that have taken the place of smaller retail stores. In addition, business needs for larger warehouses that supply smaller business within a region are paramount.

This does not mean that regulations should not be carefully considered protecting neighborhoods from development built in a way that ignores human scale and aesthetics. The proposed Code amendments carefully consider these things and will not adversely impact the community, while supporting the City's economic development priorities.

Building Size Limitation

The following table shows the maximum building sizes in seven mixed use and industrial zone districts. In six of the seven zone districts those limits can be exceeded with a conditional use permit:

Zone	Bldg Size	CUP Option
C-1	80,000	Yes
C-2	150,000	Yes
CSR	80,000	Yes
MU	150,000	Yes
BP	200,000	Yes
I-O	250,000	Yes
I-1	150,000	No

In the Light Industrial (I-1) zone district, there is no option to construct a building larger than 150,000 square feet. This limits certain commercial/industrial uses from locating in the I-1 zoned areas of the City.

Local Examples of Building Size

The Wal-Mart store at Rimrock Shopping Center in a Light Commercial (C-1) zone is approximately 214,000 square feet,



exceeding the maximum of 80,000 square feet by more than 2 ½ times, pursuant to a conditional use permit.

American Tire warehouse/distribution center located at 2139 Bond Street in a Light Industrial (I-1) zone is approximately 130,000 square feet in size. Even though the square footage does not exceed the maximum, it dwarfs the surrounding industrial



buildings due to its height. From a planning perspective, building size is limited not only by a strict numerical dimensional standard, but also by other site requirements such as setbacks, parking, landscaping, site circulation, drainage mitigation and site features required by Code standards. It is my professional opinion that these other standards adequately prevent the building mass, scale of

development and visual impacts, in each of the seven zone districts, such that the underlying values are adequately protected.

In addition, the maximum building size limit does not take into account the parcel/site size so there is little justification for the standard. (See existing Bulk Standards table below.) A different maximum could easily be justified, as exemplified by the City's past approval of conditional use permits for increased building size. There is a great deal of variation among the zoning codes of various cities in maximum building sizes, and these differences do not necessarily correspond to the population or location of the community. Having a strict building size limitation that is applied regardless of site considerations may discourage the construction of larger buildings or relocation of industrial or commercial land uses.

In addition, the Code's "big box" standards already provide development standards addressing human scale, visual and aesthetic attributes for retail commercial structures over 50,000 square feet, such as shopping centers (Rim Rock Shopping Center) and large stores (Wal-Mart). However, these standards are not required for non-retail commercial buildings, and limiting the size, scale or mass of buildings is not a goal or policy of the City's Comprehensive Plan. This tends to indicate that aesthetic considerations relating to mass and scale in non-retail commercial and industrial areas are not as important to the public as in the retail areas of these zones, where the big box standards are protective. In areas where the Community has defined a need for more aesthetics in commercial development there are existing standards that apply.

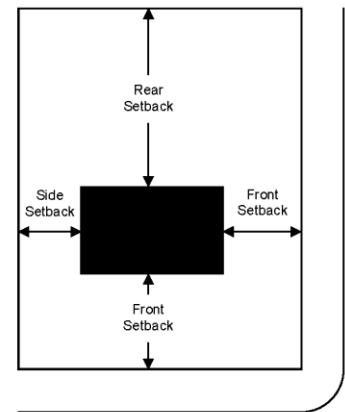
Therefore City staff proposes to eliminate maximum building sizes in these seven zone districts to help implement the Economic Development (ED) Plan and remove barriers to development. The proposed amendments permit any size building that, considering the size and topographic conditions of the site, conform to the remaining bulk standards including height restrictions, building setbacks (except note that some modifications to setback are also proposed; see below), parking areas, drainage facilities, landscaped areas, site circulation and "big box" standards.

Setbacks

There is some concern that neighborhoods could be adversely impacted by larger buildings in close proximity to residential uses. In the C-1, C-2, MU and I-1 zone districts there is already a requirement for an increase in the side yard setback to 10 feet when the property abuts a residential use. In order to protect the same interests in the other zone districts in which maximum building size is being eliminated, the proposed Code amendment includes adding a similar requirement in the other three zone districts (CSR, BP, I-O), while reducing the side setback to zero where the parcel does not abut residential.

Also, the existing buffering standards further reduce the potential negative impacts for large buildings abutting residential zones.

No additional buffering/screening standards are being proposed at this time.



In addition, setbacks currently vary among the mixed use and industrial zone districts. The proposed amendments make the principal structure side- and rear-yard setbacks more consistent across the mixed use, commercial and light industrial zone districts. (No changes to *front* yard setbacks are proposed.)

Other Site Requirements that Regulate Building Size

- 1. Landscaping**
 - Frontage – 14 ft. wide strip
 - Perimeter of Parking lots – 6 ft. wide strip
 - Interior in Parking lots – 8 ft. wide islands/140 sq. ft.
- 2. Parking**
 - Based on Land Use
- 3. Buffering Standards**
- 3. Onsite Drainage Facilities**
 - Water Quality and Quantity
- 4. Various Easements – Multi-purpose, Drainage, etc.**

The proposed Setback changes are:

- (1) Reduce the side yard setback in all the mixed use and light industrial zone districts except for R-O (Residential Office) to zero feet (thus allowing buildings to be constructed right to the side property line), except where the site abuts a residential use;
- (2) Make the rear setback consistently 10 feet is proposed for all zone districts except B-1 (Neighborhood Business). This reduces the rear yard setback in the MU, BP, and I-O Zone Districts from 25 to 10 feet;
- (3) Require a 10 feet side setback for principal structures abutting residential for all mixed use and industrial zone districts except R-O, B-2 and I-2;
- (4) Require a 5 feet side setback for accessory structures abutting residential in the CSR, BP, and I-O zone districts making this setback consistent with the other mixed use and industrial zone districts except R-O, B-2 and I-2 which have an accessory side setback of 3 feet for R-O and zero for the other two zone districts.

No changes in setbacks are proposed in the I-2 zone district. In addition, Staff and the Planning Commission considered and discussed reductions in setbacks in the residential office (R-O) and neighborhood business (B-1) zone districts. It was determined that they should not be included due to concerns over impacts to existing residential neighborhoods that generally surround areas zoned R-O or B-1. The purpose of the R-O zone district is to provide low intensity, non-retail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment. Eliminating the maximum size of buildings and reducing the building setback to a “commercial” building setback therefore does not support the intended purpose of the R-O zone District.

The B-1 zone district is to provide areas for office and professional services combined with limited retail uses, designed at a smaller scale with surrounding residential uses; a balance of residential and nonresidential uses. Again eliminating maximum building size and reducing setbacks is not in keeping with the intent of the B-1 zone district.

The B-2 zone district is found only in downtown. It implements and supports the vision of the Greater Downtown Plan and Downtown Zoning Overlay District and promotes the

vitality of the downtown area as described in the Comprehensive Plan. It includes downtown retail, service, office and mixed uses. Pedestrian circulation is encouraged as are common parking areas. Since the existing setbacks and standards support the development found and desired in Downtown, no setback changes are proposed for the B-2 zone district.

Together the proposed amendments are intended to encourage and facilitate orderly and efficient development in the City’s existing mixed use commercial and industrial zone districts by eliminating outdated and somewhat arbitrary standards, unnecessary special permitting processes (CUPs) for larger buildings and allowing more flexibility in site layout and design, which facilitates infill development and encourages the City’s Comprehensive Plan vision of growing more inward and upward.

EXISTING BULK STANDARDS SUMMARY TABLE

Zone District	Front	Side	Rear	Side	Accessory	Height	Maximum Stories	Minimum	Maximum Building Size
	Principal Structure Setbacks			Abuttin g Res	Side abut Res			Lot Area Sq Ft	
R-O	20	5	10	n/a	n/a	40	3	5,000	10,000
B-1	20	0	15	10	5	40	3	10,000	15,000 Retail 30,000 Office
B-2	0	0	0	n/a	n/a	80	5	n/a	n/a
C-1	15	0	10	10	5	40	3	20,000	80,000
C-2	15	0	10	10	5	40	3	20,000	150,000
CSR	15	5	10	n/a	n/a	65	5	43,560	80,000
MU	15	15	25	10	5	65	5	43,560	150,000
BP	15	15	25	n/a	n/a	65	5	43,560	200,000
I-O	15	15	25	n/a	n/a	65	5	43,560	250,000
I-1	15	5	10	10	5	50	4	43,560	150,000
I-2	15	0	10	n/a	n/a	50	4	43,560	n/a

Note: Numbers/Letters in “Red” are proposed to change.

Findings of Fact/Conclusions

After reviewing the proposed Zoning and Development Code amendments to rear- and side-yard setbacks in the CSR, MU, BP, I-O, and I-1 zone districts and eliminating maximum building sizes in the C-1, C-2, CSR, MU, BP, I-O, and I-1 zone districts; and removing the requirement for a Conditional Use Permit to increase building sizes, the following findings of fact and conclusions have been determined:

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.
3. The reasons for the proposed amendments are as addressed in the staff report.

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

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

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

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

Eliminating maximum building size and reducing minimum setbacks in zone districts where much of the community's commercial and industrial employment exists will allow for more intense development consisting of larger buildings and more of the lot being developable within these already zoned areas resulting in more compact development patterns and more opportunity for business growth and expansion. The vision of the Comprehensive Plan is to become the most livable community west of the Rockies by 2025. Achieving this vision includes providing places for employment and preserving the rural and agricultural lands that surround our community today.

How this item relates to the Economic Development Plan:

Reducing required setbacks supports more flexibility in site layout and design; and eliminating maximum building size along with the Conditional Use Permit now required to increase building size, both support the City's 2014 Economic Development Plan; specifically Section 1.5 Supporting Existing Business: Streamline processes...while working within the protections that have been put in place through the Comprehensive Plan. Action Step: Be proactive and business friendly and review development standards and policies to ensure that they are complimentary and support the common mission.

Board or Committee Recommendation:

On June 9, 2015, the Planning Commission recommended approval of these amendments 6 to 0.

Financial Impact/Budget:

No financial impacts have been identified.

Legal issues:

Legal has reviewed this proposed text amendment and has no concerns with it.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This proposed text amendment was briefly discussed with Council at the May 4th Council workshop.

Attachments:

Proposed Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 21.03.070(d), (e), (f), (g), (h) and 21.03.080(a), (b) OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING MAXIMUM BUILDING SIZE AND SETBACKS

Recitals:

This ordinance amends the Title 21 of the Grand Junction Municipal Code (known as the Zoning and Development Code), by reducing principal structure side and rear setbacks, and accessory structure side yard setbacks so they are uniform across the C-1, C-2, CSR, MU, BP, I-O and I-1 Zone Districts and eliminating maximum building size in these districts including eliminating the requirement of a conditional use permit to exceed a maximum building size in these zone districts. This allows site features and other zoning bulk standards to limit the maximum size of a building relative to the property size, and provides developers and property owners with more flexibility in the use of land without significantly compromising the purposes that underlie building size limits.

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions.

The City Council has also recently developed an Economic Development Plan and desires that the zoning and development code be reviewed and amended where necessary and possible to facilitate economic development.

The amendments enhance the effectiveness of the Code and its responsiveness to changing business practices and community expectations and implement the Economic Development Plan by removing unnecessary barriers to development and business expansion and streamlining development review processes.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended adoption of the proposed amendments, finding the proposed amendments consistent with the vision, goals and policies of the Comprehensive Plan.

Following public notice and a public hearing as required by applicable law, the Grand Junction City Council finds and determines that the proposed amendments implement the vision, goals and policies of the Comprehensive Plan, and that they are in the best interest of the community and its citizens, and should be adopted.

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

Subsections 21.03.070(d), (e), (f), (g), (h) are amended to as follows (deletions struck through, additions underlined):

21.03.070 Mixed Use Districts.

(d) C-1: Light Commercial.

Primary Uses		
Offices, Retail, Services See GJMC 21.04.010, Use Table		
Lot		
Area (min. sq. ft.)		20,000
Width (min. ft.)		50
Frontage (min. ft.)		n/a
Setback	Principal	Accessory
Front (min. ft.)	15	25
Side (min. ft.)	0	0
Side abutting residential (min. ft.)	10	5
Rear (min. ft.)	10 (0 alley)	10 (0 alley)
Bulk		
Lot Coverage (max.)		n/a
Height (max. ft.)		40*
Height (max. stories)		3
Density (min.)		12 units/acre
Density (max.)		24 units/acre
Building Size (max. sf)		<u>n/a</u> 80,000 unless a CUP is

(1) Purpose. To provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. The C-1 district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses.

- (2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
- (3) Performance Standards.
 - (i) Service Entrances. Building entrances to service yard and loading areas shall be located only in the rear and side yard.
 - (ii) Outdoor Storage and Display. Outdoor storage and permanent display areas shall only be allowed in the rear half of the lot, beside or behind the principal structure except when a CUP has been issued. Portable display of retail merchandise may be permitted subject to this code.
- (4) Height*. Maximum height for structures in the C-1 and I-O zone districts which are north of G Road and east of 27 Road along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be 65 feet, except by special permit for additional height.

(e) C-2: General Commercial.

Primary Uses		
General Retail and Services See GJMC 21.04.010, Use Table		
Lot		
Area (min. sq. ft.)		20,000
Width (min. ft.)		50
Frontage (min. ft.)		n/a
Setback	Principal	Accessory
Front (min. ft.)	15	25
Side (min. ft.)	0	0
Side abutting residential (min. ft.)	10	5
Rear (min. ft.)	10	10
Bulk		
Lot Coverage (max.)		n/a
Height (max. ft.)		40
Height (max. stories)		3
Building Size (max. sf)	<u>n/a</u> 150,000 unless a CUP is	

- (1) Purpose. To provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited out- door operations.
- (2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
- (3) Performance Standards. Outdoor storage and display areas are not allowed within the front yard setback. Permanent and portable display of retail merchandise is permitted.

- (f) CSR: Community Services and Recreation.

Primary Uses		
Parks, Open Space, Schools, Libraries, Recreational Facilities See GJMC 21.04.010, Use Table		
Lot		
Area (min. acres)		1
Width (min. ft.)		100
Frontage (min. ft.)		n/a
Setback	Principal	Accessory
Front (min. ft.)	15	25
Side (min. ft.)	<u>50</u>	5
<u>Side abutting residential (min. ft.)</u>	10	<u>5</u>
Rear (min. ft.)	10	5
Lot Coverage (max.)		n/a
Height (max. ft.)		65
Height (max. stories)		5
Height abutting residential (max. ft.)		40
Building Size (max. sf)		<u>n/a</u> 80,000 unless a CUP is

- (1) Purpose. To provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. The district would include open space areas, to prevent environmental damage to sensitive areas, and to limit development in areas where police or fire protection, protection against flooding by stormwater, or other services or utilities are not readily available. The CSR district would include outdoor recreational facilities, educational facilities, open space corridors, recreational, nonvehicular transportation, environmental areas and would be interconnected with other parks, trails and other recreational facilities. The district may also be used for public property, environmentally sensitive lands, and extractive uses (gravel pits) regardless of the land use designation.
- (2) Performance Standards. Development shall conform to the standards established in this code. Outdoor storage areas shall comply with the standards in GJMC 21.04.040(h), except those associated with extractive uses, in which case no screening shall be required for an extractive use unless required by Chapter 21.04 or 21.06 GJMC in order to buffer from neighborhood uses or zones.

(g) M-U: Mixed Use.

Primary Uses		
Employment, Residential, Limited Retail, Open Space See GJMC 21.04.010, Use Table		
Lot		
Area (min. acres)		1
Width (min. ft.)		100
Frontage (min. ft.)		n/a
Setback	Principal	Accessory
Front (min. ft.)	15	25
Side (min. ft.)	15 45	15
Side abutting residential zone (min. ft.)	10	5
Rear (min. ft.)	25	25
Bulk		
Lot Coverage (max.)		n/a
Height (max. ft.)		65
Height (max. stories)		5
Density (min.)		8 units/acre
Density (max.)		24 units/acre
Building Size (max. sf)		<u>n/a</u> 150,000 unless a CUP is

- (1) Purpose. To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.
- (2) Performance Standards. Development shall conform to the standards established in this code.
 - (i) Refer to any applicable overlay zone district and/or corridor design standards and guidelines.
 - (ii) Loading/Service Areas. Loading docks and trash or other service areas shall be located only in the side or rear yards.
 - (iii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an M-U district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.
 - (A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.
 - (B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.

- (C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
 - (D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
 - (E) Hazardous Materials. Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
- (iv) Outdoor Storage and Display. Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in Chapter 21.04 GJMC.

(h) BP: Business Park Mixed Use.

Primary Uses		
Employment, Light Manufacturing, Multifamily, Commercial Services See GJMC 21.04.010, Use Table		
Lot		
Area (min. acres)		1
Width (min. ft.)		100
Frontage (min. ft.)		n/a
Setback	Principal	Accessory
Front (min. ft.)	15	25
Side (min. ft.)	<u>45</u> 0	15
Side abutting residential (min. ft.)	10	<u>5</u>
Rear (min. ft.)	<u>25</u> 10	25
Lot Coverage (max.)		n/a
Height (max. ft.)		65
Height (max. stories)		5
Density (min.)		8 units/acre
Density (max.)		24 units/acre
Building Size (max. sf)	<u>n/a</u> 200,000 unless a CUP is	

- (1) Purpose. To provide for a mix of light manufacturing and employment centers, limited commercial services, and multifamily residential uses in a business park setting with proper screening and buffering, all compatible with adjoining uses.
- (2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
- (3) Performance Standards.

- (i) Loading Docks. Loading docks shall be located only in the side or rear yards.
- (ii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in a BP district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.
 - (A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.
 - (B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.
 - (C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
 - (D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
 - (E) Hazardous Materials. Information and materials to be used or located on the site, whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
- (iii) Outdoor Storage and Display. Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in GJMC 21.04.040(h).

All other parts of Section 21.03.070 shall remain in full force and effect.

Subsections 21.03.080(a), (b) and the Mixed Use and Industrial District Summary Table at the end of Section 21.03.080 are amended to as follows (deletions struck through, additions underlined):

21.03.080 Industrial districts.

- (a) I-O: Industrial/Office Park.

Primary Uses

Light Manufacturing, Office, Commercial Services
 See GJMC 21.04.010, Use Table

Lot

Area (min. acres)	1	
Width (min. ft.)	100	
Frontage (min. ft.)	n/a	
Setback	Principal	Accessory
Front (min. ft.)	15	25
Side (min. ft.)	<u>450</u>	15
<u>Side abutting residential</u> (min.ft.)	10	5
Rear (min. ft.)	<u>2510</u>	25
Lot Coverage (max.)	n/a	
Height (max. ft.)	65	
Height (max. stories)	5	
Building Size (max. sf)	<u>n/a 250,000 unless a CUP is</u>	

- (1) Purpose. To provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering, all compatible with adjoining uses.
- (2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
- (3) Performance Standards.
 - (i) Retail Sale Area. Areas devoted to retail sales shall not exceed 10 percent of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel.
 - (ii) Loading Docks. Loading docks shall be located only in the side or rear yards.
 - (iii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an I-O district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.
 - (A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.
 - (B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.
 - (C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
 - (D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
 - (E) Hazardous Materials. Information and materials to be used or located on the site, whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.

- (iv) Outdoor Storage and Display. Outdoor storage and permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in GJMC 21.04.040(h).

(b) I-1: Light Industrial.

Primary Uses		
Manufacturing, Office, Commercial Services		
See GJMC 21.04.010, Use Table		
Lot		
Area (min. acres)		1
Width (min. ft.)		100
Frontage (min. ft.)		n/a
Setback	Principal	Accessory
Front (min. ft.)	15	25
Side (min. ft.)	<u>5</u> 0	5
Side abutting residential (min. ft.)	10	5
Rear (min. ft.)	10	10
Bulk		
Lot Coverage (max.)		n/a
Height (max. ft.)		50
Height (max. stories)		4
Building Size (max. sf)		<u>n/a</u> 150,000

- (1) Purpose. To provide for areas of light fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 zones with conflicts between other uses can be minimized with orderly transitions of zones and buffers between uses.
- (2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
- (3) Performance Standards.
 - (i) Retail Sale Area. Areas devoted to retail sales shall not exceed 10 percent of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel.
 - (ii) Loading Docks. Loading docks shall be located only in the side or rear yards.
 - (iii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an I-1 district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.
 - (A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.
 - (B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.
 - (C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.

- (D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
 - (E) Hazardous Materials. Information and materials to be used or located on the site, whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
- (iv) Outdoor Storage and Display. Portable display of retail merchandise may be permitted as provided in GJMC 21.04.040(h).
- (A) Outdoor storage and displays shall not be allowed in the front yard setback;
 - (B) Screening shall be maintained in the frontage adjacent to arterial and collector streets and along that portion of the frontage on local streets which adjoin any zone except I-1 or I-2;
 - (C) Unless required to buffer from an adjoining district, screening along all other property lines is not required; and
 - (D) Screening of dumpsters is not required.

Mixed Use and Industrial District Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	n/a	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	n/a	50	50	100	100	100	100	100	100
Frontage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	5 <u>0</u>	15 <u>0</u>	15 <u>0</u>	15 <u>0</u>	5 <u>0</u>	0
Side – abutting residential (min. ft.)	n/a	10	n/a	10	10	n/a <u>10</u>	10	n/a <u>10</u>	n/a <u>10</u>	10	n/a
Rear (min. ft.)	10	15	0	10	10	10	25 <u>10</u>	25 <u>10</u>	25 <u>10</u>	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	5	15	15	15	5	0
Side – abutting residential (min. ft.)	n/a	5	n/a	5	5	n/a <u>5</u>	5	n/a <u>5</u>	n/a <u>5</u>	5	n/a
Rear (min. ft.)	5	15	0	10	10	5	25	25	25	10	10
<u>Bulk-Other Dimensional Requirements</u>											
Lot Coverage (max.)	70%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Height (max. ft.)	40	40	80	40	40	65	65	65	65	50	50
Height (max. stories)	3	3	5	3	3	5	5	5	5	4	4
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a
Building size (max. sf)	10,000	15,000	n/a	80,000 <u>n/a</u>	150,000 <u>n/a</u>	80,000 <u>n/a</u>	150,000 <u>n/a</u>	200,000 <u>n/a</u>	250,000 <u>n/a</u>	150,000 <u>n/a</u>	n/a

Notes

- B-1:** Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000
- B-2:** Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.
- C-1:** Min. rear setback – 0 if an alley is present; ~~building size max. – 80,000 sf unless a CUP is approved~~
- C-2:** ~~Building size max. – 150,000 sf unless a CUP is approved~~
- CSR:** ~~Building size max. – 80,000 sf unless a CUP is approved~~
- M-U:** ~~Building size max. – 150,000 sf unless a CUP is approved~~
- BP:** ~~Building size max. – 200,000 sf unless a CUP is approved~~
- I-O:** ~~Building size max. – 250,000 sf unless a CUP is approved~~

All other parts of Section 21.03.080 shall remain in full force and effect.

INTRODUCED on first reading the 1st day of July, 2015 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2015 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk



CITY COUNCIL AGENDA ITEM

Date: July 13, 2015
 Author: Tim Moore
 Title/ Phone Ext: Deputy City
Manager
 Proposed Schedule: July 15, 2015
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

Subject: Small Community Air Service Development (SCASD) Grant
Action Requested/Recommendation: Authorize the City Manager to Issue a Letter of Commitment from the City for \$25,000 towards the Funds Required for a Local Match to Receive a SCASD Grant
Presenter(s) Name & Title: Tim Moore, Interim City Manager Diane Schwenke, GJ Chamber of Commerce Amy Jordan, Grand Junction Regional Airport Kristi Pollard, Grand Junction Economic Partnership

Executive Summary:

The Grand Junction Chamber of Commerce, the Grand Junction Economic Partnership, the Grand Junction Visitor & Convention Bureau, and the Grand Junction Regional Airport is seeking a letter of commitment of \$25,000 from the City of Grand Junction towards the local match for a potential Small Community Air Service Development (SCASD) Grant. The application deadline for this grant is July 22, 2015.

Background, Analysis and Options:

The Department of Transportation provides grant funding to small communities to improve air service. The Program was established in 2000 through the Wendell H. Ford Aviation Investment and Reform Act. This grant is released once a year, and is entitled the Small Community Air Service Development Program.

The order for the 2015 SCASD Grant was released on June 18th and the deadline to submit an application is July 22nd. Since the order was released, there has been a collaborated effort to establish an Air Service Task Force; to include the Grand Junction Chamber of Commerce, the Grand Junction Economic Partnership, the Grand Junction Visitor & Convention Bureau, and the Grand Junction Regional Airport. This task force is working to draft the grant application and bring together a robust public-private partnership.

The objective of the grant application is to assist in acquiring direct year-round, daily service to a westbound hub (preferably Los Angeles, CA - LAX). The grant application

delineates a robust incentive program that is multi-dimensional and includes the following components:

- 1) Revenue Guarantee
- 2) Mileage Award Program
- 3) General Public Marketing Support
- 4) Business Flyer Marketing Support
- 5) Airport Fee Waivers
- 6) Program Administration

If awarded this grant, the task force will work swiftly to negotiate terms with a partner airline and launch service to a westbound hub. By January 2016, the task force will negotiate with a carrier for planned service. Additionally, the schedule is to reach an agreement and begin service with a carrier prior to Summer/Fall 2016.

Other local agencies that have either committed funding or are being requested to help fund the local match include:

- Mesa County \$25,000 – committed
- CMU \$25,000 – committed
- Town of Palisade Meeting on July 14th
- City of Fruita Meeting on July 21st
- Chamber Board Meeting this week
- GJEP Board Meeting this week

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

Seeking additional dedicated air service supports the Comprehensive Plan’s Guiding Principles of having “Balanced Transportation” by accommodating all modes of transportation including ‘air’ in our community and further growing Grand Junction as “A Regional Center”. Specific goals and policies include: Goal 9 “Develop a well-balanced transportation system....” and Goal 12 “Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.”

How this item relates to the Economic Development Plan:

This request supports “Providing Infrastructure that Enables and Supports Private Investment” which is one of the three guiding areas of emphasis specific to economic development as described in the 2014 Economic Development Plan. The specific goal is “Continue to support the airport and its vital role in economic development”. The specific action step found in the City’s 2014 Economic Development Plan is to “continue to support grants, financing and loans available through state and Federal agencies.”

Board or Committee Recommendation:

This request was not considered by any advisory board or Council committee.

Financial Impact/Budget:

Funds for this local match are available in the City Council Economic Development Contingency account as detailed below:

Beginning Contingency Balance	\$478,461
<i>Local Match Request</i>	<i>25,000</i>
Other Approved Uses	<u>20,644</u>
Remaining Contingency Balance	\$432,817

Legal issues:

No legal issues have been identified.

Other issues:

No other issues.

Previously presented or discussed:

Presented at July 6, 2015 workshop

Attachments:

Proposal Summary
Letter of Commitment



800 Eagle Drive, Grand Junction, CO 81506 ✈ Phone: 970.244.9100 ✈ www.gjairport.com

Small Community Air Service Development Grant (SCASD Grant)

Background: The Department of Transportation provides grant funding to small communities to improve air service. As noted in the order, the Program was established in 2000 through the Wendell H. Ford Aviation Investment and Reform Act. This grant order is released once a year, and is entitled the Small Community Air Service Development Program.

The order for the 2015 SCASD Grant was released on June 18th and the deadline to submit an application is July 22nd. Since the order was released, there has been a collaborated effort to establish an Air Service Task Force; to include the Grand Junction Chamber of Commerce, the Grand Junction Economic Partnership, the Grand Junction Visitor & Convention Bureau, and the Grand Junction Regional Airport. This task force is working to draft the grant application and bring together a robust public-private partnership.

The objective of the grant application is to assist in acquiring direct year-round, daily service to a westbound hub (preferably Los Angeles, CA - LAX). The grant application delineates a robust incentive program that is multi-dimensional and includes the following components:

- 1) Revenue Guarantee
- 2) Mileage Award Program
- 3) General Public Marketing Support
- 4) Business Flyer Marketing Support
- 5) Airport Fee Waivers
- 6) Program Administration

If awarded this grant, the task force will work swiftly to negotiate terms with a partner airline and launch service to a westbound hub. By January 2016, the task force will negotiate with a carrier for planned service. Additionally, the schedule is to reach an agreement and begin service with a carrier prior to Summer/Fall 2016.

July 15, 2015

RE: Small Community Air Service Development Grant

Dear Grant Review Team:

The City of Grand Junction is pleased to commit \$25,000 as a part of the local match for a Small Community Air Service Development (SCASD) Grant application, as proposed by the Air Service Task Force. The grant proposal to assist in acquiring direct, year-round, daily service to a westbound hub furthers the goals and policies of the City's Comprehensive Plan, as well as the Economic Development Plan, to have a balanced transportation system, including air, to serve the community's needs as a regional center, and provide infrastructure and continued support of the airport to encourage private investment and economic development.

Since the order was released announcing the application process on June 18th there has been a collaborated effort to establish an Air Service Task Force; to include the Grand Junction Chamber of Commerce, the Grand Junction Economic Partnership, the Grand Junction Visitor & Convention Bureau, and the Grand Junction Regional Airport. The group has demonstrated that there is a strong public private partnership working together on this project. They have also demonstrated that there is a need for this service to strengthen their local economy. There are many businesses in the community that have customers and vendors in the Southern California region or in the Pacific Rim and that will only grow with this service. As Grand Junction and Mesa County are still economically distressed by many benchmarks, this service can help us achieve a local goal of diversification by assisting manufacturing and education efforts to solicit customers and students to Colorado Mesa University.

We look forward to strengthening our community's economic potential with the added service. Thank you for your consideration.

Sincerely,

Phyllis Norris, Mayor

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: July 15 15
Citizen's Name: Bruce J. Smalley
Address: 339 Colorado NE
Phone Number: _____
Subject: "Stuff and Things"

Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your concerns. Thank you.

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 7-15-15
Citizen's Name: Ed Kowalski
Address: 28 1/4 ORCHARD CT
Phone Number: _____
Subject: EXCESSIVE NOISE

Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.

Enforce Ordinance No. 3203 and All That Implies

Excessive Noise and Speed

4 (four) way stop signs at 28 3/4 Road - Orchard Ave.

Side-way from 28 3/4 Road to 29 Road on Orchard Ave.

I will be just as guilty, if I did not speak up

If 100 people say a foolish thing, that thing is still foolish

We have a right -- even a duty to speak up

For evil to triumph, good men must do nothing...

Power comes from the vision, not the volume

Nonsense remains nonsense, even when spoken by famous scientist

It's easy to dismiss what you don't understand or what you don't want to understand

No more, no less

There's right and there's wrong, it does not change the truth!

The time is always, is always, right now!