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**CITY COUNCIL AGENDA  
WEDNESDAY, MAY 4, 2016  
250 NORTH 5<sup>TH</sup> STREET  
6:15 P.M. – ADMINISTRATION CONFERENCE ROOM  
7:00 P.M. – REGULAR MEETING – CITY HALL AUDITORIUM**

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

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

Pledge of Allegiance  
Moment of Silence

**Proclamations**

Proclaiming May 9<sup>th</sup> through May 23<sup>rd</sup>, 2016 as “Paint the Town Purple Days” in the City of Grand Junction” [Attachment](#)

Proclaiming May 2<sup>nd</sup> through May 8<sup>th</sup>, 2016 as “Grand Junction Pride Fest Week” in the City of Grand Junction [Attachment](#)

**Appointments**

To the Urban Trails Committee

To the Horizon Drive Association Business Improvement District

**Certificate of Appointment**

To the Commission on Arts and Culture

*Revised May 5, 2016*

*\*\* Indicates Changed Item*

*\*\*\* Indicates New Item*

*® Requires Roll Call Vote*

**REVISED**

**Citizen Comments**

[Supplemental Documents](#)

**Council Comments**

**\*\*\* CONSENT CALENDAR \*\*\*<sup>®</sup>**

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

*Action: Approve the Summary of the April 18, 2016 Workshop and the Minutes of the April 20, 2016 Regular Meeting*

2. **Setting a Hearing on the PIA Annexation, Located at 2757 Highway 50** [Attach 2](#)

This is a request to annex 3.954 acres, located at 2757 Highway 50. The PIA Annexation consists of 1 parcel.

Resolution No. 16-16 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, PIA Annexation, Located at 2757 Highway 50

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, PIA Annexation, Approximately 3.954 Acres, Located at 2757 Highway 50

*<sup>®</sup>Action: Adopt Resolution No. 16-16, Introduce a Proposed Annexation Ordinance, and Set a Hearing for June 15, 2016*

Staff presentation: Senta Costello, Senior Planner

3. **Setting a Hearing on the Landmark Baptist Church Rezone, Located at 2711 Unawep Avenue** [Attach 3](#)

The applicants are requesting to rezone the property from R-8 (Residential 8 du/ac) to R-O (Residential – Office).

Proposed Ordinance Rezoning Landmark Baptist Church from R-8 (Residential 8 Du/Ac) to R-O (Residential – Office), Located at 2711 Unawep Avenue

®Action: *Introduce a Proposed Zoning Ordinance and Set a Hearing for May 18, 2016*

Staff presentation: Senta Costello, Senior Planner

4. **Purchase a Service Truck with Crane for the Waste Water Services Division** [Attach 4](#)

The Crane Truck is part of the resources needed to provide ongoing operation and maintenance in the Waste Water Services Division. This equipment is used for the repair and installation of the Waste Water Lift Station pumps and facilities.

Action: *Authorize the City Purchasing Division to Purchase a Service Truck with Crane for \$134,812 from Transwest Truck Trailer RV*

Staff presentation: Jay Valentine, Internal Services Manager

5. **Application for Local Government Marijuana Impact Grant Program** [Attach 5](#)

In November 2015, Colorado voters approved a ballot measure that allows taxes collected from the sale of recreational marijuana to be used to fund several statewide programs, including a Local Government Marijuana Impact Grant Program. This grant is available to local governments who do not allow the sale of retail marijuana. If awarded, the grant will fund two Detectives on the Western Colorado Joint Drug Task Force for a three year period.

Action: *Authorize the Police Department to Apply for Funding from the State's Local Government Marijuana Impact Grant Program in the Amount of \$186,914 per Year for Three Years*

Staff presentation: John Camper, Chief of Police

\*\*\* 6. **Contract to Sell Commercial Property at 2887 North Avenue** [Attach 6](#)

As a result of the dissolution of the Fruitvale Sanitation District, the Persigo Joint Sewer System was conveyed ownership of the property at 2887 North Avenue. This property was formally utilized for the operations of the Fruitvale Sanitation District; however it is no longer needed for the operations of the Joint Sewer System. Because of this, a real estate agent was acquired to list and negotiate the sale of the property.

Resolution No. 20-16 – A Resolution Authorizing the Sale of Certain Real Property and Ratifying Actions Heretofore Taken in Connection Therewith

®Action: *Adopt Resolution No. 20-16*

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

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

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

7. **Public Hearing – Marquis Annexation, Zoning, and Comprehensive Plan Future Land Use Map Amendment, Located at 2245 ½ Broadway** [Attach 7](#)

A request to annex and zone 0.54 acres from County RSF-4 (Residential Single-Family – 4 du/ac) to a City B-1 (Neighborhood Business) zone district along with a Comprehensive Plan Amendment to change the Future Land Use Map designation from “Residential Low” (0.5 – 2 du/ac) to “Neighborhood Center”.

Resolution No. 17-16 – A Resolution Accepting a Petition for the Annexation of Lands to the City of Grand Junction, Colorado, Making Certain Findings, and Determining that Property Known as the Marquis Annexation, Located at 2245 ½ Broadway, is Eligible for Annexation

Resolution No. 18-16 – A Resolution Amending the Comprehensive Plan Future Land Use Map of the City of Grand Junction from Residential Low (0.5 – 2 Du/Ac) to Neighborhood Center for the Marquis Annexation, Located at 2245 ½ Broadway

Ordinance No. 4695 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Marquis Annexation, Consisting of One Parcel of 0.54 Acres, Located at 2245 ½ Broadway

Ordinance No. 4696 – An Ordinance Zoning the Marquis Annexation to B-1 (Neighborhood Business), Located at 2245 ½ Broadway

®Action: *Adopt Resolution Nos. 17-16 and 18-16, Adopt Annexation Ordinance No. 4695 and Zoning Ordinance No. 4696, on Final Passage and Order Final Publication in Pamphlet Form*

Staff presentation: Scott D. Peterson, Senior Planner



8. **Public Hearing – Colorado Mesa University (CMU) Alley Right-of-Way Vacation, Located within the CMU Area between Elm and Kennedy Avenues** [Attach 8](#)

The applicant, CMU, requests approval to vacate a portion of public alley right-of-way between Elm and Kennedy Avenues. This right-of-way is adjacent to properties owned by CMU or currently under contract with CMU. The vacation will facilitate the construction of a new engineering building on campus.

Ordinance No. 4697 – An Ordinance Vacating a Portion of Alley Right-of-Way Located Between Elm and Kennedy Avenues, Located in the Colorado Mesa University Area

*®Action: Adopt Ordinance No. 4697 on Final Passage and Order Final Publication in Pamphlet Form*

Staff presentation: Scott D. Peterson, Senior Planner

9. **Grant and Loan Contracts with the Colorado Water Conservation Board for the Hallenbeck No.1 Downstream Slope Repair** [Attach 9](#)

The City Water Department has applied for a grant and a loan from the Colorado Water Conservation Board to facilitate repair of the Hallenbeck No. 1 Dam (Purdy Mesa). The dam experienced a structural failure in June of 2014 and has been drained since that time. City Council approved debt funding this project during the 2016 budget review process.

Resolution No. 19-16 – A Resolution Authorizing the Interim City Manager to Enter Into a Contract for Grant and Loan Funding from the Colorado Water Conservation Board for Construction Work on the Hallenbeck Number One Downstream Slope Improvements Project

*®Action: Adopt Resolution No. 19-16*

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

\*\*\* 10. **Election of Mayor and Mayor Pro Tem/Administer Oaths of Office**

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

12. **Other Business**

13. **Adjournment**



# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, Paint the Town Purple is an activity of the American Cancer Society that promotes cancer awareness, gives individuals and communities an opportunity to fight back against the cancer; and*

*WHEREAS, money raised during Paint the Town Purple of Grand Junction, CO supports the American Cancer Society's mission of saving lives and creating a world with less cancer and more birthdays - by helping people stay well, by helping people get well, by finding cures for cancer, and by fighting back; and*

*WHEREAS, the American Cancer Society funded more than \$150 million in cancer research last year through money raised in communities across the United States.*

*NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim May 9<sup>th</sup> through May 23<sup>rd</sup>, 2016 as*

### **"PAINT THE TOWN PURPLE DAYS"**

*in the City of Grand Junction and encourage citizens to help finish the fight against cancer by participating in the PAINT THE TOWN PURPLE activities May 9<sup>th</sup> through May 23<sup>rd</sup>, 2016 and especially in the relays on June 10<sup>th</sup> and 11<sup>th</sup>, 2016.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 4<sup>th</sup> day of May, 2016.*



\_\_\_\_\_  
Mayor





# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, Colorado West Pride was established five years ago and is dedicated to the creation of an inclusive community in Grand Junction through events, outreach, and education; and*

*WHEREAS, the Colorado West Pride Board now has 11 diverse board members which represent the depth and breadth of the local Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) community; and*

*WHEREAS, Colorado West Pride works tirelessly to help create equality by working to make sure the community is well informed and the LGBTQ community has a voice to make a difference; and*

*WHEREAS, Colorado West Pride will sponsor various activities and events throughout the week of May 2<sup>nd</sup> through 8<sup>th</sup>, 2016 to promote and build a positive environment and relationships; and*

*WHEREAS, on May 8<sup>th</sup> Colorado West Pride will host the signature event of the 4<sup>th</sup> Annual Grand Junction Pride Fest which will include a Main Street parade and a festival at the M City Lounge at 515 S. 7<sup>th</sup> Street.*

*NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of May 2 - 8, 2016 as*

### "GRAND JUNCTION PRIDE FEST WEEK"

*in the City of Grand Junction and urge all citizens to learn about and help create a positive environment for the LGBTQ community.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 4<sup>th</sup> day of May 2016.*

\_\_\_\_\_  
Mayor



**GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY**  
**April 18, 2016 – Noticed Agenda Attached**

Meeting Convened: 5:04 p.m. in the City Hall Auditorium

Meeting Adjourned: 7:15 p.m.

City Council Members present: All except Councilmember Traylor Smith

Staff present: Moore, Shaver, Ashbeck, Valentine, Lanning, Schoeber, Portner, and Tuin

Also: Richard Swingle, Karen Sjoberg, and Kristin Winn

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Council President Norris opened the meeting.

Agenda Topic 1. Community Development Block Grant (CDBG) 2016 Program Year Funding Requests

Interim City Manager (ICM) Moore introduced the topic and reviewed the allocation process. Ms. Ashbeck, Senior Planner, said available grant funds increased by about \$10,000 over last year and 2016 is the first year of a new five year program; submission of a new Consolidated (master) Plan and an Analysis of Impediment to Fair Housing are required; no major changes are anticipated. These reports will go before City Council in June and be incorporated into the Action Plan. She referred to the Executive Summary that was provided and said the projections are based on the grant allocations from the last five years.

Councilmember Chazen suggested changing the CDBG Program goals to reflect Council's goal to create more economic development opportunities. Ms. Ashbeck said each grant is reviewed by HUD (Department of Housing and Urban Development) and must meet at least one national objective, but as long as the allocations comply, the goals can be redirected.

Ms. Ashbeck reviewed the fund amount available for 2016, the reimbursed Administration costs, and application requests by category: Service Projects and Capital Improvements for City and Non-City Projects. The majority of Council agreed to fund the Service Project requests at the minimum level and allocate the remaining amount to Western Colorado Suicide Prevention Foundation (total \$5,874). For the Capital Improvements category Council recommended the following: Center for Independence (riser) - \$18,750; Housing Resources of Western Colorado (Veteran housing) - \$7,750; HopeWest PACE Center (appliances) - \$28,000; Grand Junction Housing Authority (coolers) - \$75,000; Karis, Inc. (housing) - \$50,000; Safe Routes to Schools – Nisley, \$90,000/El Poso, \$45,000; and Senior Recreation Center (rehab), \$87,373.

Ms. Ashbeck noted that amendments to the Action Plan can be made for alternate projects if the primary projects cannot be completed. Councilmember Taggart suggested the drainage projects be placed on the alternate list.

## Agenda Topic 2. Committee and Board Reports

Associated Governments of Northwest Colorado (AGNC) – Councilmember Chazen said the AGNC gets \$100,000 each year from DOLA (Department of Local Affairs) to fund local mini grants; the City was awarded \$7,950 to go toward the North Avenue medians.

Step 13 Residential Recovery Program – Councilmembers McArthur and Chazen toured a privately funded homeless rehabilitation (drugs and alcohol) facility in Denver. The facility has strict standards regarding work, meeting attendance, behavior, and facility cleanliness. Executive Director Peter Droege has been invited to address the Homeless Coalition.

5-2-1 Drainage Authority – Councilmember McArthur said the next meeting is April 20<sup>th</sup> when they will elect new officers. Council President Norris asked if the 5-2-1 is supporting the new Grand Valley Drainage District fee and if they are supporting the recall efforts. Councilmember McArthur said the 5-2-1 will remain neutral regarding the fee and John Crouch is leading the recall effort. He explained the legal proceedings being put in place regarding the drainage fee.

Historic Train Depot - Councilmember Boeschenstein said the Depot has been purchased and the owners have big plans and are working on getting grants from the State Historic Fund and getting Amtrak reestablished there.

Downtown Development Authority (DDA) - Councilmember Chazen said the DDA Board has been discussing the Rood Avenue Parking Garage end cap (west end) and side lot. He is encouraged the project is moving forward with the Board reviewing proposal and development ideas. The Board is also putting together ideas for an RFP (request for proposal) for the Mesa County School District 51 R-5 property and talking to a developer regarding the White Hall property.

Councilmember Kennedy noted the DDA Broadband RFP deadline has been extended to April 29<sup>th</sup>.

ICM Moore thanked everyone for their work on the Broadband Master Plan and said this topic will be on the May 16<sup>th</sup> workshop agenda advising things are progressing well.

Parks and Recreation Advisory Board – Councilmember Kennedy said the Board heard a vendor appeal regarding the RFP for JUCO (Junior College World Series) concessions; the decision was upheld.

Avalon Theatre Foundation – The Foundation will be dedicating a donor wall on April 22<sup>nd</sup> at the Avalon.

Colorado Riverfront Commission (CRC) – Councilmember Boeschenstein said the CRC is having a tour of all the Riverfront Projects on April 23<sup>rd</sup> & 24<sup>th</sup>. The City of Fruita has been awarded a grant from the State 16 Trails in 2016 Project which will provide a connection to Kokopelli Trail; the 29 Road Riverfront Connection and the Palisade Plunge did not make the first round of grant awards. He mentioned the Department of Energy has been trying to get a Visitors Center built using an existing cabin close to their offices showing the history and development of the atomic bomb at that location; he is encouraging them to relocate the cabin to Las Colonias since the uranium mill was located there.

Grand Junction Regional Airport Authority Board – Councilmember Taggart said the Board has a strong finalist for the Director position, Kip Turner, from Durango. Also, he has been working on the Airport Task Committee (ATC) regarding Minimum Standards, but has suggested these not be implemented because it would take the profitability out of West Star Aviation's gas fueling operations which is a very

competitive business. West Star has plans for expansion and Chattanooga, TN is currently trying to recruit them. The City is supportive of keeping West Star based in Grand Junction.

Councilmember Taggart said the legal issues regarding the unfinished building should come to a close this week and a report will be presented to the ATC no later than June which is about the same time the new Director should be hired.

Councilmember Taggart will update the Board on the ATC's progress regarding the effort to provide a direct connection to LAX (Los Angeles International Airport); there have been local contributions of \$.5 million toward this project.

Council President Norris stressed the importance of having a LAX connection for local economic development, both existing and proposed.

Agenda Topic 3. Board Reports see above

Agenda Topic 4. Other Business

Burn Permits - ICM Moore said Fire Chief Watkins is compiling data regarding burn permits issued both inside City limits and within the local fire districts. There was discussion regarding moving the burn season dates, researching how other communities handle open burns, the agricultural benefits, what the burn permits regulate, compelling reasons to continue open burns, and what federal regulations need to be considered. There will be further discussion and review of the information from Chief Watkins at the May 16<sup>th</sup> workshop.

Federal TIGER (Transportation Infrastructure Generating Economic Recovery) VIII Grant - Public Works Director Greg Lanning updated Council on the status TIGER VIII grant application they approved at the April 6<sup>th</sup> regular meeting; County Staff presented this project to the Commissioners seeking their participation, but they declined. Mr. Lanning asked if Council would be willing to reach out to the County since the grant looks at partnerships. He noted County funds wouldn't be needed for five years and the application deadline is April 29<sup>th</sup>. It was decided to apply for the grant without a commitment from the County and if the City is awarded the grant, Council will look for matching funds at that time.

Colorado Senate Bill 16-183 – City Attorney Shaver explained this bill may potentially deregulate all the provisions of the 911 utility through the Public Utilities Commission (PUC); these are important because they regulate the basic exchange service provider. He will send Council a fact sheet and an opposition letter regarding the bill; he asked them to review the information and circulate the letter.

Paul Brown – Councilmember Kennedy said the late Paul Brown had been recognized at the State Legislature.

911 Center – Council President Norris met with Fruita and Palisade's mayors and local EMS (emergency medical services) directors regarding a 911 Center and funding. A major concern is the lack of cell towers; in many areas there is no coverage and therefore no communication; cell towers will be the largest expense, estimated at \$9-10 million. Fruita and Palisade spend over 50% of their budgets on 911 communications. She will also be meeting with outlying municipalities on this issue.

It has not been decided how this will be funded, but it will be a county wide issue.

With no further business, the meeting was adjourned.

GRAND JUNCTION CITY COUNCIL  
MONDAY, APRIL 18, 2016

WORKSHOP, 5:00 P.M.  
CITY HALL AUDITORIUM  
250 N. 5<sup>TH</sup> STREET

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

1. **Community Development Block Grant (CDBG) 2016 Program Year Funding Requests:** City Council will consider which activities and programs to fund for the Community Development Block Grant (CDBG) 2016 Program Year. The City will receive \$384,713 for the 2016 Program Year which begins September 1, 2016. In addition, funds from prior years in the amount of \$117,866 will be allocated with the 2016 funds. **Attachment**
2. **Committee Reports**
3. **Board Reports**
4. **Other Business**



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

**April 20, 2016**

The City Council of the City of Grand Junction convened into regular session on the 20<sup>th</sup> day of April, 2016 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Rick Taggart, Barbara Traylor Smith, Martin Chazen, and Council President Phyllis Norris. Also present were Interim City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. Councilmember Chazen led the Pledge of Allegiance which was followed by a moment of silence.

Council President Norris welcomed Colorado Mesa University students from the Political Government and the American Government classes.

**Proclamations**

**Proclaiming April 23, 2016 as “Arbor Day” in the City of Grand Junction**

Councilmember Boeschstein read the proclamation. Randy Coleman, Forestry Supervisor, and Kamie Long, Forestry Board Chair, were present to receive the proclamation. Ms. Long distributed Arbor Day hats to City Council. Mr. Coleman said that April has been Arbor Month because the Forestry crews and board have been so active. They had the first annual tree planting day in the Ridges and had over 100 volunteers from the Ridges participate. They have received nine other applications for other neighborhoods to plant trees. They also did a poster contest and went to schools to get kids excited about trees. Saturday, April 23<sup>rd</sup> is Southwest Arbor Fest and there will be 1,500 trees of nine varieties that will be handed out during the festival. Mr. Coleman thanked the City Council.

**Proclaiming May 1-7, 2016 “National Small Business Week” in the City of Grand Junction**

Councilmember McArthur read the proclamation. Grand Junction Chamber of Commerce Chief Executive Officer Diane Schwenke and Grand Junction Business Incubator Board Chair Michael Burke were present to receive the proclamation. Ms. Schwenke thanked the City Council for the proclamation as Grand Junction is indeed a community of small businesses, over 90% of businesses in the City have ten or fewer

employees. Most jobs come from that small business sector. Also May 8<sup>th</sup> through the 14<sup>th</sup> is Economic Development Week and the Chamber and the Business Incubator will be reaching out to small businesses that week. Mr. Burke said he was present to represent the Business Incubator because the Director was traveling for business. He described the growth of the Incubator and how the Incubator touches so many businesses.

### **Proclaiming May 1-8, 2016 as “Days of Remembrance” in the City of Grand Junction**

Councilmember Chazen read the proclamation. David Eisner, Lay Leader of Congregation Ohr Shalom, was present to receive the proclamation. Mr. Eisner thanked the City Council and said this is the 7<sup>th</sup> year he has received this proclamation from the City and noted the importance of ensuring the dignity of human beings. He reflected how things have changed in the last seven years and how genocide is still happening. He read a quote from a Rabbi indicating that everyone has an obligation to work towards the goal of ensuring dignity within the world.

### **Citizens Comments**

Bruce Lohmiller, 536 29 Road, addressed the Council regarding "Exposé" and a letter of intent. He commented about what Mr. Eisner said. He thought the new City Manager would be in attendance and he wanted to provide a letter from Alan Story and his intent to be his running mate. He then addressed homelessness. He mentioned the Global Warming Conference.

Mikkel Kelly, 2491 Fountain Greens Place, introduced himself as he is the new Executive Director for the Western Colorado Center for the Arts. He has been here since July and he thanked the City for being so generous and hospitable and said he has enjoyed working with the City's Arts Commission. The Center for the Arts is currently assessing their building and the future for the Center. He described upcoming events: the James Surls exhibition in July with the Colorado Mesa University Art Gallery also participating and the US Bank Fine Art Auction on May 6<sup>th</sup> which is their big fundraiser. Included in that event is a raffle. He then passed out the Center for the Arts magazine listing exhibitions and classes to the City Council.

## **Council Comments**

Councilmember McArthur said he was in Denver and toured a 13 Steps program (a homeless project) with Councilmember Chazen. He attended the Colorado Water Congress State Affairs meeting where current legislation was reviewed. He met with Horizon Drive hotel owners and managers and talked about concerns they have. The 521 Drainage Authority Annual Meeting was that day and the Authority has obtained a drainage discharge permit from the State of Colorado. It will go into effect on July 1, 2016. The Authority also has an obligation to educate the public on drainage.

Councilmember Boeschstein said that on April 11<sup>th</sup>, he went to the North Avenue Groundbreaking and also met with the Municipal Judge to resolve issues. He went to the Urban Trails Committee meeting on April 12<sup>th</sup>, the Downtown Development Authority (DDA) meeting, the Joint Persigo Board meeting on April 14<sup>th</sup>, and the City Council Workshop on April 18<sup>th</sup> where the Community Development Block Grant funding was discussed. He attended the symphony concert on April 19<sup>th</sup> and read a proclamation for Conductor Kirk Gustafson as it was his final concert. He attended the Horizon Drive Association Business Improvement District (HDABID) meeting and the 5-2-1 Drainage Authority meeting earlier that day.

Councilmember Chazen reported that on April 7<sup>th</sup>, as mentioned by Councilmember McArthur, he visited Step 13 which is a men's residential recovery program in downtown Denver that offers its residents the opportunity to recover from the disease of addiction and become productive members of their communities through a program that focuses on the facets of sobriety, work, and personal accountability. The Executive Director has been invited to Grand Junction to talk to the Homeless Coalition. He also attended the April 11<sup>th</sup> North Avenue Groundbreaking. He participated in the Chamber of Commerce Leadership Academy on April 14<sup>th</sup>. On April 15<sup>th</sup> there was an Associated Governments of Northwest Colorado (AGNC) meeting and a Department of Local Affairs (DOLA) mini grant program was discussed that AGNC administers. On April 16<sup>th</sup> he attended the Court Appointed Special Advocate (CASA) fundraiser at the Trap Shoot Range and he thanked the City employees who helped pull the event together. He attended a Jordan Cove meeting on April 19<sup>th</sup> and deferred to the Mayor for information on that meeting.

Councilmember Kennedy said he attended three community meetings regarding the next steps towards a Community and Recreation Center. He attended the Joint Persigo meeting on April 14<sup>th</sup>, the Western Colorado Latino Chamber of Commerce meeting earlier that week, and the symphony concert mentioned previously where there were four featured soloists from Atlanta, Washington D.C., New York, and Russia by way of Greece.

Councilmember Taggart stated that earlier that week he attended the Colorado Department of Transportation (CDOT) open house for the potential new roundabout on the Redlands Parkway and Broadway. As an Airport Authority Board Member, he has spent a lot of time at the airport and there are very positive things emerging including a finalist for a new Director, Kip Turner from Durango; the airport has received news from Federal Aviation Administration (FAA) that the Environmental Impact Study for the new runway has been accepted; the Airport Task Committee has been working on bringing additional service to the Airport; and the FAA has approved an Airport Improvement Project for the refurbishing of the taxiways and some new lighting.

Council President Norris said that she attended North Avenue Groundbreaking, she attended the Leadership Academy on April 14<sup>th</sup>, the Fire Department Academy graduation on April 15<sup>th</sup> and she welcomed five new firefighters. She attended the Jordan Cove presentation and they presented a project where they will be selling natural gas to Japan and could have a 20 year potential of job security. She also went to the 5-2-1 Drainage Authority meeting earlier that day.

### **Consent Agenda**

Councilmember Kennedy read the Consent Calendar items #1 through #6 and moved to adopt the Consent Calendar. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the April 4, 2016 Workshop, the Minutes of the April 6, 2016 Regular Meeting, and the Summary of the April 11, 2016 Special Workshop*

2. **Setting a Hearing for the Studt Annexation, Located at 227 29 Road**

This is a request to annex 0.9 acres, located at 227 29 Road. The Studt Annexation consists of 1 parcel.

Resolution No. 12-16 - A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on such Annexation, and Exercising Land Use Control Studt Annexation, Located at 227 29 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Studt Annexation, Approximately 0.9 Acres, Located at 227 29 Road

*Action: Adopt Resolution No. 12-16, Introduce a Proposed Annexation Ordinance, and Set a Hearing for June 1, 2016*

3. **Setting a Hearing for Colorado Mesa University (CMU) Alley Right-of-Way Vacation, Located within the CMU Area between Elm and Kennedy Avenues**

The applicant, CMU, requests approval to vacate a portion of public alley right-of-way between Elm and Kennedy Avenues. This right-of-way is adjacent to properties owned by CMU or currently under contract with CMU. The vacation will facilitate the construction of a new engineering building on campus.

Proposed Ordinance Vacating a Portion of Alley Right-of-Way Located Between Elm and Kennedy Avenues, Located in the Colorado Mesa University Area

*Action: Introduce a Proposed Ordinance and Set a Public Hearing for May 4, 2016*

4. **Setting a Hearing for Marquis Zone of Annexation and Comprehensive Plan Future Land Use Map Amendment, Located at 2245 ½ Broadway**

A request to zone 0.54 acres from County RSF-4 (Residential Single-Family - 4 du/ac) to a City B-1 (Neighborhood Business) zone district along with a Comprehensive Plan Amendment to change the Future Land Use Map designation from "Residential Low" (0.5 - 2 du/ac) to "Neighborhood Center". The proposed resolution to amend the Comprehensive Plan will be considered with the second reading of the zoning ordinance.

Proposed Ordinance Zoning the Marquis Annexation to B-1 (Neighborhood Business), Located at 2245 ½ Broadway

*Action: Introduce a Proposed Ordinance and Set a Public Hearing for May 4, 2016*

5. **Purchase a Backhoe for Cemetery Operations**

This backhoe is a needed resource to provide ongoing operation and maintenance of the City Municipal Cemeteries. This equipment is used for excavation of graves, disinterment's, facility/road maintenance, irrigation repairs, and offloading of vaults and equipment delivered to both the Orchard Mesa and Crown Point Cemeteries.

*Action: Authorize the City Purchasing Division to Purchase a Backhoe for \$83,850 from Flaska JCB, Denver, CO*

6. **Prohibition of Parking along Main Street during Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016**

The Downtown Grand Junction Business Improvement District (DGJBID) is requesting the prohibition of parking along Main Street during the 2016 Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016, and the authorization for towing vehicles violating the prohibition.

*Action: Prohibit Parking along Main Street from 1<sup>st</sup> to 7<sup>th</sup> Streets during the Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016 and Authorize the Towing of Vehicles Violating the Prohibition*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Appointment of Municipal Judge**

The last formal appointment of Judge McInnis was August 2006 for a four year term.

John Shaver, City Attorney, presented this item. He explained the item and noted it was requested by City Council at a Council Workshop. He noted Judge McInnis is present if Council has any questions for her.

Councilmember Kennedy said they have had multiple meetings with Judge McInnis and it is his opinion that she has done an exceptional job and he will support the resolution.

Councilmember Boeschstein agreed with Councilmember Kennedy and said he has observed Judge McInnis in action and noted that judges need to be very independent and non-political. Municipal Court is valuable for zoning cases and Judge McInnis is doing a great job. He is definitely in favor of the resolution.

Councilmember Chazen stated that the resolution puts the City in compliance with State law. He has also observed Judge McInnis in court and feels she does a very good job. He looks forward to her continuing the very good work that she does.

Councilmember Kennedy said he has also observed Judge McInnis and has been a defendant for a traffic ticket in her court to which she recused herself to follow proper court procedures.

Council President Norris stated that the State Statute provides for a two year appointment and other City appointed employees do not have set appointments. Evaluations do take place annually and she feels a two year term would be better. She has very high regard for Judge McInnis and feels she does a very good job, however, she will be voting no because she would prefer to see a two year term instead of a four year term.

Councilmember Kennedy said he respects the Mayor's opinion but the difference for him advocating for a four year term is the court is a separate standalone pillar of the City government and having a four year term provides that position independence.

Council President Norris stated that she disagrees because she feels that the term has no effect on that.

Councilmember Boeschstein said that the term for the Municipal Judge was debated in a workshop and the majority of Council felt that four years was the appropriate term. The Judge needs to be above the politics and the change in City Councils.

Councilmember McArthur said that Judge McInnis has a long tenure with the City and there haven't been any questions with her performance or the operations of Municipal Court. Even though he missed the workshop, he read through the notes and he supports a four year term.

Councilmember Chazen stated that there was quite a bit of discussion regarding the term. Part of the problem was how would the term affect the removal of the Judge if need be. He feels that the removal and terms are separate issues and there is enough provisions in the Statute to support removal if necessary and he supports a four year term.

Councilmember Taggart said that there is a strong precedent from prior Councils that gave the Judge a four year term and he feels this Council should demonstrate that same type of faith.

Resolution No. 13-16 - A Resolution Appointing Care` McInnis as Municipal Court Judge

Councilmember Taggart moved to adopt Resolution No. 13-16. Councilmember Chazen seconded the motion. Motion carried by roll call vote with Council President Norris voting NO.

### **Public Hearing – Amend the Grand Junction Municipal Code to Allow for an additional Alternate on the Forestry Board and Adopt the Proposed Forestry Board Bylaws**

The request is to amend the Grand Junction Municipal Code to be consistent with the proposed Forestry Board bylaws and then to adopt the bylaws by resolution.

The public hearing was opened at 7:52 p.m.

Kamie Long, Forestry Board Chair, presented this item. She said that the proposed bylaws were presented at a workshop and she is happy to answer any questions that Council may have.

Councilmember Chazen stated that there was discussion regarding the wording for the replacement of board members and the proposal also increases the alternates from one to two. He feels that the original wording could have been construed as an automatic promotion of one of the alternates and he doesn't feel that was the intent of the board. He wanted to make sure that the board reviewed the new wording and supports it.

Ms. Long said that the word "may" allows the board the flexibility as suggested by Councilmember Chazen.

Councilmember McArthur asked for clarification where that wording is. City Attorney Shaver said it is on the second page of the ordinance and the amending document is the ordinance.

Councilmember Boeschstein said he believes this is a good move and he would like to see alternates for more of the boards.

Council President Norris thanked Ms. Long and the board for the rewriting of the bylaws as it is not an easy task. The City is fortunate to have such a strong board.

There were no public comments.

The hearing was closed at 7:56 p.m.

Councilmember Taggart asked if an alternate can vote in the absence of a board member. City Attorney Shaver said yes, it is the typical role of the alternates.

Councilmember McArthur said the ordinance also said that an alternate can vote in the case of a recusal of a board member.

Ordinance No. 4694 – An Ordinance Amending Chapter 2.36, Forestry Board, of the Grand Junction Municipal Code by Amending Section 2.36.010 (a) Concerning Composition of the Board

Resolution No. 14-16 – A Resolution Adopting the Grand Junction Forestry Board Bylaws

Councilmember Chazen moved to adopt Ordinance No. 4694 on final passage and ordered final publication in pamphlet form and to adopt Resolution No. 14-16.

Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Ms. Long thanked the Council and also acknowledged City Clerk Stephanie Tuin for all of her help working with the Forestry Board to put all of this together.



Mr. Coleman also thanked Council for helping them through the process and providing the feedback for the Board.

### **Federal Lands Access Program (FLAP) Funding Application for the Monument Road Trail**

In 2007, the City of Grand Junction and Great Outdoors Colorado (GOCO) extended a trail from the existing Riverfront Trail just west of the Broadway Colorado River Bridge along No Thoroughfare Wash to just north of D Road. This federal FLAP request for \$4.79 million would extend a ten-foot concrete bike path south along Monument Road connecting to the South Camp Road Trail, providing a non-motorized alternative access from the Riverfront Trail past one of the region's most popular trailheads for access to a vast network of Bureau of Land Management (BLM) trails as well as expand and pave the trailhead parking lot, add trailhead amenities, and provide for bypass lanes at the east entrance to the Colorado National Monument (CNM).

Trent Prall, Engineering Manager, presented this item. He described the grant program and how the City is eligible. There is no minimum request and there is a 17.21% match. Mr. Prall detailed the location and the project. Part of the application process included touring the project with the grant administrators who encouraged the City to widen the scope of the project. The trailhead is well utilized so enlargement and paving of the parking lot was suggested. Another element added is improvement to the Colorado Monument entrance. Mr. Prall felt the application had a good chance of being awarded as it met a lot of criteria for the funding including access, mobility, preservation, safety, environmental quality, funding, and coordination. He noted that there are representatives from the Mesa Land Trust in attendance. He related the project to the Comprehensive Plan and the Economic Development Plan. Final Applications are due May 21, 2016 and the City will likely hear back on the application in the fall. Mesa County will be hearing this item and considering participation. He listed other partners and supporters.

Mr. Prall reviewed the proposed funding and the City match. The proposal includes Phase II which would extend the trail to South Camp Road. Mr. Prall reviewed the financial breakdown and budget and said if the grant is awarded, the project would happen in 2019.

Councilmember McArthur asked if the letters of support included offering funds. Mr. Prall said that they are just letters of support at this point, no financial commitment yet. Mesa Land Trust would take the lead for finding additional funding. Councilmember McArthur said he observes that there is a lot of ongoing construction in that area and asked if construction such as that would be part of the grant. Mr. Prall said that the construction estimates do anticipate a thicker trail section because of the type of soils along

Monument Road. Other items included that drive the cost up are six crossings for the No Thoroughfare Wash which would be able to weather flood waters. Councilmember McArthur asked if there are any Federal lands involved and will there be any Federal control. Mr. Prall said that the monument entrance is Federal land and the parking lots all access BLM land. Once it is complete, the City will maintain the project. The Federal Government would oversee the design of the project. Councilmember McArthur said that it his understand that the Fixing America's Surface Transportation (FAST) money goes to the State to administer and asked where the application goes for this request. Mr. Prall said the application goes directly to the Federal Highway Administration and they oversee the funds and the design. Mr. Prall said that Colorado Department of Transportation (CDOT) is also competing for these funds.

Councilmember Boeschstein thanked Mr. Prall and all of the partners. He believes this project is on the Urban Trails Master Plan, the Redlands Area Plan, and the Comprehensive Plan. In 2007, Monument Road was widened with bike lanes on both sides but this is an off road bike trail. He asked why the bike lanes on Monument Road are not sufficient. Mr. Prall said the lanes on Monument Road are only three feet and industry standard is four feet. The lanes are not comfortable for all users because of the high speeds of cars on Monument Road. Councilmember Boeschstein asked if the local match is not needed until 2018. Mr. Prall said that is what he is proposing. Councilmember Boeschstein said that this Council can't commit future Councils to any dollar amount, they can only commit for the current budget, but this Council can say that conceptually, they are in favor of the project. City Attorney Shaver said that if this Council authorizes the application, and if it is awarded, there is an expectation that the obligation would be fulfilled.

Councilmember Chazen noted the project increased by a million and one half dollars in one week and asked what happened that it increased that much. Mr. Prall said that they added Phase II (extending to South Camp) for Council's consideration. Councilmember Chazen asked who is responsible for the road. Mr. Prall said both the City and the County share responsibility for that road. Councilmember Chazen asked if the City has obtained all of the right-of-way (ROW) necessary for the project. Mr. Prall said that they are in discussions with the property owners of ROW's for Phase I and will be getting Memorandums of Understanding (MOA) in place prior to submitting the application. There is one property owner who they have been working with for Phase II. Councilmember Chazen asked if applying for the grant would commit the City. Mr. Prall said that once the grant is awarded, the City would have nine months to sign an Intergovernmental Agreement (IGA). Councilmember Chazen asked if there would be any encumbrance on the ROW's obtained because of the grant moneys being federal monies. City Attorney Shaver said that they have not seen a contract but future encumbrance of right of use of ROW would not be anticipated. Councilmember Chazen

asked if permission would need to be obtained from the federal government to widen the road or move the bike path in the future because federal dollars were used for the project.

City Attorney Shaver said that, because the bike path would be detached from the roadway, it would be unlikely that the roadway would be widened in that area. In terms of the area of the parking lot, there is not usually a commitment for the project to never be changed. Councilmember Chazen asked if there have been any estimates of costs to maintain the trail and where the funding would come from. Mr. Prall said there have not been any estimates made for the maintaining of the trail and bathroom facility but it would be absorbed into the Parks Department and the Streets operating budgets. They could put estimates together for the maintenance of the parking lot prior to submitting the application if Council wants. Councilmember Chazen said that he is concerned with committing City funding because this was the third application recently brought forward and he would like to know what the incremental maintenance costs would be.

Councilmember Chazen asked if any of the partners have stepped forward and offered to commit funding for this project. Mr. Prall said that no one has stepped forward as of yet, but Mesa County Commissioners will hear this request on May 9<sup>th</sup> and it is hoped that they will participate in the project.

Councilmember Kennedy asked what the total mileage would be for the Redlands Trail. Mr. Prall said the whole Redlands Loop would be about 9.9 miles. Councilmember Kennedy said that this project fits everything that North Star Study said the City should be doing. The project would be a great addition to the Riverside Trail and would set the City up in the future for a tremendous message as to what the City is doing about trails and building a recreational tool kit. He feels that the Lunch Loop is the most used piece of park in the City. He believes that the application for this grant needs to happen; he will support the request, and urged the rest of Council to support the request.

Councilmember Chazen said that sometimes asking the hard questions are uncomfortable but for the long term asset, these questions need to be answered to keep the City from getting in trouble in the future when it comes to maintaining these projects. He is in favor of the project but Council needs to look at the details of these projects first and get answers.

Councilmember Taggart said that he probably should recuse himself as a cyclist that lives near the Lunch Loop. With it being National Parks Week, he waited for ten minutes to get onto the Monument to ride. The Lunch Loop is a favorite trail to run. The highway cannot be widened to the east as the wash is very close to the road. He agreed with Councilmember Chazen that the operating costs for this project should be determined and that should be a standard for these types of projects. He thinks this project would have a Great Outdoors Colorado (GOCO) matching grant profile under the Inspire Initiative. The inland trail would offer other uses (rollerblading, kids using, etc.) and would bring a whole new group of people. He would like to see the operating costs and find a

way to minimize the City's match by involving the community to help with the match. He hopes that the County would be willing to do the section around the Monument because the residents of Glade Park really need it.

Council President Norris asked if other grants could be used for the match of the requested grant. Mr. Prall answered affirmatively and said GOCO, Energy/Mineral Impact Assistance Fund (EIAF), and other private fundraisers could help with the matching dollars. Council President Norris asked if this request is for both Phase I and Phase II. Mr. Prall said that the resolution would be worded like the prior grant requests to include the words "up to" a \$5.8 million project with "up to" a \$996,000 match. Council President Norris asked if there are turning lanes into the parking lots. Mr. Prall said there are turning lanes. Council President Norris said that a trail like this could address different people for lots of uses and she hopes that there would be Parks Funds available in 2018 and 2019. She feels Council needs to move forward on this project.

Councilmember McArthur said it is a popular corridor and it is Council's duty to evaluate and look at things to be done and move forward on these opportunities to improve what's there.

Councilmember Boeschstein said that Conservation Trust Fund (CTF) could be used as well as the possibility of Mesa County contributing. He is in favor of the request.

Councilmember Taggart said some of the comments he hears from citizens is to finish some of the things that have been started and this projects fits that comment.

Council President Norris said that projects such as this makes Grand Junction a nice place to live. It's not going to bring jobs into the community but it brings people in and promotes good infrastructure.

Resolution No. 15-16 – A Resolution Authorizing the Interim City Manager to Apply for Federal Lands Access Program (FLAP) Funding for Construction Work on the Monument Road Trail Improvement Project

Councilmember Boeschstein moved to adopt Resolution No. 15-16. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Councilmember Taggart asked that estimated operating costs be brought to a workshop. Mr. Prall said they will and they will also find out if there are federal restrictions with ROW.

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

Rob Bleiberg, Executive Director of Mesa Land Trust and resides at 1248 Ouray Avenue, thanked the City for their support and relationship with Mesa Land Trust. Mesa Land

Trust is committed to partnering with the City to raise dollars to make this happen. They raised \$1.6 million to buy Three Sisters properties and raised \$800,000 for the Bookend properties. He said that GOCO does have sources that may be appropriate and he is confident that they will be able to find private donors.

### **Other Business**

There was none.

### **Adjournment**

The meeting was adjourned at 8:52 p.m.

Stephanie Tuin, MMC  
City Clerk



Date: April 19, 2016  
 Author: Senta Costello  
 Title/ Phone Ext: Senior Planner, x 1442  
 Proposed Schedule: Resolution  
Referring Petition, May 4, 2016  
 1<sup>st</sup> Reading Zoning: June 1, 2016  
 2nd Reading (if applicable): June 15, 2016  
 File #: ANX-2016-53

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> PIA Annexation, Located at 2757 Highway 50
<b>Action Requested:</b> Adopt a Resolution Referring the Petition and Exercising Land Use Control for the PIA Annexation, Introduce a Proposed Annexation Ordinance, and Set a Hearing for June 15, 2016
<b>Presenters Name &amp; Title:</b> Senta Costello, Senior Planner

**Executive Summary:**

This is a request to annex 3.954 acres, located at 2757 Highway 50. The PIA Annexation consists of 1 parcel.

**Background, Analysis and Options:**

The property owner has requested annexation into the City and a zoning of C-2 (General Commercial) in order establish their towing company on the property. Under the 1998 Persigo Agreement with Mesa County all proposed development within the Persigo Wastewater Treatment Facility (201) boundary requires annexation to and processing by the City.

**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 the property will create consistent land use jurisdiction and allow for efficient provision of municipal services.

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

Annexation of the property will create an opportunity for future development in a manner consistent with adjacent commercial development.

## **How this item relates to the Economic Development Plan:**

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

Annexation of the property provides the developer with consistent development standards as other non-residential proposals under development in the City and is consistent with the Future Land Use Designation of Commercial identified in the Comprehensive Plan.

## **Board or Committee Recommendation:**

The Planning Commission will consider the Zone of Annexation on May 10, 2016. Their recommendation will be forwarded to the City Council for 1<sup>st</sup> Reading of the Zoning Ordinance on June 1, 2016.

## **Financial Impact/Budget:**

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

## **Legal issues:**

The proposed annexation is consistent with the 1998 Persigo Agreement and Colorado law. The City Council has jurisdiction and may lawfully entertain the petition for annexation.

## **Previously presented or discussed:**

A neighborhood meeting was held February 15, 2016. A copy of the meeting minutes is attached.

## **Attachments:**

1. Staff report/Background information
2. Site Location Map
3. Aerial Photo Map
4. Comprehensive Plan Map;
5. Existing City and County Zoning Map
6. Neighborhood meeting minutes
7. Resolution Referring Petition
8. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION			
<b>Location:</b>		2757 Highway 50	
<b>Applicants:</b>		PIA Company LLC	
<b>Existing Land Use:</b>		Auto Repair/Towing Company	
<b>Proposed Land Use:</b>		Auto Repair/Towing Company	
<b>Surrounding Land Use:</b>	<b>North</b>	Highway 50 / Burger King	
	<b>South</b>	Ballfield at the Fairgrounds	
	<b>East</b>	Construction company	
	<b>West</b>	Trailer / RV sales lot	
<b>Existing Zoning:</b>		County C-2	
<b>Proposed Zoning:</b>		City C-2 (General Commercial)	
<b>Surrounding Zoning:</b>	<b>North</b>	City C-1 (Light Commercial)	
	<b>South</b>	City C-2 (General Commercial)	
	<b>East</b>	City C-2 (General Commercial)	
	<b>West</b>	City C-2 (General Commercial)	
<b>Future Land Use Designation:</b>		Commercial	
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>
			<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 3.954 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the PIA Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;



- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

The following annexation and zoning schedule is being proposed.

<b><u>ANNEXATION SCHEDULE</u></b>	
<b>May 4, 2016</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>May 10, 2016</b>	Planning Commission considers Zone of Annexation
<b>June 1, 2016</b>	Introduction Of A Proposed Ordinance on Zoning by City Council
<b>June 15, 2016</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>July 17, 2016</b>	Effective date of Annexation and Zoning

**PIA ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2016-115	
<b>2757</b>	2757 Highway 50	
<b>Tax ID Number:</b>	2945-254-00-003	
<b># of Parcels:</b>	1	
<b>Estimated Population:</b>	0	
<b># of Parcels (owner occupied):</b>	0	
<b># of Dwelling Units:</b>	0	
<b>Acres land annexed:</b>	3.954 acres	
<b>Developable Acres Remaining:</b>	2.541 acres	
<b>Right-of-way in Annexation:</b>	1.17 acres of 27 1/2 Rd and B 1/2 Rd	
<b>Previous County Zoning:</b>	County C-2	
<b>Proposed City Zoning:</b>	City C-2 (General Commercial)	
<b>Current Land Use:</b>	Auto Repair/Towing Company	
<b>Future Land Use:</b>	Auto Repair/Towing Company	
<b>Values:</b>	<b>Assessed:</b>	\$181,610
	<b>Actual:</b>	\$626,220
<b>Address Ranges:</b>	2757 Highway 50	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	City of Grand Junction
	<b>Fire:</b>	Grand Junction Rural Fire District
	<b>Irrigation/Drainage:</b>	Orchard Mesa Irrigation District
	<b>School:</b>	Mesa County School District #51
	<b>Pest:</b>	Grand River Mosquito Control District

# Site Location Map



# Aerial Photo Map



# Future Land Use Map



# Zoning Map



## **NEIGHBORHOOD MEETING MINUTES**

Date of Meeting: February 15, 2016

Time of Meeting: 5:30 pm

Location of Meeting: 2757 S. Hwy 50, Unit B, Grand Junction, CO 81503

Attendance: See attached sign-in sheet

Discussion: Mr. & Mrs. Tallman had a concern about the debris on the property presently. We assured them that the property would be cleaned up and in good aesthetic appearance. We discussed the fence and the barrier that would be placed in the chain link fence and that nothing would be seen from the street view.

We felt the meeting was very positive and that all attendees had no problem with us putting our business there.







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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 4<sup>th</sup> of May, 2016, the following Resolution was adopted:

**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION  
REFERRING A PETITION TO THE CITY COUNCIL  
FOR THE ANNEXATION OF LANDS  
TO THE CITY OF GRAND JUNCTION, COLORADO,  
SETTING A HEARING ON SUCH ANNEXATION,  
AND EXERCISING LAND USE CONTROL**

**PIA ANNEXATION**

**LOCATED AT 2757 HIGHWAY 50**

WHEREAS, on the 4<sup>th</sup> day of May, 2016, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**PIA ANNEXATION**

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 25 and assuming the West line of the NW 1/4 SE 1/4 of said Section 25 bears N 00°01'48" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°01'48" W, along the West line of the NW 1/4 SE 1/4 of said Section 25, a distance of 21.35 feet to a point on the Southerly limits of the Wheeling Corrugated Annexation, Ordinance No. 3145, as same is recorded in Book 2597, Page 905, Public Records of Mesa County, Colorado; thence along the boundary of said Wheeling Corrugated Annexation, the following nine (9) courses:

1. N 74°58'06" E, a distance of 83.25 feet;
2. thence N 35°58'06" E, a distance of 59.68 feet;
3. thence N 12°58'54" W, a distance of 514.89 feet;
4. thence N 21°04'54" W, a distance of 15.97 feet;
5. thence N 35°48'36" W, a distance of 111.20 feet;
6. thence N 22°40'06" W, a distance of 70.16 feet;
7. thence S 72°56'20" E, a distance of 123.03 feet;
8. thence S 73°40'30" E, a distance of 110.41 feet;

9. thence S 69°23'00" E, a distance of 294.90 feet, more or less, to a point on the Westerly boundary of the Mendez Annexation, Ordinance No. 3212, as same is recorded in Book 2663, Page 176, Public Records of Mesa County, Colorado;

thence along said Westerly boundary the following three (3) courses:

1. S 21°55'02" W, a distance of 547.03 feet;
2. thence S 14°17'03" E, a distance of 74.46 feet;
3. thence S 45°33'15" E, a distance of 17.44 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 25;

Thence N 89°59'22" W, along said South line, a distance of 228.16 feet, more or less, to the Point of Beginning.

CONTAINING 172,247 Square Feet or 3.954 Acres, more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 15th day of June, 2016, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Attest:

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

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

**NOTICE IS FURTHER GIVEN** that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

---

City Clerk

<i>DATES PUBLISHED</i>
<b>May 6, 2016</b>
<b>May 13, 2016</b>
<b>May 20, 2016</b>
<b>May 27, 2016</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**PIA ANNEXATION**

**APPROXIMATELY 3.954 ACRES**

**LOCATED AT 2757 HIGHWAY 50**

**WHEREAS**, on the 4<sup>th</sup> day of May, 2016, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 1st day of June, 2016; and

**WHEREAS**, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

**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:

**PIA ANNEXATION**

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 25 and assuming the West line of the NW 1/4 SE 1/4 of said Section 25 bears N 00°01'48" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°01'48" W, along the West line of the NW 1/4 SE 1/4 of said Section 25, a distance of 21.35 feet to a point on the Southerly limits of the Wheeling Corrugated Annexation, Ordinance No. 3145, as same is recorded in Book 2597, Page 905, Public Records of Mesa County, Colorado; thence along the boundary of said Wheeling Corrugated Annexation, the following nine (9) courses:

10. N 74°58'06" E, a distance of 83.25 feet;
11. thence N 35°58'06" E, a distance of 59.68 feet;
12. thence N 12°58'54" W, a distance of 514.89 feet;
13. thence N 21°04'54" W, a distance of 15.97 feet;
14. thence N 35°48'36" W, a distance of 111.20 feet;
15. thence N 22°40'06" W, a distance of 70.16 feet;
16. thence S 72°56'20" E, a distance of 123.03 feet;
17. thence S 73°40'30" E, a distance of 110.41 feet;
18. thence S 69°23'00" E, a distance of 294.90 feet, more or less, to a point on the Westerly boundary of the Mendez Annexation, Ordinance No. 3212, as same is recorded in Book 2663, Page 176, Public Records of Mesa County, Colorado;

thence along said Westerly boundary the following three (3) courses:

4. S 21°55'02" W, a distance of 547.03 feet;
5. thence S 14°17'03" E, a distance of 74.46 feet;
6. thence S 45°33'15" E, a distance of 17.44 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 25;

Thence N 89°59'22" W, along said South line, a distance of 228.16 feet, more or less, to the Point of Beginning.

CONTAINING 172,247 Square Feet or 3.954 Acres, more or less, as described.

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

**INTRODUCED** on first reading on the \_\_\_\_ day of \_\_\_\_\_, 2016 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2016 and ordered published in pamphlet form.

Attest:

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

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





## CITY COUNCIL AGENDA ITEM

**Subject:** Landmark Baptist Church Rezone, Located at 2711 Unaweep Avenue

**Action Requested/Recommendation:** Introduce a Proposed Zoning Ordinance and Set a Hearing for May 18, 2016

**Presenter(s) Name & Title:** Senta Costello, Senior Planner

### Executive Summary:

The applicants are requesting to rezone the property from R-8 (Residential 8 du/ac) to R-O (Residential – Office).

### Background, Analysis and Options:

The building was built in 1947 and has been used as a church since construction. The current church has outgrown the property and is planning on relocating. Because it would be difficult to find another church to purchase the property or convert the property to residential, the Applicant would like to rezone the property in order to expand the potential uses for the property and potential buyers.

The applicant is requesting that the property be rezoned to R-O (Residential – Office). The purpose of the R-O zone 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.

The applicant had a potential buyer who wished to open a Funeral Home/Mortuary /Crematorium on the property. This is one potential use that could operate within the R-O zone district. There are many other uses that are allowed including but not limited to: general offices, museums, medical and dental clinics, counseling centers, health clubs, beauty salons/barbershops, etc. It should be noted that any change of use (a use other than a church) would require approval of a change of use permit. Several things are reviewed as part of the change of use permit including the number of parking spaces required for the proposed use. Parking could limit the types of uses allowed on the property and may require the removal of parking along Unaweep Avenue and Pinon Street.

### **Neighborhood Meeting:**

A Neighborhood Meeting was held on February 2, 2016 with eight citizens along with the applicant and City Project Manager in attendance. The attendees raised several issues most were concerned with the use of the property as a funeral home. However other issues were raised including parking and vehicles turning in neighboring driveways.

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

The proposed rezone creates an opportunity for future neighborhood business development in a manner that would be consistent with adjacent residential development implementing the following goals and polices from the Comprehensive Plan.

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

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

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

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

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

**Policy B:** The City and County will provide appropriate commercial and industrial development opportunities.

Rezoning this property to an R-O (Residential – Office) zone district will allow for additional opportunities for the reuse of the existing building while minimizing the potential impacts to the surrounding neighborhood. Furthermore, the rezone will create opportunities to reduce the amount of trips generated for commuting and provide commercial development opportunities.

### **How this item relates to the Economic Development Plan:**

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed ODP Amendment meets with the goal and intent of the Economic Development Plan by providing opportunities for existing and new business to expand and relocate their businesses.

**Board or Committee Recommendation:**

The Planning Commission recommended approval of the requested rezone at its April 12, 2016 meeting. The City Project Manager is also recommending approval of the proposed rezone.

**Financial Impact/Budget:**

Property tax levies and any municipal sales/use tax will be collected, as applicable.

**Legal issues:**

The City Attorney has reviewed and approved the form of the ordinance.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This item has not been previously presented or discussed.

**Attachments:**

1. Background information
2. Staff report
3. Site Location Map
4. Aerial Photo Map
5. Future Land Use Map
6. Zoning Map
7. Neighborhood meeting summary
8. Citizen emails and letters
9. Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2711 UnawEEP Avenue		
<b>Applicants:</b>		Landmark Baptist Church		
<b>Existing Land Use:</b>		Church		
<b>Proposed Land Use:</b>		Appropriate R-O (Residential – Office ) uses		
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family Residential		
	<b>South</b>	Single Family Residential		
	<b>East</b>	Single Family Residential		
	<b>West</b>	Single Family Residential		
<b>Existing Zoning:</b>		R-8 (Residential 8 du/ac)		
<b>Proposed Zoning:</b>		R-O (Residential – Office)		
<b>Surrounding Zoning:</b>	<b>North</b>	R-8 (Residential 8 du/ac)		
	<b>South</b>	R-8 (Residential 8 du/ac)		
	<b>East</b>	R-8 (Residential 8 du/ac)		
	<b>West</b>	R-8 (Residential 8 du/ac)		
<b>Future Land Use Designation:</b>		Residential Medium 4-8 du/ac		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Section 21.02.140 of the Grand Junction Municipal Code**

Zone requests must meet at least one of the following criteria for approval:

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

There have not been subsequent events in the neighborhood that have invalidated the original premise and findings of the existing R-8 (Residential 8 du/ac) zone.

This criterion has not been met.

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

The neighborhood has historically been and still is largely residential in character. The use of the property has not changed either since it was originally constructed as a church.

This criterion has not been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve the proposed land use associated within the R-O zone district. There is an existing 10-inch City water line and 12-inch sanitary sewer line serving the property. The property is also being served by Xcel Energy electric and natural gas. The property is located on Unawep Avenue, which connects with Highway 50 on the west and 29 Road on the east providing easy access to the rest of Grand Junction. There are GVT bus stops located within walking distance of the property.

This criterion has been met.

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

There is very little R-O zoned properties within the City limits (approximately 97 +/- total acres which equates to less than 1%), therefore, it could be argued that there is an inadequate supply of R-O zoned land within the community.

This criterion has been met.

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

The neighborhood will derive benefits by the change in zoning as it will reduce the parking demands on the neighborhood. The church that currently occupies the building has a regular attendance at least twice a week of approximately 250 parishioners. The site cannot accommodate the parking needed for that level of use and is grandfathered on the site. A new use, as allowed by the R-O (Residential – Office) zone district will be required to meet the parking requirements of the use and what the site has available. Furthermore, the proposed R-O zone district limits the hours of operation from 7:30 AM to 8:00 PM, prohibits, parking in the front yard and prohibits outdoor storage and permanent display.

This criterion has been met.

## **FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the Landmark Baptist Rezone, RZN-2016-52, a request to rezone the property from R-8 (Residential 8 du/ac) to R-O (Residential – Office), 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 3, 4 and 5 in Section 21.02.140 of the Grand Junction Municipal Code have been met.

# Site Location Map



# Aerial Photo Map





# Future Land Use Map



# Zoning Map



- List
- Bruce Lova 305 Pinon St  
 mail - 219 Dream St 81503  
 Sheila Walling 2717 Unaweep 970-243-7280 w  
 Senta Castello 250 N 5th St. - City Planning  
 970-244-1442
- wants list - Barb Macintyre <sup>81503</sup> 295 Pinon St 970-255-1164  
 Matt Rodgers 290 pinon, G.J. CO 970-261-6564  
 Rick Leh 293 Pinon St 970-250-0755
- list, Jim Haron ~~22~~ 291 Pinon St 970-241-5249  
 Kristine Harenza " "  
 Bev Richert 291 Cedar St. 243-1428

2711 Unaweep Avenue February 2 Meeting Minutes

Cabe started meeting and explained changes.  
 TS explained the plans of the funeral home.  
 One neighbor was concerned about parking.  
 One neighbor was concerned about crematory.  
 One neighbor was concerned about vehicles turning  
 around in his driveway.  
 Neighbors were assured that parking would be better than Landmark.  
 Neighbors were given website so they could research the  
 crematory that will be use.

**From:** <Charpist5@aol.com>  
**To:** <sentac@gjcity.org>  
**Date:** 2/22/2016 11:16 AM  
**Subject:** regarding the Orchard Mesa potential funeral home

Hello Mr. Costello,

I am writing to tell you of my concerns for this project.

We live at 2702.5 UnawEEP, a mere couple of houses (and across the street) from the church.

In the past, every time there was a church service, cars completely lined Pinion street, on both sides of UnawEEP. The parking lot at the church seemed woefully inadequate. Can't imagine how many people would be parking all over the place for a funeral service. And way more often than Sunday mornings.

Also...we frequently have a LOT of trouble getting out of our driveway. We are on the "T" at 27 Road. UnawEEP is extremely busy and gets more so every week. I imagine there would be a constant flow of funeral processions up and down the street, and just the thought of that turns my stomach in several ways.

Also...will the bodies actually be cremated there? I am imagining the "smoke" going into the air, and knowing what it would be from....

Well...that is the concerns I have at present. Would you mind addressing them? Thanks so much,

Cindy Blevins

**From:** <Charpist5@aol.com>  
**To:** <sentac@ci.grandjct.co.us>  
**Date:** 2/22/2016 12:48 PM  
**Subject:** Re: regarding the Orchard Mesa potential funeral home

Thank you Senta,

I doubt they have 30 parking spaces between their back lot and their very small street-side parking area.

I know that funeral homes and crematoriums have to go SOMEWHERE (lol) but this seems like a completely stupid place for it, and if it becomes time, I will not hesitate to say so :-).

Have a great day,

Cindy

PS Do you know anything about the issue of the much-needed traffic light at the end of Unaweep (at 29 Road)? While we're talking about dangerous traffic.....

In a message dated 2/22/2016 12:29:58 P.M. Mountain Standard Time, sentac@ci.grandjct.co.us writes:

Good afternoon, Ms Blevins

Thank you for your email. I will be saving it to the file and will include it in the staff reports that are created for Planning Commission and City Council. We will also verify you are on the mailing list or will be added to the mailing list so you will receive a notice when the request is scheduled for Planning Commission.

I do want to let you know that this request is still under review and has not been approved; they have only turned in their request.

The current request is for a rezone only. If the rezone is approved, the new use will be required to file a request for it to use the property. For the rezone review we have to look at it in terms of all uses that are allowed in the requested zone district, not only the use that is being proposed, at it may not actually happen or may leave in the future. Traffic and parking are some of the concerns we are looking at in terms of the request.

I can tell you that based on the amount of available parking, if the funeral home were to be approved, would be limited to a maximum of 160 seats; currently the church services have an attendance of about 250 +/- . Services of this size would not be permitted on the property and would need to find an alternate location.

The proposed buyer of the property has indicated they would like to include a crematory on site as well. Based on the information they have provided, the emissions from the chimney resemble heat vapor with no smoke or ash. I am still in the process of researching the industry to determine details on how they function.

Please don't hesitate to contact me if you need additional information.

Senta

**From:** <BleuSafire@aol.com>  
**To:** <sentac@gjcity.org>  
**Date:** 2/11/2016 6:34 PM  
**Subject:** Oppose RZN -2016-52

I would like to express my opposition to the Rezone of Landmark Baptist Church at 2711 Unaweep Avenue.

We have had a drastic increase of traffic when 29 Road was opened to traffic. We also have the Orchard Mesa Middle School that creates a lot of congestion with parents/students arriving and leaving. It is almost impossible to enter Unaweep Avenue from side streets especially in the afternoons when school is let out.

I believe the extra traffic created by a Funeral Home and Crematorium would be further hazardous to students in the "School Zone".

Residents on Cedar and Pinon Streets are inconvenienced just by the church services on Sunday and Wednesday or when there are other functions with people parking on the streets during those times because their parking lot is not adequate.

Candace DeRose  
295 Pine Street  
Grand Junction, CO 81503  
970-216-6927



**From:** Rachel Hanson <rachelchanson@gmail.com>  
**To:** <sentac@gjcity.org>  
**Date:** 2/10/2016 8:39 AM  
**Subject:** Unawweep re-zone proposal

Dear Mr. Costello,

I appreciate the multiple notices and opportunities to learn about and to share my thoughts on the re-zone proposal affecting 2711 Unawweep Avenue and the surrounding area. My husband and I were sorry we missed the neighborhood meeting.

I am writing to voice our opposition to the possible re-zone. Although there are some businesses in this area, our neighborhood still feels primarily like a residential area. We feel that the proposed change would cause this area of Unawweep Ave. to increasingly be perceived as a business area.

Additionally, we feel that this change could negatively affect property and resale values. I don't think I would mind living across the street from a funeral home, and in general I do not mind the topic of death and cremation, but I don't know if I would grow to be comfortable living across the street from a crematorium. I think this could be a potential "deal breaker" for many people who might otherwise consider moving to this area.

The location for a funeral home/crematorium between the middle and elementary schools also feels like an odd choice, though I cannot quite articulate that and am unsure if it a valid reason to deny the application for re-zoning.

Primarily, we are concerned about the perception of this neighborhood and the potential that a funeral home/crematorium would be a problem for future home sales.

Thank you for your consideration.

Rachel (& Sean) Hanson  
2716 Unawweep Ave.

**From:** "CRU" <thecru@centurylink.net>  
**To:** <sentac@gjcity.org>  
**Date:** 2/17/2016 11:09 AM  
**Subject:** RZN-2016-52 Landmark church rezone

We live at 291 Pinon Street and we firmly object this rezone due to the fact that there is not enough parking for the facility that is there now and not enough for the proposed funeral home. As stated in the meeting on 2-2-16 by the representative of the funeral home they can expect services of 250 plus people, the existing parking only allows for, as I remember 140 people. We already have a traffic issue with people parking on our lawns, blocking mail boxes and drive way entrances. This is normaly on Sundays. The funeral home will be holding events 7 days of the week creating a much bigger issue. Also this is a residential area and the installation of a crematory is not acceptable. We all cool our homes with evaporative air coolers that rely on large amounts of air delivered into our homes from the outside, we do not need the smell of burning bodies and or fumes from the approximately 2 foot to 3 foot wide exhaust flue stack that will continuously be emitting pollution and odor into that air. If the parking and or odor gets to be a problem, and it will, then this would also be a problem for the police department having to respond to multiple nuisance calls.

Thank you,  
Jim Haremza

Home: (970) 241-5249  
Cell: (970) 260-7249

---

This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>



**From:** <Huttonmh@aol.com>  
**To:** <sentac@gjcity.org>  
**Date:** 2/8/2016 12:18 PM  
**Subject:** Re-zoning at 2711 UnawEEP

I am writing to voice my opposition to Grand Valley Funeral Home converting the church at 2711 UnawEEP to a mortuary and crematorium.

The area surrounding the church is a very large residential area and locating this facility here is intrusive. A major concern is parking. The lack of parking spaces has been an on-going problem for the church and would be a problem for the funeral home. A funeral home holds services and often there is a large attendance and the only parking available is on the surrounding residential streets.

As a long time home owner (24 years) on Cedar Street, I'm asking that the city deny the re-zoning request from Grand Valley Funeral Home. Thank you.

Ann Hutton  
296 Cedar Street

m

**From:** Jill Lawrence <rjlaw1111@gmail.com>  
**To:** <sentac@gjcity.org>  
**Date:** 2/8/2016 1:05 PM  
**Subject:** Rezone of Property at 2711 UnawEEP - Proposed Funeral Home-Crematorium  
**Attachments:** Church Rezone 2016.pdf

Dear Senta, You and I spoke on the phone regarding the proper procedure to oppose the rezone of the property at 2711 UnawEEP Avenue. The property currently houses a church and is under a rezone application to convert to a mortuary/crematorium. Please find the attached .pdf file as my letter of opposition in this matter. Can you please verify receipt of my e-mail by replying back to me?

Sincerely, (Rosalyn) Jill Lawrence  
279 Cedar St.  
Grand Junction, CO 81503  
rjlaw1111@gmail.com

(Rosalyn) Jill Lawrence  
279 Cedar Street  
Grand Junction, CO 81503  
February 8, 2016

Ms. Senta Costello  
Senior Planner, Community Development Division  
City of Grand Junction, Colorado  
250 North 5th Street  
Grand Junction, CO 81501  
e-mail: sentac@gjcity.org

Dear Ms. Costello:

I am a 17-year resident and home owner at 279 Cedar Street and a 35-year resident of Orchard Mesa. This correspondence is in regard to the proposed Grand Valley Funeral Home Mortuary and Crematorium (GVFHMC) at 2711 Unaweep Avenue. The current location is Zoned R8 and has housed Grand Valley Baptist Church since 2003.

Although I live within 0.15 miles of the property, I did not receive notification of a neighborhood meeting with the City of Grand Junction. I was notified of GVFHMC's proposed intention by a neighbor. I am in strong opposition to GVFHMC's plan. The immediate area surrounding the property of interest is made up of residential dwellings. Within the regional area (approximately ½-mile square) are two parks: (Eagle Rim Park, contains and playground, a walking track, skate park, and access to the Colorado River Trail system), (Dixon Park, used mostly for soccer practice and games), a middle school (Orchard Mesa Middle School, containing a large practice field, skate rink, and basketball courts), and a bowling alley (Orchard Mesa Lanes). It is my hope that the Grand Junction City Council can find a better fit for this neighborhood than a funeral home/crematorium.

Please verify receipt of this letter and notify me of any additional meetings regarding discussions or public hearings so I may attend.



(Rosalyn) Jill Lawrence  
submitted via e-mail  
rjlaw1111@gmail.com

**From:** <tmmcintyre1@charter.net>  
**To:** <sentac@gjcity.org>  
**Date:** 2/9/2016 7:14 AM  
**Subject:** rezoning of 2711 Unawweep Ave

I'm writing this letter to oppose the rezoning of 2711 Unawweep Ave. I would have appreciated knowing this was happening. I live twenty to thirty feet from the church. Some one should have let us know what was happening. No public notice for this was posted anywhere on the building or property. I never received any notice of any kind. I don't receive the paper to look at the many pages of public notices. I don't want to live next door to a Mortuary and Crematorium. Everyone in the neighborhood has put a lot into fixing our properties so we can gain value in our homes and neighborhood. This will only bring our property values down. No one will want to purchase a home next to a Mortuary and Crematorium. I know I personally wouldn't and would look else where. Would you purchase a home next to a Mortuary and Crematorium, I bet not. I know I don't want my grandchildren to know that they are burning bodies next door. I feel this should be put somewhere else, not in the middle of a residential neighborhood. There is not enough room for parking, only 40 spaces. The neighborhood already has problems with people parking in our driveway's and yards. I have lived here for 16 yrs, and take pride in my home. If this is to go in I don't know what I will do.

Tina McIntyre 2713 Unawweep Ave Grand Junction Co.

**From:** "Anouk Olson" <teddylady1@juno.com>  
**To:** <sentac@gjcity.org>  
**Date:** 2/22/2016 12:18 PM  
**Subject:** funeral....

Dear Senta,

Hope you are well, as I tried to call you, but you were ill.

Senta, sorry, but I am absolutely against a funeral home/crematorium.

1) it is a residential area and who wants to see funerals on a daily basis

2) there is absolutely no parking space and the neighborhood is sick and tired of the church (and that is mostly only Sundays!!) parking in our streets, nearly on our lawns, barely letting our church bus thru.

Sorry, a business like that should be in the outer skirts of the City.

\Thanks and please, keep us posted.

---

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**From:** "Anouk Olson" <teddylady1@juno.com>  
**To:** <sentac@ci.grandjct.co.us>  
**Date:** 2/22/2016 3:58 PM  
**Subject:** Re: funeral....

Good Afternoon Senta,

Thank you for your answer.

the church has so many seats, but count it whit the amount of cars they bring there, with ample space.

even 165 seats has a lot of cars, fading away the front if the funeral cars are there!

forgot to add, the smell of burning the corpses and the pollution!

and thanks for put me on the mailing list.

Have a great day.

Anouk

---

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**From:** judith peters <judithanne2you@gmail.com>  
**To:** <sentac@gjcity.org>  
**Date:** 2/22/2016 3:19 PM  
**Subject:** Rezoning of Property At 2711 UnawEEP

Community Development  
Grand Junction CO 81503

250 North 5th Street

Dear Senta Costello

My name is Judith Peters  
I live and own my home at 2720 UnawEEP Ave. This letter  
is protest rezoning of the property 2711 UnawEEP Ave to for a funeral and  
cremation business. Please consider not doing this for the following  
reasons.

- Although UnawEEP is an Ave with heavy traffic it still is a  
neighborhood. In this neighborhood we live small spaces. The idea of a  
cremation business in the middle of our confined space is disturbing.
- Children from Orchard Middle school and Emerson El. walk, ride bikes,  
or  
skates boards morning and afternoon to and from school and Eagle Rim Park  
and pool.
- The school light to slow traffic to 20 miles an hour is on the edge of  
the 2711 property. This backs up traffic to the 2711 property.
- The bus from Grand Junction High School  
drop off students at the 2711 corner on UnawEEP morning and afternoon  
which means more kids walking these sidewalks.
- Dos Rios Elementary  
buses uses UnawEEP to pick up and drop off kids morning and afternoon.  
And  
the Dos Rios kindergarten children are picked up at noon dropped in the  
afternoon at shorter intervals.
- We have many children walking or riding on UnawEEP and side streets in  
this area. The parking lot in front of 2711 must back onto  
UnawEEP which is dangerous.
- Also a funeral would slow or stop traffic, and walking adding more  
alrady existing confusion in our small neighborhood.

Please consider not selling or rezoning the property at 2711 UnawEEP  
to a funeral and cremation business

Thank You, Judith Peters 970-712-0316

**From:** Dwight Blevins <blethn@yahoo.com>  
**To:** "sentac@gjcity.org" <sentac@gjcity.org>  
**Date:** 2/8/2016 4:24 PM  
**Subject:** 2711 UnawEEP, potential rezoning

Dear Senta Costello,

I am writing with a few questions, regarding the purposed rezoning of 2711 UnawEEP avenue in Grand Junction. Several weeks ago when we first heard of the proposal I assumed that the change in zoning was just for that one address on UnawEEP. Just now I saw a flyer on the corner mail box and it appears that the rezoning would be for an entire half-mile square, beginning at 27 Road. Is this the case?

If so, would this not change property values for all residences within the zone change area, thus affecting annual property taxes? I believe the area is now zoned RMF-11? If the proposed rezoning should become fact, what would be the exact new zoning identity?

I hope you don't mind the questions. Our home is in the 2700 block of UnawEEP, so naturally this could affect our routine, and I'm just trying to get some answers concerning what to expect.

Best Regards,Dwight Blevins2702 UnawEEP Ave



2-11-16

Senta Costello  
Grand Junction Community Development Division  
City Hall  
250 N. 5th St.  
Grand Junction, CO 81501

Dear Senta,

Regarding the rezoning of the  
Landmark Baptist Church:

I was at the meeting 2-2-16 but  
had to leave before I could express  
my thoughts. I have lived in ~~the~~ my  
house for 35 years and am very  
concerned about what a crematorium  
would do to property values. It is my  
opinion that the property is more  
aptly suited for office space or day-care.  
Thank you for your consideration.

Sincerely,

Ben Richert

P.S. Enclosed is a SASE so I will know you  
received this letter.



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING LANDMARK BAPTIST CHURCH  
FROM R-8 (RESIDENTIAL 8 DU/AC) TO R-O (RESIDENTIAL – OFFICE)**

**LOCATED AT 2711 UNAWEEP AVENUE**

Recitals:

The building on the property at 2711 UnawEEP Avenue was built in 1947 and has been used as a church since construction. The current church has outgrown the property and is planning on relocating and would like to rezone the property in order to expand the potential uses for the property.

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 Landmark Baptist Church property from R-8 (Residential 8 du/ac) to R-O (Residential – Office) zone district for the following reasons:

- 1) The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Residential Medium 4-8 du/ac and
- 2) the zone district is generally compatible with the Comprehensive Plan's goals and policies and/or appropriate land uses located in the surrounding.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-O (Residential – Office) zone district to be established.

The Planning Commission and City Council find that the R-O (Residential – Office) 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 R-O (Residential – Office).

BEG 440FT E OF NW COR SEC 25 1S 1W E 185FT S 228FT W 185FT N 228FT TO  
BEG EXC 30FT FOR RD ON N & 30FT ON W & ALSO EXC B-2326 P-139/141 ON  
NW COR SD PARCEL FOR ROW - 0.70AC

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor



Date: 4/19/2016

Author: Bill Etcheverry

Title/ Phone Ext: 970-256-4167

Proposed Schedule: May 4, 2016

Bid #: IFB-4204-16-NJ

## CITY COUNCIL AGENDA ITEM

**Subject:** Purchase a Service Truck with Crane for the Waste Water Services Division

**Action Requested/Recommendation:** Authorize the City Purchasing Division to Purchase a Service Truck with Crane for \$134,812 from Transwest Truck Trailer RV

**Presenter(s) Name & Title:** Jay Valentine, Internal Services Manager

### Executive Summary:

The Crane Truck is part of the resources needed to provide ongoing operation and maintenance in the Waste Water Services Division. This equipment is used for the repair and installation of the Waste Water Lift Station pumps and facilities.

### Background, Analysis and Options:

A formal solicitation was advertised on Rocky Mountain E-Purchasing System and in the Daily Sentinel and sent to a source list of manufacturers and dealers capable of providing the requested equipment. Five companies submitted eight formal bids,

FIRM	LOCATION	COST 2WD	COST 4WD
Transwest Truck/ OJ Waston Equipment	Grand Junction, Colorado	\$118,026.00	\$134,812.00
McCandless Truck Center/ OJ Watson	Grand Junction, Colorado	\$118,216.00	N/A
Bruckner Truck Sales	Denver, Colorado	\$123,438.00	\$153,438.00
Transwest Truck/ Auto Truck Group	Grand Junction, Colorado	\$124,698.00	\$141,484.00
McCandless Truck/ Auto Truck	Grand Junction, Colorado	\$124,888.00	N/A
Transwest Truck/ Crane works	Grand Junction, Colorado	\$134,357.00	N/A
Custom Truck and Equipment	Denver, Colorado	\$139,167.00	\$155,158.83
Kois Brothers Equipment	Denver, Colorado	\$142,425.00	N/A

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

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

Public infrastructure is the foundation for economic development. Access to roads, water, sewer, communication technologies, and electricity are all essential to the economy. Investment in both the infrastructure, equipment, and the operation and maintenance of these structures can expand the productive capacity of an economy.

**How this item relates to the Economic Development Plan:**

**Policy 1.4 Providing Infrastructure that Enables and Supports Private Investment**

This purchase relates to the Economic Development Plan by continuing to provide our customers with safe and reliable Waste water services at a reasonable cost.

**Board or Committee Recommendation:**

This equipment replacement was approved by the equipment committee and Fleet Services.

**Financial Impact/Budget:**

Budgeted funds for the purchase of this Service Truck have been accrued in the Fleet Replacement Internal Service Fund.

**Legal issues:**

If awarded the form of the contract will be reviewed by the City Attorney.

**Other issues:**

Although the Persigo sewer treatment plant produces bio gas used for fueling City Equipment, Fleet services did not option this unit to be fueled from Compressed Natural gas due to the design required for this truck to be utilized to its fullest potential. The required space needed to install the CNG fuel tanks would have required elimination of either the crane unit necessary for lift pump maintenance, or the truck bed space required for transporting the parts and supplies needed for such maintenance.

The additional 4 wheel drive upgrade has been added for the safety and the work required of the operator and service truck. During the winter and at times of inclement weather, several of the Lift Stations become almost inaccessible without this feature. These Lift Stations operate nonstop 7 days a week, 365 days a year and must be accessible at all times.

**Previously presented or discussed:**

This purchase was recommended by the Fleet Replacement Committee.

**Attachments:**

None.



**CITY COUNCIL AGENDA ITEM**

Date: 4/18/16  
Author: Kimberly Swindle  
Title/ Phone Ext: Police Financial  
Analyst x 5119  
Proposed Schedule: May 4, 2016  
2nd Reading  
(if applicable): \_\_\_\_\_  
File # (if applicable): \_\_\_\_\_

<b>Subject:</b> Application for Local Government Marijuana Impact Grant Program
<b>Action Requested/Recommendation:</b> Authorize the Police Department to Apply for Funding from the State’s Local Government Marijuana Impact Grant Program in the Amount of \$186,914 per Year for Three Years
<b>Presenter(s) Name &amp; Title:</b> John Camper, Chief of Police

**Executive Summary:**

In November 2015, Colorado voters approved a ballot measure that allows taxes collected from the sale of recreational marijuana to be used to fund several statewide programs, including a Local Government Marijuana Impact Grant Program. This grant is available to local governments who do not allow the sale of retail marijuana. If awarded, the grant will fund two Detectives on the Western Colorado Joint Drug Task Force for a three year period.

**Background, Analysis and Options:**

The legalization of retail sale of marijuana in the State of Colorado has changed the way law enforcement deals with marijuana related activity. The environment has changed and we are seeing an increase in sophisticated illegal marijuana grow operations, in addition to purported medical dispensaries. The new laws have made it extremely complicated to build a prosecutable case with vague laws and changing case law.

Because of these various issues, resources on the Western Colorado Joint Drug Task Force are being stretched. Adding two Detectives will allow for the needed additional time to build prosecutable marijuana cases. In addition, these Detectives will become the training resource for all law enforcement in Mesa County and potentially the Western Slope. Training of front line officers on the interpretation of the Colorado statutes will be invaluable and provide efficiencies for all agencies.

One of the two detectives would be hired, employed, and assigned by the Grand Junction Police Department, and the other by the Mesa County Sheriff’s Office. If at the end of the three year period the agencies are unable to maintain funding of the positions, both would be eliminated through normal attrition.

Funds are being requested for a three year period in order to create a sustainable program.

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

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

These grant funds will be used to increase staffing on the Western Colorado Joint Drug Task Force and focus resources on the ever changing impact of marijuana in the community and the Western Slope.

**How this item relates to the Economic Develop Plan:**

Under the Public Safety guiding principles to continue to address crime and community safety concerns in a rapid and effective manner. These funds will expand and enhance the Drug Task Force.

**Board or Committee Recommendation:**

There is no board or committee recommendation.

**Financial Impact/Budget:**

There is no match required for this grant application; however, the City and the County will be providing basic equipment for these Detectives, such as radios, guns, phones, *etc.* of which the costs (approximately \$6400/yr. per agency) can be absorbed into the current budgets of both organizations.

**Legal issues:**

If the grant is awarded the City Attorney will review and approve the funding documents.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This item has not been presented or discussed previously.

**Attachments:**

None.



Date: 5/3/16  
 Author: Jay Valentine  
 Title/ Phone Ext: 1517  
 Proposed Schedule: 5/4/16  
 2nd Reading  
 (if applicable): \_\_\_\_\_  
 File # (if applicable): \_\_\_\_\_

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Contract to Sell Commercial Property at 2887 North Avenue
<b>Action Requested/Recommendation:</b> Approve the Purchasing Division to Sign a Contract for the Sale of Commercial Property at 2887 North Avenue, Grand Junction, Colorado
<b>Presenter(s) Name &amp; Title:</b> Greg Lanning, Public Works Director Jay Valentine, Internal Services Manager

**Executive Summary:**

As a result of the dissolution of the Fruitvale Sanitation District, the Persigo Joint Sewer System was conveyed ownership of the property at 2887 North Avenue. This property was formally utilized for the operations of the Fruitvale Sanitation District; however it is no longer needed for the operations of the Joint Sewer System. Because of this, a real estate agent was acquired to list and negotiate the sale of the property.

**Background, Analysis and Options:**

The property, located at 2887 North Avenue, consists of a 0.31-acre lot and a 2,226 square foot metal building that was constructed in 1963. This property was owned by the Fruitvale Sanitation District from 1963 until the District dissolved in January 2009. Upon dissolution of the District, the Persigo Wastewater System assumed all district assets, including this property. The building is located at the corner of North and Melody Lane.

Although not the ideal location or building layout, from January 2009 until recently, this property was utilized as a satellite sewer systems office for maintenance crews of the Persigo Wastewater System. With the construction of the new Fire Station 4 however, the Persigo fund was able to purchase the old Fire Station 4 property which is a much more suitable building and location for their operations.

A comparable market analysis of buildings near the property was completed using recent sales data from the Mesa County assessor’s site, and the Grand Junction Area Relator’s Association. Based on the average price per square foot on the comparable recent sales in the area, the real estate agent suggested a list price between \$133,560 and \$166,950. An offer to purchase the property has been made by Burner Construction LLC for a price of \$150,000 which falls in between comparable price range.



**Board or Committee Recommendation:**

Disposal of the North Avenue building was discussed in conjunction with the purchase of the Fire Station 4 building by the Persigo Board.

**Financial Impact/Budget:**

The purchase price for the property is detailed below.

Purchase Price	\$150,000
Agent Commission	(9,000)
Closing Costs (Estimated)	<u>(2,000)</u>
<b>Net Proceeds to the Joint Sewer Fund</b>	<b>\$139,000</b>

**Legal issues:**

The City Attorney has approved the form of the Resolution.

**Other issues:**

None.

**Previously presented or discussed:**

Disposal of the North Avenue building was discussed in conjunction with the purchase of the Fire Station 4 building during adoption of the 2016 Persigo Joint Sewer System Budget.

**Attachments:**

Proposed Resolution

**RESOLUTION NO. \_\_ -16**

**A RESOLUTION AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY  
LOCATED AT 2887 NORTH AVENUE AND RATIFYING ACTIONS HERETOFORE  
TAKEN IN CONNECTION THEREWITH**

Recitals:

The City of Grand Junction and Mesa County own the property located at 2887 North Avenue ("Property" or "the Property") as an asset of the Persigo sewer system. The Property was formerly the office of the Fruitvale Sanitation District and was conveyed to Persigo by and as a result of the dissolution of the Fruitvale Sanitation District. The Property has been offered for sale and recently Burner Construction LLC offered to purchase the Property as more particularly described in the attached contract. Because the Property is an asset of the Persigo system both the City and the County must approve the sale. The City Council has reviewed the proposed sale and a majority of the members of the Council recommend the sale on the terms established and do hereby ratify the sale and sales agreement.

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

1. That the City Council hereby authorizes the sale of the Property by the City to Burner Construction LLC for \$150,000.00.
2. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of the Property which are consistent with the provisions of the attached Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.
3. That the officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution and the attached Contract to buy and Sell Real Estate, including but not limited to the delivery of the deed.

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2016.

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

Attest:

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

## CITY COUNCIL AGENDA ITEM

**Subject:** Marquis Annexation, Zoning, and Comprehensive Plan Future Land Use Map Amendment, Located at 2245 ½ Broadway

**Action Requested/Recommendation:** Adopt Resolutions Accepting the Petition for the Marquis Annexation and Comprehensive Plan Future Land Use Map Amendment, and Adopt the Annexation and Zoning Ordinances on Final Passage and Order Final Publication in Pamphlet Form

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

### Executive Summary:

A request to annex and zone 0.54 acres from County RSF-4 (Residential Single-Family – 4 du/ac) to a City B-1 (Neighborhood Business) zone district along with a Comprehensive Plan Amendment to change the Future Land Use Map designation from “Residential Low” (0.5 – 2 du/ac) to “Neighborhood Center”.

### Background, Analysis and Options:

The property owner has requested annexation into the City limits and a zoning of B-1 (Neighborhood Business) to facilitate the development of a future building expansion and additional off-street parking for Tiara Rado Animal Hospital which is located on the adjacent property to the east. Under the 1998 Persigo Agreement with Mesa County, proposed development within the Persigo Wastewater Treatment Facility boundary (201 service area) must be annexed into the City prior to development. Also, a commercial zone is required in order to allow the animal hospital to expand onto this site.

The applicant is requesting that this site be zoned B-1 (Neighborhood Business). The B-1 zone limits the hours of operation from 5 AM to 11 PM, prohibits outdoor storage and permanent display and allows land use(s) that would be considered compatible with the adjacent residentially zoned properties. As for the applicant’s requested land use, “Animal Care/Boarding Indoor” is an “Allowed” land use within the requested B-1 zone district.

The current Future Land Use designation is Residential Low (0.5 – 2 du/ac), however the adjacent Future Land Use designation is Neighborhood Center. Therefore a Comprehensive Plan Amendment to change the Future Land Use Map designation from “Residential Low (0.5 – 2 du/ac)” to “Neighborhood Center” is also required.

The requested zoning is currently not supported by the underlying Comprehensive Plan Future Land Used designation. However, Section 21.02.130 (d) (v) of the Zoning and Development Code allows the processing of a rezone application or request without a plan amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district. Therefore, this a combined request to amend the current Comprehensive Plan designation to an adjacent designation (Neighborhood Center) and zone the property to B-1 as part of the annexation request.

**Neighborhood Meeting:**

A Neighborhood Meeting was held on January 11, 2016 with two citizens along with the applicant and City Project Manager in attendance. One phone call from an adjacent neighbor was also received by the applicant. No objections to the proposed annexation, zoning and Comprehensive Plan Future Land Use Map amendment, nor proposed future development were received.

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

The proposed annexation creates an opportunity for future neighborhood business development in a manner consistent with adjacent development and provides appropriate commercial development opportunities which implements the following goals and polices from the Comprehensive Plan.

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

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

**Policy A:** To create large and small “centers” throughout the community that provide services and commercial areas.

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

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

**Policy B:** The City and County will provide appropriate commercial and industrial development opportunities.

**How this item relates to the Economic Development Plan:**

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed annexation and zoning meets with the goal and intent of the Economic Development Plan by supporting and assisting an existing veterinary business within the community to stay at its current location and potentially expand their business offerings in the future with a new larger building to serve area residents, which furthers the goals of the Economic Development Plan.

**Board or Committee Recommendation:**

The Planning Commission recommended approval of the applications at their April 12, 2016 meeting.

**Financial Impact/Budget:**

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

**Legal issues:**

The City Attorney has reviewed the form of the proposed ordinance.

**Other issues:**

There are no other issues identified.

**Previously presented or discussed:**

Referral of the Annexation Petition and Annexation Ordinance went before the City Council on March 16, 2016. First Reading of the Zoning Ordinance was on April 20, 2016.

**Attachments:**

1. Background information
2. Staff report
3. Annexation Map
4. Aerial Photo
5. Comprehensive Plan Future Land Use Map
6. Existing Zoning Map
7. Resolution Accepting Petition
8. Resolution Amending Comprehensive Plan Future Land Use Map
9. Annexation Ordinance
10. Zoning Ordinance

<b>BACKGROUND INFORMATION</b>				
<b>Location:</b>		2245 ½ Broadway		
<b>Applicant:</b>		Marquis Properties LLC, Owner		
<b>Existing Land Use:</b>		Single-family detached home		
<b>Proposed Land Use:</b>		Additional parking lot and future building expansion of Tiara Rado Animal Hospital		
<b>Surrounding Land Use:</b>	<b>North</b>	Broadway Elementary School		
	<b>South</b>	Single-family detached		
	<b>East</b>	Tiara Rado Animal Hospital		
	<b>West</b>	Single-family detached		
<b>Existing Zoning:</b>		County RSF-4 (Residential Single-Family – 4 du/ac)		
<b>Proposed Zoning:</b>		B-1 (Neighborhood Business)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-4 (Residential Single-Family – 4 du/ac)		
	<b>South</b>	County RSF-4 (Residential Single-Family – 4 du/ac)		
	<b>East</b>	City B-1 (Neighborhood Business) and County RSF-4 (Residential Single-Family – 4 du/ac)		
	<b>West</b>	County RSF-4 (Residential Single-Family – 4 du/ac)		
<b>Future Land Use Designation:</b>		Residential Low (0.5 – 2 du/ac)		
<b>Zoning within density/intensity range?</b>		X	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation consists of one 0.54 acre parcel of land and no public right-of-way.

The property owner has requested annexation into the City and a zoning of B-1 (Neighborhood Business) to facilitate the development for additional off-street parking and future building expansion of the Tiara Rado Animal Hospital which is located on the adjacent property to the east. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation to and processing by the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Marquis Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

The following annexation and zoning schedule is being proposed:

<i><b>ANNEXATION SCHEDULE</b></i>	
<b>March 16, 2016</b>	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
<b>April 12, 2016</b>	Planning Commission considers Zone of Annexation
<b>April 20, 2016</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>May 4, 2016</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>June 5, 2016</b>	Effective date of Annexation and Zoning

MARQUIS ANNEXATION – BACKGROUND INFORMATION		
<b>File Number:</b>	ANX-2016-37	
<b>Location:</b>	2245 ½ Broadway	
<b>Tax ID Number:</b>	2943-073-00-010	
<b># of Parcels:</b>	1	
<b>Estimated Population:</b>	1	
<b># of Parcels (owner occupied):</b>	0	
<b># of Dwelling Units:</b>	1	
<b>Acres land annexed:</b>	0.54	
<b>Developable Acres Remaining:</b>	0.54	
<b>Right-of-way in Annexation:</b>	None	
<b>Previous County Zoning:</b>	County RSF-4 (Residential Single-Family – 4 du/ac)	
<b>Proposed City Zoning:</b>	B-1 (Neighborhood Business)	
<b>Current Land Use:</b>	Single-family detached	
<b>Future Land Use:</b>	Neighborhood business	
<b>Values:</b>	<b>Assessed:</b>	\$14,260
	<b>Actual:</b>	\$179,140
<b>Address Ranges:</b>	2245 ½ Broadway	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water Conservancy District
	<b>Sewer:</b>	Persigo 201 sewer service area
	<b>Fire:</b>	Grand Junction Rural and Redlands Sub Fire Protection District
	<b>Irrigation/ Drainage:</b>	Redlands Water and Power Company
	<b>School:</b>	Mesa County Valley School District #51
	<b>Pest:</b>	Grand River Mosquito Control District

**ZONING AND COMPREHENSIVE PLAN AMENDMENT:**

**Sections 21.02.130 & 140 of the Grand Junction Zoning and Development Code:**

Section 21.02.160 of the Grand Junction Zoning and Development Code states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The Comprehensive Plan Future Land Use Map designates the property as Residential Low (0.5 – 2 du/ac), however as part of the zoning request, the applicant is requesting to change the Future Land Use Map designation to Neighborhood Center in order to accommodate the requested zoning district of B-1 (Neighborhood Business).



The City may zone and amend the Comprehensive Plan if the proposed changes are consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets one or more of the following criteria:

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

The City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan in February, 2010. The Plan replaced the previous Growth Plan and established 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. A key objective of the Comprehensive Plan is to locate shopping and employment closer to where people live. This reduces traffic congestion, shortens commute time, improves air quality and cost of infrastructure. The Plan includes an emphasis on mixed-use centers (City Center, Village Centers and Neighborhood Centers) that encourage infill and redevelopment.

Prior to adoption of the Comprehensive Plan the area surrounding the subject site had a land use designations of residential, public/institutional and commercial. With the adoption of the Comprehensive Plan, the area west of the subject site was designated as Neighborhood Center. The land use designation was placed on this area due to the increase in commercial uses have occurred over the years. The land use designation to the north, west and east has been designated as residential. Generally, Neighborhood Centers are modest extensions of existing commercial districts that contain grocery stores, drug stores and other convenience-oriented retail/services that serve the immediate neighborhood as well as some drive-to clientele.

In addition to the adoption of the Comprehensive Plan, the Zoning and Development Code was also amended in 2010 to implement the vision and goals of the Comprehensive Plan. Amendments to the Zoning and Development code included language (Section 21.02.130 (d) (v)) that anticipated the need for zones and land use designations to be flexible by allowing requests for properties to be zoned the same as adjacent properties.

Therefore, this criterion has been met as the adoption of the Comprehensive Plan and amendments to the Zoning and Development Code were subsequent events that have invalidated the original premise of the current zoning and Future Land Use designation.

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

With the adoption of the Comprehensive Plan in 2010 and the designation of the area east of the subject site as Neighborhood Center, conditions of the area have changed such that the proposed rezone and the amendment to the Comprehensive Plan Future Land Use Map is consistent with the Comprehensive Plan.

Therefore, this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve the land uses associated within the B-1 zone district and the Future Land Use designation of Neighborhood Center. Ute Water is presently stubbed to the property and is available in Broadway, City sanitary sewer is presently stubbed to the property and is available along the south property line. Property is also being served by Xcel Energy electric and natural gas. To the east is a neighborhood commercial center that includes an office complex, convenience store, car wash and gas islands. Further to the east is another car wash, bank and medical clinic. Broadway Elementary School is located across the street. Less than a mile from the property is Grand Junction Redlands Fire Station No. 5.

Therefore, this criterion has been met.

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

The B-1 zone district is an allowed zone under the Neighborhood Center designation, its purpose is to provide small areas for office and professional services combined with limited retail uses, designed in scale with surrounding residential uses; a balance of residential and nonresidential uses. There is very little B-1 zoned properties within the City limits (133 +/- total acres which equates to less than 1%), therefore, there is an inadequate supply of B-1 zoned land within the community.

Therefore, this criterion has been met.

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

The community or area will derive benefits from the proposed Neighborhood Center designation and the B-1 zone as it would create an opportunity for the expansion of an existing veterinary clinic which serves the growing population within the Redlands and also the community. Furthermore, the proposed B-1 zone district limits the hours of operation from 5 AM to 11 PM, prohibits outdoor storage and permanent display and allows land use(s) that would be considered compatible with the adjacent residentially zoned properties to the west and south.

Therefore, this criterion has been met.

Alternatives: The following zone districts would also be consistent with the Future Land Use designation of Neighborhood Center for the subject property:

- a. R-8 (Residential – 8 du/ac)
- b. R-12 (Residential – 12 du/ac)
- c. R-16 (Residential – 16 du/ac)
- d. R-O (Residential – Office)

- e. C-1 (Light Commercial)
- f. Form Based Zone Districts of MXR, MXG & MXS

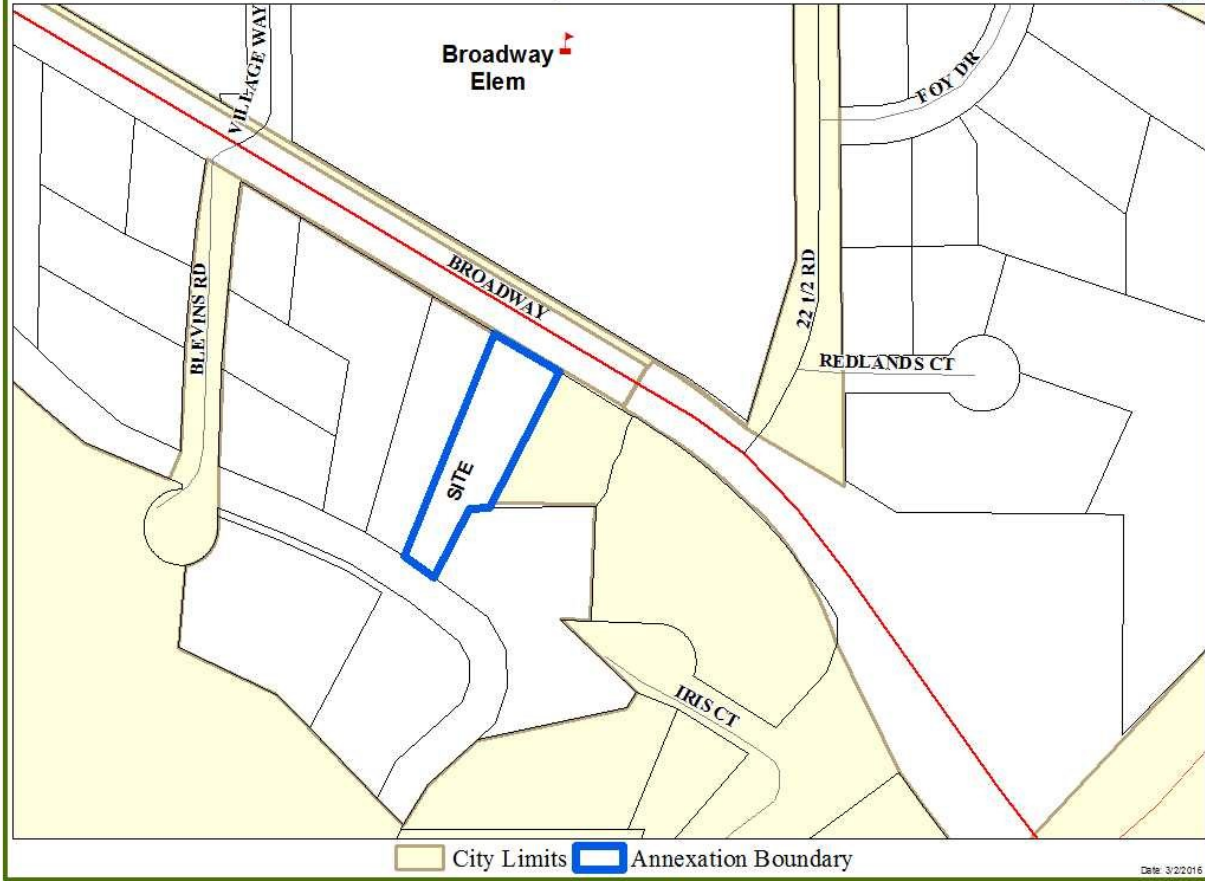
In reviewing the other zoning district options, the residential zone districts of R-8 and the mixed use zone district of R-O do not allow commercial retail land uses. The C-1 zone district could be an option but allows land uses which may not be compatible with the adjacent residential properties to the west and south. Also the C-1 zone has no restrictions on hours of operation allowing a use to be open 24-hours a day. The Form Based Zone Districts are generally intended for new development with the desire to create pedestrian-friendly urban areas where higher density mixed uses and mixed building types promote less dependence on the automobile. It is staff's opinion that the B-1 (Neighborhood Business) zone district would be the most suitable zone for this location as it limits the hours of operation from 5 AM to 11 PM and prohibits outdoor storage and permanent display. The B-1 zone is also the adjacent zoning to the east.

### **FINDINGS OF FACT AND CONCLUSIONS**

After reviewing the Marquis Zone of Annexation, ANX-2016-37 and CPA-2016-38, request for a Comprehensive Plan Future Land Use Map designation change from Residential Low (0.5 – 2 du/ac) to Neighborhood Center and Zone of Annexation from County RSF-4 (Residential Single-Family – 4 du/ac) to a City B-1 (Neighborhood Business) zone district for 0.54 acres, the following findings of fact and conclusions have been determined:

1. The requested Comprehensive Plan Future Land Use Map Amendment and Zone of Annexation is consistent with the goals and policies of the Comprehensive Plan, specifically, Goals 1, 3, and 12.
2. The review criteria, items 3 through 5 in Sections 21.02.130 and 140 of the Grand Junction Zoning and Development Code have been met or addressed.

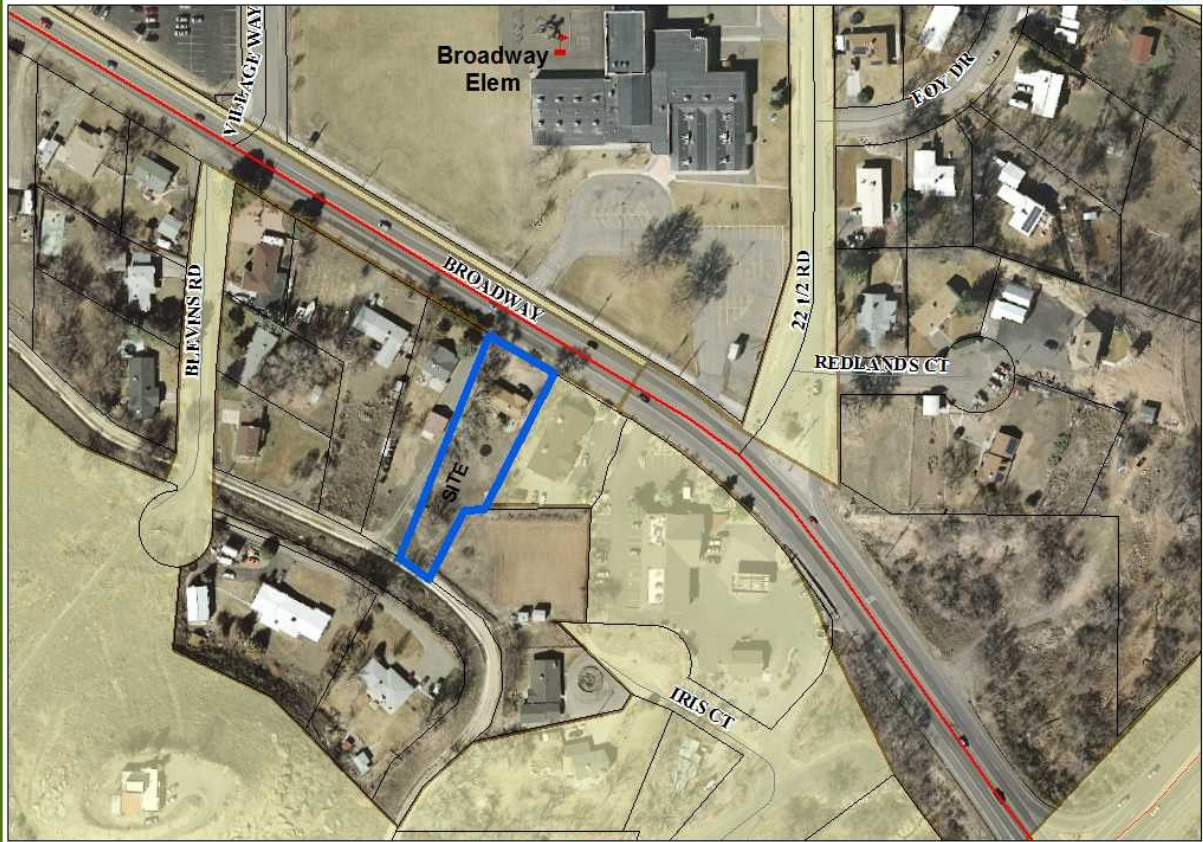
# Marquis Annexation



City Limits    Annexation Boundary

Date: 3/22/16

# Marquis Annexation

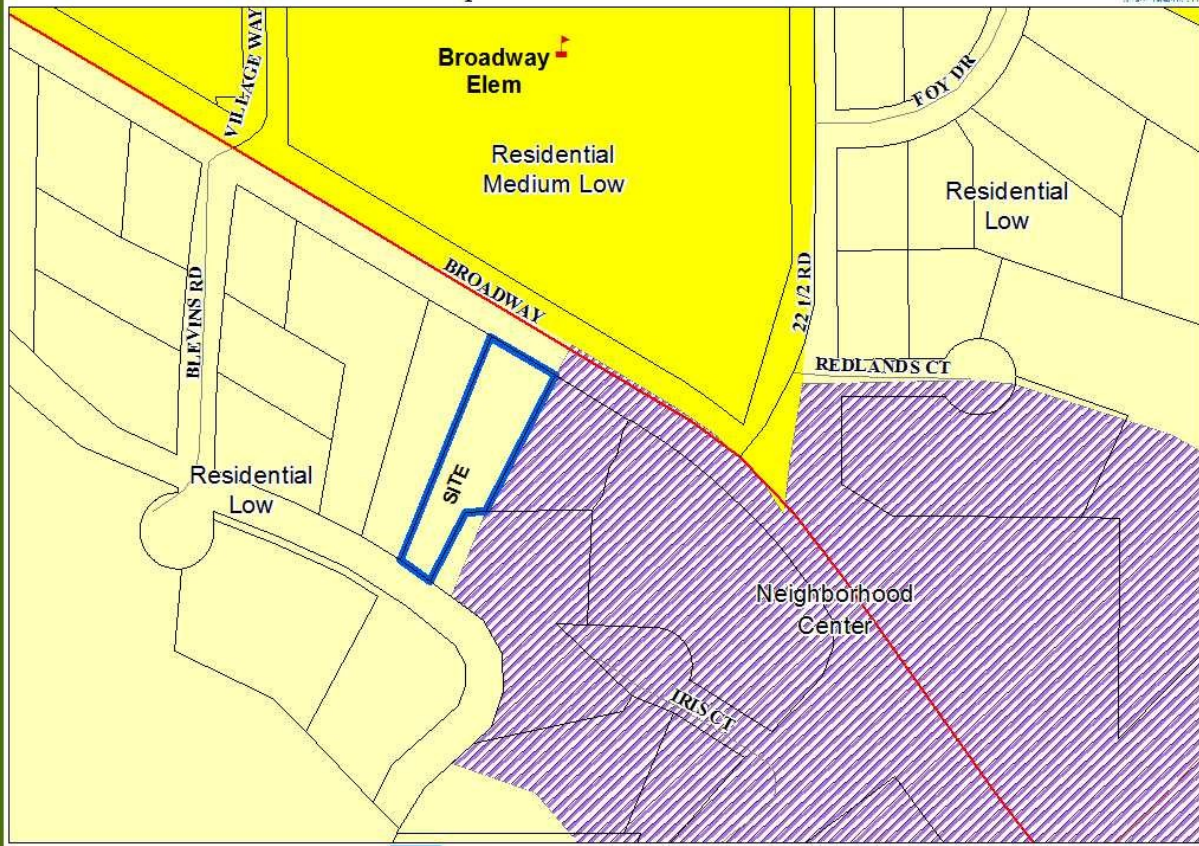


City Limits Annexation Boundary

Date: 3/22/16



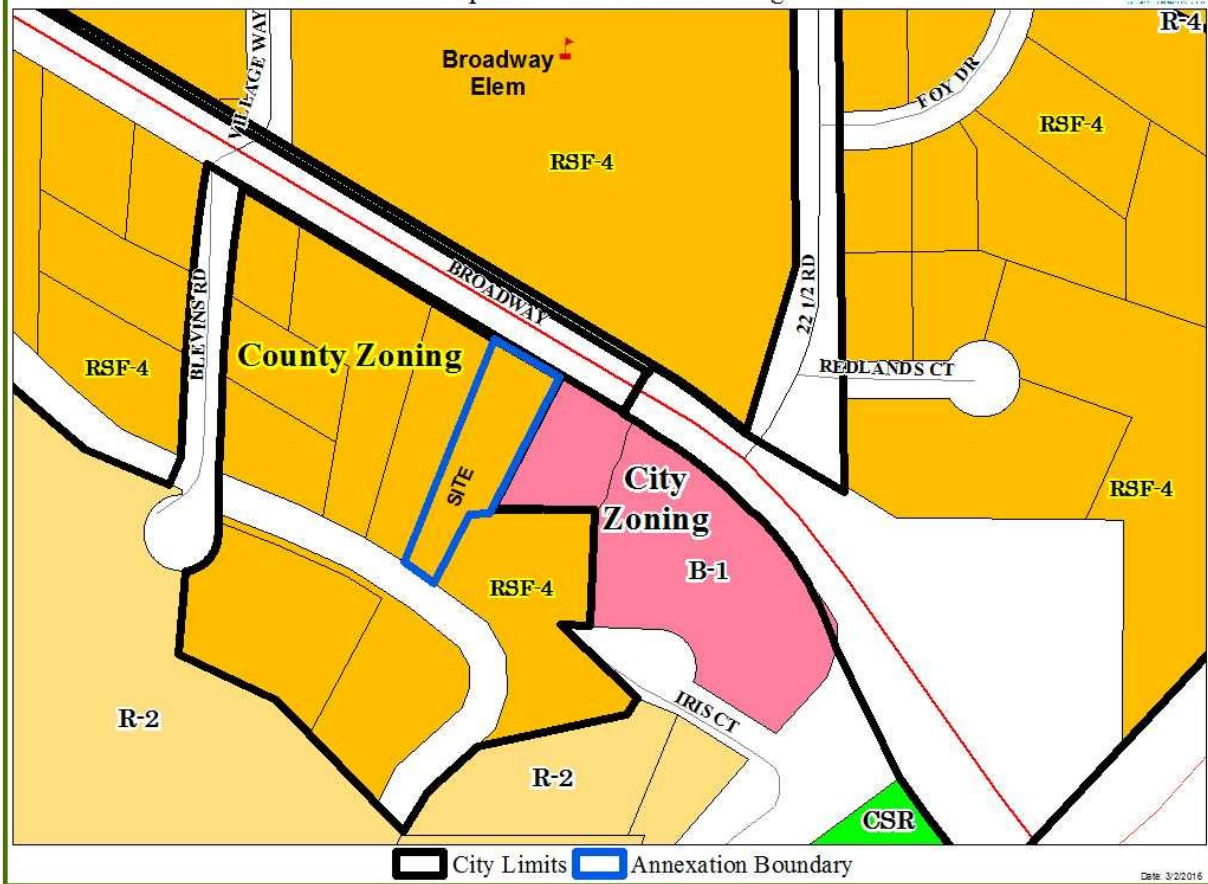
# Marquis Annexation - Future Land Use



 Annexation Boundary

Date: 3/22/2016

# Marquis Annexation - Zoning



**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION ACCEPTING A PETITION  
FOR THE ANNEXATION OF LANDS  
TO THE CITY OF GRAND JUNCTION, COLORADO,  
MAKING CERTAIN FINDINGS,  
AND DETERMINING THAT PROPERTY KNOWN AS THE**

**MARQUIS ANNEXATION**

**LOCATED AT 2245 1/2 BROADWAY**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 16<sup>th</sup> day of March, 2016, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**MARQUIS ANNEXATION**

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter (SW 1/4) of said Section 7 and assuming the East line of said SW 1/4 bears N 00°24'57" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 38°53'40" W, a distance of 853.52 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 58°25'48" W, a distance of 41.30 feet; thence N 22°28'12" E, a distance of 323.76 feet to a point on the Southerly right of way for Broadway (Highway 340), as same is recorded in Book 518, Page 337, Public Records of Mesa County, Colorado; thence S 59°03'51" E, along said Southerly right of way, a distance of 99.48 feet; thence S 27°27'12" W, a distance of 197.20 feet to a point on the North line of Lot 3, Iris Court Subdivision, as same is recorded in Plat Book 9, Page 77, Public Records of Mesa County, Colorado; thence S 88°59'12" W, a distance of 34.10 feet to a point being the Northwest corner of said Lot 3; thence S 27°27'12" W, a distance of 106.00 feet, more or less, to the Point of Beginning.

CONTAINING 23,920 Sq. Ft. or 0.549 Acres, more or less, as described hereon.

WHEREAS, a hearing on the petition was duly held after proper notice on the 4<sup>th</sup> day of May, 2016; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements



therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE  
MAP OF THE CITY OF GRAND JUNCTION FROM RESIDENTIAL LOW (0.5 – 2  
DU/AC) TO NEIGHBORHOOD CENTER FOR THE MARQUIS ANNEXATION**

**LOCATED AT 2245 1/2 BROADWAY**

Recitals:

A request for a Comprehensive Plan Future Land Use Map Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 0.54 +/- acres, located at 2245 1/2 Broadway be redesignated from Residential Low (0.5 – 2 du/ac) to Neighborhood Center on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Comprehensive Plan Future Land Use Map Amendment and determined that it satisfied the criteria as set forth and established in Section 21.02.130 of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REDESIGNATED FROM RESIDENTIAL LOW (0.5 – 2 DU/AC) TO NEIGHBORHOOD CENTER ON THE FUTURE LAND USE MAP.

**MARQUIS ANNEXATION**

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter (SW 1/4) of said Section 7 and assuming the East line of said SW 1/4 bears N 00°24'57" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 38°53'40" W, a distance of 853.52 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 58°25'48" W, a distance of 41.30 feet; thence N 22°28'12" E, a distance of 323.76 feet to a point on the Southerly right of way for Broadway (Highway 340), as same is recorded in Book 518, Page 337, Public Records of Mesa County, Colorado; thence S 59°03'51" E, along said Southerly right of way, a distance of 99.48 feet; thence S 27°27'12" W, a distance of 197.20 feet to a point on the North line of Lot 3, Iris Court Subdivision, as same is recorded in Plat Book 9, Page 77, Public Records of Mesa County, Colorado; thence S 88°59'12" W, a distance of 34.10 feet to a point being the Northwest corner of said Lot 3; thence S 27°27'12" W, a distance of 106.00 feet, more or less, to the Point of Beginning.

CONTAINING 23,920 Sq. Ft. or 0.549 Acres, more or less, as described hereon.

PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**MARQUIS ANNEXATION**

**CONSISTING OF ONE PARCEL OF 0.54 ACRES**

**LOCATED AT 2245 1/2 BROADWAY**

**WHEREAS**, on the 16<sup>th</sup> day of March, 2016, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 4<sup>th</sup> day of May, 2016; and

**WHEREAS**, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

**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:

**MARQUIS ANNEXATION**

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter (SW 1/4) of said Section 7 and assuming the East line of said SW 1/4 bears N 00°24'57" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 38°53'40" W, a distance of 853.52 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 58°25'48" W, a distance of 41.30 feet; thence N 22°28'12" E, a distance of 323.76 feet to a point on the Southerly right of way for Broadway (Highway 340), as same is recorded in Book 518, Page 337, Public Records of Mesa County, Colorado; thence S 59°03'51" E, along said Southerly right of way, a distance of 99.48 feet; thence S 27°27'12" W, a distance of 197.20 feet to a point on the North line of Lot 3, Iris Court Subdivision, as same is recorded in Plat Book 9, Page 77, Public Records of Mesa County, Colorado; thence S 88°59'12" W, a distance of 34.10 feet to a point being the Northwest corner of said Lot 3; thence S 27°27'12" W, a distance of 106.00 feet, more or less, to the Point of Beginning.

CONTAINING 23,920 Sq. Ft. or 0.549 Acres, more or less, as described hereon.

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

**INTRODUCED** on first reading on the 16<sup>th</sup> day of March, 2016 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2016 and ordered published in pamphlet form.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE MARQUIS ANNEXATION  
TO B-1 (NEIGHBORHOOD BUSINESS)**

**LOCATED AT 2245 1/2 BROADWAY**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Marquis Annexation to the B-1 (Neighborhood Business) zone district, finding that it conforms with the designation of Neighborhood Center as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the B-1 (Neighborhood Business) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned B-1 (Neighborhood Business):

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter (SW 1/4) of said Section 7 and assuming the East line of said SW 1/4 bears N 00°24'57" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 38°53'40" W, a distance of 853.52 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 58°25'48" W, a distance of 41.30 feet; thence N 22°28'12" E, a distance of 323.76 feet to a point on the Southerly right of way for Broadway (Highway 340), as same is recorded in Book 518, Page 337, Public Records of Mesa County, Colorado; thence S 59°03'51" E, along said Southerly right of way, a distance of 99.48 feet; thence S 27°27'12" W, a distance of 197.20 feet to a point on the North line of Lot 3, Iris Court Subdivision, as same is recorded in Plat Book 9, Page 77, Public Records of Mesa County, Colorado; thence S 88°59'12" W, a distance of 34.10 feet to a point being the Northwest corner of said Lot 3; thence S 27°27'12" W, a distance of 106.00 feet, more or less, to the Point of Beginning.

CONTAINING 23,920 Sq. Ft. or 0.549 Acres, more or less, as described hereon.

Introduced on first reading this 20<sup>th</sup> day of April, 2016 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor



Date: April 21, 2016  
 Author: Scott D. Peterson  
 Title/ Phone Ext: Senior Planner/1447  
 Proposed Schedule: 1<sup>st</sup> Reading: April 20, 2016  
 2<sup>nd</sup> Reading: May 4, 2016  
 File #: VAC-2016-100

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Colorado Mesa University (CMU) Alley Right-of-Way Vacation, Located within the CMU Area between Elm and Kennedy Avenues
<b>Action Requested/Recommendation:</b> Adopt Ordinance on Final Passage and Order Final Publication of the Ordinance in Pamphlet Form
<b>Presenters Name &amp; Title:</b> Scott D. Peterson, Senior Planner

**Executive Summary:**

The applicant, CMU, requests approval to vacate a portion of public alley right-of-way between Elm and Kennedy Avenues. This right-of-way is adjacent to properties owned by CMU or currently under contract with CMU. The vacation will facilitate the construction of a new engineering building on campus.

**Background, Analysis and Options:**

Colorado Mesa University (CMU), requests the vacation of a portion of public alley right-of-way (4,425 +/- sq. ft. – 0.101 acres) in order to aid in the continued westward expansion efforts planned for the campus. Specifically, this vacation request facilitates the construction of a new engineering building on campus.

The nine properties abutting the section of alley right-of-way for which vacation is sought, are owned by CMU with the exception of one property (810 Kennedy Avenue) which is currently under contract with CMU. John and Janet Noland currently own 810 Kennedy Avenue. Because the property has not been purchased the current owners have signed the application for the requested vacation and submitted an Ownership Statement as required. As a condition of approval, CMU will need to meet all Grand Junction Fire Department requirements for construction of the engineering building and may be required to construct access around the site compliant with the 2012 International Fire Code. CMU will also be required to provide and record a private “Access Easement” across CMU property(s) for the benefit of the remaining property owners located at 830, 850, and 860 Kennedy Avenue. This condition is required as the remaining properties will have no “legal access” to the rear of their properties once the alley is vacated.

Presently, the alley between Elm and Kennedy Avenues does not contain any City public utilities (water, sewer, storm sewer, etc.) therefore, there is no need for the City to retain a Utility Easement as part of this vacation process. Any existing utilities located within the alley will be moved and relocated by Xcel Energy as part of the



construction of the new engineering building and if necessary, appropriate easements to Xcel Energy will be dedicated at that time.

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

### **Neighborhood Meeting:**

The applicant held a Neighborhood Meeting on March 23, 2016. Over 30 area residents attended the meeting with the applicant providing a powerpoint presentation with an update on various activities going on across campus and information regarding the most recent iteration of the ongoing right-of-way vacation process. To date, the City has only received one email correspondence from the property owner at 860 Kennedy Avenue concerning this proposed vacation request (see attached correspondence).

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

The proposed right-of-way vacation supports the following goal and policy of the Comprehensive plan:

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

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

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

Vacating this portion of alley right-of-way supports the University in their facilities and building expansion, enhances a healthy, diverse economy and improves the City as a regional center of commerce, culture and tourism.

### **How this item relates to the Economic Development Plan:**

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. Though the proposed alley right-of-way vacation request specifically does

not further the goals of the Economic Development Plan, it does allow the CMU campus to continue its westward expansion efforts in order to grow the campus for the benefit of students, community, higher educational opportunities and purports a vibrant and growing economy. Higher education is a key economic development component of Grand Junction's status as a regional center.

**Board or Committee Recommendation:**

The Planning Commission recommended conditional approval of the vacation application at their April 12, 2016 meeting.

**Legal Issues:**

The City Attorney has reviewed and approved the form of the Ordinance.

**Other issues:**

No other issues have been identified.

**Financial Impact/Budget:**

Council directed Staff to evaluate on a case by case basis the value of selling ROW's at the time of a vacation request. Based on previous information and the purchase price of ROW recently acquired by the City, Staff recommends a value of \$1.00 per square foot. At \$1.00 per square foot, the value of ROW requested through this vacation would be approximately \$4,425.00.

**Previously presented or discussed:**

First Reading consideration of the Vacation Ordinance was on April 20, 2016.

**Attachments:**

- Staff Report/Background Information
- Location Map
- Surrounding Land Use Map
- Future Land Use Map
- Land Use Zone Map
- Existing Land Use Map
- Correspondence received
- DRAFT Minutes of the April 12, 2016 Planning Commission meeting
- Ordinance

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		Portion of Alley located between Elm and Kennedy Avenue's			
<b>Applicant:</b>		Colorado Mesa University			
<b>Existing Land Use:</b>		Alley right-of-way			
<b>Proposed Land Use:</b>		Colorado Mesa University land use development (new engineering building)			
<b>Surrounding Land Use:</b>	<b>North</b>	Colorado Mesa University properties			
	<b>South</b>	Colorado Mesa University properties and privately held property currently under contract to be purchased by CMU			
	<b>East</b>	Alley right-of-way			
	<b>West</b>	Alley right-of-way			
<b>Existing Zoning:</b>		R-8 (Residential – 8 du/ac)			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	R-8 (Residential – 8 du/ac)			
	<b>South</b>	R-8 (Residential – 8 du/ac)			
	<b>East</b>	R-8 (Residential – 8 du/ac)			
	<b>West</b>	R-8 (Residential – 8 du/ac)			
<b>Future Land Use Designation:</b>		Residential Medium High (8 – 16 du/ac)			
<b>Zoning within density range?</b>		X	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>

The proposed request falls under Section 21.02.100 – Vacation of public right-of-way or easement. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements. This type of request is available for vacation of any street, alley, easement or other public reservation subject to the criteria contained with the section.

The following is staff's review and comments relating to the criteria under Section 21.02.100:

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

The Grand Junction Fire Department does not object to the University's overall desire to vacate certain public right-of-ways in an effort to implement the University's master plan. The Fire Department has indicated that if fire apparatus roads are required around the proposed engineering, these roads shall be constructed in accordance with the 2012 International Fire Code and Appendices as well as any local City of Grand Junction ordinances (i.e. Ordinance No. 4500) that pertain specifically to the Grand Junction Fire Department and their operations. The decision to require fire apparatus

roads will be determined when the Fire Department reviews the proposed engineering building plans.

**Sections 21.02.100 of the Grand Junction Zoning and Development Code:**

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

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

Granting the request to vacate a portion of an existing alley right-of-way meets Goal 12 Policy A of the Comprehensive Plan by supporting the University in their facilities and building expansion projects, enhances a healthy, diverse economy and improves the City as a regional center of commerce, culture and tourism. The requested vacation also does not conflict with the Grand Valley Circulation Plan and other adopted plans and policies of the City.

Therefore, this criterion has been met.

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

No parcels shall be landlocked as a result of the proposed vacation as all properties have access to Kennedy and Elm Avenues.

Therefore, this criterion has been met.

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

All properties abutting the proposed portion of the alley requested for vacation are under the control of CMU or CMU has a contract for purchase. However, the requested vacation will restrict existing access to the rear of the remaining properties located at 830, 850 and 860 Kennedy Avenue, since they will not have legal access to the remaining alley. Therefore, CMU will be required, as a condition of the vacation, to provide and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue. This recorded easement will ensure that the remaining residents will continue to be provided access to the rear of their properties from the remaining alley right-of-way.

Therefore, this criterion can be met with the recording of an access easement.

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

There are no City utilities currently located within the alley however, Xcel utilities are located in the alley but will be moved prior to construction of the new engineering building. The Fire Department has not reviewed the plans for the new building but has indicated that the applicant may be required to construct access roads around the new building in accordance with the 2012 International Fire Code. The requested vacation does not adversely impact police/fire protection to the remaining properties.

Therefore the requested vacation has 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.

Therefore, this criterion has been met.

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

No adverse comments concerning the proposed rights-of-way vacation were received from the utility review agencies during the staff review process, including Xcel. Water and sanitary sewer are not located within the alley, therefore there is no reason for the City to retain a utility easement. Any existing utilities located within the alley will need to be moved and relocated as part of the construction of the new engineering building and, if necessary, appropriate easements to Xcel Energy will be dedicated at that time.

Therefore, this criterion has been met.

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

Maintenance requirements for the City will be reduced, though not significantly, as a result of the proposed alley right-of-way vacation. Water and sewer are not located within the portion of the alley to be vacated and the alley is concrete so there was little maintenance required by the City. The benefit to the City is the expansion of CMU and its mission to educate and by enhancing and preserving Grand Junction as a regional center. The proposed alley right-of-way vacation is needed by CMU as part of their continued campus expansion to the west.

Therefore, this criterion has been met.

#### **FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:**

After reviewing the Colorado Mesa University application, VAC-2016-100 to vacate a portion of public alley right-of-way, the following findings of fact, conclusions and conditions have been determined:

1. The requested alley right-of-way vacation is consistent with the goals and polices of the Comprehensive Plan, specifically, Goal 12.

2. The review criteria, items 1 through 6 in Section 21.02.100 of the Grand Junction Zoning and Development Code have been met or addressed.
3. With the vacation, the Applicant shall dedicate and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue.
4. With the vacation, the Applicant will need to meet all Grand Junction Fire Department requirements for construction of the engineering building.
5. The Applicant shall coordinate relocation of utilities upon construction of the new engineering building and dedicate applicable utility easements to Xcel Energy as necessary.

# LOCATION MAP





**SURROUNDING LAND USE MAP (2015 Air Photo)**

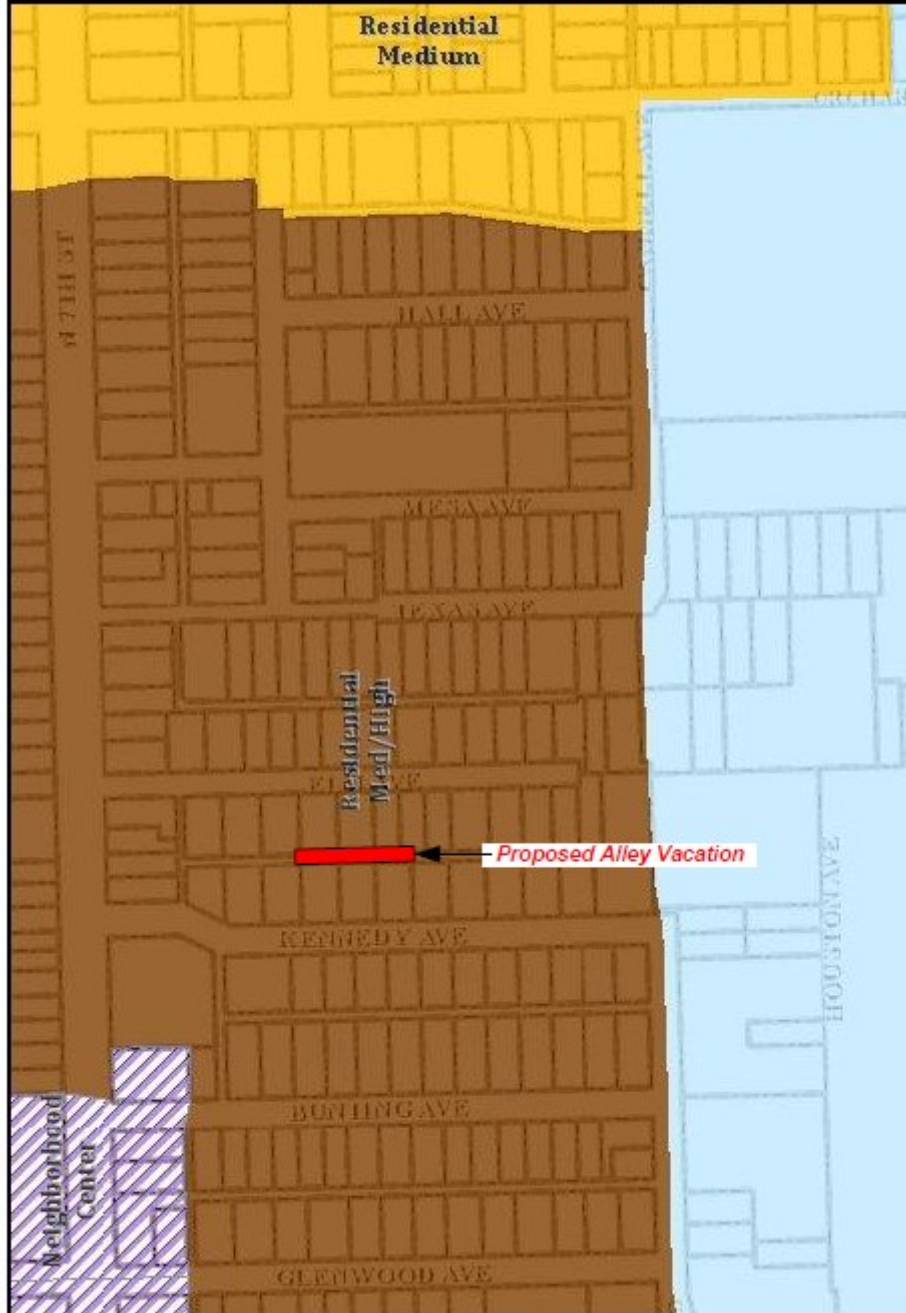


- Proposed Alley Vacation
- Property Owned by CMU
- P Campus Parking

- 1 Softball Field
- 2 Garfield Hall
- 3 Rugby Field
- 4 Bunting Student Housing
- 5 North Ave. Hall



# FUTURE LAND USE MAP









 Indicates Property Owned By CMU  
 Ownership ID

OWNERSHIP		
I.D.	NAME	ADDRESS
1	Paul & Johanna Quam	740 Kennedy Avenue
2	Paul & Johanna Quam	750 Kennedy Avenue
3	Bill & Linda Clevenger	760 Kennedy Avenue
4	John & Janet Noland	810 Kennedy Avenue
5	Gregory & Anita Reicks	830 Kennedy Avenue
6	Susie Cunningham	850 Kennedy Avenue
7	Fredrick Ford, et.al.	860 Kennedy Avenue

Date: February 2016  
Scale: 1 in. = 100 ft.



Prepared By:  
**THOMAS A. LOGUE**  
 LAND DEVELOPMENT CONSULTANT  
2377 FREEMAN DRIVE, GRAND JUNCTION, COLORADO 81504  
 TALK@TALOGUE.COM • (970) 242-4510 • (970) 242-2811

Prepared For:  
  
**COLORADO MESA**  
 UNIVERSITY

ALLEY VACATION  
 GRAND JUNCTION, COLORADO

EXISTING LAND USE  
 (2016 Air Photo)

SHEET 1 OF 1

**From:** "Ford, Andy" <forda@wsu.edu>  
**To:** "scottp@gjcity.org" <scottp@gjcity.org>  
**CC:** Ford Amy <amy.ford71@gmail.com>  
**Date:** 3/22/2016 6:00 PM  
**Subject:** VAC 2016-100 from CMU

March 22, 2016

Dear Scott:

Thanks for the notice of application. My first impression is that the engineering building project will not present problems to Amy and me as the closure of the alley does not eliminate access to the front of our house at 860 Kennedy, nor does it eliminate access to the alley entrance to our garage at the back of the lot.

I suspect that traffic on Kennedy will be much more congested during the construction phase, and also more congested once the new building is ready for classes. Traffic on Kennedy is already congested on days when CMU is in session. indeed, it is often necessary to slow to a halt to let traffic pass safely, especially on the section of Kennedy near 7th street. Perhaps the city has traffic experts who could observe traffic flows and recommend changes in the parking rules? (Parking is allowed on both sides of Kennedy in the congested sections at the present time. I suspect the vast majority of the parked cars are student cars as Kennedy is quite free of parked cars on weekends.)

Meanwhile, I expect to learn more at the CMU public meeting with neighbors, scheduled for tomorrow (March 23) at 7pm.

Best Regards

Andy Ford  
860 Kennedy Avenue  
Grand Junction, Colorado 81501

parking.

### Discussion

Commissioner Gatseos felt that the parking situation may improve with the rezone to R-O. Commissioner Gatseos mentioned that he understands the concerns of the neighbors, however, Unaweeep Ave. has changed over the years and it appears an R-O zone district would be appropriate.

With no additional discussion, Chairman Reece closed the public hearing portion of the meeting and asked for a motion.

**MOTION:** (Commissioner Wade) "Madam Chairman, on Rezone, RZN-2016-52, I move that the Planning Commission forward a recommendation of the approval for the Landmark Baptist Rezone from R-8 (Residential 8 du/ac) to R-O (Residential – Office) with the findings of fact, conclusions, and conditions 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.

### 7. Colorado Mesa University Alley Right-of-Way Vacation [File#VAC-2016-100]

Request to vacate a portion of public alley right-of-way (adjacent to properties owned by CMU or currently under contract with CMU) between Elm and Kennedy Avenue's as part of the Colorado Mesa University expansion projects.

*Action: Recommendation to City Council*

Applicant:	Colorado Mesa University
Location:	Portion of Alley located between Elm and Kennedy Avenue's
Staff Presentation:	Scott Peterson

### Staff Presentation

Scott Peterson (Senior Planner) stated the applicant, Colorado Mesa University, requests approval to vacate a portion of public alley right-of-way between Elm and Kennedy Avenue's.

Mr. Peterson noted the applicant held a Neighborhood Meeting on March 23, 2016. Over 30 area residents attended the meeting with the applicant providing a powerpoint presentation with an update on various activities going on across campus and information regarding the most recent iteration of the ongoing right-of-way vacation process. To date, the City has only received one email correspondence from the property owner at 860 Kennedy Avenue concerning this proposed vacation request which was included in the staff report.

Mr. Peterson displayed the site location map and noted Colorado Mesa University ("CMU"), requests the vacation of a portion of public alley right-of-way between Elm and Kennedy Avenue in order to aid in the continued westward expansion efforts planned for the campus. Specifically, this vacation request facilitates the construction of a new engineering building on campus.

Mr. Peterson explained that the nine (9) properties abutting the section of alley right-of-way for which vacation is sought, are owned by Colorado Mesa University with the exception of one property (810 Kennedy Avenue) which is currently under contract with CMU.

Presently, the alley between Elm and Kennedy Avenue's does not contain any City public utilities (water, sewer, storm sewer, etc.) therefore, there is no need for the City to retain a Utility Easement as part of this vacation process. Any existing utilities located within the alley will be moved and relocated by Xcel Energy as part of the construction of the new engineering building and if necessary, appropriate easements to Xcel Energy will be dedicated at that time.

Mr. Peterson presented slide illustrating the current zoning and Future Land Use Map zoning designations.

Mr. Peterson explained that as a condition of approval, CMU will need to meet all Grand Junction Fire Department requirements for construction of the engineering building and may be required to construct access around the site compliant with the 2012 International Fire Code. CMU will also be required to provide and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue. This condition is required as the remaining properties will have no "legal access" to the rear of their properties once the alley is vacated.

Mr. Peterson stated that the Fire Department has not reviewed the plans for the new building but has indicated that the applicant may be required to construct access roads around the new building in accordance with the 2012 International Fire Code. The requested vacation does not adversely impact police/fire protection to the remaining properties.

Mr. Peterson explained that by granting the request to vacate a portion of an existing alley right-of-way meets Goal 12 Policy A of the Comprehensive Plan by supporting the University in their facilities and building expansion projects, enhances a healthy, diverse economy and improves the City as a regional center of commerce, culture and tourism. The requested vacation also does not conflict with the Grand Valley Circulation Plan and other adopted plans and policies of the City.

Mr. Peterson noted that no adverse comments concerning the proposed rights-of-way vacation were received from the utility review agencies during the staff review process,



including Xcel. Water and sanitary sewer are not located within the alley, therefore there is no reason for the City to retain a utility easement. Any existing utilities located within the alley will need to be moved and relocated as part of the construction of the new engineering building and, if necessary, appropriate easements to Xcel Energy will be dedicated at that time.

After reviewing the Colorado Mesa University application, VAC-2016-100 to vacate a portion of public alley right-of-way, the following findings of fact, conclusions and conditions have been determined:

#### **Findings of Fact/Conclusions**

Mr. Peterson displayed a slide illustrating the following findings of fact/conclusions.

1. The requested alley right-of-way vacation is consistent with the goals and policies of the Comprehensive Plan, specifically, Goal 12.
2. The review criteria, items 1 through 6 in Section 21.02.100 of the Grand Junction Zoning and Development Code have been met or addressed.
3. With the vacation, the Applicant shall dedicate and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue.
4. With the vacation, the Applicant will need to meet all Grand Junction Fire Department requirements for construction of the engineering building.
5. The Applicant shall coordinate relocation of utilities upon construction of the new engineering building and dedicate applicable utility easements to Xcel Energy as necessary.

#### **Questions for Staff**

Chairman Reese asked Mr. Peterson if the private Access Easement across the CMU properties would allow for vehicular access.

Mr. Peterson stated that it would and city staff would be reviewing the document before it was recorded. Mr. Peterson pointed out on the aerial photo approximately where the new building may go, and how the private access easement could be configured.

#### **Applicants Presentation**

Mr. Derek Wagner, representing Colorado Mesa University, gave a presentation that included information on the increasing enrollment in their engineering programs and the need for a new Computer Science and Engineering building. Mr. Wagner displayed a slide with the general area of the new building.

### Questions for Applicant

Commissioner Wade asked where CMU stands with state financing for the building. Mr. Wagner stated that the outcome of the hospital provider fee may determine if there is any State funding for the project this year. Mr. Wagner stated that they are looking to all forms of funding to move forward with the project.

Commissioner Deppe stated that at the workshop they had discussed concern that the private access may not include vehicular access, but based on the reassurance it does, she is ok with the proposal.

Commissioner Wade stated that he appreciates that CMU has become more pro-active in working with the Commission because it makes it a lot easier to understand what is being proposed not only now but down the road as well.

**MOTION:** (Commissioner Eslami) "Madam Chairman, on item VAC-2016-100, I move we forward a recommendation of conditional approval to the City Council on the request to vacate a portion of alley right-of-way located between Elm and Kennedy Avenues, with the findings of fact, conclusions and conditions stated in the staff report."

Commissioner Wade seconded the motion. A vote was called and the motion was approved unanimously by a vote of 7-0.

### 8. Nonscheduled Citizens and/or Visitors

None

### 9. Other Business

Mr. Moberg reminded the Commission that there is a workshop on Thursday, April 21<sup>st</sup>. That will not be a joint workshop as Mesa County will have their own workshop, however the April 26 meeting will be a joint meeting with the Mesa County Planning Commission to review and recommend the wireless plan as well as changes to the code.

Mr. Moberg also mentioned that a retreat is being planned and June 16<sup>th</sup> is a tentative date. The retreat will most likely be ¾ of a day and be held at the Avalon.

Commission Toole asked if there was an agenda already, listing times and topics. Mr. Moberg said they were still working on one and they are open for suggestions.

Chairman Reece mentioned that they are trying find speakers and that she had suggested a presentation on the topic of land use planning and state water planning. Knowing what the trends are and how to be good stewards of the land and water. Another trend that is being considered for a topic is the tiny house movement.



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE VACATING A PORTION OF ALLEY RIGHT-OF-WAY LOCATED  
BETWEEN ELM AND KENNEDY AVENUES**

**LOCATED IN THE COLORADO MESA UNIVERSITY AREA**

**RECITALS:**

Colorado Mesa University has requested to vacate a portion of alley right-of-way located between Elm and Kennedy Avenue's in order to enable the continued westward expansion efforts planned for the campus, specifically in the future to develop new residence halls, classroom buildings, parking lots and campus improvements.

The properties abutting the section of alley right-of-way for which vacation is sought are either owned by Colorado Mesa University or under contract with Colorado Mesa University. City staff does not expect that the proposed alley vacation would impede traffic, pedestrian movement or access to private property. As a condition of approval, CMU will need to meet all Grand Junction Fire Department requirements for construction of the engineering building and may be required to construct access around the site compliant with the 2012 International Fire Code. CMU will also be required to provide and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue. This condition is required as the remaining properties will have no "legal access" to the rear of their properties once the alley is vacated.

Presently, this alley between Elm and Kennedy Avenue's does not contain any City public utilities (water, sewer, storm sewer, etc.) therefore, there is no need to retain a Utility Easement as part of the vacation process. Any existing electric utilities located within the alley will be moved and relocated by Xcel Energy as part of the construction of the new engineering building and appropriate easements to Xcel Energy will be dedicated at that time, if necessary.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code. Applicant is also required to meet all Grand Junction Fire Department requirements.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the alley vacation be approved and the construction of a minimum of a 20' wide north/south circulation drives and that the applicant meet all Grand Junction Fire Department requirements.

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

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

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. Applicant shall dedicate and record a "Private Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue.
3. Applicant shall coordinate relocation of utilities upon construction of the new engineering building and dedicate applicable utility easements to Xcel Energy as necessary in order to continue to provide utility services to the current residential properties within this block.
4. Applicant will need to meet all Grand Junction Fire Department requirements for construction of the engineering building.

Dedicated alley right-of-way to be vacated:

A portion of a fifteen foot (15.00') wide Alley Right-of-Way as dedicated on the Plat of Amended Kennedy Subdivision at reception #670067 of the Mesa County Records situated in the SE1/4 of Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, in the City of Grand Junction, County of Mesa, State of Colorado; being more particularly described as follows:

All of a fifteen foot (15.00') wide Alley of said Amended Kennedy Subdivision adjoining the North lot lines of Lots 4,5, 6 and 7 (four, five, six and seven) beginning at the Northwest corner of Lot 4 (four) of said Amended Kennedy Subdivision and continuing East to the Northeast corner of Lot 7 (seven) of said Amended Kennedy Subdivision.

Said description contains an area of 0.101 acres more or less, as described herein.

Introduced for first reading on this 20<sup>th</sup> day of April, 2016 and ordered published in pamphlet form.

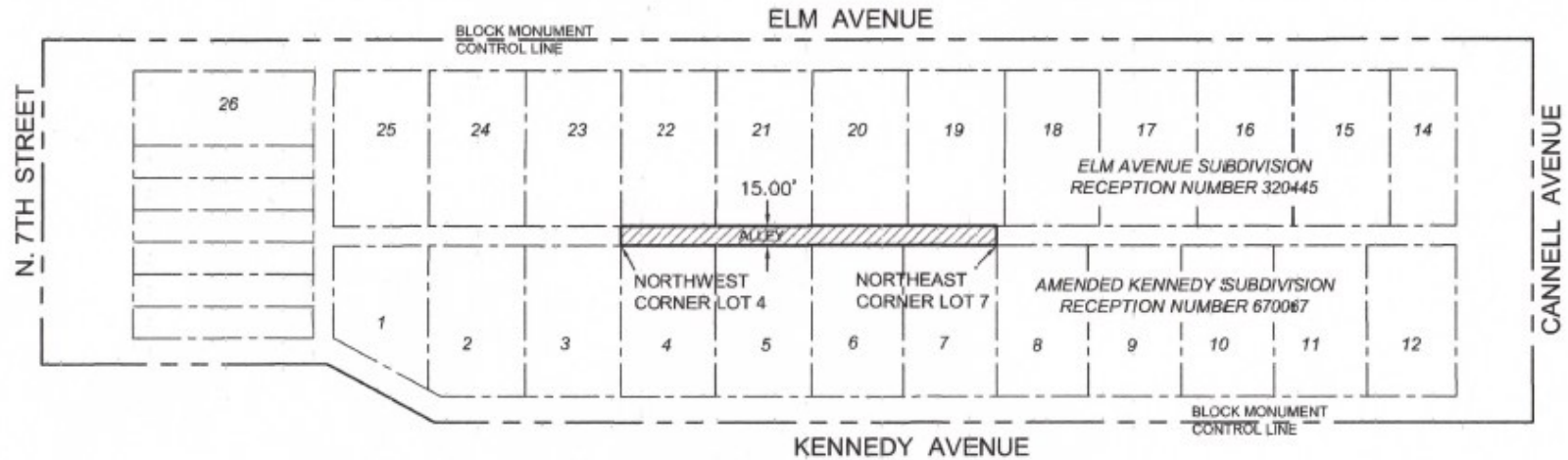
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016 and ordered published in pamphlet form.

ATTEST:

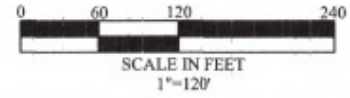
\_\_\_\_\_  
President of City Council

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

**EXHIBIT "A"**  
**SOUTHEAST 1/4 OF SECTION 11,**  
**TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,,**  
**IN THE CITY OF GRAND JUNCTION,**  
**COUNTY OF MESA, STATE OF COLORADO**



 Subject area.



\*This Exhibit is not intended to be used for establishing or verifying property boundary lines.  
 \*Title information shown is from Mesa County Clerk and Recorders Office.  
 \*Linear units are in U.S. Survey Feet.



CHRISTOPHER C. RANSIER  
 CO PLS 38089



717 Centauri Drive • Grand Jct., CO 81506  
 970.201.4081 • crsurveying@bresnan.net



Date: April 21, 2016  
Author: Bret Guillory  
Title/ Phone Ext: Utility Engineer  
244-1590  
Proposed Schedule: May 4, 2016  
2nd Reading: (if applicable): \_\_\_\_  
File # (if applicable): \_\_\_\_\_

## CITY COUNCIL AGENDA ITEM

<b>Subject:</b> Grant and Loan Contracts with the Colorado Water Conservation Board for the Hallenbeck No.1 Downstream Slope Repair
<b>Action Requested/Recommendation:</b> Adopt a Resolution Accepting the Terms and Conditions of the Colorado Water Conservation Board Grant and Loan Contracts, and Authorize the Interim City Manager to Enter into a Contract for a Loan up to \$1,010,000
<b>Presenter(s) Name &amp; Title:</b> Greg Lanning, Public Works Director Jay Valentine, Internal Services Manager

### Executive Summary:

The City Water Department has applied for a grant and a loan from the Colorado Water Conservation Board to facilitate repair of the Hallenbeck No. 1 Dam (Purdy Mesa). The dam experienced a structural failure in June of 2014 and has been drained since that time. City Council approved debt funding this project during the 2016 budget review process.

### Background, Analysis and Options:

Hallenbeck Reservoir No. 1 (aka Purdy Mesa) is one of the City of Grand Junction's 14 raw water reservoirs. In 2014 Staff developed plans to mitigate seepage that was occurring through the dam. The plan procedure included evaluation of the dam at increasingly greater water storage depths. During the evaluation process, seepage increased through the structure and an 80-foot crack developed on the downstream face of the dam. Water was immediately released from the reservoir in an effort to relieve hydrostatic pressure within the dam. Shortly after the dam failure a forensics evaluation of the dam was completed that included a geotechnical investigation and structural evaluation.

The purpose of this project is to make repairs to the dam that will mitigate the structural failure, and provide improved control of seepage through the structure. This will allow the City Water Department to make use of its 1939 absolute irrigation right, and 1993 conditional municipal right. Construction is expected to occur in the summer of 2016.

The grant and loan may be used to recover design costs already incurred, and cover cost to construct the project. Estimated construction cost is \$994,000. The loan will be

completed for the actual amount used. The recommendation of the CWCB was to apply for a \$1M loan that would allow for flexibility based on actual construction cost.

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

The City of Grand Junction Water Department is responsible for maintaining a reliable water source during times of drought. This project will provide for an additional 699 acre feet of raw water storage, roughly 5% of the City's total storage.

**How this item relates to the Economic Development Plan:**

*Infrastructure:* This project emphasizes the City Water Departments diligence in maintaining adequate raw water storage supplies. Being proactive in maintaining raw water infrastructure helps ensure that the customers have reliable high quality water service even during times of drought.

*Providing infrastructure that fosters and supports private investment:* The City of Grand Junction's water service area is almost fully developed. Nonetheless, the City needs to continue to be diligent in protecting and maintaining a reliable raw water source. This critical infrastructure provides for clean domestic water to ensure opportunities for private investment and redevelopment of the core area of the City.

**Board or Committee Recommendation:**

There is no board or committee recommendation.

**Financial Impact/Budget:**

The term of the loan is 20 years, at 2.65% interest. Loan initiation cost is \$10,000.

**Sources**

Water Supply Reserve Account Grant	\$ 100,000
Colorado Water Conservation Board Loan	<u>1,010,000</u>
<b>Total Project Sources</b>	<b>\$1,110,000</b>

**Expenditures**

Design contract	\$ 106,000
Estimated Construction	994,000
Loan Initiation	<u>10,000</u>
<b>Total Estimated Cost</b>	<b>\$1,110,000</b>

**Legal issues:**

The City Attorney has reviewed and approved the documents and the form of the resolution.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This was presented at the October 5, 2015 Workshop.

**Attachments:**

Proposed Resolution

RESOLUTION NO. \_\_\_\_-16

**A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO A CONTRACT FOR GRANT AND LOAN FUNDING FROM THE COLORADO WATER CONSERVATION BOARD FOR CONSTRUCTION WORK ON THE HALLENBECK NUMBER ONE DOWNSTREAM SLOPE IMPROVEMENTS PROJECT**

Recitals:

The request from the Colorado Water Conservation Board in the form of a grant in the amount of \$100,000 and loan of up to \$1,010,000 would fund the \$879,000 project to mitigate damage to the Hallenbeck Reservoir No. 1 dam ("Project"). The Project will mitigate the structural failure, provide improved control of seepage through the structure and return 699 acre feet of raw water storage to the City water system.

The grant in the amount of \$100,000 has been awarded and the loan of \$1,010,000 has been approved through the Colorado Water Conservation Board. Project expenditures are anticipated to accrue the summer of 2016.

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

The Interim City Manager is authorized to enter into a contract with the Colorado Water Conservation Board for a Grant and a Loan for the Hallenbeck No. 1 Downstream Slope Repair Project.

PASSED AND APPROVED this \_ day of \_\_\_\_\_ 2016.

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

ATTEST:

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



CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 5/4/16  
Citizen's Name: Bruce Summiller  
Address: 536 29th #4  
Phone Number: \_\_\_\_\_  
Subject: Building "Rescue Mission" Wildman Park Debate (CMT)

Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 5-4-16  
Citizen's Name: Danny Bohrer  
Address: 2255 Texas Ave GT Co 81501  
Phone Number: \_\_\_\_\_  
Subject: ON EIM Trees

Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 5-4-16  
Citizen's Name: STEVEN JOHNSON  
Address: 494 ANJOU DR GRAND JUNCTION, CO. 81504  
Phone Number: Cell \_\_\_\_\_  
Subject: SUNDAY SERVICE FOR GVT

Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.