

CITY COUNCIL AGENDA WEDNESDAY, MAY 3, 2017 250 NORTH 5TH STREET 5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM 6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM

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

Call to Order, Pledge of Allegiance, Moment of Silence

Proclamation

Proclaiming May 7 - 13, 2017 as "National Travel and Tourism Week" in the City of Grand Junction.

Certificate of Appointment

Certificate of Appointment to the Historic Preservation Board.

<u>Appointments</u>

Election of Council President/Ex-Officio Mayor and Council President Pro Tem/Ex-Officio Mayor Pro Tem.

Ratify Appointment of At-Large Member to the Grand Junction Regional Airport Authority.

Appointment to the Commission on Arts and Culture.

Citizen Comments

Council Reports

Consent Agenda

1. Approval of Minutes

a. Minutes of the April 5, 2017 Regular Meeting

City Council May 3, 2017

- b. Summary of the April 17, 2017 Workshop
- c. Minutes of the April 19, 2017 Special Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. Ordinance Rezoning the Fountain Hills Subdivision to R-5, Located at 3495 N. 15th Street, and Setting a Hearing for May 17, 2017.
 - ii. Ordinance Approving an Amended Planned Development (PD) and Outline Development Plan (ODP) for Lot 2, Block 9 and Lot 1, Block 8 of The Ridges, Filing 2 and Set a Hearing for May 17, 2017.

b. Other Ordinances

- 2017 Supplemental Appropriation Ordinance and Setting a Hearing for May 17, 2017.
- ii. Ordinance Concerning the Salary of the Municipal Court Judge and Setting a Hearing for May 17, 2017.

3. Contracts

- a. Purchase of Road Oil for 2017 Street Division Chip Seal Program.
- b. 2017 Pavement Preservation Contract.

Regular Agenda

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

4. Public Hearings

- a. Quasi-judicial
 - i. Las Colonias Park
 - a) Ordinance No. 4746 Ordinance Rezoning the Las Colonias Park Property to Planned Development (PD), Approval of an Outline Development Plan (ODP) on 147 Acres, Located on the North Bank of the Colorado River Between Highway 50 and 27 1/2 Road.

City Council May 3, 2017

b) Resolution No. 22-17 - Resolution Amending the Las Colonias Master Plan to Include the Business Park Development.

ii. Resolution No. 23-17 - Resolution Amending the Comprehensive Plan Future Land Use Map from Residential Medium High (8 - 16 du/ac) to Commercial/Industrial and Ordinance No. 4747 - Ordinance Approving a Rezone to I-O (Industrial/Office Park) for Lot 241, Heritage Heights, Filing One, Located at 637 25 Road.

b. Legislative

- Ordinance No. 4748 Ordinance Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting the Sunset Provision for the Exemption from Sales Tax of Seller Installed Aircraft Parts.
- Ordinance No. 4749 Ordinance Amending Chapter 3, Section 3.12.100 of the Grand Junction Municipal Code Concerning the Sales Tax Vendor's Fee.
- 5. Non-Scheduled Citizens & Visitors
- 6. Other Business
- 7. Adjournment



Grand Junction City Council

Regular Session

Item #

Meeting Date: May 3, 2017

Presented By: City Council

<u>Department:</u> Convention and Visitor Services

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Proclaiming May 7 - 13, 2017 as "National Travel and Tourism Week" in the City of Grand Junction.

RECOMMENDATION:

Read and Present Proclamation.

EXECUTIVE SUMMARY:

Annual request to recognize National Travel and Tourism Week.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

1. Proclamation



State of Colorado

PROCLAMATION

WHEREAS,

travel has a positive effect on Grand Junction, Colorado and it also impacts business productivity, economic development, and each individual travelers' well-being; and

WHEREAS,

travel to and within the United States provides significant economic benefits for the nation, generating more than \$2.3 trillion in economic output in 2016, with \$990.3 billion spent directly by travelers; and

WHEREAS,

travelers' spending directly generated tax revenues of \$157.8 billion for federal, state, and local governments, funds used to support essential services and programs nationally; and

WHEREAS,

Grand Junction and surrounding communities in Mesa County welcomed over 1,600,000 visitors staying in local lodging properties, received \$281 million in direct travel spending, \$12.8 million in local taxes, and over 5,500 local jobs were reported in 2016; and

WHEREAS,

over 12,000 visitors use the Grand Junction Visitor Center, representing over 50 foreign countries and the U.S., plus over 500,000 people gain valuable travel inspiration by going to Visit Grand Junction's website to plan their trip to Grand Junction, annually; and

WHEREAS,

international travel to the United States is the nation's No. 1 services export. In 2016, travel generated \$246 billion in exports, creating a \$87 billion trade surplus for the United States. The Grand Junction Visitor & Convention Bureau works with 280 international tour companies annually to bring guests from around the world to Grand Junction; and

WHEREAS,

the Grand Junction Visitor & Convention Bureau has been marketing the area for 27 years; supporting hundreds of local tourism attractions, events and restaurants, including 24 wineries, 41 lodging properties, and hosting over 140 conventions and groups each year; and

WHEREAS.

leisure travel, which accounts for more than three-quarters of all trips taken in the United States, spurs countless benefits to travelers' health and wellness, creativity, cultural awareness, education, happiness, productivity, and relationships; and

WHEREAS,

travel is one of the top three industries in the state of Colorado and is a driver of economic growth to Grand Junction.

NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim May 7 – 13, 2017 as

"NATIONAL TRAVEL AND TOURISM WEEK"

in the City of Grand Junction, and urge citizens of Grand Junction and surrounding communities to join the City Council in this special observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 3^{rd} day of May, 2017.

Mayor



Grand Junction City Council

Regular Session

Item #

Meeting Date: May 3, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Certificate of Appointment to the Historic Preservation Board.

RECOMMENDATION:

Present Certificate.

EXECUTIVE SUMMARY:

City Council to present certificate of appointment to newly appointed Priscilla Mangnall.

BACKGROUND OR DETAILED INFORMATION:

Priscilla Mangnall was appointed to the Historic Preservation Board on April 19, 2017.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: May 3, 2017

Presented By: City Council

<u>Department:</u> City Manager

Submitted By: John Shaver, City Attorney, and Stephanie Tuin, City Clerk

Information

SUBJECT:

Election of Council President/Ex-Officio Mayor and Council President Pro Tem/Ex-Officio Mayor Pro Tem.

RECOMMENDATION:

Nominate and elect a Council President/Ex-Officio Mayor and a Council President Pro Tem/Ex-Officio Mayor Pro Tem.

EXECUTIVE SUMMARY:

The Charter sets forth the process for selecting a President of the Council and a President of the Council Pro Tem. Article V, Section 39 provides that during the first regular City Council Meeting in May of each year, a Council President/Ex-Officio Mayor and Council President Pro Tem/Ex-Officio Mayor Pro Tem are nominated and voted on to fulfill the obligations of those duties through April of the following year. President of the Council Norris has been in the position of Council President/Ex-Officio Mayor since May 2014 and President of the Council Pro Tem Chazen has been in the position of Council President Pro Tem/Ex-Officio Mayor Pro Tem since May 2013.

BACKGROUND OR DETAILED INFORMATION:

Article V (President of the Council), Section 39 (Term-Duties) of the Grand Junction Municipal Charter states that "each Council, at its first regular meeting and thereafter when a vacancy occurs, shall elect from its membership a president of the council. He shall serve for a term of one year and until his successor is elected and qualified. During such term he shall be a member of the council with the same right to speak and vote therein as any other member, but without the right of veto. He shall be recognized

as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. In case of his absence or disability, his duties shall be performed by a president pro tempore, chosen by the council from among its own members."

FISCAL IMPACT:

Not applicable

SUGGESTED MOTION:

Nominations can be entertained by the President of the Council. If nominated and seconded, the City Clerk can take a vote on each nomination that has been seconded. All votes are voice vote, no secret ballots are allowed.

Attachments

1. Council Election Memo



TO: Mayor Norris and Members of City Council

CC: City Manager Greg Caton FROM: City Attorney John Shaver

DATE: April 24, 2017 RE: Mayoral Selection

This memo concerns the upcoming (May 3rd) selection of the President of the Council, also known as Mayor.

In Article V, Paragraph 39 the City Charter (Charter) provides:

Each Council, at its first regular meeting and thereafter when a vacancy occurs, shall elect from its membership a president of the council. He shall serve for a term of one year and until his successor is elected and qualified. During such term he shall be a member of the council with the same right to speak and vote therein as any other member, but without the right of veto. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. In case of his absence or disability, his duties shall be performed by a president pro tempore, chosen by the council from its own members.

The Charter does not define "the first regular meeting" but for many years that term has been construed to be the first formal meeting in May following the swearing in of Councilmembers elected in April. That interpretation is perfectly consistent with Paragraph 35 of the Charter which establishes that the terms of elective office commence on the first Monday in May.

Paragraph 39 specifies that the Council "elects" a president; historically the Council has also elected a president pro tempore on the same date. The process for those elections has been the same for president and president pro tempore with the Council generally establishing the procedure with each election. There are a few legal requirements and lessons learned over the years which are as follows:

- 1) By law, secret ballots are not allowed, as such all of the election proceedings, other than the City Clerk's written tallies, are spoken. The City Clerk will report her tallies as part of the selection process and will keep those in her records. Of course you can during the process ask for assistance from her, me and/or the City Manager;
- 2) Nominations and seconds are required; self-nominations are allowed. Typically, a short statement is made by each member making a nomination and by the nominee when accepting a nomination. A nominee may decline a nomination and withdraw her/his name either at the time of nomination or later (but preferably before being elected). Usually the president of the council is chosen first but Council may order the process as a majority determines. After discussion the sitting Mayor begins the process by saying that the nominations are open and will be entertained; at the conclusion of the nominations

and seconds a motion to close nominations should be made, seconded and voted on before the voting begins;

- 3) It is not uncommon that there are multiple nominations and multiple rounds of voting. When that happens the nominees with the highest number of votes (without achieving a majority of four) have been advanced to subsequent rounds of voting. Typically, the Council has required at least three votes to advance but in the event of two nominees receiving two votes a "run-off" is held between those nominees with the highest number of votes advancing to a ballot with the nominee previously receiving 3 votes.
- 4) Votes from round to round are non-binding.
- 5) The same process is used for president and president pro tempore.

With the exception of the law specifying no secret ballots, the Council may establish the selection process as a majority prefers. The process described above has worked well over the years and should serve well again this year. Please let me know if you have questions or if I may offer additional assistance.

pc: City Manager Greg Caton City Clerk Stephanie Tuin



Grand Junction City Council

Regular Session

Item #

Meeting Date: May 3, 2017

Presented By: City Council

<u>Department:</u> City Attorney

Submitted By: City Council

Information

SUBJECT:

Ratify Appointment of At-Large Member to the Grand Junction Regional Airport Authority.

RECOMMENDATION:

Ratify the Appointment of Charles McDaniel as the At-Large Member of the Grand Junction Regional Airport Authority (GJRAA).

EXECUTIVE SUMMARY:

The GJRAA interviewed candidates for the At-Large position on their board and have forwarded the name of Charles McDaniel for the City Council's consideration.

BACKGROUND OR DETAILED INFORMATION:

Pursuant to the GJRAA bylaws, "The Directors appointed by the Mesa County Commissioners and the Grand Junction City Council shall advise the County Commissioners and the City Council as to the person they identified as the seventh Director (hereinafter "At-Large Director") and the County Commissioners and the City Council will determine whether they consent to that person serving as the At-Large Director. The At-Large Director shall be a resident and taxpaying elector of Mesa County at the time of his or her appointment."

FISCAL IMPACT:

None.

SUGGESTED MOTION:

I move to (ratify/not ratify) the appointment of Charles McDaniel as the At-Large member of the Grand Junction Regional Airport Authority.

Attachments

1. Letter of Recommendation



21 2017 RM 10:38

Dear Mayor Phyllis Norris and City Council Members:

The board members of the Grand Junction Regional Airport Authority are appointed by the Grand Junction City Council and Mesa County Commission. The following are the Airport Authority Bylaws regarding board member selection:

2.2 <u>SELECTION AND QUALIFICATION.</u> The Board shall consist of seven (7) members which may be referred to as Directors or Commissioners (hereinafter "Directors"). The Mesa County Commissioners shall appoint three (3) Directors, only one of whom may, but need not be, a County Commissioner. The City Council of Grand Junction shall appoint three (3) Directors, only one of whom may, but need not be, a member of the City Council. The Directors appointed by the County Commissioners and the City Council shall be residents and taxpaying electors of Mesa County or the City of Grand Junction, respectively, at the time of their appointment. The Directors appointed by the Mesa County Commissioners and the Grand Junction City Council shall advise the County Commissioners and the City Council as to the person they identified as the seventh Director (hereinafter "At-Large Director") and the County Commissioners and the City Council will determine whether they consent to that person serving as the At-Large Director. The At-Large Director shall be a resident and taxpaying elector of Mesa County at the time of his or her appointment.

2.2.1. METHOD OF PROPOSING AT-LARGE DIRECTOR. The At-Large Director shall be selected from a pool of potential Directors arrived at by the public solicitation of applicants for the open position(s). The current Directors shall, in executive session, discuss the applicants and identify the person to be the At-Large Director and then take any public comments on the person identified at the next regular Board Meeting. The Directors shall then advise the Mesa County Commissioners and the Grand Junction City Council as to the person they identified as the At-Large Director and the County Commissioners and the City Council will determine whether they consent to that person serving as the At-Large Director.

The term of the at-large member of the Authority Board ended in February 2017. Therefore, we directed staff to advertise and solicit applications for this vacancy. Authority staff posted this vacancy on the airport website as well as advertised in the Grand Junction Sentinel. The board reviewed the applications and interviewed the two applicants that were submitted prior to the posted deadline of 3:00 pm on March 13, 2017. At the April 18, 2017 board meeting, the commissioners interviewed and received public comment on each candidate.

Based on the above process, at our meeting of April 18, 2017, the Board has recommended Charles McDaniel for the at-large board member, for a four-year term ending on February 28, 2021. The Authority Board respectfully requests his appointment by the Grand Junction City Council and Mesa County Commissioners.

Very truly yours,

Rick Taggart, Board Chairman

Grand Junction Regional Airport Authority



Grand Junction City Council

Regular Session

Item #

Meeting Date: May 3, 2017

Presented By: Stephanie Tuin, City Clerk

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Appointment to the Commission on Arts and Culture.

RECOMMENDATION:

Appoint the candidate put forward by the interview committee to the unexpired term expiring February 2018.

EXECUTIVE SUMMARY:

The interview committee interviewed two candidates for the vacancy on the Commission on Arts and Culture on April 26, 2017 and forwarded their recommendation.

BACKGROUND OR DETAILED INFORMATION:

City Council appointed five members to the Commission on Arts and Culture recently but there was still one vacancy. Another round of interviews took place on April 26th and a name has been put forward for appointment.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to appoint the interview committee's recommendation to the Commission on Arts and Culture for a term expiring in February 2018.

Attachments

None

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING APRIL 5, 2017

The City Council of the City of Grand Junction convened into regular session on the 5th day of April, 2017 at 6:00 p.m. Those present were Councilmembers Bennett Boeschenstein, Martin Chazen, Chris Kennedy, Duncan McArthur, Barbara Traylor Smith, Rick Taggart, 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 Chazen led the Pledge of Allegiance which was followed by an Invocation by Bishop William Ogle, Church of Jesus Christ of Latter-day Saints.

Appointments to the Commission on Arts and Culture

Councilmember Boeschenstein moved to appoint Andy Hamilton to a partial term ending February 2019 and appoint Honora Thompson, Sarah Meredith-Dishong, Ellen Moore, and Merritt Kinsey to the Commission on Arts and Culture, all terms ending February 2020. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

Certificate of Appointment to the Ridges Architectural Control Committee (ACC)

Garrett Syphers was present to receive his certificate of appointment to the Ridges ACC. Councilmember Chazen presented his certificate and thanked him for his willingness to serve. Mr. Syphers thanked Council.

Proclamations

Proclaiming April 2017 as Child Abuse Prevention Month in the City of Grand Junction

Councilmember Traylor Smith read the proclamation. Melissa Lytle, Executive Director of Western Slope Center for Children, was present to receive the proclamation. She announced their fundraiser on Saturday, April 18, 2017.

Proclaiming April 2017 as Month of the Young Child in the City of Grand Junction

Councilmember Boeschenstein read the proclamation. Lacy Hildebrant, Program Assistant with Mesa County Partnership for Children and Families, was present to

receive the proclamation. Ms. Hildebrandt explained the purpose of recognizing this month as Month of the Young Child and its importance.

Proclaiming April 2017 as National Autism Awareness Month in the City of Grand Junction

Councilmember Taggart read the proclamation. Doug Sorter, Business Operations and Development VP for STRiVE, was present. Mr. Sorter told a story of how this condition affects families and how STRiVE has a program to diagnose children with expertise not found anywhere closer than Denver.

Councilmember Traylor Smith added there is a STRiVE fundraiser called Tulips and Juleps to be held on May 6th at the Western Colorado Botanical Gardens.

Proclaiming April 16, 2017 as Health Care Decisions Day in the City of Grand Junction

Councilmember Kennedy read the proclamation. Erica Eng, Director of Patient Experience for Community Hospital, Mary Watson, Safety Officer/Community Project Coordinator for HopeWest, and Dyann Walt, Adult Services Supervisor for Mesa County, were all present. Ms. Walt thanked Council for the proclamation and described their efforts in trying to bring awareness to the community. She expressed appreciation for the Colorado Mesa University (CMU) intern students working with them and encouraged anyone over the age of 18 to make a plan or appoint an agent who can make their healthcare decisions. She said there are multiple events taking place on April 16th.

Proclaiming April 9th through 15th as National Public Safety Telecommunicator Week in the City of Grand Junction

Councilmember McArthur read the proclamation. Grand Junction Regional Communication Center Operations Manager Monica Million and members of her staff were present to accept the proclamation. Ms. Million expressed appreciation to Council for recognizing their role and introduced her staff. She then showed a video telling the telecommunicator's "story" and described events associated with the week.

Canvass of the April 4, 2017 Municipal Election

By City Charter (Section 25) provides that "that the council shall meet as a canvassing board and duly canvass the election returns within two days after any municipal election." The City Clerk therefore brings forward the election returns to the canvassing board for review and acceptance.

City Clerk Stephanie Tuin presented the election results and gave a background on this process. She stated the election is conducted in partnership with Mesa County which

has worked well many years. She expressed her appreciation to Mesa County and to the City Clerk Staff.

Besides designating Council as the canvassing board, the City Charter also provides that "Whenever any member of the council is a candidate for re-election, the council shall appoint some justice of the peace or notary public of said city to take the place of said candidate upon said canvassing board as a member thereof." City Clerk Tuin brought four notary publics to the canvassing meeting and asked that Council accept them to replace said candidates on the dais. City Clerk Tuin then reviewed the returns with the canvassing board and there were no questions on the returns. City Clerk Tuin asked the board to sign the certificates of election.

The canvassing board signed the Certificates of Election and accepted the results as presented. Once signed, City Clerk Tuin asked the candidates to return to their places on the dais.

Citizens Comments

Dennis Simpson, 3112 East 4th Street (business), 2306 East Piazza Way (residence), addressed Council on the Bonsai Design initiative. He noted the \$10 million debt issued by the Downtown Development Authority (DDA) to the City which is to repay almost all of the debt service. He stated that the agreement between the DDA and the City should include a provision where it had to be annually appropriated. Mr. Simpson likened this agreement to Certificates of Participation (COP) and said it is a new COP type instrument. He mentioned a meeting on March 17th and provided candidate's quotes that opposed COP's and questioned the integrity of those elected. He pointed out Councilmember McArthur's opinion that \$1 million should not be provided to Bonsai Design.

Council Reports

Councilmember McArthur said between March 16th and April 5th he attended: the Mi Mexico event with the Western Colorado Latino Chamber of Commerce; the National League of Cities (NLC) Congressional Conference in Washington D.C.; the Energy Environmental National Resources committee meeting; the Colorado Municipal League (CML) breakfast meeting with Colorado Senators; a meeting with Congressman Tipton discussing the Presidential budget and Jordan Cove; the RSVP Volunteer recognition luncheon; a meeting with a Webelos group; a Community Development Block Grant (CDBG) meeting with Kathy Portner and Dave Thornton; and participated in a legislative videoconference.

Councilmember Boeschenstein said on March 10th he attended the Young Entrepreneur Banquet at CMU with speaker Ron Allred. He mentioned a group in town considering an Arts and Culture District led by Sean and Gisela Flannigan and spoke of the presentation at the Council Workshop regarding riverfront activities. He also attended a presentation by Traci Wieland, Parks and Recreation Department Superintendent, about the Riverside neighborhood's RIO project.

Councilmember Chazen had no comments.

Councilmember Kennedy thanked the citizens of the City for exercising their right to vote which is a true right and has a large impact on everyone's daily lives. He said he will be attending a broadband conference in the next two weeks.

Councilmember Traylor Smith said she has been focused on the Grand Junction Economic Partnership (GJEP) report, which listed working with 28 new companies, 84 active leads, 117 active prospects, 185 potential tech related companies, and 23% of the new companies are related to outdoor recreation. She said the results of this report stated GJEP has been mentioned in the media 38 times, which is up 275% since 2016, and has reached 6 million individuals.

Councilmember Taggart stated he has been focused on the Grand Junction Regional Airport Authority (GJRAA) which has two legal issues left to be resolved. He said there is optimism that these issues will be resolved within 60 days. He said the GJRAA is completing interviews for an engineering firm to complete the runway project which will be discussed at the meeting on Tuesday, April 11th. The Authority has narrowed down the candidates for the At-Large position on the board and will be making recommendations to Council and County Commissioners.

Council President Norris had no comments.

Consent Agenda

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

1. Approval of Minutes

- a. Minutes of the March 1, 2017 City Council Regular Meeting
- b. Summary of the March 13, 2017 City Council Workshop
- c. Minutes of the March 15, 2017 Special (Executive Session) Meeting
- d. Minutes of the March 15, 2017 City Council Regular Meeting

2. Set Public Hearing

- a. Legislative
 - i. Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Nonconforming Signage and Set a Hearing for April 19, 2017.

3. Contract

 Purchase Two (2) Single Axle 4x2 Hook Lift Trucks with a 5-yard Dump Body, V Box Spreader, and Snow Removal Equipment.

4. Resolution

a. Resolution Authorizing a Telecommunication Facility at Saccomanno Park, H Road and 26 ½ Road.

The City Council took a break at 7:08 p.m.

The meeting reconvened at 7:14 p.m.

Public Hearing – Resolution Amending the Comprehensive Plan Future Land Use Map from Residential Medium (4-8 du/ac) to Village Center, Located 521 28 ¾ Road and an Ordinance Approving a Rezone to PD (Planned Development) and an Outline Development Plan for the Mind Springs Health Campus, Located at 515, 521 28 ¾ Road, and 2862 North Avenue

The applicant, Mind Springs Health, requests approval of a Comprehensive Plan amendment, an Outline Development Plan (ODP), a Planned Development (PD) zone district with a default zone of C-1 (Light Commercial) for their 12.34-acre campus located at 515 28 ¾ Road, 2862 North Avenue, and 521 28 ¾ Road, which will ultimately support a three-phase expansion including a 48 bed psychiatric hospital designed for future expansion up to 64 beds.

The public hearing was opened at 7:14 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the request, the location, and the site. Mind Springs Health is a regional provider of mental health services who seeks to expand its Grand Junction Campus. The property at 515 28 ¾ Road operates under a 2004 Conditional Use Permit for an Unlimited Group Living Facility. The facility is not, however, a group living facility, but an in-patient treatment facility with stays that may exceed 30 days which houses patients temporarily with no intent that a patient will make a permanent home there. The applicant and City staff propose that the Conditional Use Permit (CUP) shall terminate at such time as the

proposed Comprehensive Plan amendment, ODP, and PD zoning ordinance become effective.

Since 2004, the applicant has acquired the adjacent properties at 2862 North Avenue and 521 28 ¾ Road for expansion. The proposal is that all three properties be rezoned to a PD zone district with C-1 default standards in order to provide a flexible but consistent zoning classification for expansion of the outpatient behavioral health sciences and inpatient psychiatric hospital care campus.

Also requested is a Comprehensive Plan Future Land Use Map change from Residential Medium (4 - 8 du/ac) to Village Center for the property located at 521 28 ¾ Road. The applicant has also submitted a simple subdivision application to combine all three properties into one lot for development purposes. This application is being reviewed separately in accordance by the Director in accordance with the Zoning and Development Code.

The properties located at 515 28 ¾ Road and 2862 North Avenue are already zoned C-1 and R-8, however, a PD zone must provide community benefits. These benefits for this project are: to have an effective infrastructure consolidating medical services into one centralized location; to reduce traffic demands; provide a greater quality and quantity of open space (31% of site to be landscaped); and to provide an innovative design in architecture congruent with existing structures on the site.

Mr. Peterson then described the buildings proposed, their sizes, and usage. The PD will include the demolition of a building where building C will be located. The vacant lot was acquired in 2015 and a respite house with a larger setback will be built on this site. The applicant will meet all other City Code requirements including parking and landscaping, however, the internal ring road will be gated at three points for staff use.

Mr. Peterson then described a number of aesthetics and activities included in the plans. He also described the phases of the project and stated the findings and facts. Mr. Peterson stated the Planning Commission recommended approval of the proposal and introduced Mr. Rob Jenkins.

Mr. Jenkins, architect for the project, presented Mind Spring's development plan. He noted that Mind Springs is a regional health care provider which has run out of room for outpatient services and is leasing space in other buildings. He stated that Mind Springs manages 13 other facilities throughout the region and reviewed issues with the existing plan under the CUP. Mr. Jenkins said Mind Springs has redeveloped their 2013 concept into three phases which included acquisition of property, organization of the model of care, and remodeling the main building.

Mr. Jenkins stated this request is driven by the increasing need for psychiatric care on the Western Slope. He said there is a constant waiting list for the West Springs Hospital and by 2019 the bed need forecast is 64. He listed future campus details which will include room for expansion and said they will provide services during construction and when the new facility is completed they will tear down building C. He outlined the schedule for the project and added the phasing may be changed in the future. With a budget of \$34 million, they hope to begin reviewing the plan immediately and open the new hospital in November of 2018.

Councilmember Kennedy expressed appreciation for the presentation, said he had no major concerns, and stated he will be supporting the request.

Councilmember Traylor Smith thanked Mr. Jenkins for the thorough presentation.

Councilmember Boeschenstein asked if the applicant, Kim Boe, Mind Springs Hospital Executive Vice President, was present. Mr. Jenkins said yes. Councilmember Boeschenstein said the Vagrancy Committee would like to meet with hospital representatives. Mr. Jenkins said he has received comments from the PD regarding not admitting homeless to the hospital, however, homelessness is not a diagnosis. He stated that homeless people that have a mental health diagnosis will be treated. Councilmember Boeschenstein stated the facility at the Regional Center that allowed long term care of homeless and mentally unstable patients, will soon be closing.

Councilmember Boeschenstein asked how this project will be funded. Mr. Jenkins said the project will be funded by donations and additional financing and added they are the only facility of this type between Denver and Salt Lake City.

Councilmember McArthur asked if the existing storm water retention facility is reconfigured in the site plan and is there sufficient drainage for the proposed facilities. Mr. Peterson stated the retention facility to be enlarged is west of the Texas Roadhouse restaurant, however, the plan is not finalized and is to be reviewed by development engineers. Mr. Jenkins added they will be doubling the footprint and increasing depth of the retention facility. Councilmember McArthur thanked Mind Springs and the Planning Department.

The meeting was opened for public comments.

There were no public comments.

The public hearing was closed at 8:02 p.m.

Councilmember Traylor Smith moved to approve Resolution No. 20-17 – A Resolution Amending the Comprehensive Plan Future Land Use Map from Residential Medium (4-8 du/ac) to Village Center, Located at 521 28 ¾ Road and Ordinance No. 4742 – An

Ordinance Approving a Rezone to PD (Planned Development) with a Default Zone of C-1 (Light Commercial) and an Outline Development Plan for the Mind Springs Health Campus on final passage and ordered final publication in pamphlet form Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

Ordinance Rezoning the Lusby Apartment Complex, Located at 1321 Kennedy Avenue

The applicant is requesting approval of a rezone from R-16 (Residential-16 du/ac) to R-24 (Residential - 24 du/ac) for the Lusby Apartment Complex, located at 1321 Kennedy Avenue, to allow for the development of additional residential units. The property is currently developed at the R-16 maximum density, yet approximately one half of the property is vacant. Rezoning to R-24 will allow for additional residential dwelling units to be constructed in an area shown as "Residential High" supporting 16 to 24 units per acre in the Comprehensive Plan.

The public hearing was opened at 8:04 p.m.

Kathy Portner, Planning Manager, presented this item. She described the request, location, and site. The subject parcel is currently zoned R-16 (Residential-16 units per acre) and is approximately 0.4 acres in size. There is potential for more residential development on this lot, but the owner is prevented from further development due to the existing zoning. Under the R-16 zoning, the site has met its maximum density. The request for R-24 zoning (Residential - 24 units per acre) is to provide for high density residential uses.

Approximately 2% of all land in the City limits is zoned either R-16 or R-24 with only 6% of the R-16 land currently vacant and 39% of the R-24 land vacant. There is more opportunity for higher density housing near the CMU campus. The Planning Commission has recommended approval.

Robert Jones, Vortex Engineering and Architecture, Inc., representing the applicant, 2294 Patterson Road, stated there is a need for additional student housing. Mr. Jones stated CMU is rapidly expanding with a student body of over 11,000 students and the rezone request will provide additional housing which meet the review criteria. He asked for approval.

Councilmember Boeschenstein asked what the average size of the units are. Mr. Jenkins stated each unit has two bedrooms, two baths, and are 800 square feet.

Councilmember Taggart expressed appreciation, however, he is concerned about a letter from Christine Coolidge suggesting another choice. Ms. Portner said a variance is not an option and a rezone is the only option for more units.

Councilmember Kennedy asked what the rent range is per unit. Mr. Jenkins stated \$900 to \$1,000 per month providing availability of multi-family units at affordable rates. Councilmember Kennedy suggested rezoning the entire neighborhood to address the real housing need.

There were no public comments.

The public hearing was closed at 8:15 p.m.

Councilmember Kennedy moved to approve Ordinance No 4743 – An Ordinance Rezoning the Lusby Apartment Complex from R-16 (Residential - 16 du/ac) to R-24 (Residential - 24 du/ac) located at 1321 Kennedy Avenue on final passage and ordered final publication in pamphlet form. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Group Living

The proposed ordinance addressing Group Living and Household Living reorganizes the text, better defines terminology, establishes appropriate regulations, simplifies by removing ambiguities, establishes spacing requirements between facilities, clarifies development versus registration requirements, identifies appropriate zone districts for group living land uses and establishes decision-making authority. The proposed ordinance repeals and replaces Section 21.04.030(p) of the Zoning and Development Code (Code) which provides standards and regulations for Residential Living.

The public hearing was opened at 8:15 p.m.

David Thornton, Principal Planner, presented this item. He described the reason for the proposal and stated, over time, City staff, applicants, neighbors, aggrieved parties and boards have found it difficult to understand and apply the group living provisions of the Code. The use-specific regulations and related definitions are confusing, duplicative, contradictory, uncertain, and not well organized. For example, it is unclear what constitutes a group living facility as opposed to a type of multi-family housing with special amenities, such as fitness facilities, activity rooms, and group dining options. The Group Living Codes are confusing to the community. To address these issues, Community Development staff met with a number of focus groups to discuss how to improve the regulations. They included Hilltop, Ariel Services (foster care), sororities, and fraternities. The ordinance is the result of the input received. It is a reorganization and clarification of text and allows new types of group living. Group living is one of two types of residential living; family versus unrelated individuals.

Mr. Thornton said three of the subcategories are: fraternity/sorority, rooming/boarding house, and other group living. He said the City expects to see more group living in the community given demographic pressures.

To preserve the character of residential neighborhoods, special ("use-specific") standards and requirements are carried over from the previous Code for group living facilities, with some modifications, and new ones are proposed for the first and third categories (fraternities/sororities and rooming/boarding houses). Also proposed are geographic limitations on where fraternities and sororities can be located (within 500 feet of the CMU campus only). With the other group living category, there is generally no use-specific regulations proposed, just increased parking standards and zoning limitations.

Mr. Thornton provided the standards that will be included for sororities and fraternities that are located off campus but located within five hundred feet of the campus.

The proposed ordinance is the outcome of these meetings and workshops. It is intended to: eliminate outdated and unnecessary text; better organize the text so that the requirements and processes are more clear; promote the integration of group living into City neighborhoods while protecting their residential character; allow new types of group living that are currently prohibited (such as fraternities and sororities and dormitory style living) while creating regulations and processes to ensure adequate protection for the peace and quiet enjoyment of residential neighborhoods; and ensure that neighbors of group living homes and facilities have a process and a forum to register undesirable neighborhood impacts.

Demographic pressures such as the growth of CMU, increased homelessness, and the lack of affordable traditional housing are causing developers to get creative with housing options. Dormitory style and other congregate living are expected to become more common in the community. In dormitory style living found in a multi-unit development, residents have exclusive access to a bedroom, but share common living areas. These may look very much like apartments, but rental is by the bedroom rather than by the unit. The proposed ordinance allows such types of living, but establishes specific parking requirements (.8 parking spaces per bed) to help mitigate neighborhood impacts and increase spaces.

There may be citizens present who want to speak on the dormitory style units. The Planning Commission has recommended approval.

Councilmember McArthur asked what the purpose is of the screening and buffering of the property. Mr. Thornton said the purpose is to minimize impacts on the neighborhood. Councilmember McArthur asked if a tiny house subdivision would be allowed with this change. Mr. Thornton said those would be treated like single family

units. Councilmember McArthur asked if there is a minimum lot size. Mr. Thornton said lot size is defined by the zone district. Councilmember McArthur stated that he is seeing more multi-family-type complexes and asked how the issue of parking is being handled with the Grand Avenue development. City Attorney Shaver said The Lofts was approved under the existing Code and is only subject to appeal at this point.

Councilmember Kennedy said there are more confusing changes with this Code. He asked if the boundary of 500 feet is tangible and if it will it expand as the campus expands. Mr. Thornton stated it is a designated boundary and if the campus outgrows it, this may have to be revisited at that time. Councilmember Kennedy asked if the property has to be owned by the chapter. Mr. Thornton said the chapter can lease the property. Councilmember Kennedy said this is an example of household living versus group living. He asked if there might be a conflict with Home Owner Association (HOA) covenants.

City Attorney Shaver said HOA covenants are above and beyond the City Codes and an HOA covenant could prevail. Councilmember Kennedy said he would be supporting this request.

City Attorney Shaver said with the State, Federal Government, and lenders trying to accommodate the Code, it will never be perfectly clear, however, the matrix table is the essence of the provisions proposed.

Councilmember Traylor Smith asked if there is any flexibility for the 500-feet boundary. Mr. Thornton said not for the entire property; there is no flexibility. City Attorney Shaver said if any portion of the parcel were to be within the boundary, that would be construed to be sufficient.

City Manager Caton said the buffer idea is to keep students on campus if possible, however, the Code will continue to be evaluated.

Councilmember Taggart said if Gail Howe is in agreement with the 500 feet boundary, then CMU may be concerned that the property needs to be closely managed. He said the word "barrack" has a connotation and needs to be taken out of the Code. City Attorney Shaver said he will remove this wording.

Council President Norris said typically citizens do not want group homes in their neighborhoods and asked if subdivision rules can override having a group home located within a neighborhood. City Attorney Shaver answered yes.

Rickie Howie, 1003 Chipeta Avenue, said she received a card on The Lofts and submitted a one-page list of objections. She said she met with Ms. Portner and Ms. Bowers and was assured that when the response from the cards came back to the

Planning Commission, she would receive notice. She did not receive notice and found out today that the project was approved. She said she was totally ignored and feels the City does not give citizens a chance to exercise their rights. She feels that citizen responses are dismissed and her opinion was ignored. Ms. Howie said The Lofts are rented out by the bedroom and there is nothing to eliminate or prohibit one bedroom having multiple occupants. She said there is no one in charge governing the number of people per unit. She said she knows of thirty people who have called the Planning Commission and objected to this ordinance. She asked if Council would postpone the item and let the Planning Commission talk to the neighborhood.

Janet Antwine, 960 Ouray Avenue, said she lives close to The Lofts and also wrote a letter addressing three issues. She expressed concerns with parking and wanted to know if any other part of the City is impacted by this ordinance. She said .8 parking spaces per bed is not enough and there should be at least one space (or more) per bed. She also asked if this will increase the traffic flow, will businesses be impacted due to the lack of parking, and will the children walking to school be effected by the traffic increase. Ms. Antwine said the wording in the law needs to be specific because some college students will do whatever they want to do. She asked Council to consider density and to discuss the issue with the Police Department and the Sheriff's Department.

Lee Joramo, 959 Ouray Avenue, said he is concerned about the .8 parking space per bed because every college student will have a car if they live off campus. He said .8 is way under what it should be and this does not accommodate for visitors or multiple occupancy. Mr. Jaramo expressed concerns regarding commercial enterprises using Airbnb in such units. He asked that this issue be tabled.

There were no other public comments.

The public hearing closed at 8:54 p.m.

City Manager Caton stated, as related to The Lofts, the existing Code does not have great guidance with one unit requiring two spaces. He said this ordinance helps by increasing parking from .5 to .8 per bed with possibly an alternative method of transportation contemplated.

Mr. Thornton said the limited research found a range .7 to zero with some units having had a one to one ratio, however, the number can be amended in the future. He said there are possibilities of vacancies with the spillover not producing a large number of cars. Mr. Thornton stated they want to encourage housing choice with dormitory style living which works in other communities.

Councilmember Traylor Smith asked if the ordinance does not include on-street parking. Mr. Thornton said that is correct.

Council President Norris said The Lofts are a separate issue. City Manager Caton said that is correct.

Councilmember Taggart said CMU has staff that deals with these types of issues. He said an understanding of students attending college is necessary and this ordinance is based on some national standards. He will be supporting the ordinance.

Councilmember Boeschenstein moved to approve Ordinance No. 4744 – An Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Group Living on final passage and ordered final publication in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There	Woro	nono	
rnere	were	none.	_

Other Business

There was none.

Adjournment

With no further business, the meeting adjourned at 9:01 p.m.

Stephanie Tuin, MMC City Clerk

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY April 17, 2017 – Noticed Agenda Attached

Meeting Convened: 5:30 p.m. in the City Hall Auditorium

Meeting Adjourned: 8:10 p.m.

City Council Members present: All Councilmembers except Kennedy

Staff present: Caton, Shaver, LeBlanc, Bowman, Watkins, McInnis, Beard, Hazelhurst, and Tuin

Also: Richard Swingle, Mike Price (TCA Architecture & Planning), Duke Wortmann (Councilmember

Elect), Amy Hamilton (Daily Sentinel).

Agenda Topic 1. Discussion Topics

<u>Presentation on the City of Grand Junction Fire Department/Grand Junction Regional Airport Authority Fire Station Partnership Feasibility Study</u>

City Manager Caton introduced Mike Price of TCA Architecture + Planning + Design and Fire Chief Ken Watkins who will give the presentation.

Chief Watkins provided a brief history of the fire station feasibility study that was previously done. The north area was identified as an area needing a station and the idea of a shared facility with the airport is frequently mentioned. Therefore, this feasibility study was commissioned.

Mike Price introduced himself and listed his credentials. He walked through the modeling and the benefits of combining the Fire Station with an Airport Rescue and Firefighting Station (ARFF) at the SW perimeter of the airport:

- There are standards for both municipal and airport fire stations.
- Modeling was based on 2016 calls for service.
- Reviewed space needs for each operation.
- Explained the work load distribution at surrounding stations and the impact on workload of the various location options.
- Airport may need to increase staffing, with the possibility of longer planes at the airport.
- Space needs compared with Fire Station 4, looked at shared and separated facilities.
- Described security with a combined facility which is different than a municipal station, different locations on airport property (6D & 6E), and explained incident types and average travel times.
- Over 15,000 calls in jurisdiction; "bullseye" areas at St. Mary's, Community Hospital, and the Airport.
- Modeled optimized travel areas for all five existing stations with 4-minute distribution travel.
- Growth is west and north, looked at growth at Station 3, possible growth near Community Hospital.
- Findings: 6A & 6B, pretty similar; Station 3 supports St. Mary's and west of town (big response area); FAA requirements, ARFF staff on site when commercial aircraft are on site, more need with growth, and what happens now if a call is between midnight and 6:00 a.m.

 Recommendations: co-locate on or near 6A location; benefits will be call load due to growth, cost sharing, cross training, collaborative partnership, and no neighborhoods would be impacted.

Chief Watkins gave a wrap up: 6B & 6C are the best location options for the City (off-site of Airport), best option for the community is a partnership with the airport; funding, timing, and cost is critical.

Municipal Court Operations

Councilmember Chazen presented an overview of the process he and Councilmember McArthur have worked through with the Municipal Judge regarding these three items: 1) Associate Judge Appointment, 2) Performance Review process for the Municipal Judge, and 3) New Fees. Councilmember Chazen presented the committee's recommendations. With 1) there is not a lot of dollars in the budget to currently hire an associate judge(s) but to use a substitute judge(s) when necessary for remainder of the year. 2) performance evaluation is consisting of with three pieces – Job Description, Performance evaluation criteria similar to the City Manager and City Attorney, and possible use of a 360 review with the Judge since Council does not work directly with her. 3) Fees recommended being brought forward to add to the Court system of \$25 payment plan fee and \$10 proof of insurance fee. These will be addressed along with the presentation of the other City fees being considered by Council in the near future.

After a general discussion regarding these issues several ideas came forward that the committee will need to continue to work through regarding the Court: a new member to replace Councilmember Chazen, implementation of HB-1613-09, neighborhood court, and the benefits and compensation for Judge McInnis which is not in place currently. Councilmember Chazen said an executive session will need to be scheduled. It was decided the first 15 minutes of the pre-meeting on Wednesday, April 19, 2017 will be dedicated to an executive session.

Agenda Topic 2. Update

City Manager Caton introduced Reggie Bicha, Director of the Colorado Department of Human Services, to give an update on Grand Junction Regional Center Campus.

- Department of Human Services (DHS) by law is required to operate 3 regional centers for adults with developmental disorders in Pueblo, Wheatridge, and Grand Junction. Currently two licenses types – campus and group homes along with day programing.
- DHS is a large employer in the valley with 250 State employees.
- Grand Junction Regional Center is not closing only the current location due to cost and sustainable cost of care, but will still be located on the western slope.
- Reassembling an advisory group to look at other options and locations.
- Focus on a Person Centered Choice (part of legislation), 22 clients locally want to stay in Grand Junction; also need to think about serving the next generation.
- State currently doesn't have any plans for the property, the State Architect will take care of that, not DHS.
- Council asked about the Fort Lyon facility, he explained Department of Local Affairs (DOLA) is the lead agency for that project.

There was a discussion regarding concerns of the property, active role of Councilmembers, multiple options, the homeless coalition, campus property, current residents, and how to talk to the State Architect. Council wants to have an active role in this planning process.

Agenda Topic 3. Next Workshop Topics

City Manager Caton talked about the upcoming workshops; May 1st CDBG; May 15th Broadband, City fees; and other upcoming things (vendor fees, parking, PIF's), Council assignments, CML policy committee appointment, court committee, and the upcoming Strategic Planning meeting.

With no further business the meeting was adjourned.



GRAND JUNCTION CITY COUNCIL MONDAY, APRIL 17, 2017

PRE-MEETING (DINNER) 5:00 P.M. ADMINISTRATION CONFERENCE ROOM WORKSHOP, 5:30 P.M. CITY HALL AUDITORIUM 250 N. 5TH STREET

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

- 1. Discussion Topics
 - Presentation of the City of Grand Junction Fire Department/Grand Junction Regional Airport Authority Fire Station Partnership Feasibility Study
 - b. Municipal Court Operations
- 2. Update
 - a. Update on the Grand Junction Regional Center Campus
- 3. Next Workshop Topics
- 4. Other Business

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

APRIL 19, 2017

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, April 19, 2017 at 5:15 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bennett Boeschenstein, Marty Chazen, Chris Kennedy, Duncan McArthur, Barbara Traylor Smith, Rick Taggart, and President of the Council Phyllis Norris. Municipal Court Judge Care' McInnis was also present.

Councilmember Chazen moved to convene into Executive Session for Discussion of Personnel Matters Under Colorado Revised Statutes Section 24-6-402(4)(f)(i) of the Open Meetings Law relative to City Council employees specifically the Municipal Judge and will not be returning to open session. Councilmember Boeschenstein seconded the motion. Motion carried.

The City Council convened into Executive Session at 5:18 p.m.

Councilmember Chazen moved to adjourn. Councilmember Traylor Smith seconded. Motion carried.

The meeting adjourned at 5:27 p.m.

Stephanie Tuin, MMC City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: May 3, 2017

<u>Presented By:</u> Kathy Portner, Planning Manager

<u>Department:</u> Community Development

Submitted By: Kathy Portner, Planning Manager

Information

SUBJECT:

Ordinance Rezoning the Fountain Hills Subdivision to R-5, Located at 3495 N. 15th Street, and Setting a Hearing for May 17, 2017.

RECOMMENDATION:

Planning Commission recommended approval of the request at their April 25, 2017 hearing (5-0).

EXECUTIVE SUMMARY:

The applicant requests approval of a rezone of property, located at 3495 N. 15th Street, from R-8 (Residential – 8 du/ac) to R-5 (Residential – 5 du/ac) zone district for a proposed subdivision.

BACKGROUND OR DETAILED INFORMATION:

The subject property, located at the corner of N. 15th Street and F ½ Road, is currently owned by Hilltop Health Service Corporation (Hilltop). Hilltop also owns and operates the assisted living (group living) facility known as The Fountains to the south. This property was ostensibly purchased for a future expansion of their campus.

The applicant has proposed a subdivision with a mixture of single-family residences and "cottage/duplex style homes", similar to the units which surround The Fountains as well as those which surround The Atrium, a privately owned assisted living facility to the west.

The Comprehensive Plan Future Land Use Map for the property is Residential Medium,

which is consistent with the entire area already developed to the north and east. This designation anticipates densities in the range of 4 to 8 dwelling units per acre (du/ac).

The specific request to rezone the property from R-8 to R-5 is predicated on the fact that a minimum density is required of 5.5 du/ac in the existing zone, a density which is not conducive to the proposed housing product type and challenging to achieve with the topography of the site.

The proposed R-5 zone is compatible with (1) the Comprehensive Plan Future Land Use Map; (2) the surrounding R-4, R-5, PD and R-24 zoning; and (3) the surrounding mix of residential land uses.

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed zone change was held on February 27, 2017 with 26 citizens along with 4 persons representing the applicant, and the City Project Manager in attendance. Of concern was the extension of F ½ Road, which is dedicated ROW but has not been constructed. Refer to Neighborhood Meeting summary attached. A petition opposing this connection has been received and will be considered in conjunction with the proposed subdivision design, which is not a part of this rezone.

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

The proposed rezone meets the following 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 rezone of the property will facilitate the development of a residential subdivision with a mix of housing types that is centrally located within the community.

FISCAL IMPACT:

Property taxes and sales and use taxes will be collected as appropriate for the land use associated with this parcel.

SUGGESTED MOTION:

I move to introduce a Proposed Ordinance Rezoning Fountain Hills Subdivision, Located at 3495 N. 15th Street to R-5 (Residential-5 DU/AC) and Set a Hearing for May 17, 2017.

Attachments

- 1. Planning Commission Staff Report
- 2. Proposed Ordinance



PLANNING COMMISSION AGENDA ITEM

Date: April 14, 2017
Author: Brian Rusche
Title/Phone: Senior Planner
Proposed Schedule: April 25,

2017

File #: RZN-2017-104

Subject: Fountain Hills Subdivision Rezone, Located at 3495 N. 15th Street

Action Requested/Recommendation: Forward a recommendation to City Council to Rezone 9.339 acres from R-8 (Residential – 8 du/ac) to R-5 (Residential – 5 du/ac) zone district

Presenters Name & Title: Lori Bowers, Senior Planner

Executive Summary:

The applicant requests approval of a rezone of property, located at 3495 N. 15th Street, from R-8 (Residential – 8 du/ac) to R-5 (Residential – 5 du/ac) zone district for a proposed subdivision.

Background, Analysis and Options:

The subject property, located at the corner of N. 15th Street and F ½ Road, is currently owned by Hilltop Health Service Corporation (Hilltop). Hilltop also owns and operates the assisted living (group living) facility known as The Fountains to the south. This property was ostensibly purchased for a future expansion of their campus.

The applicant has proposed a subdivision with a mixture of single-family residences and "cottage/duplex style homes", similar to the units which surround The Fountains as well as those which surround The Atrium, a privately owned assisted living facility to the west.

The Comprehensive Plan Future Land Use Map for the property is Residential Medium, which is consistent with the entire area already developed to the north and east. This designation anticipates densities in the range of 4 to 8 dwelling units per acre (du/ac).

The specific request to rezone the property from R-8 to R-5 is predicated on the fact that a minimum density is required of 5.5 du/ac in the existing zone, a density which is not conducive to the proposed housing product type and challenging to achieve with the topography of the site.

The proposed R-5 zone is compatible with (1) the Comprehensive Plan Future Land Use Map; (2) the surrounding R-4, R-5, PD and R-24 zoning; and (3) the surrounding mix of residential land uses.

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed zone change was held on February 27, 2017 with 26 citizens along with 4 persons representing the applicant, and the City

Project Manager in attendance. Of concern was the extension of F ½ Road, which is dedicated ROW but has not been constructed. Refer to Neighborhood Meeting summary attached. A petition opposing this connection has been received and will be considered in conjunction with the proposed subdivision design, which is not a part of this rezone.

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

The proposed rezone meets the following 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 rezone of the property will facilitate the development of a residential subdivision with a mix of housing types that is centrally located within the 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. Neighborhood meeting summary
- 7. Proposed Zoning Ordinance

BACKGROUND INFORMATION					
Location:	3495 N. 15 th Street				
Applicant:		Hilltop Health Services Corporation – Owner Monument Homes & Development – Applicant River City Consultants Inc Representative			
Existing Land Use:		Single-family detached residence			
i Pranagan i ana ilga:		Single-family detached and cottage/duplex style residences			
	North		ly residentia	al	
Surrounding Land Use:	South	The Fountains of Hilltop (nursing home / group living)			
	East	Single-family residential			
	West	The Atrium at Grand Valley (nursing home / group living)			
Existing Zoning:		R-8 (Residential – 8 units per acre)			
Proposed Zoning:		R-5 (Residential – 5 units per acre)			
	North	R-4 (Residential – 4 units per acre)			
Currounding	South	PD (Planned Development)			
Surrounding Zoning:	East	R-5 (Residential – 5 units per acre) PD (Planned Development)			
	West	R-24 (Residential – 24 units per acre)			s per acre)
Future Land Use Designation:		Residential Medium (4-8 du/ac)			
Proposed Zoning within density/intensity range?		No			

<u>Section 21.02.140 of the Grand Junction Zoning and Development Code:</u>

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

Applicant response: The property is surrounded by developed parcels at various densities. Due to the topography restrictions of this site (elevation differences, open channel flow and possible wetlands), the minimum density of the R-8 zone district would be hard, if not impossible, to achieve.

Despite the topographic challenges, measures including different types of dwelling units and allowances for undevelopable land could be employed to meet the minimum density requirements of the existing zone.

This criterion has not been met.

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

Applicant response: With the development that has occurred in this area, the proposed zone district of R-5 is a better transition than the more intense R-8 district.

The land use character within the immediate vicinity of the proposed rezone is a combination of single-family residential and group living facilities. The group living facilities generally include one large, primary structure surrounded by smaller "cottage" style units for "independent" living. The proposed subdivision, which is not a part of this application but has been presented in concept to both the City and the neighborhood, extends this concept of "independent cottage living" to this parcel. In doing so, it became evident that the existing R-8 zone district, which requires a minimum of 5.5 dwelling units per acre and would permit multi-family residences, was inconsistent with the vision of the applicant for the property. This property is also a significant infill parcel, the development of which would "bridge" or "buffer" (depending on perspective) the density of the group living facilities to the south and west and the single-family neighborhoods to the north and east

This criterion has been met.

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

Applicant response: Public and community facilities are adequate to serve the proposed project on this infill site. The proposed R-5 zoning is consistent with the Comprehensive plan, providing a buffer between less intense and more intense zone districts.

Adequate public and community facilities and services are available to the property and are sufficient to serve the future use of the property.

The reduced maximum density will lower the potential traffic to and from this property by approximately 37%.. The transportation network (including future connectivity) can accommodate future development of the property.

This criterion has been met.

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

Applicant response: This is an infill site, completely surrounded by developed parcels.

The only property north of Patterson Road between N. 12th Street and 28 Road already zoned R-5 (Residential – 5 du/ac) are fully developed subdivisions, including Bell Ridge, Spring Valley, and Pheasant Run.

This criterion has been met.

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

Applicant response: The community expressed desire/approval of a less intense use of this site than what is allowed by the current R-8 zone district.

The proposed R-5 zone district would implement Goals 3, 5 and 12 of the Comprehensive Plan.

This criterion has been met.

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

- a. R-4 (Residential 4 units/acre)
- b. R-12 (Residential 12 units/acre)
- c. R-16 (Residential 16 units/acre)
- d. R-O (Residential Office)

In reviewing the other zoning district options, the residential zone districts of R-12 and R-16 would increase the density beyond that already prescribed for this property. The R-O Residential Office zone would introduce a non-residential element that is not desired by the applicant. The R-4 zone district is not requested nor desired because it would not permit any of the "cottage/duplex" units proposed by the applicant, though the density of the proposed subdivision would likely be less than four units per acre.

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 Fountain Hills Subdivision Rezone, RZN-2017-104, a request to zone 9.339 acres from R-8 (Residential – 8 units/acre) to R-5 (Residential – 5 units/acre) 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. At least one of the review criteria outlined in Section 21.02.140 of the Grand Junction Municipal Code 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 R-5 (Residential 5 units/acre) zone district for RZN-2017-104, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on the Rezone request RZN-2017-104, I move that the Planning Commission forward a recommendation of approval for the Rezone of property located at 3495 N. 15th Street from an R-8 (Residential 8 du/ac) to an R-5 (Residential 5 du/ac) zone district with the findings of fact and conclusions listed in the staff report.



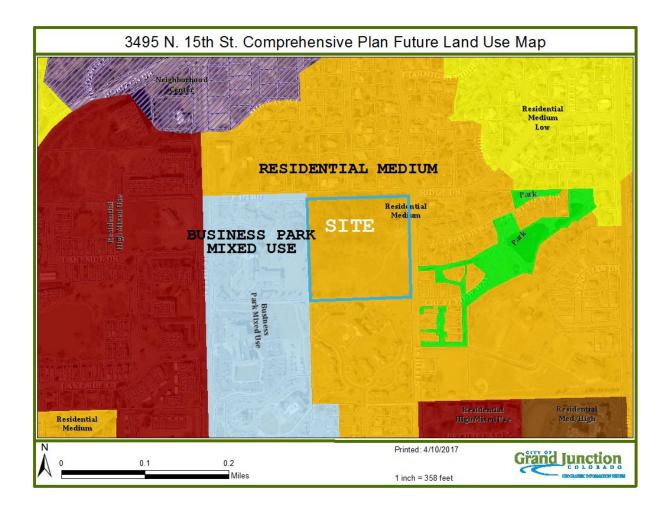






EXHIBIT A HILLTOP REZONE/SUBDIVISION 3145 N. 15th STREET GRAND JUNCTION, CO

SUMMARY OF NEIGHBORHOOD MEETING MONDAY, FEBRUARY 27, 2017 HILLTOP CORPORATE OFFICES 1331 Hermosa Avenue @ 6:00 PM

A neighborhood meeting for the above referenced rezone and subdivision was held Monday, February 27, 2017, at the Hilltop Corporate Offices, located at 1331 Hermosa Avenue, at 6:00 PM. A letter notifying the neighbors within the surrounding 500 feet of each project was sent on February 14, 2017, per the mailing list received from the City. The meeting was facilitated by Doug Thies with River City Consultants, Inc., representing Hilltop and Monument Homes, the project Developer, who were also in attendance. Tracy States, Project Coordinator with River City Consultants, was also in attendance to document the meeting. In attendance for the City of Grand Junction was Lori Bowers, Senior Planner. Ms. Bowers was there to answer questions requiring clarification of City staff. There were 26 neighbors that attended the meeting. An attendance list is provided as part of this Exhibit.

The meeting began at approximately 6:05 PM. Mr. Thies introduced the area and explained the purpose of the meeting. He explained it is planned to rezone the property from R-8, residential 8 dwelling units per acre, to a less intense zoning of R-5, residential 5 dwelling units per acre and that was the main focus of the meeting. He explained that there were minimum and maximum densities that have to be met and that approximately 30 mixed units are proposed, which will still not max out the R-5 zoning. He also noted that if you rounded the acreage up to ten acres, 80 units could be proposed with the There were two exhibits provided, one on 11 x 17 maps which were existing zoning. distributed to the neighbors, and a larger, 24 x 36 map at the entrance to the meeting room and copies are provided as part of this Exhibit. Doug explained that grade, utilities, etc., still have to be considered when developing a property, so a preliminary plan was made to see which direction the project can go. Doug noted that the plan presented is subject to change. Doug explained that the dwelling units are to be a mix of single family and cottage/duplex style homes. He also noted that pedestrian trails are to be included and the F 1/2 Road will be required to be completed as part of the project. He finished with stating that in a nut shell, the proposed project reduces density and is a good infill project. Doug then opened up the floor to questions/comments.



Traffic was a big concern. More than one neighbor commented that by completing the F½ Road (Ridge Drive) connection from 12th to 27½ Road speed would increase and it would be used as a shortcut to avoid lights on Patterson. Both Doug and Mike Stahl, Hilltop's CEO, stated that previous discussions with City have ended with the conclusion that F½ Road must be completed. It was explained that F½ Road is classified as a collector road, moving traffic from east to west. Comments were also made about another access on 15th to avoid putting all of the traffic from the project onto F½ Road. Could one be provided? Doug responded that there was a large elevation difference between the property and 15th. Traffic calming was also suggested and Doug said that could be looked into with the City but was beyond this project. A comment was made to please consider the retiree community, the extension of F½ Road is opening up a very quiet area.

Questions were asked about homes proposed. Would it be like The Fountains or single family homes? Mike Stahl explained that a mix of retiree cottages and privately owned single family homes is proposed, very much like The Knolls. It was asked if there would be a HOA. Mike responded that there will definitely be a HOA. It was asked if the private homes would be intermingled. Mike responded that yes, the homes will be intermingled with an open space look. It was asked if there would be individual lots. Mike explained that just the homes would be privately owned with the grounds maintained by the HOA. It was asked if the homes would be single-level. Mike responded that yes, they will be single-level. It was asked what would the square footage of the single family homes would be. Denny Granum with Monument Homes stated that the homes would be reasonable in size, 2,000 – 2,500 square feet. Some would have two car garages and some would have three car garages. It was explained that the existing home would be torn down.

There were some questions with regards to grade and wetlands. Doug explained that grade would try to be left as is. If fill were required they could probably move from another area on site. It was possible that a retaining wall would be required. The project will do its best not to disturb existing wetlands that those areas would have to be delineated. It was explained that the project was planning one, possible two, ponds so additional wetlands could be created as a result.

Final comments/questions included:

Are there any plans for another facility like The Fountains? Is this project for-profit as this does not seem to fit with Hilltop's theme? The answer was that it will be a mix of non-profit/for-profit. Mike explained that Hilltop's needs have changed with regards to facilities. Hilltop needs to make money to continue providing services. He stated that 100% of the cottages were occupied. Hilltop has a full for-profit wing to assist their non-profit services.



Several comments were made that the neighbors were glad to see a reduction in the zoning/density. One neighbor made the comment that a lot of worse things could be proposed for this site.

At some point and time a traffic signal would be required at 27 % Road...in fact it is probably needed now.

The meeting adjourned at approximately 7:00 PM.

- I'd Rather Ridge Daive Not
be epened up than to
12 th St. It will increase
traffic between 12 th St.

+ 27/2 Bd.

- The french drain pround my
house is day lighted
(open) @ the S.W. corner
of 15 th St. + Ridge Dr.

+ Needs to stay open.

- How will drain for waste
water be handled from
N.W. of property?

2/27/2017 Mtg
Tom Jeys
3498 No. 15 th St.
Gd. Jct.

Against putting F/2 through to 15th.

Anybedy has to know that once you open F/2 Read the traffic will be very heavy to 12th Street.

Already hard to get on to 12th Street.

Thank you for Letting us come.
Wish it was only going to be Cottages for
The Fountains but Maybe

Thank you so much for Redoning
30 vs 80 sounds good to
me!
Thanklic concern is mine too.
Thanklic concern is mine too.
1510 Ridge DR.

REZONE

I REALLY MISS THE DEER!
I CRIED WHEN YOU CUT DOWN ALL
THE TREES!

IT LOOKS LIKE A GOOD PROJECT,

Monday, February 27, 2017 – Hilltop Subdivision Neighborhood Meeting @ 6:00 PM Hilltop Health Services Corporate Office Located at 1331 Hermosa Avenue, Grand Junction, CO

Name	Address	Phone # (Optional)
1. CHUCK BEN WILL		242-2294
2		,
2. Tom + Kathy Jeys	3498 N 15th St	270 4374
3. RoberT + Emma Smith	1450 Ridge DR.	201-5074
Maren Tuinstra	1510 Kidge Dr. & bresmin	1243-1350
MIKE McCoin	27/6 migway AUE.	976-241-7497
6. Davetlauree Turner	1739 Bell Ridge Ch	545-9645
7. Law Borner	City of G. J.	256-4033
8. Bab Shem/	USS Derview LA	959-2469
9. Shigley Davis	3725 no 15th ct	255-6889
10. Clack States	RCC	241-4722
11. Dong Thies	RCC	241-4722
12 Denny Granum	Monument Homes	263-4022
13. Mike Stahl	Hilltop	242-4400
14.		
15.		
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Monday, February 27, 2017 – Hilltop Subdivision Neighborhood Meeting @ 6:00 PM Hilltop Health Services Corporate Office Located at 1331 Hermosa Avenue, Grand Junction, CO

Name	Address	Phone # (Optional)
David of Martha May Chelber	9 2708 F/2 Rd	242-4460
2. Rep of Hatherine Berbor	P.O. Box 1743	541-5622
al + Dorothy Sevenson	1829 Ridge Dr	
4. Tom ma Susiel Voughn	1650 RIDGE DR	910-241-5998
5. flue Olney	1720 RIDGE DR.	(970)243-2273
Slice Anny	3758 N 15 CV	1343-9583
7. JUDY BURCH	3759 N 15TH CT	7777
8. Jan Whight	37/06 N 11 1	241 9652
9. BRIAN WIDDIG	3733 N " "	2/1 /4 32
10. ABCRISMAN	129 RIDGEDR	31152 29
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CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.	
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AN ORDINANCE REZONING FOUNTAIN HILLS SUBDIVISION LOCATED AT 3495 N. 15TH STREET TO R-5 (RESIDENTIAL – 5 DU/AC)

ロヘヘ	110	
Rec	1171	_

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 property located at 3495 N. 15th Street to the R-5 (Residential – 5 du/ac) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Medium, 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 R-5 (Residential – 5 du/ac) 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 R-5 (RESIDENTIAL – 5 DU/AC):

The NE 1/4 of the NW1/4 of the SW1/4 of Section 1, Township 1 South, Range 1 West of the Ute Meridian; EXCEPT tract conveyed to the City of Grand Junction by Warranty Deed Recorded May 22, 1985 in Book 1539 at Page 920, Mesa County, Colorado and EXCEPT ROW on the North and East described in Book 3080 at Page 428 (Reception Number 2056674), Mesa County Records.

pamphlet form.	day of	, 2017 and ordered published li
Adopted on second reading thispamphlet form.	day of	_, 2017 and ordered published in
ATTEST:		
City Clerk	 Mayo	 Dr



Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: May 3, 2017

Presented By: Kathy Portner, Planning Manager

<u>Department:</u> Community Development

Submitted By: Kathy Portner, Planning Manager

Information

SUBJECT:

Ordinance Approving an Amended Planned Development (PD) and Outline Development Plan (ODP) for Lot 2, Block 9 and Lot 1, Block 8 of The Ridges, Filing 2 and Set a Hearing for May 17, 2017.

RECOMMENDATION:

Planning Commission recommended approval of the request at their April 25, 2017 hearing (5-0).

EXECUTIVE SUMMARY:

A request to amend the Final Plan for two commercial lots in The Ridges, Filing 2, located at the northwest and southwest corner of Ridges Boulevard and Ridge Circle Drive to expand the allowable uses to include residential in addition to business uses, in a PD (Planned Development) zone district, and establish R-O (Residential-Office) as the default zone district and set the standards for future development of the parcels.

BACKGROUND OR DETAILED INFORMATION:

Lot 2, Block 9 and Lot 1, Block 8 of The Ridges, Filing 2, located at the northwest and southwest corner of Ridges Boulevard and Ridge Circle Drive were designated as "Commercial Lots" with the original platting of the subdivision with an approved list of uses. The Amended Final Plan for The Ridges, adopted by the City in 1994, confirmed those allowed uses as professional offices, preschools/nursery schools/day care centers, barber/beauty shops, self-service laundries, medical/dental clinics, counseling centers, schools, dance/music schools, membership clubs and community activity buildings, indoor cultural/educational/recreational facilities, churches, fire/emergency

services. The Amended Plan also established setbacks and other bulk standards for the residential lots, but not for the commercial lots. The applicant is requesting an amendment to include residential as an allowed use.

A few of the commercially designated lots were developed with the initial filings of The Ridges, but these two lots have remained vacant since the late 1970's. Dynamic Investments, Inc. has owned these vacant lots for almost thirty years. During that time the lots have been for sale and have been actively marketed from time to time. The owner has received no interest in the properties for business uses; however, there has been some interest specifically for residential use which is not currently allowed.

The applicant proposes to amend the allowable uses of the lots to include residential uses and establish bulk standards through an Outline Development Plan and establishing a default zone of RO (Residential Office).

While the R-O zoning district has no maximum residential density, the proposed ODP specifies minimum and maximum residential units as follows: the maximum number of units for Parcel 1 (southwest corner of Ridges Blvd and Ridge Circle Dr.) will be six (6); the minimum number of units will be three (3). The maximum number of units for Parcel 2 (northwest corner of Ridges Blvd and Ridge Circle Dr.) will be ten (10) units; the minimum number of units will be three (3). The applicant feels that the addition of residential use to the lots will provide the opportunity to develop a variety of new housing products at affordable price points not available in the market area. Further, the maximum number of residential units proposed will not exceed the overall density established in the Amended Final Plan for the Ridges.

The proposed allowed uses are as follows:

- Household living Business Residence, Rooming/Boarding House, Two-Family Dwelling, Single-Family Detached, Multi-Family, Accessory Dwelling Unit. Home Occupations
- Group Living Small Group Living Facility, Large Group Living Facility
- Community Service Community Activity Building, All Other Community Service. Cultural – Museum, Art Galleries, Libraries
- Day Care Home-Based Day Care, General Day Care
- Hospital/Clinic Medical and Dental Clinics, Counseling Centers
- Religious Assembly
- Safety Services
- Recreation and Entertainment, Indoor
- Produce Stands
- Personal Services
- Lodging Bed and Breakfast

General Offices

The following table shows the proposed bulk standards as compared to the default zone of R-O.

	R-O	Parcel 1 (south)	Parcel 2 (north)
Max. height	40'	35'	35'
Max. stories	3	3	3
Max. bldg. size	10,000 sf	10,000 sf	10,000 sf
Front setback- Ridges Blvd	20'	10'	10'
Front setback- Ridge Circle Dr.	20'	15'	15'
Side setback West prop. lines	5'	10'	10'
Side setback Parcel 1 south line Parcel 2 north line	10'	5'	10'

The only deviation proposed to the bulk standards of the default zone is the front yard setback along both street frontages. All other proposed standards meet or exceed the default standards. The applicant has specified the property lines as side and rear in listing the proposed setbacks; however, with corner lots the side and rear can be assigned to either of the interior lot lines; therefore, no deviation is required for those setbacks.

The proposed setbacks have been modified by the applicant based on input from the previous Planning Commission hearing by increasing the rear yard setback for parcel 2 from 5' to 10'. No other modifications are proposed.

Neighborhood Meeting:

A Neighborhood Meeting was held on November 3, 2016. Eight neighbors attended the meeting. The maximum density was a concern. This has been addressed within the Ordinance.

How this item relates to the 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.

The proposed amendment will expand the possibilities for different housing types in the

area, and allow for the possibility of mixed uses opportunities.

FISCAL IMPACT:

There will be no direct financial impact on the City budget for this item.

SUGGESTED MOTION:

I move to introduce a Proposed Ordinance Approving an Amended PD and Outline Development Plan for Lot 2, Block 9 and Lot 1, Block 8 of The Ridges, Filing 2 and Set a Hearing for May 17, 2017.

Attachments

- 1. Planning Commission Staff Report
- 2. Proposed Ordinance



PLANNING COMMISSION AGENDA ITEM

Date: April 5 2017

Author: <u>Lori V. Bowers</u>

Title/ Phone Ext: <u>Sr. Planner/4033</u> Proposed Schedule: PC – April 25,

2017

1st Reading: May 17, 2017 2nd Reading: June 7, 2017

File #: PLD-2016-580

Subject: Amend the Final Development Plan for the Ridges Planned Development, Filing Two

Action Requested/Recommendation: Forward a recommendation of approval to City Council to amend Filing Two of the Ridges Planned Development

Presenter(s) Name & Title: Lori V. Bowers, Senior Planner

Executive Summary:

A request to amend the Final Plan for two commercial lots in The Ridges, Filing 2, to expand the allowable uses to include residential, in a PD (Planned Development) zone district.

Background, Analysis and Options:

Lot 2, Block 9 and Lot 1, Block 8 of The Ridges, Filing 2, located at the northwest and southwest corner of Ridges Boulevard and Ridge Circle Drive were designated as "Commercial Lots" with the original platting of the subdivision with an approved list of uses. The Amended Final Plan for The Ridges, adopted by the City in 1994, confirmed those allowed uses as professional offices, preschools/nursery schools/day care centers, barber/beauty shops, self-service laundries, medical/dental clinics, counseling centers, schools, dance/music schools, membership clubs and community activity buildings, indoor cultural/educational/recreational facilities, churches, fire/emergency services. The Amended Plan also established setbacks and other bulk standards for the residential lots, but not for the commercial lots. The applicant is requesting an amendment to include residential as an allowed use.

A few of the commercially designated lots were developed with the initial filings of The Ridges, but these two lots have remained vacant since the late 1970's. Dynamic Investments, Inc. has owned these vacant lots for almost thirty years. During that time the lots have been for sale and have been actively marketed from time to time. The owner has received no interest in the properties for business uses; however, there has been some interest specifically for residential use which is not currently allowed.

The applicant proposes to amend the allowable uses of the lots to include residential uses and establish bulk standards through an Outline Development Plan and establishing a default zone of RO (Residential Office).

While the R-O zoning district has no maximum residential density, the proposed ODP specifies minimum and maximum residential units as follows: the maximum number of

units for Parcel 1 (southwest corner of Ridges Blvd and Ridge Circle Dr.) will be six (6); the minimum number of units will be three (3). The maximum number of units for Parcel 2 (northwest corner of Ridges Blvd and Ridge Circle Dr.) will be ten (10) units; the minimum number of units will be three (3). The applicant feels that the addition of residential use to the lots will provide the opportunity to develop a variety of new housing products at affordable price points not available in the market area. Further, the maximum number of residential units proposed will not exceed the overall density established in the Amended Final Plan for the Ridges.

The proposed allowed uses are as follows:

Allowed uses shall include:

- Household living Business Residence, Rooming/Boarding House, Two-Family Dwelling, Single-Family Detached, Multi-Family, Accessory Dwelling Unit. Home Occupations
- Group Living Small Group Living Facility, Large Group Living Facility
- Community Service Community Activity Building, All Other Community Service.
 Cultural Museum, Art Galleries, Libraries
- Day Care Home-Based Day Care, General Day Care
- Hospital/Clinic Medical and Dental Clinics, Counseling Centers
- Religious Assembly
- Safety Services
- Recreation and Entertainment, Indoor
- Produce Stands
- Personal Services
- Lodging Bed and Breakfast
- General Offices

The following table shows the proposed bulk standards as compared to the default zone of R-O.

	R-O	Parcel 1 (south)	Parcel 2 (north)
Max. height	40'	35'	35'
Max. stories	3	3	3
Max. bldg. size	10,000 s.f.	10,000 s.f.	10,000 s.f.
Front Setback—	20'	10'	10'
Ridges Blvd			
Front Setback—	20'	15'	15'
Ridge Circle Dr.			
Side setback (west	5'	10'	10'
property lines)			
Rear setback	10'	5'	10'
(Parcel 1—south			
prop. line; Parcel			
2—north prop. line			

The only deviation proposed to the bulk standards of the default zone is the front yard setback along both street frontages. All other proposed standards meet or exceed the default standards. The applicant has specified the property lines as side and rear in listing the proposed setbacks; however, with corner lots the side and rear can be assigned to either of the interior lot lines; therefore, no deviation is required for those setbacks.

The proposed setbacks have been modified by the applicant based on input from the previous Planning Commission hearing by increasing the rear yard setback for parcel 2 from 5' to 10'. No other modifications are proposed. Staff would recommend also increasing the rear yard setback on Parcel 1 to provide for similar separation and buffering from the neighboring property.

Neighborhood Meeting:

A Neighborhood Meeting was held on November 3, 2016. Eight neighbors attended the meeting. The maximum density was a concern. This has been addressed within the Ordinance.

How this item relates to the 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.

The proposed amendment will expand the possibilities for different housing types in the area, and allow for the possibility of mixed uses opportunities.

Board or Committee Recommendation:

This request was heard by the Planning Commission at the March 28, 2017 hearing and was denied. The applicant has modified the request to increase the proposed setback on parcel 2 from 5' to 10'.

Financial Impact/Budget:

There will be no direct financial impact on the City budget for this item.

Legal issues:

No legal issues identified at this time.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This item was denied by Planning Commission at the March 28, 2017 hearing.

Attachments:

Background Information
Site Location and Air Photo Map
Future Land Use Map
Existing PD Zoning Map
Proposed Outline Development Plan
Letter of Opposition
Zoning Ordinance

BACKGROUND INFORMATION					
Location:		Ridge Circle Drive at Ridges Boulevard			
Applicants/Owner:		Dyna	Dynamic Investments, Inc. c/o Mike Stubbs		
Existing Land Use:		Vaca	nt land		
Proposed Land Use:		R-O	(Residential Offic	e)	
	North	Office	e building		
Surrounding Land Use:	South	Office	Office building		
Ose.	East	Resid	Residential		
West		Residential			
Existing Zoning:		PD (Planned Development)			
Proposed Zoning:		PD (Planned Development)			
	North	PD (Planned Development)			
Surrounding Zoning:	South	PD (F	PD (Planned Development)		
	East	PD (F	PD (Planned Development)		
	West	PD (F	PD (Planned Development)		
Future Land Use Designation:		Residential Medium			
Zoning within density range?		Х	Yes		No

Review criteria of Chapter 21.02.150 of the Grand Junction Municipal Code

Requests for an Outline Development Plan shall demonstrate conformance with all of the following:

The Outline Development Plan review criteria in Section 21.02.150(b):

a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies.

The Comprehensive Plan's Future Land Use Map shows this area to develop in the Residential Medium category. Residential Medium density is supported by the R-O (Residential Office) zone district, proposed as the default zone for these. All other uses proposed for these properties are allowed in the default zone of R-O. Uses and bulk standards of the R-O zone district are proposed, with some slight deviations as discussed below.

The Grand Valley Circulation Plan shows Ridges Blvd as a Major Collector, which runs along the eastern boundary of the properties. No access is proposed from this road. Access will be from Ridge Circle Drive, which is classified as a local street.

- b) The rezoning criteria provided in Section 21.02.140 of the Grand Junction Municipal Code (GJMC).
 - (1) Subsequent events have invalidated the original premises and findings; and/or

The original Ridges Planned Development anticipated much more density than what has been built. The subject parcels were designated as "commercial sites" and are limited to business uses only. The lack of residential density has diminished the need or the demand for business in this area

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 proposed amendment will just add residential as potential uses on the properties, along with the original business-type uses that were approved as part of the original plan.

This criterion has not been met.

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

There are adequate public and community facilities to serve the proposed uses with the proposed ODP amendment/rezone application.

This criterion has been met.

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

The existing zoning is PD (Planned Development). 14% of the City's land is zoned Planned Development for residential purposes, 3% is zoned PD for non-residential purposes. The request broadens the possible uses for the subject parcels. This amendment to the PD will allow for the possibility of mixed uses as well as different types of residential uses.

This criterion has been met.

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

The benefits to the public include furthering the adopted plans and policies of the City of Grand Junction related to the Comprehensive Plan and Housing Needs Assessment. The addition of residential uses will allow a broader mix of housing options in the area and is an opportunity for infill development utilizing existing infrastructure. It will allow the opportunity for mixed use projects. The subject parcels are in close proximity of the city center, existing parks and recreational facilities

This criterion has been met.

- c) The planned development requirements of Section 21.05.040(f) GJMC;
 - 1. Setback Standards The applicant requests the following setbacks: 10 ft. from Ridges Blvd; 15 ft. from Ridge Circle Drive; Rear 10 ft. on Parcel 2, and 5 ft. rear on Parcel 1; and Side setback of 10 ft. These are depicted on the proposed ODP. Of these, only the front yard setbacks from Ridges Blvd and Ridge Circle Drive are deviations from the R-O default zone. The Ridges Blvd. right-of-way is 165' in width with approximately 15' from the travel way to the property lines of both parcels. Ridge Circle Drive right-of-way is 50' in width with approximately 10' from the travel way to the property lines. The excess right-of-way provides for additional setback on the properties when considered in addition to the proposed setbacks from each of the streets. Section 21.05.040(g) of the Code allows for deviations from the default district standards subject to the provision of community amenities. The original development of the Ridges provided for extensive open space throughout the development providing a community benefit.
 - 2. Open Space This was addressed in the original Ridges Planned Development. There is adequate open space within the Ridges Development.
 - 3. Fencing/Screening This will be reviewed with subsequent site plan reviews per the Zoning and Development Code. No deviations regarding fencing or screening are requested in this Ordinance.
 - 4. Landscaping Landscaping will be per the City Zoning and Development Code.
 - 5. Parking Parking will be provided as required by the City's Zoning and Development Code.
 - 6. Street Development Standards No public streets are proposed with this application. Private drives are anticipated within the development pods. One access per parcel will be allowed. The access points are shown on the ODP drawing. Access for both parcels will be obtained from Ridge Circle Drive. In the event Parcel 2 develops as a commercial project, interconnectivity between Parcel 2 and the office complex to the north may be considered.
- d) The applicable corridor guidelines and other overlay districts in Chapter 21.07. There are no applicable corridor guidelines or overlay districts that impact these parcels.

e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

Adequate public services and facilities currently exist for these sites and may be continued throughout the parcels to serve any new construction and development.

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

Access for both pods will be from Ridge Circle Drive. The proposed access is depicted on the proposed ODP. Internal site circulation will be through private access aisles or drives, dependent upon the type of development.

g) Appropriate screening and buffering of adjacent property and uses shall be provided;

Building heights have been reduced to a maximum height of 35 feet. Types of screening or buffering will be dependent upon the type of development proposed, whether residential, business or mixed use.

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

Should the properties develop with residential uses, the maximum and minimum densities for each parcel have been identified. Parcel 1, maximum density will be six (6) dwelling units; the minimum number of units will be three (3). The maximum number of dwelling units for Parcel 2, will be ten (10) units; the minimum number of units will be three (3).

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

The applicant is proposing the default zone of R-O (Residential Office).

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

Since this is essentially a rezone of the property, to allow residential uses along with personal services, produce stands and no retail sales, no time frame for development is provided. This is a market driven request since properties have seen little action for almost 30 years. The request broadens the development opportunities to meet market demands.

the

After reviewing The Ridges Filing Two ODP Amendment application, file number PLD-2016-580 for a major amendment to the Planned Development, Outline Development Plan, staff makes the following findings of fact and conclusions:

- 1. The requested amendment to the Planned Development, Outline Development Plan is consistent with the Comprehensive Plan.
- 2. The review criteria in Section 21.05.150 and Section 21.02.140 of the Grand Junction Municipal Code have been met.

STAFF RECOMMENDATION:

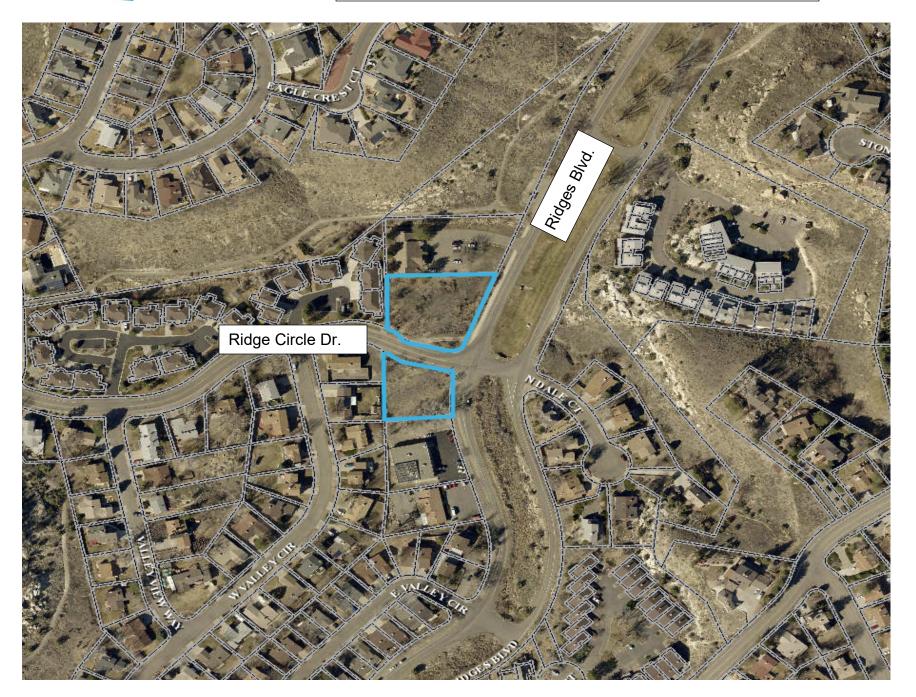
Staff recommends to the Planning Commission a recommendation of approval of the requested amendment to the Planned Development, Outline Development Plan, for The Ridges, Filing Two, file number PLD-2016-580 with the findings of fact and conclusions listed in the staff report and recommends increasing the rear yard setback along the south property line on Parcel 1 to 10' to provide for similar separation and buffering from the neighboring property.

RECOMMENDED PLANNING COMMISSION MOTION:

Madame Chairman, on item PLD-2016-580, I move that the Planning Commission forward a recommendation of approval of the requested amendment to the Outline Development Plan for The Ridges Filing Two, with the findings of fact and conclusions as listed in the staff report.



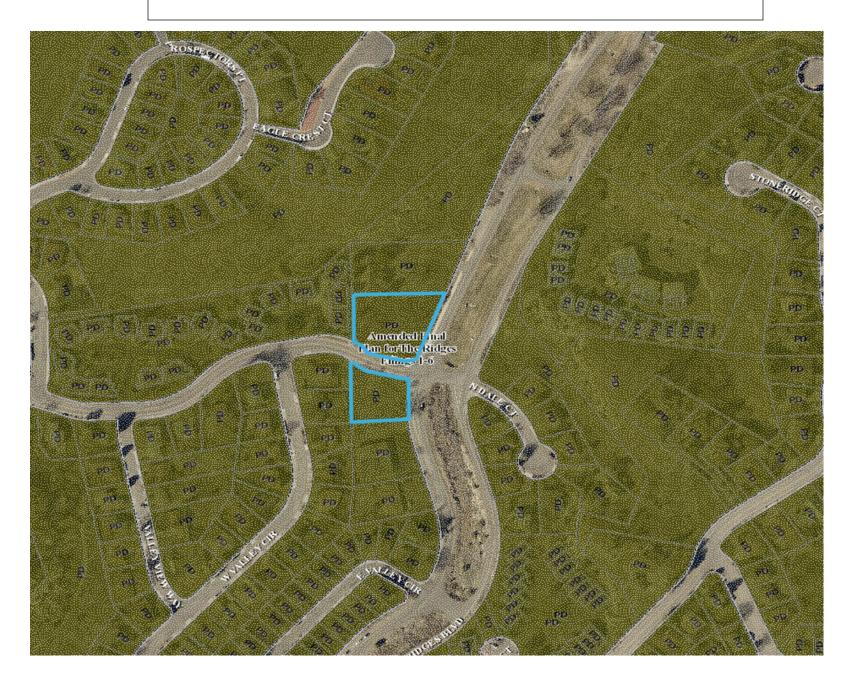
Site Location Map and Air Photo Map



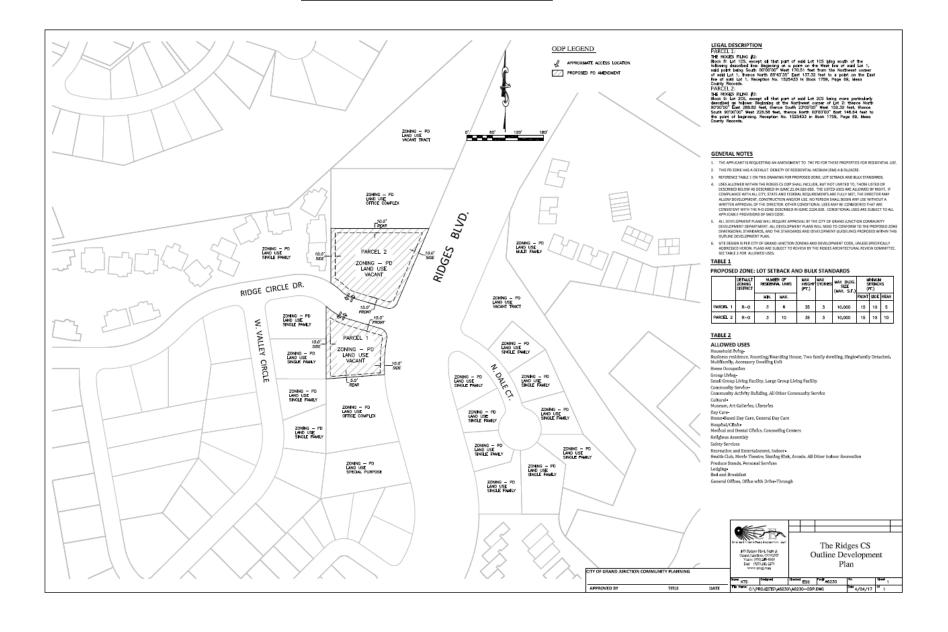
Future Land Use Map



Existing Planned Development Zoning in The Ridges



Outline Development Plan



Stubbs resubmitted

lynda rolland < rolland870@gmail.com>

Mon 4/17/2017 5:44 PM

To:Katherine Portner <kathyp@gjoty.org>;

Kathy
Thank you for reviewing the land use application for the property adjacent to my office building at 405 Ridges Blwd. The one revision of changing the rear yard setback from 5ft to 10ft does not change my opinion of or opposition to this request. All the arguments I made about density, building height, and setback during the first submitted are still valid. This proposal will have significant impact on my property. There is no way with the density, height, and setbacks that any development could be screened or buffered from me or other surrounding properties.
Thank you for your time
Tom Rolland

Sent from my iPhone

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE APPROVING AN AMENDED PD AND OUTLINE DEVELOPMENT PLAN FOR LOT 2, BLOCK 9 AND LOT 1, BLOCK 8 OF THE RIDGES FILING TWO

Recitals

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of the amendment to the Outline Development Plan for The Ridges Filing Two, finding that the ODP as amended conforms to the Future Land Use map, the Blended Map and the goals and policies of the City's Comprehensive Plan. The ODP as amended meets the criteria found in Section 21.02.140 of the Grand Junction Municipal Code and the requirements of Section 21.02.150, regarding Planned Developments. The default zoning is R-O, Residential Office.

After public notice and public hearing before the Grand Junction City Council, City Council finds that The Ridges Filing Two Amended Outline Development Plan is in conformance with the criteria of Section 21.02.150 of the Grand Junction Municipal Code.

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

The Ridges Filing Two is zoned PD (Planned Development). In addition to the allowed uses contained in the ODP the parcels shall not exceed the maximum or the minimum densities. Each parcel has been identified as Parcel 1, maximum density will be six (6) dwelling units; the minimum number of units will be three (3). The maximum number of dwelling units for Parcel 2, will be ten (10) units; the minimum number of units will be three (3).

This Ordinance is further conditioned:

- 1) If the planned development approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards. The default standards of the R-O zoning designation shall apply.
- 2) The following setbacks shall apply:

	Parcel 1 (south)	Parcel 2 (north)
Max. height	35'	35'
Max. stories	3	3
Max. bldg. size	10,000 s.f.	10,000 s.f.
Front Setback—	10'	10'
Ridges Blvd		
Front Setback—	15'	15'
Ridge Circle Dr.		
Side setback	10'	10'
(west property		
lines)		
Rear setback	5'	10'
(Parcel 1—south		
prop. line; Parcel		
2—north prop. line		

- 3) Building heights are limited to 35 feet, or 3 stories.
- 4) Maximum building size will be 10,000 square feet.
- 5) Access shall be obtained from Ridge Circle Drive unless through the site plan review process for a commercial/business application, interconnectivity from Parcel 2, to the office complex to the north may be considered.
- 6) Allowed uses shall include:
 - Household living Business Residence, Rooming/Boarding House, Two-Family Dwelling, Single-Family Detached, Multi-Family, Accessory Dwelling Unit. Home Occupations
 - Group Living Small Group Living Facility, Large Group Living Facility
 - Community Service Community Activity Building, All Other Community Service. Cultural – Museum, Art Galleries, Libraries
 - Day Care Home-Based Day Care, General Day Care
 - Hospital/Clinic Medical and Dental Clinics, Counseling Centers
 - Religious Assembly
 - Safety Services
 - Recreation and Entertainment, Indoor
 - Produce Stands
 - Personal Services
 - Lodging Bed and Breakfast
 - General Offices

INTRODUCED on first reading the day of published in pamphlet form.	, 2017 and ordered
PASSED and ADOPTED on second reading th	e day of, 2017
and ordered published in pamphlet form.	
ATTEST:	
City Clerk	President of the Council



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: May 3, 2017

<u>Presented By:</u> Greg Caton, City Manager, Jodi Romero, Finance Director

Department: Finance

Submitted By: Jay Valentine, Deputy Finance Director

Information

SUBJECT:

2017 Supplemental Appropriation Ordinance and Setting a Hearing for May 17, 2017.

RECOMMENDATION:

Introduce a Proposed Ordinance regarding supplemental appropriations for 2017.

EXECUTIVE SUMMARY:

Supplemental appropriations are required to ensure adequate appropriations by fund. This request is to appropriate certain sums of money needed for road maintenance projects resulting from the approval of voter referred measure 2B which included authorization to use the funds accumulated in the Riverside Parkway Debt Retirement Fund for street maintenance.

BACKGROUND OR DETAILED INFORMATION:

Supplemental appropriations are required to ensure adequate appropriations by fund and are necessary to carry forward and re-appropriate funds for projects approved and started in the prior budget year but not completed in that year or to appropriate funds for new projects that arise during the budget year. The need for this particular supplemental appropriation is to provide the budgetary spending authority to complete road maintenance projects resulting from the recently voter approved referred measure 2B.

There are two funds that will require a supplemental appropriation in order to enter into a contract and pay for the additional road maintenance spending. The Riverside Parkway Debt Retirement fund will need legal authority to transfer \$3,750,000 to the

Sales Tax Capital Improvements (CIP) fund and the Sales Tax CIP fund will need legal authority to expend the \$3,750,000 on the identified road maintenance projects.

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund for street maintenance according to the authorization by voters. Supplemental appropriations are required in the Riverside Parkway Debt Retirement Fund for the transfer to the Sales Tax Capital improvement Fund as well as for the expenditure in the Sales Tax Capital Improvement Fund. The amount of transfer is based on the estimated amount of additional street maintenance that can be accomplished in 2017.

The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices.

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

Sales Tax Capital Improvements Fund 201 \$3,750,000 Riverside Parkway Debt Retirement Fund 615 \$3,750,000

SUGGESTED MOTION:

I move to introduce a Proposed Ordinance Making Supplemental Appropriations to the 2017 Budget of the City of Grand Junction, Colorado and Set a Hearing for May 17, 2017.

Attachments

Ordinance

ORDINANCE NO.

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2017 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2017, to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
Sales Tax CIP Fund	201	\$ 3,750,000
Riverside Parkway Debt Retirement Fund	615	\$ 3,750,000

INTRODUCED AND ORDE, 2017	RED PUBLISHED IN PAMPHLET FORM this day of
TO BE PASSED AND ADO FORM this day of	PTED AND ORDERED PUBLISHED IN PAMPHLET, 2017.
Attest:	President of the Council
City Clerk	



Grand Junction City Council

Regular Session

Item #2.b.ii.

Meeting Date: May 3, 2017

Presented By: Claudia Hazelhurst, HR Dir., John Shaver, City Attorney

<u>Department:</u> Municipal Court

Submitted By: Claudia Hazelhurst, Human Resources Director

Information

SUBJECT:

Ordinance Concerning the Salary of the Municipal Court Judge and Setting a Hearing for May 17, 2017.

RECOMMENDATION:

Introduce a Proposed Ordinance Concerning the Salary of the Municipal Court Judge.

EXECUTIVE SUMMARY:

The Municipal Court Judge requested her salary be adjusted to compensate for the increased hours required to accomplish the work of the Court including the supervision of Court staff. A subcommittee of City Council was formed to review the request and present a recommendation to City Council on the appropriate compensation for the Judge. The subcommittee has recommended an increase in hours from half-time to full-time, an annual salary of \$110,000 and executive benefits similar to those received by the other City Council direct reports.

BACKGROUND OR DETAILED INFORMATION:

The Municipal Court Judge requested her salary be adjusted to compensate for the increased hours required to accomplish the work of the Court including the supervision of Court staff. A subcommittee of City Council was formed to review the request and present a recommendation to City Council on the appropriate compensation for the Judge. The subcommittee has recommended an increase in hours from half-time to full-time, an annual salary of \$110,000 and executive benefits similar to those received by the other City Council direct reports.

FISCAL IMPACT:

Currently the total labor compensation including salary and benefits for the Municipal Court Judge is \$109,000 and the associated costs are in the adopted 2017 budget. The requested changes increase the total labor compensation to \$147,000, and if approved the additional costs will be included in a future supplemental appropriation for the 2017 General Fund budget as necessary.

SUGGESTED MOTION:

I move to introduce a Proposed Ordinance Concerning the Salary of the Municipal Court Judge and Set a Hearing for May 17, 2017.

Attachments

1. Ordinance Concerning Municipal Judge's Salary

ORDI	NANCE	NO.	

AN ORDINANCE CONCERNING THE SALARY OF THE MUNICIPAL COURT JUDGE

RECITALS.

With Resolution 13-16 the City Council appointed Care' McInnis as Municipal Court Judge for a four-year term. Since her appointment the City Council has completed a review of the Judge's compensation.

Pursuant to Colorado law (C.R.S. 13-10-107) the salary of the Municipal Judge is set by ordinance. The position of Municipal Judge is an exempt position in accordance with the Fair Labor Standards Act and as such the Judge is not compensated on an hourly basis or for any hour(s) over 40 in any workweek. With this ordinance the City Council sets, establishes and determines the 2017 salary for Judge McInnis.

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

That beginning January 1, 2017 the annual salary of Municipal Court Judge Care` McInnis is established at \$110,000.00 per year, payable bi-weekly and as customarily prorated for any period of less than one year, to compensate her for her service to the City of Grand Junction in accordance with the Charter, ordinances and applicable law. With this Ordinance her salary is effective and relates back to January 1, 2017.

The City Council does authorize the President of the Council to take such action as is necessary or required, consistent with this Ordinance, to effect the same upon second reading and final passage, if that occurs by action of the Council, on the date appointed for the same.

2017.	sned in pamphiet form this day of
Passed and adopted on second reading and day of 2017.	ordered published in pamphlet form this
Attest:	President of the Council and Mayor
Stephanie Tuin City Clerk	



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: May 3, 2017

<u>Presented By:</u> Greg Lanning, Public Works Director

Department: Public Works - Streets

Submitted By: Darren Starr, Streets and Solid Waste Manager

Information

SUBJECT:

Purchase of Road Oil for 2017 Street Division Chip Seal Program.

RECOMMENDATION:

Authorize the City Purchasing Division to purchase approximately 165,000 gallons of road oil from Suncor Energy (USA) Inc., Denver, Colorado in the amount of \$331,650.

EXECUTIVE SUMMARY:

Each year street department crews treat around 60 lane miles of roads with sealing oil and crushed rock chips (chipseal). Chipseal is one of three preventative road maintenance treatments designed to extend the useful life of the road. The 2017 chipseal program is in the university area and will begin in July with optimal temperatures and is expected to take about two months to complete all roads. This request is the purchase of approximately 165,000 gallons of road oil for the 2017 annual chip seal program.

BACKGROUND OR DETAILED INFORMATION:

Since 2005, the streets division has been using a cationic rapid setting (CRS) emulsified asphalt polymer modified oil for its chip seal program. This fast setting oil allows normal traffic flows within minutes of treatment instead of hours. This product is also specified and used by the Colorado Department of Transportation (CDOT). Chips are placed and rolled very soon after the oil is applied. Traffic is returned to the chipped road at low speeds and in about a week, the remaining loose chips are swept up. This low cost treatment has worked well for many years and extends the life of the road by primarily sealing out water and preserving the pavement and the material

below the pavement.

A formal Invitation for Bids was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in The Daily Sentinel. Two companies submitted formal bids, which were found to be responsive and responsible in the following amounts:

FIRM	LOCATION	TOTAL BID PRICE BASED ON ESTIMATED USAGE
Suncor Energy (U.S.A.), Inc.	Denver, CO	\$331,650.00
Cobitco, Inc.	Denver, CO	\$376,200.00

FISCAL IMPACT:

2017 In-House Pavement Preservation Budget	\$800,000
CRS-2P Chip Seal Oil (this contract)	<u>\$331,650</u>
Remaining Budget*	\$468,350

^{*}To be used on remaining pavement preservation materials

SUGGESTED MOTION:

I move to authorize the Purchasing Division to enter into a contract for the purchase of 165,000 of CRS-2P oil from Suncor Energy (USA) Inc. in the Amount of \$331,650.

Attachments

None



Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: May 3, 2017

Presented By: Greg Lanning, Public Works Director, Jay Valentine, Deputy Finance

Director

Department: Public Works - Streets

Submitted By: Justin Vensel, Project Engineer

Information

SUBJECT:

2017 Pavement Preservation Contract.

RECOMMENDATION:

Authorize the City Purchasing Division to enter into a contract with Intermountain Slurry Seal, Inc. of North Salt Lake, UT for the 2017 Pavement Preservation, Micro-Surfacing Project in the amount of \$244,459.20.

EXECUTIVE SUMMARY:

Micro-surfacing is one of three pavement preservation techniques the City will be evaluating in 2017 annual street maintenance program. Micro-surface is a relatively inexpensive treatment applied as a slurry of oil, aggregate and polymers and leveled across the width of the roadway. The material sets quickly and provides very durable surface extending the life of the road for many years. This contract with Intermountain Slurry Seal for \$244,459.20 if approved, will apply a micro-surface application on three selected roads within the City of Grand Junction for a total of 9.1 lane miles.

BACKGROUND OR DETAILED INFORMATION:

This contract includes 78,900 square yards of street surface to be treated totaling 9.1 lane miles.

The streets selected to receive treatment vary in pavement quality allowing evaluation under different conditions over the next several years. The micro-surface is expected to provide a treatment more durable than chipseal at a little more cost, yet far less

expensive than an overlay. A similar treatment was used by the state on Highway 340 and is performing very well.

Streets selected for this contract are:

- 29 Road D Road to Patterson Road
- 30 Road A 1/2 Road to B Road.
- D 1/2 Road 30 3/4 Road to Duffy Drive

A formal Invitation for Bids was issued via BidNet, an on-line site for government agencies to post solicitation, posted on the City's Purchasing web-site, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in the Daily Sentinel. Three companies attended the mandatory pre-bid meeting. One company submitted a formal bid, which was found to be responsive and responsible in the following amount:

Firm Location Amount
Intermountain Slurry Seal North Salt Lake, UT \$244,459.20

Micro-surface requires specialized equipment and there are only a couple contractors in the area that provide this service. Although the City received only one bid, the cost is competitive and within the engineer's estimate.

This project is scheduled to begin in mid-June and be completed by mid-July.

FISCAL IMPACT:

The funding for this project is budgeted in the Sales Tax Capital Improvement fund and the Joint Sewer System fund and is detailed below.

Sources

Total Project Sources	\$2,880,000
Sewer Line Replacement Allocation	<u> 180,000</u>
Contract Street Maintenance	\$2,700,000

Expenditures

Intermountain Slurry Seal Inc., This Contract	\$ <i>244,459</i>
Prior Approved Contract - Elam Construction	1,820,384
Other Pavement Preservation Costs	152,031
Total Project Expenditures	\$2,216,874
Remaining Project Budget*	\$ 663,126

^{*}The remaining budget will continue to fund additional pavement preservation costs.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to Enter into a Contract with Intermountain Slurry Seal of North Salt Lake, UT for the 2017 Pavement Preservation, Micro-surfacing Project in the Amount of \$244,459.20.

Attachments

None



Grand Junction City Council

Regular Session

Item #4.a.i.

Meeting Date: May 3, 2017

Presented By: Kathy Portner, Planning Manager

<u>Department:</u> Community Development

Submitted By: Kathy Portner, Planning Manager

Information

SUBJECT:

a) Ordinance No. 4746 - Ordinance Rezoning the Las Colonias Park Property to Planned Development (PD), Approval of an Outline Development Plan (ODP) on 147 Acres, Located on the North Bank of the Colorado River Between Highway 50 and 27 1/2 Road.

RECOMMENDATION:

The Planning Commission recommended approval at the April 25, 2017 hearing (5-0).

EXECUTIVE SUMMARY:

The requested Planned Development (PD) zoning and Outline Development Plan (ODP) will establish the uses, standards and general configuration of the proposed Business Park to be integrated into the existing and proposed Recreational Park land uses and amenities.

The proposed PD zone will set the vision, provide guidance and establish appropriate land uses for future development. This includes a proposed Business Park, as well as recreation park land uses and amenities established in the Las Colonias Park Master Plan.

BACKGROUND OR DETAILED INFORMATION:

The proposed rezone encompasses 147 acres of city-owned land along the Colorado River located in the central portion of the River District established in the Greater Downtown Plan. Various facilities and park amenities have been constructed to date including the Botanic Gardens, hard and soft surface trails, disc golf course, shelter

and play area and the amphitheater complex. The Las Colonias Park Master Plan, adopted in June 2013, identified open space and amenities for the remaining area.

The proposed PD zone will set the vision, provide guidance and establish appropriate land uses for future development. This includes a proposed Business Park, as well as recreation park land uses and amenities established in the Las Colonias Park Master Plan.

Conceptual design of the business park includes the development of approximately 10% of the entire Las Colonias Park for the location of several businesses in a campus setting combined with public park amenities consistent with the Las Colonias Park Master Plan. The purpose for this request is to better plan for and develop standards for a mix of land uses where design flexibility is desired and is not available through strict application of the standards established and specific to current zoning of CSR and C-2 zone districts.

Guiding Principles

The Guiding Principles for the proposed Planned Development (PD) zone district are to:

Establish a business park within a recreational park in a location near the Colorado River. Protect the Colorado River and its floodplain and habitat. Plan for future development in the business park using principles of compact development, appropriate architectural standards, and good site design. Establish appropriate uses of the open space, relying on the list of amenities established in the Las Colonias Park Master Plan.

Planned Development (PD) zoning is best used when long-term community benefits will be derived and the vision, goals, and policies of the Comprehensive Plan can be achieved. This proposal address both and clearly benefits the Grand Junction community.

Default Zone District

The current zoning of the site is Community Services and Recreation (CSR) with one parcel zoned General Commercial (C-2). The proposed default zone district is CSR for purposes of defining the bulk standards. Proposed land use categories allowed include all those listed in CSR as well as Retail and light industrial type uses to accommodate the business park. The proposed additional uses are compatible with the City's Comprehensive Plan as to type and intensity and are consistent with surrounding properties located in the River and Rail District of the Greater Downtown Plan. Additional development standards proposed in the PD zone will meet or exceed standards found in the CSR zone.

FISCAL IMPACT:

This is a land use action only at this time. It is anticipated that the further development

of Las Colonias Park including the new Business Park will have significant economic impact including new industry, jobs, wages, construction, and related commerce. As development occurs, property taxes, and sales and use tax will be applicable.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4746 - An Ordinance Approving a Rezone to PD (Planned Development) and an Outline Development Plan for Las Colonias Park, Located on the North Bank of the Colorado River Between Highway 50 and 27 1/2 Road, on Final Passage and Order Final Publication in Pamphlet Form.

Attachments

- 1. Planning Commission Staff Report
- 2. Proposed Ordinance



Date: April 10, 2017

Author: Kathy Portner

Title/ Phone Ext: Community

Services Manager/1420
Proposed Schedule: April 25,

2017

File #: PLD-2017-158

PLANNING COMMISSION AGENDA ITEM

Subject: Las Colonias Park, PD Zoning Ordinance and Outline Development Plan **Action Requested/Recommendation:** Forward a Recommendation to City Council for a Rezone to PD (Planned Development) and an Outline Development Plan for the properties located on the north bank of the Colorado River between Highway 50 and 27 ½ Road.

Presenters Name & Title: Kathy Portner, Community Service Manager

Executive Summary:

The requested Planned Development (PD) zoning and Outline Development Plan will establish the uses, standards and general configuration of the proposed Business Park to be integrated into the existing and proposed Recreational Park land uses and amenities on the 147 acre Las Colonias Park property, located on the north bank of the Colorado River between Highway 50 and 27 ½ Road.

Background, Analysis and Options:

The proposed rezone encompasses 147 acres of city-owned land along the Colorado River located in the central portion of the River District established in the Greater Downtown Plan. Various facilities and park amenities have been constructed to date including the Botanic Gardens, hard and soft surface trails, disc golf course, shelter and play area and the amphitheater complex. The Las Colonias Park Master Plan, adopted in June 2013, identified open space and amenities for the remaining area.

The proposed PD zone will set the vision, provide guidance and establish appropriate land uses for future development. This includes a proposed Business Park, as well as recreation park land uses and amenities established in the Las Colonias Park Master Plan.

Conceptual design of the business park includes the development of approximately 10% of the entire Las Colonias Park for the location of several businesses in a campus setting combined with public park amenities consistent with the Las Colonias Park Master Plan. The purpose for this request is to better plan for and develop standards for a mix of land uses where design flexibility is desired and is not available through strict application of the standards established and specific to current zoning of CSR and C-2 zone districts.

Guiding Principles

The Guiding Principles for the proposed Planned Development (PD) zone district are to:

- Establish a business park within a recreational park in a location near the Colorado River.
- Protect the Colorado River and its floodplain and habitat.
- Plan for future development in the business park using principles of compact development, appropriate architectural standards and good site design.
- Establish appropriate uses of the open space, relying on the list of amenities established in the Las Colonias Park Master Plan.

Planned Development (PD) zoning is best used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved. This proposal address both and clearly benefits the Grand Junction community.

Default Zone District

The current zoning of the site is Community Services and Recreation (CSR) with one parcel zoned General Commercial (C-2). The proposed default zone district is CSR for purposes of defining the bulk standards. Proposed land use categories allowed include all those listed in CSR as well as Retail and light industrial type uses to accommodate the business park. The proposed additional uses are compatible with the City's Comprehensive Plan as to type and intensity and are consistent with surrounding properties located in the River and Rail District of the Greater Downtown Plan. Additional development standards proposed in the PD zone will meet or exceed standards found in the CSR zone.

Neighborhood Meeting:

A neighborhood meeting will be held on April 18, 2017.

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

The requested Outline Development Plan for Las Colonias Park meets the following goals and policies from the Comprehensive Plan:

- **Goal 4:** Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.
- **Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.
- **Goal 10:** Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and environmental purposes.

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

Board or Committee Recommendation:

The Grand Junction Parks and Recreation Board will make a recommendation to the City Council specific to the amendments to the Las Colonias Park Master Plan.

Financial Impact/Budget:

The proposed PD zone will provide opportunities for the future business park development.

Other issues:

There are no other issues identified.

Previously presented or discussed:

This has not been previously discussed by the Planning Commission.

Attachments:

- 1. Staff Report/Background Information
- 2. Site Location Map
- 3. Aerial Photo Map
- 4. Comprehensive Plan Future Land Use Map
- 5. Existing Zoning Map
- 6. Outline Development Plan
- 7. Planned Development and Rezone Ordinance

BACKGROUND INFORMATION					
Location:		North bank of the Colorado River between Highway 50 and 27 ½ Road			
Applicant:		City	of Grand Junction	1	
Existing Land Use:		Parl	k and vacant		
Proposed Land Use	:	Bus	iness Park and Re	crea	tion Park
	North	Sing	gle-family detached	d	
	South	Con	nmercial properties	s alo	ng North Avenue
Surrounding Land Use:	East	Commercial properties along 28 3/2 Road and			
West Manufactured home park and single-family detached					
Existing Zoning:		C-2 (General Commercial) & CSR (Community Services and Recreation)			
Proposed Zoning:		PD	(Planned Develop	ment)
	North	C-2	(General Comme	rcial)	
Surrounding	South	R-8	(Residential, 8 du	/ac)	
Zoning:	East	I-1 (Light Industrial)			
	West	C-2 (General Commercial) & CSR (Community Services and Recreation)			
Future Land Use Designation: Park					
Zoning within density range? NA Yes No		No			

Density/Intensity: The proposed Outline Development Plan includes the already developed west end of the property, including the Botanical Gardens, picnic shelter/restroom, play area, disc golf course and nature trail, as well as the amphitheater, which is close to completion, and the proposed Colorado Discover Ability facility to be located west of the Botanical Gardens. The proposal for the east end of the property includes approximately 15 acres for the business park to be incorporated into recreational facilities and amenities, including a dog park, boat ramp, nature trails, water features, and open play and festival areas.

Access/Parking: Access to Las Colonias Park is proposed at several locations along Riverside Parkway. There 2 existing access points to Struthers Avenue that provide full access to the Parkway at 7th Street, which is signalized, and 9th Street. Two restricted access points are proposed east of 9th Street in conjunction with the amphitheater development. Full access is proposed at Winters Avenue that will loop through the property, connecting to C ½ Road at 27 ½ Road.

Open Space: The vast majority of the 147 acres will be developed as recreational facilities and amenities, with approximately 15 acres for the business park development.

Lot Layout: Due to the covenants and restrictions on the property related to its prior use as a uranium mill site, the property must stay in public ownership. The business park pad sites will be leased.

Phasing: Phasing and buildout of the property will depend on funding opportunities and interest in the business park. It's anticipated that full buildout would be within 5 years.

Long-Term Community Benefit: The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.070 of the Zoning and Development Code. The Zoning and Development Code also states that PD (Planned Development) zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

- 1. More effective infrastructure;
- 2. Reduced traffic demands;
- 3. A greater quality and quantity of public and/or private open space;
- 4. Other recreational amenities:
- 5. Needed housing types and/or mix;
- 6. Innovative designs;
- 7. Protection and/or preservation of natural resources, habitat areas and natural features; and/or Public art.

The proposed Las Colonias Planned Development provides the following long-term community benefits:

- 1. Effective infrastructure design by the integration and sharing roads, drainage facilities, parking and amenities for all users.
- 2. Reduced traffic demands by providing a mixed-use development.
- 3. Greater quality and quantity of public open space with the vast majority of the 147 acres devoted to public open space and the opportunity for a public/private partnership on the development of many of the amenities.
- 4. Innovative design by incorporating the business park in with the public amenities.
- 5. The Las Colonias Park plan preserves and enhances the riparian area along the River.

Default Zone/Allowed Uses: The proposed default zone is CSR with the following modifications to uses allowed in the PD zoning compared to uses allowed in CSR. The proposed land uses are compatible with the Comprehensive Plan and consistent with uses in the surrounding River and Rail Districts.

Use Category	Principal Use	PD	CSR	Std.
Community Service – uses providing a local	Community Activity Building	Α	Α	21.04.020(e)
service to the community	Community Service	Α	Α	21.04.020(e)
Cultural – establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a	Museums, Art Galleries, Opera Houses, Libraries	A	Α	

society				
Hospital/Clinic – uses providing medical treatment care to patients	Physical Rehabilitation	А	С	21.04.020(g)
Parks and Open Space – natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Parks, Lakes, Reservoirs, Other Open Space	А	А	21.04.020(h)
Safety Services – public safety and emergency response services	All	А	Α	21.04.020(j)
Utility, Basic – Infrastructure services that	Utility Service Facilities (Underground)	Α	Α	21.04.020(I)
need to be located in or near the area where the service is provided	All Other Utility, Basic	А	Α	21.04.020(I)
Utility, Corridors – passageways for bulk	Transmission Lines (Above Ground)	Α	С	21.04.020(m)
transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (Underground)	A	Α	21.04.020(m)
Entertainment Event, Major – activities and	Indoor Facilities	Α	Α	21.04.020(n)
structures that draw large numbers of people to specific events or shows	Outdoor Facilities	А	С	21.04.020(n)
Office – activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	А	А	21.04.020(o)
Parking, Commercial – parking that is not necessary to serve a specific use and for which fees may be charged	All	А	А	21.06.050(b) & 21.04.020(p)
Recreation and Entertainment, Outdoor – large, generally commercial uses that provide	Amusement Park	А	С	21.04.020(q)
continuous recreation or entertainment- oriented activities	All Other Outdoor Recreation per definition	А	С	
Recreation and Entertainment, Indoor –	Health Club	Α	Α	
large, generally commercial uses that provide	Skating Rink, Arcade	Α	Α	
indoor recreation or entertainment-oriented activities including skating rinks, arcades	All Other Indoor Recreation per definition	А	Α	
Retail Sales and Service* – firms involved in the sale, lease or rental of new or used	Bar/Nightclub	А		21.04.020(r)
products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.	Food Service, Catering	А		21.04.020(r)
	Food Service, Restaurant (Including Alcohol Sales)	А	Α	21.04.020(r)
	Farmers' Market	Α		21.04.020(r)
	General Retail Sales, Indoor Operations, Display and Storage	А		21.04.030(I) & 21.04.020(r)
	General Retail Sales, Outdoor Operations, Display or Storage	А		21.04.040(h) & 21.04.020(r)
	Rental Service, Indoor Display/Storage	Α		21.04.020(r)

	Rental Service, Outdoor Display	А		21.04.040(h) & 21.04.020(r)
Manufacturing and Production – firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	Assembly – Indoor operations and storage	А		21.04.020(w)
rabilitation, pathaging, or assembly of goods	Food Products – Indoor operations and storage	А		21.04.020(w)
	Manufacturing/Processing – Indoor operations and storage	А		21.04.020(w)
	Assembly – Indoor operations with outdoor storage	А		21.04.040(h) & 21.04.020(w)
	Food Products – Indoor operations with outdoor storage	Α		21.04.040(h) & 21.04.020(w)
	Manufacturing/Processing – Indoor operations with outdoor storage	А		21.04.040(h) & 21.04.020(w)
Warehouse and Freight – firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading with or without Outdoor Loading Docks	A		21.04.020(x)
Surface Passenger Terminal – stations for ground-based vehicles, including loading and unloading areas	Bus/Commuter Stops	А	А	21.04.020(bb)
Telecommunications Facilities – devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Site When Developed in Accordance with	A	А	21.04.030(q) & 21.04.020(ee)
	Temporary PWSF (e.g., COW)	Α	Α	21.04.030(q)
	Co-Location	Α	Α	21.04.030(q)
	Tower Replacement	Α	Α	21.04.030(q)
	Dual Purpose Facility	Α	Α	21.04.030(q)
	DAS and Small Cell Facilities	Α	Α	21.04.030(q)
	Base Station with Concealed Attached Antennas	А	Α	21.04.030(q)

Deviations: No deviations to the dimensional standards of the CSR zone district are proposed. All other applicable requirements will apply with the following additions:

- 1. Shared parking and landscaping will be provided throughout the site.
- 2. A 30-inch tall decorative screen wall may be substituted for the required parking lot screening/landscaping between parking lots and the street.

Minimum District Size: A minimum of 5 acres is recommended for a planned development according to the Zoning and Development Code. This property is 147 acres in size and therefore meets with district size requirements for the Planned Development zone.

Planned Development Sections 21.02.150 of the Grand Junction Zoning and Development Code:

Requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

Comprehensive Plan:

The Comprehensive Plan's Guiding Principle of "A Grand Green System of Connected Recreational Opportunities" will be realized with the proposed development of Las Colonias by taking advantage of the exceptional open space assets along the Colorado River. Specifically, the proposal meets the following goals and policies:

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

Policy:

A. The City will support the vision and implement the goals and actions of the Strategic Downtown Master Plan.

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

Policies:

- A. Design streets and walkways as attractive public spaces;
- B. Construct streets in the City Center, Village Centers, and Neighborhood Centers to include enhanced pedestrian amenities;
- D. Use outdoor lighting that reduces glare and light spillage, without compromising safety;
- E. Encourage the use of xeriscape landscaping;

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

Policies:

B. Preserve areas of scenic and/or natural beauty and, where possible, include these areas in a permanent open space system.

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

Policies:

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

Greater Downtown Plan:

The following goals and policies found in the Greater Downtown plan (Zoning and Development Code Section 36.12.050), specific to the River District that encompasses the Los Colonias site, are supportive of the proposed ODP.

Goal 1. Create/maintain/enhance a green waterfront.

Policy 1a. Take advantage of and create opportunities and partnerships to enhance the riverfront trail system.

Policy 1b. Take advantage of and create opportunities and partnerships to develop Las Colonias Park and open space areas within the Jarvis property.

Goal 2. Create retail, general commercial and mixed use opportunities that complement the uses along the riverfront.

Policy 2a. Utilize zoning, overlay districts and incentives for development and redevelopment of complementary uses.

- **Goal 3.** Create/enhance redevelopment opportunities and partnerships. Policy 3b. The City will consider implementation of incentive strategies for redevelopment.
- b) The rezoning criteria provided in Section 21.02.140 of the Zoning and Development Code.

In order to maintain internal consistency between the Zoning Code and the zoning maps, map amendments must only occur if:

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

<u>Response</u>: The opportunity to integrate a business park into the Las Colonias Park area simply broadens the uses allowed, while maintaining the original intent of the property as a recreational and natural amenity for the community. 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

<u>Response</u>: The character and condition of the Las Colonias area has changed substantially with the completion of the park amenities and amphitheater, all consistent with the Plan. This criterion has been met.

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

<u>Response</u>: The proposal is to rezone 147 acres from CSR and C-2 to Planned Development (PD) with an associated Outline Development Plan (ODP). Public and community facilities are adequate to provide access and utilities to serve the proposed business and recreational park. 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

<u>Response</u>: This 147-acre site is a prime location, due its proximity along the Colorado River, to establish a combined recreation park with a business park. This is something that is not available anywhere else in Grand Junction. This criterion has been met.

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

Response: Establishing a business park and land uses that will complement the recreational park's existing (Botanical Gardens, Amphitheatre, etc.) and future amenities (festival grounds, boat launch, dog park, etc.) is not only an economic development advantage to the community, but will enhance the overall experience for all users of Las Colonias Park. This criterion has been met.

c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;

<u>Response</u>: These requirements have been met. The following community benefits will be derived as part of this rezone. They meet the criteria of Section 21.05 in the Zoning Code and conform to the purpose of planned developments as found in section 21.02.150. This PD will:

- Provide more effective infrastructure as the pods for business park development will cluster uses.
- Reduce traffic demands by providing new opportunities for business to locate within the Greater Downtown area and not have to locate in outer areas of the City. The Riverside Parkway provides great access to the site
- Provide a greater quality and quantity of public and/or private open space as a result of the public/private partnerships that will be entered into for this development.
- Provide for other recreational amenities provided by private development that will be open to public use;
- Allow for innovative design creating a "google like" campus for the business park where like business can collaborate.
- Provide protection and/or preservation of natural resources, habitat areas and natural features especially along the Colorado River as the river habitat is protected and enhanced through restoration.
- Provide for public art and educational opportunities about the river environment.
- d) The applicable corridor guidelines and other overlay districts in Chapter 21.07.

Response: There are no other applicable corridor guidelines. All future development within the ODP will be required to adhere to the Greater Downtown Overlay as it pertains to design, site planning and/or landscaping/buffering requirements

- e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.
 Response: The City will complete the necessary infrastructure.
- f) Adequate circulation and access shall be provided to serve all development pods/areas to be developed.
 Response: Access will be provided to all business lots and park amenities.
- g) Appropriate screening and buffering of adjacent property and uses shall be provided;
 <u>Response</u>: The business park uses will blend in with the open space areas, creating an open feel and compatible park-like setting.
- h) An appropriate range of density for the entire property or for each development pod/area to be developed;
 Response: Not Applicable.
- i) An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed.
 <u>Response</u>: The ODP addresses this and reinforces the underlying zone district or default zone of CSR.
- j) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.
 <u>Response</u>: A phasing plan is proposed.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Las Colonias Park application, PLD-2017-158, request for approval of a rezone to Planned Development (PD) and Outline Development Plan (ODP), I make the following findings of fact/conclusions and conditions of approval:

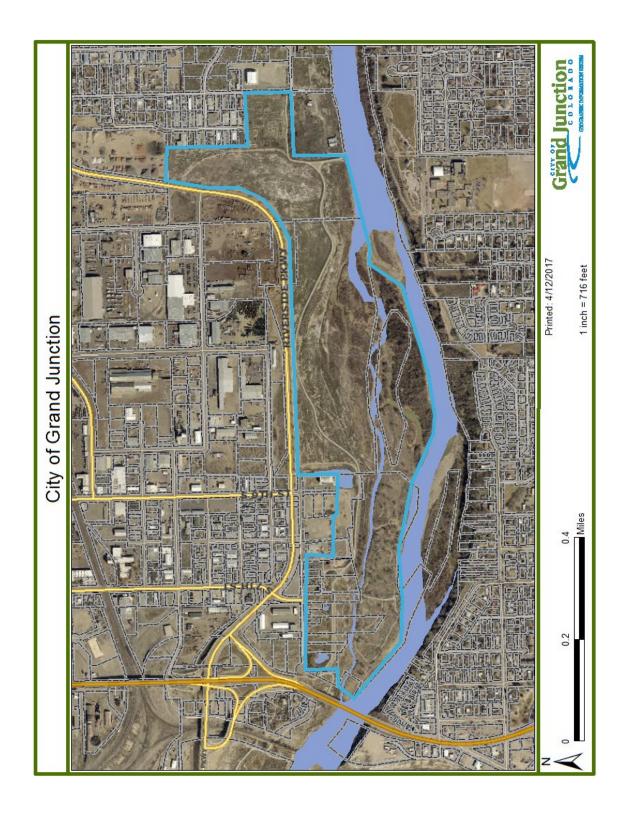
- 1. The requested Planned Development, Outline Development Plan is consistent with the goals and polices of the Comprehensive Plan.
- 2. The review criteria in Sections 21.02.130 and 21.02.150 of the Grand Junction Zoning and Development Code have all been met or addressed.

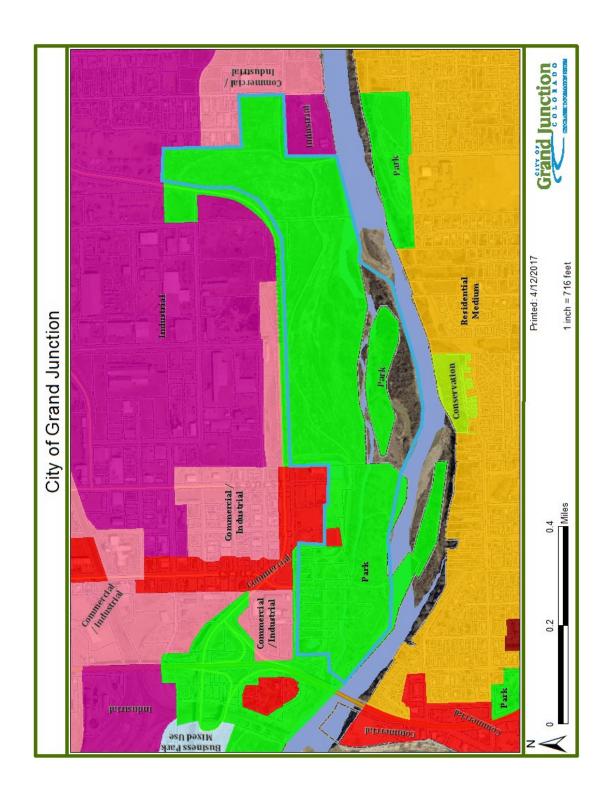
STAFF RECOMMENDATION:

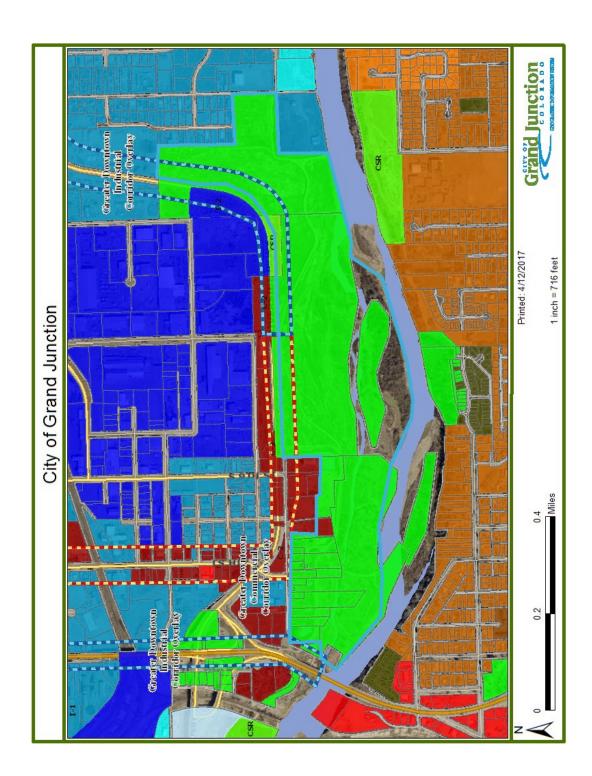
I recommend that the Planning Commission forward a recommendation of approval of the requested rezone to PD and Outline Development Plan, PLD-2017-158, to the City Council with findings of fact/conclusions and conditions as stated in the staff report.

RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on item PLD-2017-158, I move that the Planning Commission forward a recommendation of approval of the requested rezone to PD and Outline Development Plan, PLD-2017-158, to the City Council with findings of fact/conclusions and conditions as stated in the staff report.







Existing Zoning Map

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE APPROVING A REZONE TO PD (PLANNED DEVELOPMENT) AND AN OUTLINE DEVELOPMENT PLAN FOR LAS COLONIAS PARK

LOCATED ON THE NORTH BANK OF THE COLORADO RIVER BETWEEN HIGHWAY 50 AND 27 ½ ROAD

Recitals:

The requested Planned Development (PD) zoning and Outline Development Plan will establish the uses, standards and general configuration of the proposed Business Park to be integrated into the existing and proposed Recreational Park land uses and amenities on the 147 acre Las Colonias Park property, located on the north bank of the Colorado River between Highway 50 and 27 ½ Road.

The request for the rezone and Outline Development Plan have been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (CSR), land uses and conditions of approval for the Outline Development Plan for the Las Colonias property.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan 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" by effective infrastructure design; providing greater quality and quantity of private open space; protection and/or preservation of natural resources, habitat areas and natural features; and innovative design by incorporating the business park in with the public amenities.

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

A. This Ordinance applies to the following described properties:

A certain parcel of land lying in the East three-quarters (E 3/4) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and lying in the West-half (W 1/2) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the intersection of the North line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 24 and the East right of way for Riverside Parkway; thence Easterly along said North line to the Northwest corner of the Replat of Pleasant View Subdivision, as same is recorded in Plat Book 8, Page 63, Public Records of Mesa County, Colorado; thence Southerly along the West line of said subdivision to the Southwest corner of said subdivision; thence Easterly along the South line of said subdivision to a point on the West right of way for 27-1/2 Road; thence Southerly along said West right of way to a point on the South line of the SE 1/4 NW 1/4 of said Section 24; thence Westerly along said South line to a point being the Northwest corner of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NE 1/4 SW 1/4) of said Section 24; thence Southerly along the West line of the NE 1/4 NE 1/4 SW 1/4 of said Section 24 to a point on the centerline (thalweg) of the Colorado River; thence Westerly along the centerline of the Colorado River to a point on the East right of way for Highway 50; thence traversing Northeasterly along the East right of way for Highway 50 to a point being the Southwest corner of that certain parcel of land currently assigned Mesa County Parcel Number 2945-233-00-022; thence Southeasterly along the South line of said parcel to a point being the Southeast corner of said parcel; thence Northerly along the East line of said parcel to a point on the South right of way for Struthers Avenue; thence Easterly along said South right of way to a point on the Northerly extension of the West line of Arcieri Subdivision, as same is recorded in Plat Book 12, Page 260, Public Records of Mesa County, Colorado; thence traversing the entire exterior boundary of said Arcieri Subdivision, Southerly, Easterly and Northerly to a point being the intersection of the Northerly extension of the East line of said Arcieri Subdivision with the South right of way for said Struthers Avenue; thence Easterly along said South right of way to a point being the Northwest corner of the certain parcel of land currently assigned Mesa County Parcel Number 2945-234-00-029; thence Southerly along the West line of said parcel to a point being the Southwest corner of said parcel; thence Easterly along the South line of said parcel to a point being the Southeast corner of said parcel and lying on the West line of Edgewater Subdivision, as same is recorded in Book 4986, Page 257, Public Records of Mesa County, Colorado; thence Southerly along said West line to a point being the Southwest corner of said Edgewater Subdivision; thence Easterly along the South line of said Edgewater Subdivision and the Easterly extension of the South line of Jeffryes Simple Subdivision, as same is recorded in Plat Book 18, Page 393, Public Records of Mesa County, Colorado to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 23; thence Northerly along said East line to a point on the South right of way for Riverside Parkway; thence Easterly, Northeasterly and Northerly traversing the South and East right of way of said Riverside Parkway to the Point of Beginning.

CONTAINING 160 Acres, more or less, as described.

- B. The Las Colonias Outline Development Plan (Attachment A) is approved with the Findings of Fact/Conclusions and Conditions listed in the Staff Report, including attachments and exhibits.
- C. If the Planned Development approval expires or becomes invalid for any reason, the properties shall be fully subject to the default standards of the CSR (Community Services and Recreation) Zoning District.

- D. The default zone shall be CSR (Community Services and Recreation) with no deviations to the dimensional standards. All other applicable requirements shall apply with the following additions:
 - 1. Shared parking and landscaping will be provided throughout the site.
 - 2. A 30-inch tall decorative screen wall may be substituted for the required parking lot screening/landscaping between parking lots and the street.
- E. The authorized "allowed" uses shall be:

Use Category	Principal Use	PD	Std.
Community Service – uses providing a local	Community Activity Building	Α	21.04.020(e)
service to the community	Community Service	Α	21.04.020(e)
Cultural – establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museums, Art Galleries, Opera Houses, Libraries	A	
Hospital/Clinic – uses providing medical treatment care to patients	Physical Rehabilitation		21.04.020(g)
Parks and Open Space – natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Parks, Lakes, Reservoirs, Other Open Space		21.04.020(h)
Safety Services – public safety and emergency response services	All		21.04.020(j)
Utility, Basic – Infrastructure services that	Utility Service Facilities (Underground)	Α	21.04.020(I)
need to be located in or near the area where the service is provided	All Other Utility, Basic	А	21.04.020(I)
Utility, Corridors – passageways for bulk	Transmission Lines (Above Ground)	Α	21.04.020(m)
transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (Underground)	А	21.04.020(m)
Entertainment Event, Major – activities and	Indoor Facilities	Α	21.04.020(n)
structures that draw large numbers of people to specific events or shows	Outdoor Facilities	Α	21.04.020(n)
Lodging	Hotels/Motels	А	21.04.030(h)
Office – activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	21.04.020(o)
Parking, Commercial – parking that is not necessary to serve a specific use and for which fees may be charged	All	А	21.06.050(b) & 21.04.020(p)

Recreation and Entertainment, Outdoor –	Amusement Park	Α	21.04.020(q)
large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	All Other Outdoor Recreation per definition	Α	
Recreation and Entertainment, Indoor –	Health Club	Α	
large, generally commercial uses that provide indoor recreation or entertainment-oriented	Skating Rink, Arcade	Α	
activities including skating rinks, arcades	All Other Indoor Recreation per definition	Α	
Retail Sales and Service* – firms involved in the sale, lease or rental of new or used	Bar/Nightclub	Α	21.04.020(r)
products to the general public. They may also	Food Service, Catering	Α	21.04.020(r)
provide personal services or entertainment, or provide product repair or services for consumer and business goods.	Food Service, Restaurant (Including Alcohol Sales)	Α	21.04.020(r)
_	Farmers' Market	Α	21.04.020(r)
	General Retail Sales, Indoor Operations, Display and Storage	Α	21.04.030(I) & 21.04.020(r)
	General Retail Sales, Outdoor Operations, Display or Storage	А	21.04.040(h) & 21.04.020(r)
	Rental Service, Indoor Display/Storage	Α	21.04.020(r)
	Rental Service, Outdoor Display	А	21.04.040(h) & 21.04.020(r)
Manufacturing and Production – firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	Assembly – Indoor operations and storage	А	21.04.020(w)
	Food Products – Indoor operations and storage	А	21.04.020(w)
	Manufacturing/Processing – Indoor operations and storage	А	21.04.020(w)
	Assembly – Indoor operations with outdoor storage	А	21.04.040(h) & 21.04.020(w)
	Food Products – Indoor operations with outdoor storage	Α	21.04.040(h) & 21.04.020(w)
	Manufacturing/Processing – Indoor operations with outdoor storage	А	21.04.040(h) & 21.04.020(w)
Warehouse and Freight – firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading with or without Outdoor Loading Docks	А	21.04.020(x)
Surface Passenger Terminal – stations for ground-based vehicles, including loading and unloading areas	Bus/Commuter Stops	А	21.04.020(bb)

Telecommunications Facilities – devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Site When Developed in Accordance with	A	21.04.030(q) & 21.04.020(ee)
	Temporary PWSF (e.g., COW)	Α	21.04.030(q)
	Co-Location	Α	21.04.030(q)
	Tower Replacement	Α	21.04.030(q)
	Dual Purpose Facility	Α	21.04.030(q)
	DAS and Small Cell Facilities	Α	21.04.030(q)
	Base Station with Concealed Attached Antennas	Α	21.04.030(q)

F. Phase I of the development shall begin within one year of approval and completion of all phases shall occur within five years of approval.

Introduced for first reading on this published in pamphlet form.	day of	, 2017 and ordered
PASSED and ADOPTED thispublished in pamphlet form.	day of	, 2017 and ordered
ATTEST:		
	President of 0	City Council
City Clerk	-	

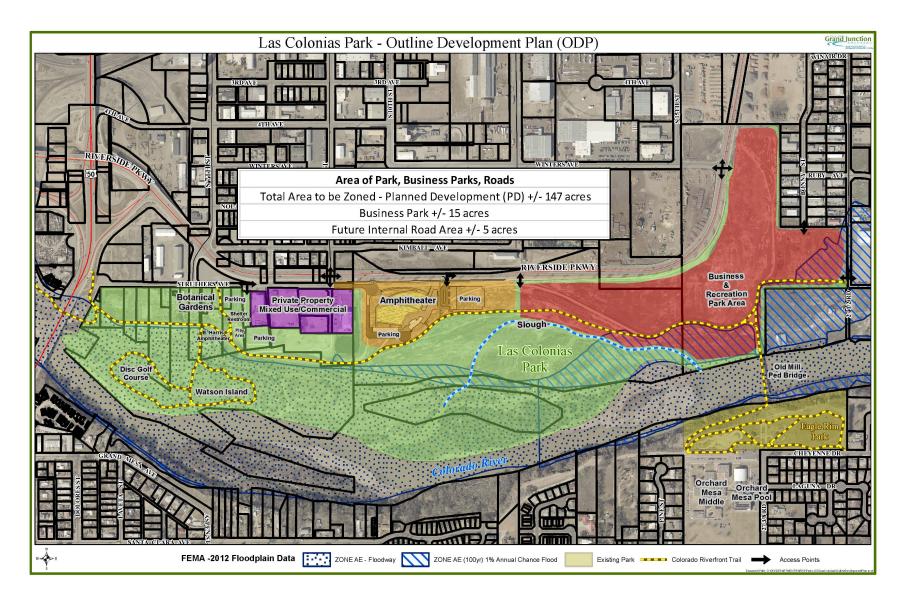


Exhibit A



Grand Junction City Council

Regular Session

Item #4.a.i.

Meeting Date: May 3, 2017

Presented By: Rob Schoeber, Parks and Recreation Director

<u>Department:</u> Parks and Recreation

Submitted By: Rob Schoeber, Parks and Recreation Director

Information

SUBJECT:

b) Resolution No. 22-17 - Resolution Amending the Las Colonias Master Plan to Include the Business Park Development.

RECOMMENDATION:

The Parks and Recreation Advisory Board recommends approval of the revised Master Plan for Las Colonias Park as presented.

EXECUTIVE SUMMARY:

Las Colonias Park is located adjacent to the Colorado River and includes approximately 147 total acres. The park was originally master planned in 1998, and later revised in 2008 upon the completion of the Riverside Parkway. In 2012, City Council directed Parks & Recreation to again revise the existing master plan in light of changing priorities among user and community groups. City staff facilitated an extensive community-wide process to seek input on the new design. Aside from general community input, staff also convened a stakeholders group including local businesses, neighboring agencies and user groups to provide design feedback. State and Federal regulatory agencies provided guidance during this process.

Grand Junction City Council adopted the revised Las Colonias Master Plan in June, 2013. The new plan includes many of the passive amenities found in the 2008 master plan; however, locations, sizes and access points have been refined and enhanced through this process. The plan was presented in multiple phasing sections including: Native Arboretum, Trailhead Phase, West Shelter, Amphitheater, Middle Shelter, Riparian Restoration, Overflow Parking, Festival Area, Wetlands, Grass Parking, Boat Launch and Zip Line.

The first phase of development included the Native Arboretum, West Trailhead and Shelter, and was completed in 2015. Currently, the amphitheater phase and riparian restoration is underway with completion estimated for July, 2017. Further phases of development have yet to be scheduled as part of the current master plan. The proposed revision to the master plan includes the addition of a 10-pad business park located on the east portion of the park. Previously approved public recreational amenities are encompassed in the new design including the boat launch, zip line, wetlands improvements, dog park, restroom/shelter, parking and festival area. Additional amenities are also proposed including a public water pond and other outdoor park attractions. The proposed business park together with all park features encompasses approximately ±30 acres of the existing site. If approved, the initial phases of this development would start in fall, 2017.

BACKGROUND OR DETAILED INFORMATION:

Las Colonias Park totals approximately 147 acres, and is located along the Colorado River just south of downtown Grand Junction. Over 100 acres of this site was deeded to the City of Grand Junction in 1997 from the State of Colorado after a cleanup project of uranium mill tailings. As part of the land donation from the State of Colorado, the site carries with it several deed restrictions regarding potential development. These restrictions are monitored and reviewed through a cooperative effort with the Department of Energy and the Colorado Department of Public Health and Environment. The site has cultural and historical significance because of "Las Colonias", the colonies of people who worked in the orchards and sugar beet fields who once resided on the site.

The initial master plan for this site was completed in 1998, and later revised in 2008 following completion of the Riverside parkway project. The plan at this time was primarily passive in nature and included a dog park, boat ramp, natural areas, festival green with amphitheater, playground and parking. The most highly visible feature within this design included a 75,000 square foot civic center.

In 2012, the Grand Junction City Council considered several options for future park developments. It was determined that the Las Colonias site should be top priority, and directed Parks & Recreation to move forward with a master plan. City staff facilitated a thorough and extensive process in order to maximize public input for the new park design. A stakeholders group was initially established including the Botanical Gardens, Grand Junction Lions Club, Tamarisk Coalition, Grand Valley Disc Golf Club, and Riverfront Commission. This group met regularly with City staff including Parks & Recreation, Engineering, Traffic, Neighborhood Services and Finance. In addition, the committee worked closely with State and Federal regulatory agencies Us Fish & Wildlife, US Army Corps of Engineers, Department of Energy and Colorado Department of Public Health and Environment.

The revised plan was presented and adopted by City Council in June, 2013. While the plan incorporated many of the passive features of the existing 2008 plan, it was the consensus of the committee that the civic center should be eliminated from the design. The master plan was proposed to be developed over a multi-year period in multiple phases. The phases include:

Native Arboretum - North channel loop, revegetation, interpretive signage
Trailhead - Connects existing trail to Riverfront trail, provides additional parking
West Shelter - Restroom/Shelter, play features, adds parking and trail connections
Amphitheater - Relocation of trail, construction of amphitheater
Riparian Restoration/Backwater Area - Excavation to create water channel
Overflow Parking - paved and native grass parking spaces
Multi-purpose/Festival Area - Restroom/Shelter, muti-purpose grass for festival
or other use, hookups for water and electric
Middle Shelter - Restroom/Shelter, play features, additional parking

Middle Shelter - Restroom/Shelter, play features, additional parking

Ponds and Wetlands - Irrigation for park, 5 acre fenced dog park, several small paved lots

Grass Parking - 300 native grass overflow parking spaces' **Boat Launch** - Boat ramp, restroom/shelter, changing area, road access **Zipline** - Private-public partnership

Ground breaking for the Las Colonias Park was held in March, 2015. The first phase of development was completed later that year including the native arboretum, parking, restroom/shelter and playground. The second phase – Amphitheater and riparian restoration – is underway with anticipated completion in July, 2017. The newly proposed master plan incorporates a 10-15 acre business park with the public recreational elements that were adopted within the current plan. It is anticipated that these elements would be developed together with infrastructure for the business park in 2018 and 2019. The elements proposed in this plan include the boat launch, restrooms/shelters, dog park, wetlands (irrigation), parking and festival areas. The plan also calls for an aerial adventure feature (zip line) to be constructed from Eagle Rim Park and extending into Las Colonias over the Colorado River. The proposed revision to the master plan encompasses approximately 30 acres, including all business park and recreational park improvements.

Proposed revisions to the current master plan were discussed at a public meeting held on April 18, 2017. These revisions were also recommended by the Parks and Recreation Advisory Board at their meeting on April 27, 2017.

FISCAL IMPACT:

It is anticipated that the further development of Las Colonias Park including the new

Business Park will have significant economic impact including new industry, jobs, wages, construction, and related commerce. As development occurs, property taxes, and sales and use tax will be applicable.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 22-17 - A Resolution Adopting the 2017 Las Colonias Master Plan Revision.

Attachments

- 1. Las Colonias Master Plan Adopted 2013
- 2. 2017 Proposed Las Colonias Master Plan
- 3. Resolution Amending Las Colonias Master Plan

Las Colonias Park Master Plan



June 2013

Introduction

Las Colonias Park, a 101 acre parcel on the edge of the Colorado River south of downtown, was deeded to the City of Grand Junction in 1997 from the State of Colorado after the mill tailings cleanup was completed. The site has cultural and historical significance because of "Las Colonias", the colonies of people who worked in the orchards and sugar beet fields who once resided on the site. A naming contest was once held to find a name for the park, and it was determined it would be named after the colonies of people who resided there. After the sugar beet industry died, the site was used as a collection stockpile site for uranium mill tailings. Many residents refer to the site as the Climax Mill Tailing site.

The site is largely vacant, with the exception of a segment of the Riverfront Trail system that passes through the site. The Riverfront Trail System is an extensive trail network that extends through the valley along the Colorado River corridor, providing a valued amenity for recreationalists and commuters. Las Colonias Park is envisioned as a "jewel" in the "string of pearls" once envisioned for this area.

Las Colonias Park was originally master planned in 1998. Construction of the Riverside Parkway, which started in 2006, impacted that original master plan so it was revised in 2008. That master plan included a footprint for a 75,000 square foot civic facility as well as a dog park, natural areas, playgrounds, picnic areas, a festival area/amphitheater, and trails. In 2012, City Council directed Parks and Recreation to again revise the existing master plan.

Project Goals

A committee of City staff, comprised of Parks and Recreation, Engineering, Neighborhood Services, and Finance, was developed to work directly with Ciavonne, Roberts, & Associates. The project goals were to:

- 1. Revise the 2008 master plan to address changing priorities among user and community groups.
- 2. Maintain the overall passive theme of the first two master plans.
- 3. Involve the stakeholders in the initial discussions to help determine a "roadmap" for the revision.
- 4. Conduct additional community participation processes.
- 5. Develop a conceptual design and phasing options.
- 6. Develop cost estimates for development and ongoing maintenance.
- 7. Develop and utilize an internal City employee team to lead the master planning process.

The committee worked very closely with representatives from the Department of Energy, Colorado Department of Public Health and Environment, US Fish and Wildlife, and US Army Corps of Engineers. These entities will remain closely involved in the project as approvals and permits will be required throughout the park's development.

Stakeholder Involvement

A group of key stakeholders was convened to guide the master planning process in April of 2012. This group included representatives from the Riverfront Commission, Western Colorado Botanical Gardens, Tamarisk Coalition, Grand Valley Disc Golf Club, and Grand Junction Lions Club. This group rated components and phases of the 2008 master plan offering critical feedback about a direction the most recent revision should take. The group met routinely for the remainder of 2012. The following is a summary of their feedback and comments regarding the direction of the 2013 revision.

High

Parking - West

Disc Golf

Dog Park

Restroom Facilities - West

Amphitheatre

Medium

Additional Trails

Developed Vendor Area

Open Turf Area – Passive

Controlled Water Slue

Low

Kayak Park

Other Amenities Rated But Not Ranked High/Medium/Low

Playground

Educational Native Arboretum

Picnic Shelters - East

Picnic Shelters – Small Group

Sport Courts - Basketball, Volleyball, Etc.

Sport Fields - Soccer, Football, Etc.

Other - Revegetation w/Native Elements

Other - Large Open Festival Area

Safety Fencing During Run Off

Civic Center/Recreation Center

Boardwalk

Lighted Trails

Picnic Shelters - Large

Restroom Facilities - East

Comments

- Important that new vegetation doesn't create "campsites".
- Native grasses closer to river, but landscape for amphitheater, picnic, and park areas.
- Plant trees for shade.
- Area can't be all bluegrass.
- Improve condition of Watson Island to tie in with disc golf and new park complex. This would be a nice compliment and support of the new brewery.
- More public will use the park. Start the increase in usage on the west end near Watson Island and Botanical Gardens.
- Parking access is important for individual use and large amphitheater events.
- Dog parks always bring people.
- Water feature could be the "creek" with water flow that kids can play in or a water park/kayak park in the river.
- Need larger amphitheater in central GJ that will accommodate large event (4000-5000 people).
- Compliment to downtown help keep/bring visitors and users to the great downtown area.
- Other park/civic development and development of Kannah Creek and the Botanical Gardens together with the other efforts will likely increase the desire of developers to begin projects.

Park Program Elements

The 2013 Las Colonias Master Plan includes many of the passive amenities found in the original and 2008 master plan; however, the locations, sizes, access points, and relativity to other amenities has been further refined and enhanced through this process. Major components include:

- A western entrance into the park with shared parking for Western Colorado Botanical Gardens and any future educational developments, an 18 hole disc golf course on Watson Island, additional trail connections, park shelter/restroom, and play features.
- An amphitheater with sloped lawn seating for small events of 1,000 or large event of 10,000 with a stage, multipurpose rooms, developed plaza areas for tickets, restrooms, and vendors, a park shelter/restroom with play features, and paved/native grass parking areas.
- A multipurpose/festival grounds area for informal neighborhood play or festival use as well as a park shelter/restroom.
- A wetlands area with several cascading ponds, trails, picnic tables, fenced dog park, and an irrigation system. Area includes several parking areas, a restroom/shelter, boat launch and parking, zip line, and several hundred additional native grass parking spaces. Irrigation includes an option to upgrade to a regional system to serve neighboring City owned properties currently on domestic water.

Public Process

A community meeting was held on April 10, 2013 at Two Rivers Convention Center with approximately 75 attendees. Participants reviewed the plans with staff that was present to answer questions and make notations. Written feedback was also available via a suggestion card.

In addition to the community meeting, presentations were made to the following groups:

1	•			
Grand Junction Lions Club	Trail Hosts			
Parks and Recreation Advisory				
Board	Arts and Culture Commission			
Riverfront Commission	Grand River Mosquito Control District			
Riverfront Foundation	Council on Aging			
Urban Trails	Senior Recreation Center, Inc.			
	Western Colorado Conservation			
Master Gardeners	Corps			
US Army Corps of Engineers	US Fish and Wildlife			
Colorado Department of Public Health and Environment				

The master planning process was discussed at two city council workshops on March 18, 2013 and April 29, 2013. It was recommended for approval by the Parks and Recreation Advisory Board on May 2, 2013.

Phasing and Construction Cost Estimates

This master plan is well suited for phasing, allowing the park to grow and be developed based on levels of funding and potential grants. The following phasing options are listed from west to east, and the order listed bears no significance. Cost estimates include general conditions, testing, construction contingency, and design fees.

Native Arboretum

- Complete loop through North Channel
- Collaboration with Tamarisk Coalition revegetation
- Develop interpretive signage for native plant species
- Collaboration with Botanical Gardens for maintenance

Cost Estimate: \$92,000

Watson Island Disc Golf Course

- 18 hole disc golf course, more than likely relocated from Matchett Park to Watson Island
- Concrete tee pads and baskets in addition to some wood chip trails

Cost Estimate: \$15,000

Trailhead Phase

- Defines Botanical Gardens boundary allowing controlled access
- Allows use of existing trail as connection to Riverfront Trail
- 90 paved parking spaces

Cost Estimate: \$418,000

West Shelter Phase

- Restroom/Shelter and play features
- Pedestrian bridge across slough
- 140 paved parking spaces
- 115 native grass parking spaces
- Two trail connections, one through commercial property off of Struthers Avenue

Cost Estimate: \$1.5 million

Amphitheater Phase

- Relocate existing trail
- Import fill from other on-property excavation
- Includes multiple sub-phases

Cost Estimate: \$3.4 million

Middle Shelter Phase

- Relocate existing trail
- Import fill from other Construct one Parkway access
- Restroom/Shelter and play features
- 150 paved parking spaces

Cost Estimate: \$1.5 million

Riparian Restoration/Backwater Area

• Excavation to create backwater area

Cost Estimate: \$75,000

Overflow Parking Phase

- Relocate existing trail
- 250 paved parking spaces
- 500 native grass parking spaces

Cost Estimate: \$981,000

Multipurpose/Festival Area Phase

- Relocate existing trail
- Restroom/Shelter
- Multipurpose grass area for festival or other use
- Includes multiple hookups for water and electric

Cost Estimate: \$731,000

Ponds and Wetlands Phase

- Import fill from other excavation
- Sculpt ponds
- Road access to boat launch/maintenance
- Several small paved parking lots with 100 spaces
- 5 acre fenced dog park
- Irrigation for park and optional regional irrigation to Eagle Rim Park, Riverside Parkway,
 Botanical Gardens, and other properties to the west

Cost Estimate: \$3 million

Grass Parking Phase

- 300 native grass, overflow parking spaces
- Overnight camping opportunities for large events

Cost Estimate: \$130,000

Boat Launch Phase

- Restroom/Shelter
- Boat ramp

Cost Estimate: \$712,000

Zipline Phase

Possible private-public partnership with local company to operate

Cost Estimate: \$403,000

Total Park Cost Estimate: \$13 million

Maintenance Cost Estimates

Maintenance of the park as it is developed is critical to several phases because of the size, nature, and technical nature of the phase. All estimates were developed using 2013 data. All personnel costs include an estimate for benefits.

Native Arboretum/Watson Island Disc Golf Course/Trailhead/West Shelter

- One 40 week seasonal employee, \$22,000, annual cost
- One service truck, \$23,000, one-time expense
- One utility vehicle, \$10,000, one-time expense
- Operational supplies and expenses, \$17,000, annual cost

Total Annual Cost Estimate: \$39,000 Total Start Up Cost Estimate: \$33,000

Ponds and Wetlands/Backwater Area/ Multipurpose Area/Overflow Parking/Grass Parking

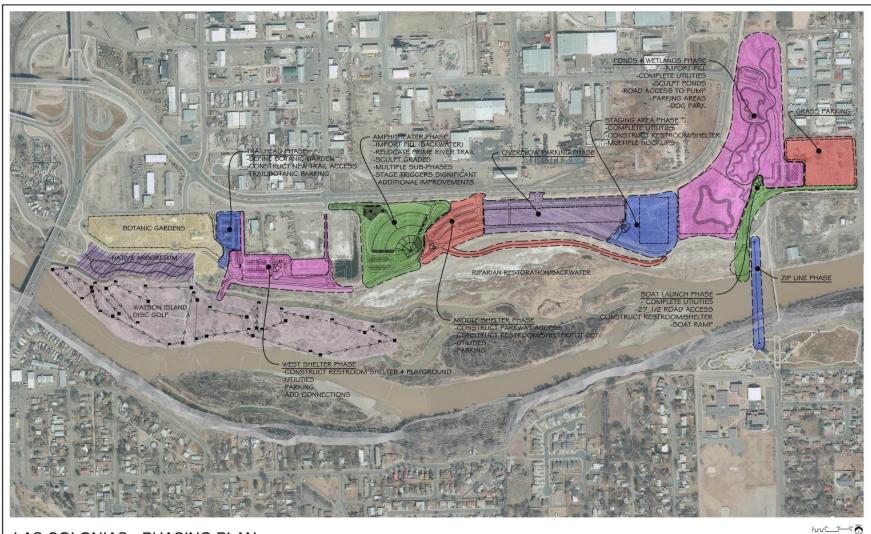
- One full-time equipment operator, \$65,000, annual cost
- One 40 week seasonal employee, \$22,000, annual cost
- One service truck, \$23,000, one-time expense
- One storage building, \$8,000, one-time expense
- Operational supplies and expenses, \$15,000, annual cost

Total Annual Cost Estimate: \$102,000 Total Start Up Cost Estimate: \$31,000

Amphitheater/Middle Shelter/Boat Launch/Zipline

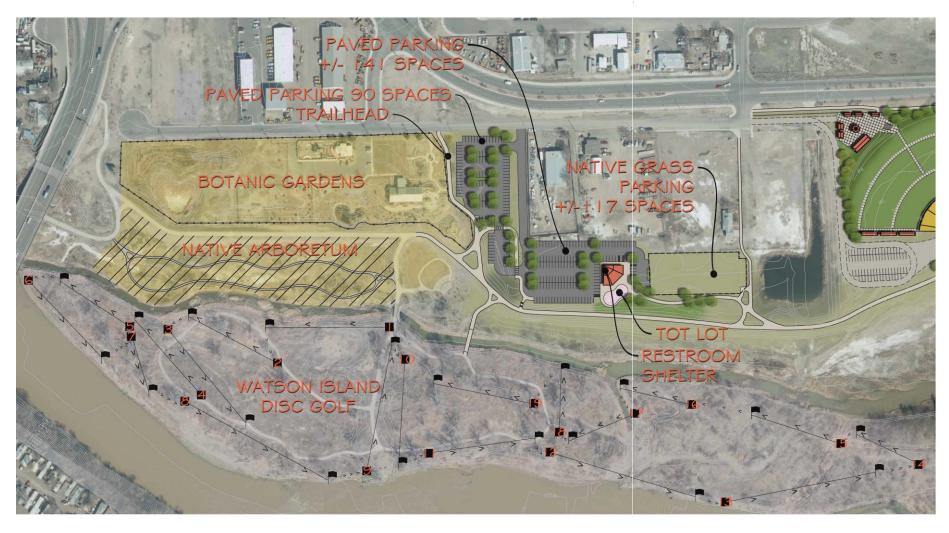
- One 40 week seasonal employee, \$22,000, annual cost
- Mowing equipment, \$75,000, one-time expense
- Operational supplies and expenses, \$15,000, annual cost

Total Annual Cost Estimate: \$37,000 Total Start Up Cost Estimate: \$75,000

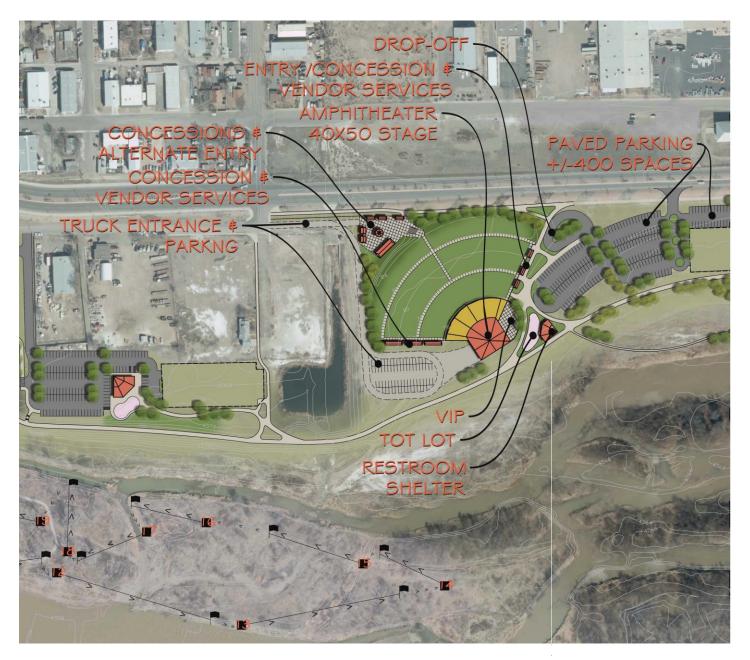


LAS COLONIAS - PHASING PLAN GRAND JUNCTION, COLORADO





West Shelter/Trailhead/Watson Island



Amphitheater



Backwater and Multi Use Area





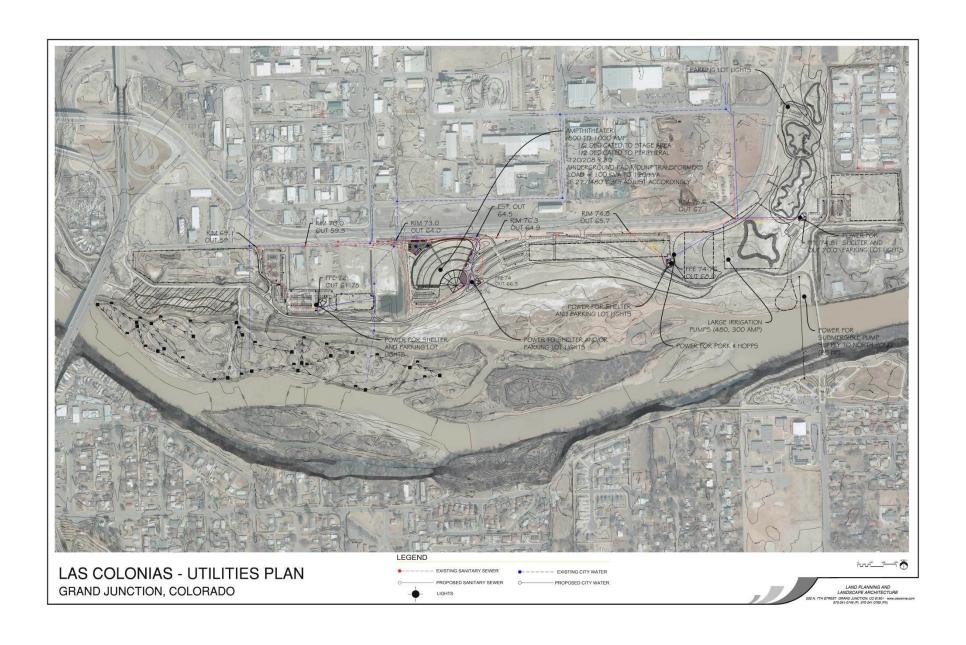
Zipline/Boat Launch/Overflow Parking

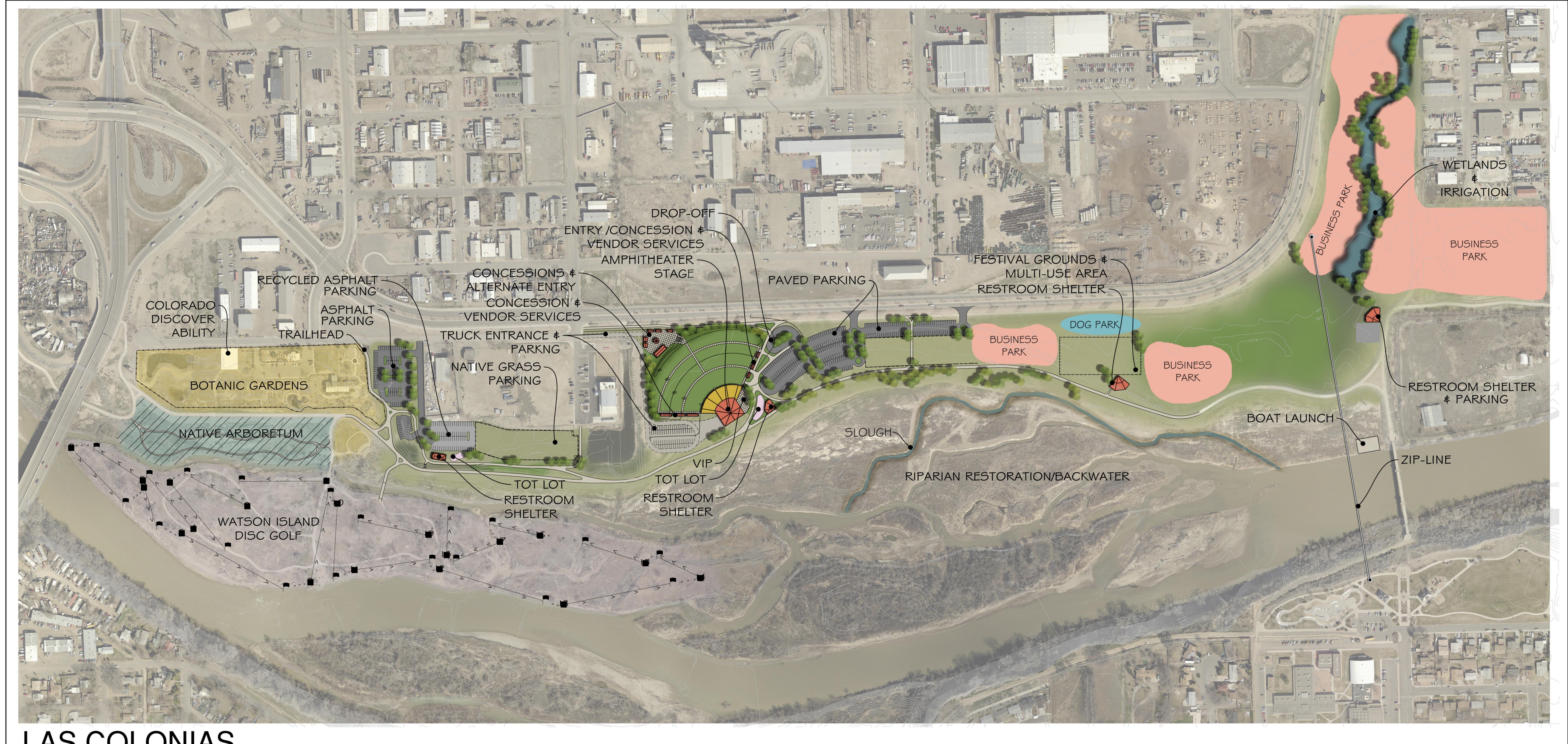
Wetlands and Dog Park



LAS COLONIAS - IRRIGATION PLAN GRAND JUNCTION, COLORADO







LAS COLONIAS
GRAND JUNCTION, COLORADO

RESOLUTION NO. ___-17

A RESOLUTION ADOPTING THE 2017 LAS COLONIAS MASTER PLAN REVISION

Based on an economic development opportunity and the ongoing interest in additional development of the site, the 2013 Las Colonias Master Plan was revised to include a business park. The revision still meets the original intent of the 2013 plan by modifying approximately 30-acres of the original master plan. Modification includes approximately 15 acres of public park space and approximately 15 acres of business park. The plan was prepared in collaboration with City staff, Grand Junction Economic Partnership, and Bonsai Design.

The plan has been reviewed by the community and the Parks and Recreation Advisory Board. The Board recommended the revision for approval on April 27, 2017.

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

The 2017 Las Colonias Master Plan Revision, prepared by City staff, Grand Junction Economic Partnership, and Bonsai Design, and recommended for approval by the Grand Junction Parks and Recreation Advisory Board, be adopted by the Grand Junction City Council.

Passed and adopted this 3rd day of May, 2017.

ATTEST:	President of the Council
City Clerk	



Grand Junction City Council

Regular Session

Item #4.a.ii.

Meeting Date: May 3, 2017

Presented By: Scott D. Peterson, Senior Planner

<u>Department:</u> Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Resolution No. 23-17 - Resolution Amending the Comprehensive Plan Future Land Use Map from Residential Medium High (8 - 16 du/ac) to Commercial/Industrial and Ordinance No. 4747 - Ordinance Approving a Rezone to I-O (Industrial/Office Park) for Lot 241, Heritage Heights, Filing One, Located at 637 25 Road.

RECOMMENDATION:

Planning Commission heard these items at their March 28, 2017 meeting and forwarded a recommendation of denial to City Council (1 - 6).

An affirmative vote of five members of the City Council is required to approve rezones recommended for denial by the Planning Commission (Section 21.02.210(e) of the Zoning and Development Code).

EXECUTIVE SUMMARY:

The applicant, Heritage Heights LLC, requests the City to change the Comprehensive Plan Future Land Use Map designation for property located at 637 25 Road from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and to rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district in anticipation of general office development.

BACKGROUND OR DETAILED INFORMATION:

The property located at 637 25 Road (0.95 acres) is part of the Heritage Heights residential subdivision and contains a modular office building that was moved to the site in 2014 to serve as a temporary office/construction trailer in conjunction with the

development of Heritage Heights subdivision. The temporary office/construction trailer has an expiration date tied to the approved Preliminary Plan (SUB-2013-481) phasing schedule. Therefore, on or before April 10, 2019, the temporary office/construction trailer would be required to be removed from the site or the property would need to be brought up to current Zoning Codes standards (Major Site Plan Review and Comp Plan Future Land Use Map Amendment and Rezone applications). These standards would include but are not limited to off-street parking, landscaping, screening and buffering, etc. The applicant now desires to operate the temporary office/construction trailer as a general office and legitimize the existing land use on the property, and therefore requests a change in the Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district.

The subject property is surrounded on three sides by residentially zoned property to the north, south and west. However, the Grand Valley Circulation Plan indicates that F 1/2 and 25 Roads will be realigned separating this parcel from the residential developments to the north, west and south. In addition, F 1/2 Road will be constructed along the west and south property lines with the right-of-way now officially dedicated with the filing of Filing Five for Heritage Heights in 2016. With the dedication of the F 1/2 Road corridor (160' width), this right-of-way now physically separates the subject property from the Heritage Heights residential subdivision.

To the east, across 25 Road, is the Foresight Industrial Park which is currently zoned I-O, (Industrial/Office Park) with a Comprehensive Plan Future Land Use Map designation of Commercial/Industrial. The proposed I-O zone district is the most appropriate zone district for the applicant's property since it is an adjacent zone district (located across 25 Road) and also the applicant's proposed land use of a general office is an allowed land use within the I-O zone district.

The requested rezone is currently not supported by the underlying Comprehensive Plan designation. However, Section 21.02.130 (d) (v) of the Grand Junction Zoning and Development Code allows the processing of a rezone application or request without a plan amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district. Therefore, this is a combined request is to amend the current Comprehensive Plan designation to an adjacent designation (Commercial/ Industrial) and rezone the property to I-O.

FISCAL IMPACT:

This is a land use action and does not have a direct fiscal impact. As the area is developed sales, use, and property taxes will be applicable.

SUGGESTED MOTION:

I move to (approve or deny) Resolution No. 23-17 - A Resolution Amending the Comprehensive Plan Future Land Use Map of the City of Grand Junction from Residential Medium High (8 - 16 du/ac) to Commercial/Industrial for Lot 241, Heritage Heights, Filing One, Located at 637 25 Road and Ordinance No. 4747 - An Ordinance Rezoning Lot 241, Heritage Heights, Filing One Property from R-8 (Residential - 8 du/ac) to I-O (Industrial/Office Park), Located at 637 25 Road on Final Passage and Order Final Publication in Pamphlet Form.

Attachments

- 1. Planning Commission Staff Report
- 2. DRAFT Planning Commission Minutes (March 28, 2017 meeting)
- 3. Resolution
- 4. Ordinance



PLANNING COMMISSION AGENDA ITEM

Date: March 8, 2017
Author: Scott D. Peterson
Title/ Phone Ext: Senior

Planner/1447

Proposed Schedule: March 28,

<u>2017</u>

File #: CPA-2017-46 & RZN-

<u>2017-47</u>

Subject: Lot 241, Heritage Heights, Filing One - Comprehensive Plan Future Land Use Map Amendment and Rezone, Located at 637 25 Road

Action Requested/Recommendation: Forward a recommendation of approval to City Council of a Comprehensive Plan Amendment and Rezone to change the Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and Rezone from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district on 0.95 +/- acres.

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

Executive Summary:

The applicant, Heritage Heights LLC, requests the City to change the Comprehensive Plan Future Land Use Map designation for property located at 637 25 Road from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and to rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district in anticipation of general office development.

Background, Analysis and Options:

The property located at 637 25 Road (0.95 acres) is part of the Heritage Heights residential subdivision and contains a modular office building that was moved to the site in 2014 to serve as a temporary office/construction trailer in conjunction with the development of Heritage Heights subdivision. The temporary office/construction trailer has an expiration date tied to the approved Preliminary Plan (SUB-2013-481) phasing schedule. Therefore, on or before April 10, 2019, the temporary office/construction trailer would be required to be removed from the site or the property would need to be brought up to current Zoning Codes standards (Major Site Plan Review and Comp Plan Future Land Use Map Amendment and Rezone applications). These standards would include but are not limited to off-street parking, landscaping, screening and buffering, etc. The applicant now desires to operate the temporary office/construction trailer as a general office and legitimize the existing land use on the property, and therefore requests a change in the Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district.

The subject property is surrounded on three sides by residentially zoned property to the north, south and west. However, the Grand Valley Circulation Plan indicates that F 1/2 and 25 Roads will be realigned separating this parcel from the residential developments

to the north, west and south. In addition, F 1/2 Road will be constructed along the west and south property lines with the right-of-way now officially dedicated with the filing of Filing Five for Heritage Heights in 2016. With the dedication of the F 1/2 Road corridor (160' width), this right-of-way now physically separates the subject property from the Heritage Heights residential subdivision.

To the east, across 25 Road, is the Foresight Industrial Park which is currently zoned I-O, (Industrial/Office Park) with a Comprehensive Plan Future Land Use Map designation of Commercial/Industrial. The proposed I-O zone district is the most appropriate zone district for the applicant's property since it is an adjacent zone district (located across 25 Road) and also the applicant's proposed land use of a general office is an allowed land use within the I-O zone district.

The requested rezone is currently not supported by the underlying Comprehensive Plan designation. However, Section 21.02.130 (d) (v) of the Grand Junction Zoning and Development Code allows the processing of a rezone application or request without a plan amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district. Therefore, this is a combined request is to amend the current Comprehensive Plan designation to an adjacent designation (Commercial/Industrial) and rezone the property to I-O.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on December 29, 2016, with no one from the public attended the meeting. However, City Project Manager has received letters of support for the applicant's requests after the Neighborhood Meeting and are provided within the Staff Report.

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

Granting the Comprehensive Plan Future Land Use Map Amendment and Rezone will allow the applicant to bring the current temporary office building into compliance as an allowed land use with the proposed zone district which supports the following goals and policies from the Comprehensive Plan.

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

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

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

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

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

Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed Comprehensive Plan Future Land Use Map Amendment and Rezone meets with the goal and intent of the Economic Development Plan by supporting and assisting an existing business within the community to stay at its current location to serve area residents.

Board or Committee Recommendation:

There is no committee or board recommendation.

Other issues:

No other issues have been identified.

Previously presented or discussed:

The Planning Commission previously reviewed this request at their April 12, 2016 meeting and recommended denial.

Attachments:

- 1. Staff report/Background information
- 2. Site Location Map
- 3. Aerial Photo Map
- 4. Comprehensive Plan Future Land Use Map
- 5. Existing Zoning Map
- 6. Approved Filing Plan for Heritage Heights
- 7. Letters of Support
- 8. Resolution
- 9. Ordinance

BACKGROUND INFORMATION							
Location:		637	637 25 Road				
Applicant:		Heri	Heritage Estates LLC, Owner				
Existing Land Use:		Ten	Temporary office/construction trailer				
Proposed Land Use:		General office building					
Surrounding Land Use:	North	Sing	Single-family detached				
	South		Vacant land - Future phases of Heritage Heights residential subdivision				
	East	Foresight Industrial Park and Mesa County Sheriff's Posse rodeo grounds					
	West	Vacant land – Future phases of Heritage Heights residential subdivision					
Existing Zoning:		R-8 (Residential – 8 du/ac)					
Proposed Zoning:		I-O (Industrial/Office Park)					
North		R-8 (Residential – 8 du/ac)					
Surrounding	South	R-8 (Residential – 8 du/ac)					
Zoning:	East	I-O (Industrial/Office Park)					
	West	R-8	R-8 (Residential – 8 du/ac)				
Future Land Use Designation:		Res	Residential Medium High (8 – 16 du/ac)				
Zoning within density range?		Х	Yes		No		

<u>Sections 21.02.130 & 140 of the Grand Junction Zoning and Development Code:</u>

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

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

With the now dedicated F 1/2 Road right-of-way corridor (160' width) adjacent to the property, this right-of-way physically separates the subject property from the Heritage Heights residential subdivision and in essence create a remnant parcel that will align itself more towards Foresight Industrial Park with its proximity, rather than leaving as a residentially zoned property (see attached Grand Valley Circulation Plan map and approved Filing Plan for Heritage Heights). To make optimum use of the property, the owner wishes to rezone the property, convert the existing temporary office/construction trailer to a permanent land use and develop the property for general office. Therefore, subsequent events (the dedication of right-of-way for F 1/2 Road) have invalidated the original premise for the future land use and zoning designations. Changing the land use designation to Commercial/Industrial and rezoning the property to I-O, will allow the

applicant to use the property for general office serving the growing residential and commercial developments within the area of 25 Road, thereby supporting Goals 3 and 12 of the Comprehensive Plan.

Therefore, 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 character of the area has changed with the dedication of the F 1/2 Road right-of-way, per the designation on the Grand Valley Circulation Plan, so that the property will be physically separated from the original properties of Heritage Heights and will align more with the industrial park properties to the east. Therefore, the character and/or condition of the area has changed such that the amendments are consistent with the Comprehensive Plan. Changing the land use designation to Commercial/Industrial and rezoning the property to I-O, will allow the property to be used for general office serving the growing residential and commercial developments within the area of 25 Road, thereby supporting Goals 3 and 12 of the Comprehensive Plan.

Therefore, this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the I-O zone district and zones allowed under the Future Land Use designation of Commercial/Industrial. Ute Water is available in 25 Road as is City sanitary sewer. Furthermore, the property is currently being served by Xcel Energy electric and natural gas. Within a short distance to the south is Blichmann Avenue and F 1/4 Road for availability of public transit connections and further to the south and west is Mesa Mall, a grocery store, restaurants and additional retail opportunities.

Therefore, this criterion has been met.

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

The I-O zone district is an allowed zone under the Commercial/Industrial designation, its purpose is to provide a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering. There is approximately 22,039 acres located within the limits of the City of Grand Junction. Of that total acreage, approximately 492 acres, or 2% is zoned I-O. Therefore, it could be argued that there is an inadequate supply of I-O zoned land within the community.

Therefore, this criterion has been met.

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

The community and area will derive increased tax revenues from the proposed Comprehensive Plan amendment and rezone by the development and utilization of a previously vacant parcel. Furthermore, the use of this parcel for general office will serve the growing residential and commercial developments within the area of 25 Road. Finally, the I-O zone district provides for performance standards to help mitigate the impacts of potential development regarding location of loading docks, noise, lighting glare, outdoor storage and display, etc., to help protect adjacent residential and industrial office properties.

Therefore, this criterion has been met.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan proposed designation of Commercial/Industrial for the subject property.

- a. C-2 (General Commercial)
- b. M-U (Mixed Use)
- c. B-P (Business Park Mixed Use)
- d. I-1 (Light Industrial)

In reviewing the other zoning district options for the Commercial/Industrial designation, all zoning districts allow general office as an allowed land use, however, the I-O (Industrial/Office Park) zone district would be the desired option as it will match the current zoning of the Foresight Industrial Park across 25 Road and also provides for performance standards to help mitigate the impacts of potential development regarding location of loading docks, noise, lighting glare, outdoor storage and display, etc., to help protect adjacent residential and industrial office properties.

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 the City Council.

FINDINGS OF FACT AND CONCLUSIONS

After reviewing the Lot 241, Heritage Heights, Filing One application, CPA-2017-46 and RZN-2017-47, request for a Comprehensive Plan Future Land Use Map designation change from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and a rezone from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district, the following findings of fact and conclusions have been determined:

1. The requested Comprehensive Plan Future Land Use Map Amendment and Rezone are consistent with the goals and polices of the Comprehensive Plan, specifically, Goals 3 and 12.

2. The review criteria, items 1, 2, 3, 4 and 5 in Sections 21.02.130 and 140 of the Grand Junction Zoning and Development Code have been met or addressed.

STAFF RECOMMENDATION:

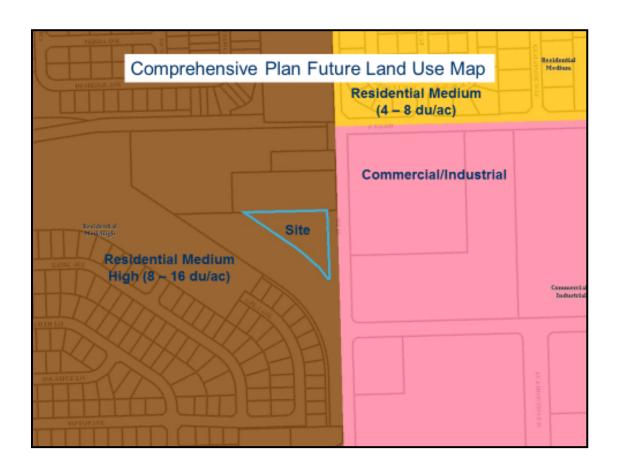
I recommend that the Planning Commission forward a recommendation of approval of the requested Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and a rezone from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district for Lot 241, Heritage Heights, Filing One to the City Council with the findings of fact and conclusions listed above.

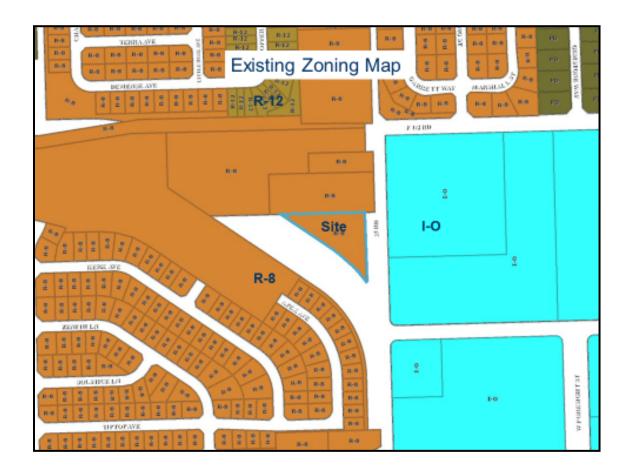
RECOMMENDED PLANNING COMMISSION MOTION:

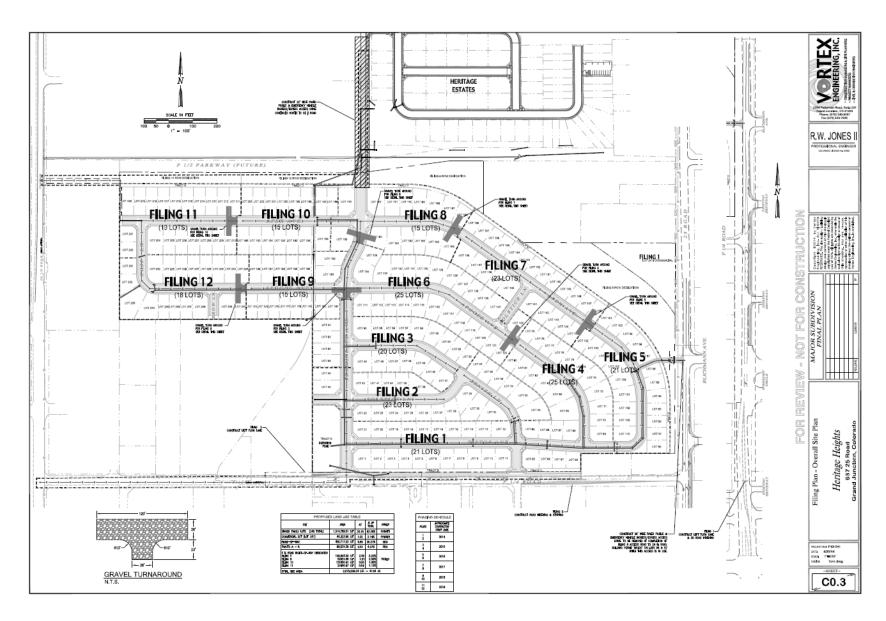
Madam Chairman, on Comprehensive Plan Future Land Use Map Amendment and Rezone, CPA-2017-46 and RZN-2017-47, I move that the Planning Commission forward a recommendation of approval for the Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and a rezone from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district, with the findings of fact and conclusions listed in the staff report.



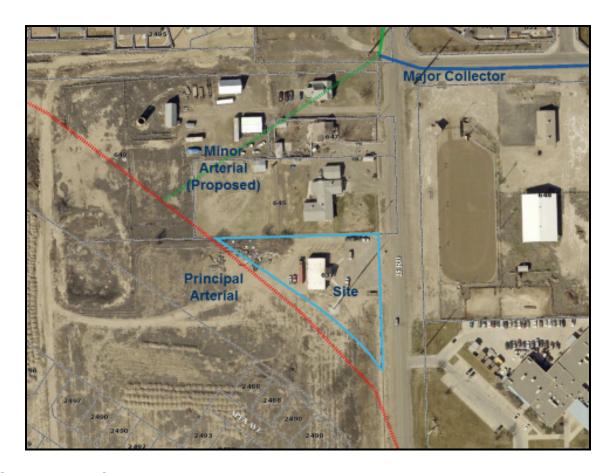








Approved Filing Plan for Heritage Heights



Grand Valley Circulation Plan

To the City of Grand Junction Planning & Development Dept.

Because of a prior commitment, I am unable to attend the meeting at Blue Star Construction tonight.

As a neighborhood property owner, I do not have any issues or concerns with the requested rezone to I-O (Industrial Office Park), for the Blue Star Construction office. There has not been any negative impact on our properties or the neighborhood since Blue Star moved in on 25 Rd.

Jacquelyn Moran, Grantee Applewood Lane, LLC

RE: 676 Miranda St. GJ, CO 81505

acquelyn Moran

Jacquelyn Moran

872 Covey Rd. GJ, CO 81505

G1, CO 61303

970-243-2076

To the City of Grand Junction Planning & Development Dept.

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RE: 653 1/2 25 Rd. GJ, CO 81505

Jacquelyn Moran

872 Covey Rd. GJ, CO 81505

GJ, CO 81505 970-243-2076 To the City of Grand Junction Planning & Development Dept.

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Jacquelyn Moran, Grantee Applewood Lane, LLC RE: 651 25 Rd. GJ, CO 81505

racquely Moran

Jacquelyn Moran 872 Covey Rd. GJ, CO 81505

970-243-2076

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Barn, LLC

Matriz Brewer Karl Brewer Katie E. Brewer Karl Brewer

GJ, CO 81505

719-339-4652

Barn, LLC

6923 Tyndale St. Melean, VA 22101

Current:

159 A Grierson Ave.

Fort Huachuca, AZ 85613

GRAND JUNCTION PLANNING COMMISSION March 28, 2017 MINUTES 6:00 p.m. to 10:17 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, Aaron Miller and Bill Wade.

In attendance, representing the City's Administration Department - Community Development, was Kathy Portner, (Planning Manager) and Dave Thornton (Principal Planner) Lori Bowers (Senior Planner), Scott Peterson, (Senior Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 29 citizens in attendance during the hearing.

INDIVIDUAL CONSIDERATION

1. Comprehensive Plan Future Land Use Map Amendment and Rezone [File# CPA-2017-46 and RZN-2017-47]

Request a Comprehensive Plan Amendment and Rezone to change the Future Land Use Map designation from "Residential Medium High (8-16 du/ac)" to "Commercial/Industrial" and Rezone from R-8 (Residential – 8 du/ac to I-O (Industrial/Office Park) zone district on 0.95 +/- acres.

Action: Recommendation to City Council

Applicant: Heritage Estates LLC, Owner

Location: 637 25 Road

Staff Presentation: Scott Peterson, Sr. Planner

STAFF PRESENTATION

Scott Peterson, Senior Planner stated that the applicant for these requests is the property owner, Heritage Estates, LLC. Mr. Peterson informed the Commission that a neighborhood meeting was held on December 29, 2016, no one from the public attended the meeting. However, Mr. Peterson stated that he has received letters of support for the applicant's requests after the neighborhood meeting and are provided within the Staff Report.

Mr. Peterson displayed a slide of the Site Location Map and noted that the property located at 637 25 Road (0.95 acres) is part of the Heritage Heights residential subdivision and contains a modular office building that was moved to the site in 2014 to serve as a temporary office/construction trailer in conjunction with the development of Heritage Heights subdivision located to the Southwest.

Mr. Peterson explained that the temporary office/construction trailer has an expiration date tied to the approved Preliminary Plan's phasing schedule. Therefore, on or before April 10, 2019, the temporary office/construction trailer would be required to be removed from the site or the property would need to be brought up to current Zoning Codes standards that would require Major Site Plan Review and Comp Plan Future Land Use Map Amendment and Rezone applications.

Mr. Peterson explained that the standards would include but are not limited to off-street parking, landscaping, screening and buffering, etc. The applicant now desires to operate the temporary office/construction trailer as a general office and legitimize the existing land use on the property, and therefore requests a change in the Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district.

The next slide Mr. Peterson displayed showed the existing zoning in the area. The subject property is surrounded on three sides by residentially zoned property to the north, south and west. To the east, across 25 Road, is the Foresight Industrial Park which is currently zoned I-O, (Industrial/Office Park) with a Comprehensive Plan Future Land Use Map designation of Commercial/Industrial.

Mr. Peterson stated that the proposed I-O zone district is the most appropriate zone district for the applicant's property since it is an adjacent zone district and also the applicant's proposed land use of a general office is an allowed land use within the I-O zone district. The I-O zone district also provides for performance standards to help mitigate the impacts of potential development regarding noise, lighting glare, and outdoor storage and display, to help protect adjacent residential and industrial office properties.

The next slide depicted the Comprehensive Plan Future Land Use Map, and Mr. Peterson noted that it identifies the area as Residential Medium High (8 – 16 du/ac), however the adjacent Future Land Use designation is Commercial/Industrial.

Mr. Peterson displayed an aerial photo of the property and explained that to make optimum use of the property, the owner wishes to rezone the property, convert the existing temporary office/construction trailer to a permanent land use and develop the property for general office.

Mr. Peterson went on to explain that changing the land use designation to Commercial/Industrial and rezoning the property to I-O, will allow the applicant to use

the property for general office serving the growing residential and commercial developments within the area of 25 Road, thereby supporting Goals 3 and 12 of the Comprehensive Plan by the creation of large and small "centers" throughout the community that provide services and commercial areas.

Mr. Peterson added that the proposed applications also support the creation of commercial and industrial development opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

Mr. Peterson showed the approved Preliminary Plan and Filing Plan for the Heritage Heights subdivision and pointed out the subject property. Per the adopted Grand Valley Circulation Plan, the future F 1/2 Road corridor will be constructed along the west and south property lines with the right-of-way being officially dedicated during the final platting of Filing Five as identified on this approved Preliminary Plan.

With the dedication of the F 1/2 Road corridor that is 160' wide, Mr. Peterson explained that this right-of-way now physically separates the subject property from the Heritage Heights residential subdivision and in essence creates a remnant parcel that will align itself more towards the Foresight Industrial Park with its proximity, rather than leaving as a residentially zoned property.

The next slide Mr. Peterson displayed was of an aerial photo of the area that included the Grand Valley Circulation Plan. The Grand Valley Circulation Plan indicates that F 1/2 and 25 Roads will be realigned physically separating this parcel from the residential developments to the north, west and south and in essence create remnant parcels that will align more with the Foresight Industrial Park to the east.

In looking at the review criteria for a Comprehensive Plan Future Land Use Map Amendment and Rezone, subsequent events, the City requiring the dedication of right-of-way for F 1/2 Road parkway have invalidated the original premise for the future land use and zoning designations.

Mr. Peterson indicated that the community will derive benefits from the proposed amendment and rezoning by the development and utilization of a previously vacant parcel. The proposed I-O zone district is an allowed zone under the Commercial/Industrial designation, its purpose is to provide a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering.

Mr. Peterson added that the character of the area has changed with the recently dedication of the F 1/2 Road right-of-way, per the designation on the Grand Valley Circulation Plan. Therefore, the character and/or condition of the area has changed such that the amendments are consistent with the Comprehensive Plan.

FINDINGS OF FACT AND CONCLUTIONS

Mr. Peterson stated that after reviewing the Lot 241, Heritage Heights, Filing 1 application, CPA-2017-46 & RZN-2017-47, a request for a Comprehensive Plan Future Land Use Map Amendment and Rezone, the following findings of fact and conclusions have been determined:

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

QUESTIONS FOR STAFF

Commissioner Wade inquired about the right-of-way dedication and whether the applicant was compensated by the City for it. Mr. Peterson stated that it was his understanding that there was some required right-of-way dedication and the City compensated the applicant for the additional amount above what was required. Commissioner Wade asked if that had been finalized in writing already.

Ms. Portner added that she is not sure if there has been a final agreement but there have been discussions regarding compensating the developer for right-of-way dedication in excess of what is required of the adjacent Heritage Heights Subdivision, which would be for a standard collector road. Ms. Portner added that the right-of-way needed was for a principal arterial and this particular one needs extra right-of-way.

Commissioner Reece asked for clarification, as it was her understanding that the dedication of that right-of-way was a condition of this project. Mr. Peterson stated that the right-of-way has been dedicated, on the plat and recorded. Ms. Portner added that the Heritage Heights property is much bigger than just this corner, and the requirement was that the F ½ Rd. principal arterial be dedicated upon the platting of each of those filings as the project moved along.

Commissioner Wade inquired about a gap in the right-of-way. Ms. Portner stated that the applicant did not own the property where the gap was. Commissioner Wade asked if there was right-of-way dedicated as part of this filing, then what was the compensation for. Ms. Portner stated that it was for future filings, 8, 10 and 11. Ms. Portner clarified that a typical collector street is 60 feet wide, a typical principal arterial is 110 feet, and this right-or-way dedication was 160 feet wide.

Discussion continued regarding the agreement of the purchase of excess right-of-way for future filings. Ms. Portner pointed out that this filing has secured the right-of-way, and discussions of compensation for future filings will be addressed as the project moves along. Ms. Portner noted that this road is not ready to be built and there is still an

intervening parcel that does not belong to the applicant.

Commissioner Eslami asked if filing 10 and 11 are approved. Mr. Peterson explained that filing 7 has been submitted and is under review at this time. Mr. Peterson added that the Preliminary Plan will expire by 2019 and the rest of the filings will be coming in before then.

Commissioner Ehlers noted that the original intent of the structure on this site was temporary and asked if the property was rezoned I-O, would that structure remain temporary and required to be removed. Mr. Peterson stated that they have put the modular structure on a permanent foundation and the building department has approved it as a permanent structure on that site. Mr. Peterson clarified that if for some reason the rezone does not get approved, then in 2019 the temporary use permit would expire and the applicant would have to remove the structure.

Commissioner Ehlers inquired that if the City is creating this principal arterial to basically be a Parkway on the north portion of the community, is the orientation of that structure, being so close to the future road, appropriate. Mr. Peterson stated that the structure is being used as an office, and that use is allowed in the I-O zoning. If someone wanted a different use, they could always remove the building and put something else up. Mr. Peterson stated that it is staff's feeling that this parcel is not really a residential property anymore because of the rights-of-way that will be dedicated for the Grand Valley Circulation Plan.

Commissioner Ehlers inquired if this structure would become a non-conforming structure even when the use is allowed in I-O. Mr. Peterson stated that he does not know the measurement, but there would be a 15-foot setback requirement and if it does not meet that, then it would be a non-conforming structure.

Noting that the three adjacent properties are residential and the Posse Grounds are across the road, Commissioner Buschhorn asked Mr. Peterson why he feels I-O is appropriate. Mr. Peterson stated that the development of the Parkway and the future alignment of 25 Rd. are reasons that they could see I-O as an appropriate zone in the future. Mr. Peterson added that they have had two neighborhood meetings in the past two years with no one attending. In addition, he has heard from 3 property owners that they are in support of the project. Commissioner Buschhorn stated he was uncomfortable with an assumption so far in the future and as it stands now, it appears more residential in nature.

Commissioner Buschhorn asked if there was a minimum lot size in I-O. Mr. Peterson stated that it is one acre and this property is 0.95.

QUESTIONS FOR APPLICANT

Kim Kerk, 637 25 Rd. stated that she is the project representative for Blue Star Construction. Ms. Kerk stated that this was originally a 46-acre property and there are

240 single family homes to be built upon completion. Ms. Kerk noted that as people purchase their homes in this new area, the office was already in the vicinity.

Commissioner Wade asked Ms. Kerk to address the right-of-way dedication that was discussed earlier and the monetary discussions that are concluded or ongoing. Ms. Kerk explained that the right-of-way dedication was a part of the Preliminary Plan and that each filing would dedicate the associated right-or-way as they went along the process. Ms. Kerk added that the completed agreement that would address filing 8, 10 and 11 should be done in the next couple weeks as the paperwork is completed.

Chairman Reece asked if the agreement has been completed and Ms. Kerk responded that just filing 5 and 7 have been agreed upon and the other filings are what are being finished up.

Commissioner Eslami noted that Ms. Portner had stated that the check had been sent. Ms. Kerk clarified that the check was only for filing 5 that has already been recorded.

Ms. Kerk explained that when they originally came in for the temporary structure, their intent was to have it become permanent and rezoned I-O. Ms. Kerk stated that as part of the temporary permit, they will be required to do upgrades such as paved parking, landscaping, and buffering when the five-year permit is up.

Chairman Reece stated that she hopes that the business is there for a long time, however, she asked Ms. Kerk if she is aware of the other uses that could be allowed in an I-O zone district such as an oil and gas storage facility, heavy equipment storage, and pipe storage. Ms. Kerk responded that they put the structure on a permanent foundation because their intent was to stay there. Chairman Reece stated that her concern is that the property gets sold and a more intense use that is allowed in I-O comes in that is not appropriate so close to residential. Ms. Kerk replied that although there may be some uses that would not be appropriate, there are many allowable uses that are, especially given the wall buffer requirements.

Commissioner Buschhorn asked Ms. Kerk if she can guarantee that the building would always be there, noting that a 5 story 65-foot building could be allowed in an I-O. Commissioner Buschhorn explained that although Ms. Kerk stated that the new residential neighbors are ok with what is there now, he did not feel that was a sound argument for rezoning to I-O given the other uses that may be allowed.

Commissioner Ehlers noted that the project report requires a section on alternatives and asked Ms. Kerk if they had considered a less intense zoning such as R-O or C-1 that would allow their office to be there. Ms. Kerk stated that they had considered those zones and it was through discussions with the City, and looking farther in the future, the I-O was the recommendation.

Jamie Beard, City Staff Attorney, stated that Ms. Portner has asked her to clarify the status of the right-of-way discussions. Ms. Beard stated that the negotiations have been

agreed upon by both parties, which include all of the filings, including what has already been dedicated. Ms. Beard stated that they don't have a final and signed agreement and deed, but it is expected to be finalized in the next couple of weeks.

Chairman Reece asked Ms. Kerk why this filing is coming forward now and not in a couple weeks after the agreement and deed is signed. Ms. Kerk stated that the intension was that it would have been completed by now, but the holidays and other things just slowed it down a bit.

Commissioner Ehlers asked Ms. Beard if it was possible that one of the parties back out and the agreement is then not secured. Ms. Beard responded that it is a possibility until the agreement is actually signed. Ms. Kerk added that the agreement is part of the Preliminary Plan approval and if the agreement was not to be signed, the development would fall apart.

Commissioner Wade asked if the upgrades would still have to be done if the zoning is changed to I-O. Ms. Kerk stated that they have known all along that the upgrades would have to be made if they want to remain there after the temporary use permit expires in 2019.

PUBLIC COMMENTS

Robert Jones II, Vortex Engineering, 2394 Patterson Rd. STE 201, stated that his firm had competed the design work of the Heritage Heights subdivision. Mr. Jones explained when this project was redesigned as part of an overall project, with Heritage Estates to the North, they had to take into consideration the Transportation Plan. Mr. Jones referred to the Riverside Parkway and noted that you don't see residential homes along that. Given that this property is surrounded by the transportation network, he feels that the office use of the subject property is more suited for the area than residential. Mr. Jones stated that he was in support of the project as it reserves the future right-of-way for the Corridor.

Commissioner Buschhorn agreed with Mr. Jones that long range planning is necessary, however his concern is that there is no foreseeable timeframe. Commissioner Buschhorn added that this is not the same as Riverside Parkway as there are already approximately 80 homes that will be along the corridor in this area. Mr. Jones replied that unlike other rezones where adjacent property owners have objected, there have been several residents in support of this and he is not aware of any opposition to it.

COMMISSIONER DISCUSSION

Commissioner Miller stated that he can appreciate the long range planning aspects of this development. Commissioner Miller noted that the Posse Grounds across the street could always be sold and become pipe storage as well. Given the comments made by the applicant and City staff, as well as the right-of-way dedication discussions, Commissioner Miller stated that he feels this project/rezone makes sense.

Commissioner Buschhorn stated that due to the minimum lot size requirements for I-O, he doesn't feel this is even allowed by code. Mr. Peterson stated that if the Future Land Use Map is changed to a Commercial/Industrial designation, the only zone district that would be compatible is a C-2 which only requires a lot to be at least 20,000 square feet.

Commissioner Miller asked if there has ever been an exception like this. Mr. Peterson stated that it would be creating a non-conforming lot however, land uses would still need to follow code standards for setbacks, landscaping etc.

Commissioner Eslami stated that he has two concerns which include the non-conforming lot size, and the alternate uses allowed in an I-O zone should the property be sold. For the reasons given, Commissioner Eslami stated that he is not in favor of approval.

Commissioner Wade express concern that given the local economy and lack of funding for capital projects that large, the Parkway could be 25 or more years out. Commissioner Wade noted that the applicant has until April, 2019 to have the property rezoned and does not see the urgency to rezone it at this time. Commissioner Wade expressed concern that if they rezone it and Blue Star sells the parcel in the future, then a use not compatible with the residential to the north may be allowed.

Commissioner Ehlers stated that his concern is the orientation of the building, as it faces a future parkway corridor. Commissioner Ehlers is also concerned on how far planning goes one way or the other, when looking so far into the future, as things change. Commissioner Ehlers noted that some of the issues and concerns will get resolved naturally through time. For example, if 25 Rd. becomes a dead end as a result of the Parkway, that right-of-way may go back to the original parcel which in this case, would make the subject parcel over an acre.

Commissioner Eslami stated that he feels strongly that the Planning Commission is to implement the code, and if they approve the rezone with a lot that does not conform to required minimum lot size, then they are going against what has been approved in the code.

Chairman Reece stated that she is in agreement with several of the Commissioners regarding the right-of-way and she had the same concerns when it came before them about a year ago. Chairman Reece also has apprehensions about the I-O use next to residential. She also stated that she wished the dedication agreement was done before this project came before them.

MOTION: **(Commissioner Wade)** "Madam Chairman, on Comprehensive Plan Future Land Use Map Amendment and Rezone, CPA-2017-46 and RZN-2017-47, I move that the Planning Commission forward a recommendation of approval for the Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and a rezone from R-8 (Residential – 8 du/ac)

to I-O (Industrial/Office Park) zone district, with the findings of fact and conclusions listed in the staff report."

Commissioner Ehlers seconded the motion. A vote was called and the motion failed by a vote of 6-1.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION	NO.
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A RESOLUTION AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF GRAND JUNCTION FROM RESIDENTIAL MEDIUM HIGH (8 – 16 DU/AC) TO COMMERCIAL/INDUSTRIAL FOR LOT 241, HERITAGE HEIGHTS, FILING ONE

LOCATED AT 637 25 ROAD

Recitals:

A request for a Comprehensive Plan Future Land Use Map Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 0.95 +/- acres, located at 637 25 Road be redesignated from Residential Medium High (8 – 16 du/ac) to Commercial/Industrial on the Future Land Use Map.

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REDESIGNATED FROM RESIDENTIAL MEDIUM HIGH (8 – 16 DU/AC) TO COMMERCIAL/INDUSTRIAL ON THE FUTURE LAND USE MAP.

HERITAGE ESTATES LLC PROPERTY

Lot 241, Heritage Hei	gnts, Filing One	
Said parcels contain ().95 +/- acres (41	,443.16 sq. ft.), more or less, as described.
PASSED on this	day of	, 2017.
ATTEST:		
City Clerk		President of Council

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING LOT 241, HERITAGE HEIGHTS, FILING ONE PROPERTY FROM R-8 (RESIDENTIAL – 8 DU/AC) TO I-O (INDUSTRIAL OFFICE PARK)

LOCATED AT 637 25 ROAD

Recitals:

The applicant, Heritage Estates LLC, wishes to rezone a 0.95 +/- acre property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district in anticipation of industrial office park development for the purpose of establishing a general office.

The existing property is part of the Heritage Heights residential subdivision and contains a modular office building that was moved to the site in 2014 to serve as a temporary office/construction trailer in conjunction with the development of Heritage Heights subdivision. The applicant now desires to operate the temporary office/construction trailer as a general office and legitimize the existing land use on the property.

The Comprehensive Plan Future Land Use Map designation is Residential Medium High (8 – 16 du/ac) but as part of the rezone request the Comprehensive Plan Future Land Use Map is requested to be changed to Commercial/Industrial.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction City Council recommended approval of rezoning the Heritage Estates LLC property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district for the following reasons:

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

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the I-O zone district to be established.

The City Council finds that the I-O zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned I-O (Indu	ustrial/Office Park).
Lot 241, Heritage Heights, Filing One	
Said parcels contain 0.95 +/- acres (41,443.16	sq. ft.), more or less, as described.
Introduced on first reading this 19 th day of April, 2 form.	2017 and ordered published in pamphlet
Adopted on second reading this day of _ pamphlet form.	, 2017 and ordered published in
ATTEST:	
0:1 01 1	
City Clerk	Mayor



Grand Junction City Council

Regular Session

Item #4.b.i.

Meeting Date: May 3, 2017

Presented By: Jodi Romero, Finance Director

Department: Finance

Submitted By: Greg Caton, City Manager, Jodi Romero, Finance Director

Information

SUBJECT:

Ordinance No. 4748 - Ordinance Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting the Sunset Provision for the Exemption from Sales Tax of Seller Installed Aircraft Parts.

RECOMMENDATION:

Staff recommends adoption of Ordinance No. 4748 - Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting the Sunset Provision for the Exemption from Sales Tax of Seller Installed Aircraft Parts.

EXECUTIVE SUMMARY:

This is an amendment to Ordinance No. 4728 deleting the sunset provision for the exemption of sales tax of seller installed aircraft parts and making the exemption permanent. In December of last year City Council approved the extension of this exemption for another three year period as an economic development incentive in an ever increasing competitive industry for aircraft work.

This exemption has been in place since July of 2010 on a temporary basis. When adopting the extension, Council heard about the importance of the exemption from industry experts and the Grand Junction Economic Partnership and how it has enhanced Grand Junction's competitive position within the aviation industry and allowed for expansion of business and creation of jobs. At that time Council discussed the potential of making the exemption permanent and therefore staff is bringing forward that option.

BACKGROUND OR DETAILED INFORMATION:

In July of 2010 the Council adopted a temporary exemption for seller installed aircraft parts and extended the exemption again in August of 2013. and again in December of 2016. Since 2010, Grand Junction has enhanced its competitive position within the aviation industry with this exemption. In fact, this exemption has encouraged companies like West Star Aviation to increase from 35 employees to 160 employees equaling over \$9M in annual salaries. In addition, they have continually selected Grand Junction for expansion opportunities which have equaled over \$14.9M since 2010. Companies like West Star invest in Grand Junction over other locations, because Grand Junction is invested in them and is a partner to the success of their business.

The Grand Junction Regional Airport is an economic centerpiece for the City of Grand Junction and the region and is home to a number of businesses within the aviation industry. The varied operations range from aircraft repair, restoration, and refurbishment services and more. The airport is located within the City limits, and under the sales tax ordinance (prior to the exemption), aircraft parts for private aircraft were subject to City sales tax. The State of Colorado exempted aircraft parts for private aircraft from State (and County) sales tax in the early 1980's, and many states across the nation have a similar exemption.

The aircraft repair, restoration, and refurbishment services industry is unique because the customers of this industry (owners and operators of aircraft) have a high degree of mobility and flexibility in choosing where to have their aircraft maintained, serviced, and/or refurbished. The Grand Junction aviation industry is world renowned in providing services, however recently a number of firms in other states have become more aggressive in soliciting business that may otherwise come to Grand Junction.

The City is committed to a fair and responsible tax code and the principles of economic development and local prosperity. The City, as a home rule municipality, and the City Council as the elected representatives of the citizens of Grand Junction have the authority to enact tax policy that can help sustain and grow the local economy. From time to time amendments have been made to the sales tax code for the betterment of the community.

FISCAL IMPACT:

This exemption has been in place since July of 2010, therefore the sales tax revenue from this exemption has not been budgeted since 2011.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4748 - Ordinance Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting

the Sunset Provision Thereof on Final Passage and Order Final Publication in Pamphlet Form.

Attachments

1. Ordinance Aircraft Parts Exemption - Sunset Provision

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AN ORDINANCE AMENDING ORDINANCE NO. 4728 AND SECTION 3.12.070 OF TITLE 3 OF THE GRAND JUNCTION MUNICIPAL CODE DELETING THE SUNSET PROVISION THEREOF

RECITALS:

On December 7, 2016, the City Council adopted Ordinance No. 4728 exempting from City sales and use tax parts that are permanently affixed to or attached, by the seller, as a component part of an aircraft for a second three-year term. The Ordinance was contemplated as an economic development incentive; the City Council heard testimony that the incentive is necessary because of the ever-increasing competition for aircraft work and should continue and also discussed that the sunset provision thereof may be unnecessary in light of the public policy that is advanced with the adoption of Ordinance No. 4728.

With this amendment the City Council makes the exemption permanent.

The City Council finds that this ordinance and the amendment of Ordinance No. 4728/Title 3, Section 3.12.070 as provided herein is consistent with its policy and purposes and is protective of and advances the City's health and general welfare.

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

That Section 3.12.070 of the Grand Junction Municipal Code is amended by the deletion of the Sunset Clause (shown in strikethrough) as follows:

3.12.070 Exemptions from sales tax.

The tax levied by GJMC 3.12.030(a) shall not apply to the following:

(LL) THE SALE OF TANGIBLE PERSONAL PROPERTY THAT IS TO BE PERMANENTLY AFFIXED OR ATTACHED BY THE SELLER, AS A COMPONENT PART OF AN AIRCRAFT. PARTS SOLD TO AND TO BE PERMANENTLY AFFIXED OR ATTACHED BY THE PURCHASER OR SOMEONE ON BEHALF OF THE PURCHASER, OTHER THAN THE ORIGINAL SELLER ARE NOT EXEMPT FROM TAX.

THE EXEMPTION INCLUDES BUT IS NOT LIMITED TO, PARTS FOR THE AIRCRAFT'S ENGINE(S), FUSELAGE, LANDING GEAR, INSTRUMENTATION, INTERIOR (SEATS, INTERIOR FIXTURES, FINISHES AND TRIM) AND PAINT.

Sunset Clause. Within sixty days of the third anniversary of the adoption of this ordinance the City Council shall consider the effectiveness of the ordinance at achieving its stated purposes. Without further action by the City Council, the terms and provisions of this ordinance shall expire on the third anniversary of the effective date hereof.

Introduced on first reading thepublished in pamphlet form.	day of	2017 and ordered
Passed and Adopted on second reading the in pamphlet form.	day of	2017 and ordered published

	Phyllis Norris President of the City Council	_
ATTEST:		
Stephanie Tuin City Clerk		



Grand Junction City Council

Regular Session

Item #4.b.ii.

Meeting Date: May 3, 2017

<u>Presented By:</u> Greg Caton, City Manager, Jodi Romero, Finance Director

Department: City Manager

Submitted By: Greg Caton, City Manager, Jodi Romero, Finance Director

Information

SUBJECT:

Ordinance No. 4749 - Ordinance Amending Chapter 3, Section 3.12.100 of the Grand Junction Municipal Code Concerning the Sales Tax Vendor's Fee.

RECOMMENDATION:

Staff recommends adoption of the Ordinance No. 4749 Amending Section 3.12.100 of Chapter 3 of the Grand Junction Municipal Code concerning the Sales Tax Vendor's Fee.

EXECUTIVE SUMMARY:

This is an amendment to the Grand Junction Municipal Code concerning the limitation of the vendor's fee credit and if approved will be effective January 1, 2018. The option of limiting the vendor's fee (Fee) has been discussed in several meetings over the course of the last two years with City Council, the Grand Junction Area Chamber of Commerce (Chamber), Grand Junction Economic Partnership (GJEP), and the Chamber Local Economic Development Committee. The Fee is a credit that the City allows a retailer to take against sales tax collected on behalf of the City to offset the administrative expense of collecting and reporting the tax. The Fee was established prior to the introduction of automated systems and accordingly was more aligned with the cost. Now because of the prevalence of point of sales systems, automated bookkeeping and computerized tax preparation programs, the Fee is proposed to be capped to \$500 per month per sales tax account. The Fee is an expense to the City and if it is reduced, then it is proposed that those resources are reserved as a sustainable source for Economic Development. Both the Chamber and GJEP support the proposed cap.

BACKGROUND OR DETAILED INFORMATION:

This is an amendment to the Grand Junction Municipal Code concerning the limitation of the vendor's fee credit and if approved will be effective January 1, 2018. The option of limiting the vendor's fee (Fee) has been discussed in several meetings over the course of the last two years with City Council, the Grand Junction Area Chamber of Commerce (Chamber), Grand Junction Economic Partnership (GJEP), and the Chamber. This is an amendment to the Grand Junction Municipal Code concerning the limitation of the vendor's fee credit. The option of limiting the vendor's fee (Fee) has been discussed in several meetings over the course of the last two years with City Council, the Grand Junction Area Chamber of Commerce (Chamber), Grand Junction Economic Partnership (GJEP), and the Chamber Local Economic Development Committee (Local ED Committee). The Fee is a credit that the City allows a retailer to take against sales tax collected on behalf of the City to offset the administrative expense of collecting and reporting the tax. The Fee was established prior to the introduction of automated systems and accordingly was more aligned with the cost. Now because of the prevalence of point of sales systems, automated bookkeeping and computerized tax preparation programs, the Fee is proposed to be capped to \$500 per month per sales tax account. The Fee is an expense to the City and if it is reduced, then it is proposed that those resources are reserved as sustainable funding for Economic Development. The estimated amount that would be made available by the \$500 cap is between \$365,000 and \$375,000 per year and would increase or decrease correspondingly with sales tax revenues. Both the Chamber and GJEP support the proposed cap.

During the discussions, several levels of caps were reviewed in order to evaluate the impact on local businesses and reduction in the City vendor compensation expense that could be allocated to economic development efforts. Attached is a chart that was referenced during discussions with the Chamber, GJEP, and the Local ED Committee that shows the analysis and impact of each cap level including how many local businesses would be affected. The cap being considered is estimated to cap the vendors fee for 31 businesses in total with 6 of those being local businesses.

Most cities around the State have limited or eliminated the vendor's fee. Out of the 72 Home Rule Municipalities in Colorado that administer and collect their local sales taxes 30 allow no vendor's fee credit at all and 22 have a cap that averages \$170 per account. A retailer that would be subject to the proposed cap of \$500 per month would have taxable sales in excess of \$500,000 per month and \$6 million annually. So the majority of the businesses subject to the cap are very large, non-locally owned businesses who are keeping between \$16,000 and \$97,000 in vendor's fee each year per business.

The proposed amendment and cap on the vendor's fee will be effective January 1, 2018.

FISCAL IMPACT:

The proposed cap on vendor's fee will provide approximately \$365,000 in resources available to be reserved to support economic development efforts beginning in 2018. The amount provided will increase or decrease correspondingly with the sales tax revenue for each year.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4749 - An Ordinance Amending Chapter 3, Section 3.12.100 of the Grand Junction Municipal Code Concerning the Sales Tax Vendor's Fee on Final Passage and Order Final Publication in Pamphlet Form.

Attachments

- 1. Chamber Letter of Support
- 2. GJEP Letter of Support
- 3. Vendor's Fee Ordinance
- 4. Cap Levels Chart



March 22, 2017

Mr. Greg Caton City Manager Grand Junction City Government 250 North 5th Street Grand Junction, CO 81501

Re: Sales Tax Vendor Fee Cap for Economic Development Funding

Dear Greg:

On behalf of the Grand Junction Area Chamber of Commerce, I want to thank you and your staff for the time spent working with the Chamber on the issue of capping the City of Grand Junction's sales tax vendor fee as a means of providing sustainable economic development funding. As you know, the Chamber has previously expressed concern about the potential impact of a cap on area businesses only now emerging from a long recession. Yet thanks in part to thoughtful input from our economic development partners, including the City, we see great merit in using these funds for economic development and believe it will yield substantial returns benefitting both the business community and the community as a whole.

At its March 16 meeting, the Chamber board of directors carefully evaluated the information you and your staff provided—including vendor fee cap thresholds and concomitant revenues—in light of the economic development programming and priorities contained in the 2015–16 *North Star Study*. After considerable discussion, the Chamber board ultimately voted to:

- 1. Support the City's adoption of a \$500 monthly vendor fee cap for the purpose of providing a reliable stream of economic development funding; and
- 2. Request that the Chamber join the City and other economic development partners in periodically discussing this economic development investment so as to ensure maximum collaboration, coordination, and impact.

You and I have discussed the special relationship between the business community and the City, and how the success of each requires the success of the other. We hope that the Chamber's decision on this matter reaffirms our commitment to that relationship. Please share this letter with the City Council, along with our willingness to provide any additional information.

Sincerely,

Jeffrey S. Hurd

Chairman of the Board



April 7, 2017

Mayor Phyllis Norris Grand Junction City Council 250 N. 5th Street Grand Junction, CO 81501

Re: Vendor Fees

Dear Mayor Norris and Grand Junction City Council:

Thank you for your leadership in growing the economy of Colorado's Grand Valley. Your vision is profound, and the Grand Junction Economic Partnership appreciates your support and partnership in our efforts.

As City Council continues to seek sustainable funding for job creation, retention and expansion efforts, the Grand Junction Economic Partnership would like to offer its support for reducing the vendor fee compensation. Specifically, the Board of Directors supports a cap of \$500 per month.

We know that it is important to be accountable to our businesses and elected officials with the monies that are being provided to these economic development efforts. We look forward to working with the City and the other Economic Development Partners as we communicate the importance of these efforts, as well as the success of these efforts.

Thank you again for your vision and support.

Sincerely,

Kristi Pollard

Executive Director

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AN ORDINANCE AMENDING CHAPTER 3, SECTION 3.12.100 OF THE GRAND JUNCTION MUNICIPAL CODE (GJMC) CONCERNING THE SALES TAX VENDOR'S FEE

RECITALS:

The Grand Junction Municipal Code regulates the taxation, collection, reporting and remittance of sales and use taxes in the City. To alleviate some of the burden of those requirements the City has for many years provided to retailers that collect and remit the tax a credit of three and one-third percent of the sum of the sales tax collected to offset the expense to the retailers for the collection and remittance effort, provided that no credit is allowed for any sales tax that is not properly and timely reported and paid by the due date.

The credit is a vendor's compensation expense to the City and is known as a "vendor's fee", (hereinafter "Fee") and was established prior to the introduction of automated systems and accordingly the Fee was then more aligned with the cost of collecting, preparing and filing the tax returns and remitting the tax. Now, because of the prevalence of point of sale systems, automated bookkeeping and computerized tax preparation programs, the Fee is proposed to be capped as more particularly described below.

It is proposed to reduce to the vendor's compensation expense to the City by limiting the Fee to \$500 per month per sales tax account. It is estimated that this limit (hereinafter "Cap") would reduce the expense to the City between \$365,000 and \$375,000 annually. This amount of annual expense reduction will increase or decrease correspondingly with the increase or decrease with sales tax revenue. Each business is required to file and remit sales taxes collected either on a monthly, quarterly, or annual basis depending on the amount of their taxable sales. Generally speaking, a retailer that would be subject to the proposed Cap would have taxable sales in excess of \$500,000 per month which would require them to file monthly. Therefore, the CAP will likely only impact retailers filing monthly, however for the sake of consistency the amendment to section 3.12.100(b)(1) specifies limits by filing frequency.

With and following adoption of this Ordinance, the City Council will annually reserve a portion of the Fee that is no longer credited to the retailers to support economic development in the City. These funds will be held in reserve in a separate account for this purpose. The economic development support will specifically be in the form of: a) the implementation of the Grand Junction and Mesa County BrandPrint recommendations commonly referred to as the *North Star Report*, incorporated by this reference as if fully set forth; and b) the continued backing by the City Council of

economic development organizations and their programs, which include but are not limited to the Business Incubator Center (BIC), the Grand Junction Area Chamber of Commerce (GJACC) and the Grand Junction Economic Partnership (GJEP) and their individual and collective efforts to start new businesses, retain existing businesses and attract new business and industry. To assist the City with its annual budgeting for economic development, the economic development organizations may submit to the City Manager by August 1 each year a joint recommendation for the expenditure of the Fund. The recommendation is non-binding but shall be considered by the City Manager and City Council in the course of the preparation, deliberation and approval of the City's annual budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO EFFECTIVE JANUARY 1, 2018:

Title 3, Section 12, Part 100(b)(1) of the Grand Junction Municipal Code is amended as follows. (Amendments to the relevant parts of the Code are shown in strikethrough and *ALL CAPS BOLD ITALIC* typeface

3.12.100(b)(1) Vendor's Fee. A retailer's collection and remittance expense equal to three and one-third percent of the sum of the sales tax collected and any excess tax collected may be taken as a credit against sales tax paid on or before the due date. THE CREDIT SHALL NOT EXCEED \$500.00 (FIVE HUNDRED DOLLARS) PER MONTH FOR TAXPAYERS FILING MONTHLY; \$1,500 FOR DOLLARS PER MONTH FOR TAXPAYERS FILING QUARTERLY; AND, \$6,000 DOLLARS PER YEAR FOR TAXPAYERS FILING ANNUALLY. However, no such credit shall be allowed for any sales tax that is not timely reported and paid by the due date. Forfeiture of the vendor's fee shall be prima facie evidence that the taxpayer was in violation of this chapter.

ALL OTHER PROVISIONS OF TITLE 3, SECTION12 PART 100 ARE UNCHANGED AND SHALL REMAIN IN FULL FORCE AND EFFECT.

this day of 2017.	O ORDERED PUBLISHED in pamphlet form
PASSED, ADOPTED, and ordered publis 2017.	hed in pamphlet form this day of
Ē	Phyllis Norris, President of the Council
ATTEST:	
Stephanie Tuin, City Clerk	



Vendor Compensation Expense Analysis Attachment to City Council Staff Report May 3, 2017

The City of Grand Junction allows vendors to retain 3.333% of City sales tax collected if the return is filed timely. This is considered vendors compensation expense for the City. The following table presents four scenarios of capping the vendors compensation expense which would reduce this cost for the City and free up resources for other uses.

		Current Vendor				•					
		Compensation	Based on a full	ased on a full year of Sales Tax Filings for 2015							
		Expense All									
	Sales Tax %	Vendors		Reducti	on of Vendor (Compensation	Expense		Reduction of Vendor Compensation		
City of Grand Junction	2.75%	\$1.4 million			Cap Per M	Ionth/Year			Expense by Percentage		
			\$100/mo	\$200/mo	\$250/mo	\$500/mo	\$1,000/mo	\$1,200/mo	Reduced to	Reduced to	Reduced to
			\$1,200/yr	\$2,400/yr	\$3,000/yr	\$6,000/yr	\$12,000/yr	\$14,400/yr	2.33%	2%	1%
	Res	sources After Cap	741,447	557,228	506,516	369,123	242,774	213,148	434,513	579,206	1,013,720
	Monthly Ta	xable Sales Level	\$ 109,000	\$ 218,000	\$ 273,000	\$ 545,000	\$ 1,090,000	\$ 1,308,000	Not Applicable		
	Annual Ta	xable Sales Level	\$ 1,308,000	\$ 2,616,000	\$ 3,276,000	\$ 6,540,000	\$ 13,080,000	\$15,696,000			
	Total S	ales Tax Vendors	4,662	4,662	4,662	4,662	4,662	4,662			
Total	Number of \	Vendors Affected	225	100	69	31	13	11	All Vendors Affected		ctad
		% of All Vendors	4.8%	2.1%	1.5%	0.7%	0.3%	0.2%	All velidors Affected		LIEU
Num	ber of Local \	Vendors Affected	57	18	13	6	2	0			

There are 72 Home Rule Municipalities in Colorado that administer and collect their local sales and use taxes. Of those, 30 do not pay any vendors compensation and 22 have a cap. There are 7 that pay 3.333% and have no cap similar to Grand Junction, and only 1 municipality has a higher rate (4%) than Grand Junction.