



**CITY COUNCIL AGENDA  
WEDNESDAY, MARCH 21, 2012  
MESA COUNTY OLD COURTHOUSE  
544 ROOD AVENUE, 2<sup>ND</sup> FLOOR  
6:30 P.M. – PRE-MEETING – ROOM 220  
7:00 P.M. – REGULAR MEETING – PUBLIC HEARING ROOM  
(NOTE LOCATION – ENTER BUILDING AT 6<sup>TH</sup> STREET ENTRANCE)**

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

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

Pledge of Allegiance

Moment of Silence

**Council Comments**

**Citizen Comments**

**\*\*\* CONSENT CALENDAR \*\*\*®**

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

*Action: Approve the Minutes of the March 7, 2012 Regular Meeting*

2. **Setting a Hearing on the Hernandez Enclave Annexation, Located at 2956 D Road** [File #ANX-2012-188] [Attach 2](#)

A request to annex 0.527 acres of enclaved property, located at 2956 D Road. The Hernandez Enclave consists of one (1) parcel and no public right-of-way.

*Revised March 19, 2012*

*\*\* Indicates Changed Item*

*\*\*\* Indicates New Item*

*® Requires Roll Call Vote*



**a. Notice of Intent to Annex and Exercising Land Use Control**

Resolution No. 13-12—A Resolution of the City of Grand Junction, Giving Notice that a Tract of Land Known as the Hernandez Enclave, Located at 2956 D Road, Consisting of Approximately 0.527 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado and Exercising Land Use Control

®Action: *Adopt Resolution No. 13-12*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hernandez Enclave Annexation, Located at 2956 D Road, Consisting of Approximately 0.527 Acres

Action: *Introduction of a Proposed Ordinance and Set a Hearing for May 2, 2012*

Staff presentation: Tim Moore, Public Works and Planning Director  
Brian Rusche, Senior Planner

**3. Setting a Hearing on Zoning the Sturgeon Electric Enclave Annexation, Located at 2775 Riverside Parkway [File #ANX-2011-1314] [Attach 3](#)**

A request to zone the Sturgeon Electric Enclave Annexation, located at 2775 Riverside Parkway, which consists of one (1) parcel, to an I-1 (Light Industrial) zone district.

Proposed Ordinance Zoning the Sturgeon Electric Enclave Annexation to I-1 (Light Industrial) Located at 2775 Riverside Parkway

Action: *Introduction of a Proposed Ordinance and Set a Hearing for April 4, 2012*

Staff presentation: Tim Moore, Public Works and Planning Director  
Brian Rusche, Senior Planner

**4. Setting a Hearing on Rezoning One Parcel Located at 2170 Broadway [File # RZN-2011-1152] [Attach 4](#)**

A City initiated request to rezone approximately 4.846 acres, located at 2170 Broadway, from an R-2 (Residential 2 dwelling units/acre) to an R-8 (Residential 8 dwelling units/acre) zone district.

Proposed Ordinance Rezoning Property Located at 2170 Broadway from an R-2 (Residential 2 Dwelling Units/Acre) to an R-8 (Residential 8 Dwelling Units/Acre) Zone District

*Action: Introduction of a Proposed Ordinance and Set a Hearing for April 18, 2012*

Staff presentation: Tim Moore, Public Works and Planning Director  
Brian Rusche, Senior Planner

5. **Setting a Hearing on Rezoning Four Properties Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road** [File #RZN-2011-1215] [Attach 5](#)

A City initiated request to rezone four properties located at 2202, 2202 ½, 2204 H Road, and 824 22 Road from M-U, (Mixed Use) to MXG-3, (Mixed Use General) zone district.

Proposed Ordinance Rezoning Four Properties from M-U, (Mixed Use) to MXG-3, (Mixed Use General), Located at 2202, 2202 1/2, 2204 H Road, and 824 22 Road

*Action: Introduction of a Proposed Ordinance and Set a Hearing for April 18, 2012*

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

6. **Setting a Hearing on Rezoning 92 Properties Located Between 12<sup>th</sup> Street and 17<sup>th</sup> Street along Main Street and the North Side of Colorado Avenue** [File #RZN-2011-1221] [Attach 6](#)

A City initiated request to rezone approximately 13 acres, located between 12<sup>th</sup> Street and 17<sup>th</sup> Street along Main Street and the north side of Colorado Avenue, from R-8 (Residential 8 du/ac) to an R-O (Residential Office) zone district.

Proposed Ordinance Rezoning 92 Properties from R-8 (Residential 8 DU/Ac) to an R-O (Residential Office) Zone District, Located Between 12<sup>th</sup> Street and 17<sup>th</sup> Street Along Main Street and the North Side of Colorado Avenue

Action: *Introduction of a Proposed Ordinance and Set a Hearing for April 18, 2012*

Staff presentation: Tim Moore, Public Works and Planning Director  
Senta Costello, Senior Planner

7. **Purchase Hot Mix Asphalt for Streets Division for 2012** [Attach 7](#)

This request is for the purchase up to 1,388 tons of hot mix asphalt for the Streets Division to be used for road work and repairs in 2012.

Action: *Authorize the Purchasing Division to Purchase Approximately 1,388 Tons of Hot Mix Asphalt, on Behalf of the Streets Division, from Elam Construction, Inc. for an Amount Up to \$97,125*

Staff presentation: Greg Trainor, Utilities, Streets, and Facilities Director  
Darren Starr, Streets, Storm Water, and Solid Waste Manager  
Jay Valentine, Financial Operations Manager

8. **Recommendations for Revision of Outdoor Dining Lease** [Attach 8](#)

This request seeks Council action on DDA's recommendations for revisions to the Outdoor Dining Lease that governs food and beverage service in areas of the public way in the Downtown Shopping Park (DSP) on Main Street, Seventh Street, and Colorado Avenue.

Action: *Approve the Revised Outdoor Dining Lease*

Staff presentation: Harry Weiss, Downtown Development Authority Director  
John Shaver, City Attorney

9. **Sole Source Purchase of Public Safety Technology for Backup and Disaster Recovery** [Attach 9](#)

This request is to sole source and purchase software, hardware, and implementation services for an integrated backup and disaster recovery system.

*Action: Authorize the City Purchasing Division to Sole Source a NetApp/Syncsort Integrated Backup System Purchase through Reseller CDW Government, Inc. in the Amount of \$384,500*

Staff presentation: Jim Finlayson, Information Technologies Director

10. **Award a Contract for the Matchett Property Farm Lease** [Attach 10](#)

The undeveloped park property at Matchett Park requires a contract to maintain and farm the property. The Park has been leased to a local farmer for the past 11 years. A Request for Proposals process was conducted in late February 2012 with one individual submitting a proposal.

*Action: Authorize the Parks and Recreation Department to Enter into a Contract with Kenny Romisch of Romisch Farms in Palisade, Colorado for the Agricultural Responsibilities of the Matchett Farm*

Staff presentation: Rob Schoeber, Parks and Recreation Director

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

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

11. **Public Hearing—North Seventh Street Historic Residential District Guidelines and Standards and Historic Preservation Board Responsibilities and Authority** [File #PLD-2012-80 and ZCA-2012-107] [Attach 11](#)

A request by the North Seventh Street Historic Residential District neighborhood to establish a new Plan for the North Seventh Street Historic Residential District Planned Development, including the North Seventh Street Historic Residential District Guidelines and Standards, to maintain and enhance the historic character of those properties, and to amend the Zoning and Development Code (“Code”) to authorize the Grand Junction Historic Preservation Board (“Board”) to review and approve applications for construction/alteration to sites and/or structures located on North 7<sup>th</sup> Street between Hill Avenue and White Avenue, as shown on the Site Location Map.

Ordinance No. 4508—An Ordinance Amending Ordinance No. 4403 for the Planned Residential Development – North 7<sup>th</sup> Street Consisting of Guidelines, Standards, and Review Process by which New Construction or Alterations within the Zone are Determined

Ordinance No. 4509—An Ordinance Amending Section 21.07.040 (Historic Preservation) of the Grand Junction Municipal Code Granting Authority to the Historic Preservation Board to Review and Decide Applications for Alteration or Construction within the North Seventh Street Historic Residential District According to the Guidelines and Standards of that District

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4508 and 4509 in Pamphlet Form*

Staff presentation: Tim Moore, Public Works and Planning Director  
Kathy Portner, Neighborhood Services Manager

12. **Public Hearing—Rezoning Properties in the Area of Patterson Road and 26 ½ Road from R-1 and R-5 to R-4, B-1, and R-8** [File #RZN-2011-1205] [Attach 12](#)

A request to rezone nine parcels totaling 13.365 acres located in the area of Patterson Road and 26 ½ Road.

1. The first subarea rezone is from R-1 (Residential - 1 unit per acre) to R-4 (Residential – 4 units per acre) zone district;
2. The second subarea is from R-1 (Residential - 1 unit per acre) to R-4 (Residential – 4 units per acre) zone district; and
3. The third subarea consists of rezones from R-5 (Residential – 5 units per acre) to B-1 (Neighborhood Business) and from R-5 (Residential – 5 units per acre) to R-8 (Residential – 8 units per acre) zone districts.

Ordinance No. 4510—An Ordinance Rezoning 632 and 642 26 ½ Road and a Parcel Located at the Eastern End of Northridge Drive Tax Parcel Number 2945-023-00-065, from R-1 to R-4; Rezoning 2628, 2630, 2632, 2634 Patterson Road and an Unaddressed Lot Located between 2634 and 490 Patterson Road, Tax Parcel 2945-023-00-041, from R-5 to B-1; and Rezoning 2634 ½ Patterson Road from R-5 to R-8

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4510 in Pamphlet Form*

Staff presentation: Tim Moore, Public Works and Planning Director  
Lori V. Bowers, Senior Planner

13. **Public Hearing—Amending the Red Rocks Valley Planned Development, Outline Development Plan Phasing Schedule** [File #PP-2006-217] [Attach 13](#)

The 139 acre Red Rocks Valley Planned Development consists of five phases located off of South Camp Road. The applicants received Preliminary Plan approval for a Planned Development on August 1, 2007. They request a ten year extension for the remaining Phases, all to be platted by March 1, 2022.

Ordinance No. 4511—An Ordinance Amending Ordinance No. 4109, which Zoned the Fletcher Annexation (Red Rocks Valley PD) to Planned Development, Located Approximately ½ Mile West of Monument Road on the North Side of South Camp Road

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4511 in Pamphlet Form*

Staff presentation: Lori V. Bowers, Senior Planner

14. **Public Hearing—Rezoning Property Located at 513 Independent Avenue** [File #RZN-2011-1207] [Attach 14](#)

A City initiated request to rezone one property totaling 0.22 +/- acres located at 513 Independent Avenue from R-16, (Residential – 16 du/ac) to C-2, (General Commercial).

Ordinance No. 4512—An Ordinance Rezoning One Property from R-16, (Residential – 16 DU/Ac) to C-2 (General Commercial), Located at 513 Independent Avenue

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4512 in Pamphlet Form*

Staff presentation: Scott D. Peterson, Senior Planner

15. **Public Hearing—Rezoning Six Properties Located on the East Side of 26 Road, North of Patterson Road, and One Property Located East of Foresight Apartments, North and East of the 25 ½ Road/Patterson Road Intersection** [File #RZN-2011-1210] [Attach 15](#)

A City initiated request to rezone approximately 6.25 acres, located on the east side of 26 Road, north of Patterson Road from R-1 (Residential 1 du/ac) to R-4 (Residential 4 du/ac) and approximately 4.89 acres located east of Foresight

Apartments, north and east of the 25 ½ Road/Patterson Road intersection from CSR (Community Services and Recreation) to R-16 (Residential 16 du/ac).

Ordinance No. 4513—An Ordinance Rezoning Six Properties from R-1 (Residential 1 DU/Ac) to R-4 (Residential 4 DU/Ac) and One Property from CSR (Community Services and Recreation) to R-16 (Residential 16 DU/Ac), Located on the East Side of 26 Road, North of Patterson Road and East of Foresight Apartments, North and East of the 25 ½ Road/Patterson Road Intersection

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4513 in Pamphlet Form*

Staff presentation: Senta Costello, Senior Planner

16. **Public Hearing—Rezoning Two Parcels Located at 690 and 694 29 ½ Road; Two Parcels Located at 2910 Highline Canal Road and 725 29 Road; and One Parcel Located at 698 29 Road** [File #RZN-2011-1154] [Attach 16](#)

A City initiated request to:

- 1) Rezone 15.454 acres in two (2) parcels located at 690 and 694 29 ½ Road from an R-R (Residential Rural) to an R-5 (Residential 5 dwelling units/acre) zone district; and
- 2) Rezone 27.537 acres in two (2) parcels located at 2910 Highline Canal Road and 725 29 Road from R-R (Residential Rural) and 2.769 acres in one (1) parcel located at 698 29 Road from a C-1 (Light Commercial), all to a B-P (Business Park) zone district.

Ordinance No. 4514—An Ordinance Rezoning Properties Located at 690 and 694 29 ½ Road from an R-R (Residential Rural) to an R-5 (Residential 5 Dwelling Units Per Acre) Zone District, Rezoning Properties Located at 2910 Highline Canal Road and 725 29 Road from an R-R (Residential Rural) to a BP (Business Park) Zone District, and Rezoning Property Located at 698 29 Road from a C-1 (Light Commercial) to a BP (Business Park) Zone District

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4514 in Pamphlet Form*

Presenter Name: Brian Rusche, Senior Planner

17. **Non-Scheduled Citizens & Visitors**
18. **Other Business**
19. **Adjournment**



## **Attach 1**

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

**March 7, 2012**

The City Council of the City of Grand Junction convened into regular session on the 7<sup>th</sup> day of March, 2012 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras, and Council President Tom Kenyon. Also present were Acting City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Kenyon recognized the Girls Scouts, Troops 194 and 1108, and Boy Scouts Troop 388 who were in attendance.

Council President Kenyon called the meeting to order. Council President Kenyon asked Girl Scout Troops 194 and 1108 to post the colors and then lead the Pledge of Allegiance. That was followed by a Moment of Silence.

### **Proclamations**

Proclaiming March 12, 2012 as "Girl Scout Day" in the City of Grand Junction

Proclaiming March 4 through March 12, 2012 as "Women in Construction Week" in the City of Grand Junction

Proclaiming March, 2012 as "Intellectual and Developmental Disabilities Awareness Month" in the City of Grand Junction

### **Council Comments**

Councilmember Boeschstein said he would like to recognize the arts in the community. They went to Gershwin's production "Crazy for You" at Mesa University and it was outstanding. He also attended the symphony and it was outstanding. He said he was glad Grand Junction is an arts community.

There were no other Council comments.

### **Citizen Comments**

Dr. David Shepard, 230 Red Sand Road, representing the Airport Users and Tenants Association, came forward and spoke regarding the airport. He said it was a courtesy update but that has changed. The Airport Board Chairman is angry with their organization. There was a meeting on Sunday. Those at the meeting came to the Council for help to transition the private organization to a non-profit. They opened membership to anybody, including Airport Board Members. They agreed on a Mission Statement with two missions which he read: 1) to promote the health of general aviation for the benefit of all citizens of the Grand Valley and 2) to encourage Airport management and public officials responsible for the Airport to meet high standards of good governance

with openness and transparency. He was surprised by the strong reaction from the Airport Board.

Dr. Shepard said that nothing has progressed in solving their problems. The Council has put the fence issue into the hands of three civic minded citizens, but that is all that has happened. The Airport Board continues to be the same Airport Board. They have spent thousands of dollars on a public relations campaign. An individual consultant was brought in but he turned out to be a biased consultant. Nothing has happened on the rewording of the leases. The Airport Authority continues to have executive sessions on the boundaries of the law. The Council has done nothing to help them. Businesses are leaving, people are hurting. Dr. Shepard said they are disappointed. They are not buying the fact that Council is paralyzed because of the Authority on one side and the duty on the other side. Council owns the problem with the Authority because they created it. Members of the Airport Users and Tenants Association expect Council to do something and that is their plea.

### **CONSENT CALENDAR**

Councilmember Doody read the Consent Calendar and then moved to approve the Consent Calendar items #1-16. Councilmembers Pitts and Boeschenstein seconded the motion. Motion carried.

1. **Minutes of Previous Meetings**

*Action: Approve the Minutes of the February 13, 2012 Regular Meeting and the Minutes of the February 27, 2012 Special Session*

2. **Setting a Hearing on North Seventh Street Historic Residential District Guidelines and Standards and Historic Preservation Board Responsibilities and Authority** [File #PLD-2012-80 and ZCA-2012-107]

A request by the North Seventh Street Historic Residential District neighborhood to establish a new Plan for the North Seventh Street Historic Residential District Planned Development, including the North Seventh Street Historic Residential District Guidelines and Standards, to maintain and enhance the historic character of those properties, and to amend the Zoning and Development Code ("Code") to authorize the Grand Junction Historic Preservation Board ("Board") to review and approve applications for construction/alteration to sites and/or structures located on North 7<sup>th</sup> Street between Hill Avenue and White Avenue.

Proposed Ordinance Amending Ordinance No. 4403 for the Planned Residential Development – North 7<sup>th</sup> Street Consisting of Guidelines, Standards and Review Process by which New Construction or Alterations within the Zone are Determined

Proposed Ordinance Amending Section 21.07.040 (Historic Preservation) of the Grand Junction Municipal Code Granting Authority to the Historic Preservation Board to Review and Decide Applications for Alteration or Construction within the North Seventh Street Historic Residential District According to the Guidelines and Standards of that District

*Action: Introduction of Proposed Ordinances and Set a Public Hearing for March 21, 2012*

3. **Setting a Hearing on Rezoning Eight Parcels, Located at 2608 and 2612 G Road; 719, 721, 725, 726 26 Road, and One Unaddressed Lot Directly North of 725 26 Road, from R-2 (Residential – 2 units per acre) to R-4 (Residential – 4 units per acre) Zone District** [File #RZN-2012-1219]

A City initiated request to rezone eight parcels totaling 42.79 acres, located at 2608 and 2612 G Road; 719, 721, 725, 726 26 Road; and one lot directly north of 725 26 Road from R-2 (Residential – 2 units per acre) to R-4 (Residential – 4 units per acre) zone district.

Proposed Ordinance Rezoning 8 Parcels from R-2 (Residential – 2 Units per Acre) to R-4 (Residential – 4 Units per Acre) Located at 2608 and 2612 G Road; 719, 720, 721, 725, 726 26 Road; and an Unaddressed Parcel, Number 2701-344-00-022 (Directly North of 725 26 Road)

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 4, 2012*

4. **Setting a Hearing on Rezoning One Parcel Located at 3015 D Road** [File # RZN-2011-1151]

A City initiated request to rezone approximately 4.952 acres, located at 3015 D Road, from an R-E (Residential Estate) to an R-8 (Residential 8 dwelling units/acre) zone district.

Proposed Ordinance Rezoning Property Located at 3015 D Road from an R-E (Residential Estate) to an R-8 (Residential 8 Dwelling Units/Acre) Zone District

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 4, 2012*

5. **Setting a Hearing on Rezoning 201 Properties Located Generally East of N. 22<sup>nd</sup> Street and West of 28 Road, Between Grand and Hill Avenues** [File # RZN-2011-1212]

A City initiated request to rezone 201 properties located generally east of N. 22<sup>nd</sup> Street and west of 28 Road, between Grand and Hill Avenues from R-8, (Residential – 8 du/ac) to R-12, (Residential – 12 du/ac).

Proposed Ordinance Rezoning 201 Properties from R-8, (Residential – 8 Du/Ac) to R-12, (Residential – 12 Du/Ac) Generally Located East of N. 22<sup>nd</sup> Street and West of 28 Road, Between Grand and Hill Avenues

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 4, 2012*

6. **Setting a Hearing on Rezoning Fourteen Properties Located South and West of the G Road and 24 ½ Road Intersection** [File #RZN-2011-1216]

A City initiated request to rezone approximately 64 acres, located south and west of the G Road and 24 ½ Road intersection, from R-12 (Residential 12 dwellings/acre) zone district to R-24 (Residential 24 dwellings/acre) zone district.

Proposed Ordinance Rezoning 14 Properties from R-12 (Residential 12 Dwellings/Acre) to R-24 (Residential 24 Dwellings/Acre) Located South and West of the G Road and 24 ½ Road Intersection

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 4, 2012*

7. **Setting a Hearing on Amending the Red Rocks Valley Planned Development, Outline Development Plan Phasing Schedule** [File #PP-2006-217]

The 139 acre Red Rocks Valley Planned Development consists of five phases located off of South Camp Road. The applicants received Preliminary Plan approval for a Planned Development on August 1, 2007. They request a ten year extension for the remaining Phases, all to be platted by March 1, 2022.

Proposed Ordinance Amending Ordinance No. 4109 which Zoned the Fletcher Annexation (Red Rocks Valley PD) to Planned Development Located Approximately ½ Mile West of Monument Road on the North Side of South Camp Road

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for March 21, 2012*

8. **Purchase of Traffic Striping Paint for 2012**

The City's Transportation Engineering Division is responsible for applying 6600 gallons of white and yellow paint to the City's streets each year, striping centerlines on 400+ miles of streets and state highways. Utilizing the CDOT contract prices saves the City more than \$6,000 over the Multiple Assembly of Procurement Officials (MAPO) contract prices.

*Action: Authorize the City Purchasing Division to Enter into a Purchase Order with Ennis Paint, Dallas, TX for the 2012 Traffic Striping Paint in the Amount of \$57,651*

9. **Amending 2012 City Council Meeting Schedule**

The City Council has determined that changing the regular meeting dates of the City Council is necessary and appropriate. The City Council will meet generally on the first and third Wednesday of each month.

Resolution No. 11-12—A Resolution of the City of Grand Junction Amending the 2012 City Council Meeting Schedule

Action: Adopt Resolution No. 11-12

10. **Contract for the 2012 Asphalt Overlays Project**

This request is to award a construction contract for the asphalt resurfacing project at various locations throughout the City of Grand Junction with the most notable locations being; Patterson Road from 24 Road to 24 ½ Road, 25 Road to 26 Road and 7<sup>th</sup> Street to 27 ½ Road, G Road from 26 Road to 27 Road and Grand Avenue from 7<sup>th</sup> Street to 12<sup>th</sup> Street. In all, a total of 10 locations were selected.

Action: Authorize the City Purchasing Division to Enter into a Contract with Elam Construction, Inc. of Grand Junction, CO for the 2012 Asphalt Overlay Project in the Amount of \$1,857,609

11. **Contract for Canyon View Park Parking Lot Expansions**

Canyon View Park is the largest developed park within the park system, in City limits, in the Grand Valley, Mesa County, and on the Western Slope. The Park provides a multitude of different sports, drawing participants throughout the State as well as surrounding states. Parking has become a significant issue with multiple events occurring at the Park at the same time.

Action: Authorize the Purchasing Division to Enter into a Contract with Vista Paving Corporation of Grand Junction, Colorado for the Construction of the Canyon View Park Parking Lot Expansion Project in the Amount of \$173,862

12. **Contract for Canyon View Park Pump and Filtration Replacement Project**

Canyon View is a 110 acre regional park made up of mostly natural turf fields, accommodating soccer, baseball, softball, football, rugby, lacrosse, open space practice fields as well as thousands of square feet of planting beds and trees. Irrigation water is a key factor in the success of the playing fields, as well as all the plant materials that are essential in the makeup of a park.

Action: Authorize the Purchasing Division to Enter into a Contract with Skyline Contracting of Grand Junction, Colorado for the Construction and Installation of the Canyon View Park Pump and Filtration System in the Amount of \$251,758

13. **Purchase of a Front Load Refuse Truck**

This purchase request is a Mack Compressed Natural Gas (CNG) Refuse Truck to replace a diesel unit currently in the City's fleet. This truck chassis will be fitted with a 2012 Heil Body and purchased from Western Colorado Truck. The price reflected is net of a \$44,000 trade in allowance offered for the current truck. The Mack truck with Heil body was determined to be the best value when applying life cycle cost analysis.

Action: Authorize the City Purchasing Division to Award a Contract to Purchase a 2013 Mack CNG Refuse Truck from Western Colorado Truck of Grand Junction, CO in the Amount of \$228,236

14. **Purchase of Two Side Load Refuse Trucks**

This purchase request is for **two (2)** Mack Compressed Natural Gas (CNG) Refuse Trucks to replace two (2) diesel units currently in the City's fleet. These truck chassis will be fitted with a Labrie body and purchased from Faris Machinery. The price reflected is net of a \$35,500 trade in offered for the current truck. The remaining replacement truck will be retained by Fleet for use as a reserve vehicle. The Mack truck with Labrie body was determined to be the best value when applying life cycle cost analysis.

Action: Authorize the City Purchasing Division to Award a Contract to Purchase Two 2012 Mack CNG Refuse Trucks from Faris Machinery of Grand Junction, CO in the Amount of \$559,606

15. **Contract for City Hall Auditorium Remodel Project**

This request is to award a construction contract for the remodel of the City Hall Auditorium. The project encompasses a reconfiguration of the room to allow for presenters to be seen by both the City Council and the audience (there will be a public presentation podium and a staff presentation podium) and a shifting of the fixed seating for better accessibility. The project includes installation of upgraded technology for improved audio and video presentation to the public in the audience and viewing the broadcast via television or web. While the auditorium is under construction, City Council and Planning Commission meetings will be held at the Mesa County Hearing Room in the Old Courthouse. If the contract is awarded, the time frame for construction will be March 19 through May 15, 2012.

Action: Authorize the City Purchasing Division to Enter into a Contract with Asset Engineering Limited of Grand Junction, CO for the City Hall Auditorium Remodel Project in the Amount of \$325,000

16. **Purchase Crime Scene Response/Evidence Collection Vehicle**

The 21<sup>st</sup> Judicial District Law Enforcement Forfeiture Board has awarded funding in the amount of \$136,334 to the Grand Junction Police Department for the purchase of a new Crime Scene Response and Evidence Collection Vehicle. The vehicle currently being used is a repurposed 1990 Chevy Van. The current vehicle does not provide the necessary platform to properly respond or process a crime scene and lacks basic safety equipment.

Action: Authorize the City Purchasing Division to Purchase and Equip a Crime Scene Response and Processing Vehicle for the Grand Junction Police Department in an Amount not to exceed \$136,334

## **ITEMS NEEDING INDIVIDUAL CONSIDERATION**

### **Ratify a Contract for Food and Beverage Services at City-owned Golf Courses**

This approval would support the contract for PAT Services, LLC to operate the grill at Lincoln Park Golf Course and the restaurant at Tiara Rado Golf Course. The previous contract was terminated in December 2011 at the request of the previous vendor. Following a formal RFP process PAT, LLC, was interviewed by a panel of City staff and community members who unanimously supported their proposal.

Rob Schoeber, Parks and Recreation Director, presented this item. He explained the process and how the selection was conducted. The two owners of the company have a lot of experience with the two golf courses. He asked the two owners, Lonnie Miller and Jack Sommers, to come forward. They introduced themselves and expressed their excitement in taking over the operations. The City Council thanked them.

Councilmember Coons moved to ratify the contract between City of Grand Junction and PAT Services, LLC to provide food and beverages services for Lincoln Park and Tiara Rado Golf Courses. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

### **Contract for Architectural Services for the Avalon Theatre Addition and Renovation**

This request is to award an architectural services contract for the Avalon Theatre Addition and Renovation. The services will reorder the proposed phases from the 2010 Avalon Theatre Master Plan and prepare bid documents for a large addition on the east side of the theatre that will help transform the 91 year old theatre into a full service performing arts center. The DDA requests that the City fund \$110,476 of the contract to cover a portion of the schematic design as its share of the project.

Debbie Kovalik, Economic, Convention, and Visitor Services Director, introduced this item. She lauded the events and the use of the facility and how it has improved. She then described the history leading up to this point. The proposal is a public-private partnership with the City, Downtown Development Authority, and the Symphony. She introduced the representatives in attendance and asked Downtown Development Authority Director Harry Weiss to come forward.

Harry Weiss, Downtown Development Authority Director, then expressed his excitement and the momentum building for this project. He asked the City Council to support the advancement to the next stage. This next phase is very challenging as it is the phase where the budget will be determined. The primary partners will be leading the next phase and how the project can best be phased will be determined. Schematic design is the first phase. Then it will go to architectural design and the overall scheme will be refined. That refined plan will be ratified again before construction documents are developed. He presented the time frame with the bid package being ready by mid to late August with a fall construction schedule. From the DDA's perspective this type of facility will anchor revitalization of the downtown. The request is that the City Council also financially support the project. It is important to the community for all the partners to have an ownership in the success.

Council President Kenyon asked what the DDA's long term commitment is. Mr. Weiss said the DDA is committing \$3 million through their future bonding capacity.

Councilmember Doody said the Mayor had said the City should invest in this project as the City owns the building and he is happy to see it happening.

Council President Kenyon concurred and said they are excited to see these improvements and the success of the foundation, the philanthropy, the fund raising, the schematics, and designs; they are all exciting concepts for the community. The development of the City's arts and performances meets the goal to become the most livable community west of the Rockies. He is glad to see these improvements which are needed and should have been done a long time ago.

Councilmember Boeschstein said he is pleased to serve on the DDA board and is pleased to be a part of the board funding some of the improvements. The DDA is saying this is what it can do. It is a wonderful theatre. People love it and it is a treasure in the downtown.

Council President Kenyon applauded the accomplishments of Director Debbie Kovalik, her work has proved that the community is interested in these activities and people are convinced it will get much better. Her creative ideas have made the Avalon Theatre a successful venture.

Councilmember Coons agreed and commended all the partners involved, noting it has been a long time coming. She is pleased to see it going forward.

Council President Kenyon clarified where the funding is coming from. The Downtown Development Authority is a community that came together and taxes themselves to make these improvements.

Councilmember Boeschstein moved to authorize the City Purchasing Division to enter into a contract with Westlake, Reed, Leskosky of Cleveland, OH for architectural services in the amount of \$481,029. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

**Public Hearing—Suncor Annexation and Zoning, Located at 2200 Railroad Avenue**  
[File #ANX-2011-1328]

A request to annex 45.43 acres of property, known as the Suncor Annexation, located at 2200 Railroad Avenue and to zone the annexation, consisting of one (1) parcel of approximately 27.56 acres, along with 6.53 acres of railroad property, less 11.34 acres of public right-of-way, to an I-1 (Light Industrial) zone district.

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

Tim Moore, Public Works and Planning Director, introduced this item.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. The property is currently used as a bulk fuel products loading/transfer terminal. Mr. Rusche described a catwalk that crosses the railway that will be required for



safety reasons. He said the applicants are in attendance. It is designated as Commercial/Industrial by the Comprehensive Plan - Future Land Use Map. There is a rail spur which is currently only being used by Suncor. The request does meet the criteria of the annexation and zoning regulations. The Planning Commission forwarded a recommendation of approval.

Council President Kenyon asked if there were any public comments of concern at the Planning Commission. Mr. Rusche said it was on Consent and approved unanimously.

There were no public comments.

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

Councilmember Doody asked if the railroad crossing work was completed that was approved last summer. Mr. Moore said it has been completed.

Council President Kenyon noted that is the most dangerous crossing in the City. Mr. Moore concurred noting the River Road crossing is the spur.

Councilmember Susuras asked if the railroad was agreeable to their property being annexed. City Attorney Shaver said that the railroad was not contacted because there is one linear parcel that exists throughout the City and it has historically not been treated as an annexable property because, for one thing, it is a right-of-way. As long as the principal property was identified through a petition, it is legally sufficient.

**a. Accepting Petition**

Resolution No. 12-12—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Suncor Annexation, Located at 2200 Railroad Avenue, and Including a Portion of the Railroad Avenue and US Highway 6 & 50 Right-of-Way, is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4501—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Suncor Annexation, Approximately 45.43 Acres, Located at 2200 Railroad Avenue and Including a Portion of the Railroad Avenue, River Road, and Highway 6 & 50 Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4502—An Ordinance Zoning the Suncor Annexation to I-1 (Light Industrial) Located at 2200 Railroad Avenue

Councilmember Coons moved to adopt Resolution No. 12-12 and Ordinance Nos. 4501 and 4502 and ordered them published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

**Public Hearing—Grand Junction Comprehensive Plan Future Land Use Map Amendments** [File #CPA-2011-1324]

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

The proposed amendments contain 142 parcels and are generally located as follows:

Area 1 – 41 parcels located north of Highway 6 and 50 and west of 24 Road;  
Area 2 – 25 parcels located north of Highway 6 and 50 and west of 25 Road;  
Area 3 – 18 parcels located north of Broadway and west of Riverside Parkway;  
Area 4 – 56 parcels located north of Franklin Avenue and west of N. 1<sup>st</sup> Street;  
Area 20 – 2 parcels located south of Fire Station #3 and east of 25 ½ Road.

The public hearing was opened at 7:59 p.m.

Tim Moore, Public Works and Planning Director, introduced this item and the next three items. He explained why all these items are coming before the Council. During the adoption of the Comprehensive Plan, a number of properties were identified that the zoning on the ground did not match the Comprehensive Plan. This first item is to change the Comprehensive Plan to meet what is on the ground. The next items will be rezoned to align the zoning with the Comprehensive Plan. This has been a very public process with neighborhood meetings, open houses, and hearings before the Planning Commission. The next item was moved up as requested by Councilmember Susuras as there were some pending sales.

Councilmember Susuras thanked Mr. Moore and his Staff for doing that.

Council President Kenyon asked Mr. Moore to elaborate on how the process has occurred. Mr. Moore described in detail more of the process noting that the property owners and the adjacent property owners all had the opportunity to comment on the proposals.

Council President Kenyon echoed Councilmember Susuras's thanks. Mr. Moore thanked the Council for their support in this process as it is good to get these taken care of now so when the development picks back up they will be ready to go.

Greg Moberg, Planning Supervisor, presented this item. He first applauded the City Council for supporting the process that allowed the property owners to have input. This first item demonstrates properties that were originally going to be rezoned but, after the public process, the recommendation is to change the Comprehensive Plan instead.

Mr. Moberg then reviewed the location and the request for each one of the areas. Area 1 – 41 parcels located north of Highway 6 and 50 and west of 24 Road will change the map from Village Center to Commercial; Area 2 – 25 parcels located north of Highway 6 and 50 and west of 25 Road would also change from Village Center back to Commercial; Area 3 – 18 parcels located north of Broadway and west of Riverside Parkway, the area around the shop, the proposal is to change the Map to Commercial Industrial; Area 4 – 56 parcels located north of Franklin Avenue and west of N. 1<sup>st</sup> Street is mostly single family

homes and currently zoned R-8 and there is a mixed of what is built and the Comprehensive Plan would be inconsistent with the R-8 zoning so the proposal is to change a portion of the area on the Future Land Use Map to Residential Medium; and Area 20 – 2 parcels located south of Fire Station #3 and east of 25 ½ Road, there is a mix of zonings and the Future Land Use is Residential Medium High and the proposal is to change two properties to Park. An area will come forward for a rezone for recreational because it is used by the Little league.

The requests are consistent with the Comprehensive Plan and they meet the criteria of the Zoning and Development Code. The Planning Commission recommended approval unanimously on February 14, 2012 and there was no public input.

Councilmember Pitts had questions about Areas 1 and 2. He asked if the proposed F ½ Road is to the north. He asked about the boundary. Mr. Moberg said the line was drawn parallel to the road and it is not property specific.

Councilmember Boeschstein asked if Residential will still be allowed when changing Village Center to Commercial because it was his understanding that Village Center was a mix between Commercial and Residential. Mr. Moberg said C-1 does allow up to 24 units per acre of residential.

Councilmember Luke asked, for clarification on the shops area, if the old designation conflicted with the uses there. Mr. Moberg said that it could.

There were no public comments.

The public hearing was closed at 8:19 p.m.

Councilmember Susuras said amending the Comprehensive Plan meets Goals 6 and 12, with 12 being the City and County will provide appropriate commercial and industrial development opportunities, which he said this request certainly does this. He also noted that the Planning Commission recommended approval.

Ordinance No. 4503—An Ordinance Amending the Grand Junction Comprehensive Plan Future Land Use Map

Councilmember Susuras moved to adopt Ordinance No. 4503 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

**Public Hearing—Rezone of Two Parcels, Located at 355 29 Road and 2892 River Street** [File #RZN-2011-1148]

A City initiated request to rezone approximately 5.939 acres, located at 355 29 Road and 2892 River Street, from R-2 (Residential 2 dwelling units/acre) zone district to R-4 (Residential 4 dwelling units/acre) zone district.

The public hearing was opened at 8:22 p.m.

Brian Rusche, Senior Planner, presented this item. He described the sites, the locations, and the request. The property was annexed and subdivided in 1979. The 1996 Growth Plan designated the properties as residential medium low. The new Comprehensive Plan changed them to residential medium. The Pear Park Plan did designate this area for higher density. The rezone supports a long range vision for the Pear Park area. The requested rezone of Lot 1 and Lot 4 from R-2 to R-4 will bring these two properties into conformance with the Future Land Use designation of Residential Medium and is the lowest zoning that meets that designation and bridges them with surrounding areas. The properties outside the City limits will have to be zoned when brought into the City. It was noted by a neighbor citizen that the property is transversed by high voltage power lines. The Planning Commission forwarded a recommendation of approval. The Planning Commission forwarded a recommendation of approval. The request does meet the criteria of the Grand Junction Municipal Code and the goals and policies of the Comprehensive Plan.

Councilmember Boeschstein asked if building houses would be allowed under the high voltage lines. Mr. Rusche said they would not.

Councilmember Susuras asked if the owners of the property had any objections. Mr. Rusche said the church that owns the property is not concerned nor are any adjacent owners.

There were no public comments.

The public hearing was closed at 8:27 p.m.

Ordinance No. 4504—An Ordinance Rezoning Properties, Located at 355 29 Road and 2892 River Street, from an R-2 (Residential 2 Dwelling Units/Acre) to an R-4 (Residential 4 Dwelling Units/Acre) Zone District

Councilmember Pitts moved to adopt Ordinance No. 4504 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

**Public Hearing—Request to Rezone Approximately 4.753 Acres, Located at 3032 N. 15<sup>th</sup> Street** [File #RZN-2011-1157]

A City initiated request to rezone 4.753 acres, located at 3032 N 15<sup>th</sup> Street, also known as the Nellie Bechtel Apartments, from R-8 (Residential – 8 units per acre) to R-24 (Residential – 24 units per acre). The rezone will bring into conformance what is actually built on the ground to an appropriate zoning district; and the proposed rezone will bring the zoning into conformance with the City's Comprehensive Plan.

The public hearing was opened at 8:29 p.m.

Lori V. Bowers, Senior Planner, presented this item. She described the site, the location, and the request. The property is the Nellie Bechtel apartments. It was annexed into the City in 1982 with the apartments constructed in 1983. The proposal meets Goal 1 and Goal 6 of the Comprehensive Plan. The request will bring the zoning into conformance with the zoning and the Future Land Use designation. The Blended Map

also shows this property as residential high. The density exceeds the current zoning. All the affected property owners were notified and an open house was held on November 9, 2011. There was concern that Hilltop would buy the property and build higher density units and traffic would be increased. The Planning Commission forwarded a recommendation of approval. The requested zone is consistent with the goals and policies of the Comprehensive Plan and it meets the criteria of the Grand Junction Municipal Code.

Councilmember Susuras asked how the density was built with the existing zoning to begin with. Ms. Bowers noted that it was a County project originally. Councilmember Boeschstein concurred and said it was built as affordable senior housing.

Councilmember Luke asked if there would be traffic concerns if it was expanded to maximum capacity. Ms. Bowers said that would be looked at if a new development came forward.

John Ballagh came forward representing the owners of the Nellie Bechtel apartments. They received all the notices and Staff was very congenial with the concerns expressed. He felt the citizen's concerns were really centered around the possibility of a very vertical building such as the Commons. The owners are in support of the rezone.

There were no other public comments.

The public hearing was closed at 8:38 p.m.

Ordinance No. 4505—An Ordinance Rezoning the Nellie Bechtel Apartments from R-8 (Residential – 8 Units per Acre) to R-24 (Residential – 24 Units per Acre), Located at 3032 N. 15<sup>th</sup> Street

Councilmember Pitts moved to adopt Ordinance No. 4505 and ordered it published in pamphlet form. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing—Rezone Three Properties Located at 708 25 ½ Road, 2543 G Road, and 2522 F ½ Road** [File #RZN-2011-1188]

A City initiated request to rezone three properties located at 708 25 ½ Road, 2543 G Road, and 2522 F ½ Road from R-R, (Residential – Rural) to R-4, (Residential – 4 du/ac) and R-5, (Residential – 5 du/ac).

The public hearing was opened at 8:39 p.m.

Scott Peterson, Senior Planner, presented this item. He described the sites, the locations, and the request. The Comprehensive Plan was adopted in 2010. All property owners were invited to an open house on November 9, 2011. Two owners did submit support. Two adjacent property owners objected to the rezone and those letters were included in the Staff report. Other comments from adjacent property owners were no opinion, some traffic concerns on G Road, and increased density that they were not in favor of. The request will be compatible with the area. Originally Staff recommended

R-8 but the Planning Commission thought R-5 was more appropriate. One person testified about the proposed increase. Staff does agree that R-5 is more appropriate.

The request will bring the zoning into conformance with the zoning and the Future Land Use designation. Mr. Peterson and the Planning Commission forwarded a recommendation of approval.

Councilmember Pitts asked for clarification on the zoning changes. Mr. Peterson explained the requested changes for each property.

Councilmember Susuras noted that Mr. Peterson explained why the two letters of opposition were opposed to R-8 and then asked if the change will have any effect on the property taxes. Mr. Peterson said it would change if it went to something other than residential.

Councilmember Doody commented on the mention of traffic by adjacent property owners and noted that G Road is an arterial through that particular area and needs some improvement.

There were no public comments.

The public hearing was closed at 8:49 p.m.

Councilmember Susuras said it matches surrounding zoning and meets Comprehensive Plan Goals 5 and 6.

Ordinance No. 4506—An Ordinance Rezoning Three Properties from R-R, (Residential Rural) to R-4, (Residential – 4 du/ac) and R-5, (Residential – 5 du/ac), Located at 708 25 ½ Road, 2543 G Road, and 2522 F ½ Road

Councilmember Susuras moved to adopt Ordinance No. 4506 and ordered it published in pamphlet form. Councilmember Pitts seconded the motion.

Council President Kenyon asked the City Attorney if the motion was clear on which properties were being zoned what. City Attorney Shaver answered it was.

Motion carried by roll call vote.

**Public Hearing—Rezone 281 Properties, Located South and East of North 12<sup>th</sup> Street and Orchard Avenue** [File# RZN-2011-1156]

A City initiated request to rezone approximately 65 acres, located south and east of North 12<sup>th</sup> Street and Orchard Avenue from R-8 (Residential 8 dwellings/acre) to R-12 (Residential 12 dwellings/acre).

The public hearing was opened at 8:52 p.m.

Tim Moore, Public Works and Planning Director, introduced this item. He explained how this was coming forward which included changing the Comprehensive Plan last fall to a density of around 12 units per acre. The unique thing is that the Planning Commission

did not recommend approval of the rezone request to R-12. If the Council approves this item, it will take a super majority to approve.

Councilmember Susuras asked if there is interest in building a high rise there. Mr. Moore said not right now but that may be due to the economy.

Councilmember Boeschstein asked if it would take a high rise to meet that density. Mr. Moore said the density could be achieved with a three story building.

There were questions on why they would want higher density in a single family area. Mr. Moore said the discussion last fall was what is envisioned for the area long term.

Councilmember Pitts asked Mr. Moore to describe the thoughts of the Planning Commission. Mr. Moore deferred the question to Senior Planner Senta Costello to provide that insight.

Senta L. Costello, Senior Planner, presented this item. She described the sites, the locations, and the request. There is a large population of single family homes, some businesses, some multi-family homes, a church, and a park. She described the current zoning and the surrounding zoning. The total area is about 65 acres. She described the history of zoning in the area. The original Comprehensive Plan designation was too intense and that was changed to a lower density. The area is very walkable with a number of services nearby. It seemed to be a safe environment and she does not believe additional density would change that. It is a compact neighborhood. The request will bring the zoning into conformance with the Future Land Use designation without a lot of impact on the neighborhood. The Planning Commission forwarded a recommendation of denial of the R-12 zone district as they saw a larger potential negative impact than a potential gain. Through the neighborhood open houses, Ms. Costello spoke to eighteen residents with six in favor, six opposed, and six with no opinion. Her observations showed that there are already units with additional density with minimal impact. That indicates a desire to increase the density without taking down existing homes.

Councilmember Coons asked if the full density proposed would be required for the increased number of units. Ms. Costello said there are lots that are large enough that additional units could be built under the R-12 zoning. It would not make the single family units non-conforming.

Councilmember Pitts asked for clarification that only 18 people commented out of 281 properties. Ms. Costello concurred.

James Barker, who owns one of the properties, was supportive of the change. Many conversions take place and this change will allow those conversions to take place legally. The University in that area is already building multiple units and housing is needed. There is an apartment complex at 12<sup>th</sup> and Elm. He has spoken to others that support it.

Michael Hines, from Steamboat Springs, owns two properties in the area. After he bought the two properties, he went to the Planning Department to see if he could add more units because the lots were so large. At that time, adding units was not allowed

on his properties. As soon as he heard about the change he was all for it. The rental industry in the City needs to be in this area. He knows he can add to these properties. He could add really nice units that would help the whole situation. The University is going to keep growing.

Councilmember Susuras asked what he would build. He said he would likely build a small duplex.

There were no other public comments.

The public hearing was closed at 9:16 p.m.

Councilmember Pitts said as the University continues to grow and it is true there are large lots and small houses and some lots could be combined. He doesn't like overriding the Planning Commission, however, with the 18 public comments, the numbers, and the comments he just heard, he thinks it is a logical change so he is in favor.

Councilmember Susuras asked Ms. Costello why Mr. Hines could not build previously. Ms. Costello said the Code was different then, but now the owner can count half of the adjacent right-of-way when calculating the density.

Councilmember Boeschstein said he had previously suggested that architect students be used to draw good and bad increases in density to have as examples to avoid creating a ghetto. He agrees the area can stand more density. He asked about the maximum height. Ms. Costello said in R-8, it is three stories and in R-12, it is five stories. He would support reasonable increased density. Ms. Costello added that there is also a difference in lot coverage under the two zones; 70% in R-8 versus 75% in R-12.

Councilmember Coons said she is usually not in favor of changing density in neighborhoods but this is close the University. In the short term, not much will likely change, but they do need to take the long term view. She will support the change.

Councilmember Luke said she received a letter in favor. However, when demand goes up and supply stays the same, rents go up. From a development standpoint, the request makes sense and it sounds like something very do-able.

Councilmember Doody said this is a great neighborhood with big lots. It has services and businesses and is within a walkable distance plus the area is safe. With Colorado Mesa University expanding there is a great opportunity for the homeowner to take advantage of their properties. He will support the request.

Council President Kenyon thanked the Planning Staff and he does think R-12 makes sense. He will support it too.

Ordinance No. 4507—An Ordinance Rezoning 281 Properties from R-8 (Residential 8 Dwellings/Acre) to R-12 (Residential 12 Dwellings/Acre), Located South and East of N. 12<sup>th</sup> Street and Orchard Avenue

Councilmember Pitts moved to adopt Ordinance No. 4507 and ordered it published in pamphlet form. Councilmember Coons seconded the motion. Motion carried by roll call vote.



### **Non-Scheduled Citizens & Visitors**

There were none.

### **Other Business**

There was none.

### **Adjournment**

The meeting was adjourned at 9:29 p.m.

Stephanie Tuin, MMC  
City Clerk

Date: February 29, 2012

Author: Brian Rusche

Title/ Phone Ext:

Senior Planner x. 4058

Proposed Schedule: Notice of Intent  
to Annex – March 21, 2012

2nd Reading: May 2, 2012

File #: ANX-2012-188

Attach 2

## **CITY COUNCIL AGENDA ITEM**

**Subject:** Annexation of the Hernandez Enclave, Located at 2956 D Road

**Action Requested/Recommendation:** Adopt a Resolution of Intent to Annex the Hernandez Enclave, Introduction of the Proposed Ordinance, and Set a Hearing for May 2, 2012

**Presenters Name & Title:** Tim Moore, Public Works and Planning Director  
Brian Rusche, Senior Planner

### **Executive Summary:**

A request to annex 0.527 acres of enclaved property, located at 2956 D Road. The Hernandez Enclave consists of one (1) parcel and no public right-of-way.

### **Background, Analysis and Options:**

Under the 1998 Persigo Agreement with Mesa County, the City is required to annex all enclaved areas within five (5) years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three (3) years. The property has been enclaved since May 20, 2007 by the Morning View Annexation.

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

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

Annexation of this enclave will create consistent land use jurisdiction and allow for efficient provision of municipal services.

**Board or Committee Recommendation:** The Zone of Annexation is scheduled before the Planning Commission on March 27, 2012.

**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 taxes will be collected within the enclaved area upon annexation.

**Legal issues:** None.

**Other issues:** None.

**Previously presented or discussed:** No

**Attachments:**

1. Staff report/Background information
2. Annexation Summary
3. Annexation Map
4. Future Land Use Map
5. Existing City/County Zoning Map
6. Resolution
7. Ordinance

<i>STAFF REPORT / BACKGROUND INFORMATION</i>				
<b>Location:</b>		2956 D Road		
<b>Applicant:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Residential		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Uses:</b>	<b>North</b>	Residential		
	<b>South</b>	Agricultural		
	<b>East</b>	Residential		
	<b>West</b>	Residential		
<b>Existing Zoning:</b>		County RSF-R (Residential Single-Family Rural)		
<b>Proposed Zoning:</b>		R-8 (Residential 8 du/ac)		
<b>Surrounding Zoning:</b>	<b>North</b>	R-8 (Residential 8 du/ac)		
	<b>South</b>	R-8 (Residential 8 du/ac)		
	<b>East</b>	R-8 (Residential 8 du/ac)		
	<b>West</b>	R-8 (Residential 8 du/ac)		
<b>Future Land Use Designation:</b>		Residential Medium (4-8 du/ac)		
<b>Zoning within density range?</b>		X	<b>Yes</b>	<b>No</b>

The annexation area consists of 0.527 acres, encompassing one (1) parcel and no public right-of-way.

Under the 1998 Persigo Agreement with Mesa County, the City is required to annex all enclaved areas within five (5) years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three (3) years. The property has been enclaved since May 6, 2007 by the Home Lumber Annexation.

The following annexation and zoning schedule is being proposed:

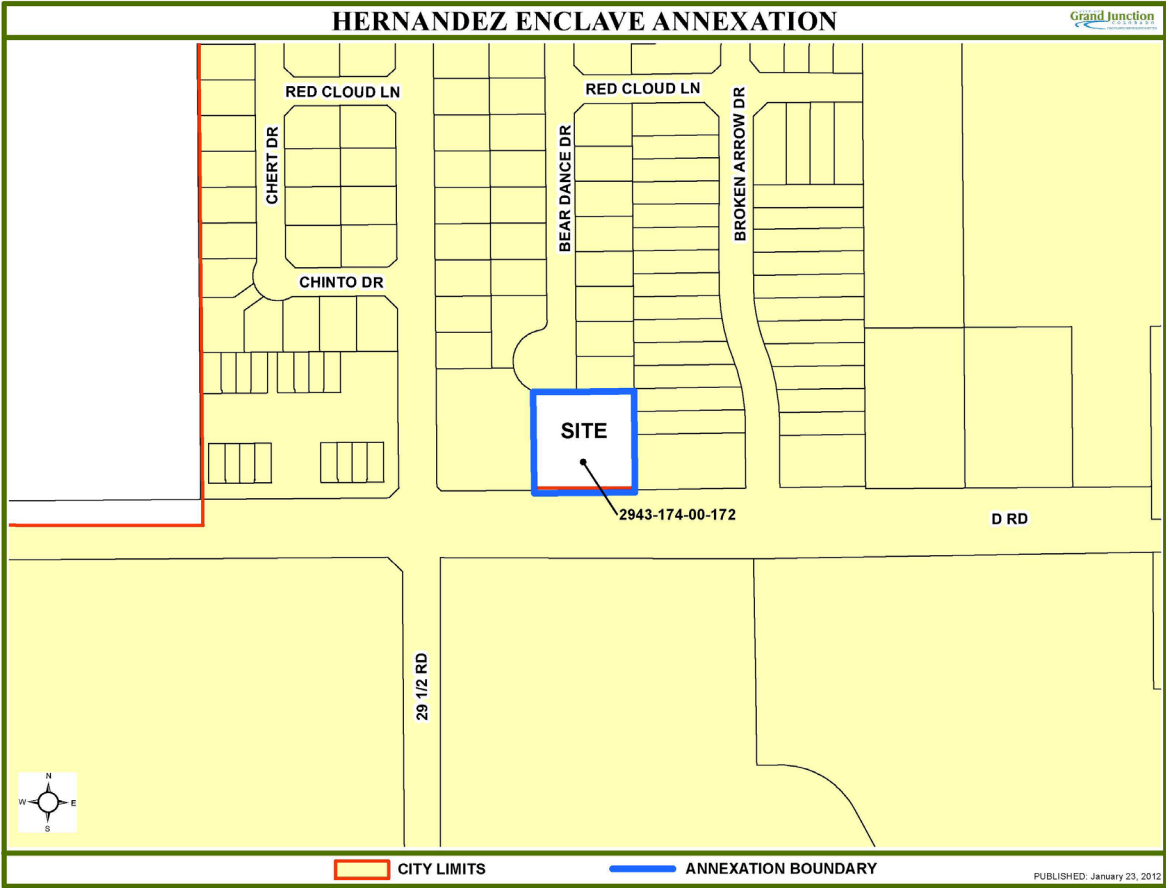
<i>ANNEXATION SCHEDULE</i>	
<b>March 21, 2012</b>	Notice of Intent to Annex (30 Day Notice), Exercising Land Use
<b>March 27, 2012</b>	Planning Commission considers Zone of Annexation
<b>April 18, 2012</b>	Introduction Of A Proposed Ordinance on Zoning by City Council
<b>May 2, 2012</b>	Public Hearing on Annexation and Zoning by City Council
<b>June 3, 2012</b>	Effective date of Annexation and Zoning

## HERNANDEZ ENCLAVE ANNEXATION SUMMARY

<b>File Number:</b>		ANX-2012-188
<b>Location:</b>		2956 D Road
<b>Tax ID Number(s):</b>		2943-174-00-172
<b># of Parcels:</b>		1
<b>Estimated Population:</b>		2
<b># of Parcels (owner occupied):</b>		1
<b># of Dwelling Units:</b>		1
<b>Acres land annexed:</b>		0.527
<b>Developable Acres Remaining:</b>		0.527
<b>Right-of-way in Annexation:</b>		None
<b>Previous County Zoning:</b>		County RSF-R (Residential Single-Family Rural)
<b>Proposed City Zoning:</b>		R-8 (Residential 8 du/ac)
<b>Current Land Use:</b>		Residential
<b>Future Land Use:</b>		Residential
<b>Values:</b>	<b>Assessed:</b>	\$8980
	<b>Actual:</b>	\$112,810
<b>Address Ranges:</b>		2956 D Road
<b>Special Districts:</b>	<b>Water:</b>	Ute Water Conservancy District
	<b>Sewer:</b>	Central Grand Valley Sanitation District
	<b>Fire:</b>	Grand Junction Rural Fire District
	<b>Drainage:</b>	Grand Valley Drainage District
	<b>School:</b>	Mesa County Valley School District #51
	<b>Irrigation:</b>	Grand Valley Irrigation Company
	<b>Pest:</b>	N/A

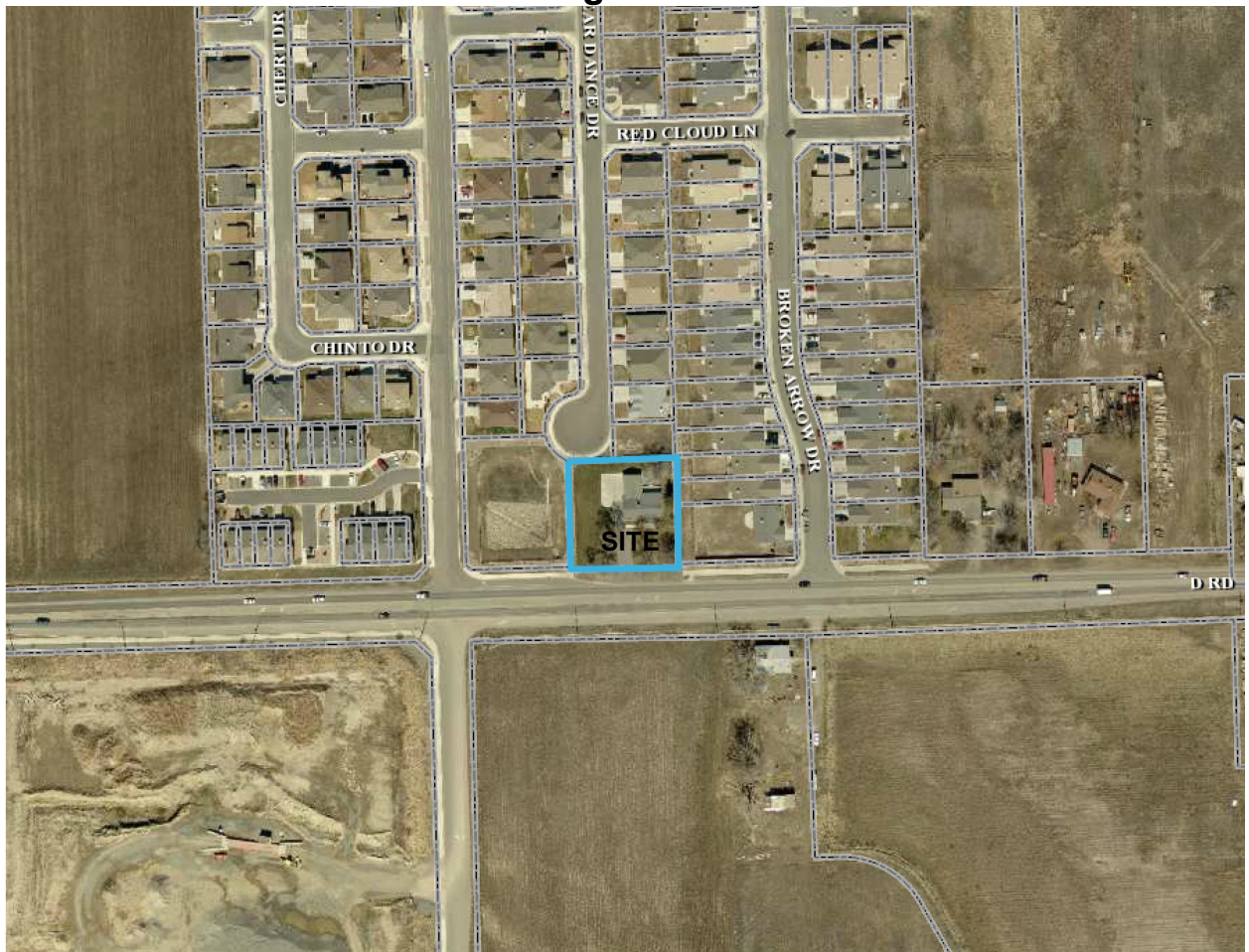
# Annexation/Site Location Map

Figure 1



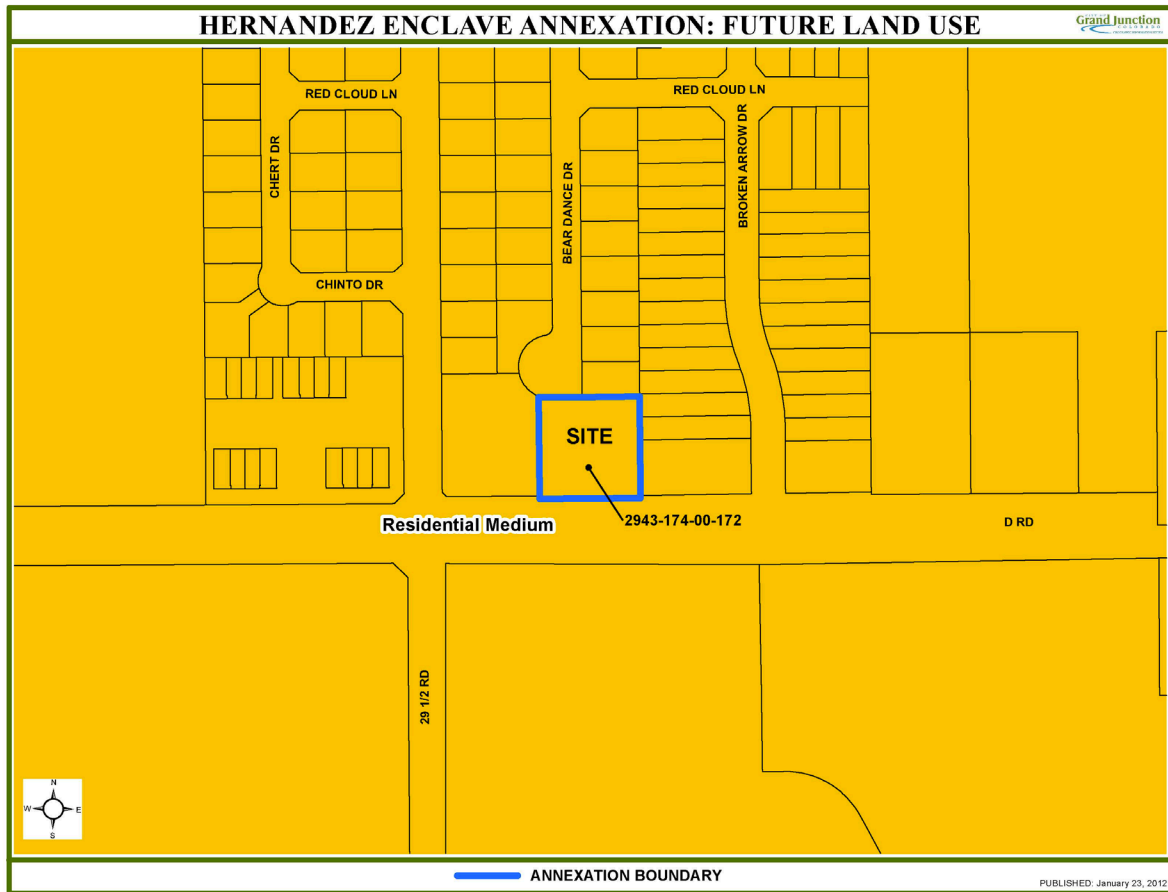
# Aerial Photo Map

Figure 2



# Comprehensive Plan – Future Land Use Map

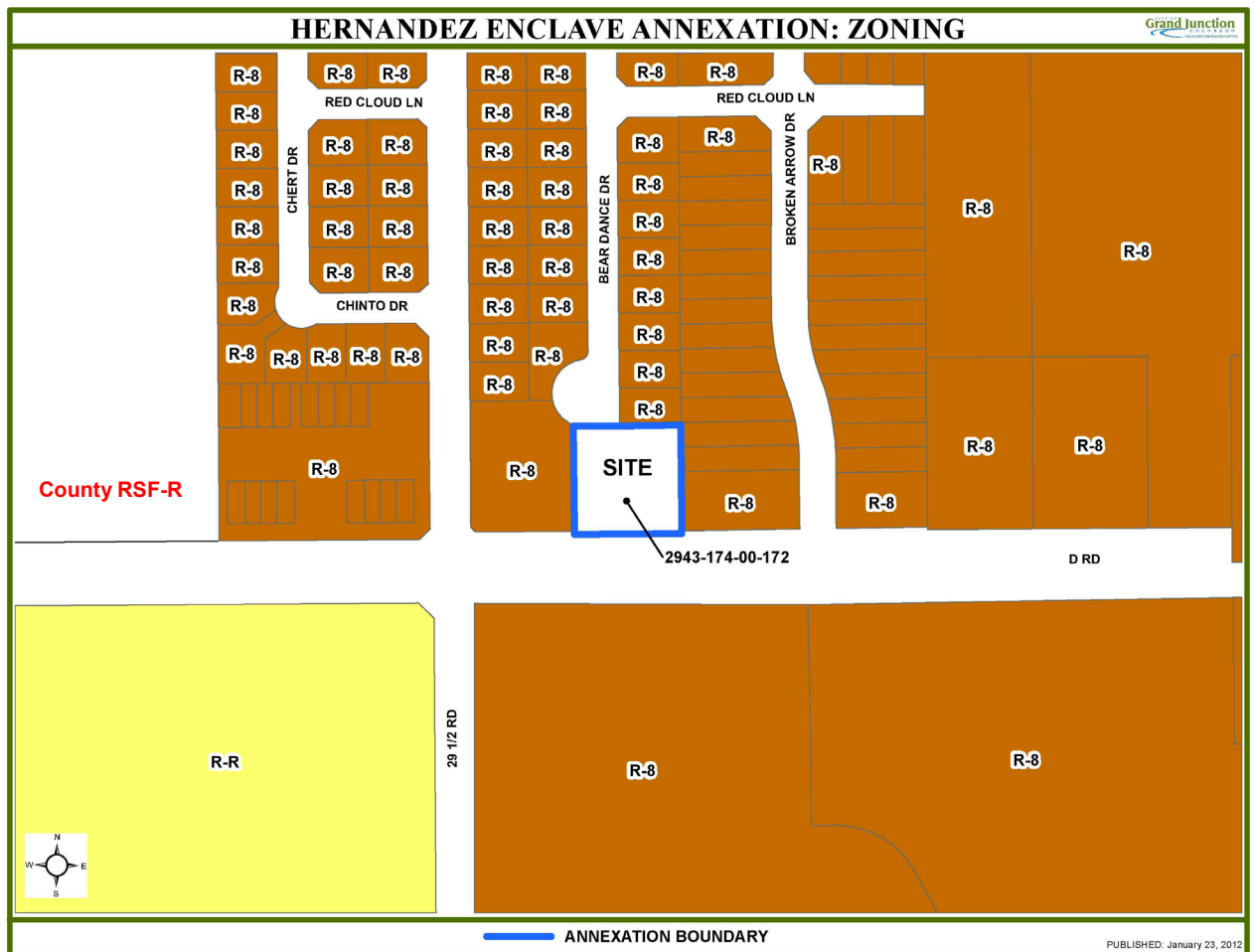
Figure 3





# Existing City and County Zoning Map

Figure 4



**NOTICE OF INTENT  
ON PROPOSED ANNEXATION OF LANDS  
TO THE CITY OF GRAND JUNCTION, COLORADO**

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 21<sup>st</sup> of March, 2012, the following Resolution was adopted:

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY OF GRAND JUNCTION  
GIVING NOTICE THAT A TRACT OF LAND KNOWN AS THE**

**HERNANDEZ ENCLAVE**

**LOCATED AT 2956 D ROAD**

**CONSISTING OF APPROXIMATELY 0.527 ACRES**

**WILL BE CONSIDERED FOR ANNEXATION  
TO THE CITY OF GRAND JUNCTION, COLORADO**

**AND EXERCISING LAND USE CONTROL**

WHEREAS, on the 21<sup>st</sup> day of March, 2012, the Public Works and Planning Director filed with the City Clerk of the City of Grand Junction, Colorado, a request that the City Council of the City of Grand Junction commence proceedings to annex to the City of Grand Junction a certain tract of land in the County of Mesa, State of Colorado, commonly known as the Hernandez Enclave and more particularly described as follows:

**HERNANDEZ ENCLAVE ANNEXATION**

A certain parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

That certain parcel of land bounded on the North and West by the Flint Ridge III Annexation, City of Grand Junction Ordinance 3656, as same is recorded in Book 3724, Page 542, Public Records of Mesa County, Colorado and bounded on the East and South by the Parham Annexation, City of Grand Junction Ordinance 3349, as same is recorded in Book 2856, Page 425, Public Records of Mesa County, Colorado.

CONTAINING 22,950 Square Feet or 0.527 Acres, more or less, as described.

WHEREAS, the area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than three (3) years, pursuant to C.R.S. 31-12-106(1);

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

1. That the City Clerk of the City of Grand Junction is hereby directed to give notice of the City Council's intent to annex the aforementioned area, pursuant to the Municipal Annexation Act of 1965.
2. That the ordinance annexing the subject area was introduced and given first reading on this 21<sup>st</sup> day of March, 2012, with a second reading and public hearing on the proposed annexation ordinance to be held on the 2<sup>nd</sup> day of May, 2012, in the Mesa County Public Hearing Room, located at 544 Rood Avenue, City of Grand Junction, Colorado, at 7:00 PM.
3. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals, and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the \_\_\_\_ day of \_\_\_\_\_, 2012.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_**

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

**HERNANDEZ ENCLAVE ANNEXATION**

**LOCATED AT 2956 D ROAD**

**CONSISTING OF APPROXIMATELY 0.527 ACRES**

WHEREAS, on the 21<sup>st</sup> day of March, 2012, the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction the following described territory, commonly known as the Hernandez Enclave; and

WHEREAS, a hearing and second reading on the proposed annexation ordinance was duly held after proper notice on the 2<sup>nd</sup> day of May, 2012; and

WHEREAS, the area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than three (3) years, pursuant to C.R.S. 31-12-106(1); and

WHEREAS, the requirements of Section 30, Article II of the Colorado Constitution have been met, specifically that the area is entirely surrounded by the annexing municipality.

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

That the property situate in Mesa County, Colorado, and described to wit:

**HERNANDEZ ENCLAVE ANNEXATION**

A certain parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

That certain parcel of land bounded on the North and West by the Flint Ridge III Annexation, City of Grand Junction Ordinance 3656, as same is recorded in Book 3724, Page 542, Public Records of Mesa County, Colorado and bounded on the East and

South by the Parham Annexation, City of Grand Junction Ordinance 3349, as same is recorded in Book 2856, Page 425, Public Records of Mesa County, Colorado.

CONTAINING 22,950 Square Feet or 0.527 Acres, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

**PASSED and ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

Attest:

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

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



Attach 3

## CITY COUNCIL AGENDA ITEM

Date: February 28, 2012

Author: Brian Rusche

Title/ Phone Ext:

Senior Planner x. 4058

Proposed Schedule: 1<sup>st</sup> Reading:

Wednesday, March 21, 2012

2nd Reading

(if applicable): Wednesday, April 4, 2012

File #: ANX-2011-1314

**Subject:** Zoning the Sturgeon Electric Enclave Annexation, Located at 2775 Riverside Parkway

**Action Requested/Recommendation:** Introduce a Proposed Ordinance and Set a Public Hearing for April 4, 2012

**Presenters Name & Title:** Tim Moore, Public Works and Planning Director  
Brian Rusche, Senior Planner

**Executive Summary:** A request to zone the Sturgeon Electric Enclave Annexation, located at 2775 Riverside Parkway, which consists of one (1) parcel, to an I-1 (Light Industrial) zone district.

### Background, Analysis and Options:

The 2.375 acre Sturgeon Electric Enclave Annexation consists of one (1) parcel, located at 2775 Riverside Parkway. The Sturgeon Electric Enclave was enclaved by the Home Lumber Annexation on May 6, 2007. The property is occupied by Sturgeon Electric, a specialty contractor for electrical infrastructure. It currently zoned County I-2 (General Industrial). Refer to the County Zoning Map included in this report.

Under the 1998 Persigo Agreement with Mesa County, the City has agreed to zone newly annexed areas using either the current County zoning or conforming to the Comprehensive Plan. The proposed zoning of I-1 (Light Industrial) conforms to the Comprehensive Plan – Future Land Use Map, which has designated the property as Industrial.

The property is located within the proposed Greater Downtown Area Plan, specifically the Rail District. The proposed Future Land Use map would continue to designate the property as Industrial. The proposed zoning of I-1 (Light Industrial) would be consistent with the proposed Future Land Use map under consideration with the Greater Downtown Area Plan.

The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have all been met. See attached Staff Report/Background Information for additional detail.

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

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

Zoning this enclave will create consistent land use jurisdiction and allow for efficient provision of municipal services. The proposed zoning of I-I (Light Industrial) conforms to the Comprehensive Plan – Future Land Use Map, adopted in 2010, which has designated the property as Industrial. The proposed zone will provide consistency with the adjacent properties with similar land uses.

**Board or Committee Recommendation:** On February 28, 2012 the Planning Commission forwarded a unanimous recommendation of approval of the I-1 (Light Industrial) zone district.

**Financial Impact/Budget:** None.

**Legal issues:** None.

**Other issues:** There are none.

**Previously presented or discussed:** A Resolution of Intent to Annex was adopted on February 13, 2012.

**Attachments:**

1. Staff report/Background information
2. Annexation / Site Location Map
3. Aerial Photo Map
4. Comprehensive Plan - Future Land Use Map
5. Existing City and County Zoning Map
6. Zoning Ordinance



STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2775 Riverside Parkway		
<b>Applicant:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Industrial		
<b>Proposed Land Use:</b>		Industrial		
<b>Surrounding Land Use:</b>	<b>North</b>	Union Pacific Railroad Yard		
	<b>South</b>	Industrial		
	<b>East</b>	Industrial		
	<b>West</b>	Industrial		
<b>Existing Zoning:</b>		County I-2 (General Industrial)		
<b>Proposed Zoning:</b>		I-1 (Light Industrial)		
<b>Surrounding Zoning:</b>	<b>North</b>	I-1 (Light Industrial)		
	<b>South</b>	I-1 (Light Industrial)		
	<b>East</b>	I-1 (Light Industrial)		
	<b>West</b>	I-1 (Light Industrial)		
<b>Future Land Use Designation:</b>		Industrial		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

#### ANALYSIS:

##### 1. Background:

The 2.375 acre Sturgeon Electric Enclave Annexation consists of one (1) parcel, located at 2775 Riverside Parkway. The Sturgeon Electric Enclave was enclaved by the Home Lumber Annexation on May 6, 2007. The property is occupied by Sturgeon Electric, a specialty contractor for electrical infrastructure. It currently zoned County I-2 (General Industrial). Refer to the County Zoning Map included in this report.

Under the 1998 Persigo Agreement with Mesa County, the City has agreed to zone newly annexed areas using either the current County zoning or conforming to the Comprehensive Plan. The proposed zoning of I-1 (Light Industrial) conforms to the Comprehensive Plan – Future Land Use Map, which has designated the property as Industrial.

The property is located within the proposed Greater Downtown Area Plan, specifically the Rail District. The proposed Future Land Use map would continue to designate the property as Industrial. The proposed zoning of I-1 (Light Industrial) would be consistent with the proposed Future Land Use map under consideration with the Greater Downtown Area Plan.

2. Grand Junction Municipal Code – Chapter 21.02 – Administration and Procedures:

Section 21.02.160 of the Grand Junction Municipal Code states: Land annexed to the City shall be zoned in accordance with GJMC Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth.

The requested zone of annexation to an I-1 (Light Industrial) zone district is consistent with the Comprehensive Plan – Future Land Use Map designation of Industrial.

Section 21.02.140(a) states: In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

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

**Response:** The current zoning is County I-2 (General Industrial), which was approved in 1979.

In 1998, Mesa County and the City of Grand Junction adopted the Persigo Agreement. Under this agreement, the City is required to annex all enclaved areas within five (5) years. The property has been enclaved since May 6, 2007 by the Home Lumber Annexation.

The proposed zoning of I-I (Light Industrial) conforms to the Comprehensive Plan – Future Land Use Map, adopted in 2010, which has designated the property as Industrial.

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

**Response:** The existing building was constructed in 1982, after the property was zoned in Mesa County for industrial use.

The adjacent property on the west and south was annexed as Home Lumber in 2007, creating the enclave of the subject property. After the annexation, a Pro Build lumber yard was constructed on the property.

Other properties with frontage along the Riverside Parkway are a mix of industrial service businesses with outdoor storage yards.

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

**Response:** The existing land use is already served by the appropriate infrastructure.

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

**Response:** The predominate zoning of properties along Riverside Parkway from 27 ½ Road east to 28 Road is I-1 (Light Industrial). As noted earlier, they are a mix of industrial service businesses with outdoor storage yards.

The proposed zone will allow the existing use of the property to continue and provide consistency with the adjacent properties with similar land uses.

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

**Response:** The annexation of unincorporated areas adjacent to the City is critical to providing efficient urban services. The proposed zoning designation will ensure continued operation of the facility.

Alternatives: The following zone districts would also be consistent with the Comprehensive Plan – Future Land Use Map designation of Industrial for the property:

1. I-O (Industrial/Office Park)
2. MU (Mixed Use)
3. I-2 (General Industrial)

Some of these alternatives may not permit the existing land use, creating a nonconforming situation. However, if the City Council chooses an alternative zone designation, specific alternative findings must be made.

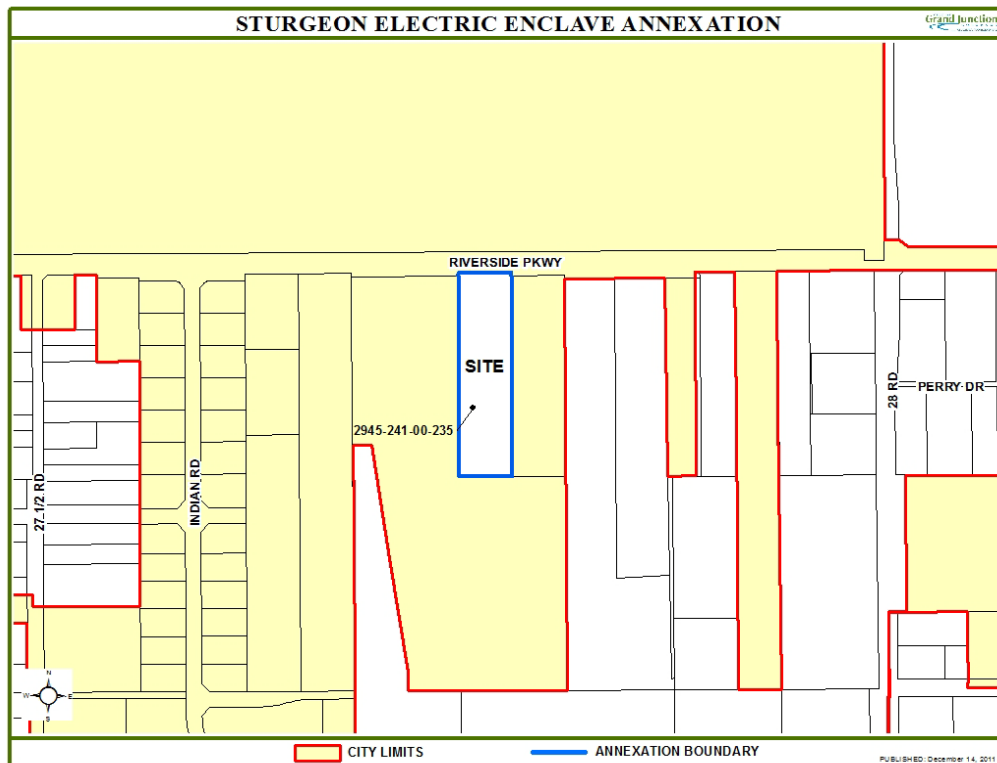
#### PLANNING COMMISSION RECOMMENDATION:

After reviewing the Sturgeon Electric Enclave Zone of Annexation, ANX-2011-1314, for a Zone of Annexation, the Planning Commission made the following findings of fact and conclusions:

1. The proposed I-1 (Light Industrial) zone district is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have all been met.

# Annexation / Site Location Map

Figure 1



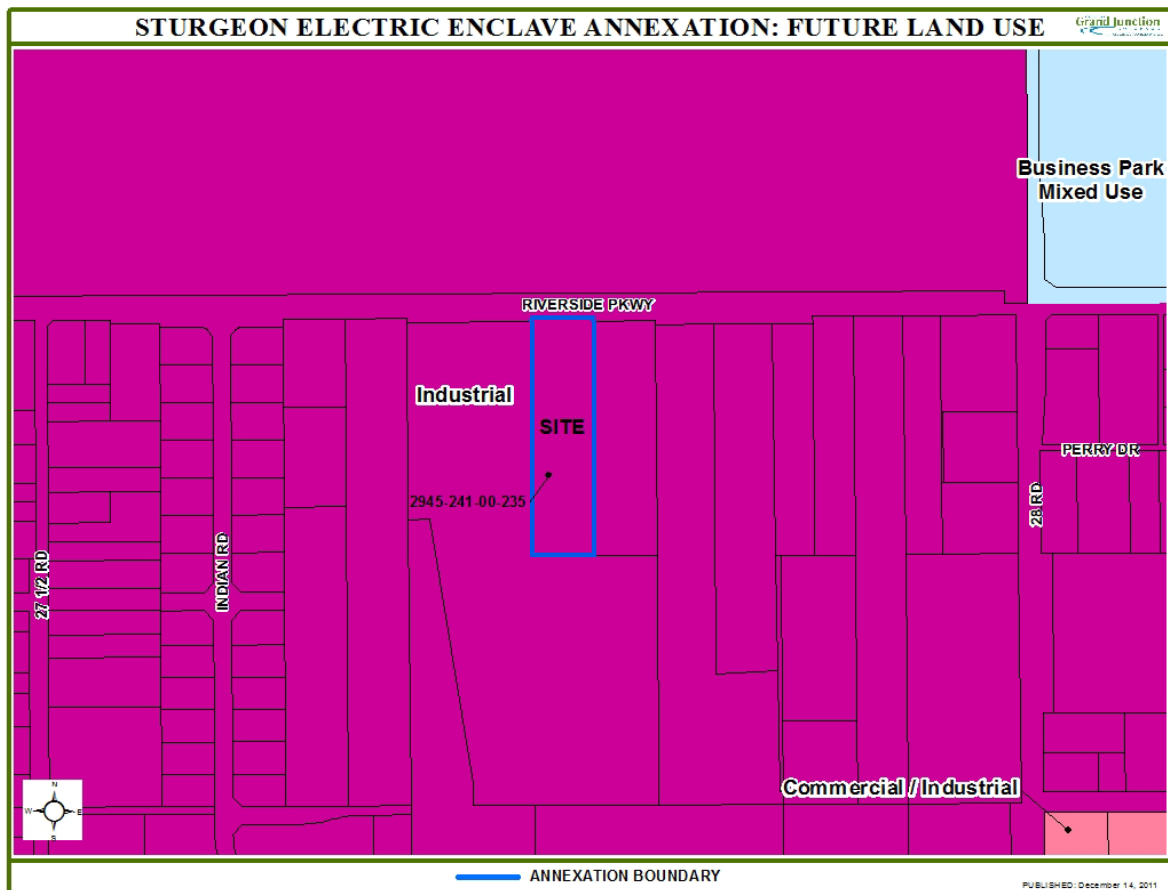
# Aerial Photo Map

Figure 2



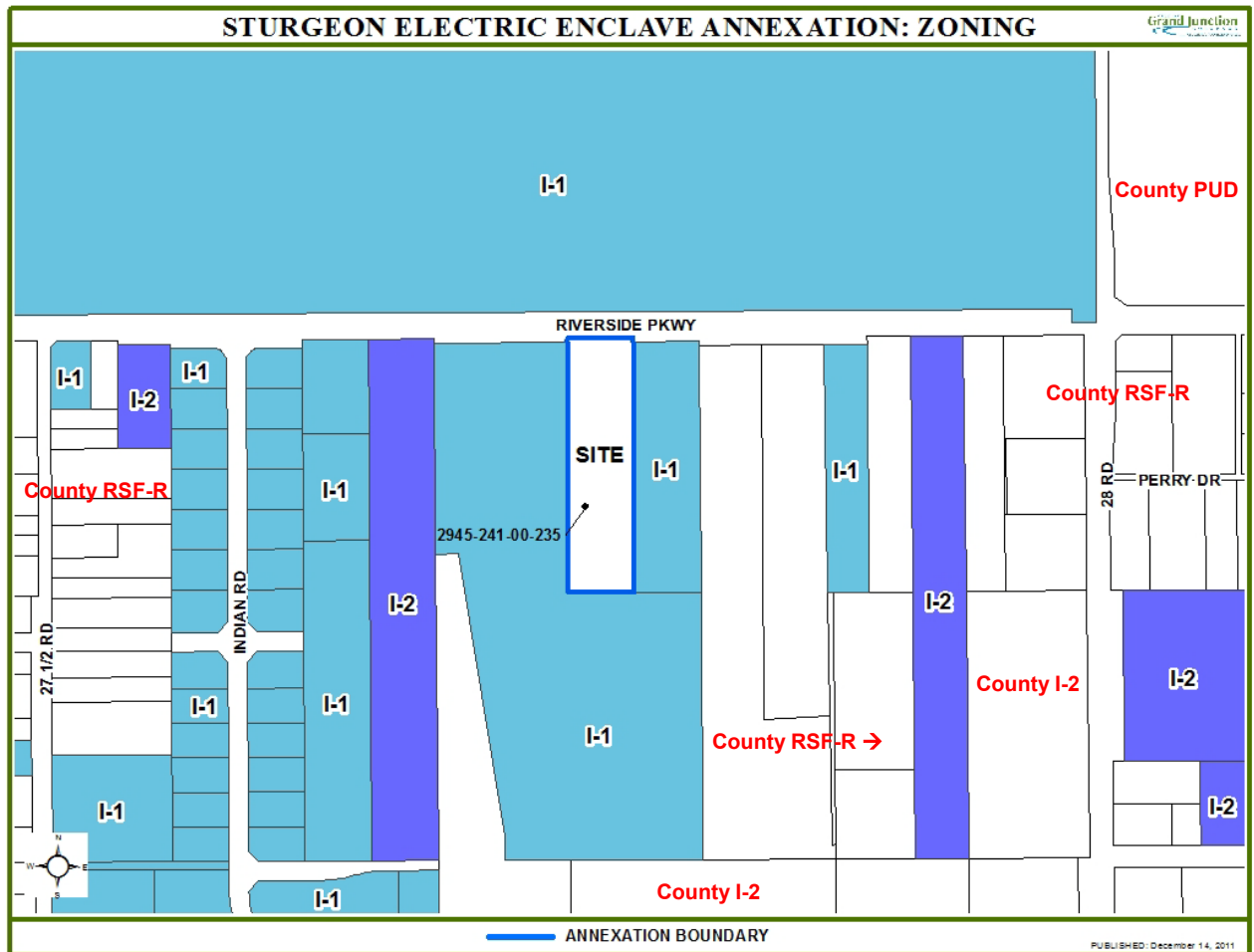
# Comprehensive Plan – Future Land Use Map

## Figure 3



# Existing City and County Zoning Map

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE STURGEON ELECTRIC ENCLAVE ANNEXATION  
TO I-1 (LIGHT INDUSTRIAL)**

**LOCATED AT 2775 RIVERSIDE PARKWAY**

Recitals

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Sturgeon Electric Enclave Annexation to the I-1 (Light Industrial) zone district, finding conformance with the recommended land use category as shown on the Future Land Use map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 21.02.140 of the Grand Junction Municipal Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 (Light Industrial) zone district is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property be zoned I-1 (Light Industrial):

**STURGEON ELECTRIC ENCLAVE ANNEXATION**

A certain enclaved parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of that certain parcel of land bounded on the North by the Riverside Parkway Annexation No. 3, City of Grand Junction Ordinance Number 4319, as same is recorded in Book 4782, Page 921, Public Records of Mesa County, Colorado and bounded on the East, South and West by the Home Lumber Annexation, City of Grand Junction Ordinance Number 4059, as same is recorded in Book 4402, Page 966, Public Records of Mesa County, Colorado.

CONTAINING 103,472 Square Feet or 2.375 Acres, more or less, as described

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

**PASSED and ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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President of the Council

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City Clerk





Attach 4

## **CITY COUNCIL AGENDA ITEM**

Date: February 28, 2012

Author: Brian Rusche

Title/ Phone Ext:

Senior Planner / 4058

Proposed Schedule:

1<sup>st</sup> Reading - March 21, 2012

2nd Reading (if applicable):

2<sup>nd</sup> Reading – April 18, 2012

File # (if applicable): RZN-2011-

<b>Subject:</b> Rezone One Parcel Located at 2170 Broadway
<b>Action Requested/Recommendation:</b> Introduce the Proposed Ordinance and Set a Hearing for April 18, 2012
<b>Presenter(s) Name &amp; Title:</b> Tim Moore, Public Works and Planning Director Brian Rusche, Senior Planner

### **Executive Summary:**

A City initiated request to rezone approximately 4.846 acres, located at 2170 Broadway, from an R-2 (Residential 2 dwelling units/acre) to an R-8 (Residential 8 dwelling units/acre) zone district.

### **Background, Analysis and Options:**

The subject property was annexed into the City of Grand Junction on December 7, 2003 as the Church on the Rock Annexation. At the time of the annexation, the property was designated as Residential Medium-Low, along with other properties along the east side of Rio Hondo Road, pursuant to the Redlands Area Plan, adopted in June 2002. The zoning assigned to the property upon annexation was R-2 (Residential 2 du/ac). The R-2 zoning was consistent with the existing Growth Plan and the Redlands Area Plan.

In 2010, the Comprehensive Plan was adopted. The Comprehensive Plan created several “centers” throughout the community as locations for concentrating development and providing a mix of uses. The adopted Comprehensive Plan – Future Land Use Map created a Neighborhood Center beginning at the Monument Village Shopping Center and extending along Broadway to include the church property. Refer to the Comprehensive Plan map included in this report.

After adoption of the Comprehensive Plan, it became apparent that there were areas around the City that had conflicts between the Future Land Use designation of the Comprehensive Plan and the respective zone districts associated with the properties. Each area was evaluated to determine what the best course of action would be to remedy the discrepancy.

The current R-2 zoning of this property is now in conflict with the Future Land Use designation of Neighborhood Center Mixed Use. This designation can be implemented with a variety of zones, but the goal of concentrated development necessitates higher density. Therefore the requested rezone of this property from R-2 to R-8 will bring it into conformance with the Future Land Use designation of Neighborhood Center Mixed Use.

The current use, Religious Assembly, is permitted in the proposed R-8 zone district.

Property owner(s) were notified of the proposed zone change via a mailed letter and invited to an open house to discuss any issues, concerns, suggestions or support. The open house was held on December 14, 2011. No comment sheets were received regarding the Area 18 proposal. Four (4) contacts have been made to date with neighboring property owners, including one e-mail attached to this report. None of these contacts expressed opposition to the proposed change. No public testimony was offered before the Planning Commission at their February 28, 2012 meeting.

**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.

The proposed R-8 zone district will provide the opportunity for concentrated development and/or density along an established corridor in an urbanizing area of the valley. Additional development and/or density allows for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

**Board or Committee Recommendation:**

The Grand Junction Planning Commission met on February 28, 2012 and forwarded a unanimous recommendation of approval to the City Council.

**Financial Impact/Budget:** N/A

**Legal issues:** None.

**Other issues:** None.

**Previously presented or discussed:** No.

**Attachments:**

Background information  
Rezone criteria  
Site Location Map / Aerial Photo Map

Future Land Use Map / Existing City and County Zoning Map  
E-mail to neighbor  
Ordinance

BACKGROUND INFORMATION				
Location:		2170 Broadway		
Applicants:		City of Grand Junction		
Existing Land Use:		Church on the Rock		
Proposed Land Use:		No changes to land use(s) proposed		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential and Agricultural		
	West	Single Family and Undeveloped Commercial		
Existing Zoning:		R-2 (Residential 2 du/ac)		
Proposed Zoning:		R-8 (Residential 8 du/ac)		
Surrounding Zoning:	North	County RSF-4 (Residential Single-Family 4 du/ac)		
	South	County RSF-4 (Residential Single-Family 4 du/ac)		
	East	County RSF-4 (Residential Single-Family 4 du/ac)		
	West	County RSF-4 (Residential Single-Family 4 du/ac) B-1 (Neighborhood Business)		
Future Land Use Designation:		Neighborhood Center Mixed Use (NCMU)		
Zoning within density range?		X	Yes	No

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

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Grand Junction Municipal Code must be made per Section 21.02.140(a) as follows:

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

Response: The existing property is currently zoned R-2, however the Comprehensive Plan Future Land Use Map identifies this property as Neighborhood Center Mixed Use. The existing zoning is not in compliance with this designation; therefore the proposed rezone to R-8 zoning will bring this property into compliance with the Future Land Use Map.

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; and/or

Response: New development has occurred within the now designated Neighborhood Center since the church was annexed, including the Ace Hardware and adjacent retail strip mall, along with the Grand Junction Fire Department Station #5. Approximately four (4) acres on the west side of Rio Hondo Road was annexed in 2009 as the Monument Village Commercial Center in anticipation of additional development.

This criterion has been met.

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

Response: Broadway is also known as State Highway 340 and is designated as a minor arterial connecting Fruita through the Redlands to downtown Grand Junction. The subject property is across the street from Fire Station #5, which serves the Redlands. It is also ¼ mile west of Redlands Middle School.

Adequate infrastructure exists to accommodate, with upgrades as necessary, additional development on this parcel.

This criterion can be 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; and/or

Response: The Redlands neighborhood currently has no property with an R-8 zoning.

The property is currently being used for religious assembly. There are eight (8) known places of worship within the Redlands Neighborhood; all but one is located on or just off Broadway.

This criterion is met.

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

Response: The proposed R-8 zone district will provide the opportunity for concentrated development and/or density along an established corridor in an urbanizing area of the valley. Additional development and/or density allows for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

This criterion is met.

## FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Area 18 Rezone, RZN-2011-1152, a request to rezone the property from an R-2 (Residential 2 dwelling units/acre) to an R-8 (Residential 8 dwelling units/acre) zone district, the following findings of fact and conclusions have been determined:

3. The requested zoning 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.

# Site Location Map

Figure 1



# Aerial Photo Map

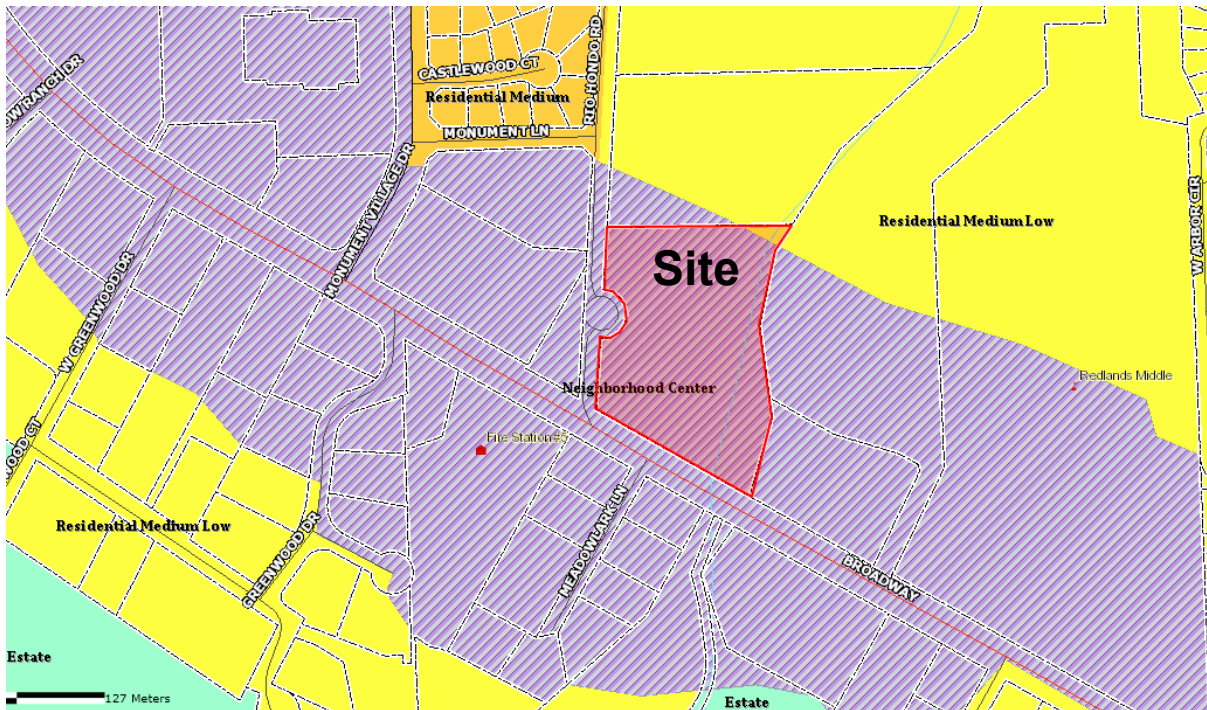
Figure 2





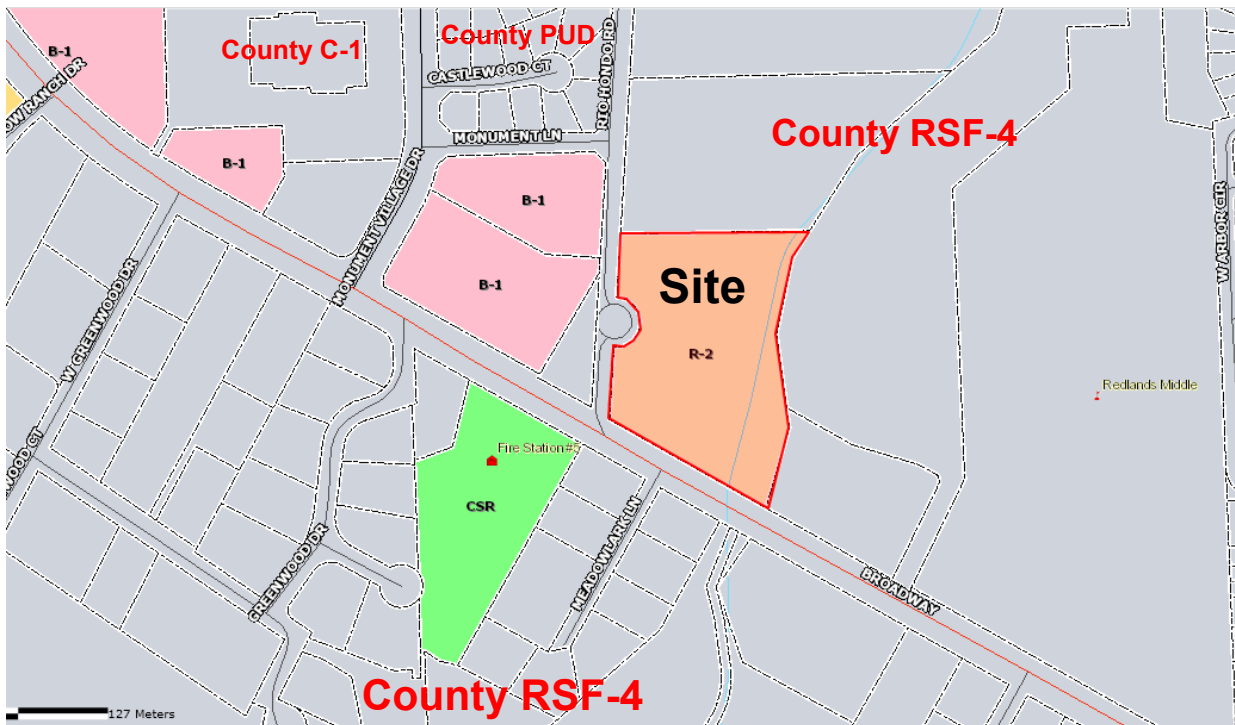
# Comprehensive Plan Map

Figure 3



# Existing City and County Zoning Map

Figure 4





**From:** Brian Rusche  
**To:** Bruce Derrick  
**CC:** [jbishop@bishdevco.com](mailto:jbishop@bishdevco.com)  
**Date:** 12/19/2011 3:32 PM  
**Subject:** Re: Rezoning - 2170 Broadway  
**Attachments:** Mailing\_18.pdf

Mr. Derrick,

Thank you for your interest in the above referenced project.

The proposed rezone (RZN-2011-1152) under consideration includes only the existing church parcel (2947-231-00-950).

This property is proposed to be zoned R-8 (Residential 8 du/ac) in order to be consistent with the Comprehensive Plan designation of Neighborhood Center. This is a City initiated rezone and no development is proposed at this time. The church would remain an allowed use within the new zone district.

I have attached a map of this request, which is also available at the following website:

<http://www.gjcity.org/ProposedRezoneNo4.aspx> ( <http://www.gjcity.org/ProposedRezoneNo2.aspx> )

The schedule for this request is also posted. Although the open house has already be held, public comments may be accepted prior to the Planning Commission hearing, scheduled for February 28, 2012.

If you have any further questions, please let me know.

Sincerely,

Brian Rusche  
Senior Planner  
City of Grand Junction  
Public Works and Planning  
(970) 256-4058

>>> "Bruce Derrick" <[bderrick@derrickinterests.com](mailto:bderrick@derrickinterests.com)> 12/17/2011 11:53 AM >>>

Brian,

I received the attached notice of the pending re-zoning application for property rear our property.

In an effort to visualize the property in question, is it the site of the church? If not, which property is this?

Thank you,  
Bruce Derrick

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING PROPERTY  
LOCATED AT 2170 BROADWAY  
FROM AN R-2 (RESIDENTIAL 2 DWELLING UNITS/ACRE)  
TO AN R-8 (RESIDENTIAL 8 DWELLING UNITS/ACRE) ZONE DISTRICT**

Recitals.

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

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

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

Upon analysis of each area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone would be justified in order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties.

The proposed zone district meets the recommended land use category as shown on the Future Land Use Map of the Comprehensive Plan, Commercial and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

An Open House was held on December 14, 2011 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

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

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

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

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

The following property shall be rezoned R-8 (Residential 8 du/ac):

SEE ATTACHED MAP.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

**PASSED and ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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

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

## Rezone - Area 18

Grand Junction  
Colorado



Rezone Area from R-2 (2 units/acre) to R-8 (5.5-8 units/acre)

PREPARED BY: DEBRA L. COLE  
DATE: 10/15/2019  
PROJECT: REZONE AREA 18  
SCALE: 1" = 100'



Attach 5

## CITY COUNCIL AGENDA ITEM

Date: March 2, 2012  
Author: Scott D. Peterson  
Title/ Phone Ext: Senior  
Planner/1447  
Proposed Schedule: March 21,  
2012 (1<sup>st</sup> Reading)  
2nd Reading: April 18, 2012  
File #: RZN-2011-1215

**Subject:** Rezone Four Properties Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road

**Action Requested/Recommendation:** Introduce a Proposed Ordinance and Set a Public Hearing for April 18, 2012

**Presenter(s) Name & Title:** Tim Moore, Public Works and Planning Director  
Scott D. Peterson, Senior Planner

### Executive Summary:

A City initiated request to rezone four properties located at 2202, 2202 ½, 2204 H Road, and 824 22 Road from M-U, (Mixed Use) to MXG-3, (Mixed Use General) zone district.

### Background, Analysis and Options:

In 2010, the current Comprehensive Plan was adopted by the City designating these four (4) properties as Neighborhood Center on the Future Land Use Map. These properties are presently zoned M-U, (Mixed Use) which is inconsistent with the Comprehensive Plan Future Land Use Map designation of Neighborhood Center. The Comprehensive Plan describes Neighborhood Center Mixed Use as an area which includes limited employment, residential, open space and limited retail focused on uses that provide convenience items to the immediate neighborhood. Residential uses are encouraged to integrate with commercial uses. The M-U zone district is inconsistent with the Neighborhood Center designation because it allows manufacturing and production, industrial services – indoor operations and storage; contractors and trade shops – indoor operations and storage; warehouse and freight movement – indoor operations and storage and wholesale sales – no flammable materials or liquids. None of these uses are deemed appropriate; therefore the City is proposing that these properties be rezoned to MXG-3.

Form Based Districts are new zoning districts that were added to the 2010 Zoning and Development Code and are intended to implement the Neighborhood Center, Village Center, Downtown Mixed Use and the Mixed Use Opportunity Corridors identified in the Comprehensive Plan Future Land Use Map. The form districts are intended to create pedestrian-friendly urban areas where higher density mixed uses and mixed building types promote less dependence on the automobile. The form districts are intended to be used in combination to create mixed use centers. The centers are intended to



transition in scale to existing neighborhoods, as with this rezone proposal, from the existing industrial land uses to the south and west to the existing residential properties to the north and east.

The Comprehensive Plan Neighborhood Center designation, as identified with this rezone application, would implement up to a maximum of three-story in height buildings or zone districts (MXG-3, MXR-3 & MXS-3), thus the number three distinction, not meaning dwelling units per acre. For background information, the Village Center designation is implemented with 3 to 5-story districts and the Downtown Mixed Use designation is implemented with 3, 5 and 8 story districts.

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

The proposal to rezone this area to MXG-3 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 A:** To create large and small “centers” throughout the community that provide services and commercial areas.

These four properties at the intersection of 22 and H Roads are designated as a Neighborhood Center. The idea of a Neighborhood Centers is that it would be convenience-oriented, serving the immediate neighborhood as well as some drive-to clientele. The proposed MXG-3 district would implement the Neighborhood Center designation by creating a pedestrian-friendly urban area where higher density mixed uses and mixed building types promotes less dependence on the automobile.

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

**Policy B:** Encourage mixed-use development and identification of locations for increased density.

The MXG-3 zone district allows multi-family development which would include apartments and townhouses both of which would provide increased density and a broader mix of housing types that would meet the needs of a variety of incomes, family types and life stages.

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

The proposed MXG-3 zone district provides a transition zone between the existing industrial development to the west and south and the existing single-family residential development to the north and east.

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

The MXG-3 zone district would create the opportunity for future commercial and residential mixed use development enhancing the health and diversity of the City's economy.

Therefore, the MXG-3 zone district implements the Neighborhood Center designation of the Comprehensive Plan Future Land Use Map.

**Board or Committee Recommendation:**

The Planning Commission recommended approval of the requested rezone at their February 28, 2012 meeting.

**Financial Impact/Budget:**

N/A.

**Legal issues:**

N/A.

**Other issues:**

None.

**Previously presented or discussed:**

N/A.

**Attachments:**

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

BACKGROUND INFORMATION				
<b>Location:</b>		2202, 2202 ½, 2204 H Road and 824 22 Road		
<b>Applicant:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Single-family residential (detached) and accessory private shop building		
<b>Proposed Land Use:</b>		N/A		
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family residential (detached)		
	<b>South</b>	Commercial/Industrial		
	<b>East</b>	Single-family residential (detached)		
	<b>West</b>	Commercial/Industrial (Diesel Services) and Single-family residential (detached)		
<b>Existing Zoning:</b>		M-U, (Mixed Use)		
<b>Proposed Zoning:</b>		MXG-3, (Mixed Use General)		
<b>Surrounding Zoning:</b>	<b>North</b>	County - PUD, (Planned Unit Development)		
	<b>South</b>	County – PUD, (Planned Unit Development)		
	<b>East</b>	County – RSF-R, (Residential Single Family – Rural)		
	<b>West</b>	City – I-1, (Light Industrial) and County – RSF-R, (Residential Single Family – Rural)		
<b>Future Land Use Designation:</b>		Neighborhood Center		
<b>Zoning within density range?</b>		X	Yes	No

#### **Additional Background:**

To date, the City has had only two requests for the MXG zone districts. The MXG-3 district does however promote buildings to be constructed near the front property line, with parking lots in the rear of the property. The MXG-3 zone allows multi-family residential development with no maximum density and commercial development with the exception of commercial parking and the recreation and entertainment indoor use categories.

Allowed building types in the MXG zone district include general, apartment, townhouse and civic categories. See Section 21.03.090 of the Zoning and Development Code for additional clarification and examples.

The property owners were notified of the proposed rezone change via mail and invited to an Open House which was conducted on December 14, 2011 to discuss any issues,



concerns, suggestions or support for the rezone request. Project Manager has not heard from any of the affected property owners concerning this proposed rezone. Other adjacent property owners in the area have contacted City Staff but did not have a preference concerning the proposed rezone of these properties or as long as the properties remain in a transition area and not allow the encroachment of industrial development.

**Section 21.02.140 of the Grand Junction Zoning and Development Code:**

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

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

Response: The existing properties are currently zoned M-U, (Mixed Use), however the Comprehensive Plan Future Land Use Map identifies these properties as Neighborhood Center Mixed Use. The existing zoning is not in compliance with the Future Land Use Map designation, therefore the proposed rezone to MXG-3, (Mixed Use General) will bring these properties into compliance with the Future Land Use Map.

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

Response: The character and/or condition of the area has changed little over the years as the properties have developed as single-family residential detached, with commercial/industrial development to the west and south. The proposed rezone will bring the zoning of the properties into compliance with the Comprehensive Plan Future Land Use Map and bring the existing single family homes into conformity. Presently, single-family detached residential is not an allowed land use in the M-U zone district. However, single-family detached residential would be an allowed land use in the MXG-3 zone district.

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

Response: Presently, sanitary sewer service is not available in the immediate vicinity and would have to be extended from the west along H Road at the developer's cost, when future development would occur. Ute Water is presently available in H and 22 Roads. Therefore, public and community facilities are adequate, or will be adequate, to serve the properties at the time when future development would occur.

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

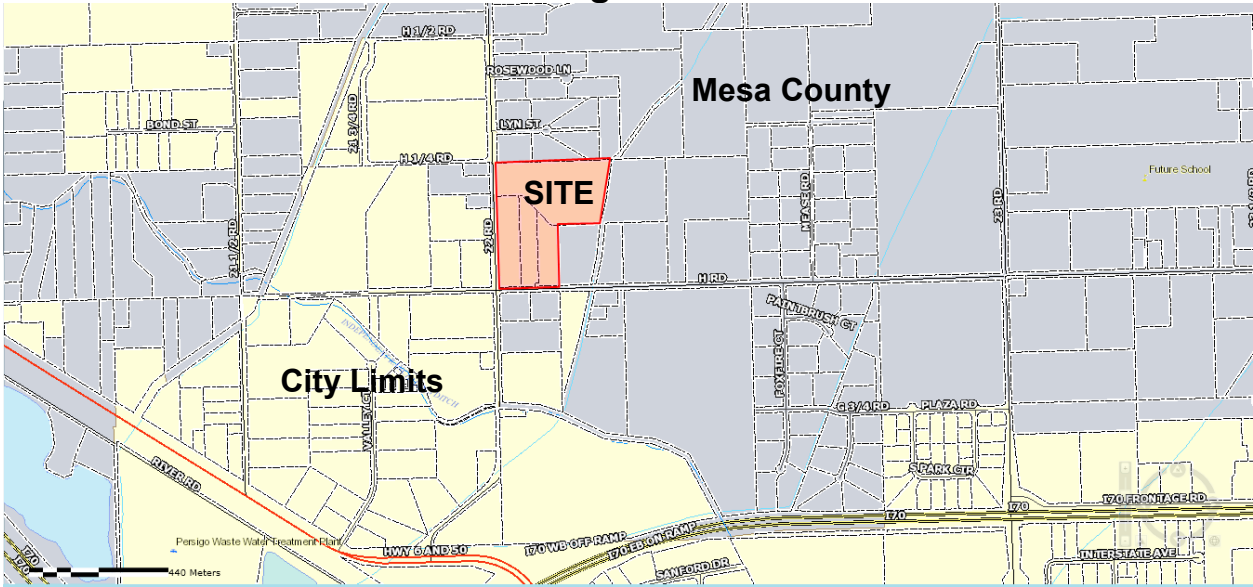
Response: The proposed rezone is in conjunction with a City wide initiated rezone to remove conflicts that were created when the Comprehensive Plan was adopted.

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

Response: The proposed rezone to MXG-3 (Mixed Use General) will continue to provide the opportunity to transition and buffer future development from the existing industrial land uses to the south and west to the existing residential properties to the north and east.

# Site Location Map

Figure 1



# Aerial Photo Map

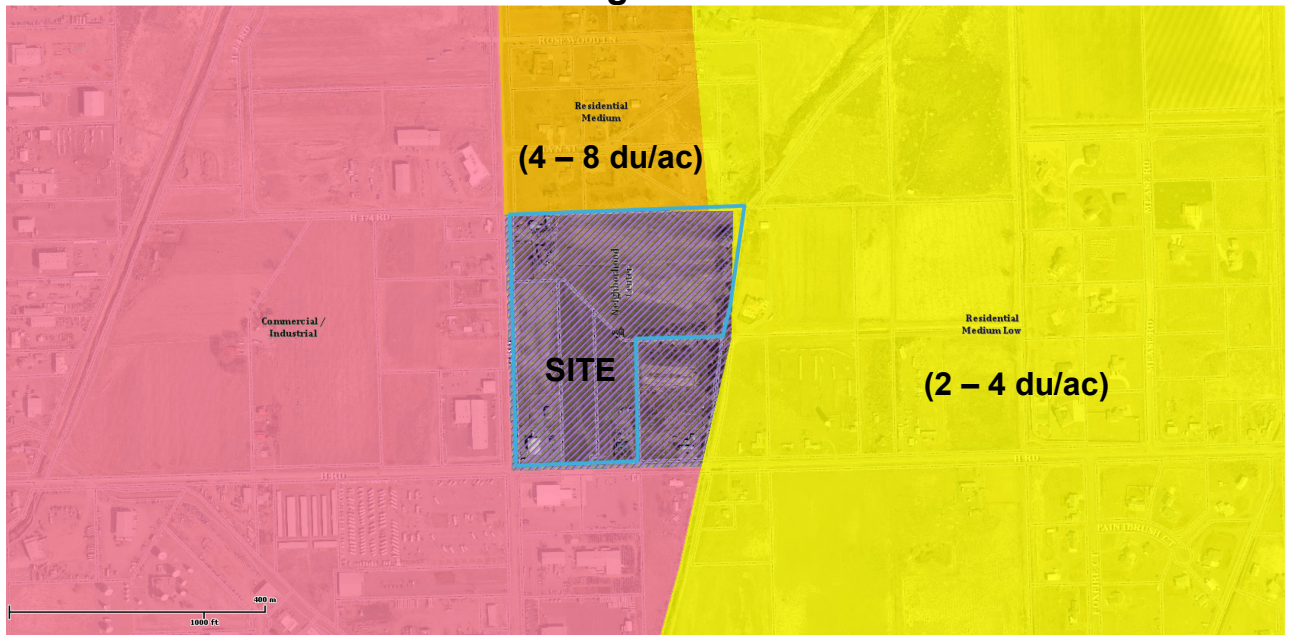
Figure 2





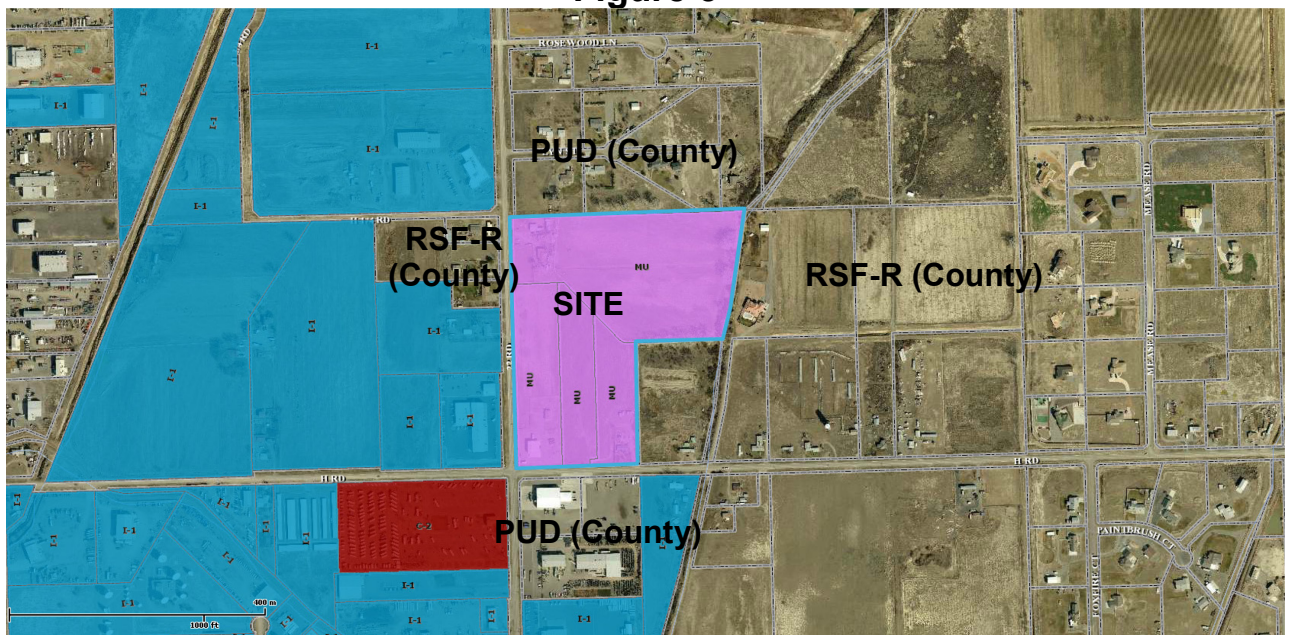
# Comprehensive Plan

Figure 3



# Existing City and County Zoning

Figure 5



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING FOUR PROPERTIES FROM M-U, (MIXED USE) TO  
MXG-3, (MIXED USE GENERAL)**

**LOCATED AT 2202, 2202 1/2, 2204 H ROAD, AND 824 22 ROAD**

Recitals.

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

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

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

Upon analysis of each area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone would be justified in order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of this property.

The proposed zone district meets the recommended land use category as shown on the Future Land Use Map of the Comprehensive Plan, Neighborhood Center and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

An Open House was held on December 14, 2011 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

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

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

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

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

The following four properties shall be rezoned MXG-3, (Mixed Use General). See attached map.

2202 H Road (Parcel # 2701-303-00-524)  
2202 1/2 H Road (Parcel # 2701-303-12-001)  
2204 H Road (Parcel # 2701-303-12-002)  
824 22 Road (Parcel # 2701-303-00-514)

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor



## Rezone - Area 17

Grand Junction  
Colorado



Rezone Area from M-U Mixed Use (8-24 units/acre) to MXG-3 Mixed Use General

2024-01-15 10:00 AM  
2024-01-15 10:00 AM  
2024-01-15 10:00 AM



Attach 6

## CITY COUNCIL AGENDA ITEM

Date: March 6, 2012  
Author: Senta Costello  
Title/ Phone Ext: Senior Planner  
x1442  
Proposed Schedule: 1<sup>st</sup>  
Reading – March 21, 2012  
2nd Reading  
(if applicable): April 18, 2012  
File # (if applicable): RZN-2011-  
1221

**Subject:** Rezone 92 Properties Located Between 12<sup>th</sup> Street and 17<sup>th</sup> Street along Main Street and the North Side of Colorado Avenue

**Action Requested/Recommendation:** Introduce the Proposed Ordinance and Set a Hearing for April 18, 2012

**Presenter(s) Name & Title:** Tim Moore, Public Works and Planning Director  
Senta Costello, Senior Planner

### Executive Summary:

A City initiated request to rezone approximately 13 acres, located between 12<sup>th</sup> Street and 17<sup>th</sup> Street along Main Street and the north side of Colorado Avenue, from R-8 (Residential 8 du/ac) to an R-O (Residential Office) zone district.

### Background, Analysis and Options:

Area 12 is located in the Keith's Addition Subdivision, platted in 1890 and East Main Street Subdivision, platted in 1936 and has historically been zoned for single family, multi-family and civic uses. The current zoning for the entire area is R-8 (Residential 8 du/ac).

In 2000, a new Zoning and Development Code was adopted and contained several new zone districts, the R-O (Residential Office) being one of them. It is a zone district that is intended to allow property owners the opportunity to convert existing residences or construct new structures for office uses, while maintaining the residential character of the neighborhood and to minimize and mitigate potential impacts of the commercial use.

In 2010, the Comprehensive Plan was adopted which included new Future Land Use designations throughout the City. The purpose of the Comprehensive Plan is to outline the vision that the community has developed for its future. After adoption of the Comprehensive Plan, it became apparent that the zoning of several areas around the City were in conflict with the Future Land Use Map. Each area was evaluated to determine what the best course of action would be to remedy the discrepancy. This



was necessary to provide clear direction to property owners on what the community envisioned for the areas in question.

Area 12 is an area that is inconsistent with the Future Land Use Map. The area is currently zoned R-8 which places it in conflict with the Future Land Use designation of Urban Residential High Mixed Use. Upon evaluation, it was determined that rezoning this property from R-8 to R-O would be the best course of action to bring the area into conformance with the current Future Land Use designation.

The R-O zone district is intended to provide low intensity, nonretail, 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. The change to the R-O zone district will serve as a buffer between the traditional commercial to the south and the residential to the north and offers additional use opportunities to the residents and property owners while maintaining the residential character of the neighborhood.

The property owners were notified of the proposed rezone change via mail and invited to an Open House which was conducted on December 14, 2011 to discuss any issues, concerns, suggestions or support for the rezone request. Three written comments were turned in at the Open House, all in opposition to the proposal. Two emails from property owners have been received, both in support of the proposal. All comments are attached to this report.

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

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

The area is centrally located for ease of access for residents and customers, delivery services, transit, shopping, restaurants and other service business. The R-O zone district allows for the existing homes to remain, requires new construction and/or additions to maintain specific residential characteristics and provides opportunities to property owners for new uses within the existing homes in the neighborhood.

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

The change to the R-O zone district will serve as a buffer between the traditional commercial to the south and the residential to the north and offers additional use opportunities to the residents and property owners while maintaining the residential character of the neighborhood.

### **Board or Committee Recommendation:**

The Grand Junction Planning Commission heard this request at its February 28, 2012 meeting. A recommendation of approval was forwarded to City Council with a vote of 5-0.

**Financial Impact/Budget:**

N/A

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

Rezone criteria with Staff recommendation  
Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City Zoning Map  
Citizen comments  
Ordinance

1.

BACKGROUND INFORMATION				
Location:		Located between 12 <sup>th</sup> Street and 17 <sup>th</sup> Street along Main Street and the north side of Colorado Avenue		
Applicants:		City of Grand Junction		
Existing Land Use:		Single Family, Multi-Family		
Proposed Land Use:		No changes to land uses proposed		
Surrounding Land Use:	North	Single Family, Multi-Family		
	South	Commercial, Single Family, Multi-Family		
	East	Commercial, Multi-Family		
	West	Commercial, Single Family		
Existing Zoning:		R-8 (Residential 8 du/ac)		
Proposed Zoning:		R-O (Residential Office)		
Surrounding Zoning:	North	R-8 (Residential 8 du/ac)		
	South	R-O (Residential Office) / C-1 (Light Commercial)		
	East	R-8 (Residential 8 du/ac)		
	West	R-8 (Residential 8 du/ac)		
Future Land Use Designation:		Urban Residential Mixed Use		
Zoning within density range?		X	Yes	No

2. Section 21.02.140(a) of the Grand Junction Municipal Code:

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Grand Junction Municipal Code must be made per Section 21.02.140(a) as follows:

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

Response: With the adoption of the Comprehensive Plan, the current zone district is no longer a valid option. Rezoning the properties to R-O would bring them into compliance with the Comprehensive Plan.

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

Response: There has not been any change in the character or condition of the area.

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

Response: The area has sanitary and storm sewer service, City water service, and trash and recycle pick-up. The area is centrally located for ease of access for emergency and delivery services, transit, shopping, restaurants and other service business.

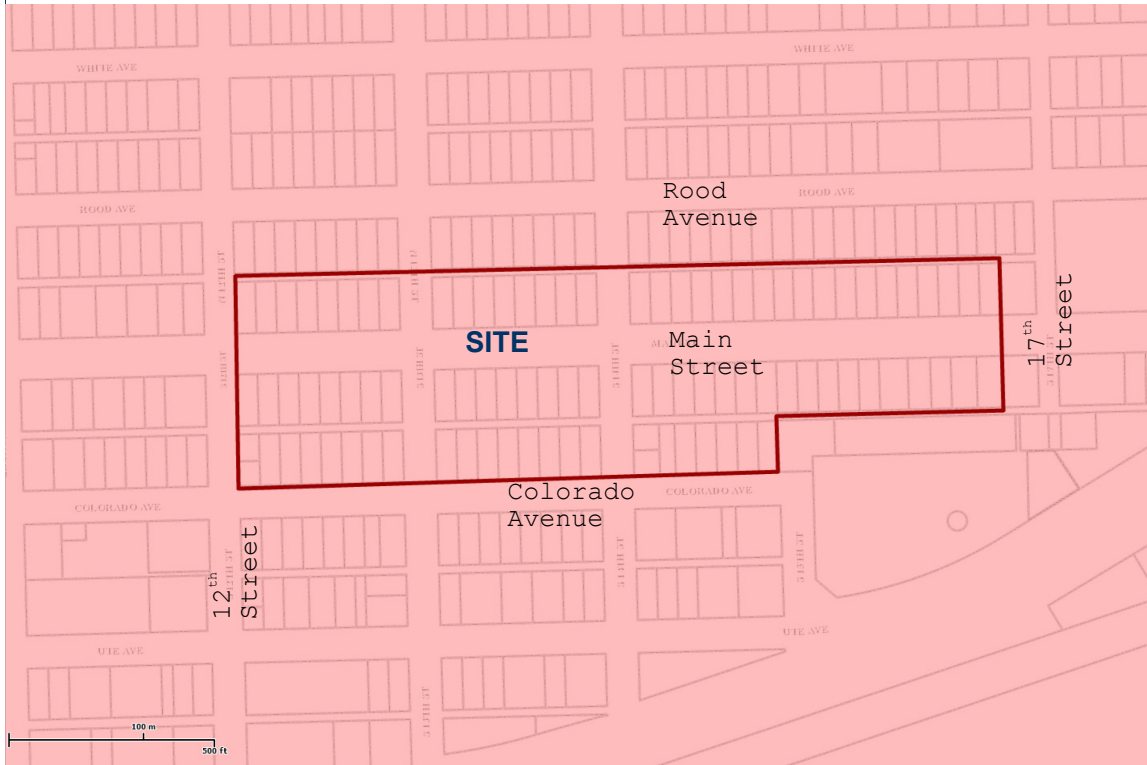
(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

Response: There is approximately 81 acres within the city limits currently zoned R-O. This equates to less than 1% of the total acreage of zoned parcels within the city limits (21,200 acres). The change to the R-O zone district will add acreage to the zone district which will serve as a buffer between the traditional commercial to the south and the residential to the north.

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

Response: The change to the R-O zone district will serve as a buffer between the traditional commercial to the south and the residential to the north and offer additional use opportunities to the residents and property owners.

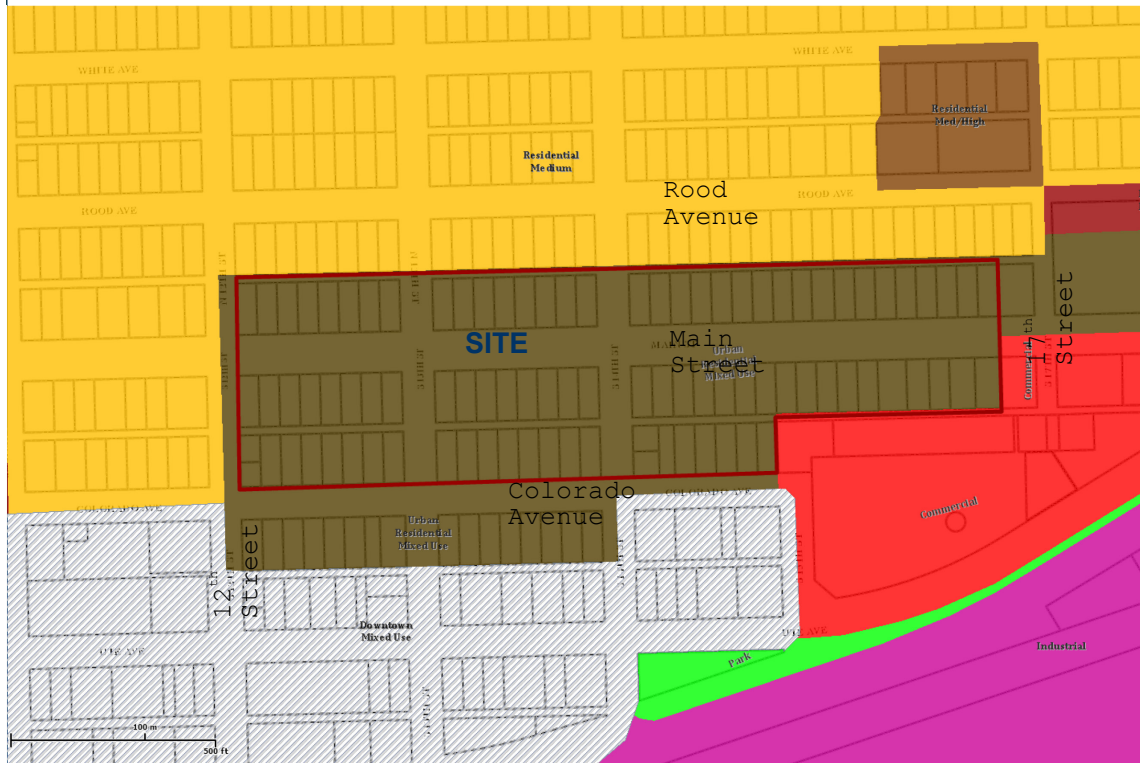
Site Location Map



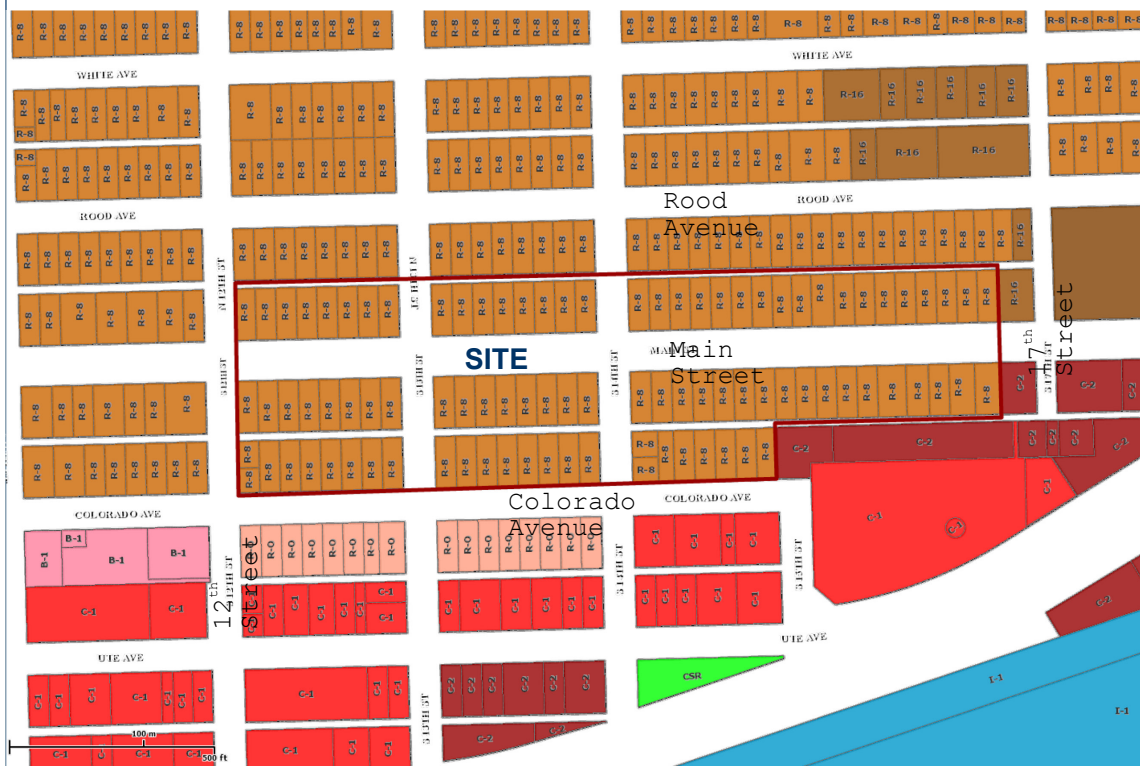
Aerial Photo Map



## Comprehensive Plan Future Land Use Map



## Existing Zoning Map



**From:** "Tom Ramler" <tramler@coloradomesa.edu>  
**To:** <sentac@gjcity.org>  
**Date:** 11/15/2011 10:40 AM  
**Subject:** Proposed Rezoning to Area 12  
**Attachments:** Tom Ramler.vcf

Good Morning Ms Costello,

I am writing this email for inclusion as a public comment regarding the Proposed Rezone Map Area 12.

My wife and I own the property located at 1522 Main St, Grand Junction which is within the proposed rezone area and we are in support of the proposed rezoning.

The City of Grand Junction through proper planning as well as their focused investment of resources has created a wonderful space on Main Street east of the convention center. While adequate parking has been provided in the downtown area for those who chose to visit by car, provision has also been made for bicyclists by the creation of bike lanes on Main Street and 12th Street. The proposed zoning change would allow office uses that are compatible with the adjacent residential neighborhoods and would further encourage the use of alternative means of transportation. Grand Valley Transit Route 7 currently runs on 12th street and provides easy access to the proposed rezone area and, by extension, the community serving offices that would be allowed along Main Street.

I am familiar with some of my neighbors on Main Street and I am aware of several folks who have been quietly operating home based businesses in the area for years. Their business activities have only served to conserve and enhance economic, social and aesthetic values of the community while protecting and maintaining the integrity and character of established neighborhoods. The proposed zoning change is simply allowing business activities to legally continue that are already established.

Proper planning insures the logical and orderly growth and development of the physical elements of the City. The proposed rezoning will allow property owners to focus their investments and partner with the City and community to build upon the foundation laid during the initial downtown project. Businesses have the opportunity to thrive when they have a clear understanding of what the long term plans are for the area they are servicing. Your approval of the Proposed Rezoning Map Area 12 will provide the direction required.

Sincerely

Tom & Brenda Ramler  
1522 Main Street  
Grand Junction, CO 81501

Please note that my new email address is tramler@coloradomesa.edu



**From:** Rachel May <raylynmay@gmail.com>  
**To:** <sentac@gjcity.org>  
**Date:** 12/5/2011 3:25 PM  
**Subject:** Proposed Rezoning to Area 12

Greetings Ms. Costello,

My intention for writing this email is for it to be included as a public comment regarding the Proposed Rezone Map Area 12.

I am the property owner of 1532 Main St, Grand Junction which is within the proposed rezoning area and I am in full support of the proposed R/O rezoning.

I am aware that Main St west of 12th and most of Colorado Ave have the R/O designation and do well combining small businesses with residential homes. I feel strongly that as Rocky Mtn Health Care Plans have become a model for the nation, so too could the city planning of Grand Junction and Main St in particular in demonstrating how local residents can get their needs met by simply walking or riding their bikes. The state of Colorado is already the forerunner of fitness and outdoor activities, expanding the zoning on Main St to allow for more business would continue in kind with the idea of Coloradan's outdoor lifestyle. Please pass the proposed rezoning changes to Area 12. Thank you.

Best Regards,

Rachel May  
1532 Main Street  
Grand Junction, CO 81501





OPEN HOUSE  
December 14, 2011  
4-6:00 p.m.  
Grand Junction City Hall

## Zoning Change Open House

Blue polygons, Areas 6, 12, 17 and 18

### Comment Sheet

Are your comments in relation to a certain property? If so, what is the address or general area? \_\_\_\_\_

1450 Colorado

May we hear any comments or any concerns you have about proposed zoning changes?

Would like this property excluded from the  
proposed re-zone / Would ~~also~~ ideally  
prefer the entire re-zone be abandoned

Name Jim Hoffman

Address PO Box 2557

GJ 81502

Phone 640-1561

Email jim-hoffman@juno.com

Please turn your comments in tonight or mail them to:

Greg Moberg, Planning Service Supervisor  
Public Works & Planning  
City of Grand Junction  
250 N. 5th Street  
Grand Junction, CO 81506



OPEN HOUSE  
December 14, 2011  
4-6:00 p.m.  
Grand Junction City Hall

## Zoning Change Open House

Blue polygons, Areas 6, 12, 17 and 18

### Comment Sheet

Are your comments in relation to a certain property? If so, what is the address or general area? \_\_\_\_\_

1260 Main Street, ~~Area~~ Area 12

May we hear any comments or any concerns you have about proposed zoning changes?

Currently this area is a very nice, historic neighborhood, that is residential. These older houses are very close together. I would oppose changing this residential area to office/residential because of the closeness of the buildings.

I think that it's important to preserve our neighborhood in this older area of Grand Junction as residential. I would not want to have a parking lot next to my back yard nor a business 8-10 ft from our bedroom walls.

Please send us dates of the City Council meetings that will be addressing our area.

Name Alice Betts  
Address 1260 Main Street  
Grand Junction, CO 81501  
Phone 970-257-1231  
Email s.betts@bresnen.net

Please turn your comments in tonight or mail them to:

Greg Moberg, Planning Service Supervisor  
Public Works & Planning  
City of Grand Junction  
250 N. 5th Street  
Grand Junction, CO 81506



OPEN HOUSE  
December 14, 2011  
4-6:00 p.m.  
Grand Junction City Hall

## Zoning Change Open House

Blue polygons, Areas 6, 12, 17 and 18

### Comment Sheet

Are your comments in relation to a certain property? If so, what is the address or general area? \_\_\_\_\_

1260 Main St. Area 12

May we hear any comments or any concerns you have about proposed zoning changes?

We own and live in one of the many historic  
homes in this area. We were attracted to this  
area due to its pleasant and quaint residential  
character and its convenient proximity to downtown.  
I believe that operating small businesses in the  
neighborhood, especially since the houses are so  
close together, would be harmful to the historic  
and pleasant character of the area.

Name Scott Betts  
Address 1260 Main St.  
Grand Junction, CO 81501  
Phone 970-257-1231  
Email s.betts@bresnan.net

Please turn your comments in tonight or mail them to:

Greg Moberg, Planning Service Supervisor  
Public Works & Planning  
City of Grand Junction  
250 N. 5th Street  
Grand Junction, CO 81506

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING 92 PROPERTIES  
FROM R-8 (RESIDENTIAL 8 DU/AC) TO AN R-O (RESIDENTIAL OFFICE) ZONE  
DISTRICT**

**LOCATED BETWEEN 12TH STREET AND 17TH STREET ALONG MAIN STREET  
AND THE NORTH SIDE OF COLORADO AVENUE**

**Recitals:**

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

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

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

Upon analysis of each area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone would be justified in order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties.

The proposed zone district meets the recommended land use category as shown on the Future Land Use Map of the Comprehensive Plan, Urban Residential Mixed Use and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

An Open House was held on December 14, 2011 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

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

1. The requested zone(s) is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

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

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

The following properties shall be rezoned R-O (Residential Office).

See attached map.

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

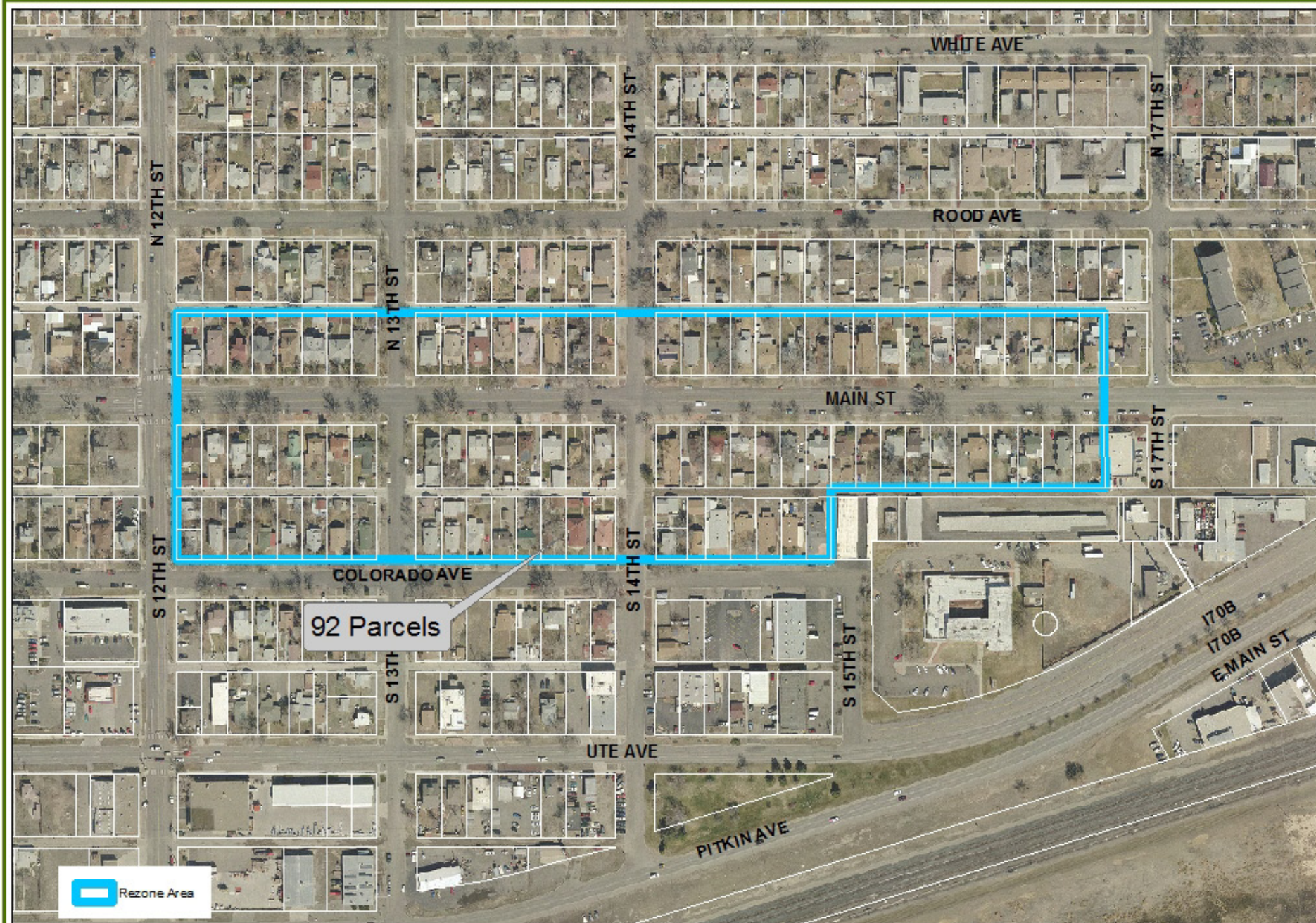
ATTEST:

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

\_\_\_\_\_  
Mayor



## Rezone - Area 12



Rezone Area from R-8 (5.5-8 units/acre) to R-O (Residential Office 4 units/acre)





Attach 7

## CITY COUNCIL AGENDA ITEM

Date: 3-7-12

Author: Darren Starr

Title/ Phone Ext: Manager/ #1493

Proposed Schedule: 3-21-2012

2nd Reading

(if applicable): \_\_\_\_\_

File # (if applicable): \_\_\_\_\_

**Subject:** Purchase Hot Mix Asphalt for Streets Division for 2012

**Action Requested/Recommendation:** Authorize the Purchasing Division to Purchase Approximately 1,388 Tons of Hot Mix Asphalt, on Behalf of the Streets Division, from Elam Construction, Inc. for an Amount Up to \$97,125

**Presenter(s) Name & Title:** Greg Trainor, Utilities, Streets, and Facilities Director  
Darren Starr, Streets, Storm Water, and Solid Waste Manager  
Jay Valentine, Financial Operations Manager

### Executive Summary:

This request is for the purchase up to 1,388 tons of hot mix asphalt for the Streets Division to be used for road work and repairs in 2012.

### Background, Analysis and Options:

Each year the City's Streets Division is required to pave, re-pave, and repair numerous streets throughout the City. As part of our Utility cuts, pot hole patching, and street repairs needed to prepare for this year's chip seal program an estimated amount of hot mix was bid out.

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). Two companies submitted formal bids, which were found to be responsive and responsible, in the following amounts:

Company	Location	Price/Ton
Elam Const. Inc.	Grand Junction, CO	\$69.94
Oldcastle SW Group, Inc. dba United Co.	Grand Junction, CO	\$71.00

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

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

Providing hot asphalt repair to distressed street areas, pot holes, and utility cuts will help to ensure smooth and safer traffic flow, while extending the life of the roadways and realizing a long term cost savings.

**Board or Committee Recommendation:**

N/A

**Financial Impact/Budget:**

\$97,125 is budgeted in the General Fund-Streets Division for this expenditure. The exact amount of material that is needed for the season is still unknown, but will not exceed the amount budgeted. At the current price of \$69.94 per ton, this purchase will not exceed 1,388 tons.

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

N/A





Attach 8

## CITY COUNCIL AGENDA ITEM

Date: March 8, 2012

Author: Harry Weiss

Title/ Phone Ext: Exec. Director,

GJDDA, ext. 4134

Proposed Schedule: March 21, 2012

2nd Reading

(if applicable): N/A

File # (if applicable): N/A

**Subject:** Recommendations for Revision of Outdoor Dining Lease

**Action Requested/Recommendation:** Approve the Revised Outdoor Dining Lease

**Presenter(s) Name & Title:** Harry Weiss, Downtown Development Authority Director  
John Shaver, City Attorney

### Executive Summary:

This request seeks Council action on DDA's recommendations for revisions to the Outdoor Dining Lease that governs food and beverage service in areas of the public way in the Downtown Shopping Park (DSP) on Main Street, Seventh Street, and Colorado Avenue.

### Background, Analysis and Options:

The City of Grand Junction leases portions of the public way in downtown to local restaurants for outdoor dining. The DDA administers the lease on behalf of the City and receives feedback from restaurant operators, other downtown businesses, and the general public about outdoor dining operations and impacts. In response to a number of issues raised over time, the DDA requested that staff review the lease agreement to identify potential improvements for both operators and the public, and to address inconsistent and deficient wording in the lease agreement.

In general the DDA is recommending greater discretion be given to restaurant operators regarding business operations and the removal of unnecessary restrictions that impede that discretion. The DDA also recommends that those sections of the lease agreement that deal with standard matters such as Notice, Events of Default, Cure of Violations, Remedies, etc., be revised to conform more closely with standard commercial leasing practices.

The following are the major revisions that pertain to existing City policies and practices:

### Premises Description

The current agreement specifies only one type of configuration for the leased premises when in fact there two types of configurations – one immediately abutting the restaurant façade, and the other located some distance away from the facade and necessitating an easement across the pedestrian way from the restaurant to the service area. Non-

conforming configurations are treated as “grandfathered” at the time of renewal of the lease.

The DDA recommends modifying the premises description to provide for the selection of a configuration which shall be fully described in an attached Exhibit A depicting the exact location and dimensions of the premises. In any event, the leased premises shall be configured on a case by case basis to maintain adequate pedestrian access along the sidewalk and avoid conflicts with fixed improvements installed in the vicinity. Other sections of the lease agreement that conflict with the revised premises description shall be eliminated or revised to conform to the new premises section.

### **Year-Round Operation**

Though the term of the lease runs for a full year, the current lease agreement prohibits outdoor dining service during the period of November 15 – March 30. This prohibition stems from an assumption that the winter season is not consistently conducive to outdoor dining and concerns about the ease of snow and ice removal.

The DDA feels that this is an unnecessary limitation that restricts operators’ flexibility in determining how best to serve their clients and take advantage of milder weather often experienced during the winter season. Furthermore, activity and vibrancy along the public way is a desired goal for downtown, and the suspension of outdoor dining for 3 ½ months is at odds with that objective.

DDA recommends that the suspension of operations during the winter season be deleted. Operators shall remain responsible for removing all snow and ice, and maintaining their equipment and fixtures in the leased premises.

### **Allowed Uses:**

Currently food and beverage service ending at 1 AM, and liquor service by valid license are the only permitted uses in the premises.

DDA recommends that tableside food preparation not using fuel-based cooking, and low volume live music also be permitted.

### **Improvements & Fixtures:**

Battery-powered electric lighting only is allowed in the premises. Operators have asked for the ability to use wired low level electric lighting such as Christmas lights in the premises. DDA recommends permitting such lighting provided access to power source does not cross the pedestrian ROW or otherwise create a hazardous condition.

### **Maintenance Standards:**

With the shift to year-round operation, furniture and equipment must be set up and maintained for business. If an operator opts to suspend operation during winter months, furniture and equipment shall be stored off premises.

DDA further recommends the addition of a new maintenance standard requiring steam and/or power washing of the sidewalk surface in the premises twice a year. Pursuant to current policy, salting for ice removal shall be prohibited.

**Signage:**

Currently no signage is allowed in or around the premises except for menu signs that comply with GJ City Code.

Many restaurants take advantage of free materials supplied by vendors that carry product identification and logos – table umbrellas in particular. This can represent a significant savings to operators who would otherwise incur the cost of shading devices.

While DDA acknowledges the expense restaurants may bear for equipping the premises, we feel this is substantially offset by the nominal lease rate of \$1/square foot/year charged by the City. DDA strongly believes the public interest is best served by prohibiting third part advertising in the public way. We recommend, however, that operators be allowed to place their own business identification/logos on umbrellas in the leased premises.

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

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

The revisions to the City's Outdoor Dining Lease further the vibrancy of downtown by allowing year-round operation and greater flexibility for business operators while maintain the highest standards of appearance and minimizing nuisances in the area.

***Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.*

Outdoor dining in the public way contributes meaningfully to the character and vibrancy of downtown. The proposed revisions balance the objectives for aesthetic consistency and quality with the operational needs of local restaurants.

**Board or Committee Recommendation:**

The Downtown Development Authority met on Thursday, February 23, 2012, to review the proposed changes to the outdoor dining lease, and voted unanimously to forward the proposed revisions for City Council adoption.

**Financial Impact/Budget:**

None.

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

Draft Revised Lease Agreement

## **DOWNTOWN OUTDOOR DINING LEASE AGREEMENT**

THIS LEASE AGREEMENT ("Agreement") is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by and between THE CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, as Lessor, (hereinafter "City") and, \_\_\_\_\_ as Lessee, (hereinafter "Lessee"), and the Grand Junction Downtown Development Authority as Lessor's Administrative Agent, (hereinafter "DDA").

### **RECITALS:**

The City by Ordinance No. 3650 and subsequently amended by Ordinance No. 4120 established a Sidewalk Restaurant commercial activity permit for restaurants in the Downtown Shopping Park (DSP) on Main Street, Seventh Street and Colorado Avenue.

In accordance with that authority, the City Council and the DDA desire to make certain areas of the sidewalk in the DSP and at other locations as authorized available by lease to proximate land owners and/or lessees that want to make use of a portion of the public way for outdoor dining with or without alcohol service.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, it is agreed as follows:

### **1. Demise of Premises.**

Option A: The City does hereby lease to Lessee the Premises (hereinafter "Premises") comprising approximately \_\_\_\_\_ square feet of the public way located in front of and immediately across the sidewalk from \_\_\_\_\_.

The City does hereby grant an easement across the sidewalk situated between the Lessee's business and the Premises for the purpose of transporting alcohol beverages and food to and from the Premises. Said easement runs concurrently with this Agreement. The Premises, the easement area, and the location of Lessee's primary business facility are more particularly described in the attached Exhibit A.

Option B: The City does hereby lease to Lessee the Premises (hereinafter "Premises") comprising approximately \_\_\_\_\_ square feet of the public way located in front of and immediately abutting the Lessee's business. The Premises and the location of Lessee's primary business facility are more particularly described in the attached Exhibit A.

A brief description of the Lessee's business is attached as Exhibit B.

### **2. Term.**

The term of this Agreement shall be for a period of one (1) year to commence on \_\_\_\_\_. Upon signature by all parties this Agreement supersedes all prior leases, and terminates on \_\_\_\_\_.

### **3. Rental.**

Lessee shall pay rent to Lessor at the rate of \$1.00 per square foot per year and in the total sum of \$\_\_\_\_\_, which sum shall be payable in advance at the offices of the City Clerk, Grand Junction City Hall, 250 North 5th Street, Grand Junction, Colorado 81501. If the rent payment is not paid in full when due, a Lease shall not issue.

#### **4. Permitted Uses and Hours of Operation.**

Lessee agrees to use the Premises for the purpose of selling and dispensing food and/or beverages to the public. The Premises may be open to the public during Lessee's normal business hours, but in no event shall food and/or beverage service extend beyond 1:00 A.M. Service of alcoholic beverages shall be permitted provided Lessee holds a valid State and City liquor license. Tableside preparation of food shall be permitted pursuant to applicable health and safety regulations; however, fuel-based cooking or food preparation is expressly prohibited in the Premises. Live acoustic music performance is permitted on the Premises, provided any amplification utilized shall not result in a sound level exceeding 55 decibels measured at a distance of 20 feet from any of the Premises boundaries.

#### **5. Assignment or Subletting Prohibited.**

Lessee shall not have the right to assign the lease or to sublet the Premises in whole or in part without the prior written consent of the City.

#### **6. Compliance with Legal Requirements.**

Lessee shall comply with all applicable requirements of any governmental or quasi-governmental body including City, County, State or Federal agencies, boards, councils and commissions having jurisdiction respecting any operation conducted on the Premises by Lessee or any equipment, installations or other property placed upon, in or about the Premises by Lessee.

Lessee further agrees to comply with all rules of the DDA relating to the use of the Premises. Prior to commencing alcohol service in the Premises, Lessee shall include the Premises in the licensed service area as required by the liquor laws of the State and City.

Lessee shall not discriminate against any worker, employee or job applicant, or any member of the public because of race, color, creed, religion, ancestry, national origin, sex, age, marital status, physical handicap, status or sexual orientation, family responsibility or political affiliation, or otherwise commit an unfair employment practice.

#### **7. Taxes.**

Lessee shall timely list for taxes and pay all tax assessments of whatever kind or nature assessed against or on Lessee's possessory interest, improvements, furnishings, fixtures, inventory, equipment and other property situated or placed upon, in or about the Premises. All such amounts shall be paid prior to delinquency.

#### **8. Utilities.**

Lessee shall make arrangements for all utilities, if any, needed at the Premises and is responsible for payment of the fees and charges arising out of the provision and/or use of the utility service(s).

#### **9. Improvements and Personal Property.**

All construction, improvements, installations, furniture, fixtures and/or equipment on the Premises shall comply with the following:

a. Lessee may place furniture, fixtures and equipment in the Premises so long as the same do not endanger any passersby or patrons, and are secured to resist wind. No portion of the Lessee's furniture, fixtures or equipment shall extend beyond the

boundaries of the Premises nor impede pedestrian traffic on the sidewalk adjoining the Premises. The terms of this paragraph shall be construed to include but not be limited to perimeter enclosures, planters, signs, tables, chairs, shade structures, umbrellas while closed or open and any other fixtures, furniture or equipment placed or utilized by the Lessee. The Lessee may store its fixtures on the Premises at its own discretion and shall accept and retain full responsibility and liability for any damage to or theft of such fixtures. Required perimeter fencing shall be continuously maintained during the term of this Agreement.

b. Lessee shall provide a physical demarcation of the perimeter of the Premises, such as planters or stanchions, subject to DDA approval of the form and location of the same, to facilitate monitoring of potential encroachments beyond the Premises. If alcohol service is permitted in the Premises, the perimeter of the Premises shall be enclosed by a fixed perimeter enclosure no less than thirty (30) inches in height, the material, design and installation of which shall be approved by the DDA. Openings in the enclosure shall not be less than 44 inches wide. If there is a gate it must swing inward to prevent obstruction of the sidewalk.

c. No gas lighting shall be permitted in the Premises. Battery powered lights, candles in wind-protected enclosures, and low wattage electric lights, such as Christmas lights, shall be allowed. Under no circumstances shall electrical wires, extension cords or similar wiring, cables or conduit extend beyond the Premises into the public way, (easement area or otherwise) nor cross pedestrian paths, nor be placed so as to create a tripping hazard. Any suspended lighting must be securely installed to prevent dislodgement, sagging, or other hazard.

d. Signs are expressly prohibited on the Premises, except for the following: i) menu signs in compliance with the City sign code, and ii) Lessee's business identification signage, such as Lessee's business logo displayed on umbrellas. Signs shall be subject to approval by the DDA and City. Third party business identification or logos, such as product identification signage, are expressly prohibited on the Premises.

e. Lessee shall not utilize sidewalk trash and/or recycling receptacles for refuse generated within the Premises. Lessee may provide a private trash and/or recycling receptacle within the Premises provided that it is emptied and maintained on a regular basis.

f. Lessee shall remove any personal property, including but not limited to improvements, enclosures, furniture, fixtures, equipment or structures installed by it or at its direction on the Premises promptly upon expiration without renewal of this Agreement. Failure to remove said property within ten (10) days of expiration shall be deemed an abandonment of said property, and result in ownership thereof transferring to the DDA which shall have the right to dispose of said property as its own.

#### **10. Safe and Sanitary Condition.**

Lessee shall at all time keep the Premises in good repair and free from all litter, dirt, and debris, and in a clean and sanitary condition. Lessee shall not permit nor suffer any disorderly conduct or nuisance whatsoever, which would annoy or damage other persons or property by any alteration to the Premises or by any injury or accident occurring thereon. Lessee shall be responsible, subject to applicable law regulating the

discharge of contaminants to the sewer for power-washing or steam cleaning the sidewalk surface of the Premises twice yearly.

**11. Lessor and Agent not Liable for Damages or Injuries.**

Lessor and its Administrative Agent shall not be responsible to Lessee or to any other person or entity for damages or injuries arising out of the Lessee's use of the Premises.

Lessor and/or its Administrative Agent are not an insurer for Lessee's activities and

Lessee shall obtain appropriate insurance against potential damages, injury, lost profit or advantage and any and all other claims as determined in the Lessee's sole and absolute discretion. Lessee shall indemnify and hold harmless the City of Grand Junction and the DDA and its employees, elected and appointed officials, against any and all claims for damages or personal injuries arising from the use of the Premises.

**12. Insurance.**

Lessee agrees to furnish Certificate(s) of Insurance at least fifteen (15) days prior to the commencement of the term of this Agreement as proof that it has secured and paid for a policy of public liability insurance covering all public risks related to the leasing, use, occupancy, maintenance and operation of the Premises. Insurance shall be procured from a company authorized to do business in the State of Colorado and be satisfactory to the City. The amount of insurance, without co-insurance clauses, shall not be less than the maximum liability that can be imposed upon the City under the laws of the State, as amended. Lessee shall name the City and the DDA as named insureds on all insurance policies and such policies shall include a provision that written notice of any non-renewal, cancellation or material change in a policy by the insurer shall be delivered to the City no less than ten (10) days in advance of the effective date.

**13. Inspection, Access and Improvements by City and/or DDA.**

Lessee agrees to permit the City, its designated representatives, and/or the DDA to enter upon the Premises at any time to inspect the same and make any necessary repairs or alterations to the sidewalks, utilities, meters or other public facilities as the City may deem necessary or proper for the safety, improvement, maintenance or preservation thereof. Lessee further agrees that if the City shall determine to make changes or improvements affecting the Premises which may affect any improvements placed by the Lessee, that the Lessee, by execution of this Agreement, hereby waives any and all right to make any claim for damages to the improvements (or to its leasehold interest) and agrees to promptly remove any furniture, fixtures, equipment and structures as necessary during such construction periods. The City agrees to rebate all rents in the event it undertakes major structural changes that continue for a period in excess of 14 continuous days during a lease period.

**14. Delivery and Condition of Premises upon Expiration or Termination.**

Lessee agrees to surrender and deliver up the possession of the Premises in substantially the same condition as received, ordinary wear and tear and approved improvements excepted, promptly upon the expiration of this Lease or upon five (5) days' written notice in the case of the termination of this Lease by City by reason of a breach in any provisions hereof.

**15. Limitation of Rights Demised.**

The City by this demise hereby conveys no rights or interest in the public way except



the right to the uses on such terms and conditions as are described herein and retains all title thereto.

#### **16. Sale or Transfer of Lessee's Business Interest**

Lessee hereby affirms that Lessee is the owner and/or lessee of the abutting or approximate property and agrees that on sale or other transfer of such interest, Lessee will so notify the City of the transfer in interest and all right and interest under this Lease shall terminate.

#### **17. Attorney's Fees.**

If legal action is taken by either party hereto to enforce any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party all of its cost, including reasonable attorney's fees. If the City and/or DDA uses in-house counsel to prosecute or defend any action arising out of or under this Agreement the City and/or DDA shall be entitled to recover the value of those services at the prevailing rate of private litigation counsel in Grand Junction.

#### **18. Waiver.**

No failure by Lessor to exercise any rights hereunder to which Lessor may be entitled shall be deemed a waiver of Lessor's right to subsequently exercise same. Lessee shall gain no rights nor become vested with any power to remain in default under the terms hereof by virtue of Lessor's failure to timely assert his rights. It is further agreed that no assent, expressed or implied, to any breach of any one or more of the covenants or agreements herein shall be deemed or taken to be a waiver of any succeeding or any other breach.

#### **19. Default.**

a. Each and every one and all of the following events shall constitute an Event of Default:

i) If Lessee files a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act or voluntarily takes advantage of any such act or makes an assignment for the benefit of creditors;

ii) if involuntary proceedings under any bankruptcy law, insolvency or receivership action shall be instituted against Lessee, or if a receiver or trustee shall be appointed for all or substantially all of the property of Lessee and such proceedings are not dismissed, or the receivership or trusteeship vacated, within ten (10) days after the institution or appointment;

iii) if Lessee fails to pay any sum due from it in strict accordance with the provisions of this Lease, and/or fails to pay any tax or assessment of the State, City or DDA and does not make the payment within ten (10) days after written notice thereof. For the purposes hereof, all sums due from Lessee shall constitute rentals whether denominated as rentals or otherwise elsewhere herein and Lessee has absolutely no right of offset;

iv) if Lessee fails to fully perform and comply with each and every condition and covenant of this Lease Agreement, and such failure or performance continues for a period of thirty (30) days after notice thereof;

v) if Lessee vacates or abandons the Premises;

vi) if the interest of Lessee is transferred, levied upon or assigned to any other person, firm or corporation whether voluntarily or involuntarily except as herein permitted;

vii) if Lessor, in any four month period during the Term, or spanning consecutive Terms, gives any notice to Lessee pursuant to subparagraphs iii) or iv) above, notwithstanding Lessee's cure of default within the allowable period or periods.

b. Upon the occurrence of any Event of Default as set forth above, Lessor shall have the right, at its option, to utilize any one or more of the following rights:

i) to cancel and terminate this Lease Agreement and all interests of the Lessee hereunder by giving notice of such cancellation and termination not less than ten (10) days prior to the effective date of such termination. Upon the expiration of said ten (10) day period, the Lessee shall have no further rights under this Lease Agreement (but such cancellation shall not serve to release or discharge the damages Lessee owes to Lessor); and/or

ii) to make any payment required of Lessee herein or correct any condition required to be corrected by Lessee, and Lessor shall have the right to enter the Premises for the purpose of correcting any such condition and to remain on the Premises until the complete correction of such condition. However, no expenditure by Lessor on behalf of Lessee shall be deemed to waive or release Lessee's breach hereof and Lessor shall retain all rights to proceed against Lessee as set forth herein; and/or

iii) to reenter the Premises immediately with or without order of court and without claim of trespass, remove the property of Lessee and store such property in a public warehouse or such other location selected by Lessor, all at the expense of Lessee. After such reentry, Lessor shall have the right to terminate this Lease Agreement by giving ten (10) days notice of termination to Lessee, but without such notice, the reentry by Lessor shall not terminate this Lease Agreement. On termination, Lessor may recover from Lessee all damages resulting from Lessee's breach, including the cost of recovery of the Premises and placing them in satisfactory condition; and/or

vi) all other rights and remedies provided by law to a Lessor with a defaulting Lessee including all such money damages as Lessor shall be entitled pursuant to the law of damages.

c. In the event of any conflict between any of the provisions hereof regarding the amount of time that must elapse without cure after notice of breach before the same constitutes an Event of Default, then the provisions establishing the least amount of time to cure after notice shall prevail.

d. Upon any breach hereof, regardless of whether such breach is, or becomes, an Event of Default; Lessor shall be reimbursed by Lessee for any reasonable attorney's fees incurred by Lessor in connection with such breach.

## **20. Notices and Written Consents.**

All notices and written consents required under this Agreement shall be in writing and either hand delivered or mailed by first class certified mail to the following parties:

To Lessor:                      City of Grand Junction c/o City Attorney  
                                         250 North 5th Street  
                                         Grand Junction, Colorado 81501

To Lessee:                      \_\_\_\_\_  
                                         \_\_\_\_\_  
                                         \_\_\_\_\_

To Agent: Downtown Development Authority c/o Executive Director  
248 South 4<sup>th</sup> Street  
Grand Junction, CO 81501

Notices shall be deemed served upon posting the same s addressed above and sent as First Class United States mail.

**21. Binding Effect and Complete Terms.**

The terms, covenants, conditions and agreements herein contained shall be binding upon and inure to the benefit of and shall be enforceable by Lessor and Lessee and by their respective heirs, successors and assigns. All negotiations and agreements of Lessor and Lessee are merged herein. No modification hereof or other purported agreement of the parties shall be enforceable unless the same is in writing and signed by the Lessor and Lessee. This Lease supersedes all prior leases between Lessor and Lessee.

**22. Construction of Lease.**

This Lease shall not be construed more strictly against either party regardless of which party is responsible for the preparation of the same.

**23. Performance Standards.**

It is the intention of all parties hereto that the obligations hereunder and actions related hereto will be performed in accordance with the highest standards of commercial reasonableness, common sense and good faith.

**24. Authorization of Parties.**

Each individual executing this Lease as director, officer, partner, member, or agent of a corporation, limited liability company, or partnership represents and warrants that he or she is duly authorized to execute and deliver this Lease on behalf of such corporation, limited liability company, or partnership and that reasonable evidence of such authorization will be provided to the other party upon request.

**25. Administrative Agent.**

In conformance with the City's delegation of management responsibilities and authority concerning the Downtown Shopping Park and others areas of the public way in downtown Grand Junction, the City designates the DDA to serve as its Agent for the administration and enforcement of this Agreement.

IN WITNESS WHEREOF, the parties have signed and sealed this Lease Agreement, this day and year first above written.

Lessor: City of Grand Junction

Lessee:

By: Richard Englehart, Acting City Manager

By:

Agent: Downtown Development Authority

---

By: Harry M. Weiss, Executive Director

Exhibit A: Proposed Lease Area (include dimensions and a sketch):

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## Exhibit C: Assurances, Hold Harmless and Indemnity Agreement

The Applicant assures the Downtown Development Authority and the City of Grand Junction that if a lease is issued, s/he will comply with all of the requirements and provisions of Grand Junction City Ordinance 3609, all other applicable ordinances and laws, and the Plan of Development for Downtown Grand Junction. The applicant further assures that s/he has obtained or will obtain all of the necessary and required permits or licenses to engage in the business or activity proposed.

I, \_\_\_\_\_, applicant for a Lease to conduct activities in the Downtown Shopping Park area, agree that I shall:

(a) Hold harmless the City of Grand Junction, its officers and employees, and the Downtown Development Authority of Grand Junction, its officers and employees, from any claims for damage to property or injury to persons which may arise from or be occasioned by any activity carried on by me within the Downtown Shopping Park, and

(b) Indemnify the City of Grand Junction, its officers and employees, and the Downtown Development Authority, its officers and employees, against any claim, loss, judgment, or action, or any nature whatsoever, including reasonable attorney fees, that may arise from or be occasioned by any activity carried on by me within the Downtown Shopping Park.

I realize that consideration for this release is the granting of a lease to me by the City of Grand Junction, and I realize and agree that this Hold Harmless/ Indemnity Agreement shall take effect whenever I begin to conduct the type of activities for which the lease has been applied or when the permit is issued, whichever is earlier. I also understand and agree that this agreement shall apply to any activities which I carry on which are done in violation of the terms of this lease.

Executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_



Attach 9

## CITY COUNCIL AGENDA ITEM

Date: March 9, 2012

Author: Jim Finlayson

Title/ Phone Ext: Information

Technologies Director

Proposed Schedule: March 21,  
2012

2nd Reading

(if applicable): \_\_\_\_\_

File # (if applicable): \_\_\_\_\_

**Subject:** Sole Source Purchase of Public Safety Technology for Backup and Disaster Recovery

**Action Requested/Recommendation:** Authorize the City Purchasing Division to Sole Source a NetApp/Syncsort Integrated Backup System Purchase Through Reseller CDW Government, Inc. in the Amount of \$384,500

**Presenter(s) Name & Title:** Jim Finlayson, Information Technologies Director

### Executive Summary:

This request is to sole source and purchase software, hardware, and implementation services for an integrated backup and disaster recovery system.

### Background, Analysis and Options:

Data storage requirements continue to grow at an exponential rate at the City as we continue to rely on more complex and media rich technologies. The invaluable data generated by the numerous mission critical systems used to support the City's operations make the need for proper backup and disaster recovery capabilities absolutely essential. Over the past several years, we have outgrown our backup system capabilities for critical Public Safety applications. The proposed system will allow IT (Information Technologies) to consolidate the many different backup devices currently used in the Police Data Center into a single integrated system. It also significantly enhances our disaster recovery and continuity of operations capabilities by providing an ongoing replication of public safety data at our City Hall Data Center and the replication of administration systems data at our new Police Data Center.

Syncsort was selected as the City's backup solution in 2007 after an extensive review of the available backup options. Syncsort continues to be an industry leader in backup solutions, providing data management systems for more than 50 federal agencies, including all four branches of the US Military, and hundreds of large commercial organizations. The Syncsort backup solution has proven to be reliable and cost effective.



The selection of a backup system is a complex process which has to take into account our unique combination of operating system software, network software, servers, storage devices, network architecture and management capabilities. As data storage requirements and computer systems have grown, our investment in backup software has grown to keep pace. The proposed solution allows us to take advantage of that investment by converting existing licenses to the new integrated hardware/software solution at no additional cost.

The new system adds a high volume data storage device at City Hall and an identical device at the new Police Building so that data at both major City data centers are continuously backed up at a remote site. An existing tape backup system at City Hall will then be used to backup the data for both data centers to tape so that they can be stored at an offsite location for a worst case disaster recovery capability. The new system takes advantage of the latest data reduction and deduplication technology to reduce backup times and storage requirements.

This unique disaster recovery and backup system is a proven industry solution that provides a simple, cost effective data protection and disaster recovery capability. It is built by Syncsort, Inc. using proprietary hardware provided by NetApp, Inc., and is distributed through CDW Government. The proposed contract includes all equipment, installation, and the first year of required maintenance support. Ongoing maintenance is estimated at \$67,000 annually.

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

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

The new IT disaster recovery system will provide a more reliable method of preserving and recovering data in case of system failure.

#### **Board or Committee Recommendation:**

N/A

#### **Financial Impact/Budget:**

The funding to purchase the data management system was budgeted in the General Fund CIP while the first year maintenance and installation costs associated with this project are budgeted in the IT Internal Service Fund. The breakdown is as follows:

Project Budget- General Fund	\$310,000
Project Budget – IT Internal Service Fund	\$100,000
<b>Contract Amount</b>	<b>\$384,500</b>
Amount Remaining	<u>\$ 25,500.</u>

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

N/A



Attach 10

## CITY COUNCIL AGENDA ITEM

Date: March 9, 2012

Author: Rob Schoeber

Title/ Phone Ext: Parks Director

Ext. 3842

Proposed Schedule: March

21, 2012

2nd Reading

(If applicable): \_\_\_\_\_

File # (if applicable): \_\_\_\_\_

**Subject:** Award a Contract for the Matchett Property Farm Lease

**Action Requested/Recommendation:** Authorize the Parks and Recreation Department to Enter into a Contract with Kenny Romisch of Romisch Farms in Palisade, Colorado for the Agricultural Responsibilities of the Matchett Farm

**Presenter(s) Name & Title:** Rob Schoeber, Parks and Recreation Director

### Executive Summary:

The undeveloped park property at Matchett Park requires a contract to maintain and farm the property. The Park has been leased to a local farmer for the past 11 years. A Request for Proposals process was conducted in late February 2012 with one individual submitting a proposal.

### Background, Analysis and Options:

The Matchett property consists of 222 acres, of which 113.5 acres have been leased to local farmers since 2000 for the purpose of plowing, irrigating, cultivating, and fertilizing all farmable lands. In an effort to improve the overall condition of the park property, revisions have been made to the new contract. The revisions include:

- Reduce the farmable acreage from 113.5 acres to 110.3 acres
- Require that the Lessee must now apply water in accordance to Furrow Irrigation Guidelines as stated by the Colorado State University Extension Tri River Area
- Modify the lease to state that the Parks and Recreation Department will now be responsible to maintain by spraying, cutting, or physical means, all weeds or unwanted vegetation in roadways, walkways, areas adjacent to ditches, and open areas not a part of the lease agreement. The Lessee will still be responsible for maintaining and preserving the irrigation structures, ditches, pipes and other irrigation facilities and appurtenances on the property.

The lease continues to allow livestock on the property at an additional monthly cost of \$.30 per animal. Mr. Romisch has stated he intends to take advantage of this option and will most likely have a maximum of 50-60 cattle on the property during the fall and winter months. The term of the contract will be April 1, 2012 – January 31, 2017, and

the Lessee will have the right to renew the contract for (5) additional (1) year periods. The \$5,000 annual rent payment will remain the same, as will the Lessee's responsibility to pay for any excess water. In addition, the property will continue to be available to the general public for daytime access to the roads and trails for non-motorized purposes, including, but not limited to, walking (with leashed pets), running, bicycling, and horse riding.

A formal Request for Proposal was developed and sent to a source list of local farmers and a legal notice was published in the Daily Sentinel. One proposal was received from Kenny Romisch of Romisch Farms in Palisade, Colorado, which was found to be responsive and responsible.

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

**Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.

The continuation of the farm lease ensures the property will be well kept and maintained.

**Goal 10:** Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and environmental purposes.

The farming of this property allows for the land to remain open and available for public use.

**Board or Committee Recommendation:**

N/A

**Financial Impact/Budget:**

The agricultural lease generates \$5,000 per year in General Fund revenue.

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

Map







Attach 11

## CITY COUNCIL AGENDA ITEM

Date: February 22, 2012

Author: Kristen Ashbeck

Title/ Phone Ext: Senior Planner /  
1491

Proposed Schedule: 1<sup>st</sup> Reading  
March 7, 2012

2<sup>nd</sup> Reading: Public Hearing  
March 21, 2012.

File # s: PLD-2012-80 and ZCA-  
2012-107

<b>Subject:</b> North Seventh Street Historic Residential District Guidelines and Standards and Historic Preservation Board Responsibilities and Authority
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<b>Action Requested/Recommendation:</b> Public Hearing of Proposed Ordinances and Adopt North Seventh Street Historic Residential District Guidelines and Standards
---------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>Presenter(s) Name &amp; Title:</b> Tim Moore, Public Works and Planning Director Kathy Portner, Neighborhood Services Manager
-------------------------------------------------------------------------------------------------------------------------------------

### Executive Summary:

A request by the North Seventh Street Historic Residential District neighborhood to establish a new Plan for the North Seventh Street Historic Residential District Planned Development, including the North Seventh Street Historic Residential District Guidelines and Standards, to maintain and enhance the historic character of those properties, and to amend the Zoning and Development Code ("Code") to authorize the Grand Junction Historic Preservation Board ("Board") to review and approve applications for construction/alteration to sites and/or structures located on North 7<sup>th</sup> Street between Hill Avenue and White Avenue, as shown on the Site Location Map, attached.

### Background, Analysis and Options:

The North Seventh Street Historic Residential District ("District") includes the properties along North 7<sup>th</sup> Street from Hill Street to White Avenue on the east side of North 7<sup>th</sup> and from Hill Street to the alley between White and Grand avenues on the west side of North 7<sup>th</sup> Street. (See Site Location Map, attached.) The District is a nationally recognized historic neighborhood. It has been placed on the National Register of Historic Places, and is the only neighborhood in the City with this recognition. The neighborhood is proud of the designation and has been seeking, in various ways over time, to establish a process and standards through which to maintain and enhance its historic character.

Over the past two years, an organized group within the District has been working together, with broad input from the people in the neighborhood, to develop design guidelines and standards intended to preserve its historic nature and quality. The result of this long and sustained effort is the attached "North Seventh Street Historic Residential District Guidelines and Standards" ("Guidelines and Standards") which City Staff and the neighborhood now request that the City adopt for the District. The Guidelines and Standards include a streetscape and property inventory showing the



defining characteristics of the District and each structure within it, and establish criteria for development intended to ensure the maintenance and enhancement of the major exterior elements that characterize the historic nature of the District.

Prior to this effort, the City adopted Ordinance No. 2211 in 1984 establishing a planned residential zone for the part of this North 7<sup>th</sup> Street neighborhood consisting of the properties on North 7<sup>th</sup> from Hill Street to Grand Avenue. On February 17, 2010, at the urging of an organized neighborhood group, City Council adopted Ordinance No. 4403 and repealed Ordinance No. 2211. Ordinance No. 4403 established a Development Plan for that Planned Development (PD) zone and outlined a process by which building and site alterations would be reviewed and decided by City Council. That process, however, did not include detailed guidance for decision-making regarding historic preservation or design.

At the February 17, 2010 City Council meeting, the City Council requested that Planning staff work with the neighborhood on specific guidelines and standards for historic preservation and design. To that end, the neighborhood conducted a series of meetings and a property owner poll to discuss and determine the direction for the guidelines and standards. Several drafts of the document were prepared and reviewed. The poll and notices of the meetings were provided to the neighborhood and to the owners of the three properties south of Grand Avenue. The last neighborhood meeting was held in July 2011 to review the final draft that was then proposed to the City.

Since that time, the document has been reviewed by the Historic Preservation Board, which has indicated its approval of the guidelines and standards generally and of its proposed expanded role of reviewing and deciding development applications in public hearings. City staff has also worked with neighborhood representatives to refine the document so that it better implements the desires of the residents and to provide a review process. This work included development of an ordinance to expand the role and responsibility of the Board to include review and decision-making for changes to sites and structures within the District and a process for appealing decisions of the Board to the City Council.

The Guidelines and Standards are proposed as a new plan ("Plan" or "the Plan") for the Planned Development zone within the historic district and as an advisory document for those properties that are within the District boundaries but not within the PD zone district. The properties that are outside the PD zone district are located at 327 N. 7<sup>th</sup> (the Doc Shores House), 337 N. 7<sup>th</sup> (the White House), and 310 N. 7<sup>th</sup> (the R-5 School or Lowell School). Inclusion of these properties in the District is considered important to the neighborhood because of their contributing structures and because they are part of the National Registry. The owners of the properties outside the PD zone district have been notified of all neighborhood meetings and polled along with the PD property owners. At this time, however, the City has not taken the legislative action(s) necessary to designate a historic district including those properties or to designate these structures as historic in accordance with Section 21.07.040 of the Zoning and Development Code. Until such time, the application of the Guidelines and Standards to these properties will be advisory, such that compliance is voluntary on the part of the owners of those properties.

Generally, approval of the proposed ordinances will:

- Establish a new Plan for the North 7<sup>th</sup> Street properties that are zoned PD (properties north of Grand Avenue and south of Hill Street)
- Apply the Guidelines and Standards to the three properties south of Grand Avenue that are zoned B-2 in an advisory manner
- Retain the underlying zone district of R-8 for uses allowed in the PD zone district
- Establish bulk standards for all properties within the District (mandatory for the PD zone district properties; advisory for the three non-PD properties)
- Establish a review process for all changes to structures and sites in the District, including an application for a Certificate of Appropriateness, review by Public Works and Planning staff and decision-making by the Grand Junction Historic Preservation Board (advisory only with respect to the non-PD properties)
- Provide guidelines and standards by which changes to structures and sites in the District are reviewed that primarily address maintenance and enhancement of the major exterior elements that characterize the District and the structures within it such as streetscape, site development features, mass and proportion of buildings, rooflines, siding, windows, doors and porches and similar features

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

The requested amendment of the Planned Development Plan incorporating the Guidelines and Standards (the Plan) and the proposed Code amendment authorizing the Board to review and decide certain development applications within the District are each consistent with the Comprehensive Plan designation of Residential Medium for that portion of the District north of Grand Avenue and Downtown Mixed Use for the properties south of Grand Avenue. They are also consistent with the following Comprehensive Plan goals and policies:

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

These ordinances will encourage preservation of the historic structures and characteristics of this unique nationally designated historic area.

**Goal 8:** *Create attractive public spaces and enhance the visual appeal of the community through quality development.*

*Policies:*

*A. Design streets and walkways as attractive public spaces;*

*C. Enhance and accentuate the City 'gateways' including interstate interchanges, and other major arterial streets leading into the City;*

Preservation of this historic neighborhood will help to ensure that the North 7<sup>th</sup> Street corridor, including the street, median, detached sidewalks and landscaping features, retains its historic character and beauty, providing an enduring historic gateway into the downtown.



**Board or Committee Recommendation:**

The Grand Junction Planning Commission recommended approval of the request at its February 14, 2012 meeting.

**Financial Impact/Budget:**

NA

**Legal issues:**

NA

**Other issues:**

NA

**Previously presented or discussed:**

City Council discussed this item at its January 11, 2012 workshop.

**Attachments:**

Site Location Map / Aerial Photo Map

Existing Future Land Use Map

Existing Zoning Map

Results of Neighborhood Survey

Letter from Historic Preservation Board

Proposed Ordinance Amending Ordinance No. 4403

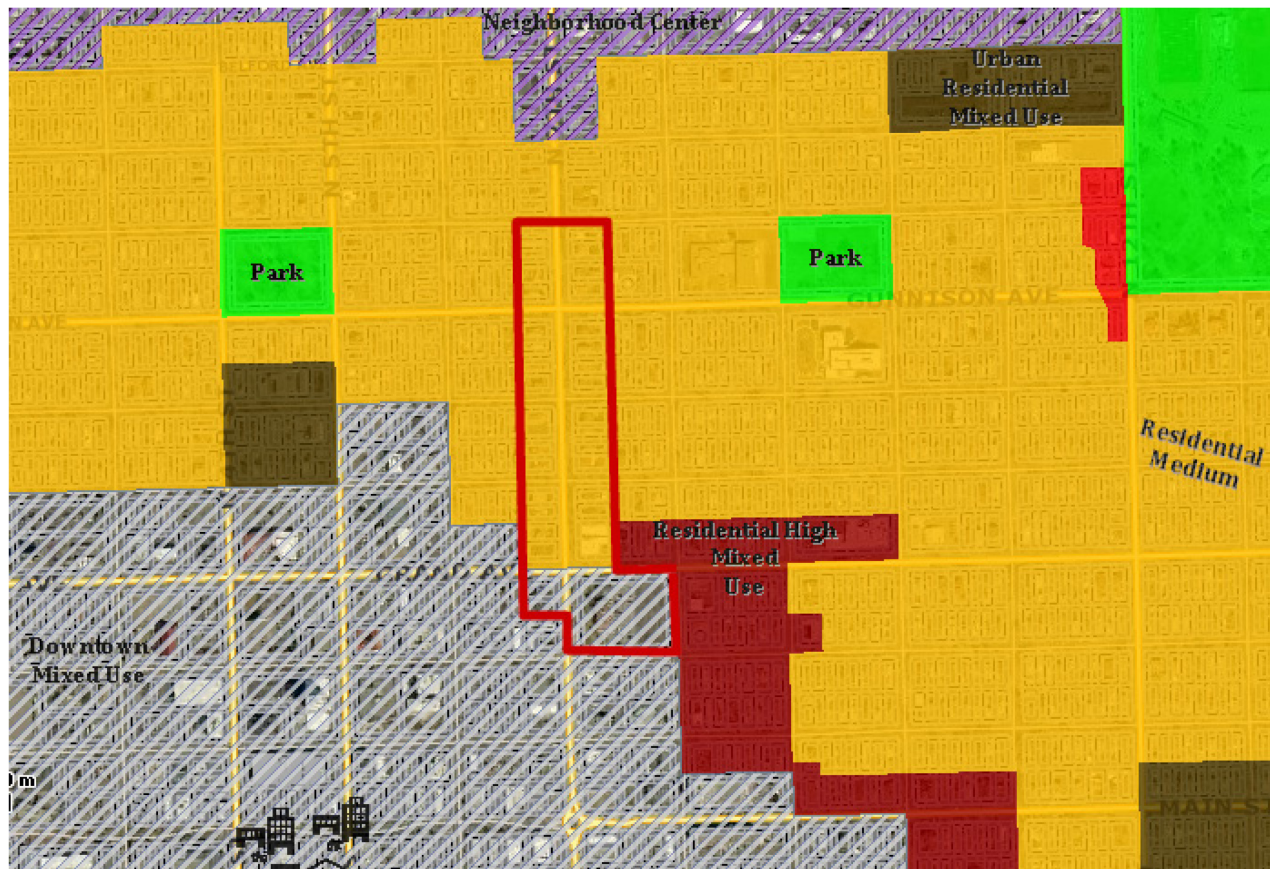
North Seventh Street Historic Residential District Guidelines and Standards (also serves as Exhibit A to the proposed ordinance amending Ordinance No. 4403)

Proposed Ordinance Amending the Zoning and Development Code

**SITE LOCATION/AERIAL PHOTO LOCATION MAP**

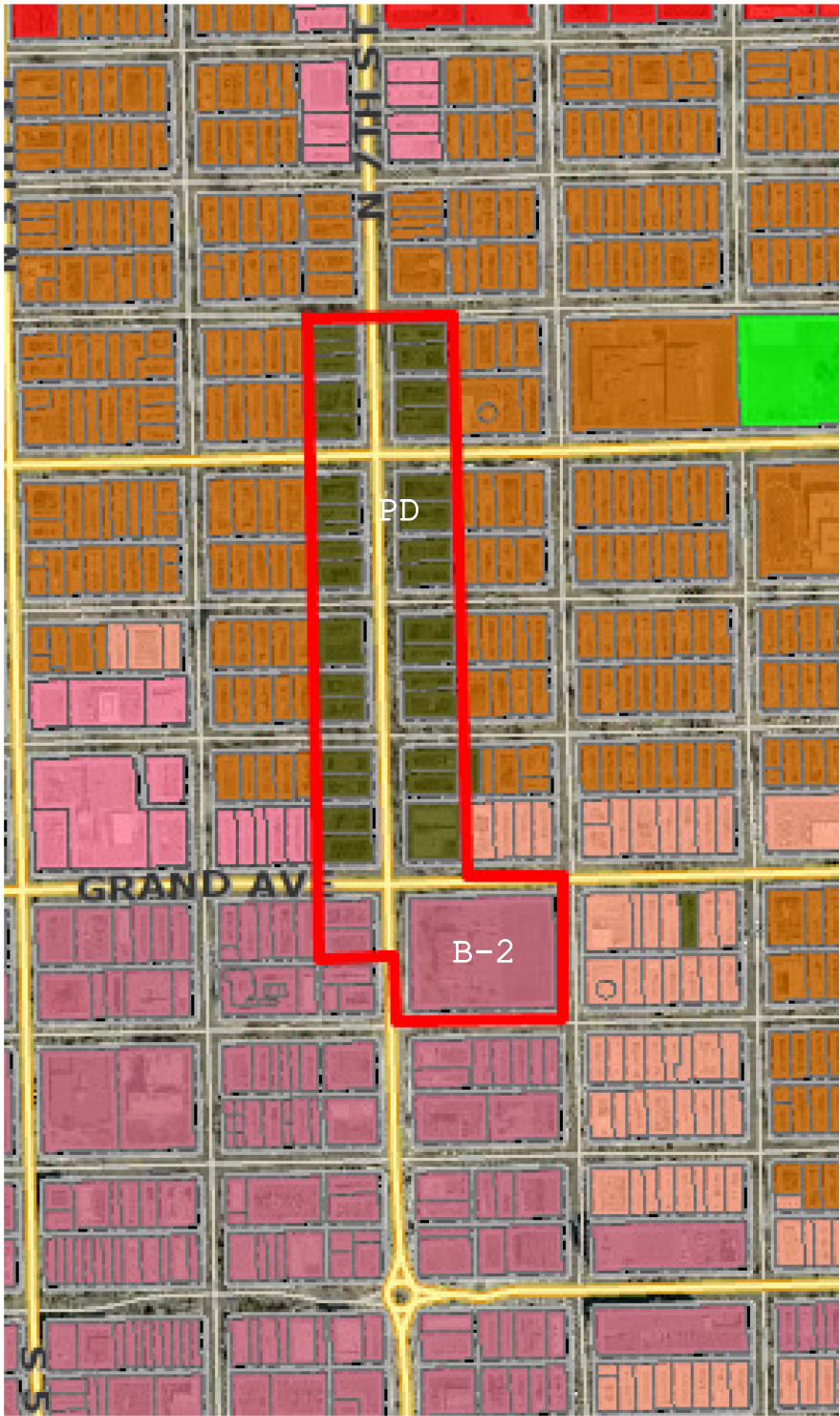


# COMPREHENSIVE PLAN – FUTURE LAND USE MAP





EXISTING ZONING MAP



## **Results from the North Seventh Street Standards and Guidelines Survey**

A survey was taken of the property owners in the North Seventh Street Historic District in February-March 2011 using a printed survey form which was distributed to each property owner by mail and a follow-up phone call.

The following were the survey questions:

### *North Seventh Street Standards and Guidelines*

*Right now, any application for a building permit in the neighborhood goes to City Council for a public hearing, and there are no protections, guidelines, or standards specific to the historic district for the Council to use in this evaluation. Assuming the Council were to eliminate or revise this process, what would you like to see put in its place?*

*1- Nothing. Make it just like any other residential area in the city*

*2- Nothing mandatory- but lets have a purely advisory document that gives guidance on how to preserve historic structures*

*3- Advisory guidelines only for existing historic structures, but some requirements for any new construction to make sure it fits in.*

*4- Guidelines and standards that would include mostly recommendations and suggestions, but would also have some requirements for new construction and also for the existing historic structures to make sure the most important elements are preserved (i.e., forms but not necessarily materials).*

*5- Guidelines and standards with recommendations but also strong requirements for new construction and historic structures (i.e., retaining historic forms and materials)*

# NORTH SEVENTH STREET PROPERTY OWNERS' SURVEY RESULTS (March 2011)

Property	1	2	3	4	5	No Response
310 N. 7 <sup>th</sup> St. – R-5 High School				X		
327 N. 7 <sup>th</sup> St.				X		
337 N. 7 <sup>th</sup> St.				X		
720 Grand Ave.	X					
407 N. 7 <sup>th</sup> St.			X			
417 N. 7 <sup>th</sup> St.		X				
428 N. 7 <sup>th</sup> St.			X			
433 N. 7 <sup>th</sup> St.					X	
440 N. 7 <sup>th</sup> St.					X	
445 N. 7 <sup>th</sup> St.					X	
710 Ouray Ave.			X			
505 N. 7 <sup>th</sup> St.				X		
515 N. 7 <sup>th</sup> St.			X			
520 N. 7 <sup>th</sup> St.						X
522 N. 7 <sup>th</sup> St.						X
535 N. 7 <sup>th</sup> St.				X		
536 N. 7 <sup>th</sup> St.	X					
604 N. 7 <sup>th</sup> St.			X			
605 N. 7 <sup>th</sup> St.						X

Property	1	2	3	4	5	No Response
611 N. 7 <sup>th</sup> St.			X			
620 N. 7 <sup>th</sup> St.		X				
621 N. 7 <sup>th</sup> St.					X	
625 N. 7 <sup>th</sup> St.			X			
626 N. 7 <sup>th</sup> St.				X		
639 N. 7 <sup>th</sup> St.					X	
640 N. 7 <sup>th</sup> St.					X	
706 N. 7 <sup>th</sup> St.					X	
707 N. 7 <sup>th</sup> St.						X
712 N. 7 <sup>th</sup> St.						X
715 N. 7 <sup>th</sup> St.				X		
726 N. 7 <sup>th</sup> St.		X				
727 N. 7 <sup>th</sup> St.				X		
731 N. 7 <sup>th</sup> St.				X		
739 N. 7 <sup>th</sup> St.			X			
750 N. 7 <sup>th</sup> St.				X		
<b>TOTALS</b>	<b>2</b>	<b>3</b>	<b>9</b>	<b>10</b>	<b>7</b>	<b>5</b>

A majority of the property owners favored option #4 which stated:

*Guidelines and standards that would include mostly recommendations and suggestions, but would also have some requirements for new construction and also for the existing historic structures to make sure the most important elements are preserved (i.e., forms but not necessarily materials).*

More than 60% of the homeowners favored some change. The enclosed draft guidelines and standards have been modified to reflect the views of the majority of the homeowners.



250 North 5<sup>th</sup> Street Grand Junction CO 81501

Grand Junction City Council  
February 8, 2012  
250 North 5<sup>th</sup> Street  
Grand Junction CO 81501

RE: Historic Preservation Board Review of Proposed North Seventh Street Historic Residential District  
Guidelines and Standards

Dear Mayor Kenyon and Members of the City Council:

The Historic Preservation Board reviewed the proposed *North Seventh Street Historic Residential Guidelines and Standards* at its August 2, 2011 meeting. Upon discussion, the Board came to consensus on the ideas outlined below and would like to forward its thoughts to the Planning Commission as the document moves forward for adoption.

Generally, the Board supports approval of the *Guidelines and Standards* and agreed that the document was needed to maintain the character of the District and avoid continued degradation of the properties in the future. The Board agreed that the appendix with the property inventory information represented a good "time stamp" of what the district looks like today for future reference as it evolves and changes are proposed/made to the structures. Application of the *Guidelines and Standards* will lead to improved consistency in decision-making about what happens in the District and to the individual buildings.

The Historic Preservation Board has the ability and will review items prescribed by the document and has the tools to carry out the review as necessary. The Board confirmed that it was comfortable with the role and responsibility that the proposed *Guidelines and Standards* create for the Historic Preservation Board.

Please do not hesitate to contact the Historic Preservation Board if you have questions concerning this information.

Sincerely,

A handwritten signature in black ink that reads "David P. Bailey". The signature is written in a cursive, flowing style.

David P. Bailey  
Grand Junction Historic Preservation Board



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 4403 FOR THE PLANNED RESIDENTIAL DEVELOPMENT – NORTH 7<sup>TH</sup> STREET CONSISTING OF GUIDELINES, STANDARDS, AND REVIEW PROCESS BY WHICH NEW CONSTRUCTION OR ALTERATIONS WITHIN THE ZONE ARE DETERMINED**

Recitals:

After thorough review, deliberation and consideration the City Council of the City of Grand Junction has determined that the existing Planned Development zone created by Ordinance No. 4403 should be amended.

The approximately 6.63 +/- acres currently zoned *Planned Residential Development – North 7<sup>th</sup> Street* by Ordinance No. 4403 remain zoned PD – Planned Development with a default zone of R-8, all in accordance with the Zoning and Development Code (Code); however, by and with this ordinance a new Development Plan (“Plan”) for the PD zone district, governing construction or alteration of sites and/or structures within the zone district, is adopted.

In the public hearing on February 17, 2010, the City Council identified the need for standards and a review process for alterations to and construction of structures and sites within the unique, historic 7<sup>th</sup> Street neighborhood. The City Council charged the neighborhood residents and City staff to develop such standards and review process.

In response to that charge, the neighborhood residents, in a series of meetings and through a poll indicating the residents’ desires with respect to enhancing and maintaining the historic character of the neighborhood, developed the *North Seventh Street Historic Residential District Guidelines and Standards*. An organized neighborhood group presented the Guidelines and Standards to City staff. City staff and the neighborhood group then refined the *Guidelines and Standards* and included a process for review of applications for alteration/construction.

After thorough review, deliberation and consideration, the City Council of the City of Grand Junction finds that it is in the interest of the public to adopt the *North Seventh Street Historic Residential District Guidelines and Standards* as the new Plan for the *Planned Residential Development – North 7<sup>th</sup> Street* zone district.

The bulk, development, improvement, architectural and design standards shall be derived from the *North Seventh Street Historic Residential District Guidelines and Standards*. The R-8 default zone standards and the development standards of the Zoning and Development Code shall determine uses in the PD zone district and shall determine other development standards in the event that the *Guidelines and Standards* are silent on a development standard that is addressed by the Zoning and Development Code (as an example only and not by way of limitation, number of parking spaces required for a given use).

The Plan is intended to replace the prior development plan established by Ordinance No. 4403, including the review process established therein by which City Council was designated as the decision-maker. Under the Plan, the Director of the Department of Public Works and Planning shall initially determine whether the character of any proposed development application complies with the Zoning and Development Code and is consistent with the *Guidelines and Standards*, and make recommendations to the Historic Preservation Board. The Historic Preservation Board shall make decisions on applications for alteration/construction. That application/grant of approval is known as a Certificate of Appropriateness.

The Plan is also intended to replace the surveys, descriptions and depictions of properties within the zone district that were included in Ordinance No. 4403.

In addition, the City Council finds that the following three North 7<sup>th</sup> Street properties south of Grand Avenue are important to the North Seventh Street Historic Residential District because of their historic character, because of the contributing nature of their structures, and because of their inclusion on the National Register of Historic Places: the property located at 327 N. 7<sup>th</sup> Street (known as the Doc Shores House), the property located at 337 N. 7<sup>th</sup> Street (known as the White House), and the property located at 310 N. 7<sup>th</sup> Street (known as the Lowell School). Because these properties are not within the *Planned Residential Development – North 7<sup>th</sup> Street*, however, the application of the *Guidelines and Standards* to alterations/construction on these properties is, until such time as further legislative action is taken, advisory only.

The City Council finds that the content of the Plan established by this ordinance is consistent with and satisfies the criteria of the Code and is premised on the purposes and intent of the *Comprehensive Plan*.

Furthermore, the City Council has determined that the Plan achieves long-term community benefits by establishing a process, guidelines and standards for review of development in a unique, nationally recognized historic neighborhood in the City.

The City Council finds that the review process established in and by this ordinance will afford the highest quality development consistent with the needs and desires of the community.

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

That Ordinance No. 4403 is hereby amended as follows.

The properties within the *Planned Residential Development – North 7<sup>th</sup> Street* zone district as described and zoned in Ordinance No. 4403 shall be subject to the *North Seventh Street Historic Residential District Guidelines and Standards*.

In addition to the underlying zoning regulations described in Ordinance 4403, the design standards of the *North Seventh Street Historic Residential District Guidelines and Standards* (Exhibit A) shall apply.

Initial determination of compliance with the Guidelines and Standards shall be made by the Director, who shall then make a recommendation to the Historic Preservation Board. The Historic Preservation Board shall hear and decide applications for alteration/construction within the PD zone district. A decision of the Historic Preservation Board may be appealed to the City Council.

In addition, be it ordained that the design standards of the *North Seventh Street Historic Residential District Guidelines and Standards* (Exhibit A) shall apply to the property located at 327 N. 7<sup>th</sup> Street (known as the Doc Shores House), the property located at 337 N. 7<sup>th</sup> Street (known as the White House), and the property located at 310 N. 7<sup>th</sup> Street (known as the Lowell School) in an advisory manner. That is, the Historic Preservation Board and/or the Director may make advisory recommendations based on the Guidelines and Standards for development applications on these properties.

If this ordinance becomes invalid for any reason and/or the *Guidelines and Standards* are found to be inapplicable, incomplete or otherwise deficient to determine and application, then the *Planned Residential Development – North 7<sup>th</sup> Street* zone district properties shall be fully subject to the standards of the underlying zone district (R-8).

Introduced on first reading this 7<sup>th</sup> day of March 2012 and authorized the publication in pamphlet form.

Passed and adopted on second reading the \_\_\_\_\_ day of \_\_\_\_\_ 2012 and authorized the publication in pamphlet form.

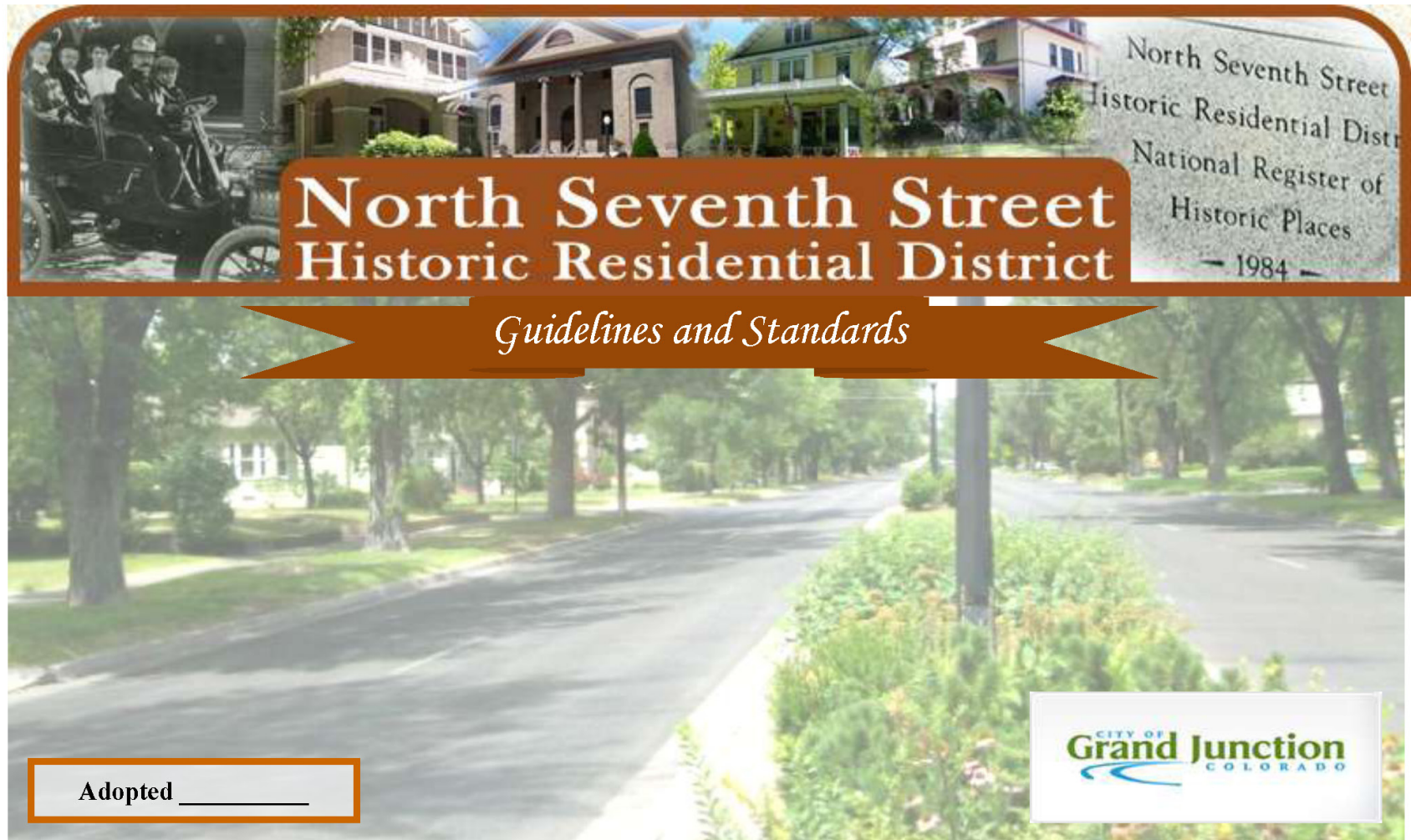
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President of the City Council

ATTEST:

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City Clerk



## Acknowledgements

We would like to acknowledge the fine residents of the North Seventh Street Historic Residential District for all their input and dedication to a continued vision and belief in a prosperous and enduring Historic District. We would also like to thank all the residents who attended the neighborhood meetings and gave their input while this document was drafted.

These Guidelines and Standards were made possible because of the hard work, guidance, and vision of the residents and the support of City Staff.

First Edition: December 2011

Owner: City of Grand Junction, Colorado

### SPECIAL APPRECIATION TO

Paul and Nicole Sizemore

Teddy and Kathy Jordan

Joe Hatfield

Bennett Boechenstein

Peter Robinson

City of Grand Junction Historic Preservation Board

City of Grand Junction Public Works and Planning Department Staff

Special recognition to Teddy Jordan for his photography

**Adopted**

**ACKNOWLEDGEMENTS**

**Page Number**  
**i**

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## I. HISTORY

The North Seventh Street Historic Residential District is the heart of the original square mile for the City of Grand Junction. Seventh Street was intended to be a park-like residential area where prosperous residents, who were instrumental in the development of a young city out west, built their homes.

North Seventh Street was a two-lane street with parking for vehicles in the front of their homes. Some of the homes still have a walk across the grass to access Seventh Street.

It has always been the showcase for all the city. Seventh Street was the route chosen for President George H.W. Bush and his wife, Barbara, to travel from the airport to the courthouse for the Education 2000 tour in 1991.

In spite of the traffic now impacting the area, it remains a close-knit neighborhood where neighbors visit neighbors on their front porches. Daughters or sons still get married in the family home or have their wedding receptions there.

Over the years, however, some homes on North Seventh Street have fallen victim to "progress", sacrificing historic preservation to modern expediencies.

The Grand Junction Town Company officers did more than develop lots and provide street names. They had great expectations for Grand Junction. They set aside parks in each quarter of the town, and developed certain areas with hallmarks of beauty, elegance and exceptional quality. Main Street and Grand and Gunnison Avenues were wider than other streets, and the lots facing those streets were deeper than most residential lots. Seventh Street was a fine boulevard, with landscaping in the center, and it was the only street with lots facing east-west rather than north-south. In harmony with the town officials' plan the homes on Main, Grand, Gunnison and especially Seventh Street were larger and more stately.



C.D. Smith

In 1923, C.F. Martin and C.D. Smith petitioned the Grand Junction City Council to have electric street lights installed on the parkway in the middle of Seventh Street. The city agreed. These lights were removed in 1965.

As a Bicentennial project Kathy Jordan, a North Seventh Street resident, petitioned the Grand Junction City Council for help in having lights of the period re-installed in the parkway. Neighbors on Seventh Street and many business people in Grand Junction donated time, money and materials. In December of 1975, Kathy, along with city council members, flipped the switch to turn the lights back on.

In 1984 Kathy Jordan was instrumental in getting the area placed on the National Register of Historic Places with the U.S. Department of Interior. The goal was to preserve the vision that the founding fathers had for this neighborhood.

A cluster of the first homes on Seventh Street were constructed by members of the same family, starting with Cyrus "Doc" Shores. Shores built his home at 427 North Seventh Street in 1893.

Franklin I. Lee built his home at 402 North Seventh Street in 1903. His wife, Laura, was the daughter of M.M. (Marcus Morton) Shores, the brother of "Doc" Shores. Franklin's father, W.H. Lee built the house at 406 North Seventh Street in 1906.

418 North Seventh Street was also built by Franklin, I. Lee in 1904. 428 North Seventh Street was built by Allison "Roe" Monroe in 1900. His wife's sister was married to Doc Shores.

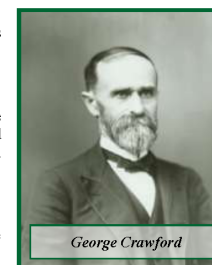
520 North Seventh was built by Mr. and Mrs. O.H. Ellison in 1924. Mrs. Ellison was the daughter of M.M. and Laura Shores.

The White House at 337 North Seventh Street, (the green house at the corner of Seventh and Grand) was built by W.F. White who owned the White Mercantile Co. at Fifth and Main. Claims have been made that this home was built for George Crawford; however, Mesa County records show that the house was built in 1893, two years after Crawford's death. Crawford's name is on record showing he owned the land, but his name is on most of the property deeds for the original square mile because he was the developer. George Crawford lived in the Hotel Brunswick, a hotel he built, or on his Rapid Creek Ranch when in Grand Junction. Crawford's niece, Josephine Rich, did build a home in the 500 block of North Seventh Street in 1892.

Eight homes were built from 1883 to 1899. Of those eight structures, only six remain.

The years 1900 to 1909 showed the largest growth on Seventh Street with eighteen homes constructed. Of those eighteen homes, sixteen remain. From 1910 to 1919 four homes and one church were built and they are all still standing.

From 1920 to 1970 six homes, one school, one duplex and one church were built. They are all still standing. Currently, there are 35 structures in the District.



George Crawford

Adopted

Section I  
HISTORY

Page Number  
1

## II. PROJECT BACKGROUND

The City of Grand Junction's *Comprehensive Plan* (adopted February 17, 2010 - pp. 108 – 109) states:

### *Retaining our Heritage*

#### *Historic Buildings and Neighborhoods*

*Many communities have started to capitalize on their best assets such as historic buildings. Grand Junction has, like most cities, seen many of its' historic buildings replaced with new construction. Appropriate historic buildings should be preserved to the extent possible. Modifications and additions to historic buildings are acceptable if the alterations are constructed to compliment the original character. The neighborhood just north of the Downtown retains the original grid pattern of tree-lined streets and many older homes. To allow the Downtown to grow but not disturb the character of this neighborhood, the Plan recommends that increased density be allowed in this neighborhood through Accessory Dwelling Units.*

#### *Individual Neighborhood Character*

*The Community has expressed the desire to foster neighborhood identity. This can be accomplished through many elements and aspects such as parks, schools, signage, architecture and streetscape that becomes specific to that neighborhood. Many strategies to foster neighborhood identity, as well as specific land use issues and goals, are addressed in the various neighborhood and area plans adopted by the City and County. The Comprehensive Plan supports these individual neighborhood and area plans of the region. Several of the plans were incorporated into the 2009 Comprehensive Plan. However, others are out of date and need revision. During the revisions, these neighborhood and area plans are to adapt the Comprehensive Plan to each neighborhood at a finer, more detailed level. (Housing Variety Recommendations and Grand Valley Housing Strategy)*

On February 17, 2010, a public hearing was held for the adoption of Ordinance 4403 to replace Ordinance 2211 that was adopted in 1984. At that meeting, the City Council requested that the City of Grand Junction Planning staff work with the neighborhood on specific historic preservation guidelines and standards for the North Seventh Street Historic Residential District.

The Grand Junction Historic Preservation Board has agreed to be responsible for preserving the historical value and character of the District's structures by reviewing and deciding development applications through use of these design guidelines and standards. The City Council will hear appeals.

If properly adopted, administered and adhered to, the North Seventh Street Historic Residential District Guidelines and Standards will result in appropriate improvements that achieve a common level of quality in terms of allowed land uses, site design, architectural design, landscaping and other site improvements.

The general purposes of the North Seventh Street Historic Residential District Guidelines and Standards are:

- ◆ To preserve and protect the single-family residential character of the District
- ◆ To preserve the historical and/or architectural value of buildings
- ◆ To create an aesthetic appearance of the properties and the streetscape within the District that complements the historic buildings
- ◆ To stabilize property values

The North Seventh Street Historic Residential District Guidelines and Standards are based upon an analysis of the existing character of the North Seventh Street Historic Residential District. The Guidelines and Standards were developed through a collaborative neighborhood-based process. Property owner surveys, public meetings, and guideline development exercises were coordinated by Seventh Street residents and this document is the final result of these efforts.

**Adopted**

**Section II  
PROJECT BACKGROUND**

**Page Number  
2**



### III. HOW TO USE THIS DOCUMENT

#### Getting Started

If you are thinking about developing or redeveloping property in the North Seventh Street Historic Residential District, you should contact the City Planning Division. They can provide an overview of the planning process and answer any questions you may have.

The North Seventh Street Historic Residential District Guidelines and Standards will provide the site and building design vision that are appropriate for all property in the District. The intent of this Guidebook is to provide a template for development and redevelopment within the District. Each standard is drafted to provide a maximum degree of flexibility and creativity in design, while conforming to a consistent and well-planned vision for the District. The architecture of your project must be of a valid recognized style as described in this document. Site design, streetscape, landscape and other elements will be consistent with the architectural style of each property.

#### How this Book Relates to Other City Regulations

The North Seventh Street Historic Residential District Guidelines and Standards provides the ultimate vision and patterning for development and redevelopment of the District. It is to be used in conjunction with the City of Grand Junction Zoning and Development Code to guide development according to the principles of historic preservation. It includes specific materials, styles, orientation, and other design criteria which, when in conflict with another adopted standard, the more restrictive provision shall apply. Interpretation of the application of regulations, performance standards, criteria, definitions, procedures or any other provision of this guidebook shall be the responsibility of the City of Grand Junction Historic Preservation Board.

#### How to Determine the Guidelines and Standards that Apply to a Particular Property

Structures within the North Seventh Street Historic Residential District are divided into two categories: contributing and non-contributing structures. The following page (page 4) has a detailed definition of each term as well as a list of all the properties in the district and how they relate to these terms.

A contributing structure is a structure that already adheres to and/or complies with these Guidelines and Standards in their entirety at the time of adoption. The Guidelines and Standards that are applicable to contributing structures are found in Sections VI, VII and VIII and IX of this document.

A non-contributing structure is a structure that does not adhere to and/or comply with these Guidelines and Standards in their entirety at the time of adoption. The Guidelines and Standards that are applicable to non-contributing are found in Sections VI and VII and IX of this document.

**Continued alteration of structures over time can lead to the District being re-evaluated for its designation status on the National Register of Historic Places by the National Trust of Historic Preservation and the Department of the Interior. If alterations to the exterior of a structure have degraded its historic integrity, a structure may be determined to no longer be a contributing structure. If too many structures are altered, the District may lose its designation status due to no longer having enough contributing structures. Similarly, alterations that enhance a non-contributing structure may result in the structure becoming contributing. The intent of these guidelines and standards is to maintain and enhance the existing structures in order to maintain the designation status on the National Register of Historic Places.**

Adopted

Section III  
HOW TO USE THIS DOCUMENT

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#### A. CONTRIBUTING AND NON-CONTRIBUTING STRUCTURES

Properties within a historic district fall into one of two types of property: contributing and non-contributing.

A **contributing building, site, structure or object** adds to the historic architectural qualities, historic associations, or archeological values for which a property is significant because (a) it was present during the period of significance and possesses historic integrity reflecting its character at that time or is capable of yielding important information about the period, or (b) it individually meets the National Register eligibility criteria. For inventory purposes, “primary” shall be used synonymously with “contributing”.

This classification has been designated through a survey and a formal hearing process. Contributing structures were identified on North Seventh Street when the National Register Historic District was formed 1984.

A **non-contributing building, site, structure or object** is located within the historic district but does not meet the requirements (a) or (b) listed above.

CONTRIBUTING STRUCTURES	NON-CONTRIBUTING STRUCTURES
327 North Seventh Street – Doc Shores House 337 North Seventh Street – White House 407 North Seventh Street – Bull House 433 North Seventh Street – Moore House 445 North Seventh Street – Martin House 505 North Seventh Street – Sampliner House 515 North Seventh Street – Sampliner House 535 North Seventh Street – First Church of Christ, Scientist 605 North Seventh Street – Brainerd House 611 North Seventh Street – Blackstone House 621 North Seventh Street – Honeymoon Cottage 625 North Seventh Street – Wilson House 639 North Seventh Street – Murr House 707 North Seventh Street – Wickersham House 727 North Seventh Street – Sinclair House 731 North Seventh Street – Lough House 739 North Seventh Street – Houskins House 750 North Seventh Street – Akers House 712 & 714 North Seventh Street – Home Loan Duplex 706 North Seventh Street – Pabor House / Pansy Cottage 640 North Seventh Street – Ferbrache House 620 North Seventh Street – Moyer House 604 North Seventh Street – Talbert House 536 North Seventh Street – Smith/Schmidt House 520 North Seventh Street – Ellison House 710 Ouray Avenue – Sickenberger House 440 North Seventh Street – Smith/Jordan House 428 North Seventh Street – Allison House 720 Grand Avenue – First Baptist Church 310 North Seventh Street – Lowell School	417 North Seventh Street – Waren House 522 North Seventh Street – Brunner House 626 North Seventh Street – Barkuloo 715 North Seventh Street – Day Care 726 North Seventh Street – Davis House

Adopted

Section III  
HOW TO USE THIS DOCUMENT

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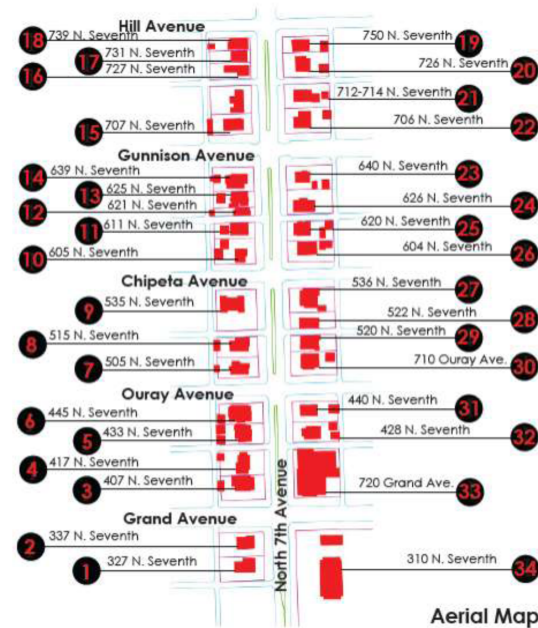
These guidelines and standards supplement other development regulations such as the *City Zoning and Development Code*, which includes detailed criteria by zone district, planned development regulations, design and improvement standards, supplemental use regulations, sign regulations, and the *City Transportation and Engineering Design Standards (TEDS)*. The guidelines and standards identify design alternatives and specific design criteria for the visual character and physical treatment of restoration within the North Seventh Street Historic Residential District.

A complete inventory of all the properties and the site characteristics in the North Seventh Street Historic Residential District at the time this document was adopted (see bottom left-hand corner of this page) is included in Appendix A. This inventory is intended to serve as one resource to assist in the review of development applications. There may be additional historical information or archeological resources that should be taken into account when determining historical appropriateness.

### North Seventh Street Historic Residential District



The North Seventh Street Historic Residential District is Grand Junction's only Nationally Registered historic neighborhood. On the next page is an aerial map of the district. A detailed inventory depicting the architectural styles of the thirty five (35) structures is included in Appendix A.



#### IV. LAND USE AND ZONING

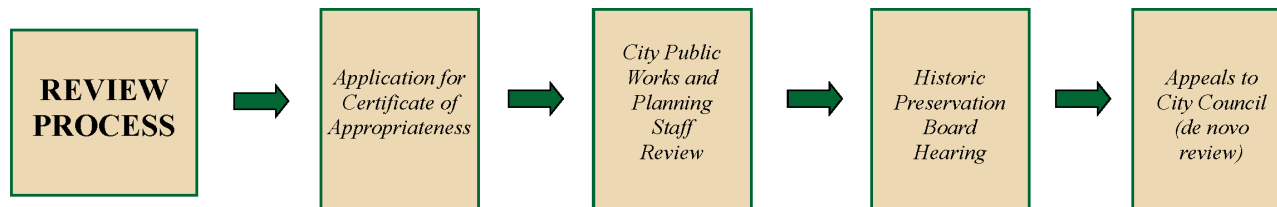
The zoning for the majority of the North Seventh Street Historic Residential District is Planned Development Residential, with a default Residential 8 (R-8) zone. These Guidelines and Standards do not affect allowable uses or zoning.

Included in the North Seventh Street Historic Residential District are three properties south of Grand Avenue: two converted houses on the west side of Seventh Street and the R-5 High School on the east. The houses are zoned Downtown Business (B-2) and the school is zoned Community Services and Recreation (CSR). For more information refer to the City of Grand Junction Zoning and Development Code.



## V. REVIEW PROCESS

A. All applications for alterations, new construction or site improvements within the North Seventh Historic Residential District shall be reviewed through the following process.



### B. PRE-EXISTING NON-COMFORMING STRUCTURES - GRANDFATHERING

Structures and uses which exist at the time of the adoption of these regulations and which do not meet the requirements of these regulations at the time of adoption are considered legal and may continue indefinitely as long as they maintain their current size and scope as legally non-conforming uses and structures. Such non-conforming uses and structures may not be expanded or enlarged without meeting the requirements of the guidelines and standards.

### C. GUIDELINES AND STANDARDS DEFINED

**Guidelines** are permissive statements intended to be used as recommendations by homeowners and boards in making decisions.

**Standards** are mandatory statements that are required and must be met.

Adopted

Section V  
REVIEW PROCESS

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## VI. DISTRICT WIDE DESIGN GUIDELINES AND STANDARDS

### 1. Minimum Bulk Requirements/Standards

#### **Guideline**

Consistent setbacks and placement of buildings on lots will maintain the cohesive character within each block and within the North Seventh Street Historic Residential District.

#### **Standards**

a) Setbacks for primary structures within the District shall be as follows:

Front Setback Seventh Street: 25  
Front Setback Side Street: 10 feet  
Side Setback: 5 feet  
Rear Setback: 10 feet  
Maximum Height: 35 feet



b) Setbacks for accessory structures within the District shall be as follows:

Front Setback Seventh Street: 30 feet  
Front Setback Side Street: 10 feet  
Side Setback: 3 feet  
Rear Setback: 5 feet  
Maximum Height: 35 feet



**Adopted**

**Section VI  
DESIGN GUIDELINES AND STANDARDS**

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## 2. Vistas

### Guideline

The unique buildings of the District are bordered by a mature, tree-lined street, which creates an extended horizontal view. These open views give the buildings visibility and provide safety. Through application of the North Seventh Street Historic Residential District Guidelines and Standards the City and all new development and redevelopment will maintain these vistas. One important way to accomplish this goal is to minimize visual clutter and distractions at street corners.



### Standards

- a) Maintain the direct visual line of sight up and down the corridor and at the cross street corners by adhering to front setbacks.

## 3. Landscaping in the Public Right-of-Way

The North Seventh Street Historic Residential District's unique streetscape has historical significance in its own right. Through application of the North Seventh Street Historic Residential District Guidelines and Standards the City and residents will adhere to the standards of this section. New nonresidential uses shall also implement the mandatory standards of this section as a part of the required site landscaping.

### Standards

- a) Maintain, and restore where missing, the historic spacing of street trees along the North Seventh Street Historic Residential District corridor. Street trees along North Seventh Street Historic Residential District provide full canopy coverage shade for residents and pedestrians. Street trees should remain intact, with new trees planted to fill in where they may be missing or as aging trees are replaced. Trees in the park strip shall be spaced 25 to 35 feet apart, depending on the tree species.
- b) Maintain and enhance the historic character of landscaping in the median and the park strip between the curb and sidewalk along North Seventh Street Historic Residential District. Materials should be primarily grass, street trees, flowers and low ornamental plants. Landscaping these areas with non- living material is prohibited.
- c) Park strips shall not be planted with dense, tall materials as they detract from the overall character of the streetscape and impede visibility and safety for pedestrians and vehicles.



Adopted

Section VI  
DESIGN GUIDELINES AND STANDARDS

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#### **4. Residential Landscaping**

##### **Guidelines**

- a) Property owners should maintain and enhance historically appropriate landscaping in front yards and park strips.
- b) Materials should be primarily grass, flowers, trees and low ornamental plants. Refer to the overall district character inventory form in Appendix A and the historical plantings listed in Appendix F.
- c) A minimum of 40 percent of front yard areas (not counting planting beds) should be maintained as grass or other low, living green ground cover.
- d) Hedges and other landscaping materials should not impede the views of the primary buildings from North Seventh Street..

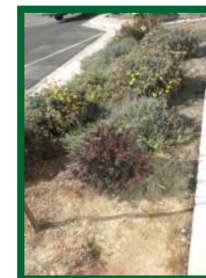


#### **5. Landscaping for Non-Residential Uses**

##### **Guidelines**

Applications for non-residential land uses within the District will comply with the City's landscape regulations. In addition, landscape choices should be sensitive to the unique context of the District's primarily residential character. All required landscape plans are to be signed with a seal by a registered landscape architect. Lots containing nonresidential uses should be landscaped, with appropriate foundation plants, shrubs, ground cover beds, hedges and fences to frame the architecture of buildings.

- a) Maintenance of all plantings, including watering, mowing, weeding, edging, fertilizing, pruning, insect control, removal and replacement of dead or damaged plan materials is encouraged for properties within the Historic District.
- b) The landscape should be covered by an automatic irrigation system.
- c) All lawn areas should be sodded. Planting drought tolerant turf varieties is encouraged.
- d) Ground cover beds should be mulched or graveled as necessary.





## 6. District Identification

### Guideline

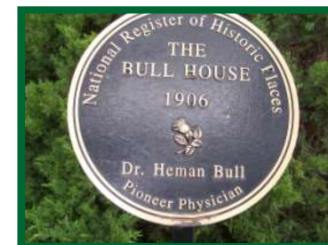
Identification of the boundaries of the District is an important means of enhancing its recognition as a historical and cultural resource to the community. The City should endeavor to replace historic street names in the sidewalk at all cross-street intersections within the District. Historic street name signs with a distinctive logo are encouraged to replace the standard street name signs. Signage indicating the northern and southern limits of the District should be maintained and enhanced as necessary.



## 7. Building Identification

### Guideline

Through application of these Guidelines and Standards the City, in cooperation with the Seventh Street residents, should develop signage which is compatible with existing signage documenting the history of significant properties within the North Seventh Street Historic Residential District. This will provide downtown walking traffic the opportunity to learn about the unique historical background of significant residences within the North Seventh Street Historic Residential District.



Adopted

Section VI  
DESIGN GUIDELINES AND STANDARDS

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## **8. Utility Systems**

### **Guidelines**

1. Energy and water system improvements serving a greater efficiency are encouraged, provided that they do not adversely impact the historic integrity of a building or the District, by being generally placed out of view from the North Seventh Street public right-of-way.
2. The more common utilities serving properties in the District are telephone and electrical lines, gas meters, air conditioners, evaporative coolers, and telecommunication systems. However, other systems are becoming more economically viable and accepted for use such as solar panel devices and rain water harvesting systems. Visual impacts associated with utility systems should be minimized.

### **Standards**

1. Systems shall be designed to be unobtrusive and not in view of the North Seventh Street public-right-of-way.
2. Alternative roofing materials such as photovoltaic panels shall be located on the side and back elevations of the building.
3. Utility systems shall not be constructed into the front elevation of roof line of the building.
4. Satellite dishes shall not be placed in view of the North Seventh Street public right-of-way.



**Adopted**

**Section VI  
DESIGN GUIDELINES AND STANDARDS**

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## 9. Fencing

### Guideline

Fencing materials and styles should complement the character of the District. Fence styles, particularly in front yards, should be similar to those from the restoration era of the buildings on site. Modern or artificial materials, such as plastic and vinyl, are not appropriate fencing materials. In addition to the regulations for fences applicable to the R-8 zone, fences in the District shall adhere to the requirements of this section.

- a) Front yard fences should be a maximum height of 48 inches measured from the street side.
- b) Maximum opacity for front yard fences should be 60 percent.
- c) Side and rear yard fences should be a maximum of 6 feet high measured from the street side of the fence. They should be between 60 percent and 100 percent opaque. They may extend to and be placed on property lines
- d) The transition between front yard fences and side and rear yard fence should occur five feet behind the front building setback line or three feet behind the front façade line, whichever is greater.
- e) Chain link, split rail and wire mesh fencing should not be used within the District.



**Adopted**

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DESIGN GUIDELINES AND STANDARDS**

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**10. Parking for Multifamily and Non-Residential Uses**

**Guideline**

Parking for uses other than single family residences should be accommodated primarily on-site and to the rear of lots in order to maintain the residential character of the neighborhood. In addition to other parking standards of the Zoning and Development Code, the guidelines and standards of this section shall apply.

**Standards**

- a) Parking shall be placed to the rear of the lot in relation to Seventh Street.
- b) Parking adjacent to a side street shall be screened from view with a 42 inch tall fence and minimum 3 feet landscape buffer area with planting height no less than 42 inches tall.
- c) Parking adjacent to another lot shall be screened with a fence or a continuous hedge of at least 42 inches in height planted at a minimum 3 gal./30 inches on center or a six foot tall opaque fence.



**Adopted**

**Section VI  
DESIGN GUIDELINES AND STANDARDS**

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## 11. Individual Building Signage for Non-Residential Uses

### Guideline

The overall visual impression and ability for one to find his or her way can be significantly impacted by the collective image projected by local signs. It is the intent of this document to promote the concept that signage is subservient to architecture and should be understated. To prevent the confusion and clutter that can result from unrestricted signage, specific criteria has been developed. Signage in the District should be discreet and maintain the residential character of the neighborhood. Generally, signage should reflect styles and materials that are consistent with the restoration era.

Below are some examples of signage that would be consistent with architecture and style in an historic area.

### Standards

Please refer to the City of Grand Junction Sign Code.



Adopted

Section VI  
DESIGN GUIDELINES AND STANDARDS

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## VII CONTRIBUTING STRUCTURES, NON-CONTRIBUTING STRUCTURES AND NEW CONSTRUCTION

### 1. General Guidelines

New construction in the North Seventh Street Historic Residential District is allowed, as long as the design, siting, and construction are congruous with the character of the District. It is preferable to design congruous contemporary structures rather than duplicate or mimic the design of historic buildings in the District. Siting is critical due to various lot configurations and in considering the overall appearance within the context of neighboring buildings set within the immediate block.

Important design considerations for new buildings include height, massing, scale, form, texture, lot coverage, setbacks, spacing of buildings, orientation, and alignment. Congruousness of proposed foundations, porches, landscaping, utility systems, and other site features are also important.



**Adopted**

**Section VII  
DESIGN GUIDELINES AND STANDARDS**

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## **2. Building Proportions, Mass and Form**

### **Guideline**

Maintaining a building's historical massing, scale and height gives the North Seventh Street Historic Residential District a unique appearance that helps preserve its historical character and reinforces the North Seventh Street Historic Residential District's architectural period and style.

The arrangement of building components or volumes into a whole structure constitutes its mass and scale. Typically, simple rectangular solid forms are appropriate. The building's overall massing and form shall honor its historical style. In the North Seventh Street Historic Residential District, the building forms have historically reflected a human scale.

### **Standards**

- a) Buildings shall be similar in height and width to buildings on adjacent sites and block. Two alternatives to this standard are:
  - i) New buildings that are wider than the buildings on adjacent sites may be constructed by breaking the building mass or dividing the mass of the building width in appearance to conform to building widths on neighboring properties.
  - ii) A new building which is wider and higher than buildings on adjacent sites may be constructed if the new building is broken up into smaller segments that are more similar to adjacent buildings and if the height of the building at the street façade and at the sides facing adjacent sites is similar to the height of buildings on those sites. This is achieved by placing the taller masses away from the street and adjacent buildings to either side.
- b) Foundation height shall be similar in proportion and appearance to neighboring buildings.
- c) Buildings shall not be constructed which do not maintain or blend with the heights of buildings on adjacent sites.
- d) Buildings shall not be constructed which do not maintain or suggest the widths of buildings on adjacent sites.



**Adopted**

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DESIGN GUIDELINES AND STANDARDS**

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**Standards Continued**

- e) New buildings shall reinforce a pedestrian-friendly character from the front elevation by maintaining the similarity of building, roof form, and front porches traditionally found on the block when appropriate.
- f) New buildings shall use massing and form similar to neighboring buildings. Design shall convey a human scale through the use of traditional mass, sizes, materials, and window openings.
- g) New construction shall incorporate design elements such as roof forms, lines, openings, and other characteristics commonly found in the district.
- h) New construction may have a building form which is unique in the district but relates to the neighboring buildings and to the neighborhood through its overall massing.
- i) New construction shall not use massing and building forms which are foreign to the historic district as determined by the Historic Preservation Board.



**Adopted**

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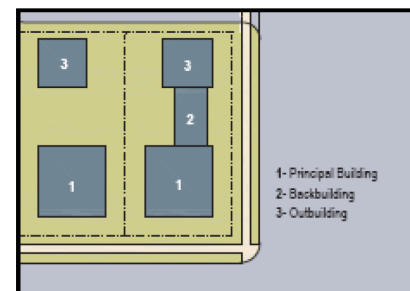
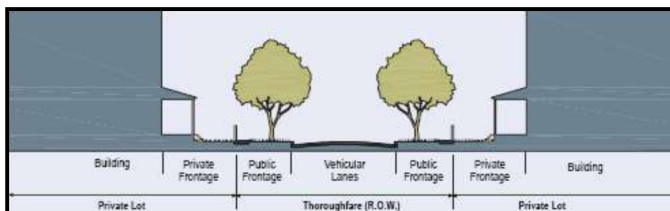
### 3. Orientation and Lot Coverage

#### Guidelines

New buildings should be oriented parallel to the street and provide visual continuity with proportional lot coverage similar to other buildings on the same block. The principal façades of new buildings within the district should be oriented to the street. Main entryways should be located along these principal façades. This is a consistent pattern throughout the District which should be preserved to maintain the prevailing visual continuity. When this pattern of primary façades and entryways is moved from the street side of the building, the activity along the street is lost and the character of the District changes. General proportions of buildings-to-lot areas should remain consistent with their historic appearance. Lot coverage should be similar in proportion to the lot coverage of neighboring lots. Side and rear setbacks will be governed by zoning and will limit the minimum spacing between buildings; however, the overall proportions of building-to-lot area should remain consistent from lot to lot along the block.

#### Standards

- a) Accessory dwelling units, accessory buildings, and garages shall be subordinate to the primary residential building on the site by placing the structure to the rear of the lot.
- b) Primary façades of a new building shall be oriented parallel to the street.
- c) Primary entrances shall be provided on the street façade.
- d) The primary entrance shall be enhanced through the use of steps, functional porches, stoops, porticos or other design features appropriate to the architectural style of the building.
- e) New construction shall maintain proportional lot coverage as found on the neighboring properties of the same block.
- f) Garages shall not be constructed as part of the primary building. Garages shall be accessed from the alley.



Adopted

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#### **4. Alignment, Rhythm, and Spacing**

##### **Guidelines**

Proportions of the façades and the spacing of the buildings should be consistent along the street of the District. Along a block, the uniformity of the proportions of the façades and the spacing of the buildings must be considered in new construction to achieve harmony along the streetscape. Spacing between buildings should be consistent along the street in order to maintain the rhythm that is traditionally prevalent on the street in the District. Houses built up until the mid-1930s tend to have substantial front porches and often rear or side porches as well. Porches, projecting bays, balconies, and other façade elements are encouraged and should be aligned with those of existing buildings along the street. This alignment creates harmony and maintains the rhythm of façade proportions along the block length. Front widths of new buildings should correspond with existing building widths; however, a wider façade can be broken into separate elements that suggest front widths similar to those of neighboring buildings. Where lots are combined to create a larger development, the building-to-lot proportions should visually suggest a relationship with adjacent buildings by breaking large building masses into smaller elements. Where a building site is comprised of multiple lots, the new building should be clearly of similar proportion to other buildings on the same block.

##### **Standards**

- a) New building façades shall align with the façades of existing buildings on adjacent sites.
- b) New buildings shall be constructed with similar spacing relative to other buildings along that street.
- c) Buildings shall not contain a primary entrance that is simply a door and provides little or no transition from outside to inside.
- d) Primary entrances shall not be at-grade as virtually all existing homes with historic significance provide a “stepping up” to the front entrance.



## **5. Exterior Materials**

### **Guidelines**

Use similar building materials as those found within the District. Prevalent styles found within the District use a variety of common building materials. Clapboard or shiplap wood siding (two to six inches wide), brick, stucco and sandstone are dominant exterior materials. Sandstone blocks are generally relied upon for foundations. Stucco, rusticated concrete block and stone were sometimes used solely as wall materials or for ornamentations. In new construction, the use of the historic building materials is favored. Several common materials to choose from include wood siding, composite wood-resin and fiber cement siding among others. As historic homes age, exterior materials inevitably need replacement, repair or restoration. Whether scientific advancement has deemed a certain material unsafe or a material is simply worn, it is important to replace these materials in a manner that reflects the building's historical style in order to preserve the North Seventh Street Historic Residential District's overall character.

- a) Exterior surfaces should be replaced with historically accurate materials.
- b) If it is not possible to replace materials with like materials, exterior wall surfaces, foundation, roofing, trim, gutters, downspouts, exterior lighting and other unique detailing may be replaced with modern materials with an appearance similar to original materials.
- c) Hazardous materials that do not pose a threat may remain a part of the structure.



**Adopted**

**Section VII  
DESIGN GUIDELINES AND STANDARDS**

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**Exterior Materials Continued**

**Standards (Applies to contributing structures only)**

- a) Exterior wall materials shall be those that are commonly present in the District.
- b) The predominant texture of the new building shall be consistent with the texture of historic materials in the District.
- c) Allowable siding materials for new construction include, but are not limited to, wood, painted composite wood-resin or fiber cement siding.
- d) Prefabricated or metal buildings are prohibited.
- e) New vinyl and aluminum exterior siding materials are prohibited, except as replacement material on non-contributing structures.
- f) Exterior Insulation and Finish System (E.I.F.S.) or similar are prohibited.



**Adopted**

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## **6. Porches, Stairs, Entries and Doors**

### **Guidelines**

1. Front porches are common in the District and are strongly encouraged on new principal structures.
2. A key characteristic of many of the buildings in the North Seventh Street Historic Residential District is the pattern and prominence of the raised, first floor front porches, regardless of the architectural style or period. This important element of the streetscape and its components of construction should be maintained.
3. The buildings in the North Seventh Street Historic Residential District were designed to face North Seventh Street. This is Grand Junction's only downtown residential example where entire blocks of houses face a north-south street. This detail is a defining characteristic for most of the North Seventh Street Historic Residential District and should be maintained. Modification of the size and/or location of the doorway change the overall style of a building's façade.

### **Standards (Applies to contributing structures only)**

1. Front porches shall be maintained as integral parts of the overall building character and style.
2. The ground plane of any new entry platform or stairs shall stand no higher than one-half a story from the base of the structure.
3. An open porch shall be enclosed with screening providing the original lines of the porch roof, eaves and supports are preserved. Enclosure of any porch with a material other than screening is prohibited.
4. Buildings entrances shall be maintained in their historical location.
5. Doorway materials and design shall be consistent with the architectural style of the building.
6. Door cases shall be designed with depth and visual relief.



**Adopted**

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**Standards Continued**

7. Doors shall be of overall proportions similar to those used on buildings on adjacent sites.
8. Screen doors that are simple in design and blend with the design of the inner door and the house shall be used.
9. Aluminum doors with mill, brush or polished finish or metal louvered doors shall not be used.



**7. Accessibility and Fire Escapes**

**Guidelines**

- a) The materials and design of ADA accessible ramps should be compatible with the architectural style of the building. The ramp must provide a non-skid surface and have no greater than a 1 to 12 slope.
- b) The addition of a fire access should reflect design elements of the building.
- c) For uses that are subject to the Americans with Disabilities Act, all ADA requirements will be honored.



**Adopted**

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## **8. Windows and Façade Treatments**

### **A. General Guidelines**

1. Maintain similar solid-to-void ratios of a new building to those of buildings on adjacent sites within the block with overall proportions of windows, doors, and front façades. The front façades of buildings within the District vary in style and detail; however, certain proportional relationships exist among buildings in the immediate setting. The importance of the relationship between the width and height of the front elevation of buildings on the block has already been discussed. Beyond that, the proportion of openings on the street-side façade, or more specifically, the relationship of width to height of windows and doors and their placement along the façade should reflect the same relationships along the street.
2. Driving or walking down Seventh Street, a pattern of window and door openings becomes evident along the block. This rhythm of solids to voids, walls to windows, and juxtaposition of stronger and less dominant elements should be reflected in the façade of a new building. Windows give scale to buildings and visual attention to the composition of individual façades. Many historic building styles have distinctive window designs. Historic windows are generally inset into relatively deep openings or surrounded by casings and sash components that cast shadows and provides depth and relief. Windows in new construction should have similar characteristics.
3. Windows are an important design element as they are able to establish the scale and character of the building. Windows and window patterns in new construction should be of similar proportion and size to the windows of the other buildings within the neighborhood. For the majority of neighborhoods developed prior to the 1940s, the rule of thumb for windows is generally vertical, double-hung or casement and wood-framed. When placed in pairs or in groups of three, as many Craftsman houses, these create a horizontal impression. Historic architecture styles display a thoughtful use of natural lighting, often with numerous and well placed arrangement of windows. Doors are also important character-defining features of buildings throughout the District. Original doors on houses from historic styles are generally divided into wood panels and glass. Many doors also have glass side lights and transoms. New doors should reflect these patterns.



**Adopted**

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#### Guidelines Continued

4. New buildings should have double or single-hung sash windows and provide windows of overall proportions similar to those used on buildings on surrounding sites within the block.
5. New buildings should have a ratio of wall-to-window or solid-to-void that is similar to that found on other historic buildings within the block and found throughout the District. They should provide a pattern of windows and doors on the facade which recalls similar patterns on facades of other buildings in the District.
6. Window cases should be designed with depth and visual relief.
7. It is appropriate to use wood or similar looking materials such as aluminum clad or vinyl windows that provide depth and texture similar to appearance to historic wood windows on the primary façade. Other window materials may be considered on the secondary elevations of the new building.
8. It is appropriate to use removable storm windows that blend the texturing and match sash styles so they do not appear obtrusive or out of place.
9. Multiple windows styles should not be used throughout a new buildings.



#### Standards (Applies to contributing properties only)

1. Window shape, alignment and style shall be protected to preserve the building's historic character.
2. Window materials shall be maintained in a historically accurate manner.
3. Any alteration of windows shall maintain the historic pattern of their vertical and horizontal rhythms.
4. Openings shall not be enlarged, closed off, or otherwise altered in form.
5. Shade structures such as awnings may be appropriate additions to windows provided the design and materials are consistent with the architectural style. Primary materials shall be cloth and wood. Plastic, vinyl and metal shade structures are not allowed.



**Adopted**

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## 9. Roof Forms and Materials

### Guidelines

Use similar roof forms, slope ratios and materials drawn from historic structures in the District. Roofs are major features of most historic buildings and when repeated along a street contribute toward a visual continuity. The architectural character of older buildings is generally expressed in roof forms and materials.. Roofs in the North Seventh Street Historic Residential District are simple in form with gabled, hipped or occasionally a combination of the two. Roofs purposely extend beyond the building walls to protect the window and door openings and provide shade. These eaves are sometimes enclosed with wood soffits (the underside of a roof overhang) which are vented. Various materials are used for the roofs of buildings throughout the District, but shingles of varying materials predominate. Some of the more common materials are wood shingle, clay tile, composition material such as asphalt or asbestos shingles, tin and slate. The design of roofs for new buildings should be congruous to the size, shape, slope, color and texture of other roofs on the block.

- a) The roof on a new building should relate to the overall size, shape, slope, color, and texture of roofs on adjacent sites or in other areas of the District. Special consideration shall be given to front-facing façades.
- b) Gable and hipped roofs should be used as primary roof forms that may protrude beyond the plane of the building walls.
- c) The majority of the roof should be of a pitch of 6:12 or greater. Shed roofs may be appropriate for some porch additions.
- d) Roofs should include eaves and decorative elements such as corner boards and brackets shall be used under the eaves to provide depth and relief.
- e) The visual impact of skylights and other rooftop devices visible to the public should be minimized; these should be located toward the rear of a house.

### Standards (Applies to contributing properties only)

- a) Materials on a new roof or replacement roof should be similar to materials found on roofs in the District.



Adopted

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## 10. Trim and Details

### Guidelines

- a) Exterior trim details on new construction should provide a visual link between the old and new buildings. New construction should not necessarily copy every detail of a style or period of architecture found in the District; rather new construction should be congruous. Using similar forms such as those found in windows, doors, parapets, rooflines, and other façade elements without replicating them can help establish continuity and compatibility within the block and the District. The trim and details of new buildings offers a way to link to the past while still acknowledging a clear differentiation in the present. New details and trim should be well integrated into the design and used to accomplish functional as well as decorative purposes, such as: to express a change of plane; to finish what would otherwise be a ragged edge; to act as a transition between different materials; or even the simple function of shedding water. Detail should be functional with a high level of craftsmanship, rather than simply applied decoration.
- b) Whenever possible, windowsills, moldings, and eave lines should be aligned with similar elements on adjacent buildings within the block.
- c) It is not appropriate to use architectural details in ornamentation that confuse the history or style of a building. For example, do not use Victorian details on minimal traditional homes.



**Adopted**

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## **11. Additions**

### **Guidelines**

The landmark structures along North Seventh Street historically define the North Seventh Street Historic Residential District. Each landmark structure should be maintained and each building's historical form should not be altered in order to preserve the character of the North Seventh Street Historic Residential District.

- a) Additions should not exceed 35 percent of the gross square footage of the principal structure and not be visually prominent from North Seventh Street. The appearance of additions should be subordinate to the principal structure and should not alter the original proportions of the front façade.
- b) Additions should not alter the historical alignment of structures in relation to North Seventh Street.
- c) The setback of the addition should preserve the historic eave or roof line of the original structure.
- d) The height of the addition should not exceed the overall height (roof peak) of the original structure.
- e) The materials used for additions should be similar to materials used in the original construction.



## **VIII. CONTRIBUTING STRUCTURES GUIDELINES AND STANDARDS**

### **1. Overall Guiding Principles**

Building permits for alteration of contributing structures shall be reviewed according to the process described in Section V of this document. Exterior modifications that do not require a building permit shall obtain a certificate of appropriateness from the Public Works and Planning Department. All modifications that will affect the historical integrity of the structure shall consider the Secretary of the Interior's Standards for the Rehabilitation of Historic Structures. The Secretary of the Interior's Standards should be applied to individual rehabilitation projects taking into consideration technological and economic feasibility, and should be considered as general guidance to supplement the specific guidelines and standards of this section. It should be noted that some of the specific guidelines and standards of this document are less restrictive than the general guidance of the Secretary of the Interior's Standards.

#### **Secretary of the Interior's Standards for Rehabilitation of Historic Structures**

- a) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- b) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- c) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- d) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- e) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- f) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- g) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- h) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- j) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



**Adopted**

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## **IX Demolition of all or part of all structures within the North Seventh Street Historic Residential District**

### **a Review Criteria**

Any applicant/owner requesting demolition of part or all of a structure within the North Seventh Street Historic Residential District shall demonstrate that the demolition is warranted. Approval of a Certificate of Appropriateness for the demolition may only be issued upon consideration by the City Council of the following:

1. Whether the applicant has made a good-faith effort to pursue reasonable, cost effective alternatives to demolition.
2. Whether the loss of part or all of the subject property would be detrimental to the quality and continuity of the site, District or surrounding neighborhood.
3. Whether denial of the application would result in an undue economic hardship for the owner/applicant. Based on a thorough analysis of the financial, economic, and engineering information described below, the City Council may determine that there is an undue economic hardship if the following criteria are met:
  - i) No economically viable use consistent with zoning of the property will exist unless the demolition is approved. (Note: inability to put the property to its most profitable use does not constitute an undue economic hardship)
  - ii) The hardship is peculiar to the building or property in question and must not be in common with other properties.
  - iii) The hardship is not self-imposed, caused by action or inaction of the owner, applicant or some other agent.
  - iv) The applicant/owner has attempted and exhausted all reasonable alternatives which would eliminate the hardship, such as offering the property for sale.



**Adopted**

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**b. Submittal Requirements**

The applicant/owner for demolition of part or all of a structure shall provide information including but not limited to the following items in order for the City Council to evaluate the application:

- a. An estimate of the cost of the proposed demolition or removal and an estimate of any additional cost that would be incurred to comply with recommendations of the Historic Preservation Board.
- b. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the structure and its suitability for economic rehabilitation
- c. Estimated current market value of the property by a licensed real estate appraiser of the property both in its current condition and after completion of the proposed demolition or removal and all appraisals obtained within the previous two years by the applicant or owner in connection with the purchase, financing or ownership of the property.
- d. An estimate of the cost of restoration costs prepared by an architect, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation or reuse of like structures in the District.
- e. Amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased and any terms of financing between the seller and buyer.
- f. If the property is income-producing, the annual gross income from the property for the previous two years; and the depreciation deduction and annual cash flow before and after debt service, if any, during the same period.
- g. Remaining balance on the mortgage or other financing secured by the property owner and annual debt service, if any, for the previous two years.
- h. All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property.
- i. Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two years.
- i. Assessed value of the property according to the two most recent Mesa County assessments.
- j. Real estate taxes for the previous two years.
- k. Form of ownership or operation of the property, whether sole proprietorship, for-profit or non-profit corporation, limited partnership, joint venture, etc.
- l. Current photographs of the building and land from the front street showing as much of the land and building as possible.
- m. Current photographs of all exterior elevations from rooftop to ground.
- n. Current photographs of all interior rooms.
- o. A narrative summary of all special architectural features and details and materials used throughout the interior and exterior of the structure.

**Adopted**

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**c. Procedure**

- a) Upon submittal of the application for a Certificate of Appropriateness for demolition to the City, the Public Works and Planning Department shall review all the documentation submitted for completeness. The Department staff shall prepare a report with findings. The Historic Preservation Board will then review the report and make a recommendation to City Council.
- b) The application, with the findings and recommendations of the Department and the Historic Preservation Board, shall be presented to the City Council in accordance with the administrative procedures and notice requirements. The City Council will have ninety calendar days to consider and render its decision. If approved, the Public Works and Planning Department shall issue a Certificate of Appropriateness in order for the applicant/owner to obtain a Building Permit for the demolition.
- c) If the City Council finds that all reasonable possibilities for saving a part or all of the structure have been exhausted and approves the demolition, all salvageable building materials shall be collected and then the waste should be removed as provided by the permit and asbestos or other hazardous material disposal procedures. The site shall then be planted and maintained until a new use goes into effect.

**d. Penalty**

If the applicant/owner of a structure within the North Seventh Street Historic Residential District abates or demolishes part or all of a building without first obtaining the Certificate of Appropriateness by following the procedures detailed herein, the applicant/owner shall pay a fine of \$250,000 per square foot of the affected area.

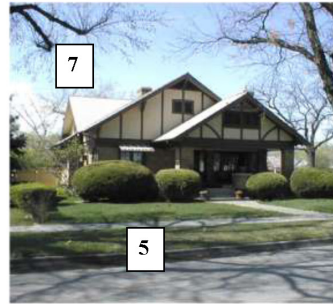


**Adopted**

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## PROPERTY INVENTORY



### District Character Inventory

**1** The District is within a grid street pattern forming rectangular blocks, bisected by east-west and north-south alleys.

**2** Visual cohesiveness is created by the natural setting which includes a strong pattern of evenly-spaced street trees, an abundance of mature vegetation and a center, landscaped median on North Seventh Street.

**3** Within blocks, the lots are approximately the same size and structures are placed on lots in a similar manner. Uniform side and front yard setbacks give the street visual unity.

**4** Buildings are of compatible size and scale, with the majority of buildings in the District having 1-1/2 to 2-1/2 stories.

**5** Although varied in architectural style, almost every building has a porch. Altogether, the porches form a uniform horizontal line on the streetscape.

**6** The buildings have prominent triangular roof forms that are primarily oriented with the ridgeline perpendicular to North Seventh Street.

**7** Siding and trim materials create strong horizontal patterns.

**8** Unique details highlight the District's character including some yards set off by wrought iron, picket or brick-pilaster fencing and a variety of architectural ornamentation.

Adopted

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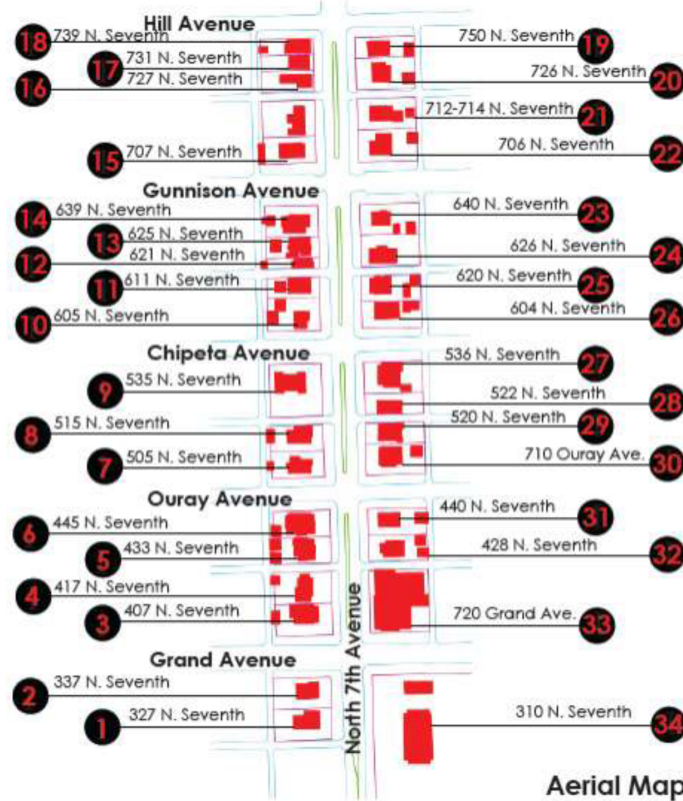
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## PROPERTY INVENTORY

### North Seventh Street Historic Residential District

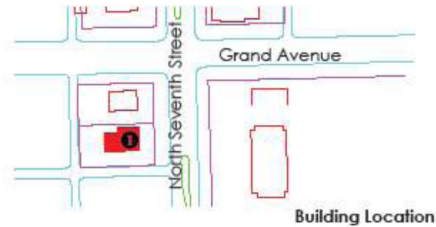


The North Seventh Street Historic Residential District is Grand Junction's only Nationally Registered historic neighborhood. To the left is an aerial map of the district and following is a collection of profile cards depicting the unique architectural stylings of all thirty five (35) structures in the district.

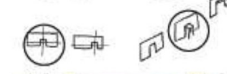


## PROPERTY INVENTORY

### 1. Doc Shores House



Address: 327 North Seventh Street  
 Zone District: B-2, downtown business  
 Principal Use: office space  
 Original Owner: Cyrus "Doc" Shores  
 Date of Construction: 1893



Style: Italiante

Platforms: side porch

Additions/Alterations: yes

Accessory Structures: none

Fencing/Walls: none

Landscaping: minimal

Signage: stand alone

Unique/Distinguishing Elements: unique columns and trim

Is Property a Focal Point or Orientation

Landmark? yes



North Seventh Street Historic Residential District



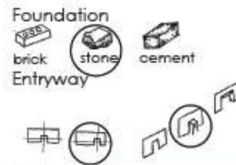
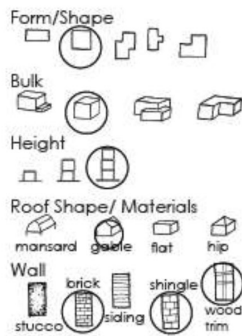


## PROPERTY INVENTORY

### 2. White House



Address: 337 North Seventh Street  
 Zone District: B-2, downtown business  
 Principal Use: office space  
 Original Owner: W. F. White  
 Date of Construction: 1893



**Style:** Colonial Revival, Tudor Revival, Queen Ann  
**Platforms:** small covered entrance  
**Additions/Alterations:** yes  
**Accessory Structures:** none  
**Fencing/Walls:** none  
**Landscaping:** minimal  
**Signage:** stand alone  
**Unique/Distinguishing Elements:** unique columns and windows  
**Is Property a Focal Point or Orientation Landmark?** yes

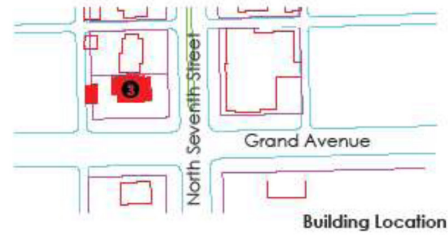


North Seventh Street Historic Residential District

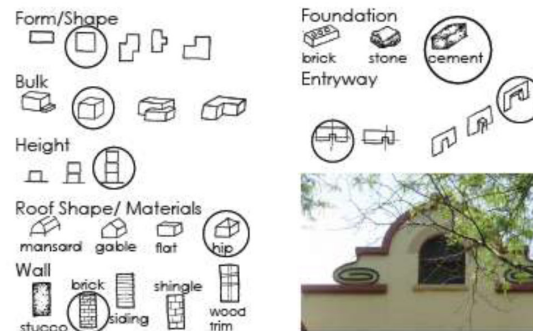


## PROPERTY INVENTORY

### 3. Heman Bull House



Address: 407 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residence  
 Original Owner: Dr. Heman Bull  
 Date of Construction: 1906



**Style:** Spanish  
**Platforms:** glassed front porch  
**Additions/Alterations:** no  
**Accessory Structures:** garage  
**Fencing/Walls:** stone  
**Landscaping:** Colorado  
**Signage:** 1 stand alone  
**Unique/Distinguishing Elements:** decorative arched parapets, arch motif  
**Is Property a Focal Point or Orientation Landmark?** yes

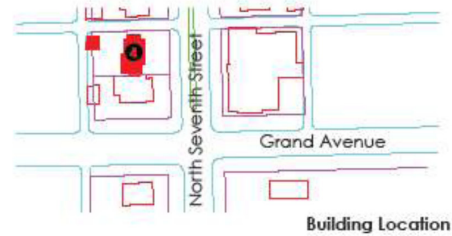


North Seventh Street Historic Residential District

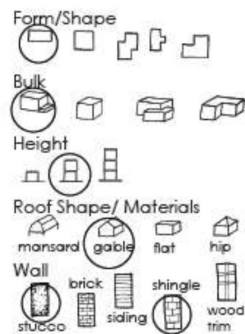


## PROPERTY INVENTORY

### 4. Waren House



Address: 417 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residence  
 Original Owner: Dr. George and Nettie Warner  
 Date of Construction: 1902



**Style:** Eclectic  
**Platforms:** back balcony  
**Additions/Alterations:** yes  
**Accessory Structures:** garage  
**Fencing/Walls:** wood and metal  
**Landscaping:** flowering  
**Signage:** none  
**Unique/Distinguishing Elements:** double chimney, flowering landscape  
**Is Property a Focal Point or Orientation**  
**Landmark?** no



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
 Guidelines and Standards*

Adopted

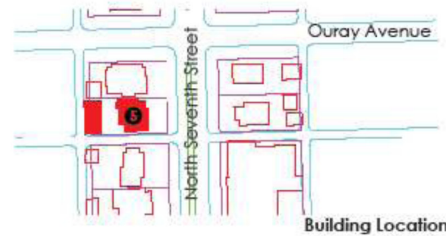
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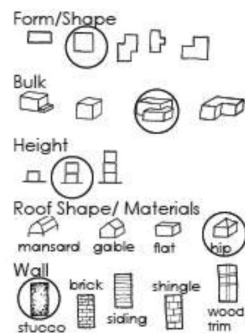


## PROPERTY INVENTORY

### 5. Moore House



Address: 433 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residence  
 Original Owner: John F. "Pony" and Irene Moore  
 Date of Construction: 1910



Style: Eclectic  
 Platforms: none  
 Additions/Alterations: no  
 Accessory Structures: two garages  
 Fencing/Walls: brick, wrought iron  
 Landscaping: Colorado  
 Signage: none  
 Unique/Distinguishing Elements: hipped roof dormers, palladian windows, bracketed gutters, ornamentation  
 Is Property a Focal Point or Orientation  
 Landmark? yes



North Seventh Street Historic Residential District



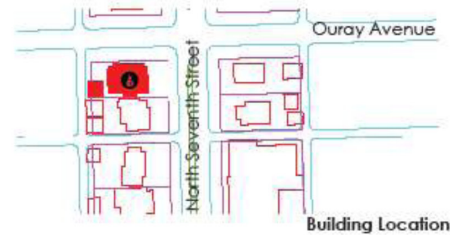
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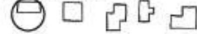
## PROPERTY INVENTORY

### 6. Martin House



Address: 445 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residence  
 Original Owner: F.C. "Clyde" and Carrie Martin  
 Date of Construction: 1923

#### Form/Shape



#### Bulk



#### Height



#### Roof Shape/ Materials



#### Wall



#### Foundation



#### Entryway



**Style:** Craftsman

**Platforms:** front and back porch

**Additions/Alterations:** no

**Accessory Structures:** garage

**Fencing/Walls:** wood

**Landscaping:** Colorado

**Signage:** none

**Unique/Distinguishing Elements:** Kellistone

stucco, low pitched roofs

**Is Property a Focal Point or Orientation**

**Landmark?** yes



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
 Guidelines and Standards*

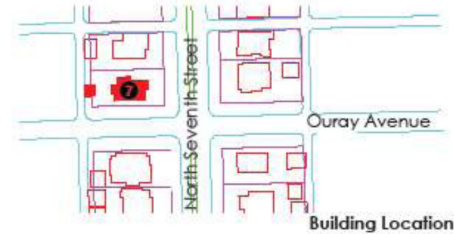
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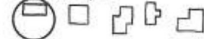
## PROPERTY INVENTORY

### 7. Sampliner House



Address: 505 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residence  
 Original Owner: Joseph M. Sampliner  
 Date of Construction: 1895

#### Form/Shape



#### Bulk



#### Height



#### Roof Shape/Materials



#### Wall



#### Foundation



#### Entryway



**Style:** Queen Anne, Tudor Revival

**Platforms:** none

**Additions/Alterations:** yes

**Accessory Structures:** garage

**Fencing/Walls:** wood

**Landscaping:** flowering

**Signage:** none

**Unique/Distinguishing Elements:** striped shingle siding

**Is Property a Focal Point or Orientation**

**Landmark?** no

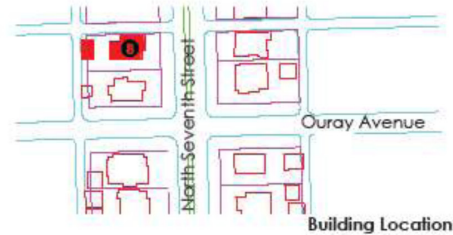


North Seventh Street Historic Residential District

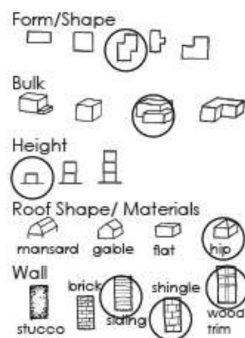


## PROPERTY INVENTORY

### 8. Sampliner House



Address: 515 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residence  
 Original Owner: Albert "Bert" Sampliner  
 Date of Construction: 1895



**Style:** Queen Anne  
**Platforms:** enclosed front porch  
**Additions/Alterations:** no  
**Accessory Structures:** garage  
**Fencing/Walls:** stone, wood  
**Landscaping:** screened, flowering  
**Signage:** none  
**Unique/Distinguishing Elements:** sunburst moulding, stained glass window  
**Is Property a Focal Point or Orientation**  
**Landmark?** yes



North Seventh Street Historic Residential District



Adopted

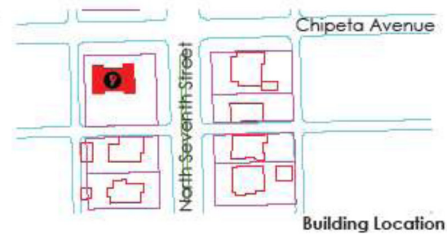
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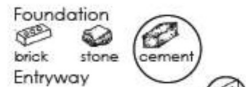
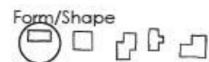


## PROPERTY INVENTORY

### 9. First Church of Christ, Scientist



Address: 535 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: church  
 Original Owner: First Church of Christ, Scientist  
 Date of Construction: 1929



**Style:** Romanesque, Colonial Revival  
**Platforms:** none  
**Additions/Alterations:** no  
**Accessory Structures:** none  
**Fencing/Walls:** chain link  
**Landscaping:** Colorado  
**Signage:** stand alone  
**Unique/Distinguishing Elements:** rounded arch, symmetry  
**Is Property a Focal Point or Orientation**  
**Landmark?** yes

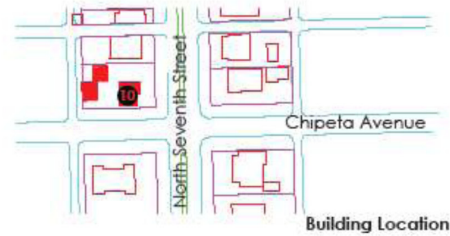


North Seventh Street Historic Residential District

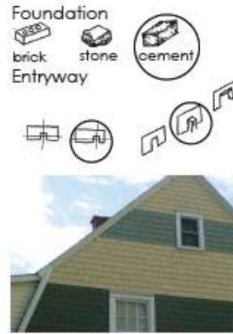
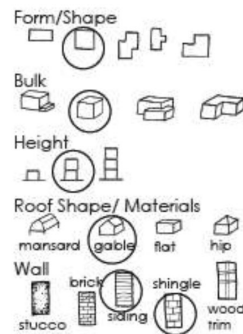


## PROPERTY INVENTORY

### 10. Brainerd House



Address: 605 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: John and Maud Brainerd  
 Date of Construction: 1900



**Style:** Dutch Colonial  
**Platforms:** none  
**Additions/Alterations:** no  
**Accessory Structures:** cottage  
**Fencing/Walls:** wood, brick  
**Landscaping:** flowering, pergola  
**Signage:** none  
**Unique/Distinguishing Elements:** gambrel roof, formal entrance, striped shingle siding  
**Is Property a Focal Point or Orientation**  
**Landmark?** yes



North Seventh Street Historic Residential District



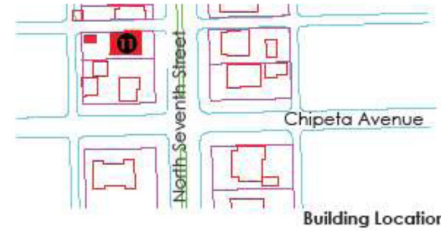
Adopted

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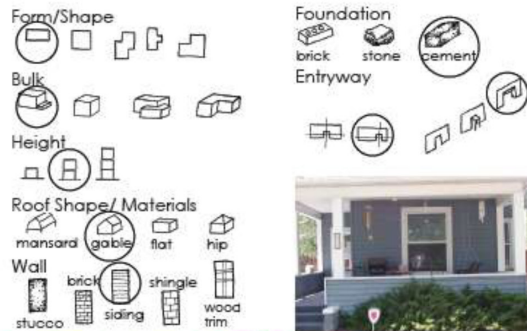
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## PROPERTY INVENTORY

### 11. Blackstone House



Address: 611 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Leamon E. Blackstone  
 Date of Construction: 1904



Style: Colonial Revival  
 Platforms: front porch  
 Additions/Alterations: no  
 Accessory Structures: garage  
 Fencing/Walls: wood  
 Landscaping: minimal  
 Signage: none  
 Is Property a Focal Point or Orientation  
 Landmark? no



North Seventh Street Historic Residential District



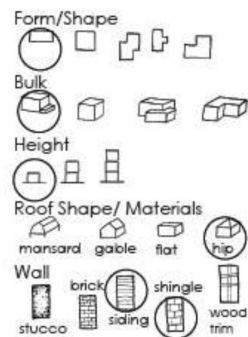


## PROPERTY INVENTORY

### 12. Honeymoon Cottage



Address: 621 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Albert A. Miller  
 Date of Construction: 1904



**Style:** Arts and Crafts Bungalow  
**Platforms:** glassed front porch  
**Additions/Alterations:** no  
**Accessory Structures:** garage  
**Fencing/Walls:** wood  
**Landscaping:** deciduous  
**Signage:** none  
**Is Property a Focal Point or Orientation Landmark?** no



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
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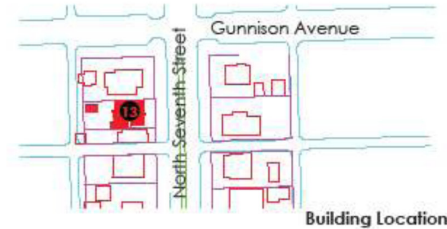
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## PROPERTY INVENTORY

### 13. Wilson House



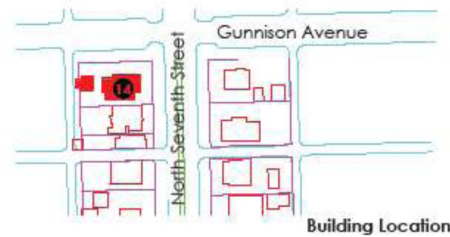
Address: 625 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Julia Wilson  
 Date of Construction: 1922



**Style:** Arts and Crafts Bungalow  
**Platforms:** none  
**Additions/Alterations:** no  
**Accessory Structures:** two sheds  
**Fencing/Walls:** none  
**Landscaping:** Colorado  
**Signage:** none  
**Is Property a Focal Point or Orientation Landmark?** no

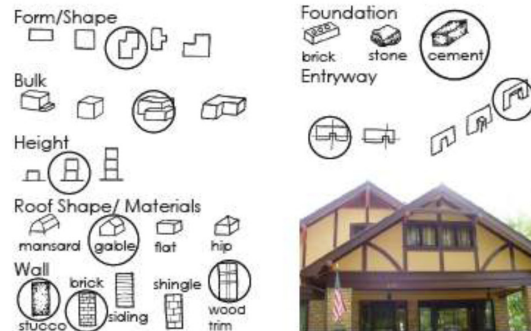
## PROPERTY INVENTORY

### 14. Murr House



Address: 639 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: William and Hatti G. Murr  
 Date of Construction: 1926 by Winterburn and Lumsden

**Style:** Bungalow Arts and Crafts  
**Platforms:** front porch  
**Additions/Alterations:** no  
**Accessory Structures:** garage  
**Fencing/Walls:** wood  
**Landscaping:** flowering, Colorado  
**Signage:** none  
**Unique/Distinguishing Elements:** wood and stucco gables, facade color palette  
**Is Property a Focal Point or Orientation Landmark?** yes



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
 Guidelines and Standards*

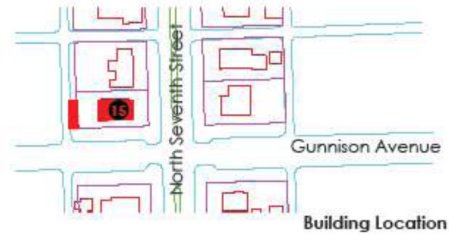
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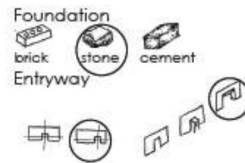
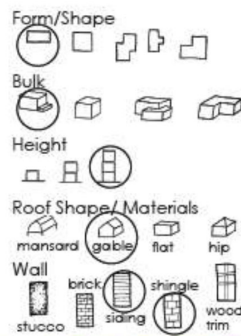
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## PROPERTY INVENTORY

### 15. Wickersham House



Address: 707 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Lincoln and Ruth Wickersham  
 Date of Construction: 1910



**Style:** Craftsman  
**Platforms:** front porch  
**Additions/Alterations:** no  
**Accessory Structures:** garage  
**Fencing/Walls:** wood  
**Landscaping:** flowering  
**Signage:** none  
**Unique/Distinguishing Elements:** fenestration, simplicity  
**Is Property a Focal Point or Orientation**  
**Landmark?** yes



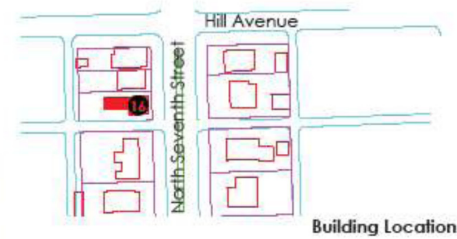
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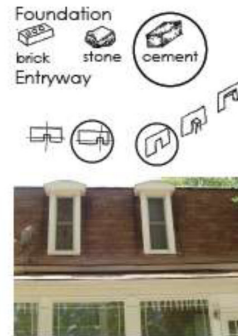
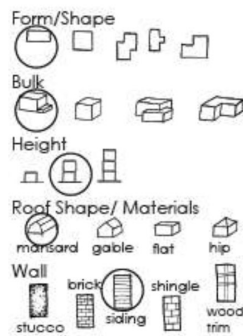


## PROPERTY INVENTORY

### 16. Sinclair House



Address: 727 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: day care  
 Original Owner: James W. Sinclair  
 Date of Construction: 1895



Style: Eclectic  
 Platforms: none  
 Additions/Alterations: no  
 Accessory Structures: none  
 Fencing/Walls: chain link  
 Landscaping: sparse  
 Signage: none  
 Unique/Distinguishing Elements: mansard roof  
 Is Property a Focal Point or Orientation Landmark? no

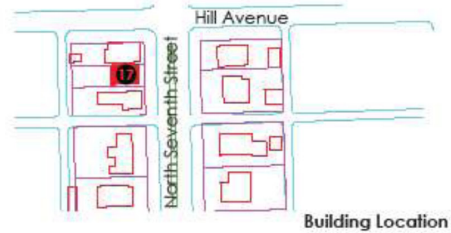


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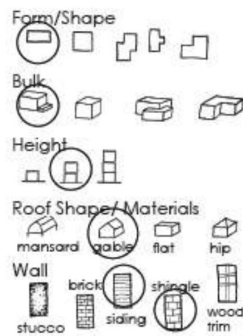


## PROPERTY INVENTORY

### 17. Lough House



Address: 731 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: day care  
 Original Owner: Clarence Lough  
 Date of Construction: 1909



Style: Queen Anne  
 Platforms: none  
 Additions/Alterations: no  
 Accessory Structures: shed  
 Fencing/Walls: chain link  
 Landscaping: minimal  
 Signage: attached  
 Unique/Distinguishing Elements: near mirror image layout to 739 North Seventh  
 Is Property a Focal Point or Orientation  
 Landmark? no

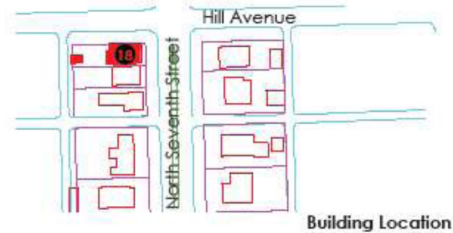


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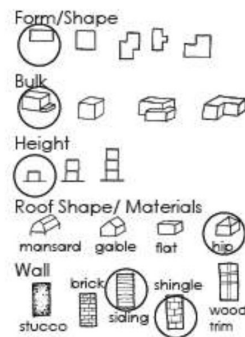


## PROPERTY INVENTORY

### 18. Houskins House



Address: 739 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Owen W. Hoskins  
 Date of Construction: 1909



Style: Queen Anne  
 Platforms: glassed front porch  
 Additions/Alterations: no  
 Accessory Structures: garage  
 Fencing/Walls: brick, wood  
 Landscaping: sparse  
 Signage: none  
 Unique/Distinguishing Elements: near mirror image layout to 731 North Seventh  
 Is Property a Focal Point or Orientation  
 Landmark? no



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
 Guidelines and Standards*

Adopted

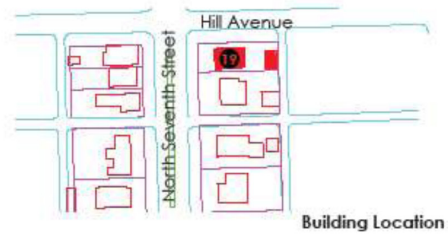
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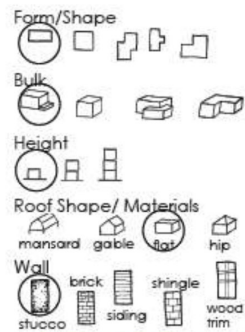


## PROPERTY INVENTORY

### 19. Akers House



Address: 750 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Donald D. Akers  
 Date of Construction: 1952



**Style:** Spanish  
**Platforms:** front porch  
**Additions/Alterations:** no  
**Accessory Structures:** garage  
**Fencing/Walls:** stone  
**Landscaping:** screened, Colorado  
**Signage:** no  
**Is Property a Focal Point or Orientation Landmark?** yes

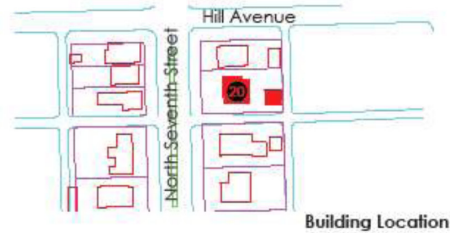


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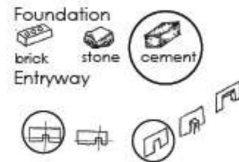
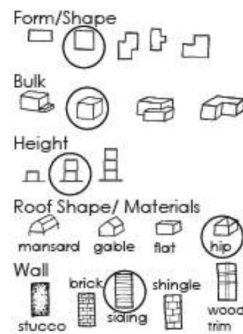


## PROPERTY INVENTORY

### 20. Davis House



Address: 726 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Alfred H. Davis  
 Date of Construction: 1909



**Style:** Eclectic  
**Platforms:** enclosed front porch  
**Additions/Alterations:** yes  
**Accessory Structures:** garage \*  
**Fencing/Walls:** stone \*  
**Landscaping:** minimal  
**Signage:** no  
**Is Property a Focal Point or Orientation Landmark?** no

\* Stone work done by well known western slope mason Nunzio Grasso



North Seventh Street Historic Residential District



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 Guidelines and Standards*

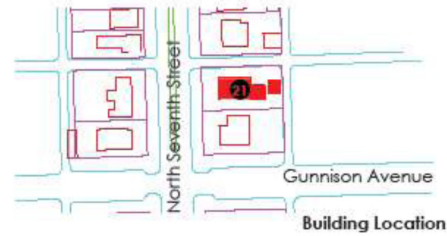
Adopted

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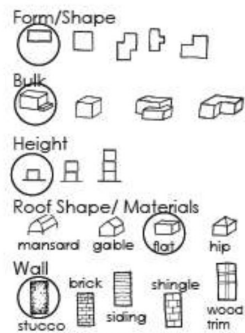
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## PROPERTY INVENTORY

### 21. Home Loan Duplex



Address: 712 and 714 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Home Loan and Investment Co.  
 Date of Construction: 1931



Style: Southwestern  
 Platforms: none  
 Additions/Alterations: no  
 Accessory Structures: garage  
 Fencing/Walls: chain link  
 Landscaping: Colorado  
 Signage: no  
 Unique/Distinguishing Elements: first duplex  
 built in Grand Junction  
 Is Property a Focal Point or Orientation  
 Landmark? no

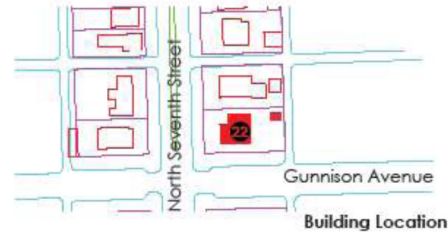


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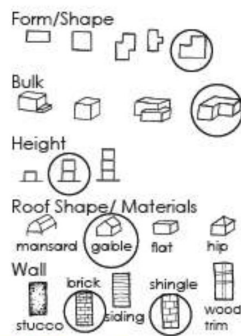


## PROPERTY INVENTORY

### 22. Pabor House/Pansy Cottage



Address: 706 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: William and Emma Pabor  
 Date of Construction: 1909



**Style:** Queen Anne  
**Platforms:** front porch  
**Additions/Alterations:** yes, second story  
**Accessory Structures:** two sheds  
**Fencing/Walls:** wood  
**Landscaping:** deciduous  
**Signage:** no  
**Is Property a Focal Point or Orientation Landmark?** yes



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
 Guidelines and Standards*

Adopted

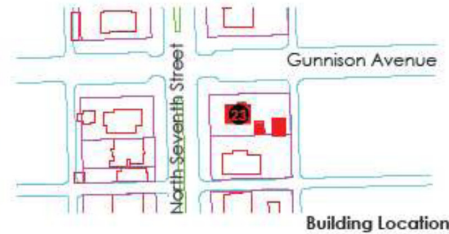
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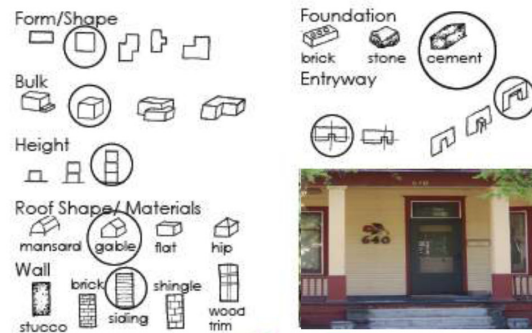


## PROPERTY INVENTORY

### 23. Ferbrache House



Address: 640 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: C.F. Ferbrache  
 Date of Construction: 1905



**Style:** Colonial Revival  
**Platforms:** front porch  
**Additions/Alterations:** no  
**Accessory Structures:** garage, shed  
**Fencing/Walls:** wood, chain link  
**Landscaping:** screened, Colorado  
**Signage:** no  
**Unique/Distinguishing Elements:** color palette, heavily shaded  
**Is Property a Focal Point or Orientation**  
**Landmark?** yes

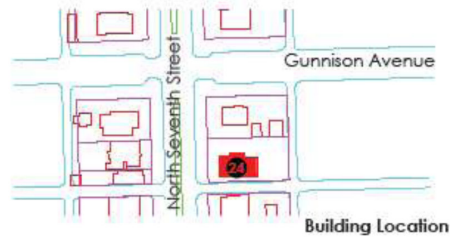


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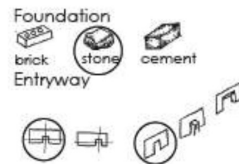
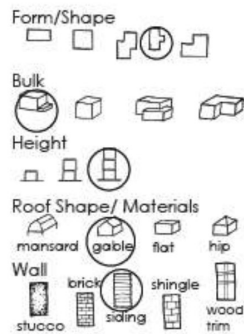


## PROPERTY INVENTORY

### 24. Barkuloo House



Address: 626 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Henry S. Barkuloo  
 Date of Construction: 1900



**Style:** Colonial Revival  
**Platforms:** none  
**Additions/Alterations:** yes  
**Accessory Structures:** none  
**Fencing/Walls:** none  
**Landscaping:** none  
**Signage:** no  
**Is Property a Focal Point or Orientation Landmark?** no



North Seventh Street Historic Residential District

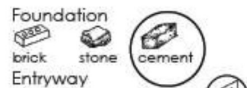
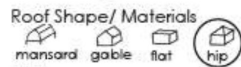
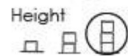


## PROPERTY INVENTORY

### 25. Moyer House



Address: 620 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: William J. and Ida Moyer  
 Date of Construction: 1905



**Style:** Tudor Revival, Craftsman

**Platforms:** front porch

**Additions/Alterations:** yes

**Accessory Structures:** cottage / garage and 2nd garage

**Fencing/Walls:** brick

**Landscaping:** Colorado

**Signage:** no

**Unique/Distinguishing Elements:** wall built down the middle to become a duplex

**Is Property a Focal Point or Orientation**

**Landmark?** yes



North Seventh Street Historic Residential District





## PROPERTY INVENTORY

### 26. Talbert House



Address: 604 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Vernon C. Talbert  
 Date of Construction: 1906

#### Form/Shape



#### Bulk



#### Height



#### Roof Shape/ Materials



#### Wall



#### Foundation



#### Entryway



**Style:** Tudor Revival

**Platforms:** covered side porch

**Additions/Alterations:** no

**Accessory Structures:** garage

**Fencing/Walls:** wood

**Landscaping:** flowering, Colorado

**Signage:** no

**Unique/Distinguishing Elements:** stucco and stained timber gables

**Is Property a Focal Point or Orientation**

**Landmark?** yes

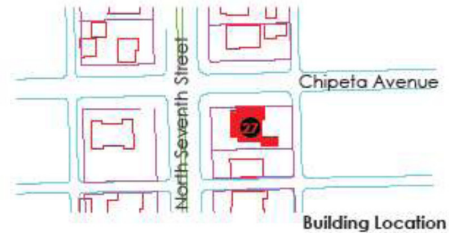


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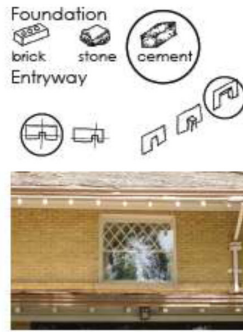
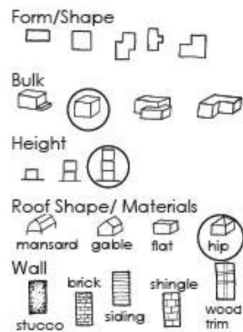


## PROPERTY INVENTORY

### 27. Smith-Schmidt House



Address: 536 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Henry Barkuloo  
 Date of Construction: 1912



**Style:** Tudor Revival, Craftsman  
**Platforms:** glassed front porch  
**Additions/Alterations:** no  
**Accessory Structures:** none  
**Fencing/Walls:** wood  
**Landscaping:** Colorado  
**Signage:** no  
**Unique/Distinguishing Elements:** unique fenestration and bracketed gutters  
**Is Property a Focal Point or Orientation Landmark?** yes

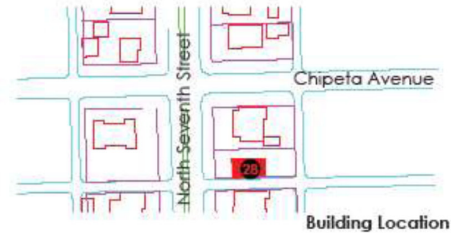


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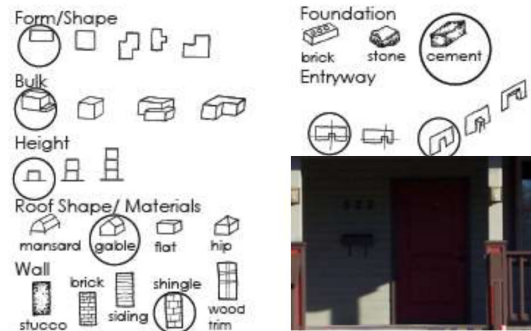


## PROPERTY INVENTORY

### 28. Brunner House



Address: 522 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Edward and Elizabeth Brunner  
 Date of Construction: 1909



Style: Queen Anne  
 Platforms: screened front porch  
 Additions/Alterations: yes  
 Accessory Structures: garage  
 Fencing/Walls: wood  
 Landscaping: Colorado  
 Signage: no  
 Is Property a Focal Point or Orientation  
 Landmark? no



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
 Guidelines and Standards*

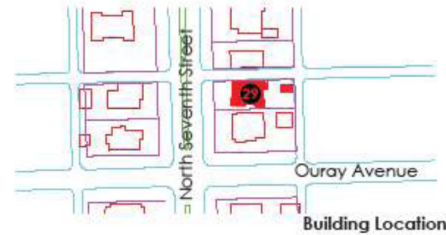
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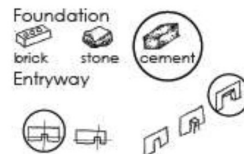
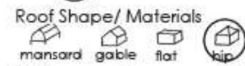
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## PROPERTY INVENTORY

### 29. Ellison House



Address: 520 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Orloff H. Ellison  
 Date of Construction: 1924



**Style:** Arts and Crafts Bungalow

**Platforms:** front porch

**Additions/Alterations:** yes

**Accessory Structures:** garage

**Fencing/Walls:** wood

**Landscaping:** flowering, Colorado

**Signage:** no

**Unique/Distinguishing Elements:** strong  
 Bungalow elements

**Is Property a Focal Point or Orientation**

**Landmark?** yes



North Seventh Street Historic Residential District





## PROPERTY INVENTORY

### 30. Sickenberger House



Address: 710 Ouray Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Jesse Urban Sickenberger  
 Date of Construction: 1923

Form/Shape



Bulk



Height



Roof Shape/ Materials



Wall



Foundation



Entryway



Style: Spanish, Craftsman

Platforms: covered entry

Additions/Alterations: no

Accessory Structures: garage

Fencing/Walls: chain link

Landscaping: flowering, Colorado

Signage: no

Unique/Distinguishing Elements: strong horizontal lines

Is Property a Focal Point or Orientation

Landmark? yes



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
 Guidelines and Standards*

Adopted

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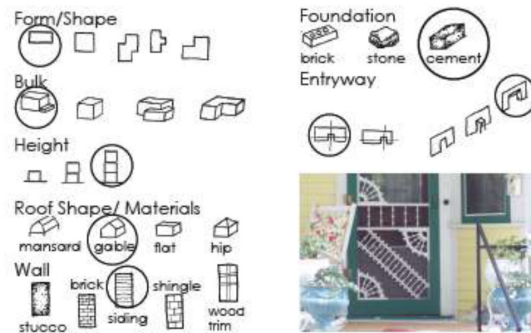
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## PROPERTY INVENTORY

### 31. Smith-Jordan House



Address: 440 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: William and Eva Smith  
 Date of Construction: 1902



**Style:** Colonial Revival  
**Platforms:** front porch  
**Additions/Alterations:** no  
**Accessory Structures:** garage, cottage  
**Fencing/Walls:** wrought iron, brick  
**Landscaping:** flowering, Colorado  
**Signage:** no  
**Unique/Distinguishing Elements:** color palette, front door detailing, yard sculptures  
**Is Property a Focal Point or Orientation Landmark?** yes



North Seventh Street Historic Residential District

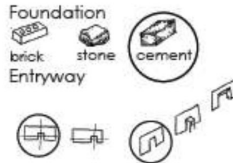
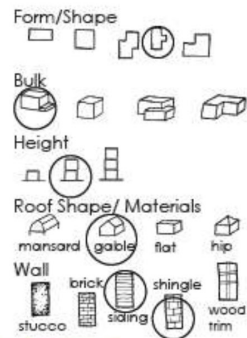


## PROPERTY INVENTORY

### 32. Allison House



Address: 428 North Seventh Street  
 Zone District: Planned Residential Development  
 Principal Use: residential  
 Original Owner: Monroe "Roe" and Redie Allison  
 Date of Construction: 1900



Style: Eclectic  
 Platforms: front porch  
 Additions/Alterations: yes  
 Accessory Structures: garage and work-shop  
 Fencing/Walls: wrought iron, brick, wood  
 Landscaping: Colorado  
 Signage: no  
 Is Property a Focal Point or Orientation  
 Landmark? no



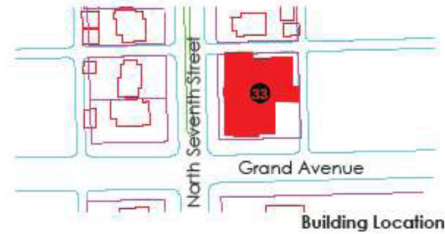
North Seventh Street Historic Residential District



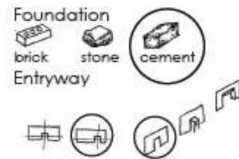
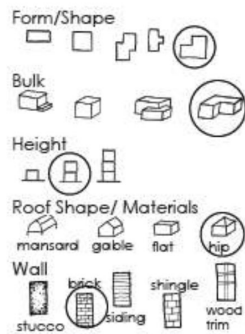


## PROPERTY INVENTORY

### 33. First Baptist Church



Address: 720 Grand Avenue  
 Zone District: Planned Residential Development  
 Principal Use: church  
 Original Owner:  
 Date of Construction: 1912 - 1929



Style: Colonial Revival  
 Platforms: none  
 Additions/Alterations: yes  
 Accessory Structures: none  
 Fencing/Walls: none  
 Landscaping: Colorado  
 Signage: wall sign  
 Unique/Distinguishing Elements: Greek columns, stained glass windows  
 Is Property a Focal Point or Orientation  
 Landmark? yes

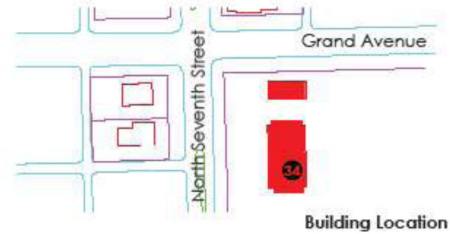


North Seventh Street Historic Residential District

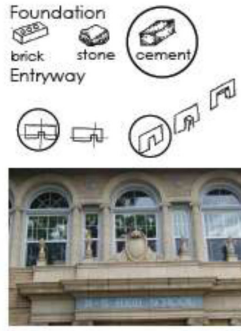
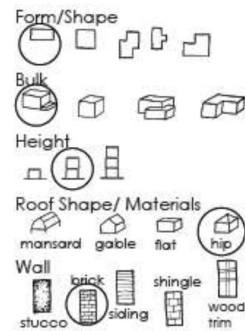


## PROPERTY INVENTORY

### 34. Lowell School



Address: 310 North Seventh Street  
 Zone District: CSR, Community Services and Recreation  
 Principal Use: high school  
 Original Owner:  
 Date of Construction: 1925  
 Architect: Eugene Groves



Style: Spanish Colonial Revival  
 Platforms: none  
 Additions/Alterations: no  
 Accessory Structures: secondary building  
 Fencing/Walls: none  
 Landscaping: Colorado  
 Signage: stand alone  
 Unique/Distinguishing Elements: tiled roof, arched windows  
 Is Property a Focal Point or Orientation  
 Landmark? yes



North Seventh Street Historic Residential District



*North Seventh Street Historic Residential District  
 Guidelines and Standards*

Adopted

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## TERMS AND DEFINITIONS

**Accessory Dwelling Unit:** A dwelling unit which is secondary to a principal dwelling unit which may be attached to the principal structure or freestanding.

**Accessory Structure:** A detached subordinate structure, the use of which is customarily incidental to, and supportive of, the principal structure or the principal use of the land, and which is located on the same parcel of ground with the principal structure or use.

**Addition:** 1) A structure added to the original structure at some time after certificate of occupancy has been issued for the original structure; 2) An extension or increase in floor area or height of a building or structure.

**Adjacent:** Means property or use, any portion of which is within a 100-foot radius. Public right-of-way, easements, canals or waste ditches, and waterways are not counted when deciding if one property or use is adjacent to another.

**Alignment:** The arrangement of objects along a straight line.

**Alley Setback:** The minimum distance from the alley property line that any permanent construction can be built. See also Rear Yard setback in Zoning and Development Code.

**Alter or Alteration:** Any proposed modification to a designated historic site, structure or district which could have an effect on the character of the historic resource relative to the criteria by which it was designated. Examples of alterations for structures may include additions, any exterior modifications, including signage to be affixed to the façade.

**At-grade:** Level of a road, building, or other structure at the same grade or level as the adjoining property (as opposed to a depressed or elevated road, building, or other facility).

**Banner:** Any sign intended to be hung, either with or without frames, possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind.



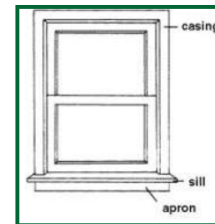
**Building:** Any structure used or intended for supporting or sheltering any use or occupancy.

**Building Footprint:** The portion of a lot covered by a building or structure at the surface level, measured on a horizontal plane.

**Building Mass:** The three-dimensional bulk of a building: height, width, and depth.

**Building Placement:** The location of the structure in relation to property lines.

**Casings:** The framework around a door or window.



Example of Casings

**Cohesiveness:** 1. The state of cohering or sticking together. 2. Causing symmetry and balance through design.

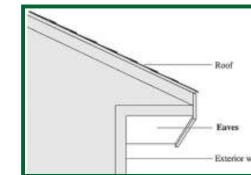
**Congruous:** Corresponding in character or kind; appropriate or harmonious.

**Contiguous:** Next to, abutting, or touching and having a boundary, or portion thereof, that is coterminous.

**Contributing structure:** a structure that already adheres to and/or complies with these Guidelines and Standards in their entirety at the time of adoption.

**Design:** A visual arrangement or disposition that indicates a signature motif.

**Eaves:** The lowest, overhanging part of a sloping roof.



Example of Eaves

## TERMS AND DEFINITIONS

**Exterior Features:** Include the architectural style, general design and general arrangement of the exterior of a building or other structure, including the color, the kind and texture of the building material and type and style of the windows, door, light fixtures, signs, other appurtenant fixtures and natural features such as trees and shrubbery.

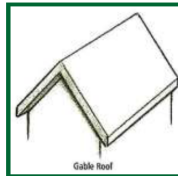
**Façade:** The exterior walls of a building exposed to public view or that wall viewed by persons not within the building.

**Feeling, Integrity:** *Historic Integrity* is the ability of a site to retain its identity and, therefore, convey its significance in the history of Grand Junction, Colorado.

**Form:** The overall shape of a structure

**Gable:** The vertical triangular portion of the end of a building having a double-sloping roof, from the level of the cornice or eaves to the ridge of the roof.

**Gabled Roof:** A roof having a gable at one or both ends.



Example of Gabled Roof

**Grandfathering / Grandfathered:** Describes the status accorded certain properties, uses, and activities that are legally existing prior to the date of adoption of the zoning ordinance or provisions of the zoning ordinance.

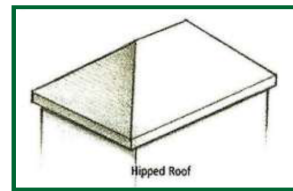
**Ground Plane:** The level of an entry platform into a building.

**Guideline:** Are permissive statements intended to be used as recommendations by homeowners and boards in making decisions.

**Height of Structure:** The vertical distance from the grade to the highest point of any portion of a structure.

**Height-width Ratio:** The ratio of the height of the structure to the width of the structure.

**Hipped Roof:** A roof that slopes upward from all four sides of a building, requiring a hip rafter at each end.



Example of Hipped Roof

**Historic Property:** The research, protection, restoration and rehabilitation of buildings, structures, landmarks, signs, appurtenances, objects, districts, areas and sites significant in the history, archeology, education or culture of the City, State or Nation.

**Horizontal Rhythm:** The pattern of shapes, spaces and textures of a structure across a horizontal plane.

**Integrity:** A property retains its integrity if a sufficient percentage of the structure dates from the period of significance. The majority of a building's structural system and materials should date from the period of significance and its character defining features also should remain intact. These may include architectural details, such as dormers and porches, ornamental brackets and moldings and materials, as well as the overall mass and form of the building.

**Inset:** 1. Something inserted; insert. 2. A small picture, map, etc., inserted within the border of a larger one. 3. To set in or insert.

**Lot Coverage:** That area of the lot or parcel which may be occupied by principal and accessory structures, and other impervious surfaces.

**Mass:** The physical size and bulk of a structure.

**Materials:** As related to the determination of "integrity" of a property, material refers to the physical elements that were combined or deposited in a particular pattern or configuration to form an historic property.

**Massing:** The bulk or size of a structure.

**Median:** An area in the approximate center of a city street or state highway that is used to separate the directional flow of traffic, may contain left-turn lanes, and is demarcated by curb and guttering, having painted or thermally applied stripes or other means of distinguishing it from the portion of the roadway used for through traffic.

**Metal Louvered Door:** A metal door with fitted or fixed horizontal slats for admitting air and light and shedding rain.



Example of Metal Louvered Door

Adopted

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## TERMS AND DEFINITIONS

**Mill:** A mill finish is the natural appearance of the aluminum as it comes from the rolling mill or the extrusion mill. Often this finish is dull, grainy and without luster.

**New Construction:** Any construction of an entirely new structure, construction of an addition to an existing structure or an exterior alteration to an existing structure.

**Nonconforming:** A legal use, structure, and/or development which existed prior to the adoption of this code or any amendment thereto, which does not presently conform to this code or its amendments.

**Nonconforming Structure or Building:** A structure or building, the size, dimension, or location of which was lawful prior to the adoption, revision, or amendment to the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

**Nonconforming Use:** A use of activity that was lawful prior to the adoption, revision or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

**Non contributing Structure:** 1. A structure that has undergone significant alterations. 2. A non contributing building, site, structure or object does not add to the historic architectural qualities, historic associations, or archeological values for which a property is significant because (a) it was not present during the period of significance and does not possess historic integrity reflecting its character at that time or is not capable of yielding important information about the period, or (b) it does not individually meet the National Register eligibility criteria.

**Opacity:** 1. The screening effectiveness of a buffer yard or fence expressed as the percentage of vision that the screen blocks. 2. The degree to which a material blocks light.

**Ordinance:** An authoritative rule or law. A public injunction or regulation.

**Orientation:** Generally, orientation refers to the manner in which a building relates to the street. The entrance to the building plays a large role in the orientation of a building; whereas, it should face the street.

**Overhang:** A projection of the roof or upper story of a building beyond the wall of the lower part.

**Parapet:** A low guarding wall at any point of sudden drop, as at the edge of a terrace, roof, balcony, etc.



*Example of a Parapet*

**Park Strip:** The space in the public right-of-way between the back of the curb and the sidewalk.

**Photovoltaic Panel:** A solar panel or solar collectors designed to absorb solar radiation and convert it into electricity.

**Portico:** A walkway or porch with a roof supported by columns, often at the entrance of a building.



*Example of a Portico*

**Principal Structure:** The structure in which the principal use of a property is conducted. This shall include any buildings which are attached to the principal structure by a covered structure.

Adopted

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## TERMS AND DEFINITIONS

**Projecting Bays:** A bay window is a window space projecting outward from the main walls of a building and forming a bay in a room, either square or polygonal in plan.



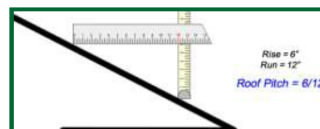
*Example of Projecting Bay*

**Public Hearing:** A public meeting of a board, Planning Commission, City Council or their representatives where the public may attend.

**Public Right-of-Way:** Any street, road, highway, alley, pedestrian/bicycle way or other special purpose way or utility installation owned by, or reserved to, the public for present or future public use.

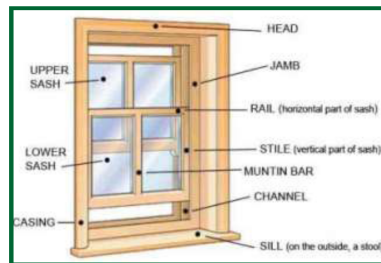
**Rhythm:** Orderly reoccurrence of elements of design with possible variety and variation.

**Roof Pitch:** The amount of slope of the roof in terms of angle or other numerical measure; one unit of horizontal rise for three units of horizontal shelter is expressed as "1 in 3".



*Example of Roof Pitch*

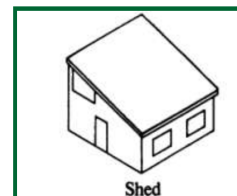
**Sash:** The movable part of a window holding the glass.



*Example of Sash*

**Setback:** The minimum distance between a structure and a property line of a parcel of land or other established reference point.

**Shed Roof:** A flat roof that slopes in one direction and may lean against another wall or building. Also known as lean- to roof.



*Example of Shed Roof*

**Siting:** The position or location of a town, building, etc., especially as to its environment.

**Slope Ratio:** Same as roof pitch. The amount of slope of the roof in terms of angle or other numerical measure; one unit of horizontal rise for three units of horizontal shelter is expressed as "1 in 3".

**Soffit:** The underside of an architectural feature, as a beam, arch, ceiling, vault, or cornice.



*Example of Soffit*

**Solid-to-Void Ratio:** On a building façade, the ratio of solid space to voids, such as windows, door and other openings.

**Standard:** A mandatory provision of a development regulation.



## TERMS AND DEFINITIONS

**Streetscape:** The landscaping and other manmade objects located within the public right-of-way which add variety and are placed for aesthetic purposes as well as functional, pedestrian guidance and traffic control.

**Subservient:** Serving or acting in a subordinate capacity; subordinate.

**Transoms:** 1. A small, hinged window above another window or a door; the horizontal crosspiece to which such a window is hinged. 2. A window or group of windows located above a door or larger window.



**Vertical Rhythm:** The pattern of shapes, spaces and textures of a structure across a vertical plane.

**Vista:** A view or prospect, especially one seen through a long, narrow avenue or passage, as between rows of trees or houses.

**Xeriscape:** Environmental design of residential and park land using various methods for minimizing the need for water use.



*Example of Xeriscape*

**Zoning:** A mapped area with a particular set of rules and regulations which limits the types of uses.

## INCENTIVES FOR HISTORIC PRESERVATION IN GRAND JUNCTION

### A. THE STATE HISTORICAL FUND

**The State Historical Fund** is a statewide grants program that was created by the 1990 constitutional amendment allowing limited gaming in the towns of Cripple Creek, Central City and Black Hawk. The amendment directs that a portion of the gaming tax revenues be used for historic preservation throughout the state. Competitive Grants (aka General Grants) are made for any of the three projects types: Acquisition & Development, Education and Survey & Inventory.

There are three essential elements to applying for a competitive State Historical Fund Grant:

1. You need to be or work with an eligible grant applicant.
2. If you are planning to do physical work on a structure, building, site or object, the resource must be historically designated. If this is a survey and planning, archaeological survey or education project, the focus of your project must be directly related to historic preservation.
3. You need to apply for projects, activities and costs that qualify for assistance from the State Historical Fund.

Additional information concerning the selection process is available in the '[Grant Program Guidelines](#)' section of the Colorado State Historic Society web site:

(<http://www.historycolorado.org/grants/grants>)

### B. TAX INCENTIVES FOR HISTORIC PRESERVATION

**Federal and state tax laws provide tax incentives for historic preservation projects** that follow the Secretary of the Interior's Standards for Rehabilitation. The federal government offers a 20% investment tax credit for the approved rehabilitation of certified historic buildings used for income-producing purposes as well as a 10% credit for certain other older buildings. The state offers a similar 20% state income tax credit based on \$5,000 or more of approved preservation work on designated properties. Applicants are urged to contact Office of Archaeology and Historic Preservation (OAHF) at the State Historic Society as early as possible when considering an application for either federal or state tax credits. OAHF provides advice to property owners, developers and architects concerning appropriate preservation and rehabilitation measures. OAHF staff review applications for tax incentives and make recommendations for approval.

In 2008 the Colorado Legislature extended the State tax credit through 2019.

### C. HOUSING REHABILITATION AND WEATHERIZATION THROUGH HOUSING RESOURCES OF WESTERN COLORADO

**Housing rehabilitation and weatherization projects in Grand Junction** which meet low income guidelines are eligible for assistance through Housing Resources of Western Colorado:

(<http://www.housingresourceswc.org/>)

## FREQUENTLY ASKED QUESTIONS

### **Does the North Seventh Street Historic Residential District Guidelines and Standards force me to make changes in my house?**

No, there will not be a requirement to change anything in your house, exterior or interior, unless you are doing a remodel or new construction.

### **Does the North Seventh Street Historic Residential District Guidelines and Standards affect new construction or remodels?**

The North Seventh Street Historic Residential District Guidelines and Standards will give guidance to homeowners and land owners who wish to remodel or do new construction on the exterior of their houses and structures. It does not affect changes you make in the interior of your house.

### **What land uses will be allowed in the historic district?**

All of the land uses allowed in the R-8 residential zone will be allowed.

### **What incentives are there to homeowners to comply with these regulations?**

There are several incentives to homeowners including:

- ◆ grants under the State of Colorado Historic Fund
- ◆ tax incentives under Federal and state tax laws for historic preservation projects that follow the Secretary of the Interior's Standards for Rehabilitation
- ◆ housing rehabilitation and weatherization projects in Grand Junction which meet low income guidelines are eligible for assistance through Housing Resources of Western Colorado

(Contact the City of Grand Junction's Neighborhood Services Division or Housing Resources of Western Colorado)

### **Will the North Seventh Street Historic Residential District Guidelines and Standards tell me what I can plant in my yard?**

No, there are no requirements for what you can plant in your yard; however, there are suggestions and recommendations for landscaping that are compatible with the district. The proposed Seventh Street Historic District regulations suggest contacting Colorado State University Tri River Extension Service in Grand Junction for landscaping recommendations. (<http://www.coopext.colostate.edu/TR/PLANTS/index.shtml>)

### **Will the North Seventh Street Historic Residential District Guidelines and Standards mean that it will take longer to get approval of my project?**

Probably not. With the new North Seventh Street Historic Residential District Guidelines and Standards in place, most minor projects, which meet the requirements, can be approved at staff level or by the Grand Junction Historic Preservation Board and will not require a full public hearing with the City Council (as is now the case).

### **What will be the effect of the proposed North Seventh Street Historic Residential District Guidelines and Standards on my property value?**

National studies have shown that property values increase in historic districts faster than in non historic districts and that rehabilitation of historic districts adds a positive stimulus to economic development. ("The Economics of Rehabilitation," by Donovan Rypkema; The National Trust for Historic Preservation)

**Adopted**

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## SAMPLE CERTIFICATE OF APPROPRIATENESS



### Certificate of Appropriateness North Seventh Street Historic Residential District

This box for office use only

File Number: \_\_\_\_\_

Review Fee: \_\_\_\_\_

This application is a request to construct, add, change or demolish a property within the North Seventh Street Historic Residential District as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### APPLICANT INFORMATION

Applicant Name: \_\_\_\_\_

Are You? ☐ Owner ☐ Buyer ☐ Lessee

Applicant's Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Applicant's Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Representative/Contact Person: \_\_\_\_\_

Representative/Contact Person Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Rep/Contact Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Address of Subject Property: \_\_\_\_\_ Tax Parcel Number: \_\_\_\_\_

Have you reviewed the North Seventh Street Historic Residential District Guidelines and Standards?

Yes ☐ No ☐

#### PROPOSAL AND PROPERTY INFORMATION

This application is a request to construct, add or change the following (check all that apply):

	Add	Change	Demolish	N/A
Roof/Chimney				
Walls/Siding				
Fascia/Other Trim				
Windows/Doors				
Porch				
Other (describe below)				

Fully explain the nature of your request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of Structures on Property: ☐ Residential ☐ Outbuildings

Total Gross Square Footage of Existing Structures (all floors): \_\_\_\_\_

Total Gross Square Footage of Proposed Structures or Additions (all floors): \_\_\_\_\_

Total Gross Square Footage of Existing Structures to be removed (all floors): \_\_\_\_\_

Existing Height to Building Eave: \_\_\_\_\_ Existing Height to Building Peak: \_\_\_\_\_

Proposed Height to Building Eave: \_\_\_\_\_ Proposed Height to Building Peak: \_\_\_\_\_

The existing building is a: ☐ Single Family Dwelling ☐ Duplex ☐

Other Multi-Unit ☐ Other (specify): \_\_\_\_\_

Adopted

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*North Seventh Street Historic Residential District  
Guidelines and Standards*

## SAMPLE CERTIFICATE OF APPROPRIATENESS

### Exterior Building Materials:

	Existing	Proposed
Roof	<input type="text"/>	<input type="text"/>
Walls/Siding	<input type="text"/>	<input type="text"/>
Doors	<input type="text"/>	<input type="text"/>
Fascia, Trim, Etc.	<input type="text"/>	<input type="text"/>
Other	<input type="text"/>	<input type="text"/>

### Existing Windows:

Existing Material:

Existing Sill Depth:

Existing Window Type: Casement ☐ Slider ☐ Double Hung ☐ Single Hung ☐  
Fixed ☐ Divided Light ☐ How many?  (e.g. 4 over 1, 3 over 1)

### Proposed Windows:

Proposed Material:

Proposed Sill Depth:

Proposed Window Type: Casement ☐ Slider ☐ Double Hung ☐ Single Hung ☐  
Fixed ☐ Divided Light ☐ How many?  (e.g. 4 over 1, 3 over 1)

For proposed divided lights, please describe grid, including width, whether it is flat or contoured:

Will the exterior trim remain on the replacement windows? ☐ Yes ☐ No

### SITE AND LANDSCAPE INFORMATION

#### Fencing:

	Existing	Proposed
Type	<input type="text"/>	<input type="text"/>
Size/Height	<input type="text"/>	<input type="text"/>
Location	<input type="text"/>	<input type="text"/>

Are there any prominent trees or areas of vegetation on the property? If yes, what is the type, size and general location?

Does this application propose to remove or alter any of these prominent trees or vegetation areas? If so, which ones? And describe proposed change:

### ADDITIONAL INFORMATION:

Are there other proposed not yet covered in the application? ☐ Yes ☐ No

If yes, please explain:

### Signatures:

Property Owner

Date

Representative

Date

### City Approval:

Printed Name and Title

Signature

Date

*North Seventh Street Historic Residential District  
Guidelines and Standards*

Adopted

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## AUTHENTIC PLANTS FOR LATE 19th-EARLY 20th CENTURY PERIOD LANDSCAPING

### Shrubs, trees and vine

American Hornbeam  
Asiatic Bittersweet Vine  
Bittersweet  
Flowering Quince  
American Yellow-wood



*Clematis*

Red-twigged Dogwood  
Rock-Spray  
Cock-spur Thorn  
Sweet Gum  
Tulip Tree



*Slender Deutzia*

Euonymus  
American or European Beech  
Ginkgo  
Honey Locust  
Kentucky Coffee Tree  
European Ash

### Amur Privet



*Rock Spirea*

### Golden Rain Tree Honeysuckle



*Japanese Spurge*

Virginia Creeper  
Boston Ivy, Japan Ivy  
Mockorange  
Ninebark  
Golden Rain Tree  
Oregon Grape Holly



*Hydrangea*



*Common Laburnum*

Weeping Willow  
Blue Spruce  
Mugho Pine  
Dwarf Scotch Pine  
Sycamore  
Double Flowering Plums  
Sargent Cherry  
Crabapple



*Scarlet Firethorn*

Leatherleaf Mahonia  
Fragrant Sumac  
Cut-leaved Sumac  
Rose

Mountain Ash  
Spirea  
Snowberry Waxberry  
Indian Currant, Coral-berry  
Lilac  
Linden  
Rosy Weigela



*Wisteria*

Tree of Heaven  
Maple, except sugar or silver  
Horse Chestnut  
Barberry



*Trumpet Creeper*

Adopted

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North Seventh Street Historic Residential District  
Guidelines and Standards



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 21.07.040 (HISTORIC PRESERVATION) OF THE GRAND JUNCTION MUNICIPAL CODE GRANTING AUTHORITY TO THE HISTORIC PRESERVATION BOARD TO REVIEW AND DECIDE APPLICATIONS FOR ALTERATION OR CONSTRUCTION WITHIN THE NORTH SEVENTH STREET HISTORIC RESIDENTIAL DISTRICT ACCORDING TO THE GUIDELINES AND STANDARDS OF THAT DISTRICT**

Recitals.

In 1984, the 6.63+/- acre North 7<sup>th</sup> Street neighborhood was zoned Planned Development by Ordinance No. 2211. On February 17, 2010, Ordinance No. 2211 was repealed and Ordinance No. 4403 was enacted rezoning the neighborhood *Planned Residential Development – 7<sup>th</sup> Street*. In March 2012, the Plan for the *Planned Residential Development – 7<sup>th</sup> Street* was amended, and the North Seventh Street Historic Residential District Guidelines and Standards were adopted as the new Development Plan for that neighborhood.

The guidelines and standards that comprise the 2012 amendments were developed by the North 7<sup>th</sup> Street residents after a neighborhood poll, a series of meetings and with collaboration of the residents. The City planning staff and the Grand Junction Historic Preservation Board were consulted as well.

The neighborhood and City staff desire and recommend that the Historic Preservation Board be charged with the interpretation, implementation and application of the *Guidelines and Standards* to the covered properties in the North Seventh Street Historic Residential District, as defined by the Guidelines and Standards document.

After thorough review, deliberation and consideration, the City Council of the City of Grand Junction has determined that the Historic Preservation Board, with its interest and expertise in matters of historic preservation, is the appropriate body to review and decide *Certificate of Appropriateness* applications in the North Seventh Street Historic Residential District and to apply the *Guidelines and Standards* to those applications, subject to review on appeal by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT SECTION 21.07.040(b) AND 21.07.040(g) ARE AMENDED TO GRANT AUTHORITY TO THE HISTORIC PRESERVATION BOARD TO REVIEW AND DECIDE APPLICATIONS FOR ALTERATION OR CONSTRUCTION WITHIN THE NORTH SEVENTH STREET HISTORIC RESIDENTIAL DISTRICT AS FOLLOWS:

A subsection (ix) to Section 21.07.040(b)(6) (Powers and duties of Board) shall be added as follows:

(ix) Review and conduct hearings to decide applications for a *Certificate of Appropriateness* for alteration to a site and/or structure in the North Seventh Street Historic Residential District.

All other provisions of Section 21.07.040(b) shall remain in full force and effect.

Section 21.07.040(g) shall be amended as follows (additions are shown underlined, deletions are struck-out):

(g) Review of Alterations.

(1) City Registry. The owner of any historic structure or site on the City Registry designated pursuant to subsection (e) of this Section is requested to consult with the Historic Board before making any alteration. The Historic Board shall determine if the alteration is compatible with the designation. In reviewing a proposed alteration, the Historic Board shall consider design, finish, material, scale, mass and height. When the subject site is in an historic district, the Historic Board must also find that the proposed development is visually compatible with development on adjacent properties, as well as any guidelines adopted as part of the given historic district designation. For the purposes of this section, the term “compatible” shall mean consistent with, harmonious with and/or enhances the mixture of complementary architectural styles either of the architecture of an individual structure or the character of the surrounding structures. The Historic Board shall use the following criteria to determine compatibility of a proposed alteration:

- ~~(1)~~ (i) The effect upon the general historical and architectural character of the structure and property;
- ~~(2)~~ (ii) The architectural style, arrangement, texture and material used on the existing and proposed structures and their relation and compatibility with other structures;
- ~~(3)~~ (iii) The size of the structure, its setbacks, its site, location, and the appropriateness thereof, when compared to existing structure and the site;
- ~~(4)~~ (iv) The compatibility of accessory structures and fences with the main structure on the site, and with other structures;
- ~~(5)~~ (v) The effects of the proposed work in creating, changing, destroying, or otherwise impacting the exterior architectural features of the structure upon which such work is done;

~~(6)~~ (vi) The condition of existing improvements and whether they are a hazard to public health and safety; or

~~(7)~~ (vii) The effects of the proposed work upon the protection, enhancement, perpetuation and use of the property.

(2) North Seventh Street Historic Residential District. The owner of any property within the North Seventh Street Historic Residential District shall comply with the *North Seventh Street Historic Residential District Guidelines and Standards*.

(i) Before making any construction or alteration to a site or structure, such owner shall make application to the City for a *Certificate of Appropriateness*. The Director shall make review such application for compliance with the *Guidelines and Standards* and make an initial determination and recommendation to the Board. The Director may include in that recommendation any conditions deemed appropriate to comply with the *Guidelines and Standards* and with the Zoning and Development Code.

(ii) The Board shall have jurisdiction to review City staff recommendations and to decide applications for *Certificates of Appropriateness* at a public hearing. The Board may include any conditions of approval deemed appropriate for compliance with the *Guidelines and Standards*. No owner shall construct or alter a structure or site in the District without first obtaining a *Certificate of Appropriateness* from the Board.

(iii) A decision of the Board may be appealed to City Council within 30 days of the issuance of the decision. Appeals to City Council shall be *de novo*.

(iv) All reviews pursuant to this subsection (2) shall determine if the new construction or alteration is compatible with the historic designation as provided in the *North Seventh Street Historic Residential District Guidelines and Standards*. In reviewing an application, consideration shall be given to design, siting, form, texture, setbacks, orientation, alignment, finish, material, scale, mass, height and overall visual compatibility, according to and with reference to the applicable *Guidelines and Standards of the North Seventh Street Historic Residential District*. For purposes of this section, the term “compatible” shall mean consistent with, harmonious with and/or enhancing the mixture of complementary architectural styles either of the architecture of an individual structure or the character of the surrounding structures.

Introduced on first reading this 7<sup>th</sup> day of March 2012 and authorized the publication in pamphlet form.

Passed and adopted on second reading the \_\_\_\_\_ day of \_\_\_\_\_ 2012 and authorized the publication in pamphlet form.

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President of the City Council

ATTEST:

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City Clerk



Attach 12

## CITY COUNCIL AGENDA ITEM

Date: March 8, 2012

Author: Lori V. Bowers

Title/ Phone Ext: Senior Planner /  
4033

Proposed Schedule: Wednesday,  
February 13, 2012

2nd Reading: Wednesday, March  
21, 2012

File #: RZN-2011-1205

**Subject:** Rezone Properties in the Area of Patterson Road and 26 ½ Road from R-1 and R-5 to R-4, B-1, and R-8

**Action Requested/Recommendation:** Hold a Public Hearing and Consider Final Passage of the Proposed Zoning Ordinance

**Presenter(s) Name & Title:** Tim Moore, Public Works and Planning Director  
Lori V. Bowers, Senior Planner

### Executive Summary:

A request to rezone nine parcels totaling 13.365 acres located in the area of Patterson Road and 26 ½ Road.

1. The first subarea rezone is from R-1 (Residential - 1 unit per acre) to R-4 (Residential – 4 units per acre) zone district;
2. The second subarea is from R-1 (Residential - 1 unit per acre) to R-4 (Residential – 4 units per acre) zone district; and
3. The third subarea consists of rezones from R-5 (Residential – 5 units per acre) to B-1 (Neighborhood Business) and from R-5 (Residential – 5 units per acre) to R-8 (Residential – 8 units per acre) zone districts.

### Background, Analysis and Options:

In 2010, the Comprehensive Plan was adopted. The Comprehensive Plan anticipated the need for additional dwelling units based on historic and projected population growth and the need for new and additional neighborhood services in Mixed Use Corridor areas. The adopted Comprehensive Plan – Future Land Use Map changed the designation in this area to two different categories, Residential Medium (4-8 du/ac) and Business Park Mixed Use (8 – 16 dwelling units per acre). Please refer to the Comprehensive Plan maps included in this report.

After the Comprehensive Plan was adopted it became apparent that the zoning of some properties were in conflict with the new Future Land Use designation. These conflicts were created because the zoning did not match the Future Land Use designation. These properties were grouped together in specific areas of the City. However, isolated properties were also in conflict with the Future Land Use designation. Each area or property has been or is being evaluated to determine what the best course of action would be to remedy the conflict. For the nine properties which are the subject of this

report, Staff recommends three zoning designations. Each will be discussed in detail below.

Area 13 has nine (9) properties making up three subareas. The first subarea is an unaddressed parcel, identified as tax parcel number 2945-023-00-065. It is vacant land located at the eastern end of Northridge Drive. The Main Line Grand Valley Canal borders the property on the North and the East. It is approximately 0.881 acres in size. The existing zoning of R-1 (minimum lot size should be 1 acre) is proposed to be zoned R-4. R-4 zoning will bring the lot into conformance with the existing Residential Medium designation. The R-4 zoning designation is currently on the west and south sides of the subject parcel. Across the canal the zoning designation is R-2, which fits the Future Land Use Map designation of Residential Low for that area. The property owner (Dr. Merkel) submitted written comments in support of this change, a copy of which is attached. The written comments also include comments on his property that abuts Patterson Road.

The second subarea has two parcels. The first one, a single-family residence, addressed as 642 26 ½ Road, is approximately 0.536 acres in size. R-1 zoning's minimum lot size is one acre; therefore this lot also is non-conforming with the minimum lot size for R-1 zoning as well as the Comprehensive Plan, which is Residential Medium, 4-8 units per acre. The second parcel is addressed as 632 26 ½ Road and is home to St. Paul Evangelical Lutheran Church. This parcel is 1.749 acres. The Comprehensive Plan for this lot is the same, Residential Medium, as the aforementioned parcel, and the proposed zoning is R-4 will bring it into conformance. The properties North and East are currently zoned R-4. The property directly South is zoned R-O (Residential Office) and is vacant. 26 ½ Road borders the subject parcels on the West side. No written comments were received but the owner of the single-family residence called and asked questions as to why the rezone. Once it was explained it appeared to not be a concern for the property owner.

The third subarea consists of five (5) parcels. The parcels abut Patterson Road and are currently zoned R-5. They are single-family detached houses addressed as 2628, 2630, 2632, 2634 Patterson Road and parcel number 2945-023-00-041, which is a sliver of a lot, approximately .035 acres in size and is used as an access to 2634 ½ Patterson Road. This is owned by the same owner (Van Dover) but is a separate lot. The Comprehensive Plan designates this area as Business Park Mixed Use and Patterson Road is designated as a Mixed Use Corridor. The proposal is for B-1 (Neighborhood Business) zoning. B-1 is the zoning designation directly east of the subject parcels. This area contains general offices and a small shopping center.

The third subarea also includes one large lot, addressed as 2634 ½ Patterson Road, is 9.004 acres in size and is proposed to be zoned R-8. The property owner, Millye Van Dover wishes to "opt out" of the rezone. She spoke with me on the telephone and had her renter provide a written comment sheet requesting that she not be rezoned. Another citizen attended the Open House on November 16, 2011 and expressed his displeasure with the proposed rezone for the VanDover property. R-8 zoning is the least dense residential zoning allowed in a Business Park Mixed Use, which is for business, light industrial, employment-oriented areas with the allowance of multi-family



development. R-8 zoning allows for a single-family residence and will not create a non-conforming use for this large lot with a single-family residence on it.

All other property owners did not respond or they were very much in favor of the rezones (see Dr. Merkel's written comments attached). Dr. Merkel and another citizen pointed out that the property adjacent to and West of 2628 Patterson Road should be included in the rezone (also owned by Dr. Merkel).

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

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

Goal 1 is met with the adoption of the Comprehensive Plan; the existing zoning is not in compliance with the Future Land Use Map, which has prompted the City initiated rezones to ensure that the zoning and land use designation of the Comprehensive Plan are consistent.

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

Goal 6 is met by rezoning to the appropriate zoning which supports the existing built environment. The rezones to B-1, R-8 and R-4 will allow the properties future development without having to rezone first.

**Board or Committee Recommendation:**

Planning Commission forwards a recommendation of approval from their meeting of January 24, 2012.

**Financial Impact/Budget:**

N/A

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

This item was presented on the Consent Agenda on February 13, 2012.

**Attachments:**

Background information

Area 13 Map

3 - Site Location Maps / Aerial Photo Maps

3- Comprehensive Plan Maps / Existing City and County Zoning Maps

Written Comments

Ordinance

Northridge Drive Property - BACKGROUND INFORMATION				
Locations:		Not addressed tax parcel 2945-023-00-065		
Applicant:		City of Grand Junction		
Existing Land Uses:		Vacant Land		
Proposed Land Use:		N/A		
Surrounding Land Uses:	North	Single-family residential		
	South	Vacant land		
	East	Single-family residential		
	West	Single-family residential		
Existing Zonings:		R-1 (Residential – 1 unit per acre)		
Proposed Zonings:		R-4 (Residential – 4 units per acre)		
Surrounding Zonings:	North	R-1 (Residential – 1 unit per acre) and R-2 (Residential – 2 units per acre)		
	South	Generally R-4 (Residential 4 units per acre)		
	East	R-2 (Residential 2 units per acre)		
	West	R-4 (Residential 4 units per acre)		
Future Land Use Designation:		Residential Medium (4 – 8 du/ac)		
Zoning within density range?		X	Yes	No
26 ½ Road Properties - BACKGROUND INFORMATION				
Locations:		642 26 ½ Road and 632 26 ½ Road.		
Applicant:		City of Grand Junction		
Existing Land Uses:		Single-family Residential and Church		
Proposed Land Use:		N/A		
Surrounding Land Uses:	North	Single-family residential and vacant land		
	South	Vacant land		
	East	Church		
	West	Church		
Existing Zonings:		R-1 (Residential – 1 unit per acre)		
Proposed Zonings:		R-4 (Residential – 4 units per acre)		
Surrounding Zonings:	North	R-4 (Residential 4 units per acre)		
	South	R-O (Residential – Office)		
	East	R-4 (Residential 4 units per acre)		
	West	Generally R-1 (Residential 1 units per acre) and R-2 (Residential 2 units per acre)		
Future Land Use Designation:		Residential Medium (4 – 8 du/ac)		
Zoning within density range?		X	Yes	No

Patterson Road Properties - BACKGROUND INFORMATION				
Locations:		2628 Patterson Road; 2630 Patterson Road; 2632 Patterson Road; 2634 Patterson Road; not addressed tax parcel 2945-023-00-041;		
Applicant:		City of Grand Junction		
Existing Land Uses:		Single-family Residential		
Proposed Land Use:		N/A		
Surrounding Land Uses:	North	Vacant		
	South	Offices		
	East	Single-family residential and offices		
	West	Single-family residential		
Existing Zonings:		R-5 (Residential – 5 units per acre)		
Proposed Zonings:		B-1 (Neighborhood Business)		
Surrounding Zonings:	North	R-5 (Residential – 5 units per acre) and R-4 (Residential 4 units per acre)		
	South	R-4 (Residential 4 units per acre)		
	East	B-1 (Neighborhood Business) and PD (Planned Development)		
	West	R-5 (Residential – 5 units per acre)		
Future Land Use Designation:		Business Park Mixed Use (8 – 16 du/ac)		
Zoning within density range?		X	Yes	No
2634 ½ Patterson Road - BACKGROUND INFORMATION				
Locations:		2634 ½ Patterson Road		
Applicant:		City of Grand Junction		
Existing Land Uses:		Single-family Residential		
Proposed Land Use:		N/A		
Surrounding Land Uses:	North	Single-family residential and vacant		
	South	Single-family residential and offices		
	East	Single-family residential and offices		
	West	Single-family residential and vacant		
Existing Zonings:		R-5 (Residential – 5 units per acre)		
Proposed Zonings:		R-8 (Residential – 8 units per acre) B-1 (Neighborhood Business)		
Surrounding Zonings:	North	R-5 (Residential – 5 units per acre) and R-4 (Residential 4 units per acre)		
	South	R-5 (Residential – 5 units per acre), B-1 (Neighborhood Business); PD (Planned Development)		

	East	R-4 (Residential 4 units per acre) and PD (Planned Development)		
	West	R-5 (Residential – 5 units per acre) and R-4 (Residential 4 units per acre)		
Future Land Use Designation:		Business Park Mixed Use (8 – 16 du/ac)		
Zoning within density range?		X	Yes	No

**Section 21.02.140 of the Grand Junction Municipal Code:**

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

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

Response: The proposed rezones will alleviate the conflict between the current zoning and the Future Land Use Map of the Comprehensive Plan as well as bring into conformance the minimum lot size standards for two of the lots.

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

Response: Development has occurred around the subject parcels.

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

Response: Adequate public facilities and services currently exist and may be extended for future development of these properties.

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

Response: This criterion does not apply to these properties or this request as the proposal to rezone, is City initiated, to eliminate the conflict between the Future Land Use designation of the Comprehensive Plan and the existing zoning of the properties.

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

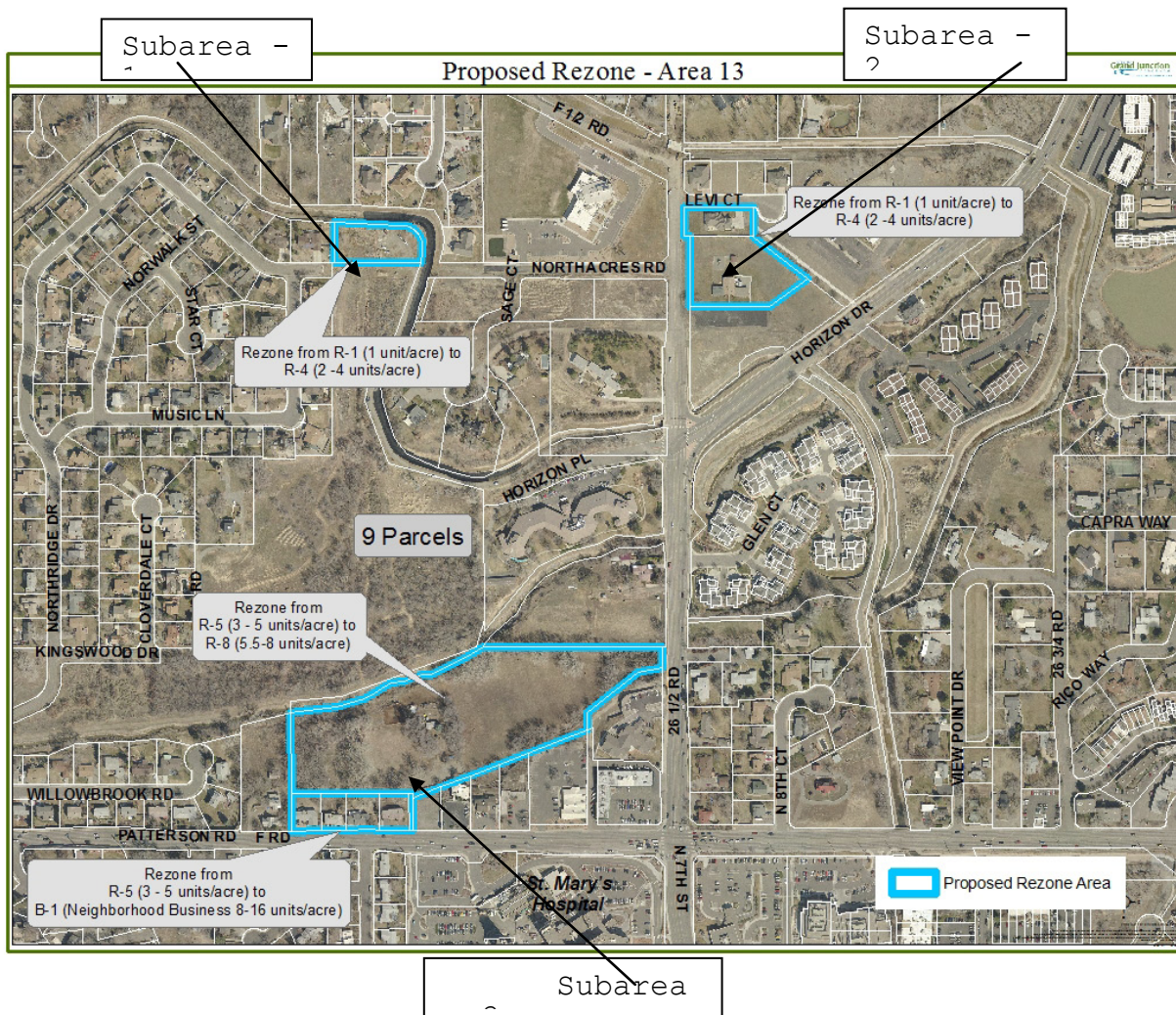
Response: The proposed B-1, R-8, and R-4 zones will provide the opportunity for additional residential density and commercial uses within the urbanized area of the valley, which is consistent with goals and policies of the Comprehensive Plan's. Higher densities and higher intensive commercial uses allow for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

**FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the Area 13 Rezone, RZN-2011-1205, a request to rezone certain properties from R-1 (Residential – 1 unit per acre) to R-4 (Residential – 4 units per

acre); R-5 (Residential – 5 units per acre) to B-1 (Neighborhood Business) and R-5 (Residential – 5 units per acre) to R-8 (Residential – 8 units per acre) the following findings of fact and conclusions have been determined:

5. The requested zones are consistent with the goals and policies of the Comprehensive Plan.
6. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have all been met.





## Site Location Map

## City Limits

## Area 13 - 1



# Aerial Photo Map

## Area 13 - 1





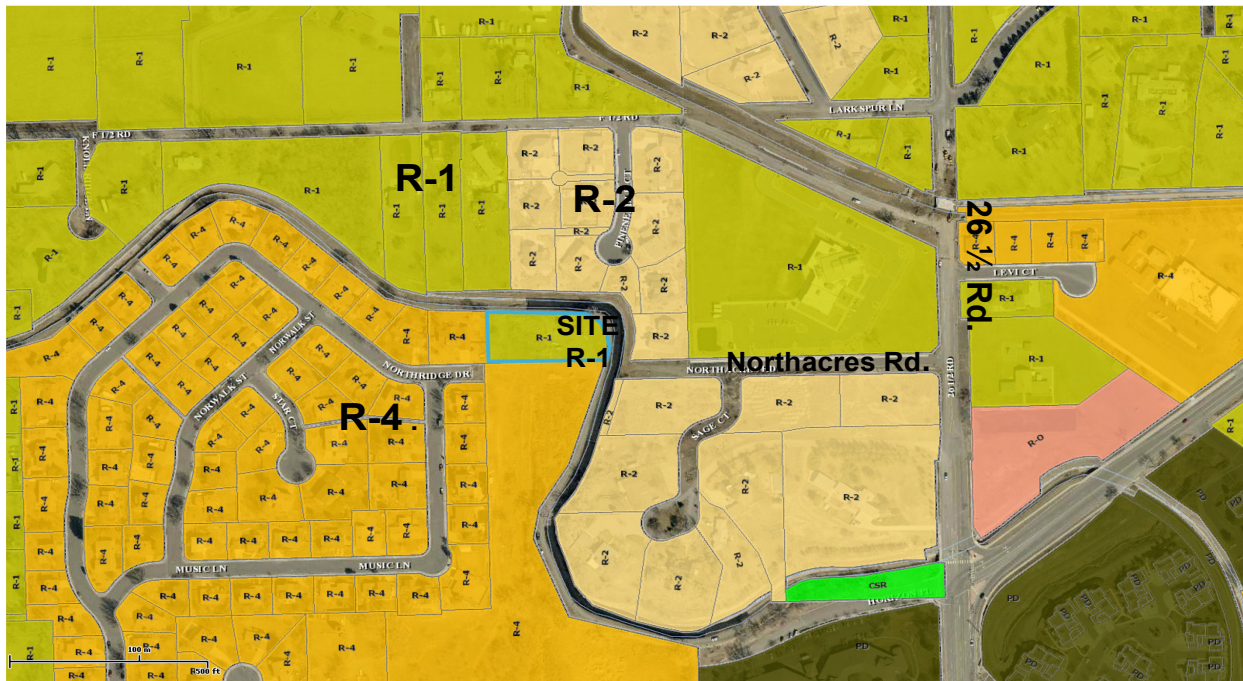
# Comprehensive Plan Map

## Area 13 - 1



# Existing City and County Zoning Map

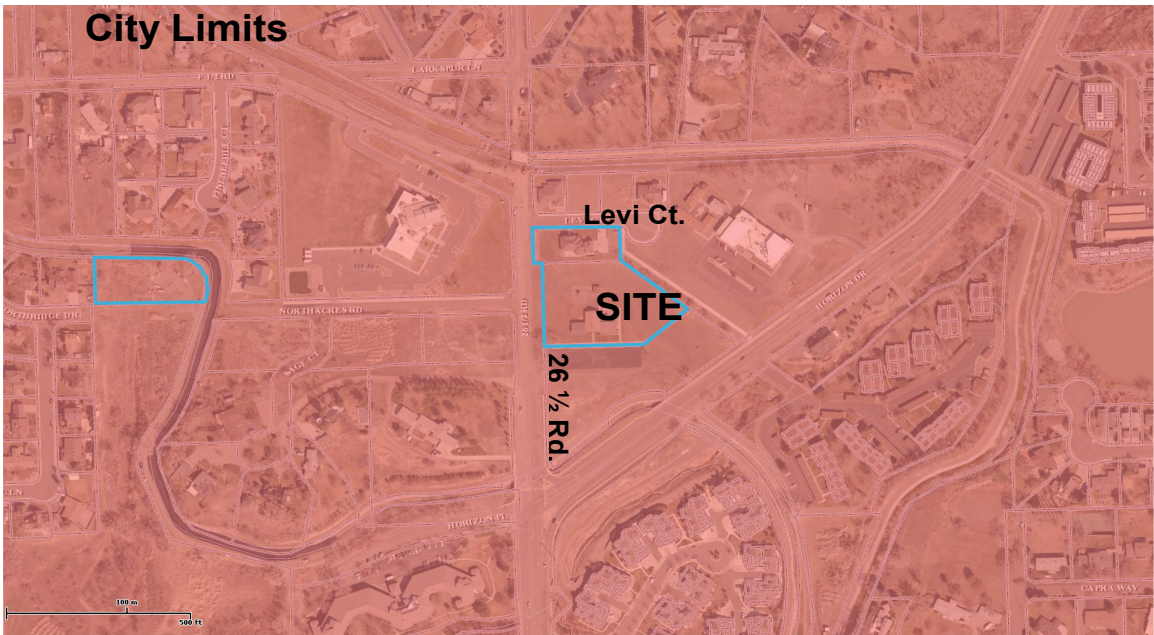
## Area 13 - 1





# Site Location Map

Area 13 - 2



# Aerial Photo Map

Area 13 - 2





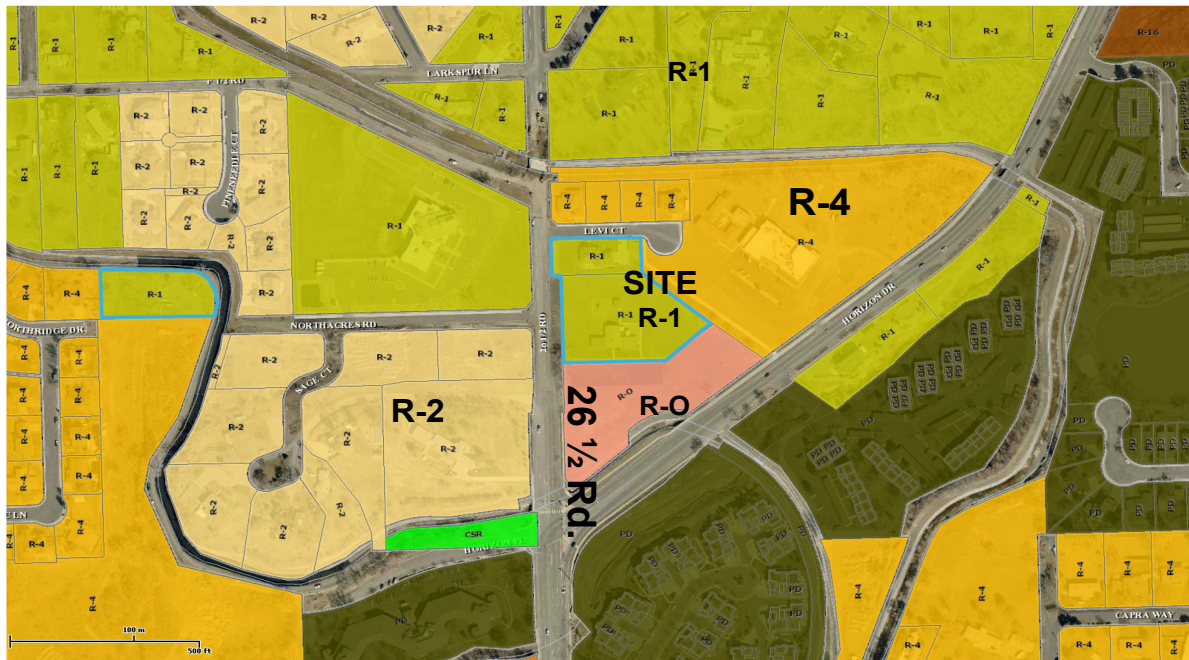
# Comprehensive Plan Map

Area 13 -2



# Existing City and County Zoning Map

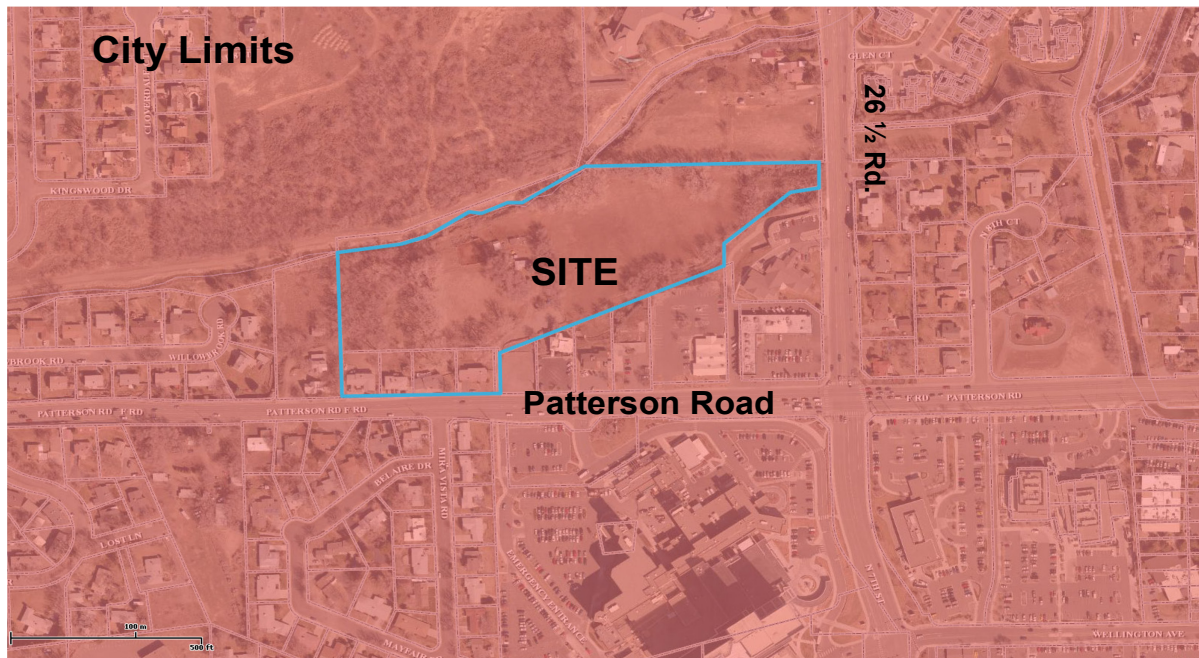
Area 13 -2





# Site Location Map

Area 13 -3



# Aerial Photo Map

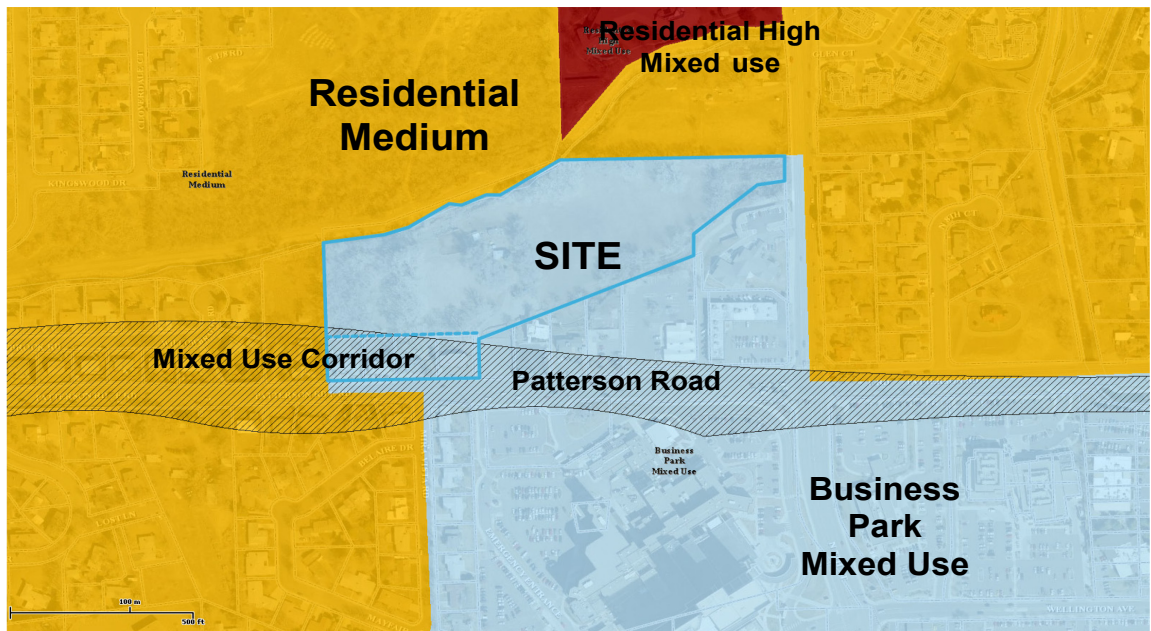
Area 13 - 3





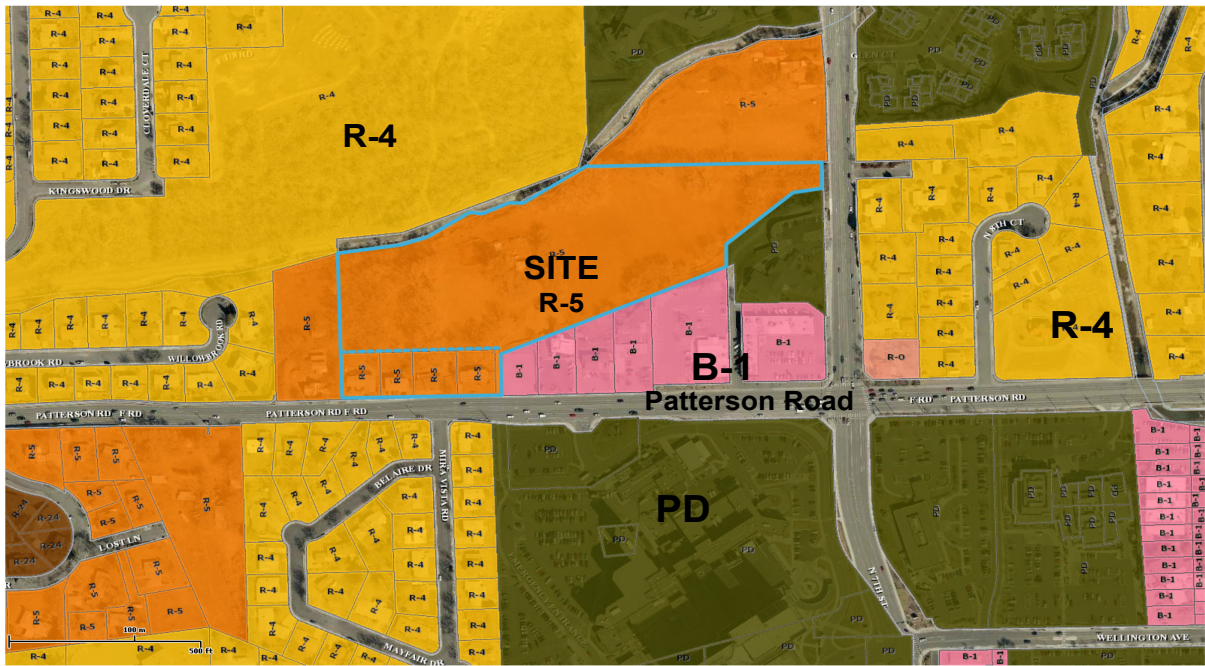
# Comprehensive Plan Map

Area 13 - 3



# Existing City and County Zoning Map

Area 13 - 3





OPEN HOUSE  
November 16, 2011

4-6:00 p.m.

Grand Junction City Hall

## Zoning Change Open House

Blue polygons, Zones 8, 9, 13 and 15

### Comment Sheet

Thanks to the planning department for having the Open House where the staff was available for Q & A and the giving of their perspectives. The parcels I spoke to Lori Bowers about are:

Are your comments in relation to a certain property? If so, what is the address or general area? \_\_\_\_\_

SEE BELOW

May we hear any comments or any concerns you have about proposed zoning changes?

2945-00-037: This parcel should be included in the same zoning changes as the other 4 parcels which border Patterson Road. Mrs Bowers agreed.

2945-00-065: This parcel is recommended for zoning change from R-1 to R-4 for which I agree, But what I am requesting is that the three lots across the canal to the EAST known as North Acres (2945-13-001, 2945-13-002, 2945-13-003) also be changed from R-2 to R-4. These 3 one acre lots cannot be developed profitably unless the zoning is R-4, and in fact could be an infill development up to R-8 as condos or townhomes.

2945-00-062 NorthRidge: This filing of NorthRidge never developed because the zoning of R-4 will not incite a developer unless the density is increased. All of these parcels will be an INFILL project.

A pre-app was filed with the City of Grand Junction for an increase in zoning. A copy is attached and Lori Bowers was/is the Project Manager.

I bring this report out to support my request to include this property in the current zoning changes from R-4 to R-4-R-16, as this will complete the "loop" of properties to make this infill project much more likely to materialize.

Thank you.

Name William D. Merkel  
Address 2345 Yellow Cat Ct  
Grand Junction, CO 81507  
Phone (970) 260-9260  
Email wmerkel@bresnan.net

Please turn your comments in tonight or mail them to:

Greg Moberg, Planning Service Supervisor  
Public Works & Planning  
City of Grand Junction  
250 N. 5th Street  
Grand Junction, CO 81506





OPEN HOUSE  
November 16, 2011  
4-6:00 p.m.  
Grand Junction City Hall

## Zoning Change Open House

Blue polygons, Zones 8, 9, 13 and 15

### Comment Sheet

Are your comments in relation to a certain property? If so, what is the address or general area? \_\_\_\_\_

2634 1/2 F Rd or 2636 Patterson Rd.

May we hear any comments or any concerns you have about proposed zoning changes?

Want to Opt out Rezone - Millye Van Dover  
Land Owner

Name Lavada Palmer - Renter

Address 2636 Patterson Rd.

Phone 255-7111

Email

Please turn your comments in tonight or mail them to:

Greg Moberg, Planning Service Supervisor  
Public Works & Planning  
City of Grand Junction  
250 N. 5th Street  
Grand Junction, CO 81506

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING 632 AND 642 26 ½ ROAD AND A PARCEL LOCATED  
AT THE EASTERN END OF NORTHRIDGE DRIVE  
TAX PARCEL NUMBER 2945-023-00-065,  
FROM R-1 TO R-4;  
REZONING 2628, 2630, 2632, 2634 PATTERSON ROAD AND AN UNADDRESSED  
LOT LOCATED BETWEEN 2634 AND 490 PATTERSON ROAD  
TAX PARCEL 2945-023-00-041,  
FROM R-5 TO B-1; AND REZONING 2634 ½ PATTERSON ROAD  
FROM R-5 TO R-8**

Recitals.

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

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

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

Upon analysis of each area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone would be justified in order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties.

The proposed zone district meets the recommended land use category as shown on the Future Land Use Map of the Comprehensive Plan, Commercial and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

An Open House was held on November 16, 2011 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

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

1. The requested zones are consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

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

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning Area 13 properties from R-1 (Residential – 1 unit per acre) to the R-4 (Residential – 4 units per acre) zone district; R-5 (Residential – 5 units per acre) to R-8 (Residential – 8 units per acre) zone district and from R-5 (Residential – 5 units per acre) to B-1 (Neighborhood business) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4, R-8 and B-1 zone districts are established.

The Planning Commission and City Council find that the R-4, R-8 and B-1 zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following properties shall be rezoned R-4 (Residential – 4 units per acre):

632 26 ½ Road

642 26 ½ Road

Tax parcel 2945-023-00-065, located at the Eastern end of Northridge Drive.

The following properties shall be rezoned B-1 (Neighborhood Business):

2628 Patterson Road

2630 Patterson Road

2632 Patterson Road

2634 Patterson Road

Tax parcel 2945-023-00-041, located between 2634 and 490 Patterson Road.

The following property shall be rezoned R-8 (Residential – 8 units per acre):  
2634 ½ Patterson Road.

As shown on Exhibit “A” attached.

**INTRODUCED** on first reading the 13<sup>th</sup> day of February, 2012 and ordered published in pamphlet form.

**PASSED and ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor

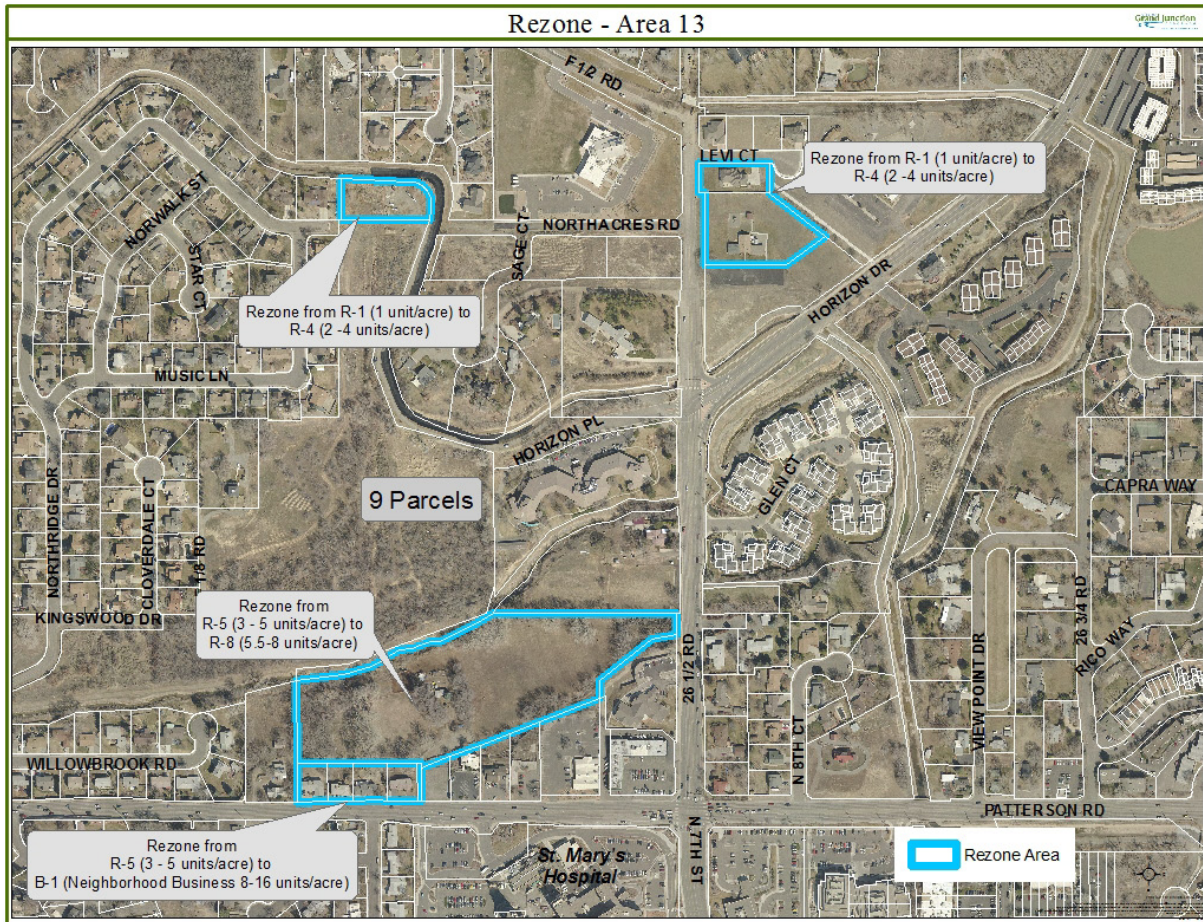


Exhibit "A"





Attach 13

## CITY COUNCIL AGENDA ITEM

Date: March 8, 2012

Author: Lori V. Bowers

Title/ Phone Ext: Senior Planner /  
4033

Proposed Schedule: Wednesday,  
March 7, 2012

2nd Reading: Wednesday, March  
21, 2012

File #: PP-2006-217

<b>Subject:</b> Amend the Red Rocks Valley Planned Development, Outline Development Plan Phasing Schedule
-----------------------------------------------------------------------------------------------------------

<b>Action Requested/Recommendation:</b> Hold a Public Hearing and Consider Final Passage of the Proposed Zoning Ordinance
---------------------------------------------------------------------------------------------------------------------------

<b>Presenter(s) Name &amp; Title:</b> Tim Moore, Public Works and Planning Director Lori V. Bowers, Senior Planner
-----------------------------------------------------------------------------------------------------------------------

### Executive Summary:

The 139 acre Red Rocks Valley Planned Development consists of five phases located off of South Camp Road. The applicants received Preliminary Plan approval for a Planned Development on August 1, 2007. They request a ten year extension for the remaining Phases, all to be platted by March 1, 2022.

### Background, Analysis and Options:

Red Rocks Valley Subdivision is approximately 138.97 acres in size, located in the Redlands bounded on the Southwest by South Camp Road, the Northwest by the last filing of Monument Valley Subdivision, the North and East by Redlands Mesa Subdivision and the South by private property. The topography on this site varies from gentle to steep with approximately 160 feet of relief. Red Canyon Wash and another minor wash cross through the parcel from Southwest to Northeast. The Comprehensive Plan designates the land use classification for the area as Residential Low, which allows for a density range of .5 to 2 dwelling units per acre.

The City's previous Zoning and Development Code required a site analysis on any property over 50 acres in size. The site analysis that was provided by the applicant included map overlays indicating development potential of all areas and a description of assumptions and methodology used to reach the applicant's conclusions. Based on the site's physical constraints, Staff recommended and the Applicant requested a zoning designation of Planned Development (PD). The Applicants, its designers and engineers, City Staff and outside review agencies came to what they felt was a workable and sensitive plan, developing the potential of the property while taking into account its physical constraints.

Prior to the approval of the final plat for Phase One, a grading permit was issued allowing grading, drainage and rock fall mitigation. The first phase of the planned development subsequently was approved in June 2008 and Phase One was approved and recorded in October; creating 50 single-family detached lots and 52 patio homes



lots. The patio home area has private streets, which was approved by City Council subject to a signed and recorded maintenance agreement. Alternate street standards were approved for the remainder of the PD.

During construction of Phase One, it became apparent that the time frame for completion to meet the required phasing schedule contained in the PD Ordinance may not be met. The developer requested an extension, which was submitted prior to the expiration date. At the same time the developer incurred some financial difficulties and the bank, which secured the Development Improvements Agreement (DIA) for Phase One, ended up with the property during foreclosure. The City chose not to move the extension request forward as it had not yet been determined who the actual property owners would be.

The property was foreclosed on and the bank took over Phase One only. The remainder of the property reverted back to the original owner (Fletcher) and Surf View Development Company. The bank worked with the City to complete several items on the final punch list of public improvements that were not complete or had not yet been accepted by the City. During this process the bank was able to sell Phase One of the Planned Development to The Pauls Corporation. The Pauls Corporation is now working with City Staff to complete the items on the punch list.

City Staff met with Surf View and their representatives to discuss the completion of the Planned Development. Surf View remains committed to seeing the development to completion per the original approved plan, therefore their request for a ten year extension of the Planned Development. The extension will ensure that the City obtains the dedicated, but not yet transferred open space and development of future phases as the economy and demand for residential lots returns.

The proposed Phasing Schedule has no specific dates or number of phases within the ten years. Flexibility in completing the phases will be based on market demands, but the overall development should be final platted by March 1, 2022. By amending the PD Ordinance the development will also have the benefit of being brought in to the development process and standards of the 2010 Zoning and Development Code.

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

The original ODP was consistent with the Growth Plan that was in place at the time the PD Ordinance was adopted. The proposed ODP amendment is consistent with the Comprehensive Plan as follows:

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

**Goal 8:** “Create attractive public spaces and enhance the visual appeal of the community through quality development.”

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

The Red Rocks Valley Planned Development will provide a quality development for the community with attractive open spaces by the preservation of unique geological characteristics located on the property. It will provide two distinct housing types and provide future trail connections that are shown on the Urban Trails Master Plan for the area, which will encourage alternative means of transportation for pedestrians and cyclists. These consistencies with the Comprehensive Plan will lead to balanced and ordered growth for the community.

**Board or Committee Recommendation:**

The Planning Commission forwards a recommendation of approval from their meeting of February 14, 2012.

**Financial Impact/Budget:**

N/A

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

This item presented on the Consent Agenda on March 7, 2012.

**Attachments:**

Further Analysis

Site Location Map / Aerial Photo Map

Comprehensive Plan Map / Existing City and County Zoning Map

Request Letter

Staff Report - Aug. 1, 2006

Amended PD Ordinance

## I. Further Analysis

### Uses and Development Character

The proposed amendment to the existing ODP does not change the original use or character of the development. It is to allow an extension of time in which to complete the approved plan under new ownership.

### Access

Access has been impeded due to concrete heaving in two places of the dedicated roadway creating inadequate vehicle circulation in Phase One. An agreement with the new owners has been reached and repair work will begin the week of January 30<sup>th</sup>, weather permitting. The remainder of the un-platted property will be constructed in accordance with the previously approved ODP and Preliminary Plan with the conditions further outlined in the Ordinance.

### Open Space / Park

Over 33.6% of the site is dedicated to Open Space, which totals 46.69 acres. This is one of the main reasons the PD was approved. Fourteen Tracts of land are provided totaling 16.67 acres or 12.0% of the land. These Tracts are for various and sometimes dual purposes, such as trails, utilities and drainage. One large Tract, to be dedicated to the City, is tied to future phases of the development. Amending the Phasing Schedule ensures this dedication to the City. If the PD were to expire, the opportunity to obtain a needed trail connection may be lost.

### Landscaping

The landscaping at the entrance is dead or struggling. Because the soils report prepared by Lincoln DeVore recommends that the steeper slopes not be irrigated due to the high possibility of slope failure, the majority of the steep slopes are in open space tracts. This should also serve to notify the developer of the soil conditions of this area and to landscape appropriately. It has been agreed that a more xeric landscaping plan be provided for the entry way and common areas.

### Community Benefit

The purpose of the Planned Development (PD) zone is to provide design flexibility. Planned development should be used when long-term community benefits will be derived, and the vision, goals and policies of the Comprehensive Plan can be achieved. This development includes the following long-term community benefits:

1. More efficient infrastructure;
2. Reduced traffic demands;
3. More usable public and/or private open space;
4. Recreational amenities; and/or
5. Needed housing choices.

The proposed amendment will allow more time for these benefits to be realized. The current economic downturn and the massive surplus of residential lots has brought this request forward. The original owners now have the property back due to foreclosure and are in support of the current plan.

### Phasing

The previously approved phasing schedule was as follows: Five phases are proposed with the first phase to be platted by March 1, 2008; Phase 2 - March 1, 2011; Phase 3 - March 1, 2013, Phase 4 - March 1, 2015 and Phase 5 - March 1, 2017. A graphic depiction of the phasing is shown on sheet 3 of the drawings, dated 4/24/07, included in development file number PP-2006-217. The extension request is for all Phases to be Final Platted by March 1, 2022. Phases are to be completed as the market dictates, not by specific dates.

### Default Zoning

The default zoning is to remain the same, R-2 (Residential – 2 units per acre). Should the Planned Development expire, there are some lots currently platted that would not meet the minimum lot size or be able to meet the setback requirements of R-2. The future completion of the project is dependent upon the PD zone and Ordinance.

## II. Review criteria of Chapter 21.02.050 of the Grand Junction Municipal Code:

Requests for an Outline Development Plan shall demonstrate conformance with all of the following:

The Outline Development Plan review criteria in Section 21.02.050(b):

- a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies.

The project previously complied with the Growth Plan and continues to comply with the Comprehensive Plan, the Grand Valley Circulation Plan and the adopted codes and zoning requirements for this property, as determined with the approved ODP.

- b) The rezoning criteria provided in Section 21.02.140 of the Grand Junction Municipal Code (GJMC).

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

The adoption of the new Zoning code in 2010 has updated planning standards and practices. By amending the ODP's Phasing Schedule, not only will there be adequate time to complete the project, it will also come under these new standards and practices.

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

The character of the area has not changed, and therefore it remains consistent with the Plan.

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

Existing facilities and infrastructure have been installed to support the Planned Development which will continue to serve the project as it moves forward.

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

Not Applicable.

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

The new phasing schedule will be a benefit to the community by allowing more time to complete the Planned Development in slower economic times and by allowing flexibility for future development to respond to market demands.

c) The planned development requirements of Section 21.05.040(f) GJMC

This section refers to setback standards, open space, fencing and screening, landscaping, parking and street development standards. There are no changes proposed to any of these items. Landscaping as discussed above has been changed to a more xeric plan, and is not part of the consideration of the amended phasing schedule.

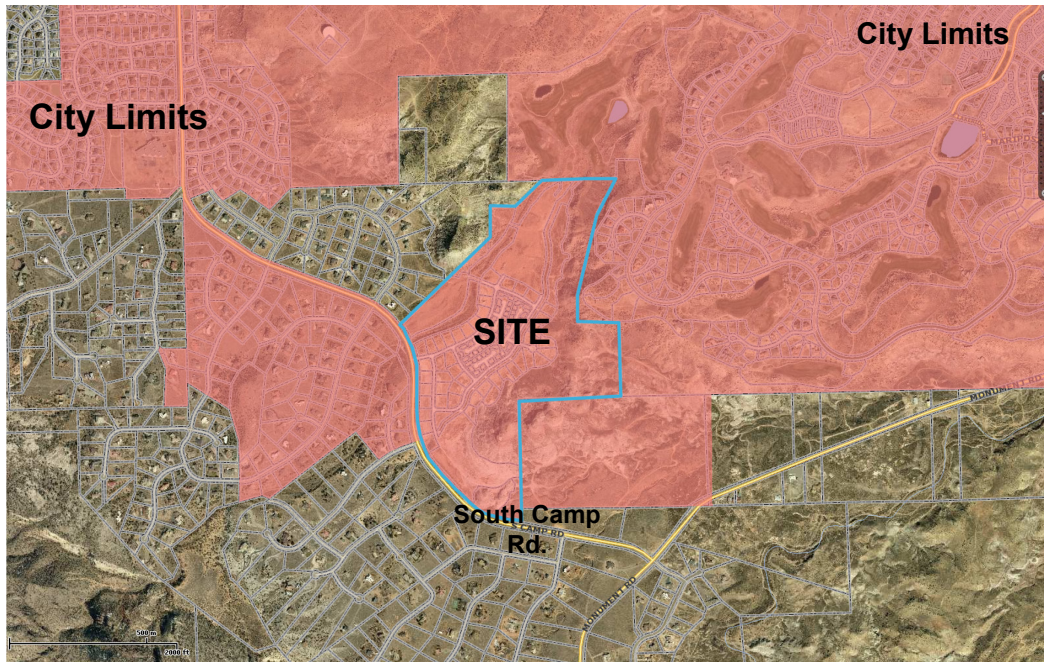
## FINDINGS OF FACT/CONCLUSIONS

After reviewing the Red Rocks Valley ODP application, file number PP-2006-217, an amendment to the Outline Development Plans Phasing Schedule, staff makes the following findings of fact and conclusions:

1. The requested amendment to the Outline Development Plan is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.05.150 of the Grand Junction Municipal Code have all been met.
3. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code (rezoning) have been met.
4. The request for a 10 year phasing schedule is in compliance with Section 21.02.080(N)(22)(i) of the GJMC.

# Site Location Map

Red Rocks Valley



# Aerial Photo Map

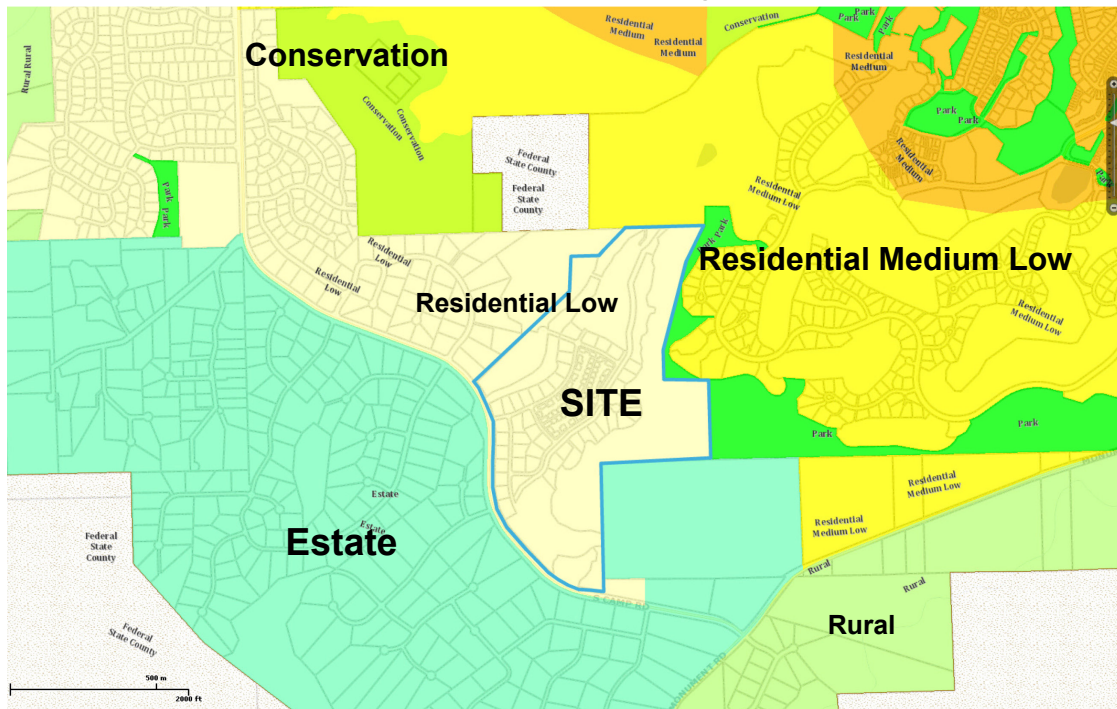
Red Rocks Valley





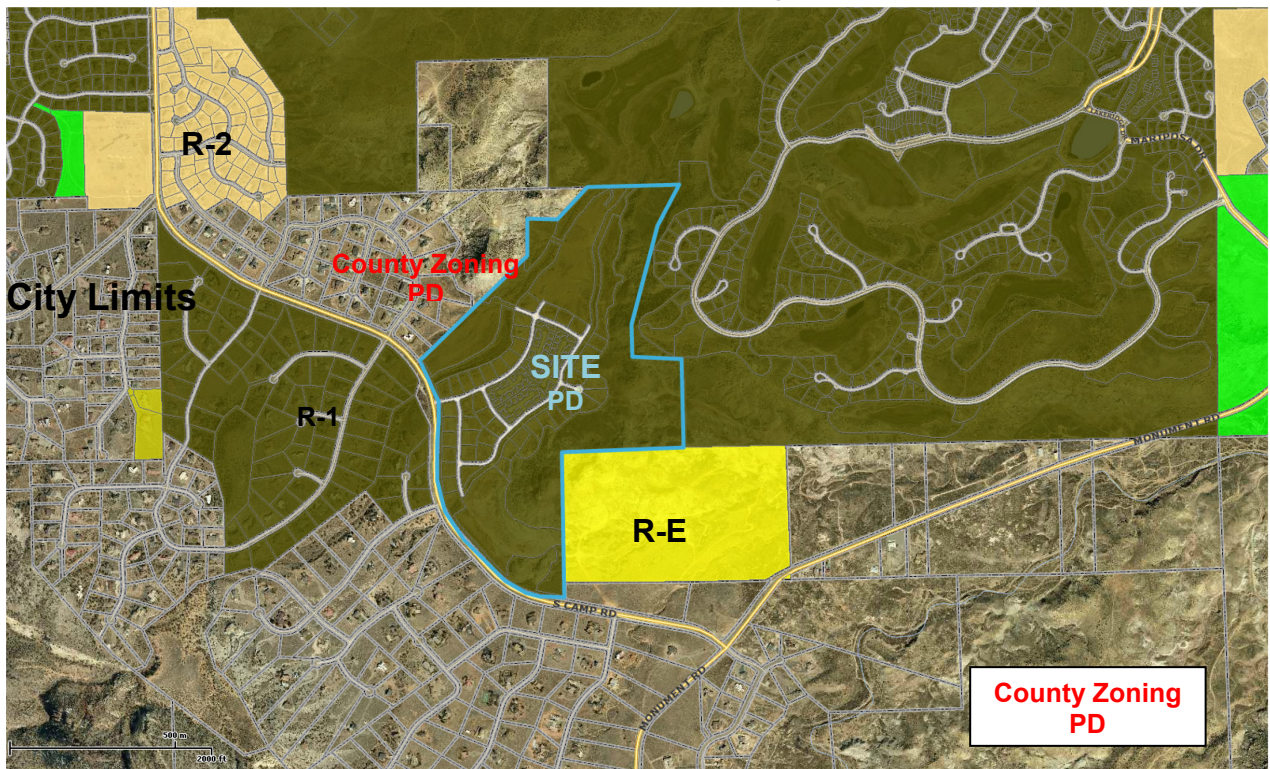
# Comprehensive Plan Map

## Red Rocks Valley



# Existing City and County Zoning Map

## Red Rocks Valley





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January 20, 2012

Lori V. Bowers, Senior Planner  
Public Works, Planning Division  
City of Grand Junction  
250 North 5th Street  
Grand Junction, CO 81501

RE: Red Rocks Valley Planned Development

Dear Ms. Bowers:

Thank you for meeting with David Fletcher and me this week. As we explained then, Dave's family owns Surf View Development Co., which recently completed foreclosure proceedings on those portions of the Red Rocks Valley development that have not yet been submitted for final plat approval.

On behalf of Surf View, we request an extension of ten (10) years for final platting of this property. The economic downturn, combined with a massive surplus of developed lots, has made this request necessary. Surf View does remain committed to the overall development plan reflected in previous submissions by the developer. It believes the development will eventually become a fine community asset.

Should you have any questions about this matter or are in need of additional information, please contact me.

Best regards,

RIDER & QUESENBERRY, LLP

By   
Kirk Rider

KR/rmh

cc: Surf View Development Co.

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**RECEIVED**

**JAN 20 2012**

**COMMUNITY DEVELOPMENT  
DEPT.**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA									
Subject		Zoning of the Fletcher Annexation located ½ mile west of Monument Road on South Camp Road							
Meeting Date		August 1, 2007							
Date Prepared		July 23, 2007					File # ANX-2006-108		
Author		Lori V. Bowers			Senior Planner				
Presenter Name		Lori V. Bowers			Senior Planner				
Report results back to Council			Yes	X	No	When			
Citizen Presentation		X	Yes		No	Name	Sid Squirrell		
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

**Summary:** Request to zone 139-acre Fletcher Annexation, on South Camp Road 1/2 mile west of Monument Road, Planned Development, 1.12 dwelling units per acre.

**Budget:** N/A

**Action Requested/Recommendation:** Hold a public hearing on August 1, 2007 to adopt an ordinance zoning the Fletcher Annexation as Planned Development, not to exceed 1.12 dwelling units per acre (PD 1.12), and a Preliminary Development Plan (hereinafter "Plan"). Planning Commission recommend approval of the Plan, with the inclusion of private streets and sidewalks and paths described herein not shown on the Plan.

**Attachments:**

Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City and County Zoning Map  
Minutes from the Planning Commission meeting  
Letters from neighbors  
Preliminary Development Plan  
Zone of Annexation Ordinance

**Background:**

The proposed Red Rocks Valley Subdivision (also the Fletcher Annexation) is approximately 138.97 acres in size, located in the Redlands bounded on the southwest by South Camp Road, the northwest by the last filing of Monument Valley Subdivision, the north and east by Redlands Mesa Subdivision and the south by private property. The topography on part of the site is steep with approximately 160 feet of relief. Red Canyon Wash and another minor wash on the east side connecting to Red Canyon Wash cross through the parcel from southwest to northeast. The land use classification for the area is Residential Low.

BACKGROUND INFORMATION				
Location:		South Camp Road and Monument Road		
Applicant:		Redlands Valley Cache, LLC, owner and developer; LANDesign Consulting, Bill Merrell, representative.		
Existing Land Use:		Vacant land		
Proposed Land Use:		Residential subdivision		
Surrounding Land Use:	North	Redlands Mesa Golf and residential		
	South	Residential subdivision		
	East	Vacant land and Redlands Mesa		
	West	Residential subdivision		
Existing Zoning:		County PD		
Proposed Zoning:		PD (density 1.12 Du/Ac)		
Surrounding Zoning:	North	PD		
	South	RSF-E and PD		
	East	RSF-E and PD		
	West	PD		
Growth Plan Designation:		Residential Low (1/2 to 2 AC/DU)		
Zoning within density range?		X	Yes	No

The Applicant sought annexation into the City on March 31, 2006 with a zoning at R-2, a designation at the high end of the zoning allowed by the Growth Plan. A neighborhood meeting at Wingate Elementary on May 18, 2006 brought in approximately 25 neighbors who voiced concerns about sewer, drainage, road capacity for South Camp Road, flooding in the area, the site's geologic attributes, density and lighting. The Preliminary Development Plan (hereinafter "Plan") proposed at this time is considerably different from the plan presented at the neighborhood meeting. County zoning on this property was planned development at 3 units per acre.

The Applicant provided a site analysis as required by Zoning and Development Code (ZDC) Section 6.1, including map overlays indicating development potential of all areas and a description of assumptions and methodology used to reach those conclusions. Based on the site's physical constraints, Staff recommended the Applicant request a zoning designation of Planned Development (PD). The Applicants, its designers and engineers, City Staff and outside review agencies have come to what we feel is a workable and sensitive plan, developing the potential of the property while taking into account its physical constraints.

#### **Planning Commission Recommendation:**

1) The Planning Commission forwards a recommendation of approval of the Planned Development zone district, not to exceed 1.12 dwelling units per acre, for the Fletcher Annexation, ANX-2006-108 to the City Council with the findings and conclusions listed herein.

2) The Planning Commission forwards a recommendation of approval of the Preliminary Development Plan, file number PP-2006-217, to the City Council with the findings and conclusions listed herein, with the specific addition of direct sidewalk or path connections for those lots that do not have a direct connection shown on the proposed plan. This aspect of the recommendation is described more fully herein and is incorporated in the proposed Ordinance.

Minutes from the Planning Commission meeting of June 28, 2007, are attached.

## **Discussion of Key Features**

### **1. Community Benefits.**

Zoning and Development Code Sections 5.1 A and 2.12 A provide that PD zoning should be used only when long-term community benefits are derived. This proposed Plan provides the following community benefits.

(a) A greater quality and quantity of public and /or private open space (§5.1 A.3.) than that in a typical subdivision is provided. The Plan provides 46.69 acres of open space, 33.6% of the overall site.

(b) The Plan provides needed housing types and/or mix (§5.1 A.5). The housing mix includes large-lot single-family residential and patio homes, which are currently in demand in the Grand Valley. The housing mix will be that of large lot single-family residential as the Redlands area has been known for, and patio homes similar to the Seasons at Tiara Rado.

(d) The Plan includes innovative design features (§5.1 A.6.). The character of the site with steeper slopes on the north and east, and interesting geologic features shall be protected by no disturbance and no build zones to be shown on the Final Plat.

(e) The Plan protects and preserves natural resources, habitat areas and natural features (§5.1. A.7.). The character of the site with its steeper slopes on the north and east, and interesting geological features are protected by "no-disturbance" and "no-build zones," which will be shown on a final plat.

### **2. Physical hazards and mitigation.**

The site's physical constraints include poor soils and the two washes referred to above, which carry the potential for flash flooding as evidenced by signs of past slope failure, slope creep and rock fall throughout the site. To mitigate this potential and to protect the safety and welfare of the community, the proposed ordinance requires engineered foundations and strict building envelopes for all structures, site grading plans, drainage swales and berms with boulder barriers, to redirect small storm flows without radical

changes from the natural drainage, placed so as to allow reasonable and necessary cleaning. These low-tech barriers may consist of existing larger boulders with additional boulders positioned to protect the building envelopes. These features must be constructed to the satisfaction of the City Engineer, treated as “as-builts,” covered by a Development Improvements Agreement, and maintained in perpetuity by a homeowners' association.

The flash flood areas located in the site's two major drainage channels will require more review prior to recordation of a final plat. An analysis of possible wetlands areas and delineation of other waters was prepared by Wright Water Engineers and was submitted to the Army Corps of Engineers (hereinafter Corps) for their determination of their wetlands jurisdiction. Because the Corps has not yet determined what its requirements for these areas will be, the Applicant's engineer is requesting flexibility on how and where to design the required drainage basins. Staff feels that with the liberal amount of room in the channels and the placement of the channels in a Tract, it can support the general locations shown in the Plan regardless of how the Corps claims jurisdiction. The drainage basins will, however, need to be specified in more detail and in compliance with wetlands restrictions imposed by the Corps, if any, before a final plat is recorded.

The Colorado Geologic Survey (CGS) has also commented on the Plan, stating that the Lincoln DeVore study was detailed and suggesting that a CGS representative be on site during construction of the rock swales and berms, and that each feature be inspected and approved by the City Engineer (Ceclia Greenman letter dated May 9, 2007). This recommendation has been incorporated into the PD Ordinance.

The Colorado Natural Heritage Program was contacted by Wright Water Engineers for any concerns about endangered species or rarity of plat forms. The report area is extensive covering Glade Park, the Monument out to Fruita, etc. No significant findings are claimed for this parcel.

The Colorado Division of Wildlife, in their letter dated November 16, 2006, stated: “While it is always unfortunate to lose open space, given the location and the condition of the surrounding properties, the Division of Wildlife had no major issues with the development as proposed;” there is further discussion of this in this report.

### 3. Requested exceptions and alternatives.

(a) Reduced lighting. A Transportation Engineering Design Standards (TEDS) exception was requested to address the lighting concerns of the neighbors. Given that the Redlands Area Plan encourages reduced lighting intensity in streets and other public places, TEDS Exception #13-07 was granted, allowing for minimal placement of street lights and low level lighting for the entrance to pedestrian areas. Street lights are limited to public street intersections and one is required on the bulb out on Red Point Court. These lights are required for police and fire protection services. No street lights will be required on the private streets in the patio home area.

(b) Alternate streets. Applicant requested benefit of the Alternate Residential Street Standards found in Chapter 15 of TEDS. City Staff supports their design, with one

exception described below. The Applicant proposed non-traditional streets to create a less “urbanized” feel to the area, based on the fact that much of the neighboring area was developed in Mesa County where the requirement for sidewalks and pedestrian paths was minimal, or non-existent. The proposed design has one remaining flaw, however; its pedestrian facilities do not meet the Alternative Street Standards in Chapter 15 of TEDS, which requires equal or better than the existing adopted street sections. Based on these standards Staff recommends that direct access to a trail or sidewalk should be provided, while the Applicant proposes no sidewalks in certain areas (typically but not limited to cul-de-sacs). Further discussion of this item is found later in this Staff report.

(c) Private Streets. The Applicants requested private streets in the interior of the proposed subdivision (the patio home area). This request requires City Council approval. Staff recommends approval subject to a requirement of a private streets maintenance agreement in conformance with TEDS and recorded before the final plat.

### **Conformity with Code Standards and Criteria**

#### **1. Consistency with the Growth Plan:**

The Plan is consistent with the following goals and policies of the Growth Plan:

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

The Plan meets this goal by providing 46.69 acres of open space, which is 33.6% of the overall site. The flood and drainage mitigation measures incorporate natural features, thereby respecting the natural environment.

Policy 1.4: The City and County may allow residential dwelling types (e.g., patio homes, duplex, multi-family and other dwelling types) other than those specifically listed for each residential category through the use of planned development regulations that ensure compatibility with adjacent development. Gross density within a project should not exceed planned densities except as provided in Policy 1.5. Clustering of dwellings on a portion of a site should be encouraged so that the remainder of the site is reserved for usable open space or agricultural land.

The Plan clusters dwellings on the site in the "high" developable areas identified in the Site Analysis. Patio homes will be developed in this area. The outlying parcels are larger in size and reflect the adjacent neighborhoods. Several pedestrian paths are provided through the project for usable open space and interconnectivity to other properties.



Policy 13.6: Outdoor lighting should be minimized and designed to reduce glare and light spillage, preserving “dark sky” views of the night sky, without compromising safety.

This policy (which also reflects that of the Redlands Area Plan) is implemented by reduced street lighting, for which a TEDS Exception (#13-07) has been granted.

Redlands Area Plan goals.

The Redlands Area Plan was adopted as part of the Growth Plan. A goal of this plan is to minimize the loss of life and property by avoiding inappropriate development in natural hazard areas. The proposed subdivision was closely reviewed by the developer's engineers, City engineers, Colorado Geological Survey, Lincoln DeVore, and is currently undergoing review by the Army Corps of Engineers. The natural hazard areas have been mapped and mitigation measures have been proposed. The mitigation measures are addressed elsewhere in this report as well as in the proposed PD Ordinance. Staff believes that although the details of some of these measures are left to be worked out at a later development stage, which is not ideal, the Plan provides sufficient assurance that loss of life and property can and will be minimized by the features in the Plan and the proposed ordinance.

Another goal of the Redlands Area Plan is to achieve high quality development in terms of site planning and architectural design. The Plan proposed does not include any references to types of or to specific architectural design(s); however, the site analysis process has resulted in what Staff feels is a quality subdivision. The subdivision incorporates the natural hazard areas by grouping higher density patio homes in the "high" developable area, while the larger lots (minimum ½ acre in size) surround the patio homes in the "medium" developable areas. The lot sizes, proposed setbacks and bulk standards for the default zone of Residential – 2 dwelling units per acre (R-2) will work for this subdivision. The overall density proposed is 1.12 dwelling units per acre, which is just under the Redlands area average of 1.14 dwelling units per acre.

## 2. Section 2.12.C.2 of the Zoning and Development Code

Requests for a Planned Development Preliminary Development Plan must demonstrate conformance with all of the following:

a) The Outline Development Plan review criteria in Section 2.12.B of the Zoning and Development Code, which are as follows:

1) The Growth Plan, Major street plan and other adopted plans and policies.

The Growth Plan designation for this area is Residential Low (½ to 2 acres per dwelling unit), which allows for R-E zone (one dwelling unit per 2 acres) at the low end and R-2 (2 dwelling units per acre) at the high end. The proposal is consistent with the Growth Plan by providing an overall density of 1.12 dwelling units per acre.

The Grand Valley Circulation Plan shows only South Camp Road; the proposed subdivision will access this road. Private streets are proposed for the patio home area. All other local streets are designed using the alternate street standards as provided for in Chapter 15 of TEDS (Transportation Engineering Design Standards). The proposed subdivision needs a secondary access that is not included in the Plan. The Plan does include a proposed stub street to the property directly to the east (the Azcarraga property). The Applicant anticipates that the Azcarraga property will develop, including an access to South Camp Road, before 100 homes are constructed in the Red Rocks Subdivision, and that the stub street will provide the required secondary access. (The "100 lot rule" establishes the maximum number of homes that may be accessed by a single point of ingress/egress). In the event that this does not occur, a secondary access must be constructed across Lot 1, Block 1. The ordinance provides for the activation of the "100 lot rule" in the event that the Azcarraga property is not developed by the appropriate time, and requires a DIA with guarantee for the road's construction. It also requires that potential buyers be alerted to the existence of building restrictions by use of a recording memorandum.

The Urban Trails Master Plan requires useable public trails through this subdivision and along South Camp Road. These trails have been provided in coordination with requests from the Parks and Recreation Department and the Urban Trails Committee. The developer will work with the City to ensure that existing trails will connect through this subdivision. The Parks & Recreation Department requests a dedication of the corner of land which would connect and make contiguous the City's two holdings north and east of this parcel, sufficient to allow maintenance access. Also a trail access across Red Canyon is provided along the north end of the property adjacent to the Redlands Mesa Golf Course, providing bicycle/pedestrian access from Redlands Mesa to the west and the future trail development in the area. The developers are currently in conversation with the Parks and Recreation Department and by the time of final design the details of the trail connections and possible land dedication shall be in place. The area is currently part of an open space tract. A dedication of land in the area to attach to the other City owned parcels is above and beyond the Code requirements for open space.

- 2) The rezoning criteria provided in Section 2.6 of the Zoning and Development Code is applicable to rezones. Section 2.6.A.3 and 4 of the Zoning and Development Code are applicable to annexations:

**Zone of Annexation:** The requested zone of annexation to the PD district is consistent with the Growth Plan density of Residential Low. The existing County zoning is PD 3, although no plan was approved. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The proposed zone is compatible with the surrounding neighborhood if developed at a density not exceeding 1.12 dwelling units per acre. The applicants have requested that the underlying default zoning of R-2. Other existing densities in the area are similar to the County RSF-1 (Residential Single-Family – one dwelling unit per acre). The overall average density throughout the Redlands, as provided in the Redlands Area Plan, is 1.14 dwelling units per acre. Therefore the PD zoning of 1.12 dwelling units per acre is similar to the existing area.

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

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

### 3) The planned development requirements of Chapter Five of the Zoning and Development Code.

Chapter Five of the Code lists examples of types of community benefits that can support a planned development zoning designation. The Plan meets several of those as discussed earlier in this report under the heading "Community Benefits."

Further requirements of Chapter Five are to establish the density requirement for the Planned Development Ordinance. The proposed PD ordinance establishes the density requirement of 1.12 dwelling units per acre. The R-2 zone as a default zone is appropriate. It has the same bulk standards and setbacks as what is being requested for the new PD zone district. Deviations from the R-2 zone would be in the patio home area. The Code states that the ordinance shall contain a provision that if the planned development approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the R-2 zone district. The patio home area could then be reviewed using the cluster provisions, but the density may drop in that area. The proposed setbacks for this PD are discussed further in this staff report.

### 4) Section 5.4, Development standards.

Setback standards shall not be less than the minimum setbacks for the default zone unless the applicant can demonstrate that the buildings can be safely designed and that the design is compatible with lesser setbacks. The setback standards for the single-family homes is consistent with the R-2 default zone: The front setback is 20 feet for the principle structure and 25 feet for accessory structures. Side setbacks are 15-feet for the principle structure and 3 feet for accessory structures. The rear setback is 30-feet for the principle structure and 3 feet for an accessory structure.

Setbacks for the patio home area are less than the default zone and are allowed to be reduced because of the amount of common open space and the protection of the environmentally sensitive areas that were determined through the Site Analysis process and is allowed through the Planned Development process of the Code. The Planning Commission will make recommendation to City Council that the patio home area setbacks are adequate as follows for what is being proposed for the ordinance: A minimum 14-foot setback is required around the perimeter of the patio home area tract for the multi-purpose easement as well as a landscape buffer. This setback is measured from the back of walk and includes Red Park Road, Red Point Road, Red Mesa Road, and Slick Rock Road. No access will be obtained directly from these perimeter streets. All access for the patio home area will be obtained from the interior private streets functioning more as a driveway than a street. This does require City Council approval. Required is a front setback for all garages at 20 feet. The principle structure front setback will be a minimum of 10-feet, measured from the back edge of the private street. The side setback between buildings is 10-feet, except for those units that are attached, and then a zero setback is allowed. At final, a site plan shall be recorded to show the proposed building layout and further establish the setbacks that are proposed on the preliminary plan. It is the intention of the patio home area of the subdivision to sell the patio homes in fee simple and the areas surrounding the homes to be landscaped and maintained by the HOA. No accessory structures will be allowed. This is a deviation of the Zoning and Development Code Section 9.32. which talks about single-family detached dwellings on a single lot; and two-family dwellings located on separate lots. The intent is for the home to be "the lot" surrounded by common open space, maintained by the HOA. At final design the applicant will provide a dimensioned final site plan depicting this area. This will be recorded with the final plat for verification of building placements

The Open Space requirements established in Chapter Six are exceeded with this plan. Over 33.6% of the site is dedicated to Open Space, which totals 46.69 acres. Fourteen Tracts of land are provided totaling 16.67 acres or 12.0% of the land. These Tracts are for various purposes, and sometimes dual purposes, such as trails, utilities and drainage. Tract N is reserved for future development to adjoin the property to the east. This was a decision that was reached with the applicant when a good design for this area could not be found. It made sense to include it with the development of the property to the east when it develops.

Planned Developments are to provide uniform perimeter fencing in accordance with Chapter Six. It is Staff's position that no perimeter fencing is required with this subdivision since the density and intensity of the surrounding subdivisions are similar, and in places it would be very difficult to install, nor would it serve a purpose. This is further discussed in number 9 below.

Development standards require compatibility with adjacent residential subdivisions. Compatibility does not mean the same as, but compatible to. It is Staff's opinion that residential compatibility exists but single family lots abutting other single family lots on the west side.

Landscaping shall meet or exceed the requirements of Chapter Six. The landscaping requirements of the Code do not apply to a lot zoned for one (1) or two (2) dwelling

units. Landscaping in the single-family area will be done by the home owner with approval from the HOA, subject to easements for maintenance of slopes and berms in the sensitive areas. The Plan provides the required landscape buffer along South Camp Road and pedestrian trail per the Urban Trails Master Plan. Landscaping in the patio home area will be maintained by the HOA. Because the soils report prepared by Lincoln DeVore recommends that the steeper slopes be non-irrigated due to the high possibility of slope failure, the majority of the steep slopes are in open space tracts. This should also serve to notify the developer of the soil conditions of this area and to landscape appropriately.

Colorado Division of Wildlife reviewed the proposal as the Redlands Area Plan (Figure 10, page 65) specified the Red Canyon Wash as having a potential impact to wildlife in this area. The DOW stated that they had no major issues with the development; however they recommended that the main drainage be left in its native state with a 100-foot buffer for wildlife to travel on their way to the Colorado River and back. They also strongly encouraged native and xeric landscaping for the existing wildlife of the area and not to disturb areas where it is not necessary beyond the roads and homes.

Parking has been addressed through a parking analysis done by the applicant to ensure adequate off-street parking exists for the patio home area and additional parking is obtained “on street” surrounding the development. Parking is further addressed below in item 8.

Deviation from the above development default standards shall be recommended by the Planning Commission to the City Council to deviate from the default district standards subject to the provision of the community amenities that include more trails other than those listed on Urban Trails Master Plan and open space greater than the required 20% of the site.

- 5) The applicable corridor guidelines and other overlay districts in Chapter Seven.

Chapter Seven of the Zoning and Development Code addresses special regulations and are discussed below. There are no corridor guidelines in place for South Camp Road.

- 6) Section 7.2.F. Nighttime Light Pollution.

This section of the Code is to enforce that all outdoor lights mounted on poles, buildings or trees that are lit between the hours of 10:00 PM and 6:00 AM shall use full cutoff light fixtures. This in conjunction with the TEDS exception that was granted for reduced street lighting in this area. Reduced lighting should help protect the night sky and the neighborhood from excessive lighting. Minimal street lighting will be required where the TEDS committee determined it to be necessary for the public safety of this subdivision. Street lights will be required at the intersection of public streets, not private streets, and at the bulb out on Red Point Court. Low level lighting is encouraged at the entrance to pedestrian paths.

- 7) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

Adequate public utilities are present in the area and the services will be extended throughout the subdivision. Sewer will be extended through the site and an existing lift station will be removed once all the sewer improvements are completed. Presently there is an ingress/egress easement on Lot 1, Block 5, for maintenance of the existing lift station. As part of the future requirements of the development, the easement will be vacated when the lift station is taken out of service. There is an existing 12" Ute Water line for service located in South Camp Road. Telephone, electric and gas is also available in South Camp Road.

- 8) Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

LSC Transportation Consultants prepared the traffic analysis for this project. The study showed no need for improvements to South Camp Road.

The applicants have provided adequate vehicle circulation throughout the proposed subdivision by taking advantage of Chapter 15 in the TEDS manual using the alternative street standards (with the exception of the secondary access requirement, which is addressed elsewhere herein). The applicants are also requesting City Council approval of the private streets proposed in the patio home area.

The intent of using in the "Alternate Residential Street Standards" is to provide flexibility in the creation, approval and use of public street infrastructure that varies from the cross-sectional standards provided in Chapter 5 of TEDS. These proposals are approved administratively and the implementation of these standards should result in "a better solution" allowing alterations to the standard street section that produce benefits to the community. Staff supports the road layout and configuration but does not agree with the applicant as to their lack of sidewalks or paths in some areas.

Section 15.1.6 of TEDS states that the design must provide adequate pedestrian facilities equal or better than existing adopted street sections. Detached walk and additional walk width are encouraged by TEDS. Sidewalks are required to create continuous pedestrian walkways parallel with the public roadway. Generally, if lots front both sides of the street, sidewalk will be required on both sides of the street. In this proposal there are trails provided through open space areas that may be accessed from the rear or sides of the properties, therefore Staff agreed that sidewalks would not be needed on the street side where a path ran along the backside or side yard of the lots. The alternate streets, as proposed, include 40-foot right-of-way, sidewalk on one side of the street and only a 25-foot wide asphalt section. The applicants further feel that narrow streets will help with traffic calming. There is a network of pedestrian paths proposed to be installed. Most of these paved trails will include both a paved bicycle path and a smooth gravel jogging path.

There are several areas where the Plan does not provide direct access to sidewalks and/or paths from lots. Staff does not agree with the Applicant's reasoning for not providing them since TEDS requires that the proposal "be a better solution". The



Applicants feels that the lack of sidewalks in the cul-de-sacs provides a more rural feel to the subdivision therefore less urbanized, and similar to other subdivisions in this area that were developed in the County. The Applicant requested the Planning Commission to determine if this is “a better solution”, and allow these areas to remain as proposed without direct access to a pedestrian feature. The Planning Commission declined to make this finding, and forwarded a recommendation to the Council of approval of the Plan with the addition of the specific sidewalk requirements described herein and prescribed in the proposed ordinance.

Private Streets are generally not permitted. The applicants are requesting the use of private streets in the patio home area of the plan. Section 6.7.E.5. requires the City Council to authorize the use of private streets in any development to be served by private streets. Since there will be no “on-street” parking allowed in the patio home area on the private streets, a parking analysis was provided to show that there is sufficient on street parking provided on the streets surrounding the patio home area. Sidewalks and paths will direct pedestrians from the exterior sidewalks to the interior sidewalks and to a 20-foot wide pedestrian trail that will run through this portion of the subdivision. While these will be classified as Private Streets, they will act more as driveways since they do not interconnect, they are a series of small drives with cul-de-sac turn-a-rounds at the end. Staff supports the private streets given the overall design of the Plan including the effective clustering of home types and preservation of unique natural features.

- 9) Appropriate screening and buffering of adjacent property and uses shall be provided.

Along the eastern most portions of the site will be an extensive open space area that will provide a natural buffer. The northern most portion of the project abuts the Redlands Mesa Golf Course, therefore no screening or buffering is required. The western most portion of the project is where eight residential properties will abut another residential subdivision. There is no screening or buffering requirements for residential districts that adjoin other residential districts. The remainder of the site is adjacent to South Camp Road where a landscaping tract is being provided along that section of the road.

- 10)An appropriate range of density for the entire property or for each development pod/area to be developed.

The density for the overall site is 1.12 dwelling units per acre (138.97 acres). The patio home area density, which is 9.66 acres, will be 5.38 dwelling units per acre (7.0% of the site). The single-family residential area consists of 55.91 acres, with a density of 0.80 dwelling units per acre (40.2% of the site). The open space area equals 46.69 acres (33.6%). Public right-of-way consists of 10.04 acres (7.2%). The remainder of the site, placed in tracts for various uses, equals 16.67 acres or 12.0% of the site.

- 11)An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed.

The default standard for the single family residential areas on ½ acre lots will be those of the R-2 zoning district. The front setback is 20-feet for the principle structure and 25-feet for an accessory structure. Side setbacks are 15-feet for the principle structure and 3-feet for accessory structures. The rear setback is 30-feet for the principle structure and 3-feet for an accessory structure.

The patio home area standards are as follows:

A minimum 14-foot setback is required around the perimeter of the patio home area. This setback is measured from the back of walk and includes Red Park Road, Red Point Road, Red Mesa Road, and Slick Rock Road. The front setback for all garages shall be 20-feet. The side setback between buildings is 10 feet, except for those units that are attached, and then a zero setback is allowed. At final, a dimensioned site design plan shall be recorded with the Final Plat showing the exact building placements. No accessory structures will be allowed.

12)An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

A phasing schedule for the property has been provided. Five phases are proposed with the first phase to platted by March 1, 2008; Phase 2 - March 1, 2011; Phase 3 - March 1, 2013, Phase 4 - March 1, 2015 and Phase 5 - March 1, 2017. A graphic depiction of the phasing is shown on sheet 3 of the drawings.

13)The property is at least twenty (20) acres in size.

The property is about 139 acres in size, well over the required 20 acre requirement.

b) The applicable preliminary plat criteria in Section 2.8.B of the Zoning and Development Code.

1) The Growth Plan, major street plan, Urban Trails Plan, and other adopted plans:

This was discussed above in regards to Section 2.12.C.2.

2) The purposes of this Section 2.8.B

The purpose of Section 2.8.B. is to ensure conformance with all the provisions of the Zoning and Development Code. Staff feels that the Applicant has addressed the seventeen criteria of conformance with the Growth Plan and other adopted plans and policies; coordination of the public improvements; safeguarding the interests of the public; preserving natural features of the property; prevention and control of erosion, sedimentation and other pollution of surface and subsurface water; restricting building in areas poorly suited for construction; and prevent loss and injury from landslides, mudflows, and other geologic hazards.

3) The Subdivision standards (Section 6.7)

The subdivision standards have been met by providing open space integrated with the subdivision and adjacent property to create an attractive area for active and passive use. There is adequate access to public roads and existing trails in the area. Additional interior trails are planned. Along with single family units there is also zero lot line development in the patio home area. This provides greater usable yard space as suggested in the Zoning and Development Code for Planned Developments, innovative design and a mix of housing types. Although the clustering provisions do not apply to planned developments, the concept is being employed here, derived through the site analysis process. Should the default zone of R-2 become effective due to the expiration or lapse of the Ordinance, the clustering provisions could be applied.

There are some shared driveways in the single family area, and there are several cul-de-sacs provided. The subdivision standards further require that the subdivision include and protect as much of the natural, geologic and other hazard areas as possible. The Plan identifies drainages, washes, and flash flood areas and the detention basins are generically shown on the Plans in the Red Canyon Wash channel. The Applicant's Engineer is requesting flexibility on how and where to design the basins until the final design process because the Corps of Engineers has not yet determined their requirements. The general location shown on the Plan is still effective, from the Staff's point of view, because there is plenty of room within the channel, regardless of how the Corps claims jurisdiction, for location of the specific basins. Specific drainage basin design and location shall be shown on the final plat. Mitigation berms and swales for drainage and rock fall areas are shown on the Plan as easements, which shall be granted to the HOA and designated appropriately on the Final Plat. Based upon general agreement between Staff, Colorado Geological Survey, and Ed Morris of Lincoln DeVore, these will be treated as "as-builts" and covered in the Development Improvements Agreement (DIA). The City will further require that a representative be on site during construction of the rock swales and berms, and that each feature be inspected and approved by the City Engineer. Construction and installation of these berms is discussed in the report by Lincoln DeVore, Inc. Also a note on the final plat shall state that construction outside of the designated building envelopes is not permitted. Engineered foundations and site grading plans will be required for all lots. Each of these requirements is reflected in the proposed ordinance.

#### 4) The Zoning standards (Chapter 3)

The Zoning of the subdivision to PD is consistent with Section 5.1 of the Zoning and Development Code. The desired flexibility is not available through the application of the standards established in Chapter Three, but the bulk standards of the R-2 district will apply to the single-family residential lots.

#### 5) Other standards and requirements of the Zoning and Development Code and other City policies and regulations

Staff feels that the standards of the Zoning and Development Code as well as TEDS, SWMM and the Redlands Area Plan have been met with this application and can be applied at the Final Plat stage.

- 6) Adequate public facilities and services will be available concurrent with the subdivision

Adequate public facilities are in the area and can be extended to serve the proposed subdivision.

- 7) The project will have little or no adverse or negative impacts upon the natural or social environment

With the proposed easements and supervised construction there should be minimal adverse impacts upon the natural environment. The social environment will change as more needed housing is provided for the community when none existed previously, but this should not be an adverse impact.

- 8) Compatibility with existing and proposed development on adjacent properties

Compatibility will be obtained by providing single family residences on the periphery of the property where the development potential is more constrained, and cluster of higher density homes in the area where higher development potential exists. This was determined through the site analysis process.

- 9) Adjacent agricultural property and land uses will not be harmed.

There are no agricultural uses adjacent to this site. Adjacent residential uses will not be harmed by more residential uses.

- 10) Is neither piecemeal development nor premature development of agricultural land or other unique areas.

The proposed plan is neither piecemeal nor premature development of agricultural land. The property is unique in its geological formations; these are being preserved as open space areas.

- 11) There is adequate land to dedicate for provision of public services.

There is adequate land available throughout the proposed subdivision for easements for public utilities and services.

- 12) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

The City should not see an undue burden for maintenance or improvements. There are currently discussions with the City's Parks and Recreation Department regarding land dedication or trail easements. The Parks Department would like to obtain a section of property that will connect two existing parcels owned by the City in the upper north east section of the project. The discussions are such that the area could be dedicated to the City for continuation and access of existing pedestrian trails, or easements provided for

connecting the trails. At final design stages this will need to be decided. Ownership would then dictate who maintains the area.

The HOA will be responsible for maintenance of drainage and detention areas and the developer will be required to grant an access and maintenance easement to said HOA for this purpose. The City will also have access to these areas for stormwater management purposes in accordance with the law. The HOA will also be responsible for the maintenance of the private streets. TEDS as well as the proposed ordinance requires a TEDS-compliant Private Streets Agreement to be in place and recorded with the Final Plat.

- c) The applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code.
  - 1) Adopted plans and policies such as the Growth Plan, applicable corridor or neighborhood plans, the major street plan, trails plan and the parks plan.

These items have previously been addressed in this Staff report.

- 2) Conditions of any prior approvals

There are no prior City approvals on this site. The County had previously zoned this property with a Planned Development designation but not other action was taken on the property that conditions it.

- 3) Other Code requirements including rules of the zoning district, applicable use specific standards of Chapter Three of the Zoning and Development Code and the design and improvement standards of Chapter Six of the Code.

These items have been addressed above and with the preliminary plat criteria in Section 2.8.B.

- 4) Quality site design practices:

Quality site design practices are outlined in Section 2.2.D.4.b (4) (A thru K) in the Zoning and Development Code. The Plan efficiently organizes the development in relation to the topography. Erosion areas are left to their natural state with the addition of mitigation measures described herein and sufficient to protect life and property. Exterior lighting will be minimized to lessen impact on night sky visibility. All utility service lines shall be undergrounded. Pedestrian and bicycle access are provided through the site. Some pedestrian accesses will also double as maintenance vehicle access points to drainage and detention areas. All public facilities and utilities shall be available concurrent with the development.

- d) The approved ODP, if applicable.

There is no approved ODP for this project.

- e) The approved PD rezoning ordinance, if adopted with an ODP.

The PD Ordinance is also the zone of annexation for this project. There is no ODP for this project, therefore the PD zoning shall be established with the Preliminary Development Plan and approved by City Council.

- f) An appropriate, specific density for all areas included in the preliminary plan approval.

The specific density for this project is 52 patio homes, which calculates to 5.38 dwelling units per acre; and 103 single family detached homes located on ½ acre or greater lots, for a density of 0.80 dwelling units per acre.

- g) The area of the plan is at least five (5) acres in size or as specified in an applicable approved ODP.

There is no ODP for this project and the plan extends well over five acres in size at almost 139 acres.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Fletcher Annexation, ANX-2006-108 and the Red Rocks Valley application, file number PP-2006-217 for a Planned Development, Preliminary Development Plan, Staff makes the following findings of fact and conclusions with respect to the zoning and Plan proposed by the Applicant:

1. The Planned Development zone and Preliminary Development Plan are consistent with the goals and policies of the Growth Plan.
2. The goals and policies of the Redlands Area Plan have been met.
3. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have been met.
4. The review criteria in Section 2.12.C.2 of the Zoning and Development Code have been met.
5. The review criteria in Section 2.8.B of the Zoning and Development Code have all been met.
6. The review criteria in Section 2.2.D.4 of the Zoning and Development Code have all been met.
7. The review criteria of Section 15.1.6 of TEDS are not entirely met by the Plan due to the lack of a direct connection for some lots to sidewalks or paths in the subdivision. Staff and Planning Commission recommend direct connections from all lots to pedestrian facilities. These connections include:



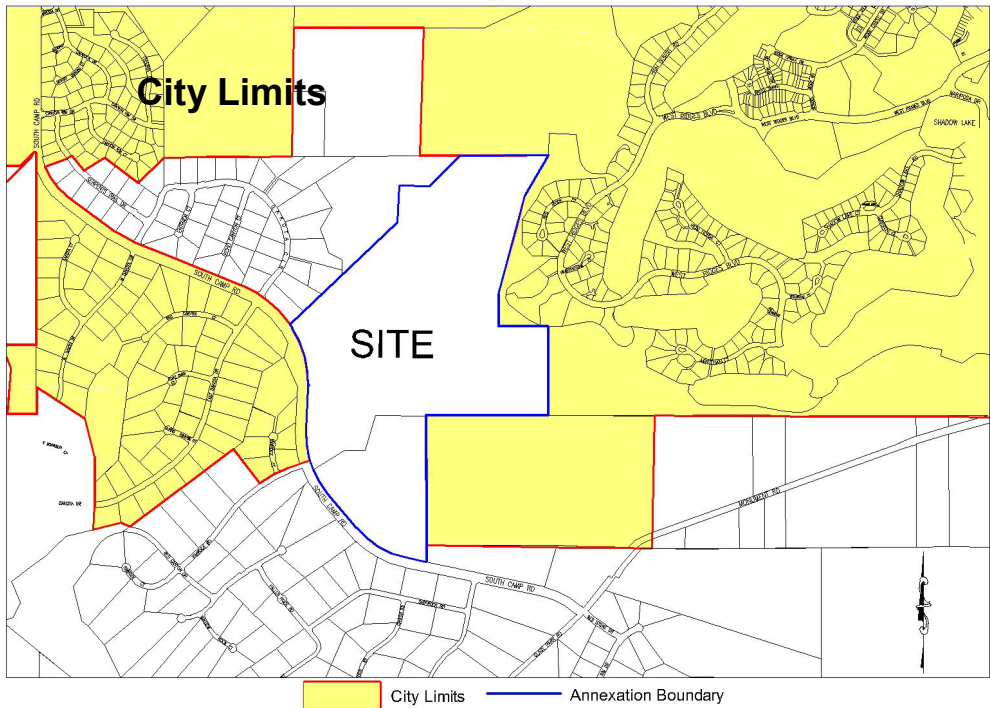
Sidewalk on both sides of Slick Rock Road;  
Sidewalks on both sides of Red Park Road;  
Sidewalk on Grand Cache Court, continuing around the entire cul-de-sac and both sides of the street;  
Sidewalk on both sides on Red Pointe Road between Red Mesa Road and Red Park Road.  
Sidewalk around the cul-de-sac on Crevice Court to the trail in Red Canyon.

8. The proposed phasing schedule shall be as follows:  
First phase to be platted by March 1, 2008;  
Phase 2 - March 1, 2011;  
Phase 3 - March 1, 2013,  
Phase 4 - March 1, 2015 and  
Phase 5 - March 1, 2017. A graphic depiction of the phasing is shown on sheet 3 of the drawings.
9. TEDS exception #13-07 has been granted for reduced lighting.
10. City Council approval is required for the private streets proposed for the patio home area. All other local streets meet the Alternate Residential Street Standards found in Chapter 15 of TEDS.
11. A dimensioned site plan for the patio home area is required with the final plat.
12. Trail connections near the existing City properties in the northeast area of the site shall be dedicated to the City and shown on the Final Plat being recorded.

# Site Location Map

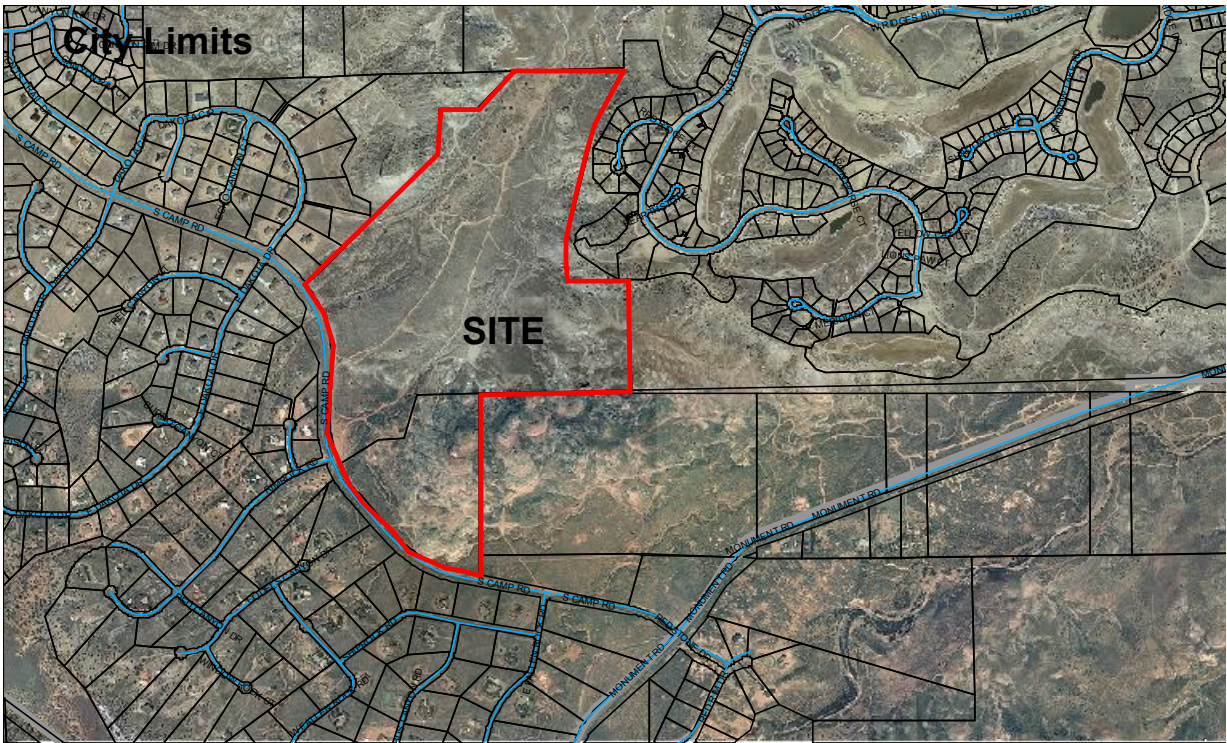
## Fletcher Annexation

Fletcher Annexation  
Figure 5



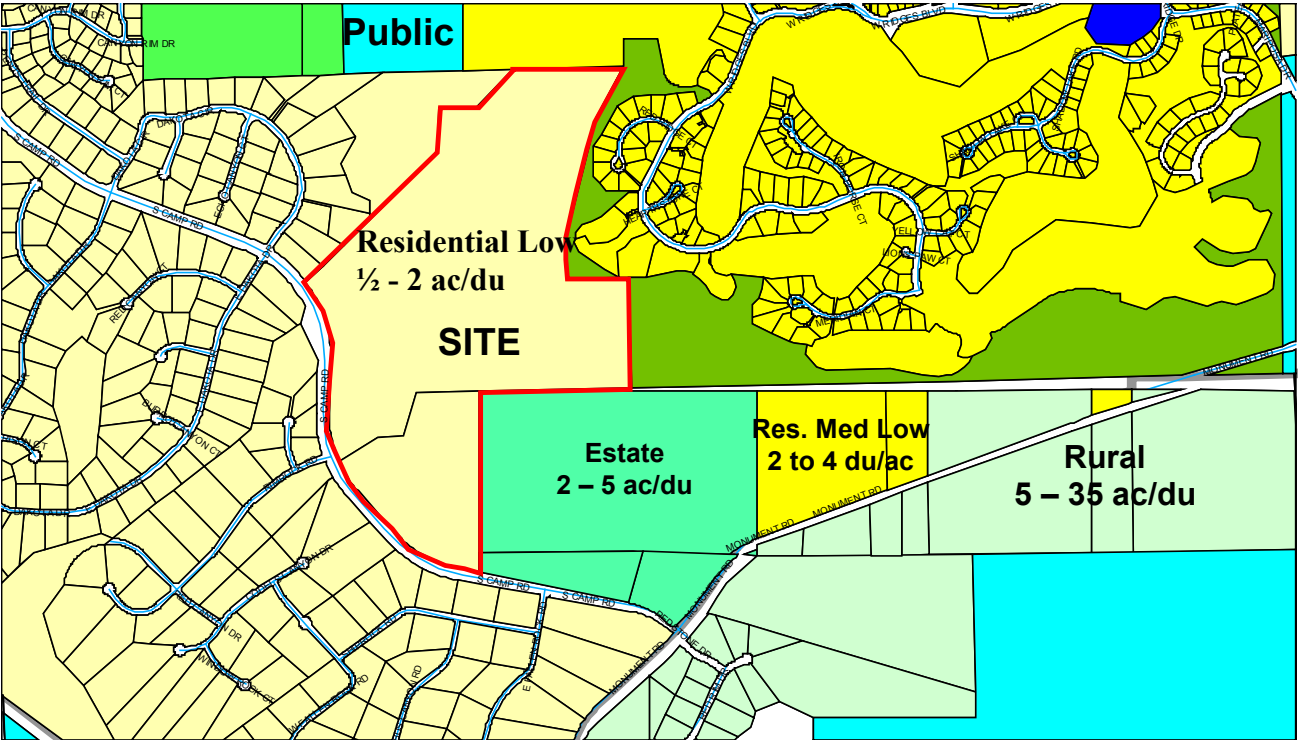
# Aerial Photo Map

## Fletcher Annexation



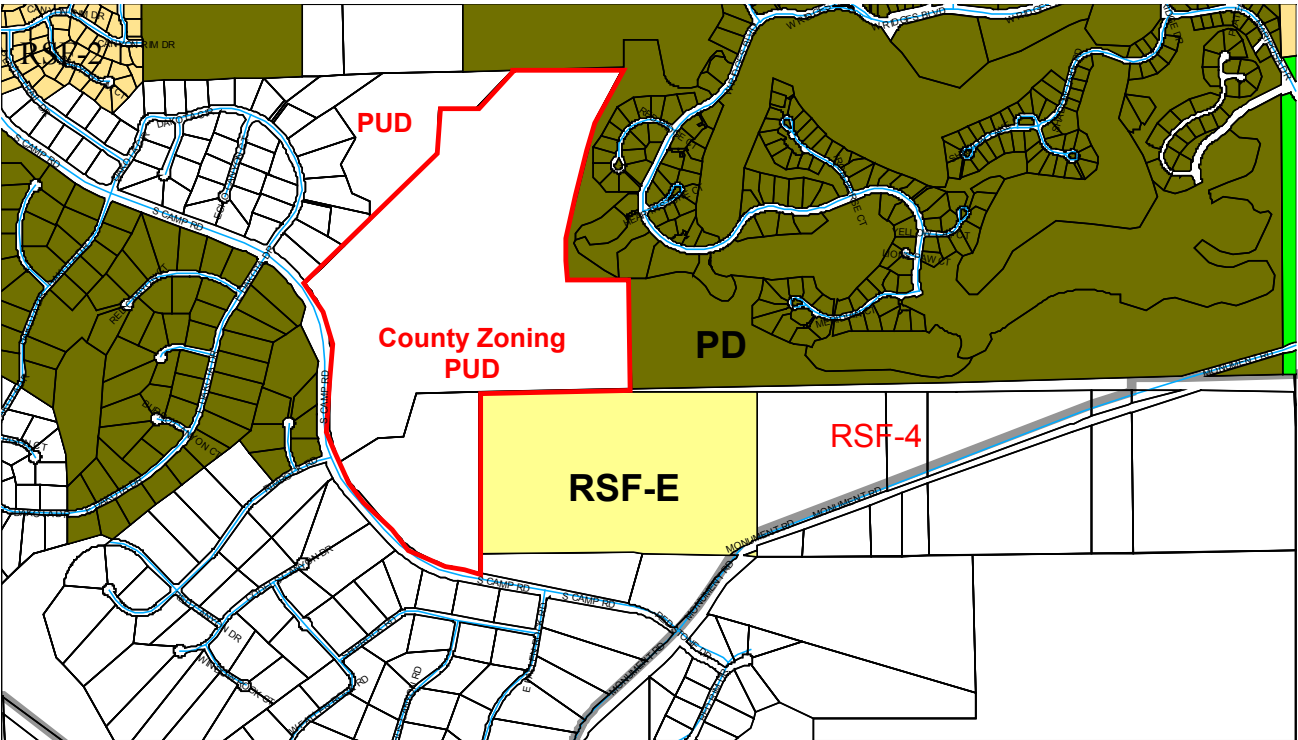
# Future Land Use Map

Fletcher Annexation



# Existing City and County Zoning

Fletcher Annexation



**GRAND JUNCTION PLANNING COMMISSION**  
**JUNE 26, 2007 MINUTES (condensed)**  
**7:00 p.m. to 1:55 a.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

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

In attendance, representing the City's Public Works and Planning Department, were Lisa Cox (Planning Manager), Kristen Ashbeck (Senior Planner), Ronnie Edwards (Associate Planner), Lori Bowers (Senior Planner) and Ken Kovalchik (Senior Planner).

Also present were Jamie Beard (Assistant City Attorney), Rick Dorris (Development Engineer), Eric Hahn (Development Engineer and Jody Kliska (City Transportation Engineer).

Wendy Spurr (Planning Technician) was present to record the minutes. The minutes were transcribed by Lynn Singer.

There were approximately 200 interested citizens present during the course of the hearing.

**6. ANX-2006-108 ANNEXATION – Fletcher Annexation**

Request approval to zone 139 acres from a County PD (Planned Development) to a City Planned Development district.

**PETITIONER:** Redlands Valley Cache LLC

**LOCATION:** South Camp Road & ½ Mile West Monument Road

**STAFF:** Lori Bowers, Senior Planner

**7. PP-2006-217 PRELIMINARY PLAN – Red Rocks Valley Subdivision**

Request approval of the Preliminary Development Plan to develop 155 lots on 139 acres in a PD (Planned Development) zone district.

**PETITIONER:** Redlands Valley Cache LLC

**LOCATION:** South Camp Road & ½ Mile West Monument Road

**STAFF:** Lori Bowers, Senior Planner

**APPLICANT'S PRESENTATION**

Sid Squirrell appeared on behalf of applicant. Mr. Squirrell stated that a neighborhood meeting was conducted with regard to the Fletcher Annexation and Red Rocks Valley Subdivision. He stated that this project is located north of South Camp Road, west of Monument Road and south of Redlands Mesa Golf Course and Subdivision. He stated that it was zoned under the County plan at 3 units per acre. The Growth Plan Amendment is zoned ½ acre to 2 acre sites. Applicant is proposing a total of 155 lots on the 139 acre site. He also pointed out that there are two drainages on the property



which will not be built upon; however, a jogging trail and a bike trail will be built through the drainages. Mr. Squirrel stated that ½ acre lots will be on the outside of the property and patio homes would be clustered in the center of the property. Additionally, he pointed out that there would be 46 acres (33%) of open space in this project. He also stated that all utilities are existing and in place and were designed to accommodate 3 units per acre. He addressed the expansive soils and rockslide issues by stating that each site will have a designed drainage system that will incorporate and coordinate other lots. Additionally, drainage structures and berms will be built during construction to serve multiple lots so that water is collected above the lots and brought down between lots which will be maintained by the homeowners' association. Mr. Squirrel next stated that there will be 5 phases of the project. He also addressed architectural controls and street lighting that will be put in place.

### **QUESTIONS**

Commissioner Putnam asked if applicant is proposing to complete all infrastructure before houses are constructed. Mr. Squirrel stated that they do not anticipate that lots will be sold and built upon immediately.

Commissioner Cole asked if there is only one access off of South Camp Road and if a traffic study has been performed. Mr. Squirrel stated that there will be only one entrance up until the 100<sup>th</sup> lot is sold. At that time, there will be a second entrance. Applicant has performed a traffic study.

Commissioner Wall asked how many of the 46 acres that will be dedicated as open space are buildable lots. Sid Squirrel stated that he was not sure but believed it would be a small percentage.

Commissioner Lowrey suggested that there should be a sidewalk on the proposed street that will provide the second access for safety concerns.

Chairman Dibble asked about the traffic study that has been performed. Mr. Squirrel stated that the traffic engineer is not present.

Commissioner Carlow asked if applicant believes the proposed reduced lighting will be adequate. Mr. Squirrel stated that applicant believes it will be adequate for this project.

Chairman Dibble asked what the minimum lot size is. Mr. Squirrel stated that the single-family lots are half acre lots.

## **STAFF'S PRESENTATION**

Lori Bowers of the Public Works and Planning Department spoke first about the annexation criteria. She stated that the requested zone of annexation to the PD district is consistent with the Growth Plan density of Residential Low. The existing County zoning on this property was PD-3 although there was no approved plan. She further stated that the proposed zone is compatible with the surrounding neighborhood if developed at a density not exceeding 1.12 dwelling units per acre. Applicant has requested the underlying default zoning of R-2. Ms. Bowers finds that adequate public facilities are available or will be supplied at a time of further development of the property. Ms. Bowers stated that due to the size of the property, applicant was required to perform a site analysis of the property. She also stated that the final plat will require building envelopes for geotechnical reasons, part of the mitigation of the rockfall and drainage areas will be the construction of small drainage berms combined with boulder barriers. As part of the ordinance, applicant is required to have an inspector be on site during the construction of the berms and drainage pathways. She stated that staff is requesting that there be sidewalks around the entire perimeter of this area. Alternate street standards are being proposed by applicant. Staff is suggesting that all lots should have direct access either to a sidewalk or to a pedestrian path.

## **QUESTIONS**

Commissioner Cole asked if there was any need for an accel/decal lane at the entrance of the property. Ms. Bowers stated that according to the information she has received an accel/decal lane is not warranted.

Commissioner Putnam asked if the proposed development is adjacent to the Colorado National Monument. Lori Bowers stated that it is not adjacent to the Colorado National Monument.

Chairman Dibble asked what the long term benefits of this development might be. Ms. Bowers enumerated those benefits to be protection of a lot of open space area, innovative design, protection of the flash flood areas, among others.

Chairman Dibble asked what the minimum lot size for the backup zoning would be. Lori said that that smallest lot on this plan is .49 acres with the largest being .89 acres.

## **STAFF'S PRESENTATION**

Rick Dorris, City Development Engineer, confirmed that a traffic study has been done and turn lanes were not warranted on South Camp Road. A TEDS exception for reduced street lighting was submitted and it was determined the number of required street lights to be 11.

## **QUESTIONS**

Commissioner Pitts asked if from an engineering standpoint that water will not come down the two water contributories. Mr. Dorris stated that applicant has analyzed the 100 year flood plain. He also stated that it is applicant's engineer's responsibility to calculate what the 100 year flow rate is to determine how wide that will be.

Chairman Dibble stated that he has a concern with only one entrance until the 100<sup>th</sup> lot is sold. Mr. Dorris confirmed that you can develop 99 lots with a single access provided there is stubbing for another access in the future. He also stated that applicant has



provided a contingency plan to be able to develop the subdivision past the 99 lot threshold.

### **PUBLIC COMMENT**

Karen Urban, 313 Rimrock Court, stated that the numbers the developers are providing are deceiving because of the 46 acres of open space. She believes that a park is needed more than bike paths. She further stated that she believes the density is inappropriate. "It will take away all of the rural feel of that whole end of South Camp Road."

Gary Liljenberg of 2297 Shiprock Road stated that school buses will have a great deal of difficulty turning into the subdivision without turn lanes. He stated his biggest concern is with the widening of Monument Road at the same time of this development and wants to assure that both roads are not closed at the same time.

Nancy Angle (325 Dakota Circle) stated that she has many concerns, some of which are wildlife issues, the drainage off Red Canyon, lights, traffic, density and irrigation.

Gary Pfeufer, 351 Dakota Circle, stated that he does not believe the traffic study. He believes South Camp Road will need to be widened with a third lane in the middle for turning all the way to Monument Road. Additionally, he does not believe the soil engineer's study of the water.

Gregory Urban, 313 Rimrock Court, stated that looking at the most critical portion of where this development is, it's a high density plan. "What this development does is place exceedingly high density housing right in the middle of that migratory pattern which is the only migratory path that these animals have from Monument to Broadway because there's sheer rock walls all of the rest of the distance and that is where all the animals travel." He suggests a review by the Division of Wildlife and National Park Service to see what kind of impact this development will have on the migratory patterns on the animals that come down the wash before any type of high density is approved.

John Frost (2215 Rimrock Road) stated that two items of concern are innovative slope failure control and the open space.

### **APPLICANT'S REBUTTAL**

Sid Squirrel confirmed that they have addressed the wildlife issue with the Division of Wildlife. Further, the culverts will be engineered to allow the water to come through. They are proposing native plantings and xeriscaping using limited irrigation water.

## **QUESTIONS**

Chairman Dibble asked about the use of sidewalk and gutter around certain portions of the development. Mr. Squirrell stated that, "We're trying to create an urban feel, trying to blend in with our surroundings and instead of having sidewalks, we'll have landscaping up to the roads or gravel. It's just a softer feel than a traditional two sidewalk neighborhood."

Commissioner Carlow asked whether or not South Camp Road would need to be expanded. Rick Dorris addressed the traffic study, which has been reviewed by the City, and stated that turn lanes are not warranted. He believes that ultimately South Camp Road would be expanded to three lanes all the way down to Monument Road. "It's not warranted now and it's not warranted twenty years from now based on the numbers used in the study."

Commissioner Pitts had a question regarding the need for only one entrance. Rick Dorris stated that it is fire code driven. It is necessary to have a second physical access when the 100<sup>th</sup> dwelling unit is built.

## **DISCUSSION**

Commissioner Wall stated that he does not think that this planned development is compatible with other neighborhoods. "I think it's an abuse of the planned development code by saying that we're giving 47 acres to open space which basically 46 of it isn't usable."

Commissioner Pitts stated that he concurs with Commissioner Wall. "It doesn't conform with the neighborhood so I cannot support the proposal."

Commissioner Carlow stated that he is reluctant to vote without the Corps of Engineer's decision on this project.

Commissioner Lowrey stated that he can support the project. He believes that the density does conform with the Redlands. He finds the diversity is something that is needed and creates a healthier neighborhood. He also is in favor of applicant not building on geological features.

Commissioner Putnam stated that the patio home feature makes it attractive and supports the project.

Commissioner Cole stated that opponents and proponents of any project need to be considered as well as whether or not it is going to be an asset for the entire community. He believes a tremendous amount of planning has gone into this proposal.

Chairman Dibble stated that with regard to the zone of annexation, a default of R-2 would be appropriate. He believes the planned development overlay fits better because most of the surrounding development is an overlay district of planned development to utilize the intricate conditions of the area. He also concurs that more sidewalks and pedestrian crosswalks are necessary.

**MOTION: (Commissioner Cole) “Mr. Chairman, on the Fletcher Zone of Annexation, ANX-2006-108, I move that the Planning Commission forward to the City Council a recommendation of approval of the Planned Development (PD) zone district for the Fletcher Annexation with the facts and conclusions listed in the staff report.”**

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 5-2.

**MOTION: (Commissioner Cole) “Mr. Chairman, on item number PP-2006-217, I move that we forward to the City Council a recommendation of approval of the Preliminary Development Plan for Redrocks Valley Subdivision conditioned upon the applicant providing direct access to either a sidewalk or path for those lots that do not currently have direct access and a sidewalk on one side of Boulder Road its entire length.”**

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 4-3, with Commissioners Pitts, Wall, and Carlow opposed.

A brief recess was taken.

July 14, 2006

Planning Commission  
City Hall  
250 North 5<sup>th</sup> Street  
Grand Junction, Colorado 81501



Attn: Lori Bowers

Re: ANX-2006-108 Fletcher Annexation

To whom it may concern:

We are residents of Monument Valley Estates and are writing to oppose the proposed development zoning request to zone 139 acres from a County PD to a City RSF-2 zone district. We believe that the appropriate zoning for the Development should be RSF-1 to match the existing neighboring developments. We have lived on Rimrock Court, one block off South Camp Road, for ten years. To develop the 139 acres across the street, as proposed, would change the character of the existing subdivision and create tremendous traffic problems. We concur with the opinions stated in the enclosed copy of a letter, dated June 8, from our neighbors, Greg and Karen Urban.

Respectfully submitted,

  
  
George and Priscilla Demos

309 Rimrock Court  
Grand Junction, Colorado 81503

*Enclosure*

June 27, 2006

To: ATTN: Lori Bowers

Planning Commission  
Grand Junction City Hall  
250 N 5<sup>th</sup> St.  
Grand Junction, CO 81501

RE: ANX-2006-108 Fletcher Annexation

To Whom It May Concern:

We oppose the proposed annexation and zoning change for this parcel. It does not fit with the existing contiguous neighborhood, and it presents traffic issues and lighting issues that compromise those existing developments.

Several items from the city's Context for Planning documents must be considered.

Is this development appropriate for the existing community? No. It's much higher density, presenting significant traffic impact on South Camp Rd.

Is there an identifiable focus on preserving environmental quality? No. Its density, its lack of concern for usable open space, its impact on local vegetation and wildlife all indicate the answer is no. Further, the developer proposes to significantly alter the native landscape, removing geological landmarks.

Are the factors that shape the quality of life in the neighborhood clear? No. Its density, its impact on traffic patterns, and its significant light and noise pollution argue against it.

It may be true that original zoning allowed 3 units per acre, but times have changed, and it's clear that the proposed density would overwhelm the existing neighborhood. The developer might argue that the request is only for 2 units, but that is deceptive given the amount of unusable land. The actual density would be much, much heavier.

We are particularly concerned with the major intersection the developers propose at the corner of South Camp and Rimrock Rd. As currently designed, this is where the bulk of traffic for the development will enter and leave. It is on an already strained curve. Traffic using Rimrock to the west must proceed with caution. We have witnessed many near accidents. A stop sign on South Camp would change the nature of the road, and probably end up causing even more accidents. A stop light would change the character of the neighborhood, also causing collateral problems.

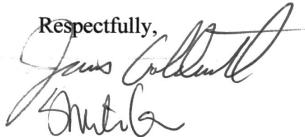
The current bicycle traffic is stressed at this stretch of road. Adding 300-400 cars using this intersection would be a disaster.

We cherish the absence of street lights in our neighborhood. We strongly oppose a development that would necessitate their use.

We request that the Planning Commission permit a rezone only to RSF 1, and that the Planning Commission ensure that the development fits the character of the existing community, and that it includes the open space and park land that a new community deserves. The development will happen only once. We urge the Commission to ensure that the development occur in a quality fashion.

In addition, we refer the Commission to the excellent letter submitted by Karen and Greg Urban. We agree with most of its substance.

Respectfully,

Handwritten signatures of James and Sheila Goldsmith. The signature for James is written above the signature for Sheila.

James & Sheila Goldsmith  
2244 Rimrock Rd.  
Grand Junction, CO 81503



June 8, 2006

To: ATTN: Lori Bowers  
Planning Commission  
City Hall,  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

RE: ANX-2006-108 Fletcher Annexation

To whom it may concern:

We oppose the proposed Development zoning request to zone 139 acres from a County PD to a City RSF-2 zone district. The appropriate zoning for the proposed Development should be RSF 1 in order to match what already exists in ALL of the immediately adjacent developments. Also of special consideration is the contiguous location of the proposed Development to the East corridor entrance to the Colorado National Monument.

The City of Grand Junction's Context for Planning documents several items that must be considered upon the request for the zoning change for this new Development. Is the Development appropriate for the current community? Is there an identifiable focus on preserving environmental quality? Are the factors that shape the quality of life in a neighborhood clear for the proposed New Development? Items such as availability of parks and open space, a sense of tranquility and safety, friendliness and neighborhood pride should be considered. New development should be compatible with the existing neighbors and that is not what is visible in this proposed Development. The Growth Plan for the City of Grand Junction specifically states that a community must actively manage its growth and respond to changing circumstances if it is to meet the needs of its residents AND RETAIN THE QUALITY OF LIFE THAT INITIALLY ATTRACTED THOSE RESIDENTS TO THE COMMUNITY. We recognize that development will take place in this area; we require that the area maintain compatibility with the existing neighbors surrounding it. This may be accomplished by appropriate zoning that does not exceed RSF-1.

The City of Grand Junction Parks Master Plan clearly recommends several neighborhood parks located throughout the Redlands Area. They note specific criteria including that the park should be a 5-10 minute walk in a ½ mile radius. The Developer plans for nearly 100 new homes and no neighborhood park. The reason for Planning per the City of Grand Junction includes addressing the need for open space requirements and acknowledges that the dedication of adequate open space can help to ensure the long term integrity of individual neighborhoods. In the Growth Plan the context for planning notes that new development in areas which are not now urban must include parks to replace

some of the open space benefits of the undeveloped land. The new development should include:

1. Continuation of the paved walkway on the North Side of South Camp Road to provide symmetry like the rest of South Camp Road (except for the current undeveloped area).
2. A turn lane at all entrances and exits off of South Camp Road.
3. A bike lane. The proposed entrance/exit road (Rimrock Road) is located at a point where cars exiting the new development who want to turn left (east) onto South Camp have to deal with a curve and cars/bikes coming from the west are not seen in the distance Blind spot). Currently cars/bikes traveling west on South Camp Road wanting to turn left (South) onto Rimrock Road must proceed with caution due to the limited visibility of cars/bikes traveling east on South Camp Road.
4. At a recent neighborhood meeting, the Developers suggested a plan that included around 39 acres of what they called open space; however, the areas they include do not fit the definition of open space. The areas they included were part of the floodplain and nearly 39 acres of rock walls that are nearly unscaleable let alone buildable.

How does the proposed Development address the concerns clearly documented in the Redlands Neighborhood Plan as it notes the location of the Colorado National Monument? The proposed Development is contiguous to the Monument and so must follow the broad principles identified in the Plan. The proposed Development erases and blocks the primary migratory pathway (Red Canyon, for example) for wildlife moving between the Monument and the Colorado River. This includes packs of coyotes, mountain lions and bobcats.

How do the developers address the issue of the Floodplain (Red Canyon) which goes through the development? Do they ensure the safety of the persons and homes in the area? How? Are the potential owners of homes in or near the floodplain exposed to undo hazards? Do the developers protect the integrity of the floodplain?

Also, how do the Developers document their effort to avoid nighttime light pollution, minimize contact with domestic pets and enhance or maintain the movement corridor for the wildlife?

Based on the specific goal and policies of the Growth Plan, the impact of new development on the natural values and resources of the Monument should be minimized or avoided and we question how the new Development responds to that goal.

The Growth Plan also requires that new developments along the border of the Colorado National Monument not exceed 1 dwelling per 5 acres, promote the use of native plants for landscaping new developments adjacent to the Monument and WASHES coming from the development (like Red Canyon). It may also be noted that based on the present location of the proposed Development, it is impossible to maintain a native landscape as all of the adjacent neighborhoods do. By the presented plan, most of the lots would require significant infill to change the elevations to allow building. There has been suggestion of removing one of the hillsides of the horizon to accomplish this.

Land subject to hazardous conditions such as flash flooding shall be identified in all applications, and development shall not be permitted in these areas unless the application provides for the avoidance of the particular hazard. Does this proposed Development meet this requirement?

We request that the Colorado Division of Wildlife and the Museum of Western Colorado review the planned Development so that destruction of irreplaceable elements, a negative impact on a paleontologic/prehistoric or archaeological site does not occur. Alteration of a native wildlife corridor would put wildlife and current residents at risk. According to the Master Plan, a comprehensive inventory of paleontologic resources in the proposed Development in conjunction with the Museum of Western Colorado is appropriate.

Please note that according to the Grand Junction Redlands Neighborhood Plan the Red Canyon is a mapped drainage and wash and provides important value and function to the residents of the Redlands area and requires the use of best management practice and protection. This wash and canyon is contiguous and consistent with the absence of residential development in Redlands Mesa Golf Course.

The Community Image/Character Action Plan recognizes that the Monument Road and South Camp Road are important corridors on the Redlands because of their approach to the Colorado National Monument. It states that the Redlands has a distinct character, with the varying topography, scenic vistas, open and somewhat rural feel. One goal of the Plan is to achieve high quality development on the Redlands in terms of site planning and architectural design. The proposed Development is within 1 mile of the East entrance to the Colorado National Monument. The proposed Development is adjacent to Monument Valley which has homes on lots of over 1 acre to about 5 acres. Redstone is nearby with homes on lots of over 1 acre to about 5 acres. The proposed Development should be the same (RSF-1, which is low NOT RSF-2 which is medium low).

We request close review of the request and find ourselves with strong support from many residents of Monument Valley in our opposition to allow a higher density than what currently exists in the neighborhood so close to the Colorado National Monument. We moved here over 10 years ago to enjoy the views of the Monument, the peaceful and rural nature of the Monument Valley Development, the dark and beautiful night sky; we hope that this neighborhood may maintain the distinct and unique rural atmosphere that presently exists.

Respectfully submitted,

Karen & Greg Urban  
313 Rimrock Court  
Grand Junction, CO 81503

Cc: Division of Wildlife  
Museum of Western Colorado

Lori,

After reading the staff report I have several comments about the zone of annexation and Red Rocks Valley Subdivision.

I have been interested in how this land would develop. With the natural topography and drainages on this property I knew it would be a challenge. After reading the report several things have come to mind.

1. Even though there is more open space than is required of a development of this size I question whether this open space is really usable for the future residents. It might be nice to look at but can they do anything with it? I would hope at final design there is open space that is actually usable by the residents rather than just drainages and steep hillsides.

2. I believe having private streets in the patio home area is not a good idea. What is the reasoning of the developer for private streets? Are they private so they can escape city street requirements? No on street parking is allowed in the patio homes since there will be no room. Where will visitors park? Will the visitors park on the streets behind the patio homes across from the single family dwellings? There must be parking within the patio home development for excess vehicles of residents as well as visitors. Where will residents of the patio homes park their recreational vehicles? Many will have boats, RV's etc. Also, it is stated in the project report that the HOA will maintain the private streets. Will there be a separate HOA for the patio homes? It does not seem right that all the single family homes in the subdivision would be required to maintain the private streets in the patio home development.

3. When looking at the preliminary plans which I realize are not the final plans, I see a much denser subdivision than the existing subdivisions which surround this development. It does not appear to be compatible as most are on 1-5 acre lots. Because of the topographical issues with this parcel it appears the developer is trying to crowd as many homes into the subdivision as possible to make up for the topographical constraints.

4. The developer does not want to build sidewalks and connecting pedestrian trails in some portions of the development. I question the reasoning of the developer for wanting to build this subdivision similar to other developments that were built in the county. The county has not typically designed to urban standards since it deals with more rural settings. If the developer is asking for annexation to the city with all city services he should be required to design to city standards.

5. There was no mention of a traffic study. Doesn't there need to be a traffic study for a development of this size which will generate over a thousand trips a day upon buildout?

6. What about accel and decel lanes on Southcamp Road?

7. Will there be a provision for a street connection between the adjacent development to the north or to Redlands Mesa or will everyone have to go to Southcamp Road to access this subdivision by vehicle.

8. I see the old lift-station will be removed. Won't the developer have to build a new lift-station since much of this development is below Southcamp Road? Who is responsible for the maintenance of this lift-station if one is required?



I believe this land will be developed but I question the density being proposed even though the developer is providing lots of open space. The questions is--Did he really have a choice due to the topography and is it really desirable for the future resident's use? Also, is this development compatible with existing developments adjacent to it? I think not.

Thanks,

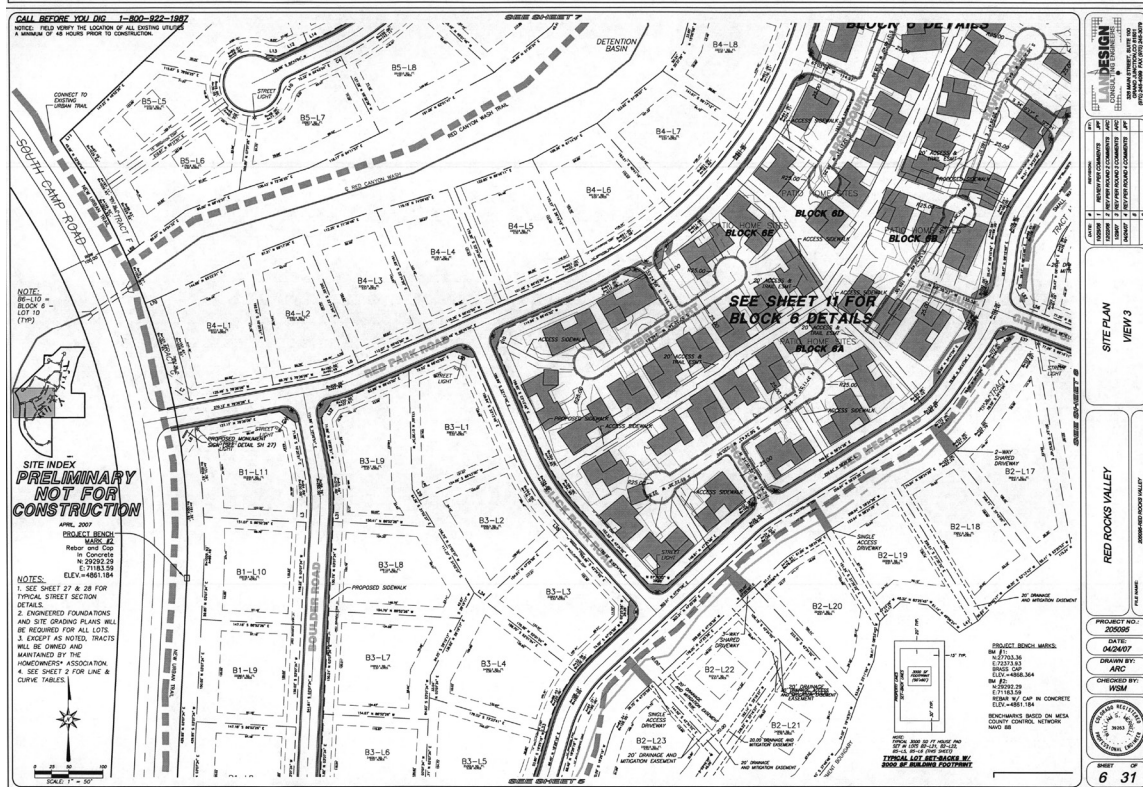
Terri Binder

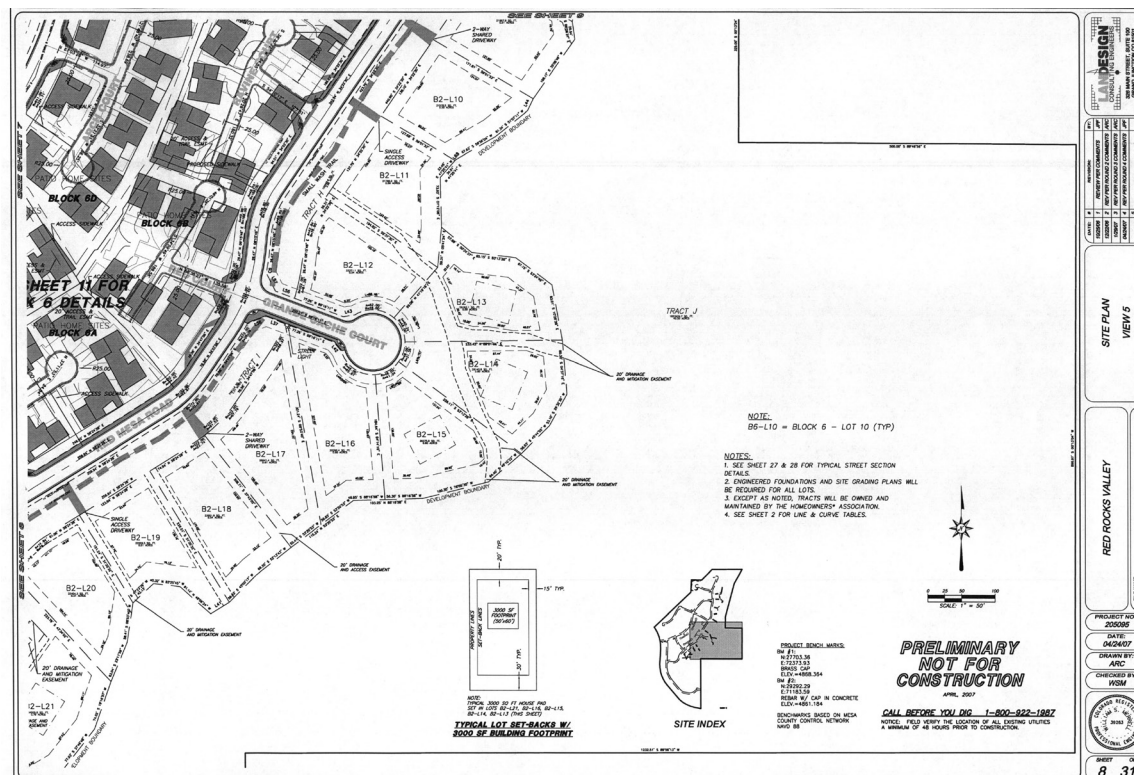
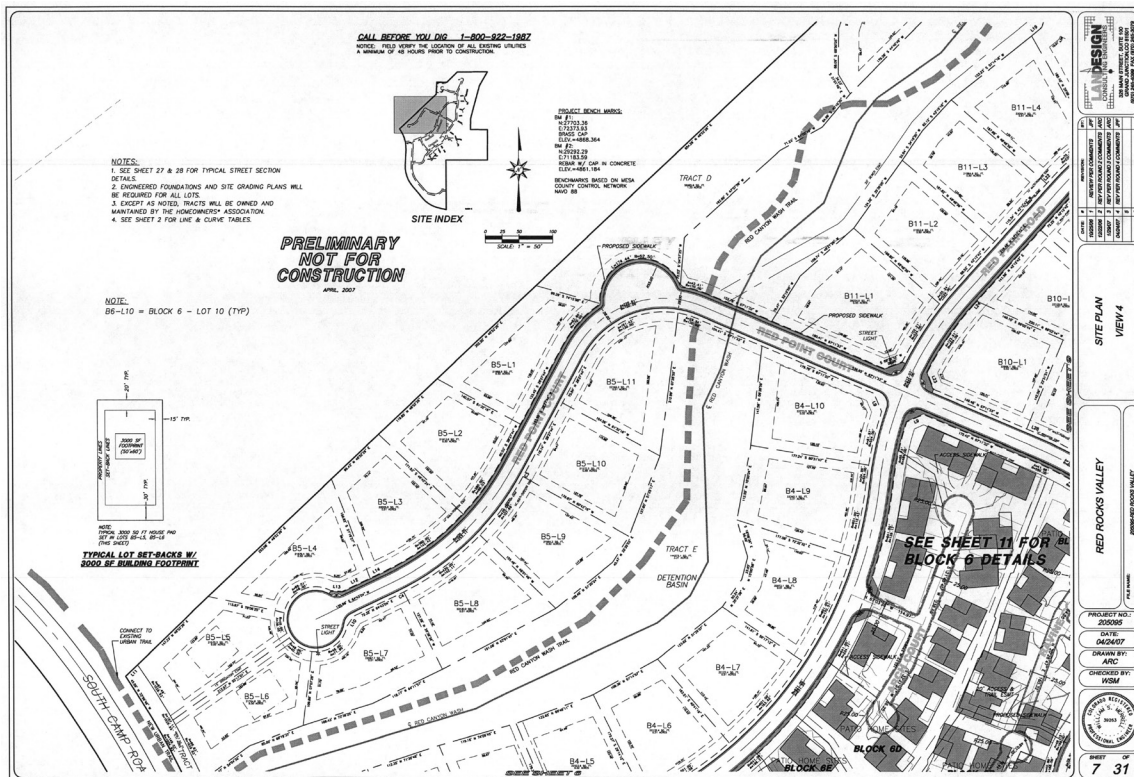




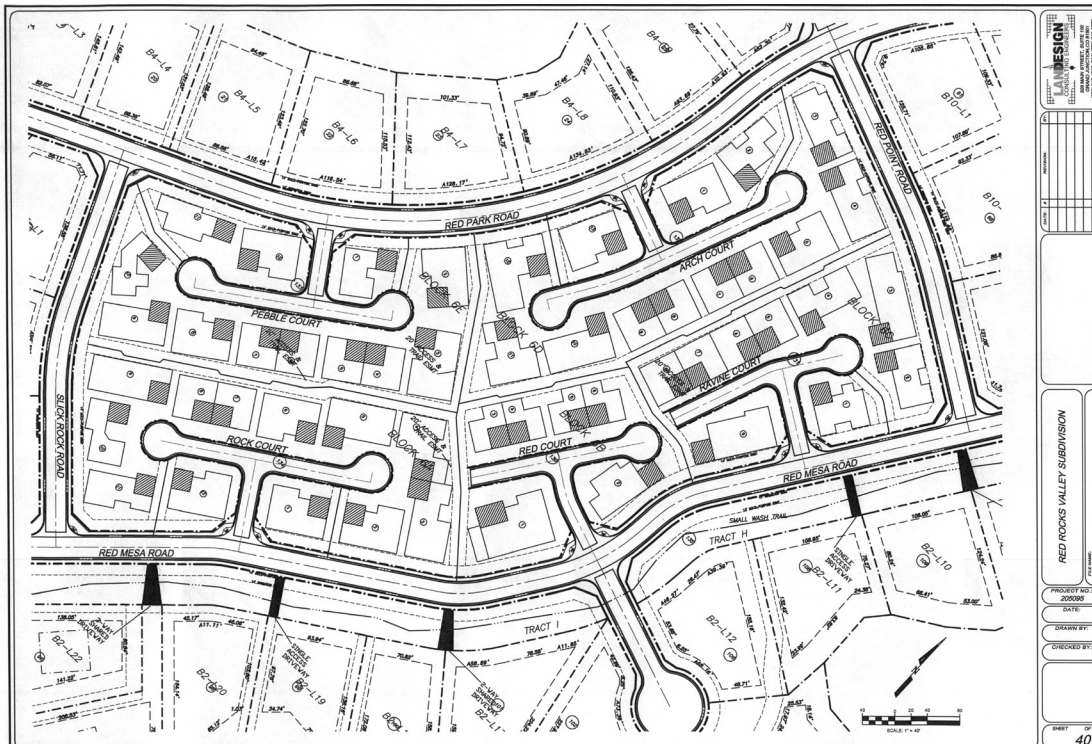
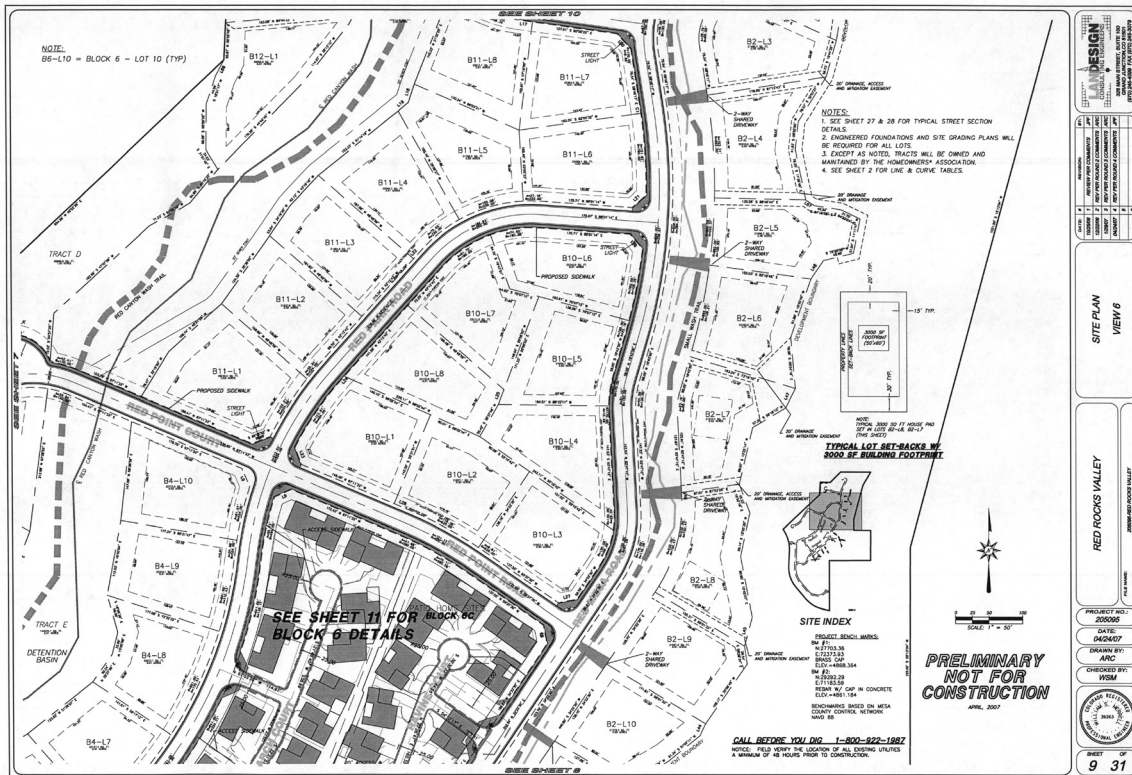




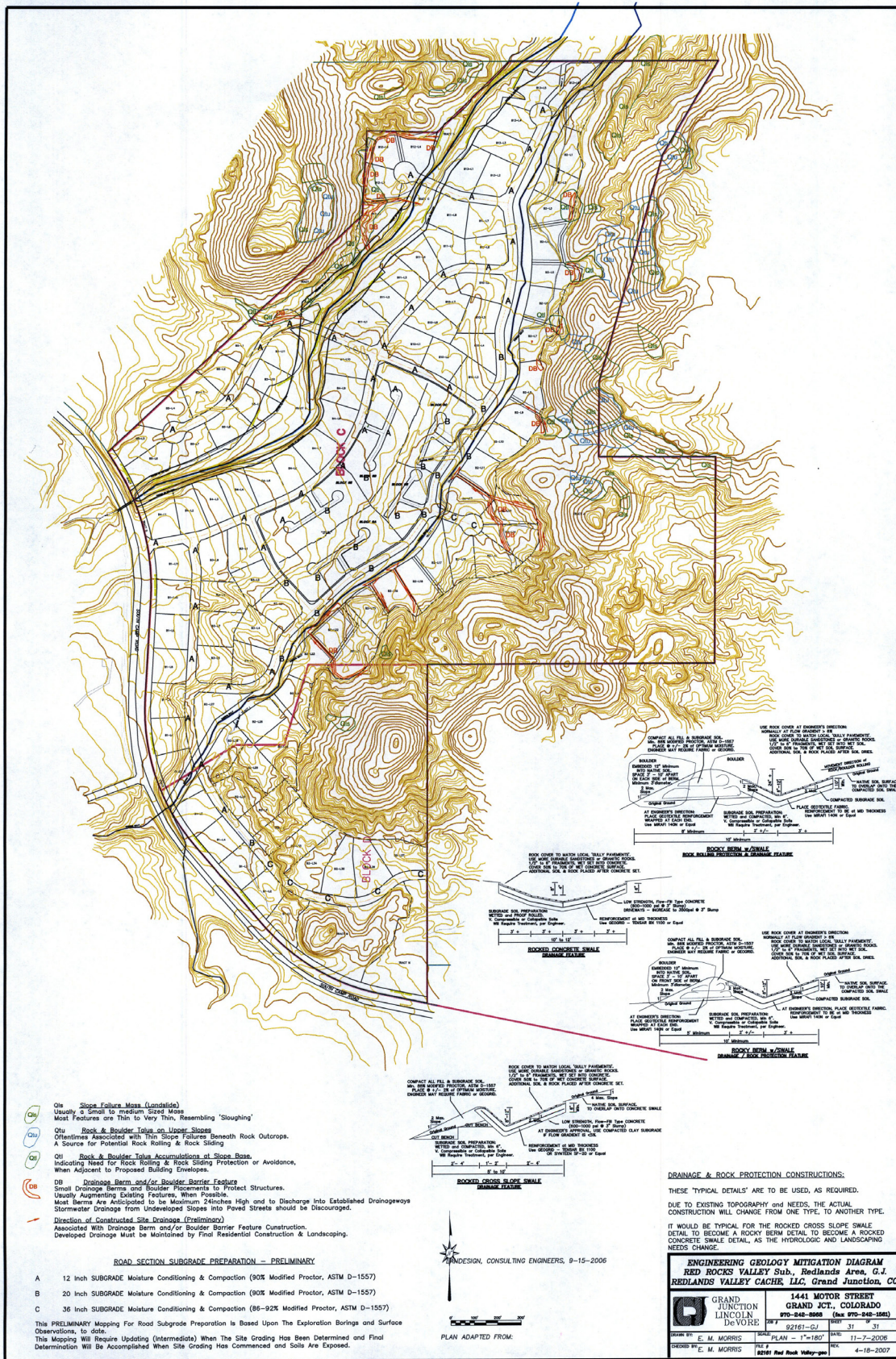












CITY OF GRAND JUNCTION, COLORADO



**ORDINANCE NO.**

**AN ORDINANCE AMENDING ORDINANCE NO. 4109, WHICH ZONED THE  
FLETCHER ANNEXATION (RED ROCKS VALLEY PD) TO PLANNED  
DEVELOPMENT**

**LOCATED APPROXIMATELY ½ MILE WEST OF MONUMENT ROAD ON THE  
NORTH SIDE OF SOUTH CAMP ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Fletcher Annexation to the PD zone district finding that it conforms with the recommended land use category as shown on the Future Land Use map of the Growth Plan, and the Growth Plan's goals and policies, and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 21.02.150 of the Zoning and Development Code and the requirements of Section 21.05, regarding Planned Developments. The default zoning is R-2, Residential – 2 units per acre.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the PD zone district is in conformance with the stated criteria of Section 21.02 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 be zoned Planned Development not to exceed 1.12 dwelling units per acre.

**PERIMETER BOUNDARY LEGAL DESCRIPTION  
RED ROCKS VALLEY**

A certain parcel of land located in the Southeast Quarter (SE1/4) of Section 19 and the Northeast Quarter (NE1/4) of Section 30, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of Block D, Monument Valley Subdivision, as same is recorded in Plat Book 16, page 269-270, Public Records of Mesa County, Colorado, and assuming the East line of the NW1/4 NE1/4 of said Section 30 bears S00°00'15"W with all other bearings contained herein being relative thereto; thence from said Point of Beginning; S11°52'16"W to a point on the South right of way line of South Camp Road, as same is recorded in Book 997, pages 945-946, a distance of 100.00 feet; thence along said right of way N78°07'44"W a distance of 204.77 feet; thence 662.69 feet along the arc of a 1004.93 foot radius curve concave Northeast, having a central angle of 37°46'59" and a chord bearing N59°14'14"W a distance of

650.75 feet; thence N40°20'44"W a distance of 457.15 feet; thence 390.46 feet along the arc of a 1004.93 foot radius curve concave Northeast, having a central angle of 22°15'42" and a chord bearing N29°12'52"W a distance of 388.01 feet to a point on the centerline of Rimrock Drive, as same is shown on the plat of Monument Valley Subdivision Filing No. 5, as same is recorded in Plat Book 14, Pages 212-214, Public Records of Mesa County, Colorado; thence N71°52'16"E a distance of 50.00 feet to a point on the East line of the Monument Valley Annexation, City of Grand Junction Ordinance No. 2850, and the centerline of said South Camp Road; thence 353.46 feet along the arc of a 954.93 foot radius curve concave East, having a central angle of 21°12'28" and a chord bearing N07°28'38"W a distance of 351.45 feet; thence N03°07'36"E along a line 429.61 feet; thence 602.38 feet along the arc of a 954.93 foot radius curve concave West, having a central angle of 36°08'35" and a chord bearing N14°55'27"W a distance of 592.44 feet; thence N57°08'32"E a distance of 50.00 feet to a point on the North right of way of said South Camp Road; thence S32°59'44"E a distance of 45.59 feet; thence 633.56 feet along the arc of a 1004.93 foot radius curve concave West, having a central angle of 36°07'20" and a chord bearing S14°56'04"E a distance of 623.12 feet; thence S03°07'36"W a distance of 429.95 feet; thence 686.60 feet along the arc of a 904.93 foot radius curve concave Northeast, having a central angle of 43°28'20" and a chord bearing S18°36'34"E a distance of 670.25 feet; thence S40°20'44"E a distance of 457.15 feet; thence 596.27 feet along the arc of a 904.93 foot radius curve concave Northeast, having a central angle of 37°45'09" and a chord bearing S59°13'19"E a distance of 585.54 feet; thence S78°07'44"E a distance of 205.25 feet; more or less to the Point of Beginning, TOGETHER WITH Block C and Block D, of said Monument Valley Subdivision.

Said parcel contains 144.43 acres (6,291,761 square feet), more or less, as described.

This Ordinance prescribes as follows:

- 1) **Default zoning standards.** If the planned development approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards. The default standards of the R-2 zoning designation will apply.
- 2) **Phasing schedule.** Remaining Phases are to be Final Platted by March 1, 2022.
- 3) **Number of units allowed.** 155 residential units allowed – 103 single family residential lots, 1/2 acre in size or larger; 52 patio homes (attached and detached).
- 4) **Applicable setbacks.**

**a) Patio homes.** The setback standards for the patio homes are as follows: A minimum 14-foot setback is required around the perimeter of the patio home area. This setback is measured from the back of walk and includes Red Park Road, Red Point Road, Red Mesa Road, and Slick Rock Road. The front setback for all garages shall be 20 feet. The side setback between buildings is 10 feet, except for those units that are attached, and then a zero setback is allowed. No accessory structures will be allowed. A dimensioned final design of the patio home area will be recorded with the Final Plat.

**b) Other homes.** The setbacks for the single-family homes not designated as patio homes are as follows: The front setback is 20 feet for the principle structure and 25 feet for accessory structures. Side setbacks are 15-feet for the principle structure and 3 feet for accessory structures. The rear setback is 30-feet for the principle structure and 3 feet for an accessory structure. (These setbacks are consistent with the R-2 default zone.)

5) **Future development.** A tract (shown as Tract N on the approved preliminary drawings dated 4/24/07, found in development file number PP-2006-217) is reserved for future development to adjoin the property to the east.

6) **Construction restrictions.**

Construction outside of the designated building envelopes will not be permitted. Engineered foundations and site grading plans shall be required on all lots. The Final Plat shall include a note requiring construction with the designated building envelopes, engineered foundations and site grading plans for each and every lot.

Mitigation berms, swales for drainage and rock fall areas shall be constructed. City engineer(s) and Colorado Geological Survey representatives shall be permitted to supervise the construction of these features and these features must be inspected and approved by a City engineer. These features will be considered and treated as “as-builts.” The construction of these features shall be guaranteed and secured by Development Improvements Agreement (DIA) and associated security. Maintenance of these features shall be provided by an association of the homeowners in perpetuity, and easements in favor of said association for this purpose shall be granted.

No planning clearance or building permit shall issue for any construction on the lot designated as Lot 1, Block 1 on the approved preliminary drawings dated 4/24/07, included in development file number PP-2006-217, and said lot shall not be sold, unless and until a secondary access is constructed in the subdivision to the east. No more than 99 homes shall be constructed in area comprised by the Plan (referred to presently as the Red Rocks Valley Subdivision) unless and until a secondary access to a public roadway or street is constructed, whether within the Red Rocks Valley Subdivision or in the subdivision / development to the east. A Recording Memorandum setting forth in detail these restrictions shall be recorded so as to inform potential buyers of such restrictions. Construction of said secondary access shall be guaranteed and secured by a DIA and associated security.

If no access to South Camp Road that can serve as a secondary access for Red Rocks Valley Subdivision is completed in the subdivision / development to the east by the time a planning clearance or building permit for the 99th house issues, the developer shall promptly construct the secondary access in the location of Lot 1, Block 1 on the approved preliminary drawings dated 4/24/07, included in development file number PP-2006-217.

No planning clearance or building permit shall issue for any construction on the lot designated on the approved preliminary drawings, dated 4/24/07 and included in

development file number PP-2006-217 as Lot 1, Block 5, unless and until the ingress/egress easement is vacated and the lift station associated with it has been relocated or is no longer needed, as determined by City staff. A Recording Memorandum setting forth in detail these restrictions shall be recorded so as to inform potential buyers of such restrictions.

The Final Plat shall show any and all "no-disturbance" and/or "no-build" zones as designated by the Army Corps of Engineers or City engineers.

7) **Private Streets Agreement.** Private streets as proposed by the Applicant are approved; an agreement for the maintenance of all private streets in the subdivision in accordance with City Transportation Engineering and Design Standards (TEDS) shall be required and shall be recorded with the Final Plat.

8) **Sidewalks.** The following sidewalks not shown on the approved preliminary drawings dated 04/24/07 included in development file number PP-2006-217 shall be provided:

- Sidewalk on both sides of Slick Rock Road.
- Sidewalks on both sides of Red Park Road.
- On Grand Cache Court, continue the sidewalk around the entire cul-de-sac and both sides of the street.
- Sidewalk on both sides on Red Pointe Road between Red Mesa Road and Red Park Road.
- Continue sidewalk around the cul-de-sac on Crevice Court to the trail in Red Canyon.

9) **Park land dedication.** The final plat shall include a dedication to the City for a public park holding in the corner of land which connects with and would make contiguous City's two holdings to the north and east of this parcel. Said dedication shall be sufficient, at a minimum, to allow maintenance access, and shall be to the reasonable specifications of the Parks and Recreation Department.

10) **Trails.** Existing public trails in the area shall connect through this subdivision.

**INTRODUCED** on first reading the 7<sup>th</sup> day of March, 2012 and ordered published in pamphlet form.

**PASSED and ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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President of the Council

---

City Clerk



Attach 14

## CITY COUNCIL AGENDA ITEM

Date: March 2, 2012

Author: Scott D. Peterson

Title/ Phone Ext: Senior  
Planner/1447

Proposed Schedule: February 13,  
2012 (1<sup>st</sup> Reading)

2nd Reading: March 21, 2012

File #: RZN-2011-1207

<b>Subject:</b> Rezone Property Located at 513 Independent Avenue
<b>Action Requested/Recommendation:</b> Hold a Public Hearing and Consider Final Passage of the Proposed Rezone Ordinance
<b>Presenter(s) Name &amp; Title:</b> Tim Moore, Public Works and Planning Director Scott D. Peterson, Senior Planner

### Executive Summary:

A City initiated request to rezone one property totaling 0.22 +/- acres located at 513 Independent Avenue from R-16, (Residential – 16 du/ac) to C-2, (General Commercial).

### Background, Analysis and Options:

In 2010, the current Comprehensive Plan was adopted by the City and the corresponding Future Land Use Map designation for this property was designated as Commercial. This property (513 Independent Avenue) is presently zoned R-16, (Residential – 16 du/ac) which does not match the Comprehensive Plan Future Land Use Map designation for this property by having a residential zone in a commercially designated area.

The City has identified numerous areas of the City where the current zoning designation does not match the Comprehensive Plan Future Land Use Map. This area, Area 9, represents one property that totals 0.22 +/- acres that the City, as the applicant for this request, wishes to rezone to bring this property into compliance with the Future Land Use Map. Previously, Area 9 included a total of 55 additional properties that were proposed to be rezoned from R-8, (Residential – 8 du/ac) to R-16, (Residential – 16 du/ac) located to the east along Independent and W. Kennedy Avenues. However, due to overwhelming neighborhood opposition, the City has decided to propose a Comprehensive Plan Future Land Use Map amendment for the 55 properties. The proposed amendment will return the area back to the original classification of Residential Medium (4 – 8 du/ac) leaving the property located at 513 Independent Avenue as the only property that needs to be rezoned. The proposed Future Land Use amendment will come before the City Council in the near future.

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

The proposed rezone to C-2, (General Commercial) implements the future land use designation of Commercial and meets the following goals from the Comprehensive Plan:

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

The proposed C-2 zone district will provide the opportunity for commercial development, either office and/or general commercial/retail land use and will also match the current zoning on adjacent properties to the north, south and west.

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

The proposed C-2 zone will provide the opportunity for an existing vacant lot to potentially be developed in the future as a commercial property to create additional jobs within the community.

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

The proposed C-2 zone will provide the opportunity for an existing vacant lot to potentially be developed in the future as a commercial property to create additional jobs within the community.

**Board or Committee Recommendation:**

The Planning Commission recommended approval of the requested rezone at their January 24, 2012 meeting.

**Financial Impact/Budget:**

N/A.

**Legal issues:**

N/A.

**Other issues:**

None.

**Previously presented or discussed:**



Consideration and First Reading of the Rezoning Ordinance was February 13, 2012.

**Attachments:**

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

BACKGROUND INFORMATION				
<b>Location:</b>		513 Independent Avenue		
<b>Applicant:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Vacant lot		
<b>Proposed Land Use:</b>		N/A		
<b>Surrounding Land Use:</b>	<b>North</b>	Commercial zoned property		
	<b>South</b>	Vacant commercial lot		
	<b>East</b>	Multi-family apartment complex		
	<b>West</b>	Vacant commercial lot		
<b>Existing Zoning:</b>		R-16, (Residential – 16 du/ac)		
<b>Proposed Zoning:</b>		C-2, (General Commercial)		
<b>Surrounding Zoning:</b>	<b>North</b>	C-2, (General Commercial)		
	<b>South</b>	C-2, (General Commercial)		
	<b>East</b>	R-16, (Residential – 16 du/ac)		
	<b>West</b>	C-2, (General Commercial)		
<b>Future Land Use Designation:</b>		Commercial		
<b>Zoning within density range?</b>		X	Yes	No

**Additional Background:**

The property owner was notified of the proposed rezone change via mail and invited to an Open House which was conducted on November 16, 2011 to discuss any issues, concerns, suggestions or support for the rezone request. The proposed rezone was discussed with the property owner of 513 Independent Avenue who verbally supported the request. Other property owners in the neighborhood have contacted City Staff but did not have a preference concerning the proposed rezone of this property.

**Section 21.02.140 of the Grand Junction Zoning and Development Code:**

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

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

Response: The existing parcel is currently zoned R-16, (Residential – 16 du/ac), however the Comprehensive Plan Future Land Use Map identifies this property as Commercial. The existing zoning is not in compliance with the Future Land Use Map, therefore, the proposed rezone to C-2, (General Commercial) will bring this property into compliance with the Future Land Use Map.

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

Response: The character and use of properties to the north, south and west have been commercial for over 30 years and has not changed during that time. The proposed rezone will bring the zoning of the property into compliance with the Comprehensive Plan Future Land Use Map.

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

Response: Adequate public facilities and services are currently available to serve the property. City water and sewer are located within Independent Avenue and the property is located within the City Center area with access to transportation, shopping and medical facilities.

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

Response: The proposed rezone is in conjunction with a City wide initiated rezone to remove conflicts that were created when the Comprehensive Plan was adopted.

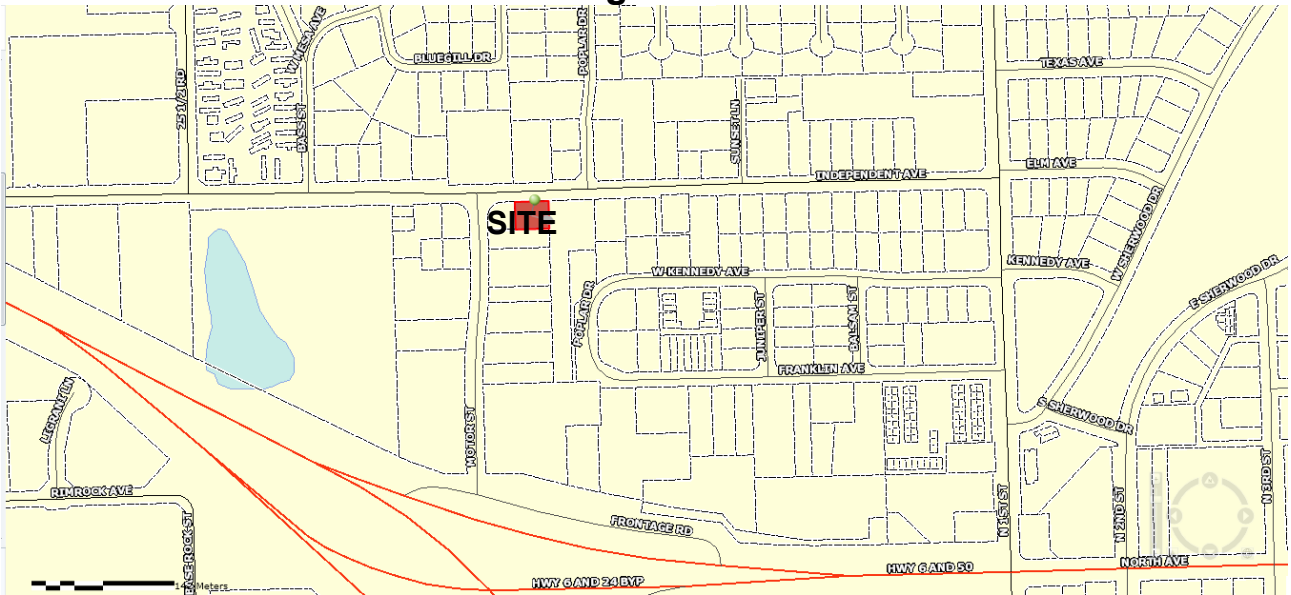
(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The proposed rezone to C-2 from R-16 will provide the opportunity for commercial development, either office and/or general commercial/retail land use and will also match the current zoning on adjacent properties to the north, south and west.

The proposed rezone will also alleviate and resolve the current conflict between the zoning designation and the Comprehensive Plan Future Land Use Map classification.

# Site Location Map – 513 Independent Ave.

Figure 1



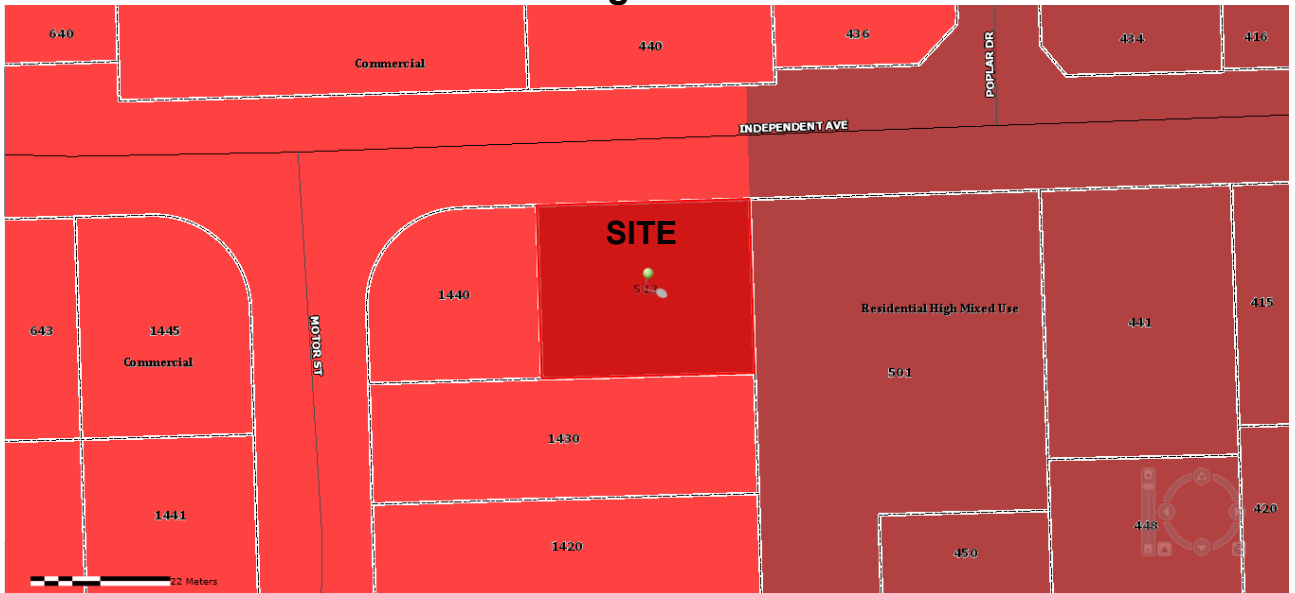
# Aerial Photo Map – 513 Independent Ave.

Figure 2



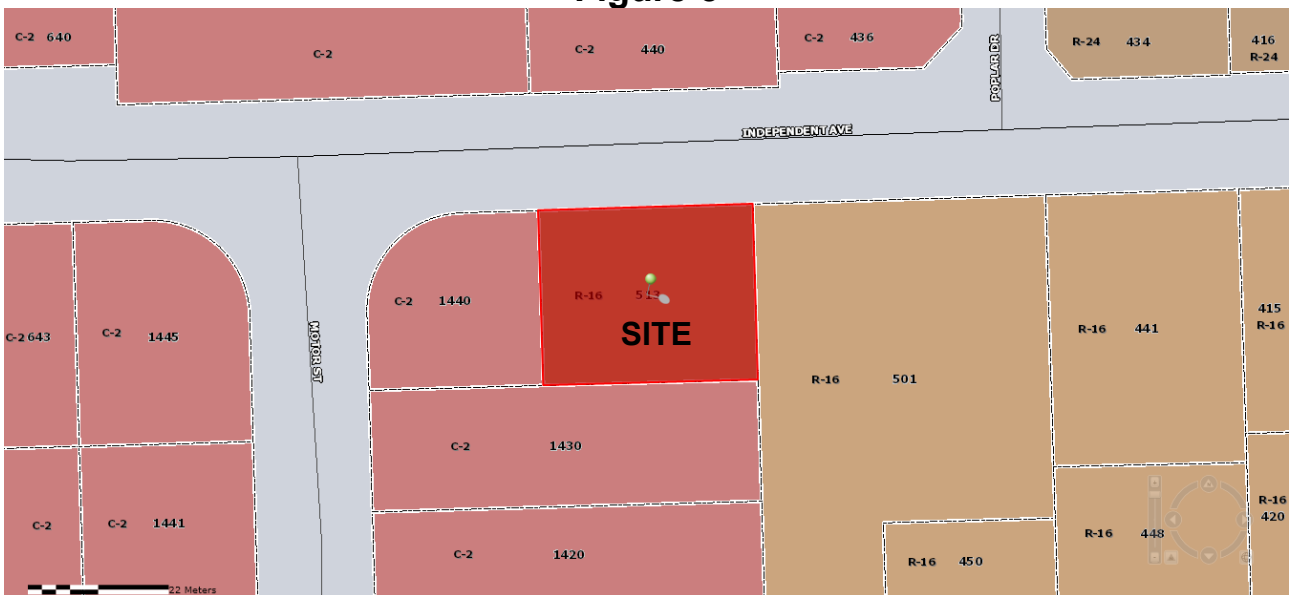
# Comprehensive Plan – 513 Independent

Figure 3



# Existing City Zoning – 513 Independent

Figure 5



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING ONE PROPERTY FROM R-16, (RESIDENTIAL – 16  
DU/AC) TO C-2 (GENERAL COMMERCIAL),**

**LOCATED AT 513 INDEPENDENT AVENUE**

Recitals.

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

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

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

Upon analysis of each area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone would be justified in order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of this property.

The proposed zone district meets the recommended land use category as shown on the Future Land Use Map of the Comprehensive Plan, Commercial and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

An Open House was held on November 16, 2011 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was ran in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.



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

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

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

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

The following property shall be rezoned C-2, (General Commercial).

513 Independent Avenue (Parcel # 2945-104-00-031). See attached map.

Introduced on first reading this 13<sup>th</sup> day of February, 2012 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor

## Rezone - Area 9





Attach 15

## CITY COUNCIL AGENDA ITEM

Date: March 6, 2012  
Author: Senta Costello  
Title/ Phone Ext: Senior Planner  
x1442  
Proposed Schedule: 1<sup>st</sup>  
Reading – February 13 2012  
2nd Reading  
(if applicable): March 21, 2012  
File # (if applicable): RZN-2011-  
1210

**Subject:** Rezone Six Properties Located on the East Side of 26 Road, North of Patterson Road, and One Property Located East of Foresight Apartments, North and East of the 25 ½ Road/Patterson Road Intersection

**Action Requested/Recommendation:** Hold a Public Hearing and Consider Final Passage of the Proposed Rezone Ordinance.

**Presenter(s) Name & Title:** Tim Moore, Public Works and Planning Director  
Senta Costello, Senior Planner

### Executive Summary:

A City initiated request to rezone approximately 6.25 acres, located on the east side of 26 Road, north of Patterson Road from R-1 (Residential 1 du/ac) to R-4 (Residential 4 du/ac) and approximately 4.89 acres located east of Foresight Apartments, north and east of the 25 ½ Road/Patterson Road intersection from CSR (Community Services and Recreation) to R-16 (Residential 16 du/ac).

### Background, Analysis and Options:

**26 Road Properties** – These properties were annexed in 2000 as a part of the G Road South Enclave. As a part of the annexation, an agreement was made with property owners to zone the properties with a City zone district that was equivalent to the existing County zoning. Therefore, when these six properties were annexed they were zoned R-1, even though the zoning did not conform to the Future Land Use category of the Growth Plan. The current use of all of the properties is single family residential which is an allowed use in the R-4 zone district.

**25 1/2 Road Property** – The property was annexed in 1979 and zoned to a single family zone district. In 1984, the property owner received approval of a rezone to PB (Planned Business) for the KEXO radio station tower. The property was rezoned in 2000 to CSR (Community Services & Recreation) as part of the city wide rezone implementing the new Zoning and Development Code. Currently, the site is classified as a telecommunications facility and is a legal non-conforming use. Telecommunication facilities are allowed in all zones upon approval of Conditional Use

Permit. Therefore, rezoning this property to R-16 will not create a nonconforming use as the use is already nonconforming.

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

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

**Policy A.** City and County land use decisions will be consistent with the Comprehensive Plan Future Land Use Map.

The current zone districts on these properties do not match the Comprehensive Plan Future Land Use designations. The proposed rezone will eliminate the conflict.

**Board or Committee Recommendation:**

The Grand Junction Planning Commission heard this request at its January 24, 2012 meeting. A recommendation of approval was forwarded to City Council with a vote of 6-1.

**Financial Impact/Budget:**

N/A

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

Rezone criteria with Staff recommendation  
Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City Zoning Map  
Citizen comments  
January 24, 2102 Planning Commission Minutes  
Ordinance

1.

BACKGROUND INFORMATION – 26 Road Properties				
<b>Location:</b>		East side of 26 Road, north of Patterson Rd		
<b>Applicants:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Single Family		
<b>Proposed Land Use:</b>		No changes to land uses proposed		
<b>Surrounding Land Use:</b>	North	Single Family Residences		
	South	Single Family Residences		
	East	Single Family Residences		
	West	Single Family Residences		
<b>Existing Zoning:</b>		R-1 (Residential 1 du/ac)		
<b>Proposed Zoning:</b>		R-4 (Residential 4 du/ac)		
<b>Surrounding Zoning:</b>	North	R-4 (Residential 4 du/ac)		
	South	R-4 (Residential 4 du/ac)		
	East	R-4 (Residential 4 du/ac)		
	West	R-1 (Residential 1 du/ac)		
<b>Future Land Use Designation:</b>		Residential Medium		
<b>Zoning within density range?</b>		X	Yes	No

BACKGROUND INFORMATION – 25 1/2 Road Property				
<b>Location:</b>		East of Foresight Apartments, north and east of the 25 1/2 Road/Patterson Road intersection		
<b>Applicants:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Telecommunications facility		
<b>Proposed Land Use:</b>		No changes to land uses proposed		
<b>Surrounding Land Use:</b>	North	Single Family Residences		
	South	Multi-Family		
	East	Single Family Residences		
	West	Multi-Family		
<b>Existing Zoning:</b>		CSR (Community Services & Recreation)		
<b>Proposed Zoning:</b>		R-16 (Residential 16 du/ac)		
<b>Surrounding Zoning:</b>	North	PD (Residential 2.9 du/ac)		
	South	R-24 (Residential 24 du/ac)		
	East	PD (Residential 4.27 du/ac)		
	West	R-24 (Residential 24 du/ac)		



<b>Future Land Use Designation:</b>	Residential Medium High		
<b>Zoning within density range?</b>	X	Yes	No

2. Section 21.02.140(a) of the Grand Junction Municipal Code:

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Grand Junction Municipal Code must be made per Section 21.02.140(a) as follows:

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

Response: No events have occurred to invalidate the original premise and findings. The zoning of all of the properties in Area 8 have been in conflict with the Future Land Use designation since the zoning was adopted in 2000. When the Comprehensive Plan was adopted in 2010, the Future Land Use designations were updated, but the conflicts still exist.

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

Response: Response: Neither the character nor the conditions in the area have changed. The zoning of all of the properties in Area 8 have been in conflict with the Future Land Use designation since the zoning was adopted in 2000. When the Comprehensive Plan was adopted in 2010, the Future Land Use designations were updated, but the conflicts still exist.

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

Response: Adjacent to all of these properties are improved streets, sanitary sewer service, water service, and trash and recycle pick-up. Furthermore, the properties are located near emergency and delivery services, schools, shopping and public transportation.

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

Response: This criterion does not apply to the properties on 26 Road as there is adequate supply of R-4 zoned property. The proposal for these properties is to rezone to the R-4 to eliminate the conflict between the Future Land Use designation of the Comprehensive Plan and the zoning on the properties. 26 Road is a logical divider between two Future Land Use designations which differ on either side of the Road. As this criterion relates to the property located near 25 ½ Road, there is approximately 143 acres within the city limits currently zoned R-16. This equates to less than 1% of the total acreage of zoned parcels within the city limits (21,200 acres).



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

Response: The proposed R-4 and R-16 zones will provide the opportunity for additional density within the urbanized area of the valley, which is consistent with goals and policies of the Comprehensive Plan. Higher densities allow for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

### Figure 1

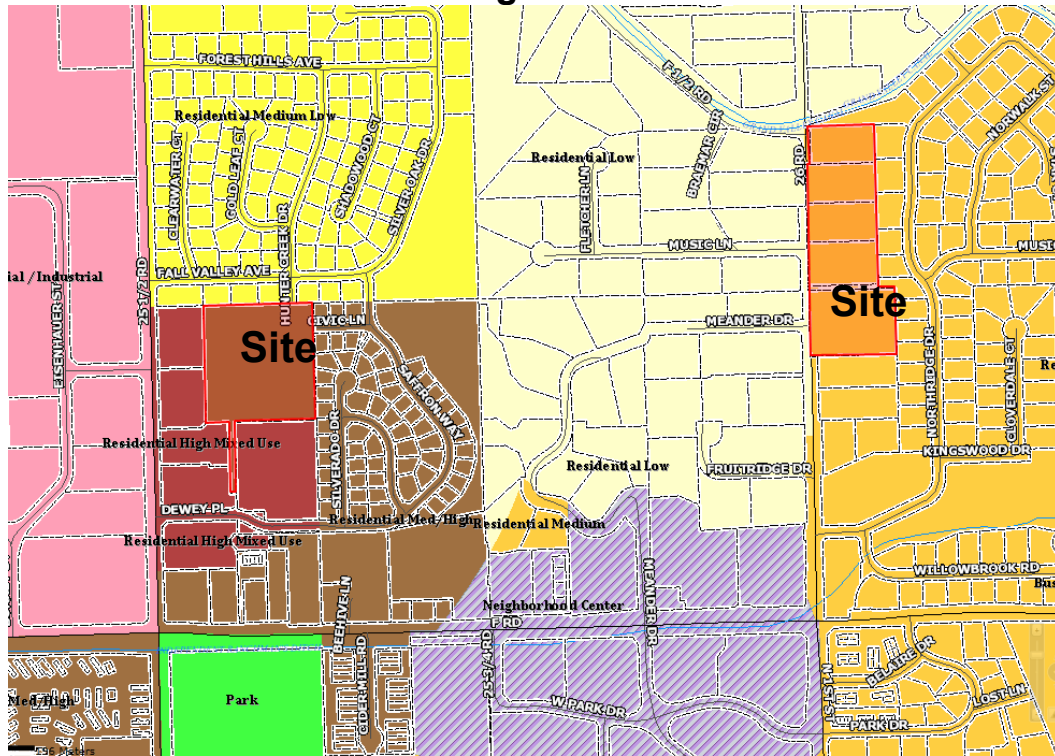


## Figure 2



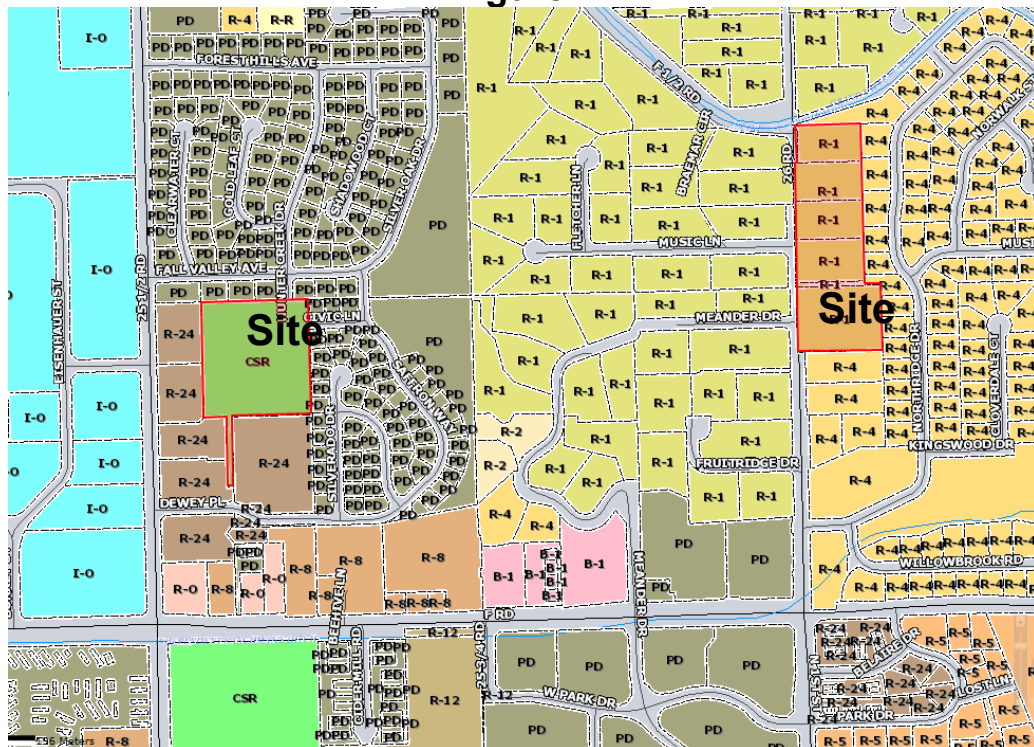
# Comprehensive Plan Map

Figure 3



# Existing City and County Zoning Map

Figure 4



Ms. Costello: Hello.

Re: Blue Rezone Area 8

I am Robert Leachman at 627 Braemar Circle. We spoke last month regarding this subject. I looked at each of the properties proposed for rezone. I understand that there is a conflict between the current zoning of these parcels and the growth plan. While I have no comment on the proposed rezone of these properties, I am a little concerned that assuming that the Blue Area 8 rezone is approved, the approval could be used by landowners on the west side of 26 Road to argue that rezoning of their property to allow a higher density of development must therefore be approved. While this would require a process that may involve me, there is no assurance that I would be successful to prevent development if the proposed Blue Rezone Area 8 approval action carried more weight in the view of the planning commission or council. There are properties on the west side that physically could accommodate higher density. So ideally I would rather the growth plan be amended to resolve the conflict. But if not, then I think the rezone should be qualified to make it clear, that it is being done strictly to resolve the administrative conflict, and not in any way to promote or condone higher density development in this area.

Thank You

Robert Leachman  
627 Braemar Circle  
Grand Junction  
81505

6.

Blue**Polygon – Rezone Area 8 – Rezone**

Request a recommendation of approval to City Council to 1) rezone 4.888 acres consisting of 1 parcel from CSR (Community Service and Recreation) to an R-16 (Residential 16 du/ac) zone district and 2) 6.252 acres consisting of 6 parcels from an R-1 (Residential 1 du/ac) to an R-4 (Residential 4 du/ac) zone district.

**FILE #:** RZN-2011-1210  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 632 26 Road and others  
**STAFF:** Senta Costello

**STAFF'S PRESENTATION**

Senta Costello, Senior Planner, Public Works and Planning Department, addressed the Commission with regard to the Area 8 Rezone. This rezone consisted of two separate areas – 6 parcels were located north of Patterson Road on the east side of 26 Road; and another parcel located north and east of 25 1/2 Road and Patterson Road east of the Foresight Village Apartments. Ms. Costello said that the properties along 1<sup>st</sup> Street were surrounded by larger lot single-family as well as more suburban-type single-family and the site on the west side was surrounded by multi-family as well as single-family. She said that the properties along 26 Road all contained single-family homes. The site on 25 1/2 Road contained a radio tower.

The Comprehensive Plan designation for the properties along 26 Road was Residential Medium and the site off of 25 1/2 Road was designated as Residential Medium High. She said the surrounding areas were Residential Medium to the Medium Low to the north and Residential Medium High to the east; Residential High Mixed Use to the south for the western property and the eastern site was surrounded by the east and south by Residential Medium and to the west by Residential Low.

Ms. Costello said the properties along 26 Road were currently zoned R-1 which did not implement the Residential Medium zone district. The proposal for those properties was for a rezone to R-4. The property off of 25 1/2 Road was zoned CSR which also did not implement the Residential Medium High designation and the proposal for that site was for an R-16 rezone.

Ms. Costello addressed the comments received which included two property owners on 26 Road who were not in favor of the proposed rezone as they had lived there for a number of years and did not want to see the zoning change. She also heard from some of the surrounding property owners who did not believe those properties would ever develop to an R-4 density so they did not see a need for the change in zoning. She also heard from surrounding property owners for the CSR property and none of them had voiced any opposition to that proposal. The Blended Map for both sites was the Residential Medium designation which both the R-4 and the R-16 zone districts implemented that particular Blended Map designation. As a result, Ms. Costello

recommended approval of both rezones.

**Planning Commission**

**January 24, 2012**

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### **QUESTIONS**

Chairman Wall asked if the radio tower would present an issue going to R-16. Ms. Costello said that telecommunication facilities were allowed in all zone districts with a Conditional Use Permit and she assured that this particular property did have a Conditional Use Permit which would continue with the land even if the property was rezoned.

Commissioner Leonard asked what the notification procedure was as far as the decision reached this evening. Ms. Costello said that notification was not sent out by City Council for their public hearings. She agreed to notify those particular property owners of the decision made and would advise them when the next hearing date would be.

### **PUBLIC COMMENT**

None.

### **DISCUSSION**

Chairman Wall said that this too was pretty straightforward and thought it made sense.

**MOTION: (Commissioner Pavelka) “Mr. Chairman, on Rezone RZN-2011-1210, I move the Planning Commission forward a recommendation of approval for the Area 8 Blue Rezone from R-1 (Residential 1 dwelling unit per acre) to R-4 (Residential 4 dwelling units per acre) and the CSR (Community Services and Recreation) to R-16 (Residential 16 dwelling units per acre) with the findings of fact, conclusions and conditions listed in the staff report.”**

Commissioner Williams seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING SIX PROPERTIES FROM R-1 (RESIDENTIAL 1 DU/AC) TO R-4 (RESIDENTIAL 4 DU/AC) AND ONE PROPERTY FROM CSR (COMMUNITY SERVICES AND RECREATION) TO R-16 (RESIDENTIAL 16 DU/AC)**

**LOCATED ON THE EAST SIDE OF 26 ROAD, NORTH OF PATTERSON ROAD AND EAST OF FORESIGHT APARTMENTS, NORTH AND EAST OF THE 25 ½ ROAD/PATTERSON ROAD INTERSECTION**

**Recitals:**

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

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

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

Upon analysis of each area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone would be justified in order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties(y).

The proposed zone district meets the recommended land use category as shown on the Future Land Use Map of the Comprehensive Plan, Commercial and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

An Open House was held on November 16, 2011 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public

review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

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

1. The requested zone(s) is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

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

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

The following properties shall be rezoned to:

R-4 (Residential 4 du/ac)

<b>Tax Parcel #</b>	<b>Address</b>
2945-023-00-069	622 26 Road
2945-023-00-070	Unaddressed
2945-023-00-022	624 26 Road
2945-023-00-021	628 26 Road
2945-023-00-017	630 26 Road
2945-023-00-016	632 26 Road

and

R-16 (Residential 16 du/ac).

<b>Tax Parcel #</b>	<b>Address</b>
2945-034-00-112	Unaddressed

Also see attached map.

Introduced on first reading this 13<sup>th</sup> day of February, 2012 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

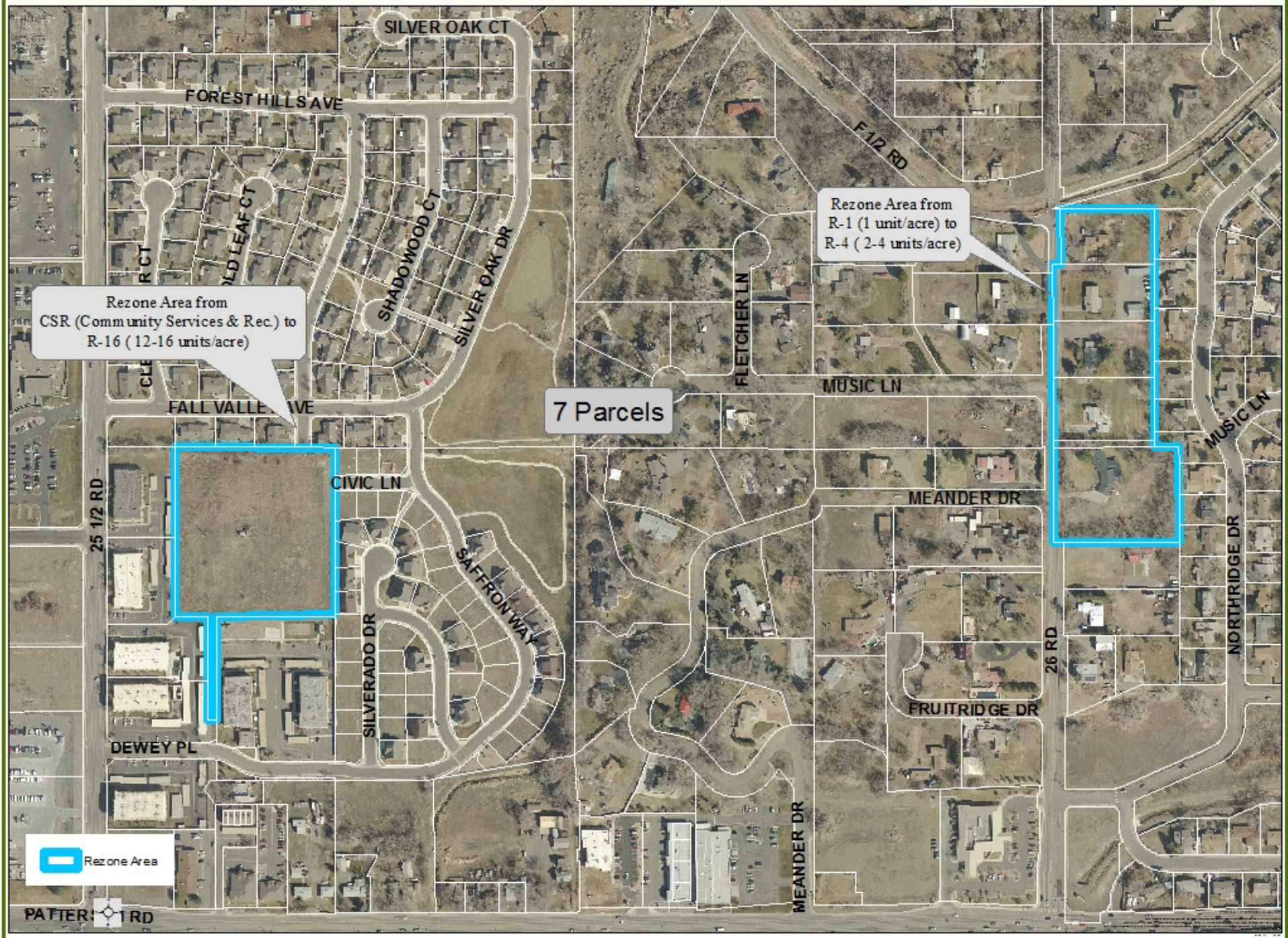
ATTEST:

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

\_\_\_\_\_  
Mayor



## Rezone - Area 8







Attach 16

## CITY COUNCIL AGENDA ITEM

Date: February 14, 2012

Author: Brian Rusche

Title/ Phone Ext:

Senior Planner / 4058

Proposed Schedule:

1<sup>st</sup> Reading - February 13, 2012

2nd Reading (if applicable):

2<sup>nd</sup> Reading - March 21, 2012

File # (if applicable): RZN-2011-1154

**Subject:** Rezone Two Parcels Located at 690 and 694 29 ½ Road; Two Parcels Located at 2910 Highline Canal Road and 725 29 Road; and One Parcel Located at 698 29 Road

**Action Requested/Recommendation:** Hold a Public Hearing and Consider Final Passage of the Proposed Rezone Ordinance

**Presenter(s) Name & Title:** Tim Moore, Public Works and Planning Director  
Brian Rusche, Senior Planner

### Executive Summary:

A City initiated request to:

- 1) Rezone 15.454 acres in two (2) parcels located at 690 and 694 29 ½ Road from an R-R (Residential Rural) to an R-5 (Residential 5 dwelling units/acre) zone district; and
- 2) Rezone 27.537 acres in two (2) parcels located at 2910 Highline Canal Road and 725 29 Road from R-R (Residential Rural) and 2.769 acres in one (1) parcel located at 698 29 Road from a C-1 (Light Commercial), all to a B-P (Business Park) zone district.

### Background, Analysis and Options:

The subject properties were annexed into the City of Grand Junction on December 5, 1999 when the North Glenn/Matchett Enclave Annexation became effective. The properties were assigned a zoning at the time of annexation.

In 2010, the Comprehensive Plan was adopted. After adoption of the Comprehensive Plan, it became apparent that there were areas around the City that had conflicts between the Future Land Use designation of the Comprehensive Plan and the respective zone districts associated with the properties. Each area was evaluated to determine what the best course of action would be to remedy the discrepancy.

Two distinct subareas exist that encompass the subject properties:

Subarea 1 consists of two large-lot residential/agricultural acreages on 29 ½ Road currently zoned R-R (Residential Rural). The Comprehensive Plan anticipated a need

for additional dwelling units based on historic and projected population growth. The Future Land Use Map assigned a designation of Residential Medium (4-8 du/ac) south of G Road. The requested rezone of 690 and 694 29 ½ Road, also known as Parcel 1 and 2 of the Dorsey Simple Land Division, from R-R to R-5 (Residential 5 du/ac) will bring these two properties into conformance with the Future Land Use designation and is consistent with the existing R-5 zoning further south along 29 ½ Road.

Subarea 2 consists of three unique parcels situated on either side of I-70 accessed via 29 Road. One is currently farmed, one is vacant, and one is the location of a social service facility under the name of Offender Services Inc. The Comprehensive Plan anticipated an opportunity for future development at the intersection of 29 Road and I-70 that would be triggered by the construction of an interchange. The Future Land Use Map assigned a new designation of Business Park Mixed Use (BP) to all of the private acreage surrounding this future interchange. The requested rezone of these properties to BP will bring these properties into conformance with the Future Land Use designation in anticipation of development opportunities associated with the interstate interchange.

Property owners were notified of the proposed zone change via a mailed letter and invited to an open house to discuss any issues, concerns, suggestions or support. One letter to the owner of 2910 Highline Canal Road, Offender Services Inc, was returned as undeliverable. The open house was held on November 16, 2011. No comment sheets were received regarding this proposal. Seven contacts have been made about the proposal, including two owners/representatives of owners. Two e-mails from neighboring property owners are attached to this report.

No public testimony was offered before the Planning Commission at their January 24, 2012 meeting.

### **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.

The proposed R-5 zone district will provide the opportunity for additional density as an extension of established and emerging neighborhoods. Additional density allows for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

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

It is anticipated, through the Future Land Use designation of Business Park Mixed Use, that all of the privately owned property located on either side of I-70 at 29 Road, would develop with land uses to serve the proposed interchange, though a portion of this property will be appropriated for the interchange itself. The rezone of these three



properties is consistent with this vision and would provide significant business opportunities as a regional provider of goods and services.

**Board or Committee Recommendation:**

The Grand Junction Planning Commission met on January 24, 2012 and forwarded a unanimous recommendation of approval to the City Council.

**Financial Impact/Budget:** N/A

**Legal issues:** None.

**Other issues:** None.

**Previously presented or discussed:** The Council introduced the proposed Ordinance on February 13, 2012.

**Attachments:**

Background Information  
Rezone criteria  
Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City Zoning Map  
E-mails from adjacent property owners  
Planning Commission Minutes of January 24, 2012  
Ordinance

Subarea 1 - BACKGROUND INFORMATION				
Location:		690 and 694 29 ½ Road		
Applicants:		City of Grand Junction		
Existing Land Use:		Single Family, Agricultural		
Proposed Land Use:		No changes to land use(s) proposed		
Surrounding Land Use:	North	Single Family, Agricultural		
	South	Agricultural		
	East	Single Family		
	West	Single Family		
Existing Zoning:		R-R (Residential Rural)		
Proposed Zoning:		R-5 (Residential 5 du/ac)		
Surrounding Zoning:	North	R-5 (Residential 5 du/ac), R-R (Residential Rural)		
	South	R-5 (Residential 5 du/ac)		
	East	R-R (Residential Rural)		
	West	PD (Planned Development)		
Future Land Use Designation:		Residential Medium (4-8 du/ac)		
Zoning within density range?		X	Yes	No

Subarea 2 - BACKGROUND INFORMATION				
Location:		698 29 Road, 2910 Highline Canal Road, 725 29 Road		
Applicants:		City of Grand Junction		
Existing Land Use:		Undeveloped, Social Services, Agricultural		
Proposed Land Use:		No changes to land use(s) proposed		
Surrounding Land Use:	North	Agricultural, Airport		
	South	Undeveloped, Electric Substation		
	East	Undeveloped, Single Family		
	West	Undeveloped		
Existing Zoning:		C-1 (Light Commercial), R-R (Residential Rural)		
Proposed Zoning:		BP (Business Park)		
Surrounding Zoning:	North	PAD (Planned Airport Development)		
	South	R-5 (Residential 5 du/ac), R-R (Residential Rural)		
	East	R-5 (Residential 5 du/ac), R-R (Residential Rural)		
	West	PD (Planned Development)		
Future Land Use Designation:		Business Park Mixed Use		
Zoning within density range?		X	Yes	No

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

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Grand Junction Municipal Code must be made per Section 21.02.140(a) as follows:

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

Subarea 1 Response: The 2010 adoption of the Comprehensive Plan designated the Future Land Use for Area 1 as Residential Medium (4-8 du/ac), rendering the existing R-R (Residential Rural) zoning inconsistent. The proposed rezone to R-5 (Residential 5 du/ac) will resolve this inconsistency.

Subarea 2 Response: The 2010 adoption of the Comprehensive Plan created a new Future Land Use designation of Business Park Mixed Use and was applied to Area 2, rendering the existing R-R (Residential Rural) and C-1 (Light Commercial) zoning inconsistent. The proposed rezone to BP (Business Park) will resolve this inconsistency.

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; and/or

Subarea 1 Response: Additional residential development, known as Cattail Creek, has been proposed along 29 ½ Road adjacent to these two properties. Although the current economic conditions have delayed the construction of this development, it demonstrates the desirability of the area for additional residences.

Subarea 2 Response: The 29 Road/I-70 Interchange represents, with the opening of the 29 Road Bridge over the Union Pacific Railroad between North Avenue and D ½ Road, the last segment of a long planned transportation loop around the City. Although it may be several years before this vision is realized, the Comprehensive Plan designation of Business Park, along with the proposed zone change, anticipates the opportunity for the type of development appropriate for lands adjacent to the interchange.

This criterion has been met.

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

Subarea 1 Response: 29 ½ Road and G Road are designated as minor collectors, which would funnel traffic from new development to the west and south. Adequate infrastructure exists in 29 ½ Road right-of-way to accommodate, with upgrades as necessary, additional residential density.

Subarea 2 Response: 29 Road is designated as a Principal Arterial, with an interchange proposed at I-70 and a future extension into the Airport and to points east, paralleling I-70. The existing land use is primarily undeveloped or irrigated land, meaning significant infrastructure would be necessary. These improvements, however, would be spurred by the development potential generated by a new interstate interchange.

This criterion can be 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; and/or

Subarea 1 Response: There is approximately 125 acres of developable land north of F ½ Road east of 29 Road that is presently zoned R-5. This represents the majority of the remaining developable land in this portion of the community, which is constrained on the east by the Airport Critical Zone, a portion of which extends through the property at 694 29 ½ Road; the north by the Highline Canal and I-70, the west by Matchett Park, and the south by existing development.

Subarea 2 Response: There is approximately 250 acres of privately owned land on either side of I-70 between the Highline Canal and the Airport, in addition to the subject properties. All of this additional land is zoned PD (Planned Development).

This criterion is met.

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

Subarea 1 Response: The proposed R-5 zone district will provide the opportunity for additional density as an extension of established and emerging neighborhoods. Additional density allows for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

Subarea 2 Response: It is anticipated, through the Future Land Use designation of Business Park Mixed Use, that all of the privately owned property located on either side of I-70 at 29 Road, would develop with land uses to serve the proposed interchange, though a portion of this property will be appropriated for the interchange itself. The rezone of these three properties is consistent with this vision and would provide significant business opportunities as a regional provider of goods and services, consistent with Goal 12 of the Comprehensive Plan.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Area 15 Rezone, RZN-2011-1154, a request to:

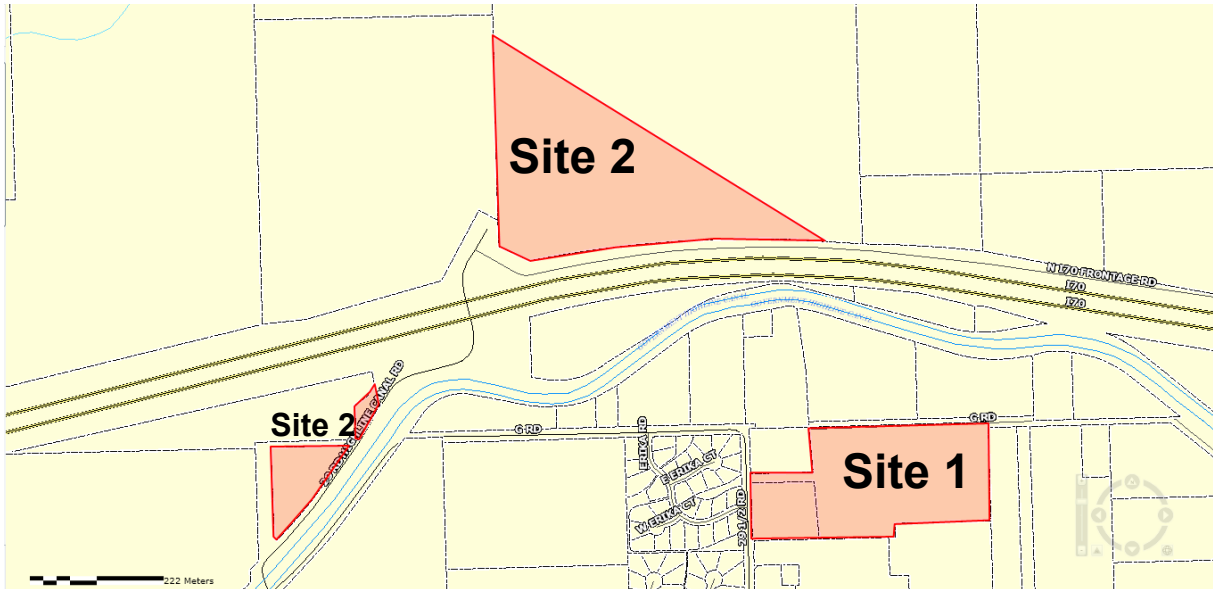
- 1) Rezone 15.454 acres in two (2) parcels located at 690 and 694 29 1/2 Road from an R-R (Residential Rural) to an R-5 (Residential 5 dwelling units/acre) zone district;
- 2) Rezone 27.537 acres in two (2) parcels located at 2910 Highline Canal Road and 725 29 Road from R-R (Residential Rural) and 2.769 acres in one (1) parcel located at 698 29 Road from a C-1 (Light Commercial), all to a B-P (Business Park) zone district;

the following findings of fact and conclusions have been determined:

3. The requested zoning 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.

# Site Location Map

Figure 1



# Aerial Photo Map

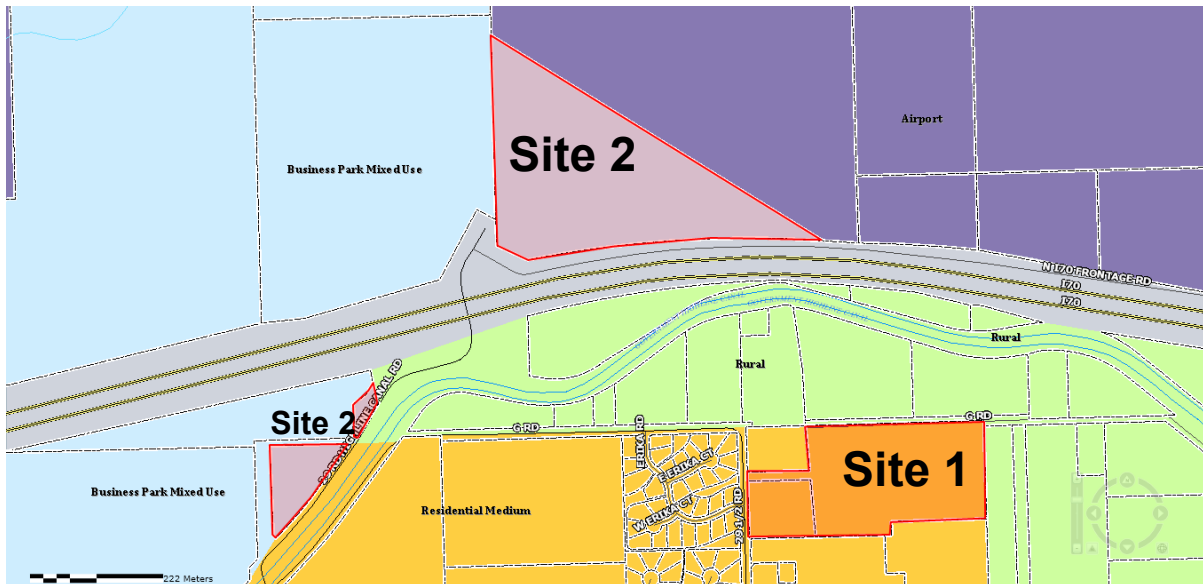
Figure 2





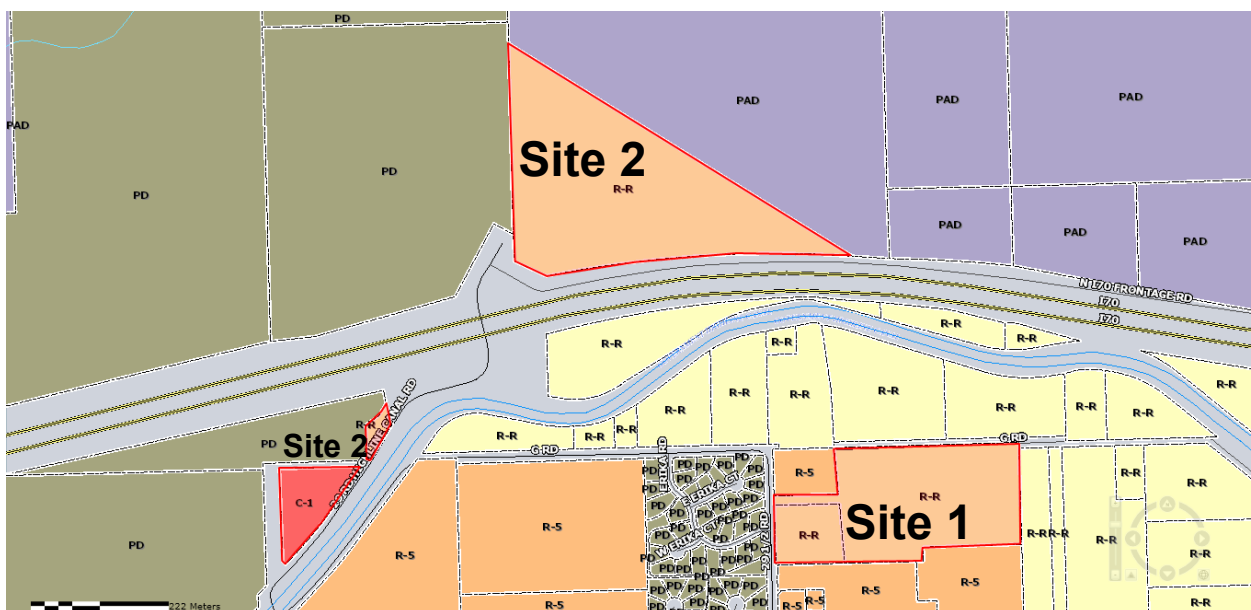
# Comprehensive Plan Map

Figure 3



# Existing City Zoning Map

Figure 4



**From:** Brian Rusche  
**To:** Dave Leonard  
**CC:** Jeff Stansfield (ljstansfieldfamily@gmail.com)  
**Date:** 12/5/2011 8:19 AM  
**Subject:** Res RZN-2011-1154-Blue Polygon-Area 15 Rezone-690 29 1/2 RD  
**Attachments:** Mailing\_15.pdf

Mr. Leonard,

Thank you for your interest in the above referenced project.

There are two groups of properties being considered by the City for a rezone. The properties adjacent to your client's are proposed to be zoned BP (Business Park) in order to be consistent with the Comprehensive Plan designation of Business Park. This is a City initiated rezone and no development is proposed at this time.

I have attached a map of this request, which is also available at the following website:  
<http://www.gjcity.org/ProposedRezoneNo2.aspx>

The schedule for this request is also posted. Although the open house has already be held, public comments may be accepted prior to the Planning Commission hearing, scheduled for January 24, 2012.

If you have any further questions regarding this request, please contact me.

Sincerely,

Brian Rusche  
Senior Planner  
City of Grand Junction  
Public Works and Planning  
(970) 256-4058

>>> Dave Leonard <DaveL@pinnaclewestern.com> 12/2/2011 1:41 PM >>>

Greetings – I am writing in response to a request for comments issued by your department re: above. My client, Horizon View, LLC owns a parcel in close proximity. Can you direct me to a web site or other source of information about what is proposed by Blue Polygon?

Dave Leonard, PE, SE  
Registered Geotechnical Engineer

Pinnacle Western, Inc.  
3329 NE Stephens St.  
Roseburg, OR 97470

541 440 4871  
FAX 541 672 0677

E-mail regarding property adjacent to Business Park

**From:** Brian Rusche  
**To:** Kathy Deppe  
**Date:** 12/5/2011 9:10 AM  
**Subject:** Re: RZN 2011 1154 Blue Polygon  
**Attachments:** Mailing\_15.pdf

Kathy,

Thank you for your interest in the above referenced project.

I believe we already spoke about this request, but I wanted to follow-up your e-mail.

As you know, there are two groups of properties that are included in this request. A group of three properties are located on either side of I-70 at 29 Road and are proposed to be zoned BP (Business Park).

Your neighbors' properties are proposed to be zoned R-5 (Residential 5 du/ac) in order to be consistent with the Comprehensive Plan. This is a City initiated rezone and no development is proposed at this time. In addition, the existing land uses prior to rezoning may remain. I have already spoken to Mr. Green as well.

These two groups of properties are being considered in one public process simply because of geography, but they are not related to each other. I have included a map which shows the current and proposed zones for each property.

You may still provide comments prior to the Planning Commission hearing on this request, which is scheduled for January 24, 2012.

If you have any further questions, please contact me.

Sincerely,

Brian Rusche  
Senior Planner  
City of Grand Junction  
Public Works and Planning  
(970) 256-4058

>>> Kathy Deppe <kathyd3@earthlink.net> 11/5/2011 5:16 PM >>>

Brian

We received notice of the hearing for the rezone of Area 15-690 29 1/2 Road.

We live at 676 29 1/2 Road and our neighbors, Doug and Patty Green live at 690 29 1/2 Road.

When I look at the City Website, planning and go to this file, the property that I am seeing that is being re-zoned is on the North Side of the canal and on the North side of G Road at 29 Road. Why is the address on the planning card 690 29 1/2 Road?

Please respond. I see we only have until November 7, 2011 to make comments, and yet, we just received this notice by mail, Saturday November 5, 2011.

Would like to have an explanation of the address and the parcels being re-zoned or, am I looking at this all wrong.

Katherine Deppe-Spomer

E-mail from neighbor at 676 29 1/2 Road

**GRAND JUNCTION PLANNING COMMISSION  
JANUARY 24, 2012 MINUTES  
6:00 p.m. to 7:13 p.m.**

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

In attendance, representing the City Planning Commission, were Reginald Wall (Chairman), Lynn Pavelka (Vice-Chairman), Pat Carlow, Ebe Eslami, Gregory Williams, Lyn Benoit and Keith Leonard.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), Lori Bowers (Senior Planner), Brian Rusche (Senior Planner), Scott Peterson (Senior Planner) and Senta Costello (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 6 interested citizens present during the course of the hearing.

**ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS**

There were no announcements, presentations and/or visitors.

**Consent Agenda**

**1. Minutes of Previous Meetings**

Approve the minutes of the December 13, 2011 Regular Meeting.

**2. Suncor Annexation – Zone of Annexation**

Request a recommendation of approval to City Council to zone 27.559 acres from County PUD (Planned Unit Development) to a City I-1 (Light Industrial) zone district.

**FILE #:** ANX-2011-1328

**PETITIONER:** Douglas Pumphrey – Suncor Energy (USA) Inc.

**LOCATION:** 2200 Railroad Avenue

**STAFF:** Brian Rusche

**MOTION:** (Commissioner Pavelka) “I move we approve the Consent Agenda as read.”

Commissioner Carlow seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

### **Public Hearing Items**

Lisa Cox, Planning Manager, provided a brief overview of the next four items and, more particularly, why the City was the applicant in the rezone applications and explained the public process involved in each application. The City and Mesa County jointly adopted the Comprehensive Plan in February 2010, a process which lasted over 30 months and included over 300 public meetings. Ms. Cox said that it was a very public process and they had gone through various tools to ensure the public was engaged in the adoption process.

As part of adoption of the Comprehensive Plan, a vision was identified and the concept of development in neighborhood and village centers was created. She said that in order to implement those new ideas and visions, there were new land use designations created to help bring the vision of the plan to life. However, when the plan was adopted and the new land use designations put in place, the City did not rezone property to be consistent with the new land use designations. Ms. Cox stated that the City had undertaken the effort on behalf of property owners to resolve the conflict between the zoning of the property and the vision of the Comprehensive Plan.

She next identified the steps involved in the public process which included the following:

Each property owner was sent an individual letter which explained why the City was the applicant; why this process was being undertaken; and informed them of the City's intent to resolve the conflict. Notification cards were also sent out to residents who lived within 500 feet of an impact area or parcel to be rezoned. This gave those residents an opportunity to become involved in the process and to also submit their thoughts and comments. In addition, an open house was set up for citizens and/or property owners to learn more about the proposed rezones or an opportunity to express their comments and/or concerns. Additionally, there was a public comment period opened up.

Lastly, the neighbors were made aware that the rezone application would be processed through the Planning Commission wherein the Planning Commission would make a recommendation to City Council and City Council was the final decision-maker. Ms. Cox mentioned that there had been several property owners who questioned whether a rezone of their property would result in increased taxes. She said that they would not as a change in the zoning of a property would not increase property taxes but a change in the use would change taxes.

### **3. Blue Polygon – Area 15 Rezone – Rezone**

Request a recommendation of approval to City Council to 1) rezone 15.454 acres from an R-R (Residential Rural) to an R-5 (Residential 5 du/ac) zone district AND 2) a recommendation of approval to City Council to zone 27.537 acres from an R-R (Residential Rural) and 2.769 acres from a C-1 (Light Commercial) all to a BP (Business Park) zone district.

**FILE #:** RZN-2011-1154

**PETITIONER:** City of Grand Junction

**LOCATION:** 690 29 1/2 Road and others  
**STAFF:** Brian Rusche

### **STAFF'S PRESENTATION**

Brian Rusche, Senior Planner, Public Works and Planning Department, addressed the Commission regarding Area 15 which encompassed two Subareas totaling 5 parcels. He identified Subarea 1 as being on 29 1/2 Road and the request was for an R-5 zoning; Subarea 2 was around the intersection of 29 Road and I-70 which consisted of 3 parcels from R-R and C-1 to a Business Park zone. He said that current land uses included agriculture, single-family uses, social service uses as well as undeveloped land.

As the Comprehensive Plan anticipated the need for additional dwelling units based on historic and projected population growth, the future land use assigned a designation of Residential Medium to areas south of G Road. Mr. Rusche said the requested rezone of the two properties included in Subarea 1 would bring the zoning into conformance with the Residential Medium designation. He then said that Subarea 2 included 3 unique parcels in which the Comprehensive Plan anticipated an opportunity for future development at the intersection of 29 Road and I-70 that would be triggered by the construction of an interchange. The Future Land Use Map assigned a new designation – Business Park Mixed Use – to all of the private acreage surrounding the future interchange. The requested rezone of these 3 properties would bring them into conformance with the designation as well as prepare them for potential development opportunities associated with an interstate interchange.

Mr. Rusche identified the current zoning of all but one of the properties as Residential Rural which reflected agricultural uses. All of the properties were brought into the City in 1999 as part of a significant enclave annexation and so the zoning assigned at the time reflected the use that was there. The Blended Map also indicated this area as Residential Medium.

Regarding Subarea 1, there were a few existing houses in the area but there had been proposed development along 29 1/2 Road that had not yet materialized which demonstrated the desirability in the area for additional residences. With regard to Subarea 2, the potential for an interstate interchange would be the last segment of a long planned transportation route.

The supply of land currently available was also addressed. Mr. Rusche noted that while there was still developable land in the area that had residential zoning, some of it was impeded by an airport critical zone which was one of the reasons the Comprehensive Plan anticipated higher densities up to G Road but not further to the east.

He next discussed 29 Road and I-70 and the parcels with current Planned Development zoning assigned and, if and when, those parcels were to develop they too could take advantage of the Business Park Mixed Use but at the present time, only the 3 parcels were the only ones in conflict. He, therefore, recommended a recommendation of



approval be forwarded to City Council for Subarea 1 to be rezoned to R-5 and Subarea 2 to be rezoned to Business Park.

### **PUBLIC COMMENT**

None.

### **DISCUSSION**

Chairman Wall said that this was straightforward and made sense and he would be in favor of it.

**MOTION: (Commissioner Pavelka) “Mr. Chairman, on Rezone RZN-2011-1154, I move the Planning Commission forward a recommendation of approval for the rezone of 15.54 acres in two parcels located at 690 and 694 29 1/2 Road from an R-R (Residential Rural) to an R-5 (Residential 5 dwelling units per acre) zone district. I also include in this a rezone of 27.537 acres in two parcels located at 2910 Highline Canal Road and 725 29 Road from R-R (Residential Rural) and 2.769 acres in one parcel located at 698 29 Road from a C-1 (Light Commercial) all to a BP (Business Park) zone district.”**

Commissioner Williams seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING PROPERTIES  
LOCATED AT 690 AND 694 29 ½ ROAD  
FROM AN R-R (RESIDENTIAL RURAL) TO  
AN R-5 (RESIDENTIAL 5 DWELLING UNITS PER ACRE) ZONE DISTRICT,  
REZONING PROPERTIES LOCATED AT 2910 HIGHLINE CANAL ROAD AND 725 29  
ROAD FROM AN R-R (RESIDENTIAL RURAL) TO  
A BP (BUSINESS PARK) ZONE DISTRICT,  
AND REZONING PROPERTY LOCATED AT 698 29 ROAD FROM A C-1 (LIGHT  
COMMERCIAL) TO A BP (BUSINESS PARK) ZONE DISTRICT**

Recitals.

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

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

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

Upon analysis of each area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone would be justified in order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties.

The proposed zone district meets the recommended land use category as shown on the Future Land Use Map of the Comprehensive Plan, Commercial and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

An Open House was held on November 16, 2011 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public

review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

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

1. The requested zones are consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

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

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

The following properties shall be rezoned R-5 (Residential 5 du/ac):

690 AND 694 29 ½ ROAD

SEE ATTACHED MAP.

The following properties shall be rezoned BP (Business Park):

2910 HIGHLINE CANAL ROAD, 725 29 ROAD, AND 698 29 ROAD

SEE ATTACHED MAP.

**INTRODUCED** on first reading the 13<sup>th</sup> day of February, 2012 and ordered published in pamphlet form.

**PASSED and ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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

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

## Rezone - Area 15

