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**CITY COUNCIL AGENDA  
WEDNESDAY, OCTOBER 4, 2017  
250 NORTH 5<sup>TH</sup> 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, Invocation**

Pastor David Crowley, The Gathering

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

**Proclamations**

Proclaiming October 1 - 7, 2017 as "Western Colorado Council Boy Scouts of America 75th Anniversary Week" in the City of Grand Junction

Proclaiming October 7, 2017 as "Community Streets Day" in the City of Grand Junction

Proclaiming October 8 - 14, 2017 as "Fire Prevention Week" in the City of Grand Junction

Proclaiming October as "Conflict Resolution Month" in the City of Grand Junction

**Citizen Comments**

**Council Reports**

**Consent Agenda**

**1. Approval of Minutes**

- a. Summary of the September 18, 2017 Workshop

- b. Minutes of the September 20, 2017 Special Session
- c. Minutes of the September 20, 2017 Regular Meeting

## **2. Set Public Hearing**

- a. Quasi-judicial
  - i. Ordinance Vacating Right-of-Way and Easements Located in the Jarvis Subdivision Plat and Set a Public Hearing for October 18, 2017

## **3. Contract**

- a. Contract Kannah Creek Intake Rehabilitation

## **4. Resolution**

- a. A Resolution Amending Resolution No. 26-17 Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations

## **Regular Agenda**

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

## **5. Public Hearings**

- a. Legislative
  - i. Ordinance Amending the Downtown Development Authority Plan of Development to Include the Las Colonias Business Park
  - ii. Ordinance amending Section 21.02.030 of the Zoning and Development Code regarding Zoning Board of Appeals Membership and a Resolution Adopting Bylaws for the Zoning Board of Appeals
- b. Quasi-judicial
  - i. Ordinance Rezoning the Proposed Fossil Trace to R-2 (Residential-2 DU/AC), Located at 465 Meadows Way

- ii. Ordinance Rezoning property at 382 and 384 High Ridge Drive from PD (Planned Development) to R-2 (Residential - 2 Dwelling Units Per Acre)
- iii. Ordinance Rezoning Properties Located at 703 23-2/10 Road and 2350 G Road from I-2 (General Industrial) to I-1 (Light Industrial)

**6. Resolution**

- a. Resolution Authorizing the Defense and Indemnification of Grand Junction Police Officer

**7. Other Action Item**

- a. Broadband Capital Funding & Presentations by Current Broadband Service Providers

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

**9. Other Business**

**10. Adjournment**



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** October 4, 2017  
**Presented By:** City Council  
**Department:** City Clerk  
**Submitted By:** Wanda Winkelmann, City Clerk

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**Information**

**SUBJECT:**

Proclaiming October 1 - 7, 2017 as "Western Colorado Council Boy Scouts of America 75th Anniversary Week" in the City of Grand Junction

**RECOMMENDATION:**

Read and Present Proclamation.

**EXECUTIVE SUMMARY:**

Request to recognize "Western Colorado Council Boy Scouts of America 75th Anniversary Week" in the City of Grand Junction.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation - Boy Scouts

# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, the Boy Scouts of America is a national non-profit organization with the stated mission being to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Law; and*

*WHEREAS, the Boy Scouts of America has been at the forefront of instilling timeless values in youth since its founding in 1910; and*

*WHEREAS, this national youth movement has made serving others through its values-based program its mission; and*

*WHEREAS, the Boy Scouts of America is committed to helping millions of youth succeed by providing the support, friendship, and mentoring necessary to live a happy and fulfilling life; and*

*WHEREAS, the Western Colorado Council of the Boy Scouts of America is celebrating its 75<sup>th</sup> Anniversary.*

*NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of October 1<sup>st</sup> - 7<sup>th</sup>, 2017 as*

**“WESTERN COLORADO COUNCIL,  
BOY SCOUTS OF AMERICA, 75<sup>th</sup>  
ANNIVERSARY WEEK”**

*in the City of Grand Junction and express the appreciation of our citizens to the Western Colorado Council and the Boy Scouts of America for their interest in and dedication to America's youth.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 4<sup>th</sup> day of October 2017.*

\_\_\_\_\_  
Mayor





**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** October 4, 2017

**Presented By:** City Council

**Department:** Community Development

**Submitted By:** Wanda Winkelmann, City Clerk

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**Information**

**SUBJECT:**

Proclaiming October 7, 2017 as "Community Streets Day" in the City of Grand Junction

**RECOMMENDATION:**

Read and Present Proclamation.

**EXECUTIVE SUMMARY:**

Request to recognize "Community Streets Day" in the City of Grand Junction.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation - Community Streets Day

# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, Open Streets events temporarily close a street to motorized traffic, allowing the street to be used for other activities such as walking, jogging, bicycling, dancing and other social activities; and*

*WHEREAS, since starting in Seattle in 1965, there are now more than 70 Open Streets events each year in the United States; and*

*WHEREAS, with Open Streets events, people traffic replaces car traffic, and the streets become "paved parks" where people of all ages, abilities and backgrounds can come out and improve their mental, physical and emotional health; and*

*WHEREAS, Open Streets are a part of broad efforts to promote and extend the many benefits associated with active transportation and allow citizens to see and connect with their community in a new and exciting way; and*

*WHEREAS, the Urban Trails Committee is pleased to host the first annual Open Streets event locally on October 7<sup>th</sup> as the "Grand Junction Community Streets Event" from 10:00 a.m. to 3:00 p.m. The route will be on 10<sup>th</sup> Street from North Avenue to Main Street and on Main Street from 10<sup>th</sup> Street to 7<sup>th</sup> Street; and*

*WHEREAS, the Community Streets event will showcase the connection between Colorado Mesa University and Downtown Grand Junction and will offer a number of activities in each block along the route; and*

*WHEREAS, this inaugural Community Streets Event has overwhelming local support from nine sponsors and has over 20 groups and organizations participating; and*

*WHEREAS, the Community Streets Event will provide an opportunity for physical activity and fun in a safe environment, while promoting active transportation choices.*

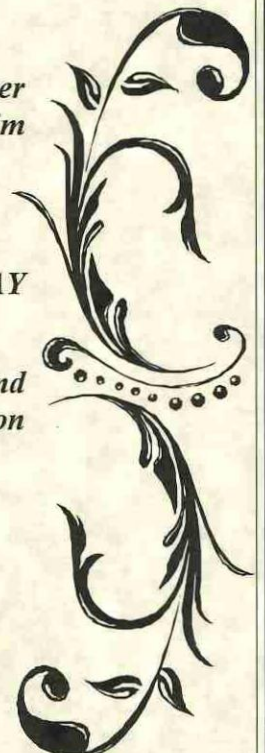
*NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim October 7, 2017 as*

**"COMMUNITY STREETS DAY"**

*in the City of Grand Junction and call upon all citizens to COME PLAY IN THE STREET.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 4<sup>th</sup> day of October 2017.*

\_\_\_\_\_  
Mayor





**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** October 4, 2017

**Presented By:** City Council

**Department:** Fire

**Submitted By:** Wanda Winkelmann, City Clerk

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**Information**

**SUBJECT:**

Proclaiming October 8 - 14, 2017 as "Fire Prevention Week" in the City of Grand Junction

**RECOMMENDATION:**

Read and Present Proclamation.

**EXECUTIVE SUMMARY:**

Annual request to recognize "Fire Prevention Week" in the City of Grand Junction.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation - Fire Prevention Week





# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, public safety is a top priority in Grand Junction; and*

*WHEREAS, safety from fire is important both to citizens and local firefighters, who put their lives on the line with every response to fire; and*

*WHEREAS, first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and*

*WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and*

*WHEREAS, in 2015 U.S. fire departments responded to 1,345,000 fires causing 3,280 fire fatalities, 15,700 civilian fire injuries, and \$14.3 billion in direct property loss; and*

*WHEREAS, the Grand Junction Fire Department is joining the National Fire Protection Association in teaching lifesaving messages in conjunction with Fire Prevention Week; and*

*WHEREAS, Fire Prevention Week's 2017 message "Every Second Counts, Plan Two Ways Out!" is an important reminder for all citizens of Grand Junction.*

*NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of October 8 - 14, 2017, as*

### *"FIRE PREVENTION WEEK"*

*in the City of Grand Junction. This week is commemorated across North America and supported by the public safety efforts of fire departments, schools, and other safety advocates in partnership with the National Fire Protection Association.*

*For more information on how you can support "Fire Prevention Week" go to [FPW.org](http://FPW.org) and develop your home fire escape plan.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 4<sup>th</sup> day of October, 2017.*

\_\_\_\_\_  
Mayor





**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** October 4, 2017

**Presented By:** City Council

**Department:** City Clerk

**Submitted By:** Wanda Winkelmann, City Clerk

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**Information**

**SUBJECT:**

Proclaiming October as "Conflict Resolution Month" in the City of Grand Junction

**RECOMMENDATION:**

Read and Present Proclamation.

**EXECUTIVE SUMMARY:**

Annual request to recognize "Conflict Resolution Month" in the City of Grand Junction.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation - Conflict Resolution

# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, conflict resolution encompasses mediation, arbitration, facilitation, collaborative decision-making, and other responses to differences; and*

*WHEREAS, the conflict resolution process empowers individuals, families, communities, organizations, and businesses to foster communication and devise solutions that are acceptable to the needs of interest of all parties involved; and*

*WHEREAS, conflict resolution is taught and practiced by citizens in many school systems, universities, and graduate programs throughout Colorado and the world as a way of solving disputes; and*

*WHEREAS, community-based programs fairly and equitably resolve neighborhood and community conflicts, thereby strengthening local relationships; and*

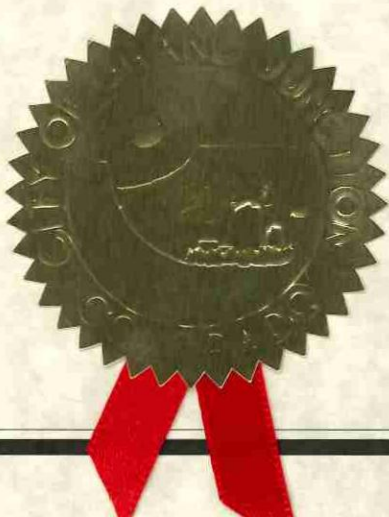
*WHEREAS, professional associations of conflict mediators promote peaceful and creative resolutions to disputes.*

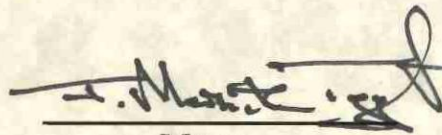
*NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the month of October, 2017 as*

### *“CONFLICT RESOLUTION MONTH”*

*in the City of Grand Junction and encourage citizens to engage in conflict resolution with family, friends, neighbors, and the community as a whole.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 4<sup>th</sup> day of October, 2017.*



  
\_\_\_\_\_  
Mayor



**GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY**  
**September 18, 2017 – Noticed Agenda Attached**

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

Meeting Adjourned: 6:42 p.m.

City Council Members present: All Councilmembers except Councilmember Boeschstein

Staff present: Caton, Shaver, LeBlanc, Allen, and Winkelmann

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Mayor Taggart called the meeting to order.

Agenda Topic 1. Discussion Topics

a. 2017 Program Year Community Development Block Grant (CDBG) Allocate Additional Funding

Kristen Ashbeck, Senior Planner, CDBG Administrator, explained that in May, City Council approved CDBG funding for specific projects totaling \$381,538 (from an estimate of funds to be received in 2017 and unspent funds from 2015). The City received \$25,521 over the 2017 CDBG estimate for a total allocation received of \$400,521. The purpose of tonight's discussion is for Council to reconsider eligible allocation applications and direct staff to provide an amendment to the 2017 Action Plan approved on July 5, 2017 if further 2017 allocations are approved.

Ms. Ashbeck said of the \$25,521 remaining to be allocated, \$5,104 more may be allocated to Administration (20% cap) and \$3,828 more may be allocated to Services Projects (15% cap). From the March 15, 2017 applications, three projects were partially funded: HomewardBound of the Grand Valley Food Purchase; Grand Valley Catholic Outreach Day Center Renovation; and Riverside Park Improvements. Additionally, two eligible projects were not funded: Senior Companion and Foster Grandparent Programs, which are both Services Projects. These funds may also be carried over to 2018.

Discussion ensued regarding possible allocation amounts and the various program's needs. A decision was made to contribute an additional \$1,835 to HomewardBound of the Grand Valley and have the remainder, \$23,686, go to leverage funds for the Riverside Park Improvements. City Manager Caton reported Riverside Park will have a GOCO site tour next week.

b. Protocol for Public Comment on Agenda Items at Workshops

Mayor Taggart opened the topic of public input at Workshops noting it can be confusing to citizens to know if they can speak at Workshops and it would be helpful to have a protocol in place.

There was discussion regarding ensuring the process is open, if and when public input at Workshops is appropriate, how best to communicate when public comment can be made, educate the public that the purpose of Workshops is for Council education (not lobbying), invite groups that would provide educational materials pertinent to the subject, provide education on the public input process, add time during regular Council meetings for public comment on Workshop topics, allow staff to address concerns brought forward by citizens' during presentations, encourage public to submit information (via email, voice mail, etc.), add information to agendas regarding the purpose of the specific meeting, and announce information regarding public input at regular meeting.

City Manager Caton said if information is received early enough it could be included in Workshop packets. Workshops are generally dedicated to staff and specific group educational presentations to Council and public comment is given at regular meetings.

City Attorney Shaver said in the past Workshops were used as briefings and discussion time for Council and if a Workshop topic was thought to require further discussion it was added to a regular meeting agenda.

City Manager Caton suggested having "Discussion/Possible Action" noted on regular meeting agendas for resolutions and/or controversial items which would allow Council public input and/or the opportunity to send items back to a Workshop for further discussion.

There was support expressed for discussion at City Council regular meetings for possible controversial topics and to consider adding an explanation paragraph to agendas.

## Agenda Topic 2. Next Workshop Topics

### Budget Overview/Presentation - October 2<sup>nd</sup> and 16<sup>th</sup>

#### Other Business

##### Persigo Agreement

Councilmember Norris asked if the Persigo Agreement is still needed and questioned the productivity of the meetings.

Mayor Taggart suggested procedural items be outlined in advance of the meeting.

Councilmember McArthur suggested using the same process as a Conference Committee in the Senate to determine Persigo agenda items.

City Attorney Shaver explained the Persigo Agreement is the result of a lawsuit settlement 20 years ago, but that some contexts of the Agreement are no longer relevant. However, the Agreement still promotes and provides for City growth opportunities through annexation and the extension of sewer service (other services are provided through other regional/valley wide agreements). City Attorney Shaver said Council could look into decoupling the annexation and sewer services and noted the current procedure is costly to the City.

Discussion ensued regarding: decoupling sewer infrastructure and annexation; development standards; City services.

Mayor Taggart suggested meeting with the County to discuss the effectiveness of these meetings and received support from Council to explore this further.

City Attorney Shaver noted paragraph 9 of the Agreement calls for joint incentives for annexation.

#### Adjournment

With no further business the meeting was adjourned.



**GRAND JUNCTION CITY COUNCIL  
MONDAY, SEPTEMBER 18, 2017**

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

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

**1. Discussion Topics**

- a. 2017 Program Year Community Development Block Grant (CDBG)  
Allocate Additional Funding
- b. Protocol for Public Comment on Agenda Items at Workshops

**2. Next Workshop Topics**

**3. Other Business**

## **GRAND JUNCTION CITY COUNCIL**

### **SPECIAL SESSION MINUTES**

**SEPTEMBER 20, 2017**

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, September 20, 2017 at 5:02 p.m. in the Administration Conference Room, 2<sup>nd</sup> Floor, City Hall, 250 N. 5<sup>th</sup> Street. Those present were Councilmembers Chris Kennedy, Duncan McArthur, Phyllis Norris, Barbara Traylor Smith, Duke Wortmann, and President of the Council Rick Taggart.

Staff present for the Executive Session were City Manager Caton, City Attorney Shaver, and Finance Director Romero.

Councilmember Kennedy moved to go into Executive Session to discuss matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to section 24-6-402 4 (e) of Colorado's Open Meetings Law relative to a possible transfer or sale of real property located at or near 2064 S. Broadway pursuant to section 402 4 (a) of Colorado's Open Meetings Law., and will not be returning to open session. Councilmember Traylor Smith seconded the motion. Motion carried.

The City Council convened into Executive Session at 5:02 p.m.

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

The meeting adjourned at 5:20 p.m.

Wanda Winkelmann  
City Clerk

**GRAND JUNCTION CITY COUNCIL  
MINUTES OF THE REGULAR MEETING  
September 20, 2017**

The City Council of the City of Grand Junction convened into regular session on the 20<sup>th</sup> day of September 2017 at 6:00 p.m. Those present were Councilmembers Chris Kennedy, Phyllis Norris, Duncan McArthur, Barbara Traylor Smith, Duke Wortmann, and Council President Rick Taggart. Councilmember Bennett Boeschstein was absent. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Wanda Winkelmann.

Council President Taggart called the meeting to order. Councilmember Wortmann led the Pledge of Alliance which was followed by a moment of silence.

**Presentation of Yard of the Month August Winner**

Randy Coleman, Forestry Supervisor, named the August winner, Karen Tuinstra. He then showed some photos of her yard at of 1510 Ridge Drive and described many of the flowers and plants grown there. He presented the award and thanked her for her participation. Ms. Tuinstra noted her appreciation for this honor.

**Proclamations**

**Proclaiming September 20, 2017 as "Sister City Day" in the City of Grand Junction**

Councilmember Wortmann read the proclamation. Anna Stout, Founder and President of the Foundation for Cultural Exchange, was present to receive the proclamation. Ms. Stout thanked the City of Grand Junction for the trusting relationship which began twelve years ago and told of its impact on El Espino, El Salvador.

**Proclaiming October 16-20, 2017 as "Irlen Syndrome Awareness Week" in the City of Grand Junction**

Councilmember Traylor Smith read the proclamation. Jeannie Dunn, Irlen Clinic Director at Learning Associates of the Grand Valley, was present to accept the proclamation. Ms. Dunn thanked the City Council and provided a packet of information about Irlen Syndrome and upcoming activities. Dylan Sesar spoke about how Irlen Syndrome has impacted his life and how much he appreciates receiving treatment.

**Citizens Comments**

Bruce Lohmiller, 3032 N. 15<sup>th</sup> Street, #1204, discussed funding for night patrols, the Math and Science Center, and the Humane Society in Orchard Mesa. He also



discussed mass media, Emmy awards, satirists, violence reports in school, and M1 holds.

Stephanie Tuin, 205 Country Club Park Road, addressed the issue of retiree health, establishing a trust, and a letter received about the future of retiree health. She asked that as the City moves forward in seeking out solutions for the plan, that they do so with a mindset of continuing it instead of with the mindset of terminating it. She asked they keep the retirees in mind and allow them to have a voice in the conversations.

Bryan Miick, 263 ½ Nashua Lane, part owner of The Bike Shop, spoke regarding the North Avenue name change. He discussed the costs to changing the name of North Avenue and how it would greatly impact his business.

Karen Peterson, 1604 N. 7th Street, discussed Retiree Health Insurance. She shared her story of being diagnosed with cancer after retiring and the peace of mind that the insurance provided her with. She asked that the decision makers consider grandfathering-in the current retirees so that they will keep paying their current premiums.

Ron Arellano, 656 Larkspur Lane, spoke regarding the North Avenue name change. Mr. Arellano said there are over 100 businesses on North Avenue that would be impacted by this decision. He stated this is a controversial and divisive issue and that he did not feel City Council's decision was well-aligned with the needs of their constituents. Mr. Arellano requested that the decision be rescinded.

Sheryl Harmon, 3150 Lakeside Drive, #108, spoke regarding the North Avenue name change. She questioned how the name changes of Riverside Parkway or Patterson increased revenue for the City and stated that the North Avenue name change would not be an economic driver. Ms. Harmon asked Council to reconsider its decision.

Jamie Richardson, 406 ½ Prospector's Point, Clifton, stated he was a Fire Captain for the City of Grand Junction and spoke regarding Retiree Health Insurance. Mr. Richardson discussed injuries he received while on the job and how they still impact his life. He shared that he would be unable to afford an increase in the insurance and said the benefit is very important to the retirees.

Mike Best, 736 Hill Avenue, spoke regarding Retiree Health Insurance. He stated that the insurance benefit has been invaluable to him and read a letter by James Hoolihan, retired Fire Captain, who also receives Retiree Health Insurance. Mr. Hoolihan's letter asked Council to honor the City's commitment to the program.

Eileen Gers, PO Box 172, Crested Butte, spoke regarding the Retiree Health Insurance. She stated she is a retired Grand Junction employee. She lives on a fixed income and

any change to her health premium would be detrimental. She told of how she had to retire to tend to her husband's deteriorating health. According to Ms. Gers, the only reason she was able to retire unexpectedly at age 57 was because of the Retiree Health benefit. She asked for a grandfathering clause for current retirees be considered when moving forward with changes to the insurance.

Jody Kliska, 607 Partee Drive, spoke regarding Retiree Health Insurance and read a letter she wrote about the Retiree Health Program. She asks decision makers to take into consideration not only the quantitative facts, but also the qualitative facts of those retirees who need the insurance.

Lisa Cox, 2690 Dane Lane, stated she is a former employee of the City of Grand Junction. She addressed Council regarding Retiree Health Insurance, the increase in premiums, and how it would negatively affect her family's finances. She spoke of the Retiree Health Advisory Board and their work transitioning to a trust, then the change of direction to possibly terminating the program all together. Ms. Cox said that many retirees rely on this program and made vital future decisions based on this program being available to them.

Dennis Simpson, 2306 E. Piazza Place, discussed the comments he heard from the retired employees. He stated the plan was unfunded from the beginning and would like the City to admit it made a mistake a long time ago. Mr. Simpson suggested that the City prioritize funding the Retiree Health Plan.

Michael G. Weimer, 658 Lela Place, spoke regarding the North Avenue name change and requested the City consider County residents' input as well.

Tom Bjorklund, 1430 E. Sherwood Drive, spoke against the name change of North Avenue to University Boulevard and noted the impact to small business owners. He questioned the data provided to Council and implored Council to reconsider their decision.

Jackie Aguilar, 348 Dakota Circle, is a business owner and discussed the name change of North Avenue. She noted there are many things that need to be fixed on North Avenue, such as maintenance, improved safety and cleaning. Ms. Aguilar listed the number of changes she would need to make to change her address. Ms. Aguilar requested that Council put the North Avenue name change on the ballot. She respectfully asked Council to reconsider their decision.

## Council Reports

Councilmember McArthur thanked the citizens for attending the meeting. On September 7<sup>th</sup> he attended Grand Valley Power solar garden demonstration. This solar garden was built to help low income families with their energy bills. On September 8<sup>th</sup> and 9<sup>th</sup> he attended the Club 20 Conference where officials spoke about Broadband. He acknowledged that September 17<sup>th</sup> was Constitution Day. Earlier that day he was in Oak Creek to participate in Associated Governments of Northwestern Colorado meeting, where they discussed economic development in rural communities. He was in the hospital the previous week and he took time to sincerely thank all those who expressed concern and caring.

Councilmember Wortmann thanked the citizens and retirees for voicing their opinion. He plans to spend a lot of time on the Retiree Health issue. Councilmember Wortmann spoke of St. Mary's building a cardio-thoracic unit and Mind Springs expanding their facilities. He is excited that approximately \$100 million dollars is being invested in the community and in the physical and mental wellbeing of Grand Junction residents.

Councilmember Kennedy thanked everyone for speaking passionately about North Avenue and Retiree Health Insurance. He assured everyone that their comments have not fallen on deaf ears and stated that the way things play out depends on the involvement and feedback from citizens. He attended Representative Dan Thurlow's town hall TABOR discussion which he found very informative. He also attended the Grand Junction Economic Partnership Board meeting and noted the number of prospects that members are working with.

Councilmember Traylor Smith said she was thankful for all the citizen participation because that is exactly how the process should work - citizens providing feedback to Council through emails, public comment, and voicemails. She congratulated the Colorado Wine Fest, who had 6,600 attendees and was voted the #1 Wine Fest in the country by *USA Today*.

Councilmember Norris attended 9/11 ceremony hosted by the Grand Junction Fire Department. During the ceremony, three firefighters were recognized for saving lives: David Fisher, Sean Hazelhurst, and Patrick Dibsie. She discussed Retiree Health Insurance and noted the importance of taking care of retirees. She requested this topic be put on a Workshop Agenda. She thanked everyone for speaking up during Citizens Comments.

Council President Taggart thanked everyone for expressing their thoughts. He spoke of Icon Eye Center's Grand Opening and how they invested almost \$10 million for an ophthalmology surgery center (which is the only one in this community).

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## **Consent Agenda**

Councilmember Traylor Smith moved to approve Items #1 - #4 on the Consent Agenda. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

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

- a. Summary of the September 5, 2017 Workshop
- b. Minutes of the September 6, 2017 Special Session
- c. Minutes of the September 6, 2017 Regular Meeting

### **2. Set Public Hearings**

- a. Legislative
  - i. Ordinance Amending the Downtown Development Authority Plan of Development to Include the Las Colonias Business Park and Setting a Hearing for October 4, 2017
- b. Quasijudicial
  - i. Ordinance Rezoning property located at 382 and 384 High Ridge Drive from PD (Planned Development 2 Dwelling Units Per Acre) to R2 (Residential 2 Dwelling Units Per Acre) and set a Hearing for October 4, 2017
  - ii. Ordinance amending Section 21.02.030 of the Zoning and Development Code regarding Zoning Board of Appeals Membership, and Set a Hearing for October 4, 2017
  - iii. Ordinance Rezoning Properties Located at 703 23 2/10 Road and 2350 G Road from I2 (General Industrial) to I1 (Light Industrial) and set a hearing for October 4, 2017
  - iv. Introduction of an Ordinance Rezoning the Proposed Fossil Trace, located at 465 Meadows Way, to R2 (Residential 2 DU/AC) and Set a Hearing for October 4, 2017

### **3. Contracts**

- a. 2017 CDBG Subrecipient Agreement between the Counseling and Education Center (CEC) and the City of Grand Junction
- b. 2017 Agreement with Mesa County for Animal Control Services

#### **4. Resolution**

- a. Assignment of the City's 2017 Private Activity Bond Allocation to The Housing Authority of the City of Fort Collins dba Housing Catalyst

The Council took a break at 7:50 p.m. The meeting resumed at 7:55 p.m.

#### **Public Hearing Resolution Accepting the Petition for Annexation and Ordinances Annexing and Zoning the Caballero Annexation, Located at 3149 D 1/2 Road**

The property owners have requested annexation into the City and a zoning designation of R-8 (Residential - 8 du/ac). An R-8 zoning designation will allow them to expand their existing home-based day care facility as well as plan for a future residential subdivision of their property. Under the 1998 Persigo Agreement with Mesa County, developments within the 201 service area boundary which require land use review, are subject to annexation into the City.

The public hearing opened at 7:56 p.m.

Lori Bowers, Senior Planner, presented this item. She reviewed the location, site, and current zoning. The request is eligible for Annexation per State Statute, is consistent with goals and policies of the Comprehensive Plan, and the applicable review criteria of the Grand Junction Municipal Code has been met.

Councilmember Traylor Smith asked questions regarding the access road on the map to which Ms. Bowers clarified that it was a right-of-way that would square off the annexation.

Councilmember Norris asked about the enclaves and if others in the area would like to annex into City Limits. Ms. Bowers reported a letter was sent but no one indicated their desire to be annexed. Councilmember Norris expressed concern about the "patchwork" annexations and suggested it might be helpful to have conversations with landowners who may wish to annex into the City. She referenced the Persigo Agreement and inquired how much the County has contributed to the project. Ms. Bowers noted the County has not been involved in this project. Councilmember Norris commented on the difficulty of public safety services on areas that have patchwork annexations. City Manager Caton echoed the concern about emergency services covering these areas.

Councilmember Kennedy inquired into potential responses to the notices that are sent. Ms. Bowers noted that no landowners had requested annexation. Councilmember Kennedy asked the applicants to come forward and inquired into their future plans. Alicia Milling, applicant, noted the family's desire to serve more children at the daycare. They currently serve eight, and in order to serve twelve, they would have to change the zoning, so they petitioned the City regarding annexation and rezoning because they were unable to do this under the County.

Councilmember McArthur noted another R8 usage was to the north. He asked if it makes sense to combine this with another parcel. Did the Planning Commission discuss the different R zones? Ms. Bowers noted the Commission discussed that the R-8 zoning works for this project.

The public hearing closed at 8:13 p.m.

Councilmember Kennedy moved to adopt Resolution No. 55-17 A Resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, setting a hearing on such annexation and exercising land use control, Caballero Annexation, located at 3149 D ½ Road, Ordinance No. 4763 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Caballero Annexation, Approximately 5.093 Acres, Located at 3149 D ½ Road, and Ordinance No. 4764 An Ordinance zoning the Caballero Annexation to R-8 (Residential - 8 du/ac), located at 3149 D ½ Road on final passage and ordered final publication in pamphlet form. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

### **Application for US Department of Justice Annual Justice Assistance Grant for Safety and Operating Equipment**

Police Chief Camper noted that the Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) program of the US Department of Justice to apply for an annual grant for 2017 in the amount of \$27,310. If awarded, these funds will be used toward the purchase of safety and operating equipment.

As part of the application process, the Bureau of Justice Assistance requires City Council review and authorize receipt of the grant, and provide an opportunity for public comment. Therefore, a public comment opportunity is requested for the purpose of satisfying this requirement. No citizens came forward to comment on this item.

Councilmember Traylor Smith noted this grant helps fund items that may not be funded as part of the Police Department's budget.

Councilmember Norris moved to authorize the City Manager to apply for these funds, and if awarded, to manage \$27,310. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

**Letter of Intent Regarding Property for Hotel at Two Rivers Convention Center at 159 Main/120 S. 1st Streets, Grand Junction, Colorado**

City Manager Greg Caton reported that a letter of intent (LOI), contingent on City Council's ratification, was sent to Western Hospitality outlining the proposed terms and conditions for the Reimer's use of a portion of Two Rivers Convention Center's property for a 100+ room national franchise full-service hotel. This proposed hotel project includes dedicated convention, exhibition and meeting space (Ballroom), all adjacent and connected to the existing Two Rivers Convention Center. The current estimated cost of the project is \$12.5 million dollars.

The City will also contract for various renovations to and improvements of Two Rivers Convention Center enabling the design and connection to the Ballroom. The current estimated cost of the renovation and improvement project is estimated to total \$6 million; however, the LOI outlines a minimum of \$4.5 million dollars. The Downtown Development Authority will issue debt for the total cost and then share cost with the City fifty percent; therefore, the City will repay \$3 million.

Kevin and Steve Reimer were present for this discussion and noted they built the Fairfield Inn in 2000, the Hampton Inn in 2003 and the Springhill Suites in 2011. They have plans to build a new hotel, Tru, by Hilton, on Colorado Avenue. Mr. Reimer pointed out that between the three hotels, they pay over \$1 million dollars in City taxes a year. He stated that they wouldn't have opened the first hotel if it wasn't for the proximity of Two River's Convention Center and stated how important this facility is to maintaining the three successful hotels. He is excited about the project and feels that it will be a win-win for all parties involved.

City Manager Caton reviewed the timeline for completion of the project. The Reimers will build their 4<sup>th</sup> hotel the Spring of 2018 and break ground on this hotel in the Fall of 2019. Given the time to build and make the necessary renovations, this project would be open for business in May of 2021.

Councilmember Norris sees this as bringing people into the valley and notes it is a positive action for the City. This will be a big draw to the downtown area. She noted she is on the DDA Board and is excited about this investment.

Councilmember Traylor Smith commented on the improvements to the Convention Center. City Manager Caton noted the facade along Main Street will also receive aesthetically pleasing improvements.

Councilmember Traylor Smith stated this project will allow the City to compete for larger conventions. City Manager Caton reported this will draw larger groups and allow for two events to be held simultaneously.

Councilmember Kennedy asked about Pinnacle Event Management's fiscal loss. City Manager Caton noted the City is responsible for the loss up to a cap and explained that they have driven down expenses dramatically and are planting the seeds that will bear fruit in the future. Councilmember Kennedy commended Pinnacle for their creative business practices and thinks this is a great project. He inquired into the acoustics at the Convention Center and asked if will they improve. City Manager Caton noted that needed improvements would be explored. Councilmember Kennedy thinks revitalizing that area will be a huge draw for tourism going forward and a great return on investment.

Councilmember Wortmann thanked the Reimers for their collaboration. He is thrilled about the project.

Councilmember McArthur asked about the debt financing. City Manager Caton noted that the bankers only considered the DDA as the funders. The City will pay the DDA 50% of their investment. Councilmember McArthur asked about the acquisition and improvement costs of the Wells Fargo drive-up property. City Manager Caton said it would come out of the parking fund or the general fund. He explained that a parking study has been done and parking is critical to the success of these types of projects.

Council President Taggart commended City Manager Caton for his efforts on this project and thanked the Reimers for their private-public partnerships. He stated the importance of providing parking for large vehicles near the Convention Center.

Councilmember Traylor Smith moved to ratify the action by the City Manager regarding the letter of intent and to take further action consistent therewith in support of the project. Councilmember Norris seconded the motion. Motion carried by roll call vote.

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

Dennis Simpson, 2306 E. Piazza Place, discussed the debt service on the City's part to the DDA for the previous item. He visited the topic of North Avenue naming and requested that it be put on the agenda.

Teresa Black, 384 Skyler Street, played a video she posted on Facebook regarding North Avenue naming. She commented on improvements that could be made to North Avenue. Ms. Black requested that Council revisit the issue.

### **Other Business**

There was none.



**Adjournment**

The meeting adjourned at 9:22 p.m.

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Wanda Winkelmann, MMC  
City Clerk



## Grand Junction City Council

### Regular Session

Item #2.a.i.

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**Meeting Date:** October 4, 2017

**Presented By:** Kathy Portner, Community Services Manager

**Department:** Community Development

**Submitted By:** Kathy Portner, Community Services Manager

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### **Information**

#### **SUBJECT:**

Ordinance Vacating Right-of-Way and Easements Located in the Jarvis Subdivision Plat and Set a Public Hearing for October 18, 2017

#### **RECOMMENDATION:**

The Planning Commission recommended approval at their September 26, 2017 hearing.

#### **EXECUTIVE SUMMARY:**

The City-owned 63-acre site, located between Highway 50 and the Riverside neighborhood along the Colorado River, was recently platted to accommodate future redevelopment. This proposal is to vacate certain undeveloped rights-of-way and easements that are no longer needed to serve the property or the surrounding area. They include portions of Riverside Park Drive, Lila Avenue, alleys and sewer and utility easements.

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

The City acquired in 1990, the 63-acre site, referred to as the Jarvis property due to previous ownership by the Jarvis Family. The property is located on the north bank of the Colorado River between the Highway 50/railroad bridge and the Riverside neighborhood. Since that time, the property has been cleared, the Riverfront Trail was extended, and a backwater pond for endangered fish was created between the trail and River. The remaining acreage was intended for redevelopment.

The property was recently platted to serve future redevelopment. Since City acquisition,

it has become clear that the existing platted rights of way and easements, some of which were dedicated with the O'Boyle Subdivision, will not accommodate the pattern of development that the City anticipates occurring on this large tract of land. This proposal is to vacate certain right-of-way and easements that are not currently used and are not anticipated to be needed to serve the property or the surrounding area. Future development plans for the property will establish new rights-of-way and easements as needed.

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of public right-of-way or easement shall conform to the following:

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

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

Policy C: The Regional Transportation Plan will be used as a basis for development review and to help prioritize capital improvement programming. The City and County will maintain Capital Improvement Plans (CIPs) which prioritize road and alley improvements based on needs for traffic flow, safety enhancements, maintenance and linkages.

The proposed right-of-way and easements to be vacated are not needed to serve the property or the surrounding area; therefore, the vacation of this right-of-way does not conflict and conforms with the Comprehensive Plan, the Grand Valley Circulation Plan and other adopted plans of the City. Staff believes this request conforms with this criterion.

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

No parcels will be landlocked with the proposed vacations; therefore, this criterion has been met.

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

Riverside Park Drive provided access through the property prior to the construction of the Riverside Parkway. This portion of the road has been blocked off and it no longer needed to provide access to or through the property. Previously, Lila Avenue and the alley's to be vacated provided access to individual lots that have since been replatted

into one large parcel, so are no longer needed to provide access to individual lots. No access to any parcel will be restricted; therefore, this request conforms with this criterion.

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

No adverse impacts on the health, safety, and/or welfare of the general community have been identified and the quality of public facilities and services provided to any parcel of land will not be reduced as a result of this vacation request; therefore, this request conforms with this criterion.

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

There are no existing public facilities or services located within the right-of-way. Additionally, the easements reserved specifically for utilities and sewer do not contain any improvements; therefore, this request conforms with this criterion.

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

Future development plans for the property will establish new rights-of-way and easements that will be intended to provide better access and improved traffic circulation to future lots. Staff believes this request conforms with this criterion.

**FISCAL IMPACT:**

This action has no direct fiscal impact.

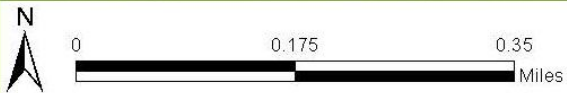
**SUGGESTED MOTION:**

I Move to approve the Ordinance Vacating Right-of-Way and Easements Located in the Jarvis Subdivision Plat and Set a Public Hearing for October 18, 2017.

**Attachments**

1. Vicinity and Site Location Maps
2. Proposed Ordinance

# City of Grand Junction Jarvis Property

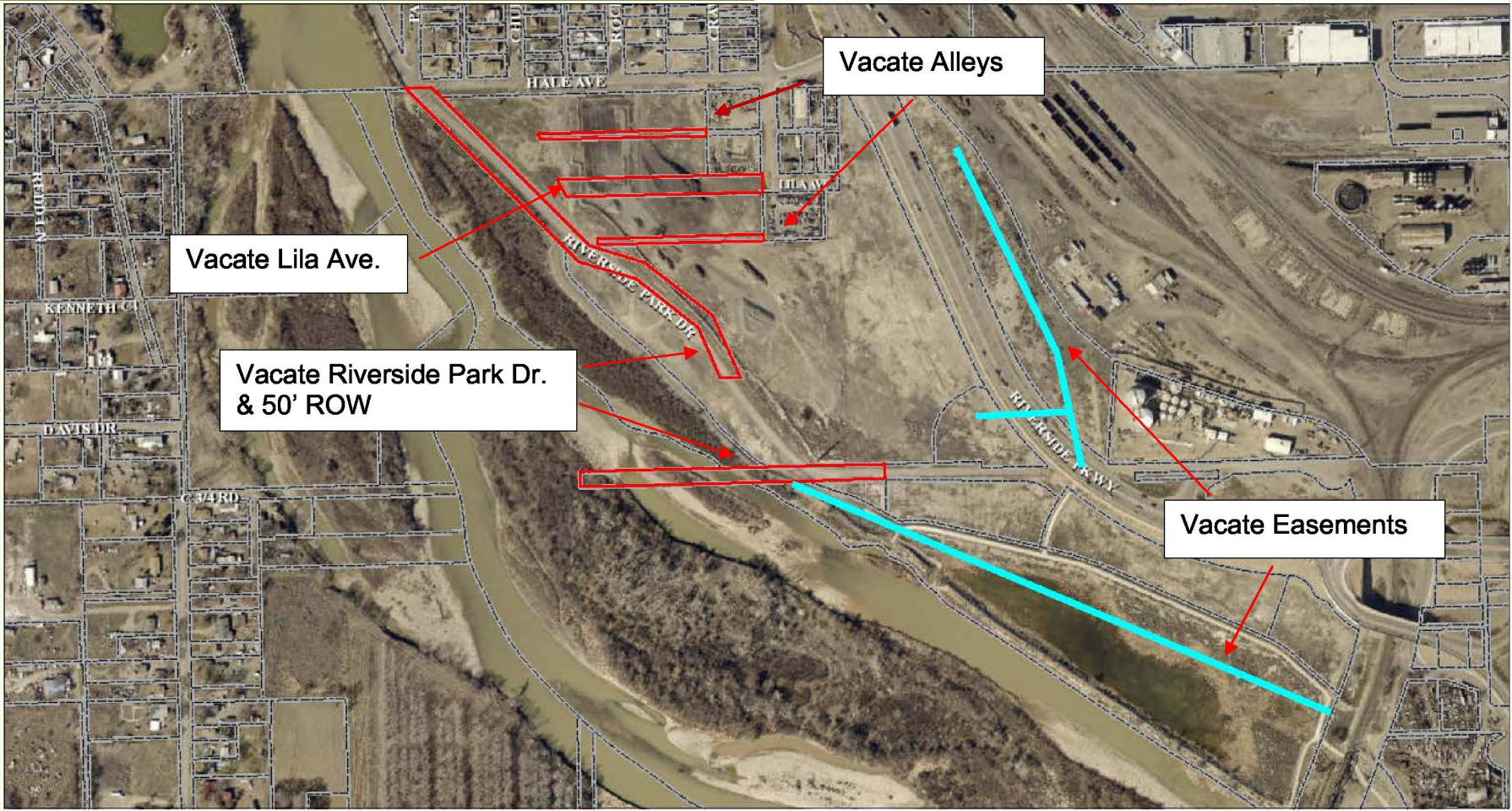


Date: 8/3/2017

1 inch = 458 feet



# Easement and R/W Vacations



Date: 9/11/2017

1 inch = 300 feet

**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE VACATING RIGHT-OF-WAY AND EASEMENTS WITHIN THE JARVIS SUBDIVISION PLAT, LOCATED AT 1001 S. 3<sup>RD</sup> STREET**

**Recitals:**

The City acquired the 63-acre site, known as the Jarvis property, located on the north bank of the Colorado River between the Highway 50/railroad bridge and the Riverside neighborhood, in 1990. Since that time, the property has been cleared, the Riverfront Trail was extended, and a backwater pond for endangered fish was created between the trail and River. The remaining acreage was intended for redevelopment.

The property was recently platted to accommodate future redevelopment. This proposal is to vacate certain rights-of-way and easements that are no longer needed to serve the property or the surrounding area. Future development plans for the property will establish new rights-of-way and easements as needed.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate certain right-of-way and easements within the Jarvis Subdivision plat is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED DEDICATED RIGHT-OF-WAY AND EASEMENTS ARE HEREBY VACATED:**

Five (5) recorded rights of way lying in the Northeast Quarter (NE ¼) of Section 22, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

**No. 1**

ALL of that certain 60' road right of way, as same is recorded in Book 805, Page 14, Public Records of Mesa County, Colorado and entitled "Riverside Park Drive".  
CONTAINING 1.97 Acres, more or less, as described. (Exhibit A)

**No. 2**

ALL of that portion of the 20.0 foot wide Alley lying within the O'Boyle's Sub-Division, as same is recorded in Plat Book 2, Page 43, Public Records of Mesa County, Colorado lying West of Lot 8, Block 3 and South of Lots 9 thru 30 of said Block 3.  
CONTAINING 10,886 Square Feet or 0.25 Acres, more or less, as described. (Exhibit A)

**No. 3**

ALL of that portion of the 60.0 foot wide right of way for Lila Avenue lying within the O'Boyle's Sub-Division, as same is recorded in Plat Book 2, Page 43, Public Records of Mesa County, Colorado lying West of the West right of way for Lawrence Avenue (platted as Lawrence Street).

CONTAINING 39,153 Square Feet or 0.90 Acres, more or less, as described. (Exhibit A)

No. 4

ALL of that portion of the 20.0 foot wide Alley within Block 2 of the O'Boyle's Sub-Division, as same is recorded in Plat Book 2, Page 43, Public Records of Mesa County, Colorado lying West of the West line of the East 175.0 feet of Lot A of said O'Boyle's Sub-Division.

CONTAINING 10,936 Square Feet or 0.25 Acres, more or less, as described. (Exhibit A)

No. 5

ALL of that certain 50' road right of way, as same is recorded in Book 741, Page 138, Public Records of Mesa County, Colorado being the South 50.0 feet of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 22, Township 1 South, Range 1 West of the Ute Principal Meridian, LESS HOWEVER, the East 314.35 feet thereof.

CONTAINING 49,943 Square Feet or 1.15 Acres, more or less, as described. (Exhibit B)

Vacation of 20' Sewer Easement (Book 973, Page 993)

ALL of that certain 20.0 foot wide Sewer Easement, as recorded in Book 973, Page 993, Public Records of Mesa County, Colorado and lying in the Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 22 and the Southwest Quarter of the Northwest Quarter (SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of Section 23, all in Township 1 South, Range 1 West of the Ute Principal Meridian.

CONTAINING 0.81 Acres, more or less, as described. (Exhibit C)

Vacation of 20' Utility Easement (Within Lot 2 of D & R G W Railroad Subdivision)

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of that certain North-South 20.0 foot wide Utility Easement lying within Lot 2 of D & R G W Railroad Subdivision, TOGETHER WITH that certain East-West 10.0 foot wide Utility Easement within said Lot 2 with the West end of said easement being 157.3 feet, more or less, North of the Southwest corner of said Lot 2, all recorded in Plat Book 13, Page 383, Public Records of Mesa County, Colorado.

CONTAINING 22,843 Square Feet or 0.524 Acres, more or less, as described. (Exhibit D)

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



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

ATTEST:

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

\_\_\_\_\_  
Mayor

Exhibit A

**Exhibit B**

Exhibit C

Exhibit D



## Grand Junction City Council

### Regular Session

Item #3.a.

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**Meeting Date:** October 4, 2017

**Presented By:** Dan Tonello, Wastewater Services Manager

**Department:** Public Works - Engineering

**Submitted By:** John Eklund, Project Engineer

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### **Information**

#### **SUBJECT:**

Contract Kannah Creek Intake Rehabilitation

#### **RECOMMENDATION:**

Approval of the sole source request.

#### **EXECUTIVE SUMMARY:**

This request is to authorize the City Purchasing Division to sole source purchase a FCA 5-section modular Horizontal Debris Screen to be installed as part of the Kannah Creek Intake Rehabilitation project. The debris screen is a replacement of the existing vertical screens with a history of clogging and maintenance issues. The Kannah Creek Intake is the main diversion point for municipal water storage at Juniata Reservoir.

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

The debris screen is a replacement of the existing vertical screens with a history of clogging and maintenance issues. The Kannah Creek Intake is the main diversion point for municipal water storage at Juniata Reservoir. This equipment request is the first of two parts of the Kannah Creek Rehabilitation project. The second part will be the approval of the construction contract.

With recent modifications by City Council to the procurement code, the City Manager has purchasing authority for purchases of this dollar amount; however, City Council approval is required because this is a sole source purchase.

#### **FISCAL IMPACT:**

The total cost for manufacture and delivery of the FCA Farmer Screen is \$85,200.00.

Funds for this purchase are appropriated in the Water Fund.

**SUGGESTED MOTION:**

I move to Authorize the City Purchasing Division to Sole Source Farmers Conservation Alliance (FCA) and Authorize the Purchase of a FCA 5-piece Modular Farmers Screen, for the Amount of \$85,200.00 delivered.

**Attachments**

1. Sole Source Justification - FCA Farmers Screen

**Form A**

**CITY OF GRAND JUNCTION  
SOLE SOURCE JUSTIFICATION FORM**

Date: _____	Requested By: _____
Department: _____	Division: _____
Vendor Name: _____	Net Cost Delivered: \$ _____

**SOLE SOURCE JUSTIFICATION  
(INITIAL ALL ENTRIES THAT APPLY)**

Material/Service Description: \_\_\_\_\_.

1. \_\_\_\_\_ - The Vendor is the original equipment manufacturer and there are no regional distributors;
2. \_\_\_\_\_ - The product, equipment or service requested is clearly superior functionally to all other similar products, equipment or service available from another manufacturer or vendor;
3. \_\_\_\_\_ - The over-riding consideration for purchase is compatibility or conformity with City-owned equipment in which non-conformance would require the expenditure of additional funds;
4. \_\_\_\_\_ - No other equipment is available that shall meet the specialized needs of the department or perform the intended function;
5. \_\_\_\_\_ - Detailed justification is available which establishes beyond doubt that the Vendor is the only source practicably available to provide the item or service required;
6. \_\_\_\_\_ - Detailed justification is available which proves it is economically advantageous to use the product, equipment or service.

**Departmental Approval:**

I recommend that competitive procurement be waived and that the service or material described herein be purchased as a sole source.

Signed: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.  
Name Title Date

**Purchasing Approval:**

Based on the above and attached documents, I have determined this to be a sole source with no other vendor practicably available.

Signed: \_\_\_\_\_, \_\_\_\_\_.  
Purchasing Manager Signature Date

**Final Authorization**

City Manager Approval Required (\$25K to \$50K) yes / no

Signed: \_\_\_\_\_, \_\_\_\_\_.  
City Manager Signature Date

City Council Approval Required (over \$50K) yes / no

*Attach Justification Documentation and Forward to City Purchasing Division*





From **FCA**  
 Farmers Conservation Alliance  
 11 Third Street, Suite 101  
 Hood River, OR 97031  
 541-716-6085

Estimate For **City of Grand Junction, Co.**

Estimate Id **1069977**  
 Issue Date **09/05/2017**

Subject **Kannah (12 cfs)**

Item Type	Description	Quantity	Unit Price	Amount
Product	5 section modular fish screen (screen left). Flow range of 5-15 cfs. Includes inlet flume, inlet flume to 24" C905 inlet pipe transition box, 90 degree fish return flume, and all fasteners (nuts and bolts) Screen will be powder coated black. Does NOT include- piping, pipe fittings or pipe flanges and associated fittings.	1.00	\$74,200.00	<b>\$74,200.00</b>
Service	Sediment removal system installed in the modular sections	1.00	\$2,500.00	<b>\$2,500.00</b>
Service	Estimated shipping charges to Grand Junction, CO.	0.00	\$3,500.00	<b>\$0.00</b>
Service	Installation over sight by FCA personal. \$1000 a day plus expenses.	0.00	\$6,000.00	<b>\$0.00</b>
Total	Screen costs	0.00	\$76,700.00	<b>\$0.00</b>
Total	Project costs	0.00	\$85,200.00	<b>\$0.00</b>
Total	50% down payment required on screen only.	-1.00	\$38,350.00	<b>-\$38,350.00</b>

**Estimate Total \$38,350.00**

**Notes**

The 50% down payment is required to begin fabrication. Lead time on the fabrication is 6-10 weeks. The actual shipping cost will be added to the final billing once the screen is received. The installation over sight charges will be a separate billing once the installation is complete.

## *Memorandum*

**TO: Jay Valentine**  
**FROM: John Eklund, Project Engineer**  
**DATE: 15 September 2017**  
**SUBJECT: Sole Source Justification – FCA Farmers Screen**

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This request is to authorize the City Purchasing Division to sole source purchase a FCA 5-section Modular Farmers Screen; a passive Horizontal Debris Screen to be installed as part of the Kannah Creek Intake Rehabilitation project. The debris screen is a replacement of the existing vertical screens with a history of clogging and maintenance issues. The reason for the sole source request is two parted: the long lead for product delivery and vendor is the original designer and manufacturer. The screen is considered the best design alternative that was considered for this project.

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

The Engineering Department in conjunction with the Water Department has researched various options for replacing the existing debris screen. The current screen is a vertical screen that has a history of clogging and requires high levels of attention and maintenance from the Water Supply Supervisor to work properly. The existing screen has been in place since the early 1980's and has been rebuilt by water department personnel on several occasions. The proposed horizontal screen uses flowing water to clear debris from the screen, thus reducing maintenance efforts of the Water Department staff, but also has a longer design life due to the passive clearing capabilities.

The purchase of this equipment allows for long lead time and the coordinate

Kannah Creek (KC) is the main source of drinking water for the City of Grand Junction and carries a large amount of debris and sediment, especially during spring runoff and after storm events. Several options were considered as part of the design of the KC Intake Rehabilitation project. These included a Coanda Screen, various barrel screens, belt screens and other mechanical debris removal methods, and other vertical screens. A brief discussion of each of these follows:

- **Coanda Screen:** The City Water Department operates a Coanda screen at a different diversion in the watershed. It uses water running over the screen to wash away debris while some portion of the water falls through the screen into the diversion. While initially less expensive to purchase, the screen itself requires replacement every year or other year due to the impact of the debris on the wires of the screen increasing the life-cycle cost of the structure. As the screen wires are bent, the water is diverted less efficiently until replaced. For this reason, the Water Department prefers not to use a new Coanda Screen
- **Barrel screens (both passive and rotating)** would need to protrude into the river current to protect the intake from debris. However, large debris would damage the screen, so frequent replacement was a major concern.

- Mechanical screens such as belt screens are generally very expensive both to purchase and to maintain.
- Other vertical screens have similar maintenance challenges to the existing screen including debris clogging and ice blockage.

The FCA Farmers Screen is also a passive fish screen. While fish passage is not part of the design considerations of this project, it is an additional benefit that fish could migrate past the diversion or avoid being washed to the reservoir.

**Financial Impact/Budget:**

The Water Department has funds appropriated for this purchase under the Water Line Replacement Budget. The Vendor is the original equipment manufacturer and there are no regional distributors. Equipment net cost delivered is \$85,200.00.



## Grand Junction City Council

### Regular Session

Item #4.a.

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**Meeting Date:** October 4, 2017

**Presented By:** Wanda Winkelmann, City Clerk

**Department:** City Clerk

**Submitted By:** Wanda Winkelmann, City Clerk

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### **Information**

#### **SUBJECT:**

A Resolution Amending Resolution No. 26-17 Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations

#### **RECOMMENDATION:**

Staff recommends adoption of Resolution No. 56-17.

#### **EXECUTIVE SUMMARY:**

In May 2017, the City Council reviewed and determined who on the City Council will represent the City Council on various boards, committees, commissions, authorities, and organizations. The purpose of this resolution is to change the assignment of Riverfront Commission City Council Ex-Officio from Councilmember Kennedy to Councilmember Wortmann.

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

The City Council assigns its members to represent the governing body on a variety of Council appointed boards, committees and commissions as well as a number of outside organizations. By way of Resolution No. 26-17, City Council made these assignments, which included Councilmember Kennedy's assignment as City Council Ex-Officio to the Riverfront Commission. Due to a different work schedule that prohibits his attendance at the Riverfront Commission meetings, Councilmember Kennedy has requested that City Council reassign this position. Councilmember Duke Wortmann has volunteered to serve as Ex-Officio to the Riverfront Commission.

**FISCAL IMPACT:**

Not applicable.

**SUGGESTED MOTION:**

I move to adopt Resolution No. 56-17 - A Resolution Amending Resolution No. 26-17 Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations.

**Attachments**

1. Proposed Resolution

**RESOLUTION NO. XX-17**

**A RESOLUTION AMENDING RESOLUTION NO. 26-17 APPOINTING AND ASSIGNING CITY COUNCILMEMBERS TO REPRESENT THE CITY ON VARIOUS BOARDS, COMMITTEES, COMMISSIONS, AUTHORITIES, AND ORGANIZATIONS**

Recitals:

At its meeting on May 17, 2017 the City Council appointed its members to serve on various boards, commissions, committees and organizations. The City Council subsequently amended that resolution to reassign the Riverfront Commission City Council Ex-Officio. The assignments heretofore made by Resolution 26-17 are amended as follows.

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

Until further action by the City Council, the appointments and assignments of the members of the City Council as approved by Resolution 26-17 and subsequently amended by Resolution No. XX-17 are amended to wit:

- 1) Duke Wortmann is assigned to serve as Riverfront Commission Ex-Officio.

PASSED AND ADOPTED THIS 4<sup>th</sup> day October, 2017.

/s/ J. Merrick Taggart  
President of the City Council

ATTEST:

/s/ Wanda Winkelmann  
City Clerk

**AMENDED CITY COUNCIL FORMAL ASSIGNMENTS**

Individual Members are assigned for each of the following:

<b>Board/Organization</b>	<b>Meeting Day/Time/Place</b>	<b>2017 Assignments</b>
Associated Governments of Northwest Colorado (AGNC)	3rd Wednesday of each month @ 9:00 am different municipalities	Duncan McArthur
Downtown Development Authority/Downtown BID	2 <sup>nd</sup> and 4 <sup>th</sup> Thursdays @ 7:30 am @ DDA Offices, 437 Colorado, BID board meets monthly 2 <sup>nd</sup> Thursday	Phyllis Norris
Grand Junction Housing Authority	4 <sup>th</sup> Monday @ 5:00 pm @ GJHA Offices at 8 Foresight Circle	Phyllis Norris
Grand Junction Regional Airport Authority	Usually 3 <sup>rd</sup> Tuesday @ 5:15 pm @ City Hall Auditorium (workshops held the 1 <sup>st</sup> Tuesday when needed)	Rick Taggart
Parks Improvement Advisory Board (PIAB)	Quarterly, 1 <sup>st</sup> Tuesday @ noon @ various locations (usually Hospitality Suite)	Duke Wortmann Barbara Traylor Smith (Alt)
Parks & Recreation Advisory Committee	1 <sup>st</sup> Thursday @ noon @ various locations (usually at Parks Administration Offices)	Barbara Traylor Smith
Riverfront Commission	3 <sup>rd</sup> Tuesday of every other month @ 5:30 p.m. in Training Room A, Old Courthouse	Duke Wortmann
Mesa County Separator Project Board (PDR)	Quarterly @ Mesa Land Trust, 1006 Main Street	Barbara Traylor Smith
Grand Valley Regional Transportation Committee (GVRTC)	4 <sup>th</sup> Monday every other month @ 3:00 pm @ GVT Offices, 525 S. 6 <sup>th</sup> St., 2 <sup>nd</sup> Floor	Bennett Boeschstein
Grand Junction Economic Partnership	3rd Wednesday of every month @ 7:30 am @ GJEP offices, 122 N. 6 <sup>th</sup> Street	Chris Kennedy
Colorado Water Congress	Meets 3-4 times a year in Denver	Duncan McArthur
Colorado Municipal League Legislative Liaison		Duncan McArthur
5-2-1 Drainage Authority	Meets quarterly, generally the 4 <sup>th</sup> Wednesday of month at 3:00 p.m. in Old Courthouse in Training Rm B	Duncan McArthur
Club 20	The board of directors meets at least annually. The time and place for board meetings are determined by the Executive Committee.	Rick Taggart
Orchard Mesa Pool Board	Meets twice a year at 8:00 A.M. at a designated location.	Duke Wortmann

<b>Ad Hoc Committees</b>	<b>Date/Time</b>	<b>2017 Representative</b>
Avalon Theatre Committee	Third Thursday at 8:00 a.m.	Phyllis Norris Bennett Boeschstein
Property Committee	Meets as needed and scheduled	Bennett Boeschstein Barbara Traylor Smith
Zoning and Development Code Review*	Meets as needed and scheduled	Bennett Boeschstein Duncan McArthur
Regional Communication Center Committee	Meets as needed and scheduled	Phyllis Norris Chris Kennedy

## Other Boards

<b>Board Name</b>	<b>Date/Time</b>	<b>2017 Representative who attends regularly</b>
Associated Members for Growth and Development (AMGD)	1 <sup>st</sup> Wednesday, 7:30 a.m., Realtors Association Offices, 2743 Crossroads Blvd.	Duncan McArthur is facilitator, Open to all
Building Code Board of Appeals *	As needed	NA
Commission on Arts and Culture *	4 <sup>th</sup> Wednesday of each month at 4:00 p.m.	Bennett Boeschenstein
Forestry Board *	First Thursday of each month at 8:00 a.m.	NA
Historic Preservation Board *	1 <sup>st</sup> Tuesday of each month at 4:00 p.m.	Bennett Boeschenstein
Homeless Coalition	Meets on the third Thursday of the month at 10:00 a.m. at St. Mary's Pavilion	Duncan McArthur, Bennett Boeschenstein
Horizon Drive Association Business Improvement District *	3 <sup>rd</sup> Wednesday of each month at 10:30 a.m.	Duke Wortmann
Persigo Board (All City and County Elected)	Annually and as needed	All
Planning Commission *	2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday at 6:00 p.m.	NA
Public Finance Corporation *	Annual meeting in January	NA
Ridges Architectural Control Committee *	As needed	NA
Riverview Technology Corporation *	Annual meeting in January	Bennett Boeschenstein
State Leasing Authority *	2 <sup>nd</sup> Tuesday in January, other times as needed	In process of dissolution
Urban Trails Committee *	2 <sup>nd</sup> Tuesday of each month at 5:30 p.m.	Bennett Boeschenstein
Visitor and Convention Bureau Board of Directors *	2 <sup>nd</sup> Tuesday of each month at 3:00 p.m.	Phyllis Norris
Zoning Code Board of Appeals *	As needed	NA

\*No Council representative required or assigned - City Council either makes or ratifies appointments - may or may not interview dependent on particular board





## Grand Junction City Council

### Regular Session

Item #5.a.i.

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**Meeting Date:** October 4, 2017

**Presented By:** Brandon Stam, DDA Executive Director

**Department:** Downtown Development Authority

**Submitted By:** Kathy Portner, Community Services Manager

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### **Information**

#### **SUBJECT:**

Ordinance Amending the Downtown Development Authority Plan of Development to Include the Las Colonias Business Park

#### **RECOMMENDATION:**

The Planning Commission heard this item at their September 26, 2017 meeting and forwarded a recommendation of approval.

#### **EXECUTIVE SUMMARY:**

The Plan of Development for the DDA was originally adopted in 1981 and needs to be updated to address the recent development opportunities along the Riverfront corridor. The Plan of Development identifies public improvements to the Las Colonias area including providing parks and other public improvements such as streetscape improvements and parking, but does not explicitly identify the proposed business-related improvements. The proposed amendment to the Plan of Development would identify the Las Colonias Business Park as a project under Section VII of the Plan of Development.

Pursuant to C.R.S. 31-25-807(4)(b), prior to its approval of a plan of development, the governing body shall submit such plan to the planning board of the municipality, if any, for review and recommendations. The planning board shall submit its written recommendations with respect to the proposed plan of development to the governing body within thirty days after receipt of the plan for review.

## **BACKGROUND OR DETAILED INFORMATION:**

The purpose of the Grand Junction DDA is to plan and propose public facilities and other improvements to public and private property of all kinds which will aid and improve the downtown development area with the goal of preventing and remediating slum and blight within the DDA boundaries. Further, in cooperation with the planning board and the planning department of the municipality, the DDA is enabled to develop long-range plans designed to carry out the purposes of the authority (as stated in C.R.S 31-25-801) and to promote the economic growth of the area within the district and may take such steps as may be necessary to persuade property owners and business proprietors to implement such plans to the fullest extent possible.

As identified in Section V of the Plan of Development, the purpose of the Plan of Development is to establish a mechanism whereby the Authority and the City can implement projects and programs that aid in halting the economic and physical decline of the Plan of Development area and Commercial Renovation Districts, and assist in the revitalization of and reinvestment in the downtown generally.

Specifically, the Plan of Development, Section V outlines the following specific objectives:

1. Prevent the decline of property values.
2. Prevent the deterioration of existing structures.
3. Promote the efficient and economical use of costly land.
4. Maintain an intensity of activity at a pedestrian scale.
5. Conserve the historical character of the City of Grand Junction.
6. Promote appropriate development.
7. Maximize the return on public investments made in the downtown over the years.
8. Prevent the social problems associated with declining commercial areas.

Section VII of the Plan of Development identifies public facilities and improvements that can be used to support and encourage private redevelopment activities. This includes a list of 18 projects of varying specificity. This amendment would add the Las Colonias Business and Recreation Park as a project under this section of the Plan of Development. The Las Colonias Business and Recreation Park will provide public improvements to the Riverfront Corridor and help spur private investment in the area which aligns with the goals and objectives of the Plan of Development. Currently the Las Colonias Property is owned by the City and is within the DDA Boundaries. The Las Colonias Business Park will be added to page 38 of Section VII of the Plan of Development as project number 19 as proposed below:

19. Improvements will be made to the Las Colonias property located in the City's River District Corridor. Improvements include the development of public park amenities,

including lakes and green spaces for public and private use. Additional public improvements include utilities, parking, streets passive and active recreation, and streetscape improvements. These public improvements will be utilized to attract outdoor recreation businesses and manufacturers as well as riverfront retail and restaurants in order to spur development in the currently blighted area.

The Board of the Downtown Development Authority met on September 14th to review the revisions to the Plan of Development and unanimously voted to approve the proposed revisions.

Pursuant to C.R.S. 31-25-807(4)(b), prior to its approval of a plan of development, the governing body shall submit such plan to the planning board of the municipality, if any, for review and recommendations.

In accordance with C.R.S. 31-25-802(5.5) the governing body of the DDA is the City Council. The governing body shall hold a public hearing on a plan of development or substantial modification of an approved plan of development. Following such hearing, the governing body may approve a plan of development if it finds that there is a need to take corrective measures in order to halt or prevent deterioration of property values or structures within the plan of development area or to halt or prevent the growth of blighted areas therein, or any combination thereof, and if it further finds that the plan will afford maximum opportunity, consistent with the sound need and plans of the municipality as a whole, for the development or redevelopment of the plan of development area by the authority and by private enterprise.

**FISCAL IMPACT:**

Although the activities of the Downtown Development Authority have impact on the vitality of the downtown economy, this action to amend the Plan of Development has no direct fiscal impact.

**SUGGESTED MOTION:**

I move to (adopt or deny) Ordinance No. 4765 - An Ordinance Amending the Downtown Development Authority Plan of Development to Include the Las Colonias Business Park on Final Passage and Order Final Publication in Pamphlet Form.

**Attachments**

1. DDA 1981 Plan of Development
2. DDA Boundary
3. Proposed Ordinance

POD82DDA

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	CONTRACT
NAME OF CONTRACTOR:	DOWNTOWN DEVELOPMENT AUTHORITY (DDA)
SUBJECT/PROJECT:	PLAN OF DEVELOPMENT
CITY DEPARTMENT:	GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY
YEAR:	1982
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

Grand Junction  
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

DOWNTOWN DEVELOPMENT AUTHORITY

PLAN OF DEVELOPMENT

FOR GRAND JUNCTION, COLORADO

Including The Designation Of  
Commercial Renovation Districts  
And A Plan Of Development Area  
Within Which  
Tax Increment Financing Will Be Utilized

PREPARED BY:

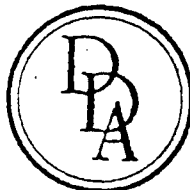
Grand Junction

Downtown Development Authority

DERIVED FROM:

The Grand Junction Downtown  
Development Strategy

Prepared By The Consulting Firm  
Of Johnson, Johnson & Roy, Inc.  
Ann Arbor, Michigan



EFFECTIVE DATE: DECEMBER 16, 1981

CERTIFIED RECORD  
OF  
PROCEEDINGS  
OF  
THE CITY COUNCIL  
OF  
THE CITY OF GRAND JUNCTION, COLORADO  
RELATING TO  
A RESOLUTION  
APPROVING  
A  
PLAN OF DEVELOPMENT  
FOR  
GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

STATE OF COLORADO            )  
                                  )  
COUNTY OF MESA                ) ss.  
  
CITY OF GRAND JUNCTION    )

The City Council of the City of Grand Junction, Colorado, held a regular meeting open to the public at the Council Chambers at City Hall, 250 North Fifth Street, Grand Junction, Colorado, on Wednesday, the 16th day of December, 1981, at the hour of 7:30 p.m.

The following members of the City Council, constituting a quorum thereof, were present:

<u>Name</u>	<u>Title</u>
Louis R. Brach	President
Frank Dunn	President Pro-Tem
Gary Lucero	Member
Karl Johnson	Member
Robert Holmes	Member
Betsy Clark	Member

The following members of the City Council were absent:

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following persons were also present:

Neva B. Lockhart, City Clerk  
James E. Wysocki, City Manager  
Gerald J. Ashby, City Attorney

The President declared that this was the time and place for a public hearing on the proposed Plan of Development for Grand Junction, Colorado, Downtown Development Authority.

The City Clerk reported that a notice of this hearing in the form required by Section 31-25-807(4)(c), Colorado Revised Statutes 1973, as amended, was given by publication once by one publication during the week immediately preceding this hearing in The Daily Sentinel, Grand Junction, Colorado, a newspaper having a general circulation in the City. The form of the notice and the proof of publication thereof were approved by the City Council and are attached hereto as pages 16 and 17, respectively.

Thereupon all persons having comments on the proposed Plan of Development we afforded the opportunity to be heard. The names of such persons and the substance of their remarks are as follows:

Thereupon, Council Member           Holmes           introduced and moved the adoption of the following Resolution:



RESOLUTION

A RESOLUTION APPROVING A PLAN OF DEVELOPMENT  
FOR GRAND JUNCTION, COLORADO, DOWNTOWN  
DEVELOPMENT AUTHORITY.

WHEREAS, Grand Junction, Colorado, Downtown Development Authority (the Authority) has studied conditions within the central business district of the City of Grand Junction (the City); and

WHEREAS, said study has resulted in the preparation of a Downtown Development Strategy; and

WHEREAS, the Authority is authorized to plan and propose public facilities and other improvements to public and private property of all kinds which will aid and improve the downtown development area; and

WHEREAS, Johnson, Johnson & Roy, Inc., authors of the Downtown Development Strategy reported therein that blight exists within the downtown development area; and

WHEREAS, the plan of development attached hereto as Exhibit A (the Plan of Development) was presented to the Board of Directors of the Authority for its consideration; and

WHEREAS, Mesa County Valley School District No. 51, within which the entire plan of development area (the Plan of Development Area) designated in the Plan of Development lies, was permitted to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for the utilization of tax increment financing; and

WHEREAS, the Authority held a public meeting on the Plan of Development on November 13, 1981, which meeting was preceded by a notice of the meeting published in The Daily Sentinel on November 11, 1981; and

WHEREAS, the Authority adopted the Plan of Development by resolution on December 2, 1981; and

WHEREAS, the Plan of Development was presented to the City Council (the City Council) on December 2, 1981, at which time the City Council referred the Plan of Development to the City Planning Commission for its review and recommendations; and

WHEREAS, the Planning Commission has made written its recommendations to the City Council concerning the Plan of Development, which recommendations are attached hereto at page 18; and

WHEREAS, a notice of a public hearing before the City Council was given by publication once by one publication during the week immediately preceding the hearing in The Daily Sentinel, a newspaper having a general circulation in the City, on December 11, 1981; and

WHEREAS, a public hearing was held before the City Council on December 16, 1981, wherein comments were taken from those in attendance concerning the Plan of Development; and

WHEREAS, the City Council has been adequately informed in this matter because of public input prior to the completion of the Plan of Development, the public hearing on the Plan of Development, the evidence presented in the Downtown Development Strategy and the Plan of Development, a review of the Grand

Junction Downtown Development Plan Information Base, and the personal knowledge of the members of the City Council,

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

Section 1. The City Council hereby finds and determines as follows:

A) There is a presence of a substantial number of deteriorated or deteriorating structures within the Authority as shown by:

1) Of the buildings within the Authority, approximately 85% are 30 or more years old, and although generally sound, they will require various amounts of renovation to meet present fire and building codes;

2) There are presently older buildings that are vacant, and therefore deteriorating from lack of use, located at the southeast corner of Fifth and Main, the northwest corner of Fourth and Main, the southeast corner of Third and Main and the middle of the block between Second and Third on Main; and

3) Approximately 18.8% of the retail space available is vacant, even though demand is high in areas outside the central business districts;

B) There is a predominance of defective or inadequate street layout as shown by:

1) The lack of adequate long-term parking because of time limits on meters; and

2) The existence of one-way streets on Rood and Colorado and Fourth and Fifth, which cause drivers to travel

from four to six blocks out of their way to reach desired destinations because of the effect of the one-way streets combined with the effect of restricted turning intersections on Main Street; and

3) An under-utilization of parking areas to the south of Main Street while the parking areas to the north of Main Street are over-utilized;

C) There exists faulty lot layout in relation to size, adequacy, accessibility or usefulness as shown by:

1) The lot and block layout in the downtown area developed at an early date and resulted in long, narrow lots with the average lot being 25 feet by 125 feet; a size not compatible with modern architectural approaches;

2) Although west of Seventh Street significant pieces of land have been aggregated for potential development, many potential development sites are still held by a number of individual owners, including trusts and estates, and are subdivided by alleys and streets making it difficult to consolidate the needed land for redevelopment;

3) Of land within the Authority, between one-third and one-half is publicly owned and used for streets, alleys or public buildings, and, therefore, not available for private use and redevelopment;

D) There exists deterioration of site or other improvements as shown by:

1) Sidewalk repairs are necessary within the area.

2) There are deteriorating underdrains in the Shopping Park along Main Street from Third to Fifth Streets;

3) Foundation work on some of the older buildings has deteriorated in the past or is presently in a deteriorated condition, thereby making these buildings more susceptible to damage;

E) Unsanitary or unsafe conditions exist as shown by:

1) Combined sanitary and storm sewers in the downtown area have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition;

2) Older buildings are located near railroad property which encourages transients to seek shelter in or around such older buildings;

3) There is a need to improve and upgrade utilities and sewers in the downtown area before any major redevelopment, for the present system would not be adequate under increased use;

4) The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U.S. Bank Building and on the north side of the 600 block of Main Street, and by the placement of parking areas across an alley from business establishments. Many business have

encouraged the use of back doors as the most direct entrance from a parking area to their establishment. However, the alley surfaces are not adapted to pedestrian travel; there are no crosswalks, the lighting at night is inadequate, and during business hours, there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

5) The presence of older buildings and their ornate building facades encourage pigeons to nest in and around these buildings causing unsanitary conditions to exist around such nesting sites.

6) The alleys are used for utilities upon poles, and this factor, combined with the lack of adequate lighting at night, can encourage burglars to gain access to building roofs by climbing these utility poles.

F) There exist conditions which endanger life or property by fire or other causes as shown by:

1) The use of second stories of buildings as storage areas; and

2) The density of buildings of an older nature along Main Street which increases the opportunity for fire spreading from one building to another because of the lack of adequate fire walls in the design of older buildings.

3) There are no north/south water mains on Second, Third and Fourth, and the east/west mains on Grand, White and Rood are no larger than 6 inches, thereby providing

limited supplies  
fire protection.

for

Section 2. The City Council hereby finds and determines that there is a deterioration of property values or structures within the Authority as shown by:

A) A decrease in sales tax revenue in the central downtown area along both sides of Main Street from \$408,088 in 1979 to \$384,140 in 1980, and \$304,338 in 1981 (in the first eight months of the year); and

B) A decrease in the total assessed valuation of the Authority of 9.02% within the last year despite approximately a 6% increase in the size of the Authority because of recent inclusions.

Section 3. Based upon the foregoing, the City Council hereby finds and determines that there exists blight in the Authority within the meaning of Section 31-25-802(1.5), Colorado Revised Statutes 1973, as amended, and that there is a need to take corrective measures in order to halt or prevent the growth of blighted areas within the Plan of Development Area and the commercial renovation districts designated in the Plan of Development.

Section 4. The City Council hereby finds and determines that the approval of the Plan of Development will serve a public use; will promote the health, safety, prosperity, security, and general welfare of the inhabitants of the City and of its central business district; will halt or prevent the deterioration of property values or structures within said

central business district; will halt or prevent the growth of blighted areas within said district; and will assist the City and the Authority in the development and redevelopment of said district and in the overall planning to restore or provide for the continuance of the health thereof; and will be of special benefit to the property within the boundaries of the Authority.

Section 5. The Plan of Development is hereby approved by the City Council, and the Authority is hereby authorized to undertake development projects as described in the Plan of Development.

Section 6. The City Council hereby finds and determines that the Plan of Development will afford maximum opportunity, consistent with the sound needs and plans of the City as a whole, for the development or redevelopment of the Plan of Development Area and the commercial renovation districts designated therein by the Authority and by private enterprise.

Section 7. In accordance with the Plan of Development, there is hereby designated the Plan of Development Area (the boundaries of which are described with particularity on page 9 of the Plan of Development), in connection with which tax increment financing shall be utilized as provided in Section 31-25-807, Colorado Revised Statutes 1973, as amended, for the purposes specified in the Plan of Development.

Section 8. There is hereby created a separate special fund of the City designated as the "Tax Increment Fund" into which shall be deposited the ad valorem and municipal sales tax



increment funds described in Section 31-25-807, Colorado Revised Statutes 1973, as amended, derived from and attributable to development and redevelopment within the Plan of Development Area. Said funds shall be held, invested, reinvested and applied as permitted by law. For the purpose of ascertaining the amount of funds to be deposited in the Tax Increment Fund as provided by law, the County Assessor is hereby requested to certify to the City Council on or before December 31, 1981, the valuation for assessment of the Plan of Development Area as of the effective date of this Resolution. For the same purpose, the City Finance Director is hereby directed to certify to the City Council on or before April 1, 1982, the amount of municipal sales taxes collected within the Plan of Development Area for the period from December 1, 1980, to November 30, 1981.

Section 9. Those parcels described on page 12 of the Plan of Development are a part of a development or redevelopment area designated by the City Council pursuant to Section 39-5-105, Colorado Revised Statutes 1973, as amended, and commercial buildings or structures on such parcels are therefore entitled to the benefits granted under said statute.

Section 10. No public servant of the City who is authorized to take part in any manner in preparing, presenting, or approving the Plan of Development or any contract contemplated thereby has a potential interest in the Plan of Development or any such contract which has not been disclosed in accordance with the requirements of Section 18-8-308, Colorado Revised Statutes 1973, as amended, and no such public servant has

received any pecuniary benefit from the Plan of Development or any such contract.

Section 11. If any provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

Section 12. This Resolution shall be effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this 16th day of December, 1981.

CITY OF GRAND JUNCTION, COLORADO

By: *Jervis P. Bruch*  
President, City Council

( CITY )  
( SEAL )

ATTEST:

*Neva B. Lockhart, CMC*  
City Clerk



# CITY - COUNTY PLANNING

grand junction-mesa county 559 white ave. rm. 60 grand jct.,colo. 8150  
(303) 244-1628

December 12, 1981

TO: Grand Junction City Council  
FROM: Planning Commission of Grand Junction  
SUBJECT: Plan of Development of Grand Junction, Colorado  
Downtown Development Authority

On December 2, 1981, the Grand Junction City Council, pursuant to C.R.S. 1973, § 31-25-807(4)(b), submitted the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority to the Planning Commission for review and recommendations.

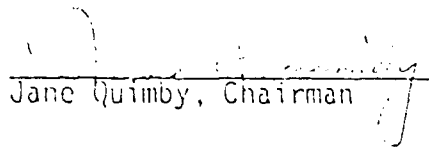
Because of such request, we have obtained copies of the Plan of Development for study and review and have also provided copies to the personnel of the Planning Department for their review. On December 12, 1981, the Planning Commission held a work session at which we considered the comments of the employees of the Planning Department, reviewed the Plan of Development in light of past policies for development and renovation, and considered the questions and comments of the members of the Commission. After this review, we offer the following comments and recommendations:

The Plan of Development, as presented, is a coherent and unified approach to redevelopment and renovation within the downtown area. The Plan of Development does call for certain projects that may require or result in changes in present use and zoning patterns. However, as constituted, the Plan of Development is consistent with the policies adopted by the Commission in the past.

The Plan of Development contains no redevelopment or renovation plans which are not feasible under current policies. Neither does the Plan of Development call for policies or development patterns in conflict with city-wide policies or patterns. It appears to be consistent with the Downtown Development Strategy which has been adopted as an element of the Master Plan for Grand Junction, as well as consistent with other current policies.

On the basis of this review, and the considerations expressed here, the Commission feels that it is not necessary that we specifically enumerate those areas of the Plan with which we are in agreement since the Plan of Development contains no items to which we specifically object. We, therefore, can endorse the Plan of Development as being consistent with existing city policies and recommend that the City hold a Public Hearing on the Plan of Development.

Respectfully submitted,

  
Jane Quimby, Chairman

RESOLUTION  
BY THE  
BOARD OF DIRECTORS  
OF THE GRAND JUNCTION, COLORADO,  
DOWNTOWN DEVELOPMENT AUTHORITY  
ADOPTING A PLAN OF DEVELOPMENT

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority has studied conditions within the central business district, pursuant to C.R.S. 1973, § 31-25-807; and

WHEREAS, such study has resulted in the preparation of a Downtown Development Strategy; and

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority is authorized, pursuant to C.R.S. 1973, § 31-25-807, to plan and propose public facilities and other improvements to public and private property which will aid and improve the downtown development area; and

WHEREAS, Johnson, Johnson & Roy, Inc., authors of the Downtown Development Strategy, reported therein that areas of blight exist within the downtown area; and

WHEREAS, a plan of development has been presented to this Board for its consideration; and

WHEREAS, this Board has held a public meeting on such plan of development, which meeting was preceded by a notice of such meeting published in the Daily Sentinel on November 11, 1981, prior to such meeting; and

WHEREAS, Mesa County Valley School District #51, within which the entire area of development designated in the Plan of Development lies, has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for utilization of tax increment financing; and

WHEREAS, the Board has been adequately informed in this matter because of public input prior to the completion of the plan of development, the public meeting on the proposed plan of development, the evidence presented in the Downtown Development Strategy and the plan of development, a review of the Grand Junction Downtown Development Plan Information Base,

and the personal knowledge of the members of this Board;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board hereby finds;

A) There is a presence of a substantial number of deteriorated or deteriorating structures within the Downtown Development Authority as shown by:

1) Of the buildings within the Downtown Development Authority, approximately 85% are 30 or more years old, and although generally sound, will require various amounts of renovation to meet present fire and building codes;

2) There are presently older buildings that are vacant, and therefore, deteriorating from lack of use, located at the southeast corner of Fifth and Main, the northwest corner of Fourth and Main, the southeast corner of Third and Main and the middle of the block between Second and Third on Main; and

3) Approximately 18.8% of the retail space available is vacant, even though demand is high in areas outside the central business district;

B) There is a predominance of defective or inadequate street layout as shown by:

1) The lack of adequate long-term parking because of time limits on meters; and

2) The existence of one-way streets on Rood and Colorado and Fourth and Fifth, which cause drivers to travel from four to six blocks out of their way to reach desired destinations because of the effect of the one-way streets combined with the effect of restricted turning intersections on Main Street; and

3) An under-utilization of parking areas to the south of Main Street while the parking areas to the north of Main Street are over-utilized;

C) There exists faulty lot layout in relation to size, adequacy, accessibility or usefulness as shown by:

1) The lot and block layout in the downtown area developed at an early date and resulted in long, narrow lots with the average lot being 25 feet by 125 feet; a size not compatible with modern architectural approaches;

2) Although west of Seventh Street significant pieces of land have been aggregated for potential development, many potential development sites are still held by a number of individual owners, including trusts and estates, and are subdivided by alleys and streets making it difficult to consolidate the needed land for redevelopment;

3) Of land within the Downtown Development Authority, between 1/3 and 1/2 is publicly owned and used for streets, alleys, or public buildings, and, therefore, not available for private use and redevelopment;

D) There exists deterioration of site or other improvements as shown by:

1) There are sidewalks in a deteriorating condition on the southeast corner of Fifth and Rood and on the 200 block between Main and Colorado;

2) There are deteriorating underdrains in the Shopping Park along Main Street from Third to Fifth Streets;

3) Foundation work on some of the older buildings has deteriorated in the past or is presently in a deteriorated condition, thereby making these buildings more susceptible to damage;

E) Unsanitary or unsafe conditions exist as shown by:

1) Combined sanitary and storm sewers in the downtown area which have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition;

2) Older buildings are located near railroad property which encourages transients to seek shelter in or around such older buildings;

3) There is a need to improve and upgrade utilities and sewers in the downtown area before any major redevelopment, for the present system would not be adequate under increased use;

4) The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U.S. Bank building and the north side of the 600 block of Main Street, and by the placement of parking areas across alleys from business establishments. Many businesses have encouraged the use of back doors as the most direct entrance from a parking

area to their establishment. However, the alley surfaces are uneven and not adapted to pedestrian travel; there are no crosswalks, the lighting at night is inadequate, and during business hours, there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

5) The presence of older buildings and their ornate building facades encourage pigeons to nest in and around these buildings causing unsanitary conditions to exist around such nesting sites.

6) The alleys are used for utilities upon poles and this factor, combined with the lack of adequate lighting at night, encourages burglars to gain access to building roofs by climbing these utility poles.

F) There exist conditions which endanger life or property by fire or other causes as shown by:

1) The use of second stories of buildings as storage areas; and

2) The density of buildings of an older nature along Main Street which increases the opportunity for fire spreading from one building to another because of the lack of adequate firewalls and the design of older buildings; and

3) There are no north/south water mains on Second, Third, and Fourth and the east/west mains on Grand, White and Rood are no larger than 6 inches, thereby providing limited supplies which are not adequate under present codes for fire protection.

2. The Board hereby finds and determines that there is a deterioration of property values or structures within the Downtown Development Authority as shown by:

A) A decrease in sales tax revenue in the central downtown area along both sides of Main Street from \$454,727 in 1979 to \$436,598 in 1980, and \$343,484 in 1981 for the first nine months of each year; and

B) A decrease in the total assessed valuation of the Downtown Development Authority of 9.02% within the last year despite approximately a 6% increase in the size of the Downtown Development Authority because of recent inclusions,

3. Based upon the fact that a condition of blight exists in the Downtown Development Authority, C.R.S. § 31-25-802(1.5) as amended, and that section 1, and prevent the growth of blighted areas and to halt or prevent the decline of property values.

4. The Board hereby finds that the adoption of this Plan of Development will halt and prevent deterioration of property values and structures within the central business district, will halt and prevent the growth of blighted areas within the central business district, will assist the City of Grand Junction, Colorado, in the development and redevelopment of such central business district and in the overall planning to restore or provide for the continuance of the health thereof, and will be of especial benefit to the property within the boundaries of the Grand Junction, Colorado, Downtown Development Authority.

BE IT FURTHER RESOLVED THAT:

5. The Plan of Development, attached hereto and incorporated herein as Exhibit "A", is hereby adopted as the Plan of Development for the Grand Junction, Colorado, Downtown Development Authority, including those provisions designating a Plan of Development area within which tax increment financing will be utilized as described on Pages 8 through 10 and 49 through 52, of the Plan of Development, and creation of three commercial renovation districts as described on Pages 12, 47 and 52, of the Plan of Development, in which a five year tax deferral is allowed for renovation of commercial structures more than 30 years old.

6. Such Plan of Development shall be submitted to the City Council of Grand Junction, Colorado, with a request that they immediately submit said Plan of Development to the Planning Commission for their written recommendations; and that the City Council hold a public hearing on such Plan of Development, after public notice, and that the City Council be requested to approve such Plan of Development.

7. No Board member nor any employee of the Board with a specific financial interest, as defined in C.R.S. 1973, § 31-25-819, as amended, in the adoption of the Plan of Development has voted thereon or otherwise participated in its preparation or presentation or failed to make such interest known to the Board.



8. If any part of this resolution is held to be unenforceable, such judgment shall not affect the remainder of this resolution, it being the intention of the Board that the provisions hereof be severable.

INTRODUCED, READ, PASSED and ADOPTED this 2nd day of December, 1981.

BY: Pat Gormley  
Pat Gormley  
Chairman of the Board  
Grand Junction, Colorado  
Downtown Development Authority

ATTEST: Sandra Gose  
Sandra Gose  
Secretary  
Grand Junction, Colorado  
Downtown Development Authority

Grand Junction  
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

EXHIBIT A

DOWNTOWN DEVELOPMENT AUTHORITY

PLAN OF DEVELOPMENT

FOR GRAND JUNCTION, COLORADO

Including The Designation Of  
Commercial Renovation Districts  
And A Plan Of Development Area  
Within Which  
Tax Increment Financing Will Be Utilized

PREPARED BY:

The Grand Junction

Downtown Development Authority

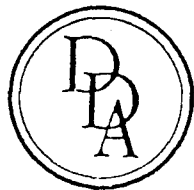


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## SECTION I

### INTRODUCTION AND RECOMMENDATIONS

#### A. INTRODUCTION

1. This Plan of Development is the result of the City of Grand Junction's continued interest in the revitalization of the downtown area. This interest began as early as 1962, when, in response to issues similar to today's concerns, a revitalization effort was undertaken by the City and the Main Street merchants. A General Improvement District was created to finance utilities and landscaping improvements to Main Street converting four blocks to a Shopping Park. Called Operation Foresight, this revitalization effort led to Grand Junction being named an All-American City.

2. These efforts were continued by the creation of the Grand Junction Downtown Development Authority (DDA) in April of 1977, by a 2 to 1 vote of the downtown electors. The Downtown Development Authority has had a full time director since February of 1980 and pursuant to C.R.S. 1973, S31-25-807, has been involved in the study and analysis of the impact of metropolitan growth upon the central business district. Studies of land use, urban design, parking, traffic and market conditions were made jointly by the City and DDA in 1980 and 1981.

3. As a result of such studies, a comprehensive Downtown Development Strategy was completed in November of 1981. Based upon the recommendations and evaluations contained within the Downtown Development Strategy, this Plan of Development was devised to promote the economic growth of the area encompassed by the boundaries of the DDA and to halt deterioration of existing structures and property values.

4. The Plan of Development, as presented here, attempts to rely upon the strength of the central business district to finance the public facilities, renovations, and repairs necessary to revitalize the area encompassed by the DDA boundaries. Three types of financing are of

primary importance in this Plan of Development.

5. First, a 5 mill ad valorem tax on all taxable real and personal property within the DDA has been imposed since 1978. The proceeds from such levy are used to finance the administrative and budgeted operations of the DDA, including necessary studies and promotional activities. It is anticipated that this source of funds will continue.

6. Secondly, for commercial buildings which are 30 or more years old, Colorado law (C.R.S. S39-5-105, 1973 as amended) allows an owner to defer for five years the assessment of the increased value caused by improvements made for rehabilitation or renovation. This encourages the owner to rehabilitate or renovate his property when he might otherwise not have done so. To qualify for such deferral, the renovation area must be included in a plan of development approved by the governing body of the City. However, the five year deferral of assessments may not be used for property which is included in a plan of development area wherein a tax increment financing district will be used.

7. Third, to foster development outside the areas designated for the five year deferral on assessments but within the DDA boundary, the plan of development calls for the use of tax increment financing.

8. With the adoption of a plan of development for a specific plan of development area within a city, the last certified assessment of taxable property in that area is calculated and becomes the "frozen tax base". Taxes generated from that frozen base continue to be received by the individual taxing entities within the project area; taxes collected upon the incremental assessed valuation over the frozen base are received by the entity undertaking the project to pay for project costs. That entity does not have the authority to levy any additional taxes and must rely specifically on the allocation of taxes produced by growth over the base year. The amount of allocated tax increment depends upon a combination of growth in assessed valuations and tax rates of the taxing jurisdictions. Before the funds from tax increment financing may be pledged for the payment of bonds, loans or other indebtedness, such pledge must be approved by the voters of the tax increment district at a special election.

9. Additionally, municipal sales tax revenues collected from a plan of development area can be frozen at an annual level. That level is defined as total collections in the twelve calendar months preceding the effective date of the plan of development. In subsequent years municipal sales tax collections up to the base year amount will continue to flow into the city's general fund. After the base year amount has been collected; however, all or any part of the incremental amount above the base year figure can be used to pay for bonds used to finance project costs in the same way property tax increment financing is used. Sales tax increment financing is used within the same limits as property tax increment financing. The entity does not have the authority to levy any additional taxes; the amount of increment depends upon growth in retail sales, and none of the tax increment funds can be pledged until approved by the electors of the district at a special election.

10. Revitalization of the downtown area must be a dynamic process that is flexible enough to allow for necessary changes in the plan of development. Under Colorado law, the Plan of Development may be amended by the same procedures necessary for adoption of the Plan. This provides needed flexibility for the changing downtown environment, which, at the present time, needs certain specific activities to commence if revitalization is to commence.

#### B. RECOMMENDATIONS

1. This Plan of Development describes the utilization of a five year property tax deferral on the increased value of commercial property due to renovation and the utilization of tax increment financing including the projects which could be funded. When adopted, this Plan will be complete and could be implemented solely with the tools described herein. However, the activities described in this Plan constitute only a few of many mechanisms that can and should be employed to effect the revitalization of Downtown Grand Junction. The following list of recommended actions, some of which are included in this Plan and some which are taken from the City Council's Policy Statement on Downtown Development dated April 15, 1981, the Downtown Development Strategy and the National Main Street

Center Resource Team Report attached hereto as exhibits C, A, and D, respectively, are suggested for consideration by the DDA and City Council. Each recommended action should be carefully considered to determine its effects on downtown revitalization activities, and the community generally, and if appropriate, implemented.

2. Continuation of the planning process for downtown redevelopment.

Once the Downtown Development Strategy Plan is in place, specific implementation plans should be pursued including:

- a. Design Guidelines for Downtown
- b. Parking Management
- c. Traffic Management
- d. Zoning and Development Control Revisions
- e. Housing Rehabilitation
- f. Landscape and Street Lighting Plan
- g. Detailed Improvement Designs
- h. Retail Mix and Recruitment

3. Adopt a parking management plan and develop, adopt, and implement a parking district and a future parking development plan. Financing mechanisms for this include parking revenue bonds. In addition, a special study should be conducted to ensure that parking is provided and financed in a way amenable to downtown redevelopment.

4. Adopt revisions to the zoning ordinance that will combine development incentives, design guidelines and zoning regulations within a group of downtown zones. The Authority should be designated as the site plan review agency for all downtown project proposals.

5. Assist the state to develop a state office building in the downtown.

6. Provide Industrial Development Revenue Bond financing to downtown developers for appropriate economically feasible projects in accordance with state and federal statute.

7. Vacate alleys to accommodate new development provided that such vacation is necessary for the successful development of a project where the developer holds title to adjacent properties and construction is imminent.

8. Vacate or provide air rights or easements over street rights-of-way provided such vacation, air right or easement is necessary for the



successful development of a project when the developer holds title to adjacent properties and construction is imminent.

9. Apply for federal and/or state financial assistance to complement private development efforts when the development and application are completed with the conditions of the federal or state assistance program.

10. Relocate municipal utilities to accommodate new development and continue to implement the agreement with Public Service Company of Colorado and Mountain Bell to underground utilities.

11. Designate the renovation districts delineated in the Plan as "Historic Commercial Renovation Districts" for the purposes of Section 104(f) of the Uniform Building Code, 1979 edition as adopted by the City of Grand Junction as a further incentive to renovate older buildings and reduce existing life and fire safety hazards.

12. Initiate redevelopment projects by obtaining control of redevelopment sites and soliciting development proposals and agreements from qualified developers to undertake priority redevelopment projects.

13. Extend Horizon Drive from 7th to 1st Street and upgrade Horizon Drive and 1st Streets to facilitate traffic flow.

14. Contract with a hotel developer for the facility and food service management of Two Rivers Plaza when a hotel project is undertaken adjacent to Two Rivers.

15. Pursue the preliminary design and feasibility analysis on a community performing arts/civic events center for eventual location in the immediate vicinity of Two Rivers Plaza.

16. Adopt and implement a Traffic Circulation Improvement Plan that specifically addresses two way traffic on Road and Colorado Avenues and Fourth and Fifth Streets, the intersection at First and Grand, turns onto and off of Main Street, access to the many destinations in the downtown and traffic traveling through the downtown to other destinations.

17. Pursue the completion of a citywide Master Plan that recognizes the finite limits of real estate development potential in the city and that directs and manages that development for the benefit of the entire community. The downtown is an integral part of the community and what happens in the

community as a whole and what happens in the downtown are closely linked. Planning, development controls, and growth policies should reflect an awareness of those interrelationships.

SECTION II

DESCRIPTION OF DISTRICT BOUNDARIES

The Plan of Development Area within which Tax Increment Financing will be used shall be that property included within the boundaries of the Downtown Development Authority, except for that property included within the boundaries of the Commercial Renovation District.

The boundaries of the Grand Junction Downtown Authority which are:

"Exhibit A"

The description of the Plan of Development Area within which the Tax Increment Financing will be used is:

"Exhibit B"

The description of the Commercial Renovation Districts is:

"Exhibit C"

These areas are graphically displayed on the attached map.

"Exhibit D"

BOUNDARIES OF THE GRAND JUNCTION, COLORADO DOWNTOWN

Beginning at the Northwest Corner of Wilsons Subdivision of Block 2 of Mobeys Subdivision; thence East along the South right-of-way line of Grand Avenue to the North Corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16 all in Block 78, City of Grand Junction, to the North right-of-way line of White Avenue; thence East to the East right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 98; thence East along the North line of the East-West alley Block 98; City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East right-of-way line of 5th Street; thence South along the East right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction, thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction; thence along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction; thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 81; thence East along the North right-of-way line of the East-West alley in Block 82 and 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the West right-of-way line of 7th Street; thence South along the West right-of-way line of 7th Street to the South right-of-way line of White Avenue; thence East along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Blocks 93, 106, 115, and 128, City of Grand Junction, to the North right-of-way

line of Ute Avenue; thence West along said Ute Avenue to the Southwest Corner of Block 10, Mobley's First Subdivision; thence West along the Southwest line of Block 10 to the Northwest Corner of said Block 10; thence North along the section with the southerly projection of the East line of Block 10 to the East line of Spruce Street; thence North along said East line to the East line of Block 10, Mobley Subdivision; thence Northwesterly to a point 415.8 feet West and South  $41^{\circ}03'$  East 68.97 feet from the Northeast Corner of the Southeast  $1/4$  and Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}57'$  West for 271.8 feet along a line parallel to the North line of the Southeast  $1/4$  of the Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $53^{\circ}03'$  West 16.66 feet; thence North  $53^{\circ}03'$  West 70 feet to the Easterly right-of-way of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the Easterly right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the Southern right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest Corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1; thence East to a point  $7\frac{1}{2}$  feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision; thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Downtown Development Authority of Grand Junction all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16, exclusive of the West 15 feet of said North 50 feet of Lot 12.

And also excluding from the boundaries of the Grand Junction Downtown Development Authority that part of Tract 8, AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS lying South and East of a line beginning at a point

on the East line of Tract 1 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North  $44^{\circ}11'$  East 901.66 feet; thence North  $89^{\circ}58'$  West 126.0 feet; thence South  $0^{\circ}01'$  East 347.5 feet to a point on the South line of said Tract 8 which is the terminal point of said line; and also excluding from the boundaries of the Downtown Development Authority of Grand Junction, all of Tract 9 except that part of said Tract 9 included within the following described parcel:

That part of Tracts 1, 2, 3, 8, and 9 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS described as follows:

Beginning at a point on the East line of said Tract 1 from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North  $44^{\circ}11'$  East 901.66 feet; thence North  $89^{\circ}58'$  West 126.0 feet; thence South  $0^{\circ}01'$  East 197.50 feet to the centerline of the railroad spur track; thence South  $89^{\circ}58'$  East 126.00 feet along said centerline; thence North  $0^{\circ}01'$  West 197.50 feet to the point of beginning.

TOGETHER with an easement over and across a strip of land extending South from the property hereby described to a line 3 feet South of and parallel to the South line of said railroad spur track.

EXHIBIT "B"

DESCRIPTION OF THE PLAN OF DEVELOPMENT AREA WITHIN  
WHICH TAX INCREMENT FINANCING WILL BE USED

Beginning at the Northwest Corner of Wilsons Subdivision of Block 2 of Mobleys Subdivision; thence East along the South right-of-way line of Grand Avenue to the North Corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16 all in Block 78, City of Grand Junction, to the North right-of-way line of White Avenue; thence East to the East right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 98; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East right-of-way line of 5th Street; thence South along the East right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest Corner of Lot 13, Block 82, City of Grand Junction; thence along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction; thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 81; thence East along the North right-of-way line of the East-West alley in Block 82 and 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the West right-of-way line of 7th Street; thence South along the West right-of-way line of 7th Street to the South right-of-way line of White Avenue; thence thence East along the South right-of-way line of White Avenue to the West right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Blocks 93, 106, 115, and 128,

City of Grand Junction, to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner, Block 10, Mobley Subdivision; thence Northwest along the Southwest line of Block 10, Mobley Subdivision to the intersection with the southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest Corner, Block 10, Mobley Subdivision; thence Northwesterly to a point which lies 415.8 feet West and South  $41^{\circ}03'$  East 68.97 feet from the Northeast Corner of the Southeast  $1/4$  and Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}57'$  west for 271.8 feet along a line parallel to the North line of the Southeast  $1/4$  of the Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $53^{\circ}03'$  West 16.66 feet; thence North  $53^{\circ}03'$  West 70 feet to the Easterly right-of-way of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the Easterly right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the Southern right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest Corner; thence South to the centerline of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1; thence East to a point  $7\frac{1}{2}$  feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision; thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Downtown Development Authority of Grand Junction all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobleys' First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16, exclusive of the West 15 feet of said North 50 feet of Lot 12.

And also excluding from the boundaries of the Grand Junction Downtown Development Authority that part of Tract 8, AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS from which the East  $1/4$  Corner of Section 15,



Township 1 South, Range 1, West of the Ute Meridian Bears North 44°11' East 901.66 feet; thence North 89°58' West 126.0 feet; thence South 0°01' East 347.5 feet to a point on the South line of said Tract 8 which is the terminal point of said line; and also excluding from the boundaries of the Downtown Development Authority of Grand Junction, all of Tract 9 except that part of said Tract 9 included within the following described parcel:

That part of Tracts 1, 2, 3, 8, and 9 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS described as follows:

Beginning at a point on the East line of said Tract 1 from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North 44° 11' East 901.66 feet; thence South 0°01' East 197.50 feet to the centerline of the railroad spur track; thence South 89°58' East 126.00 feet along said centerline; thence North 0°01' West 197.50 feet to the point of beginning.

TOGETHER with an easement over and across a strip of land extending South from the property hereby described to a line 3 feet South of and parallel to the South line of said railroad spur track.

And except the following parcels:

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, except the East 50.45 feet of Lots 11 to 15, inclusive, in Block 116; Lots 1 to 16 inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, all in the City of Grand Junction, Mesa County, Colorado.

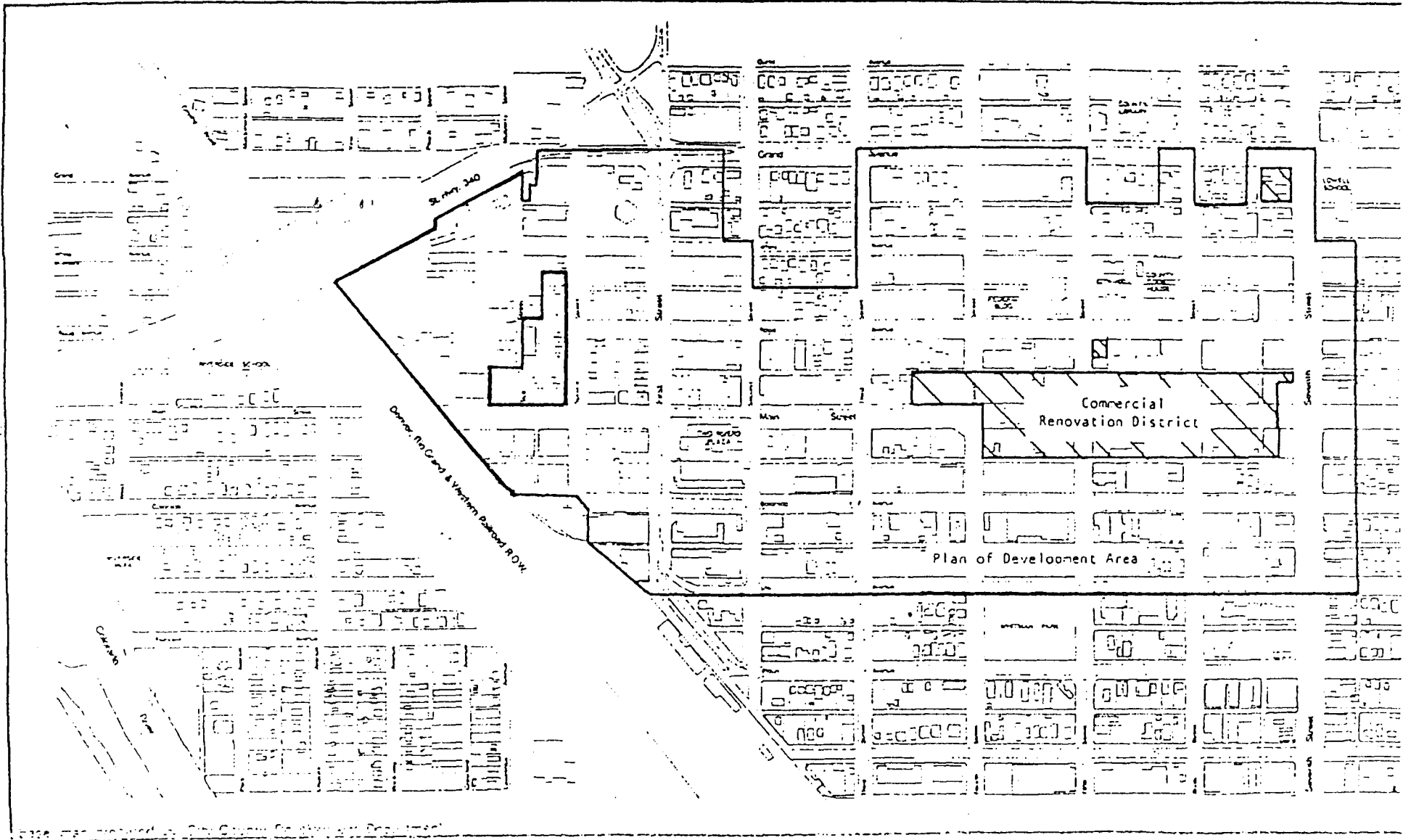
EXHIBIT "C"

DESCRIPTION OF THE COMMERCIAL RENOVATION DISTRICTS

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20, inclusive, in Block 105; Lots 1 to 15, inclusive, except the East 50.45 feet of Lots 11 to 15, inclusive, in Block 116; Lots 1 to 16 inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, all in the City of Grand Junction, Mesa County, Colorado



SECTION III

STATUTORY REQUIREMENTS FOR ADOPTION AND IMPLEMENTATION  
OF A DOWNTOWN DEVELOPMENT AUTHORITY PLAN OF DEVELOPMENT WHICH INCLUDES  
BOTH RENOVATION DISTRICTS AND A PLAN OF DEVELOPMENT AREA WITHIN WHICH TAX  
INCREMENT FINANCING WILL BE USED

A. GENERAL

1. Revitalization of a downtown area is a time-consuming and dynamic process. The results of the planning phase may influence the downtown environment for years, and it is, therefore, necessary that those affected by a plan of development are provided adequate opportunity to voice their suggestions and concerns for the future of "their" downtown. The minimum requirements are those dictated by Colorado law.

2. The following summarizes the statutory requirements for adoption of this Plan of Development and indicates the date of completion of this Plan. Additionally, also shown are the other opportunities provided for input into the Plan and optional activities undertaken to assure maximum public input as well as compliance with the policies of the City Council.

<u>B. DATE OF ACTION</u>	<u>C. STATUTORY REQUIREMENTS</u>	<u>D. OPTIONAL ACTIVITIES</u>
1. 1/19/77	Resolution authorizing election of formation of DDA	
2. 2/8/77	Election	
3. 3/16/77	City Ordinance No. 1669 , establishing DDA State Statute 31-25-804	
4. 6/2/80		Employment of consultants to study and analyze land use, urban design, parking, traffic, and market conditions
5. 8/21/80		Formation of Downtown Action Committee to Provide input on Plan of Development

<u>B. DATE OF ACTION</u>	<u>C. STATUTORY REQUIREMENTS</u>	<u>D. OPTIONAL ACTIVITIES</u>
(Continued)		
6. 4/15/81		Adoption by City Council of Policy Resolution for downtown
7. 10/2/81		Public presentation by Johnson, Johnson & Roy, Inc. of their conclusions concerning the downtown area
8. 10/7/81		Discussion with County Assessor and Treasurer concerning implementation of tax deferral and tax increment financing
9. 10/28/81	Meeting with school district personnel seeking their advice and comments on tax increment financing 31-25-807 (3)(d)	
10. 11/6/81		Review of Downtown Development Strategy Plan by DDA Board of Directors and invitation to Mesa County Commissioners to attend for explanation of Plan concept including tax increment financing
11. 11/11/81		Published notice of meeting of DDA Board to consider and adopt Plan of Development after public input
12. 11/11/81		Presentation of Plan to local architects, engineers, and planners
13. 11/13/81		Public meeting of DDA Board concerning Plan of Development concept

B. DATE OF ACTION

C. STATUTORY REQUIREMENTS

D. OPTIONAL ACTIVITIES

(Continued)

- |  |  |
|--|--|
| 22. Upon adoption of Plan of Development | Freezing of Ad Valorem tax base and sales tax base as of effective date of Plan<br>31-25-807(3)  |
| 23. To be determined during 1982         | Resolution of DDA Board to have election for pledging of tax increment funds<br>35-25-807(3) (b) |
| 24. To be determined during 1982         | Approval by City Council of election at least 30 days prior to election<br>35-25-807(3) (b)      |
| 25. To be determined during 1982         | Election - qualified electors of district<br>35-25-807(3) (b)                                    |
| 26. To be determined during 1982         | City Council adoption of ordinance authorizing the issuance of bonds                             |
| 27. To be determined during 1982         | Bonds issued for project   |

## SECTION IV

### EXISTING CONDITIONS WITHIN THE BOUNDARIES OF THE DOWNTOWN DEVELOPMENT AUTHORITY

#### A. RESULTS OF THE ANALYSIS OF EXISTING CONDITIONS

1. Johnson, Johnson & Roy, Inc., concluded that a Downtown Development Strategy Plan was needed because: "Within the downtown area, there exist clear measures of blight and deterioration, which require improvements to ensure the economic well-being and quality of life of all our residents. We have a substantial number of deteriorating structures; some of these suffer from structural blight, some from functional blight. Although our street system is generally wide and adequate, we face circulation problems which call for simplification. The utility systems serving our downtown must be replaced both for our safety and our future growth. Most of all, we need to grasp the opportunity to bring life back into the downtown area through the addition of sound housing and attractive commercial and office space."

2. Among the many factors presently existing within the boundaries of the Downtown Development Authority which led Johnson, Johnson & Roy, Inc. to the above conclusion are:

a. Any increase in intensity of development or redevelopment will require replacement and upgrading of present utilities, including replacing and upgrading of water and sewer lines;

b. A present need for parking locations which provide reasonable location distribution of long and short term parking as well as effectively provide for long term parking.

c. A present combination of one-way streets and restricted turning intersections along Main Street which requires one to travel four to six blocks to find a parking space and which often prevents one from getting to visible parking lots on cross streets and inhibits the ability to reach offstreet lots;

d. Potential development sites at which ownership has not been consolidated and where the potential major development parcels are divided by alleys and streetways;

e. Present zoning classifications which do not always make it possible to attract the desired type of redevelopment;

f. Existing land use of adjacent parcels and existing zoning are not such as to encourage successful redevelopment of multiple family housing;

g. ~~Fragmented ownership~~ and land prices which put the area at a disadvantage in attracting new builders;

h. Lack of high quality lodging;

i. Areas adjacent to the DDA which contain areas that no longer fulfill their original function, and which are unattractive, at times unsafe, and provide a loitering spot for transients, such as Whitman Park; and

j. Upper stories of most downtown structures which are generally underutilized as activity generators for the downtown area because of their present use as storage areas.

#### B. ADDITIONAL FACTORS

1. In addition to the above factors, other factors indicate that, despite the traditional advantages of the central business district over other locations because of its core of governmental, financial, and related activities, the central business district is no longer able to attract new development or redevelopment.

2. The area within the boundaries of the Downtown Development Authority has traditionally been a strong retail area for the City. However, at the present time there are vacant buildings, not presently undergoing redevelopment or conversion, at the corners of 5th and Main, 2nd and Colorado, 4th and Main, and 3rd and Main. At the present time approximately one square foot of each five available for retail space is vacant since there is presently a retail vacancy rate of approximately 18.8% even though retail space is in high demand in other areas. Each square foot of vacant retail space means that there is lost revenue to the property owner, a loss in the entire spectrum of retail goods available to the consumer, and a loss of consumer-attracting businesses.

3. The downtown area is also an old area. Although there has been some new construction within the last 10 years, approximately 85% of all the structures are older than 30 years old. There have been three periods



of significant construction downtown: 1887 to 1894, 1907 to 1922, and 1946 to 1952. Because of the different building requirements during these periods, these older buildings, unless renovated, remodeled, or redeveloped, contain structural hazards to health and safety. For example, the large windows used on older buildings to provide sunlight and ventilation, now create safety problems because of the easy access they may provide for burglars and transients, and the high ceiling of many older buildings may provide more air space for combustible matter.

4. The decline of the downtown central business district can best be seen in a comparison of the sales income and assessed valuation of property in the last three years. Sales taxes collected in the central downtown area along both sides of Main Street have fallen from \$408,088 in 1979 to \$384,140 in 1980 and \$304,338 in 1981, during the first eight months of each year. This reflects that the share of the city-wide retail market in this area has fallen from 13.23% to 7.24%.

5. This reduction in sales tax revenue is not due to a change of use, for the total assessed valuation of property has also declined. Although the total assessed valuation of real property within the boundaries of the Downtown Development Authority increased by 5.85% because of substantial inclusions of new property in the Downtown Development Authority, the assessed value of personal property fell by 31.80% and the overall assessed value fell by 9.02%. This decline in tax revenues, when viewed against the massive development occurring on Horizon Drive and in other areas, indicates that the central business district is failing to keep pace with the rest of the county.

6. All of these factors indicate that the conclusion by Johnson, Johnson & Roy, Inc., that blight exists within the downtown area, applies to the property within the Downtown Development Authority. Under Colorado law, a blighted area is not equated with what is traditionally thought of as a "slum", but, rather is an area in which sound growth, adequate housing provisions and the public health and welfare are impaired because of the type of structures and the land upon which they are located as well as other unsanitary, or unsafe conditions.

### C. PUBLIC INPUT

1. During public meetings and through discussion with City officials, other potential problems have been identified. These problems vary in severity. Some problems are scheduled to be remedied by work programs in the future, while others are not scheduled for corrective action. The problems include:

a. Combined sanitary and storm sewers in the downtown area have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition. Any future sewer construction would require the installation of separate lines.

b. There are deteriorating underdrains in the Shopping Park along Main Street from 3rd to 5th.

c. There are sidewalks in a deteriorating condition on the southeast corner of 5th and Rood and on the 200 block between Main and Colorado.

d. The street lighting in the Shopping Park is on tall poles, but since the vegetation is now quite large on Main Street, little light reaches the sidewalks and walkways creating a potential public safety hazard.

e. There are no north-south water mains on 2nd, 3rd, and 4th and the east/west mains on Grand, White, and Rood are no larger than 6 inches, thereby providing limited supplies which are not adequate under present codes for adequate fire protection levels.

f. Public officials are aware that the foundation work on some of the older buildings have deteriorated in the past or are presently in a deteriorated condition. For example, one of the buildings has wooden piles which rotted because of a fluctuating water table. During the Main Street water main break, extensive damage occurred because of the old style, porous foundations.

g. The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U. S. Bank building and on the northside of the 600 block, and by the placement of parking areas across an alley from business establishments. Many businesses have encouraged the use of back doors as the most direct entrance from a parking area to their establishment. However, the alley surfaces are often uneven and not adapted to pedestrian travel, there are no crosswalks, the lighting at night is inadequate.

quate, and during business hours there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

2. The combination of these problems and those identified by Johnson, Johnson & Roy, Inc., presents a picture of large scale future problems as growth occurs in the community, creating a greater demand upon downtown facilities. Both public and private development will be needed to keep the downtown from further deterioration.

m. Construction Management: This is provided by either a skilled public agency or private sector specialists. It can help to assure completion of a project on time and within budget, and on complicated projects may become an absolute necessity.

n. Supervision of Project Planning and Design: This is the responsibility of the City and DDA and calls for both the establishment of a close working relationship between public and private professionals and an understanding by both of the goals and performance needs of the other.

#### B. IMPLEMENTATION TOOLS

A wide variety of tools are available to the City of Grand Junction and the Downtown Development Authority for the implementation of this Plan.

1. Most important of these to the implementation of this Plan of Development is the Downtown Development Authority. Under Colorado legislation, the Downtown Development Authority has the power to acquire by purchase, lease, license, option or otherwise, any property and to improve land and to construct and operate buildings and other improvements on it as well as to act as solicitor by any property owned by or under its control. The Authority can issue revenue bonds for the purpose of financing its development facilities.

2. Industrial development bonds, issued by the City after review by the industrial bond committee, are also an extremely powerful tool, which, to date, have not been directed in significant form to the downtown area.

3. Tax increment financing is an extremely important tool for the implementation of this Plan of Development. Tax increment financing can provide for the construction of public facilities in the Plan of Development area and for property acquisition for public or private redevelopment. A Plan of Development area is established by this Plan. An election is required to authorize issuance of bonds. TIF bonds, however, cannot be expected to fund all of the projects.

4. General improvement districts offer an opportunity to fund public improvements. General improvement districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off-street parking facilities.

5. The City also has the power to establish and maintain a pedestrian mall under the Public Mall Act of 1971. This act provides for both fully

pedestrian, or pedestrian/vehicular transit malls such as the existing Shopping Park. The City could conceivably employ this act to provide for the construction and payment for improvements throughout a general improvement district or a smaller commercial renovation area. The statute authorizes the City to levy a special assessment against property within the district to be expended for the maintenance, operation, repair or improvement of the mall.

6. Parking revenue bonds can be issued by the City to provide for the construction, maintenance and operation of public parking facilities, buildings, stations or lots and to pay for their costs by a general tax levy or otherwise by the issuance of revenue bonds. The principal and interest on such revenue bonds can be paid for solely out of revenues assessed and collected as rentals, fees, or charges from the operation of such facilities or from parking meter renewals, rentals or charges.

7. The City also has the authority, under the Public Parks Act, to establish, maintain and acquire land necessary or proper for boulevards, parkways, avenues, driveways and roadways, or for park or recreational purposes for the preservation and conservation of sites, scenes, open spaces, and vistas of scientific, historic, aesthetic or other public interest. Monies in the park fund can also be used for the maintenance and improvement of parks, parkways, boulevards, avenues, driveways and roads.

8. The City and the Downtown Development Authority have the authority to enter into long-term rentals and lease-holds, both for undeveloped or improved property. In addition, intergovernmental cooperation agreements can be used to establish and provide for joint use of public services or facilities.

9. A local, nonprofit development corporation may be necessary to provide coordination for large, private, multi-property developments. Industrial Development, Inc., is currently established as a nonprofit development corporation, but additional corporations such as this may be necessary and should be encouraged if coordination can be ensured.

10. The Capital Improvements Program established by the City and the County are major tools for insuring that public improvements are installed and maintained consistent with the goals and priorities of the community. Downtown projects should be set aside in a separate category, and prioritized on an annual basis.

11. By state statute, deferral of property tax assessments is available to owners of certain older buildings who improve their property through renovation. This is available for private home owners without special designation of their areas as a renovation district. For commercial property owners, a commercial renovation district is established under this Plan.

12. Urban development action grants, and community development block grants are federal programs offering assistance for a wide range of development and renovation activities. There are strict qualification requirements, and each year's funding level is subject to changes in federal policy and national economic shifts.

13. Main Street Program technical assistance, and historic structure designation are programs under the auspices of National and State Historic groups. Incentives for the preservation and judicious re-use of historic buildings are available, and geared to the needs of private owners.

14. Conventional financing is the normal course for most development projects. Recent interest rate fluctuations have led to greater use of devices such as the reduced rate loan pool established by the Authority.

15. Various other federal and state agencies offer specialty grant or technical assistance services for public improvement. Here, these can include: Federal Highway Administration and Urban Mass Transit Administration grants; Joint Budget Committee decision and expenditure; Colorado Energy Impact Assistance funds; Housing Authorities at the local, state and federal level; Colorado highway users trust fund.

#### C. IMPLEMENTATION-STEPS

The following list of actions will need to be taken, not necessarily in this order to implement this Plan.

1. The first step in the implementation strategy is the adoption of the Authority's Plan of Development and the continuation of the planning process. The agencies primarily responsible for this are the City and the Downtown Development Authority. Special studies and plans need to be developed for the following:

- a. Parking Management
- b. Design Guidelines for Downtown
- c. Landscape and Street Lighting Plan

- d. Zoning and Development Control Revisions
- e. Traffic Management
- f. Retail Mix and Recruitment
- g. Detailed Improvement Designs
- h. Housing Rehabilitation

2. The City should designate the Downtown Development Authority as the planning implementation agency for these projects.

3. The City and DDA will develop a detailed downtown implementation strategy and an annual work program based on fundable projects and activities. Specific planning and improvement projects will be paired with appropriate funding mechanisms.

4. The City and the DDA will hold a tax increment financing bond election.

5. The DDA and the City will prequalify for selected state and federal assistance programs. Although the exact use of these programs at the moment may not be clear, it is important that the City establish itself as qualified and interested in these funding programs for the implementation of this Plan of Development.

6. The DDA and the City will design and implement funding mechanisms for the commercial renovation district. These include those programs currently in place, such as the Low Interest Commercial Loan Pool and others which will require research and development.

7. The City and the DDA will prepare and consider for adoption revisions to the zoning ordinance. The DDA will be included in the Site Plan Review Process for all activities in the downtown.

8. The City, with DDA assistance, will provide industrial development bond financing for projects in the downtown in accordance with state and federal law.

9. The DDA and the City will coordinate market analysis studies, site plan designs, and packaging for projects such as the multi-use office/hotel/convention center.

10. The DDA, the City, and the Grand Junction Housing Authority will coordinate the development of market analysis studies, design studies, and packaging of properties for housing redevelopment projects where appropriate.

11. The DDA and the City will coordinate the market analysis, design planning, and packaging for the entry development project area.

12. The City and the DDA will coordinate selection of the state office building site and provide planning assistance for the state office building.

13. The DDA will need to coordinate design and development in a number of other redevelopment project areas, and should be aware of and anticipating the development of these.

14. The DDA with private sector assistance, will need to design and incorporate a local, private, non-profit development corporation. This corporation may be established for special projects, or may in fact begin to serve as an overall private partner to the Downtown Development Authority. The local development corporation could begin to coordinate implementation of the development of the downtown, taking some of the burden from the publicly financed DDA.

15. The City and DDA will adopt a parking management plan and may need to develop, adopt, and implement a parking district and a future parking development plan. Financing mechanisms for this include parking revenue bonds. A special study will be conducted to ensure that parking is provided and financed in a way amenable to downtown redevelopment.

16. The City and DDA will implement parking district improvements including property acquisition and constructing structures funded by parking revenue bonds, tax increment bonds, other sources or a combination of mechanisms.

17. The City, the DDA, the County, State and Federal governments and the school district could establish intergovernmental cooperation agreements for the joint provision and use of facilities and services. Such an example may occur in the governmental office district for the provision of parking or other maintenance, or property/street improvement activities.

18. The City, with the cooperation of the County, DDA and other agencies, needs to establish priorities and funding for federal and state urban transportation systems. These may include improvements to those major state highways bypassing or going through the downtown. It may require application or involvement with the Federal Highway Administration, the State Highway Users Trust Fund, the Colorado Department of Highways, the Federal



Urban Mass Transportation Administration and perhaps the state's Energy Impact Assistance funds.

19. The City and DDA should establish financing for park, boulevard, median and landscaping improvements. The funding mechanisms for these, in addition to highway construction sources, may include the Public Parks Act which would allow this kind of construction. The City does not currently take advantage of this financing mechanism.

20. The City and the DDA should research, evaluate and develop special land development regulations for the downtown that combine development incentives and design guidelines with regulations. Considerable legal research will be necessary and modification to existing administrative systems may be necessary. This could include exploration of feasibility of transferrable development rights, condominium law applications to private home improvements, and the use of air rights in certain congested areas of the downtown.

21. The Downtown Development Authority's interim Plan of Development relating to street vendors, attached hereto as Appendix H, adopted by the Authority Board and City Council in response to Grand Junction City Ordinance Number 1989, is hereby made a part of this Plan of Development.

SECTION VII  
PUBLIC FACILITIES

A. GENERAL

1. As mentioned in Section VI., the construction of public facilities and improvements can be used to support and encourage private redevelopment activities. Private redevelopment will encourage further reinvestment by the private sector. The result will be increased property values, increased tax revenues to the City, and reinforcement of land uses and business activities adjacent to the public facilities and improvements constructed as a result of this Plan.

2. A number of public works improvements will be undertaken to implement this Plan by the City and the Authority. Some of the improvements could be financed solely from tax increment revenues. Others could be financed with other available financing tools, i.e., special assessments, revenues bonds, general fund appropriations, general improvement districts, lease purchase, federal and state grant and loan programs and others. Some projects may be financed utilizing a combination of funding mechanisms.

3. The public improvements will be constructed to complement and provide incentives for private development. Scheduling the various public improvements will depend on the area and intensity of private sector redevelopment, the scheduling of the City's Capital Improvement Program, and the availability of tax increment and other financing mechanisms. The City and Authority will install and construct, or cooperate as appropriate with other public or private agencies, in the installation and construction of such public improvements, public facilities and utilities as are necessary to carry out this Plan. Such improvements, facilities, and utilities include, but are not limited to, any streets, parks, plazas, parking facilities, playgrounds, pedestrian malls, rights-of-way, structures, waterways, bridges, lakes, ponds, canals, utility lines or pipes, and buildings, including access routes to any of the foregoing, designed for use by the public generally or used by any public agency with or without charge, whether or not the same is revenue-producing. Improvements will be undertaken whenever possible in conjunction with and as an incentive for private redevelopment projects.

However, redevelopment priorities of the City and DDA, available funding and other demands, not the requests of redevelopers will determine the schedule of public improvement projects.

3. A more detailed description of the public facilities and improvements follows. Individual facilities and improvements will be further defined in the Public Improvement Design Guidelines and project specific implementation plans and specifications. The location of many of the projects listed in Section VII.B. below are identified by number in Exhibit E. on Page 43.

#### B. PROJECTS

1. Renovation of the Main Street Shopping Park. In addition to the improvement of facades along the shopping core being funded by the loan pool administered by the Downtown Development Authority, improvements to the landscaping, street furniture, and lighting will be accomplished.

2. Improvements to Alleyways. The improvements to alleyways include undergrounding utility systems, a general clean-up of the area, resurfacing, and improvements to pedestrian through-paths and parking areas.

3. Improvements to Rood Avenue. The 19.5 foot traffic lanes will be narrowed to 12 feet, and canopy trees and landscaping improvements will be added. The street will be returned to two-way traffic.

4. Improvements to Colorado Avenue. Traffic movement lanes will be narrowed from 19.5 to 12 feet, canopy trees and street landscaping improvements will be added. The street will be returned to two-way traffic.

5. Improvements to Seventh Street. This involves the extension of the boulevard from Grand to South. It will require minor alterations to parking along Seventh and the installation of a landscaped boulevard down the center of Seventh. It will require minor narrowing of the traffic lanes and will improve the movement of traffic along Seventh.

6. Restoration of Whitman Park. Although Whitman Park is not presently within the Authority's boundaries, it is hoped that it will become part of the DDA within the near future because of its influence upon adjacent DDA property. The improvements proposed to Whitman Park include clean-up and modification of the landscape and improvements to the lighting to improve safety and reduce loitering. These improvements will enhance its use as a neighborhood park for potential future housing development.

7. Extension of the Shopping Park. The Shopping Park will be extended into the 200 block of Main Street and a plaza could be constructed at Second and Main to include a large sculptured fountain. This project will enhance Two Rivers Plaza and provide incentive for the future development of a multi-use hotel and office facility in close proximity to Two Rivers Plaza. It will also provide incentive for a performing arts complex at that location. It will be undertaken in conjunction with private development.

8. Relocation of Regional Bus Terminal. This terminal needs to be relocated to a site more appropriate for regional transportation, and to allow improvements in the neighborhood of its current site to occur. The project will involve site selection, acquisition and development, and could include clearance and acquisition of its current property.

9. Image Improvement at Seventh and Main. This project involves improvements in parking, lighting landscape, and signage at the entry to the Shopping Park. In the future, the site can serve as a community bus transfer point, dependent upon installation of a line haul bus facility program in Grand Junction.

10. Identify, Designate and Acquire Future Parking Facility Locations. The City and Authority will identify specific locations for future parking facilities and acquire and maintain these properties as development staging areas to encourage and provide incentive to future development.

11. Construct Parking Facilities. The City and Authority will build parking facilities (surface or multi-level) on appropriate designated sites to accommodate parking demand created by new development.

12. Expansion of the Museum of Western Colorado. The City and Authority will assist the Museum in identifying and acquiring a site to permit the expansion of the Museum facility. This could involve acquisition and resale or a long term property lease.

13. Public Building Sites. The City and DDA will identify, acquire and assemble sites or key parcels appropriate for the development of public buildings individually or in cooperation with other agencies desiring to undertake projects consistent with the objectives of this Plan and within the redevelopment areas designated in this Plan. Public buildings could include a state office building, City Hall, performing arts/civic events center, County offices and others.

14. Redevelopment Sites. The City and DDA will identify, acquire and assemble sites or key parcels appropriate for redevelopment projects (commercial, office, hotel, housing, etc.) for resale or lease to public or private developers desiring to undertake projects consistent with the objectives of this Plan and within the redevelopment areas designated in this Plan.

15. Utilities. The City will expand or replace municipal utilities (water distributions, sanitary sewer, storm sewer, lighting) where necessary and appropriate, and desirable to accommodate the utilities demands of redevelopment projects provided funds are available.

16. Right-Of-Way Acquisition. The City will acquire rights-of-way or easements where necessary to accommodate utility relocations and roadway and traffic circulation improvements.

17. Parks. The City and Authority will acquire sites for and develop parks, plazas, fountains and pedestrian walkways between parking areas and activity centers in accordance with the Downtown Development Strategy Plan and subsequent landscaping, public improvement and redevelopment plans.

18. Improvements to First Street. In cooperation with the State Highway Department, First Street will be landscaped and intersections improved to accommodate pedestrian traffic across First Street without adversely affecting traffic flow.

#### C. PRELIMINARY COST ESTIMATES

1. The following cost estimates are for typical block or work areas for several of the public improvement projects listed and are based upon current (October 30, 1981) construction costs. The individual unit costs used are slightly inflated to include approximately 10% contingency to cover related work but not itemized. These estimates were prepared without the aid of accurate existing condition surveys or detailed development plans. The estimates do not include any allowance for major underground work except as noted, or for unforeseen construction problems.

2. TYPICAL UNIT AND PER BLOCK COSTS

a. Main Street Shopping Park Upgrade Cost Estimate - Typical Block

1.) Work Items	Units	Cost/Unit	Total
Remove dead trees	6 EA	\$ 50.00 EA	\$ 300.00
Install low plantings planters	6 EA	150.00 EA	900.00
Remove existing planters	6 EA	150.00 EA	900.00
Prune existing trees	12 EA	80.00 EA	960.00
Paint existing shelters	Allow	500.00	500.00
Reconstruct brickwork	Allow	2,000.00	2,000.00
		Subtotal	<u>\$5,560.00</u>
		+ 25% contingency and general conditions:	<u>1,390.00</u>
			<u>\$6,950.00</u>
		Say:	\$7,000.00

2.) Construct Small Fountain Feature

Allow \$12,000 to \$25,000 each

b. Typical Alley Treatment Cost Estimate - Typical Block

1.) Site Improvements

Site Preparation

Remove alley pavement	940 SY	6.00 SY	5,640.00
Miscellaneous removals	Allow	1,000.00	<u>1,000.00</u>
			<u>\$6,640.00</u>

Utilities

Adjust existing m.h. covers	5 EA	100.00 EA	500.00
New inlets	2 EA	1,500.00 EA	<u>3,000.00</u>
			<u>\$3,500.00</u>

Sitework

New bituminous paint	620 SY	15.00 SY	9,300.00
New special concrete	2,900 SF	5.00 SF	14,500.00
Screen wall	210 LF	180.00 LF	37,800.00
Curb/seat wall	210 LF	50.00 LF	10,500.00
Entry trellis	Allow	5,000.00	5,000.00
Entry difectory	Allow	3,000.00	3,000.00
Pedestrian lights	7 EA	2,000.00 EA	<u>14,000.00</u>
			<u>\$84,100.00</u>

Landscape Furnishings

Flowering trees	10 EA	\$ 200.00 EA	\$ 2,000.00
Planting bed	1,260 SF	4.00 EA	5,040.00
Bench units	5 EA	400.00 EA	2,000.00
Irrigation	Allow	4,000.00	4,000.00
			<u>\$ 13,040.00</u>
		TOTAL:	<u>\$107,280.00</u>

Budget ranges from \$105,000 to \$135,000 per block.

0.110  
 Transformer  
 Secondary distribution  
 Allow

Budget ranges from \$45,000 to \$55,000 per block.

c. Road and Colorado Avenue Improvements Cost Estimate - Typical Block

1.) Site Improvements

Site Preparation

Remove existing street	1,130 SY	8.00 SY	9,040.00
Remove existing curb	1,040 LF	4.00 LF	4,160.00
Remove existing sidewalks	180 SY	5.00 SY	900.00
Remove existing lights	10 EA	250.00 EA	2,500.00
			<u>16,600.00</u>

Utilities

Adjust existing m.h. covers	16 EA	100.00 EA	1,600.00
Abandon existing inlets	6 EA	150.00 EA	9,000.00
New inlets and pipe	14 EA	1,500.00 EA	21,000.00
Miscellaneous	Allow	3,000.00	3,000.00
			<u>26,500.00</u>

Sitework

Concrete curbs	1,060 LF	10.00 LF	10,600.00
New brick/concrete walks	7,800 SF	4.50 LF	35,100.00
Concrete replacement	1,600 SF	2.00 SF	3,200.00
Street patching	100 SY	15.00 SY	1,500.00
30' lights	10 EA	3,000.00 EA	30,000.00
Brick crosswalks	1,600 SF	8.00 SF	12,800.00
			<u>93,200.00</u>

Landscape/Furnishings

Street trees	36 EA	500.00 EA	18,000.00
Tree grates	36 EA	350.00 EA	12,600.00
Benches	6 EA	800.00 EA	4,800.00
Trash receptacles	6 EA	350.00 EA	2,100.00
Low planters	8 EA	1,000.00	8,000.00
			<u>45,500.00</u>
		Subtotal	\$ 182,000.00

Budget ranges from \$180,000 to \$225,000 per block.

d. Seventh Street Boulevard Improvements Cost Estimate - Typical Block

1.) Site Improvements	<u>Units</u>	<u>Cost/Unit</u>	<u>Total</u>
<u>Site Preparation</u>			
Remove existing street	1,450 SY	\$ 8.00 SY	\$ 11,600.00
Remove existing curb	800 LF	4.00 LF	3,200.00
Remove existing walks (20%)	180 SY	5.00 SY	900.00
			<u>\$ 14,800.00</u>
 <u>Utilities</u>			
Adjust existing m.h.	10 EA	100.00 EA	1,000.00
Abandon existing inlets	6 EA	150.00 EA	9,000.00
New inlets and pipe	8 EA	1,500.00 EA	12,000.00
Miscellaneous	Allow	2,000.00	2,000.00
			<u>\$ 24,000.00</u>
 <u>Sitework</u>			
Concrete curbs	1,300 LF	10.00 LF	13,000.00
New brick/concrete walks	7,200 SF	4.50 SF	32,400.00
Brick crosswalks	2,400 SF	8.00 SF	19,200.00
30' lights	6 EA	3,000.00 EA	18,000.00
Median lights	4 EA	2,000.00 EA	8,000.00
Irrigation	Allow	4,000.00	4,000.00
			<u>\$ 94,000.00</u>
 <u>Landscape/Furnishings</u>			
Street trees (5" cal.)	18 EA	500.00 EA	9,000.00
Tree grates	18 EA	350.00 EA	6,300.00
Benches	4 EA	800.00 EA	3,200.00
Trash receptacles	4 EA	350.00 EA	1,400.00
Lawn planting	300 SY	3.00 SY	900.00
Low planters	6 EA	1,000.00 EA	6,000.00
			<u>\$ 21,400.00</u>
		Subtotal:	\$154,800.00

Budget ranges from \$155,000 to \$195,000 per block.

2.) New Traffic Signalization

Budget ranges from \$25,000 to \$32,000 per block.

3. ESTIMATED TOTAL COSTS FOR SAMPLE PROJECTS

The final cost figures are given in a range from the base estimated cost to a figure escalated 25% to cover many of the unknown conditions and requirements that often occur on projects of these types. Actual costs will not be known until specific project development plans have been completed and projects are ready for construction.



- a. Shopping Park Improvements, for the four block area on Main Street between Seventh and Third, including two small fountains:

\$22,000 - \$28,000  
24,000 - 50,000  
\$46,000 - \$78,000

- b. Alleyway Improvements, for the four blocks of alleys north and south of Main Street between Fourth and Sixth.

\$420,000 - \$540,000

- c. Rood Avenue Improvements between Fourth and Sixth

\$360,000 - \$450,000

- d. Colorado Avenue Improvements between Fourth and Sixth

\$360,000 - \$450,000

- e. Alleyway Improvements north and South of Main between Sixth and Seventh, and Third and Fourth

\$420,000 - \$540,000

- f. Seventh Street Improvements, from Grand to Colorado, not including signal support changes

\$620,000 - \$780,000

- g. Rood Avenue Improvements between Seventh and Sixth, and First and Fourth

\$720,000 - \$900,000

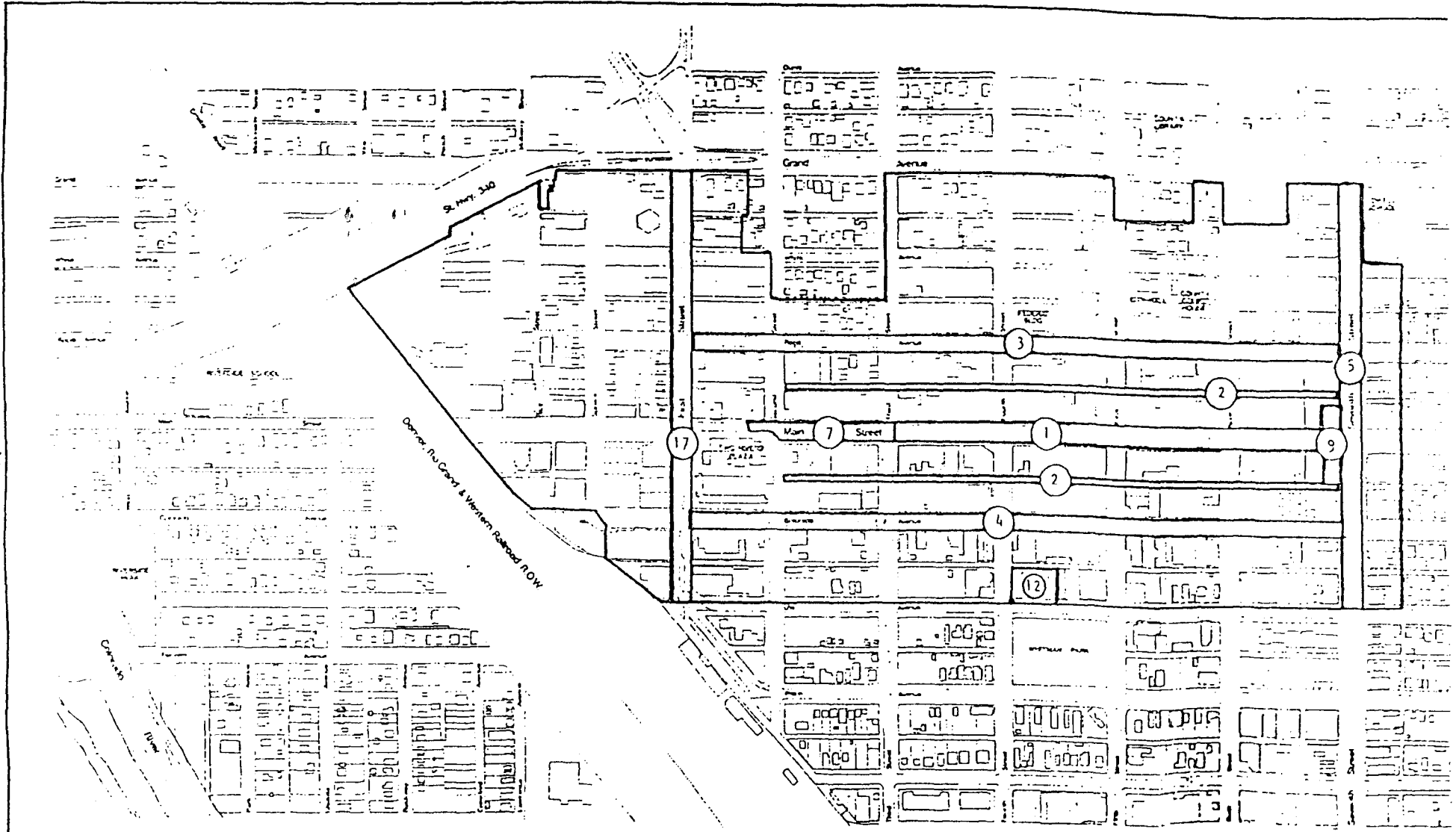
- h. Colorado Avenue Improvements between Seventh and Sixth, and First and Fourth

\$720,000 - \$900,000

- i. Seventh Street Improvements, from Colorado to Railroad Tracks

\$550,000 - \$685,000

As mentioned above, detailed costs of these and other projects will not be known until project specific planning and design has been accomplished. The cost of individual project planning and design has not been included in these estimates, but shall be included in the calculation of total cost for each project and may be financed in conjunction with the financing of the public improvement projects.



Map by City County Development Department

**EXHIBIT E**

**PUBLIC IMPROVEMENT PROJECT LOCATIONS (NUMBERS REFER TO SOME OF THE PROJECTS LISTED IN SECTION VII, B.)**  
**DECEMBER, 1981**

SECTION VIII  
REDEVELOPMENT AND RENOVATION PROJECT AREAS

A. GENERAL

1. The public facilities and improvements described in Section VII will provide some, but not all, of the needed incentives to the private sector to undertake desired redevelopment projects. Because of the difficulty in assembling small parcels with mixed ownerships into the large parcels necessary for redevelopment projects, the Authority and City will acquire key parcels and entire sites for priority redevelopment projects. Property so acquired can be cleared and prepared with utilities, surface treatment, landscaping and other amenities for lease or sale at fair value to redevelopers desiring to undertake a redevelopment project. Only qualified redevelopers submitting project plans consistent with this Plan and with any project specific criteria as determined by the Authority will be allowed to participate in projects on land acquired by the Authority and City.

2. The redevelopment areas, shown on the map in Exhibit F, establish a long-range land use and circulation framework for the future of the DDA Plan of Development area. Within each of the areas shown, redevelopment, both public and private, is intended to be predominantly concentrated within a certain type and to allow and provide for the redevelopment of properties at levels of intensity and density appropriate for the commercial and office center of the community. This Plan presents a flexible management concept for the downtown; the boundaries of the proposed areas make sense in light of today's opportunities, but must be regarded as indications of an intended future, not their literal representation.

3. This Plan will accommodate growth and change in two ways; by providing for the renovation and creative use of adaptable structures and properties which continue the community's heritage; and by providing for the redevelopment of properties unsuitable to further productive use and not providing a strong link to our heritage. It will concurrently balance downtown growth along both of these paths and proposes policies and programs which provide investment opportunities and returns to the community along both tracks.

4. The placement of public facilities, services and utilities described in Section VII will reflect this dual potential and future and provide a balance of incentives and management assistance.

5. Within each of the various areas shown in Exhibit F, growth management policies need to reflect the community's interests in sound property development. Sound principles of land planning need to be applied, and development concepts for district-wide areas need to be examined and re-examined.

6. The City and Authority, in accordance with Item A. 14. in Section VI of this Plan will acquire sites or key parcels appropriate for redevelopment projects. All purchasers of said sites or key parcels shall be obligated to develop the property in accordance with the provisions of this Plan and any design or development standards or criteria subsequently established by the City or Authority, to begin and complete the development of the property within a period of time which the Authority fixes as reasonable, and to comply with such other conditions as the City or Authority deem necessary to assure the achievement of the purposes of this Plan.

#### B. DESCRIPTIONS OF REDEVELOPMENT AREAS

1. Commercial Renovation District. The Shopping Park along Main Street is designated as a renovation district rather than redevelopment area, since the structures on Main Street provide strong opportunities for renovation rather than replacement. Historic district designation will be investigated, with the preservation of key structures a possibility in this area. Good building rehabilitation opportunities do exist. Restorations need to preserve architectural integrity, materials, sense of color, signage and the alignment of similar buildings elements.

2. Commercial Center Redevelopment Area. The Rood and Colorado corridors between Third and Seventh should be redeveloped with high intensity commercial emphasizing retail and service uses. Some properties will be appropriate for restoration or renovation work. This area is appropriate for the compatible integration of individual different uses.

3. Mixed-Use Redevelopment Area. Two Rivers Plaza provides an appropriate focus for a mixed-use development at the western terminus of the Shopping Park. This Plan calls for the combination of hotel, office and convention facilities

in a multi-block property, and proposes the use of parking lots for the staging and phasing of development and to insure flexibility in the trade and exchange of land. A multi-block project in this location could also provide for the performing arts or new state office facility. However, major projects in the mixed-use area will require an upgrading and replacement of current utility systems.

4. Primary Government and Professional Office Redevelopment Area. The existing City Hall, County Courthouse, Federal Building, Valley Federal building and Post Office, all north of Rood between Third and Sixth, offer the opportunities for significant massing of new government and professional office related buildings, the establishment of promenades and skyways connecting these buildings, and the location of a high-rise element for the skyline.

5. Secondary Government and Professional Office Redevelopment Area. The existing Police Station, Sheriff's Office, jail and Fire Station and available land offer the opportunity for new public safety, criminal justice, general government and associated professional office development.

6. Medium and Low Density Office Redevelopment Area. These areas should be developed at a smaller scale and intensity than the more central redevelopment areas with on-site parking and setbacks to provide a transition to existing older neighborhoods. Multi-family housing would be a compatible use in this area if the design is compatible.

7. Entrance Development District. The area west of First Street, south of State Highway 340 and north of Colorado is owned primarily in large parcels and would be appropriate for a large scale planned redevelopment project. This property is well enough located and large enough for development of a research or office park, high density housing, a regional transportation center, and a downtown food market. As an office or research park, it can provide a complement to the Two Rivers Plaza area immediately to the east. As a redevelopment parcel, it should be planned as a complete unit, with full mind given to the views it can provide of the downtown to those arriving from the west. Ultimate uses in this area will depend on the market analyses and site planning for the area.

#### C. REDEVELOPMENT AREA BOUNDARIES

1. It should be reiterated that the boundaries and descriptions of the

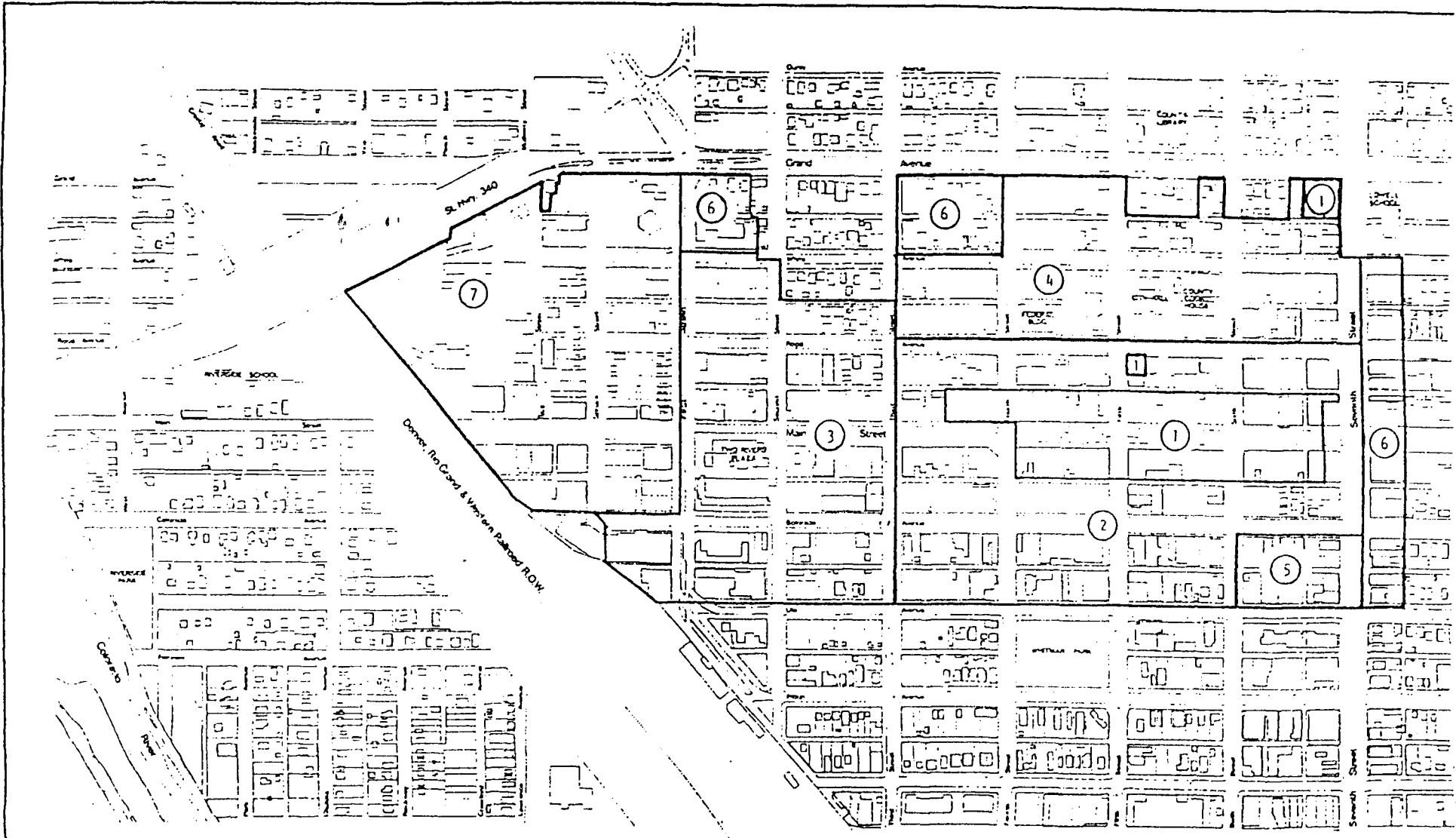
renovation areas described in this section and shown in Exhibit F are general. Actual redevelopment projects may not entirely conform to the uses or areas designated for each area. Redevelopment projects, however, will be compatible with adjacent and surrounding uses. Various development incentives described in this Plan will be used to encourage redevelopment projects in appropriate locations. Revised zoning regulations called for and discussed in the Plan to be undertaken subsequent to adoption of this Plan will reference and reflect the redevelopment area boundaries and descriptions contained in this Section VIII.

2. The Commercial Renovation District, designated by the Number 1 on Exhibit F, consists of both sides of Main Street in a majority of the Shopping Park and two sites separate from Main Street. The Main Street properties and the other two sites (the IOOF Building and the two large residences on the southwest corner of Seventh and Grand) have been designated for commercial renovation because:

a. The structures therein comply with the criteria prescribed in S39-5-105 C.R.S. 1973 as amended, for the application of the five year deferral.

b. The structures therein exemplify the history of the development of Grand Junction and contribute significantly to the physical and visual character of the downtown.

c. Many of the structures therein, because of their age and lack of proper maintenance, contribute to life, health, and fire safety problems. The provision of the five year deferral on increases in assessed value resulting from renovation will provide an incentive to alleviate the safety problems and retain the visual character of the buildings.



-411-

base map prepared by City/County Development Department

**EXHIBIT F**

**DDA PLAN OF DEVELOPMENT REDEVELOPMENT AREAS (NUMBERS REFER TO THE DESCRIPTIONS LISTED IN SECTION VIII.B. DECEMBER 1981)**

SECTION IX  
PROJECT FINANCING

A. FINANCING MECHANISMS

1. Any and all methods legally available to the City and/or Authority may be used to finance the public improvements described or anticipated in this Plan. Those methods include but are not limited to:

- a. Property tax increment financing
- b. Sales tax increment financing
- c. General obligation bond financing
- d. Municipal revenue bond financing
- e. General improvement district financing
- f. Local improvement district and special assessment financing
- g. Mall improvement and maintenance district financing
- h. Tax anticipation notes and warrants
- i. Installment purchasing
- j. Short term notes and loans
- k. Tax exempt mortgage financing
- l. Industrial development revenue bond financing
- m. Conventional financing

2. These methods can be combined to finance individual portions of projects or whole projects as the City and Authority deem appropriate at the time projects are undertaken. These methods can also be used insofar as legally allowable to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the City or Authority to finance or refinance in whole or in part, the projects contained in this Plan.

B. TAX INCREMENT FINANCING

1. Colorado Statute in S31-25-807 C.R.S. 1973 as amended, provides for the Authority and City, through the adoption of a Plan of Development to create a Plan of Development area utilizing either or both property and municipal sales taxes for a period not to exceed twenty-five years. Both property and municipal sales tax increments derived from the Plan of Development area will be used to redeem bonds issued to finance all or a portion of the cost of



U  
projects within the Plan of Development area as described in this Plan. The following information describes the division of funds necessary to implement the tax increment mechanism for the City of Grand Junction and Grand Junction Downtown Development Authority under this Plan. This description relates to all property and municipal sales taxes generated within the Plan of Development area.

a. The effective date of this Plan shall be December 16, 1981, that date being subsequent to September 9, 1981, the last date of certification of valuation for assessment of taxable property within the boundaries of the Plan of Development area. The base year for property tax valuation shall be 1981.

b. The City shall establish, in the first calendar quarter of 1982, a tax increment revenue fund for the deposit of all funds generated pursuant to the division of property and municipal sales tax revenue described in this Section IX.B., other funds generated by tax increment financed projects, and any other funds so designated by the City and the Authority.

c. Municipal sales taxes collected in the Plan of Development area for the twelve month period ending on the last day of the month (November 30, 1981) prior to the effective date of this Plan (December 16, 1981) shall be calculated by the City Finance Director and certified to the City and Authority prior to April 1, 1982. The twelve month period base year for the division of sales taxes shall be December 1, 1980 through November 30, 1981.

d. The property and municipal sales tax shall be divided according to S31-25-807, C.R.S. 1973 as amended, for a period of twenty-five years from the effective date of this Plan unless the City and Authority deem that all of the projects anticipated in this Plan have been accomplished and all debts incurred to finance those projects have been repaid or otherwise disposed of in which event the City and Authority may declare the Plan implemented. Thenceforward, all taxes upon taxable property and total municipal sales tax collections derived from the Plan of Development area shall be paid into the funds of the respective public bodies.

e. The division of municipal sales taxes generated and collected from within the Plan of Development area after November 30, 1981, shall be:

1.) The base year amount shall be paid into the funds of the City annually commencing on December 1, of each year.

2.) Twenty percent (20%) of the incremental amount in excess of the base year amount shall be paid into the funds of the municipality.

3.) Eighty percent (80%) of the incremental amount in excess of the base year amount shall be paid into the tax increment revenue fund.

4.) Payment of incremental funds into the tax increment revenue fund shall commence only after the base year amount has been collected and paid into the funds of the municipality. Thereafter and until November 30 of each year the percentages described in subsections 2. and 3. above shall be paid into the funds of the municipality and the tax increment revenue fund.

5.) All interest earned on the deposit or investment of funds allocated to the tax increment revenue fund shall be paid into the tax increment revenue fund.

f. All tax increment revenues described in this Section IX.B. will be irrevocably pledged by the City for the payment of the principal of the interest on and any premiums due in connection with bonds, loans, advances and indebtedness of the City and Authority only after the question of issuing such bonds or otherwise providing for such loans, advances, or indebtedness and the question of any such intended pledge are first submitted for approval to the qualified electors of the Downtown Development Authority district at a special election to be held for that purpose. Any such election shall be called by resolution of the Board of the Authority adopted at a regular or special meeting thereof and approved by the City Council by a vote of a majority of the members thereof at least 30 days prior to such election. It is anticipated that such election shall be held in the second half of calendar year 1982, or the first half of calendar year 1983. Any and all funds paid into the tax increment revenue fund prior to the approval of the debt question at a special election shall be retained in the tax increment fund until such election has been held and debt authorized.

g. Subsequent to authorization of debt and issuance of bonds, the City shall establish such other funds and accounts as may be necessary to:

- 1.) Service the debt on bonds, loans, notes and advances
- 2.) Create a debt service reserve to cover a portion of the debt service on bonds, notes, loans or advances

2. Pursuant to an election authorizing the issuance of tax increment bonds,

the City Council shall by ordinance authorize the issuance of bonds. Said ordinance shall adequately describe the flow of funds and priority of expenditures associated with each issue and relating to prior or subsequent issues.

C. COMMERCIAL RENOVATION DISTRICT DESIGNATION

1. Colorado Statute S39-5-105 C.R.S. 1973 as amended, provides for a five year deferral in the increase of assessed value of a property more than thirty years old as a result of any renovation done to the property. The commercial renovation districts called for in this Plan are described in Exhibit C and in Section VIII.C. The designation of the commercial renovation areas will result in property owners being able to save the amount their property tax liability would have increased due to the renovation for a period of five years. The amount saved could be used to amortize the cost of the renovation thereby acting as an incentive for commercial renovations within the designated areas.

2. With the adoption of this Plan, the areas described in Exhibit C shall be designated commercial renovation areas under S39-5-105 C.R.S. 1973 as amended. Any renovations undertaken to property within the commercial renovation districts after the effective date of this Plan shall not result in any increase in the assessed value of the properties so renovated for a period of five years from the date of completion of the renovation unless the property is sold.

SECTION X

AMENDMENTS TO THE PLAN OF DEVELOPMENT  
AND FUTURE INCLUSIONS TO THE DOWNTOWN  
DEVELOPMENT AUTHORITY DISTRICT

anticipated in this Plan to be flexible and  
allows future decisions to deal with future  
must, therefore, be flexible and allow for minor  
amendments.

B. MODIFICATIONS TO AND VARIATION FROM THE APPROVED PLAN

1. This Plan may be modified pursuant to the provisions of the Colorado  
Downtown Development Authority Law governing such modifications, including  
S31-25-807 C.R.S. 1973 as amended.

2. Where a literal enforcement of the provisions contained in this Plan  
would constitute an unreasonable limitation beyond the intent and purpose of  
these provisions, the Authority and City may in specific cases allow minor  
variances from these provisions.

C. FUTURE INCLUSIONS OF PROPERTY TO THE AUTHORITY DISTRICT

1. Colorado law allows new property to be added to the Downtown Development  
Authority if such property is adjacent to existing property, and the property  
owner requests inclusion and provides proof of ownership. The Downtown  
Development Authority has already included several properties at owner request.

2. As Johnson, Johnson & Roy, Inc., indicated in their Downtown  
Development Strategy, the problems of the Grand Junction central business  
district are closely tied to the Grand Junction Downtown Development Strategy  
Plan area, described as the area within the City limits of Grand Junction,  
circumscribed by Ouray Avenue on the north, Twelfth Street on the east, the  
alley south of South Street on the south, and the railroad tracks on the west.  
Hopefully, the boundaries of the two may one day coincide so that management  
and planning can be facilitated.

3. However, until that time, guidelines need to be established to direct  
the growth of the Downtown Development Authority. Therefore, future inclusions  
should satisfy the following criteria as much as possible.

a. Included property should be property that faces the same problems as that property already within the Downtown Development Authority.

b. Included property should be adjacent to the Downtown Development Authority, but need not be adjacent at more than one point.

c. A patchwork effect should be avoided, however, inclusions which tend to reach areas with a community of interest similar to that of property within the Downtown Development Authority will be encouraged.

d. It is anticipated that inclusions may be more rapid along corridors into the Downtown Development Authority and these should be encouraged to facilitate management of the entry areas to downtown.

e. Inclusions between corridors should be allowed when they tend to show a uniform pattern of filling the area between corridors already included.

f. Areas outside the downtown area, as defined in the Downtown Development Strategy, should not be allowed.

g. Inclusions which would strengthen the character and economic base of the central business district, even though not of commercial property, should be encouraged.

h. Each inclusion, at the time a petition is considered by the Authority Board of Directors, should be designated for inclusion as:

1.) A Commercial Renovation District

2.) An inclusion to the Plan of Development area within which tax increment financing is utilized under this Plan of Development.

3.) An inclusion without designation, which inclusion may become part of a future Plan of Development area.

4. Commercial renovation districts allowing the tax deferral and the Plan of Development area are mutually exclusive, and therefore, it is anticipated that no new renovation areas can be created within the perimeter of the initial tax increment district. However, commercial renovation areas may be created if new property is subsequently added to the Downtown Development Authority in accordance with Section X.C.3. above, provided the building conditions prescribed in C.R.S. 39-5-105, 1973 as amended, exist at the time the property is included and a commercial renovation area designation will further the purposes of and assist in the implementation of this Plan as it exists at the time of the inclusion.

5. This Plan of Development designates areas in which tax increment financing will be used. Once the district boundaries are formed, additions may be made by complying with the necessary procedures to amend the Plan of Development. However, it is anticipated that once there is an election to pledge tax increment revenues, it could become burdensome to amend the boundaries of the tax increment district. Therefore, any subsequent inclusions to the Authority district which will also be included in the initial tax increment district should be accomplished according to the procedures in C.R.S. S31-25-807 and 822 and by this Section X of this Plan.

6. With these guidelines, the Downtown Development Authority can, hopefully, grow to a size necessary to assist in meeting the challenges of the future, but do so within a framework of controlled expansion.



GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY  
INTERIM PLAN OF DEVELOPMENT  
RELATING TO STREET VENDORS

The Grand Junction Downtown Development Authority supports and encourages the permitting of street vendors, sidewalk cafes, and special entertainment events on the public right-of-way in the downtown Shopping Park. Vendors, sidewalk cafes, and special events assist in creating an atmosphere in the downtown that will draw people. Special street activities should appropriately be located in the Shopping Park where the public right-of-way of Main Street has been substantially altered in physical form so as to be conducive to allow for semi-permanent structures, kiosks, carts and the like, and because traffic on Main Street within the Shopping Park is controlled at low speeds with stops at intersections and at mid-block, allowing for street vendors and other activities on public property. Street activity of this nature will generate additional pedestrian and vehicular traffic into and within the downtown area. Additional traffic will enhance the image of the entire downtown area and will help to generate increased retail sales.

The Downtown Development Authority, as a separate part of the plan of development, is recommending a preferred mix of retail opportunities in the downtown area, so as to balance the city-wide and downtown retail market opportunities. The street vendors, special events, and special use permits described in this part will assist in establishing a preferred retail mix in the downtown. In the short term, street vendors will augment the availability of retail merchandise in the downtown. It is the express intent of the street vendor program to supplement and complement existing retail businesses, rather than to supplant them. The Shopping Park has been used by the City, downtown merchants, service clubs, and other organizations for parades, special fund raising events, etc. since it was constructed in 1963 for these same purposes.

1. Because of the wider sidewalks in many locations on the Shopping Park, restaurants are encouraged to expand their seating areas onto the sidewalk where space permits. Existing restaurants are encouraged to do this in order to integrate the interior of their establishments and the atmosphere of a restaurant with the Shopping Park. Because existing restaurants maintain the necessary Department of Health and Department of Revenue permits to undertake such an activity and because they maintain existing food and beverage preparation facilities, it will be relatively easy for existing establishments to expand. In no event will the width of the sidewalk be reduced beyond ten feet or will any sidewalk seating area be allowed to constrain or unnecessarily restrict pedestrian traffic. All requirements for sidewalk eating areas established by the Department of Health and the Department of Revenue shall be complied with.

2. The street vendor program encourages street vending carts, semi-permanent kiosk structures, pedestrian vendors and roving entertainers. The mode the individual vendor determines is most suitable to him and for the sale of his merchandise within these categories is acceptable provided that the number of permits for carts, kiosks, and pedestrian vendors does not exceed the number of locations specified in this part.

3. Because it is the intent of the DDA to balance the retail mix of the downtown area, it is important that the location of and merchandise sold by street vendors complement rather than conflict with businesses located in permanent structures on private property. Therefore, it would be inappropriate for a street vendor to be selling the same merchandise lines on a public right-of-way as those being sold by a business immediately adjacent located in a private permanent structure. Prior to the issuance of a permit, a vendor applying for a kiosk, mobile vending cart or sidewalk restaurant permit will be required to receive the written concurrence of not less than 2/3 of the operating businesses within a 75 foot radius of the location in which he would establish his vending operation.

4. Permits will be allowed to vendors based upon the line of merchandise a vendor proposed to sell. Any change in merchandise lines will void the permit. Types of goods sold by street vendors will be limited in accordance with the preferred retail mix. In general, because of the semi-permanent nature of street vendor operations, the lack of space for storing inventory and displaying merchandise and because the intent of the program is to complement existing retail opportunities, merchandise lines to be permitted for sale will be limited to perishable goods, foodstuffs, hand-crafted products, artworks, sundries (candy, cigarettes, newspapers, magazines, etc.), and novelty items.

5. All vendors shall sell from the specific location or zone permitted as shown on the map in this part. Merchandise lines shall be specified in the issuance of a permit. Plans and specifications, including the design, color, size, and position of carts and temporary kiosks, will be submitted and reviewed for compliance with design guidelines for the downtown prior to the issuance of a permit. Vendors will not be allowed to utilize audio inducements to advertise their merchandise or to encourage sales, because audio inducements and advertising will adversely affect the tranquility of the Shopping Park. Permitted street entertainers will be excepted from this provision.

6. Because the Downtown Development Authority is encouraging small business entrepreneurship in the downtown and a diversity in business ownership, any individual or organization may obtain only one vending permit (excluding special use permits) to be effective at the same point in time. Special use permits, because of their very short duration, will be excluded from limitation. Special use permits, however, shall be awarded in accordance with traditional special uses of the Shopping Park, i.e., Farm and Ranch Days, Pancake Breakfast, -



Art Festival, etc. Conflicting special use permits will not be issued. Coterminal special permits that will complement each other and the downtown will be issued.

7. Special use permits and vendor permits will be available at no cost to non-profit and charitable organizations undertaking their efforts with volunteers, provided that the gross proceeds are contributed to a charitable purpose.

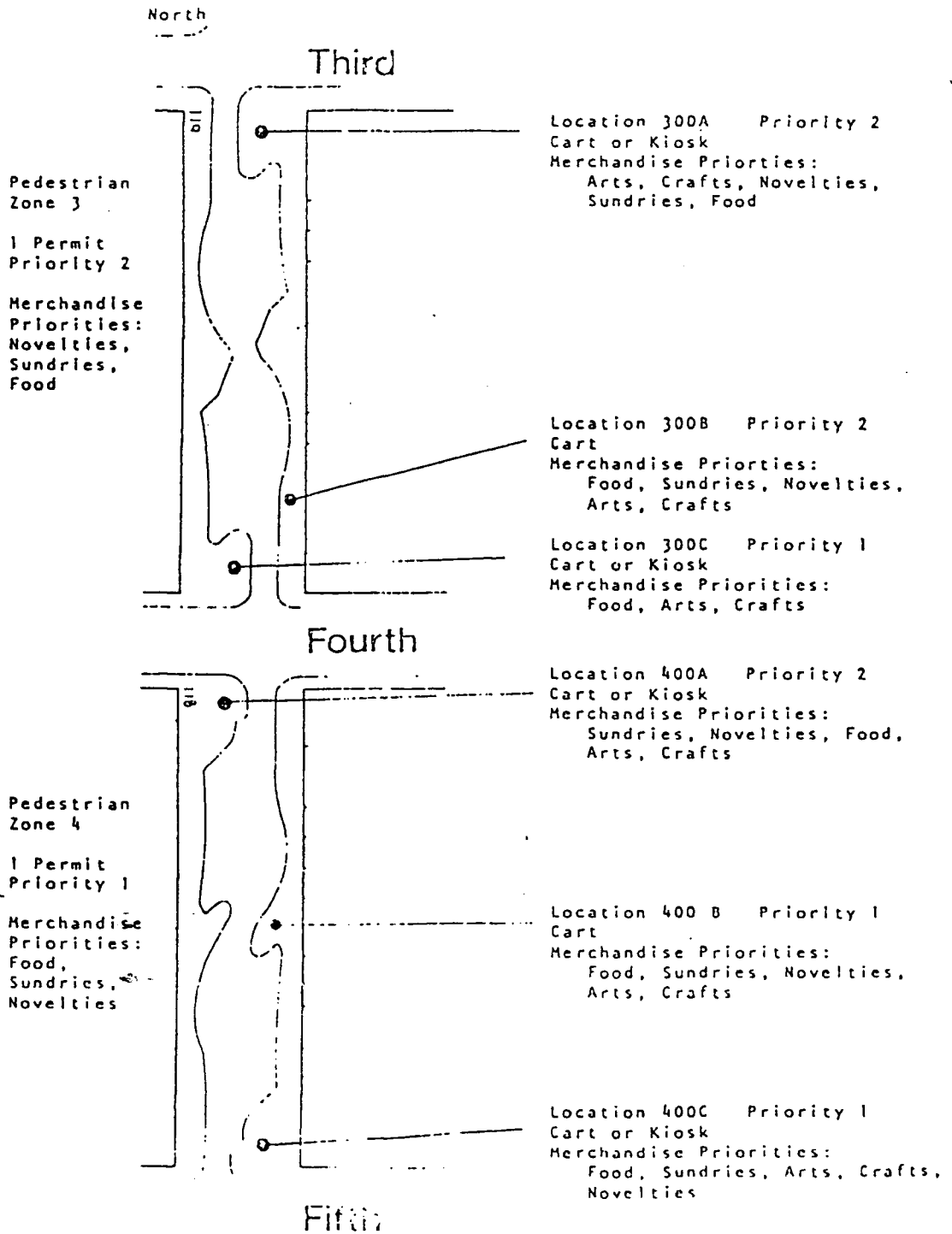
8. Individuals and/or organizations receiving permits may renew permits by reapplying and submitting the fee any number of times except: 1) when a permit has not been used for a majority of the time for which it was issued, 2) when a permit is not used in accordance with the terms of its issuance, 3) when reasonable complaints are received relating to the permittee or permitted operation, and, 4) for failure to comply with the ordained provisions relating to insurance, maintenance of the area, etc. If it is determined that a permitted vending operation creates congestion of sidewalks or streets or in any other way interferes with activity on Main Street through no fault of the vendor, a permit may be re-issued for the remaining period of time authorized by the first permit at a different location at no cost.

9. Attachment 1A indicates the locations and zones for which kiosk, cart and pedestrian vendor permits will be used. The locations for kiosk and cart permits, three per block, are those that were determined would create the least pedestrian interference and cause the least amount of interference with existing street activities. These locations may need to be changed from time to time as street activities change and needs and demands are adjusted. As retail operations relocate on the Shopping Park, the potential for conflicts with street vendors will occur; therefore, changes in the locations of the vendors will be undertaken through the relocation of the vending permit rather than revocation.

10. The priority uses by merchandise line at each vendor location are also shown on Attachment 1A. The uses listed were determined after considering the existing retail activities and pedestrian traffic generators in each area. The uses specified in each location will enhance pedestrian activities within the Shopping Park, but may need to be adjusted as the retail mix in the downtown changes or as pedestrian traffic patterns change.

ATTACHMENT 1A

Zones 3 and 4

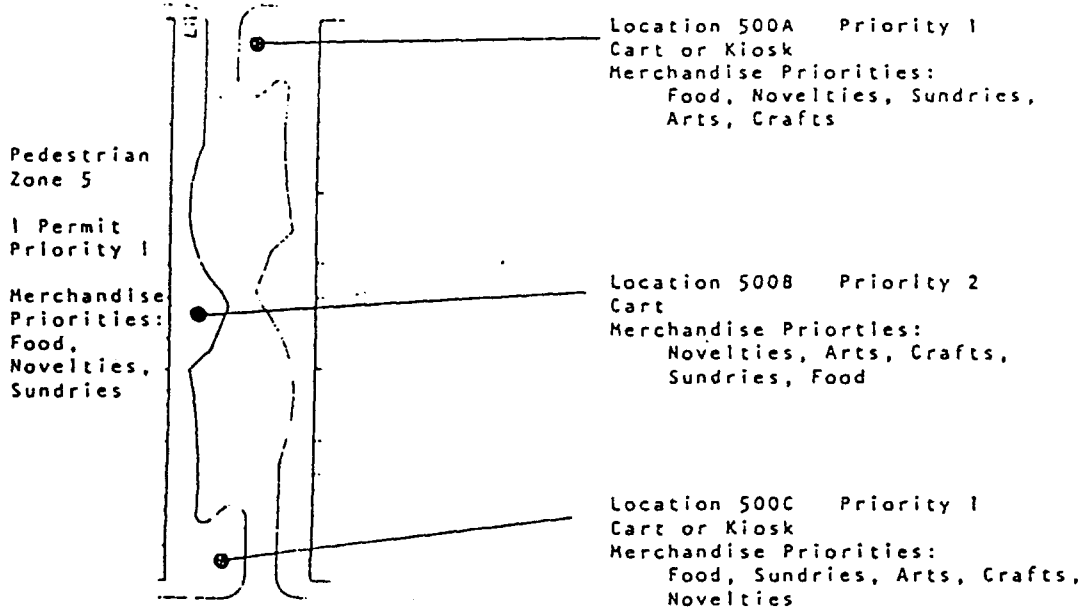


ATTACHMENT 1A

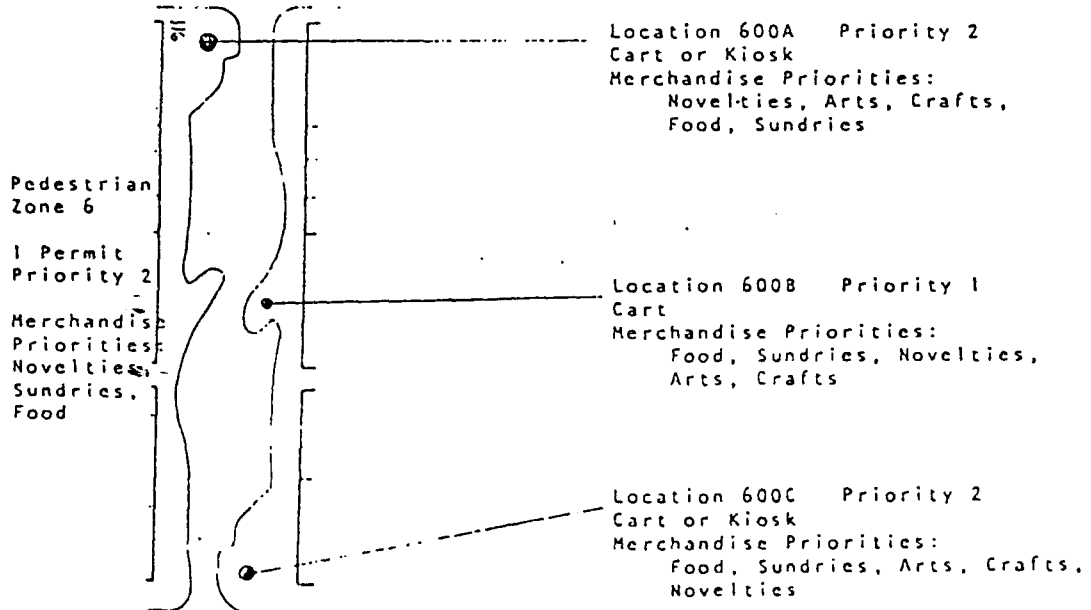
Zones 5 and 6

North

Fifth



Sixth



Seventh

Grand Junction  
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

March 15, 1983

MEMO

TO: Jim Wysocki  
FROM: Skip Grkovic *Skip*  
SUBJECT: 1983 Amendments to the DDA Plan of  
Development

At the time the DDA Plan of Development was adopted, it was anticipated that periodic amendments to the Plan would be necessary as new property was included in the DDA district boundary, state laws were changed, general conditions in the downtown changed, or as project priorities were adjusted. The first amendment was made last April and, because of the long drawn out process required to amend the Plan, it was decided to amend the Plan only once a year. The amendment should occur prior to May 1 of each year because that is the annual deadline for adding property to the district tax roll in the Assessor's office. Amendments to the Plan require both an ordinance to amend the DDA boundary and a Council Resolution adopting the Plan amendments.

We would like to schedule both the ordinance and the resolution in April. The schedule is proposed as follows:

- |                     |  |
|---------------------|--|
| Friday, March 25    | DDA Board  |
|                     | 1) Accepts additional Petitions for Inclusion and requests City Council to amend the DDA boundary.                                 |
|                     | 2) Adopts amendments to the DDA Plan of Development.   |
| Wednesday, April 6  | City Council   |
|                     | 1) Considers the ordinance amending the DDA boundary on first reading.   |
|                     | 2) Accepts the submission of the Plan of Development amendments and refers them to the Planning Commission for review and comment. |
| Tuesday, April 12   | Planning Commission  |
|                     | 1) Reviews and comments on DDA Plan of Development amendments.   |
| Wednesday, April 20 | City Council   |
|                     | 1) Considers the ordinance amending the DDA boundary on second reading.  |
|                     | 2) After a public hearing, considers a resolution adopting the 1983 Amendments to the DDA Plan of Development.                     |

Memo to Jim Wysocki  
March 15, 1983  
Page 2

This year's amendments to the DDA Plan of Development include three major items,

1. Expansion of the Tax Increment District boundary to coincide with the expanded boundaries of the DDA due to new inclusions.
2. Elimination of the Commercial Renovation District designations (except for the Henry, Mayo, Berry property). The Legislature is repealing the statute which allows for Commercial Renovation Tax incentives because the constitutional amendment passed last October called for it. (Henry, Mayo and Berry are the only property owners to take advantage of the five-year renovation tax incentive and we are hoping they will be allowed to keep it.)
3. Inclusion of the property which was in the Commercial Renovation Districts into the Property and Sales Tax Increment Districts. This will probably require a modification in the base year for the Sales Tax Increment District - John Tasker is working with me on it.

If you have any questions, please give me a call.

GMG:lo

cc: DDA Board  
Joe Skinner  
Neva Lockhart  
Jerry Ashby  
John Tasker

4-11

Grand Junction  
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

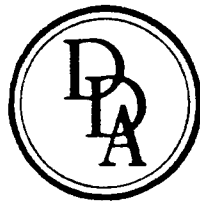
Grand Junction, Colorado 81502

Phone (303) 245-2926

AMENDMENT  
TO THE  
DOWNTOWN DEVELOPMENT AUTHORITY  
PLAN OF DEVELOPMENT  
FOR GRAND JUNCTION, COLORADO

Including The Designation Of  
Commercial Renovation Districts  
And A Plan Of Development Area  
Within Which  
Tax Increment Financing Will Be Utilized

PREPARED BY:  
Grand Junction  
Downtown Development Authority



EFFECTIVE DATE OF PLAN: DECEMBER 16, 1981

EFFECTIVE DATE OF AMENDMENT: JUNE 2, 1982

RESOLUTION No. 35-82  
APPROVING AMENDMENTS TO THE PLAN OF DEVELOPMENT  
FOR THE GRAND JUNCTION, COLORADO,  
DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority (the Authority) has adopted a Plan of Development for the central business district within the boundaries of the Authority and such plan of development was approved by the Grand Junction, Colorado, City Council (the Council) on December 16, 1981; and

WHEREAS, since the approval of such plan of development, several individuals, pursuant to C.R.S. 1973, §31-25-822, as amended, and Article X of the Authority's Plan of Development, have petitioned for inclusion within the boundaries of the Grand Junction, Colorado, Downtown Development Authority, and the boundaries of the Grand Junction, Colorado, Downtown Development Authority were expanded by the Council by Ordinance 2045; and

WHEREAS, on May 7, 1982, the Board of the Authority passed a Resolution amending the Plan of Development to show such boundary changes and to make other minor changes in the Plan of Development; and

WHEREAS, such amendments were submitted to the Council on May 19, 1982, at which time the Council referred the Plan of Development to the City Planning Commission for its review and recommendations; and

WHEREAS, the Planning Commission has made written its recommendations to the City Council concerning the Plan of Development, which recommendations are attached hereto as Exhibit F; and

WHEREAS, a Notice of Public Hearing before the City Council was given by publication once by one publication during the week immediately preceeding the hearing in The Daily Sentinel, a newspaper having a general circulation in the City, on May 28, 1982; and

WHEREAS, a Public Hearing was held before the City Council on June 2, 1982, wherein comments were taken from those in attendance concerning the Plan of Development; and

WHEREAS, Mesa County Valley School District #51, within which the entire Plan of Development area designated in the amendments to the Plan of Development lies, was permitted to participate in an advisory capacity with respect to the amendments of the Plan of

Development of the provision for the utilization of tax increment financing and, furthermore, has petitioned for the inclusion of its property within the boundaries of the authority; and

WHEREAS, the City Council has been adequately informed in this matter because of public input prior to the amendments of the Plan of Development, public hearing on the amendments to the Plan of Development, the evidence presented, and the Plan of Development previously adopted, a review of the previous Resolution passed, and personal knowledge of the members of the Council,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado, that:

1. The findings made by the Council in the Resolution adopting the Plan of Development on December 16, 1981, concerning the existence of blight within the authority within the meaning of §31-25-802(1.5), of Colorado Revised Statutes, 1973, as amended, still exist - there being no substantial change within such area between December 16, 1981, and June 2, 1982.

2. The Council hereby finds and determines that the approval of the amendments to the Plan of Development will serve a public use; will promote the health, safety, prosperity, security, and general welfare of the inhabitants of the City and of its central business district; will halt or prevent the deterioration of property values or structures within said central business district; will halt or prevent the growth of blighted areas within said district; will assist the City and the Authority in the development and redevelopment of said district and in the overall planning to restore or provide for the continuance of the health thereof; and will be of specific benefit to the property to be included within the amended boundaries of the Authority.

3. The amendments to the Plan of Development are hereby approved by the Council, and the Authority is authorized to undertake development projects as described in the amended Plan of Development.

4. The Plan of Development is hereby amended in the following respects:

A. The boundaries of the Grand Junction, Colorado, Downtown Development Authority, are amended to read as shown on the attached Exhibit "A", and Pages 8, 9 and 10 of the Plan of Development are amended by substituting Pages 8(a), 9(a), 10(a), 10(ab), 10(ac) and 10(ad) in the form of Exhibit "A".



B. The boundaries of the Plan of Development area within which tax increment financing will be used are amended to read as shown on the attached Exhibit "B" and Pages 11, 12 and 13 of the Plan of Development are amended by substituting pages 11(a), 12(a), 13(a), 13(ab), 13(ac), 13(ad) and 13(ae) in the form of Exhibit "B".

C. The boundaries of the Plan of Development area for commercial renovation districts are amended to read as shown on Exhibit "C" and Page 14 of the Plan of Development is amended by substituting Page 14(a) in the form of Exhibit "C".

D. The map of the boundaries of the Grand Junction, Colorado, Downtown Development Authority is amended to read as shown on the attached Exhibit "D" and Page 15 of the Plan of Development is amended by substituting Page 15(a) in the form of Exhibit "D".

E. Page 19 of the Plan of Development is amended as shown on the attached Exhibit "E" to show further statutory requirements and legal actions taken toward the implementation of the Downtown Development Authority Plan of Development and the planned events leading to the election for the authorization to pledge tax increment revenue, and Page 19 shown of the Plan of Development is amended by substituting Page 19(a) and Page 19(ab) in the form of Exhibit "E".

F. Section VI, Plan Implementation Activities, (B) Implementation Tools, Paragraph 4, Page 20 is amended to read as follows:

"4. Improvement (General Improvement) and special improvement districts offer an opportunity to fund public improvements. Such districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off street parking facilities."

5. The separate special fund of the City created by the Resolution by the Council of December 16, 1981, and designated as the "Tax Increment Fund" shall continue to receive the deposit of the ad valorem and municipal sales tax increment funds described in Section 31-25-807, Colorado Revised Statutes 1973, as amended, and derived from and attributable to development and redevelopment within the Plan of Development Area, as amended, in which tax increment financing is used. Said funds shall be held, invested, reinvested and applied as permitted by law. For the purpose of ascertaining the amount of funds to be deposited in the Tax

Increment Fund as provided by law, the County Assessor is hereby requested to certify to the City Council on September 1, 1982, the valuation for assessment of such Plan of Development Area as of the date of the last certification. For the same purpose, the City Finance Director is hereby directed to certify to the City Council on or before September 1, 1982, the amount of municipal sales taxes collected within such Plan of Development Area for the period from June 1, 1981, to May 31, 1982.

6. Those parcels described on page 14a of the amended Plan of Development are a part of a development or redevelopment area designated by the City Council pursuant to Section 39-5-105, Colorado Revised Statutes 1973, as amended, and commercial buildings or structures on such parcels are therefore entitled to the benefits granted under said statute.

7. No public servant of the City who is authorized to take part in any manner in preparing, presenting, or approving the Plan of Development or any contract contemplated thereby has a potential interest in the Plan of Development or any such contract which has not been disclosed in accordance with the requirements of Section 18-8-308, Colorado Revised Statutes 1973, as amended, and no such public servant has received any pecuniary benefit from the Plan of Development or any such contract.

8. If any provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

9. This Resolution shall be effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this 2 day of June, 1982.

CITY OF GRAND JUNCTION, COLORADO

By: James P. Beach  
President, City Council

( CITY )  
( SEAL )

ATTEST:

Barbara E. Johnston  
City Clerk

RESOLUTION  
BY THE BOARD OF DIRECTORS OF THE  
GRAND JUNCTION, COLORADO,  
DOWNTOWN DEVELOPMENT AUTHORITY  
AMENDING THE PLAN OF DEVELOPMENT

WHEREAS, the City Council of the City of Grand Junction, Colorado, on December 16, 1981, adopted and approved a resolution approving the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority; and

WHEREAS, since that time, several individuals, pursuant to C.R.S. 1973, §31-25-322, as amended, and Article X of the Downtown Development Authority Plan of Development, have petitioned for inclusion within the boundaries of the Grand Junction, Colorado, Downtown Development Authority; and

WHEREAS, such petitions have been approved by the Board of the Grand Junction Downtown Development Authority and the City Council of the City of Grand Junction, Colorado; and

WHEREAS, conditions within the Downtown Development Authority exist in substantially the same manner as described in Section IV of the Plan of Development; and

WHEREAS, it is appropriate and desirable to update the Plan of Development to show the inclusion of such property, to show further work done toward a bond election, and to show other minor changes in the Plan of Development; and

WHEREAS, Mesa County Valley School District #51, within which the entire area of development designated in the Plan of Development lies, has continued to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for utilization of tax increment financing;

IT IS, THEREFORE, RESOLVED THAT:

1. The Board finds all property included within the boundaries of the Downtown Development Authority since the adoption of the Plan of Development are subject to and exist in areas of blight within the meaning of C.R.S. 1973, §31-25-302(1.5) as amended, based upon the findings of this Board by that Resolution passed December 2, 1981, adopting a Plan of Development.

2. The boundaries of the Grand Junction, Colorado, Downtown Development Authority, are amended to read as shown on the attached

Exhibit "A", and Pages 3, 9 and 10 of the Plan of Development are amended by substituting Pages 3(a), 9(a), 10(a), 10(ab), 10(ac) and 10(ad) in the form of Exhibit "A".

3. The boundaries of the Plan of Development area within which tax increment financing will be used are amended to read as shown on the attached Exhibit "B" and Pages 11, 12 and 13 of the Plan of Development are amended by substituting pages 11(a), 12(a) 13(a), 13(ab), 13(ac), 13(ad) and 13(ae) in the form of Exhibit "B".

4. The boundaries of the Plan of Development area for commercial renovation districts are amended to read as shown on Exhibit "C" and Page 14 of the Plan of Development is amended by substituting Page 14(a) in the form of Exhibit "C".

5. The map of the boundaries of the Grand Junction, Colorado, Downtown Development Authority is amended to read as shown on the attached Exhibit "D" and Page 15 of the Plan of Development is amended by substituting Page 15(a) in the form of Exhibit "D".

6. Page 19 of the Plan of Development is amended as shown on the attached Exhibit "E" to show further statutory requirements and legal actions taken toward the implementation of the Downtown Development Authority Plan of Development and the planned events leading to the election for the authorization to pledge tax increment revenue, and Page 19 shown of the Plan of Development is amended by substituting Page 19(a) and Page 19(ab) in the form of Exhibit "E".

7. Section VI, Plan Implementation Activities, (B) Implementation Tools, Paragraph 4, Page 20 is amended to read as follows:

"4. Improvement (General Improvement) and special improvement districts offer an opportunity to fund public improvements. Such districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off street parking facilities."

3. The Plan of Development for the Grand Junction, Colorado, Downtown Development Authority is amended as stated herein subject to the approval of the City Council of Grand Junction, Colorado.

9. Such Plan of Development amendments shall be submitted to the City Council of Grand Junction, Colorado, with a request that they immediately submit said Plan of Development amendments to the Planning Commission for their written recommendations; and that the City Council hold a public hearing on such Plan of Development amendments, after public notice, and that the City council be requested to approve such

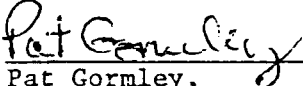
Plan of Development amendments and incorporate said amendments into the Plan of Development.

10. The City Council is requested to ask the County Assessor to certify to the City Council the valuation for assesement of the new property included within the Plan of Development area as of the date of the last certification, and the City Council is further requested to direct the City Finance Director to certify on or before September 1, 1982, the amount of municipal sales taxes collected within the new inclusions to the Plan of Development area for the period from June 1, 1981 to May 31, 1982.

11. No Board member nor any employee of the Board with a specific financial interest, as defined in C.R.S. 1973, §31-25-819, as amended, in the adoption of this Resolution has voted thereon or otherwise participated in its preparation or failed to make such interest known to the Board.

12. If any part of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not effect the remaining provisions, it being the intention of the Board that the provisions hereof are severable.

INTRODUCED, READ, PASSED AND ADOPTED this 7th day of May, 1982.

  
\_\_\_\_\_  
Pat Gormley,  
Chairman of the Board  
Grand Junction, Colorado  
Downtown Development Authority

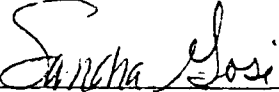
ATTEST:   
\_\_\_\_\_  
Sandra Gose, Secretary  
Grand Junction, Colorado  
Downtown Development Authority

EXHIBIT "A"  
BOUNDARIES OF THE GRAND JUNCTION, COLORADO  
DOWNTOWN DEVELOPMENT AUTHORITY

Beginning at the Northwest Corner of Wilson's Subdivision of Block 2 of Mobley's Subdivision; thence East along the South right-of-way line of Grand Avenue to the North corner point common to Lots 4 and 5 of Block 78, City of Grand Junction; thence North to a point on the North right-of-way line of Grand Avenue; which point is 15.835 feet West of the East boundary line of Lot 20, Block 77, City of Grand Junction; thence North to the North right-of-way line of the East-West alley in said Block 77; thence East to the Southernly point common to Lots 10 and 11, Block 77, City of Grand Junction; thence North along the Western boundary of said Lot 11 to the Southern right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the West right-of-way line of 3rd Street; thence South along the West right-of-way line of 3rd Street to the North right-of-way line of Grand Avenue; thence West along the North right-of-way line of Grand Avenue to the Southern point common to Lots 20 and 21, Block 76, City of Grand Junction; thence Southerly to the Northerly common corner of Lots 12 and 13 in Block 79, City of Grand Junction, thence South along the common lot line to a point on the South right-of-way line of the East-West alley in Block 79, City of Grand Junction; thence West along such South right-of-way line to a point 12 feet West of the Eastern line of Lot 7, Block 79, City of Grand Junction; thence North to the South right-of-way line of Grand Avenue; thence West to the North corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15

and 16, all in Block 78, to the South right-of-way line of White Avenue; thence East to the West right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 99, City of Grand Junction; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the Northwest corner of Lot 12, Block 80, City of Grand Junction; thence in a Northerly direction to the Southwest corner of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, to the North right-of-way of the East-West alley in Block 75; thence West along the North right-of-way of the East-West alley in Block 75 to the Southwest corner of Lot 9, Block 75, City of Grand Junction; thence North along the West line of Lot 9, Block 75, to the South right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the Northeast point of Lot 11, Block 73, which borders the alley parallel to said Lot 11, Block 73; thence South along the West right-of-way of said alley bordering Lot 11, Block 73, to the South right-of-way line of the vacated East-West alley in Block 73; thence to the Northeast corner of Lot 21, Block 73, City of Grand Junction; thence along the East line of Lot 21, Block 73, to the North right-of-way line of Grand Avenue; thence along the North right-of-way line of Grand Avenue to the Southwest corner of Lot 28, Block 73, City of Grand Junction; thence North along the West line of Lot 28, Block 73, to the North right-of-way line of the vacated East-West alley in Block 73; thence West to the West right-of-way line of 5th Street; thence South along the West right-of-way line

of 5th Street to the North right-of-way line of the East-West alley in Block 81, City of Grand Junction, thence East along the North right-of-way line of the East-West alley in Blocks 81 and 82 to the Southwest corner of Lot 9, Block 82, City of Grand Junction; thence North along the West line of Lot 9, Block 82, City of Grand Junction, to the South right-of-way line of Grand Avenue, thence East along said South right-of-way line to the East line of Lot 10, Block 82, City of Grand Junction; thence South along the East line of Lot 10, to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction, thence North along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction, thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 82; thence East along the North right-of-way line of the East-West alley in Block 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to the South right-of-way line of White Avenue; thence West along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alley in Block 93 to the South right-of-way line of the East-West alley in Block 93, City of Grand Junction; thence East to the North point common to Lots 23 and 24, Block 93,



City of Grand Junction; thence South along the common line of Lots 23 and 24 to the South right-of-way line of Rood Avenue; thence West to the North point common to Lots 14 and 15 in Block 106, City of Grand Junction; thence South along the common line of Lots 14 and 15 to the North boundary of the East-West alley in Block 106, City of Grand Junction; thence West to the South point common to Lots 12 and 13, Block 106, City of Grand Junction; thence North to the South right-of-way line of Rood Avenue; thence West to the West right-of-way line of the North-South alley in Block 106, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Block 106, 115 and 128, City of Grand Junction, to the North right-of-way line of Ute Avenue; thence East along the North right-of-way line of Ute Avenue to the South point common to Lots 25 and 26, Block 128, City of Grand Junction; thence South on the common line between Lots 13 and 14, Block 137, City of Grand Junction, to the North right-of-way line of the East-West alley in Block 137, City of Grand Junction; thence West to the West right-of-way line of the North-South alley in Block 137, City of Grand Junction; thence North along the West right-of-way line of the North-South alley in Block 137, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 7th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the West right-of-way line of 6th Street; thence North to the South right-of-way line of Ute Avenue; thence West to the North point common to Lots 12 and 13, Block 139, City of Grand Junction; thence South to the North right-of-way line of the East-West alley in Block 139, City of Grand Junction; thence West to the South point common to Lots 8 and 9, Block 139, City of Grand Junction; thence North along the West line

of Lot 9, Block 139, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 5th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the East right-of-way line of 4th Street; thence North to the South right-of-way line of Ute Avenue; thence West along the South right-of-way line of Ute Avenue to the North point separating the East one-half of Lot 9 from the West one-half of Lot 9, Block 141, City of Grand Junction; thence South to a point on the North right-of-way line of the East-West alley in Block 141; thence West along the North right-of-way line of the East-West alleys in Blocks 141 and 142 to the East right-of-way line of 2nd Street; thence North to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner Block 10 Mobley Subdivision; thence Northwest along the Southwest line of Block 10 Mobley Subdivision to the intersection with the Southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest corner Block 10, Mobley Subdivision, thence Northwesterly to a point which lies 415.8 feet West and South  $41^{\circ}03'$  East 68.97 feet from the Northeast Corner of the Southeast  $1/4$  Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}57'$  West for 271.8 feet along a line parallel to the North line of the Southeast  $1/4$  of the Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $53^{\circ}03'$  West 16.66 feet; thence North  $53^{\circ}03'$  West 70 feet to the East right-of-way line of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the East right-of-way of said County Road to the South right-of-way of State Highway 340;

thence Northeasterly along the South right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1, thence East to a point  $7\frac{1}{2}$  feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision, thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Grand Junction, Colorado, Downtown Development Authority all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16.

And also excluding from the boundaries of the Grand Junction, Colorado, Downtown Development Authority, that part of Tract 8 and Tract 9 of the AMENDED SURVEY OF THE LITTLE BOOKCLIFF RAILROAD YARDS described as beginning at a point which is South  $44^{\circ}11'$  West 901.66 feet and South  $0^{\circ}01'$  East 197.50 feet from East 1/4 corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}58'$  West 126.00 feet; thence South  $0^{\circ}01'$  East 150.00 feet; thence South  $89^{\circ}58'$  East 126.00 feet; thence North  $0^{\circ}01'$  West 150.00 feet to the point of beginning. AND ALSO excluding 14 feet adjoining said tract 9 on the East thereof.

EXHIBIT "B"

DESCRIPTION OF THE PLAN OF DEVELOPMENT AREA WITHIN  
WHICH TAX INCREMENT FINANCING WILL BE USED

Beginning at the Northwest Corner of Wilson's Subdivision of Block 2 of Mobley's Subdivision; thence East along the South right-of-way line of Grand Avenue to the North corner point common to Lots 4 and 5 of Block 78, City of Grand Junction; thence North to a point on the North right-of-way line of Grand Avenue; which point is 15.835 feet West of the East boundary line of Lot 20, Block 77, City of Grand Junction; thence North to the North right-of-way line of the East-West alley in said Block 77; thence East to the Southernly point common to Lots 10 and 11, Block 77, City of Grand Junction; thence North along the Western boundary of said Lot 11 to the Southern right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the West right-of-way line of 3rd Street; thence South along the West right-of-way line of 3rd Street to the North right-of-way line of Grand Avenue; thence West along the North right-of-way line of Grand Avenue to the Southern point common to Lots 20 and 21, Block 76, City of Grand Junction; thence Southerly to the Northerly common corner of Lots 12 and 13 in Block 79, City of Grand Junction, thence South along the common lot line to a point on the South right-of-way line of the EastWest alley in Block 79, City of Grand Junction; thence West along such South right-of-way line to a point 12 feet West of the Eastern line of Lot 7, Block 79, City of Grand Junction; thence North to the South right-of-way line of Grand Avenue; thence West to the North corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16, all in Block 78, to the South right-of-way line of White Avenue; thence East to the West right-of-way line of 2nd Street;

thence South to the North right-of-way line of the East-West alley in Block 99, City of Grand Junction; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the Northwest corner of Lot 12, Block 80, City of Grand Junction; thence in a Northerly direction to the Southwest corner of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, to the North right-of-way of the East-West alley in Block 75; thence West along the North right-of-way of the East-West alley in Block 75 to the Southwest corner of Lot 9, Block 75, City of Grand Junction; thence North along the West line of Lot 9, Block 75, to the South right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the Northeast point of Lot 11, Block 73, which borders the alley parallel to said Lot 11, Block 73; thence South along the West right-of-way of said alley bordering Lot 11, Block 73, to the South right-of-way line of the vacated East-West alley in Block 73; thence to the Northeast corner of Lot 21, Block 73, City of Grand Junction; thence along the East line of Lot 21, Block 73, to the North right-of-way line of Grand Avenue; thence along the North right-of-way line of Grand Avenue to the Southwest corner of Lot 28, Block 73, City of Grand Junction; thence North along the West line of Lot 28, Block 73, to the North right-of-way line of the vacated East-West alley in Block 73; thence West to the West right-of-way line of 5th Street; thence South along the West right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 81, City of Grand Junction, thence East along the North right-of-way line of the East-West alley in Blocks 81 and 82 to the Southwest corner of Lot 9, Block 82, City of Grand Junction; thence

North along the West line of Lot 9, Block 82, City of Grand Junction, to the South right-of-way line of Grand Avenue, thence East along said South right-of-way line to the East line of Lot 10, Block 32, City of Grand Junction; thence South along the East line of Lot 10, to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction, thence North along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction, thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 82; thence East along the North right-of-way line of the East-West alley in Block 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to the South right-of-way line of White Avenue; thence West along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alley in Block 93 to the South right-of-way line of the East-West alley in Block 93, City of Grand Junction; thence East to the North point common to Lots 23 and 24, Block 93, City of Grand Junction; thence South along the common line of Lots 23 and 24 to the South right-of-way line of Rood Avenue; thence West to the North point common to Lots 14 and 15 in Block 106, City of Grand Junction; thence South along the common line of Lots 14 and 15 to the North boundary of the East-West alley in Block 106, City of Grand Junction; thence West to the South point common to Lots 12 and 13, Block 106,

City of Grand Junction; thence North to the South right-of-way line of Rood Avenue; thence West to the West right-of-way line of the North-South alley in Block 106, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Block 106, 115 and 128, City of Grand Junction, to the North right-of-way line of Ute Avenue; thence East along the North right-of-way line of Ute Avenue to the South point common to Lots 25 and 26, Block 128, City of Grand Junction; thence South on the common line between Lots 13 and 14, Block 137, City of Grand Junction, to the North right-of-way line of the East-West alley in Block 137, City of Grand Junction; thence West to the West right-of-way line of the North-South alley in Block 137, City of Grand Junction; thence North along the West right-of-way line of the North-South alley in Block 137, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 7th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the West right-of-way line of 6th Street; thence North to the South right-of-way line of Ute Avenue; thence West to the North point common to Lots 12 and 13, Block 139, City of Grand Junction; thence South to the North right-of-way line of the East-West alley in Block 139, City of Grand Junction; thence West to the South point common to Lots 8 and 9, Block 139, City of Grand Junction; thence North along the West line of Lot 9, Block 139, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 5th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the East right-of-way line of 4th Street; thence North to the South right-of-way line of Ute Avenue; thence West along the South right-of-way line of Ute Avenue to the North point separating the East one-half of Lot 9 from the West one-half of Lot 9, Block 141, City of Grand Junction; thence South to a point on the

North right-of-way line of the East-West alley in Block 141; thence West along the North right-of-way line of the East-West alleys in Blocks 141 and 142 to the East right-of-way line of 2nd Street; thence North to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner Block 10 Mobley Subdivision; thence Northwest along the Southwest line of Block 10 Mobley Subdivision to the intersection with the Southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest corner Block 10, Mobley Subdivision, thence Northwesterly to a point which lies 415.8 feet West and South  $41^{\circ}03'$  East 68.97 feet from the Northeast Corner of the Southeast  $1/4$  Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}57'$  West for 271.8 feet along a line parallel to the North line of the Southeast  $1/4$  of the Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $53^{\circ}03'$  West 16.66 feet; thence North  $53^{\circ}03'$  West 70 feet to the East right-of-way line of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the East right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the South right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1, thence East to a point  $7\frac{1}{2}$  feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision, thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.



However, excluding from the Grand Junction, Colorado, Downtown Development Authority all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16.

And also excluding from the boundaries of the Grand Junction, Colorado, Downtown Development Authority, that part of Tract 8 and Tract 9 of the AMENDED SURVEY OF THE LITTLE BOOKCLIFF RAILROAD YARDS described as beginning at a point which is South 44°11' West 901.66 feet and South 0°01' East 197.50 feet from East 1/4 corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 89°58' West 126.00 feet; thence South 0°01' East 150.00 feet; thence South 89°58' East 126.00 feet; thence North 0°01' West 150.00 feet to the point of beginning. AND ALSO excluding 14 feet adjoining said tract 9 on the East thereof.

And except the following parcels:

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, in Block 117; and Lots 1 to 16, inclusive, in

Block 118, and Lots 1 to 11 in Block 84, all in the City of  
Grand Junction, Mesa County, Colorado.

EXHIBIT "C"

DESCRIPTION OF THE COMMERCIAL RENOVATION DISTRICTS

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, and Lots 1 to 11 in Block 84, all in the City of Grand Junction, Mesa County, Colorado.

EXHIBIT "E"

B. DATE OF ACTION                      C. STATUTORY REQUIREMENTS                      D. OPTIONAL ACTIVITIES

(Continued)

22. 12-31-81                      Freezing of Ad Valorem tax base and sales tax base as of effective date of Plan 31-25-807(3)

23. 5-7-82                      Resolution of DDA Board to amend Plan of Development to show recent approved inclusions of property and make other minor changes and referral to City Council for approval

SCHEDULED FUTURE ACTIONS

24. 5-19-82                      City Council review of Plan of Development amendments and referral to Planning Commission

25. 5-25-82                      Planning Commission review and comment on Plan of Development amendments

26. 5-26-82                      Publish notice of public meeting before City Council on Plan of Development amendments

27. 6-2-82                      City Council public hearing on Plan of Development and adoption of resolution adopting Plan of Development amendments

28. 6-4-82                      Resolution of DDA Board to have election for pledging of tax increment funds 35-25-807(3)(b)

29. 6-16-82                      Approval by City Council of election at least 30 days prior to election 35-25-807(3)(b)

30. 7-23-82                      Publication of Public Notice of Election

31. 8-3-82 Election - qualified electors of district 35-25-807(3)(b)
- 32 8-4-82 Canvass of votes
33. To be determined during 1982 City Council adoption of ordinance authorizing the issuance of bonds
34. To be determined during 1982 Bonds issued for project

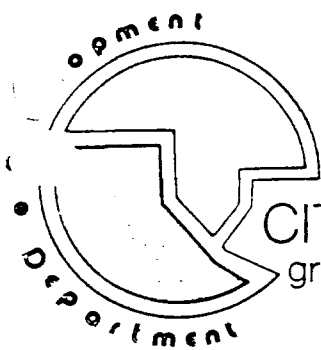


EXHIBIT "F"

CITY - COUNTY PLANNING

grand junction-mesa county 559 white ave. rm. 60 grand jct.,colo. 81501

(303) 244-1628

MEMORANDUM

TO: GRAND JUNCTION CITY COUNCIL  
 FROM: GRAND JUNCTION PLANNING COMMISSION  
 DATE: MAY 25 , 1982

RE: AMENDMENTS TO THE PLAN OF DEVELOPMENT OF THE GRAND JUNCTION,  
 COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

On May 19, 1982, the Grand Junction City Council, pursuant to C.R.S. 1973, S31-25-807(4) (b) submitted amendments to the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority to the Planning Commission for review and recommendations.

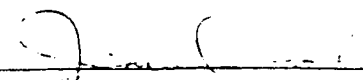
We have reviewed the proposed amendments in light of the Plan of Development as adopted by the City and the Downtown Development Authority and we have considered these amendments in light of the comments of the employees of the Planning Department, and in light of past policies for development and renovation and considered the questions and comments of the members of the Commission. After this review, we offer the following comments and recommendations:

1. The proposed amendments to the Plan of Development are consistent with the Downtown Development Strategy which has been adopted as an element of the Master Plan for Grand Junction, as well as consistent with other current policies.
2. The proposed amendments to include other areas within the boundary of the Downtown Development Authority are largely technical in nature, and the properties sought to be included are within the limits of the ultimate DDA boundary as defined in the Downtown Development Strategy and the DDA Plan of Development.

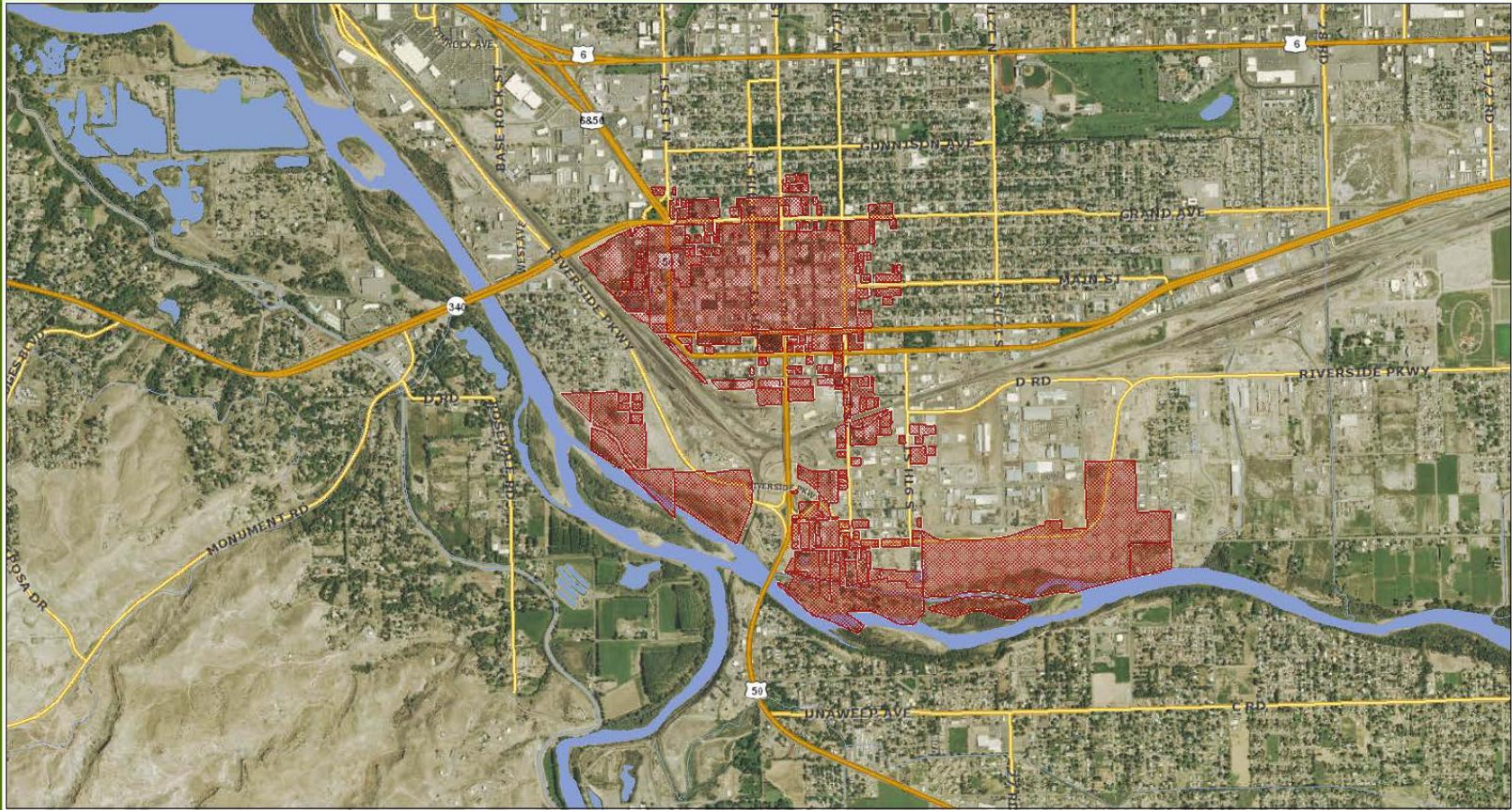
On the basis of this review, we find the proposed amendments to the Plan of Development to be consistent with existing City policies and not in conflict with development patterns on a City-wide basis.

We, therefore, endorse the proposed amendments to the Plan of Development as being consistent with existing City policies and recommend that the City Council hold a Public Hearing on these amendments to the Plan of Development.

RESPECTFULLY SUBMITTED,

  
 \_\_\_\_\_  
 Jane Quinlan

# City of Grand Junction-DDA Boundary



Date: 9/12/2017

1 inch = 1,465 feet

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE DOWNTOWN DEVELOPMENT AUTHORITY  
PLAN OF DEVELOPMENT TO INCLUDE THE LAS COLONIAS BUSINESS PARK**

Recitals

The Plan of Development for the DDA was originally adopted in 1981 and needs to be updated to address the recent development opportunities along the Riverfront corridor. The Plan of Development identifies public improvements to the Las Colonias area including providing parks and other public improvements such as streetscape improvements and parking, but does not explicitly identify the proposed business-related improvements. The proposed amendment to the Plan of Development would identify the Las Colonias Business Park as a project under Section VII of the Plan of Development.

Pursuant to C.R.S. 31-25-807(4)(b), Prior to its approval of a plan of development, the governing body shall submit such plan to the planning board of the municipality, if any, for review and recommendations. The planning board shall submit its written recommendations with respect to the proposed plan of development to the governing body within thirty days after receipt of the plan for review.

After public notice and public hearing, the Planning Commission recommended approval of the amendment to the Plan of Development and the City Council finds that the proposed amendment is consistent with the approved Outline Development Plan for Las Colonias, as well as the City's overall vision, as included in the Comprehensive Plan, for this River District area. Further, the City Council finds that the plan will afford maximum opportunity, consistent with the sound need and plans of the municipality as a whole, for the development or redevelopment of the plan of development area.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
GRAND JUNCTION THAT THE DOWNTOWN DEVELOPMENT AUTHORITY PLAN  
OF DEVELOPMENT BE AMENDED AS FOLLOWS:**

The Las Colonias Business Park will be added to page 38 of Section VII of the Plan of Development as project number 19 as proposed below:

*19. Improvements will be made to the Las Colonias property located in the City's River District Corridor. Improvements include the development of public park amenities, including lakes and green spaces for public and*



*private use. Additional public improvements include utilities, parking, streets passive and active recreation, and streetscape improvements. These public improvements will be utilized to attract outdoor recreation businesses and manufacturers as well as riverfront retail and restaurants in order to spur development in the currently blighted area.*

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_, 2017 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

ATTEST:

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

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



## Grand Junction City Council

### Regular Session

Item #5.a.ii.

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**Meeting Date:** October 4, 2017

**Presented By:** Kathy Portner, Community Services Manager

**Department:** Community Development

**Submitted By:** Kathy Portner, Community Services Manager

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### **Information**

#### **SUBJECT:**

Ordinance amending Section 21.02.030 of the Zoning and Development Code regarding Zoning Board of Appeals Membership and a Resolution Adopting Bylaws for the Zoning Board of Appeals

#### **RECOMMENDATION:**

Planning Commission, at their August 22, 2017 hearing, recommended approval.

#### **EXECUTIVE SUMMARY:**

Due to the infrequency of meetings and a historic lack of interest in serving on this Board, staff is proposing to amend Section 21.02.030 of the Zoning and Development Code to reduce the number of members of the Zoning Board of Appeals (ZBOA) from five members to three members. To avoid the challenge of finding new members, the three members are proposed to be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.

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

The ZBOA has the power and duty to decide requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations, relief from the nonconforming provisions, and variances to any provision of the Code not otherwise assigned to another review body. A variance is a departure from the dimensional or numerical requirements of the Code. A variance is not a right and may only be granted if the applicant establishes that strict adherence to the Code will result in practical difficulties or unnecessary hardships because of site characteristics that are not applicable to most properties in the same zoning district.

The Code calls for the ZBOA to consist of five members, including the Chairman of the Planning Commission, the two designated Planning Commission alternates and two at-large members. The two at-large member seats are currently vacant. Given a number of factors, including the infrequency of Variance requests, the difficulty in recruiting members, and keeping members adequately trained, staff believes it would be helpful to reduce the number of Board members from five to three. In addition, it is proposed that the composition of the membership be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates which will ensure that the ZBOA has a seated and trained membership for meetings that are held. Requests heard by the ZBOA are separate and distinct from those heard by the Planning Commission, so there would not be a conflict with the members acting in their capacity on each of the two Boards.

The Zoning and Development Code adopted in 2010 established the authority for the Director to grant Administrative Adjustments, including a 10% deviation from any bulk standard and consideration of the placement of accessory structures, subject to specific criteria. This code revision has resulted in a significant reduction in the number of Variance requests received by the City. Since 2010, the Board has only met 3 times, with the last one being in 2013.

There are no specific criteria in the Zoning and Development Code for considering amendments to the Zoning and Development Code.

Currently, there are no adopted bylaws for the ZBOA. Bylaws are being drafted and will be presented with the second reading of the Code amendment ordinance for City Council consideration.

**FISCAL IMPACT:**

This action has no direct fiscal impact.

**SUGGESTED MOTION:**

I move to (adopt or deny) Ordinance No. 4766 - An Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Zoning Board of Appeals Membership on Final Passage and Order Final Publication in Pamphlet Form and Resolution No. 54-17 - A Resolution Adopting Bylaws for the Zoning Board of Appeals.

**Attachments**

1. Proposed ZBOA Bylaws
2. Proposed Resolution
3. Ordinance





## ZONING BOARD OF APPEALS BYLAWS

### Article 1. Purpose. Committee. Place of Business.

- (a) The purpose of the Zoning Board of Appeals (ZBOA or Board) is to decide requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations, relief from the nonconforming provisions, and variances to any provision of the Code not otherwise assigned to another review body.
- (b) The business and affairs of the Board shall be managed by its members consistent with the bylaws adopted by said City Council for such Board.
- (c) The place of business of the Grand Junction Zoning Board of Appeals shall be in Grand Junction, Colorado with the address of 250 N. 5<sup>th</sup> Street, Grand Junction, CO 81501

### Article 2. Ethical Conduct.

- (a) Board members shall comply with City of Grand Junction Resolution No. 79-06, as amended by Resolution No. 46-13, which establishes ethical standards for members of the City's boards, commissions and similar groups and any amendments thereto.
- (b) The Board shall not enter into any contract with any member. The rules and requirements of the City Charter and state law that apply to members of the City Council regarding conflicts of interest, disclosure, gifts and appearances of impropriety shall likewise apply to each member of the Board.

### Article 6. Removal

- (a) The Board may petition to the City Council to remove any member who is failing to fulfill the duties and responsibilities of office, provided the individual is notified of such action and is given the opportunity to address the Board prior to tendering of such petition for removal to the Council for consideration.

### Article 7. Officers

- (a) The Chair of the Board shall be the Chair of the Planning Commission.

- (b) The Chair shall preside at meetings of the Board. In the absence of the Chair, the Board members shall appoint a Chair from the members present for purposes of presiding over the meeting.

Article 8. Meetings. Notice. Open Meetings.

- (a) The ZBOA shall meet at least once a month, provided there is business to be brought before the Board.
- (b) The Board shall conduct all meetings in accordance with generally accepted parliamentary procedures.
- (c) Notice of any meeting of the Board, including the purpose thereof, shall be given to each member by mail, e-mail or in an equivalent manner at least 72 hours before the scheduled meeting. Any lawful business of the Board may be transacted at any meeting for which proper notice has been given.
- (d) Meetings and affairs of the Board shall be subject to the Open Meetings Act and the Open Records Acts, as amended, as though the Board is a local government under those acts.
- (e) Minutes of each meeting shall be recorded and retained in accordance with the City's record retention policy.
- (f) Notice of meetings shall be posted at City Hall at least 24 hours in advance of the meeting.

Article 12. Support.

The City Manager's designee(s) shall provide support services for the Board as needed including keeping a full and accurate account and record of all meetings of the Board, correspondence, files and records.

Article 13. Amendment of Bylaws.

The Board may recommend amendments to these Bylaws. Proposed amendments approved by the Board must be considered and approved by the City Council.

Adopted by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017  
by Resolution No. \_\_\_\_\_.

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

Attest:

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

**Note: The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member does not act or has not acted maliciously, criminally, with deliberate intent to violate a law or regulation or with intent to injure. A Board member must immediately contact the City Attorney in the event a claim is made, and may contact the City Attorney if he or she has any questions or concerns about liability.**

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

**A RESOLUTION ADOPTING BYLAWS FOR THE ZONING BOARD OF APPEALS**

**RECITALS.**

The Zoning Board of Appeals (ZBOA) has the power and duty to decide requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations, relief from the nonconforming provisions, and variances to any provision of the Code not otherwise assigned to another review body. The ZBOA consists of 3 members, comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Grand Junction does hereby adopt the attached Zoning Board of Appeals Bylaws.

Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_,  
2017.

\_\_\_\_\_  
J. Merrick Taggart  
President of the Council

ATTEST:

\_\_\_\_\_  
Wanda Winkelmann  
City Clerk





**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING ZONING BOARD OF APPEALS MEMBERSHIP**

**Recitals:**

The Zoning Board of Appeals (ZBOA) has the power and duty to decide requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations, relief from the nonconforming provisions, and variances to any provision of the Code not otherwise assigned to another review body. A variance is a departure from the dimensional or numerical requirements of the Code. A variance is not a right and may only be granted if the applicant establishes that strict adherence to the Code will result in practical difficulties or unnecessary hardships because of site characteristics that are not applicable to most properties in the same zoning district.

The 2010 Zoning and Development Code established the authority for the Director to grant Administrative Adjustments, including a 10% deviation from any bulk standard and consideration of the placement of accessory structures, subject to specific criteria, resulting in a significant reduction in the number of Variance requests. Since 2010, the Board has only met 3 times, with the last one being in 2013.

The current Code calls for the Zoning Board of Appeals to consist of five members, including the Chairman of the Planning Commission, the two designated Planning Commission alternates and two at-large members. The two at-large member seats are currently vacant. Given the infrequency of Variance requests and the need for the ZBOA to meet and the difficulty in recruiting members and keeping them adequately trained, staff recommends reducing the number of Board members from five to three, to be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.

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

**Section 21.02.030 *Zoning Board of Appeals* is amended as follows (additions underlined, deletions struck through):**

**21.02.030 Zoning Board of Appeals (ZBOA).**

(a) **Composition.** The Zoning Board of Appeals for the City shall consist of three members, each of whom shall be a City resident and shall represent the interests of the City as a whole. The City Council shall consider citizens with experience in the fields of

engineering, law, surveying, development, planning, architecture and construction, as well as citizens at large.

(b) **Identity of Members.** The membership of the Board shall be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.

(c) **Term.** Members of the Board shall serve terms of four years coincident to their terms on the Planning Commission. Members are limited to two consecutive terms.

(d) **Vacancies.** All vacancies shall be filled by appointment of the City Council. A member's seat on the Board shall be vacant when the member ceases to reside in the City.

(e) **Removal.** The City Council may remove any member of the Board after public hearing for good cause including inefficiency, neglect of duty, malfeasance or misfeasance in office. The City Council shall make public a written statement of reasons for the removal prior to said public hearing.

(f) **Meetings.** The Board shall meet at least once a month, provided there is business to be brought before the Board. Special meetings may be held as provided by rules of procedure adopted by the Board. Two members constitute a quorum.

(g) **Voting.** A majority of a quorum of the Board shall be sufficient to conduct the business of the Board. A lesser number than a quorum may act to adjourn or continue a meeting.

(h) **Compensation.** Members shall be compensated as the City Council deems appropriate by resolution.

**All other parts of Section 21.02.030 shall remain in effect and are not modified by this text amendment.**

INTRODUCED on first reading the    day of                   , 2017 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the \_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

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

ATTEST:

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



**Grand Junction City Council**

**Regular Session**

**Item #5.b.i.**

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**Meeting Date:** October 4, 2017

**Presented By:** Scott D. Peterson, Senior Planner

**Department:** Community Development

**Submitted By:** Scott D. Peterson

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**Information**

**SUBJECT:**

Ordinance Rezoning the Proposed Fossil Trace to R-2 (Residential-2 DU/AC), Located at 465 Meadows Way

**RECOMMENDATION:**

Planning Commission heard this item at its August 22, 2017 meeting and forwarded a recommendation of approval to City Council.

**EXECUTIVE SUMMARY:**

The Applicant, Fossil Trace Holdings LLC, is requesting a rezone of Lot 3, Rump Subdivision (8.41 +/- acres), located at 465 Meadows Way, from the R-R (Residential - Rural) to the R-2 (Residential - 2 du/ac) zone district for the purpose of future subdivision. The Future Land Use Map designates the property as Estate and identifies the property on the Blended Residential Land Use Map as Residential Low. The Residential Low designation within the Blended Map allows for the application of the R-R, R-E, R-1, R-2, R-4 or R-5 to implement the Estate future land use category. As a result, the Blended Map provides for an allowable density of up to five dwelling units per acre which is consistent with the Applicant's request to zone this property R-2.

After this zoning request, should the Applicant chose to move forward with the development of the property, the subdivision would be subject to an administrative review.

**BACKGROUND OR DETAILED INFORMATION:**

The subject property (Lot 3, Rump Subdivision) is located at 465 Meadows Way in the

Redlands area across the road from Riggs Hill. The property is currently vacant with portions of the property identified as wetlands and a portion within the floodplain. The Applicant, Fossil Trace Holdings LLC, is requesting to rezone the property to R-2 (2 du/acre) from its current zoning of R-R (Residential-Rural: 1 unit/5 acres). The Applicant is interested in developing a residential single-family subdivision to meet the R-2 zone district densities and might utilize the cluster provisions of the Zoning & Development Code to preserve the environmentally sensitive and open space areas of the property.

The property was annexed into the City in 2000 as part of the Desert Hills Estates Annexation No. 2. During the annexation process, the property was zoned R-R (Residential – Rural) which was in conformance with the Estate (1 – 3 acres) designation of the City’s Growth Plan at the time.

In 2010, the City and County adopted the Comprehensive Plan’s Future Land Use Map as well as the Blended Residential Land Use Categories Map (“Blended Map”). The current Future Land Use Map continues to designate the area where the property is located as Estate and identifies the Blended Residential Land Use Map category as Residential Low. The Residential Low designation within the Blended Map allows for the application of the any one of the following zone districts (R-R, R-E, R-1, R-2, R-4 and R-5) to implement the Estate future land use category, resulting in an allowance of up to five dwelling units per acre which is consistent with the R-2 zone district.

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the rezone criteria.

A Neighborhood Meeting regarding the proposed zone change and subdivision application was held on May 22, 2017. Approximately 16 citizens along with the Applicant, the Applicant’s representatives and City planning staff were in attendance. Area residents in attendance voiced concerns regarding existing drainage conditions in the area, expansive bentonite soils and increased traffic on Meadows Way and S. Broadway. Written correspondence was received and is attached for review.

Although not the subject of the rezone hearing, Staff continues to receive calls to date about the future subdivision and development of this property, related to the above mentioned concerns expressed at the Neighborhood Meeting. These items will be addressed further at time of official subdivision application and review, should this application move forward.

**FISCAL IMPACT:**

This land use action does not have any direct fiscal impact. Subsequent actions such

as future development and related construction may have direct fiscal impact and will vary depending upon type of use.

**SUGGESTED MOTION:**

I move to (adopt or deny) Ordinance No. 4767 - An Ordinance Rezoning the Proposed Fossil Trace to R-2 (Residential – 2 du/ac), Located at 465 Meadows Way on Final Passage and Order Final Publication in Pamphlet Form.

**Attachments**

1. Planning Commission Staff Report
2. Site Location and Zoning Maps
3. Public Correspondence Recieved
4. Planning Commission Minutes
5. Ordinance

## PLANNING COMMISSION AGENDA ITEM

**Project Name:** Fossil Trace Rezone  
**Applicant:** Fossil Trace LLC  
**Representative:** River City Consultants Inc  
**Address:** 465 Meadows Way  
**Zoning:** Rural-Residential (R-R)

### I. SUBJECT

Consider a request by the Applicant, Fossil Trace LLC to rezone 8.41 +/- acres from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac).

### II. EXECUTIVE SUMMARY

The Applicant, Fossil Trace Holdings LLC, is requesting a rezone of Lot 3, Rump Subdivision (8.41 +/- acres), located at 465 Meadows Way from the R-R (Residential - Rural) to the R-2 (Residential - 2 du/ac) zone district for the purpose of future subdivision.

### III. BACKGROUND

The subject property (Lot 3, Rump Subdivision) is located at 465 Meadows Way in the Redlands area across the road from Riggs Hill. The property is currently vacant with portions of the property identified as wetlands and a portion within the floodplain. The Applicant, Fossil Trace Holdings LLC, is requesting to rezone the property to R-2 (2 du/acre) from its current zoning of R-R (Residential-Rural: 1 unit/5 acres). The Applicant is interested in developing a residential single-family detached subdivision to meet the R-2 zone district densities and may utilize the cluster provisions of the Zoning & Development Code to preserve the environmentally sensitive and open space areas of the property.

The property was annexed into the City in 2000 as part of the Desert Hills Estates Annexation No. 2. During the annexation process, the property was zoned R-R (Residential – Rural) which was in conformance with the Estate (1 – 3 acres) designation of the City’s Growth Plan at the time.

In 2010, the City and County adopted the Comprehensive Plan’s Future Land Use Map as well as the Blended Residential Land Use Categories Map (“Blended Map”). The current Future Land Use Map continues to designate the area where the property is located as Estate and identifies the Blended Residential Land Use Map category as Residential Low. The Residential Low designation within the Blended Map allows for the application of the any one of the following zone districts (R-R, R-E, R-1, R-2, R-4 and R-5) to implement the Estate future land use category, resulting in an allowance of up to five dwelling units per acre.

Properties adjacent to the subject property to the north is Riggs Hill, which is owned by the Museum of Western Colorado. To the south and east are single-family detached

residential subdivisions of Peregrine Estates and Monument Meadows. To the west are single-family detached homes located on larger acreage.

A Neighborhood Meeting regarding the proposed zone change and subdivision application was held on May 22, 2017. Approximately 16 citizens along with the Applicant, the Applicant's representatives and City planning staff were in attendance. Area residents in attendance voiced concerns regarding existing drainage conditions in the area, expansive bentonite soils and increased traffic on Meadows Way and S. Broadway. Written correspondence was received and is attached for review.

Although not the subject of the rezone hearing, Staff continues to receive calls to date about the future subdivision and development of this property, related to the above mentioned concerns expressed at the Neighborhood Meeting. These items will be addressed further at time of official subdivision application and review, should this application move forward.

#### **IV. ANALYSIS**

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following criteria:

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

The existing property was annexed and zoned Residential-Rural in 2000. In 2010 the City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan, replacing the Growth Plan and establishing new land use designations. The Comprehensive Plan includes a Future Land Use Map and a Blended Residential Land Use Categories Map ("Blended Map"). The Blended Map blends compatible residential densities into three categories (Low, Medium and High), allowing overlapping of zones to provide flexibility to accommodate residential market preferences and trends, streamline the development process and support the Comprehensive Plan's vision. The overlap of zones allows for a mix of density for an area without being limited to a specific land use designation and does not create higher densities than what would be incompatible with adjacent development.

The adoption of the Blended Map in 2010 is a subsequent event or change that allows the property to be rezoned to a higher zone district which is compatible with the existing zoning in the area. The request to rezone to R-2 is both compatible and consistent with adjacent properties' zoning of R-2.

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 residential character within the immediate vicinity of the proposed rezone has not changed significantly since the area first developed in the 1970's with the exception of the adjacent Peregrine Estates and the Desert Hills Subdivision which developed in 2005 and 2000 respectfully. Peregrine Estates was annexed and

zoned R-2 and developed as a 25 lot residential subdivision located on 17.84 +/- acres.

Though the character and/or condition of the immediate vicinity of the property has not changed significantly within the last 40 years, the broader area has seen growth since the property was annexed and zoned in 2000. However, the requested zone district is compatible with the surrounding single family uses/densities and is consistent with the Comprehensive Plan.

Therefore, this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve the residential land uses allowed in the R-2 zone district. Ute Water and City sanitary sewer are presently located within Meadows Way. The property can also be served by Xcel Energy electric and natural gas. Located within the vicinity and along Broadway (Hwy. 340), is a neighborhood commercial center that includes an office complex, bank, medical clinic, veterinary clinic, convenience store and car wash. In addition, Grand Junction Redlands Fire Station No. 5 is located within 2 miles of the property and the property is located nearby to Broadway Elementary School, Redlands Middle School and Wingate Elementary School.

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*

There is not an adequate supply of suitably designed land available in the community as the R-2 zone district comprises only 4% of the overall total acreage zoned within the City limits (residential, commercial and industrial). The R-2 zone district is, however, the fourth highest residential zone in the City, trailing only the R-4, R-5 and R-8 zone districts for the amount of residential acreage designated within the City limits (Less than 900 +/- acres within the City limits is zoned R-2).

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 will derive benefits from the proposed amendment by creating an opportunity for future residential development on this property which will provide additional residential housing opportunities for residents of the community. The property is located within the highly desirable Redlands area and near neighborhood commercial centers, elementary and junior high schools, which could contribute positively to employers' ability to attract and retain employees.

Therefore, this criterion has been met.



This rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan:

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

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

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

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

**Policy C:** Increasing the capacity of housing developers to meet housing demand.

## **V. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Fossil Trace Rezone, RZN-2017-296, a request to rezone 8.41 +/- acres from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac) zone district, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request to rezone the property located at 465 Meadows Way from R-R (Residential - Rural) to an R-2 (Residential – 2 du/ac) zone district.

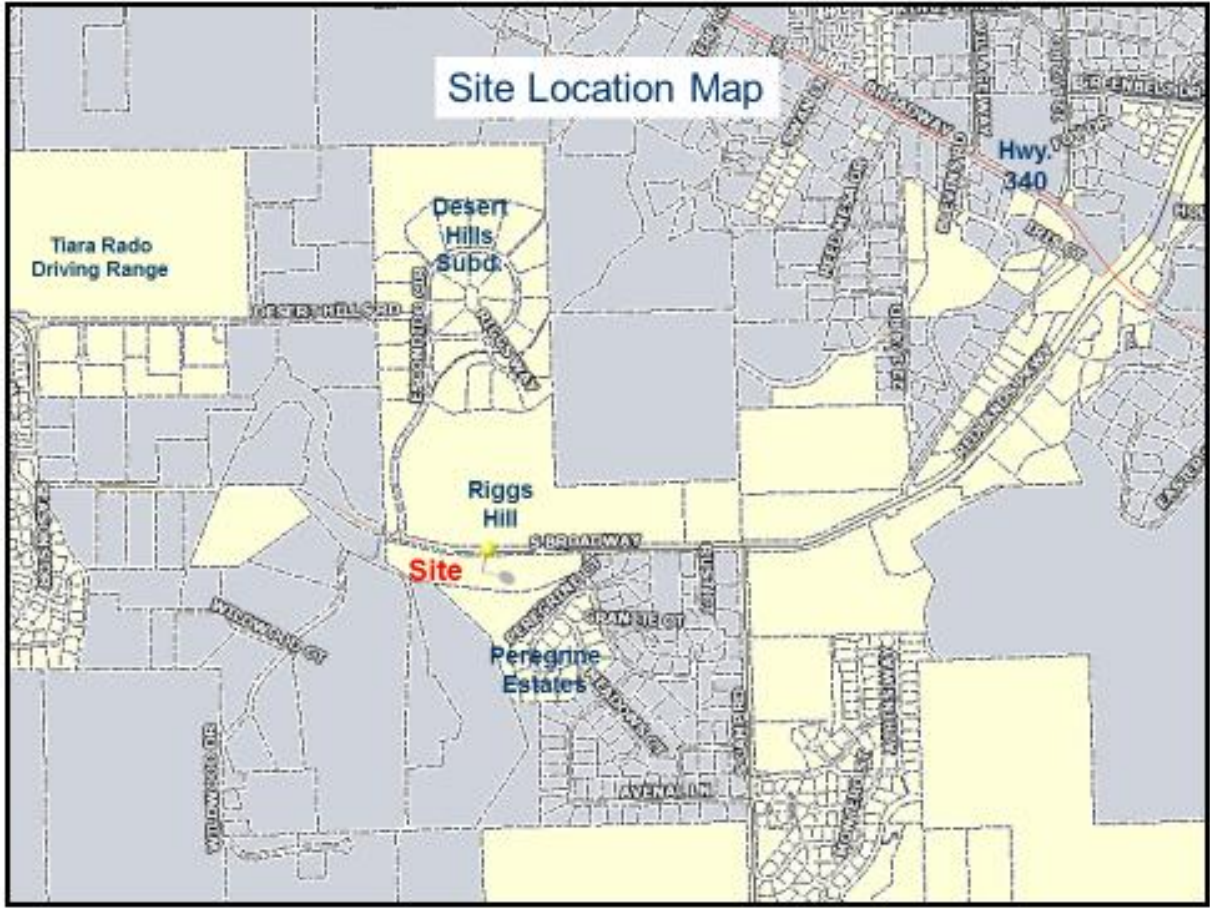
## **VI. RECOMMENDED MOTION**

Madam Chairman, on the Rezone request RZN-2017-296, I move that the Planning Commission forward a recommendation of approval for the rezone of 465 Meadows Way from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac) zone district with the findings of fact listed in the staff report.

### **Attachments:**

1. Site Location Map
2. Aerial Photo Map
3. Comprehensive Plan Future Land Use Map
4. Blended Residential Land Use Categories Map
5. Existing Zoning Map
6. Correspondence received from the public
7. Ordinance

# Site Location Map





# Comprehensive Plan Future Land Use Map







June 2, 2017

Peregrine Estates HOA  
c/o 460 Feather Court  
Grand Junction, CO 81507

City of Grand Junction  
Attn: Scott Peterson, Senior Planner, Planning Department  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

via email [scottp@gicity.org](mailto:scottp@gicity.org)

Dear Scott:

Thanks for taking the time at the May 22 meeting, at Tiara Rado, to discuss and answer our questions, regarding the proposed Fossil Trace Subdivision, which would be adjacent to our HOA. To increase efficiency, with solidarity, we are sending one HOA letter to go on record with our concerns related to Fossil Trace.

- o Water
  - o While we have many concerns, this is the most important, as there is a history of drainage issues during heavy downpour event. Will their system handle an event like had 2-3 years ago...two events in span 2-3 months? Also, will their system not further slow the drainage of water from LimeKiln Creek to Colorado River.
  - o There is a grave concern about further raising underground water table. There is underground spring which flows from SE out of Meadows development underneath NE corner, then just about down center of Peregrine Ct. and then turns NW about on the north side of 2172 Peregrine Court (Wilding residence) into the marsh area.
  - o Wetlands – will this development protect the area?
- o Traffic
  - o Having the entrance road for new development so close to intersection of So. Broadway and Meadows Way, it is a concern for the children of the neighborhood and the likelihood of rear end incidents, backups at stop sign and, possibly during egress onto S.

Broadway, cars will likely creep out of Fossil Trace and block southbound on Meadows Way. Also, to be neighborly, the property at 464 Meadows Way, on the corner of S. Broadway, will be opposite the proposed development, will experience a high volume of traffic and the continuous nuisance of direct vehicle headlights.

- o Home Density
  - o Peregrine Estates, as well as surrounding neighborhoods, have low density housing. We are concerned about the incongruity of the number of homes proposed, as well as small lot sizes. This affects not only the appearance of the area, but will likely impact the value of our homes.
- o Open Space
  - o While we cannot dictate development or not, we all purchased here to enjoy the open space feel, which will be destroyed with this development
- o Landscape
  - o The perimeter of Peregrine Estates has a "sheer barrier" of trees, including many Russian Olives. This barrier provides a sound shield from S. Broadway, as well a bit of privacy. What is the proposal related to the trees and landscape?
- o Long Term
  - o While we have many concerns, if this development is approved – what is the long term plan for the community to prevent water issues or remediate if subsequent issues occur? Who will be responsible for this? Will their HOA assess enough and have reserves to restore and fix, if anything happens? Water is a grave concern, as homes on the north side of Peregrine Court currently have continually water issues. Their homes are at risk in many ways, with the potential of disturbing the water table, as are many of the other PEHOA homes.

While we understand Grand Junction is a growing community and appreciate economic development, we all disagree with Fossil Trace being approved because of the aforementioned reasons. This letter is being submitted on behalf of the 25 homes/lots /owners in Peregrine Estates HOA. We want to be notified of any planning meetings, to attend and voice our concerns. As well, we are available to further discuss any of the above issues with you.

Thank you for your time, please contact us if you need anything or have any questions.

Sincerely,



Kirk Gage, Treasurer PEHOA, 460 Feather Court

(See next page for residents who provided electronic approval, as signors in agreement with this letter)



Peregrine Estates Residents Providing E-Approval to this Letter

Patrick Gage, 460 Feather Court

Tim Donovan, President PEHOA, 457 Feather Court

Lynne O'Connell, 457 Feather Court

Susan Kendrick, Secretary PEHOA, 2171 Peregrine Court

Steven Kendrick, PEHOA, 2171 Peregrine Court

Sam Stirlen, PEHOA ACC Committee, 2161 Peregrine Court

Theresa Stirlen, 2161 Peregrine Court

Andy Smith, PEHOA ACC Committee, 2175 Peregrine Court

Miranda Smith, 2175 Peregrine Court

Val Samii, 2168 Peregrine Court

Don Krueger, 2168 Peregrine Court

Pamela Williams, 454 Feather Court

Rick Wilding, 2172 Peregrine Court

Janey Wilding, 2172 Peregrine Court

Karen Saef, 2162 Peregrine Court

Jerold Saef, 2162 Peregrine Court

Jim Majors, 450 Feather Court

Kira Funderburk, 2170 Peregrine Court

Joe Funderburk, 2170 Peregrine Court

Sasha Bourkovski, 2160 Peregrine Court

Heather Bourkovski, 2160 Peregrine Court

John Flanagan, 456 Feather Court

Jen Roller, 456 Feather Court

John Cassity, 2174 Peregrine Court

Tisha Reed Cassity, 2174 Peregrine Court

Cindy Wilbur, 458 Feather Court

John Whiteside, 458 Feather Court

Christopher Taggart, 452 Feather Court

Sudy Jahangiri, 452 Feather Court

Monument Meadows Property Owners Association  
PO Box 1894  
Grand Junction, CO 81502  
MMPOAGJ@Gmail.Com

July 14, 2017

City of Grand Junction  
Scott Peterson, City Planner  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Fossil Trace Subdivision, 2947-262-32-003, 465 Meadows Way, Grand Junction, CO 81507**

Mr. Peterson:

Thank you for allowing Monument Meadows Property Owners Association to comment on the proposed Fossil Trace Subdivision. We have some concerns that we would like to see addressed in the process of this proposed project. We recognize that this application is in the beginning stages regarding changing the zoning to RR to R2. Specific details are not revealed in the Applicants Development Application package regarding traffic, wetland delineation, geologic conditions poorly suited for building or construction, erosion control measures and drainage issues. We have many questions and issues regarding these topics. Maybe our comments will not be taken into consideration during this current phase of the rezoning measures and proposal, but we would like this comment letter to be considered for the rezoning procedure as well as the planning phase of the Fossil Trace Subdivision, where more details will be available to the public.

**Issue #1- Traffic**

One of two entrances to our subdivision is Meadows Way where the proposed subdivision entrance will obtain access. We are concerned that the proposed entrance will create a safety issue for traffic turning onto Meadows Way from the west and east and also traffic coming out of the Peregrine Subdivision and Dinosaur Court. We request that a traffic study be prepared to acknowledge the impacts of traffic on Meadows Way. There is already limited site distance from South Broadway and the house located at 464 Meadows Way blocks views from the east. There are 68 homes in the Monument Meadows Subdivision and 23 homes in the Peregrine Subdivision that all use the Meadows Way access road into this area. The Meadows Way entrance is already quite busy. Maybe a better option to consider is to have the entrance to Fossil Trace Subdivision be accessed from Wildwood Drive to the West. In addition, according to the preliminary drawing the proposed entrance to the development is where there is currently a sign that says "This area is protected by the Clean Water Act". We do hope this will be addressed, but will address this issue in another concern we have with Wetland Delineation.

#### **Issue #2- Wetland Delineation**

To comply with Federal and State rules regarding the Clean Water Act and wetland/riparian areas, we request that a Wetland Delineation Study be conducted to ensure that Section 404 of the Clean Water Act is followed and enacted. This area has the potential to be a jurisdictional wetland. We also request that when this study is completed by the Army Corps of Engineers that we are made aware of the document and can review it as a part of the public record.

#### **Issue #3- Geologic Conditions**

There are several Geologists that live in Monuments Meadows Subdivision that know the area well and has been confirmed in the past that most if not all of the 8.41 acre parcel proposed as a subdivision sits on the Morrison Formation which consists of Bentonite Soils. In fact, one home site across the street near Riggs Hill was abandoned during the construction process due to this type of soil. One of the Rules outlined in 21.02.070(q)(15) of the City's Review Criteria states that restriction of building in areas poorly suited for building or construction and (16) states that preventing loss and injury from landslides, mudflows and other geologic hazards. We do not feel as if this would be an ideal location to build homes due to pure negligence in recognizing the hazards to potential foundation problems. It would be really unfair to future homeowners to have their foundations crack within one year of building their home. We recognize that the foundations would have to be a special engineered foundation, but the price is extremely high for that type of foundation. From our understanding, there was a Geotechnical Survey completed at this parcel in 2007 that deemed the property unbuildable. We request that a Geotechnical Survey be completed. History also reveals that a packaged Sewer Treatment plant once was located on the parcel of land that is proposed to be the Fossil Trace Subdivision. We do hope you look into that.

#### **Issue #4- Erosion Control Measures and Drainage Issues**

To the east of the proposed development, there are rumors that there is a French drain under the area of Dinosaur Court. We request that this be looked into further, for it could cause some issues to the properties on Dinosaur Court. We would also like to see a plan for internal drainage for the streets. Based on Rule 21.02.070(q)(13)&(14) it states that a proposed development such as a subdivision requires to prevent and control of erosion, sedimentation and other pollution of surface and subsurface water and prevent flood damage to persons and properties. We request that these items be addressed in the proposed development.

#### **Issue #4- Wildlife**

This area is known to have deer, pheasant's, quail, coyotes, foxes and even mountain lions and bears. We hope this the proposed area will not have negative impacts to these wildlife species. If there is a possibility to have a wildlife survey to address the potential impacts, we would like to be aware of such a study

Thank you again for giving us the opportunity to comment on our concerns regarding the Fossil Trace Subdivision. If you have any questions or need to reach us, the best way would be through our Association's email at [mmpoagi@gmail.com](mailto:mmpoagi@gmail.com)

Also, please keep us informed of meetings or public hearings regarding this development.

Sincerely,



Stephanie Mitchell, Dave Alstatt and Henry Snyder  
Monument Meadows Property Owners Association

**GRAND JUNCTION PLANNING COMMISSION**  
**August 22, 2017 MINUTES**  
**6:00 p.m. to 7:27 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, George Gatseos, Steve Tolle and Bill Wade.

In attendance, representing the Community Development Department – Tamra Allen, (Community Development Director), Kathy Portner, (Planning Manager), Lori Bowers, (Senior Planner), Kristen Ashbeck (Senior Planner) and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 21 citizens in attendance during the hearing.

**Fossil Trace Rezone**

[File#RZN-2017-296]

Request by the Applicant, Fossil Trace LLC to rezone 8.41 +/- acres from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac).

*Action: Recommendation to City Council*

Applicant: Fossil Trace LLC  
Location: 465 Meadows Way  
Staff Presentation: Scott Peterson, Sr. Planner

**Staff Presentation**

Scott Peterson, Senior Planner, presented a Powerpoint and stated that the applicant, Fossil Trace LLC, wishes to rezone 8.41 acres from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac). A Site Location Map was displayed and Mr. Peterson noted that the property is located at 465 Meadows Way in the Redlands, adjacent to S. Broadway and across the road from Riggs Hill and is 8.41 acres in size. Peregrine Estates residential subdivision is located to the south and the Monument Meadows, a County subdivision is located to the east.

The next slide displayed was an aerial photo of the site. The property is currently vacant with portions of the property identified as wetlands and a portion within the floodplain in the western portion. The Applicant is requesting to rezone the property to R-2 from its

current zoning of R-R (1 unit/5 acres). The Applicant is interested in developing a residential single-family detached subdivision to meet the R-2 zone district densities and may utilize the cluster provisions of the Zoning & Development Code to preserve the environmentally sensitive and open space areas of the property.

The following slide Mr. Peterson displayed was of the Comprehensive Plan Future Land Use Map. The current designation for the property is Estate (1 – 3 acres). The property was annexed into the City in 2000. During the annexation process, the property was zoned R-R which was in conformance with the Estate designation of the City's Growth Plan at the time.

Mr. Peterson exhibited a slide of the Blended Residential Map. In 2010, the City and County adopted the Comprehensive Plan's Future Land Use Map as well as the Blended Residential Land Use Categories Map or "Blended Map". The Blended Residential Land Use Map category identifies the property as Residential Low. The Residential Low designation allows for the application of the any one of the following zone districts (R-R, R-E, R-1, R-2, R-4 and R-5) to implement the Estate future land use category, resulting in an allowance of up to five dwelling units per acre.

Mr. Peterson explained that the overlap of zones allows for a mix of density for an area without being limited to a specific land use designation and does not create higher densities than what would be incompatible with adjacent development. The applicant is only requesting the rezone to R-2 to match the existing density of the adjacent subdivisions.

The next slide shown illustrated the current zoning in the area. City staff feels that the request to rezone to R-2 is both compatible and consistent with adjacent properties' zoning of R-2 within the City limits and Mesa County jurisdictions.

In looking further at the review criteria for a rezone, adequate public and community facilities and services are available to the property and are sufficient to serve the residential land uses allowed in the R-2 zone district and the requested zone district is compatible with the surrounding single family uses/densities and is consistent with the Comprehensive Plan.

Staff presented a recommendation of approval with the following findings:

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

Mr. Peterson noted that a Neighborhood Meeting regarding the proposed zone change and subdivision application was held on May 22, 2017. Approximately 16 citizens along with the Applicant, the Applicant's representatives and staff were in attendance. Area

residents in attendance voiced concerns regarding existing drainage conditions in the area, expansive bentonite soils and increased traffic on Meadows Way and S. Broadway. Written correspondence was received and was included within the Staff Report.

### **Questions for Staff**

Commissioner Gatseos asked Mr. Peterson how much of the site is classified as Wetlands. Mr. Peterson stated that as part of the subdivision review, the applicant would have to submit documentation of the wetlands area. Generally speaking, Mr. Peterson indicated that just less than half of the site was developable due to the drainage channel, the floodplain and the wetlands in the western portion of the site.

Chairman Reece asked if the density would be greater than 5 units/acre under the "cluster" provision. Mr. Peterson stated that if the zoning was approved as R-2, the density still could not be exceeded. The "cluster" provision would allow for smaller lots, with smaller setbacks and increased open space.

Commissioner Wade inquired about the access to the subdivision. Mr. Peterson stated that the City would not allow access off of South Broadway. The subdivision would have to come off the lower-order street, which in this case is Meadows Way. Coming off of Meadows Way, the access to the subdivision would have to be as far south as possible. Mr. Peterson noted that the spacing would be too close and they would need a Transportation, Engineering and Design Standards (TEDs) exception.

### **Questions for Applicant**

Tracy States, Project Coordinator for River City Consultants noted that Kevin Bray, the Developer was also present. Ms. States indicated that they are aware of the concerns regarding the property and plan to have all testing done on the site as the project moves forward. Ms. States noted that they are requesting a rezone only at this point in time.

Chairman Reece asked if the tests to be done on the site included water table studies. Ms. States stated that geotechnical and soils testing, traffic studies, wetlands studies etc. will all be required.

Commissioner Wade asked if there was a timeline for the project. Ms. States indicated that it is pretty late in the year so it is anticipated that spring of next year is when they will begin.

Commissioner Deppe noted that the staff report included a letter from one of the neighboring properties that stated that in 2007 there was a geotechnical survey done and it deemed the property as unbuildable. Ms. States stated that she is not aware of that study and if the project moves forward, she would get a copy of that study, however, they would be doing their own studies as well.

Kevin Bray noted that they agree with the staff report and will be addressing the neighbors' concerns as the project moves forward.

### **Public Comment**

Tim Donovan, 457 Feather Court, noted his concerns about the 2007 report that states the land unbuildable and also the "cluster" concept. Mr. Donovan does not believe the cluster style of homes does not fit into the density of the area and would affect their property values. Mr. Donovan expressed that he did not understand why the rezoning process would come before the design.

Commissioner Wade explained that the zoning comes before the subdivision plan.

Jerold Saef, 2162 Peregrine Ct. stated that his house is three years old. There were concerns about the water table at the time of the construction of his house as well as two other neighbors requiring redesign of the foundation. One of the homes required extensive redesign of the second floor. Lime Kiln Creek runs behind the houses of Peregrine Ct. and there has been a flash flood there every three to four years. The Creek runs year round and is not irrigation dependent. Mr. Saef's concern is that the development of the proposed property will obstruct the proper drainage of that flooded creek. Mr. Saef also noted that there are two undeveloped lots on Peregrine Ct. that will eventually be effected by the water table.

Mr. Saef also expressed concern about the potential of 16 additional houses that would access on Meadows Way and the congestion it would cause at the intersection of 24 Rd. and Redlands Parkway.

Commissioner Wade asked for the map to be displayed and Mr. Saef pointed out where his concerns are that he had discussed.

John Cassity, 2174 Peregrine Ct. stated that he is not against development in general, but he feels the proposed future development of this area will cause a drainage push-back effect and cause foundation problems in their homes. Mr. Cassity urged the Commissioners to take a walk through this area to see the gravity of the situation.

Mr. Cassity expressed concern about having the entryway to this subdivision at an already congested intersection. Mr. Cassity stated that the access point from Broadway to Meadows Way is less than 50 yards, and there is a bus stop at Dinosaur and Peregrine. He did not understand why the access would not be taken off Broadway to the West where there is a neighborhood near to Riggs Hill.

Mr. Cassity stated that he has spoken to the developers, and he believes their intentions are great, but he objects the effect of traffic from the proposed entryway and the drainage impact to their homes

Kim Gage, 460 Feather Ct., stated that they had moved from Denver four years ago and



in buying a home on Feather Ct. they were trying to get away from the Denver housing where you have .10 or .12 acre lots. At the neighborhood meeting, it appeared that 1/3 of the site on the east side would be the developed area and the sites were between .10 or .12 acre lots which is very dense housing. She bought her house with RR zoning and feels 14 homes on 2.5 acres is too dense for the area.

Frank Nemanich, 441 Meadows Way, stated that he is a retired environmental scientist and has conducted environmental assessments on hundreds of properties in the valley. Mr. Nemanich pointed to the aerial photo and stated that this used to be a sewer plant for Meadows Way. Mr. Nemanich stated that he tried to get the map from the Corps of Engineers but he had to file a Freedom of Information Act and has not yet received the information.

Mr. Nemanich stated that he and his neighbors walk the area and is concerned about the potential traffic. In addition, Riggs Hill is a significant scientific site and there is already a problem with drainage at the site. Mr. Nemanich stated that there are people on the hill every day and it would be a shame to ruin their view. Mr. Nemanich added that there was soil drilling done last summer.

Dave Alstatt, 2188 Granite Ct. stated that he is the Vice-President of the homeowner's association at Monument Meadows. Mr. Alstatt noted that he worked for the engineering firm that did the 2007 geotechnical survey of the area. Mr. Alstatt added that he had worked in soils most of his career and realized you can build on anything if you have enough money. Building on Bentonite is very expensive and Mr. Alstatt knows the developers realizes that, but questions if the type of homes that will go in there will justify the type of foundations that will be required to go under the homes.

Mr. Alstatt, stated that he has the same concerns that everyone else has expressed. Commissioner Wade asked if Mr. Alstatt if he had a copy of the 2007 Geotechnical Survey that was done. Mr. Alstatt replied that he did not. Mr. Nemanich added that he had a soils report in his hand that indicated the types of soils present and they are not conducive to build on.

John Flanagan, 456 Feather Ct. stated that he echoed all the concerns that have been expressed. Mr. Flanagan wanted to emphasize the safety concern he has about the cars coming down Broadway. He stated that it is already difficult some mornings to take a left onto Broadway because of the line of site and the speed of the traffic.

Janey Wilding, 2172 Peregrine Ct. stated that you cannot tell the topography of the area from the map. Ms. Wilding indicated that the third house in the subdivision settled a few years ago and she believes it cost the homebuilder over \$100,000 to rebuild the piers and fix the foundation due to water and drainage problems. Ms. Wilding stated that she spoke to someone at the neighborhood meeting and asked who was responsible if, as an unintended consequence, floods her yard and raises her water table that causes her home to settle. Ms. Wilding stated that the response she got was "the HOAs can battle it out, or you can sue the City." Ms. Wilding stated that she has three small children and a

small business and doesn't want to be in litigation and have to fight for that. Ms. Wilding stated that a few homes would be ok, but 14 is too dense.

Chris Taggart, 452 Feather Ct., echoed the concerns his neighbors had. Mr. Taggart feels the intersection will become unsafe and has concerns about the bus stop.

Andy Smith, 2175 Peregrine Ct. stated that his concern is the access to the proposed development. Mr. Smith noted that at the neighborhood meeting in May, it was mentioned that the Army Corp of Engineers would be studying the wetlands to determine the outreach of them and his concern is that the study has not been completed at this time. Mr. Smith feels the results may show that reasonable access to the subdivision off Meadow Way would not be feasible.

Valerie Samii, 2168 Peregrine Ct. stated that she has been there two years. Ms. Samii noted that when they purchased the land there was a covenant that all the houses on the west side would need to have a full basement because the lots sloped down. Ms. Samii stated that when they excavated they had a large pool of water. Ms. Samii noted that her builder said he can mitigate it by putting in pilings for \$50,000 or they could do a half basement or crawl space. Ms. Samii added that since most of the houses on that side of the street had some type of water issue, they were allowed to put in a crawl space. Ms. Samii informed the Commission that not only is there a creek in the back, there are springs that flow under all those houses on that side of the street.

Mr. Tim Donovan came back to the podium and noted that the photos don't do justice to the conditions and asked the Commissioners if they ever do walkthroughs of a project area. Most of the Commissioners indicated that they had been out there.

### **Applicant's Rebuttal**

Kevin Bray, stated that as part of the development process, he will be required to provide a detailed drainage report that indicates that the water flowing off his development will not negatively affect another property. Mr. Bray stated that since water is an existing problem in that subdivision, they would want to discuss that with them to see if there are any opportunities that could help alleviate their current problem.

Mr. Bray stated that the City has access standards and they will have to provide some type of traffic study to make sure they have safe vehicle access to the subdivision.

Mr. Bray noted that he had not heard of a past sewer plant being located at the site. He added that it was good information and requested that Mr. Nemanich provide the information to his office or to City Planning.

Mr. Bray stated that there was a comment made by a member of the public that claimed that he had made a comment saying that the "HOAs can battle it out or sue the City". Mr. Bray stated that it was not something he would say and maybe that is just one person's interpretation of what may have been said. Mr. Bray stated that he has

customers that he is providing a service to and reputation matters, therefore they take great care in what they build.

Mr. Bray concluded that they purchased the property for the views, the amenity of Riggs Hills, and the Redlands area is a desirable area. Mr. Bray felt that the fear of the unknown is an issue at this point for the neighbors, but as they move forward in the process they will be able to address their concerns.

### **Questions for Staff**

Commissioner Gatseos asked for clarification of Estate and R-2 zoning. Mr. Peterson explained that Estate is one house/5 acres and R-2 is two units/acre.

Commissioner Wade asked why access could not be taken off of South Broadway. Mr. Peterson explained that the TEDS Manual requires that access be taken from the lower order street, which in this case would be Meadows Way. Commissioner Wade asked if there are exceptions. Mr. Peterson stated that there is a provision to allow for exceptions where they make sense, however it is highly unlikely that it would happen in this case due to the high volume and travel speeds on South Broadway.

Chairman Reece asked if there would need to be a TEDS exception for access off of Meadows Way, couldn't they ask for it to be off of South Broadway. Mr. Peterson stated that it would be up to the Engineering Department and Traffic Engineers to evaluate that once they had traffic study information that the applicant will be required to provide. Mr. Peterson speculated that a left turn lane may be considered to help mitigate the issue at the intersection. Chairman Reece asked if that would be included in a traffic study in the preliminary phase. Mr. Peterson explained that alternative options would be part of a traffic study.

Commissioner Buschhorn asked if Peregrine Estates, which is R-2, was brought in under a cluster provision. Mr. Peterson stated that although the lots are a little bigger, and there is an HOA tract of land to the north, he did not know if the subdivision was developed under the cluster provisions. Mr. Peterson added that the HOA tract does provide a little buffer to the proposed site.

### **Commissioner Discussion**

Commissioner Deppe stated that although the criteria has been met from a textbook point of view, but from a practical view she questions whether the site should be left alone at this time. Commissioner Deppe stated that if it were not for the cluster provision she could see her way to the zoning change. Commissioner Deppe noted that she is aware that they are just voting on the zoning change, but has concerns about the door being left open for cluster development if the zoning is approved.

Commissioner Wade stated that they need to look at whether a zoning change meets the criteria of the Zoning Code which in this case it does. Commissioner Wade

emphasized that as an advisory commission they cannot vote according to how they feel about the [future subdivision] proposal. Commissioner Wade stated he has concerns about the project as well, and urged the public that was present to become involved in the process and express their concerns as it moves forward.

Commissioner Buschhorn noted that the R-2 requested zoning fits and brings it into line with what the surrounding properties are. Commissioner Buschhorn expressed concern about the subdivision that will be proposed, but they are not voting on that at this time.

Commissioner Tolle stated that he agrees that the proposed rezone meets the Code criteria, however, he urged the neighbors to stay involved in the process. Commissioner Tolle emphasized his biggest concern is always safety.

Chairman Reece stated that she has been to the area and observed the topography and feels the cost to develop the area will be high. Chairman Reece added that Mr. Bray had stated that the costs will be weighed against the feasibility of building this project. Chairman Reece noted that Bray has been around the area a long time and is in the business of making money with a high quality product. Chairman Reece stated that they are not approving a subdivision plan, but are voting on a rezone.

Commissioner Gatseos expressed appreciation for the points that were presented by the neighbors, however he also feels the rezone meets the criteria of the code.

**MOTION: (Commissioner Wade)** “Madam Chair, on the Rezone request RZN-2017-296, I move that the Planning Commission forward a recommendation of approval for the rezone of 465 Meadows Way from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac) zone district with the findings of fact listed in the staff report.”

Commissioner Buschhorn seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING THE PROPOSED FOSSIL TRACE  
TO R-2 (RESIDENTIAL – 2 DU/AC)**

**LOCATED AT 465 MEADOWS WAY**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Fossil Trace Rezone to the R-2 (Residential – 2 du/ac) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Estate and the Blended Residential Land Use Map category of Residential Low of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-2 (Residential – 2 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.

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

The following property shall be zoned R-2 (Residential – 2 du/ac):

Lot 3, Rump Subdivision as identified in Reception # 1992762 in the Office of the Mesa County Clerk and Recorder.

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

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

**ATTEST:**

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

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #5.b.ii.

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**Meeting Date:** October 4, 2017

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

**Department:** Community Development

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

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### **Information**

#### **SUBJECT:**

Ordinance Rezoning property at 382 and 384 High Ridge Drive from PD (Planned Development) to R-2 (Residential - 2 Dwelling Units Per Acre)

#### **RECOMMENDATION:**

Planning Commission heard this item at their August 22, 2017 meeting and forwarded a recommendation of approval to City Council (6-0).

#### **EXECUTIVE SUMMARY:**

The Community Development Director is initiating a rezone of a lapsed Planned Development (PD) for the Ridges Mesa Planned Development because the PD has not been completed in accordance with the approved development schedule.

Section 21.02.150(f) of the Zoning and Development Code regarding Planned Developments provides "*If a planned development, or any portion thereof, has not been completed in accordance with the approved development schedule, a 'lapse' shall have occurred and the terms of all approved plans for incomplete portions of the PD shall be null and void. If lapse occurs, the property shall be governed by the zoning district applied to the property immediately before the rezoning to PD.*"

The lapse is the result of the applicant withdrawing their development submittal for Ridges Mesa PD and therefore not meeting the Outline Development Plan (ODP) development schedule and associated requirements.

Pursuant to these code provisions, the Director is initiating a rezone of properties consisting of 51.03 acres, located at 382 and 384 High Ridge Drive, currently known as

Ridges Mesa, from PD (Planned Development) to R-2 (Residential up to 2/dwelling units per acre) zone district which was the zoning district applied to the property immediately before the rezoning to PD.

**BACKGROUND OR DETAILED INFORMATION:**

Ordinance 4163 rezoned this property from R-2 to PD (planned Development) on January 14, 2008. With that ordinance, an Outline Development Plan (ODP) for Ridges Mesa development was also approved. In 2009 the ODP received approval to extend the Ridges Mesa "Development Schedule" to the end of 2016. The applicant for Ridges Mesa submitted their application for Ridges Mesa in December of 2016 securing and extending their right to continue future development under the 2008 approved ODP.

The request by the property owner to develop under the 2008 ODP under the zoning of PD is no longer desired. The Applicant for Ridges Mesa filings 2 and 3 is no longer interested in pursuing their project with a PD zone and with the current ODP. The lapse of the PD is the result of the applicant withdrawing their development submittals for Ridges Mesa filings 2 and 3 (see attached letter) and therefore not meeting the ODP development schedule and requirements.

**FISCAL IMPACT:**

This land use action does not have any direct fiscal impact. As the properties develop property, sales, and use taxes will apply accordingly.

**SUGGESTED MOTION:**

I move to (adopt or deny) Ordinance No. 4768 - An Ordinance Rezoning Properties at 382 and 384 High Ridge Drive from PD (Planned Development) to R-2 (Residential – 2 Dwelling Units Per Acre) on Final Passage and Order Final Publication in Pamphlet Form.

**Attachments**

1. Planning Commission Report
2. Planning Commission Minutes - draft
3. Letter from Property Owner/Developer
4. Vicinity, Future Land Use and Zoning Maps
5. Proposed Ordinance

## PLANNING COMMISSION AGENDA ITEM

**Project Name:** Ridges Mesa Rezone  
**Applicant:** Community Development Director  
**Representative:** N/A  
**Address:** 382 and 384 High Ridge Drive  
**Zoning:** Planned Development (PD)

### I. SUBJECT

Consideration of a request for the Planning Commission to 1) revoke all previous approvals associated with the Ridges Mesa PD, and 2) consider a zoning change on the lapsed PD to the previous R-2 zone district.

### II. EXECUTIVE SUMMARY

The Applicant is requesting the Planning Commission 1) revoke all previous approvals associated with the Ridges Mesa PD, and 2) consider a zoning change on the lapsed PD to the previous R-2 zone district.

The request by the property owner to develop under the 2008 ODP under the zoning of PD is no longer desired and has submitted a letter on August 4, 2017 requesting the City revoke or recognize that a "lapse" of approval has occurred. The property owner's intent is to no longer be bound to the previously approved ODP plan and to revert the property back to the original zoning of R-2.

The Zoning and Development Code provides that "The Director may initiate, without owner consent, a zoning change on a lapsed PD to another zone district." It also provides that "If [a] lapse occurs, the property shall be governed by the zoning district applied to the property immediately before the rezoning to PD."

Pursuant to these code provisions, the Director is initiating a rezone of properties consisting of 51.03 acres, located at 382 and 384 High Ridge Drive, currently known as Ridges Mesa, from PD (Planned Development) to R-2 (Residential up to 2/dwelling units per acre) zone district.

### III. BACKGROUND

Ordinance 4163 rezoned this property from R-2 to PD (planned Development) on January 14, 2008. With that ordinance, an Outline Development Plan (ODP) for Ridges Mesa development was also approved. In 2009 the ODP received approval to extend the Ridges Mesa "Development Schedule" to the end of 2016. The applicant for Ridges Mesa submitted their application for Ridges Mesa in December of 2016 securing and extending their right to continue future development under the 2008 approved ODP.

The request by the property owner to develop under the 2008 ODP under the zoning of PD is no longer desired. The Applicant for Ridges Mesa filings 2 and 3 currently under review by the City, has requested this lapse to occur since they are no longer interested in pursuing this project with a PD zone and with the current ODP. The lapse is the



result of the applicant withdrawing their development submittals for Ridges Mesa (see attached letter) and therefore not meeting the ODP development schedule and requirements.

#### **IV. ANALYSIS**

Section 21.02.150(f) of the Zoning and Development Code regarding Planned Developments provides:

*“Lapse of Plan and Rezone. If a planned development, or any portion thereof, has not been completed in accordance with the approved development schedule, a “lapse” shall have occurred and the terms of all approved plans for incomplete portions of the PD shall be null and void. If lapse occurs, the property shall be governed by the zoning district applied to the property immediately before the rezoning to PD, or an applicant may request hearing before the Planning Commission at which time a revocation of all prior approvals shall be considered. If the Planning Commission determines that a lapse has occurred, the Director shall record an appropriate legal notice. The Director may initiate, without owner consent, a zoning change on a lapsed PD to another zone district.”*

In accordance with this section of the Zoning and Development Code, the Applicant has requested a hearing before the Planning Commission to 1) revoke all previous approvals and 2) consider a zoning change to revert the property to the previous R-2 zone district. The maximum density approved as part of the 2008 ODP was 101 dwelling units. The R-2 zone is compatible with (1) the Comprehensive Plan Future Land Use Map of Residential Low (RL); and the surrounding City and Mesa County Zoning.

Section 21.02.150(f) of the Zoning and Development Code clearly provides that the property will revert back to the R-2 zone district. However, under Section 21.02.010 and Section 21.02.020 the Planning Commission has the designated responsibility of making recommendation to change to the Zoning Map and the City Council maintains the authority to “decide all requirements for making changes to zones and the zoning maps...” Because the City Council is the only entity that can modify the Zoning Map, the reversion to the R-2 zone district must be considered by both bodies.

#### **V. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Ridges Mesa Rezone, RZN-20176-361, a request to revoke previous approvals and revert to the previous R-2 zone District for the project known as Ridges Mesa; a project of 51.04 acres and currently zoned PD (planned Development)), the following findings of fact have been made:

1. Pursuant to Section 21.02.150(f) of the Zoning and Development Code, the Applicant has demonstrated that a lapse has occurred;
2. Pursuant to Section 21.02.150(f) of the Zoning and Development Code it has been discovered in Ordinance 4163 that the property, prior to the PD designation, was zoned R-2; an action that occurred on January 14, 2008.

Therefore, Staff recommends approval of the request to acknowledge the lapse of the Planned Development zone district and to revert the property to the R-2 (Residential – 2 du/ac) zone district.

**VI. RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on the Rezone request RZN-2017-361, I move that the Planning Commission forward a recommendation of approval for the Ridges Mesa Rezone consisting of properties located at 382 and 384 High Ridge Drive from a PD (Planned Development – 2 units per acre) to R-2 (Residential – 2 units/acre) zone district with the findings of fact listed in the staff report.

**ATTACHMENTS:**

1. Letter from Ridges Mesa Developer
2. 2008 approved Rezone to PD Ordinance & Outline Development Plan (ODP)
3. Site Location Map
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Proposed Zoning Ordinance

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## Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

August 4, 2017

Mr. David Thornton  
City of Grand Junction Planning  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Ridges Mesa Planned Development  
PLD-2016-600 & PLD-2017-151**

Dear Mr. Thornton:

The purpose of this letter is to request the above major subdivision applications be withdrawn from the City of Grand Junction's development review process and allow the Ridges Mesa Planned Development approval to lapse.

Austin Civil Group, Inc. (ACG) are the Owner' Representatives for Dennis and Alice McCary and McCary Development, LLC, who currently own the property. The owners understand the Ridges Mesa Planned Development schedule has not been met and the original Planned Development project will lapse. They also understand because the Planned Development will lapse, the property zoning will default back to R-2 zoning in the City of Grand Junction.

ACG is working with the McCary's to develop a new subdivision plan for the property with utilizing the R-2 zoning. We will be making a new pre-application submittal for the proposed layout and look forward to a fresh start in developing this challenging site. If you have any additional questions or concerns, please give me a call at 970-242-7540.

Sincerely,



**Austin Civil Group, Inc.**

Mark Austin, P.E.  
President

cc: Dennis McCary

123 n. 7th street ■ suite 300 ■ grand junction, colorado 81501 ■ 970-242-7540 phone ■ 970-255-1212 fax

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 4163**

**AN ORDINANCE REZONING APPROXIMATELY 51.04 ACRES FROM R-2 TO PD  
(PLANNED DEVELOPMENT)**

**THE RIDGES MESA PLANNED DEVELOPMENT  
LOCATED EAST OF HIDDEN VALLEY DRIVE AND HIGH RIDGE DRIVE**

Recitals:

A request for a Rezone and Outline Development Plan approval has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 51.04 acres located east of Hidden Valley Drive, High Ridge Drive and north of Bella Pago, be rezoned from R-2 (Residential, 2 units per acre) to PD (Planned Development) retaining R-2 as the default zoning designation.

The PD zoning ordinance will establish the default zoning and maximum and minimum number of dwelling units. It also shows approximate areas of proposed open space and areas of slopes greater than 30%. Possible roadway connections and trails are also shown. Deviations from the R-2 bulk standards, specific design standards and entrance signage details shall be established with the preliminary plan for each phase, if required.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Rezone and Outline Development Plan approval and determined that it satisfied the criteria as set forth and established in Section 2.12.B.2 of the Zoning and Development Code and the proposed Rezone and Outline Development Plan is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REZONED FROM R-2 TO PD WITH AN R-2 DEFAULT ZONE:

Property to be Rezoned:

Tax Parcel Number 2945-212-17-007; Lot 7, Ridge Point Filing 1, recorded at Plat Book 14, Pages 348-350 of the Mesa County Clerk and Recorders Office.

PD Phases:

See Attached Exhibit A, Outline Development Plan

- Phase 1 – Maximum number of residential units – 28 / totaling 14.16 acres
- Phase 2 – Maximum number of residential units – 45 / totaling 22.58 acres
- Phase 3 – Maximum number of residential units – 28 / totaling 14.30 acres

The minimum number of dwelling units will be at a density of 0.5 dwelling units per acre.

The public benefit to be obtained by the Planned Development will be that the applicants have committed to a trail system within the open space areas that will be available for public use. This trail system is not shown on the Urban Trails Master Plan, and therefore is above and beyond the Code requirements. The Open Space provided will exceed that required by the Code in single-family residential developments.

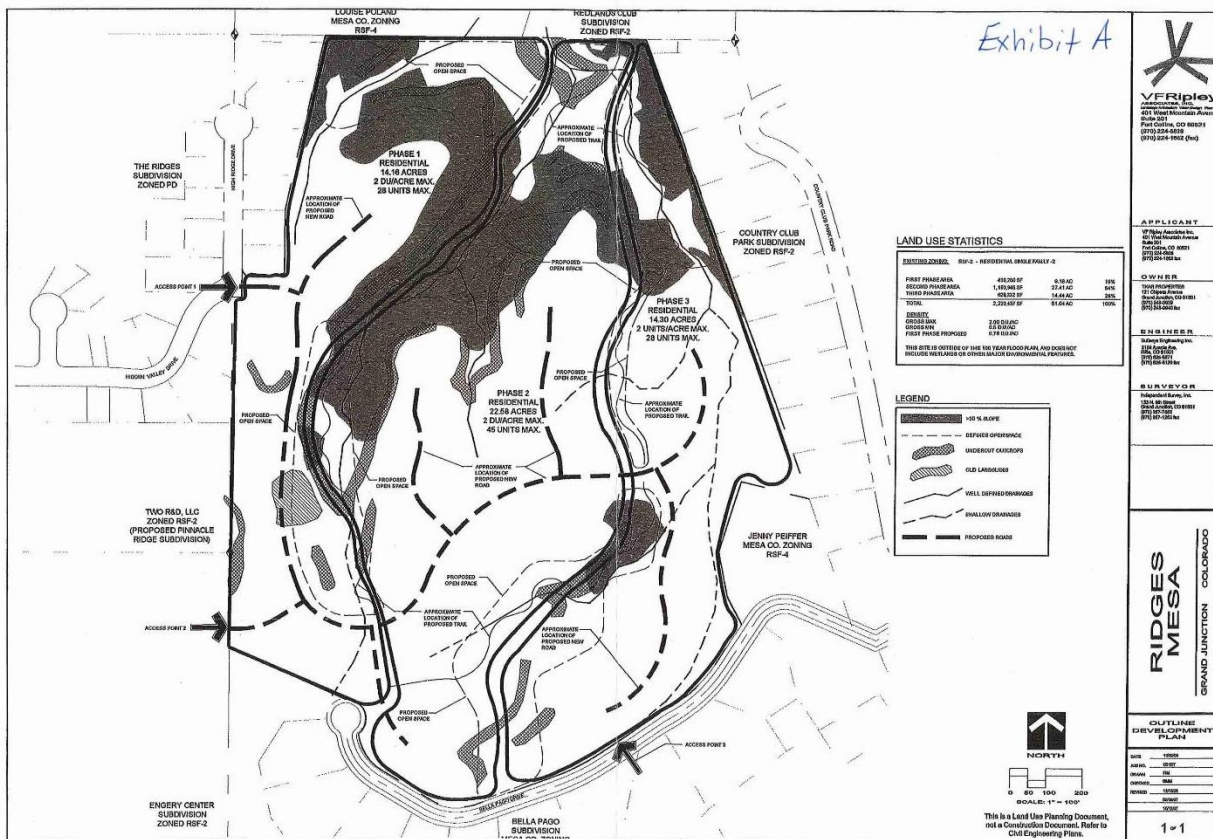
**INTRODUCED** on first reading on the 17<sup>th</sup> day of December, 2007 and ordered published.

**ADOPTED** on second reading this 14<sup>th</sup> day of January, 2008.

ATTEST:

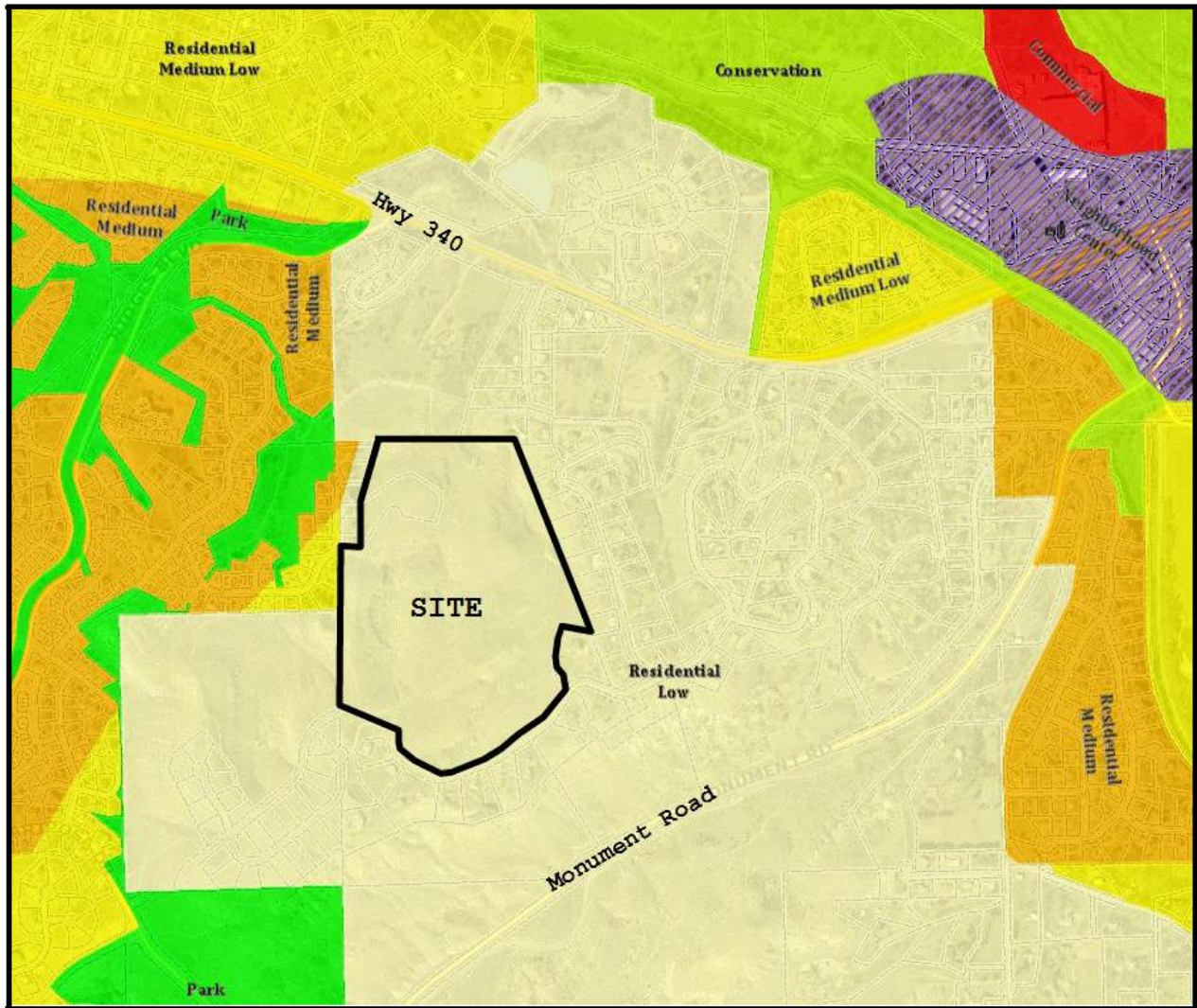
/s/ James J. Doody  
President of Council

/s/ Stephanie Tuin  
City Clerk

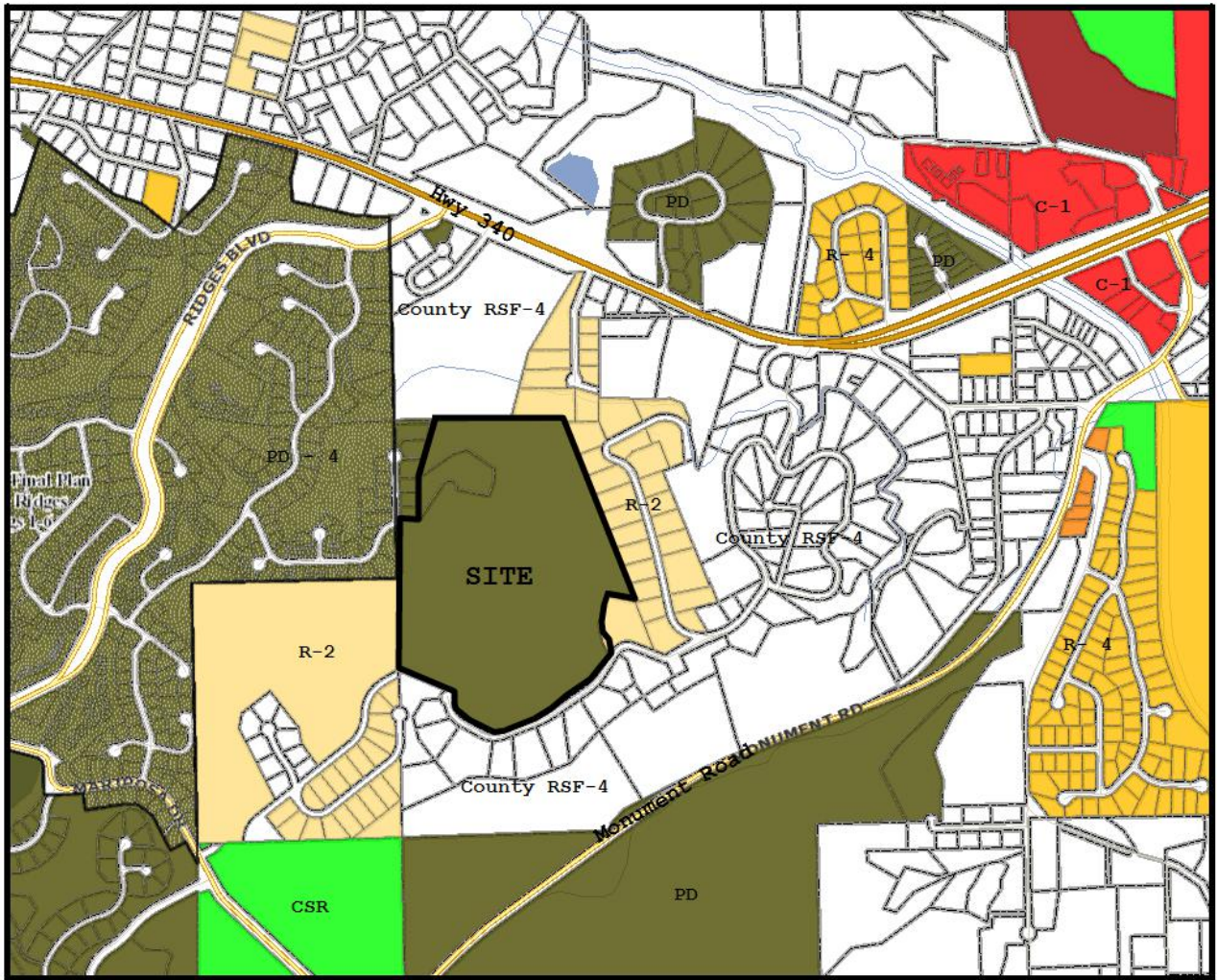




**Site Location Map**



**Comprehensive Plan Future Land Use Map**



**Existing Zoning Map**



**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE ZONING PROPERTIES AT 382 AND 384 HIGH RIDGE DRIVE TO R-2 (RESIDENTIAL – 2 DWELLING UNITS PER ACRE)**

**Recitals:**

The properties located at 382 and 384 High Ridge Drive were zoned “planned development” (PD) and an outline development plan (ODP) adopted by Ordinance No. 4163 on January 14, 2008. The ODP has lapsed by virtue of the fact that the property owner has failed to develop a final plan within the time period prescribed by the Zoning and Development Code.

In the event of a lapse of an ODP, the Zoning and Development Code, Section 21.02.150(f), provides that zoning shall default to the previous zone district, which in this case is the same as the underlying zone district (R-2).

The current property owner does not object to the proposed rezone.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Ridges Mesa located at 382 and 384 High Ridge Drive to the R-2 (Residential – 2 dwelling units per acre) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Low, is compatible with land uses located in the surrounding area, and complies with Section 21.02.150(f) governing lapse of outline development plans.

After public notice and public hearing, the Grand Junction City Council finds that the R-2 (Residential – 2 dwelling units per acre) zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Low, is compatible with land uses located in the surrounding area, and meets the Code provision governing lapsed ODP.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTY SHALL BE ZONED R-2 (RESIDENTIAL 2 DWELLING UNITS PER ACRE):**

**PARCEL 1 (384 High Ridge Drive): LOT 1 RIDGES MESA SEC 21 1S 1W UM RECD R-757612 MESA CO RECDS - 2.35AC, COUNTY OF MESA, STATE OF COLORADO.**

**PARCEL 2 (382 High Ridge Drive): LOT 2 RIDGES MESA SEC 21 1S 1W UM RECD R-757612 MESA CO RECDS - 48.69AC, COUNTY OF MESA, STATE OF COLORADO.**

Introduced on first reading this 20<sup>th</sup> day of September, 2017 and ordered published in pamphlet form.

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

ATTEST:

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

\_\_\_\_\_  
Mayor

**GRAND JUNCTION PLANNING COMMISSION**  
**August 22, 2017 MINUTES**  
**6:00 p.m. to 7:27 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, George Gatseos, Steve Tolle and Bill Wade.

In attendance, representing the Community Development Department – Tamra Allen, (Community Development Director), Kathy Portner, (Planning Manager), Lori Bowers, (Senior Planner), Kristen Ashbeck (Senior Planner) and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 21 citizens in attendance during the hearing.

**\*\*\*CONSENT CALENDAR\*\*\***

**1. Minutes of Previous Meetings**

*Action: Approve the minutes from the June 27<sup>th</sup> and July 18<sup>th</sup> meetings.*

**2. Zoning Board of Appeals Code Text Amendment [File #ZCA-2017-365]**

Request to amend Section 21.02.030 of the Zoning and Development Code regarding Zoning Board of Appeals Membership.

*Action: Recommendation to City Council*

Applicant: Director of Community Development  
Location: N/A  
Staff Presentation: Kathy Portner, Planning Manager

**3. Industrial Properties Rezone [File# APL-2017-176]**

Request by RJ Properties (703 23 2/10 Road) and ZZYZ LLC (2350 G Road) to rezone properties from I-2: General Industrial to I-1: Light Industrial.

*Action: Recommendation to City Council*

Applicant: RJ Properties and ZZYZ LLC  
Location: 1020 Grand Ave  
Staff Presentation: Kristen Ashbeck, Sr. Planner

Chairman Reece briefly explained the Consent Agenda and added that the applicant for the Ridges Mesa Rezone had requested that the item be moved from individual consideration to the consent agenda. Chairman Reece invited the public, Planning Commissioners and staff to speak if they wanted an item pulled for a full hearing or had objection to the Ridges Mesa Rezone moving to the Consent Agenda.

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

**MOTION: (Commissioner Wade)** “Madam Chair, I move we approve the consent agenda as prepared and add to that agenda File# RZN-2017-361, Ridges Mesa Rezone.”

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

A ■ C ■ G

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## Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

August 4, 2017

Mr. David Thornton  
City of Grand Junction Planning  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Ridges Mesa Planned Development  
PLD-2016-600 & PLD-2017-151**

Dear Mr. Thornton:

The purpose of this letter is to request the above major subdivision applications be withdrawn from the City of Grand Junction's development review process and allow the Ridges Mesa Planned Development approval to lapse.

Austin Civil Group, Inc. (ACG) are the Owner' Representatives for Dennis and Alice McCary and McCary Development, LLC, who currently own the property. The owners understand the Ridges Mesa Planned Development schedule has not been met and the original Planned Development project will lapse. They also understand because the Planned Development will lapse, the property zoning will default back to R-2 zoning in the City of Grand Junction.

ACG is working with the McCary's to develop a new subdivision plan for the property with utilizing the R-2 zoning. We will be making a new pre-application submittal for the proposed layout and look forward to a fresh start in developing this challenging site. If you have any additional questions or concerns, please give me a call at 970-242-7540.

Sincerely,

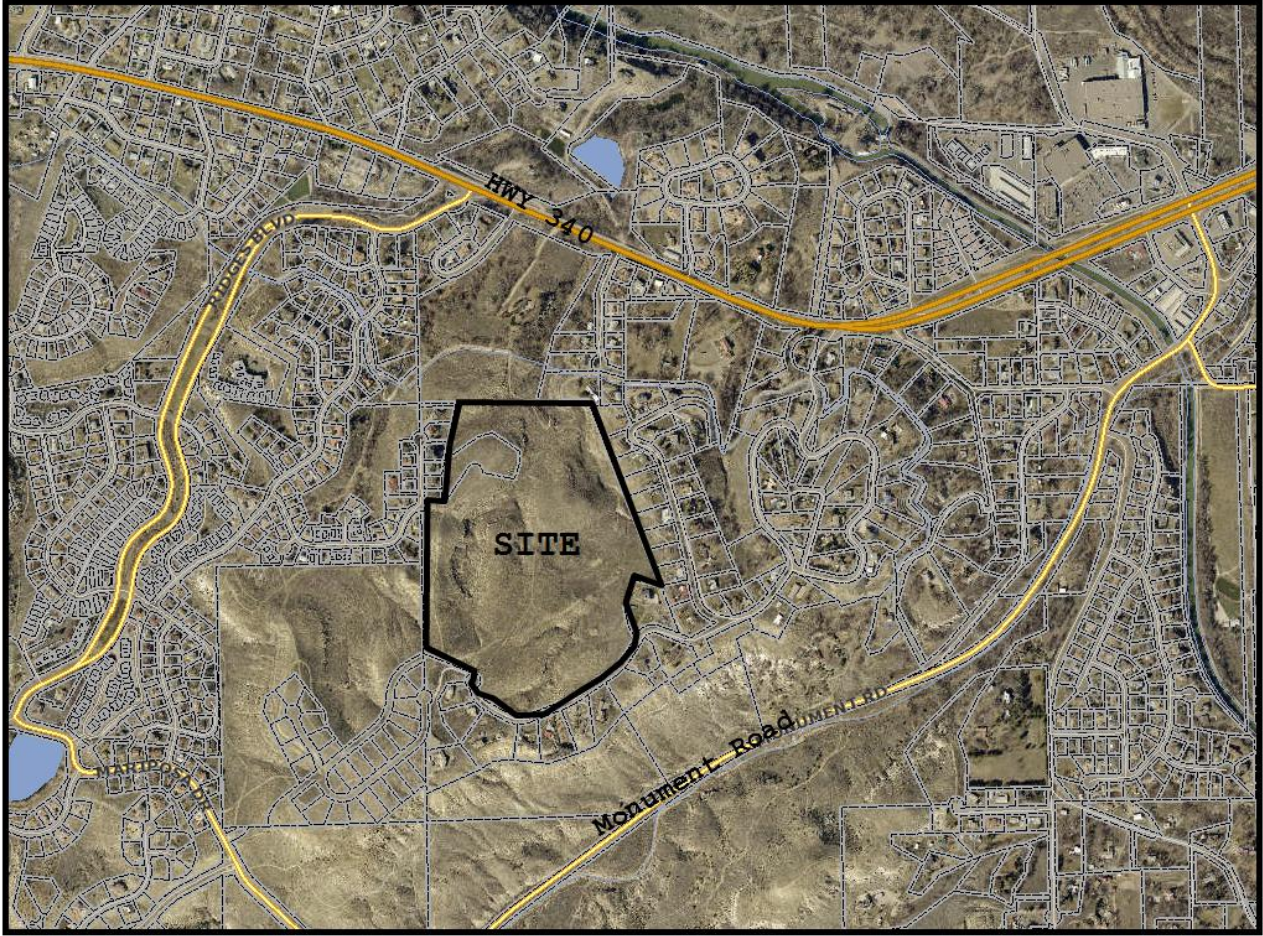


**Austin Civil Group, Inc.**

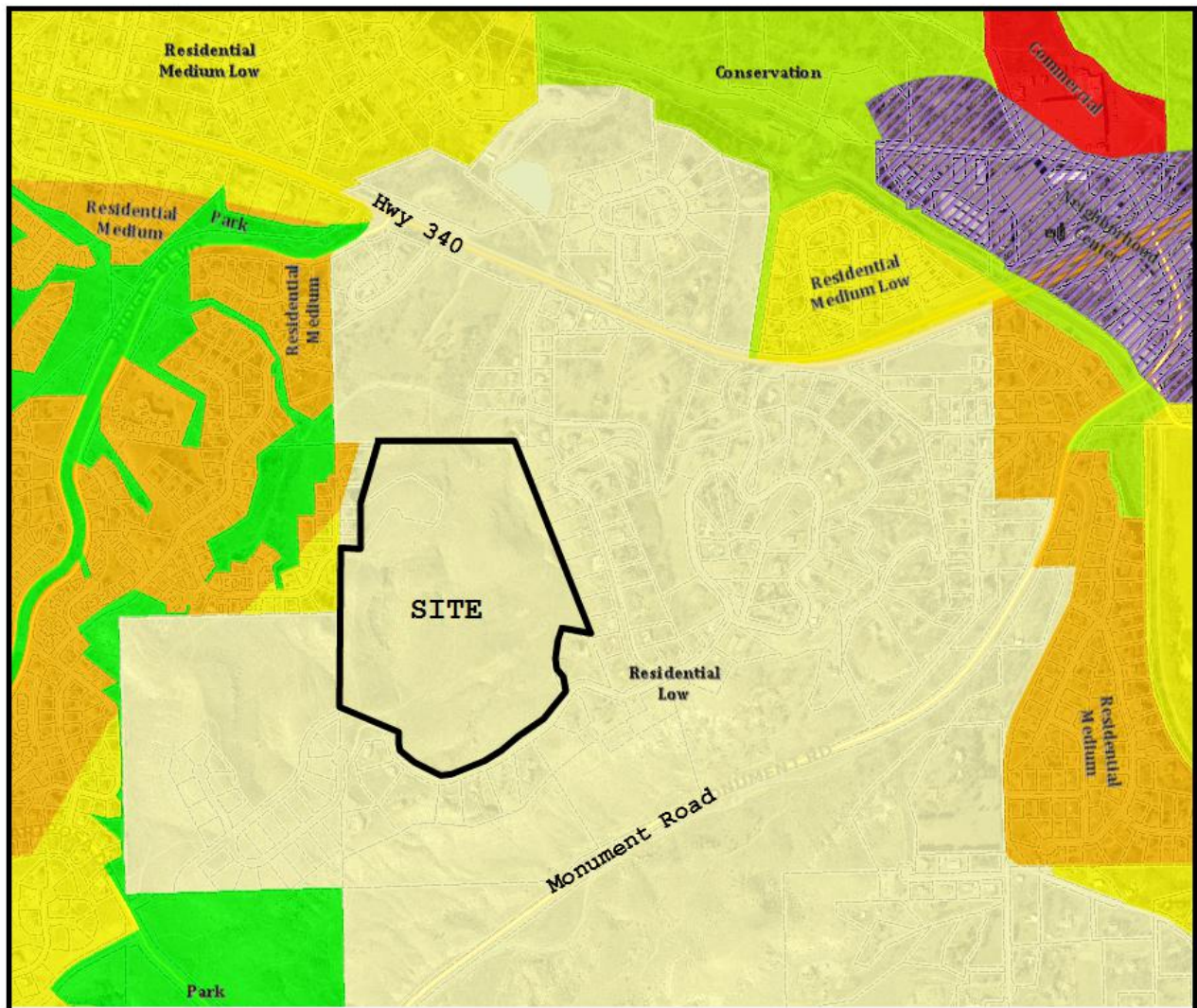
Mark Austin, P.E.  
President

cc: Dennis McCary

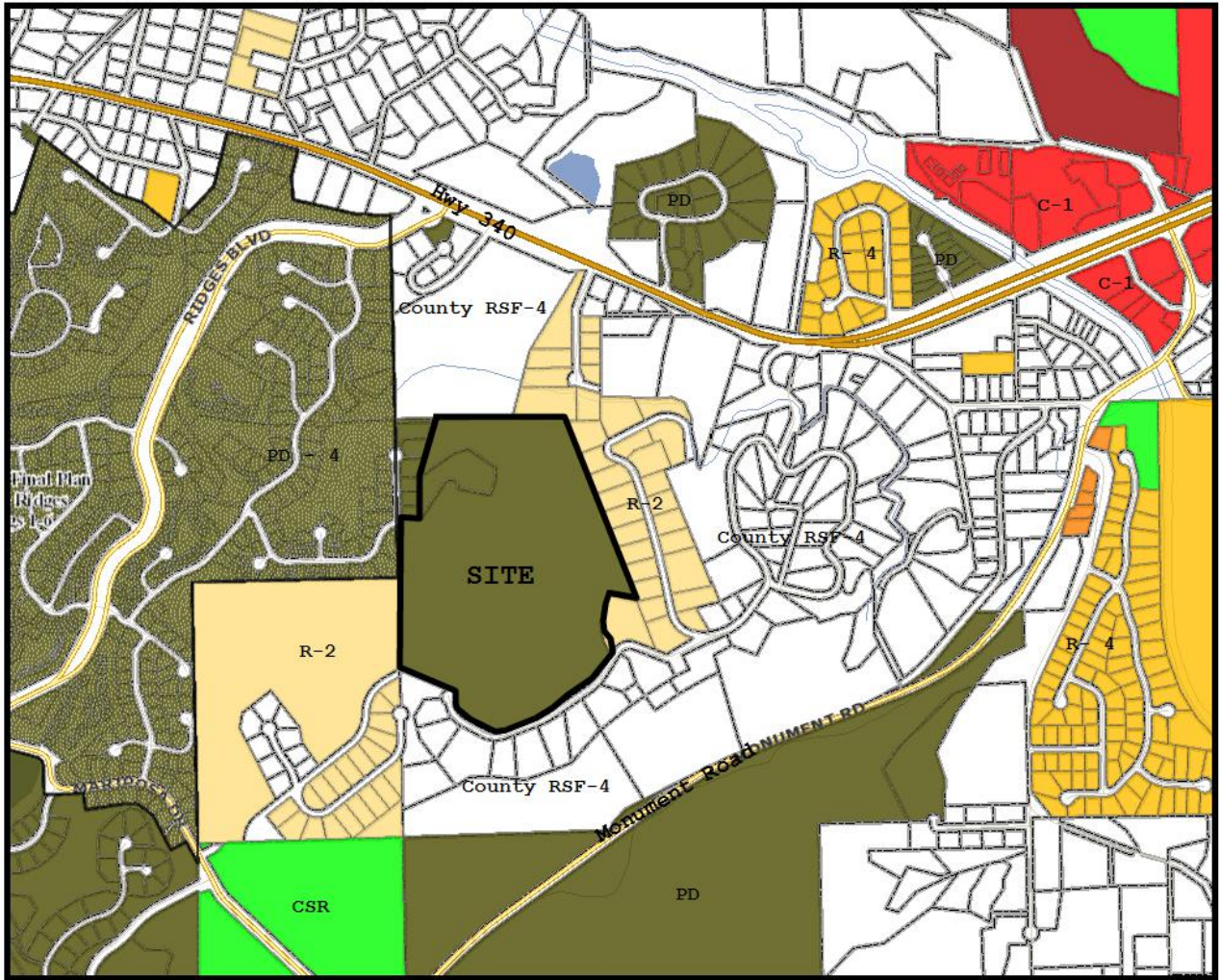
123 n. 7th street ■ suite 300 ■ grand junction, colorado 81501 ■ 970-242-7540 phone ■ 970-255-1212 fax



**Site Location Map**



**Comprehensive Plan Future Land Use Map**



**Existing Zoning Map**



**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE REZONING PROPERTIES AT 382 AND 384 HIGH RIDGE DRIVE FROM PD (PLANNED DEVELOPMENT) TO R-2 (RESIDENTIAL – 2 DWELLING UNITS PER ACRE)**

**Recitals:**

The properties located at 382 and 384 High Ridge Drive were zoned “planned development” (PD) and an outline development plan (ODP) adopted by Ordinance No. 4163 on January 14, 2008. The ODP has lapsed by virtue of the fact that the property owner has failed to develop a final plan within the time period prescribed by the Zoning and Development Code.

In the event of a lapse of an ODP, the Zoning and Development Code, Section 21.02.150(f), provides that zoning shall default to the previous zone district, which in this case is the same as the underlying zone district (R-2).

The current property owner does not object to the proposed rezone.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Ridges Mesa located at 382 and 384 High Ridge Drive to the R-2 (Residential – 2 dwelling units per acre) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Low. is compatible with land uses located in the surrounding area, and complies with Section 21.02.150(f) governing lapse of outline development plans.

After public notice and public hearing, the Grand Junction City Council finds that the R-2 (Residential – 2 dwelling units per acre) zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Low, is compatible with land uses located in the surrounding area, and meets the Code provision governing lapsed ODP.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTY SHALL BE ZONED R-2 (RESIDENTIAL 2 DWELLING UNITS PER ACRE):**

**PARCEL 1 (384 High Ridge Drive): LOT 1 RIDGES MESA SEC 21 1S 1W UM RECD R-757612 MESA CO RECDS - 2.35AC, COUNTY OF MESA, STATE OF COLORADO.**

**PARCEL 2 (382 High Ridge Drive): LOT 2 RIDGES MESA SEC 21 1S 1W UM RECD R-757612 MESA CO RECDS - 48.69AC, COUNTY OF MESA, STATE OF COLORADO.**

Introduced on first reading this 20<sup>th</sup> day of September, 2017 and ordered published in pamphlet form.

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

ATTEST:

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

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #5.b.iii.

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**Meeting Date:** October 4, 2017

**Presented By:** Kristen Ashbeck, Senior Planner/ CDBG Admin

**Department:** Community Development

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

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### **Information**

#### **SUBJECT:**

Ordinance Rezoning Properties Located at 703 23-2/10 Road and 2350 G Road from I-2 (General Industrial) to I-1 (Light Industrial)

#### **RECOMMENDATION:**

Planning Commission, at their August 22, 2017 meeting, recommended approval of the proposed rezone.

#### **EXECUTIVE SUMMARY:**

The Applicants are requesting approval to rezone two properties, located at 703 23-2/10 Road and 2350 G Road, from I-2 (General Industrial) to the I-1 (Light Industrial) zone district. The property located at 703 23-2/10 Road is 1.3 acres in size and currently has a vacant office building on it. The second property located at 2350 G Road is 1.9 acres and is developed with an office building that is also currently vacant. The property owners are seeking the rezone to allow for more flexibility in the types of non-industrial uses that could occupy the existing office structures on the properties.

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

The subject properties, located at 703 23-2/10 Road and 2350 G Road, each have existing structures on them under separate ownership. The owners have applied for the rezone of the properties in a single application. Both properties have office structures on them that have been unoccupied for several years. The two buildings are primarily designed for office use; however, the existing General Industrial (I-2) zone district does not allow for the buildings to be used solely for office purposes. The requested Light Industrial (I-1) district would allow for more office-related uses to utilize the buildings.

Properties adjacent to the subject properties to north, east and west are heavy commercial and industrial uses on larger parcels with outdoor storage and operations. To the south, there are large, vacant parcels that are zoned I-1 and Planned Development (PD).

A Neighborhood Meeting regarding the proposed zone change was held on July 19, 2017. Six citizens along with the Applicant, the Applicants' representative and City planning staff were in attendance. Area residents/property owners in attendance voiced no objections to the application to rezone the two parcels from I-2 to I-1. Staff has since received one letter of support for this rezone request.

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the rezone criteria.

**FISCAL IMPACT:**

The two subject properties are currently developed though unoccupied. There is no direct fiscal impact from the consideration of a rezone for these properties. If the properties become occupied or redevelopment occurs property, sales, and use taxes will apply accordingly.

**SUGGESTED MOTION:**

I move to (adopt or deny) Ordinance No. 4769 - An Ordinance Rezoning Properties Located at 703 23-2/10 Road and 2350 G Road from I-2 (General Industrial) to I-1 (Light Industrial) on Final Passage and Order Final Publication in Pamphlet Form.

**Attachments**

1. Planning Commission Staff Report
2. Planning Commission Minutes
3. Industrial Properties Rezone Maps
4. Use/Zone Matrix
5. Industrial Properties Rezone Correspondence from Citizens
6. Proposed Ordinance

## **PLANNING COMMISSION AGENDA ITEM**

**Project Name:** Industrial Properties Rezone  
**Applicant:** RJ Properties and ZZYZ LLC  
**Representative:** Theresa Englbrecht, Bray Real Estate - Commercial  
**Address:** 703 23-2/10 Road and 2350 G Road  
**Zoning:** I-2: General Industrial

### **I. SUBJECT**

Consider a request by RJ Properties (703 23-2/10 Road) and ZZYZ LLC (2350 G Road) to rezone properties from I-2: General Industrial to I-1: Light Industrial.

### **II. EXECUTIVE SUMMARY**

The Applicants are requesting approval to rezone two properties, located at 703 23-2/10 Road and 2350 G Road from I-2 (General Industrial) to the I-1 (Light Industrial) zone district. The property located at 703 23-2/10 Road is 1.3 acres in size and currently has a vacant office building on it. The second property located at 2350 G Road is 1.9 acres and currently is also developed with an office building that is currently unoccupied. The property owners are seeking the rezone to provide more flexibility in the types of uses that could occupy the existing office structures on the properties.

### **III. BACKGROUND**

The subject properties, located at 703 23-2/10 Road and 2350 G Road, each have existing structures on them under separate ownership. The owners have applied for the rezone of the properties in a single application. Both properties have office structures on them that have been unoccupied for several years. The two buildings are primarily designed for office use, however, the existing General Industrial (I-2) zone district does not allow for the buildings to be used solely for office purposes. The requested Light Industrial (I-1) district would allow for more office-related uses to utilize the buildings.

Properties adjacent to the subject properties to north, east and west are heavy commercial and industrial uses on larger parcels with outdoor storage and operations. To the south, there are large, vacant parcels that are zoned I-1 and Planned Development (PD).

A Neighborhood Meeting regarding the proposed zone change was held on July 19, 2017. 6 citizens along with the Applicant, the Applicants' representative and City planning staff were in attendance. Area residents/property owners in attendance voiced no objections to the application to rezone the two parcels from I-2 to I-1.

### **IV. ANALYSIS**

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, 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*

These properties as well as others in the area primarily supported the boom in the oil and gas industry in the early to mid-2000s (703 23-2/1 constructed in 2005 and 2350 G Road constructed in 2003). This industry presence has since been greatly reduced in the valley and the buildings have been vacant for several years (approximately 2 to 3 years). There is currently a greater need for these buildings to be occupied by office-oriented uses that are not allowed in the General Industrial (I-2) zone district. Staff believes 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*

Staff has seen the land use character within the immediate vicinity of the proposed rezone change over time and anticipates that it will continue to change to include a broader mix of uses. Due to changes in the character of the area, Staff anticipates this area may begin to see pressures for uses other than those allowed within the I-2 zone district, such as those uses promoted by the 24 Road Corridor Plan that covers properties on the south side of G Road across from the properties requested to be rezoned. The recent construction of the new Community Hospital and Medical Office Building complex west of the southwest corner of 24 and G Roads (1/4-1/2 mile from subject properties) has significantly impacted land use in the area and will likely make it more conducive for the buildings on these two parcels to be used for offices to support the hospital campus rather than for strictly industrial uses. Staff believes this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve the future use of these properties. The nearby major streets (23, 24 and G Roads) have all been improved with recent development such as the Community Hospital Campus. In addition, both properties to be rezoned are already developed and have access to adequate services. Staff believes this criterion has been met.

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

There is three times more acreage within the City that is zoned I-1 (1,601 acres) versus I-2 (597 acres). However, many of the uses appropriate for I-2 are beginning to shift north, particularly since completion of the Community Hospital Campus and there are very few office buildings in the area that can accommodate uses to support the Campus. Thus, while there may be an adequate supply of I-1 zoned property, it may not be in a location that is conducive to redevelopment in this changing area of the City. Staff believes this criterion has not been met.

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

The proposed I-1 zone district would create an opportunity for greater flexibility in uses that can occupy these existing buildings. The community will benefit by the ability of owners to sell or lease these properties to companies or businesses that will add jobs and taxes to the community. In addition, the rezone of these properties will facilitate the reuse of existing buildings for uses that can support and help sustain surrounding development that improves the City's economy. Staff believes this criterion has been met.

This rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan

**Future Land Use Map:** The Comprehensive Plan Future Land Use Map for the area is Industrial, within which both the I-1 and I-2 zone districts may implement the land use plan. Thus, the proposed I-1 zone district is compatible with the Comprehensive Plan Future Land Use Map, The proposed rezone is also compatible with the surrounding I-2, I-1, BP, MU and Planned Development zoning as well as the and surrounding mix of commercial and industrial land uses.

After review of the Comprehensive Plan, Staff believes that the proposed rezone meets the following Comprehensive Plan goals and policies:

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

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

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

## **V. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Industrial Properties Rezone, RZN-2017-298, a request to zone two properties totaling 3.2 acres from I-2 (General Industrial) to an I-1 (Light Industrial) zone district, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Municipal Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request to rezone the properties located at 703 23 2/10 Road and 2350 G Road from I-2 (General Industrial) to I-1 (Light Industrial).

## **VI. RECOMMENDED MOTION**

Madam Chairman, on the Rezone request RZN-2017-298, I move that the Planning Commission forward a recommendation of approval for the Industrial Properties Rezone of parcels located at 703 23-2/10 Road and 2350 G Road from an I-2 (General

Industrial) to and I-1 (Light Industrial) zone district with the findings of fact as listed in the staff report.

**Attachments:**

1. Vicinity Map
2. Site Location Map
3. Comprehensive Plan Future Land Use Map
4. Existing Zoning Map
5. Correspondence Received from the Public
6. Proposed Zoning Ordinance



**GRAND JUNCTION PLANNING COMMISSION**  
**August 22, 2017 MINUTES**  
**6:00 p.m. to 7:27 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, George Gatseos, Steve Tolle and Bill Wade.

In attendance, representing the Community Development Department – Tamra Allen, (Community Development Director), Kathy Portner, (Planning Manager), Lori Bowers, (Senior Planner), Kristen Ashbeck (Senior Planner) and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 21 citizens in attendance during the hearing.

**\*\*\*CONSENT CALENDAR\*\*\***

**1. Minutes of Previous Meetings**

*Action: Approve the minutes from the June 27<sup>th</sup> and July 18<sup>th</sup> meetings.*

**2. Zoning Board of Appeals Code Text Amendment [File #ZCA-2017-365]**

Request to amend Section 21.02.030 of the Zoning and Development Code regarding Zoning Board of Appeals Membership.

*Action: Recommendation to City Council*

Applicant: Director of Community Development

Location: N/A

Staff Presentation: Kathy Portner, Planning Manager

**3. Industrial Properties Rezone [File# APL-2017-176]**

Request by RJ Properties (703 23 2/10 Road) and ZZYZ LLC (2350 G Road) to rezone properties from I-2: General Industrial to I-1: Light Industrial.

*Action: Recommendation to City Council*

Applicant: RJ Properties and ZZYZ LLC  
Location: 1020 Grand Ave  
Staff Presentation: Kristen Ashbeck, Sr. Planner

Chairman Reece briefly explained the Consent Agenda and added that the applicant for the Ridges Mesa Rezone had requested that the item be moved from individual consideration to the consent agenda. Chairman Reece invited the public, Planning Commissioners and staff to speak if they wanted an item pulled for a full hearing or had objection to the Ridges Mesa Rezone moving to the Consent Agenda.

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

**MOTION:** (Commissioner Wade) “Madam Chair, I move we approve the consent agenda as prepared and add to that agenda File# RZN-2017-361, Ridges Mesa Rezone.”

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

# 703 23-2/10 Road and 2350 G Road Vicinity Map



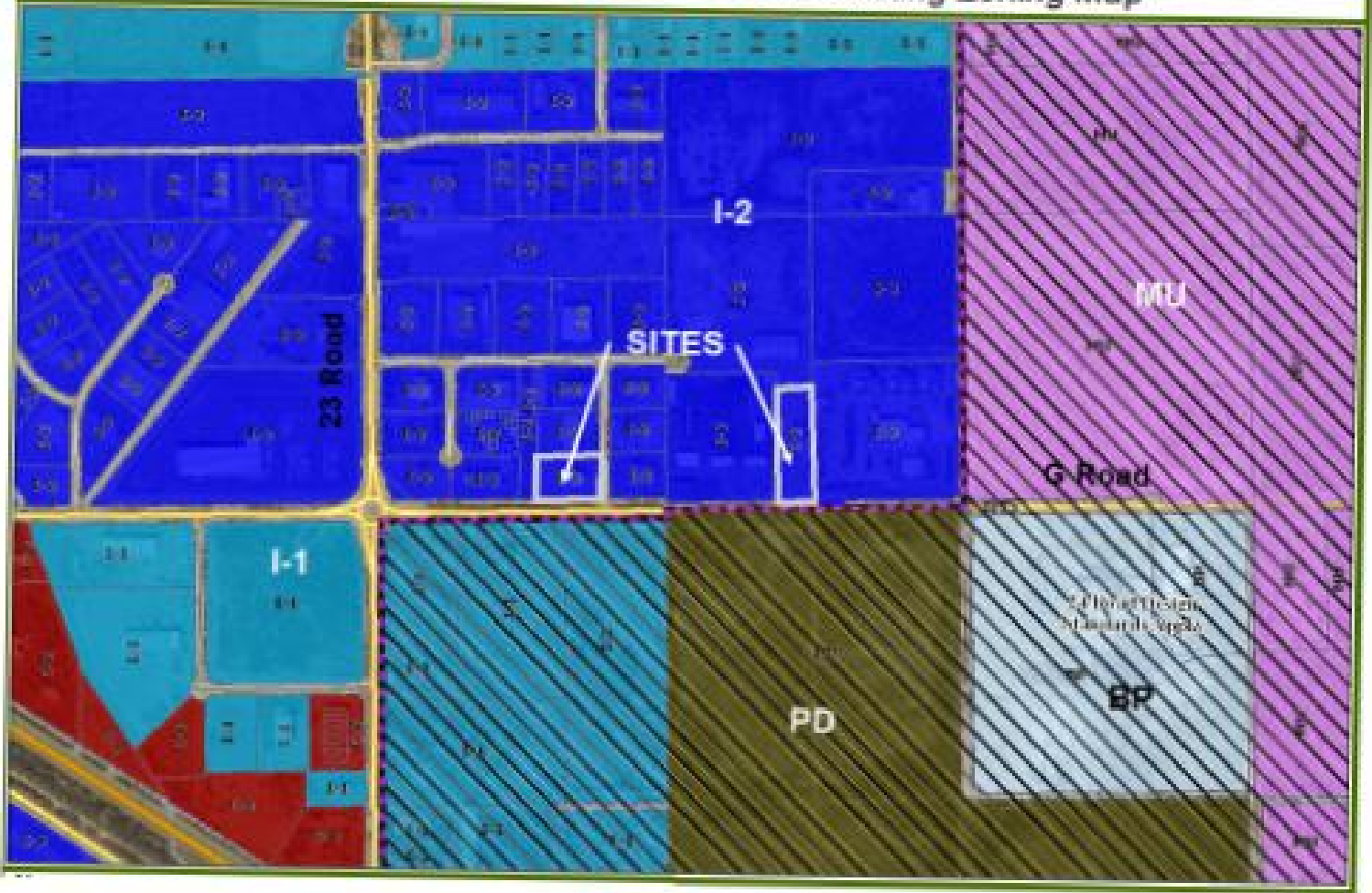
703 23-2/10 Rd and 2350 G Rd Site Location Map



703 23-2/10 Rd and 2350 G Rd Future Land Use Map



# 703 23-2/10 Road and 2350 G Road Existing Zoning Map



Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																									
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.	
<b>RESIDENTIAL</b>																									
<b>Household Living – residential occupancy of a dwelling unit by a “household”</b>	Business Residence											A	A	A	A	A	A	A	A	A	A			21.04.030(i)	
	Two Family Dwelling				A	A	A	A	A			A	C												
	Single-Family Detached	A	A	A	A	A	A	A				A	C	C			A								21.04.030(m)
	Multifamily						A	A	A	A	A	A	A	A	A				A	A					21.04.030(n)
	Accessory Dwelling Unit	A	A	A	A	A	A	A	A			A		A											21.04.040(f)
	Agricultural Labor Housing	A																A							
	Manufactured Housing Park							C	C	C															21.04.030(f)
	All Other Household Living							A	A	A															
<b>Home Occupation</b>	Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A				A						See GJMC 21.03.090
<b>Group Living – residential occupancy of a structure by a group of people who do not meet the definition of “Household Living”</b>	Small Group Living Facility	A	A	A	A	A	A	A	A	A	A	A	A	C	C				C	A					21.04.030(p) & 21.04.020(b)
	Large Group Living Facility						A	A	A	A	A	A	A	A	A				A	A					21.04.030(p) & 21.04.020(b)
	Unlimited Group Living Facility								A	A	A	A	A	A	A				A	A					21.04.030(p) & 21.04.020(b)
	Fraternities/Sororities						A*	A*	A*	A*	A*	A*													21.04.030(p)(1) * location restricted; see 21.04.020(p)(1)(ii)
	Rooming/Boarding House							A	A	A	A	A	A	A	A										21.04.030(p)(3)
	Other Group Living (e.g., dormitory style living)							C	C	A	A	A	A	A				A	A						21.04.020(b) & 21.04.030(p)(4)
<b>INSTITUTIONAL AND CIVIC</b>																									
<b>Colleges and</b>	Colleges and Universities																								See 21.04.020(d)

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																								
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.
Vocational Schools – colleges and institutions of higher learning	Vocational, Technical and Trade Schools												A	A	A	A	A	A	A	A	A	A	GJMC 21.03.090	
	Community Service – uses providing a local service to the community	Community Activity Building	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		21.04.020(e)
	All Other Community Service	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		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	A	A	A	A	A	A	A	A	A		A	A	A		
Day Care – care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day	Home-Based Day Care (1 – 12)	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A						21.04.020(f)
	General Day Care	C	C	C	C	C	C	A	A	A	A	A	A	A	A	A		A	A	A	A			21.04.020(f)
Detention Facilities – facilities for the detention or incarceration of people	Jails, Honor Camps, Reformatories													C		C	C					C	C	21.04.020(cc)
	Community Corrections Facility												C	C	C	C	C							21.04.020(cc)
	Law Enforcement Rehabilitation Centers												C	C	C	C	C						C	C
Hospital/Clinic – uses providing medical treatment or surgical care to patients	Medical and Dental Clinics								C	C	A	A	A	A	A		A	A	A	A	A			21.04.020(g)
	Counseling Centers (Nonresident)											A	A	A	A	A		A	A	A	A			21.04.020(g)
	Hospital/Mental Hospital											C	C	C	C	C	C	C	A	C				21.04.020(g)
	Physical and Mental											C	C	C	C	C	C	C	C	C	C			21.04.020(g)

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																									
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.	
	Rehabilitation (Resident)																								
	All Other													C	C	C		C	C	C				21.04.020(g)	
<b>Parks and Open Space</b> – natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Cemetery	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A							21.04.020(h)	
	Golf Course	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A		21.04.020(h)	
	Campground, Primitive	A															A							21.04.020(h)	
	Golf Driving Ranges	A	A	A	A	C	C	C	C	C	C	C	A	A	A	A	A	A		A	A	A		21.04.020(h)	
	Parks, Lakes, Reservoirs, Other Open Space	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A		21.04.020(h)	
<b>Religious Assembly</b> – meeting area for religious activities	All	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A		21.04.030(o)& 21.04.020(i)	
<b>Funeral Home/Mortuary</b>	All											A	A	A	A	A		A	A	A					
<b>Crematory</b>	All															A				A		A			
<b>Safety Services</b> – public safety and emergency response services	All	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			21.04.020(j)	
<b>Schools</b> – schools at the primary, elementary, middle, junior high or high school level	Boarding Schools								A	A	A	A	A	C	C	C	A	A	A					21.04.020(k)	
	Elementary Schools	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A					21.04.020(k)	
	Secondary Schools	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A					21.04.020(k)	
<b>Utility, Basic</b> – Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (Underground)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				21.04.020(l)	
	All Other Utility, Basic	C	C	C	C	C	C	C	C	C	C	A	A	A	A	A	A	C	A	A			A	A	21.04.020(l)
<b>Utility, Corridors</b> – passageways for bulk	Transmission Lines (Above Ground)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C			C	C	21.04.020(m)



Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																									
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.	
transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (Underground)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	A		C	A	A	A	A		21.04.020(m)	
	Utility Treatment, Production or Service Facility																	C	C	C	C	C		21.04.020(m)	
	All Other	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C		21.04.020(m)	
<b>COMMERCIAL</b>																									
<b>Entertainment Event, Major</b> – activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	A												A	A	A	A	A	A	A	I	I		21.04.020(n)	
	Outdoor Facilities	C														C	C	C	C	C	C	C	C		21.04.020(n)
<b>Lodging</b> – hotels, motels and similar establishments	Hotels and Motels													A	A	A		A	A	A	I	I		See GJMC 21.03.090	
	Bed and Breakfast (1 – 3 Guest Rooms)	A	A	A	A	A	A	A	A	A	A	A	A	A				A	A		I	I			21.04.030(h)
	Bed and Breakfast (4 – 5 Guest Rooms)	C	C	C	C	C	C	C	A	A	A	A	A	A				A	A		I	I			21.04.030(h)
<b>Office</b> – activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices											A	A	A	A	A	A	A	A	A	A	A		21.04.020(o)	
	Office with Drive-Through												A	A	A	A	A	A	A	A	A	A		21.04.020(o)	
<b>Parking, Commercial</b> – parking that is not necessary to serve a specific use and for which fees may be charged	All											C	A		A	A	A	A	A	A	A	A		21.06.050(b) & 21.04.020(p)	
<b>Recreation and Entertainment,</b>	Campgrounds and Camps (Nonprimitive)	C													A	A	A				I	I		21.04.030(e) & 21.04.020(q)	

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																										
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.		
<b>Outdoor – large, generally commercial uses that provide continuous recreation or entertainment-oriented activities</b>	Resort Cabins and Lodges	C															A					I	I		21.04.020(q)	
	Swimming Pools, Community	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			I	I		21.04.020(q)
	Shooting Ranges, Outdoor																C					C	C		21.04.020(q)	
	Amusement Park, Miniature Golf														A	A	C	C	C				I	I		21.04.020(q)
	Riding Academy, Roping or Equestrian Area	C	C														C						I	I		21.04.030(a) & 21.04.020(q)
	Zoo															C	C	C					I	I		21.04.030(a) & 21.04.020(q)
	All Other Outdoor Recreation	C														C	C	C	C				C	C		21.04.020(q)
<b>Recreation and Entertainment, Indoor – large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including health clubs, movie theaters, skating rinks, arcades</b>	Health Club											A	A	A	A	A	A	A	A	A	A	A	I	I		
	Movie Theater, Skating Rink, Arcade												A	A	A	A	A	A			A		I	I		
	Shooting Ranges, Indoor														C	C	C					C	C			
	All Other Indoor Recreation												C	A	A	A	A	C	A	A	A	C	I	I		
<b>Retail Sales and Service* – firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.</b>	Adult Entertainment														A	A						A	A		21.04.030(b) & 21.04.020(r)	
	Alcohol Sales, Retail												A	A	A	A		A	C			I	I		21.04.020(r)	
	Bar/Nightclub												C	C	C	C		C	C	C		C	I	I		21.04.020(r)
	Animal Care/Boarding/Sales, Indoor	A											A	A	A	A			A	A		A	I	I		21.04.020(r)
	Animal Care/Boarding/Sales, Outdoor	C														A			C	C		C	I	I		21.04.030(a) & 21.04.020(r)



Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																										
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.		
	Produce Stands	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		21.04.030(u)		
	Rental Service, Indoor Display/Storage													A	A	A		A				A		21.04.020(r)		
	Rental Service, Outdoor Display/Storage														A	A						A		21.04.040(h)& 21.04.020(r)		
	Repair, Small Appliance												A	A	A	A		A				A		21.04.020(r)		
	Repair, Large Appliance														A	A	A		A				A	A	21.04.020(r)	
	Personal Services												A	A	A	A	A		A	A	C				21.04.020(r)	
	All Other Retail Sales and Services													A	A	A	A		C	C	C				21.04.030(l)& 21.04.020(r)	
<b>Self-Service Storage</b> – uses providing separate storage areas for individual or business uses	Mini-Warehouse									C	C		C		A	A			A	A			A	A	21.04.030(g)& 21.04.020(s)	
<b>Vehicle Repair</b> – repair service to passenger vehicles, light and medium trucks and other consumer motor vehicles	Auto and Light Truck Mechanical Repair														A	A			A	A			A	A	21.04.020(t)	
	Body Shop														A	A			A	A			A	A	21.04.020(t)	
	Truck Stop/Travel Plaza														A	A			A				A	A	21.04.030(s)& 21.04.020(t)	
	Tire Recapping and Storage															A							A	A	21.04.020(t)	
	All Other Vehicle Repair																						C	A	21.04.030(s)& 21.04.020(t)	
<b>Vehicle Service, Limited</b> – direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed	Car Wash, Gasoline Service Station, Quick Lube												A	A	A	A		A	A	A				A	A	21.04.030(s)& 21.04.020(u)
	All Other Vehicle Service, Limited														A	A								A	A	21.04.020(u)

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																											
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.			
<b>INDUSTRIAL</b>																											
<b>Manufacturing and Production</b> – firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	<b>Indoor Operations and Storage</b>																										
	Assembly																		A	A	A	A	A		21.04.020(w)		
	Food Products																			A	A	A	A	A		21.04.020(w)	
	Manufacturing/Processing																			A	A	A	A	A		21.04.020(w)	
	Marijuana Related Business																						I	I		Ch. 5.15	
	<b>Indoor Operations with Outdoor Storage</b>																										
	Assembly																				A	A	A	A		21.04.040(h) & 21.04.020(w)	
	Food Products																				A	A	A	A		21.04.040(h) & 21.04.020(w)	
	Manufacturing/Processing																				A	A	A	A		21.04.040(h) & 21.04.020(w)	
	Marijuana Related Business																							I	I		Ch. 5.15
<b>Outdoor Operations and Storage</b>																											
Assembly																						C	A	A		21.04.040(h) & 21.04.020(w)	
Food Products																							C	A	A		21.04.040(h) & 21.04.020(w)
Manufacturing/Processing																							C	A	A		21.04.040(h) & 21.04.020(w)
Marijuana Related Business																								I	I		See GJMC 21.03.090 Ch. 5.15
All Other Industrial Service, Including any Hazardous Occupancy per the International Fire Code or International Building Code																							C	C	C		21.04.040(h) & 21.04.020(w)

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																								
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.
<b>Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without hazardous materials</b>	Indoor Operations and Storage													C	A	A		A		A	A	A		
	Indoor Operations and Outdoor Storage (Including Heavy Vehicles)															A			C		A	A	A	21.04.040(h)
	Outdoor Storage And Operations															A					A	A	A	21.04.040(h)
	Research, Testing and Laboratory Facilities – Indoors (Includes Marijuana Testing Facilities)														A	A	A		A	A	A	A	A	See GJMC 21.03.090 Ch. 5.15
<b>Junk Yard</b>	Junk Yard																					C	C	21.04.030(d)& 21.04.040(h)
<b>Impound Lot</b>	Impound Lot															C						C	C	21.04.030(d)& 21.04.040(h)
<b>Heavy Equipment Storage/Pipe Storage</b>	All																			A	A	A	21.04.040(h)	
<b>Warehouse and Freight Movement – firms involved in the storage or movement of freight</b>	Indoor Operations, Storage and Loading															A		A		A	A	A	21.04.020(x)	
	Indoor Storage with Outdoor Loading Docks															A		A		A	A	A	21.04.020(x)	
	Outdoor Storage or Loading															A				A	A	A	21.04.040(h)& 21.04.020(x)	
	Gas or Petroleum Storage																			C		C	C	21.04.020(x)
	Sand or Gravel Storage																					A	A	21.04.030(k)& 21.04.020(x)
	All Other																					C	C	21.04.020(x)
<b>Waste-Related Use – uses that receive solid or liquid wastes from others, uses that</b>	Non-Hazardous Waste Transfer Station																C				C	C	21.04.020(y)	
	Medical/Hazardous Waste Transfer Station																	C				C	C	21.04.030(j)& 21.04.020(y)

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																									
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.	
collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material	Solid Waste Disposal Sites																C				C	C		21.04.030(d)& 21.04.020(y)	
	Recycling Collection Point												C	C	C	C	C			C	C	C		21.04.030(d) & 21.04.020(y)	
	All Other Waste-Related																C				C	C		21.04.030(d)& 21.04.020(y)	
<b>Wholesale Sales</b> – firms involved in the sale, lease or rental of products primarily intended for industrial, institutional or commercial businesses	Wholesale Business (No Highly Flammable Materials/Liquids)															A		A		A	A	A		21.04.020(z)	
	Agricultural Products	C																				A	A	21.04.020(z)	
	All Other Wholesale Uses																					A	A	21.04.020(z)	
<b>Agricultural</b>	Animal Confinement																C				C	C		21.04.030(a) & 21.04.020(aa)	
	Dairy	C															C				C	C		21.04.030(a)& 21.04.020(aa)	
	Confined Animal Feeding Operation, Feedlot																C				C	C		21.04.030(a)& 21.04.020(aa)	
	Forestry, Commercial	A																				I	I	21.04.020(aa)	
	Marijuana Related Business																						I	I	Ch. 5.15
	Pasture, Commercial	A	A	A	A																	A	A	21.04.020(aa)	
	Winery	A															A	A				A	A	21.04.020(aa)	
	All Other Agriculture	A	A	A	A																	I	I	21.04.020(aa)	
<b>Aviation or Surface Passenger Terminal</b> – facilities for the landing and takeoff of flying vehicles or stations for ground-based	Airports/Heliports															C	C			C	C	C		21.04.020(bb)	
	Bus/Commuter Stops	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	21.04.020(bb)	
	Bus/Railroad Depot													A	A	A	A			A	A	A		21.04.020(bb)	
	Helipads													C	C	C	C	C		C	C	C		21.04.020(bb)	

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																									
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.	
vehicles, including loading and unloading areas	All Other Aviation or Surface Passenger Terminal																C			C	C	C		21.04.020(bb)	
Mining – mining or extraction of mineral or aggregate resources from the ground for off-site use	Oil or Gas Drilling	C	C														C				C	C		21.04.020(dd)	
	Sand or Gravel Extraction or Processing	C	C														C			C	C	C		21.04.030(k) & 21.04.020(dd)	
	All Other Mining	C	C														C					C		21.04.030(k) & 21.04.020(dd)	
Telecommunications Facilities – devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Facilities on Wireless Master Plan Priority Site When Developed in Accordance with Wireless Master Plan Site-Specific Requirements	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	21.04.030(q)& 21.04.020(ee)	
	Temporary PWSF (e.g., COW)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	21.04.030(q)	
	Co-Location	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	21.04.030(q)	
	Tower Replacement	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	21.04.030(q)	
	Dual Purpose Facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	21.04.030(q)	
	DAS and Small Cell Facilities	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	21.04.030(q)	
	Base Station with Concealed Attached Antennas	A**	A**	A**	A**	A**	A**	A**	A**	A**	A**	A**	A**	A	A	A	A	A**	A**	A	A	A	A	A**	21.04.030(q)
	Base Station with Non-Concealed Attached Antennas	C**	C**	C**	C**	C**	C**	C**	C**	C**	C**	C**	C**	C	A	A	A	C**	A**	A	A	A	A	C**	21.04.030(q)
	Tower, Concealed	C	C***	C***	C***	C***	C***	C***	C	C	C	C	C	C	A	A	C	C	C	C	C	A	A		21.04.030(q)
	Tower, Non-Concealed															C	C	C				C	C		21.04.030(q)
	Broadcast Tower																					C	C		21.04.030(q)

NOTES:



\* Refer to Chapter 5.15 GJMC.

\*\* Except NOT allowed on structures the principal use of which is single- or two-family residential, group living, or day care, or on multifamily structures of fewer than three stories.

\*\*\* Except NOT allowed on any site or lot where the principal use is single- or two-family residential.

(Ord. 4744, 4-5-17; Ord. 4722, 10-21-16; Ord. 4710, 7-20-16; Ord. 4704, 6-1-16; Ord. 4599, 9-4-13; Ord. 4546, 7-18-12; Ord. 4445, 11-29-10; Ord. 4419, 4-5-10)

## Scott Peterson

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**From:** Jerry Paul <jerry.paulcfa@gmail.com>  
**Sent:** Wednesday, July 05, 2017 4:37 PM  
**To:** theresa@brayandco.com; Scott Peterson; Ray@gjpropeties.com  
**Cc:** Timothy Whitney  
**Subject:** G Road Property Rezoning

As the manager for Arctodus Realty, an owner of 4 properties in the area of rezoning, my partners and I fully support the rezoning request being made by our neighbor.

--

Sincerely,

Jerry Paul CFA

<http://www.linkedin.com/in/jerrypaul/>

303-956-7821

**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE REZONING PROPERTIES LOCATED AT 703 23-2/10 ROAD  
AND 2350 G ROAD FROM I-2 (GENERAL INDUSTRIAL) TO I-1 (LIGHT  
INDUSTRIAL)**

**Recitals:**

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Industrial Properties Rezone located at 703 23-2/10 Road and 2350 G Road to the I-1 (Light Industrial) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Future Land Use Map designation of Industrial, 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 I-1 (Light Industrial) 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 PROPERTIES SHALL BE ZONED I-1 (LIGHT INDUSTRIAL):**

**PARCEL 1: LOT 9 BLK 2 GRAND PARK SOUTH SEC 32 1N 1W - 1.29 AC**

**PARCEL 2: LOT 1 BLUE STAR PARK SIMPLE SUBDIVISION SEC 32 1N 1W - 1.81 AC**

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

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

**ATTEST:**

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

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #6.a.

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**Meeting Date:** October 4, 2017  
**Presented By:** John Shaver, City Attorney  
**Department:** City Attorney  
**Submitted By:** John Shaver, City Attorney

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### **Information**

#### **SUBJECT:**

Resolution Authorizing the Defense and Indemnification of Grand Junction Police Officer

#### **RECOMMENDATION:**

City Council adoption of Resolution No. 58-17 acknowledging the defense of GJPD Corporal Simonson in civil action 17 cv 01942

#### **EXECUTIVE SUMMARY:**

A Federal District Court action has been filed alleging violation of a citizen's rights by an employee of the Grand Junction Police Department. The lawsuit alleges misconduct in controlling and arresting a person reported to have assaulted an emergency medical services provider and allegedly obstructed and resisted officers as the suspect was being placed into custody.

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

Under the provisions of the Colorado Governmental Immunity Act, specifically sections 24-10-110 and 24-10-118, the City has certain indemnification obligations and it may, if it determines by resolution adopted at an open public meeting that it is in the public interest to do so, defend a public employee against a punitive damages claim or pay or settle any punitive damage claim against a public employee. The claims that the plaintiff are asserting include "reckless and/or callous indifference" as a punitive damage claim.

With adoption of the resolution the City will be acknowledging the defense and

indemnification of the officer named in the lawsuit.

**FISCAL IMPACT:**

With adoption of the resolution the City will be assuming the costs of defense of the officer and any adverse judgment. The City has a \$150,000 dollar deductible that will be paid toward those costs. The City and its insurer, the Colorado Intergovernmental Risk Sharing Agency (CIRSA) will vigorously defend the claim and expect that the matter will be resolved in the City's/the officer's favor. In the event of an adverse ruling the City will be liable for the defense costs and any judgment. Those costs, above the deductible, if any, are unknown at this time.

**SUGGESTED MOTION:**

I move to (adopt or deny) Resolution No. 58-17 - A Resolution Acknowledging Defense of Corporal Tyler Simonson in Civil Action No. 17 cv 01942.

**Attachments**

1. Proposed Resolution

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. \_\_ -17

ACKNOWLEDGING DEFENSE OF CORPORAL TYLER SIMONSON IN CIVIL ACTION NO. 17 cv 01942

RECITALS:

A Federal District Court action has been filed alleging violation of a citizen's rights by an employee of the Grand Junction Police Department, Tyler Simonson. The lawsuit alleges misconduct by Corporal Simonson in controlling and arresting a person reported to have assaulted an emergency medical services provider and allegedly obstructed and resisted officers as the suspect was being placed into custody.

Under the provisions of the Colorado Governmental Immunity Act, specifically sections 24-10-110 and 24-10-118, the City has certain indemnification obligations and it may, if it determines by resolution adopted at an open public meeting that it is in the public interest to do so, defend a public employee against a punitive damages claim or pay or settle any punitive damage claim against a public employee. The claims that the plaintiff are asserting include "reckless and/or callous indifference" as a punitive damage claim.

Because the City Council believes that the police officer was acting appropriately and within the scope of his employment and also because to do otherwise would send a wrong message to the employees of the City, that the City may be unwilling to stand behind them when such employees were being sued for the lawful performance of their duties, the City Council adopts this resolution;

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

The City Council hereby finds and determines at an open public meeting that it is in the public interest to defend Corporal Simonson against claims for damages in accordance with C.R.S. §24-10-110 C.R.S. and/or to pay or to settle any punitive damage claims in accordance with C.R.S §24-10-118 C.R.S. arising out of case 17 cv 01942.

PASSED and ADOPTED this 4th day of October 2017.

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J. Merrick Taggart

President of the Council

ATTEST:

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Wanda Winkelmann

City Clerk



## Grand Junction City Council

### Regular Session

Item #7.a.

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**Meeting Date:** October 4, 2017

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

**Department:** City Manager

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

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### **Information**

#### **SUBJECT:**

Broadband Capital Funding & Presentations by Current Broadband Service Providers

#### **RECOMMENDATION:**

Staff Recommends the Approval of the Broadband Capital Funding.

#### **EXECUTIVE SUMMARY:**

As part of the City Council's Economic Development Plan, communication and technology infrastructure was identified as an essential tool for the development of commerce and industry leading to long-term economic competitiveness for the City of Grand Junction. The Broadband Capital Fund was developed as a funding source for aiding in the development of high-speed fiber optic broadband expansion projects.

Current broadband service providers will provide City Council an overview of their plans to improve broadband connectivity within our community.

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

In April 2015, Grand Junction voters approved an override of Colorado Senate Bill 05-152 by a majority of 77% which allows the City to use City resources and infrastructure to improve broadband within our community.

After it was decided not to move forward with a municipal over-build model, City Council directed staff to create an instrument to help with the growth of fiber optics by partnering with current broadband service providers.

The proposed Broadband Capital Fund is a funding source from which fiber installation construction advances can be made for high-speed fiber optic broadband expansion projects. As money is repaid through a revenue share with the broadband provider, the capital is then re-utilized for another project. The City will fund a portion of the capital construction costs, but is not intended to pay for all construction, installation or service costs for any business or established residential neighborhoods. This fund is intended to supplement the investment of the business owner, residential area, and services provider.

Eligible projects must be within city limits and be able to repay through revenue share within three years, or as approved by City Council. Projects must be fiber optic and provide broadband to locations not currently serviced by the applicant service provider. Projects must demonstrate the need or demand for high-speed fiber optic broadband service.

**FISCAL IMPACT:**

\$100,000 will be allocated in 2018 budget for the Broadband Capital Funding. City Council may appropriate a different amount at their discretion based on project opportunities.

**SUGGESTED MOTION:**

I move to (authorize or deny) the City Manager to Create the Broadband Capital Funding.

**Attachments**

1. Broadband Capital Fund
2. Century Link - Executive Summary



## **City of Grand Junction Broadband Capital Fund**

**Purpose:** The Broadband Capital Fund is a funding source from which fiber installation construction advances can be made for high speed fiber optic broadband expansion projects. As money is repaid through a revenue share with the broadband provider, the capital can then re-advanced for another project. The intent is to make the construction and installation costs, above the provider's standard or advertised installation policies, affordable to a location where the added costs would otherwise make the installation unaffordable.

**Background:** As part of the City Council's Economic Development Plan, communication and technology infrastructure was identified as an essential tool for the development of commerce and industry leading to long-term economic competitiveness for the City of Grand Junction.

In April 2015, Grand Junction voters approved an override of Colorado Senate Bill 05-152 by a majority of 77% which allows the City to use City resources and infrastructure to provide broadband capabilities that encourage the development of broadband services.

The Broadband Capital Fund is not intended to pay for all construction, installation or service costs for any business or established residential neighborhoods, but intended to supplement the investment of the business owner, residential area, and services provider.

### **Eligibility:**

- Areas within City Limits
- Fiber optic project to provide symmetrical broadband services with minimum capable speed of 100/100 Mbps. Actual speed ordered by customer may be less
- Ability to repay through revenue share within 3-years or as approved by City Council
- Applications must be submitted by the broadband service provider

The City will fund up to 50% of the capital construction costs (not to exceed \$10,000) to provide fiber-based broadband services to a location not currently serviced with the partnering company's broadband services. For residential areas, neighborhoods, or multi-tenant buildings, the dollar amount can be higher as determined by available funding and size of the project by City Council approval. The Broadband Capital Fund will be applied for by the broadband service provider, and repaid by the service provider to the City within 3-years or as approved by City Council.

### **Evaluation:**

- Demonstration for need or demand of high-speed fiber optic broadband service
- Demonstration of economic development opportunity
- The project must be started within three months of approval and completed within twelve months
- The project must improve broadband services to end-users
- Preference given to the retention or creation of local jobs

## **CenturyLink Gigabit FiberHoods Initiative (Executive Summary)**

Municipalities all over the country continue to indicate that economic development revenue is in jeopardy without high speed internet to it's residents. CenturyLink is excited about the opportunity to bring symmetrical 1Gb (1000Mb Upload/Download) fiber service to your residents. Fiber is the only infrastructure that has the ability to keep up with the growing eco-system around Internet broadband connectivity. By future proofing the infrastructure with Fiber, the community will be prepared for any new increases in delivery capability to come. There are enormous benefits for Education, Business, Gaming, Video, the Internet of Things to come, plus the added appraisal value that property owners enjoy by being a fiber enabled home. With 1Gb service, residents will be guaranteed that they will not run out of bandwidth, no matter how many devices are connected in the home.

So what is the FiberHoods initiative? Simply stated, the initiative is to PreSell the connection before instituting construction. Fiber construction is very expensive, which is why the build out hasn't been more aggressive. Even though the value of fiber is unquestionable, ensuring that the residents being served are ready and willing to take on the upgrade is important. CenturyLink shareholders need to focus precious cash for it's construction to serve those customers who have exhibited a demand. FiberHoods simply asks the residents to show their interest and virally encourage awareness to their neighbors by signing up via the reservation portal. Once enough residents sign up to provide the necessary business case revenue value against the cost of the fiber construction, then CenturyLink will begin building the network and arrange for connectivity.

The Municipality's involvement is to partner in driving awareness and value to it's residents and clearing hurdles associated with those elements that would impede the build out. Permitting acceleration, property tax deferrals, use of municipal mailings and websites for awareness, use of municipal venues to explain the program to residents, and any other items that can improve the time or financial performance to increase success. Additionally, an investment by the city is held in escrow and paid back to the city on a revenue share success basis of paying subscribers. This is to ensure that the city is laser focused on the program's success.

If the City decides to partner with CenturyLink, then CTL will provide a high level Engineering and Financial expectation, coordinate with the City on build out locations, coordinate with the City to schedule and drive awareness of the plan to it's residents, and then looking for the City to help encourage By enabling all 3 legs of the stool, do we believe that we will be successful and mindful of customer needs.

**Show your support by signing up!**

By signing up via our online portal and placing your \$25 pre-order reservation fee, it shows your support for bringing fiber to your home. Once a team has garnered it's necessary sign-up goal, then the construction teams will roll, and the excitement really begins. If your neighborhood team doesn't meet it's goal, then we'll be happy to refund the teams deposit. It will be important to rally your team mates to ensure we get enough people to sign up.

# FAQ

## **Why is Fiber important to me?**

Fiber is the best infrastructure to “future proof” your Internet access today. It will have a positive impact on property values, education, business, future economic development, and can stand up to the demands of multiple devices in the home today and in the future. It is the only infrastructure currently known to have a huge runway of future bandwidth growth.

## **Great, so why all the “hoopla” in getting people to sign up?**

Well, simply put fiber installation is expensive. CenturyLink needs to know that the community and it’s residents support an investment of this size, before construction begins. As the demand for bandwidth grows, CenturyLink needs to wisely focus it’s investments around the nation where communities embrace the Public/Private relationship that this service opportunity brings.

## **What is the benefit of Pre-Ordering?**

Pre-Ordering will determine where CenturyLink constructs first. If we don’t achieve our sign-up goal, then no construction activity will take place. This only happens if we work together to benefit all of us.

## **What’s the City’s role vs CenturyLink’s in building the network?**

The City has realized that the value of fiber and higher broadband can greatly benefit it’s residents. Together with CenturyLink under an Economic Development initiative, we will jointly promote and encourage residents to evaluate their willingness to sign up, because only until we reach a critical mass to financially support the investment will construction begin.

## **Where will the network be built?**

Within the confines of the City Limits

## **When does construction begin?**

Construction will begin as soon as each team/tranche has reached their designated sign-up goal.

## **How much is the Service?**

CenturyLink will be offering a 100Mbps service for \$59.95 and 1Gbps (1000Mbps) service for \$79.95. This is a special, simple, no promotion rate. CenturyLink will be leveraging it's CenturyLink ON platform to manage the service. Customer's will pay for service via credit/debit card, but will be able to increase/decrease options based on the customer's needs. By leveraging this system, customers can get instant gratification of service offerings and reduce costs for CenturyLink for truck rolls, which we pass on to the Customer in the form of more competitive prices.

**Will Video be available? What other services will CenturyLink offer?**

CenturyLink will also be bringing it's CenturyLink Stream Video product. Additionally, it's high quality and reliable Voice service will always be available. Prices and plans will vary for Video/Voice.

**What about installation?**

Installation is FREE with a 24mth commitment to maintaining at least internet service. This is to ensure we cover the cost of the fiber installation. You can always add more products and services.

**Do I have to buy any equipment?**

With the new CenturyLink ON installation technique, there is no modem to rent for the Internet service. It will come with a WiFi capability as well. Should you wish to have Video service or special router or switch connection requests, then Set Top Box rentals or ancillary devices can be added to ensure you have the services desired.

## Orange Beach takes first steps toward fiber internet

By **CRYSTAL COLE**

crystal@gulfcoastmedia.com

The City of Orange Beach adopted a resolution authorizing a fiber optic broadband project in partnership with CenturyLink at a special called meeting recently.

Under the development agreement, CenturyLink proposes to construct, install and place fiber optic facilities within the city. This will make available to owners and occupants of residential units within the city the option of symmetrical 100 Megabyte (MB) or 1 Gigabit (GIG) high speed internet services on a "fiber to the home" basis.

Work would begin after a minimum threshold of 1,000 residents applied with a \$25 deposit due with the application. CenturyLink would offer fiber after 33 percent of a given zone opted in to the service.

The city would chip in \$1 million with CenturyLink's infrastructure investment in the city estimated at \$22-24 million. The city would eventually get its money back based on annual revenue from each customer who takes service. Councilman SEE **FIBER, PAGE 31**

Jerry Johnson said the city had been working on bringing better broadband to residents for years.

"We went on a journey to find someone who would be a good fit," Johnson said.

"A good fit would be someone willing to bring fiber to the city and to the citizens. There were a lot of people who wanted to do it, but they didn't want to build it. They said the city needs to do that, but I said that's not a business the city needs to be in."

Johnson, who chairs the Telecommunications and Technology Committee, said it was a struggle to find a provider willing to come in to a smaller city with so few full-time residents.

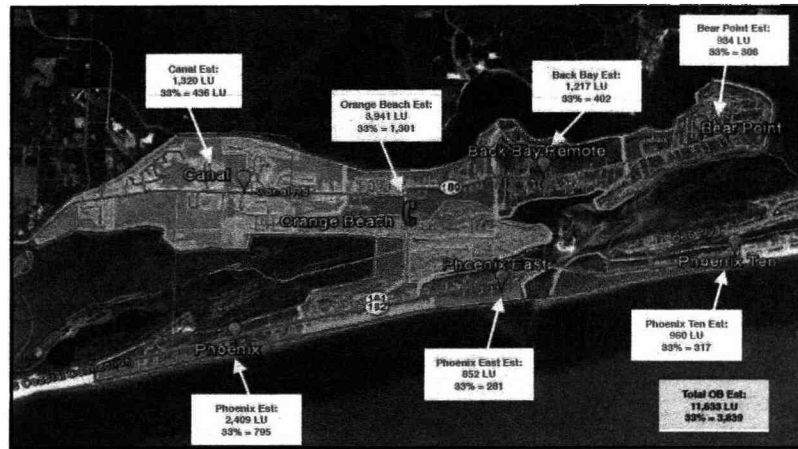
"The issue with Orange Beach is we're only 6,000 full-time residents," Johnson said. "There's no

company out there of any size that's going to come into Orange Beach and invest \$24 million for 6,000 accounts. Google told me 'we don't go below the size of Kansas City.'"

CenturyLink will hold four customer forums in September at the Orange Beach Community Center in an effort to educate the public on its offerings, answer any questions or concerns and sign up potential customers.

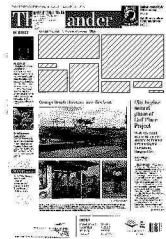
The service will cost \$60 a month for 100 megabytes per second service and \$80 for one gigabyte per second.

"The only way this is going to work is if it is a partnership between the public and the private," Johnson said. "The city is in a great position right now in the partnership. This will bring a product like you've never seen before."



SUBMITTED

A look at the seven zones Orange Beach has been split into by CenturyLink and the minimum threshold required for fiber in each zone.



CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 10/4/17  
Citizen's Name: Drew Lohmiller  
Address: 3032 N. 15th Street #1204  
Phone Number: \_\_\_\_\_  
Subject: Whitman Park, Night Patrols, Las Vegas

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 10-4-17  
Citizen's Name: Lora Moore  
Address: 365 Vista Valley, Dr. Aurora CO  
Phone Number: \_\_\_\_\_  
Subject: North Ave ~~is~~ Name Change

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 10-4-17  
Citizen's Name: Mackenzie Dodge  
Address: 275 Mtn. View St. G.J., CO 81503  
Phone Number: \_\_\_\_\_  
Subject: North Ave. Name Change

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 10/4/17  
Citizen's Name: Lernn Heffler-foote  
Address: 116 E. Alcove Dr  
Phone Number: \_\_\_\_\_  
Subject: North Ave

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: Oct 4, 2017  
Citizen's Name: Rick Sartain  
Address: 2630 Bookcliff Ave  
Phone Number: \_\_\_\_\_  
Subject: North Ave Name Change

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 10/4/17  
Citizen's Name: Melody Fraser  
Address: 527 1/2 32<sup>1/2</sup> Rd  
Phone Number: \_\_\_\_\_  
Subject: North Ave

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