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

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

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

Post Colors/Pledge of Allegiance – Grand Junction Police
Department/Mesa County Sheriff Combined Honor Guard

Moment of Silence

Proclamations

Proclaiming May 3, 2012 as "Ralph W. Smith Day" in the City of Grand Junction

Proclaiming May 12, 2012 as "Grand Junction Letter Carriers Stamp Out Hunger Day"
in the City of Grand Junction

Proclaiming May 12, 2012 as "National Train Day" in the City of Grand Junction

Proclaiming May 13 through 19, 2012 as "Police Week" in the City of Grand Junction

Revised May 3, 2012

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

REVISED

Certificates of Appointment

To the Commission on Arts and Culture

Election of Mayor and Mayor Pro Tem/Administer Oaths of Office

Council Comments

Citizen Comments

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

1. **Minutes of Previous Meeting** [Attach 1](#)
Action: Approve the Minutes of the April 18, 2012 Regular Meeting

2. **Setting a Hearing on Rezoning One Parcel Located at 140 Power Road** [File # RZN-2012-69] [Attach 2](#)

A City initiated request to rezone one parcel totaling 14.81 acres from an I-1 (Light Industrial) to a C-2 (General Commercial) zone district.

Proposed Ordinance Rezoning Properties at 140 Power Road from an I-1 (Light Industrial) to a C-2 (General Commercial) Zone District

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 6, 2012

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

3. **Setting a Hearing on Rezoning One Parcel Located at 681 23 Road** [File # RZN-2012-82] [Attach 3](#)

A City initiated request to rezone 0.99 acres, located at 681 23 Road, from I-2 (General Industrial) zone district to I-1 (Light Industrial) zone district and bring it into conformance with the Comprehensive Plan. This area is referred to as the "Yellow Area 3" rezone.

Proposed Ordinance Rezoning One Parcel from I-2 (General Industrial) to I-1 (Light Industrial), Located At 681 23 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 6, 2012

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

4. **Setting a Hearing on Rezoning Nine Properties Located at 492, 490, 488, 488 ½, 486, 486 ½, 482 Harris Road, Plus Two Other Un-Addressed Parcels** [File # RZN-2012-85] [Attach 4](#)

A City initiated request to rezone nine properties totaling 3.02 +/- acres located at 492, 490, 488, 488 ½, 486, 486 ½, 482 Harris Road, plus two other un-addressed parcels, from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial).

Proposed Ordinance Rezoning Nine Properties from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial), Located at 492, 490, 488, 488 ½, 486, 486 ½, 482 Harris Road, Plus Two Other Un-Addressed Parcels

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 6, 2012

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

5. **Purchase Crack-fill Material to Finish Maintenance Area #2 for the 2012 Chip-Seal Program and Start Crack-Filling Next Year's Maintenance Area #3** [Attach 5](#)

This request is to ratify a contract to purchase 227,272 pounds of NUVO 500 crack-fill material in the amount of \$.55 per pound. Since this is a petroleum based product, prices are escalating daily. In an effort to secure prices, the Purchasing Division negotiated a price, which now reflects savings compared to the current market. The NUVO 500 crack-fill material was competitively bid in 2011 and found to be a superior material compared with other products previously tested.

Action: Ratify a Contract with Maxwell Products, Inc. to Provide 227,272 Pounds of NUVO 500 Crack-Fill Material, for an Amount of \$.55 per Pound for a Total of \$124,999.60

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

6. **Grant Award for the Auto Theft Task Force** [Attach 6](#)

For the third year in a row, the Grand Junction Police Department has been awarded a grant from the Colorado Department of Public Safety. This grant award, in the amount of \$89,376, will support the continuation of a joint Auto Theft Task Force for the Grand Valley. Participating agencies include: the Grand Junction Police Department, the Mesa County Sheriff's Office, the Fruita Police Department, and the Colorado State Patrol. The award is for the purchase of equipment vital to the mission of the Task Force, as well as overtime for participants. If approved, the City of Grand Junction will serve as the fiscal agent for the grant.

Action: Authorize the Acting City Manager to Accept a Grant Award for the Auto Theft Task Force in the Amount of \$89,376

Staff presentation: John Camper, Chief of Police
Troy Smith, Deputy Chief of Police

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

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

7. **Public Hearing—Hernandez Enclave Annexation and Zoning, Located at 2956 D Road** [File #ANX-2012-188] [Attach 7](#)

A request to annex 0.527 acres of enclaved property, located at 2956 D Road, and to zone the annexation, consisting of one parcel, to an R-8 (Residential 8 du/ac) zone district.

a. Annexation Ordinance

Ordinance No. 4523—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

b. Zoning Ordinance

Ordinance No. 4524—An Ordinance Zoning the Hernandez Enclave Annexation to R-8 (Residential 8 DU/Ac), Located at 2956 D Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance Nos. 4523 and 4524

Staff presentation: Brian Rusche, Senior Planner

8. **Public Hearing—Vacating Alley Right-of-Way for St. Joseph Church, Located in the 300 Block of White Avenue** [File #VAC-2012-203] [Attach 8](#)

This is a request by St. Joseph Catholic Church to vacate the remaining alley right-of-way in the 300 Block of White Avenue for the proposed new chapel, parish hall, and future ancillary additions.

Ordinance No. 4525—An Ordinance Vacating Right-of-Way for St. Joseph Church, Located in the 300 Block of White Avenue

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance No. 4525

Staff presentation: Lori V. Bowers, Senior Planner

9. **Public Hearing—Rezoning Fourteen Properties on the South Side of I-70B Between S. 17th Street and 28 Road Along E. Main Street** [File #RZN-2011-1322] [Attach 9](#)

A City initiated request to rezone fourteen parcels totaling 17.268 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district.

Ordinance No. 4526—An Ordinance Rezoning Properties Located on the South Side of I-70B Between S. 17th Street and 28 Road Along E. Main Street from a C-2 (General Commercial) to an I-1 (Light Industrial) Zone District

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance No. 4526

Staff presentation: Greg Moberg, Planning Services Supervisor
Brian Rusche, Senior Planner

10. **Public Hearing—Rezoning Two Properties Located at 637/681 Railroad Boulevard and 2225 River Road** [File #RZN-2011-1331] [Attach 10](#)

A City initiated request to rezone 6.769 acres, located at 637/681 Railroad Boulevard and 2225 River Road from I-2 (General Industrial) to I-1 (Light Industrial) zone district.

Ordinance No. 4527—An Ordinance Rezoning Two Properties Located at 637/681 Railroad Boulevard and 2225 River Road, from I-2 (General Industrial) to I-1 (Light Industrial)

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance No. 4527

Staff presentation: Senta Costello, Senior Planner

11. **Public Hearing—Rezoning One Property Located at 2189 River Road** [File # RZN-2011-1326] [Attach 11](#)

A City initiated request to rezone one property located at 2189 River Road from I-2 (General Industrial) to I-1 (Light Industrial) zone district.

Ordinance No. 4528—An Ordinance Rezoning One Property from I-2 (General Industrial) to I-1 (Light Industrial), Located at 2189 River Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance No. 4528

Staff presentation: Scott D. Peterson, Senior Planner

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

13. **Other Business**

14. **Adjournment**

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

April 18, 2012

The City Council of the City of Grand Junction convened into regular session on the 18th day of April, 2012 at 7:02 p.m. in the Mesa County Public Hearing Room. Those present were Councilmembers Bennett Boeschstein, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras, and Council President Tom Kenyon. Absent was Councilmember Teresa Coons. Also present were Acting City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Kenyon called the meeting to order. He asked Troops # 385 and 386 to come forward and lead the Pledge of Allegiance. That was followed by an invocation by Chaplain Mary Ellen Ireland, St. Mary's Pastoral Care.

Proclamations/Presentations/Recognitions

Proclaiming April 21, 2012 as "Arbor Day" in the City of Grand Junction, Recognitions of CPC Solutions Sponsorship and Arbor Day Work, and Presentation of Gold Leaf Award

Tom Ziola, Forestry Supervisor, expressed appreciation for the support of the Forestry Program. He introduced Kamie Long, Chair of the Forestry Board. She recognized CPC Solutions with a certificate of appreciation for donating funds to purchase trees to give out at the Southwest Arbor Fest and printing out drawing pads for the poster contest.

Dean Rickman, CPC Solutions, formerly Colorado Printing, said that they turned their actions towards trees to give back for all they use in their industry and they produced something for Arbor Day (the drawing pads).

Council President Kenyon said he visited Nebraska City, Nebraska which is known as the home for Arbor Day and took note the impact trees make on the environment. He expressed appreciation for CPC's contributions.

Forestry Board Chair Long then introduced other Forestry Board members and along with them recognized the work of Administrative Assistant Jessica Dennison with a certificate of appreciation for her above and beyond contributions to the 2012 Arbor Day program.

Tom Ziola then introduced Vince Urbina of the State Forestry Division who was present to present the Gold Leaf Award to City Council. The City won the award for the Rocky Mountain Region for outstanding landscaping beautification for 2012.

Proclaiming the Week of April 22 through 28, 2012 as “Administrative Professionals Week” and Wednesday, April 25, 2012 as “Administrative Professionals Day” in the City of Grand Junction

Karen Loughman of the Administrative Professionals, was present to receive the proclamation. She thanked the City Council and recognized the Administrative Assistant (Jessica Dennison) that just won the award.

Proclaiming 2012 as "The Year of Water" in the City of Grand Junction

Terry Franklin, Deputy Director of the Utilities, Streets and Facilities Department was present to receive the proclamation. He thanked the City Council for the recognition and their support.

Financial Report – Jodi Romero, Financial Operations Director

Jodi Romero, Financial Operations Director, gave a brief financial report starting with how the year 2011 ended and also current economic trends. She advised that 2011 ended well with significant savings and revenues were up. It is anticipated that the City will end 2012 with about \$24 million in fund balance. She recognized that Councilmembers Luke and Susuras have been attending the quarterly budget reviews and all departments are within the 25% for the first quarter of 2012.

She then reviewed some of the trends. Natural gas prices are down which negatively impacts the industry. This will result in the cutting back of rigs. There are Grand Junction residents working in the oil and gas industry on the Front Range. There are liquids that come from the processing and those liquids are marketable which help keep the industry going.

Drilling rigs in the Denver area have doubled in the last two years, whereas drilling rigs in Piceance Creek have decreased.

Other trends include foreclosure activity and Mesa County has the highest foreclosure rate in the State. There was a decline in early 2011, but that increased again in the later part of 2011. The result is the decrease of the median home price. Regarding construction activity, it has increased over the first quarter of 2011. Part of that increase is remodeling of commercial and industrial enterprises.

Another trend, employment (that is unemployment) has decreased over 2011. Sales and Use tax is improving but the projection was budgeted flat for 2012. She displayed a graph that broke out the allocation of sales tax for each category of businesses. Every category is showing improvement. Retail activity is compared to the national trend (even includes areas where no tax is charged) and the area showed a larger amount of growth but the area previously had dropped lower than the nation.

The last table showed year to date collections in sales tax which showed an increase in first quarter.

Councilmember Boeschstein asked if the manufacturing sector graph and the natural gas price chart that she showed as part of her presentation are for the United States. Ms. Romero said they are both for the United States.

That concluded the Financial Report.

Certificates of Appointment

To the Horizon Drive Association Business Improvement District

Bill Milius and Jay Moss were present to receive their certificates of appointment. Chuck Keller was unable to attend. Victoria Patsanranas was present and offered to accept his certificate. She also announced the upcoming open house for their street designs in the Horizon Drive Business Improvement District.

To the Commission on Arts and Culture

Judy Dyrud and Elizabeth Nelson were present to receive their certificates of appointment.

Council Comments

Councilmember Boeschstein advised that he attended the Grand Valley Bikes at Rocky Mountain Elementary where hundreds of kids got lessons on how to safely ride their bikes to school.

Citizen Comments

Council President Kenyon explained the Citizen Comments section. He said that many are present to speak about the Housing Authority's Village Park Subdivision. He noted that the development application has not been submitted, therefore concerns should be directed to Jody Kole with the Housing Authority and he provided her contact information. He advised that there are handouts summarizing the project available in the back of the room. The project is being resurrected after five years; it was shelved due to the economic downturn. That is the reason it is surprising some. The Housing Authority acquired the property for affordable housing. In order to move forward, the Housing Authority must submit a site plan and a planning clearance must be issued. A notice will be posted when the application is submitted and the site plan application will be reviewed administratively. If approved, it can be appealed to the Planning Commission.

Phyllis Hunsinger, 661 Tamarron Drive, spoke in opposition to the 28 ¼ Road and Patterson Road development. She wanted to bring to the City Council the opposition that

the City Council waived over \$300,000 in fees for this project. She felt the City Council was not informed. Jody Kole said several open houses were held and the project was received favorably. Ms. Hunsinger said that was not true. She identified traffic impacts and impacts to overcrowded schools. Many tried to email the City Council but could not get their emails to go through. She said she had a petition with over 100 signatures opposing the development. She noted the statement in the paper that the housing would house teachers, firemen, and nurses. She disagreed with that statement. She submitted her petitions to the City Council.

Dora Gail Schultz, 414 Willow Ridge Court, spoke on the article that was in the Daily Sentinel regarding the responsibility to provide housing to low income people. She said the statement that the Grand Junction Housing Authority is responsible for providing housing is a socialist mindset. She disagreed the government should be responsible for needs such as housing and other needs. She felt that was the problem with the nation.

Jim Pommier, 663 Tamarron Drive, also spoke in opposition to the 28 ¼ Road and Patterson Road development. He referred to a letter he emailed to all of City Council. He echoed what the two others said. He said the development was slipped under the rug. The neighborhood is concerned.

There were no others signed up to speak.

CONSENT CALENDAR

Councilmember Luke read the Consent Calendar and then moved to approve the Consent Calendar items #1-15. Councilmember Doody seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the April 4, 2012 Regular Meeting

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

A request to zone the Hernandez Enclave Annexation, located at 2956 D Road, which consists of one parcel, to an R-8 (Residential 8 du/ac) zone district.

Proposed Ordinance Zoning the Hernandez Enclave Annexation to R-8 (Residential 8 DU/Ac), Located at 2956 D Road

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

3. **Setting a Hearing on Rezoning 42 Parcels Located East of N. 1st Street, South of Patterson Road, North and West of Park Drive** [File #RZN-2012-24]

A City initiated request to rezone 42 parcels from an R-24 (Residential 24 du/ac) to an R-16 (Residential 16 du/ac) zone district.

Proposed Ordinance Rezoning 42 Parcels Located Generally Between North 1st Street on the West, Patterson Road on the North, and Park Drive on the South and East from an R-24 (Residential 24 DU/Ac) to an R-16 (Residential 16 DU/Ac) Zone District

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 20, 2012

4. **Setting a Hearing on Rezoning Two Parcels Located at 2173 and 2175 River Road** [File #RZN-2012-11]

A City initiated request to rezone two parcels totaling 11.515 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district.

Proposed Ordinance Rezoning Properties at 2173 and 2175 River Road from a C-2 (General Commercial) to an I-1 (Light Industrial) Zone District

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 16, 2012

5. **Setting a Hearing on Rezoning Property Located at 763 23 ½ Road** [File #RZN-2012-28]

A City initiated request to rezone one property totaling 1.89 +/- acres located at 763 23 ½ Road from R-E (Residential-Estate) to R-O (Residential Office).

Proposed Ordinance Rezoning One Property from R-E (Residential - Estate) to R-O (Residential Office) Located at 763 23 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 16, 2012

6. **Setting a Hearing on Rezoning Property Located at 483 30 Road** [File #RZN-2012-29]

A City initiated request to rezone one property totaling 6.22 +/- acres located at 483 30 Road from C-1 (Light Commercial) to C-2 (General Commercial).

Proposed Ordinance Rezoning One Property from C-1 (Light Commercial) to C-2 (General Commercial) Located at 483 30 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 16, 2012

7. **Setting a Hearing on Rezoning One Property, Located at 510 29 ½ Road** [File #RZN-2012-8]

A City initiated request to rezone one property totaling 6.36 +/- acres, located at 510 29 ½ Road, from C-2 (General Commercial) to C-1 (Light Commercial) zone district. This property is currently the Mesa County Community Services site.

Proposed Ordinance Rezoning One Property from C-2 (General Commercial) to C-1 (Light Commercial) Located at 510 29 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 16, 2012

8. **Setting a Hearing on Vacating Alley Right-of-Way for St. Joseph Church, Located in the 300 Block of White Avenue** [File #VAC-2012-203]

This is a request by St. Joseph Catholic Church to vacate the remaining alley right-of-way in the 300 Block of White Avenue for the proposed new chapel, parish hall, and future ancillary additions.

Proposed Ordinance Vacating Right-of-Way for St. Joseph Church Located in the 300 Block of White Avenue

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

9. **Setting a Hearing on Rezoning Three Properties, Located at 1801 and 1815 Bass Street and 1810 Minnow Drive** [File #RZN-2012-32]

A City initiated request to rezone three properties totaling approximately 0.66 acres, located at 1801 and 1815 Bass Street and 1810 Minnow Drive, from C-1 (Light Commercial) zone district to R-5 (Residential – 5 dwelling units per acre) zone district, referred to as the Area 7 Rezone.

Proposed Ordinance Rezoning Three Parcels from C-1 (Light Commercial) to R-5 (Residential – 5 Units Per Acre) Located at 1801 and 1815 Bass Street and 1810 Minnow Drive

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 20, 2012

10. **Setting a Hearing on Rezoning Two Properties Located East of the Monument Little League Ball Fields, Southeast of the 25 ½ Road and Patterson Road Intersection** [File #RZN-2012-26]

A City initiated request to rezone 4.18 acres from R-12 (Residential 12 du/ac) to CSR (Community Services and Recreation) and 1.87 acres from CSR (Community Services and Recreation) to R-4 (Residential 4 du/ac), located east of the Monument Little League ball fields, southeast of the 25 ½ Road and Patterson Road intersection.

Proposed Ordinance Rezoning 4.18 Acres from R-12 (Residential 12 DU/Ac) to CSR (Community Services and Recreation) and 1.87 Acres from CSR (Community Services and Recreation) to R-4 (Residential 4 DU/Ac), Located East of the Monument Little League Ball Fields, Southeast of the 25 ½ Road and Patterson Road Intersection

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 6, 2012

11. **Setting a Hearing on Rezoning One Property Located on the West Side of Bass Street between W. Hall Avenue and W. Mesa Avenue** [File #RZN-2012-27]

A City initiated request to rezone 0.275 acres, located on the west side of Bass Street between W. Hall Avenue and W. Mesa Avenue from R-8 (Residential 8 du/ac) to CSR (Community Services and Recreation).

Proposed Ordinance Rezoning 0.275 Acres from R-8 (Residential 8 DU/Ac) to CSR (Community Services and Recreation), Located on the West Side of Bass Street between W. Hall Avenue and W. Mesa Avenue

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 6, 2012

12. **Purchase of On-Site Sodium Hypochlorite Generation System-Liquid Chlorine Disinfectant Equipment for the Water Treatment Plant**

This request is for the purchase of equipment and the installation of an On-Site Sodium Hypochlorite Generation System at the City of Grand Junction Water Treatment Plant (WTP). Staff has identified the need to move from the use of chlorine gas to the on-site generation of low concentration bleach (sodium hypochlorite) to improve the safety at the WTP and the surrounding area. This change will eliminate the handling and storage of chlorine gas and provide a system that is more reliable and will serve the WTP well into the future.

Action: Authorize the Purchasing Division to Enter into a Contract with Severn Trent to Purchase and Install an On-site Sodium Hypochlorite Generation System in the Amount of \$400,000

13. **Purchase Two 2012 Rubber Tire Backhoes for Storm Water and Water Services Divisions**

This request is for the purchase of a scheduled equipment replacement of two Rubber Tire Backhoes for the Storm Water and Water Services Divisions.

Action: Authorize the City Purchasing Division to Purchase two Volvo BI-70B Rubber Tire Backhoes from Power Equipment Company in an Amount of \$146,310

14. **Purchase Extended Cab Utility Truck for the Water Division**

This purchase request is for one 2012 Ford F450 Extended Cab utility truck to replace one utility truck currently in the City's fleet.

Action: Authorize the City Purchasing Division to Purchase a Utility Truck from Western Slope Auto in the Amount of \$58,337

15. **Contract for Lincoln Park Renovation Project – Restroom Construction**

In 2011, the Parks and Recreation Department completed a Park Inventory and Future Needs Assessment, which is an evaluation program of all park facilities for safety, accessibility, and cost of maintenance. Findings of this study determined the public restroom facilities at Lincoln Park are sorely inadequate and at the top of the list for replacement.

Action: Authorize the Purchasing Division to Enter into a Contract with Emery Welsh Construction for the Construction and Installation of Public Restrooms and a Public Restrooms / Shelter at Lincoln Park, in Conjunction with the Lincoln Park Renovation Project in the Amount of \$277,770.93

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Application for US Department of Justice Annual Justice Assistance Grant for Audio/Video Equipment for Training

The Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) program of the US Department of Justice to apply for an annual grant in the amount of \$25,239. If awarded, these funds will be used in combination with other

funding sources to purchase audio/video equipment for the training room of the new Police building.

The Bureau of Justice Assistance requires City Council review and to provide an opportunity for public comment, as part of the application process. Therefore, a public comment opportunity is requested for the purpose of satisfying this requirement.

John Camper, Police Chief, introduced this item. Each year the Bureau of Justice Administration offers the opportunity to apply for a Justice Assistance Grant. This year the award offered is \$25,239. The plan is to use the grant funds for audio and video equipment in the training room in the new Public Safety Building. Prior to application the Agency requires City Council approval and they also require an opportunity for public comment.

Council President Kenyon opened it up for public comment. There were no public comments.

Councilmember Susuras moved to authorize the Acting City Manager to apply for these funds, and if awarded, to manage \$25,239 in grant funding. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning 92 Properties Located Between 12th Street and 17th Street along Main Street and the North Side of Colorado Avenue [File # RZN-2011-1221]

A City initiated request to rezone approximately 13 acres, located between 12th Street and 17th 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.

The public hearing was opened at 8:14 p.m.

Tim Moore, Public Works and Planning Director, introduced this item and the following two items on the agenda. These three items deal with City initiated rezonings to bring the zoning and the Comprehensive Plan in harmony with each other. They all come forward with a recommendation for approval from the Planning Commission.

Councilmember Doody expressed that he likes this format with the Director introducing first.

Lori V. Bowers, Senior Planner, presented this item. She described the sites, the locations, and the request which is City initiated. The area is totally built out, there are no vacant lots. The Future Land Use Map designated the area as Mixed Use which does not allow R-8. This is why RO makes sense and will protect the aesthetic character of the area; it only allows non-retail. It will serve as a buffer to the south and the residential to the north. The property owners were notified by mail and an open house was held.

Three comments were received back and are included in the record. Ms. Bowers displayed examples of uses in the RO zoning.

The proposal meets Goals 6 and 7 of the Comprehensive Plan. The request will bring the zoning into conformance with the zoning and the Future Land Use designation. Property owners were notified. 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. Ms. Bowers entered her Staff Report and attachments into the record.

Councilmember Luke asked if all properties have alley access. Ms. Bowers said they do.

Councilmember Boeschstein asked if home occupations are allowed in the existing zoning. Ms. Bowers said yes. Councilmember Boeschstein asked what the difference would be then with the existing zoning and RO. Ms. Bowers said a small sign would be allowed to advertise a business (she gave an example of a seamstress).

Councilmember Luke asked if the rezone will make the area compatible with the Comprehensive Plan. Ms. Bowers said that is correct.

There were no public comments.

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

Ordinance No. 4520—An Ordinance Rezoning 92 Properties from R-8 (Residential 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

Councilmember Pitts moved to adopt Ordinance No, 4520 and ordered it published in pamphlet form. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning Four Properties Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road [File #RZN-2011-1215]

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.

The public hearing was opened at 8:24 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request which is a request from the City. Notification of owners and surrounding property owners were accomplished but only about ten people attended the open house. He only heard one comment from the public and they were supportive of the change. The request will bring the zoning into conformance with the Zoning Code

and the Future Land Use designation. Mr. Peterson described why the current zoning is incompatible. The Mixed Use General – 3 will allow buildings up to three stories. It allows Neighborhood Center, Village Center, Downtown Mixed Use, and the Mixed Use Opportunity Corridors. The form based zone districts were added in the last Code update. It is intended to provide higher density use areas and mixed use centers which serve as transitions. This change will buffer the residential to the east from the industrial properties to the west. It will bring the current uses into conformity. The requested rezone meets goals 3, 5, 7, and 12 of the Comprehensive Plan and the review criteria of the Grand Junction Municipal Code.

Council President Kenyon asked about the Village Center and how this property is in proximity to that Center. Mr. Peterson said the Center can move within the designated area.

Councilmember Pitts asked if MXG is a new zoning designation. Mr. Peterson said yes, the Mixed Use zone district was removed from the Code.

Councilmember Boeschstein asked about the availability of water and sewer. Mr. Peterson said that sewer is not currently available. Ute Water and Grand Valley Power relocated to this vicinity and are sewered from the north. Water is available with a sufficient size water line for fire flow. Sewer would have to be extended prior to any development.

There were no public comments.

The public hearing was closed at 8:34 p.m.

Ordinance No. 4521—An Ordinance Rezoning Four Properties from M-U (Mixed Use) to MXG-3 (Mixed Use General), Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road

Councilmember Pitts moved to adopt Ordinance No. 4521 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning One Parcel Located at 2170 Broadway [File RZN-2011-1152]

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.

The public hearing was opened at 8:35 p.m.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. He also described the current use and ownership. Mr. Rusche

described the surrounding uses and zone districts. The Comprehensive Plan designated this area as a Village Center selected because of its established commercial uses and the availability of existing services. A residential zoning will allow the existing religious assembly use. The property owner did not submit any comments. Adjacent owners did call to ask about the proposal. One gentleman asked about commercial encroachment; that would require review by the City Council due to the annexation and zoning that would be required. 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.

There were no public comments.

The public hearing was closed at 8:40 p.m.

Ordinance No. 4522—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

Councilmember Pitts moved to adopt Ordinance No. 4522 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Chris Chambers, 2808 Day Break Avenue, current Dawn Homeowners Association (HOA) President, said he believes the Housing Authority has been very deceptive saying there was approval from the surrounding neighborhoods regarding the proposed development at 28 ¼ Road and Patterson. The Housing Authority did not attempt to get his HOA's approval. The area does not offer any services for this type of development. It was mentioned the previous owner sold the property specifically for low income housing. Unless that was in the contract, he said it was rumor.

Carol Ruland, 633 E. Pagosa Drive, relative to that same development, noted the traffic conditions would be pretty bad. Currently one can hardly make a left hand turn. She asked that the congestion be looked at. She asked for consideration for the amount of traffic already there. They have seen an escalation of traffic in that area. The development is just not in the right place.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:46 p.m.

Stephanie Tuin, MMC
City Clerk



Attach 2
CITY COUNCIL AGENDA ITEM

Date: April 12, 2012
Author: Brian Rusche
Title/ Phone Ext:
Senior Planner / 4058
Proposed Schedule:
1st Reading – May 2, 2012
2nd Reading (if applicable):
2nd Reading – June 6, 2012
File # (if applicable): RZN-2012-

Subject: Rezone One Parcel Located at 140 Power Road
Action Requested/Recommendation: Introduce the Proposed Ordinance and Set a Hearing for June 6, 2012
Presenter(s) Name & Title: Tim Moore, Public Works and Planning Director Brian Rusche, Senior Planner

Executive Summary:

A City initiated request to rezone one parcel totaling 14.81 acres from an I-1 (Light Industrial) to a C-2 (General Commercial) zone district.

Background, Analysis and Options:

The property at 140 Power Road was annexed in 1967 as Western Meat Packers, which, based on aerial photography, appears to be one of the original uses of the property. Approximately 1980, according to Assessor records, a warehouse was added to the original building. The current owner operates a Pepsi distribution business at the facility. No soda bottling takes place at this location.

In 2010, the Comprehensive Plan was adopted, establishing a Commercial designation for these properties. 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. It is also important to eliminate conflicts between the Comprehensive Plan Future Land Use Map and the zone district applied to a given property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan. Eliminating the conflict will therefore create the greatest opportunity for landowners to use and/or develop their property.

The current I-1 zoning is in conflict with the Future Land Use designation of Commercial. Upon evaluation, it was determined that rezoning these properties from I-

1 to C-2 would be the best course of action to bring them into conformance with the existing Future Land Use designation.

The existing land use is classified as “Warehouse and Freight Movement – Indoor Storage with Outdoor Loading Docks” and is allowed in the C-2 zone district per Section 21.04.010 of the Grand Junction Municipal Code (GJMC).

The property owner was 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 February 8, 2012. No comment sheets were received regarding the Area 9 proposal.

The local manager of the Pepsi facility, Chris Gillespie, was contacted and informed about the proposed change. It was discussed that no bottling currently takes place on the site, but that the proposed C-2 (General Commercial) zone district would permit “Food Products Manufacturing – Indoor Operations with Outdoor Storage” should bottling resume on the site.

Several contacts have been made with adjacent property owners who, upon explanation for the proposed rezone, expressed no objections. Most of the owners wished to discuss further development of their properties, including one citizen who spoke at the Planning Commission hearing on April 10, 2012.

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

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

Rezoning the property to C-2 (General Commercial) will maintain the existing warehouse use on the site and provide additional commercial opportunities identified for this area of the City, for the creation of jobs and maintaining a healthy and diverse economy.

Board or Committee Recommendation:

The Grand Junction Planning Commission met on April 10, 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 Correspondence

Ordinance

BACKGROUND INFORMATION					
Location:		140 Power Road			
Applicants:		City of Grand Junction			
Existing Land Use:		Beverage Distribution			
Proposed Land Use:		No changes to land use(s) proposed			
Surrounding Land Use:	North	Single-Family Residential Undeveloped			
	South	Commercial			
	East	Single-Family Residential Undeveloped			
	West	Single-Family Residential Undeveloped			
Existing Zoning:		I-1 (Light Industrial)			
Proposed Zoning:		C-2 (General Commercial)			
Surrounding Zoning:	North	County RSF-R CSR (Community Services and Recreation)			
	South	C-1 (Light Commercial)			
	East	C-1 (Light Commercial)			
	West	County RSF-R			
Future Land Use Designation:		Commercial			
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

The 2010 adoption of the Comprehensive Plan designated the Future Land Use for this area as Commercial, rendering the existing I-1 (Light Industrial) zoning inconsistent with the Plan. The proposed rezone to C-2 (General Commercial) will resolve this inconsistency.

This criterion is met.

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

The 1996 Growth Plan designated this property as Commercial. Since 2000 the area between Broadway and Power Road to the south of the subject property has developed into the Redlands Marketplace, which is anchored by an Albertsons grocery store. Therefore, the condition of the area has changed to a commercial “node” and rezoning the subject property to C-2 is consistent with the character of the area as well as with the Comprehensive Plan.

This criterion is met.

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

Infrastructure necessary for commercial uses is available and is adequate to accommodate the existing uses.

This criterion is 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

The Comprehensive Plan anticipated the need for additional commercial uses throughout the community. The location of this property, across from a shopping center, with signalized access to Broadway, also known as Colorado Highway 340, makes it ideally located for commercial use.

As stated in Goal 12 of the Comprehensive Plan, the City desires to be a regional provider of goods and services. To meet this Goal, the Future Land Use Map identified several areas that were deemed appropriate for commercial uses. This is such an area. The proposed rezone to C-2 will create consistency with the Comprehensive Plan as well as additional land for commercial uses.

This criterion is met.

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

The proposed zoning amendment will bring the zoning into conformance with the Comprehensive Plan, consistent with the Goals of the Comprehensive Plan.

This criterion is met.

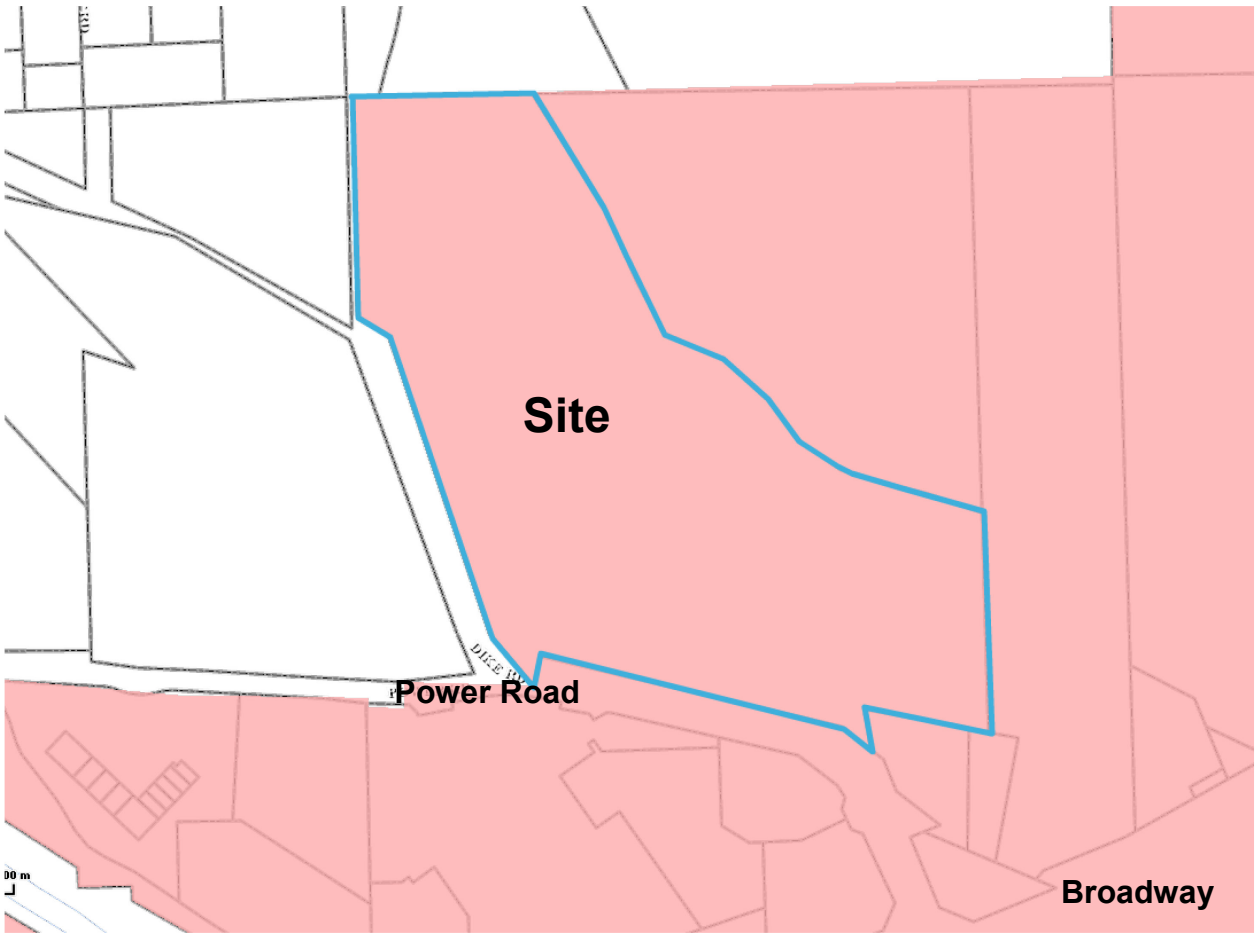
FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Area 9 Rezone, RZN-2012-69, a request to rezone one parcel totaling 14.81 acres from an I-1 (Light Industrial) to a C-2 (General Commercial) zone district, the following findings of fact and conclusions have been determined:

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

Site Location Map

Figure 1



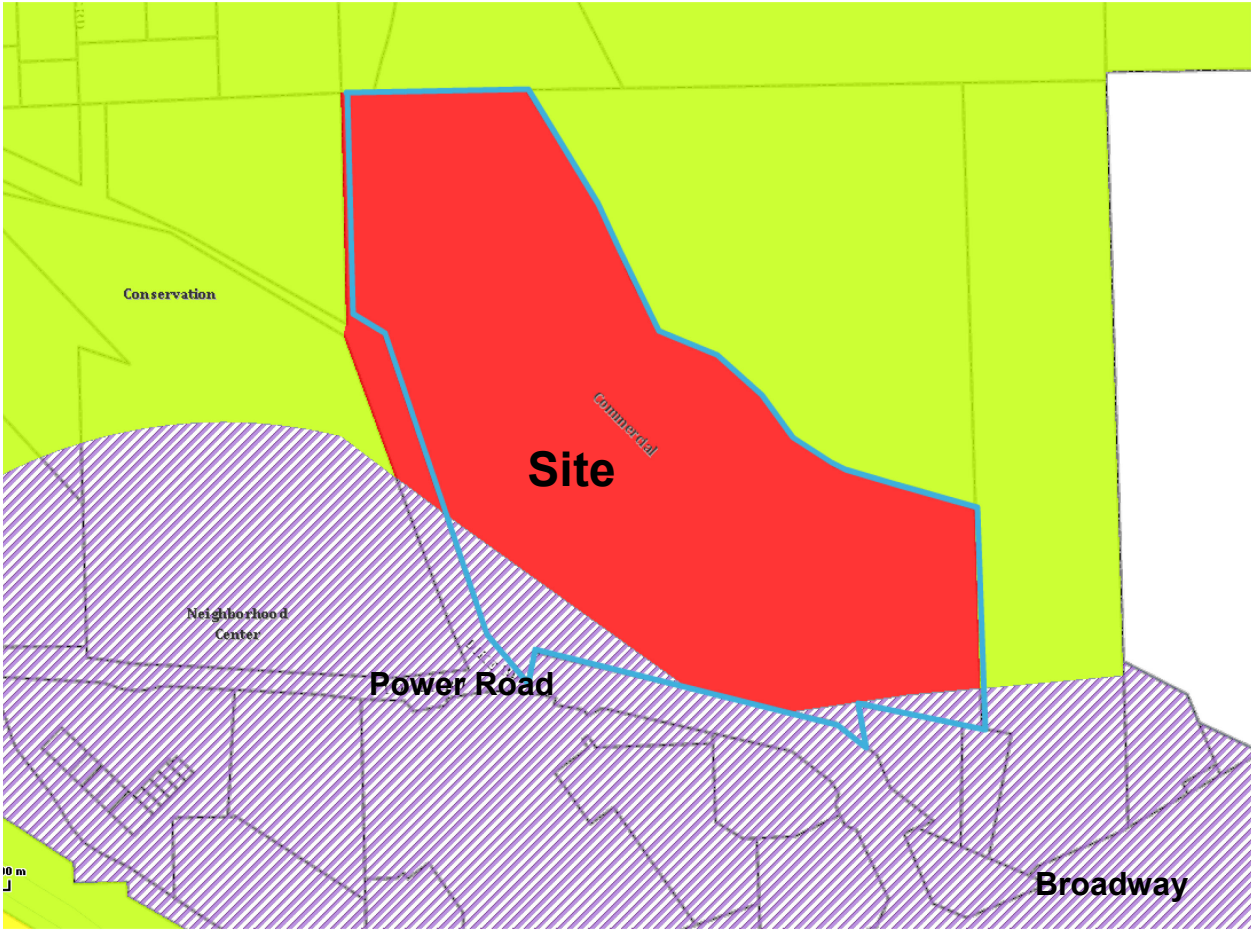
Aerial Photo Map

Figure 2



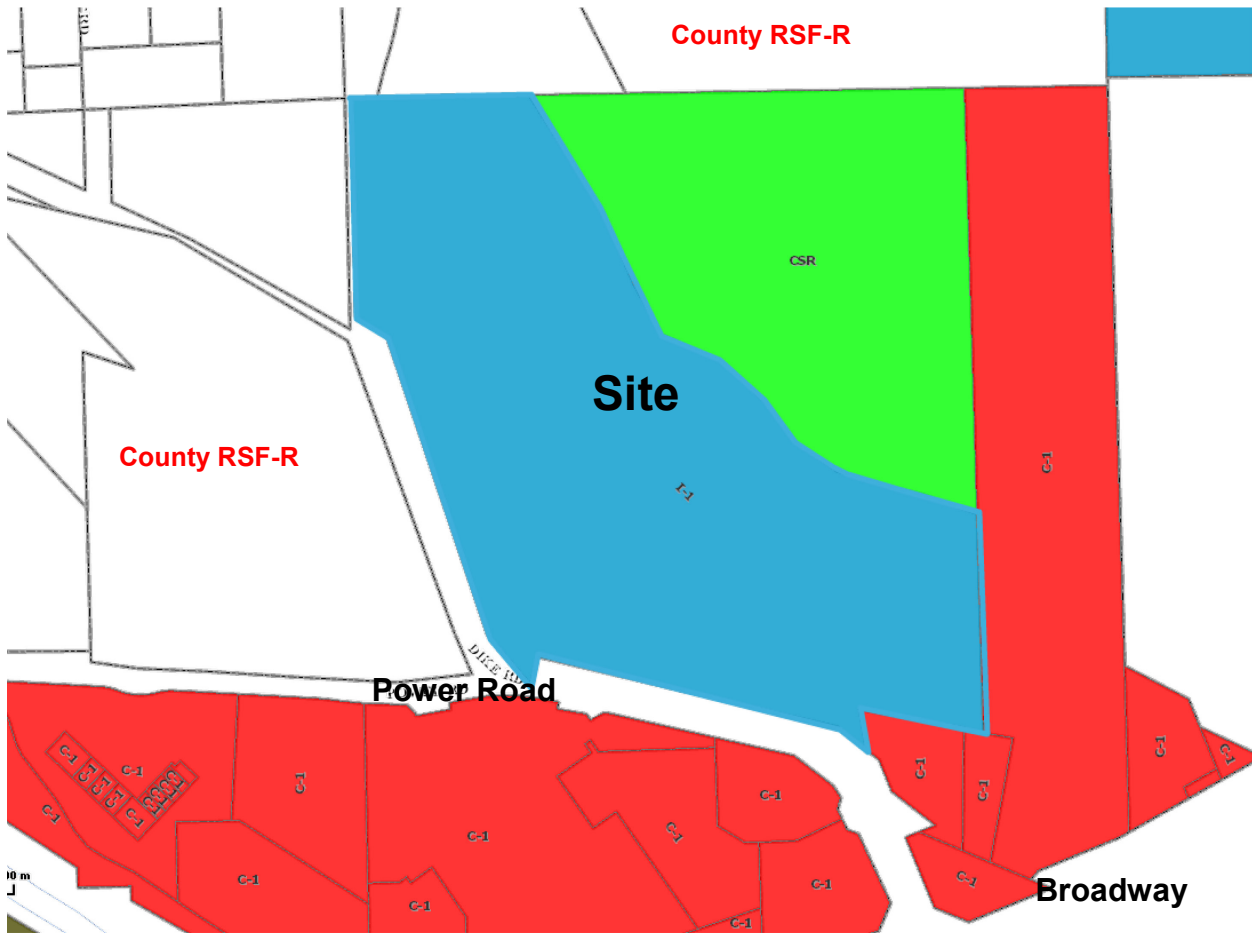
Comprehensive Plan Map

Figure 3



Existing City and County Zoning Map

Figure 4



From: Brian Rusche
To: chris.gillaspie@pepsico.com
Date: 2/27/2012 2:37 PM
Subject: Grand Junction Facility - zone change
Attachments: Mailing_Area9.pdf; YellowArea9RezoneMergedMailing2012Jan25.docx

Chris,

Thank you for visiting with me several days ago about the Grand Junction Pepsi facility, located at 140 Power Road.

As you know, the City of Grand Junction is initiating a rezone of the subject property from I-1 (Light Industrial) to C-2 (General Commercial). The purpose of this change is to make the zoning consistent with the Comprehensive Plan, which designates the property as Commercial.

Attached is the letter which was sent to the registered owner of the property, according to the records of the Mesa County Assessor. I have also attached the map which was sent with the letter. This map, along with the proposed public hearing schedule, is available at http://www.gjcity.org/Proposed_Yellow_Rezone_No._2.aspx. The Planning Commission will consider this request on April 10, 2012.

The proposed rezone will not require any change to the existing use(s) of the property. As I understood our conversation, the plant is for warehouse and distribution only, with no bottling at this location. The Grand Junction Municipal Code (GJMC) permits warehouse and freight movement, indoors or outdoors, in the C-2 zone (GJMC Section 21.04.010) along with indoor food manufacturing and associated outdoor storage. The entire Municipal Code may be viewed at <http://www.codepublishing.com/co/grandjunction/>

If you have any questions about the impact of this proposal, please contact me.

Sincerely,

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

From: Brian Rusche
To: lanzbpn@aol.com
Date: 3/5/2012 8:47 AM
Subject: Re: Development proposal
Attachments: Mailing_Area9.pdf

Thank you for your interest in the proposed rezone !

The City of Grand Junction is initiating a rezone of the property at 140 Power Road from I-1 (Light Industrial) to C-2 (General Commercial). The purpose of this change is to make the zoning consistent with the adopted Grand Junction Comprehensive Plan, which designates the property as Commercial. The Comprehensive Plan may be found at <http://www.gjcity.org/ComprehensivePlan.aspx>

I have attached a map of the property. This map, along with the proposed public hearing schedule, is available at http://www.gjcity.org/Proposed_Yellow_Rezone_No._2.aspx. The Planning Commission will consider this request on April 10, 2012.

The proposed rezone does not require any change to the existing use of the property, which is owned by a subsidiary of Pepsi. I have visited with the manager of the plant, which is presently used for warehouse and distribution only, with no bottling at this location. The Grand Junction Municipal Code (GJMC) permits warehouse and freight movement, indoors or outdoors, in the C-2 zone (GJMC Section 21.04.010) along with indoor food manufacturing and associated outdoor storage. The entire Municipal Code may be viewed at <http://www.codepublishing.com/co/grandjunction/>

Your property, known as Parcel # 2945-152-00-097, is not a part of this rezone. The property is currently outside the city limits. The Comprehensive Plan designates your property as Conservation. If you would like to discuss your property further, please contact me.

Thank you again for your interest. If you have any questions, please contact me.

Sincerely,

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

>>> <lanzbpn@aol.com> 3/4/2012 2:21 PM >>>

Dear Brian,

We apologize for making this inquiry at such a late date. We received a notice in the mail regarding an application for the development proposal titled RZN-2012-69-Yellow Area 9 Rezone-140 Power Rd. This request of approval to rezone 14.81 acres from an I-1 to a C-2 zone district is near property we own. All three of us are siblings who no longer live in the Grand Junction area. It would be most helpful, and appreciated, if you would kindly forward any information in regards to what is happening with the above said proposal.

We will be grateful for any assistance you can offer us in this matter.

Sincerely,

Neila R. Dial
Becky G. Lanzisera
Scott J. Hammond

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING PROPERTIES AT
140 POWER ROAD
FROM AN I-1 (LIGHT INDUSTRIAL)
TO A C-2 (GENERAL COMMERCIAL) 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. The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community and included land use designations that encouraged 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. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties and to allow maximum use of the property in the area consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The C-2 zone district implements the Future Land Use designation of Commercial, furthers the Comprehensive Plan's goals and policies and is generally compatible with land uses in the surrounding area.

An Open House was held on February 8, 2012 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 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. Review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have 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):

140 POWER ROAD

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 9





Date: April 11, 2012
 Author: Lori V. Bowers
 Title/ Phone Ext: Senior Planner / 4033
 Proposed Schedule:
Wednesday, May 2, 2012
 2nd Reading: Wednesday, June 6, 2012
 File #: RZN-2012-82

Attach 3
CITY COUNCIL AGENDA ITEM

Subject: Rezone One Parcel Located at 681 23 Road
Action Requested/Recommendation: Introduce the Proposed Ordinance and Set a Public Hearing for June 6, 2012.
Presenter(s) Name & Title: Tim Moore, Public Works and Planning Director Lori V. Bowers, Senior Planner

Executive Summary:

A City initiated request to rezone 0.99 acres, located at 681 23 Road, from I-2 (General Industrial) zone district to I-1 (Light Industrial) zone district and bring it into conformance with the Comprehensive Plan. This area is referred to as the “Yellow Area 3” rezone.

Background, Analysis and Options:

In 2010, the Comprehensive Plan was adopted. The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community. The adopted Comprehensive Plan – Future Land Use Map shows the designation of the subject area as Commercial/Industrial. Please refer to the Comprehensive Plan maps included in this report.

After the Comprehensive Plan was adopted it became apparent that some properties were in conflict with the new Future Land Use designations because the zoning did not match. Some of 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 subject property of this report, Staff recommends the zoning designation of I-1 (Light Industrial) to meet the Comprehensive Plan’s Future Land Use designation of Commercial Industrial. I-1 zoning allows the use of the property to continue since outdoor operations and outdoor storage are an allowed use in this zoning district along with wholesale sales.

An Open House was held on February 8, 2012. No one at the Open House spoke about the proposed rezone. The owner of the property contacted the Planning Department on April 4, 2012, until that time there were no inquires regarding the subject parcel. The parcel has a single Quonset hut on the property placed in 1964. No other improvements, other than fencing exist on site. Outside storage is an allowed use in the I-1 zone district and the property currently provides for that use.

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

The proposed rezone will bring the subject parcel into conformance with the Comprehensive Plan. The proposed rezone will allow the existing use to continue on the property and will be zoned appropriately for any possible future reuse.

Board or Committee Recommendation:

The Planning Commission forwards a recommendation of approval from their meeting of April 10, 2012. The item was considered non-controversial and was placed on the Consent Agenda.

Financial Impact/Budget:

N/A

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

This information has not been previously presented or discussed by the City Council.

Attachments:

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

BACKGROUND INFORMATION				
Location:		681 23 Road		
Applicants:		City of Grand Junction		
Existing Land Use:		Commercial warehouse with outdoor storage		
Proposed Land Use:		No change		
Surrounding Land Use:	North	Commercial condominiums		
	South	Vacant land		
	East	Sand and gravel operations		
	West	Vacant land		
Existing Zoning:		I-2 (General Industrial)		
Proposed Zoning:		I-1(Light Industrial)		
Surrounding Zoning:	North	C-2		
	South	C-2		
	East	I-1(Light Industrial)		
	West	C-2		
Future Land Use Designation:		Commercial / Industrial		
Zoning within density range?			Yes	X 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

The proposed rezone will alleviate the conflict between the current zoning and the Future Land Use Map of 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

The proposed rezone will bring the subject parcel into conformance with the Comprehensive Plan. The area is slowly changing as evidenced by the commercial condominiums constructed directly north in 2009.

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

Adequate public facilities and services currently exist and are adequate to serve the existing use and any future re-development of this property.

(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: N/A

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

Response: The proposed amendment will bring the zoning into conformance with the Comprehensive Plan.

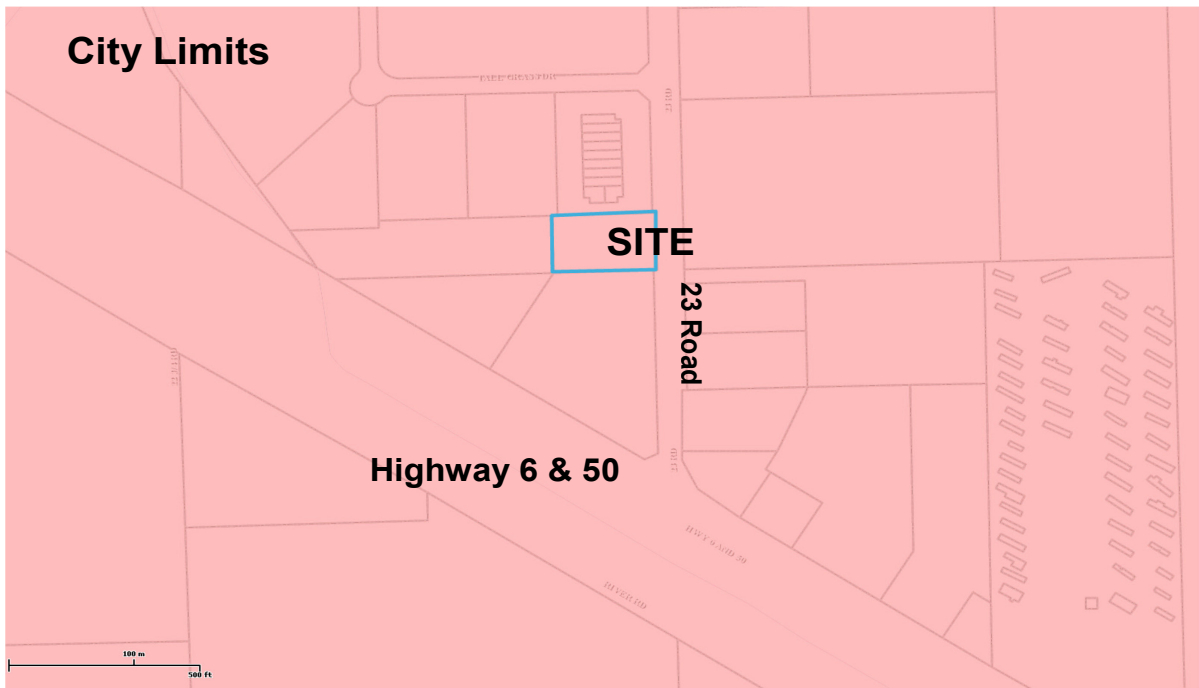
FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Yellow Area 3 Rezone, RZN-2012-82, a request to rezone the property from I-2 (General Industrial) to I-1 (Light Industrial), the following findings of fact and conclusions have been determined:

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

Site Location Map

681 23 Road



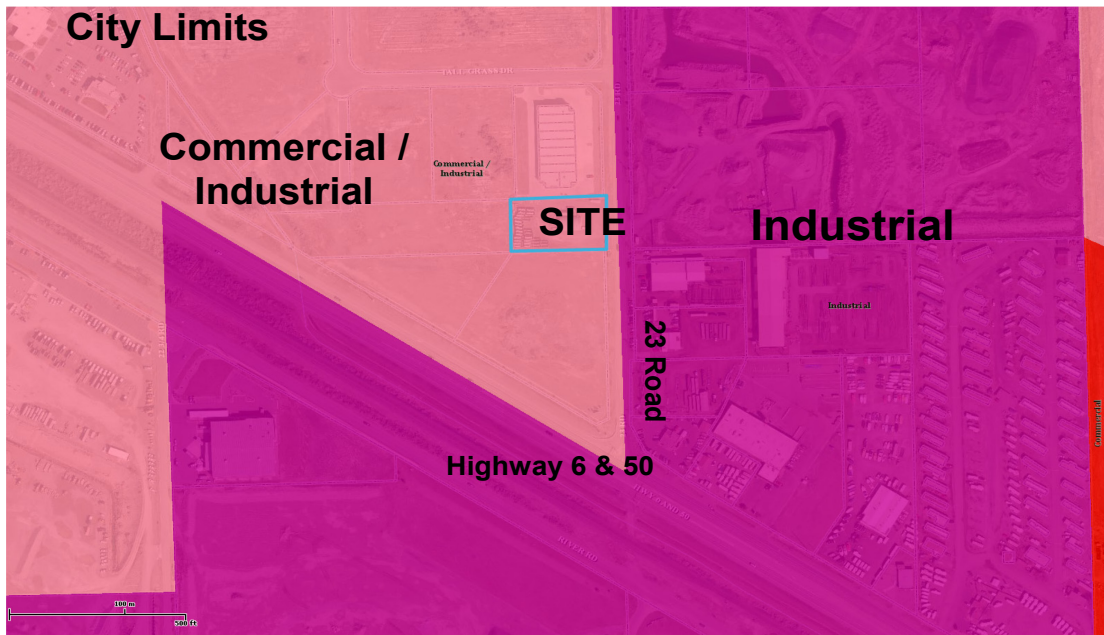
Aerial Photo Map

681 23 Road



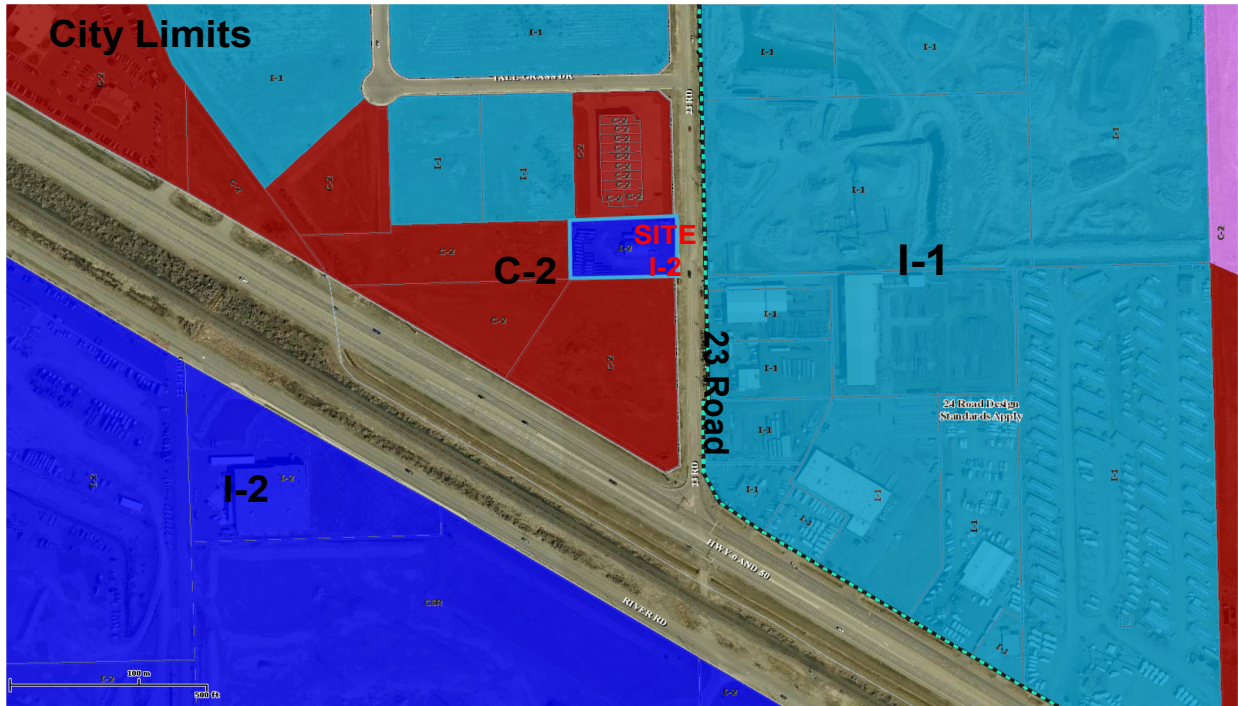
Comprehensive Plan Map

681 23 Road



Existing City Zoning Map

681 23 Road



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING ONE PARCEL
FROM I-2 (GENERAL INDUSTRIAL) TO
I-1 (LIGHT INDUSTRIAL)**

LOCATED AT 681 23 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. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, City Staff determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of this property and to allow for maximum use of the property consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The I-1 zone district implements the Future Land Use designation of Commercial / Industrial, is consistent with the Comprehensive Plan's goals and policies, and is generally compatible with land uses in the surrounding area.

An Open House was held on February 8, 2012 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 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 public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the subject property shown as Area 3 from I-2 (General Industrial) to the I-1 (Light Industrial) 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, Commercial / Industrial 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 I-1 zone district to be established.

The Planning Commission and City Council find that the I-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 property shall be rezoned I-1 (Light Industrial) and as shown on Exhibit "A" attached.

681 23 Road

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



Exhibit "A"



Date: April 16, 2012
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior
Planner/1447
 Proposed Schedule: May 2, 2012
(1st Reading)
 2nd Reading: June 6, 2012
 File #: RZN-2012-85

Attach 4

CITY COUNCIL AGENDA ITEM

Subject: Rezone Nine Properties Located at 492, 490, 488, 488 ½, 486, 486 ½, 482 Harris Road, Plus Two Other Un-Addressed Parcels
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for June 6, 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 nine properties totaling 3.02 +/- acres located at 492, 490, 488, 488 ½, 486, 486 ½, 482 Harris Road, plus two other un-addressed parcels from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial).

Background, Analysis and Options:

In 2010, the Comprehensive Plan was adopted by the City designating these properties as Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial on the Future Land Use Map. The properties are presently zoned C-2 (General Commercial) and I-2 (General Industrial) which are inconsistent with the Comprehensive Plan Future Land Use Map designations. The Comprehensive Plan was adopted by the City to help guide how future development should occur.

When the City adopted the Comprehensive Plan, properties were not rezoned at that time to be consistent with the land use designations. This means that in certain areas there is a conflict between the land use designations and the zoning(s) of the properties. These nine properties are in one of these areas. It is important to eliminate conflicts between the Comprehensive Plan Future Land Use Map and the zone district applied to a given property, because the Zoning and Development Code, in Sections 21.02.070 (a) (6) (i) and 21.02.080 (d) (1), requires that all development projects comply with the Comprehensive Plan. Eliminating the conflict will therefore create the greatest opportunity for existing and future landowners to use and develop their property.

In order to facilitate and encourage the types of development envisioned by the Comprehensive Plan, City Staff recommends a change of zoning for this area. The City is proposing to rezone these properties from C-2 (General Commercial) and I-2

(General Industrial) to R-O (Residential Office) and I-1 (Light Industrial) to support the vision and goals of the Comprehensive Plan and to implement the future land use designation of Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial. Presently, single-family residential detached is not an allowed land use in the C-2 zone district and thus some of the nine properties are considered a legal non-conforming land use. However, single-family residential detached is allowed under the R-O zone district. The southern two parcels of land to be considered in this rezone request are owned by Grand Junction Pipe and Supply and are utilized for outside storage of materials. Outside storage of materials is an allowed land use in both the I-1 and I-2 zone districts.

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

The proposed rezone(s) implements the respective future land use designations 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 existing properties are located within an area designated as Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial on the Future Land Use Map. The proposed zone changes to R-O and I-1 would provide the opportunity for future multi-family residential, general office and light industrial land uses etc., for this area of the community.

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.

The proposed R-0 zone district allows multi-family development 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 R-O zone district provides a transition zone between the existing C-1, Light Commercial zoning to the east and the existing single-family residential development to the west. One of the purposes of the R-O zone district is 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.

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

The R-O and I-1 zone districts could possibly create the opportunity for future general office, multi-family residential and light industrial development, enhancing the health and diversity of the City's economy. Therefore, the R-O and I-1 zone districts implements the Village Center Residential Medium High (8 – 16 du/ac) and Commercial/Industrial designations of the Comprehensive Plan Future Land Use Map.

Board or Committee Recommendation:

The Planning Commission recommended approval of the requested rezone(s) at their April 10, 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
Email from Current Property Owner of 490 Harris Road
Ordinance

BACKGROUND INFORMATION			
Location:	492, 490, 488, 488 ½, 486, 486 ½, 482 Harris Road, plus two other un-addressed parcels		
Applicants:	City of Grand Junction		
Existing Land Use:	Single-family residential detached, multi-family residential and outside storage areas for GJ Pipe and Supply		
Proposed Land Use:	N/A		
Surrounding Land Use:	North	Multi-family residential – 12 units	
	South	Grand Junction Pipe and Supply	
	East	Wal-Mart	
	West	Single-family residential detached	
Existing Zoning:	C-2 (General Commercial) and I-2 (General Industrial)		
Proposed Zoning:	R-O (Residential Office) and I-1 (Light Industrial)		
Surrounding Zoning:	North	PD (Planned Development) – (Multi-family residential 23 du/ac existing)	
	South	I-1 (Light Industrial)	
	East	C-1 (Light Industrial) and I-1 (Light Industrial)	
	West	R-8 (Residential – 8 du/ac)	
Future Land Use Designation:	Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial		
Zoning within density range?	X	Yes	No

Additional Background:

The proposed rezone to R-O (Residential Office) and I-1 (Light Industrial) will allow additional opportunity to redevelop these properties in the future to allow for more multi-family residential, general office and light industrial land uses, etc. See Section 21.04.010, Use Table, of the Zoning and Development Code for applicable land uses within each specified zoning district.

The property owners were notified of the proposed rezone change via mail and invited, along with other property owners in the area, to attend an Open House that was held on February 8, 2012 to discuss any issues, concerns, suggestions or support for the rezone request. To date, Project Manager has heard from only one property owner (see attached email) while several other adjacent property owners have contacted staff

inquiring with questions about any potential land use changes or development proposals at this time. No opposition to the proposed rezone(s) has been recorded from adjacent property owners.

At the time of the Open House, the northern two properties in this rezone request (492 and 490 Harris Road) were identified to be rezoned from C-2 to C-1, however, upon further analysis by City Staff, it was determined that the R-O zone district would be a better fit for these properties since they are already developed as single-family residential detached.

Section 21.02.140 of the Grand Junction Zoning and Development Code:

In order to rezone property in the City, one or more of the following criteria must be met:

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

The existing properties are currently zoned C-2 (General Commercial) and I-2 (General Industrial), however the Comprehensive Plan Future Land Use Map identifies these properties as Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial. The existing zoning(s) are not in compliance with the Future Land Use Map designations, therefore the proposed rezone(s) to R-O and I-1 will bring these nine 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;

The character and/or condition of the area has changed little over the years as the area has developed as single-family residential detached, multi-family residential and light industrial. The proposed rezone(s) will bring the zoning of the properties into compliance with the Comprehensive Plan Future Land Use Map and still maintain the transition and buffer between the existing light commercial to the east and the single-family residential development to west.

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

General access to the area is somewhat limited as Harris Road is currently a dead-end street with the only access provided from North Avenue. However, future street connection possibilities could include Gunnison and/or Hill Avenues upon redevelopment in the area. City water and sewer are currently available in Harris Road, therefore public and community facilities are adequate, or can be made available, to serve the properties at the time when future development would occur. The properties are also 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;

The proposed rezones are 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.

The proposed rezone to R-O and I-1 from C-2 and I-2 will provide the opportunity for future multi-family, general office and light industrial development and also continue to provide the opportunity to transition and buffer future development from the existing light commercial land use to the east to the existing residential properties to the west.

Site Location Map – Harris Road

Figure 1



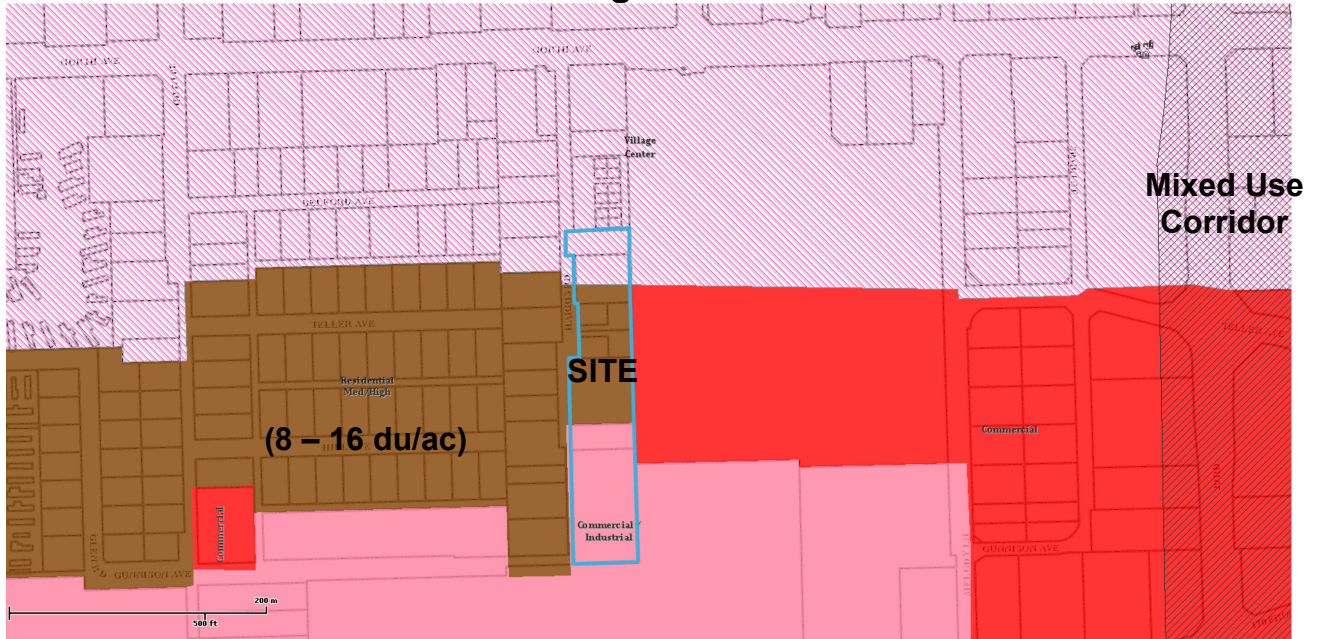
Aerial Photo Map – Harris Road

Figure 2



Comprehensive Plan – Harris Road

Figure 3



Existing City Zoning – Harris Road

Figure 4



From: "nathan bionaz" <nathanb@bresnan.net>
To: <scottp@gjcity.org>
Date: 4/1/2012 6:21 PM
Subject: Zoning 490 Harris Rd.

RZN-2012-85

I have recieved notice of a proposed rezoning of my home, 490 Harris Rd. Grand Junction 81501. I do not fully understand the implications of this or why it is happening. Could you help me to understand? Read this and please write back to me telling me in plain English just what these rezonings are supposed to accomplish. Just look at the comercial properties we already have around here like City Market and the shops on North Ave.. There is a vacancy once a month in the comercial neighborhood now. There is already enough C1 and C2 real estate sitting empty around here. Comercial enterprize is a fancy way of saying "Trying to get something for nothing." It is the fat that we should be trimming from our societities, not nourshing the cancer with more vacant comercial buildings. I have been farming my property here since day one, raising crops and livestock (chickens). I have planted orchard trees here and kept my ditch running. The old Black Walnut tree out back is a great resource for tanning leather and I have planted another Walnut tree to pollinate the nuts and make good food for dry storage. This is farm country, fertile ground with plenty of water. Have you seen The Corn grow here on my land? It is ten feet tall and Red Corn too, not Sweet Corn which is worthless for dry storage and, for that reason, as food. I rotate my crops every year and do not deplete my soils. This ground is fertile. Every where I look, every where I go I see good farm land being plowed under and paved, burried forever and lost to us to make fast food chain resteraunts and comercial rental buildings where tennants turn over on a monthly basis. They build apartment complexes that are soon filled with crime and drugs and prostitution. It will take centuries to reverse the damage and make the land fertile again, like trying to breath life back into a corpse. Most of us do not know where the food we eat comes from, or what chemist wrote the recepie. In near memory it came from our neighbors down the street, or from our own lands. I am dug in here, I could live off of this small piece of land and have surplus to sell to my neighbors if I had 40 hours a week to work it. I could employ two or three hands here working the small farm and we could feed our neighbors. I honestly believed that the neighbors would recognize me as someone who could bring food to their tables and who could farm this little piece of land. I believe that you people really are fighting for a war by building unsustainable communities devoid of agriculture. In my lifetime I believe that the cities will burn. I think that my place should be zoned Agricultural. Do not close another ditch and burry another farm here.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING NINE PROPERTIES FROM C-2 (GENERAL COMMERCIAL) AND I-2 (GENERAL INDUSTRIAL) TO R-O (RESIDENTIAL OFFICE) AND I-1 (LIGHT INDUSTRIAL)

LOCATED AT 492, 490, 488, 488 1/2, 486, 486 1/2, 482 HARRIS ROAD, PLUS TWO OTHER UN-ADDRESSED PARCELS

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. The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community.

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. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, City Staff determined that the current Comprehensive Plan Future Land Use Map designations are appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties and to allow for maximum use of the property consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The R-O and I-1 zone districts implement the Future Land Use Designation of Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial and are consistent with the Comprehensive Plan's goals and policies and are generally compatible with land uses in the surrounding area.

An Open House was held on February 8, 2012 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 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 amendments for the following reasons:

1. The requested zones are consistent with the goals and policies of the Comprehensive Plan.
2. The applicable review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code are met.

After public notice and a public hearing, the City Council hereby finds and determines that the proposed zoning map amendments 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)

492, 490, 488, 488 1/2, 486, 486 1/2, 482 Harris Road
(Parcel #'s: 2943-181-00-025, 2943-181-08-001, 2943-181-08-008, 2943-181-08-005, 2943-181-08-006, 2943-181-08-007 and 2943-181-08-027)
(See attached map)

The following properties shall be rezoned I-1 (Light Industrial)

Un-addressed parcels adjacent to Harris Road
(Parcel #'s: 2943-181-00-079 and 2943-181-00-096)
(See attached map)

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

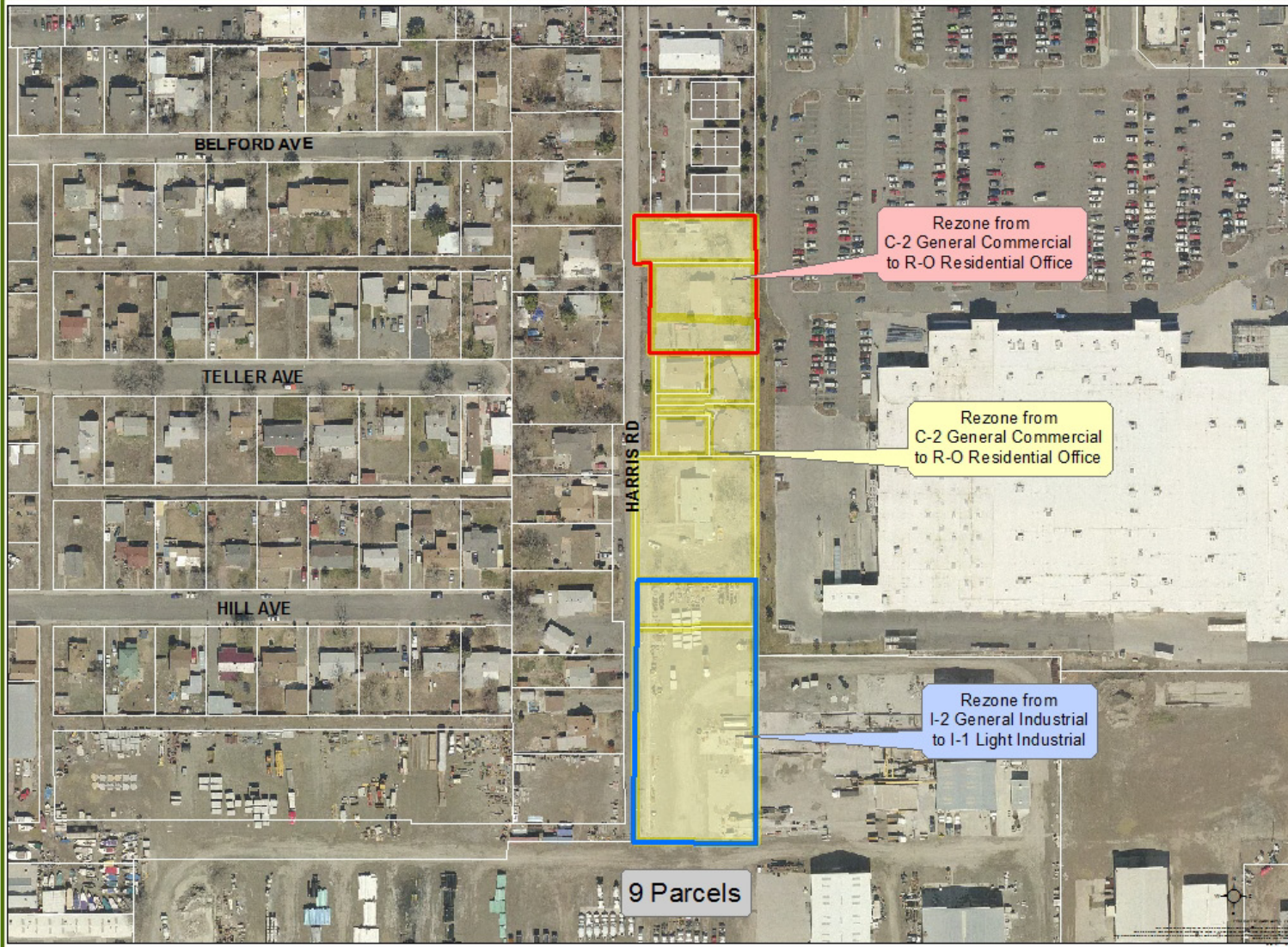
Adopted on second reading this _____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

Rezone - Area 10



Rezone from
C-2 General Commercial
to R-O Residential Office

Rezone from
C-2 General Commercial
to R-O Residential Office

Rezone from
I-2 General Industrial
to I-1 Light Industrial

9 Parcels



Date: 4-16-2012
 Author: Darren Starr
 Title/ Phone Ext: Manager/
#1493
 Proposed Schedule: 5-2-2012
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

Attach 5
CITY COUNCIL AGENDA ITEM

<p>Subject: Purchase Crack-fill Material to Finish Maintenance Area #2 for the 2012 Chip-Seal Program and Start Crack-Filling Next Year's Maintenance Area #3</p>
<p>Action Requested/Recommendation: Ratify a Contract with Maxwell Products, Inc. to Provide 227,272 Pounds of NUVO 500 Crack-Fill Material, for an Amount of \$.55 per Pound for a Total of \$124,999.60</p>
<p>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</p>

Executive Summary:

This request is to ratify a contract to purchase 227,272 pounds of NUVO 500 crack-fill material in the amount of \$.55 per pound. Since this is a petroleum based product, prices are escalating daily. In an effort to secure prices, the Purchasing Division negotiated a price, which now reflects savings compared to the current market. The NUVO 500 crack-fill material was competitively bid in 2011 and found to be a superior material compared with other products previously tested.

Background, Analysis and Options:

Each year the City's Streets Division conducts street maintenance for its scheduled service area. For 2012 this is service area #2. As part of the maintenance program crack-filling the streets is one of the most important parts, helping keep water out of the sub surface. This material we are requesting will help finish area #2 prior to chip-seal, and give us a head start on next year's area #3.

This product was formally solicited by the Purchasing Division in 2011, and Maxwell Products, Inc. was determined to be the lowest responsive and responsible bidder. As previously stated, due to the increase costs in petroleum products, current pricing for crack-fill materials has been, negotiated with Maxwell Products, Inc. at \$0.55 per pound (this is higher than last year's \$0.4835 per pound, but less than the current market price of \$0.59 per pound).

Over years past, the City Streets Division has tested numerous types of crack-fill material and has found the NUVO 500 product to be superior in not only application,

durability and longevity, but also in its unique “green friendly” packaging and ease of use. This particular product is packaged in a styrofoam type material that, when heated with the rest of the material, melts and combines with the crack-fill creating zero waste in packaging.

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

N/A

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

\$125,000 is budgeted in the General Fund-Streets Division for this expenditure. The exact amount of material that will be used is unknown depending on the number, and size of the street cracks.

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

N/A



Date: 04-23-12
 Author: Troy Smith
 Title/ Phone Ext: Deputy Chief
3563
 Proposed Schedule: May 2,
2012
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

Attach 6
CITY COUNCIL AGENDA ITEM

Subject: Grant Award for the Auto Theft Task Force
Action Requested/Recommendation: Authorize the Acting City Manager to Accept a Grant Award for the Auto Theft Task Force in the Amount of \$89,376
Presenter(s) Name & Title: John Camper, Chief of Police Troy Smith, Deputy Chief of Police

Executive Summary:

For the third year in a row, the Grand Junction Police Department has been awarded a grant from the Colorado Department of Public Safety. This grant award, in the amount of \$89,376, will support the continuation of a joint Auto Theft Task Force for the Grand Valley. Participating agencies include: the Grand Junction Police Department, the Mesa County Sheriff's Office, the Fruita Police Department, and the Colorado State Patrol. The award is for the purchase of equipment vital to the mission of the Task Force, as well as overtime for participants. If approved, the City of Grand Junction will serve as the fiscal agent for the grant.

Background, Analysis and Options:

This grant allows the continuation of the auto theft task force which began in April 2010 with a \$245,039 grant award. The Colorado Auto Theft Prevention Authority (CATPA), through the Colorado Department of Public Safety, is offering \$89,376 to the City of Grand Junction Police Department to continue to support a multijurisdictional Auto Theft Task Force. This project allows the identified agencies to collaborate in addressing auto theft throughout Mesa County. The Task Force consists of investigators, deputies, officers and other law enforcement professionals from the Grand Junction Police Department, Mesa County Sheriff's Office, Fruita Police Department, and the Colorado State Patrol.

The operation of this Task Force has proven to be a valuable asset to the County. There has been a significant increase in the number of recovered vehicles (10 in 2010 up to 37 in 2011). In addition, the operations have seen the number of Felony arrest climb from 3 to 13.

The Western Colorado Auto Theft Task Force (WCATT) operates as a multi-agency team with the primary objective of combating crimes against autos. The financial goal set in the grant is to recover \$500,000 in stolen vehicles. In 2010, the value of recovered vehicles was \$150,000. In 2011, this amount increased to \$430,450. The team will work collectively

with divisions of each law enforcement agency involving property crimes, street crimes and narcotics. In addition, WCATT will provide assistance to law enforcement agencies in North West Colorado to combat crimes against autos.

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

The Task Force will work towards reducing the number of auto theft crimes and increasing the recovery of stolen vehicles, thereby contributing towards the following goals through the protection of citizens' property and enhancement of their safety.

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. Historically crime patterns in our community are patterned in the City's center; Auto theft in no exception. By reducing crime and the fear of crime residents and businesses experience an increase in the quality of life and economic activity can flourish. This grant will support the reduction and prevention of crime.

Goal 11: Public safety facilities and services for our citizens will be a priority in planning for growth. This grant funds proactive law enforcement operations that greatly contribute to the prevention of auto theft through enforcement. These services have a positive impact on our community and the overall quality of life.

Board or Committee Recommendation:

None.

Financial Impact/Budget:

Overtime for 6 detectives and 1 Sergeant:

12 hours per month including benefits \$ 59,184

Supplies and Operating Expenses:

Includes funds for monthly wireless services for various surveillance equipment, as well as, storage costs for equipment and other supplies: \$ 24,992

Training:

Includes registration and accommodations for Task Force members to attend the annual conference in Denver as well as occasionally attend the monthly CATPA meetings in Denver \$ 5,200

Total – 100% reimbursable by the grant \$ 89,376

These funds will cover the State's fiscal year of July 1, 2012 through June 30, 2013.

The portion expended in the City's 2012 fiscal year will be amended in the 2012 supplemental appropriation process.

Legal issues:

None

Other issues:

None

Previously presented or discussed:

November 29, 2010 for prior grant of \$161,481

Attachments:

None.



Date: April 12, 2012
 Author: Brian Rusche
 Title/ Phone Ext: Sr. Planner/4058
 Proposed Schedule:
March 21 for 1st reading of annexation
and April 18 for 1st reading of zoning
 2nd Reading (if applicable):
Wednesday, May 2, 2012
 File #: ANX-2012-188

Attach 7

CITY COUNCIL AGENDA ITEM

Subject: Annexation and Zoning of the Hernandez Enclave, Located at 2956 D Road
Action Requested/Recommendation: Hold a Public Hearing to Consider Final Passage and Final Publication in Pamphlet Form of the Proposed Annexation and Zoning Ordinances
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, and to zone the annexation, consisting of one parcel, to an R-8 (Residential 8 du/ac) zone district.

Background, Analysis and Options: The 0.527 acre Hernandez Enclave Annexation consists of one parcel, located at 2956 D Road. The Hernandez Enclave was created by the Morning View Annexation on May 20, 2007. The property is a single-family residence, currently zoned County RSF-R (Residential Single-Family Rural).

Under the 1998 Persigo Agreement with Mesa County, the City is required to annex all enclaved areas within five 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.

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 R-8 (Residential 8 du/ac) conforms to the Comprehensive Plan – Future Land Use Map, which has designated the property as Residential Medium (4-8 du/ac).

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.

Annexation of this enclave will create consistent land use jurisdiction and allow for efficient provision of municipal services. The proposed zone of R-8 (Residential 8 du/ac) conforms to the Comprehensive Plan – Future Land Use Map, which has designated the property as Residential Medium (4-8 du/ac). The

proposed zone will provide consistency with the adjacent properties with similar land uses.

Board or Committee Recommendation: On March 27, 2012 the Planning Commission forwarded a unanimous recommendation of approval of the R-8 (Residential 8 du/ac) zone district.

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: A Resolution of Intent to Annex was adopted on March 21, 2012. First reading of the Zoning Ordinance was on April 18, 2012.

Attachments:

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

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

Staff Analysis:

ANNEXATION:

The annexation area consists of 0.527 acres, encompassing one 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 years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three years. The property has been enclaved since May 6, 2007 by the Home Lumber Annexation.

The following annexation and zoning schedule is being proposed:

ANNEXATION SCHEDULE	
March 21, 2012	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
March 27, 2012	Planning Commission considers Zone of Annexation
April 18, 2012	Introduction Of A Proposed Ordinance on Zoning by City Council
May 2, 2012	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
June 3, 2012	Effective date of Annexation and Zoning

HERNANDEZ ENCLAVE ANNEXATION SUMMARY

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

ZONE OF ANNEXATION:

1. Background:

The 0.527 acre Hernandez Enclave Annexation consists of one parcel, located at 2956 D Road. The Hernandez Enclave was created by the Morning View Annexation on May 20, 2007. The property is a single-family residence, currently zoned County RSF-R (Residential Single-Family Rural). 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 R-8 (Residential 8 du/ac) conforms to

the Comprehensive Plan – Future Land Use Map, which has designated the property as Residential Medium (4-8 du/ac).

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

Section 21.02.160(f) of the Grand Junction Municipal Code (GJMC) 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 R-8 (Residential 8 du/ac) zone district is consistent with the Comprehensive Plan – Future Land Use Map designation of Residential Medium (4-8 du/ac).

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

The current zoning is County RSF-R (Residential Single-Family Rural). 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 years. The property has been enclaved since May 20, 2007 by the Morning View Annexation.

The proposed zoning of R-8 (Residential 8 du/ac) conforms to the Comprehensive Plan – Future Land Use Map, adopted in 2010, which has designated the property as Residential Medium (4-8 du/ac).

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

The existing residence is a manufactured home constructed in 1974.

The adjacent properties on the north, east, and west have all been subdivided and developed, beginning with Flint Ridge Phase I in 2001, Flint Ridge Phase II in 2003 (combined density of 4.75 du/ac) and Country Place Estates (6.15 du/ac) in 2006. The property on the south side of D Road was annexed in 2007 and approved for subdivision in 2009 for up to 180 lots, to be known as Morning View Heights (5.24 du/ac). All of these subdivisions are zoned R-8.

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

D Road is a minor arterial providing primary east/west access through the Pear Park neighborhood between 29 Road and 32 Road. The Pear Park Neighborhood Plan anticipates restricted access to D Road, which has already

been mitigated for the benefit of this property by the construction of Bear Dance Drive to the rear of the property.

The existing land use is already served by the appropriate infrastructure. Adequate infrastructure exists to accommodate, with upgrades as necessary, additional development on this parcel.

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

The Pear Park neighborhood has historically seen significant residential development, with an anticipated built-out population of about 22,000 people, according to the Pear Park Neighborhood Plan (circa 2005). There are approximately 212 acres of undeveloped land within Pear Park (from 28 Road to 32 Road between the railroad and the Colorado River) within the city limits and currently zoned R-8. If built at maximum density, this acreage would accommodate only 3,900 persons.

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

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

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

1. R-4 (Residential 4 du/ac)
2. R-5 (Residential 5 du/ac)
3. R-12 (Residential 12 du/ac)
4. R-16 (Residential 16 du/ac)
5. R-O (Residential Office)

If the City Council chooses an alternative zone designation, specific alternative findings must be made.

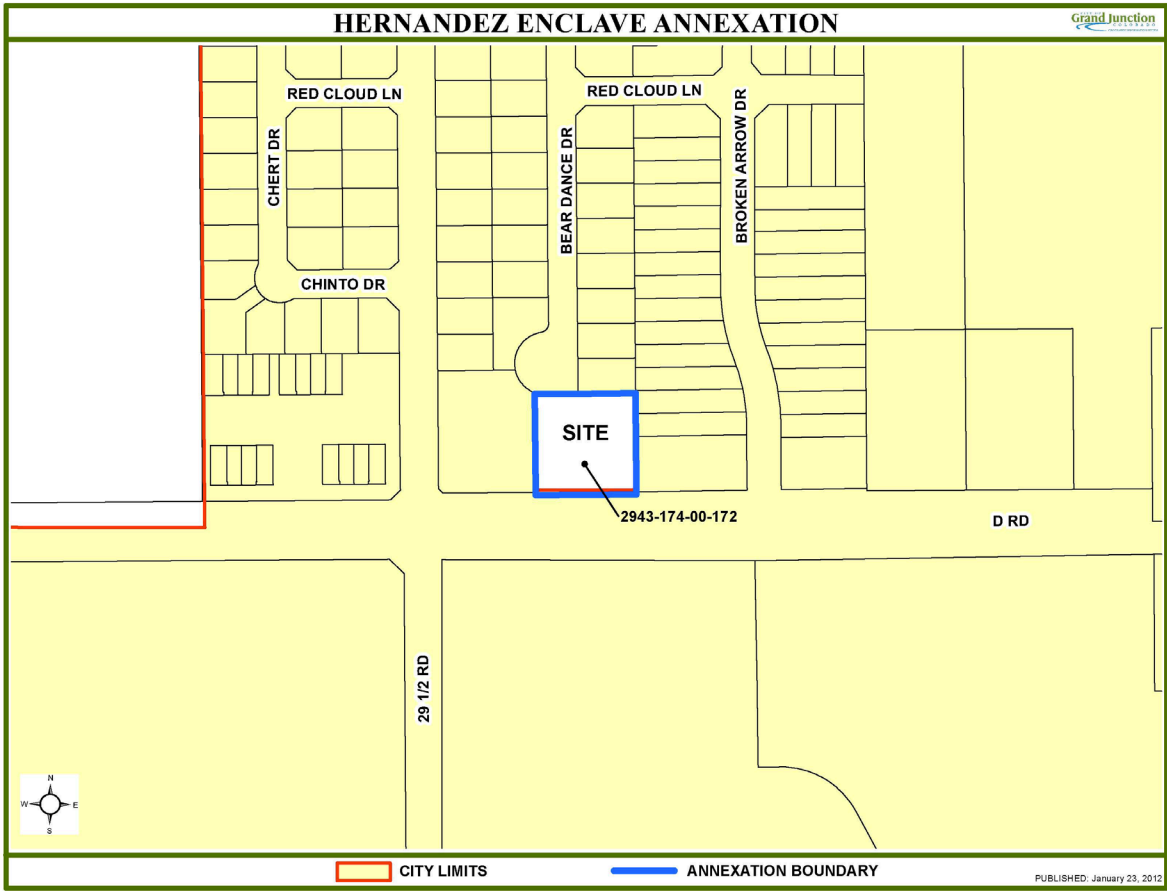
PLANNING COMMISSION RECOMMENDATION:

After reviewing the Hernandez Enclave Zone of Annexation, ANX-2012-188, for a Zone of Annexation, the Planning Commission made the following findings of fact and conclusions:

3. The proposed R-8 (Residential 8 du/ac) zone district 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.

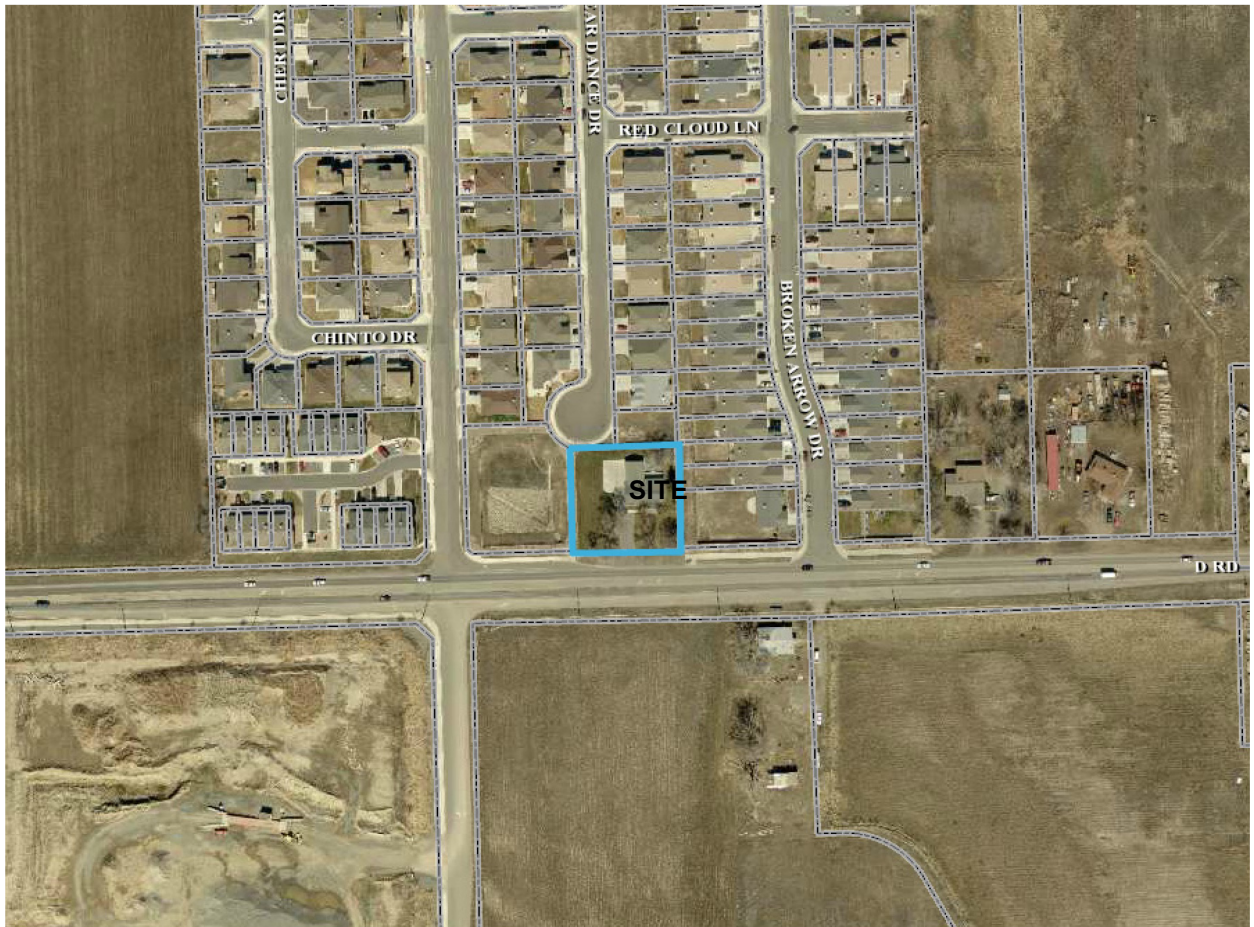
Annexation/Site Location Map

Figure 1

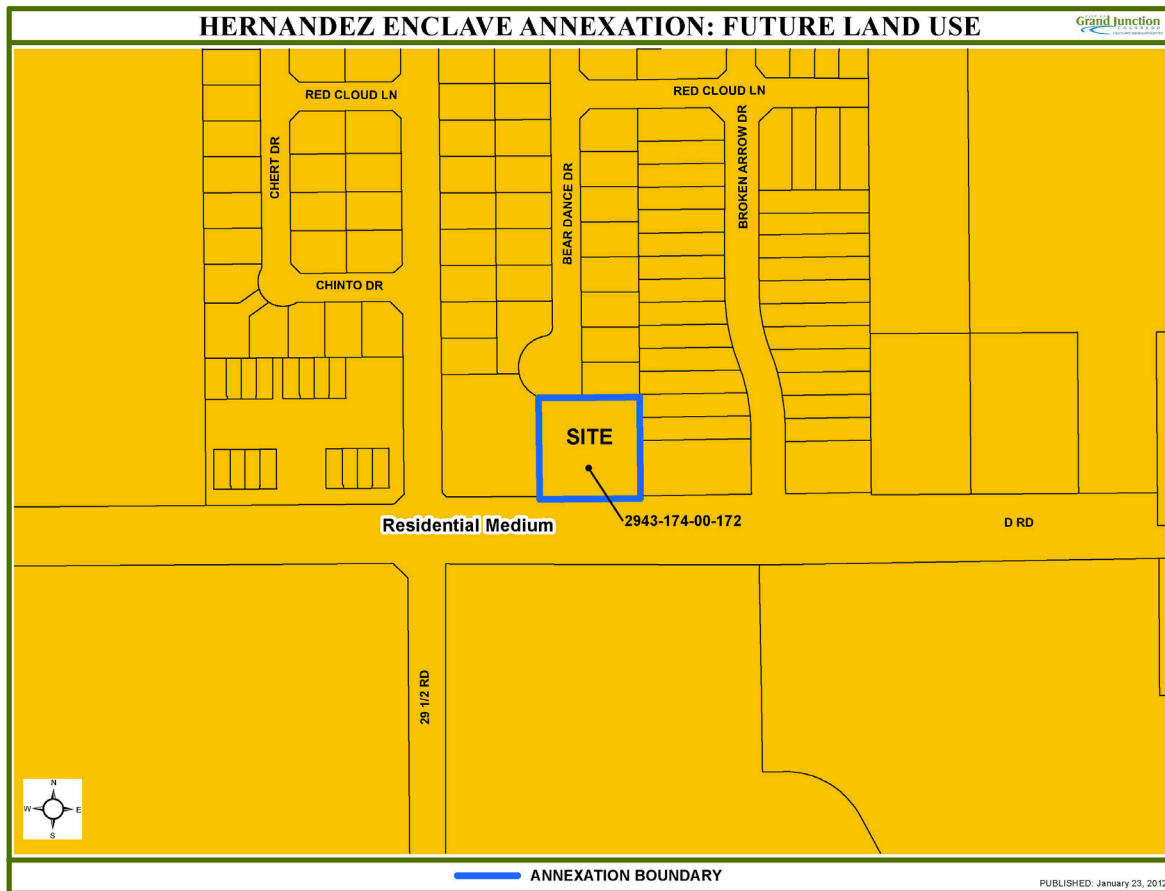


Aerial Photo Map

Figure 2



Comprehensive Plan – Future Land Use Map Figure 3



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 21st 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 2nd 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 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 21st 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:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE HERNANDEZ ENCLAVE ANNEXATION
TO R-8 (RESIDENTIAL 8 DU/AC)**

LOCATED AT 2956 D ROAD

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 Hernandez Enclave Annexation to the R-8 (Residential 8 du/ac) zone district, finding conformance with the recommended land use category of Residential Medium 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 R-8 (Residential 8 du/ac) 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 R-8 (Residential 8 du/ac):

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.

INTRODUCED on first reading the 18th day of April, 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



Date: April 20, 2012

Author: Lori V. Bowers

Title/ Phone Ext: Senior Planner / 4033

Proposed Schedule:

Wednesday, April 18, 2012

2nd Reading: Wednesday,

May 2, 2012

File #: VAC-2012-203

Attach 8

CITY COUNCIL AGENDA ITEM

Subject: Vacating Alley Right-of-Way for St. Joseph Church, Located in the 300 Block of White Avenue
Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Publication in Pamphlet Form of the Proposed Ordinance
Presenter(s) Name & Title: Tim Moore, Public Works and Planning Director Lori V. Bowers, Senior Planner

Executive Summary:

This is a request by St. Joseph Catholic Church to vacate the remaining alley right-of-way in the 300 Block of White Avenue for the proposed new chapel, parish hall, and future ancillary additions.

Background, Analysis and Options:

Several years ago St. Joseph Catholic Church acquired the property directly East from Colorado National Bank, addressed as 351 Grand Avenue. This area was previously used as parking and the bank’s drive-up facility. The acquisition of this property now makes the entire 300 Block of White Avenue owned by the church. As the church plans for their future expansions, they request that the remainder of the dog-legged alley be vacated. The Western most portion of the East/West alley was previously vacated in 1950. The dog-leg was created at that time for continuous access for maintenance of the sewer line and the subject alley. In 1993, the North/South alley portion was moved East, by two platted lots to accommodate construction of the new chapel.

The sewer line in the alley only serves the church property. If the alley right-of-way is vacated the City’s Utility Department would consider this as a private service line and it would become the responsibility of the property owner to maintain and service it. Other utilities such as Excel Energy may require that lines be re-routed for the future expansions proposed by the church, but this typical of any new construction involving additions and expansions.

By vacating the remaining alley right-of-way, the church will have more usable area for the proposed expansions. The alley right-of-way is not utilized by any other entity. By vacating the remaining alley, this removes the City from any further obligations for repair and maintenance of the alley itself and the sewer line within it.

Actual construction drawings, access, parking and landscaping will be reviewed when the church submits an application for review. It is anticipated that the church will be submitting a formal application for review of a Civic and Institutional Master Plan in the

near future. A neighborhood meeting to discuss these items was held on March 12, 2012 in the community room of the church.

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 church is located in the “Downtown Mixed Use” area as shown on the Future Land Use map of the Comprehensive Plan. The expansion of the church will help the downtown area continue to grow as the church and its congregation continues to grow.

Board or Committee Recommendation:

The Planning Commission forwards a recommendation of approval from their meeting of March 27, 2012.

Financial Impact/Budget:

N/A

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

This item was on the Consent Agenda, Wednesday April 18, 2012.

Attachments:

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

1. Section 21.02.100 of the Grand Junction Municipal Code

The vacation of the alley right-of-way shall conform to the following:

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

The Comprehensive Plan is met with goal number 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 Grand Valley Circulation Plan does not show the proposed alley on the plan and the vacation of the alley will not impact circulation in the area.

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

No parcel will be landlocked as a result of the vacation. It will create one contiguous lot. By vacating the alley it clears the parcel for more efficient development.

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

Access will not be restricted. The entire block is owned by the Bishop of the Catholic Church; therefore it will not be prohibitive or affect any other property owner by vacating the subject alley.

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

There shall be no adverse impacts on the health, safety or welfare of the general community. The existing sewer line has been confirmed to be in good shape by the City Utility Engineer, with the proposed vacation the public will no longer be responsible for the sewer line. Access from the surrounding City Streets will provide access for police and fire protection.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.

Adequate public facilities and services will not be inhibited by the vacation of the subject alley. All utilities exist and may be expanded for the future growth of the church.

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

The applicant states that the result of this alley vacation will be one congruous block individually owned by the church to provide worship and education support for the religious community in the area, while reducing on-street parking in the neighborhood and some of the congestion in the area.

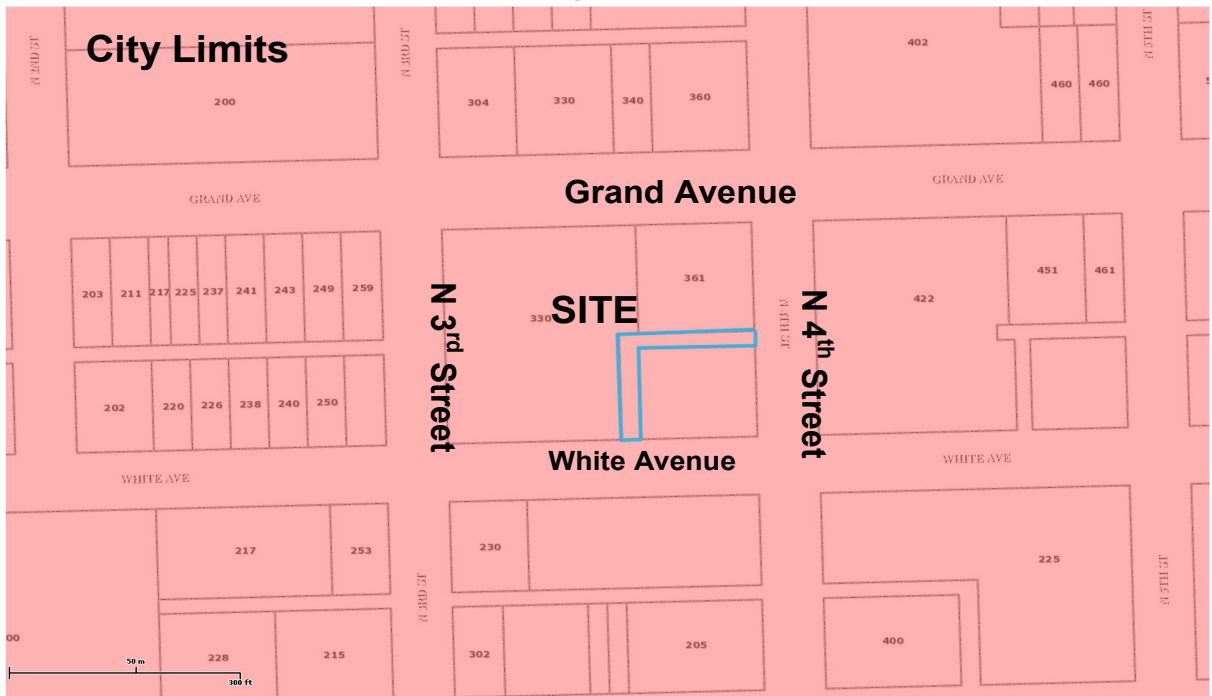
FINDINGS OF FACT/CONCLUSIONS

After reviewing the St. Joseph Alley Vacation application, VAC-2012-203, for the vacation of a public alley right-of-way, Staff and the Planning Commission make the following findings of fact and conclusions:

1. The requested right-of-way vacation is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.100 of the Grand Junction Municipal Code have all been met.

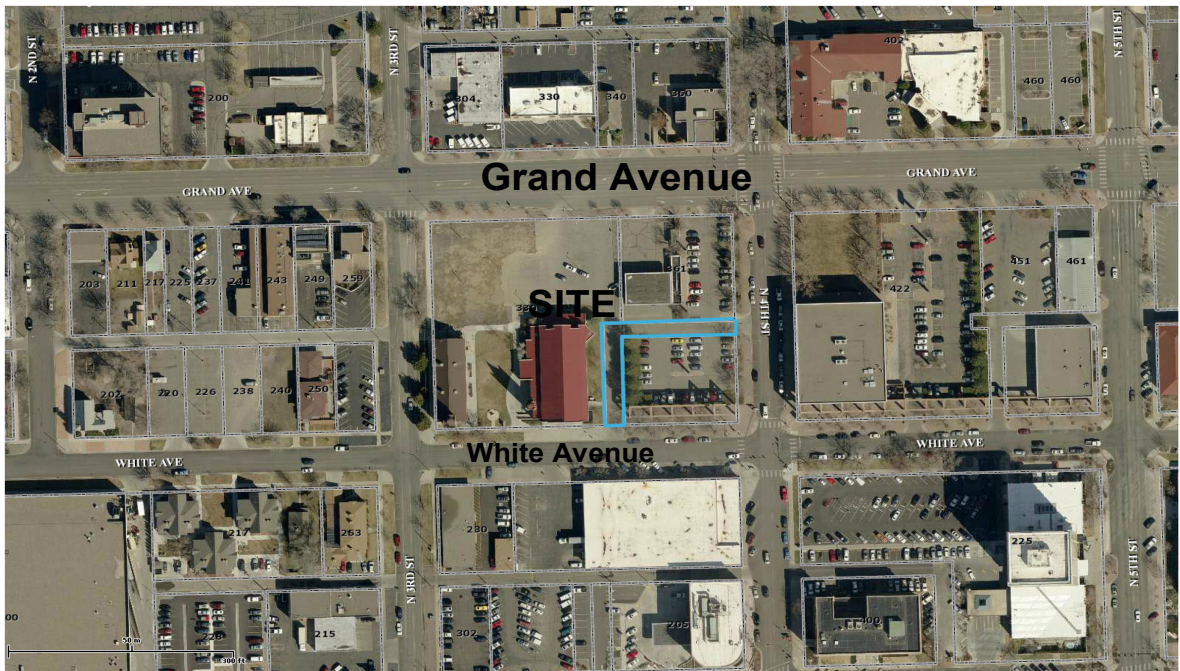
Site Location Map

Figure 1



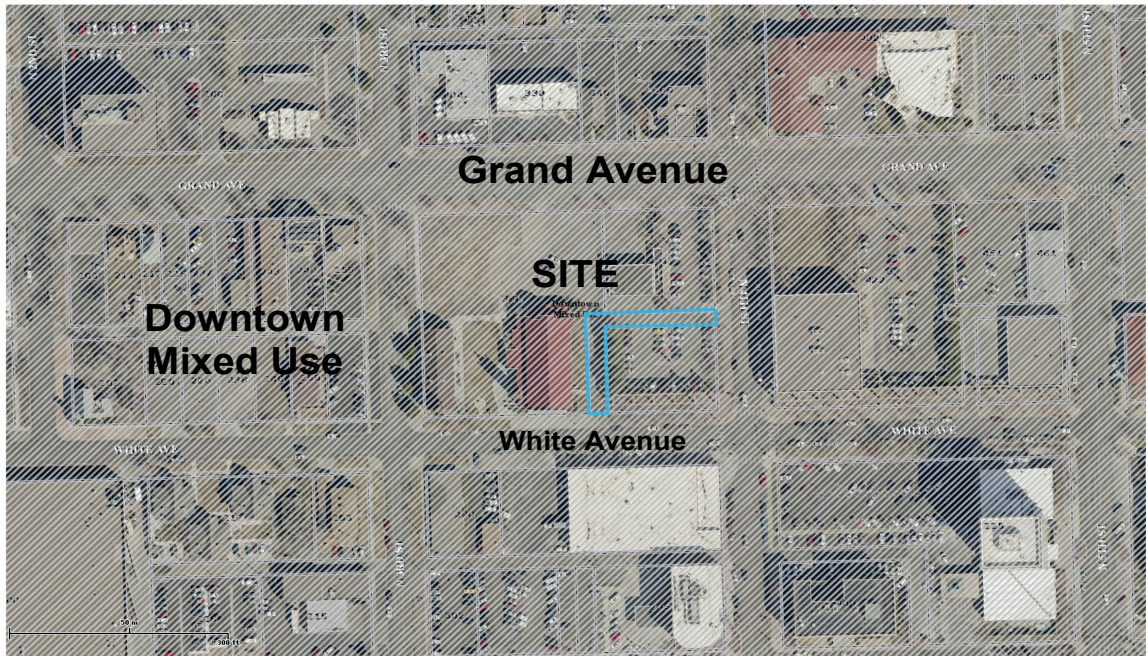
Aerial Photo Map

Figure 2



Comprehensive Plan Map

Figure 3



Existing Zoning Map

Figure 4



CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE VACATING RIGHT-OF-WAY FOR

ST. JOSEPH CHURCH

LOCATED IN THE 300 BLOCK OF WHITE AVENUE

RECITALS:

A vacation of the dedicated alley right-of-way for St. Joseph Church has been requested by the property owner.

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

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

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation description.

Dedicated right-of-way to be vacated:

All of the alleys in Lot A of Saint Joseph's Subdivision as recorded in Plat Book 14, Page 110, and all of the alleys in Block 80 of the map of First Division Resurvey, Town of Grand Junction in Plat Book 1, at Page 9.

Containing approximately 6,648 square feet.

Introduced for first reading on this 18th day of April, 2012 and ordered published in pamphlet form.

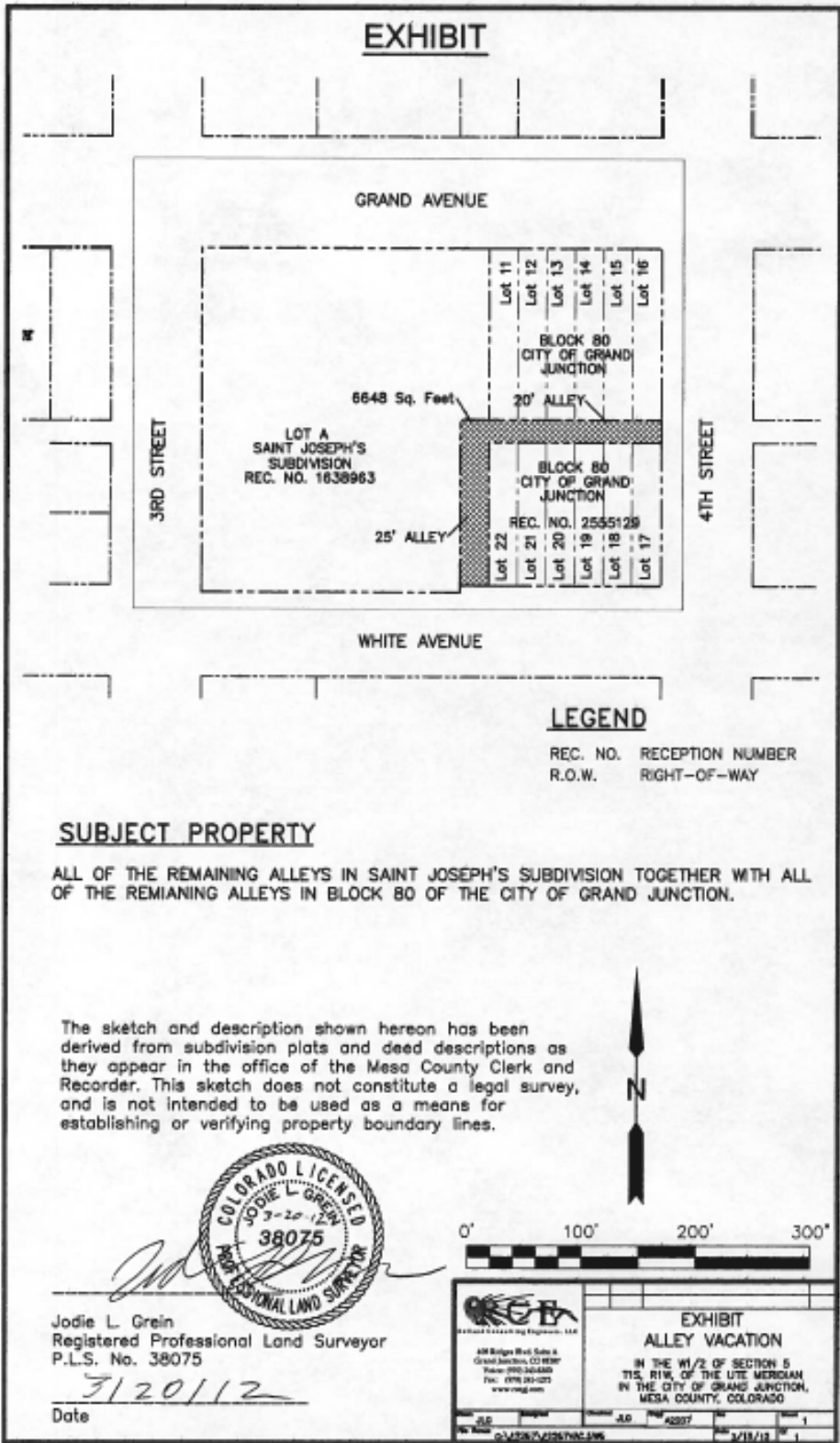
Passed and Adopted this _____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

Exhibit "A"





Attach 9

CITY COUNCIL AGENDA ITEM

Date: March 29, 2012

Author: Brian Rusche

Title/ Phone Ext:

Senior Planner / 4058

Proposed Schedule:

1st Reading – April 4, 2012

2nd Reading (if applicable):

2nd Reading – May 2, 2012

File # (if applicable): RZN-2011-1322

Subject: Rezone Fourteen Properties on the South Side of I-70B Between S. 17th Street and 28 Road Along E. Main Street

Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Publication in Pamphlet Form of the Proposed Rezone Ordinance

Presenter(s) Name & Title: Greg Moberg, Planning Services Supervisor
Brian Rusche, Senior Planner

Executive Summary:

A City initiated request to rezone fourteen parcels totaling 17.268 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district.

Background, Analysis and Options:

Sandwiched between the I-70 Business Loop and the Union Pacific Rail Yard are approximately 17.268 acres fronting on East Main Street. The earliest known building within this area was constructed in 1953 at 2105 E. Main and is now home to a fencing contractor. The largest building (about 147,000 square feet) is currently known as Stockmasters Warehouse but was originally constructed in 1957 as Salt Lake Hardware. The area was annexed in part in 1959 and the remainder in 1969.

The 1996 Growth Plan designated these properties as Industrial. In 2010, the Comprehensive Plan was adopted, maintaining the existing Industrial designation for these properties.

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. It is also important to eliminate conflicts between the Comprehensive Plan Future Land Use Map and the zone district applied to a given property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan. Eliminating the conflict will therefore create the greatest opportunity for landowners to use and develop their property.

Area 4 is an area in which the zoning is inconsistent with the Future Land Use Map. The area is currently zoned C-2 which places it in conflict with the Future Land Use designation of Industrial. Upon evaluation, it was determined that rezoning this property from C-2 to I-1 would be the best course of action to bring the area into conformance with the current Future Land Use designation.

The land uses in the area consist of many service oriented industrial uses, such as welding and fabrication, upholstery, refrigeration and HVAC, appliance and electronics, home restoration contractor, automotive repair services, fencing contractor, window and door contractor, installations, petrochemical distributing, warehousing and distribution, and public utilities. All of these uses are allowed in the proposed I-1 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 January 18, 2012. No comment sheets were received regarding the Area 4 proposal. Four contacts have been made to date. Two attended the open house and asked general questions. One was a real estate inquiry about a vacant parcel of 2.68 acres adjacent to Stockmasters Warehouse.

The owner of the Stockmasters Warehouse expressed concern about future uses of his building, which has vacancies created by the downturn in homebuilding and, therefore, warehousing for building materials. His primary concern is the limitation of general retail within the I-1 zone. This limitation is intended to preserve the properties for industrial use, including offices, and moderate the cost of industrial space, which is typically lower than commercial space. With all due respect to this concern, the character of the area has been and remains industrial and in Staff's opinion commercial redevelopment is unlikely and would not fit successfully in the area. The area is well suited for industrial uses, as it is sandwiched between two major transportation corridors. However, despite the volume of traffic, the area is lacking in the amenities for commercial development, such as sidewalks. The frontage road is deteriorating and there is little room for the requisite parking and landscaping required for commercial development. As noted earlier, all of the current land uses are consistent with the proposed I-1 zone district.

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.

This area is a mix of industrial service businesses, including outdoor storage yards, and is presently designated as Industrial. The proposed zone change to I-1 would provide the opportunity for continued light industrial uses and also match the current zoning of I-1 to the south.

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

The current land uses are allowed in the I-1 zone districts. Changing the zoning will not impact the existing businesses and may allow greater opportunity to utilize or redevelop certain properties at some point in the future.

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

Rezoning the property to I-1 (Light Industrial) will maintain and potentially help spur the industrial development identified for this area of the City, for the creation of jobs and maintaining a healthy and diverse economy.

Board or Committee Recommendation:

The Grand Junction Planning Commission met on March 13, 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 April 4, 2012

Attachments:

Background information
Rezone criteria
Site Location Map
Aerial Photo Map
Future Land Use Map
Existing City and County Zoning Map
E-mail from property owner
Planning Commission Minutes of March 13, 2012
Ordinance

BACKGROUND INFORMATION					
Location:		South side of I-70B between S. 17 th Street and 28 Road along E. Main Street			
Applicants:		City of Grand Junction			
Existing Land Use:		Industrial services			
Proposed Land Use:		No changes to land use(s) proposed			
Surrounding Land Use:	North	Commercial			
	South	Rail Yard			
	East	Rail Yard			
	West	Commercial			
Existing Zoning:		C-2 (General Commercial)			
Proposed Zoning:		I-1 (Light Industrial)			
Surrounding Zoning:	North	C-1 (Light Commercial) C-2 (General Commercial)			
	South	I-1 (Light Industrial)			
	East	I-1 (Light Industrial)			
	West	C-1 (Light Commercial) C-2 (General Commercial)			
Future Land Use Designation:		Industrial			
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

The 2010 adoption of the Comprehensive Plan designated the Future Land Use for this area as Industrial, rendering the existing C-2 (General Commercial) zoning inconsistent with the Plan. The proposed rezone to I-1 (Light Industrial) 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

Based on a visual survey, the existing land uses are consistent with an industrial designation. The properties have been designated Industrial since 1996, though the zoning has not been changed. Rezoning the area to I-1 is consistent with the existing character of the area as well as with the Comprehensive Plan.

This criterion is not applicable, since the existing uses have not changed.

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

Infrastructure necessary to industrial uses is available and adequate to accommodate the existing uses.

This criterion is 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

The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community. The location of the properties between the highway bypass (I-70 Business Loop) and the Union Pacific Rail Yard are ideally located for industrial use.

As stated in Goal 12 of the Comprehensive Plan, the City desires to be a regional provider of goods and services. To meet this Goal, the Future Land Use Map identified several areas that were deemed appropriate for industrial uses. This is such an area. The proposed rezone to I-1 will create consistency with the Comprehensive Plan as well as additional land for light industrial uses.

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

The proposed zoning amendment will bring the zoning into conformance with the Comprehensive Plan, consistent with the Goals of the Comprehensive Plan.

This criterion is met.

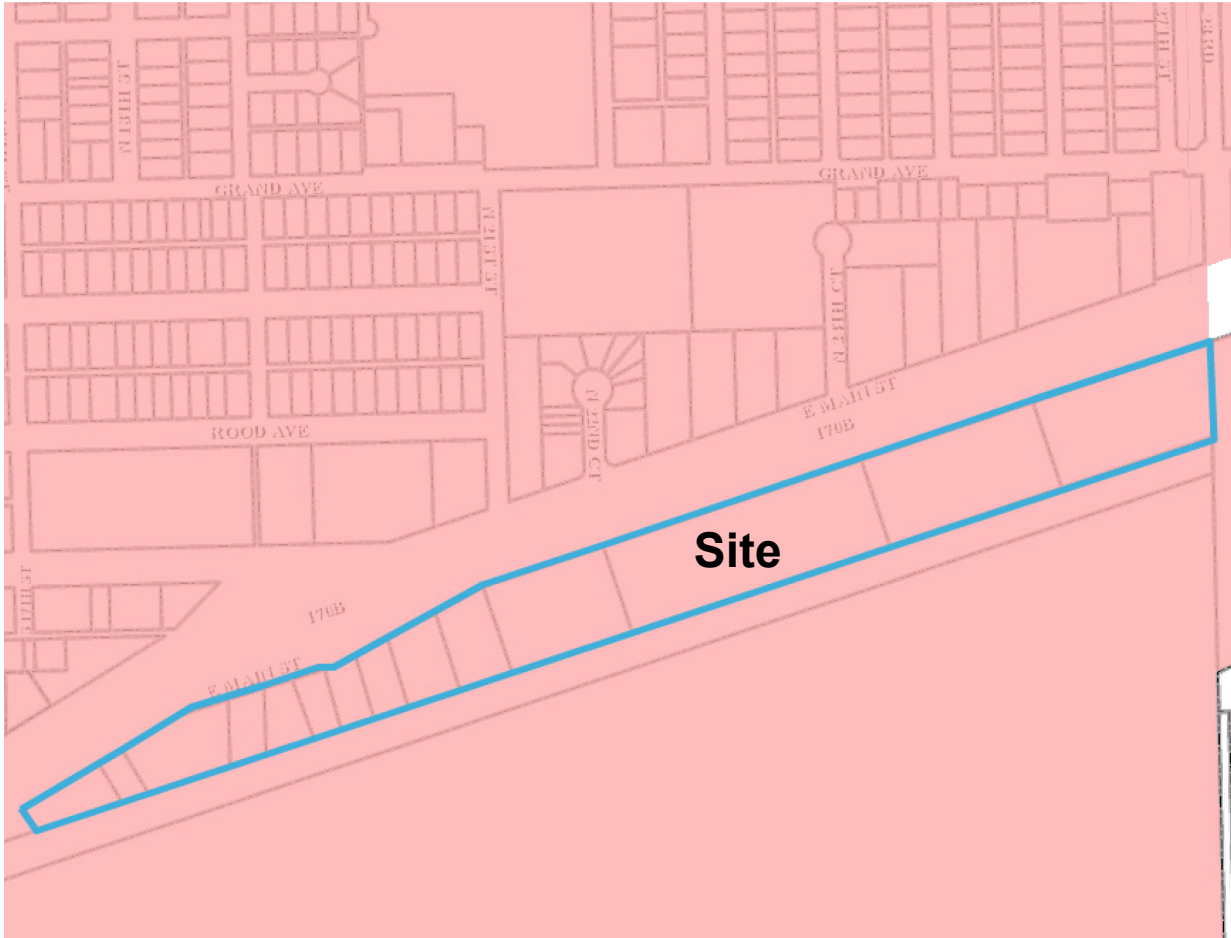
FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Area 4 Rezone, RZN-2011-1322, a request to rezone the area from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district, the following findings of fact and conclusions have been determined:

5. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
6. Review criteria in Section 21.02.140 of the Grand Junction Municipal Code have been met.

Site Location Map

Figure 1



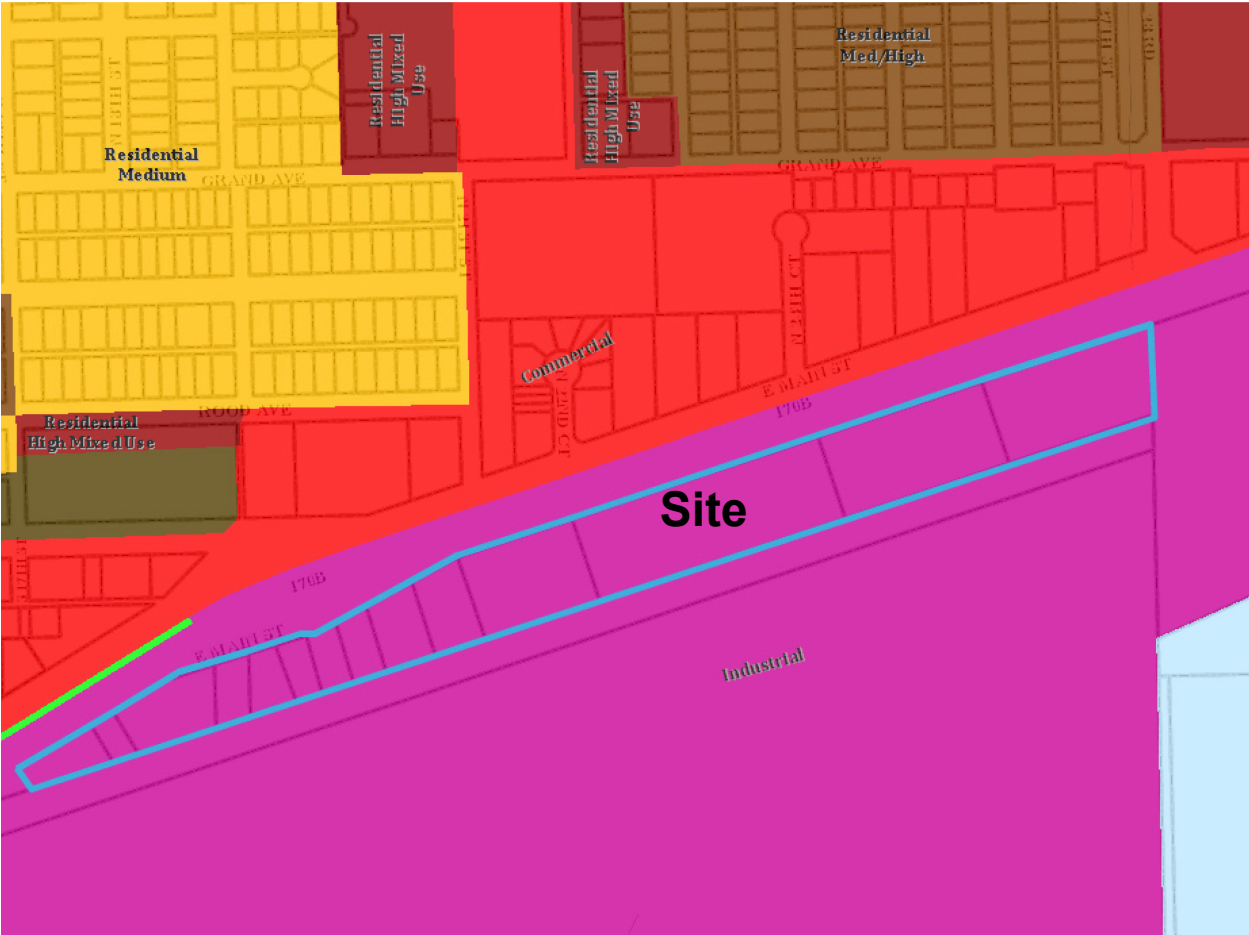
Aerial Photo Map

Figure 2



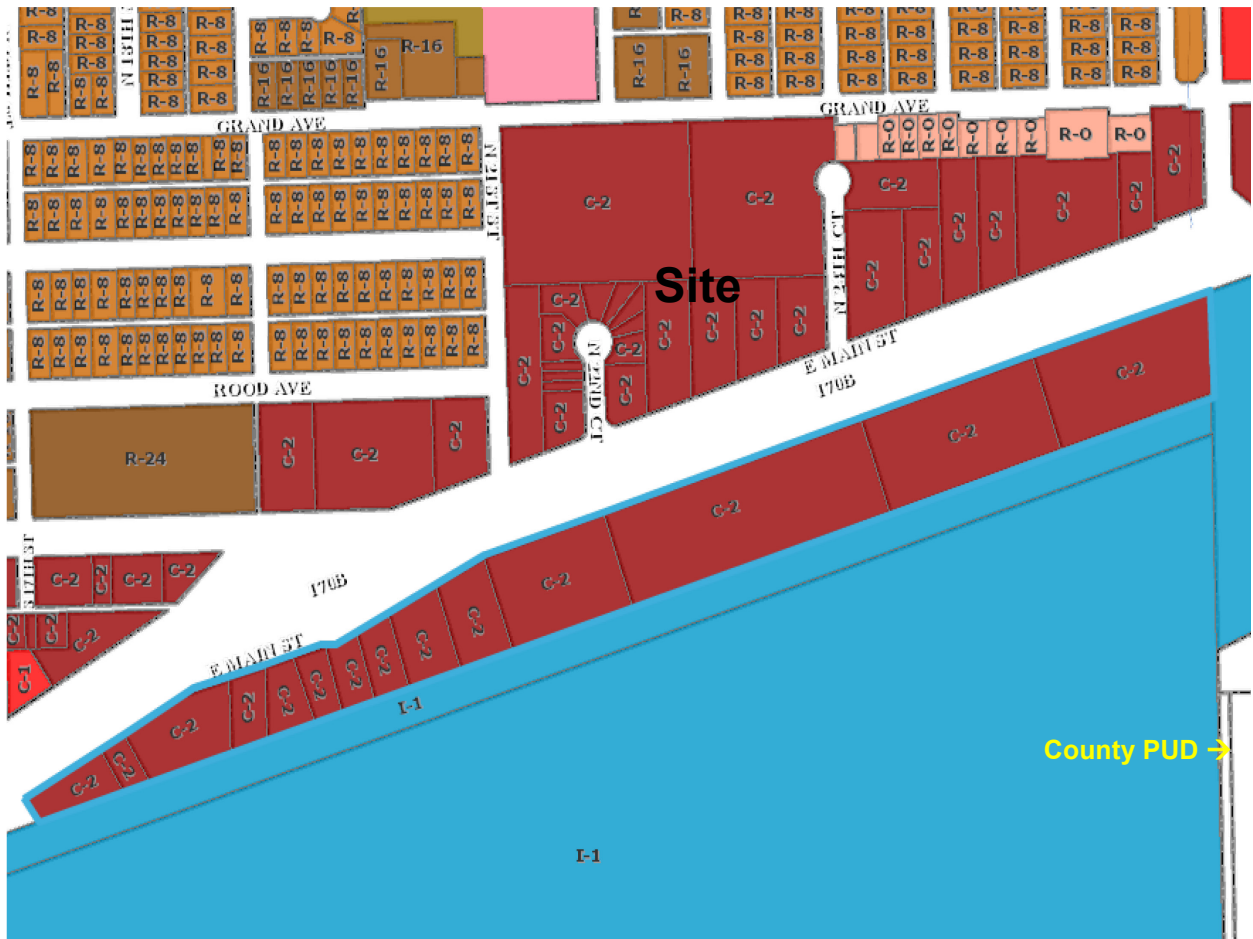
Comprehensive Plan Map

Figure 3



Existing City and County Zoning Map

Figure 4



From: "Buzz Dopkin" <bdopkin@comcast.net>
To: "Brian Rusche" <brianr@ci.grandjct.co.us>
Date: 3/13/2012 3:32 PM
Subject: RE: Proposed Rezoning

Thank you for your reply. Just one point I would like to add. In the terrible economic times that exist today this is an inappropriate time to impose restrictions that could harm anyone's business.

Regards again,

Buzz

From: Brian Rusche [mailto:brianr@ci.grandjct.co.us]
Sent: Tuesday, March 13, 2012 1:36 PM
To: Buzz Dopkin
Subject: Re: Proposed Rezoning

Buzz,

I will pass along this e-mail to the Planning Commission tonight.

Please note that the Planning Commission will only make a recommendation on this request. The City Council is tentatively scheduled to consider this request on May 2, 2012.

Thank you for your input !

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

>>> "Buzz Dopkin" <bdopkin@comcast.net> 3/13/2012 12:18 PM >>>

Dear Brian,

I want to thank you for meeting with me at The Crossing of Grand Junction and allowing me to voice my concerns over the proposed rezoning of our property. Unfortunately, I will not be able to make it to the meeting tonight. I understand that it has been proposed that our property be rezoned from a C-2 General Commercial to an I-1 Light Industrial. As you know, one of our major concerns was the restriction being imposed on the use category Retail Sales & Service. General Retail Sales Outdoor Operations goes from Approved to Conditional. This area is known for auto sales and now it becomes a conditional use. Personal services was taken away as well as All other Retail Sales & Services which I understand to be Superstore, Big Box Development and Shopping Center.

In addition it is proposed under Performance Standards (i) Retail Sale Area.

Areas devoted to retail sales shall not exceed 10 percent of the gross floor area of the principal structure and 5,000 square feet on any lot or parcel.

We believe this restriction on retail operations is too restrictive.

Currently there is a 150,000 sf building on a 4.3 acre lot. 10% of that building would be only 15,000sf of allowable indoor retail space.

Although, at this time, I do not have a perspective customer, it would be terrible that if some CEO of a major retail company after their research and investigation thought this was a great spot to put their retail business. I would now have to tell them that certain retail is not allowed and has been limited to an unusable amount of square footage. Just for arguments sake suppose it were a retail hardware chain and we would have to inform them of the restrictions despite the fact that the building was specifically designed and built for Salt Lake hardware.

Additionally with the outdoor retail restricted to 5000 sf this would also eliminate any outdoor automobile sales, recreational vehicle sales, or trailer sales because it would simply not be enough space for this type operation.

At this point, we respectfully request that the Retail restrictions being proposed for our property be further reviewed and made less restrictive.

Thank you very much for your sincere effort in following up with property owners concerns. I know that you will present this information tonight in a thoughtful manner.

Regards,

Buzz Dopkin

**GRAND JUNCTION PLANNING COMMISSION
MARCH 13, 2012 MINUTES
6:00 p.m. to 6:26 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, Keith Leonard and Loren Couch (Alternate). Commissioner Lyn Benoit was absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), Scott Peterson (Senior Planner), Brian Rusche (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 2 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Lisa Cox, Planning Manager, reminded the Planning Commission and the public that the next five meetings would be held in a temporary meeting location due to the renovations scheduled for the City Hall Auditorium. The next meeting, Tuesday, March 27th, would be held in the Board of County Commissioners Public Hearing Room located on the second floor of the old County Courthouse Building. Information regarding the temporary meeting location would be posted to the City's website in addition to a press release that would be released to the media. The Planning Commission agendas would have the temporary meeting location noted as well. There would be signage both at City Hall directing the public next door as well as at the Courthouse directing citizens to the second floor Public Hearing Room. Ms. Cox said that the meetings would be held there for the March 27th, both April meetings and both May meetings.

Consent Agenda

1. Minutes of Previous Meetings

None available at this time.

Public Hearing Items

Lisa Cox, Planning Manager, provided background regarding the Public Hearing items. There were a number of City-initiated rezone applications for consideration by the Planning Commission. The City and the County jointly adopted the Comprehensive

Plan in February 2010. The Comprehensive Plan adoption process ran the course of 3 years and more than 300 meetings with a significant amount of public participation and input.

The Plan included some new land use designations that were created for the purpose of implementing the new concepts that went along with the Comprehensive Plan; specifically, the creation of centers – Village Centers, Neighborhood Centers and development of the Downtown City Center area. Ms. Cox said that some of the new land use designations were assigned to areas in the community but at the time of the adoption of the plan the City did not elect to rezone properties that were consistent with those new land use designations. As a result, a conflict was created between the current zoning of some properties and the land use designation for the Comprehensive Plan. The City had initiated certain rezone applications in order to resolve that conflict.

She went on to say that the reasons for the proposed rezones were to support the vision of the Comprehensive Plan and to facilitate development when it was ready to occur. By resolving this discrepancy, the City was taking care of the public hearing process and facilitating the development process by having property ready to go because the zoning would be consistent with the Comprehensive Plan. Ms. Cox reiterated that the change in the zoning would not increase property taxes and said that to their knowledge, that the change of zoning would not have an impact or increase on property taxes. A change of land use, however, could affect property taxes.

She stated that the public process that had been undertaken was designed to be very similar to what a private citizen would go through. In place of a development application, the City sent individual property owners a letter which explained the conflict between the zoning and the Comprehensive Plan and why the City had undertaken this action so each property owner had an understanding of why the rezone action had been undertaken. Notification cards were also sent to residents who lived within 500 feet of an affected property. Those cards included what the application was about; open house information; and the approximate dates of the Planning Commission hearing. Ms. Cox said that the Planning Commission would make a recommendation on each of the proposed rezones to City Council who are the final decision maker.

2. Area 4 Rezone - Rezone

Request a recommendation of approval to City Council to rezone fourteen (14) parcels totaling 17.268 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district.

FILE #: RZN-2011-1322

PETITIONER: City of Grand Junction

LOCATION: 1801 I-70 Business Loop and 13 other parcels

STAFF: Brian Rusche

STAFF'S PRESENTATION

Brian Rusche, Senior Planner with the Public Works and Planning Department, addressed the Commission on the City-initiated rezone for 14 parcels on the south side

of I-70 Business Loop from C-2 to I-1. The properties were sandwiched in between the Business Loop and the Union Pacific rail yard. Existing land uses included service oriented industrial type business and Mr. Rusche pointed out there was only one access to this area at the end of the Main Street. According to the Comprehensive Plan, the land was designated with a Future Land Use of Industrial.

Mr. Rusche said that the 1996 Growth Plan designated the property as industrial as well, primarily due to its location between the highway and the rail yard as well as the existing uses. The proposal was to modify the current C-2 zoning to an I-1, Light Industrial, zoning. Mr. Rusche pointed out that the existing C-2 zoning was inconsistent with the industrial designation and the character of the area did not appear to be conducive to general retail use. As all development under the Code must comply with the Comprehensive Plan and the Code, the conflicts need to be eliminated. He said that one of the primary reasons for the rezone was to bring the property into conformance.

There were some concerns noted from one property owner regarding a limitation on general retail sales within the I-1 zone. Mr. Rusche said that there was a limitation on the percentage of the building and the percentage of the lot that could be used for general retail. He said that did not remove such things as contractor type services which were already permitted and which could continue. He said that the reason general retail would be limited in an industrial zone pertained to the character, compatibility and cost of industrial space compared to commercial property.

Mr. Rusche went on to say that there was little to no landscaping in the area as well as parking constraints and that was partly why he opined it was not conducive for commercial use and, therefore, recommended to the City Council a change of zoning from C-2 to I-1.

QUESTIONS

Commissioner Couch asked a question regarding the e-mail which had requested further review. Mr. Rusche said that he had discussed the performance standard restriction with Mr. Buzz Dopkin, the author of the e-mail, and discussed more on a philosophical level where that restriction came from. He believed it was to moderate the cost of industrial space to ensure compatibility of character. Mr. Rusche thought Mr. Dopkin may be interested in a future conversation about that particular restriction.

Commissioner Carlow asked if Mr. Dopkin would use it for some of the suggested uses, would he encounter a number of problems as related to such things as access, egress and parking. Mr. Rusche answered that if he were to propose general retail despite the restriction, things such as parking, landscaping and other upgrades would be required. Mr. Rusche went on to say that the present use of the property was perfectly acceptable and named a number of other acceptable type of uses that would be available for the property.

PUBLIC COMMENT

None.

DISCUSSION

Commissioner Leonard said that he did not see this as being conducive to a big box retailer and when considering the railroad tracks and the limited access he could not think of a retailer who would see this as conducive.

Commissioner Pavelka concurred with Commissioner Leonard's comments.

Chairman Wall also concurred.

MOTION: (Commissioner Pavelka) "Mr. Chairman, on Rezone, RZN-2011-1322, I move that the Planning Commission forward a recommendation of approval for the Area 4 Rezone from C-2 (General Commercial) to an I-1 (Light Industrial) zone district with the findings of fact and conclusions listed in the staff report."

Commissioner Eslami 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 ON THE SOUTH SIDE OF I-70B
BETWEEN S. 17TH STREET AND 28 ROAD
ALONG E. MAIN STREET
FROM A C-2 (GENERAL COMMERCIAL)
TO AN I-1 (LIGHT INDUSTRIAL) 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. The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community and included land use designations that encouraged 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. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties and to allow maximum use of the property in the area consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The I-1 zone district implements the Future Land Use designation of Industrial, furthers the Comprehensive Plan's goals and policies and is generally compatible with land uses in the surrounding area.

An Open House was held on January 18, 2012 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 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:

3. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
4. Review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have 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 I-1 (Light Industrial):

SEE ATTACHED MAP.

INTRODUCED on first reading the 4th day of April, 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 4



Rezone from
General Commercial (C-2)
to Light Industrial (I-1)

Area 4 (14 Parcels)



Attach 10

CITY COUNCIL AGENDA ITEM

Date: April 3, 2012
Author: Senta Costello
Title/ Phone Ext: Senior Planner/
x1442
Proposed Schedule: 1st
Reading April 4, 2012
2nd Reading: May 2, 2012
File #: RZN-2011-1331

Subject: Rezone Two Properties Located at 637/681 Railroad Boulevard and 2225 River Road
Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of the Proposed Rezone Ordinance
Presenter(s) Name & Title: Senta Costello, Senior Planner

Executive Summary:

A City initiated request to rezone 6.769 acres, located at 637/681 Railroad Boulevard and 2225 River Road from I-2 (General Industrial) to I-1 (Light Industrial) zone district.

Background, Analysis and Options:

The properties in the Black Area 2 Rezone were annexed in 2000 with the Mesa Moving Annexation and zoned I-2. The I-2 did not implement the Commercial / Industrial Future Land Use designation but the zone district was consistent with the County zoning at the time of annexation and accommodated the existing and anticipated future uses on the property, while the I-1 zone district did not. The uses allowed in the I-1 zone district were expanded with the 2010 Zoning and Development Code update, such that the existing uses on the site are allowed in the I-1 zone.

In order to allow landowners in the area the greatest opportunity to develop, redevelop or expand use of their property, it is crucial to eliminate conflict between the zone district and the future land use designation. That is because the Zoning and Development Code requires that all development projects comply with the Comprehensive Plan. (Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1)). A rezone to I-1 will eliminate the conflict.

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

The Comprehensive Plan Future Land Use Designation for this area is Commercial Industrial. The proposed rezone is consistent with that designation and with the following Goals and Policies of the Comprehensive Plan:

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

Policy A. City and County land use decisions will be consistent with the Comprehensive Plan Future Land Use Map.

The zone districts currently applied to these properties do not match the Comprehensive Plan Future Land Use designations. The proposed rezone will eliminate the conflict, because the I-1 zone district implements the Comprehensive Plan Future Land Use Designation of Commercial/Industrial.

Board or Committee Recommendation:

The Grand Junction Planning Commission heard this request at its March 13, 2012 meeting. A recommendation of approval was forwarded to City Council with a vote of 7-0.

Financial Impact/Budget:

N/A

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

Rezone criteria
Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City Zoning Map
Ordinance

BACKGROUND INFORMATION			
Location:		637/681 Railroad Blvd, 2225 River Road	
Applicants:		City of Grand Junction	
Existing Land Use:		Moving Company; Truck & Trailer Repair Business	
Proposed Land Use:		No changes to land uses proposed	
Surrounding Land Use:	North	Salvage business; truck stop; vacant industrial	
	South	Oil & Gas support company	
	East	Propane distributor	
	West	Vacant Industrial	
Existing Zoning:		I-2 (General Industrial)	
Proposed Zoning:		I-1 (Light Industrial)	
Surrounding Zoning:	North	I-1 (Light Industrial); C-2 (General Commercial)	
	South	I-1 (Light Industrial)	
	East	County PUD	
	West	I-1 (Light Industrial)	
Future Land Use Designation:		Commercial/Industrial	
Zoning within density range?		X	Yes
			No

Parcels included in the rezone area:

<u>Tax Parcel #</u>	<u>Address</u>
2945-062-04-003	637/681 Railroad Blvd
2945-062-04-005	2225 River Road

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

In order for the zoning to occur, a finding of consistency with the Comprehensive Plan and one or more of the following findings must be made per Section 21.02.140(a):

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

The I-2 did not implement the Commercial / Industrial Future Land Use designation but the zone district was consistent with the County zoning at the time of annexation and accommodated the existing and anticipated future uses on the property, while the I-1 zone district did not. The I-1 zone district has been revised with the 2010 update and the existing uses on the site are allowed in the I-1 zone.

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

Neither the character nor the conditions in the area have changed. The zoning of all of the properties in this area have been in conflict with the Future Land Use designation since the area was annexed and zoned in 2000. The conflict remained with the adoption of the Comprehensive Plan in 2010.

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

Adjacent to all of these properties are improved streets, sanitary sewer service, water service, and trash. Furthermore, the properties are located near restaurants and shopping. The infrastructure and nearby businesses would adequately support all the uses allowed in the I-1 zone.

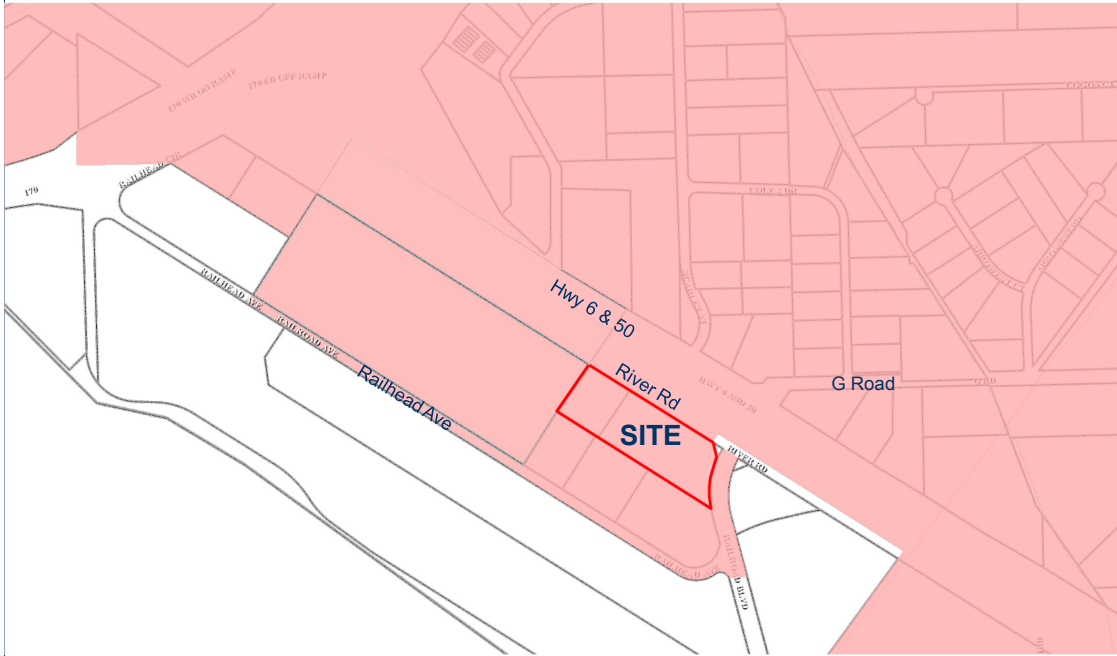
(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use;

This criterion does not apply to the properties as there is adequate supply of I-1 zoned property. The proposal for these properties is to rezone to the I-1 to eliminate the conflict between the Future Land Use designation of the Comprehensive Plan and the zoning on the properties. Approximately 1552 acres within the city limits are currently zoned I-1. This equates to 7% 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.

The zoning of the properties in Area 2 has been in conflict with the Future Land Use designation since 2000. When the Comprehensive Plan was adopted in 2010, the Future Land Use designations were updated, but the conflicts still exist. The rezone to the I-1 zone district will eliminate the conflict. It is important to eliminate such conflict because the Zoning and Development Code requires that all development projects comply with the Comprehensive Plan. (Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1)). Eliminating the conflict thus creates the greatest opportunity for landowners to use and develop their property.

Site Location Map



Aerial Photo Map



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING TWO PROPERTIES LOCATED AT 637/681 RAILROAD
BOULEVARD AND 2225 RIVER ROAD**

FROM I-2 (GENERAL INDUSTRIAL) TO I-1 (LIGHT INDUSTRIAL)

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 designations 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 allows. City Staff analyzed these areas, considering how best 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 is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The I-1 zone district meets the Future Land Use designation of the Comprehensive Plan, Commercial Industrial. Rezoning this area to I-1 is also consistent with the goals and policies of the Comprehensive Plan and is generally compatible with land uses in the surrounding area.

An Open House was held on January 18, 2012 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 implements 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 I-1 (Light Industrial).

637/681 Railroad Boulevard
2225 River Road

See attached map.

Introduced on first reading this 4th day of April, 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 2



Area 2 (2 Parcels)

Rezone from
General Industrial (I-2) to
Light Industrial (I-1)



Date: April 16, 2012
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior
Planner/1447
 Proposed Schedule: April 4, 2012
(1st Reading)
 2nd Reading: May 2, 2012
 File #: RZN-2011-1326

Attach 11

CITY COUNCIL AGENDA ITEM

Subject: Rezone One Property Located at 2189 River Road
Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Publication in Pamphlet Form of the Proposed Rezone Ordinance
Presenter(s) Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

A City initiated request to rezone one property located at 2189 River Road from I-2 (General Industrial) to I-1 (Light Industrial) zone district.

Background, Analysis and Options:

In 2010, the Comprehensive Plan was adopted by the City designating this property as Commercial/Industrial on the Future Land Use Map. The property is presently zoned I-2 (General Industrial) which is inconsistent with the Comprehensive Plan Future Land Use Map designation of Commercial/Industrial. The Comprehensive Plan was adopted by the City to help guide how future development should occur.

When the City adopted the Comprehensive Plan, properties were not rezoned at that time to be consistent with the land use designations. This means that in certain areas there is a conflict between the land use designation and the zoning of the property. This property is in one of these areas. It is important to eliminate conflicts between the Comprehensive Plan Future Land Use Map and the zone district applied to a given property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan. Eliminating the conflict will therefore create the greatest opportunity for landowners to use and develop their property.

In order to facilitate and encourage the types of development envisioned by the Comprehensive Plan, City Staff recommends a change of zoning for this area. The City is proposing to rezone this property from I-2 (General Industrial) to I-1 (Light Industrial) to support the vision and goals of the Comprehensive Plan and to implement the future land use designation of Commercial/Industrial. Changing the zoning will not impact the existing business and will allow the maximum opportunity to utilize or redevelop the property in the future.

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

The proposed rezone to I-1 (Light Industrial) implements the future land use designation of Commercial/Industrial 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.

This existing property is located within an established industrial park which is presently designated as Commercial/Industrial. The proposed zone change to I-1 would provide the opportunity for future additional light industrial development and also match the current and proposed zoning of I-1 on adjacent properties within the existing industrial park.

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

The current land use as a manufacturing company (Energy Services) with outdoor storage is an allowed land use in the I-1 zone districts. Changing the zoning will not impact the existing business and may allow greater opportunity to utilize or redevelop the property at some point in the future.

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

Rezoning the property to I-1 (Light Industrial) will maintain and potentially help spur the current and anticipated industrial development identified for this area of the City, for the creation of jobs and maintaining a healthy and diverse economy.

Board or Committee Recommendation:

The Planning Commission recommended approval of the requested rezone at their March 13, 2012 meeting.

Financial Impact/Budget:

N/A.

Legal issues:

N/A.

Other issues:

None.

Previously presented or discussed:

Consideration and First Reading of the Rezone Ordinance was April 4, 2012.

Attachments:

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

BACKGROUND INFORMATION				
Location:		2189 River Road		
Applicants:		City of Grand Junction		
Existing Land Use:		Industrial building – Energy Services		
Proposed Land Use:		N/A		
Surrounding Land Use:	North	CDOT and Railroad Right-of-Way		
	South	Industrial – Cameron (oil and gas company)		
	East	Industrial – bulk fuel products loading/transfer terminal (Suncor Energy)		
	West	Associated separate outside storage lot for this property (2189 River Road)		
Existing Zoning:		I-2 (General Industrial)		
Proposed Zoning:		I-1 (Light Industrial)		
Surrounding Zoning:	North	N/A (Right-of-Way)		
	South	County PUD (Planned Unit Development)		
	East	Proposed I-1 (Light Industrial) – City file # ANX-2011-1328		
	West	I-1 (Light Industrial)		
Future Land Use Designation:		Commercial/Industrial		
Zoning within density range?		X	Yes	No

Additional Background:

The proposed I-1 zone district will allow more uses than what is allowed in the I-2 zone district. Examples of such uses include: business residence, medical and dental clinic, religious assembly, general offices, health club, drive-through uses, restaurants, retail sales, rental service, etc. Furthermore, the I-1 zone allows several uses upon approval of a conditional use permit that the I-2 does not allow. These uses include: indoor recreation, bar/nightclub, and outdoor animal boarding. The current manufacturing use (Energy Services) with outdoor storage is an allowed land use in both the I-1 and I-2 zone districts.

The property owner was notified of the proposed rezone change via mail and invited, along with other property owners in the area, to attend an Open House held on January 18, 2012 to discuss any issues, concerns, suggestions or support for the rezone

request. To date, the property owner is supportive of the proposed rezone and no neighbors or the general public have submitted any concerns regarding the proposed rezone.

Section 21.02.140 of the Grand Junction Zoning and Development Code:

In order to rezone property in the City, one or more of the following criteria must be met:

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

The existing property is currently zoned I-2 (General Industrial), however the Comprehensive Plan Future Land Use Map identifies these properties as Commercial/Industrial. The existing zoning of I-2 is not in compliance with the Future Land Use Map designation, therefore the proposed rezone to I-1 (Light Industrial) 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;

The character and/or condition of the area have changed little over the years as the area has developed as commercial/industrial. 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;

The property is part of an established industrial park (Railhead Industrial Park), with access to rail, Ute Water and City sewer and major roadways (I-70 and Hwy. 6 & 50).

(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;

As stated in Goal 12 of the Comprehensive Plan, the City desires to be a regional provider of goods and services. To meet this Goal, the Future Land Use Map identified several areas that were deemed appropriate for commercial and industrial uses. The property that is the subject of this rezone is in such an area. Therefore the proposed rezone, being consistent with the Comprehensive Plan, will create additional land zoned for light industrial uses.

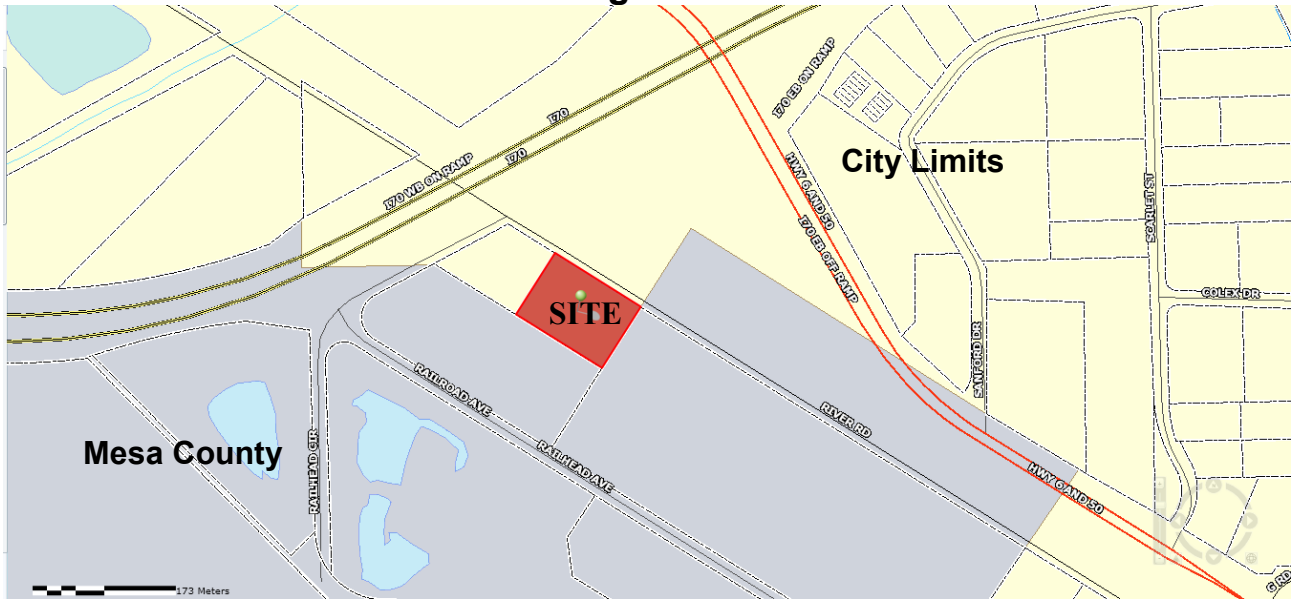
(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed rezone to I-1 from I-2 will provide the opportunity for future light industrial development and will also match the current and proposed zoning of I-1 on adjacent properties within the existing industrial park.

The proposed rezone will also alleviate and resolve the current conflict between the zoning designation and the Comprehensive Plan Future Land Use Map classification, thereby creating a greater opportunity for the land to be redeveloped or the use expanded or changed in the future.

Site Location Map – 2189 River Road

Figure 1



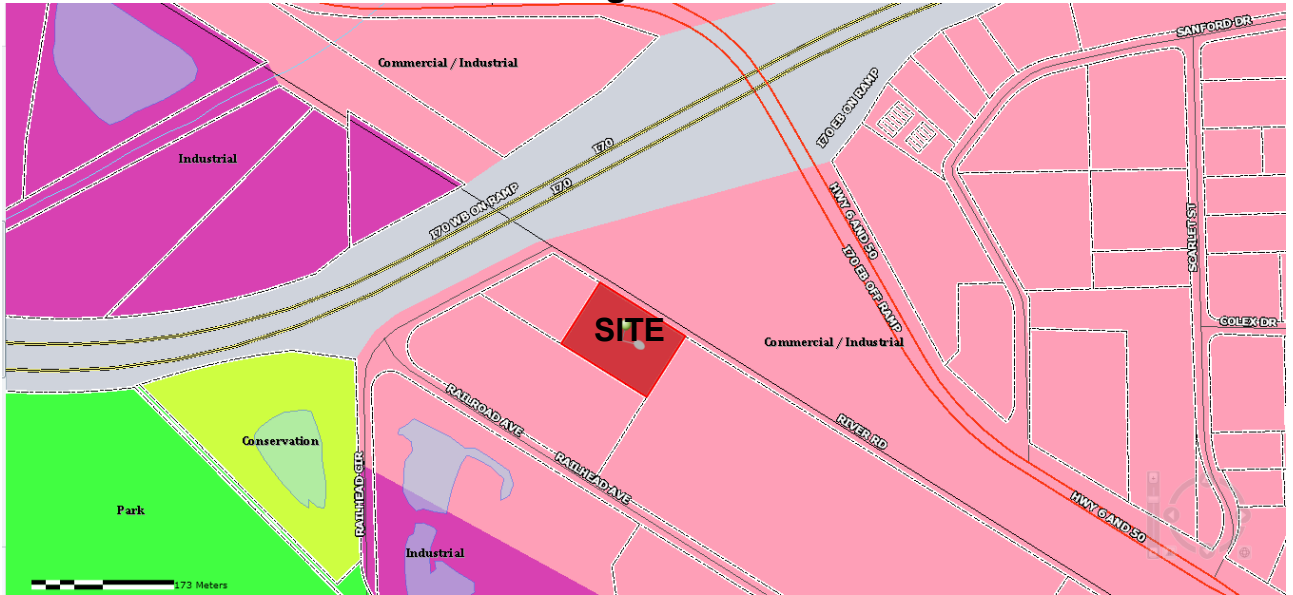
Aerial Photo Map – 2189 River Road

Figure 2



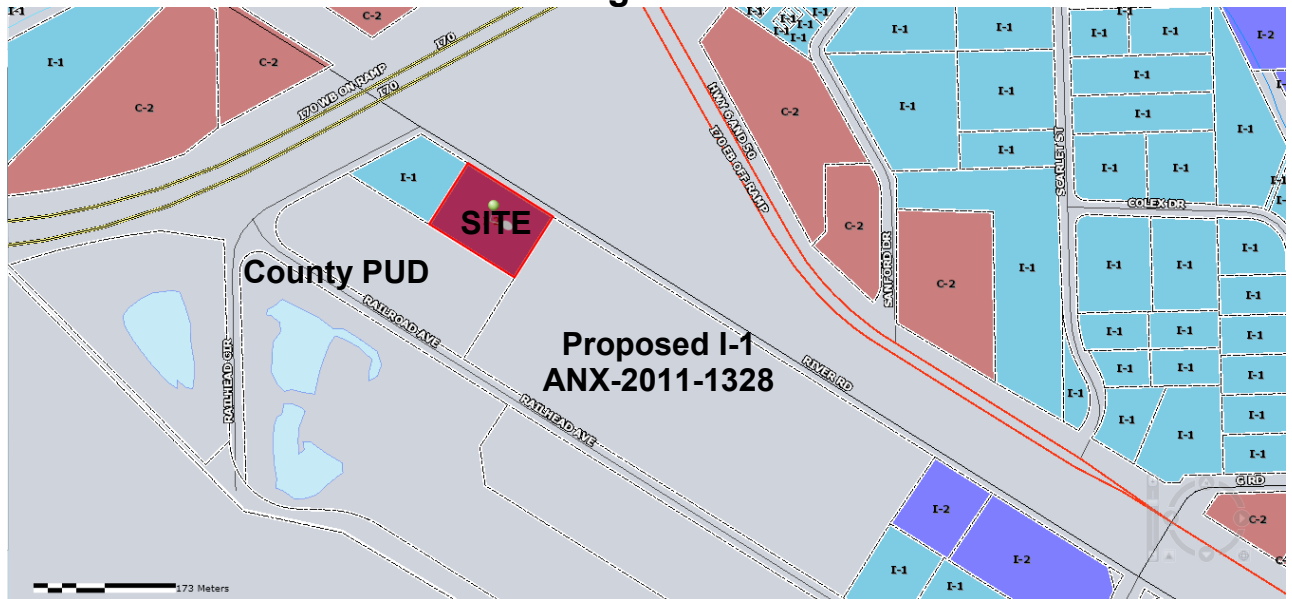
Comprehensive Plan

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING ONE PROPERTY
FROM I-2 (GENERAL INDUSTRIAL) TO I-1 (LIGHT INDUSTRIAL)**

LOCATED AT 2189 RIVER 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. The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community.

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. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, City Staff determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of this property and to allow for maximum use of the property consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The I-1 zone district implements the Future Land Use Designation of Commercial/Industrial, is consistent with the Comprehensive Plan's goals and policies and is generally compatible with land uses in the surrounding area.

An Open House was held on January 18, 2012 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 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(s) are consistent with the goals and policies of the Comprehensive Plan.
2. The applicable review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code are met.

After public notice and a public hearing, 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 I-1 (Light Industrial).

See attached map.

2189 River Road (Parcel # 2697-364-10-007)

Introduced on first reading this 4th day of April, 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 1



Rezone from
General Industrial (I-2) to
Light Industrial (I-1)

Area 1