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**CITY COUNCIL AGENDA  
WEDNESDAY, MARCH 1, 2017  
250 NORTH 5<sup>TH</sup> STREET  
6:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM  
7:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

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

**Call to Order, Pledge of Allegiance, Invocation**

Derek Dean, Church Representative, Church of Jesus Christ of Latter-day Saints

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

**Appointments**

Ratify Appointments to the Riverview Technology Corporation

**Certificate of Appointments**

Certificates of Appointment to the Forestry Board

Certificate of Appointment to the Historic Preservation Board

**Citizen Comments**

**Council Reports**

**Consent Agenda**

- 1. Approval of Minutes**
  - a. Minutes of the February 1, 2017 Regular Meeting
  - b. Summary of the February 8, 2017 Special Workshop

**REVISED**

- c. Summary of the February 13, 2017 Council Workshop
- d. Minutes of the February 15, 2017 Executive Session

## **2. Set Public Hearings**

- a. Quasi-judicial
  - i. Ordinance Amending the Commons Planned Development by Approving an Outline Development Plan with Default Zones Of R-8 (Residential 8 Units/Acre), R-12 (Residential 12 Units/Acre) and MXOC (Mixed Use Opportunity Corridor) (March 15, 2017)
  - ii. Ordinance Zoning Properties at 1313 and 1321 Wellington Avenue (Hilltop Bacon Center) to RO (Residential Office) (March 15, 2017)

## **3. Contracts**

- a. Contract for the 2017 Sewer Line Replacements Phase A

## **4. Resolutions**

- a. Resolution No. 16-17 - A Resolution to Appoint a Hearing Officer for Liquor and Beer Licensing and Resolution No. 17-17 - A Resolution to Appoint an Alternate Hearing Officer for Liquor and Beer Licensing

## **5. Other Action Items**

- a. Request for Fireworks Displays at Suplizio Field

## **Regular Agenda**

*If any item is removed from the Consent Agenda, it will be heard here*

## **6. Public Hearing**

- a. Legislative
  - i. Ordinance No. 4738 - An Ordinance Amending the Grand Valley Circulation Plan, an Element of the Comprehensive Plan, Specifically, to Revise the Street Classification of 23 1/2 Road from a Principal Arterial to a Minor Arterial with a Modified Arterial (aka D Road Section Design) Designation

**7. Contracts**

- a. Consideration to Authorize the City Manager to Execute Milestone Two of the Exclusive Negotiation Agreement with SiFi/Nokia

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

**9. Other Business**

**10. Adjournment**



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** March 1, 2017

**Presented By:** Stephanie Tuin, City Clerk

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

Ratify Appointments to the Riverview Technology Corporation

**RECOMMENDATION:**

Ratify appointments as requested.

**EXECUTIVE SUMMARY:**

Pursuant to the Riverview Technology Corporation bylaws, the City Council and Mesa County ratify appointments to the board of directors. A letter was received on February 15, 2017 requesting the City Council ratify seven appointments.

**BACKGROUND OR DETAILED INFORMATION:**

The Riverview Technology Corporation began as the Joint Utilization Commission in November, 1997. They incorporated under the Riverview Technology Corporation as a non-profit in March 2000. Their purpose is for the redevelopment of the Department of Energy's site on B ¾ Road and they retain ownership of the property. Members are appointed jointly by the City and Mesa County. The board has seven to nine directors serving two year terms. Members are citizens at large and a City Councilmember and a County Commissioner serve as ex-officio members.

**FISCAL IMPACT:**

None.

**SUGGESTED MOTION:**

I move to ratify the appointments of Katie Worrall, term expiring February, 2019,



Michael Burke, term expiring February, 2019, Steve Hovland, term expiring February 2019, Tim Hatten, term expiring February 2019, Craig Little, term expiring February 2018, Pat Tucker, term expiring February, 2018, Derek Wagner, term expiring February 2018, and Will Hays, term expiring February 2019.

### **Attachments**

1. Letter Requesting Ratification

# Riverview Technology Corporation

...continuing the vision for the redevelopment of the Riverview Business Park site...

## Members:

Timothy Hatten  
Steve Hovland  
Craig Little  
Pat Tucker  
Katie Worrall  
Derek Wagner  
Michael Burke  
Will Hays

February 15, 2017

Honorable City Council  
City of Grand Junction  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

## Ex Officio Members:

Grand Junction City  
Bennett Boeschstein

Mesa County  
Rose Pugliese

RE: Ratification of Appointment

Dear City Council Members:

Pursuant to Section 3. *Board of Directors* of the Bylaws of the Riverview Technology Corporation (RTC), we respectfully request ratification of Board Member extensions, which were made and unanimously approved by the Board of Directors, for the following members and terms as indicated:

Katie Worrall, President, term expires February 2019  
Michael Burke, Vice President, term expires February 2019  
Steve Hovland, Secretary/Treasurer, term expires February 2019  
Tim Hatten, Member, term expires February 2019  
Craig Little, Member, term expires February 2018  
Pat Tucker, Member, term expires February 2018\* (member request\*)  
Derek Wagner, Member, term expires February 2018  
Will Hays, Member, term expires February 2019

Thank you for your consideration.

Sincerely,

  
Jon Maraschin  
Executive Director

JM:tb



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** March 1, 2017

**Presented By:** City Council

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

Certificates of Appointment to the Forestry Board

**RECOMMENDATION:**

Present Certificates

**EXECUTIVE SUMMARY:**

City Council to present certificates of appointment to newly appointed Justin Drissel, alternate Josh Umberger, and reappoint Kamie Long.

**BACKGROUND OR DETAILED INFORMATION:**

Kamie Long, Justin Drissel, and Josh Umberger were appointed to the Forestry Board on February 15, 2017.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

None



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** March 1, 2017

**Presented By:** City Council

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

Certificate of Appointment to the Historic Preservation Board

**RECOMMENDATION:**

Present Certificate

**EXECUTIVE SUMMARY:**

City Council to present a certificate of appointment to newly appointed Ronald Parron.

**BACKGROUND OR DETAILED INFORMATION:**

Ronald Parron was appointed to the Historic Preservation Board on February 15, 2017.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

None

**GRAND JUNCTION CITY COUNCIL  
MINUTES OF THE REGULAR MEETING  
FEBRUARY 1, 2017**

The City Council of the City of Grand Junction convened into regular session on the 1<sup>st</sup> day of February, 2017 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 City Manager Greg Caton, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

**Certificate of Appointments**

**To the Visitor and Convention Bureau Board of Directors**

Councilmember Chazen presented Britt Mathwich and Tim Pollard with their certificates of appointment and Kevin Reimer with his certificate of re-appointment to the Visitor and Convention Bureau Board of Directors for three year terms expiring December 2019.

Mr. Reimer apologized for having to reschedule his interview and thanked the Council for his reappointment. Both Mr. Pollard and Mr. Mathwich thanked Council for their appointments.

Council President Norris announced the broadband issue has been taken off the agenda and will be placed on a future Council meeting agenda.

**To the Parks and Recreation Advisory Board**

Councilmember Kennedy presented Gary Schroen with his certificate of appointment to the Parks and Recreation Advisory Board. Mr. Schroen thanked Council for the appointment.

**Citizens Comments**

Bruce Lohmiller, 3032 North 15<sup>th</sup> Street, #208, said the Veteran's Art Show was nice and there will be another one February 4<sup>th</sup> at the Mesa County Library. He mentioned community night patrols, that he attended the Martin Luther King, (MLK) Jr., Day celebration at Colorado Mesa University (CMU), and stated Mesa County School District 51 would be a better investment than an events center.

Richard Swingle, 443 Mediterranean Way, presented a broadband overview. He reviewed his interest in City government and wanted to make sure the community has a shared base of information. He reviewed the definition of broadband and expanded different types of wiring, business models, the Nokia/SiFi presentation, the financing mechanism, and concluded with a number of other points including the necessity of fiber, questions on the Sifi/Nokia proposal, and the risk to the City.

### **Council Reports**

Councilmember Kennedy thanked constituents that have communicated with him regarding the broadband issue. He has responded to several comments and is pleased the community is getting involved. Councilmember Kennedy encouraged community members to continue to express their viewpoints.

Councilmember Traylor Smith said she attended the Grand Junction Housing Authority Annual Meeting on January 25<sup>th</sup> and the Grand Junction Area Chamber of Commerce (GJACC) banquet on January 27<sup>th</sup>. She stated she has received feedback on the broadband issue and believes a high speed quality broadband system is needed.

Councilmember Taggart said he attended the (GJACC) banquet on January 27<sup>th</sup> and then took a two-week break.

Councilmember Boeschstein said he attended the Business Incubator Center meeting and participated in the Women's March in downtown Grand Junction. He thanked the broadband committee and Councilmember Kennedy for their participation in the broadband project.

Councilmember McArthur clarified the Taxpayers Bill of Rights (TABOR) comment mentioned previously during the citizen's comments portion of the meeting. He said the citizens vote on taxes and debt and the City of Grand Junction Police Department building is leased, not financed with bonds. Between January 19<sup>th</sup> and January 27<sup>th</sup> he said he attended the Homeless and Vagrancy Committee meeting, the Grand Junction Housing Authority Annual Meeting, and the Colorado Water Congress (CWC) Annual Meeting.

Councilmember Chazen said between January 19<sup>th</sup> and February 1<sup>st</sup> he attended the Homeless and Vagrancy Committee meeting, the Grand Junction Housing Authority Annual Meeting, the Visitor Convention Board (VCB) Annual Meeting, DDA/DGJBID Annual Retreat and the Western Colorado Latino Chamber of Commerce Board election.

Council President Norris said between January 19<sup>th</sup> and February 1<sup>st</sup> she attended the VCB Annual Meeting, the Hispanic Affairs panel forum, the Grand Valley Momentum Initiative, the GJACC banquet, and the Grand Junction Housing Authority Annual Meeting where the City received recognition. She mentioned that February is Heart Month.

Council President Norris announced again the broadband issue has been taken off the agenda.

### **Consent Agenda**

Councilmember Kennedy moved to adopt the Consent Agenda items #1 through #4. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

#### **1. Approval of Minutes**

- a. Minutes of the January 4, 2017 Regular Meeting
- b. Minutes of the January 18, 2017 Special Meeting

#### **2. Set Public Hearing**

- a. Quasi-judicial
  - i. Proposed Ordinance Vacating Alley Public Rights-of-Way in Block 84 City of Grand Junction at 310 North 7<sup>th</sup> Street (R5-High School Block) and Set a Hearing for February 15, 2017

#### **3. Contract**

- a. 2017 Contract Street Maintenance

#### **4. Resolution**

- a. Resolution No. 12-17 – A Resolution Accepting a \$29,400 Habitat Restoration Grant from the State Board of the Great Outdoors Colorado Trust

### **Regular Agenda**

**Public Hearing – Ordinance No. 4737 – An Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Signage**

A proposed ordinance addressing both content neutrality and electronic and digital signage was tabled by City Council at their November 16, 2016 meeting with direction to get business input on the proposed changes, specifically to the electronic and digital sign regulations. The staff is working with the Chamber of Commerce to garner input and will be bringing the electronic sign regulations portion of the ordinance back to the City Council during the first quarter of 2017.

The public hearing was opened at 7:39 p.m.

David Thornton, Principal Planner with Community Development, presented the proposed ordinance addressing content neutrality. Mr. Thornton said the electronic and digital signage was tabled by Council at their November 16, 2016 meeting with direction to get business input on the proposed changes to the electronic and digital sign regulations. Mr. Thornton said staff worked with the Grand Junction Area Chamber of Commerce to garner input and will bring the electronic sign regulations portion of the ordinance back to Council during the first quarter of 2017.

Mr. Thornton provided a brief review of what has taken place. He stated this proposal is specific to the content neutrality portion only. He reviewed the changes to the proposal as well as highlighting the significant provisions. Mr. Thornton stated the Planning Commission has recommended approval.

Councilmember Boeschstein asked if the City can legally have zone specific sign codes. Mr. Thornton said the allowances of specific sign codes are based on residential zoning as opposed to nonresidential zoning.

Councilmember Boeschstein expressed concern for the aesthetics of over signage in residentially zoned areas and asked if a homeowner association (HOA) covenant would supersede the City's Sign Code limit. Mr. Thornton said yes, HOA covenants would supersede the Sign Code, however, it would then become a civil matter.

Councilmember McArthur asked if the ruling would impact flag and banner displays which are currently prohibited by some HOA's. City Attorney Shaver said that issue was not addressed because this ordinance addresses signage for advertising and commercial use, not state and national flags.

Councilmember Chazen asked what the zoning parameters are for displaying wind driven signs. Mr. Thornton said currently a sign permit is required for wind driven banners which allows display for 14 consecutive days. Mr. Thornton stated the permits for banners attached by all four corners to a building can be issued for 30 days. He said for consistency, they are attempting to increase the display days of wind driven signs to match that of banners and allow displays for up to four months per calendar year.



Councilmember Chazen asked what the permit fee is and if banners are required to be commercially made. Mr. Thornton said the fee is \$25 per permit with each permit good for one month and the signs need to be professionally made for safety reasons.

Councilmember Chazen read section C-2, subsection i and ii of the ordinance and asked if there is a limit of political signs per property. Mr. Thornton said, because of content neutrality, there are no specific limits relative to the content of signs, only on the number of signs per property. Councilmember Chazen asked if there is consideration for provisions during elections with an increase of political signs per property. City Attorney Shaver said that would not follow the content neutrality laws and could not be implemented.

Councilmember Kennedy asked if sign companies were involved in the discussion regarding this ordinance at the Planning Commission hearings. Mr. Thornton said yes and most of their concerns were regarding outdoor advertising and digital signs. Councilmember Kennedy asked if any community members were present solely for the content neutrality issue. Mr. Thornton said there were none that spoke. Councilmember Kennedy asked if any of those who contributed to the discussion were comfortable with the content neutrality portion of the ordinance. Mr. Thornton said yes, the Planning Commission took time to study and address the content neutrality issue. Councilmember Kennedy said he was pleased with the Planning Commission and all their work regarding content neutrality in this ordinance.

City Manager Caton described the workshops, studies, and discussions regarding this ordinance. He said they reached out to a variety of groups, worked with the GJACC and concerned individuals in the off-premise sign industry for input, and addressed their concerns.

Tom Ross, 6333 27 ½ Road, asked if there is a fee for posting political signs within City limits. Council President Norris said no.

Mark Gamble, 2475 Commerce Blvd., thanked Council and staff for working with the outdoor advertising industry on this complex issue.

C.J. Rhyne, Retention/Expansion Specialist for GJACC, said he echoed Mr. Gamble's comments and appreciated staff and their hard work. He said 25 business community members were at the open house and most of them are in support of digital signs. He said he is pleased with this ordinance.

There were no other public comments

The public hearing closed at 8:07 p.m.

Councilmember Kennedy asked if it is in the interest of public safety that wind driven banners are required to be professionally manufactured rather than homemade. Mr. Thornton said yes.

Councilmember Boeschstein asked how the Planning Commission came up with a limit of six posted signs per property. Mr. Thornton said through study and research but that number can be reevaluated as more input from the community is received.

Councilmember Chazen asked how two sided signs are counted. Mr. Thornton said if the two sided sign is at an angle of 60 degrees or less it counts as one sign. Councilmember Chazen asked about the limit of signs for construction areas. Mr. Thornton stated they cannot regulate what a sign says, but they can try to minimize the sign impact of those that would take advantage, by regulating size and limit.

Councilmember McArthur stated that it is difficult to cover every circumstance and asked if it would be appropriate to put in the ordinance the ability to apply to post more than the usual limit. However, he withdrew the question noting that it would not be content neutral.

Council President Norris expressed appreciation for community involvement in discussions regarding this issue.

Councilmember Traylor Smith moved to adopt Ordinance No. 4737 – An Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Signage on final passage and order final publication in pamphlet form. Councilmember Taggart seconded the motion. Motion carried by roll call vote with Councilmembers Boeschstein and Chazen voting NO.

### **Authorization of the City Manager to Sell a Portion of the Jarvis Property**

Grand Junction Economic Partnership (GJEP) has successfully negotiated with Sunshine Polishing Technology to relocate its operations to Grand Junction with a new facility proposed to be located on a two-acre portion of the Jarvis property. Council will consider the sale of the property and an incentive package.

Kathy Portner, Planning Manager, presented this item and mentioned Kristi Pollard of GJEP will also be presenting. Ms. Portner reviewed the history of the property and how it was acquired. She provided details of the property clean up, and stated the property now has the Riverfront Trail going through it along with a backwater pond for endangered fish. She identified the two-acre parcel proposed for sale and described how the property and the remainder of the property will be accessed. Ms. Portner stated the proposed incentives include the sale of the \$20,000 parcel, construction of an

access road and water line, waiver of development fees, and four years of property tax rebate.

Kristi Pollard, GJEP Director, thanked Ms. Portner, City Manager Caton, and City Attorney Shaver for their work on this project which will create jobs and utilize a portion of the Jarvis property. Ms. Pollard stated Sunshine Polishing Technology was originally based in Canada, is a pioneer in the plastic polishing field, and is expanding to gondola refurbishing. Ms. Pollard said with the approval of this project, Sunshine Polishing Technology will expand and bring their company to Grand Junction. She stated this is their first franchise in the United States and will bring 15 fulltime jobs to Grand Junction. Ms. Pollard said the GJEP Board has also agreed to provide incentive funds of \$1,000 per new employee, offer enterprise credits, and utilize the Jump Start program. Ms. Pollard said there were other location options for Sunshine Polishing Technology and she is pleased that they chose to locate in Grand Junction. Ms. Pollard said Ms. Dominic Bastion, Owner of Sunshine Polishing Technology, was in attendance.

Councilmember Taggart asked if Mesa County will be participating in offering incentives for this project. Ms. Pollard said they will be approaching Mesa County regarding participation with the Jump Start Program. Councilmember Taggart said the cost of incentives are a worthwhile short term investment and he is pleased with the company relocating to Grand Junction. He extended a welcome to those from Sunshine Polishing Technology in attendance.

Councilmember Traylor Smith stated she is the Council representative for GJEP and is pleased with the success of this project. She said the creativity and hard work of staff and growth potential will continue to revitalize the Jarvis Property.

Councilmember Kennedy asked staff if their presentations could include a cost analysis of incentives versus the benefits of a new company coming to the City. Ms. Pollard said she does have an economic impact study and has studied the direct and secondary impacts. She said she will email the results to Council. Councilmember Kennedy welcomed Sunshine Polishing and Technology and thanked staff.

Councilmember Chazen welcomed Sunshine Polishing Technology and thanked staff and Ms. Pollard. He asked if the rest of the Jarvis property has been subdivided. Ms. Portner said the entire property has been platted with the intent to embark on a design process and determine how it can best serve the City and local industries.

City Attorney Shaver said when the City acquired the property it was a junkyard. He stated the Uranium Mill Tailing Removal Project (UMTRA) was utilized to restore and unify the properties which took a significant effort. City Attorney Shaver said the City is positioned for next step in development of this property.

Councilmember Boeschstein thanked staff and welcomed Sunshine Polishing Technology. He asked if the City has certification for the site clean-up. Ms. Portner said yes. City Attorney Shaver said by utilizing the UMTRA process, there is no other known contamination on the property. Councilmember Boeschstein asked if the new business will create any hazardous waste.

Ms. Pollard stated there will be a site plan review and Persigo Wastewater Treatment Facility will also be involved in the review process. Councilmember Boeschstein asked if the new business will create any air pollution. Ms. Portner said the business will be required to comply with all regulations. Councilmember Boeschstein said he was glad to see this new business.

Council President Norris said she is glad the City has platted the Jarvis property and she believes this company fits with the community.

Councilmember Traylor Smith moved to adopt Resolution No. 13-17 – A Resolution Authorizing the City Manager to Sell a Portion of the City-owned Property, known as the Jarvis Property and approval of an incentive package for Sunshine Polishing Technology. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

### **North Avenue Catalyst Grant Request From Western Rockies Federal Credit Union**

Western Rockies Federal Credit Union has submitted an application for consideration of \$8,328.50 from the North Avenue Catalyst Grant Program. The amount is one-half of the cost for a proposed monument sign to replace the existing pole sign at 2302 North Avenue. This is the first 2017 application for the North Avenue Catalyst Grant program to come before Council.

Kathy Portner, Planning Manager, presented this item. She described the request and the location. She said two other grant recipients are just west of this property. Ms. Portner showed the existing sign to be removed which will be replaced with the proposed monument sign. The grant program requires a 50% match from the property/business owner with grant amounts up to \$10,000 per property. The Grant Committee has recommended approval for Western Rockies Federal Credit Union's new monument sign. Ms. Portner introduced Cathy Crawford representing the Western Rockies Federal Credit Union. Ms. Crawford explained the reason for improving their location with the monument sign.

Councilmember McArthur said he believes signage is the biggest problem along North Avenue and is pleased to see this and other such applications of the grant program.

Ms. Crawford stated that the logo for Western Rockies Federal Credit Union has changed and hopes to have the new logo on the new sign.

Councilmember Boeschstein thanked Ms. Crawford for upgrading to the North Avenue design standards.

Councilmember Chazen stated improvements like this are why the program was created.

Council President Norris said she appreciates the Credit Union being considerate of their North Avenue neighbors regarding the sign's design.

Councilmember Kennedy moved to approve the North Avenue Catalyst grant request from Western Rockies Federal Credit Union, located at 2302 North Avenue, in the amount of \$8,328.50. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

### **Change in Use Incentive Grant Request From Taco Corp Worldwide, LLC**

Taco Party, a proposed restaurant located at 126 South 5<sup>th</sup> Street, has submitted an application for consideration of \$3,909.60 from the newly created Change in Use Incentive Grant program. The amount is 25% of the sewer wastewater Plant Investment Fee (PIF) required for the conversion of the existing building to a restaurant use.

Kathy Portner, Planning Manager, presented the first application under the new pilot program and provided background on how this incentive grant program was created. On January 4, 2017 Council established the Change in Use Incentive Grant Pilot Program to fund 25% of the sewer wastewater Plant Investment Fee (PIF), up to \$10,000 for the conversion of an existing building in the Greater Downtown Area to a restaurant use. The purpose of the program is to maintain and enhance the viability of downtown and encourage the reuse of existing buildings as restaurants. The first application is Taco Corp Worldwide, LLC. She described the location and the proposal from the owner who is requesting 25% of that fee. She then introduced the owner, Jodi Niernberg.

Jodi Niernberg, representative of Taco Corp Worldwide, LLC, thanked staff and Council for their consideration. She reviewed her company's history and said she started looking for ways to grow her business about three years ago. She provided details of expenses and investment amounts for her business and is pleased with the possible option to reduce some expenses with this grant. Ms. Niernberg thanked Council for consideration of the Change in Use Incentive Grant.

Councilmembers Kennedy, Chazen, and Boeschstein said they would support this grant application and are all looking forward to having a new restaurant in the downtown area.

Council President Norris asked if the County offers similar incentives like the Change in Use Incentive program.

City Manager Caton said he has been working with the DDA Executive Director who is planning to bring the program proposal to the DDA board. City Manager Caton said he has sent correspondence to the County Administrator and is waiting for a response.

Council President Norris is pleased with this grant program that assists businesses with expenses and promotes economic development.

Councilmember McArthur asked what the remaining balance is in the grant fund. Ms. Portner said, if the three applications are approved tonight, the remaining balance will be approximately \$11,000. Councilmember McArthur said City Manager Caton may need to add to the balance. City Manager Caton said the City is prepared to add to the balance if needed.

Councilmember Chazen moved to approve the Change in Use Incentive Grant request from Taco Corp Worldwide, LLC, located at 126 South 5<sup>th</sup> Street, in the Amount of \$3,909.60. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

### **Change in Use Incentive Grant Request From Hops Culture**

Hops Culture, a proposed restaurant located at 457 Colorado Avenue, has submitted an application for consideration of \$6,760.80 from the newly created Change in Use Incentive Grant program. The amount is 25% of the sewer wastewater Plant Investment Fee (PIF) required for the conversion of the existing building to a restaurant use.

Kathy Portner, Planning Manager, presented this item. She described the request and the location. She said the total PIF for the conversion is \$27,042.20, based on the anticipated impact to the sewer system for restaurant use. She said the request meets the requirements of the Change in Use Incentive Grant Program and the request is for \$6,760.55. She then introduced Griff Chiono, Executive Chef, representing Hops Culture.

Mr. Chiono said Hops Culture has an established location in Aspen, Colorado and offers comfort food with a massive beer collection. He said he appreciates Council's consideration.

Councilmember McArthur asked if there was a structure removed from the restaurant's location. Mr. Chiono said the stucco was removed to expose the brick on the exterior wall.

Councilmembers Kennedy, Boeschstein, Chazen Traylor Smith, and Council President Norris thanked Mr. Chiono for bringing a quality locally owned restaurant to the downtown area.

Councilmember Chazen moved to approve the Change in Use Incentive Grant request from Hops Culture, located at 457 Colorado Avenue, in the Amount of \$6,760.55. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 9:02 p.m.

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Stephanie Tuin, MMC  
City Clerk

## **GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY February 8, 2017 – Noticed Agenda Attached**

Meeting Convened: 7:00 p.m. in the City Hall Auditorium

Meeting Adjourned: 8:50 p.m.

City Council Members present: All Councilmembers except Councilmember McArthur

Staff present: Caton, Shaver, Valentine, Hockins, Finlayson, and Tuin

Others Present: Jesse Daniels, Dennis Simpson, Ron Hall, Richard Swingle, Tim Pollard, Amy Hamilton (Daily Sentinel)

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### Agenda Topic 1. Broadband Discussion

Council President Norris called the meeting to order. Council President Norris asked Councilmember Taggart to introduce Mr. Michael Santorelli, Director, ACLP (Advanced Communications Law & Policy Institute) from the New York Law School.

Mr. Michael Santorelli described his background, starting in city government in New York. His focus is on broadband policy including current research. He provided his background on Municipal Broadband Policy; current research areas including barriers; government owned broadband networks (GON's); transition from telephone to internet protocol; bolstering Broadband connectivity across the U.S. via demand and supply, along with regulatory and policy reforms. He referred to the Policy Maker Toolkit that has 45 essential questions to guide the analysis, the underlying business model when producing studies, and materials to inform GON's discussion and proposals.

The "Big Picture" includes context, the municipal broadband debate, speeds, costs, options, and challenges. He described broadband deployments that have come and gone over the years. The take rate for such high speeds, like a gig, is low; there is also a lack of data on measurable economic development impact derived from construction of these systems.

Mr. Santorelli went over the deployment models; Purely Public, Muni Electric, and Public Private Partnerships (PPP). He provided several examples: Salisbury NC, UTOPIA, UT, Chattanooga, TN, Bristol, VA, Westminster, MD, and Ammon, ID and explained their motivation in bringing Broadband to their area.

He suggested the key takeaways found over the years are:

- Risky gamble
- Hard to compete with private provider
- Initial demand survey results are often inaccurate
- Deploying a muni network triggers significant opportunity costs
- There is little data identifying a clear cause-and-effect between gig networks and economic development
- Cities possess many levers they can pull to encourage private sector investment

Specific to Grand Junction's proposal, Mr. Santorelli said his opinion is that it is:



- Perilous to suggest prices, speeds, offerings
- Optimistic residential take rate projections
- Speed is unknown by most, interest decreases as price goes up
- Risk to City's credit rating is real
- Locks into technology for 30 years that might change

Conclusions offered by Mr. Santorelli:

- Time is your friend
- Use the ACLP's Policy Maker Toolkit
- Get an independent business analysis
- Include an indemnification clause in the contract
- Require transparency, auditing, and reporting (governments have more requirements)

Council had a general discussion with Mr. Santorelli regarding other communities, how to target the service, pricing, availability, the ownership and accountability piece, and elements of a public private partnership. It was noted that most of what was presented seemed on the negative side. Mr. Santorelli said a City build should be the last resort; they should exhaust every other option.

Jim Finlayson, City IT Manager, briefed Council of what was done in the beginning of 2015, and talked about the community forums.

There will be presentations at a future Workshop from the incumbent providers.

City Attorney Shaver reviewed some terms of the SiFi/Nokia contract and said he would approach them on whether a business analysis can be folded into Milestone Two.

With no further business the meeting was adjourned.

**GRAND JUNCTION CITY COUNCIL  
WEDNESDAY, FEBRUARY 8, 2017**

**WORKSHOP, 7:00 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. Broadband Discussion** - Presentation by Michael Santorelli, New York Law School

[Supplemental Documents](#)

**2. Other Business**

## **GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY**

### **February 13, 2017 – Noticed Agenda Attached**

Meeting Convened: 5:32 p.m. in the City Hall Auditorium

Meeting Adjourned: 8:47 p.m.

City Council Members present: All Councilmembers

Staff present: Caton, Shaver, Valentine, Hockins, Finlayson, and Tuin

Also: Vara Kusal (HDABID), Richard Swingle, Allison Blevins (DGJBID), Tim Pollard, Donnie Alexander, Abe Chavez (CenturyLink), Dave Rodrian (Charter), Jesse Daniels, Amy Hamilton (Daily Sentinel), and representatives from the other incumbent providers.

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#### Agenda Topic 1. Presentations by Incumbent Providers

Council President Norris called the meeting to order and thanked everyone for coming.

**a. Charter Spectrum – Dave Rodrian, VP Internet Product, Denver, CO**

- Second largest ISP in the Nation
- 25 million customer relations
- Grand Junction is the largest market in Colorado, 2, 500 employees in the State
- Provided the current offerings
- Explained the increased speed that will happen over time, connections and technology changes over time
- Spectrum Internet Assist – low cost, high speed offering to low income homes available in Grand Junction
- Bulk-Multi-dwelling offering
- Out of Home WiFi – Spectrum WiFi for outside access points
- Commercial services offering of 10 gig
- Service better today than in 2015, continue to invest in customer offerings
- Mary Roehr, Director of Governmental Affairs, stated they are leading the way by investing in the valley, they are proud of their service

**b. CenturyLink – Abel Chavez, Government Affairs Director**

- Appreciated the opportunity of working with City Staff
- Much different company today
- Build a business case in the downtown area
- Last fall began filling in the gaps with multi-tenant buildings
- Pointed out that Google is out of the market
- Providing broadband is very complex and very high risk
- Demand for gigabit speed is overestimated
- Referred to a chart that showed the uses and speeds needed
- 50% of broadband is being used by Netflix and YouTube users
- They believe the “sweet spot” is 40 Mbps for residential users and 100 Mbps in small businesses
- Providing a range of speeds when developing infrastructure
- Fiber vs. copper - Vectoring and G dot fast technology

- Mobile society – less than 25% use wire lines
  - No need for the City to build network, private public partnerships, CenturyLink stands ready
  - Message today Grand Junction is a Gig City – marketing strategy
- c. Provelocity – John Mabran, IT**
- His company gets called when citizens are having IT issues
  - He contrasted the City proposal is to every house whereas the provider model builds to demand
  - Average cost to a house is \$3,000-\$5,000
  - Netflix is the biggest broadband use
  - Big risk, could lead to property liens
  - He suggested a campaign to “buy” a gigabit for a business that wants to move to Grand Junction, cheaper than the proposal
  - Competition (tend to have a negative dynamic in this community)
  - Smart City Technology is the future, put in multiple conduits when possible
- d. Forethought – Erik Hager, VP Business Development**
- Early partner with SiFi/Nokia proposal
  - His company exploits underserved markets, is an independent ISP
  - Grand Junction is a hub but also the biggest obstacle is the last mile; copper is old in Grand Junction and is long
  - Netflix has a node in Denver
  - History of the private public partnerships (PPP) – telecom and cable television
  - Lessons learned over the last 15 years – Business Model failed – underestimated costs, poor assumptions and the take rate too aggressive
  - Successes – Chattanooga, Utopia, Rio Blanco – the bonds are being paid
  - Provided four examples in Colorado – Rio Blanco, Glenwood Springs, Longmont, and Cortez, provided the status of each of these
  - Signed on as a partner with the first RFP with SiFi/Nokia – he has confidence in them – his feasibility study matched theirs
  - Believes the system can support 2 or 3 ISPs in the future
- e. Emery Telecom – Jared Anderson, Chief Operating Officer**
- They are a non-profit cooperative; located in southeastern Utah
  - Started working with CDOT in 2014 in the Grand Junction area, some terms put forward by CDOT not acceptable
  - His ask of the City is any help the City can give in working with CDOT
  - He has 23 miles left to build and will take about 3 weeks to build
  - Timing is critical due to wildlife (i.e. eagle nesting period) along the route
  - Deliver business fiber services like in Moab is what he would do in Grand Junction
  - He feels competition fosters success
  - Only offering is to businesses; explained why residential is so expensive
- f. 32 Waves – Colt Levitt**
- Startup in Grand Junction, 6-7 months old, approximately 187 customers, backbone fiber can switch between providers
  - Municipal fiber will allow competition; fiber is the way to go; 5G will require a network overhaul and technology is not ready
  - FCC is looking to topple net neutrality – fiber assets should be considered; fiber supports wireless

After a general discussion among Council, staff was directed to schedule a discussion at another Workshop, possibly February 27<sup>th</sup>. There is a commitment to have Milestone Two on the March 1, 2017 City Council Agenda. The contract was extended until March 2, 2017. It was suggested that Council be provided an independent analysis, best practices, and a summary of the "Guide to Community Leaders" publication.

With no further business the meeting was adjourned.

**GRAND JUNCTION CITY COUNCIL  
MONDAY, FEBRUARY 13, 2017**

**PRE-MEETING (DINNER) 5:00 P.M. ADMINISTRATION CONFERENCE ROOM  
WORKSHOP, 5:30 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. Presentations by Incumbent Providers (15 minutes each)**

- a. Charter Spectrum
- b. CenturyLink
- c. Provelocity
- d. Forethought
- e. Emery Telecom
- f. 32 Waves

**2. Next Workshop Topics**

**3. Other Business**

**GRAND JUNCTION CITY COUNCIL**

**SPECIAL SESSION MINUTES**

**FEBRUARY 15, 2017**

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, February 15, 2017 at 5:00 p.m. in the Administration Conference Room, 2<sup>nd</sup> Floor, City Hall, 250 N. 5<sup>th</sup> Street. Those present were Councilmembers Bennett Boeschstein, Marty Chazen, Chris Kennedy, Duncan McArthur, Rick Taggart, and President of the Council Phyllis Norris. Absent was Councilmember Barbara Traylor Smith.

Councilmember McArthur moved to go into Executive Session for discussion of personnel matters under Colorado Revised Statute 24-6-402 (4)(f)(i) of the Open Meetings Law Relative to City Council Employees specifically the City Manager, the City Attorney, and the Municipal Judge and will not be returning to open meeting. Councilmember Chazen seconded the motion. Motion carried.

The City Council convened into executive session at 5:05 p.m.

Councilmember Barbara Traylor Smith arrived at 5:35 p.m.

City Manager Greg Caton, City Attorney John Shaver, and Municipal Judge Care' McInnis were brought into the meeting at different times.

Councilmember Chazen moved to adjourn. Councilmember Kennedy seconded. Motion carried.

The meeting adjourned at 6:50 p.m.

Stephanie Tuin, MMC  
City Clerk



**Grand Junction City Council**

**Regular Session**

**Item #2.a.i.**

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**Meeting Date:** March 1, 2017

**Presented By:** Kristen Ashbeck, Sr. Planner/ CDBG Admin

**Department:** Admin - Community Development

**Submitted By:** Kristen Ashbeck, Senior Planner

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**Information**

**SUBJECT:**

Ordinance Amending the Commons Planned Development by Approving an Outline Development Plan with Default Zones Of R-8 (Residential 8 Units/Acre), R-12 (Residential 12 Units/Acre) and MXOC (Mixed Use Opportunity Corridor) (March 15, 2017)

**RECOMMENDATION:**

Consider a revised PD (Planned Development) zoning ordinance and Outline Development Plan on first reading and set a hearing for March 15, 2017.

**EXECUTIVE SUMMARY:**

The applicant requests approval of a revised PD (Planned Development) zoning and Outline Development Plan (ODP) to continue development of a mixed use senior living campus with default zones of R-8 (Residential 8 units/acre), R-12 (Residential 12 units/acre) and MXOC (Mixed Use Opportunity Corridor), located at 625 27-1/2 Road (address of existing Commons Assisted Living Facility).

**BACKGROUND OR DETAILED INFORMATION:**

The Commons senior living complex was originally zoned Planned Development (PD), primarily for development of an assisted living facility which was constructed in 2002 with 14 attached single family cottages and a senior recreation center. In 2003, that ordinance was amended to add another 20 cottage units. In 2007, the plan was amended again since Hilltop had acquired the property on the northwest corner of 27-1/2 and Patterson Roads which was incorporated into the Plan to accommodate additional cottage units to replace the proposed recreation center. To date, the assisted



living facility has a license for 185 beds (considered 46 housing units for purposes of calculating density at 4 beds per housing unit) and 38 of the cottage units have been constructed.

Hilltop Health Services would like to develop more of the previously-approved cottage units. However, the Preliminary Plan, last approved in 2007, has expired and the existing Zoning and Development Code requires that the property be brought into compliance with an updated PD zoning ordinance and an Outline Development Plan. In addition to the new Zoning and Development Code adopted in 2010, the City has adopted the Comprehensive Plan and new development has occurred along Patterson Road in the vicinity that influences future development of The Commons property.

When first developed, The Commons property had a split land use designation on the Future Land Use Map and the approved development plans averaged density over the site to accommodate both the assisted living facility and the cottages. The current Comprehensive Plan Future Land Use Map designates the entire property as Residential Medium High with a density range of 8 to 16 units per acre. In addition, the Patterson Road corridor is designated as a Mixed Use Opportunity Corridor. A new form-based zone district, MXOC (Mixed Use Opportunity Corridor) was established in 2014 and permits all types of group living facilities, along with other types of commercial uses. This is consistent with the types of development that have occurred along the corridor, including City Market, other expanded group living facilities, large church sites and the office complex at Village Park at 28-1/4 Road.

The applicant is requesting a revision to the existing PD zoning ordinance and approval of an Outline Development Plan. The Plan depicts three areas or “pods” of different land use intensity/density.

Pod 1 incorporates the existing assisted living complex and contemplates development of a similar care facility on the western side of the area. An underlying zone district of R-12 is proposed to accommodate this anticipated future development.

Pod 2 encompasses the cottage units, both existing and proposed, with an underlying zoning of R-8.

Pod 3 in the far south end of the site takes advantage of the Mixed Use Opportunity Corridor that gives the developer flexibility to provide additional housing and/or support facilities, including an office or a central location for a property maintenance facility. The requested underlying zone district of MXOC (Mixed Use Opportunity Corridor) supports this potential range of uses.

A full analysis of the proposed ODP, including addressing applicable approval criteria, is included in the attached report.

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

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

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

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

The proposed updated zoning and ODP will create the opportunity for continued development of a senior living complex in this area of the community that addresses a regional need for senior housing choices along with supportive services and facilities.

Neighborhood Meeting:

A Neighborhood Meeting was held January 25, 2017 at 5:30 PM at Hilltop's corporate offices at 1331 Hermosa Avenue in Grand Junction. A brief presentation was given to 5 guests followed by a question and answer session and one-on-one conversations around the posted site plans and aerial photos. No opposition was expressed. An attendance roster is attached to this report.

**FISCAL IMPACT:**

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

**SUGGESTED MOTION:**

I move to introduce a Proposed Ordinance Amending the Commons Planned Development by Approving an Outline Development Plan with Default Zones Of R-8 (Residential 8 Units/Acre), R-12 (Residential 12 Units/Acre) and MXOC (Mixed Use Opportunity Corridor) and Set a Hearing for March 15, 2017.

**Attachments**

1. Commons ODP PC Staff Report
2. Ordinance



Date: February 8, 2017

Author: Kristen Ashbeck

Title/ Phone Ext: Senior Planner/1491

Presenter: Kristen Ashbeck

Proposed Schedule:

February 28, 2017

File #: PLD-2017-53

## PLANNING COMMISSION AGENDA ITEM

**Subject:** Hilltop Commons, Revised PD Zoning Ordinance and Outline Development Plan, Located on Northeast Corner 27-1/2 and Patterson Roads.

**Action Requested/Recommendation:** Forward a recommendation to City Council of a revised Planned Development (PD) zoning Ordinance and an Outline Development Plan (ODP) for the Hilltop Commons senior living campus on 19.9 acres in a PD (Planned Development) zone district.

**Presenters Name & Title:** Kristen Ashbeck, Senior Planner

### Executive Summary:

The applicant requests approval of a revised PD (Planned Development) zoning and Outline Development Plan (ODP) to continue development of a mixed use senior living campus with default zones of R-8 (Residential 8 units/acre), R-12 (Residential 12 units/acre) and MXOC (Mixed Use Opportunity Corridor), located at 625 27-1/2 Road (address of existing Commons Assisted Living Facility).

### Background, Analysis and Options:

The Commons senior living complex was originally zoned Planned Development (PD), primarily for development of an assisted living facility which was constructed in 2002 with 14 attached single family cottages and a senior recreation center. In 2003, that ordinance was amended to add another 20 cottage units. In 2007, the plan was amended again since Hilltop had acquired the property on the northwest corner of 27-1/2 and Patterson Roads which was incorporated into the Plan to accommodate additional cottage units to replace the proposed recreation center. To date, the assisted living facility has a license for 185 beds (considered 46 housing units for purposes of calculating density at 4 beds per housing unit) and 38 of the cottage units have been constructed.

Hilltop Health Services would like to develop more of the previously-approved cottage units. However, the Preliminary Plan, last approved in 2007, has expired and the existing Zoning and Development Code requires that the property be brought into compliance with an updated PD zoning ordinance and an Outline Development Plan. In addition to the new Zoning and Development Code adopted in 2010, the City has adopted the Comprehensive Plan and new development has occurred along Patterson Road in the vicinity that influences future development of The Commons property.

When first developed, The Commons property had a split land use designation on the Future Land Use Map and the approved development plans averaged density over the site to accommodate both the assisted living facility and the cottages. The current

Comprehensive Plan Future Land Use Map designates the entire property as Residential Medium High with a density range of 8 to 16 units per acre. In addition, the Patterson Road corridor is designated as a Mixed Use Opportunity Corridor. A new form-based zone district, MXOC (Mixed Use Opportunity Corridor) was established in 2014 and permits all types of group living facilities, along with other types of commercial uses. This is consistent with the types of development that have occurred along the corridor, including City Market, other expanded group living facilities, large church sites and the office complex at Village Park at 28-1/4 Road.

The applicant is requesting a revision to the existing PD zoning ordinance and approval of an Outline Development Plan. The Plan depicts three areas or “pods” of different land use intensity/density.

- Pod 1 incorporates the existing assisted living complex and contemplates development of a similar care facility on the western side of the area. An underlying zone district of R-12 is proposed to accommodate this anticipated future development.
- Pod 2 encompasses the cottage units, both existing and proposed, with an underlying zoning of R-8.
- Pod 3 in the far south end of the site takes advantage of the Mixed Use Opportunity Corridor that gives the developer flexibility to provide additional housing and/or support facilities, including an office or a central location for a property maintenance facility. The requested underlying zone district of MXOC (Mixed Use Opportunity Corridor) supports this potential range of uses.

A full analysis of the proposed ODP, including addressing applicable approval criteria, is included in the attached report.

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

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

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

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

*The proposed updated zoning and ODP will create the opportunity for continued development of a senior living complex in this area of the community that addresses a regional need for senior housing choices along with supportive services and facilities.*

**Neighborhood Meeting:**

A Neighborhood Meeting was held January 25, 2017 at 5:30 PM at Hilltop's corporate offices at 1331 Hermosa Avenue in Grand Junction. A brief presentation was given to 5 guests followed by a question and answer session and one-on-one conversations around the posted site plans and aerial photos. No opposition was expressed. An attendance roster is attached to this report.

**Board or Committee Recommendation:**

There is no other board or committee recommendation.

**Financial Impact/Budget:**

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

**Previously presented or discussed:**

This has not been previously discussed by the Planning Commission.

**Attachments:**

1. Background Information
2. Staff Report
3. Location Map
4. Comprehensive Plan – Future Land Use Map
5. Existing Zoning Map
6. Applicant's General Project Report
7. Proposed Outline Development Plan (ODP)
8. Neighborhood Meeting Attendance List
9. Proposed Ordinance

<b>BACKGROUND INFORMATION</b>				
<b>Location:</b>		Northwest corner of 27-1/2 and Patterson Roads		
<b>Applicant:</b>		Hilltop Health Services Corporation (Hilltop) – Owner and Applicant Blythe Group and Austin Civil Group - Representatives		
<b>Existing Land Use:</b>		185-bed Assisted Living Facility and 38 Cottage Units		
<b>Proposed Land Use:</b>		Expanded Assisted Living Facility, additional Cottage units and mixed use area		
<b>Surrounding Land Use:</b>	<b>North</b>	Church and Multifamily Housing (Nellie Bechtel)		
	<b>South</b>	Attached and Detached Single Family Residential and Vacant Land		
	<b>East</b>	Single Family Residential and Park (Spring Valley 1)		
	<b>West</b>	Attached and Detached Single Family Residential		
<b>Existing Zoning:</b>		PD (Planned Development) – Expired Plan		
<b>Proposed Zoning:</b>		PD (Planned Development) – Updated Zoning Ordinance and Outline Development Plan (ODP)		
<b>Surrounding Zoning:</b>	<b>North</b>	R-8 (Residential 8 units/acre) and R-24 (Residential 24 units/acre)		
	<b>South</b>	R-8 (Residential 8 units/acre)		
	<b>East</b>	R-5 (Residential 5 units/acre) and CSR (Community Services and Recreation)		
	<b>West</b>	R-8 (Residential 8 units/acre)		
<b>Future Land Use Designation:</b>		Residential Medium High (8-16 units per acre) and Mixed Use Opportunity Corridor		
<b>Blended Residential Category:</b>		Residential Medium (4-16 units/acre)		
<b>Zoning within density/intensity range?</b>		X	<b>Yes</b>	<b>No</b>

**Grand Junction Municipal Code (GJMC) Chapter 21.05 – Planned Development**

**Section 21.05.010 – Purpose:** The planned development zone applies to mixed use projects where design flexibility is not available through application of the standards in Chapter 21.03.

This property originally developed under the Growth Plan which had a split land use designation and the Planned Development (PD) zone facilitated development of varied uses and residential densities across the site. Since the previous plan has expired, it is appropriate to update the zoning ordinance for the PD zone with an updated ODP to reflect the current land use designation with a Mixed Use Opportunity Corridor along Patterson Road. The updated PD and ODP provide for the flexibility to continue to develop the site for a variety of uses and residential densities.

**Long-Term Community Benefit:** This section also states that Planned Development zoning should be used when long-term community benefits, as determined by the Director, will be derived. Specific benefits include, but are not limited to:

- a) More effective infrastructure: The proposed plan will continue to make optimal use of existing infrastructure, including utilities, public streets and transportation.
- b) Reduced traffic demands: The traffic generated from the updated plan will not significantly increase traffic demands on public streets and the mix of uses and housing type and densities on the site may decrease the number of trips to and from the site in comparison to other types of land uses.
- c) Needed housing types and/or mix: The proposed plan will continue to provide a much needed and diverse housing type for both assisted and independent senior living. The new development will infill the vacant sites within the property.
- d) Innovative designs: Hilltop continues to strive for excellence in the design, construction and operation of its facilities to provide sustainable, comfortable living communities.

The applicant has presented, and planning staff concurs with, several long-term community benefits of the proposed PD, including more effective infrastructure and reduced traffic demand, filling a need for senior living housing types, and ongoing innovative design and construction for infill development.

#### **Section 21.05.020 - Default standards.**

The use, bulk, development, and other standards for each planned development shall be derived from the underlying zoning, as defined in Chapter 21.03 GJMC. In a planned development context, those standards shall be referred to as the default zone(s). The Director shall determine whether the character of the proposed planned development is consistent with the default zone(s) upon which the planned development is based.

The underlying zoning of the entire property at the time the previous PD zone was established was R-8 (Residential 8 units/acre). This density was within an acceptable range of the two land use categories of the Growth Plan of 8-12 units/acre in the north and 4-8 units/acre in the south. For the cottage residences that have developed and the areas proposed for additional cottages (Pod 2), a default zone of R-8 is consistent with the actual density of the cottages that are approximately 6 units per acre.

In order to accommodate the density of the existing assisted living facility and a contemplated similar care facility on the vacant property within Pod 1, a default zone district of R-12 (Residential 12 units/acre) is proposed. This density, averaged with the R-8 density of Pod 2 is consistent with the Comprehensive Plan Future Land Use designation of Residential Medium High 8-16 units/acre.

Pod 3 is within the Patterson Road Mixed Use Opportunity Corridor so the new plan proposes a default zone in this area of MXOC that will provide flexibility to develop a variety of uses on the site, depending on residential, office and/or support facility needs.

Deviations from any of the default standards may be approved only as provided in this chapter and shall be explicitly stated in the zoning ordinance. The applicant proposes to meet or exceed all of these minimum standards as part of the Final Development Plan with no deviations requested.

**Section 21.05.030 - Establishment of Uses:** The property will be developed as a cohesive campus with uses as allowed with the proposed default zone districts.

**Section 21.04.030(p) Use-specific Standards:** Potential uses within The Commons complex that have use-specific standards include group living, office, and multifamily. As new development occurs, the Final Development Plan for each will be reviewed for compliance with the standards as required.

**Section 21.05.040 – Development Standards:**

(a) **Generally.** Planned development shall minimally comply with the development standards of the default zones and all other applicable code provisions, except when the City Council specifically finds that a standard or standards should not be applied.

**Residential Density:** Given the default zone districts of R-12 and R-8 in Pods 1 and 2 respectively, the maximum number of total units in those areas is 171 which, if developed to this maximum results in an overall density of 9.7 units/acre. Currently 84 of the units exist on the site. This density is consistent with the Comprehensive Plan Future Land Use designation of Residential Medium high 8-16 units per acre. There is no maximum density under the default zone of MXOC proposed for Pod 3.

**Minimum District Size:** The Commons site exceeds the five-acre minimum Planned Development zoning district size.

**Open Space:** As uses within each pod develop, open space required for each area/use will meet requirements of GJMC Section 21.06.020 as applicable.

**Landscaping:** Landscaping shall meet or exceed the requirements of GJMC Section 21.06.040. A landscaping plan will be reviewed as part of the Final Development Plan as each area or subarea within the pods is developed and shall meet or exceed the requirements of GJMC Section 21.06.040.

**Parking:** Parking shall meet the requirements of GJMC Section 21.060.050. Parking will be reviewed as part of the Final Development Plan as each area or subarea within the pods is developed.

**Street Development Standards:** There are no new public streets proposed through the site. Access to development in the pods will be directly from existing public streets or from private access drives – some of which are already defined by the existing development. The access points and internal circulation will be evaluated with the Final Development Plan as each area or subarea develops and will conform to Transportation Engineering and Design Standards (TEDS).

**Section 21.05.040(g) - Deviation from Development Default Standards:** The applicant is not proposing any deviations to the default standards of the R-8 (Residential



8 units/acre), R-12 (Residential 12 units/acre) or MXOC (Mixed Use Opportunity Corridor) form district.

**Section 21.05.050 - Signage:** Section 21.05.050(c) of the Code requires that all signs in a planned development zone be approved as part of the development plan and allows for the maximum sign allowance to be aggregated and redistributed. The following signage shall be allowed for The Commons ODP:

Three (3) Existing Freestanding Identification Signs at east and west ends of Hermosa Avenue and on 27-1/2 Road in front of Assisted Living facility. Maximum Size: 12-feet wide x 5-feet high, with the maximum height of 6 feet. Signs shall be non-illuminated.

One (1) Existing Freestanding sign along the north side of Hermosa Avenue  
Maximum Size: 4-feet wide x 5-feet high, with the maximum height of 5 feet. Sign shall be non-illuminated.

One (1) Freestanding Monument Sign along the north side of Hermosa Avenue near Commons Circle to identify potential new facility.  
Maximum Size: 12-feet wide x 5-feet high, with the maximum height of 6 feet. Sign shall be non-illuminated.

Signs within the MXOC default zoning area (Pod 3) shall meet requirements of the zone district and GJMC Section 21.06.070 and will be reviewed with Final Development Plan(s). The MXOC zone district requires that all freestanding signs be monument style with a maximum height of 15 feet.

**Section 21.02.150 of the Grand Junction Zoning and Development Code:**

An Outline Development Plan (ODP) application shall demonstrate conformance with all of the following:

- i. The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

The proposed Outline Development Plan has been reviewed and found to comply with the Comprehensive Plan, Grand Valley Circulation Plan and other applicable adopted plans and policies.

- ii. The rezoning criteria provided in Section 21.02.140 of the Grand Junction Zoning and Development Code;

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

The previously approved Preliminary Development Plan for the property has expired. In addition, the adoption of the Comprehensive Plan in 2010 created a Mixed Use Opportunity Corridor along Patterson Road. The Mixed Use Opportunity Corridor allows for the consideration of non-residential uses along major corridors for some properties that previously could not be considered, provided that the properties are included in a Form-based District. The

designation as a Mixed Use Opportunity Corridor in the southern portion of the site changes the potential for that portion of the property (Pod 3). Also, the Zoning and Development Code adopted with the Comprehensive Plan requires a new Plan (ODP) be reviewed and developed under the new Code.

This criterion has been met.

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

The Comprehensive Plan adopted since the previous plan for The Commons designates a different land use on the property as well as a Mixed Use Opportunity Corridor for Patterson Road. This designation supports the existing Commons development and newer development, including City Market, other expanded group living facilities, large church sites and the office complex at Village Park at 28-1/4 Road. The updated PD zone and ODP are consistent with the changes occurring in this area of the community.

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 facilities and services (water, sewer, utilities, etc.) are currently available or will be made available concurrent with the development and commiserate with the impacts of the development.

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

There is a growing demand for senior living and a variety of housing types as the population ages. This property has already been zoned and development has started. This zoning will support continued development to full build-out of the property.

This criterion has been met.

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

The long-term community benefits of the proposed PD include more effective infrastructure, reduced traffic demands compared with other potential uses, filling a need for senior living alternatives, and a sustainable mix of uses. In addition, it meets several goals of the Comprehensive Plan by addressing a regional need for senior living and care alternatives for an aging population.

This criterion has been met.

- iii. The planned development requirements of Chapter 21.05;

The proposed ODP has been reviewed by the Community Development Division and other review agencies and has been found to be in conformance with the Planned Development requirements of Chapter 21.05 of the Zoning and Development Code.

- iv. The applicable corridor guidelines and other overlay districts in Chapter 21.07;

This property is not subject to any corridor guidelines or other overlay districts.

- v. Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;

Adequate public services and facilities, include Ute domestic water and Persigo 201 sanitary sewer are currently available adjacent to the property and will continue to be available for use by and commiserate with the proposed development.

- vi. Adequate circulation and access shall be provided to serve all development pods/areas to be developed;

Internal circulation will be evaluated with the subsequent Final Development Plans and will conform to Transportation Engineering and Design Standards (TEDS).

- vii. Appropriate screening and buffering of adjacent property and uses shall be provided;

Appropriate screening and buffering of adjacent property and uses will be provided and reviewed as part of the subsequent Final Development Plans.

- viii. An appropriate range of density for the entire property or for each development pod/area to be developed;

The overall proposed density falls within the range allowed by the Comprehensive Plan and the default zones of R-8, R-12 and MXOC.

- ix. An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed;

The minimum standards for the property for each pod area shall be those of the default zone districts established for the PD zone and ODP of R-8, R-12 and MXOC.

- x. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

Section 21.02.080(n) of the Code states that a development phasing schedule may be set for greater than one year, but not more than 10 years by the decision-

making body. The applicant is requesting the maximum, which would be 10 years from the time of approval.

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

After reviewing The Commons application, PLD-2017-53, a request for approval of an Outline Development Plan (ODP) and Planned Development Ordinance, I make the following findings of fact/conclusions and conditions of approval:

1. The requested Planned Development - Outline Development Plan is consistent with the goals and polices of the Comprehensive Plan, specifically, Goals 3, 5 and 12.
2. The review criteria in Section 21.02.150 of the Grand Junction Zoning and Development Code have been addressed.
3. The review criteria in Section 21.05 – Planned Development have been addressed.

**STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested Outline Development Plan as a Planned Development Ordinance, PLD-2017-53 to the City Council with findings of fact/conclusions and conditions of approval as stated in the staff report.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on item PLD-2017-53, I move that the Planning Commission forward a recommendation of approval to the City Council on the requested Outline Development Plan as a Planned Development Ordinance for The Commons, with the findings of fact, conclusions, and conditions identified within the staff report.

## The Commons Location Map



## The Commons Future Land Use Map





## General Project Report

The Cottages of Hilltop  
27-1/2 and Patterson Roads  
Grand Junction, CO 81506  
February 6, 2017

### Project Description:

**Location:** Northwest corner of the 27-1/2 Road / Patterson Road intersection.

**Acreage:** Six parcels of 7.3, 2.6 and 1.0 acres (Lots 1, 3 and 4 of The Commons subdivision); and 4.5, 2.3 and 2.2 acres (Lots 1, 2 and 3 of the Hilltop Commons subdivision) for a total of 19.9 acres

**Proposed Use:** Development of the property for mixed use and residential use with varying densities of 5.5 – 12 units per acre.

### Public Benefit:

Increased housing options and capacity to the senior community, better meeting the needs of aging baby boomers. More effective infrastructure and reduced traffic demand. Innovative design for an infill site.

### Neighborhood Meeting:

Held January 25, 2017 at 5:30 PM at Hilltop's corporate offices at 1331 Hermosa Avenue in Grand Junction. A brief presentation was given to 5 guests followed by a question and answer session and one-on-one conversations around the posted site plans and aerial photos. No opposition was expressed. Attendance sheet is attached.

### Project Compliance:

#### Adopted Plans and Policies:

Ordinance No. 3263-2000 rezoned the 616 27-1/2 Road property from RMF-8 to PD for development of an assistive living complex. This allowed for mixed residential (14 attached single family cottages), assisted living (306 beds) uses and a senior recreation center which met the goals and policies of the Growth Plan and Zoning and Development Code.

Ordinance No. 3527-2003 amended Ordinance No. 3263-2000 to specify the property to be lots 1 – 4 of The Commons Subdivision, changed the address to 625 27-1/2 Road and allowed for mixed residential (10 duplexes – total 20 single family cottages), assisted living (306 beds) uses and a senior recreation center (maximum size of 72,514 SF).

Ordinance No. 4019-2007 amended Ordinance No. 3263-2000 to include additional acreage within the project area (lots 1, 2A, 3 and 4 of The Cottages at the Commons subdivision) and specifies 10.6 units/acre with PD zoning and an underlying zone district of RMF-8. This ordinance also allowed for assisted living (up to 306 beds) and 62 attached single family cottage units which met the goals and policies of the Growth Plan and Zoning and Development Code.

To date, an assisted living facility with a license for 185 beds (considered 46 housing "units" for purposes of calculating density at 4 beds per "unit") and 38 of the cottages have been built.

**Land use in the Surrounding Area:** The parcels are surrounded primarily by residential uses, both single-family and multi-family, including both independent and assisted living. To the immediate north are a private home and the Calvary Bible Church. To the immediate east are dozens more private homes and a 3-acre open space that belongs to the City (Spring Valley I Park) at the intersection of Patterson and 27-1/2 Roads. To the immediate south are the Northeast Christian Church, a nursing home and several more single-family homes. To the immediate west are several duplex / triplex homes and apartments.

**Site Access and Traffic Patterns:** Access to this Hilltop campus is from 15<sup>th</sup> Street and 27-1/2 Road via Hermosa Avenue. Internal access to the campus is via private streets.

**Availability of Utilities:** Utilities are available on site now, some as public and others as private and will be extended as needed as development proceeds.

**Special or Unusual Utility Demands:** None anticipated.

**Effects on Public Facilities:** Moderate increases in services, traffic and utility use in accord with the pace of the development.

**Hours of Operation:** Not applicable to residences (non-business use); 24/7/365 for the assisted living facility and M-F 8AM to 5PM for the Senior Daybreak facility.

**Number of Employees:** Approximately 120 to operate the assisted living facility and to maintain the cottages. There are not normally any employees in the cottages – they visit only when they are performing maintenance.

**Signage Plans:** In accordance with the ordinances. Currently anticipated adds are street signs as more private streets are developed and building-mounted address numbers on the cottages. Signage within the development shall meet the standards of GJMC Section 21.06.070(g)(3).

**Site Soils and Geology:** Hilltop previously conducted a soils investigation and received a full engineering report from Geotechnical Engineering Group (their project #2441, dated 8/7/06). The soils were reported to be silty, sandy clay with gravel lenses overlaying shale at a depth varying from 4-1/2 to 21 feet with the surface sloping to the west at approximately 1%. No special geology was found and the report concluded that the proposed development was feasible.

**Impact of Project on Site Geology and Geologic Hazards:** No significant impact is anticipated. All earthwork will be done in strict accordance with the recommendations of the soils investigation and report. There are no known geologic hazards.

**Review Criteria (Outline Development Plan):**

1. The proposed Outline Development Plan meets Goals 3, 5, 7 and 12 of the Comprehensive Plan. In addition, the request will meet the Grand Valley Circulation Plan and other applicable adopted plans and policies.
2. The rezoning criteria provided in Section 21.02.140 of the Grand Junction Zoning and Development Code;



- a. Subsequent events have invalidated the original premises and findings;

Subsequent events have not invalidated the original premises for the default zone of R-8. However, the addition of the Mixed Use Opportunity Corridor, allows for the consideration of commercial uses along major corridors for some properties that previously could not be considered. The designation as a Mixed Use Opportunity Corridor changes the potential uses allowed on the property.

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

The character and/or condition of the area has not changed concerning the original default zone of R-8. However, creation of the Mixed Use Opportunity Corridor changed the conditions of the area such that the proposed default zone of MXOC is consistent with the Comprehensive Plan.

- c. Public and community facilities are adequate to serve the type and scope of land use proposed;

Adequate public facilities and services (water, sewer, utilities, etc.) are currently available to this site.

- d. 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 a growing demand for the type of housing offered by Hilltop and currently an inadequate supply of suitably designated land available in the community.

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

The long-term community benefits of the proposed PD include more effective infrastructure, reduced traffic demands and filling the demand for a needed housing type. In addition, it meets several goals of the Comprehensive Plan as stated above.

- 3. The planned development requirements of Chapter 21.05;

The proposed ODP is in conformance with the Planned Development requirements of Chapter 21.05 of the Zoning and Development Code.

- 4. The applicable corridor guidelines and other overlay districts in Chapter 21.07;

This property is not subject to any corridor guidelines or other overlay districts.

- 5. Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;

Adequate public services and facilities, include water and sanitary sewer are currently available adjacent to the property.

6. Adequate circulation and access shall be provided to serve all development pods/areas to be developed;

Internal circulation will be evaluated with the Final Development Plan and will conform to Transportation Engineering and Design Standards (TEDS).

7. Appropriate screening and buffering of adjacent property and uses shall be provided;

Appropriate screening and buffering of adjacent property and uses shall be provided and reviewed as part of the Final Development Plan.

8. An appropriate range of density for the entire property or for each development pod/area to be developed;

The proposed density falls within the range allowed by the Comprehensive Plan and the default zones of R-8, R-12 and MXOC.

9. An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed;

Development of the three Pods will meet the minimum standards for the R-8, R-12 and MXOC default zones.

10. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

It is requested that the development be given a 20-year window of time to fully develop.

11. Section 21.05.020 - Default standards. Pod 1 will have a default zone of R-12, Pod 2 will have a default zone of R-8 and Pod 3 will have a default zone of MXOC. The standards required within each Pod will meet or exceed the minimum required standards of each default zone as part of the Final Development Plan with no deviations requested.

12. Section 21.05.030 – Establishment of Uses: The uses allowed within each Pod will follow the uses allowed within the default zones with no deviations requested.

13. Section 21.04.030(p) Use-specific standards: At the time of this application, no use that requires use-specific standards as defined by Section 21.04.030 are anticipated. However, if a use allowed under the default zone requires use-specific standards, that use will meet the standards under Section 21.04.030.

14. Section 21.05.040 – Development Standards:

- a. Residential Density: The density will meet the requirements of the default zone. There is no maximum density under the default zone of MXOC.

b. Minimum District Size: The site is greater than five acres and therefore meets the minimum area recommended for a planned development

c. Landscaping: Landscaping shall meet or exceed the requirements of GJMC Section 21.06.040. Landscaping will be reviewed as part of the Final Development Plan and shall meet or exceed the requirements of GJMC Section 21.06.040.

d. Parking: Parking shall meet or exceed the requirements of GJMC Section 21.06.050. Parking will be reviewed as part of the Final Development Plan and shall meet or exceed the requirements of GJMC Section 21.06.050.

e. Street Development Standards: Access and internal circulation will be evaluated with the Final Development Plan and will conform to Transportation Engineering and Design Standards (TEDS).

f. Deviations from Development Default Standards: There are no deviations to the default standards proposed.

g. Signage: Signage within the development shall meet the standards of GJMC Section 21.06.070(g)(3).

**Development Schedule and Phasing:**

The purpose of this ODP is to gain approval for construction of structures such as additional cottage units, additional assisted living units and an office building as examples on the remaining vacant property. An exact schedule for completion of all the future buildings has not been determined although Hilltop intends to build 6 more cottages in 2017 and requests approval for the rest of the development within 20 years.

# THE COMMONS OUTLINE DEVELOPMENT PLAN (ODP)





# MEETING SIGN-IN SHEET – PLEASE PRINT

**Project:** Sage Cottage Expansion      **Meeting Date:** 1/25/2017  
**Facilitator:** CEO Mike Stahl, Senior Director Cathy Story      **Place/Room:** Hilltop Corporate Office

Name	Address	City	Zip	E-Mail
Mile & Gina Kelly	1696 Treehaven Ct.	6 ft.	81506	MIREKHATSEI@cloud.com
M. Nichols	1532 Treehaven	GJ.	81506	
Kris Ashbeck	City			kristena@gjcity.org
Danette Buck	GJHA			dbuck@gjha.org
Linda Pfman	Brickyard Wellington	GJ		efmanhomes@gmail.com

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING ORDINANCE No. 4019 ZONING THE COMMONS  
PLANNED DEVELOPMENT TO UPDATE THE PD (PLANNED DEVELOPMENT)  
ZONING FOR AN EXISTING PD (PLANNED DEVELOPMENT) ZONE,  
BY APPROVING AN OUTLINE DEVELOPMENT PLAN WITH DEFAULT ZONES OF  
R-8 (RESIDENTIAL 8 UNITS/ACRE), R-12 (RESIDENTIAL 12 UNITS/ACRE) AND  
MXOC (MIXED USE OPPORTUNITY CORRIDOR)**

**LOCATED AT 625 27-1/2 ROAD  
(ADDRESS OF EXISTING ASSISTED LIVING FACILITY)**

**Recitals:**

A request to update the PD (Planned Development) zoning for an existing PD zone district on 19.9 acres with an ODP (Outline Development Plan – Attached Exhibit A) to continue to develop a senior living complex has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning, and adopt the Outline Development Plan for The Commons Senior Living Complex. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards specified herein.

In public hearings, the Planning Commission and City Council reviewed the request for Outline Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” through more effective infrastructure, reduced traffic demands compared with other potential uses, filling a need for assisted living housing types, and sustainable design for a mixed use complex.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED PLANNED DEVELOPMENT WITH THE FOLLOWING DEFAULT ZONES AND STANDARDS:**

- A. Lots 1 and 3 of The Commons, a Subdivision of a part of the City of Grand Junction, County of Mesa, Colorado; Lot 4a of Cottages at The Commons, a Subdivision of a part of the City of Grand Junction, County of Mesa, Colorado; and Lots 1, 2 and 3, Block 1 of the Hilltop Commons Subdivision, a Subdivision of a part of the City of Grand Junction, County of Mesa, Colorado, encompassing a total of 19.9 acres.
- B. The Commons Outline Development Plan is approved with the Findings of Fact/Conclusions and Conditions listed in the Staff Report including attachments and Exhibits.
- C. Default Zones and Authorized Uses

The default zone district for Pod 1 (Lot 1, The Commons) is R-12 (Residential 12 units/acre);

The default zone district for Pod 2 (Lots 3 The Commons, Lot 4A Cottages at the Commons, and Lots 1 and 2, Block 1 Hilltop Commons) is R-8 (Residential 8 units/acre);

And the default zone district for Pod 3 (Lot 3, Block 1 Hilltop Commons) is MXOC (Mixed Use Opportunity Corridor)

Reference GJMC Section 21.03 for Lot, Setback and Bulk Standards; and Section 21.04 for Allowed Uses

**D. Sign Plan:**

Three (3) Existing Freestanding Identification Signs at east and west ends of Hermosa Avenue and on 27-1/2 Road in front of Assisted Living facility. Maximum Size: 12-feet wide x 5-feet high, with the maximum height of 6 feet. Signs shall be non-illuminated.

One (1) Existing Freestanding sign along the north side of Hermosa Avenue  
Maximum Size: 4-feet wide x 5-feet high, with the maximum height of 5 feet.  
Sign shall be non-illuminated.

One (1) Freestanding Monument Sign along the north side of Hermosa Avenue near Commons Circle to identify potential new facility.  
Maximum Size: 12-feet wide x 5-feet high, with the maximum height of 6 feet.  
Sign shall be non-illuminated.

Signs within the MXOC default zoning area (Pod 3) shall meet requirements of the zone district and GJMC Section 21.06.070 and will be reviewed with Final Development Plan(s). The MXOC zone district requires that all freestanding signs be monument style with a maximum height of 15 feet.

**E. Development Schedule – All phases of project completed by 2027 (10 years)**

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

ATTEST:

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

City Clerk

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**Grand Junction City Council**

**Regular Session**

**Item #2.a.ii.**

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**Meeting Date:** March 1, 2017

**Presented By:** Kristen Ashbeck, Sr. Planner/ CDBG Admin

**Department:** Admin - Community Development

**Submitted By:** Kristen Ashbeck, Senior Planner

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**Information**

**SUBJECT:**

Ordinance Zoning Properties at 1313 and 1321 Wellington Avenue (Hilltop Bacon Center) to RO (Residential Office) (March 15, 2017)

**RECOMMENDATION:**

Consider the rezone request on first reading and set a hearing for March 15, 2017.

**EXECUTIVE SUMMARY:**

Hilltop requests approval of a rezone of property, located at 1313 and 1321 Wellington Avenue, from R-8 (Residential-8 du/ac) to RO (Residential Office) zone district for the expansion of the adjacent Bacon Campus.

**BACKGROUND OR DETAILED INFORMATION:**

The subject properties, located at 1313 and 1321 Wellington Avenue, were recently purchased by Hilltop Health Service Corporation (Hilltop). Hilltop also owns and operates the Bacon Campus located just to the east at 1405 Wellington Avenue and would like to incorporate the two parcels to the west into the campus to be used for additional living facilities. The Bacon Campus provides adults with traumatic brain injuries the home, community, and support essential to maintaining health and independence.

The existing Bacon Campus has a zoning of Residential Office (RO) which is the requested zone for the two westerly parcels. The Comprehensive Plan Future Land Use Map for the existing campus is Residential Medium and the two westerly parcels are designated as Business Park Mixed Use. Both land use categories can be

implemented with the RO zone district.

The proposed RO zone is compatible with (1) the Comprehensive Plan Future Land Use Map; (2) the surrounding B-1, PD and RO zoning; and surrounding mix of commercial and residential land uses.

**Neighborhood Meeting:**

A Neighborhood Meeting regarding the proposed zone change was held on May 2, 2016 with 6 citizens along with the applicant, applicant's representatives and City Project Manager in attendance. Area residents in attendance voiced no objections to the application to rezone the two residential parcels from R-8 to RO.

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

The proposed rezone meets the following Comprehensive Plan goals and policies:

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

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

*The rezone of these properties will facilitate development of additional housing for special needs persons in our community.*

**FISCAL IMPACT:**

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

**SUGGESTED MOTION:**

I move to introduce a Proposed Ordinance Zoning Properties Located at 1313 and 1321 Wellington Avenue (Hilltop Bacon Center) to RO (Residential Office), and Set a Hearing for March 15, 2017.

**Attachments**

1. Hilltop Bacon Center Rezone PC Staff Report
2. Hilltop Bacon Center Ordinance



## PLANNING COMMISSION AGENDA ITEM

**Subject:** Hilltop Bacon Campus Rezone, Located at 1313 and 1321 Wellington Avenue

**Action Requested/Recommendation:** Forward a recommendation to City Council to Rezone 1.65 acres from R-8 (Residential – 8 du/ac) to RO (Residential Office) for the Hilltop Bacon Campus

**Presenters Name & Title:** Kristen Ashbeck, Senior Planner

### Executive Summary:

Hilltop requests approval of a rezone of property, located at 1313 and 1321 Wellington Avenue, from R-8 (Residential -8 du/ac) to RO (Residential Office) zone district for the expansion of the adjacent Bacon Campus.

### Background, Analysis and Options:

The subject properties, located at 1313 and 1321 Wellington Avenue, were recently purchased by Hilltop Health Service Corporation (Hilltop). Hilltop also owns and operates the Bacon Campus located just to the east at 1405 Wellington Avenue and would like to incorporate the two parcels to the west into the campus to be used for additional living facilities. The Bacon Campus provides adults with traumatic brain injuries the home, community, and support essential to maintaining health and independence.

The existing Bacon Campus has a zoning of Residential Office (RO) which is the requested zone for the two westerly parcels. The Comprehensive Plan Future Land Use Map for the existing campus is Residential Medium and the two westerly parcels are designated as Business Park Mixed Use. Both land use categories can be implemented with the RO zone district.

The proposed RO zone is compatible with (1) the Comprehensive Plan Future Land Use Map; (2) the surrounding B-1, PD and RO zoning; and surrounding mix of commercial and residential land uses.

### Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed zone change was held on May 2, 2016 with 6 citizens along with the applicant, applicant's representatives and City Project Manager in attendance. Area residents in attendance voiced no objections to the application to rezone the two residential parcels from R-8 to RO.

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

The proposed rezone meets the following Comprehensive Plan goals and policies:

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

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

*The rezone of these properties will facilitate development of additional housing for special needs persons in our community.*

**Board or Committee Recommendation:**

There is no other committee or board recommendation.

**Other issues:**

There are no other issues identified.

**Previously presented or discussed:**

This has not been previously discussed by the Planning Commission.

**Attachments:**

1. Background information
2. Staff report
3. Site Location Map
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Proposed Zoning Ordinance

BACKGROUND INFORMATION				
<b>Location:</b>		1313 and 1321 Wellington Avenue		
<b>Applicant:</b>		Hilltop Health Services Corporation Owner and Applicant		
<b>Existing Land Use:</b>		Single-family detached homes		
<b>Proposed Land Use:</b>		Housing for Health Services Campus		
<b>Surrounding Land Use:</b>	<b>North</b>	Commercial – City Market		
	<b>South</b>	Grand Valley Canal and Multifamily Residential		
	<b>East</b>	Bacon Campus – Residential and Supportive Services		
	<b>West</b>	Multifamily Residential		
<b>Existing Zoning:</b>		R-2 (Residential – 2 units per acre)		
<b>Proposed Zoning:</b>		R-4 (Residential – 4 units per acre)		
<b>Surrounding Zoning:</b>	<b>North</b>	B-1 (Neighborhood Business)		
	<b>South</b>	Grand Valley Canal and R-24 (Residential – 24 du/ac)		
	<b>East</b>	RO (Residential Office)		
	<b>West</b>	PD (planned Development)		
<b>Future Land Use Designation:</b>		Business Park Mixed Use		
<b>Zoning within density/intensity range?</b>		X	Yes	No

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

The City may rezone property if the proposed changes are consistent with the vision (intent), goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria:

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

There have been no subsequent events that have invalidated the original premise of this area being designated as Business Park Mixed Use in recognition of its existing and potential for a variety of uses including residential, office and general commercial in the vicinity of the intersection of two major roadways (12<sup>th</sup> Street and Patterson Road). 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; and/or*

The land use character within the immediate vicinity of the proposed rezone has changed and will continue to change to include a mix of residential and non-residential uses which is consistent with the Business Park Mixed Use land use category on the Comprehensive Plan Land Use Map. The rezone will create additional land upon which Hilltop can expand its Bacon Campus yet remain compatible with the mix of uses in the vicinity. 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 future use of these properties. The nearby major streets (12<sup>th</sup> Street and Patterson Road) were recently improved with the City Market development to accommodate new development in this Business Park Mixed Use corridor (12<sup>th</sup> Street) and Mixed Use Opportunity Corridor (Patterson Road). 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*

There is an inadequate supply of suitably designated land as the RO zone district comprises only a very small portion of land available in the community (approximately 98 acres) that offers the land use flexibility to create a mixed used campus such as the Bacon Campus in a neighborhood setting. This criterion has been met.

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

The proposed RO zone district would implement Goals 5 and 12 of the Comprehensive Plan by creating an opportunity for Hilltop to expand its housing and services provided at the Bacon Campus for persons with special needs. The recently-completed Grand Valley Housing Needs Assessment identified a need for housing for persons with special needs; thus, expansion of the Bacon Campus will provide a benefit to the community to help meet this need. This criterion has been met.

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

- a. R-8 (Residential 8 units/acre)
- b. R-12 (Residential 12 units/acre)
- c. R-16 (Residential 16 units/acre)
- d. R-24 (Residential – 24 units/acre)
- e. B-1 (Neighborhood Business)
- f. CSR (Community Services and Recreation)
- g. BP (Business Park Mixed Use)
- h. I-O (Industrial/Office Park)

In reviewing the other zoning district options, the residential zone districts of R-8, R-12, R-16 and R-24 could accommodate use of the properties for housing. The non-residential zones of CSR, BP, I-O are not as conducive to residential use. The RO zone district requested by the applicant allows the flexibility to accommodate the uses provided on the Bacon Campus. In addition, the existing Bacon Campus is zoned RO.

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation to City Council.

## **FINDINGS OF FACT AND CONCLUSIONS**

After reviewing the Hilltop Bacon Campus Rezone, RZN-2016-444, a request to zone 1.65 acres from R-8 (Residential – 8 units/acre) to RO (Residential Office) zone district, the following findings of fact and conclusions have been determined:

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

## **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested rezone from R-8 (Residential 8 units/acre) to an RO (Residential Office) zone district for RZN-2016-444, to the City Council with the findings and conclusions listed above.

## **RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on the Rezone request RZN-2016-444, I move that the Planning Commission forward a recommendation of approval for the Hilltop Bacon Campus Rezone of properties located at 1313 and 1321 Wellington Avenue from an R-8 (Residential 8 du/ac) to an RO (Residential Office) zone district with the findings of fact and conclusions listed in the staff report.



1313 and 1321 Wellington Site Location Map



1313 and 1321 Wellington Comprehensive Plan Future Land Use Map



1313 and 1321 Wellington Existing Zoning Map



**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE ZONING PROPERTIES AT 1313 AND 1321 WELLINGTON AVENUE (HILLTOP BACON CENTER) TO RO (RESIDENTIAL OFFICE)**

**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 proposed Bacon Campus Facility located at 1313 and 1321 Wellington Avenue to the RO (Residential Office) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Future Land Use Map designation of Business Park Mixed Use, the goals and policies of the Comprehensive Plan, 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 RO (Residential Office) 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.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTY SHALL BE ZONED RO (RESIDENTIAL OFFICE):

PARCEL 1: DEED RECORDED AT RECEPTION NUMBER 2739270 -1313 Wellington BEGINNING AT A POINT 425.9 FEET EAST OF THE NORTHWEST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION; THENCE EAST 104.1 FEET; THENCE SOUTH 350 FEET, MORE OR LESS, TO THE NORTHERLY BANK OF THE GRAND VALLEY CANAL; THENCE N88°54' WEST ALONG SAID CANAL 104.1 FEET; THENCE NORTH 348 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, COUNTY OF MESA, STATE OF COLORADO.

PARCEL 2: DEED RECORDED AT RECEPTION NUMBER 2734216 – 1321 Wellington BEGINNING AT A POINT 40 FEET EAST OF THE NORTHEAST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION IN SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN; THENCE WEST 100 FEET; THENCE SOUTH 350 FEET TO THE GRAND VALLEY IRRIGATION CANAL; THENCE EASTERLY ALONG SAID CANAL TO A POINT DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH TO THE POINT OF BEGINNING, COUNTY OF MESA, STATE OF COLORADO.

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

**ATTEST:**

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

\_\_\_\_\_  
Mayor





## Grand Junction City Council

### Regular Session

Item #3.a.

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**Meeting Date:** March 1, 2017

**Presented By:** Greg Lanning, Public Works Dir, Jay Valentine, Internal Serv. Man.

**Department:** Public Works - Utilities

**Submitted By:** Justin Vensel, Project Engineer

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### **Information**

#### **SUBJECT:**

Contract for the 2017 Sewer Line Replacements Phase A

#### **RECOMMENDATION:**

Authorize the City Purchasing Division to enter into a Contract with MA Concrete Construction, INC. of Grand Junction, CO for the 2017 Sewer Line Replacement Project for the Bid Amount of \$1,347,970.00.

#### **EXECUTIVE SUMMARY:**

This request is to award a construction contract for the first phase of the sewer line replacement project for 2017. This annual program replaces aging sewer lines that have surpassed their design life. All of the sewers replaced with this contract for Phase A are within streets that have been identified for overlays later this year. In all, a total of 3,570 lineal feet of sewer main line will be replaced as part of this project in seven different locations throughout town.

#### **BACKGROUND OR DETAILED INFORMATION:**

The Persigo sewer system has about 550 miles of sewer line. The sewer line replacement program identifies and rehabilitates lines, usually concrete and vitrified clay pipe, that have met or exceeded the design service life and condition verified with video, to be replaced with Poly Vinyl Chloride (PVC) Pipe. PVC pipe is inert to the caustic sewer environment, and is expected to last a 100 years or more. The sewer line replacement program has been split into two contracts for many years, with Phase A repairing sewer lines ahead of the overlay program, and Phase B rehabilitating lines in-situ, or in place, without digging. Phase B is prepared once the scope and cost of

Phase A has been determined.

A location map for this contract, Phase A, depicting the work areas is attached. About 3/4 mile will be replaced with this contract in roads planned for overlay later this year. Sewer lines in Phase A cannot be lined or repaired without digging up the road. In addition to line replacement, damaged manholes and service lines will be replaced within the street right of way.

Sewer lines replaced with this contract will be properly back-filled and capped with a temporary surface and the 2017 Street Overlay Program, bid earlier this year, will finish the project with a new asphalt surface over the entire street.

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

The following bids were received on February 16, 2017

MA Concrete Construction	Grand Junction, CO	\$1,347,970.00
Dirtworks	Grand Junction, CO	\$1,497,772.50

**FISCAL IMPACT:**

The sewer line replacement program is budgeted as follows:

**Sources**

<b>2017 Sewer Line Replacement Budget</b>	<b>\$2,867,155</b>
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**Expenditures**

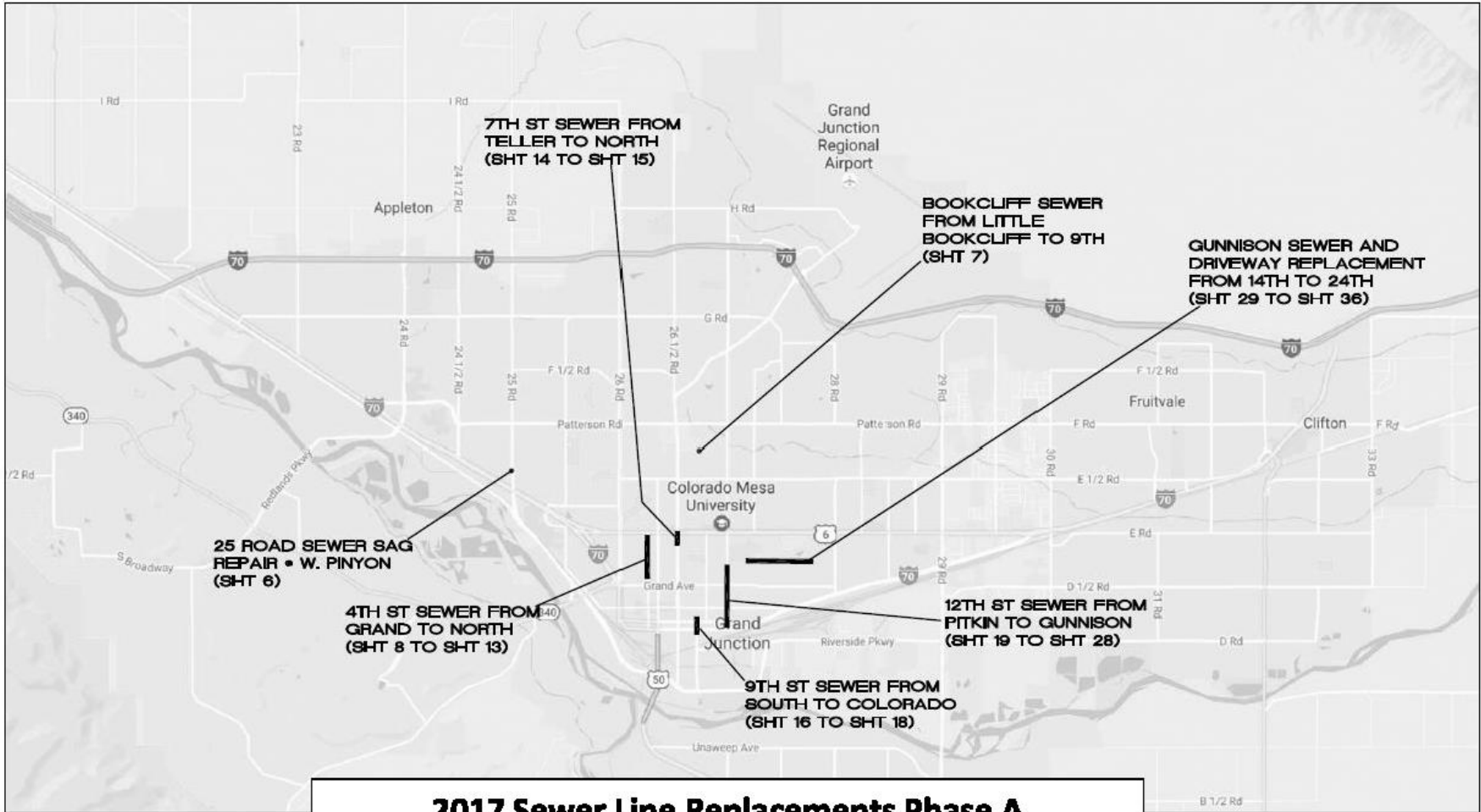
<b><i>Sewer Line Repl. Phase A – MA Concrete</i></b>	<b><i>\$1,347,970</i></b>
Phase A Design	11,292
Phase A Inspection and Contract Administration	47,000
Remaining Phases (Estimated)	<u>1,460,893</u>
<b>Total Sewer Line Replacement Program</b>	<b>\$2,867,155</b>

**SUGGESTED MOTION:**

I move to authorize the City Purchasing Division to Enter into a Contract with MA Concrete Construction, Inc. of Grand Junction, CO for the 2017 Sewer Line Replacement Project for the Bid Amount of \$1,347,970.

## **Attachments**

1. 2017 Phase A Location Map



**2017 Sewer Line Replacements Phase A  
Location Map**





**Grand Junction City Council**

**Regular Session**

**Item #4.a.**

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**Meeting Date:** March 1, 2017

**Presented By:** John Shaver, City Attorney

**Department:** Admin - City Attorney

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

Resolution No. 16-17 - A Resolution to Appoint a Hearing Officer for Liquor and Beer Licensing and Resolution No. 17-17 - A Resolution to Appoint an Alternate Hearing Officer for Liquor and Beer Licensing

**RECOMMENDATION:**

Staff Recommends adoption of the Resolutions

**EXECUTIVE SUMMARY:**

The Liquor and Beer Licensing Authority's Hearing Officer, Mike Grattan, has been appointed as a Mesa County Court Judge. Pursuant to Chapter 4 of the City Code of Ordinances, and §§12-46-103(4) and 12-47-103(17) C.R.S., the City Council is authorized to appoint hearing officers for the City Liquor and Beer Licensing Authority.

Following interviews, the interview committee recommends that Alternate Hearing Officer Sam Starritt be appointed as the Hearing Officer and that Jim Majors be appointed as the Alternate Hearing Officer.

**BACKGROUND OR DETAILED INFORMATION:**

Mike Grattan was appointed by the City Council on November 15, 2006. Sam Starritt has served as the Alternate Hearing Officer when Mr. Grattan has been unable to serve.

Since Mr. Grattan's appointment in January, Mr. Starritt has served as Hearing Officer until such time as the position could be filled.

An interview committee made up of Council President Phyllis Norris, Human Resources Director Claudia Hazelhurst, and City Clerk Stephanie Tuin interviewed four candidates including the Alternate Hearing Officer and the City's former Hearing Officer Jim Majors.

**FISCAL IMPACT:**

The expenses for the Hearing Officer are budgeted and therefore, there is no change. The Hearing Officer will be compensated \$150.00/hour.

**SUGGESTED MOTION:**

I move to adopt Resolution No. 16-17 - A Resolution to Appoint a Hearing Officer for Liquor and Beer Licensing and Resolution No. 17-17 - A Resolution to Appoint an Alternate Hearing Officer for Liquor and Beer Licensing

**Attachments**

1. Proposed Resolution for Hearing Officer
2. Proposed Resolution for Alternate Hearing Officer

**CITY OF GRAND JUNCTION  
RESOLUTION NO. \_\_\_\_-17**

**A RESOLUTION TO APPOINT A HEARING OFFICER FOR  
LIQUOR AND BEER LICENSING**

**RECITALS:**

The City of Grand Junction has by ordinance provided for and established a Local Licensing Authority for liquor and beer licensing and enforcement.

The Grand Junction Municipal Code, in accordance with the provisions of §§12-46-103(4) and 12-47-103(17) C.R.S., provides that the City Council appoint a hearing officer for the Local Licensing Authority.

Sam Starritt is a private attorney in the City and has been recommended by the City Attorney for appointment as the Hearing Officer for liquor and beer licensing and enforcement, in and for the City of Grand Junction.

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

Sam Starritt is hereby appointed as Hearing Officer for the Local Licensing Authority for liquor and beer licensing and enforcement, in and for the City of Grand Junction, in accordance with Chapter 4 of the Grand Junction Municipal Code, Colorado Revised Statutes and the regulations promulgated thereunder.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Phyllis Norris, President of the Council

**ATTEST:**

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

**CITY OF GRAND JUNCTION  
RESOLUTION NO. \_\_\_\_-17**

**A RESOLUTION TO APPOINT AN ALTERNATE HEARING OFFICER FOR  
LIQUOR AND BEER LICENSING**

**RECITALS:**

The City of Grand Junction has by ordinance provided for and established a Local Licensing Authority for liquor and beer licensing and enforcement.

The Grand Junction Municipal Code, in accordance with the provisions of §§12-46-103(4) and 12-47-103(17) C.R.S., provides that the City Council appoint an alternate hearing officer for the Local Licensing Authority.

Jim Majors is a private attorney in the City and has been recommended by the City Attorney for appointment as the Alternate Hearing Officer for liquor and beer licensing and enforcement, in and for the City of Grand Junction.

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

Jim Majors is hereby appointed as Alternate Hearing Officer for the Local Licensing Authority for liquor and beer licensing and enforcement, in and for the City of Grand Junction, in accordance with Chapter 4 of the Grand Junction Municipal Code, Colorado Revised Statutes and the regulations promulgated thereunder.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Phyllis Norris, President of the Council

**ATTEST:**

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



## Grand Junction City Council

### Regular Session

Item #5.a.

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**Meeting Date:** March 1, 2017

**Presented By:** Rob Schoeber, Parks and Recreation Director

**Department:** Parks and Recreation

**Submitted By:** Rob Schoeber, Parks and Recreation Director

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### **Information**

#### **SUBJECT:**

Request for Fireworks Displays at Suplizio Field

#### **RECOMMENDATION:**

Approve eight public firework displays at Suplizio Field throughout the upcoming spring and summer months.

#### **EXECUTIVE SUMMARY:**

Fireworks displays are being requested on behalf of the Grand Junction Rockies, City of Grand Junction, Grand Junction Baseball, Inc. (JUCO), and Colorado Mesa University. These dates include community displays on Memorial Day and Independence Day, a Friday evening CMU game (April 28), and five regular season Grand Junction Rockies Games. A total of eight requested dates is the same as the past two seasons.

#### **BACKGROUND OR DETAILED INFORMATION:**

Community Fireworks are held annually at Lincoln Park and include Memorial Day (JUCO) and July 4th. This request adds an additional 6 shows to be held in conjunction with home baseball games for CMU and the Grand Junction Rockies. Game times for the Rockies and CMU games will be no later than 6:40 p.m. with estimated show times starting between 9:00 p.m. and 9:45 p.m., shell sizes will be limited to 2" in size, and loud exploding shells will be limited. If approved, a direct mailing will be sent to all adjacent neighbors highlighting the dates of the shows this season.

All shows at Lincoln Park require a coordinated effort including the event organizer, Parks Staff, Fire Department, Police Department, Traffic Control, Golf Course Staff, and Security. If approved, the fireworks will be staged and launched from the practice field located east of Suplezio. Considering the size of the proposed fireworks, there will be no impacts to the golf course. The event organizer and fireworks contractor worked closely last year with Parks Staff and there are no concerns from the Department. Estimated start times for all of the shows will be from 9:00 p.m. - 9:45 p.m. Weather conditions are also monitored and final approval is granted each night by the Grand Junction Fire Department.

The proposed schedule for 2017 is as follows:

Friday, April 28 (CMU)

Monday, May 29 (JUCO)

Friday, June 23 (Rockies)

Tuesday, July 4 (City of GJ, Rockies)

Friday, July 7 (Rockies)

Friday, July 21 (Rockies)

Friday, August 4 (Rockies)

Sunday, September 3 (Rockies)

In addition to the eight scheduled dates, the Grand Junction Rockies propose Saturday, August 19 be approved as an alternate date in case weather prevents fireworks on one of the above dates.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I move to approve eight public fireworks displays at Suplezio Field as requested by Grand Junction Rockies, City of Grand Junction, Grand Junction Baseball, Inc. (JUCO) and Colorado Mesa University.

**Attachments**

None



## Grand Junction City Council

### Regular Session

Item #6.a.i.

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**Meeting Date:** March 1, 2017

**Presented By:** David Thornton, Principal Planner

**Department:** Admin - Community Development

**Submitted By:** David Thornton, Principal Planner

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### **Information**

#### **SUBJECT:**

Ordinance No. 4738 - An Ordinance Amending the Grand Valley Circulation Plan, an Element of the Comprehensive Plan, Specifically, to Revise the Street Classification of 23 1/2 Road from a Principal Arterial to a Minor Arterial with a Modified Arterial (aka D Road Section Design) Designation

#### **RECOMMENDATION:**

The Planning Commission recommended approval of the amendment at their January 24, 2017 hearing.

#### **EXECUTIVE SUMMARY:**

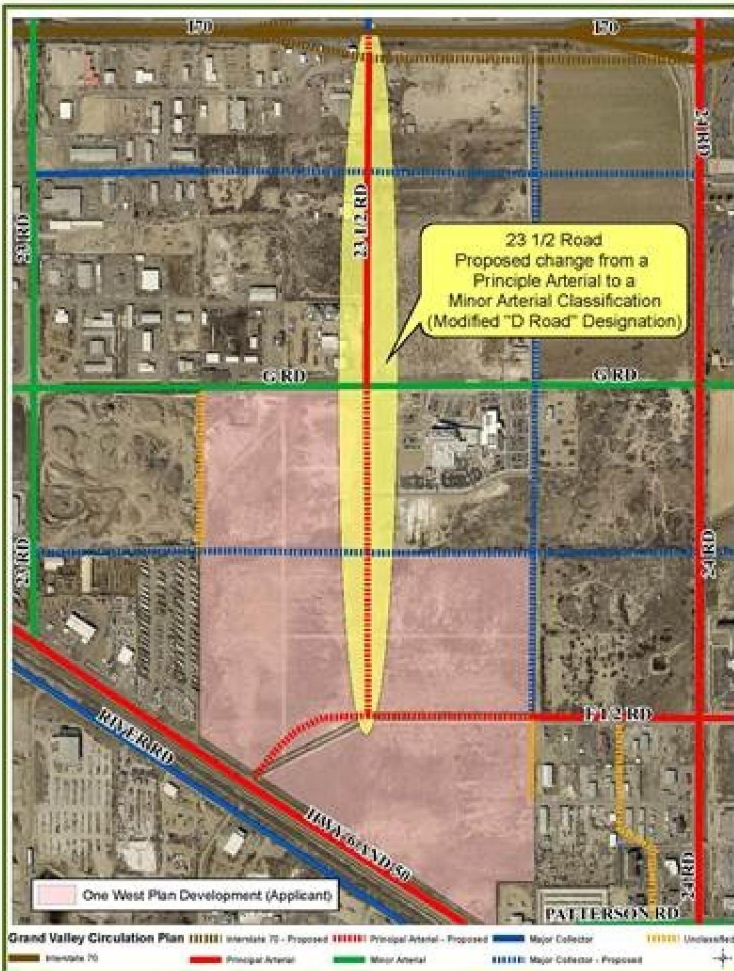
The proposed ordinance would amend the Grand Valley Circulation Plan, reclassifying a one mile segment of 23 1/2 Road, between F 1/2 Road and I-70, from a Principal Arterial to a Minor Arterial with a modified section. The proposed change would reduce the required right-of-way width from 110' to 80', with a proposed 3-lane section with detached walks. The most recent Travel Demand Model shows capacity as a Minor Arterial is sufficient to maintain acceptable Levels of Service (LOS) through the year 2040 planning horizon.

#### **BACKGROUND OR DETAILED INFORMATION:**

The property known as OneWest, located between 23 1/4 Road and 23 3/4 Road from G Road to Highway 6 & 50 was approved as a Planned Development (PD) in 2015 (PLD-2014-385). A condition of the PD was a Development Agreement with the City, stipulating the timing of improvements, including roadways, within the property.



The Grand Valley Circulation Plan bisects the property with proposed major roadways, including the (future) F ½ Road Parkway and 23 ½ Road (extending north to I-70) as Principal Arterial roads, and major collectors at ¼ mile intervals.



During the course of developing the agreement, the OneWest partnership approached the City about the desired future of 23 ½ Road. As a Principal Arterial, 110' of right-of-way width would be required. The partnership applied to the City for a change to the classification of 23 ½ Road to a Minor Arterial, which requires 80' of right-of-way, with a modified section known as the “D Road section”, including 3-lanes and detached sidewalks.

City planning efforts in the late 1990's looked at the 24 Road sub area to, among other things, identify future street capacity improvements. It was apparent that anticipated growth in traffic volumes would overwhelm 24 Road (a 2-lane road at that time) and the I-70 Interchange at 24 Road (an un-signalized diamond interchange at that time). Those planning efforts resulted in two things: a construction project which widened 24 Road to 3 lanes (built in 2000) and identifying the Split Diamond Interchange concept as a viable alternative to address capacity needs at the I-70 connection. The Split Diamond concept was then added to the City's transportation planning document, the



Grand Valley Circulation Plan (GVCP). However, the Split Diamond concept identified by the City did not garner support over time from our other Regional Transportation partners; the MPO and CDOT.

CDOT's planning efforts in the early 2000's also recognized the need for additional capacity at the Interchange, but they did not pursue the Split Diamond concept. Instead, in 2006 the Interchange was reconstructed with roundabouts at the ramp intersections. That project increased the capacity of the Interchange to accommodate projected traffic volumes through the year 2040.

Similar to CDOT, the Grand Valley MPO also did not end up incorporating the Split Diamond concept into its planning. The most recent Regional Transportation Plan is the Year 2040 Update and its accompanying Travel Demand Model; completed in 2015. It is those efforts, at the MPO level, that have preceded and created the need for the City to amend its GVCP, in order to keep the planning documents aligned.

The proposed amendment to the GVCP in the 23 ½ and 24 Road area is fully supported by the 2040 Plan Update. The current Travel Demand Model shows capacity is sufficient to maintain acceptable Levels Of Service (LOS) through the year 2040 planning horizon, with these assumptions: Land Use based on the City's Comprehensive Plan, the current 24 Road Interchange with roundabouts, future construction of 23 ½ Road as a 3 lane street, and a future widening of 24 Road to 5 lanes.

Likewise, we can also conclude that an access to I-70 at 23 ½ Road is not required in order to share the load with the 24 Road access. If there is no access to I-70, then the way 23 ½ Road will function is as a Minor Arterial Street; taking traffic to/from the future Collector Streets that will be built as the area develops and transmitting that traffic to the Principal Arterials like I-70B and the future F ½ Road Parkway.

The Travel Demand Model is a macro level model, so the accuracy is limited to the Network level. You really can't analyze to any level of detail beyond the Arterial street level. But the key distinction in modeling this area is whether or not 23 ½ Road connects to I-70. Without the connection, the volumes projected for 23 ½ Road in 2040 are less than 10,000 ADT (within capacity of a 3 lane street) and the volumes projected for 24 Road in 2040 are less than 30,000 ADT (within capacity of a 5 lane street).

If approved, the requested change would apply to the entire stretch of 23 ½ Road, beginning at F ½ Road and continuing north to Interstate 70, a one-mile-long section. The traffic projected for 2040 is less than 10,000 vehicles per day which is well within the capacity of a three lane street section. The minor arterial classification also fits in well with the overall grid that is projected for the 24 Road area.

The capacity and safety of the street is based on the street width and is also a function of the driveway and intersection spacing. Principal and Minor Arterial streets are intended to provide safe and efficient mobility to the traveling public, they are not intended to provide direct access to individual properties. There is no difference between a Principal Arterial and a Minor Arterial for driveway spacing and speed limit. Properties adjacent to 23 1/2 Road will have access from streets within the area that have less traffic and slower speeds.

**FISCAL IMPACT:**

The amendment calls for reducing the street width for one mile of 23 1/2 Road thereby reducing the overall costs to construct the street section and the costs for future maintenance.

**SUGGESTED MOTION:**

I move to (adopt or deny) Ordinance No. 4738 – An Ordinance Amending the Grand Valley Circulation Plan, an Element of the Comprehensive Plan, Specifically to Revise the Street Classification of 23 1/2 Road from a Principal Arterial to a Minor Arterial with a Modified Arterial (aka D Road Section Design) Designation on Final Passage and Order Final Publication in Pamphlet Form.

**Attachments**

1. Planning Commission Staff Report
2. Ordinance
3. Draft Minutes Planning Commission



Date: January 10, 2016  
Author: Dave Thornton, AICP  
Title/Phone Ext: Principal Planner/1450  
Proposed Schedule:  
January 24, 2016  
File #: CPA-2016-29

## PLANNING COMMISSION AGENDA ITEM

<b>Subject:</b> 23 ½ Road Circulation Plan Amendment
<b>Action Requested/Recommendation:</b> Forward a recommendation to City Council of an amendment to the Grand Valley Circulation Plan, an element of the Comprehensive Plan, to change the classification of 23 ½ Road between F ½ Road and Interstate 70 from a Principal Arterial to a Minor Arterial with a modified street section.
<b>Presenters Name &amp; Title:</b> Dave Thornton, Principal Planner

### Executive Summary:

This is a request for an amendment to the Grand Valley Circulation Plan for 23 ½ Road between F ½ Road and I-70.

### Background, Analysis and Options:

The property known as OneWest, located between 23 ¼ Road and 23 ¾ Road from G Road to Highway 6 & 50 was approved for a Planned Development in 2015 (PLD-2014-385). A condition of this plan is the requirement to sign a Development Agreement with the City, stipulating the timing of improvements, including roadways, within the property.

The Grand Valley Circulation Plan bisects the property with proposed major roadways, including the F ½ Road Parkway (parallel to the Xcel high-voltage lines), 23 ½ Road as a principal arterial (extending north to I-70), and major collectors at ¼ mile intervals.

During the course of developing the agreement, the OneWest partnership approached the City about the desired future of 23 ½ Road. As a Principal Arterial, a significant amount of right-of-way Regional Transportation Planning Office (ROW) would be required in order to develop this roadway. This ROW would need to be set aside now, in order to avoid impacting future development within OneWest. The partnership applied to the City for a change to the classification of 23 ½ Road to a Minor Arterial, specifically to what is known as the "D Road section", a modified design with the same amount of ROW as a Minor Arterial.

The Grand Valley Circulation Plan was last amended in 2010. The City, in conjunction with its regional partners via the RTPO, has been working toward a broad amendment to the Grand Valley Circulation Plan; however, that effort is not yet completed. This proposal is moving forward without the rest of potential amendments to the Grand Valley Circulation Plan that staff hopes to bring forward at a later date.

If approved, the requested change would apply to the entire stretch of 23 ½ Road, beginning at F ½ Road and continuing north to Interstate 70.

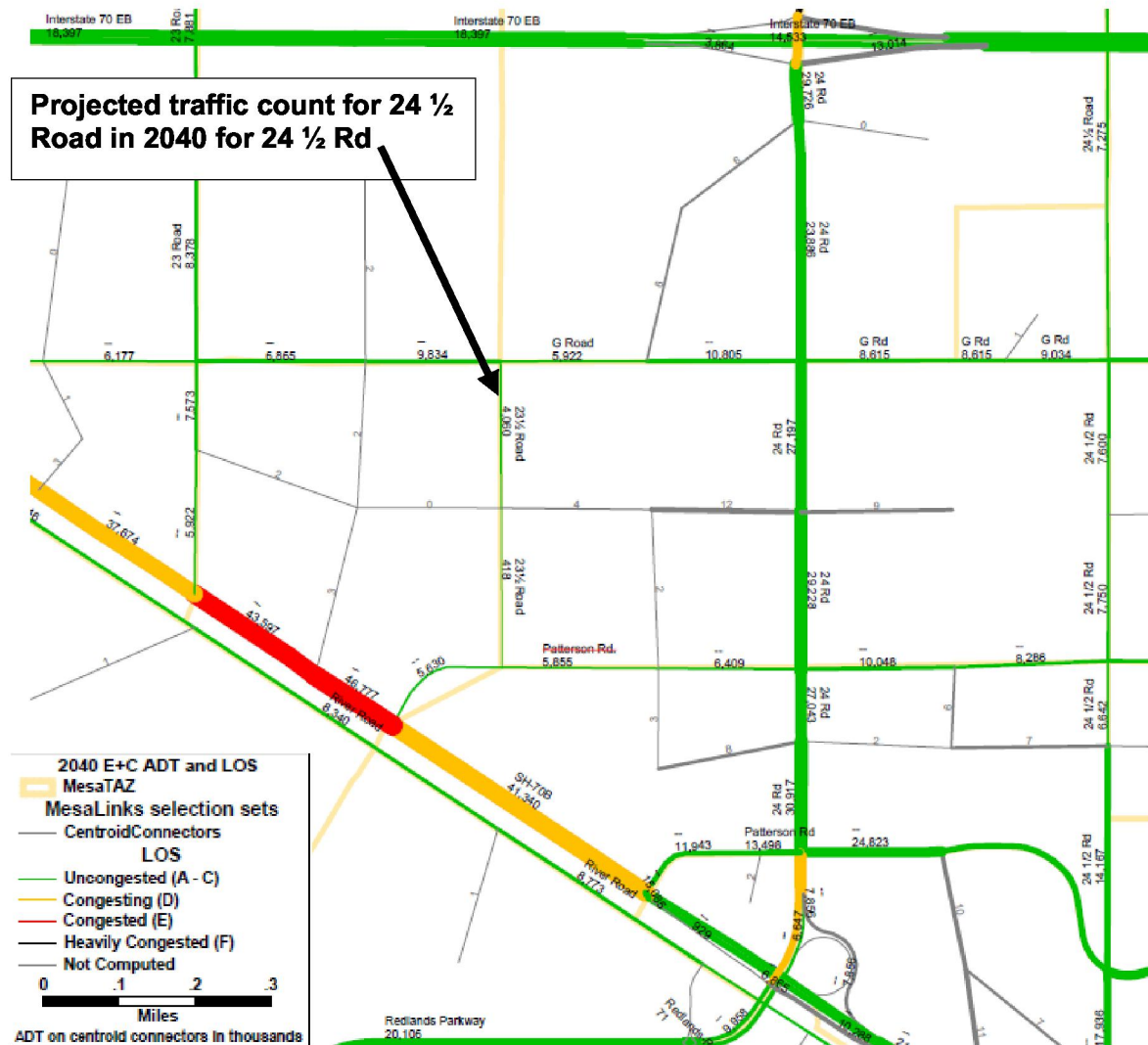
**Neighborhood Meeting:**

N/A

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

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

Approval of this amendment will provide future road sections that will accommodate projected traffic for the OneWest Planned Development and Community Hospital area as well as for the Grand Junction community at large passing through. Projected traffic counts by the Regional Transportation Planning Office (RTPO) for the year 2040 include less than 1,000 vehicles along this one-mile stretch in Average Daily Traffic (ADT) count, well within the capacity of a 3-lane minor arterial “D Road Section”.



### 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 adopted Outline Development Plan is the first step toward development of this property, which is larger than the Mesa Mall property and has over one-half mile of frontage on US Highway 6 & 50. Reclassifying the 23 ½ Road street classification running north and south through the OneWest Outline Development Plan will establish the appropriate 23 ½ Road corridor size needed and with this amendment will reduce the amount of right-of-way currently required with the existing Principal Arterial street classification.

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

All costs associated with constructing these streets will occur with future development of the approximately 177 acres associated with the OneWest Outline Development Plan. The City is negotiating a Development Agreement that addresses the responsibilities of each party relative to future infrastructure development, including phasing of said infrastructure. It is anticipated that full buildout of the 177-acre Planned Development parcel will be more than 20 years.

### **Attachments:**

1. Background information
2. Staff report
3. Grand Valley Circulation Plan – Map
4. General Project Report from Applicant
5. Ordinance

<b>BACKGROUND INFORMATION</b>		
<b>Location:</b>	23 ½ Road from F ½ Road to I-70	
<b>Applicant:</b>	CFP Estate, Ltd – Owner Gus R and Chris R. Halandras – Owner Andy Peroulis – Owner Tom Pogue – Representative Joe Coleman - Counsel	
<b>Existing Land Use:</b>	Vacant	
<b>Proposed Land Use:</b>	Mixed Use Planned Development along 23 ½ Road corridor	
<b>Surrounding Land Use:</b>	<b>North</b>	Industrial Community Hospital Medical Office
	<b>South</b>	Commercial
	<b>East</b>	Vacant Mixed Commercial/Industrial
	<b>West</b>	Gravel Extraction RV and Mobile Home Park
<b>Existing Surrounding Zoning:</b>	Planned Development (PD) Business Park (BP) Mixed Use (MU) Industrial I-1 and I-2 24 Road Overlay	
<b>Future Land Use Designation:</b>	Commercial Commercial/Industrial industrial	

## STAFF REPORT

**CITY JURISDICTION:** The City’s home rule powers and Section 212 of Article 23 of Title 31 of the Colorado Revised Statutes grants authority to the City to make and adopt a plan for the physical development of streets and roads located within the legal boundaries of the municipality and all lands lying within three (3) miles of the municipal boundary. The location of the proposed amendment is entirely within the City Limits.

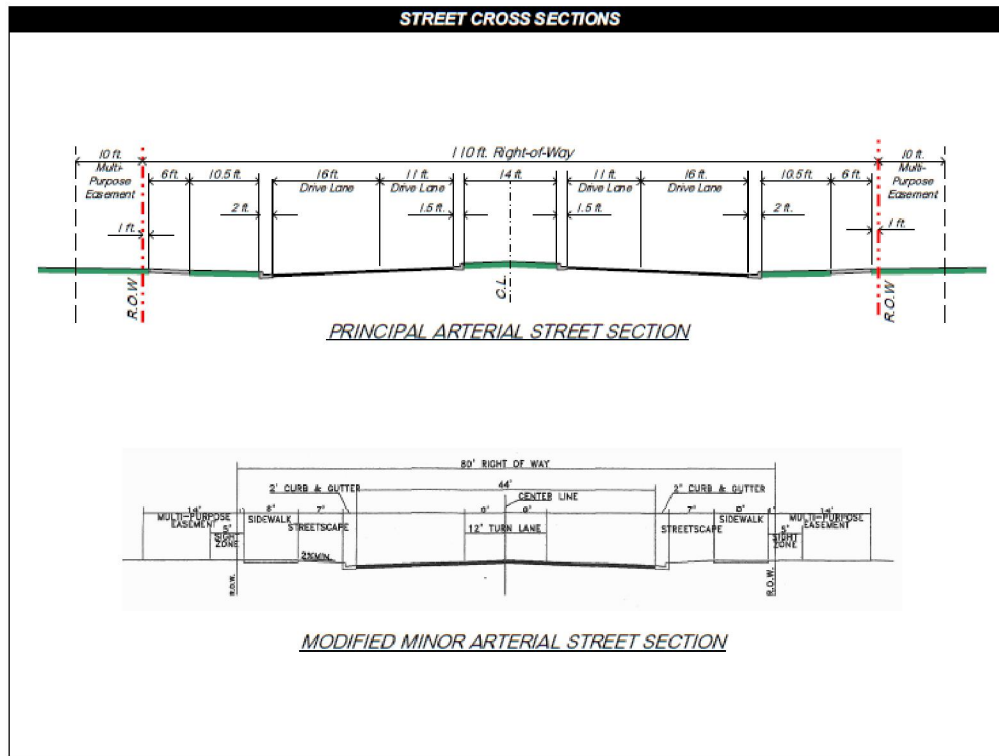
**STAFF ANALYSIS:** The applicant is requesting this change to the Grand Valley Circulation Plan (GVCP) and states in their analysis that besides a cost benefit savings to the city for the construction and ongoing maintenance of a Minor Arterial street versus a Principal Arterial street, there are several reasons that a Principal Arterial street is not needed for 23 ½ Road between F ½ Road and I-70. Staff concurs generally with their analysis and offers the following reasons to support the amendment. These include:

1. The Mesa County/Grand Junction Regional Transportation Plan defines minor arterials as streets that collect and distribute traffic from principal arterials and expressways to streets of lower classification such as collector roads and other minor arterial streets and allow for direct access to properties fronting them. Principal arterial streets limit such direct access. The 23 ½ Road corridor as

proposed will function in a way that matches the Minor Arterial street definition, because it will provide a connection from the future F ½ Road Parkway (Principal Arterial) to the lower classification streets in that area. It will cross and provide full access to G Road (Minor Arterial), the future F ¾ Road (Collector), and the future G ¼ Road (Collector) as established in the Grand Valley Circulation Plan.

2. The GVCP depicts 23 Road as a minor arterial and 24 Road as a major arterial. The 24 Road corridor fits the definition of a Principal Arterial street because of its connection to I-70, limited access along its frontage, and projected traffic volumes that warrant expansion to a 5-lane street (4 travel lanes plus median and left turn lanes). The 23 Road corridor begins from US 6 and 50 (Expressway) and heads north across the Interstate with no access to I-70; which matches the definition of a Minor Arterial street. It continues north of I-70 as a “farm to market” road serving area farms and large lot subdivisions, limiting its need to be reclassified as a principal arterial at this time. However, it does meet the transportation planning standard of one-mile spacing for Principal Arterials in urban settings, whereas the 23 ½ Road corridor does not meet this one-mile spacing standard and terminates at I-70.
3. The current Grand Valley Circulation Plan shows a “split diamond” interchange at I-70 and 24 Road, with 23 ½ Road being a part of that interchange connection. The concept was proposed as a way to accommodate future demand by sharing the traffic volume on both 23 ½ Road and 24 Road. It is for this reason that 23 ½ Road was initially classified as a Principal Arterial. In the split diamond interchange concept, eastbound I-70 traffic would exit at 23 ½ Road and either head south on 23 ½ Road or head east along a new frontage road going to 24 Road. Subsequent to the split diamond concept being added to the GVCP, conditions changed with the construction of the roundabouts at the 24 Road and I-70 Interchange, which increased the capacity of the interchange and its ability to accommodate future traffic. The current Regional Transportation Plan and Travel Demand Model indicate that a 5-lane 24 Road corridor and the existing 24 Road Interchange will accommodate projected traffic volumes at an acceptable level of service through 2040. For this reason, the split diamond interchange concept is very unlikely to be constructed because traffic projections through 2040 do not warrant it, and it would not be cost effective given the new infrastructure and access to I-70 that would be required. The 24 Road corridor as a major entry to Grand Junction with its access to Mesa Mall and Patterson Road as well as the future F ½ Road Parkway will be the preferred choice for motorists coming from I-70 and neighborhoods to the north.





**Sections 21.02.130 - Grand Junction Zoning and Development Code:**

Since the Grand Valley Circulation Plan (GVCP) is considered a part of the Comprehensive Plan, an amendment to the (GVCP) must meet one or more of the following criteria set forth in Section 21.02.130 (c)(2) of the Code:

*(i) There was an error such that then-existing facts, projects, or trends that were reasonably foreseeable were not accounted for; or*

The applicant in their General Project Reports states that this criterion is being met because 23 ½ Road as a Principal Arterial does not meet the definition found in the Regional Transportation Plan, it is one half mile from another Principal Arterial Street (24 Road) and the north end terminates at I-70. Although these seem to be reasonable support for an error, staff believes that since there is a future split diamond interchange at 23 ½ Road/24 Road identified, the original premise that two principal arterials were needed for future traffic coming off the interstate and local traffic coming over the interstate at 24 Road, was justified. Therefore, there was no error in the Grand Valley Circulation Plan at the time of its adoption.

This criterion has not been met.

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

Every five years the City and County update the Regional Transportation Plan and determine future traffic projections for all major roads within the Community. Since the adoption of the current Grand Valley Circulation Plan, future traffic projections now show a reduced demand for a principal arterial street running parallel and within one-half mile of 24 Road, a principal arterial.



This criterion has been met.

*(iii) The character and/or condition of the area have changed enough that the amendment is acceptable;*

Since the GVCP established 23 ½ Road as a principal arterial, 24 Road has seen improvements constructed at the I-70 interchange that enhance and improve traffic circulation and flow as well as increase its ability to accommodate future projected traffic. It is anticipated that even if the split diamond interchange is constructed, the 23 ½ Road corridor as a minor arterial will accommodate traffic demand and does not need to be built as a five lane principal arterial.

This criterion has been met.

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

The width of right-of-way required for 23 ½ Road as a minor arterial is 30 feet less than that required for a principal arterial. This reduces the amount of right-of-way required from the property owners abutting 23 ½ Road. The actual constructed width of a 3-lane road section will further reduce the street as a barrier. As already noted, future traffic projections for this corridor do not warrant a principal arterial street and moving forward to build one will increase the distance of crossing the street east to west creating a larger barrier for pedestrians and those in wheel chairs and on bikes. The required 80 ft. right-of-way for a minor arterial road section reserves the ability to expand 23 ½ Road to 5-lanes if necessary in the future.

This criterion has been met.

*(v) The change will facilitate safe and efficient access for all modes of transportation; and*

The proposed modified minor arterial street section includes detached sidewalk, bike lanes, and a center turn lane like a principal arterial, however with the reduce width of only 3-lanes instead of 5-lanes of traffic, the street is narrower and easier for other modes of transportation such as pedestrians and bicycles to cross. Traffic typically moves at a slower pace on a 3-lane street than a 5-lane street making it more safe as well. The change to a minor arterial 3-lane section also provides for efficient access to properties with frontage on the corridor. Minor arterials generally allow for more access points to adjacent properties than do principal arterials.

This criterion has been met.

*(vi) The change furthers the goals for circulation and interconnectivity;*

See responses to Criterion iii, iv, and v above.

This criterion has been met.

## **FINDINGS OF FACT AND CONCLUSIONS**

After reviewing a Comprehensive Plan Amendment, CPA-2016-29, to amend the Grand Valley Circulation Plan, an element of the Comprehensive Plan, to reclassify 23 ½ Road from F ½ Road to I-70 from a Principal Arterial to a Minor Arterial, and specifically to what is known as the “D Road Section”, a modified design with the same amount of ROW as a Minor Arterial, the following findings of fact and conclusions have been determined:

1. The requested amendment is consistent with the goals and policies of the Comprehensive Plan;
2. The review criteria (ii) through (vi) in Section 21.02.130(c)(2) of the Grand Junction Municipal Code have been met.

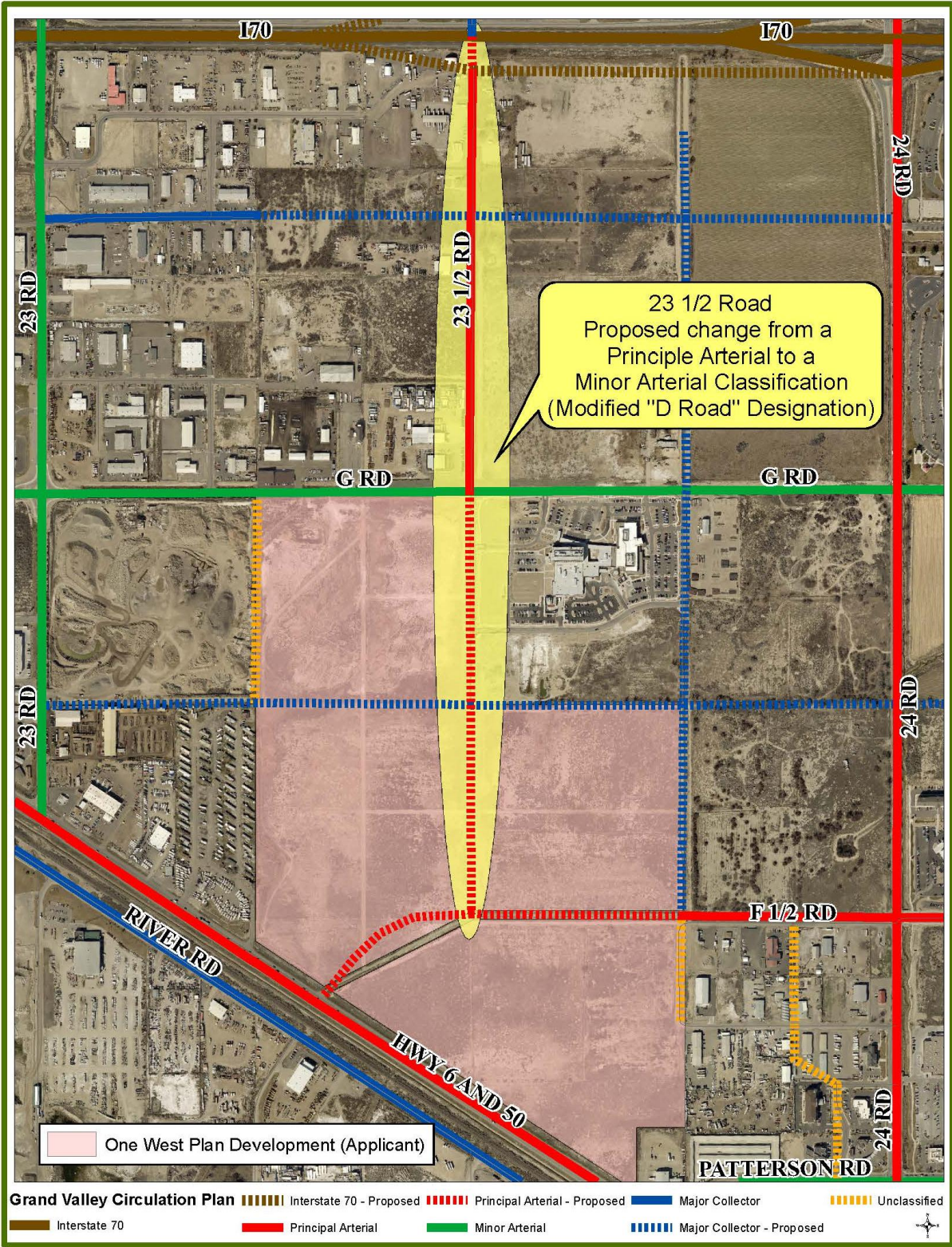
## **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation to the City Council of a Comprehensive Plan Amendment, CPA-2016-29, to amend the Grand Valley Circulation Plan, an element of the Comprehensive Plan, to reclassify 23 ½ Road from F ½ Road to I-70 from a Principal Arterial to a Minor Arterial, and specifically to what is known as the “D Road Section”, a modified design with the same amount of Right-of-Way as a Minor Arterial, with the findings and conclusions listed above.

## **RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on the Grand Valley Circulation Plan Amendment, CPA-2016-29, I move that the Planning Commission forward to City Council a recommendation of approval to amend the Grand Valley Circulation Plan, an element of the Comprehensive Plan, to reclassify 23 ½ Road from F ½ Road to I-70 from a Principal Arterial to a Minor Arterial, and specifically to what is known as the “D Road Section”, a modified design with the same amount of Right-of-Way as a Minor Arterial, with the findings and conclusions listed in the staff report.

# GRAND VALLEY CIRCULATION PLAN - Map

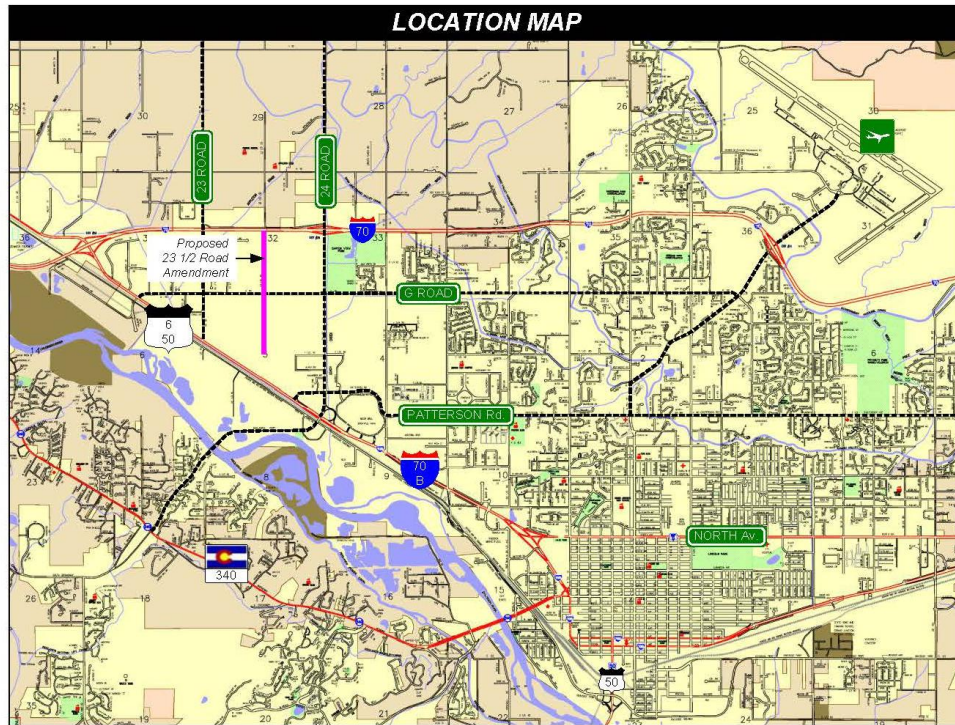




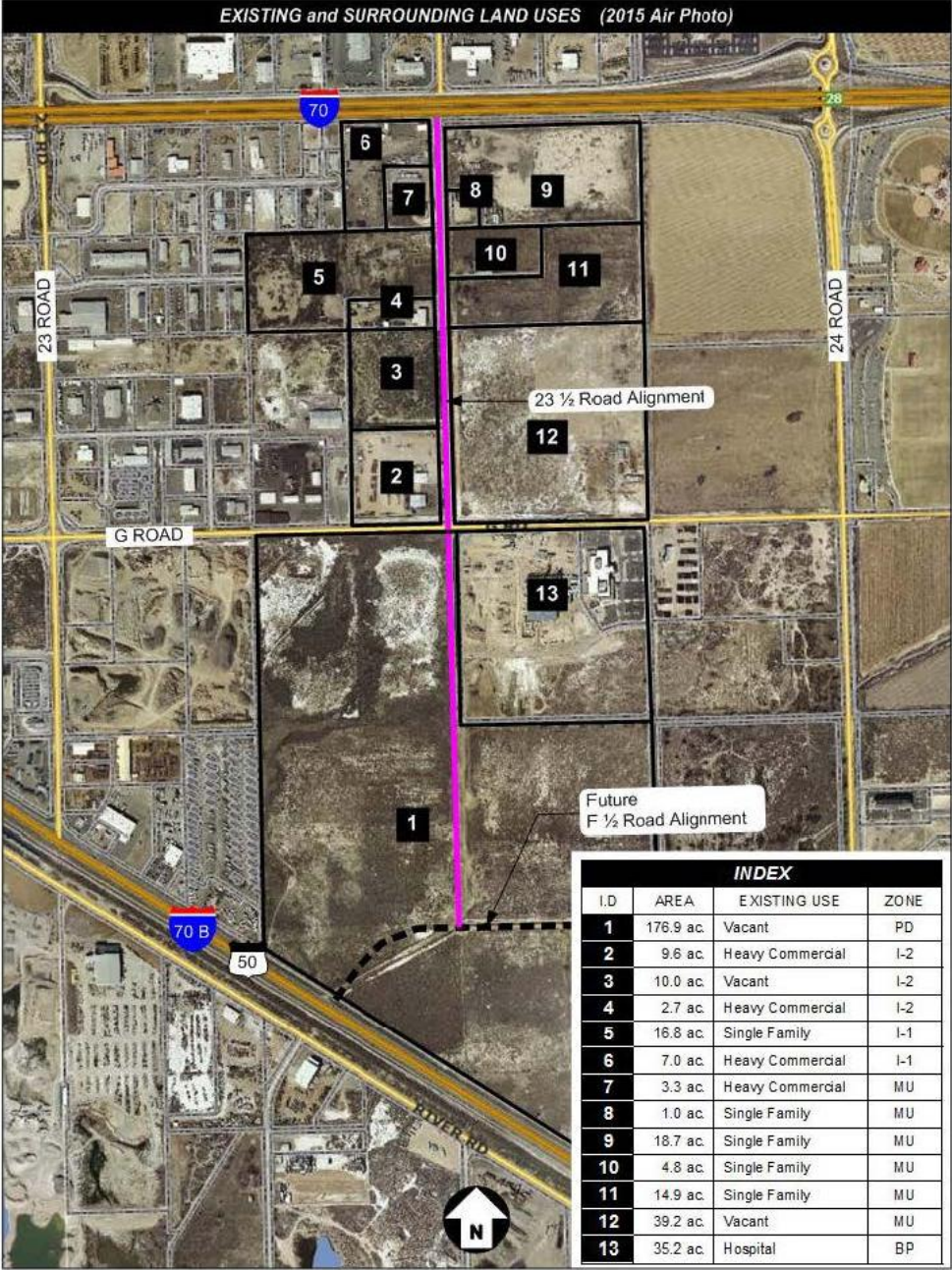
General Project Report  
23 ½ ROAD CIRCULATION PLAN AMENDMENT  
October, 2016  
(Updated January, 2017)

**REQUEST** – This application is a request to amend the Grand Valley Circulation Plan to change the classification of approximately one mile of 23 ½ Road between F ½ Road (future alignment) and Interstate 70 from a Principal Arterial to a Modified Minor Arterial (aka D Road) designation.

**LOCATION** – 23 ½ Road is located in part of the north half of Section 5 and part of the south half of Section 32, Township One South, Range One West of the Ute Meridian.

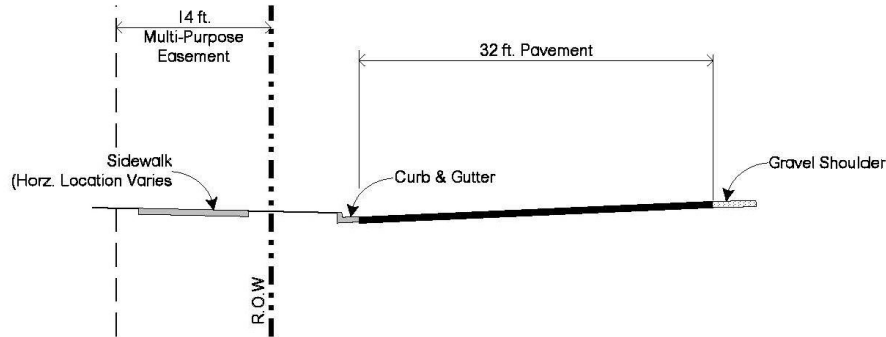


**EXISTING and SURROUNDING LAND USES** – The dominate land uses in the vicinity of 23 ½ Road are non-residential and vacant. Approximately 339.10 acres of land adjoin 23 ½ Road on 13 separate parcels ranging in size from one acre to 176.90 acres. Approximately 67 percent of the land located adjacent to the isolated one mile length of 23 ½ Road between Interstate 70 and the future F ½ Road alignment is vacant. All of the surrounding land is currently zoned for non-residential uses. An Existing and Surrounding Land Use Map can be found on the following page. The map depicts the location of the land uses in relationship to 23 ½ Road.





23 ½ Road north of G Road has a 22 foot wide asphalt surface and gravel shoulders along each side and terminates at the Interstate 70 right-of-way and does not overpass Interstate 70. South of G Road, approximately 930 lineal feet of 23 ½ Road has been recently constructed as depicted on the following illustration:



EXISTING SOUTH BOUND 23 ½ ROAD IMPROVEMENTS

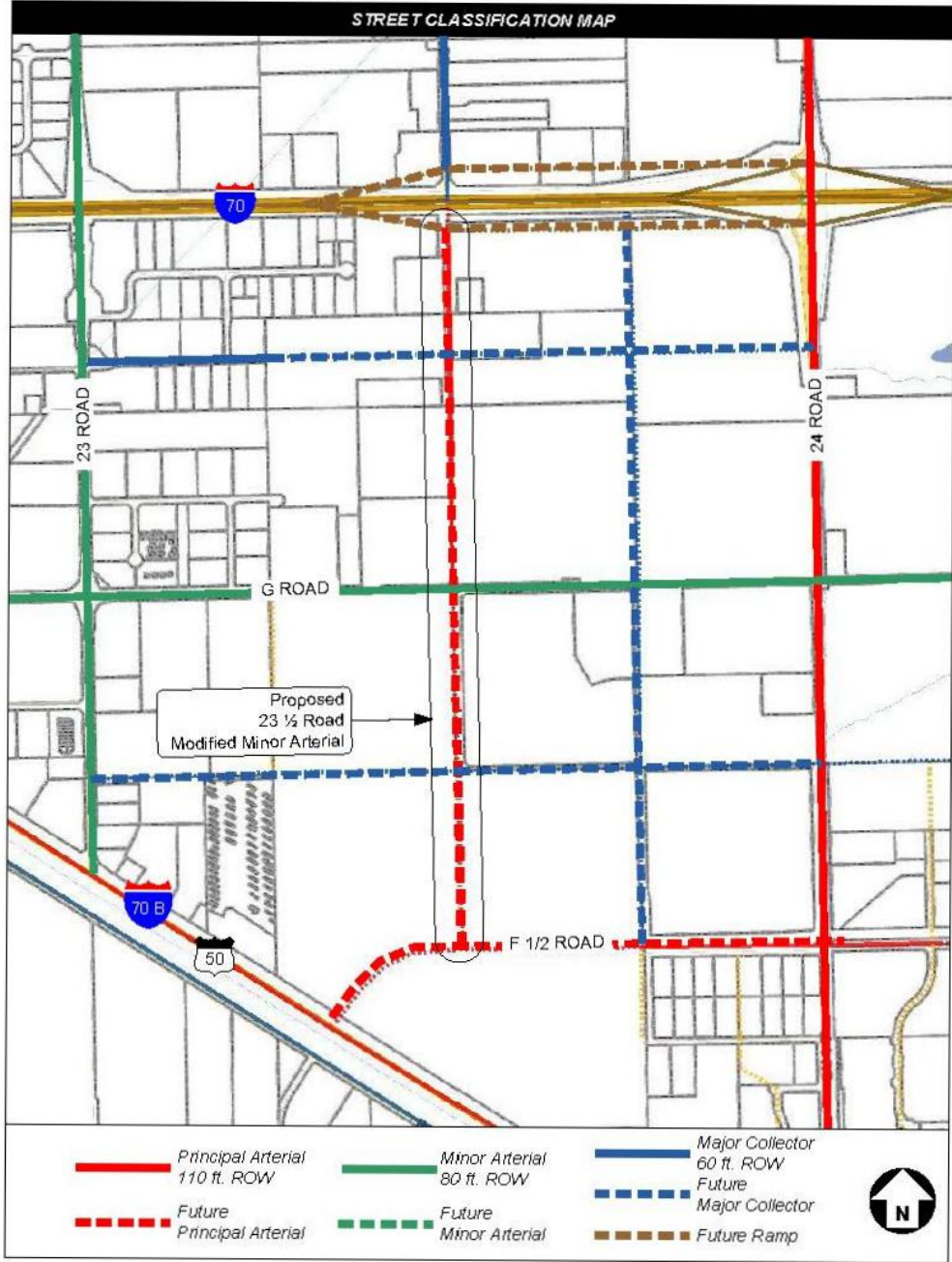
**CIRCULATION PLAN** – The City has adopted the *Grand Valley Circulation Plan* (GVCP). The primary purpose of the GVCP serves to identify both major and minor routes for circulation and connectivity in the Grand Junction vicinity. The plan designates 23 ½ Road as a Principal Arterial.

The *Mesa County 2035 Regional Transportation Plan* defines a Principal Arterial as, “Principal arterials permit traffic flow through the urban area and between major destinations. They are of great importance in the transportation system since they connect major traffic generator and other major activity centers such as the central business district, university, airport and mall. Principal arterials carry a high proportion of the total urban travel on a minimum of roadway mileage. In urban area, a gridded pattern of arterials is typically recommended with one-mile spacing for principal arterials.”

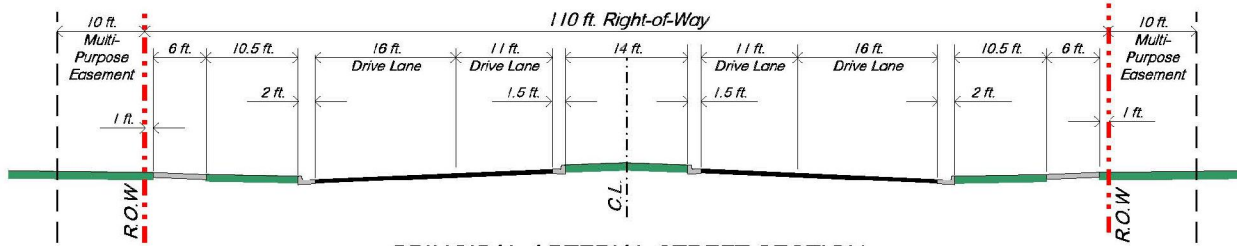
The plan defines a Minor Arterial street as, “minor arterials collect and distribute traffic from principal arterials and expressways to streets of lower classification and, in many cases, allow traffic to directly access destinations. The typically serve secondary traffic generators such as community business center, neighborhood shopping centers, multi-family residential areas, parks, and traffic between neighborhoods. Access to land use activities is generally permitted but should be consolidated, shared, or limited to larger-scale uses. Minor arterial street spacings are typically recommended at ½ mile intervals between principal arterials.”

The GVCP also identifies several other roadway alignments in the vicinity of 23 ½ Road and are depicted on the City’s *Functional Classifications for Roadways*, shown on the next page. Other nearby roadway alignments include: 24 Road, located one half mile east of 23 ½ Road, is classified as a “Principal Arterial” and 23 Road, located on half mile west of 23 ½ Road that is classified as a “Minor Arterial”. The page following the street classification map is a drawing that depicts the standard Street Cross Sections for a Principal Arterials and a Modified Minor Arterial.

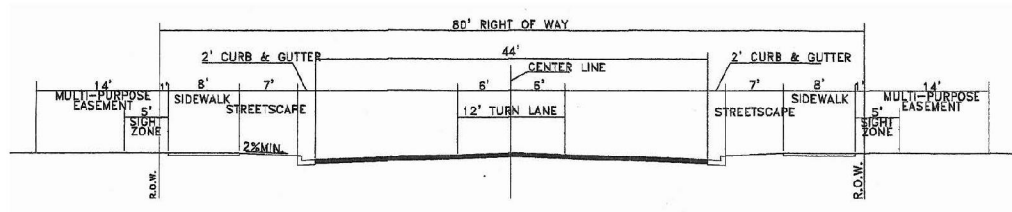
**STREET CLASSIFICATION MAP**



**STREET CROSS SECTIONS**



*PRINCIPAL ARTERIAL STREET SECTION*



*MODIFIED MINOR ARTERIAL STREET SECTION*



PUBLIC BENEFITS - A cost analysis was conducted for each of the two street sections. The accompanying cost estimate is based on today's costs and is subject to future economic fluctuations and inflation. This estimate is an opinion without the benefit of final construction documents and is based on previous projects which are similar in nature prior to the estimate date. The purpose of the estimate is to provide an "order of magnitude" of the costs the City may incur and do not include any private participation. The Principal Arterial Street section will be in the range of \$1,046.00 per centerline foot and the Major Collector Street section will be in the range of \$704.00 per centerline foot. The total estimated cost to construct a Major Arterial Street section for 23 1/2 Road is approximately 1.88 million dollars less than the costs for a Principal Arterial section.

**23 1/2 ROAD PRINCIPAL ARTERIAL SECTION**

ITEM	DESCRIPTION	UNIT	QUAN.	UNIT PRICE	TOTAL
1	Clear and Grub Right-of-Way	LF	1	\$3.00	\$3.00
2	Excavation	CY	10	\$12.00	\$120.00
3	Sub-Grade Preparation	SY	12	\$9.00	\$108.00
4	Class 6 ABC	TON	12	\$22.00	\$240.00
5	2'-0" Curb and Gutter	LF	4	\$22.00	\$88.00
6	7'-0" Sidewalk	LF	2	\$28.00	\$56.00
7	Grading SX HBP	TON	2	\$98.00	\$196.00
8	Landscaping	SF	35	\$3.00	\$105.00
9	Compliance Testing	LS			\$2.00
10	Engineering Design	LS			\$88.00
11	Construction Management	LS			\$30.00
				Sub-Total	\$1,036.00
12	Contingency	LS			\$10.00
				<b>TOTAL PER FOOT</b>	<b>\$1,046.00</b>

**23 1/2 ROAD MODIFIED MINOR ARTERIAL SECTION**

ITEM	DESCRIPTION	UNIT	QUAN.	UNIT PRICE	TOTAL
1	Clear and Grub Right-of-Way	LF	1	\$2.00	\$2.00
2	Excavation	CY	7	\$11.00	\$55.00
3	Sub-Grade Preparation	SY	9	\$9.00	\$63.00
4	Class 6 ABC	TON	9	\$22.00	\$176.00
	2'-0" Curb and Gutter	LF	2	\$22.00	\$88.00
5	8'-0" Sidewalk	LF	2	\$32.00	\$60.00
6	Grading SX HBP	TON	1	\$98.00	\$98.00
7	Compliance Testing	LS			\$2.00
8	Engineering Design	LS			\$65.00
9	Construction Management	LS			\$30.00
				Sub-Total	\$639.00
10	Contingency	LS			\$65.00
				<b>TOTAL PER FOOT</b>	<b>\$704.00</b>

By using the cost estimate as a base line, a comparison for ongoing street maintenance cost to the City can be calculated. It is estimated that the cost for the City to maintain the Major Collector

Section would be approximately 32 percent less than those costs to maintain the Principal Arterial Section.

The Major Collector Section would consume approximately six acres less land than that of a Principal Arterial. Thus, increasing the property tax base since the land not dedicated for a Principal Arterial will be privately owned.

COMPARISON SUMMARY TABLE						
CATEGORY	MODIFIED MINOR ARTERIAL			PRINCIPAL ARTERIAL		
	Positive	Negative	Neutral	Positive	Negative	Neutral
Driveway Accessibility	✓				✓	
Public Acceptance			✓			✓
Construction and Maintenance Cost	✓				✓	
Affect to Future Street Circulation			✓			✓
Affect to Utility Extensions			✓			✓
Loss of Private Land	✓				✓	
Emergency Service Accessibility			✓			✓
Drainage Improvements			✓			✓

### EVALUATION OF REQUEST

Evaluation of the request is accomplished by using criteria contained within the Grand Junction Municipal Code (GJMC) for approval of: Comprehensive Plan Amendments. The following response to each of the applicable criteria illustrates compliance:

#### 21.08.13(c) Criteria for Plan Amendments.

(2) The City and County shall amend the Grand Valley Circulation Plan and Urban Trails Master Plan if:

(i) There was an error such that then-existing facts, projects, or trends that were reasonably foreseeable were not accounted for;

RESPONSE: The following was not accounted for during the adoption of the GVCP:

- The current Principal Arterial designation for 23 ½ Road does not meet the definition contained within the *Mesa County 2035 Regional Transportation Plan*.
- 23 ½ Road is located one half mile from an existing Principal Arterial and an existing interchange with Interstate 70.
- The north end of the corridor terminates at Interstate 70.

(ii) Subsequent events have invalidated the original premises and findings;

RESPONSE: The GVCP identifies a future “diverging triangle” that would allow access to the existing 24 Road interchange with Interstate 70. The *Mesa County 2040 Regional Transportation Plan* does not include plans to construct an interchange, or overpass at 23 ½ Road and Interstate 70 in the foreseeable future. Other changes surrounding the 23 ½ Road corridor includes:

- Establishment of the nearby 24 Road Corridor Neighborhood Plan
- Construction of modern improvements to 24 Road and its interchange with Interstate 70.
- The ongoing development of non-residential uses in the area.
- Acceptance of the Official Development Plan and rezone for the 176.9 acre OneWest development proposal that is split by the 23 ½ Road alignment.

(iii) *The character and/or condition of the area have changed enough that the amendment is acceptable;*

RESPONSE: The significant change in the area is the establishment of an Official Development Plan (ODP) that defines future growth patterns on the largest undeveloped parcels in the vicinity of 23 ½ Road. The ODP for the 176.9 acre property shows the anticipated (and only logical) intersection between the proposed F ½ Road and 23 ½ Road at a location in close proximity to the intersection of the Proposed F ½ Road and the Interstate 70 Business Loop, two Principal Arterials. Designating 23 ½ Road a third Principal Arterial in the immediate area will increase the stacking of cars between the Business Loop and 23 ½ Road by "encouraging" increased traffic that should and could better use 23 Road or 24 Road to access the new Community Hospital on G Road.

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

RESPONSE: See Public Benefit statement on page 3.

(v) *The change will facilitate safe and efficient access for all modes of transportation; and*

RESPONSE: The requested change will not preclude the safe and efficient access for all modes of transportation.

(vi) *The change furthers the goals for circulation and interconnectivity.*

RESPONSE: The requested change will not hinder the goals for circulation and interconnectivity and will facilitate efficient access to the area and avoid potential traffic disruptions at the intersection of the two Principal Arterials at F ½ Road and the Interstate 70 Business Loop.

The following are **justifications** for acceptance of the requested change in classification of 23 ½ Road between F ½ Road and Interstate 70 from a Principal Arterial to a Modified Minor Arterial include:

- The proposal meets or exceeds the Approval Criteria contained within Sections 21.02.130(c)(2) of the GJMC.
- The request change meets the definition of a Major Collector within the *Mesa County 2035 Regional Transportation Plan*.
- The one mile isolated section of 23 ½ Road is not of great importance to the transportation system because it does not connect to major activity centers such as, a central business district, University, airport or mall.
- Given the surrounding and future land uses adjacent to the short segment of 23 ½ Road it will not carry a high proportion of the total urban traffic.
- 23 ½ Road is located within one half mile of a Principal Arterial, thus closer than the anticipated one mile spacing for Principal Arterials.
- The *Mesa County 2040 Regional Transportation Plan* does not identify improvements to 23 ½ Road at its termination point at Interstate 70.
- Future development land uses have been established on the largest tract of land along the 23 ½ Road corridor.
- Benefit to the community is positive.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING GRAND VALLEY CIRCUALTION PLAN,  
AN ELEMENT OF THE COMPREHENSIVE PLAN,  
SPECIFICALLY, TO REVISE THE STREET CLASSIFICATION OF 23 ½ ROAD  
FROM A PRINCIPAL ARTERIAL TO A MINOR ARTERIAL  
WITH A MODIFIED ARTERIAL (aka D ROAD SECTION DESIGN) DESIGNATION**

**LOCATED ON 23 ½ ROAD BETWEEN F ½ ROAD AND INTERSTATE-70**

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 a request to amend the Grand Valley Circulation Plan, an element of the Comprehensive Plan, to revise the street classification of 23 ½ Road between F ½ Road and I-70, finding that it conforms with the goals and policies of the Comprehensive Plan and that the review criteria (ii) through (vi) in Section 21.02.130(c)(2) of the Grand Junction Municipal Code have been met.

After public notice and public hearing, the Grand Junction City Council finds that the requested amendment conforms with the goals and policies of the Comprehensive Plan and that the review criteria (ii) through (vi) in Section 21.02.130(c)(2) of the Grand Junction Municipal Code have been met.

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

The Grand Valley Circulation Plan (GVCP) be revised to reclassify 23 ½ Road from F ½ Road to I-70 from a Principal Arterial to a Minor Arterial, and specifically to what is known as the "D Road Section" found in the Municipal Code Title 37, Chapter 37.12, a modified design with the same amount of Right-of-Way as a Minor Arterial, as shown on attached Exhibit A.

Introduced on first reading this 15<sup>th</sup> day of February, 2017 and ordered published in pamphlet form.

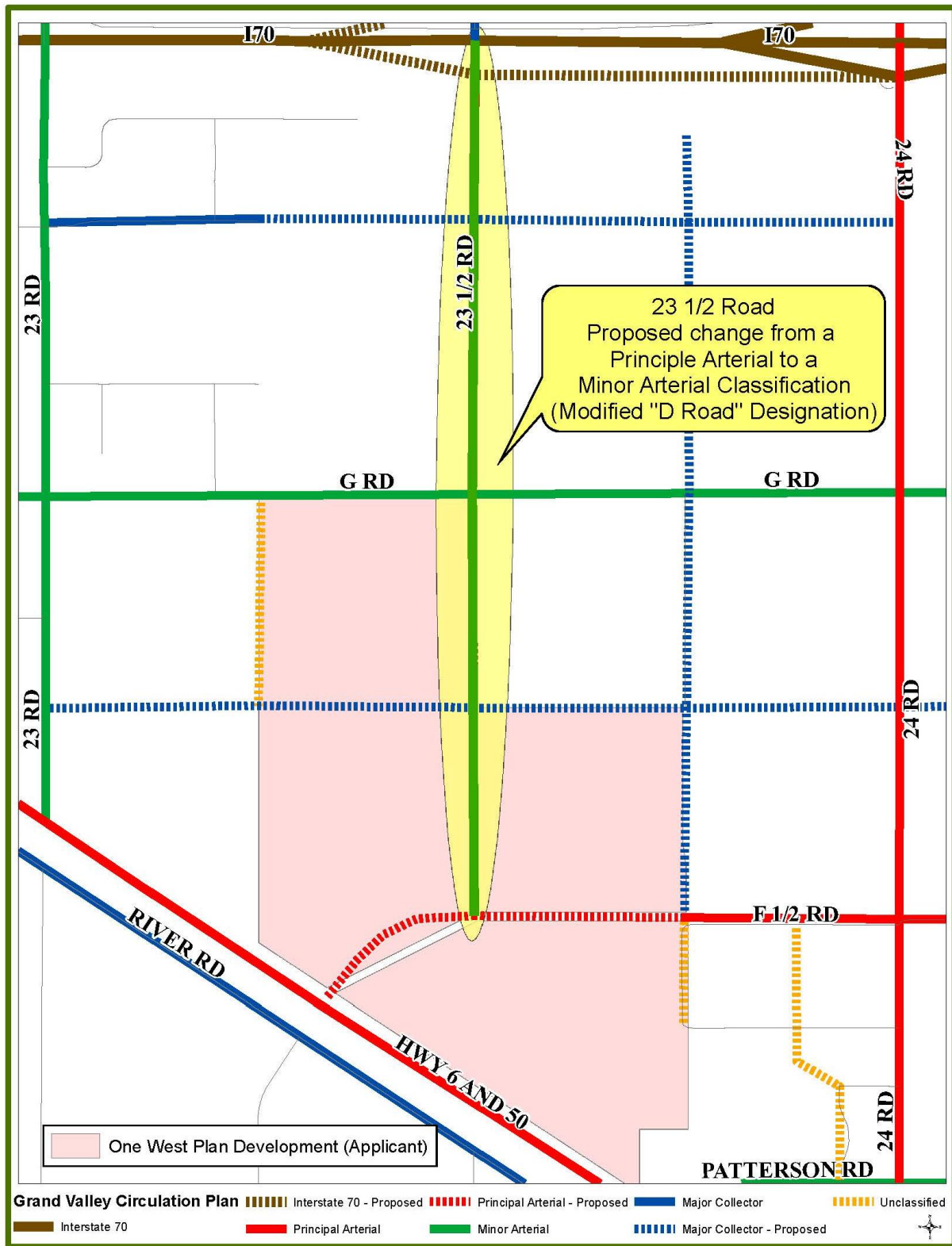
Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

**ATTEST:**

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

\_\_\_\_\_  
Mayor

# Exhibit A



**GRAND JUNCTION PLANNING COMMISSION**  
**January 24, 2017 MINUTES**  
**6:00 p.m. to 6:45 p.m.**

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Christian Reece. The hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

Also in attendance representing the City Planning Commission were Jon Buschhorn, Kathy Deppe, Keith Ehlers, Ebe Eslami, George Gatseos, and Bill Wade (Vice-Chairman).

In attendance, representing the City's Administration Department - Community Development, was Kathy Portner, (Development Services Manager) and Dave Thornton (Principal Planner).

Also present was Jamie Beard (Assistant City Attorney) and Paul Jagim, Transportation Engineer.

Sue Mueller was present to record the minutes.

There were 5 citizens in attendance during the hearing.

**Announcements, Presentations And/or Visitors**

None

**Consent Agenda**

**1. Minutes of Previous Meetings**

*Action: Approve the minutes from the December 13, 2016 Meeting.*

[File#VAC-2016-582]

**2. Vacation of Alley Public Rights-of-Way –R-5 High School Block**

Request to vacate alley public rights-of-way in Block 84, Original City Plat, also known as the R-5 High School Block to clear encumbrances for potential redevelopment of the block.

*Action: Recommendation to City Council*

Applicant: DDA – Brandon Stam, Executive Director  
Location: 310 North 7<sup>th</sup> Street. Block 84 Original City Plat – Southeast corner of 7<sup>th</sup> Street and Grand Avenue  
Staff Presentation: Kristin Ashbeck, Sr. Planner

**3. 23 ½ Road Circulation Plan Amendment**

[File#CPA-2016-29]

Request an amendment to the Grand Valley Circulation Plan, an element of the Comprehensive Plan, to change the classification of 23 ½ Road between F ½ Road and Interstate 70 from a Principal Arterial to a Minor Arterial with a modified street section.

*Action: Recommendation to City Council*

Applicant: CFP Estate, Ltd – Owner  
Gus R. and Chris R. Halandras – Owner  
Andy Peroulis - Owner  
Location: 23 ½ Road from F ½ Road to I-70  
Staff Presentation: David Thornton, Principal Planner

Chairman Reece briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted the item pulled for a full hearing.

Commissioner Ehlers stated that he wanted to pull item number three (3), the 23 ½ Road Circulation Plan Amendment for a full hearing.

With no other amendments to the Consent Agenda, Chairman Reece called for a motion to approve the revised Consent Agenda.

**MOTION: (Commissioner Wade)** “Madam Chairman, I move approve the consent agenda as modified.”

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

**\*\*\*INDIVIDUAL CONSIDERATION\*\*\***

**Staff Presentation**

Dave Thornton (Principal Planner) displayed a location map of the area and stated that this is a request to amend the Grand Valley Circulation Plan. Mr. Thornton went on to explain that the City’s home rule powers and Section 212 of Article 23 of Title 31 of the Colorado Revised Statutes grants authority to the City to make and adopt a plan for the physical development of streets and roads located within the legal boundaries of the municipality and all lands lying within three (3) miles of the municipal boundary. The location of the proposed amendment is entirely within the City Limits.

Mr. Thornton displayed a map of the proposed amendment location and noted that the applicant, OneWest, owns the property (shaded gray on the graphic) located between 23 ¼ Road and 23 ¾ Road from G Road to Highway 6 & 50.

The Grand Valley Circulation Plan bisects the property with proposed major roadways, including the F ½ Road Parkway (parallel to the Xcel high-voltage lines), 23 ½ Road as a principal arterial (extending north to I-70), and major collectors at ¼ mile intervals.

OneWest partnership approached the City about the desired future of 23 ½ Road. As a Principal Arterial, a significant amount of ROW would be required in order to develop this roadway. This ROW would need to be set aside now, in order to avoid impacting future development within OneWest.

The partnership applied to the City for a change to the classification of 23 ½ Road to a Minor Arterial, specifically to what is known as the “D Road section”, a modified design with the same amount of ROW as a Minor Arterial which is 80 feet in width.

If approved, the requested change would apply to the entire one-mile stretch of 23 ½, beginning at F ½ Road and continuing north to Interstate 70.

The next slide was a zoning map of the 23 ½ Road area and Mr. Thornton stated that the zoning around the corridor area is industrial, commercial and mixed use.

Mr. Thornton then displayed the Future Land Use Map of the area noting that the future land use around the corridor area is Village Center, commercial/Industrial, commercial and higher density Residential/mixed use.

Paul Jagim, City Transportation Engineer, explained that his portion of the presentation was to describe the background of how the Grand Valley Circulation Plan (GVCP) came to being and explain some of the circumstances that have changed, that caused the need to revise the GVCP.

In the late 90s the City looked at planning efforts for the 24 Rd. sub-area to identify what future street capacity improvements would be required. At the time, 24 Rd. was two lane and it was anticipated that traffic volumes would require that the road be widened in addition to improvements to the 24 Rd./ I 70 interchange.

As a result of those planning efforts, 24 Rd. was widened to three lanes in 2000 in a way that could be increased to five lanes in the future. In addition, the split diamond interchange concept was identified for future traffic capacity. This concept shares traffic capacity along two different roadways. In this scenario, 24 Rd. and 23 ½ Rd would share capacity with each having two ramps as shown on the GVCP map.

Mr. Jagim pointed out that traffic planning goes beyond what just the City is looking at and there are other regional partners such as the Metropolitan Planning Organization (MPO) and Colorado Department of Transportation (CDOT) that plan for future capacity as well. Mr. Jagim noted that the split-diamond concept never really caught traction with partners at CDOT and the MPO. CDOT recognized the need to increase capacity at that interchange and in lieu of the split diamond concept, in 2006 they constructed the



roundabouts that are there today. This was done with a 25-year planning horizon and addressed the anticipated traffic volume needs through 2040.

Similar to CDOT, the Grand Valley MPO did not incorporate the split diamond into their Regional Transportation Plan. Mr. Jagim explained that a tool used to create the plan is the Travel Demand Model. Just as the 25-year Regional Transportation Plan is updated every 5 years, the Travel Demand Model is updated as well. Mr. Jagim explained that when the 2040 Regional Plan was updated, the City looked at the GVCP to revise it so that it was still aligned with the assumptions and conclusions of the MPO plan.

Mr. Jagim displayed a slide of a draft of the proposed revisions to the GVCP that was a result of a year-long effort of a committee comprised of City and County staff. The next step in the process would be a public input process and then hopefully adoption of the revisions in 2017.

Mr. Jagim noted that there are approximately 50 revisions needed to align the plan with the MPOs plan. One of the revisions is the removal of the split-diamond at 24 Rd. and associated changes to 23 ½ Rd. Assumptions used in the traffic model was the current and future land use and current and future improvements at 24 Rd. It was determined that these would sufficiently address the future needs in that area through the year 2040. Likewise, it was determined that the need to use 23 ½ Rd. for the interchange was no longer needed and it could serve as a minor arterial for collector streets that will eventually be built along with development.

Mr. Jagim pointed out that the travel demand model is a macro level model so the accuracy of it is limited to the network level. Mr. Jagim also pointed out that the revised network does not consider 23 ½ Rd as a connection to the interstate. Therefore, the traffic projected for 2040 is less than 10,000 vehicles per day which is well within the capacity of a three lane street section.

Mr. Jagim displayed a slide illustrating typical street cross sections for the various street classifications. The primary difference of why the recommendation is for a minor arterial classification instead of major collector is that they would need to preserve an 80-foot width right of way instead of 60 feet in case something should change. Mr. Jagim cautioned that the model is only as good as the assumptions that are plugged into it.

Mr. Thornton referred to the review criteria in Section 21.02.130(c)(2) of the Grand Junction Municipal Code. Noting that at least one of the criteria needs to be met, Mr. Thornton recapped the next slide with the following information.

Specifically, this criterion has been met.

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

- Every five years the City and County update the Regional Transportation Plan and determine future traffic projections. These 5 year updates have never recognized the split diamond interchange at 23 ½ Road /24 Road as a solution to traffic demand nor for its need to accommodate future traffic demand.

- 24 Road has seen improvements constructed at the I-70 interchange that enhance and improve traffic circulation and flow, as well as increase its ability to accommodate future projected traffic.
- Traffic projections for 23 ½ Road without a split diamond interchange show no demand for a principal arterial street running parallel and within one-half mile of 24 Road, a principal arterial.

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

Mr. Thornton stated that after reviewing a Comprehensive Plan Amendment, CPA-2016-29, to amend the Grand Valley Circulation Plan, the following findings of fact and conclusions have been determined:

- The requested amendment is consistent with the goals and policies of the Comprehensive Plan;
- The review criteria in Section 21.02.130(c)(2) of the Grand Junction Municipal Code have been met.

### **Questions for Staff**

Commissioner Eslami asked if staff has plans to update the Grand Valley Circulation this year. Mr. Thornton stated that an update is planned for this year, however the applicant, OneWest has submitted the application for this amendment. Mr. Thornton explained that a member of the public has the right to request to expedite an amendment by going through the proper process, as they did.

Mr. Thornton explained that staff supports this amendment as it is one of the 51 potential amendments that are being considered for the future update.

Referring to the Street Cross Sections example, Commissioner Ehlers stated that he wanted to make sure they weren't unnecessarily restricting access points by choosing a particular street classification. Discussion continued regarding potential scenarios.

Mr. Jagim explained that the width of the surface pavement was the same for the minor arterial D Rd. section and the major collector. Mr. Jagim added that the capacity and safety of the street is not just based on the street width, but it's also a function of the driveway and intersection spacing. The minor arterial classification also fits in well with the overall grid that is projected.

### **Questions for the Applicant**

Tom Logue, representing the applicant OneWest stated that he has read the staff report and is in agreement with the recommendation to move the request forward to City Council. Mr. Logue noted the applicant's development is in a PD zone and the declassification of the 23 ½ Rd. would require less right of way dedication and that the

extra footage for this section add up quickly. Mr. Logue noted that they had started this application about a year ago and are now finalizing the development agreement which is why they chose to make an application for the amendment.

Commissioner Ehlers noted that his questions regarding the alternative classifications were to provide discussion for other possible considerations. Commissioner Ehlers wanted to confirm that the applicant was aware of the access implications of it being a minor arterial compared to a major collector as well as the alignment restrictions.

Mr. Logue explained that during the ODP process, they had discussed their needs for access spacing and decided that with such a large parcel to work with, they were comfortable with this request.

Commissioner Reece asked if there were any other questions or comments from the public regarding this item. Hearing none, Commissioner Reece closed the public comment portion of the meeting.

**MOTION: (Commissioner Gatseos)** “Madam Chairman, on the Grand Valley Circulation Plan Amendment, CPA-2016-29, I move that the Planning Commission forward to City Council a recommendation of approval to amend the Grand Valley Circulation Plan, an element of the Comprehensive Plan, to reclassify 23 ½ Road from F ½ Road to I-70 from a Principal Arterial to a Minor Arterial, and specifically to what is known as the “D Road Section”, a modified design with the same amount of Right-of-Way as a Minor Arterial, with the findings and conclusions listed in the staff report.”

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

#### **4. Other Business**

Kathy Portner, Community Development referred to the new schedule prepared for the Commission that lists the future meeting dates and workshop dates. Noting that there is a pretty full agenda for the February meeting and workshop, Ms. Portner asked if the Commission would like to schedule a special workshop meeting that would include IT support for the I-Pads, one-on-one meetings, or wait until March.

Commissioner Reece asked Ms. Portner to contact Commissioners with dates that may work for most via email.

#### **5. Adjournment**

The Planning Commission meeting was adjourned at 6:42 p.m.



## Grand Junction City Council

### Regular Session

Item #7.a.

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**Meeting Date:** March 1, 2017

**Presented By:** Greg Caton, City Manager

**Department:** Admin - City Manager

**Submitted By:** Scott Hockins, Project Manager

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### **Information**

#### **SUBJECT:**

Consideration to Authorize the City Manager to Execute Milestone Two of the Exclusive Negotiation Agreement with SiFi/Nokia

#### **RECOMMENDATION:**

A recommendation will be based off the resulting discussion of the February 27 City Council Workshop.

#### **EXECUTIVE SUMMARY:**

As part of the City Council's Economic Development Plan, communication and technology infrastructure was identified as an essential tool for the development of commerce and industry leading to long-term economic competitiveness for the City of Grand Junction. As a result of a formal procurement process, City Council has directed the City Manager to enter into an Exclusive Negotiation Agreement (ENA) with SiFi/Nokia to complete a demand survey and preliminary engineering study to determine the financial viability of a city-wide fiber project that would meet the broadband goals established by City Council. Based on the survey results and the business modeling, this project has been proven viable through Milestone One.

#### **BACKGROUND OR DETAILED INFORMATION:**

In April 2015, Grand Junction voters approved an override of Colorado Senate Bill 05-152 by a majority of 77% which allows the City to use City resources and infrastructure to provide broadband capabilities that compete with private providers. As a result of that override, City Council directed staff to explore a public-private-partnership that would accomplish the following goals: The City would have substantial ownership of a

fiber optic network that would pass every home and business within the City limits. The City would partner with a company or multiple companies to provide broadband services. Broadband services would be available to residences for \$50-80 per month and to businesses for under \$300 per month.

On October 19, 2016, City Council authorized the City Manager to execute an ENA with SiFi/Nokia to determine the commercial viability of the project. The agreement contains three milestones, with the next phase being initiated only after the successful completion and acceptance of the prior phase by City Council. The milestones are as follows: The first milestone included a demand survey completed by an independent consultant paid for by SiFi/Nokia. The consultant assessed the broadband needs and price expectations of the community, developed a network desktop design, the network architecture and a financial analysis. The results were presented to the City Council and if Council supports moving forward we would develop an agreement to proceed with Milestone Two. The second milestone would include detailed engineering reviews, physical surveys, and the development of preliminary construction documents, as well as securing letters of intent from service providers, identifying suitable backhaul, performing financial analysis and developing the required commercial structure necessary for the final round of negotiations. The results of those efforts will be presented to the City Council and a favorable outcome would result in final negotiations for full legal agreements to proceed. The third milestone would be to finalize the legal agreements between all parties that would allow construction and management of a fiber network capable of meeting the needs of the objectives of the project. A successful negotiation would set the stage for construction and would presume that the City will contribute its fiber assets to the network. In the rare event of breach or other failure, the City could lose control/use of these assets.

As explained in the SiFi/Nokia proposal, the purpose of the milestones is to create multiple risk-mitigated steps in the project under a partnership where the City is committed to working with SiFi/Nokia to bring the project to fruition. During each milestone, the cost to determine project viability is borne entirely by SiFi/Nokia Networks. Should it be concluded the project is not viable based on the terms of the signed Exclusive Negotiation Agreement, then there would be no cost to the City. Only if the milestones indicate the project is viable and the City Council elects not to proceed would the City pay for costs incurred up to an agreed upon cap. For milestone one, since the project was determined to be viable and if the City Council elects not to proceed the City would pay for the actual costs incurred for milestone one up to a cap of \$50,000. The City, at any time during the process, may elect not to continue and work will cease and no further costs would be expended.

“Viability” is defined in the Exclusive Negotiation Agreement as: a FTTx project extending fiber to substantially every premise in the City with an initial retail rate of a 1 gigabit per second internet speed to residential subscribers not to exceed \$80 per

month per subscriber and contended 1 gigabit per second internet speeds to business subscribers not to exceed \$300 per month per subscriber (slower speeds may be offered at lower retail rates) and by year 5 of the project, projections incur no cost to the City that cannot be covered through the revenues of the network and provide some revenue or quantifiable revenue potential to the City.

At the January 16, 2017 City Council Workshop, The Think Agency presented the methodology and results of the independent survey, and SiFi/Nokia explained how the survey results impact the business model and the financial viability of a citywide fiber optic network. Staff was then directed to bring the authorization back to Council for a formal vote to complete Milestone Two.

Attached to this report is a historical timeline for the broadband initiative and a excerpt from the Gig U Policy Manual which identifies the top ten overall lessons for cities seeking deployment of a broadband network. The complete manual can be found at <http://www.gig-u.org/the-handbook/>

#### **FISCAL IMPACT:**

According to the terms of the Exclusive Negotiation Agreement, the City agrees to compensate SiFi for performance of work completed under this Agreement up to a cap of \$200,000 broken out as, \$50,000 for quantified work completed during Milestone One, and \$150,000 for Milestone Two. These amounts are only due and payable if the project is deemed viable and City Council chooses not to proceed.

Based on the survey results and the business modeling, this project has been proven viable through Milestone One.

#### **SUGGESTED MOTION:**

I move to (authorize or deny) City Manager to Enter into Milestone Two of the Exclusive Negotiation Agreement with SiFi/Nokia.

#### **Attachments**

1. Broadband Historical Timeline
2. Gig U Policy Manual Top Ten Overall Lessons

## **Broadband Timeline**

Economic Development Plan Adopted - **5/7/2014**

Council Workshop with Incumbents to discuss current dissatisfaction and options - **1/19/2015**

Council Workshop on SB-152 Override - **2/2/2015**

SB152 Override 77% Approval - **4/7/2015**

Council Retreat to discuss broadband options - **5/15/2015**

Mountain Connect Conference - **6/7/2015**

City Joins Next Century Cities <http://nextcenturycities.org> - **6/15/2015**

Broadband Project Manager Selected - **7/21/2015**

Consultation with Potential Consultant NeoFiber - **7/24/2015**

DOLA Grant Award Notice for Mesa/Garfield Plan - **8/3/2015**

Council Workshop - **8/17/2015**

- Direction given to not wait for Mesa/Garfield Study
- Hire Consultant and move forward with Pilot Project in the DDA

Kickoff Meeting with NeoFiber - **9/15/2015**

Contract Signed with NeoFiber - **10/2/2015**

RFP for Pilot Project Released - **11/30/2015**

- Prebid Meeting Held - **12/9/2015**
- Responses Due - **1/14/2016 (Extended to 1/22/2016)**
- 11 Responses Received
- Interviews including incumbent providers - **3/9-11/2016**

Community Outreach Meetings Held - **2/3-4/2016**

- Public Safety
- Current ISPs
- Education
- General Business
- General Citizens

Surveys conducted by City's consultant NeoFiber - **December thru February, 2016**

Council Workshop to discuss results of RFP interviews. Council directed an addendum to the RFP be sent including the entire City limits and possible 201 Boundary - **1/18/2016**

DDA Briefing updating of RFP process. - **2/11/2016**

Council Workshop to discuss and define goals of the addendum. - **3/14/2016**

RFP Addendum Released - **3/23/2016**

- Responses Due - **4/15/2016 (Extended to 4/28/2016)**
- 9 Responses (including no-bids)
- Supplement interviews held with all respondents including incumbent providers

Council Executive Session– Received Council direction to negotiate with TING- **5/23/2016**

Council Executive Session– Council notified of unsuccessful negotiation with TING - **8/2016**

Council revised goals to include:

- Ubiquitous
- Public/Private Partnership in which the City has significant ownership
- Pricing \$50-80 for residential, less than \$500 for business
- Open Access

Council Meeting – Staff recommended and Council approved ENA with SiFi/Nokia -**10/19/2016**

Council Approved questions for independent survey - **11/2016**

Survey Completed by Think Agency - **12/2016**

Milestone 1 presentation to at Council Workshop by SiFi/Think Agency - **1/16/2017**

City Manager sent follow-up memo on addressing Council questions - **1/23/2017**

SiFi met with Council members to explain the business model and further answer questions week of - **1/30/2017**

Special Council Workshop – presentation by Michael Santorelli - **2/8/2017**

Council Workshop – presentation by incumbent/potential incumbent providers - **2/13/2017**

Council Members – invited to further review financial model week of - **2/20/2017**

Council Workshop – planned discussion on **2/27/2017**

Council Meeting – Scheduled to vote on Milestone 2 of ENA - **3/1/2017**



# Top Ten Overall Lessons

Throughout this Handbook, we have identified the most important considerations for cities seeking to accelerate the deployment of next generation networks in their communities. This section distills these even further to a “Top Ten” list that provides lessons for all communities—regardless of size, density, or demographics—pursuing improved bandwidth for their businesses and residents.

## **Lesson 1: Organizing community resources and stakeholders is essential for making gigabit projects economically viable.**

While different cities have different demographics, construction costs, and other variable factors that affect the feasibility of a gigabit capable network, communities that have moved forward share one driving force: a commitment to improving broadband availability. Any community has the ability to organize its resources and regulatory processes to lower capital expenditures, operating expenditures and risk, and raise revenues – the key to making gigabit projects economically viable. Also, any community with a vibrant tech or start-up community can leverage that energy to produce project support. These stakeholders are first adopters and already understand the “why” of gigabit speeds.

## **Lesson 2: Start with a clear understanding of how your city’s rules and assets affect deployment costs.**

The organizing effort starts with a detailed understanding of how communities’ policies and assets affect the economics of network deployments. Gig.U, the Fiber to the Home Council, and others have developed tools for this exercise and public documents from the Google Fiber project also provide a roadmap for how cities should think about the impact of their rules and assets on network economics.

## **Lesson 3: Because it takes a long time to plan and deploy a network – and it always takes longer than you think – the right time to start thinking about how to improve the economics is today.**

Every day, cities make decisions that can affect the cost of deployment. Every time a street is dug up, every time an area is developed or redeveloped, there is an opportunity to lower the cost of future deployment. Every time such actions occur without an eye toward lowering the cost of next generation broadband facilities, the future cost of such a network increases.

#### **Lesson 4: Incumbents only respond to a potential change in the status quo. Inaction by a city leads to inertia in the market.**

In every community we have worked with, action by the city has always led to a response by incumbent providers. Generally, that response is in the nature of an incremental bandwidth increase or some other kind of improvement designed to forestall a broader, community-led broadband upgrade. This is not to criticize the incumbents; it is simply to suggest that when it comes to cities and their broadband networks, the old saying, “The squeaky wheel gets the grease,” turns out to be true. For example, without its RFP, it is doubtful that Los Angeles would have received a proposal by Time Warner Cable to accelerate its upgrade throughout the city. Similarly, Time Warner Cable’s upgrade in North Carolina only occurred after the community-led efforts in that state.

#### **Lesson 5: Cities who act will have to choose between the quick, short-term win and the harder, longer-term win.**

When cities become “the squeaky wheel,” they often have an opportunity to obtain some quick concessions from incumbents in exchange for stopping a process that opens the door to new providers. There is no general rule for responding. Some cities may best be served by taking what is in front of them, while others have the potential for far greater gains. What is certain is that cities should be prepared to analyze the short-term and long-term risks and opportunities so as not to be pressured into making a decision based solely on a desire for a “quick win.” Rather, they should be looking toward the “art of the possible” by maximizing the long-term prospects for broadband abundance.

#### **Lesson 6: While success depends upon broad support, it also depends on nimble decision-making.**

One reason Google chose Kansas City as its initial project site was that the existing unified government structure gave Google confidence it would receive decisive responses on a variety of issues as the project proceeded. Other projects have not gone as smoothly because decision-making was diffuse across a number of constituencies. For a project to be successful, there must be a broad coalition of interests supporting it. At the same time, that coalition must have confidence local leadership will act quickly on behalf of all. Otherwise, there will be delays that ultimately raise costs and could injure the project’s long-term prospects. Further, it is often difficult, within the existing local government structure, to find a high-level executive to “own” the project and assure its completion. Empowering such a person, and making sure the project is not an orphan, has been critical to the success of projects to date.

#### **Lesson 7: There is no one-size-fits-all solution. There are multiple solutions to multiple community needs with multiple trade-offs. But all efforts improve the situation relative to the status quo.**

As evidenced by the multiple ways in which Gig.U communities have approached the opportunities, there are many different ways to accelerate the deployment of a next generation network. Each has advantages and disadvantages. What is common to all, however, is that the cost to the community of such efforts is negligible and the benefits are significant. There is no cost to asking questions. Indeed, simply asking the right questions can cause incumbent providers to become more interested in how the city is thinking and more responsive to future needs. Competition – even the threat of competition – tends to improve the performance and the offerings of incumbents.

## **Lesson 8: Experiments don't always work the first time. That's why they are called experiments. Make sure the community leadership understands this and uses "lessons learned" to improve performance in successive iterations.**

Pioneers don't have the advantage of a clear and certain map. In each of the efforts to date, mistakes were made. The key is not to let the mistake determine the fate of the project, but rather to figure out how to correct the error and continue to move forward. A good example of the right way to approach the long-term objective is the work of the Seattle Citizens Telecommunications and Technology Advisory Board. As a letter from the organization notes, the disappointment in the inability of Gigabit Squared to deliver on its promises did not diminish the centrality of world-class broadband to the economic future of the city, nor the citizens' interest in accelerating the deployment of a gigabit network. Indeed, as the Board stated, "Though we are disappointed in light of recent news that the Gigabit Squared initiative with Seattle no longer seems viable, the Citizens Telecommunications and Technology Advisory Board (CTTAB) wants to be clear in reaffirming our earlier position on broadband for the City... the Board (CTTAB) urges the Mayor and the Council to move forward without further delay to bring a Fiber-to-the-Premise network to Seattle... State-of-the-art Internet access is essential to Seattle's ability to compete and lead in the 21st Century global economy." The city continues to explore other options, with a recent study that provides a thorough review of the costs of deploying a next generation network.

## **Lesson 9: Scale matters.**

As these projects are not cookie-cutters, there are significant start-up costs. In that light, scale is an advantage. The larger the ultimate addressable market, the more a provider is willing to risk those start-up costs. It is unlikely, for example, the eight respondents to the NCNGN project would have been willing to respond to six different RFPs. While the regional approach appears to be working there, it is important to remember the prior rule that quick decision-making also matters. So leaders of multi-community efforts must make sure the desire for scale does not result in complicated and lengthy decision-making.

## **Lesson 10: Above all, local leadership is the single most important ingredient for success. If there are local leaders who put this at the top of their agenda, it can happen. If not, it won't.**

Gig.U is proud of how it created a national platform for communities to help each other chart a path whereby every member community benefits from the efforts of others. But the single most critical variable for success is not in Gig.U or any national organization. It has been, and always will be, local leadership. In every community where an effort has moved forward, there has been strong local political, business, and civic leadership that has made it a priority.

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: May 1 2015

Citizen's Name: Bruce Lohmeyer

Address: 3932 N. 15th St 208

Phone Number: \_\_\_\_\_

Subject: Red Cross

*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.*