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**CITY COUNCIL AGENDA
WEDNESDAY, FEBRUARY 21, 2018
250 NORTH 5TH STREET
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

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

Call to Order, Pledge of Allegiance, Moment of Silence

Presentations

Holiday Parking Revenue Donation to United Way

Proclamations

Proclaiming February 24, 2018 as National TRiO Day in the City of Grand Junction

Proclaiming February 25 - March 3, 2018 as Peace Corps Anniversary Week in the City of Grand Junction

Citizen Comments

Individuals may comment regarding items scheduled on the Consent Agenda and items not specifically scheduled on the agenda. This time may be used to address City Council about items that were discussed at a previous City Council Workshop.

Council Reports

CONSENT AGENDA

The Consent Agenda includes items that are considered routine and will be approved by a single motion. Items on the Consent Agenda will not be discussed by City Council, unless an item is removed for individual consideration.

1. Approval of Minutes

- a. Summary of the February 5, 2018 Workshop
- b. Minutes of the February 5, 2018 Special Session
- c. Minutes of the February 7, 2018 Regular Meeting

2. **Contracts**

- a. Contract for the 2018 Waterline Replacement Project - Elm Avenue

REGULAR AGENDA

If any item is removed from the Consent Agenda by City Council, it will be considered here.

3. **Public Hearings**

- a. Legislative
 - i. An Ordinance Amending Chapter 12 of the Grand Junction Municipal Code Concerning Riverfront and Other Trail Regulations Concerning the Operation of Electrical Assisted Bicycles
- b. Quasi-judicial
 - i. An Ordinance Rezoning the Proposed Patterson Pines Subdivision, located at 2920 E 7/8 Road from R-4 (Residential – 4 du/ac) to R-8 (Residential – 8 du/ac)
 - ii. Resolution Accepting the Petition for Annexation and Ordinances Annexing and Zoning the Adams Annexation to R-8 (Residential – 8 du/ac), located south of B ¼ Road, west of 27 ½ Road and just west of the Mesa County Fairgrounds
 - iii. An Ordinance Vacating a Portion of the Cannell Avenue Right-of-Way South of Orchard Avenue
 - iv. An Ordinance Amending Ordinance No. 4565 Extending the Development Schedule for the Mesa State Development Outline Development Plan to December 15, 2022
 - v. An Ordinance Vacating the Remaining North-South Alley Right-of-Way of Block 7, Richard D. Mobley's First Subdivision

4. Non-Scheduled Citizens & Visitors

This is the opportunity for individuals to speak to City Council about any item and time may be used to address City Council about items that were discussed at a previous City Council Workshop.

5. Other Business

6. Adjournment

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, TRiO, a collection of federally funded programs designated to prepare low-income and first-generation students (students from families whose parents do not have a four-year college degree) for college success, was founded in 1964; and

WHEREAS, TRiO refers to the first three programs of this nature that fell under the Higher Education Amendments of 1968, Upward Bound, Talent Search, and a program now known as Student Support Services; and

WHEREAS, the TRiO program, with the help of students, staff, and community members, has grown to eight programs that help students seek higher education; and

WHEREAS, the TRiO programs provide opportunities and access to services that assist students in their academic journey; and

WHEREAS, the TRiO Student Support Services Program at Colorado Mesa University served more than 150 students during the 2016-2017 school year with 83% returning to continue their education; and

WHEREAS, 93% of Colorado Mesa University TRiO students maintain good academic standing; and

WHEREAS, National TRiO Day is a day to celebrate its positive impact on local communities and the nation, to reflect on the importance of education, and a time to act to protect further access to higher education

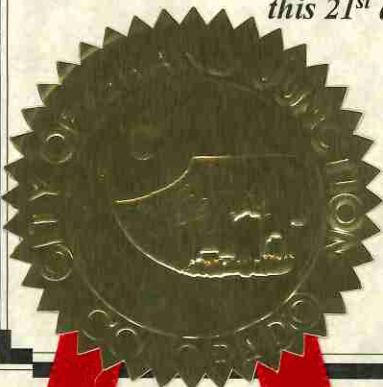
NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim February 24, 2018 as

“NATIONAL TRiO DAY”

in the City of Grand Junction and encourage the citizens of Grand Junction to turn its attention to and increase awareness of the needs of disadvantaged young people and adults aspiring to improve their lives.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 21st day of February, 2018.

Mayor



Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, the Peace Corps has become an enduring symbol of our nation's commitment to encourage progress, create opportunity, and expand development at the grass roots level in the developing world; and

WHEREAS, over 225,000 Americans have served as Peace Corps Volunteers and trainees in 140 host counties since 1961; and

WHEREAS, in 2016, 24,000 individuals volunteered for the Peace Corps and 3,800 were deployed; and

WHEREAS, Peace Corps Volunteers have made significant and lasting contributions around the world in agriculture, food security, business and civil society development, information technology, education, health and HIV/AIDS care and prevention, youth and community development, and the environment and have improved the lives of individuals and communities around the world; and

WHEREAS, Peace Corps Volunteers have strengthened the ties of friendship between the people of the United States and those of other countries, and they have been enriched by their experiences overseas, have brought their communities throughout the United States a deeper understanding of other cultures and traditions, thereby bringing a domestic dividend to our nation; and

WHEREAS, returned Peace Corps Volunteers nationwide are celebrating Peace Corps Week honoring the agency's 57th anniversary.

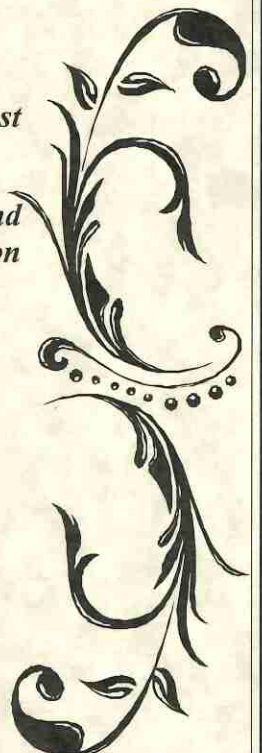
NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of February 25 through March 3, 2018 as

"Peace Corps Week Honoring their 57th Anniversary"

in the City of Grand Junction and ask all citizens help recognize all past and current Peace Corps Volunteers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 21st day of February, 2018.

Mayor



GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
February 5, 2018 – Noticed Agenda Attached

Meeting Convened: 5:02 p.m. in the City Hall Auditorium

Meeting Adjourned: 6:00 p.m.

City Council Members present: Councilmembers Boeschstein, Kennedy, McArthur, Norris, Traylor Smith, Wortmann, and Mayor Taggart.

Staff present: Caton, Shaver, Allen, Schoeber, Wieland, LeBlanc, Watkins, Prall, Portner, and Winkelmann.

Mayor Taggart called the meeting to order.

Agenda Topic 1. Introduction of the New Grand Junction Regional Airport Authority Executive Director

Angela Padalecki, the new director of the Grand Junction Regional Airport, will be introduced at the March 5 Workshop.

Agenda Topic 2. Discussion Topics

Riverfront Update: Former Jarvis Property Conceptual Plan, RIO Developments at Riverside Park and Bicycle Playground

City Manager Caton introduced the item.

Community Development Director Tamra Allen reviewed a map of the property. The City acquired the approximately 60-acre property formerly owned by the Jarvis family in 1990. 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 extended, and a backwater pond for endangered fish was created between the trail and River. The developable acreage was purchased with the intent of future redevelopment.

The concept plan includes a road network and identifies development pods with specific types of uses, including parks and open space, commercial/industrial and mixed use. The stakeholder group is also recommending naming the future project area as the Riverfront at Dos Rios.

Discussion ensued regarding:

- The use of the property and the opportunities and challenges involved
- Live-work situations
- Flood plain issues
- Overhead power lines
- Potential future amenities

Rob Schoeber, Parks & Recreation Director, noted the objectives of these projects are to enhance the riverfront and enhance the amenities at the riverside. He stated that RIO is a local planning effort funded by the Great Outdoors Colorado (GOCO) Inspire Initiative aimed at nurturing a lifelong connection to the outdoors for underserved youth.

Traci Weiland, Recreation Superintendent, reported that the City received an initial \$75,000 planning grant to work with a coalition of nine organizations. This planning effort resulted in an implementation application that was ultimately not funded by GOCO. The unfunded program and pathways portions of the Inspire Initiative are being addressed by Riverside Educational Center, and the unfunded place improvements at James M. Robb River State Park – Connected Lakes Section are being addressed by Colorado Parks and Wildlife. The remaining unfunded place improvements are on City owned property and include Riverside Park and the former Jarvis property.

Options for additional funding were presented, such as grants and reducing costs by eliminating amenities.

Lunch Loop Trail and Trailhead Update

Trent Prall, Public Works Director, discussed the Lunch Loop Trail. In September of 2017, GOCO awarded the City of Grand Junction \$1.5 million through its Connect Initiative to construct the 1.5-mile Lunch Loop Trail that connects the No Thoroughfare Trail to the Lunch Loop Trailhead. Upon completion, this project will connect the Riverfront Trail, downtown Grand Junction, area neighborhoods including Riverside, James M. Robb River State Park - Connected Lakes Section, the Audubon Trail, Lunch Loop, and Three Sisters open space.

The trail will provide a connection to one of the most popular trail systems in Mesa County, Lunch Loop/Tabeguache, with 120,000 families, youth, residents, and visitors using the area each year. This proposed path will extend approximately 1.5 miles from D Road and Monument Road, where the No Thoroughfare Trail connector ends, south to the Three Sisters and along No Thoroughfare Wash to the Lunch Loop trailhead, bike park, and parking area.

Mr. Prall reviewed possible future phases and grades on the trails for ADA accessibility.

Agenda Topic 3. Next Workshop Topics

Next Workshop Topics - March 5, 2018:

- a. Invocation Discussion
- b. Lodging Tax

Other Business

None

Adjournment

With no further business the meeting was adjourned.

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**GRAND JUNCTION CITY COUNCIL
MONDAY, FEBRUARY 5, 2018**

**PRE-MEETING (DINNER) 4:30 P.M. ADMINISTRATION CONFERENCE ROOM
WORKSHOP, 5:00 P.M.
CITY HALL AUDITORIUM
250 N. 5TH STREET**

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

- 1. Introduction of the New Grand Junction Regional Airport Authority Executive Director**
- 2. Discussion Topics**
 - a. Riverfront Update
 - i. Former Jarvis Property Conceptual Plan
 - ii. RIO Developments at Riverside Park and Bicycle Playground
 - b. Lunch Loop Trail and Trailhead Update
- 3. Next Workshop Topics - March 5, 2018**
 - a. Invocation Discussion
 - b. Lodging Tax
- 4. Other Business**

What is the purpose of a Workshop?

The purpose of a Workshop is for the presenter to provide information to City Council about an item or topic that they may be discussing at a future meeting. The less formal setting of a Workshop is intended to facilitate an interactive discussion among Councilmembers.

How can I provide my input about a topic on tonight's Workshop agenda?

Individuals wishing to provide input about Workshop topics can:

1. Send an email (addresses found here www.gjcity.org/city-government/) or call one or more members of City Council (970-244-1504);
 2. Provide information to the City Manager (citymanager@gjcity.org) for dissemination to the City Council. If your information is submitted prior to 3 p.m. on the date of the Workshop, copies will be provided to Council that evening. Information provided after 3 p.m. will be disseminated the next business day.
 3. Attend a Regular Council Meeting (generally held the 1st and 3rd Wednesdays of each month at 6 p.m. at City Hall) and provide comments during "Citizen Comments."
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GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

February 5, 2018

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, February 5, 2018 at 6:00 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Phyllis Norris, Barbara Traylor Smith, Duke Wortmann, and Mayor Rick Taggart.

Also present for the Executive Session was attorney Marni Nathan Kloster via phone.

Councilmember Kennedy moved to go into Executive Session for the purpose(s) of receiving legal advice regarding a possible claim(s) and/or possible litigation by an employee against the City and for a conference with an attorney under C.R.S. 24-6-402(4)(b) and/or instructing legal counsel relative to negotiations of a possible resolution of the possible claim(s) and/or possible litigation under C.R.S. 24-6-402(4)(e) of the Open Meetings Law and will not be returning to open session. Councilmember Boeschstein seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session at 6:09 p.m.

Councilmember Kennedy moved to adjourn. Councilmember Boeschstein seconded. Motion carried unanimously.

The meeting adjourned at 7:29 p.m.

Wanda Winkelmann
City Clerk

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

February 7, 2018

The City Council of the City of Grand Junction convened into regular session on the 7th day of February 2018 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Duke Wortmann, and Council President Rick Taggart. Councilmembers Duncan McArthur and Barbara Traylor Smith were 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 Kennedy led the Pledge of Allegiance which was followed by a moment of silence.

Citizens Comments

John Sinclair, representative of the Washington Park Neighborhood Association, gave a brief status update on neighborhood associations. Other association representatives present were from Lincoln Park, Anderson, Hawthorne, and the 7th Street Historic District. He remarked about some zoning being inconsistent with the adopted Comprehensive Plan and some is not compatible with the historic homes in these areas. Mr. Sinclair requested the neighborhood associations be notified of any developments that may impact their neighborhoods.

Bruce Lohmiller spoke about CASA (Court Appointed Special Advocates) commercials saying to dial 911 to report violence reports. Mr. Lohmiller pleaded for others to report these incidents so they can be investigated by the authorities. He also mentioned "Denver Works" an employment program that helps people get off the streets.

Dennis Simpson spoke about the Bonsai Design, Inc. agreement waiting for the City Manager's signature. He has requested this document through an open record request. He also noted the City has an agreement with the Downtown Development Authority (DDA) to reimburse them for certain expenses the DDA incurred. Mr. Simpson is concerned about transparency and that the community knows what its elected body is doing.

City Manager Caton said Council is aware of the American National Bank loan to the DDA for \$19 million, and subject to annual appropriations, the City will reimburse the DDA a total of \$12 million.

City Attorney Shaver added the Bonsai Agreement is not signed, but he has assured Mr. Simpson that when the document is signed, Mr. Simpson will be provided a copy.

Council Reports

Councilmember Norris said she attended the Discoverability opening on January 18th and is glad to see it on the Riverfront so that people with disabilities can utilize the parks and trails. She also went to the roundabout and Community Center presentations on the Redlands on that same date.

Councilmember Kennedy went to the ribbon cutting of the Colorado Mesa University (CMU) Engineering building and the White Ice District 51 Foundation fundraiser event. He met with Tim Foster at CMU regarding the Grand Junction Opportunity Scholarship for District 51 students to attend CMU or Western Colorado Community College (WCCC) for 2 or 4 year programs. He spoke of Allison Blevins moving on to another opportunity and said she will be missed after having done so much to grow and get buy-in for the Downtown Development Association/Business Improvement District boards.

Councilmember Boeschstein attended the previously mentioned meetings and the Chamber of Commerce (COC) annual dinner on January 26th. He went to the Denver Saving Places Conference where they toured Union Station; it had been abandoned for a long time and is now a vital part of downtown Denver. He hopes the same can be done with the old Grand Junction railroad depot. He recognized the neighborhood associations in the City.

Councilmember Wortmann also went to the ribbon cutting ceremony for the CMU engineering building. He spoke about how he has spent 23 years in the COC and is happy with what they do to make Grand Junction a great place to live. He feels the Colorado State Patrol is doing a great job regarding their current campaign against cannabis; he is opposed to legalizing cannabis.

Council President Taggart said the CMU ribbon cutting was great and spoke of how that program started as a mechanical engineering program, and has expanded to civil engineering with electrical and computer engineering starting next year. On January 25th and 26th he attended the Outdoor Retailer show with City Manager Caton, and it was wonderful to be back in his element. They were there to advertise for the City's Outdoor Business Park. He apologized to Councilmembers regarding the introduction of the new airport manager; he told her the date was March 5th instead of February 5th. He spoke of the Grand Junction Regional Airport Authority Workshop and a couple of important items the board is working on: an application to U.S. Customs regarding Foreign Trade Zone and the runway project that will be presented to the Federal Aviation Administration for approval.

Consent Agenda

Councilmember Kennedy moved to approve adoption of Consent Agenda items #1 through #6. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

1. Approval of Minutes

- a. Minutes of the January 17, 2018 Regular Meeting
- b. Minutes of the January 19, 2018 Special Session
- c. Minutes of the January 30, 2018 Special Session

2. Set Public Hearings

- a. Quasi-judicial
 - i. Introduction of an Ordinance Zoning the Adams Annexation to R-8 (Residential – 8 du/ac), Located South of B ¼ Road, West of 27 ½ Road and just West of the Mesa County Fairgrounds and Set a Public Hearing for February 21, 2018
 - ii. Introduction of an Ordinance Rezoning the Proposed Patterson Pines Subdivision, Located at 2920 E 7/8 Road from R-4 (Residential – 4 du/ac) to R-8 (Residential – 8 du/ac) and Set a Public Hearing for February 21, 2018
 - iii. Introduction of an Ordinance Vacating a Portion of the Cannell Avenue Right-of-Way South of Orchard Avenue and Setting a Hearing for February 21, 2018
 - iv. Introduction of an Ordinance Amending Ordinance No. 4565 Extending the Development Schedule for the Mesa State Development Outline Development Plan to December 15, 2022 and Setting a Hearing for February 21, 2018
 - v. Introduction of an Ordinance Vacating the Remaining North-South Alley Right-of-Way of Block 7, Richard D. Mobley's First Subdivision and Setting a Hearing for February 21, 2018

3. Continue Public Hearings

- a. Legislative

- i. An Ordinance Amending Chapter 12 of the Grand Junction Municipal Code Concerning Riverfront and Other Trail Regulations Concerning the Operation of Electrical Assisted Bicycles - **Continued to February 21, 2018**

4. Contracts

- a. Contract for Architectural Services for Two Rivers Convention Center Remodel
- b. Purchase Police Special Services Vehicles

5. Resolutions

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

6. Other Action Items

- a. Request for Fireworks Displays at Suplizio Field

Regular Agenda

Public Hearing - Resolution Accepting the Petition for Annexation and Ordinance Annexing the Taurus Park Plaza Annexation of 40.414 Acres, Located at 789 23 Road

The Applicants, Club Deal 113/114 Park Plaza and Grand Junction Limited Partnership, have requested annexation of their 40.414 acres located on 23 Road just north of I-70. The proposed annexation also includes the south half of H road of 1,318 lineal feet as well as the west half of 23 Road, including 1,298 lineal feet of road. These sections of roadway are currently not dedicated rights-of-way. The Applicant seeks to develop this property in conjunction with the 30 acres they own to the south for a future residential, mixed use development known as Mosaic Planned Development. The proposed development constitutes Annexable Development under the Persigo Agreement and as such is required to annex to the City. Consideration for zoning of this annexation will be heard in a future action.

Dave Thornton described the applicant's request, the property location, and annexation requirements per State Statues.

Councilmember Norris asked in what fire district this is, who would be responsible for road improvements, and if Persigo has been notified. Mr. Thornton said it is currently part of the Grand Junction Rural Fire District, but upon annexation it will be under the

City's Fire Department and advised that Persigo had been notified. Councilmember Norris pointed out that annexations cost the City money when properties require services and road improvements.

City Manager Caton said the staff analysis was broad because the Persigo Agreement forces some of these annexations, although the costs do have an impact on the City. He agreed there is more expense with less revenue since residential revenue does not pay for the full cost of public safety costs, but larger annexations such as this are better balanced since it is a mix of residential and commercial.

Councilmember Norris said the County should contribute to help cover the cost of annexations, as the Persigo Agreement states. She asked if there are sewer lines at the property yet. Mr. Thornton said there are none yet, but annexation of the property is the catalyst to install them now and there is a lot of interest in this area that would require installation at some point.

City Attorney Shaver said, due to the complications of this annexation, the zoning will be heard separately. The City is working to acquire right-of-way for the sewer lines.

Councilmember Kennedy asked what the zoning is, and Mr. Thornton said it is Industrial Office. Mr. Thornton said there will be a Planning Development for the entire property. Councilmember Kennedy said it is good to extend sewer and annex the property. He then asked how the mills translate into real dollars.

City Manager Caton said it depends on what the development entails. Smaller residential developments are a significant drain, but this one, being more balanced, has a higher benefit.

Councilmember Kennedy asked how long it will take for this property to be developed. Mr. Thornton said he sees it moving ahead quickly given the interest in that area.

Councilmember Boeschstein asked if there is sufficient water and sewer utilities there. Mr. Thornton said it is inadequate now, but when the sewer lines are installed (which the developer will pay a significant percentage of) they will be sufficient. Councilmember Boeschstein asked about the northern Persigo boundary. Mr. Thornton said the 201 goes north up to I Road and the line to be installed will be large enough to accommodate that growth.

The public hearing opened at 6:44 p.m.

There were no public comments.

The public hearing closed at 6:44 p.m.

Councilmember Norris asked why zoning is not a part of this hearing, as it is difficult to know without it what pay back the City will get. Mr. Thornton said the applicants own 70 acres and only half are currently within City limits. They needed to acquire City status for the entire property before it could be zoned to see it from a comprehensive approach. Councilmember Norris said she has concerns regarding the entire area.

Council President Taggart asked if there is already a plot plan for the property within the City limits. Mr. Thornton said that part of the property had a development plat in the 80's, but the owner is seeking to have that negated and rezoned and then develop the entire 70-acre property.

Councilmember Wortmann asked if a street goes through this property. Mr. Thornton said a road was platted but not built.

Councilmember Norris asked if there will be neighborhood meetings before it is zoned. Mr. Thornton said these meetings have already occurred; the developer has reached out to the neighbors a few times within the past few years.

Council will see the rezone, plat vacation, and development at a later hearing.

Councilmember Boeschstein moved to adopt Resolution No. 10-18 - A Resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that the 40.414 acres Taurus Park Plaza Annexation, located at 789 23 Road is eligible for annexation; and Ordinance No. 4785 - An Ordinance annexing territory to the City of Grand Junction, Colorado, Taurus Park Plaza Annexation approximately 40.414 acres, located at 789 23 Road on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion carried by roll call vote with Councilmember Norris voting NO.

Resolutions of Intent Requesting Coverage Under the Fire and Police Defined Benefit System Administered by the Fire and Police Pension Association (FPPA) of Colorado for Sworn Firefighters and Police Officers

On December 18, 2017, City Council authorized staff to begin the initial planning stages of partial conversion for the City's Fire and Police Retirement Plans to the FPPA (Fire and Police Pension Association) Defined Benefit System. A necessary step in this conversion process is the submittal to FPPA of a non-binding resolution adopted by City Council indicating the City's intent to partially convert the existing Grand Junction defined contribution Fire and Police Retirement Plans to the FPPA Defined Benefit System. The proposed resolutions, which were prepared by City staff have been reviewed and approved by FPPA.

In order to affiliate with FPPA the following steps must be completed:

- 1) Submittal of a non-binding resolution approved by City Council as pension plan provider requesting coverage under FPPA; and,
- 2) General education sessions provided by FPPA to eligible employees; and,
- 3) Completion of individual pension comparisons by FPPA for each employee; and,
- 4) Final approval by City Council to affiliate and filing of Certification of Compliance.

Staff targeted September 9, 2018 as the conversion date for eligible Fire and Police employees to the FPPA plan. The criteria for partial conversion from the Grand Junction Fire and Police Retirement Plans to the FPPA plan is that conversion be in the best interest of the City and its employees and that a minimum threshold number of employees are interested.

Interim Police Chief Mike Nordine reviewed the history of Colorado retirement plans and FPPA.

Fire Chief Ken Watkins outlined the affiliation process and the reasons for the request to rejoin FPPA.

Councilmember Wortmann said he is thrilled and is in support of the resolution.

Councilmember Kennedy asked what the City's contribution is for non-public safety employees. City Manager Caton said it is 12.2% with a 6% City contribution to ICMA. Councilmember Kennedy asked about the fall-out rates for new public safety hires are. Chief Watkins said he does not have an attrition rate, but most stay through the initial five-year period. City Manager Caton said it is important to take Social Security out of the contribution percentage and the current contribution is 3.8%. He clarified new employee options through the FPPA. Councilmember Kennedy asked what the City savings would be. City Manager Caton said it would be \$233,000 annually for both.

Councilmember Norris said she appreciates the fact that employees will have a choice. She asked who would receive the forfeiture in the event someone terminated before they were fully vested. City Manager Caton said the City retains current forfeitures that revert to the Plan and the FPPA would retain it for their members. She then asked if any of the FPPA board members are from smaller cities or if they are all from metro Denver. Councilmember Kennedy named the municipalities of current board members.

Councilmember Wortmann said the FPPA shows really good numbers and employees should feel confident.

Council President Taggart remarked on the City's liability. City Manager Caton said in the Defined Contribution Plan there is potential uncertainty for employees versus the Defined Benefit Plan where there is potential uncertainty for the employer. However,

the plan is well funded and the FPPA has other fallbacks they would go to first. Council President Taggart asked if the 8% contribution is set by the City or FPPA. City Manager Caton said the City sets the amount. Council President Taggart asked for clarification on the DROP (Deferred Retirement Option Plan) provision with FPPA where the employee gives a date of retirement and continues to work for the City for up to five years. Fire Chief Watkins said DROP is optional and would allow an employee close to retirement to continue to work up to 5 years with their contribution going into a DROP account which would set that amount aside to be paid as a lump sum at retirement. The employer would not contribute during this period. This helps with succession planning since it gives a set retirement date. City Manager Caton explained the employee "retires" from FPPA, but not the City.

Council President Taggart asked if approved would the percentages be set. City Manager Caton said the resolutions are non-binding, but the percentages in the resolutions would not be changed if final approval is made. Council President Taggart said he is in support as long as the difference of contribution percentages will be made up; he is not comfortable knowing that these employees may lose benefits. City Manager Caton said it has been discussed to pay 100% of the 2.7% of the Death and Disability benefit to make up the difference.

Councilmember Wortmann moved to adopt Resolution No. 11-18 - A Resolution of intent requesting coverage under the FPPA Defined Benefit System administered by the Fire and Police Pension Association for new firefighters for the City of Grand Junction, Colorado and Resolution No. 12-18 - A Resolution of intent requesting coverage under the FPPA Defined Benefit System administered by the Fire and Police Pension Association for new police officers for the City of Grand Junction, Colorado. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Consider a Request for a North Avenue Catalyst Grant in the Amount of \$10,000 for Best Built Homes, Located at 1401 Glenwood Avenue

The Applicant Best Built Homes submitted an application for a grant of \$10,000 from the North Avenue Catalyst Grant Program. The amount requested is for façade improvements for a building that fronts North Avenue with an address of 1401 Glenwood Avenue. The request is consistent with the purpose of the North Avenue Catalyst Grant Program.

Kathy Portner, Community Development Manager, described the grant program, the property, and the proposed improvements.

Councilmember Norris asked if 14th Street is the only access and Ms. Portner said it is. Councilmember Norris asked if the City has the right-of-way to put in that street and Ms.

Portner said it is a private easement, therefore there is a right to access through a driveway.

Councilmember Boeschstein said the City has not forgotten about North Avenue and this is another example of the City's commitment and investment in that area.

Councilmember Kennedy asked how much of the grant program has been awarded in the last few years. Ms. Portner said about \$30,000 per year. City Manager Caton said the trend is \$30,000 annually and they will monitor the demand for those funds and will make adjustments as needed.

Council President Taggart said the rendering is beautiful and will be a major improvement.

Councilmember Boeschstein moved to approve the North Avenue Catalyst Grant request from Best Built Homes, located at 1401 Glenwood Avenue, in the amount of \$10,000. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Consider an Appeal of the Community Development Director's Conditional Approval of Final Plat for Pinnacle Ridge Subdivision, Filings 1 and 2

Richard Wihera, Appellant, appealed the Director's conditional approval of the Final Plat for the Pinnacle Ridge Subdivision, Filings 1 and 2, which filings include 21 single-family detached lots, two homeowner's association tracts, and remaining acreage reserved for future subdivision development all on 32.7 acres. The approved Preliminary Plan for Pinnacle Ridge Subdivision comprises 45.36 acres in an R-2 (Residential - 2 du/ac) zone district with a development density of 1.59 dwelling units per acre. It is located east of Mariposa Drive and north of Monument Road in the Redlands. The Appellant alleges the Director approved the Final Plats for Filings 1 and 2 with lots that do not meet the required minimum size and and/or width. The Appellant alleges that the Director's decision is inconsistent with applicable development regulations, that the Director made erroneous findings based on the information in the record, and the Director acted arbitrarily.

City Attorney Shaver said this is a record appeal, and Council is to evaluate the process the Community Development Director used to make the decision. There will be no testimony.

Tamra Allen, Community Development Director, reviewed the Standard of Review from the Code, described the property location and development plan, the procedural history, factual background and applicable law, the appellant's claim, and the director's response and rationale.

Councilmember Kennedy asked if the basis for the claim is that the Director used the Cluster rather than Hillside provisions. Ms. Allen said the foundation of the appeal is regarding the difference of findings of the lot slope for the entire property versus parcel by parcel. City Attorney Shaver referred Council to the appellant's response, for the record that is, in the packet.

Councilmember Kennedy believes the Director followed the procedures to the letter and that the decision is proper.

Councilmember Norris said it was proper to use both provisions and she agrees with the process used.

Councilmember Boeschstein said the Ridges has many steep and rocky areas. In this case the Director has met all the requirements.

Council President Taggart thanked staff.

Councilmember Boeschstein moved to approve the Director's decision regarding the Pinnacle Ridge Subdivision. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:22 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.

Meeting Date: February 21, 2018

Presented By: Randi Kim, Utilities Director

Department: Public Works - Utilities

Submitted By: Lee Cooper, Persigo Project Engineer

Information

SUBJECT:

Contract for the 2018 Waterline Replacement Project - Elm Avenue

RECOMMENDATION:

Authorize the City Purchasing Division to Execute a Construction Contract with M.A. Concrete Construction, Inc. for the Construction of the 2018 Waterline Replacement Project - Elm Avenue in the Amount of \$280,998.

EXECUTIVE SUMMARY:

This project is aimed at replacing a segment of the aging cast iron waterline along Elm Avenue between 28 1/4 Road and 28 3/4 Road that has been prone to breaks in the last several years.

BACKGROUND OR DETAILED INFORMATION:

Due to age and condition, approximately 2,600 Lineal Feet of existing 8-inch cast iron water main pipe is proposed to be replaced with new PVC water main pipe. The segment of Elm Avenue receiving the new waterline is between 28 1/4 Road and 28 3/4 Road.

This waterline replacement project is scheduled to begin on March 5, 2018 with an expected completion date of May 4, 2018. Construction will take place during the daytime hours.

A formal Invitation for bids was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the

Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in The Daily Sentinel. Seven companies submitted formal bids. All bids were found to be responsive and responsible in the following amounts:

<u>Contractor</u>	<u>Location</u>	<u>Amount</u>
MA Concrete Construction	Grand Jct., CO	\$280,998.00
Sorter Construction	Grand Jct., CO	\$329,736.00
Dirtworks Construction	Grand Jct., CO	\$331,853.00
Old Castle SW Group	Grand Jct., CO	\$337,908.00
CW Construction	Loma, CO	\$340,863.00
K&D Construction	Grand Jct., CO	\$356,298.50
Lobos Structures	Denver, CO	\$536,006.60

FISCAL IMPACT:

The Water Fund has \$300,000 budgeted for construction for this project.

Project Costs:

Construction Contract Amount -	\$280,998
City Const. Inspection & Contract Admin. (Estimate) -	\$18,000
TOTAL PROJECT COST =	\$298,998

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a Contract with M.A. Concrete Construction, Inc. for the 2018 Waterline Replacement Project - Elm Avenue in the amount of \$280,998.

Attachments

None



Grand Junction City Council

Regular Session

Item #3.a.i.

Meeting Date: February 21, 2018

Presented By: John Shaver, City Attorney, Rob Schoeber, Parks and Recreation Director

Department: Parks and Recreation

Submitted By: Rob Schoeber, Parks and Recreation Director

Information

SUBJECT:

An Ordinance Amending Chapter 12 of the Grand Junction Municipal Code Concerning Riverfront and Other Trail Regulations Concerning the Operation of Electrical Assisted Bicycles

RECOMMENDATION:

Parks and Recreation Advisory Board unanimously supported this ordinance revision at their April 27, 2017 meeting. Staff recommends that City Council adopt the recommendation and approve the ordinance.

EXECUTIVE SUMMARY:

City Council formally considered this item at the December 20, 2017 Regular City Council meeting and the ordinance was not adopted on second reading. Since that time, the Mayor and members of Council have requested that this item be brought back for Council discussion.

The City of Grand Junction currently maintains a trail system approximately 21 miles in length, including Riverfront, Ridges and Urban Trails. These developed hard surface trails are utilized for non-motorized activities such as walking, running and cycling. Other power driven mobility devices (OPDMDs) may be operated on any of these trails by individuals with mobility disabilities.

E-bikes, or electrical assisted bicycles, use a small electric engine to boost rider's speeds. They are popular among riders of all ages and are designed to enhance a rider's pedaling with limited engine power.

During the recent Colorado legislative session, HB 17-1151 was approved by the legislature. In summary, this bill removes electrical assisted bicycles from the definition of motorized vehicles and creates three classes of E-bikes. The three classifications are defined according to the maximum speed of the electrical power in relationship to the pedaling by the rider.

Class I Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class II Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class III Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

Great Outdoors Colorado (GOCO) has provided significant capital funding for trails in the Grand Valley, primarily the Riverfront Trail. In general, GOCO opposes motorized uses on all of their grant funded trails. Recently, however GOCO has stated that they view E-bikes differently than motorized uses, and are leaving these decisions up to the local communities. Policy revisions pertaining to E-bikes are currently being explored in several Colorado communities including, Loveland, Vail, Steamboat Springs, Boulder, Durango, Town of Breckenridge, and Summit County.

During a City Council workshop on June 5, 2017, this topic was discussed with members of the Riverfront Commission. The Commission stated that they continue to support the ban of motorized equipment on the Riverfront Trail, with the exception of ADA compliant devices. They also stated that while they support the ban, they would not oppose the exception of E-bikes if the City chose to allow them.

The proposed ordinance revision would continue to ban all OPDMDs on City trails with the exception of ADA approved devices, and would also exclude Class I and Class II E-bikes from the definition of motorized devices.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction currently restricts the use of motorized devices (with exception of ADA approved) on developed trails throughout the community. The trail system encompasses approximately 21 miles of hard surface trails in the Ridges, along the Riverfront and throughout subdivisions and parks.

Electrical assist bicycles are battery powered devices that can be operated either by power or pedaling. Depending upon the battery packs, E-bikes can range in speeds from 12 to 28 miles per hour. Earlier in 2017, the Colorado Legislature adopted House Bill 17-1151. This bill excludes E-bikes from the traditional definition of motorized devices, and defines them into three different categories according to maximum speed of the electrical power in relationship to pedaling by the rider. The classifications are as follows:

Class I Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class II Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class III Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

Great Outdoors Colorado (GOCO) has provided on-going grants for the development of the Riverfront Trail. This funding is contingent upon the trails being utilized for non-motorized uses only. In recognition of HB 17-1511 however, GOCO has recently stated that local governments should develop policies that best fit their communities, and would support the allowance of E-bikes on GOCO funded trails.

The Riverfront Commission is made up of 11 members that are appointed by the City of Grand Junction, Town of Palisade, Mesa County and City of Fruita. In a letter dated September, 2016, the Commission expressed their concern about the use E-bikes on the Riverfront Trail and recommended the continued ban of all motorized devices on the trail (with the exception of ADA compliant devices). City Manager Greg Caton responded to their recommendation through a letter dated April, 2017, and encouraged the Commission to further study and evaluate the use of E-bikes on the trails. He cited several Colorado Communities who either allow their use or are exploring their uses on public trails. Several members of the Riverfront Commission attended a City Council workshop on June 5, 2017. They continued to support a full ban on motorized devices on the Riverfront Trail, however indicated that they would not oppose an exception for E-bikes if any of the local entities chose to allow exclude them from the ban.

The City of Grand Junction maintains a portion of the Riverfront Trail through an Intergovernmental Agreement with the City of Fruita, Town of Palisade, Mesa County and Colorado State Parks. Currently, the State is drafting a similar exception for Class I and Class II E-bikes, and the Town of Palisade continues to support the full ban.

The proposed ordinance revision would allow the use of Class I and Class II E-bikes on City trails. Class III E-bikes would be permitted on City streets.

FISCAL IMPACT:

Appropriate signage would be installed by Parks Department (estimate: \$300).

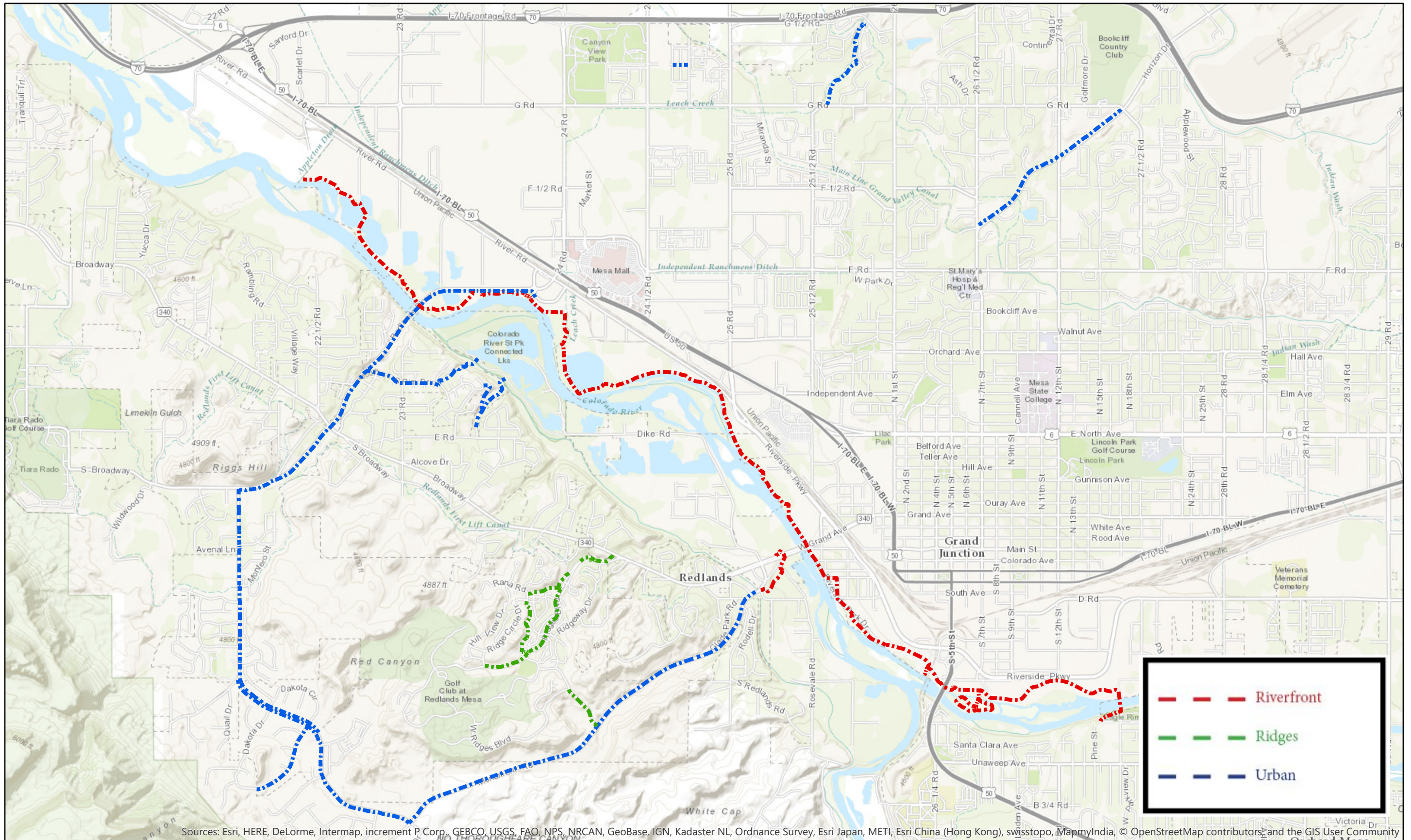
SUGGESTED MOTION:

I move to adopt/deny Ordinance No. 4785 - An ordinance amending Chapter 12 of the Grand Junction Municipal Code concerning Riverfront and other trail regulations concerning the operations of electrical assisted bicycles on final passage and order final publication in pamphlet form.

Attachments

1. Trails Map
2. House Bill 17 - 1151
3. Riverfront Commission Letter 9-20-16
4. City Manager Letter 4-20-17
5. Ordinance E Bikes
6. Trail Mileage
7. Urban Trails Map
8. Riverfront Trails Map
9. Ridges Map

All Trails Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

An Act

HOUSE BILL 17-1151

BY REPRESENTATIVE(S) Hansen and Willett, Becker K., Buckner, Ginal, Hooton, Kennedy, Lontine, Mitsch Bush, Valdez, Winter, Young, Singer;
also SENATOR(S) Kerr and Hill, Gardner, Kagan.

CONCERNING THE REGULATION OF ELECTRICAL ASSISTED BICYCLES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 42-1-102, amend (28.5) and (58) as follows:

42-1-102. Definitions. As used in articles 1 to 4 of this title, unless the context otherwise requires:

(28.5) "Electrical assisted bicycle" means a vehicle having two tandem wheels or two parallel ~~THREE~~ wheels, and one forward wheel; fully operable pedals, AND an electric motor not exceeding seven hundred fifty watts of power. and a top motor-powered speed of twenty miles per hour. ~~ELECTRICAL ASSISTED BICYCLES ARE FURTHER REQUIRED TO CONFORM TO ONE OF THREE CLASSES AS FOLLOWS:~~

(a) "CLASS 1 ELECTRICAL ASSISTED BICYCLE" MEANS AN ELECTRICAL

ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY MILES PER HOUR.

(b) "CLASS 2 ELECTRICAL ASSISTED BICYCLE" MEANS AN ELECTRICAL ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE REGARDLESS OF WHETHER THE RIDER IS PEDALING BUT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY MILES PER HOUR.

(c) "CLASS 3 ELECTRICAL ASSISTED BICYCLE" MEANS AN ELECTRICAL ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY-EIGHT MILES PER HOUR.

(58) "Motor vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include ELECTRICAL ASSISTED BICYCLES, low-power scooters, wheelchairs, or vehicles moved solely by human power. For the purposes of the offenses described in sections 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401 for farm tractors and off-highway vehicles, as defined in section 33-14.5-101 (3), ~~C.R.S.~~, operated on streets and highways, "motor vehicle" includes a farm tractor or an off-highway vehicle that is not otherwise classified as a motor vehicle. For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128, 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle" includes a low-power scooter.

SECTION 2. In Colorado Revised Statutes, 42-3-103, amend (1)(b) introductory portion and (1)(b)(I) as follows:

42-3-103. Registration required - exemptions. (1) (b) This subsection (1) shall DOES not apply to the following:

(I) A bicycle, ~~electric~~ ELECTRICAL assisted bicycle, or other human-powered vehicle;

SECTION 3. In Colorado Revised Statutes, 42-4-111, **amend** (1) introductory portion and (1)(dd) as follows:

42-4-111. Powers of local authorities. (1) Except as otherwise provided in subsection (2) of this section, this ~~article~~ ARTICLE 4 does not prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from:

(dd) Authorizing ~~OR PROHIBITING~~ the use of ~~the electrical motor on~~ an electrical assisted bicycle on a bike or pedestrian path ~~IN ACCORDANCE WITH SECTION 42-4-1412;~~

SECTION 4. In Colorado Revised Statutes, 42-4-221, **amend** (9); and **add** (10) and (11) as follows:

42-4-221. Bicycle and personal mobility device equipment.
(9) (a) ~~Any person who violates any provision of this section commits a class B traffic infraction~~ ON OR AFTER JANUARY 1, 2018, EVERY MANUFACTURER OR DISTRIBUTOR OF NEW ELECTRICAL ASSISTED BICYCLES INTENDED FOR SALE OR DISTRIBUTION IN THIS STATE SHALL PERMANENTLY AFFIX TO EACH ELECTRICAL ASSISTED BICYCLE, IN A PROMINENT LOCATION, A LABEL THAT CONTAINS THE CLASSIFICATION NUMBER, TOP ASSISTED SPEED, AND MOTOR WATTAGE OF THE ELECTRICAL ASSISTED BICYCLE. THE LABEL MUST BE PRINTED IN THE ARIAL FONT IN AT LEAST NINE-POINT TYPE.

(b) A PERSON SHALL NOT KNOWINGLY MODIFY AN ELECTRICAL ASSISTED BICYCLE SO AS TO CHANGE THE SPEED CAPABILITY OR MOTOR ENGAGEMENT OF THE ELECTRICAL ASSISTED BICYCLE WITHOUT ALSO APPROPRIATELY REPLACING, OR CAUSING TO BE REPLACED, THE LABEL INDICATING THE CLASSIFICATION REQUIRED BY SUBSECTION (9)(a) OF THIS SECTION.

(10) (a) AN ELECTRICAL ASSISTED BICYCLE MUST COMPLY WITH THE EQUIPMENT AND MANUFACTURING REQUIREMENTS FOR BICYCLES ADOPTED BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION AND CODIFIED AT 16 CFR 1512 OR ITS SUCCESSOR REGULATION.

(b) A CLASS 2 ELECTRICAL ASSISTED BICYCLE MUST OPERATE IN A MANNER SO THAT THE ELECTRIC MOTOR IS DISENGAGED OR CEASES TO FUNCTION WHEN THE BRAKES ARE APPLIED. CLASS 1 AND CLASS 3

ELECTRICAL ASSISTED BICYCLES MUST BE EQUIPPED WITH A MECHANISM OR CIRCUIT THAT CANNOT BE BYPASSED AND THAT CAUSES THE ELECTRIC MOTOR TO DISENGAGE OR CEASE TO FUNCTION WHEN THE RIDER STOPS PEDALING.

(c) A CLASS 3 ELECTRICAL ASSISTED BICYCLE MUST BE EQUIPPED WITH A SPEEDOMETER THAT DISPLAYS, IN MILES PER HOUR, THE SPEED THE ELECTRICAL ASSISTED BICYCLE IS TRAVELING.

(11) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B TRAFFIC INFRACTION.

SECTION 5. In Colorado Revised Statutes, 42-4-1412, amend (14); and add (15) as follows:

42-4-1412. Operation of bicycles and other human-powered vehicles. (14) (a) (I) ~~Except as authorized by section 42-4-111, the rider of an electrical assisted bicycle shall not use the electrical motor on a bike or pedestrian path~~ A PERSON MAY RIDE A CLASS 1 OR CLASS 2 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH WHERE BICYCLES ARE AUTHORIZED TO TRAVEL.

(II) A LOCAL AUTHORITY MAY PROHIBIT THE OPERATION OF A CLASS 1 OR CLASS 2 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH UNDER ITS JURISDICTION.

(b) A PERSON SHALL NOT RIDE A CLASS 3 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH UNLESS:

(I) THE PATH IS WITHIN A STREET OR HIGHWAY; OR

(II) THE LOCAL AUTHORITY PERMITS THE OPERATION OF A CLASS 3 ELECTRICAL ASSISTED BICYCLE ON A PATH UNDER ITS JURISDICTION.

(15) (a) A PERSON UNDER SIXTEEN YEARS OF AGE SHALL NOT RIDE A CLASS 3 ELECTRICAL ASSISTED BICYCLE UPON ANY STREET, HIGHWAY, OR BIKE OR PEDESTRIAN PATH; EXCEPT THAT A PERSON UNDER SIXTEEN YEARS OF AGE MAY RIDE AS A PASSENGER ON A CLASS 3 ELECTRICAL ASSISTED BICYCLE THAT IS DESIGNED TO ACCOMMODATE PASSENGERS.

(b) A PERSON SHALL NOT OPERATE OR RIDE AS A PASSENGER ON A CLASS 3 ELECTRICAL ASSISTED BICYCLE UNLESS:

(I) EACH PERSON UNDER EIGHTEEN YEARS OF AGE IS WEARING A PROTECTIVE HELMET OF A TYPE AND DESIGN MANUFACTURED FOR USE BY OPERATORS OF BICYCLES;

(II) THE PROTECTIVE HELMET CONFORMS TO THE DESIGN AND SPECIFICATIONS SET FORTH BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR THE AMERICAN SOCIETY FOR TESTING AND MATERIALS; AND

(III) THE PROTECTIVE HELMET IS SECURED PROPERLY ON THE PERSON'S HEAD WITH A CHIN STRAP WHILE THE CLASS 3 ELECTRICAL ASSISTED BICYCLE IS IN MOTION.

(c) A VIOLATION OF SUBSECTION (15)(b) OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE OR NEGLIGENCE PER SE IN THE CONTEXT OF ANY CIVIL PERSONAL INJURY CLAIM OR LAWSUIT SEEKING DAMAGES.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Kevin J. Grantham
PRESIDENT OF
THE SENATE

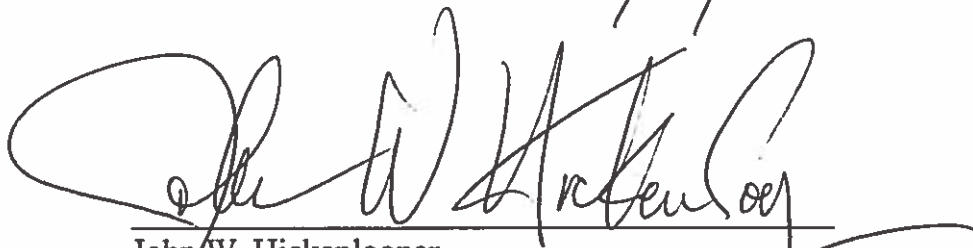


Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Effie Ameen
SECRETARY OF
THE SENATE

APPROVED 1:45 Pm 4/4/17



John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO



RIVERFRONT COMMISSION

P.O. Box 2477
Grand Junction, Colorado 81502
(970) 683-4333

Sponsors:

Fruita
Grand Junction
Mesa County
Palisade

September 20, 2016

Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

Dear Members of the City of Grand Junction City Council:

The Colorado Riverfront Commission is an advisory board to the Riverfront Trail partners; the City of Grand Junction, the City of Fruita, Mesa County, Colorado Parks and Wildlife and the Town of Palisade. As such, we feel very strongly that we must advocate for the continuing ban of motorized vehicles on the Riverfront Trail. This ban does not include ADA compliant devices such as motorized wheelchairs, but refers to recreational vehicles such as electric bicycles (e-bikes), motorized scooters, Segways and all-terrain vehicles. Of particular concern are e-bikes since retailers have become increasingly vocal in their advocacy of trail use by their customers.

Recently the City of Durango dealt with this issue and cited the following concerns:

- Electric-motor assisted bicycles have a set top speed of 20 mph and require the cyclist to pedal to engage the motor. Others have a throttle and go much faster. Although they can give some cyclists a needed boost, the Durango City Council has decided to ban electric bikes on Durango trails. Motorized vehicles have been banned for years on Durango trails and the council has now banned electric bikes whether the motor is engaged or not.

Other relevant concerns are:

- Jeopardizes future GOCO funding since they only fund non-motorized trails.
- Could threaten ~\$20 Million in past funding, i.e. give the money back if you don't ban all motorized use.
- Sets a precedent that opens the door for other motorized vehicles – golf carts, dirt bikes, go-carts, etc.
- Motorized vehicles create a safety hazard for pedestrians and cyclists due to their speed and mass.

We would be happy to come before the Council to further discuss the issue if that would be of help, but as advocates for the ongoing maintenance, improvement and development of the Riverfront Trail we must state our absolute and unanimous support of banning electric bikes from the Trail.

Sincerely,

Frank Watt
Co-Chair
Riverfront Commission

Brad Taylor
Co-Chair
Riverfront Commission

April 20, 2017

Riverfront Commission
P.O. Box 2477
Grand Junction, CO 81502

RE: E-bikes on Riverfront Trail

The City of Grand Junction offers diverse recreational amenities that allow both citizens and visitors to enjoy the type that best suits his or her abilities. Previously, the Riverfront Commission sent a letter to the members of Grand Junction's City Council, expressing its support for banning electric bikes (e-bikes) from the Riverfront Trail. The letter is attached below. In October of 2016, Great Outdoors Colorado (GOCO) Board members discussed and agreed to grant deference to local governments, allowing municipalities to make their own determination of use on trails based on research and demand of their community. The new position on e-bikes is in reference to trails funded with local government purpose funds. As a result, I encourage the Riverfront Commission to study and evaluate the use of e-bikes on the Riverfront Trail.

Grand Junction's peer cities, particularly those on the Western Slope, are addressing the use of e-bikes on public multi-use trails. All municipalities require e-bike users to follow standard trail and bicycle etiquette. Some municipalities are entering into a trial period, while other have established rules regulating e-bikes. The following are some examples of peer city regulations:

- Earlier this year, the City of Durango issued [e-bike policy recommendations](#) for the City's trail system. The recommendations restrict e-bikes to only pedal assist Class I models and limit use to certain multi-use hard and soft surface trails.
- The City of Boulder [permits e-bikes](#) on certain multi-use paths in the City. E-bikes must comply with existing use multi-use path rules, including a 15 mph speed limit, travel and passing lanes, audible alerts, and use of lights and reflective materials.
- The Town of Vail's [Ordinance No. 9](#) set a trial period that allows e-bikes on paved recreation trails. The ordinance limits motors to 500 watts, limits the speed of the e-bike, and requires riders to be 16 years of age or older.
- Steamboat Springs wants its Parks and Recreation Commission to consider allowing some types of e-bikes on both hard and soft surface trails. A [pilot program](#) for the City's Yampa River Core Trail is set to begin this summer.

[Research](#) by Portland State University found that 60% of electric bicycle riders surveyed bought an electric bicycle to enable trips in hilly areas and 73% rode to different destinations than with a standard bicycle. 65% of respondents in that survey said replacing car trips was a main reason to get an electric bicycle. PSU has also created an interactive [map](#) detailing e-bike laws by state and province in North America.

A [study](#) by Navigent Research describes a global e-bike market that is well-positioned for continued growth. The group predicts global sales of e-bikes will grow from over \$15.7 billion in 2016 to \$24 billion by 2025. The report also examines key drivers of growth, including government influence on the market. Further, the League of American Bicyclists examined [e-bikes and public policy](#) and highlighted how national sales exceeded 200,000 in 2015.

While I understand the Commission's concern that allowing e-bikes might set a precedent for allowing other types of motorized vehicles on trails, e-bikes can be viewed differently. Benefits of e-bikes include cost-savings, improved public health, and ease of convenience.

- **E-bikes are not necessarily quicker than traditional bikes.** The average e-bike speed is 15 mph, within most urban and multi-use trails' speed limits. Compared to traditional bikes, where a professional cyclist can reach speeds of 30 mph, e-bikes are designed to provide motorized assistance up to speeds of 20 mph.
- **E-bikes still count as exercise.** Although e-bikes deliver pedal-assisted power, a [study by the University of Colorado, Boulder](#) suggests that e-bikes can still improve cardiovascular health. The CU study measured the improvements in various aspects of health of twenty sedentary commuters through the use of e-bikes. It is important to note that the riders in the study rode at an average speed of 12.5 mph and reported no crashes.
- **E-bikes provide ease of convenience.** E-bikes allow individuals to move farther and easier. Pedal assisted motors provide riders with increased mechanical advantage which aids the rider in moving heavier loads. The pedal assist also helps commuters reduce exertion, generating less sweat, and helps individuals with physical or medical challenges to pedal the bicycle easier.
- **E-bikes reduce cars on the road.** Through the use of e-bikes, the burden on our roadways is lessened. This improves air-quality, eases traffic, reduces road maintenance costs, reduces vehicle accidents, and lowers our community's carbon footprint. By offsetting vehicles on the road with e-bikes, the overall health of the community is improved.

GOCO's stance regarding e-bikes has driven local policy for years. With GOCO's change in position with deference to local governments, communities across the state have evaluated the allowance of e-bikes. We owe it to our businesses and community members to assess their potential use on the Riverfront Trail.

Sincerely,



Greg Caton
City Manager

C: City Council
Rob Schoeber, Parks and Recreation Director



RIVERFRONT COMMISSION

P.O. Box 2477
Grand Junction, Colorado 81502
(970) 683-4333

Sponsors:

Fruita
Grand Junction
Mesa County
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September 20, 2016

Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

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Recently the City of Durango dealt with this issue and cited the following concerns:

- Electric-motor assisted bicycles have a set top speed of 20 mph and require the cyclist to pedal to engage the motor. Others have a throttle and go much faster. Although they can give some cyclists a needed boost, the Durango City Council has decided to ban electric bikes on Durango trails. Motorized vehicles have been banned for years on Durango trails and the council has now banned electric bikes whether the motor is engaged or not.

Other relevant concerns are:

- Jeopardizes future GOCO funding since they only fund non-motorized trails.
- Could threaten ~\$20 Million in past funding, i.e. give the money back if you don't ban all motorized use.
- Sets a precedent that opens the door for other motorized vehicles – golf carts, dirt bikes, go-carts, etc.
- Motorized vehicles create a safety hazard for pedestrians and cyclists due to their speed and mass.

We would be happy to come before the Council to further discuss the issue if that would be of help, but as advocates for the ongoing maintenance, improvement and development of the Riverfront Trail we must state our absolute and unanimous support of banning electric bikes from the Trail.

Sincerely,

Frank Watt
Co-Chair
Riverfront Commission

Brad Taylor
Co-Chair
Riverfront Commission

51 TRAILS mapS. The substitution of maps and incorporation thereof by reference shall
52 not necessitate re-adoption of this chapter.

53

54 12.08.140 Regulations relating to TRAILS ~~riverfront~~ trails, lands and waters.

55

56 (b) No person shall:

57 (1) Operate any motor vehicle OR OTHER POWER DRIVEN MOBILITY DEVICE(S)
58 (OPDMD) on any ~~of the riverfront~~ CITY trail(s) or land(s) ~~of the riverfront~~ AS THOSE
59 ARE DEPICTED AND DESCRIBED ON THE "TRAILS MAP(S)" except MAINTENANCE
60 OR EMERGENCY VEHICLE(S) OR as may be authorized by the City or by signs AND
61 ~~or~~ except for A "COMMON WHEELCHAIR" WHICH IS DEFINED AS A MANUALLY
62 OPERATED OR POWER DRIVEN DEVICE DESIGNED PRIMARILY FOR USE BY A
63 PERSON WITH A MOBILITY DISABILITY FOR THE PURPOSE OF INDOOR, OR OF
64 BOTH INDOOR AND OUTDOOR LOCOMOTION. AN ELECTRIC MOTORIZED
65 SCOOTER/POWER CHAIR MEETS THIS DEFINITION, PROVIDED IT MEETS
66 SECTION 37.3 OF THE U.S. DEPARTMENT OF TRANSPORTATION'S
67 REGULATIONS IMPLEMENTING THE ADA (49 CFR PARTS 27, 37, AND 38).

68

69 AN OPDMD IS DEFINED AS ANY MOBILITY DEVICE POWERED BY BATTERIES,
70 FUEL, OR OTHER ENGINE(S), WHETHER OR NOT DESIGNED PRIMARILY FOR
71 USE BY PERSONS WITH MOBILITY DISABILITIES THAT IS USED BY PERSONS
72 WITH MOBILITY DISABILITIES FOR THE PURPOSE OF LOCOMOTION, INCLUDING
73 GOLF CARS, ELECTRIC PERSONAL ASSISTANCE MOBILITY DEVICES (EPAMDS),
74 SUCH AS THE SEGWAY PT® OR ANY MOBILITY DEVICE DESIGNED TO OPERATE
75 IN AREAS WITHOUT DEFINED PEDESTRIAN ROUTES, BUT THAT IS NOT A
76 COMMON WHEELCHAIR WITHIN THE MEANING OF THIS SECTION.

77

78 ~~motorized wheelchairs, maintenance or emergency vehicles.~~ Motor vehicle shall be as
79 defined in § 42-1-101, 42-1-102(58) C.R.S. et seq. EPAMDS SHALL BE AS DEFINED
80 IN §42-1-102(28.7).

81

82 (C) WITH THE EXCEPTION OF A COMMON WHEELCHAIR, AN ELECTRIC
83 MOTORIZED SCOOTER AND CLASS I AND CLASS II E-BIKES, NO MOTOR
84 VEHICLE OR OPDMD IS ALLOWED ON THE TRAILS, AS THE SAME ARE
85 DEPICTED AND DESCRIBED BY ORDINANCE 2606 AND THESE ADOPTED
86 REGULATIONS.

87

88 (1) A CLASS I ELECTRICAL ASSISTED BICYCLE OR LOW-SPEED PEDAL-
89 ASSIST ELECTRIC BICYCLE IS A TWO-WHEELED BICYCLE EQUIPPED
90 WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER
91 IS PEDALING, AND THAT CEASES TO PROVIDE ASSISTANCE WHEN
92 THE BICYCLE REACHES THE SPEED OF 20 MILES PER HOUR. A
93 CLASS I ELECTRICAL ASSISTED BICYCLE MOTOR SHALL NOT EXCEED
94 750 WATTS OF POWER;

95

96 (2) A CLASS II ELECTRICAL ASSISTED BICYCLE OR LOW-SPEED
97 THROTTLE-ASSISTED ELECTRIC BICYCLE IS A BICYCLE EQUIPPED

98 WITH A MOTOR THAT MAY BE USED EXCLUSIVELY TO PROPEL THE
99 BICYCLE AND IS NOT CAPABLE OF PROVIDING ASSISTANCE WHEN
100 THE BICYCLE REACHES THE SPEED OF 20 MILES PER HOUR;

101
102 (3) A CLASS III ELECTRICAL ASSISTED BICYCLE IS A BICYCLE EQUIPPED
103 WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER
104 IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN
105 THE BICYCLE REACHES A SPEED OF 28 MILES PER HOUR.

106
107 (A) CLASS III ELECTRICAL ASSISTED BICYCLES ARE ALLOWED
108 ONLY ON STREETS/BIKE LANES ADJACENT TO STREETS (NOT
109 TRAILS, PATHS OR SIDEWALKS.)

110
111 (B) CLASS III ELECTRICAL ASSISTED BICYCLES MAY NOT BE
112 OPERATED BY A PERSON UNDER 16 YEARS OF AGE; A PERSON
113 UNDER 16 YEARS OF AGE MAY RIDE AS A PASSENGER ON A
114 CLASS III ELECTRICAL ASSISTED BICYCLE THAT IS
115 MANUFACTURED TO ACCOMMODATE A PASSENGER(S).

116
117 (4) ANY PERSON UNDER 18 YEARS OF AGE RIDING OR A PASSENGER ON
118 A CLASS III ELECTRICAL ASSISTED BICYCLE SHALL WEAR AN
119 AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) OR
120 UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION
121 (USCPS) APPROVED HELMET OF A TYPE AND DESIGN MANUFACTUED
122 FOR USE BY RIDERS OF BICYCLES. THE PROTECTIVE HELMET SHALL
123 BE PROPERLY SECURED ON THE PERSON'S HEAD WITH THE STRAP
124 FASTENED WHILE THE CLASS III ELECTRICAL ASSISTED BICYCLE IS IN
125 MOTION.

126
127 (5) NO PERSON SHALL OPERATE AN ELECTRICAL ASSISTED BICYCLE IN
128 ANY PLACE WHERE THERE ARE ONE OR MORE SIGNS POSTED
129 PROHIBITING SUCH ACTIVITY. NO PERSON SHALL OPERATE AN
130 ELECTRICAL ASSISTED BICYCLE IN ANY PUBLIC PLACE IN A MANNER
131 WHICH CAUSES INJURY TO ANY PERSON OR DAMAGE TO PUBLIC OR
132 PRIVATE PROPERTY.

133
134 (6) A PERSON USING AN ELECTRICAL ASSISTED BICYCLE IN ANY PUBLIC
135 PLACE WITHIN THE CITY SHALL USE THE SAME IN A CAREFUL AND
136 PRUDENT MANNER AND AT A RATE OF SPEED NO GREATER THAN IS
137 REASONABLE AND PRUDENT UNDER THE CONDITIONS EXISTING AT
138 THE PLACE AND TIME OF OPERATION, TAKING INTO ACCOUNT THE
139 AMOUNT AND CHARACTER OF PEDESTRIAN TRAFFIC, GRADE AND
140 WIDTH OF THE PATH, TRAIL OR RIGHT-OF-WAY AND CONDITION OF

141 THE SURFACE THEREOF AND SHALL OBEY ALL TRAFFIC CONTROL
142 DEVICES.

143
144 (7) EVERY PERSON RIDING AN ELECTRICAL ASSISTED BICYCLE UPON A
145 PUBLIC PATH, TRAIL OR OTHER RIGHT-OF-WAY SHALL YIELD THE
146 RIGHT-OF-WAY TO ANY PEDESTRIAN THEREON.

147
148 (8) TO THE EXTENT NOT INCONSISTENT HERewith, HOUSE BILL 17-1151
149 AMENDING VARIOUS SECTIONS OF THE COLORADO REVISED
150 STATUTES IS INCORPORATED BY THIS REFERENCE.

151
152 (9) WITHIN SIXTY DAYS OF THE THIRD ANNIVERSARY OF THE ADOPTION
153 OF THIS ORDINANCE THE CITY COUNCIL SHALL CONSIDER THE
154 EFFECTIVENESS OF THE ORDINANCE AT ACHIEVING ITS STATED
155 PURPOSES. WITHOUT FURTHER ACTION BY THE CITY COUNCIL, THE
156 TERMS AND PROVISIONS OF THIS ORDINANCE SHALL EXPIRE ON THE
157 THIRD ANNIVERSARY OF THE EFFECTIVE DATE HEREOF. THE CITY
158 COUNCIL MAY DETERMINE THAT THE ORDINANCE IS EFFECTIVE AS
159 WRITTEN AND REINSTATE IT OR MAY AMEND IT AS IT DETERMINES IN
160 ITS SOUND DISCRETION.

161
162
163
164 Introduced on first reading this 17th day of January 2018.

165
166
167 PASSED and ADOPTED this ___ day of February 2018.

168
169
170 _____
171 J. Merrick Taggart
172 Mayor and President of the City Council

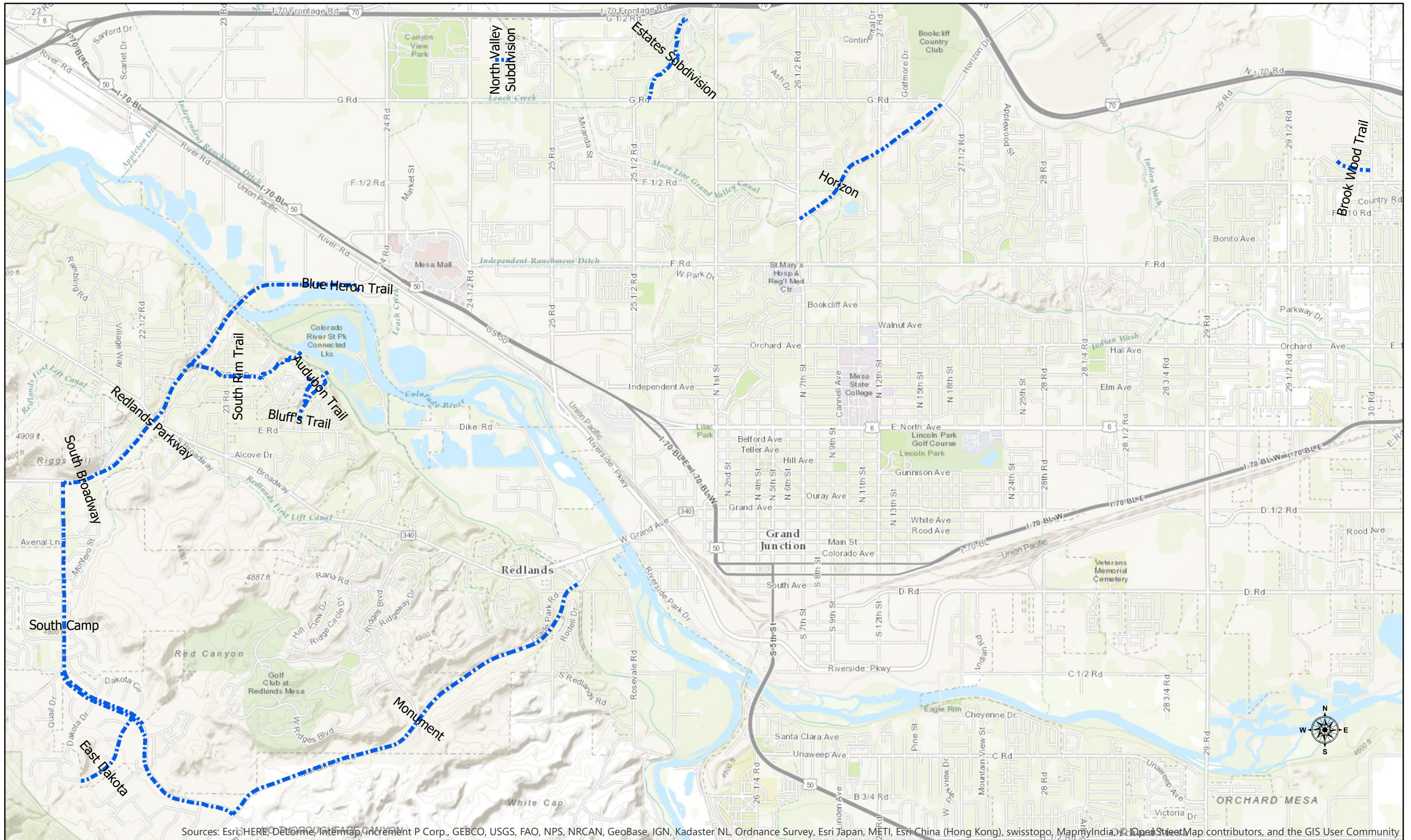
173
174 ATTEST:

175
176
177 _____
178 Wanda Winkelmann
179 City Clerk

TRAIL MILEAGE AS OF 2017

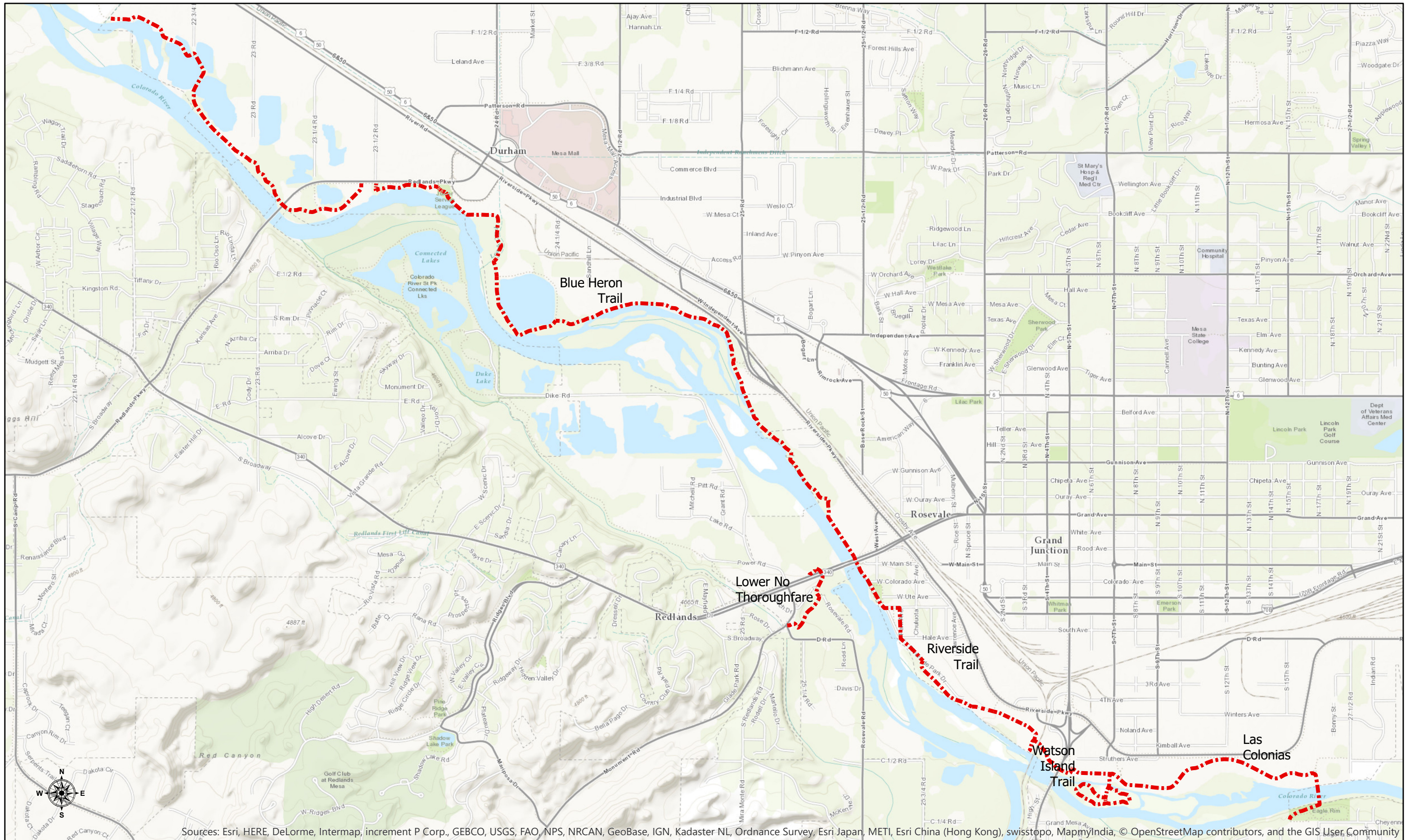
Eagle Rim to Botanical Gardens Las Colonias Section 7924'	1.50 miles
Watson Island Loop 3540'	.67
Botanical Garden to Riverside Park Jarvis Property 8295'	1.75
Riverside Park to Jr. Service League Park Blue Heron Section 16015'	3.03
Jr. Service League to Boat Ramp Along the River 2200'	.41
Jr. Service League to Colorado River Bridge Along Redlands Parkway 3973'	.75
Monument View Boat Ramp to Appleton Drain	1.5
Colorado River Bridge to South Rim Drive Along Redlands Parkway 2810'	.53
Lower no Thoroughfare 2087'	.39
RIVERFRONT TOTAL	10.53
South Rim Trail Head to Power Canal 1460'	.28
Promontory Point Trail Head to Power Canal 2292'	.43
Bluffs Trail Head to Power Canal 1865'	.35
South Rim to Broadway (340) Along Redlands Parkway	.40
Broadway to South Camp Along South Broadway	.71
South Broadway to Wingate Elementary Along South Camp	1.10
Wingate Elementary to Monument Road Along South Camp	1.52
East Dakota Dr. 2774'	.52
East Side of South Camp	1.10
Horizon Drive 7 th to 12 th	.61
Horizon Drive 12 th to G Road	.51
Brook Wood Subdivision	.48
North Valley Subdivision	.10
Estates Subdivision	.36
URBAN TRAIL TOTAL	8.47
Ridges Trails	
Ridges Blvd. to Rana Rd. 1712'	.32
Rana to Hill View 601'	.11
Duck Pond to 340 Underpass 1327'	.25
Ridge Blvd. School Ridge to bus stop 4559'	.86
Ridge Circle to Desert Trail Dr. 1507'	.29
Mariposa Dr. to Monument Rd. 1578'	.29
RIDGES TRAIL TOTAL	2.12
TOTALS	21.12 MILES

Urban Trails Map



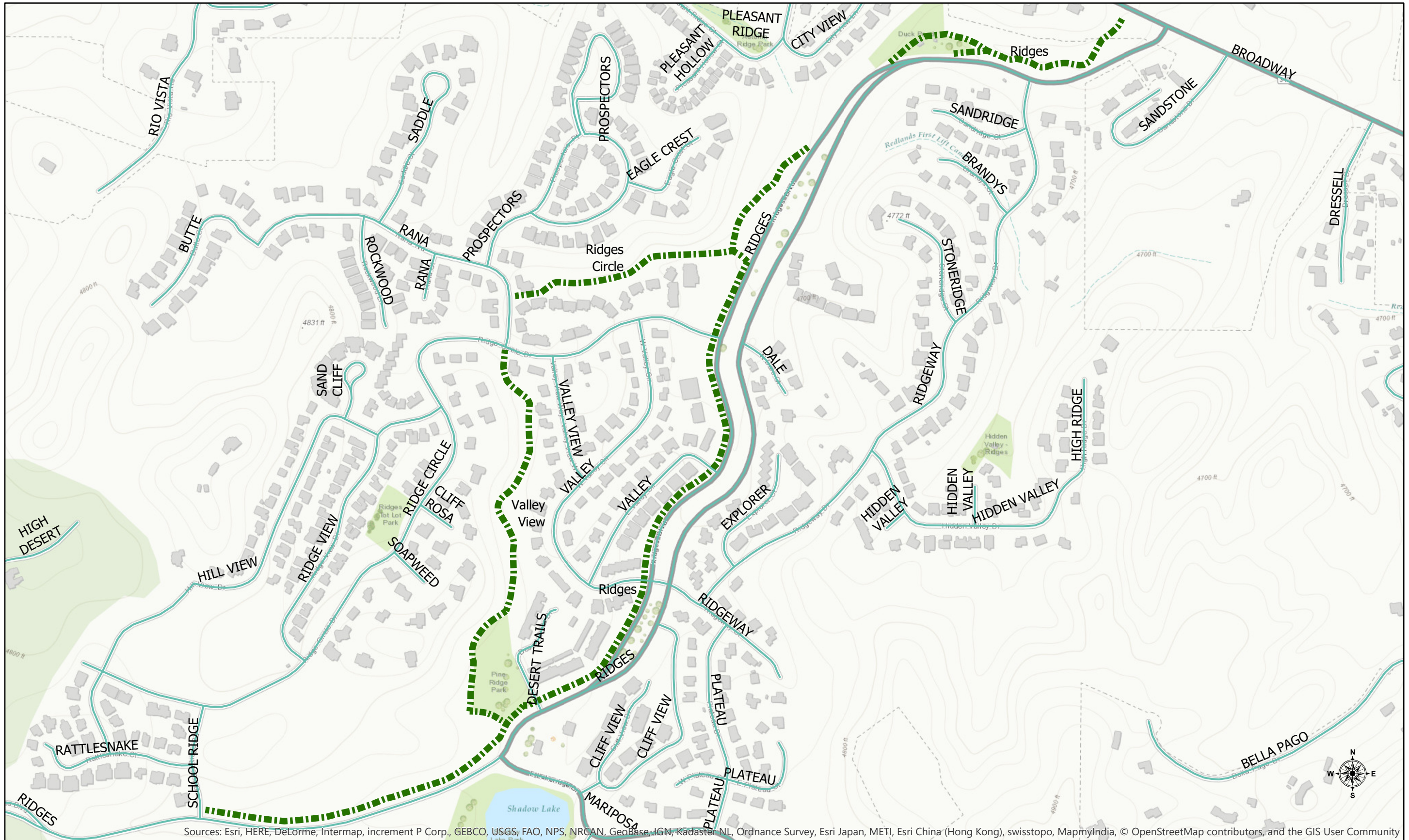
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Riverfront Trails Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Ridges Trails Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Grand Junction City Council

Regular Session

Item #3.b.i.

Meeting Date: February 21, 2018
Presented By: Scott D. Peterson, Senior Planner
Department: Community Development
Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

An Ordinance Rezoning the Proposed Patterson Pines Subdivision, located at 2920 E 7/8 Road from R-4 (Residential – 4 du/ac) to R-8 (Residential – 8 du/ac)

RECOMMENDATION:

Planning Commission heard this item at its January 23, 2018 meeting and forwarded a recommendation of approval to City Council.

EXECUTIVE SUMMARY:

The Applicant, James Cagle, is requesting a rezone of 3.99 acres of property located at 2920 E 7/8 Road from R-4 (Residential - 4 dwelling units per acre) to R-8 (Residential - 8 dwelling units per acre). The purpose of the request is to rezone the property to a higher density in anticipation of future single-family residential subdivision development. This property is proposed to be developed in conjunction with an existing vacant property to the south (4.39 acres) located at 2921 E 7/8 Road which is presently zoned R-8 and is also owned by the applicant. The proposed zoning of R-8 implements the Comprehensive Plan Future Land Use Map, which has designated the property as Residential Medium (4 – 8 du/ac).

BACKGROUND OR DETAILED INFORMATION:

The Applicant is requesting to rezone 3.99 acres from R-4 (Residential - 4 du/ac) to R-8 (Residential - 8 du/ac) for the vacant property located at 2920 E 7/8 Road. The requested rezone is in anticipation of future single-family residential subdivision development in conjunction with the existing vacant property to the south (4.39 acres) located at 2921 E 7/8 Road which is presently zoned R-8 and is also owned by the

Applicant. The Applicant is requesting review of the rezone application prior to formal submittal of the subdivision application in order to determine overall density and lot layout. The proposed zoning of R-8 implements the Comprehensive Plan Future Land Use Map, which has designated the property as Residential Medium (4 – 8 du/ac).

Adjacent properties to the east, north and west are single-family detached and are zoned R-4 and R-5 along with a commercial designation of Planned Development – Commercial for the existing Safeway grocery store and commercial center located along Patterson Road. To the south is vacant property owned by the Applicant and is currently zoned R-8. Further to the east is a PD zone district that has a residential density of 3.13 dwelling units to the acre (New Beginnings Subdivision).

A Neighborhood Meeting was held on November 6, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Nine citizens attended the meeting along with the Applicant, the Applicant's representative and City Staff. The Applicant's representative discussed the proposed rezoning request and anticipated subdivision development and provided some additional background information and history. Area residents did voice concern regarding the anticipated subdivision development of the property and the potential for an increase in traffic, increased residential density, and interconnectivity with existing streets. To date, the City has received one email from the public concerning the proposed subdivision development that has been included for review.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on November 21, 2017. The subject property was posted with an application sign on November 21, 2017 and notice of the public hearing was published January 16, 2018 in the Grand Junction Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 (a) 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 as identified:

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

The property owner wishes to rezone the property to a higher density and develop the property in the near future in conjunction with the vacant property to the south which is also owned by the Applicant. The Applicant would like to develop a residential subdivision with a density between 5.5 to 8 dwelling units an acre which is considered an appropriate development level of density by the Comprehensive Plan as the

property is located within the existing Residential Medium category. However, because there are no significant events that have occurred since the zoning of this property, nor is there a specific event that has invalidated the original premise, staff is unable to find that this 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 property is surrounded by single-family detached on three sides with single-family detached, two-family and multi-family dwelling units further to the south that were constructed in the late 1970's to mid-1980's. Directly to the northwest of the property is a Safeway grocery store that was constructed in 1996.

Existing properties to north, east and west are zoned R-4, R-5 and PD (Planned Development – Commercial). To the south is R-8. Staff has not found that the character of the area has changed and therefore finds this criterion has not been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve residential land uses associated with the R-8 zone district. Ute Water and City sanitary sewer are both presently available in Redwing Lane and Wellington Avenue. Property can also be served by Xcel Energy natural gas and electric. A short distance away is Bookcliff Junior High School on Orchard Avenue with Fruitvale Elementary School located nearby on 30 Road. Adjacent to the property to the northwest is a Safeway grocery store and retail commercial center that includes gas islands, restaurants and commercial businesses. Public transit stops are also located along 29 Road and Patterson Road. Area churches are also nearby. Due to the proximity and availability of services and facilities, staff finds this criterion has been met.

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

The community as a whole has more than 1,868 acres of R-8 zoned land. This zone district comprises the largest amount of residential acreage within the City limits. However, the zoning within approximately ½ mile of this area south of Patterson and east of 29 Road is predominately zoned R-5 or Planned Development with an effective density of 3.13 du/ac. The lack of supply in the immediate area for this zone type impedes the ability to provide a diverse supply of housing types; a key principal in the Comprehensive Plan. Because of a lack of supply in this part of the community, staff has found that an inadequate supply of suitability designated land is available in this

area of the community and therefore has found this criterion has been met.

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

The area and community, in general, would derive benefits from the proposed rezone of this property as it would add more residential density to this parcel. Providing for additional density is supported and encouraged by the Comprehensive Plan and furthers the goal of promoting infill development. This increase of density may also work to provide, when developed, residents with more housing choices. R-8 properties for example are generally developed with different lot sizes and housing designs than properties with an R-4 zone designation. These two benefits are enumerated in the adopted Comprehensive Plan as Goal 3 and Goal 5. Because the community and area will derive benefits, staff has found this criterion has been met.

Section 21.02.140 of the Grand Junction Zoning and Development Code states that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan.

Future Land Use Map:

The Comprehensive Plan Future Land Use Map designates the property as Residential Medium (4 – 8 du/ac). The request for an R-8 (Residential – 8 du/ac) zone district is consistent with this designation and works to implement the Comprehensive Plan. The Blended Land Use Map also designates the property as Residential Medium at 4 – 16 dwelling units an acre. The proposed rezone creates an opportunity for ordered and balanced growth spread throughout the community. The Comprehensive Plan supports the potential for increased residential densities where applicable along with the desire for development of more infill properties, which the applicant is proposing with this application. Staff believes this is an appropriate location for increased density. Though this rezone would allow for additional density, the residential character of the area will remain intact. The proposed rezone also provides additional housing opportunities and choices to meet the needs of a growing community, which implements the following goals and polices from the Comprehensive Plan.

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

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 B: Encourage mixed-use development and identification of locations for increased density.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Subsequent actions such as future development may have direct fiscal impact.

SUGGESTED MOTION:

I move to (adopt or deny) the proposed Ordinance No. 4786 - an Ordinance Rezoning the Proposed Patterson Pines Subdivision, from R-4 (Residential – 4 du/ac) to R-8 (Residential – 8 du/ac) located at 2920 E 7/8 Road on final passage and order final publication in pamphlet form.

Attachments

1. Site Location, Aerial, Future Land Use and Zoning Maps
2. Site Photos
3. Public Correspondence Received
4. Ordinance



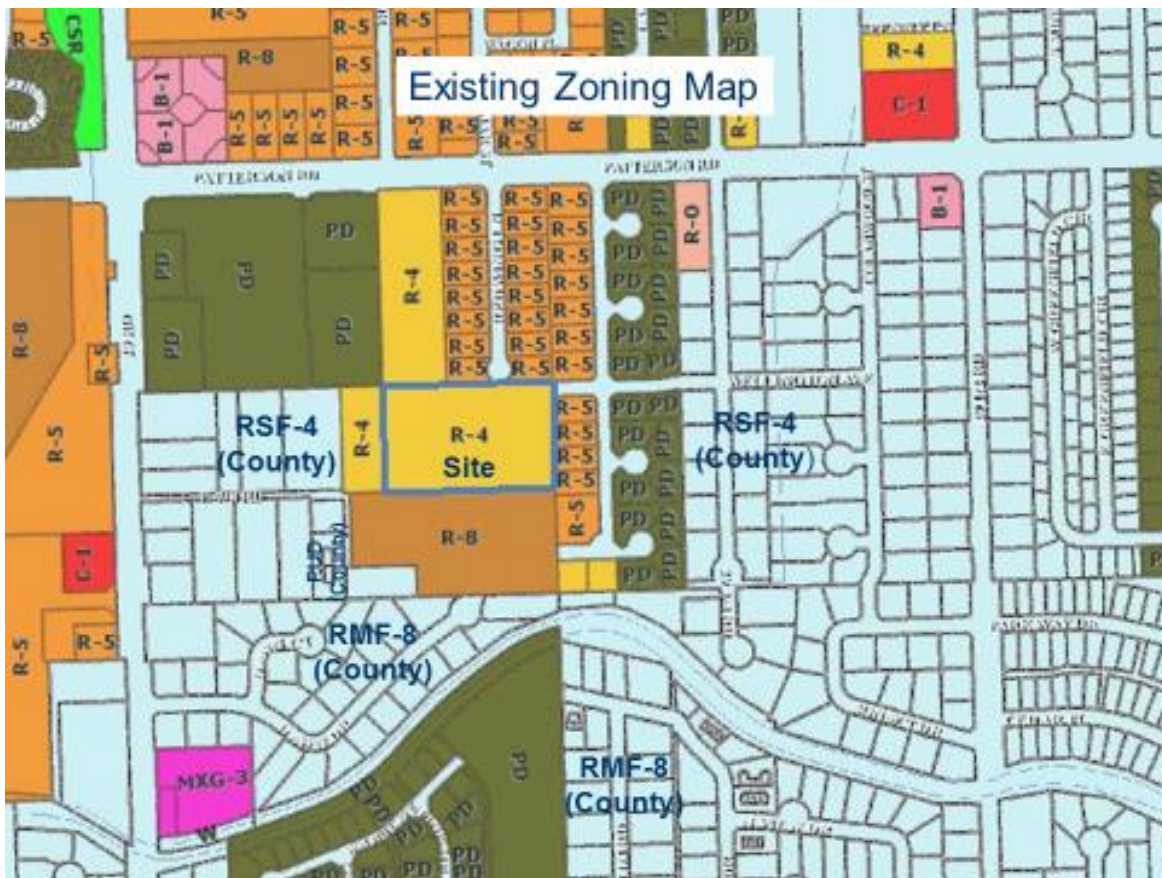
Aerial Photo Map

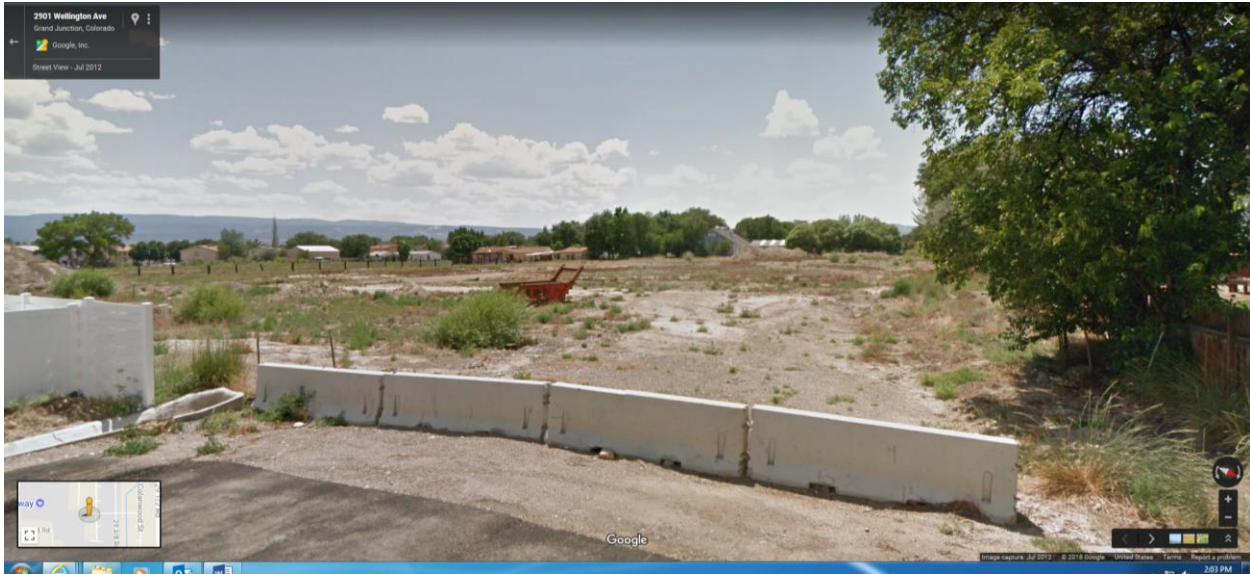


Comprehensive Plan Future Land Use Map



Existing Zoning Map

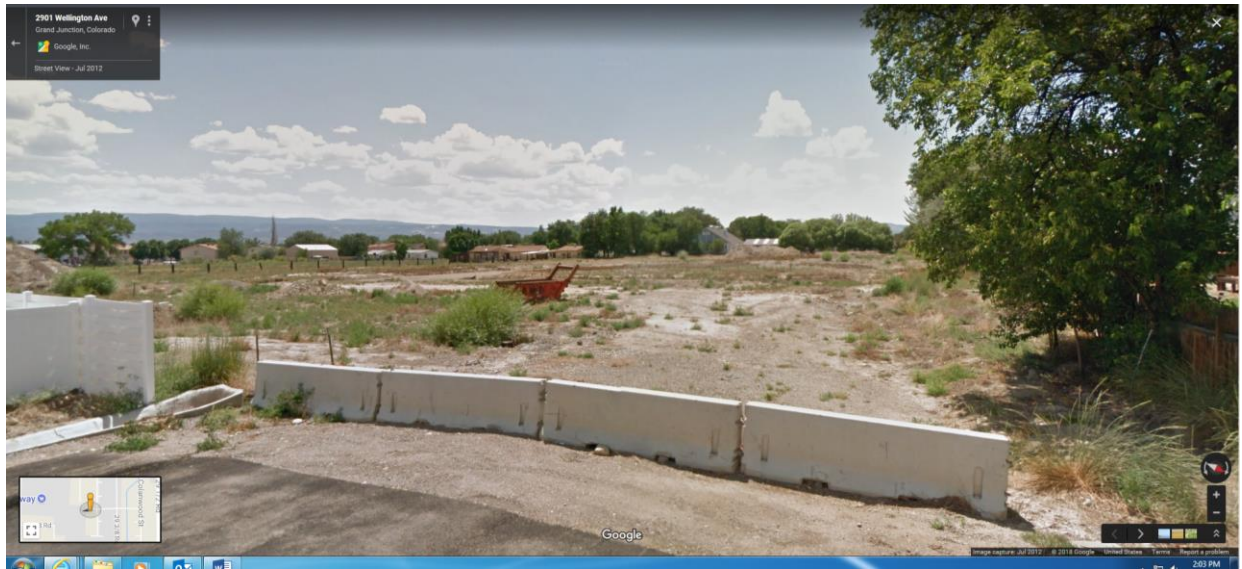




View of property from Wellington Avenue



Overhead view of property from Redwing Lane



View of property from Wellington Avenue



Overhead view of property from Redwing Lane

Scott Peterson

From: argeigle@earthlink.net
Sent: Tuesday, October 31, 2017 11:48 AM
To: Scott Peterson
Subject: Dominguez re-zone

Scott, I drove thru the area in question today. It appears that most of the immediately adjacent homes are on lots of obviously larger size than the proposal by South Dominguez estates. The ingress and egress is severely limited and would require E&7/8 to be extremely altered, probably at the expense of the people whose property borders it. I would hope that the limited number of neighboring property owners will not be rolled over by the developer.

Best Regards,

Allen Geigle
2914 B Walnut Ave
Grand Jct. CO 81504

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE REZONING THE PROPOSED PATTERSON PINES SUBDIVISION
FROM R-4 (RESIDENTIAL – 4 DU/AC) TO R-8 (RESIDENTIAL – 8 DU/AC)**

LOCATED AT 2920 E 7/8 ROAD

Recitals

The applicant, James Cagle, wishes to rezone an Unplatted 3.99 +/- acre parcel of land from R-4 (Residential – 4 du/ac) to R-8 (Residential – 8 du/ac).

The requested rezone is in anticipation of future single-family residential subdivision development in conjunction with the existing vacant Unplatted property to the south (4.39 +/- acres) located at 2921 E 7/8 Road which is presently zoned R-8 and is currently owned by the applicant. The property owner is requesting review of the rezone application prior to formal submittal of the subdivision application in order to determine overall density and lot layout.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Patterson Pines Subdivision property from R-4 (Residential – 4 du/ac) to the R-8 (Residential – 8 du/ac) zone district, finding that it conforms with the designation of Residential Medium (4 – 8 du/ac) as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-8 (Residential – 8 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 & Development Code.

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

The following property be zoned R-8 (Residential – 8 du/ac).

Those parcels located in the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼), Section 8, Township 1 South, Range 1 East, of the Ute Meridian in Grand Junction, Mesa County, Colorado and being more particularly described:

The East 4 Acres of the N ½ of the SE ¼ of the NW ¼ of the NW ¼ of Section 8, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado.

INTRODUCED on first reading this 7th day of February, 2018 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2018 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk



Grand Junction City Council

Regular Session

Item #3.b.ii.

Meeting Date: February 21, 2018

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Resolution Accepting the Petition for Annexation and Ordinances Annexing and Zoning the Adams Annexation to R-8 (Residential – 8 du/ac), located south of B ¼ Road, west of 27 ½ Road and just west of the Mesa County Fairgrounds

RECOMMENDATION:

Planning Commission heard the zoning request at its January 23, 2018 meeting and forwarded a recommendation of approval of the R-8 zoning designation to City Council.

EXECUTIVE SUMMARY:

The Applicant, Paul Adams, is requesting to annex and zone 13.159 acres of currently undeveloped property located west of 27 ½ Road and just west of the Mesa County Fairgrounds. The Applicant is requesting zoning from County RSF-4 zone district to R-8 (Residential – 8 du/ac) as part of the request. This property does not have an assigned address. The Applicant would like to market and sell the property for future residential subdivision development. The proposed zoning of R-8 implements the Comprehensive Plan Future Land Use Map, which has designated the property as Residential Medium (4 – 8 du/ac). The property is currently zoned RSF-4 (Residential Single Family – 4 du/acre) in the County.

The requested annexation consists of a currently vacant single parcel of land and includes no dedicated right-of-way, however the Applicant's property does extend to the centerline of B ¼ Road. As part of this annexation, the City would take ownership and maintenance responsibilities of this 95 lineal feet section of roadway.

This annexation will create an enclave of one parcel of land located at 2738 B ¼ Road.

This parcel is approximately 0.19 acres in size. Notification has been mailed to the current property owner notifying her of the potential enclave and the required action to annex, should the enclave occur. Pursuant to State Statutes, enclaves may be annexed after 3 years of being enclaved and pursuant to the Persigo Agreement, must be annexed within 5 years.

BACKGROUND OR DETAILED INFORMATION:

The proposed annexation area consists of 13.159 acres of currently undeveloped land. The Applicant wishes to annex and zone the unplatted parcel of land into the City limits in order to market and sell in anticipation of future residential subdivision development. There is no dedicated right-of-way included in the annexation however, the Applicant's property extends to the centerline of B ¼ Road through the use of a road easement which means the City will take ownership and maintenance obligations for this 95 lineal feet section of roadway. While the subject parcel's frontage is 875 feet, all of the pavement in this area has previously been annexed with the exception of 95 linear feet (LF), or 250 square yards (SY) of pavement on the B 1/4 Road. All road pavement appears fairly worn and there is no curb, gutter, sidewalk present.

Staff has found, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Adams Annexation is eligible to be annexed because of compliance with the following:

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

The proposed annexation and zoning schedule with a summary is attached.

Though there is not a pending development application, should the Applicant or future owner want to develop they would be subject to annexation as compelled by the 1998 Persigo Agreement with Mesa County. This agreement requires all future residential development that is considered annexable development be annexed, zoned and

reviewed by the City.

Adjacent properties to the south, west and east are single-family detached homes on properties ranging in size from 0.56 to 5.45 acres which are zoned 4 dwelling units to the acre in a mixture of both City and County jurisdiction. To the north are also single-family homes zoned RSF-4 in the County along with a commercial property (City zoned C-2) which contains Humphrey RV's sales lot, etc.

A Neighborhood Meeting was held on August 21, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Four neighbors attended the meeting along with the Applicant and City Staff. The Applicant discussed the proposed annexation, zoning request and provided some additional background information. Area residents did voice concern regarding the anticipated subdivision development of the property and the potential for an increase in residential density to the area. To date, the City has received three emails from the public concerning the proposed zoning.

Notice was completed consistent to the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. Mailed notice of the application in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on September 26, 2017. The subject property was posted with an application sign on September 27, 2017 and notice of the public hearing was published on January 16, 2018 in the Grand Junction Sentinel.

ZONING ANALYSIS

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth.

The criteria for review is set forth in Section 21.02.140 (a) and includes that 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 as identified:

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

The property owner has petitioned for annexation into the City limits with a requested zoning district of R-8 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac). Since the property is currently in the County, there have been no subsequent events that have invalidated the original premise therefore staff has not found this criterion to have 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 adoption of the Comprehensive Plan in 2010, designated this property as Residential Medium (4 – 8 du/ac). The Applicant is requesting an allowable zone district that is consistent with the density range allowed by the Residential Medium category.

Existing properties to north, south, east and west are within Mesa County jurisdiction and are zoned RSF-4. City zoning adjacent to the property to the north is zoned C-2 (General Commercial) with R-4 (Residential – 4 du/ac) to the south and west. The residential character of this area of Orchard Mesa is single-family detached on properties ranging in size from 0.56 to 5.45 acres. The character and current condition of the area has not significantly changed in recent history however, the requested zone district is compatible with the Comprehensive Plan designation. Staff does not find this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the R-8 zone district. Ute Water and City sanitary sewer are both presently available in B ¼ Road. Property can also be served by Xcel Energy natural gas and Grand Valley Power electric. A short distance away is Dos Rios Elementary School and further to the north along Highway 50 are commercial retail centers that includes offices, convenience stores and gas islands, restaurants, commercial businesses and a grocery store. Near the property directly to the east is the Mesa County Fairgrounds. Due to the proximity and availability of services and facilities, Staff finds this criterion has been met.

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

The community as a whole has more than 1,868 acres of R-8 zoned land. This zone district comprises the largest amount of residential acreage within the City limits. However, in Orchard Mesa and south of Highway 50, there exists no R-8 zoning. The lack of supply for this zone type in this part of the community impedes the ability to provide a diverse supply of housing types; a key principle in the Comprehensive Plan. Because of lack of supply in this part of the community, staff has found there exists an inadequate supply of suitably designated land available and has therefore found this criterion been met.

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

Annexation and zoning of the property will create consistent land use jurisdiction and allows for efficient provision of municipal services, as the property is located within the Persigo 201 boundary which requires eventual annexation of all developing properties. In addition, the proposed annexation along with the rezone also provides additional larger acreage of undeveloped land that will, when developed, provide additional housing opportunities and choices to meet the needs of a growing community. The community will also derive benefits from the proposed rezone of this property as it would add more residential density to this parcel and to the area generally which will work to support commercial uses along the Highway 50 corridor and provide additional options for different housing types in this area. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting infill development.

Section 21.02.140 of the Grand Junction Zoning and Development Code states that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan.

The zone of annexation 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 this area is designated as Residential Medium (4 – 8 du/ac). The Comprehensive Plan Future Land Use Map designates the property as Residential Medium (4 – 8 du/ac). The request for an R-8 (Residential – 8 du/ac) zone district is consistent with this designation. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. Current County zoning for the property is RSF-4 (Residential Single Family – 4 du/ac).

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

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

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 B: Encourage mixed-use development and identification of locations for increased density.

FISCAL IMPACT:

As development occurs, sales and use tax revenue will be generated from construction

activity. Assuming 50% of projects are in taxable materials, for every \$100,000 in project costs, it generates \$1,375 in City sales tax revenues. Also every \$100,000 worth of investment in residential property it generates \$58 in property tax revenue annually.

As residences are added to the City's service area, it results in additional calls for service for fire, emergency medical services, and police. Our existing capacity to provide these services will eventually need to be expanded in order to serve the growing community.

Annexation of infrastructure adds to the cost of maintaining and improving those assets:

Given the condition of the 95 linear feet or 250 square yards of pavement on B ¼ Road an overlay is proposed in 2022 and a chipseal would follow in 2024 (as part of planned cycle for this area). Overlay for this portion of road is estimated at \$3,800 and the chip seal is estimated at \$467.

Annual costs including street sweeping, snow and ice control, signage and striping, snow removal, and storm drain maintenance are approximately \$42/year for this portion of road. There are currently no street lights along this road section and therefore they have not been included in this analysis.

Total road maintenance related costs for this annexation are estimated to have 20-year present value of \$3,200. Said differently, this is the amount of money the City would have to set aside in a financial account today, earning 4% interest, to generate enough funds to pay for the ongoing maintenance of this road infrastructure which includes the overlay proposed in 2022.

The cost estimate to improve the road frontage to minor collector standard (as shown on Grand Valley Circulation Plan) is estimated at \$488,000 with approximately half of that required to pipe the open Orchard Mesa (OM-1) drain on the south side of B 1/4 Road in order to develop enough width to build the road.

SUGGESTED MOTION:

I move to (adopt or deny), Resolution No. 13-18 - A resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, Making certain findings, and determining that property known as the Adams Annexation, located south of B ¼ Road, is eligible for annexation, Ordinance No. 4787 An Ordinance annexing territory to the City of Grand Junction, Colorado, approximately 13.159 acres Located south of B ¼ Road, and Ordinance 4788 - An Ordinance Zoning the Adams Annexation to R-8 (Residential – 8 du/ac), Located south of B ¼ Road, on final passage and order final publication in pamphlet Form.

Attachments

1. Annexation Schedule and Summary
2. Site Location Map & Zoning Maps, etc.
3. Public Correspondence Received
4. Resolution Accepting Petition for Annexation
5. Ordinance - Annexation
6. Ordinance - Zoning to R-8

ADAMS ANNEXATION SCHEDULE

January 3, 2018	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
January 23, 2018	Planning Commission considers Zone of Annexation
February 7, 2018	Introduction of a Proposed Ordinance on Zoning by City Council
February 21, 2018	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
March 25, 2018	Effective date of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2017-451
Location:	South of B ¼ Road
Tax ID Numbers:	2945-253-00-047
# of Parcels:	1
Existing Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	0
Acres land annexed:	13.159
Developable Acres Remaining:	13.159
Right-of-way in Annexation:	0
Previous County Zoning:	RSF-4 (Residential Single Family – 4 du/ac)
Proposed City Zoning:	R-8 (Residential – 8 du/ac)
Current Land Use:	Vacant land
Future Land Use:	Residential Medium (4 – 8 du/ac)
Values:	Assessed: \$4,940
	Actual: \$17,020
Address Ranges:	2735 – 2797 B ¼ Road (Odd Numbers)
Special Districts:	Water: Ute Water Conservancy District
	Sewer: City of Grand Junction
	Fire: GJ Rural Fire District
	Irrigation/Drainage: Orchard Mesa Irrigation District
	School: Grand Junction HS / Orchard Mesa Middle / Dos Rios Elementary
	Pest: Grand River Mosquito Control District

ADAMS ANNEXATION

SITUATE IN THE SE 1/4 OF THE SW 1/4 OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 WEST
 UTE PRINCIPAL MERIDIAN
 COUNTY OF MESA, STATE OF COLORADO



Property proposed to be enclosed

Portion of Road to be Annexed

DESCRIPTION

Commencing at the SW corner of the SW 1/4 of said Section 28 and extending the North line of the SW 1/4 of said Section 28 to the East line of the SW 1/4 of said Section 28, a distance of 120.00 feet, then East along the East line of the SW 1/4 of said Section 28, a distance of 120.00 feet, then South along the South line of the SW 1/4 of said Section 28, a distance of 120.00 feet, then West along the West line of the SW 1/4 of said Section 28, a distance of 120.00 feet, then North along the North line of the SW 1/4 of said Section 28, a distance of 120.00 feet, to the point of beginning.

Containing in the northern corner of the SW 1/4 of said Section 28 and extending the North line of the SW 1/4 of said Section 28 to the East line of the SW 1/4 of said Section 28, a distance of 120.00 feet, then East along the East line of the SW 1/4 of said Section 28, a distance of 120.00 feet, then South along the South line of the SW 1/4 of said Section 28, a distance of 120.00 feet, then West along the West line of the SW 1/4 of said Section 28, a distance of 120.00 feet, then North along the North line of the SW 1/4 of said Section 28, a distance of 120.00 feet, to the point of beginning.

Containing 1.20 Acres, more or less.

ADAMS ANNEXATION
 SECTION 28
 TOWNSHIP 1 SOUTH
 RANGE 1 WEST
 UTE PRINCIPAL MERIDIAN
 COUNTY OF MESA, COLORADO

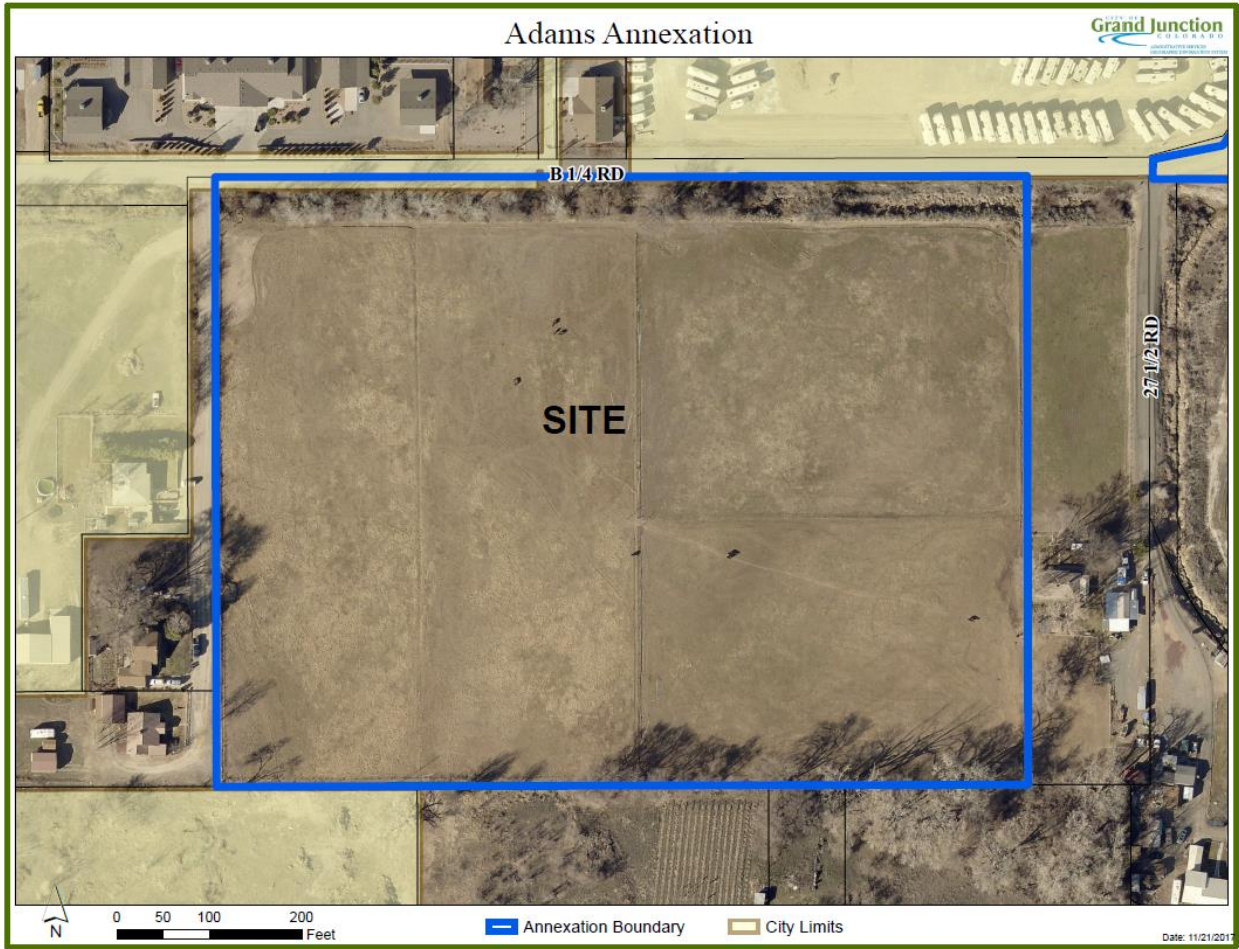
THIS IS NOT A BOUNDARY SURVEY



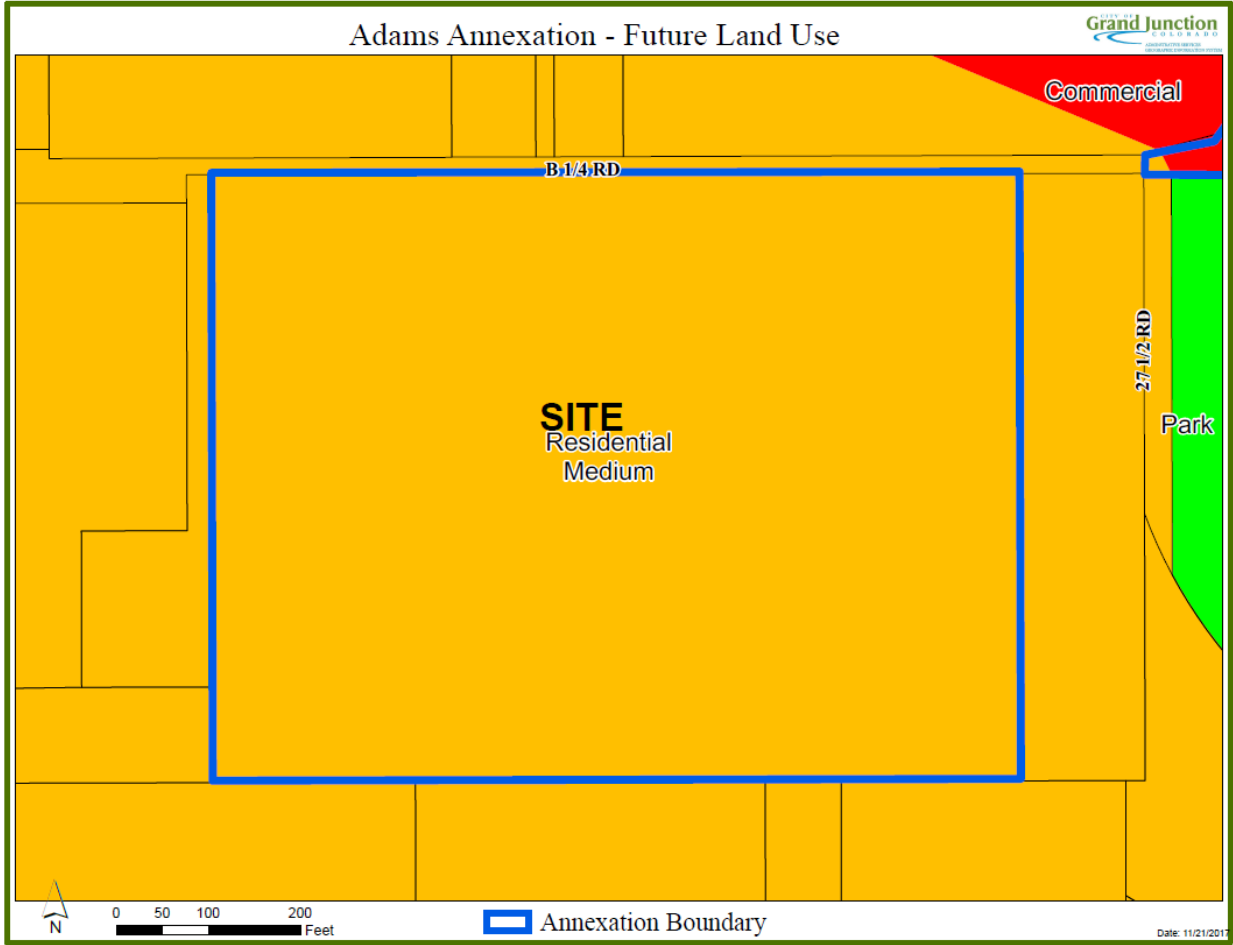
<p>PREPARED BY: GRAND JUNCTION SURVEYORS & ENGINEERS, P.C. 1000 WEST 1ST AVENUE, SUITE 100 GRAND JUNCTION, CO 81505 PHONE: 970.241.1111 FAX: 970.241.1112 WWW: GJSURVEYS.COM</p>	<p>DATE: 10/15/2024</p>	<p>SCALE: AS SHOWN</p>	<p>PROJECT NO.: 2024-001</p>	<p>PROJECT NAME: ADAMS ANNEXATION</p>	<p>THIS IS NOT A BOUNDARY SURVEY</p>	<p>Grand Junction SURVEYORS & ENGINEERS, P.C.</p>	<p>ADAMS ANNEXATION</p>
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Site Location Map



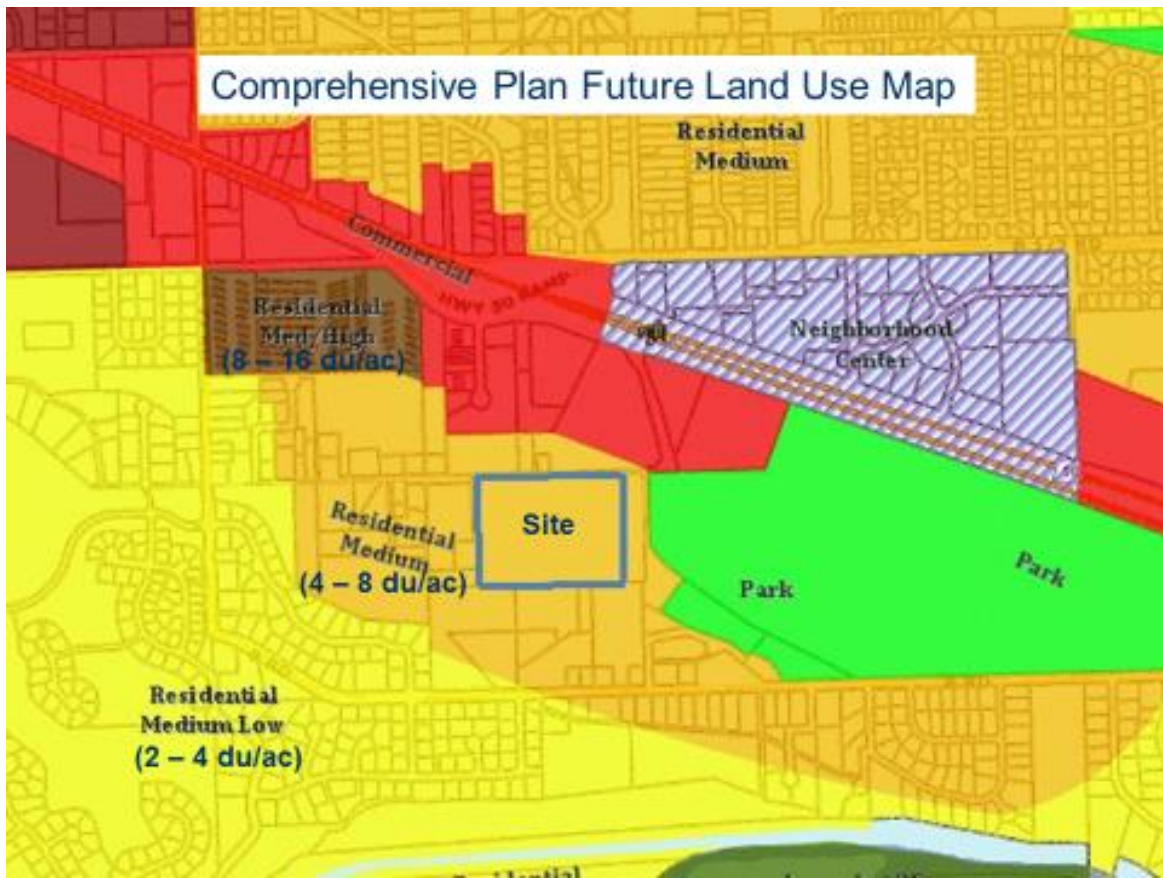


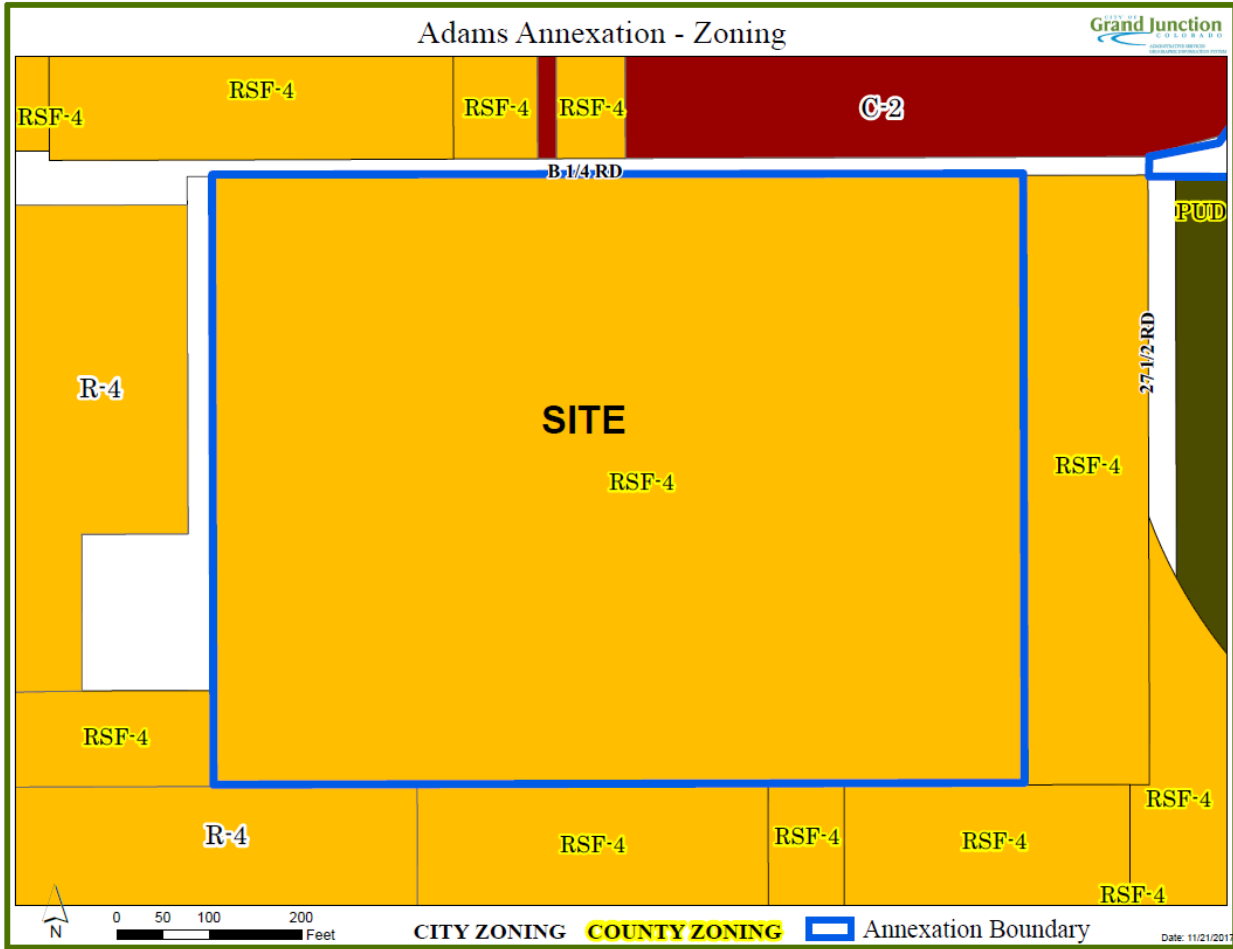
Proposed Zone of Annexation does not include adjacent right-of-way, property only.



Proposed Zone of Annexation does not include adjacent right-of-way, property only.

Comprehensive Plan Future Land Use Map





Proposed Zone of Annexation does not include adjacent right-of-way, property only.



View of Property Looking West

Scott Peterson

From: Rachael Reed <rachael.reed@live.com>
Sent: Monday, October 02, 2017 12:27 PM
To: Scott Peterson
Subject: Adams annexation ANX-2017-451

Good Afternoon Scott,

We have received the notice regarding the annexation of Paul Adams property into the city. As direct neighbors of this annex we would like to express our concerns with changing the zoning to a potential R-8. At 8 houses per acre that would likely mean multi family units, which would no doubt create an increase in crime and stress on the infrastructure here. We, along with our two neighbors (2729 and 2733 B 1/4) who reside on our private road directly adjacent to the property would be negatively impacted by this development.

Every property around the annexation in question is zoned at R-4. It does not make sense to squeeze one parcel zoned at R-8 into a surrounding map of R-4 parcels.

While we understand we cannot stop the annexation or development process, we hope that you hear our concerns as neighbors who's lives will be directly negatively impacted by an R-8 zone change.

Thank you for your time and consideration,

Jesse and Rachael Reed
2731 B 1/4 Rd
(Neighbors Merl Thomas and Christy Baker)
2729 B 1/4 Rd
2733 B 1/4 Rd

Sent from my iPhone

Scott Peterson

From: tony bates <tonybates@animas.net>
Sent: Wednesday, January 10, 2018 1:40 PM
To: Scott Peterson
Subject: ANX-2017-451 Adams Annexation

1-10-18

Mr. Scott Peterson
Senior Planner
City of Grand Junction, Colorado

Re: ANX-2017-451 – Adams annexation – Adjacent to B ¼ Road

Dear Mr. Peterson,

We own two parcels (2945-253-00-109 and 2945-253-00-066) just south of property proposed for annexation and zoning.

We reviewed the zoning of the properties adjacent to the property proposed for annexation and south of B ¼ Road. Two of the properties have been annexed into the city and are zoned R-4. The remainder are still in the county and are zoned RSF-4.

Because the request to rezone to property to R-8 is not consistent with the zoning that already exists on city and county parcels that are adjacent to the property, we request that should the property be annexed it be zoned R-4.

Sincerely,

Tony Bates
Sharon Weidner
2736 B Rd.
Grand Junction, CO 81503

Scott Peterson

From: anthombsn <anthombsn@gmail.com>
Sent: Monday, January 22, 2018 12:14 PM
To: Scott Peterson
Subject: Rezoning of Paul Adam's 27 1/2 rd pasture

Good afternoon,

My name is Ashley Thomas. I live with my grandfather Murl Thomas at 2733 B 1/4 Road, adjacent to the pasture which Paul Adam is requesting be annexed to the city and rezoned R8. I am unfortunately unable to attend the meeting being held [tomorrow](#) to discuss this matter, as I am working, thus I am emailing you [today](#) to express mine and my grandfather's concern about the current proposal to rezone for R8. My grandfather has lived at this location for nearly 50 years - he bought this house in 1973 - my grandmother passed away in this house and my grandfather hopes to do the same. We are heartbroken to think the land in front of our house would ever be sold and developed, but we are especially concerned to think it would be developed to R8 standards. My grandfather and I strongly believe that R8 density housing would be detrimental to this area and while we know that we can not stop the land from being rezoned, we hope you will consider rezoning the pasture smaller, such as R4 or less. Not only do we believe R8 rezoning would harm property value for those of us living here, but we also believe that future developments would put a stress on our collective community, including noise and congestion of not only people, but traffic as well. B 1/4 Road is not currently up to the standards of providing safe and effect traffic control for a project that could bring a large influx of traffic. I have spoken with our neighbors, the Reeds and the Bakers, and we share these similar concerns. I appreciate you taking the time to allow us to voice concerns and for taking them into consideration.

Regards,

Ashley and Murl Thomas
[970-773-0287](tel:970-773-0287)

Sent from my Verizon, Samsung Galaxy smartphone

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A PETITION
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
MAKING CERTAIN FINDINGS,
AND DETERMINING THAT PROPERTY KNOWN AS THE
ADAMS ANNEXATION, LOCATED SOUTH OF B ¼ ROAD
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 3rd day of January, 2018, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

ADAMS ANNEXATION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the SE 1/4 SW 1/4 of said Section 25 and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears N 89°55'07" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°55'07" W, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 132.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°01'59" E along a line 132.00 feet West of and parallel with, the East line of the SE 1/4 SW 1/4 of said Section 25, a distance of 659.77 feet; thence S 89°56'43" W along the South line of the N-1/2 of the SE 1/4 SW 1/4 of said Section 25, a distance of 879.15 feet; thence N 00°06'18" W along a line 310.00 feet East of and parallel with, the West line of the SE 1/4 SW 1/4 of said Section 25, a distance of 639.35 feet; thence N 89°55'07" E along the South line of Anson Annexation No's 2 and 3, Ordinance No's 3765 and 3766, as recorded in Book 3905, Pages 258 thru 263, inclusive, being a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 346.09 feet; thence N 00°04'53" W, a distance of 20.00 feet; thence N 89°55'07" E, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 533.88 feet, more or less, to the Point of Beginning.

CONTAINING 573,208 Square Feet or 13.159 Acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of February, 2018; and

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

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

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

ADOPTED the _____ day of _____, 2018.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

ADAMS ANNEXATION

**APPROXIMATELY 13.159 ACRES
LOCATED SOUTH OF B 1/4 ROAD**

WHEREAS, on the 3rd day of January, 2018, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of February, 2018; and

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

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

That the property situate in Mesa County, Colorado, and described to wit:

ADAMS ANNEXATION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the SE 1/4 SW 1/4 of said Section 25 and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears N 89°55'07" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°55'07" W, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 132.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°01'59" E along a line 132.00 feet West of and parallel with, the East line of the SE 1/4 SW 1/4 of said Section 25, a distance of 659.77 feet; thence S 89°56'43" W along the South line of the N-1/2 of the SE 1/4 SW 1/4 of said Section 25, a distance of 879.15 feet; thence N 00°06'18" W along a line 310.00 feet East of and parallel with, the West line of the SE 1/4 SW 1/4 of said Section 25, a distance of 639.35 feet; thence N

89°55'07" E along the South line of Anson Annexation No's 2 and 3, Ordinance No's 3765 and 3766, as recorded in Book 3905, Pages 258 thru 263, inclusive, being a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 346.09 feet; thence N 00°04'53" W, a distance of 20.00 feet; thence N 89°55'07" E, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 533.88 feet, more or less, to the Point of Beginning.

CONTAINING 573,208 Square Feet or 13.159 Acres, more or less, as described.

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

INTRODUCED on first reading on the 3rd day of January, 2018 and ordered published in pamphlet form.

ADOPTED on second reading the _____ day of _____, 2018 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

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

LOCATED SOUTH OF B 1/4 ROAD

Recitals

The property owner has requested annexation into the City limits in order to market and sell the 13.159 +/- acre Unplatted property in anticipation of future residential subdivision development.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Adams Annexation to the R-8 (Residential – 8 du/ac) zone district, finding that it conforms with the designation of Residential Medium (4 – 8 du/ac) as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-8 (Residential – 8 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 be zoned R-8 (Residential – 8 du/ac).

ADAMS ANNEXATION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the SE 1/4 SW 1/4 of said Section 25 and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears N 89°55'07" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°55'07" W, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 132.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°01'59" E along a line 132.00 feet West of and parallel with, the East line

of the SE 1/4 SW 1/4 of said Section 25, a distance of 659.77 feet; thence S 89°56'43" W along the South line of the N-1/2 of the SE 1/4 SW 1/4 of said Section 25, a distance of 879.15 feet; thence N 00°06'18" W along a line 310.00 feet East of and parallel with, the West line of the SE 1/4 SW 1/4 of said Section 25, a distance of 639.35 feet; thence N 89°55'07" E along the South line of Anson Annexation No's 2 and 3, Ordinance No's 3765 and 3766, as recorded in Book 3905, Pages 258 thru 263, inclusive, being a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 346.09 feet; thence N 00°04'53" W, a distance of 20.00 feet; thence N 89°55'07" E, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 533.88 feet, more or less, to the Point of Beginning.

CONTAINING 573,208 Square Feet or 13.159 Acres, more or less, as described.

INTRODUCED on first reading this 7th day of February, 2018 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2018 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk



Grand Junction City Council

Regular Session

Item #3.b.iii.

Meeting Date: February 21, 2018

Presented By: Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

An Ordinance Vacating a Portion of the Cannell Avenue Right-of-Way South of Orchard Avenue

RECOMMENDATION:

Planning Commission heard this item at the January 23, 2018 meeting and forwarded a recommendation of approval to City Council.

EXECUTIVE SUMMARY:

Colorado Mesa University (CMU) is requesting to vacate the remaining portion of the Cannell Street right-of-way (ROW) directly south of Orchard Avenue, consisting of 109 linear feet by 60 feet wide, to allow for the future north and westward expansion of the CMU campus. CMU owns the adjacent properties, as well as properties to the south where the Cannell Street ROW was vacated in 2015. The vacated ROW will be subject to the terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus. Private easement for Xcel Energy's utilities will be provided and access to privately owned properties north of Hall Avenue and east of N. 8th Street via the alley will be maintained. This section of ROW falls outside of CMU's Institutional and Civic Master Plan, therefore the vacation request is not subject to an administrative review and must proceed through the codified process for right of way vacation requests.

BACKGROUND OR DETAILED INFORMATION:

As Colorado Mesa University (CMU) has acquired properties for campus expansion, requests for right-of-way (ROW) vacations have been made to consolidate CMU's s

ownership. In June of 2017, the City approved an Institutional and Civic Master Plan for Colorado Mesa University and an administrative process for future vacations of ROW interior to the campus once certain conditions were met. However, the proposed boundary of the Master Plan and administrative review process does not include this portion of the Cannell Street ROW; therefore, this specific request is required to follow the codified process for the vacation of a right of way, including review and recommendation by Planning Commission and final decision by City Council.

The Cannell Street ROW to the south of the requested vacation was previously vacated in 2015, along with a portion of the east end of Hall Avenue and the alleys to the north and south of Hall Avenue. This request completes the vacation of Cannell Street to Orchard Avenue. No privately held parcels will be landlocked as a result of the requested vacation. All properties abutting the proposed vacation are under the control of CMU and the private parcels to the west of the proposed vacation front on Orchard Avenue.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on September 12, 2017 consistent with the requirements of Section 21.02.080(e). Twenty neighbors attended the meeting along with the Applicant. The Applicant provided an update on various campus projects, including the proposal to vacate the portion of the Cannell Street Right-of-Way south of Orchard Avenue. Area residents did not voice any concerns regarding the proposed ROW vacation. To date, the City has received three phone calls inquiring about the request to vacate of this portion of Cannell Street.

Notice was completed consistent to the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. Mailed notice of the public hearing in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 12, 2018. The subject property was posted with an application sign on December 15, 2017 and notice of the public hearing was published on January 16, 2018 in the Grand Junction Sentinel.

ANALYSIS

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

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

The vacation of this segment of the Cannell Street right-of-way will allow for the consolidation of CMU properties for future development. This does not impact the Grand Valley Circulation Plan and is consistent with the Comprehensive Plan by supporting the University's facilities and building expansion projects, thereby enhancing

a healthy, diverse economy and improving the City as a regional center of commerce, culture and tourism. Therefore, staff believes this criterion has been met.

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

No privately held parcels will be landlocked as a result of the requested vacation. All properties abutting the proposed vacation are under the control of CMU and the private parcels to the west of the proposed vacation front on Orchard Avenue. Therefore, staff finds 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.

Access will not be restricted to any privately held parcel. All properties abutting the proposed vacation are under the control of CMU. However, reasonable access to the remaining east-west alley south of Orchard Avenue must be maintained for the private property owners. Therefore, with the recommended condition to provide reasonable access to the alley, staff finds this criterion has been met.

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).

The Grand Junction Fire Department and Police Department expressed no objections to the request. As previously agreed, it is expected that CMU must provide for general circulation and emergency access as needed. The vacated ROW will also be subject to the terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus, and necessary easements for Xcel Energy shall be provided. Therefore, with the recommended condition to provide necessary easements for Xcel Energy, staff finds that this criterion has been met.

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.

The Grand Junction Fire Department and Police Department expressed no objections to the request. All City utilities are subject to the terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus and necessary easements will be granted to Xcel Energy. As such, staff finds this criterion has been met.

f. The proposal shall provide benefits to the City such as reduced maintenance

requirements, improved traffic circulation, etc.

Maintenance requirements for the City will be reduced as a result of the street right-of-way vacation. The vacated right-of-way will be incorporated into the overall CMU campus expansion and will be included within their ownership. As such, staff finds this criterion has been met.

FISCAL IMPACT:

Values of the real property associated with right-of-way differ depending on the current market and the area of the City. Staff's experience is that they can range from \$2 to \$6 per square foot. This right-of-way totals 6,540 square feet.

Maintenance requirements for the City will be reduced as a result of the street right-of-way vacation.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4789, an Ordinance vacating a portion of the Cannell Avenue Right-of-Way south of Orchard Avenue on final passage and order final publication in pamphlet form.

Attachments

1. Site Maps
2. Applicant General Project Report
3. CMU Civic and Institutional Master Plan
4. Utilities Easement and Maintenance Agreement
5. Ordinance

Site Location Map



Proposed Cannell Street Vacation



GENERAL PROJECT REPORT FOR:

VACATION APPLICATION

CANNELL AVENUE SOUTH OF
ORCHARD AVENUE

GRAND JUNCTION, COLORADO
November, 2017

**PART A
REQUEST**

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LOCATION MAP	1
REQUEST	2
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LAND USE ZONING	2
LAND USE ZONING MAP	2
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LAND USE MAP	

**PART B
EVALUATION OF THE REQUEST**

	PAGE
VACATION APPROVAL CRITERIA	4 & 5

PREPARED FOR:
COLORADO MESA UNIVERSITY
1100 NORTH AVENUE
GRAND JUNCTION, CO 81501

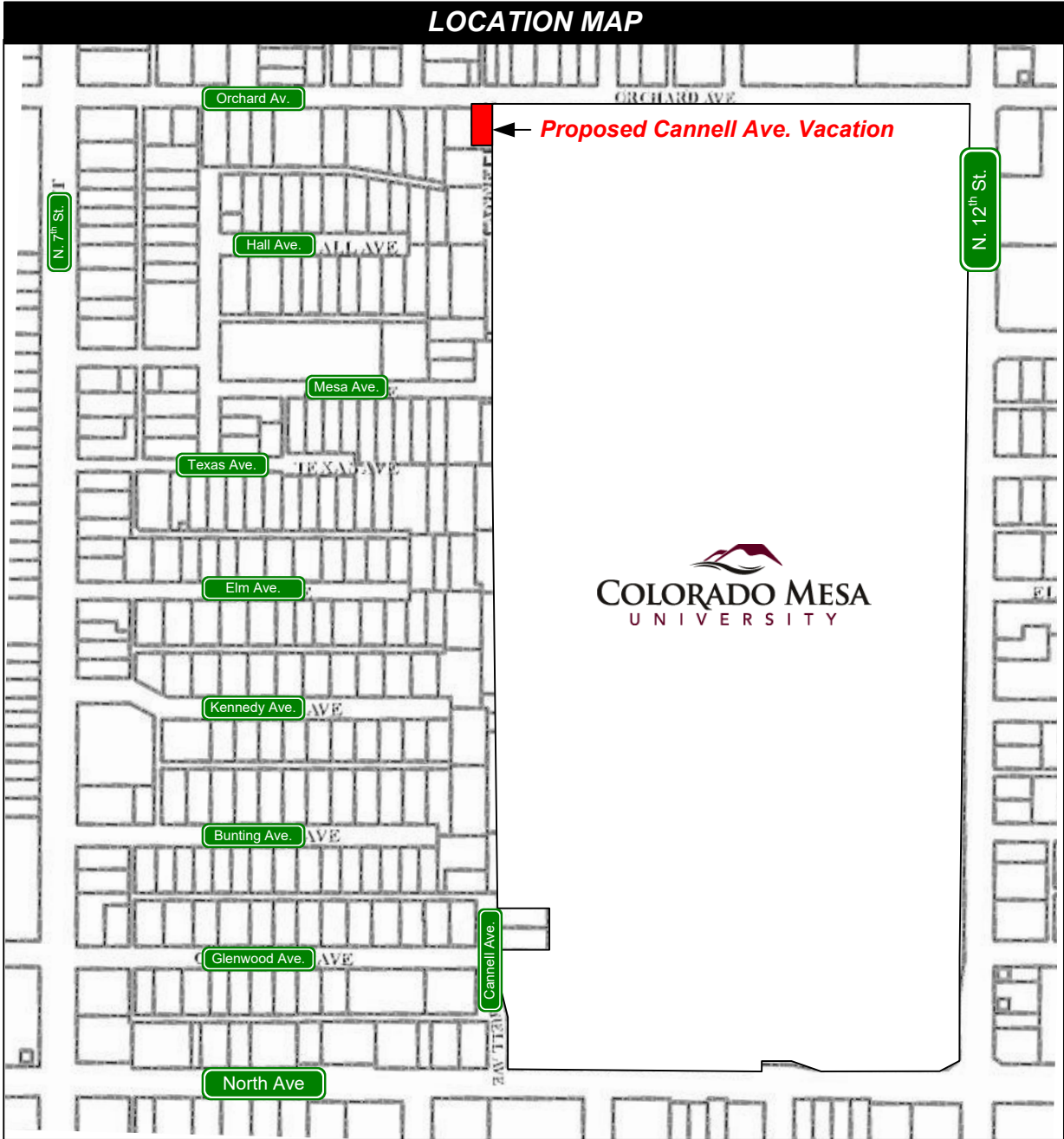
This application is a request to vacate 109 centerline feet of a 60 foot wide Cannell Avenue south of Orchard Avenue comprising approximately 6,540 square feet. The land adjoining the requested vacated area is under the control of Colorado Mesa University (CMU). Vacation of the streets and alleys will permit the future westward expansion efforts planned for the CMU campus.

The following are justifies for the vacation of the right-of-way:

- ✓ Reduced public alley maintenance costs.
- ✓ Allow CMU to carry on with the implementation of their facilities master plan.
- ✓ An increase in economic construction activity in the community.
- ✓ The request meets all of the approval criteria contained within the development code for vacation requests.

SITE LOCATION DATA

Common Location North 109 feet of Cannell Avenue South of Orchard Avenue
Aliquot Section: NE ¼ Section 11, Township 1 South, Range 1 East, Ute Meridian
Latitude and Longitude: 39° 05' 03", -108° 33' 25"



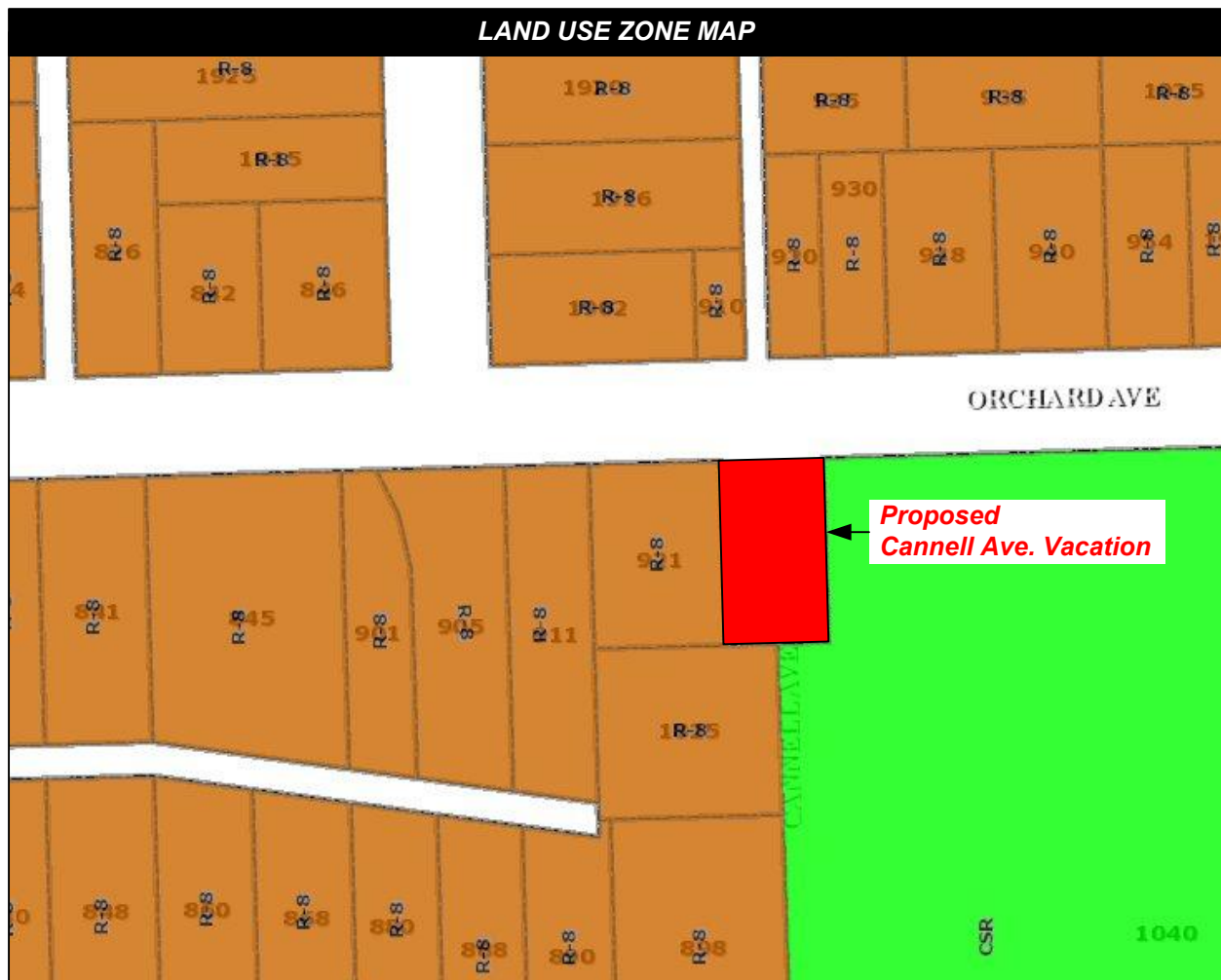
REQUEST - This application is a request to vacate 109 centerline feet of a 60 foot wide Cannell Avenue south of Orchard Avenue comprising approximately 6,540 square feet.

The land adjoining the requested vacated areas is under the control of Colorado Mesa University (CMU). Vacation of the alley will permit the future westward expansion efforts planned for the CMU campus.

The requested vacated areas will not impede access to any property not currently owned by CMU. Drawings contained herein, illustrates the relationship of the proposed right-of-way vacation to the universities current land ownership and the existing land uses adjoining the proposed street and alley vacations.

ACCESS AND TRAFFIC CIRCULATION - The *Grand Valley Circulation Plan* establishes functional road classifications and a conceptual local street network plan. According to the plan, Cannell Avenue is classified as a "local" street. Other nearby streets is Orchard Avenue, and North 7th Street which are classified as a "minor arterials".

LAND USE ZONING - An examination of the Grand Junction Zoning Map reveals that the property adjacent to the vacated area is zoned: R-8, (Residential Multi Family). A patchwork of "CSR" (Community Services Recreational) zone designation for the main CMU campus can be found east of the subject vacated areas.



SURROUNDING LAND USE – The surrounding land uses in the vicinity of the proposed street and alley vacations are considered to be “medium” intensity. The area is dominated by the main CMU campus. There are no business/commercial uses nearby. Most the land west of the subject vacated area, not owned by CMU, are single family dwellings on small lots. The majority property owned by CMU is currently used as interim parking areas that were previously occupied by single family dwellings. The following Existing and Surrounding Land Use Map portrays the properties owned by CMU and land uses in the vicinity of the requested vacated alley and street:

SURROUNDING LAND USE MAP (2016 Air Photo)



P Campus Parking

 Property Owned by CMU



SCALE: 1 in. = 100 ft.

SURROUNDING LAND USE MAP (2016 Air Photo)



P Campus Parking

 Property Owned by CMU



SCALE: 1 in. = 100 ft.

Evaluation of the **Vacation Request** is accomplished by using the six approval criteria for “Vacations of Rights-of-Way or Easements” in section 21.02.100 of the *Grand Junction Municipal Code*. The following response to each of the criteria illustrates compliance:

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

Criteria 1: The Growth Plan, major street plan and other adopted plans and policies of the City;

RESPONSE: According to the major street plan the subject street is classified as a: local streets. The street plan does not include any specific requirement for the subject street and are not included in any other known adopted plans and policies. Vacation of the requested right-of-way will allow conformance with the following statements contained with the Comprehensive Plan:

Higher education is a key component of Grand Junction's status as a Regional Center. CMU helps train workers for local employment, attracts students that contribute to the local economy, is a significant employer in its own right, and brings recreational and cultural activities that appeal to the whole community.

Yearly growth of the facility has recently been between 2 — 5 %. There is a need to triple the number of dormitory beds, to 3,000. A Master Plan for expansion includes locations of future buildings and facilities.

The CMU Special Use Overlay is intended to allow adequate space around the college to accommodate school facility expansion as well as associated businesses (book stores, retail establishments, offices, etc., restaurants and residential uses.

Criteria 2: No parcel shall be landlocked as a result of the vacation;

RESPONSE: No parcels of land not under the control of CMU will be landlocked as a result of the proposed vacation.

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

RESPONSE: Access to parcels not owned by CMU will not be restricted as a result of the requested right-of-way vacation because of proposed existing and future drive lanes within campus parking areas.

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

RESPONSE: During the interim period of time between the vacation of the subject alley and the actual redevelopment of the adjoining properties existing traffic circulation patterns and accessibility to services will not substantially change.

Criteria 5: The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06;

RESPONSE: All necessary public facilities exist, or can be up-graded once the vacation of the right-of-way has occurred. New easements can be dedicated to the various utility providers in order that they can continue to operate and maintain their facilities until redevelopment of the surrounding properties occur.

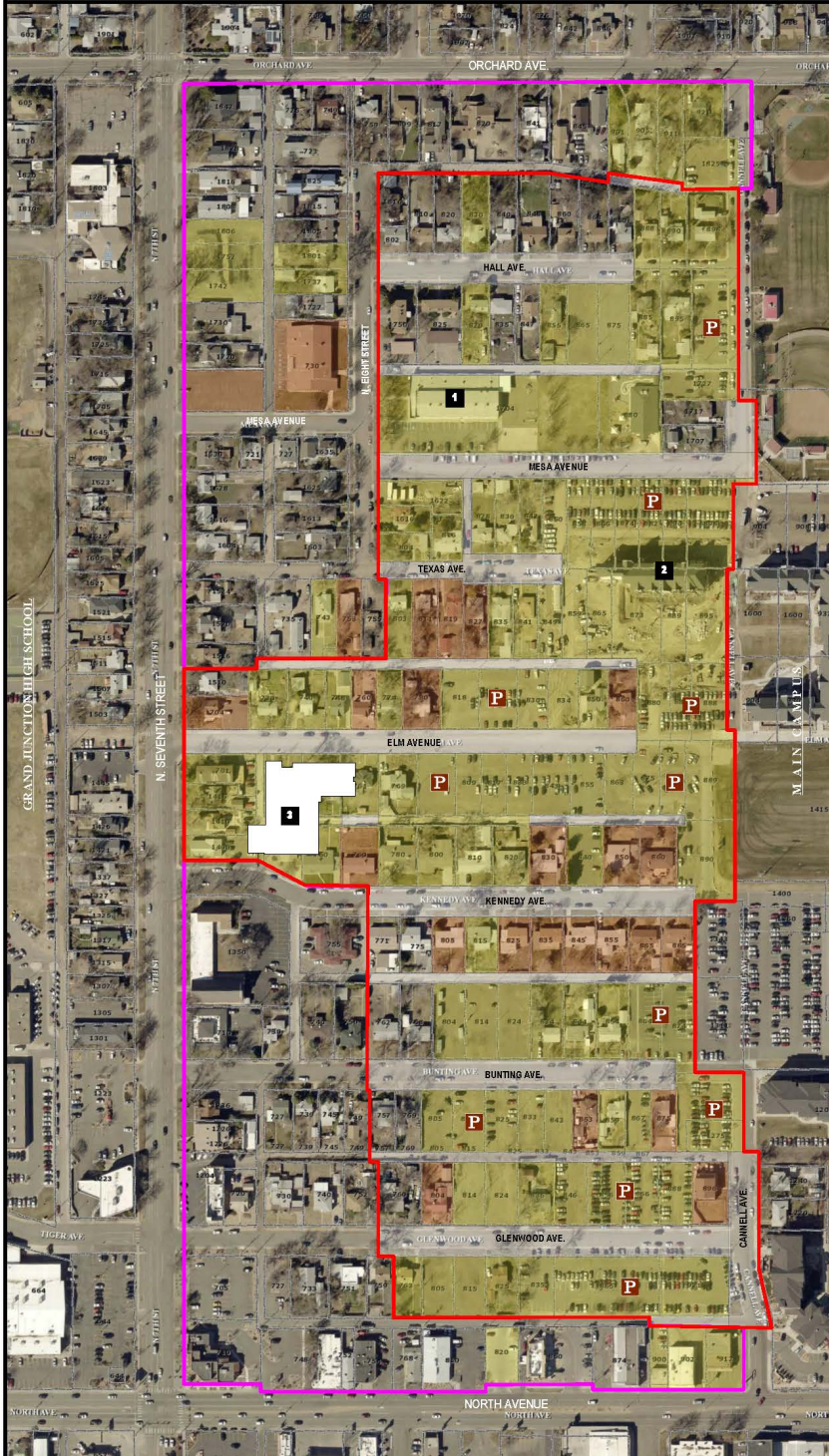
Criteria 6: The proposal shall provide benefits to the City such as reduced maintenance requirement, improved traffic circulation, etc.

RESPONSE: Following are benefits to the community that will occur once the subject right-of-way vacations are granted:

- ✓ Reduced public street and alley maintenance costs.
- ✓ Allow CMU to carry on with the implementation of their facilities master plan.
- ✓ An increase in economic construction activity in the community.

Exhibit 3

COLORADO MESA UNIVERSITY 2017 WEST CAMPUS MASTER PLAN



- 2017 Master Plan Boundary
- Future Master Plan (amendments) Boundary
- Property Owned by CMC
- Short Term Property Acquisitions by CMU
- Existing Street and Alley To Be Vacated
- P Parking (Subject to Future Change)
- 1 Relocated Development Center (Under Construction)
- 2 Wing Hall
- 3 Engineering Building (Under Construction)

2017 MASTER PLAN LAND USE SUMMARY		
LAND USE	AREA ^a (ac)	% of TOTAL
Property Owned by CMC ¹	22.6	57.3
Short Term Property Acquisitions ¹	3.8	9.6
Existing Street & Alley To Be Vacated	7.6	19.2
Property Not Owned by CMC ¹	5.5	13.9
2017 Master Plan Boundary	39.5	100.0
Future Master Plan Area	23.9	

¹ Does include 2.8 ac. in Future Master Plan Area
^a Approximate Area Calculation

Exhibit 4

COLORADO MESA UNIVERSITY AND CITY OF GRAND JUNCTION UTILITY EASEMENT AND MAINTENANCE
AGREEMENT-CMU MAIN CAMPUS

This Agreement is made by and between the City of Grand Junction, a Colorado home rule city ("City"), and the Board of Trustees of Colorado Mesa University ("CMU"), and is effective as of the date that both parties have signed below.

1. CMU, as the owner of the property described on Exhibit B, hereby grants to the City as the owner and service provider of the Wet Utilities serving the property shown on Exhibit B, a perpetual and non-exclusive easement to be used by the City to access, operate, maintain, improve, repair and replace as necessary the Wet Utilities serving the property shown on Exhibit B in accordance with City standards.
2. The City agrees that it will continue to own, operate, maintain, improve, repair and replace as needed the main and trunk lines as described in recital C above, that serve the property shown on Exhibit B now and as it is planned to exist in the future except as the deviation procedure in paragraph 4 below applies.
3. While the City standards ordinarily require unobstructed ten-foot-wide access on either side of the centerline of Wet Utilities, the City recognizes that doing so within the campus may unduly limit the ability of CMU to make the most efficient use of its limited area and lands. Thus, the City agrees to accept existing accesses to existing Wet Utilities, so long as at least ten feet of unobstructed access is provided, centered over the Wet Utility in question.
4. CMU shall deliver its construction plans to the City with respect to Wet Utilities so that the City has an opportunity to improve the efficiency and effectiveness of Wet Utility service line that will serve the campus both now and in the future. When, CMU determines that one or more City standard(s) must be deviated from when constructing or locating Wet Utilities, CMU shall consult with the City's Engineers to obtain City approval of such deviation(s). If the City's Engineers do not approve such deviation(s), then CMU may request review of such denials by the City Director of Public Works and if said Director does not approve such deviation(s) then CMU may request the City Manager to review such denial and if said City Manager does not approve such deviation(s), and CMU elects to construct the deviations anyway CMU shall be responsible for maintenance, repair and replacement of such service, trunk or main line(s) for that segment or portion of the Wet Utilities that do not meet the City's specifications. Deviations that are approved shall be described in writing, typically including drawing(s) specifying the deviation(s).
5. For buildings and other improvements within the area described on Exhibit A, and for future easements for the campus as it will exist, CMU agrees to provide ready and safe access to the City for Wet Utilities.
6. In the event the City concludes that it cannot reasonably obtain access to Wet Utilities because the CMU design access is too narrow, short or small, City Engineers will inform the City Director of Public Works who shall consult with the CMU consultant/engineer to determine a practical solution, on a case-by-case basis.
7. In any instance where the wet utilities do not meet city standards and where the Campus surface has been improved (e.g., sidewalks and landscaping), including within the area described in Exhibit A, if the City cannot reasonably obtain access to or perform its necessary maintenance,

improvement, repairs or replacement to Wet Utilities owned by the City, the City shall inform CMU which shall perform the needed maintenance, improvement, repair or replacement; however, in an emergency, the City may damage or remove such surface improvements without notice to CMU and in such event, the City shall not be obligated to replace the improved surface of the damaged area to its prior condition, but shall return the surface to a substantially equivalent of grade and elevation.

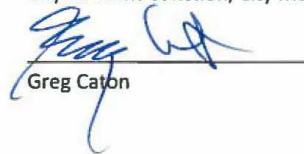
8. CMU shall pay for the costs to repair or replace any improvements damaged by the City as a result of the reasonable exercise of maintenance, repair or replacement of City Wet Utilities in locations where such Wet Utilities do not meet City standards.
9. Notwithstanding any provision of this Agreement to the contrary, CMU shall prohibit the construction of any structures on the Campus as it exists or will exist that are not at least ten feet at the centerline from any Wet Utilities existing as of the date of the Agreement.
10. The parties agree that the existing rights-of-way for Cannell and Elm and any existing multi-purpose easements ("MPE"s) shall be vacated, and title thereto shall vest in CMU, subject to reservation by the City of easements (the "Cannell and Elm Easements") for any such MPEs and for access for utilities. The legal description of the Cannell and Elm Easements that are being vacated shall be identical to the description of the vacated rights-of-way and any adjacent MPEs.
11. The City agrees that CMU shall have the right to install improvements such as fiber optic lines and related facilities within the Cannell and Elm Easements, subject to CMU's duty to abide by the law applicable to easements.
12. To facilitate the logical and efficient expansion of CMU on land presently owned or owned in the future either in the name of the CMU Real Estate Foundation or titled in the name of the State of Colorado for the benefit of CMU, or in the name of any entity controlled by the CMU Board of Trustees, this Agreement shall apply to all Wet Utilities serving the present and future CMU main campus.
13. The term of this Agreement shall be for a five year period and can be renewed for another five year term provided both parties are agree able. The term also provides for a two year review by both parties from the effective date of the agreement. This two year review will be an opportunity for the two parties to meet and assess how the agreement is working and make appropriate changes to the agreement as agreed upon by both parties.

Colorado Mesa University, President



By: Tim Foster

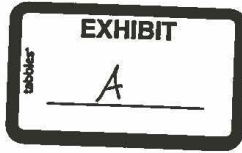
City of Grand Junction, City Manager



Greg Caton

Dated: 2-12-16

Dated: 9/12/2016



MESA STATE COLLEGE

PROGRAM PLAN
WEST EXPANSION PROPERTY ACQUISITION PROJECT

APRIL 8, 2011



C H A M B E R L I N
A R C H I T E C T S

CONTRIBUTORS

Mesa State College Board of Trustees:

Charlie Monfort, Chair
Kathleen Eck
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Mesa State College Foundation Officers

Doug May, President
Keith Gilstrap, Vice-President
Travis Perry, Secretary/Treasurer

PREFACE

The project described herein continues the activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and, beginning in 2004 with the approval of the “House Demolition and Ground Recovery Project” program plan, began gifting the properties to the College. Originally the 2004 program plan was expected to take 15 years to complete; however, with only five remaining properties to be acquired, it is approaching its successful completion in half the time. This coupled with the unprecedented enrollment growth that has occurred during this time period places the College in a position where it needs to proceed with phase two its land expansion plan. Approval of this program plan will authorize the Foundation to acquire the additional properties described herein.

Coordinators for this project were Pat Doyle, Vice President, Finance and Administrative Services, Derek Wagner, Director, Strategic Initiatives, Kent Marsh, Director of Facilities Services; and Andy Rodriguez, Director of Purchasing. Program plan documentation was accomplished by Ed Chamberlin, Chamberlin Architects, Campus Architect. This document has been approved by Tim Foster, President of Mesa State College, as well as by the senior administration of the College.

This document responds to the outline requirements of CCHE policy Section III.E, *Guidelines for Facilities Program Planning* last revised April 5, 2001. Some outline sections have been omitted because the project does not deal with new capital construction or building renovation.

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EXECUTIVE SUMMARY

It is the purpose of this project to consolidate activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and giving it to the College through Foundation, Trustee, Colorado Commission on Higher Education, and Legislative actions. The College now needs to be able to accept the gift of additionally acquired properties and to consolidate those and prior associated properties into useful capital construction expansion sites.

This project is necessitated by the continued growth of Mesa State College. In the past ten years, unduplicated fiscal year FTE has increased from 4302 to 6555 or 52.4%. Likewise, unduplicated fiscal year headcount has grown from 5212 to 8131 or 56.0%. These figures indicate a growth rate of almost 4.5% per year.

The specific additional property being considered by the College by its Foundation consists of 214 residential lots, 2 churches, and 21 commercial properties comprising a total of 77.3 acres. Other property that is being given to the College consists of city streets and alleys that will become within the College boundaries.

The land gifts are part of the Land Acquisition Project begun in 1999 with donations from the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals. The original acquisition project was identified in the 1999 *Mesa State College Facilities Master Plan*. This project will allow for the acceptance of gifted properties within specified boundaries which have yet to be acquired by the College, the Mesa State College Foundation, or through subsequent capital construction projects. The boundaries for the main campus will be North Avenue on the south, Orchard Avenue on the north, Seventh Street on the west, and with the addition of one block east of 12th Street, 12th Street on the east. There are also two other large tracts that, if they become available, will be valuable additions to the campus. These are at the northwest and southeast corners of 12th and Orchard.

Consolidation of the properties into useful sites will consist of demolition of the existing structures and surveying and replatting of the individual lots, streets, and alleys into one parcel that belongs to the College. Existing structures include those being donated to the College under this project as well as those yet to be acquired by the Foundation. The consolidated parcel will then be available for construction of temporary parking lots and green spaces, provide ongoing revenue sources and sites for significant campus expansion projects.

The project will be self-financed over time by the College through the use of cash exempt funds and donations. As those funds become available, parts of the project will be finished. No endowment is included with the gifted properties. It is understood that the College will maintain them within its own budgeted resources.

PROGRAM INFORMATION

DESCRIPTION OF THE PROGRAM

For the past several years, Mesa State College has been increasing its enrollment. In 1996, it was recognized that this enrollment growth would require additional land and facilities, placing its main campus in need of a significant boundary expansion. Since approval of the *Mesa State College Facilities Master Plan* in 1999, the Mesa State College Foundation with the help of the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals, has acquired several properties to help meet expansion needs. The Foundation has already gifted many of these to the college. The project described herein continues this gifting process that began in 2004. The project gives additional properties to the college in accordance with current and future facilities master plan needs.

HISTORY, ROLE AND MISSION, NEEDS AND TRENDS

Mesa State College's current role and mission:

There is hereby established a college at Grand Junction, to be known as Mesa state college, which shall be a general baccalaureate and specialized graduate institution with moderately selective admission standards. Mesa state college shall offer liberal arts and sciences, professional and technical degree programs and a limited number of graduate programs. Mesa state college shall also maintain a community college role and mission, including career and technical education programs. Mesa state college shall receive resident credit for two-year course offerings in its commission-approved service area. Mesa state college shall also serve as a regional education provider.¹

As regional education provider, Mesa State College serves 14 counties in western Colorado. The region's population continues to grow, providing the College with additional students every year. According to the State's Demographic Office, all of the counties in Mesa State's region have grown and will continue to grow.² (The period in question is from 2000 to 2040 for 15 to 25 year olds. These dates are the period analyzed for the *Mesa State College Facilities Master Plan*.) Historically, well over half of the College's enrollment comes from this region.³ However, recent enrollment growth from outside Mesa County and outside Colorado has been dramatic. Non-resident student FTE has grown from 438 to 614 since 2007 – a 40% increase confirming the College's need for additional land to support its mission.

¹ Colorado Revised Statutes 23-53-101, College Established – Role and Mission.

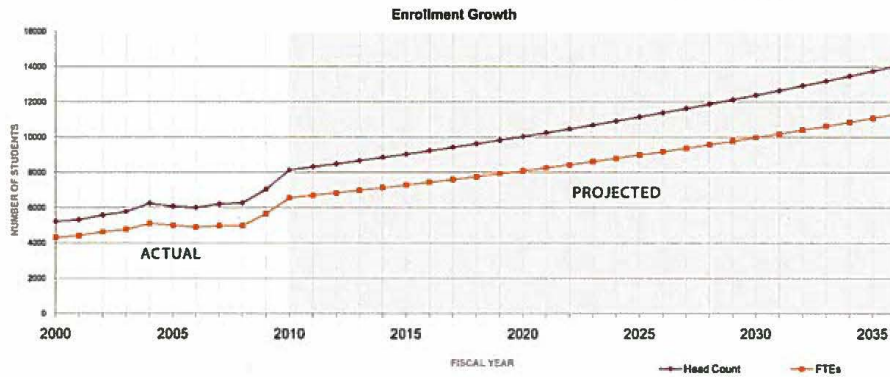
² Rather than reprint the demographic information within this document, the reader is referred to <http://dola.colorado.gov/demog/demog.cfm> for backup information from the Colorado Demography Office on the population trends for each county.

³ See Appendix A of this document for student demographic information.

RELATION TO ACADEMIC/STRATEGIC PLANS

Mesa State College anticipates continued enrollment growth. The *Mesa State College Strategic Plan*⁴ recognizes the need to balance sustainable growth with maintaining the institution's role as a regional education provider for 14 counties in western Colorado. With a focus on enhancing quality in the institution's programs, faculty, students, technology and facilities, sustainable enrollment growth is likely over the life of the plan. As financial support from the State of Colorado continues to dwindle, the institution is focused on strategic growth initiatives that enhance our competitiveness and strengthen our financial position.

The following graph presents enrollment growth, actual and projected, for the thirty-five year period from 2000 to 2035.



Using 2000 as the base year, the graph shows that for fiscal year 2010, the actual FTE of 6555 and actual headcount of 8131 represent a growth rate of over 2.1% and 4.5% respectively. The trend for both FTE and headcount is continued growth especially among out of town students who will need on-campus housing. The projection anticipates a growth rate of 2.125% per year.

The College is reevaluating its strategic planning documents in the light of the current economic climate in its current role and mission. However, it is known that, because of its designation as regional education provider for 14 counties, the College will need to be able to respond to the increasing educational needs of a growing western Colorado

⁴ <http://www.mesastate.edu/president/documents/StrategicPlan01-27-11.PDF>

population. It is anticipated that College growth and the subsequent need for additional land will continue.⁵

RELATION TO OTHER PROGRAMS OR AGENCIES

This program is integral to the college being able to fulfill its role and mission. Without the ability to expand the campus boundaries, the college will be limited in its ability to provide access to students outside of its immediate geographic location i.e. Mesa county. Having the capacity to continue to grow enrollment throughout Colorado and surrounding Western Undergraduate Exchange (WUE) states is key to the long term financial stability of the institution.

PROGRAM ALTERNATIVES

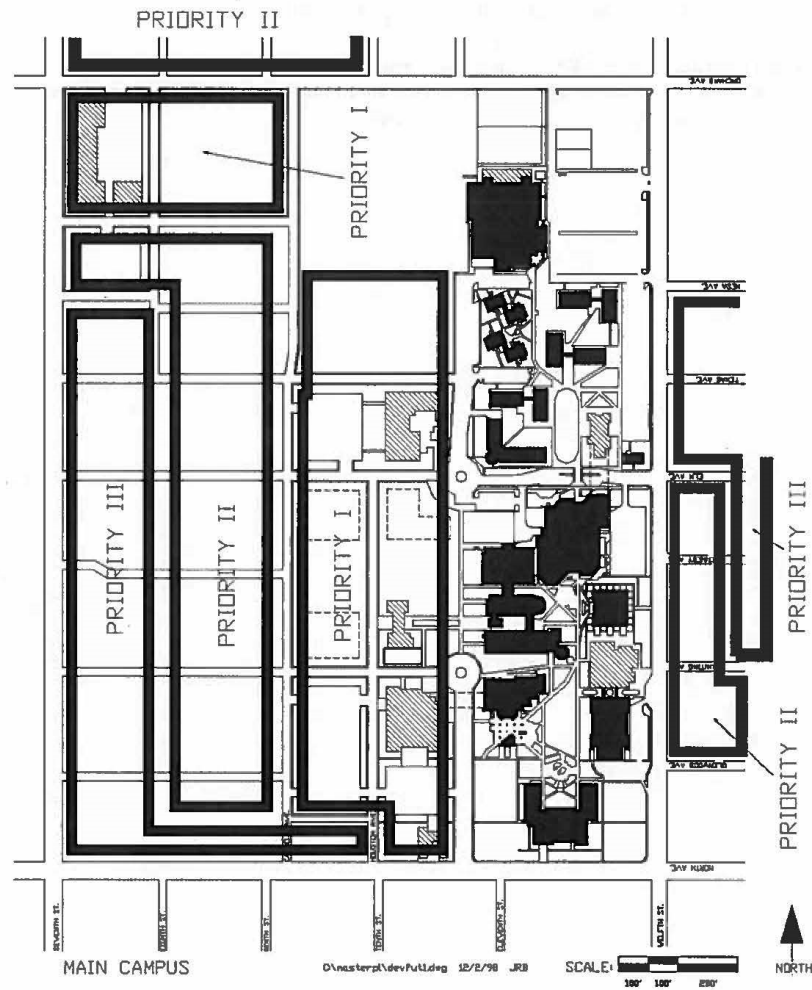
The only alternative to this project is to cap enrollment. This is not acceptable and contrary to the College's role and mission.

⁵ It should be noted that this Program Plan discusses only the needs of the main campus. Enrollment growth with subsequent land and facility needs are also anticipated for the UTEC and Montrose campuses.

FACILITIES NEEDS

TOTAL SPACE AND SITE REQUIREMENTS

Prior to the 2004 acquisition project, the main campus contained approximately 45 acres of land. The 1999 Facilities Master Plan identified several areas of potential expansion in accordance with the map shown below.⁶



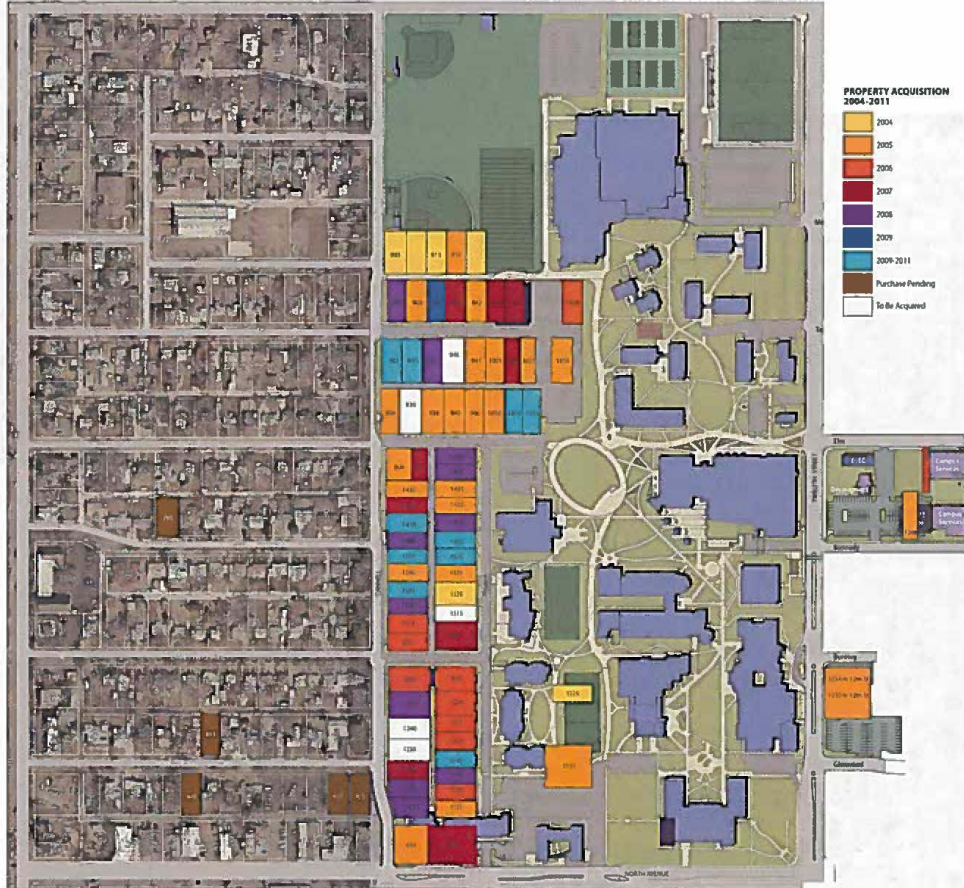
⁶ This map is a reprint of that in the 1999 *Mesa State College Facilities Master Plan*, page 113.

Mesa State College – Program Plan, West Expansion Property Acquisition Project

The background of this map shows concepts developed for the 1999 Facilities Master Plan. Several of the capital building projects indicated with diagonal lines on the map have already occurred.

The 2004 House Demolition & Ground Recovery project added most of the property between Cannell and Houston. All but 5 lots within this area have been acquired as shown on the inserted graphic titled Property Acquisitions 2004-2011.

The second inserted graphic titled Acquisition Priorities shows the new priority areas. Priority I areas are those the college is actively trying to purchase. Priority II areas are those the college will pursue if they become available.



ACQUISITION OF REAL PROPERTY

Appendix B includes a listing of properties under consideration by the College. The list indicates the street address and parcel number.

The property locations are shown by their street address number. Within the Priority I area there are 214 single family houses most of which were constructed in the 1950's and 1960's. Some are vacant while others are rentals. There are also 20 commercial and church properties.

Following discussion with the City of Grand Junction the streets and alleys will be vacated and deeded to the College in sections at different times where property ownership surrounding the various rights-of-way has been completed.

PROJECT DESCRIPTION

Improvements:

As stated, it is the intention of this phase of the land acquisition project to establish complete new boundaries for the main campus of Mesa State College. The western boundary from North Ave. to Orchard Ave. will move from Cannell Ave to Seventh Street. The southern boundary of North Ave. will not change. The eastern boundary of 12th Street will also not change except for the area bounded by Orchard Ave., 13th Street, and Glenwood Ave. The northern boundary may include the Community Hospital property if it becomes available.

Once acquired, it is the intention of the College to replat the land parcels into one parcel belonging to the College, remove structures, and to prepare the ground for construction of College related facilities, parking areas, and green space in accordance with the *Mesa State College Facilities Master Plan*.

The first part of this project will consolidate all properties between Cannell Street, North Avenue, Seventh Street and Orchard Avenue, and within the block shown east of 12th Street. The maps on the next several pages show the campus after completion of incremental consolidation work on a five year basis. Once all structures have been demolished, the lots, streets, and alleys will be surveyed and replatted to identify one parcel belonging to the College.

Initially, the area will become either green space or temporary parking. Green space work will consist of leveling the ground and providing dust and weed control. As more houses are removed and large areas become available, the area will be covered with grass and sprinklered. Lights and appropriate sidewalks will also be provided. Temporary parking work will consist of leveling the ground and providing a gravel surface with dust and weed control, parking bumpers, parking control equipment, and appropriate lighting. Mature trees in good condition will be flagged and protected during construction.

Mesa State College – Program Plan, West Expansion Property Acquisition Project

It will take a period of time to acquire all properties, remove all structures, and convert all areas to either parking or green space. All work under this program plan, whether designated as parking or green space, should be viewed as temporary, as all areas will serve as sites for future capital construction projects.⁷

The building areas, parking and land area requirements are based on projected enrollment by prorating approximate facilities in use today. A spreadsheet showing these projections follows.

Mesa State College													
Campus Expansion Projection											CHAMBERLIN ARCHITECTS		
April 7, 2011													
	2010-11 Factor			Growth	2015-16	Growth	2020-21	Growth	2025-26	Growth	2030-31	Growth	2035-36
Student Enrollment													
Main Campus only													
Headcount													
On Campus	1624	11%	5-year	180	1,804	200	2,004	222	2,226	247	2,473	274	2,747
Off Campus	6486	11%	5-year	719	7,205	799	8,004	887	8,891	966	9,877	1,095	10,972
Total	8,110			899	9,009	999	10,008	1,109	11,117	1,232	12,350	1,369	13,719
Buildings													
Main Campus only													
Academic	688,000	85 sf per Student		76,272	764,272	84,727	848,999	94,120	943,119	104,554	1,047,673	116,145	1,163,818
Residence Halls	402,500	62 sf per Student		44,621	447,121	49,568	496,689	55,063	551,752	61,167	612,919	67,948	680,867
Non-Academic	91,500	11 sf per Student		10,144	101,644	11,268	112,912	12,517	125,429	13,905	139,334	15,447	154,781
Total	1,182,000	158 per Student		131,037	1,313,037	145,563	1,458,600	161,700	1,620,300	178,626	1,799,927	199,540	1,999,466
Parking													
Main Campus only													
Residential	1,056	65%	On Campus	117	1,173	130	1,303	144	1,447	160	1,607	178	1,786
Commuter	1,881	29%	Off Campus	209	2,099	232	2,321	257	2,578	286	2,864	318	3,182
Reserved													
Total				326	3,262	362	3,624	402	4,025	446	4,472	496	4,967
Land Area													
Main Campus only													
Total SF	3,189,330			353,569	3,542,899	389,719	3,932,618	432,588	4,365,206	480,173	4,845,379	532,992	5,378,370
Acres	73			8	81	9	90	10	100	11	111	12	123

⁷ Program Plans for future capital construction projects within the revised boundary areas will be submitted to CCHE for consideration and approval.

Project Cost Estimate:

Each property will be independently appraised to determine a fair acquisition price. Based on the results of the 2004 House Demolition and Ground Recovery project, the average purchase price over the past seven years was \$180,000. However, with the housing market somewhat depressed this may be higher than what the market currently reflects but can serve as a conservative estimate. In the end, each house will be based on its unique characteristics. Total estimated average recovery costs per parcel:

Property Acquisition (projected average):	\$180,000
Testing, Abatement, Demolition	\$ 36,000
Temporary Parking Improvements	\$ 16,500
Planning and Approvals	\$ 500

PER RESIDENTIAL LOT TOTAL \$233,000

The initial consolidation work includes environmental assessments and removal of hazardous material in accordance with current laws and regulations. Acquisition will be accomplished by the College or the Mesa State College Foundation through donation, nonexempt funds, or through other capital construction projects.

Projected acquisition cost for the residential lots is based on the average of 17 recently purchased in the neighborhood. The projected acquisition cost for commercial property is an average of the values on a per acre basis considering comparable sales, lease rates and other factors. Projected testing, abatement, demolition, lighting, grading and gravel cost is based on the average of 67 lots recently completed.

Financial Analysis:

The project will be self-financed by the College through the use of cash exempt funds and donations. The Board of Trustees will be requested to authorize the transfer of funds to the Mesa State College Foundation for property acquisition identified in this program plan. This request will be part of the annual budget process. It should be noted that funds to accomplish the entire project are not currently available.

Project Schedule:

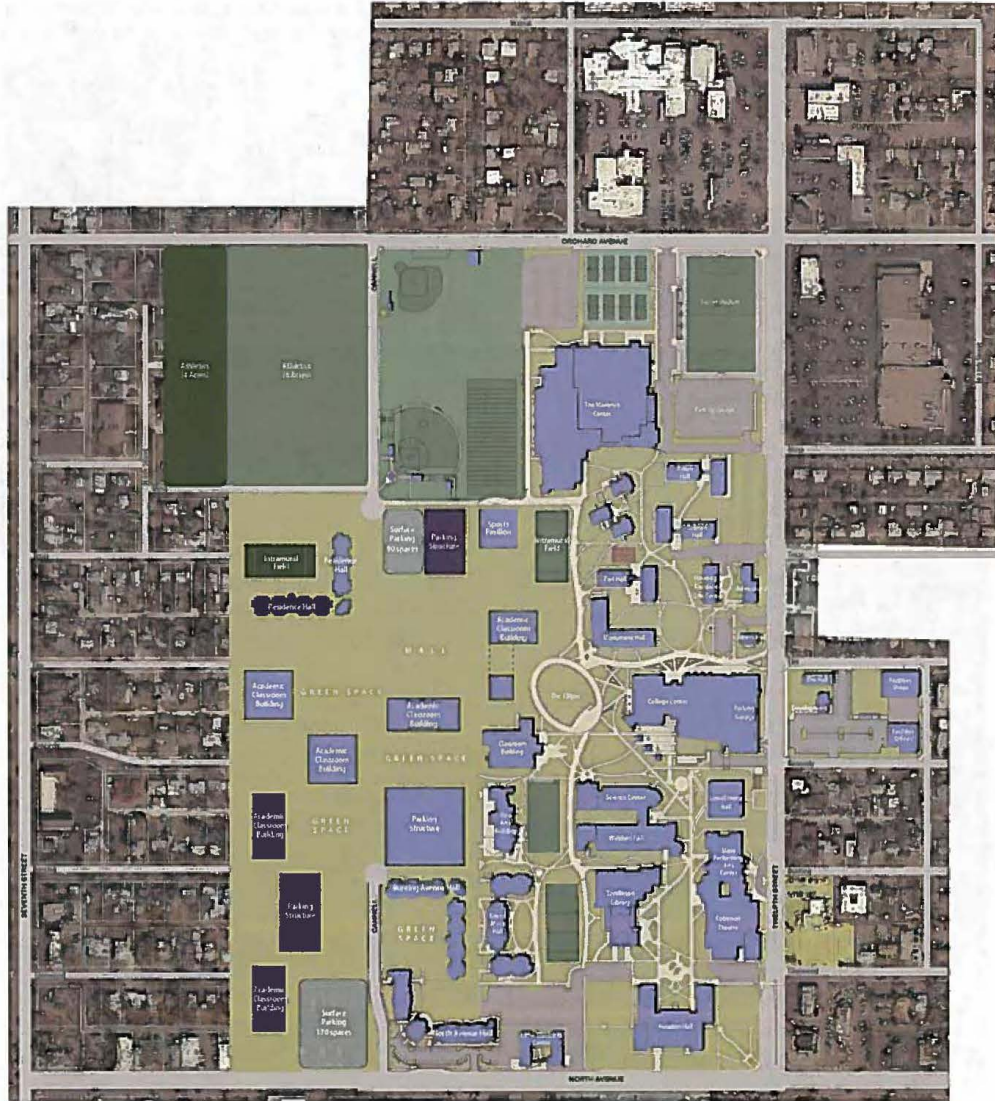
It is anticipated that the project will be completed incrementally over the next ten years. Parts of the project will be completed as money becomes available and as the final properties become available for acquisition. In addition, many of the properties will become rentals providing a revenue stream that can assist in the funding of the acquisition program.

RELATION TO THE MASTER PLAN / OTHER PROJECTS

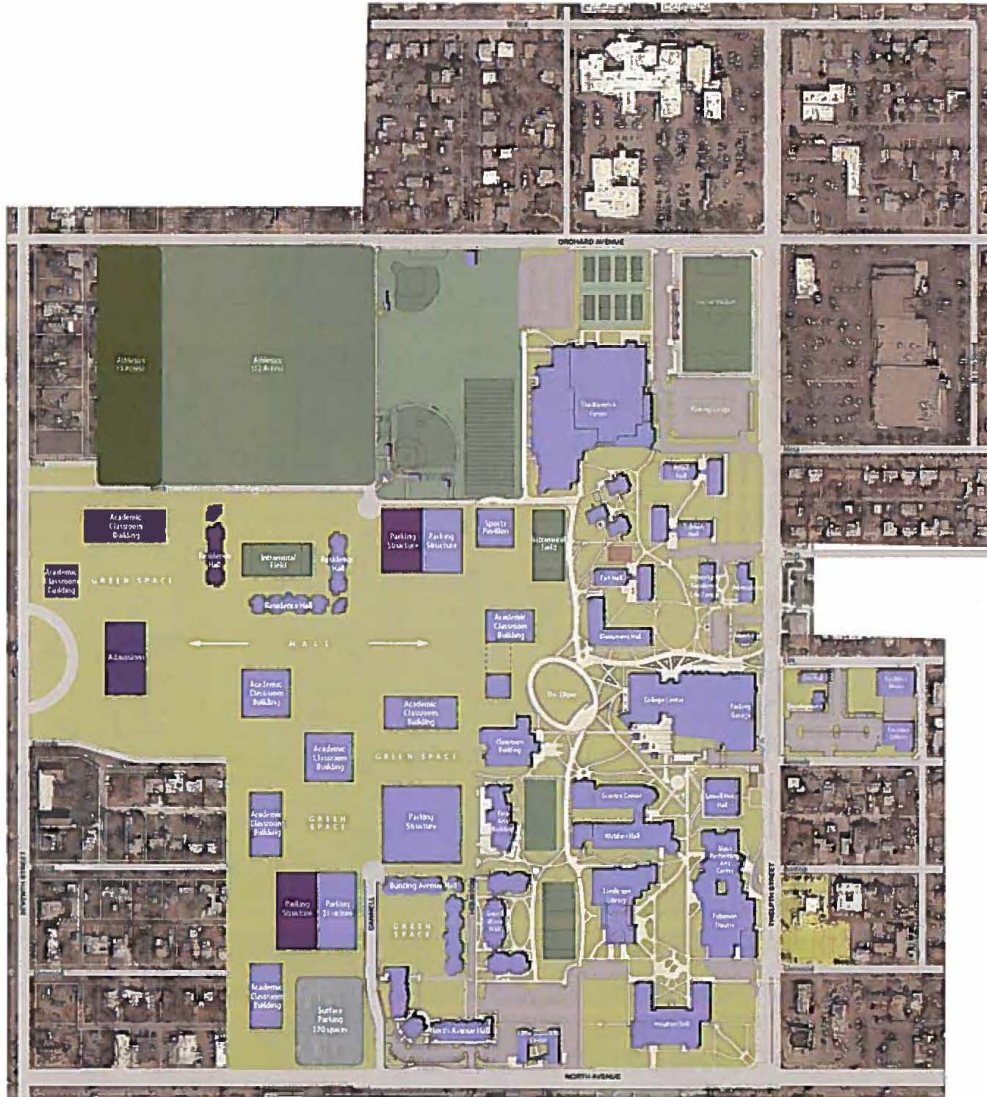
This project is part of “Project A1 – Land Acquisition, Main Campus” as described in the 1999 *Mesa State College Facilities Master Plan*, Volume 1, pages 114 – 116. In coordination with CCHE and the State of Colorado, Mesa State College has already accepted other properties under this project and will quite probably be working to accept additional properties as they become available within the priority areas established in this plan.



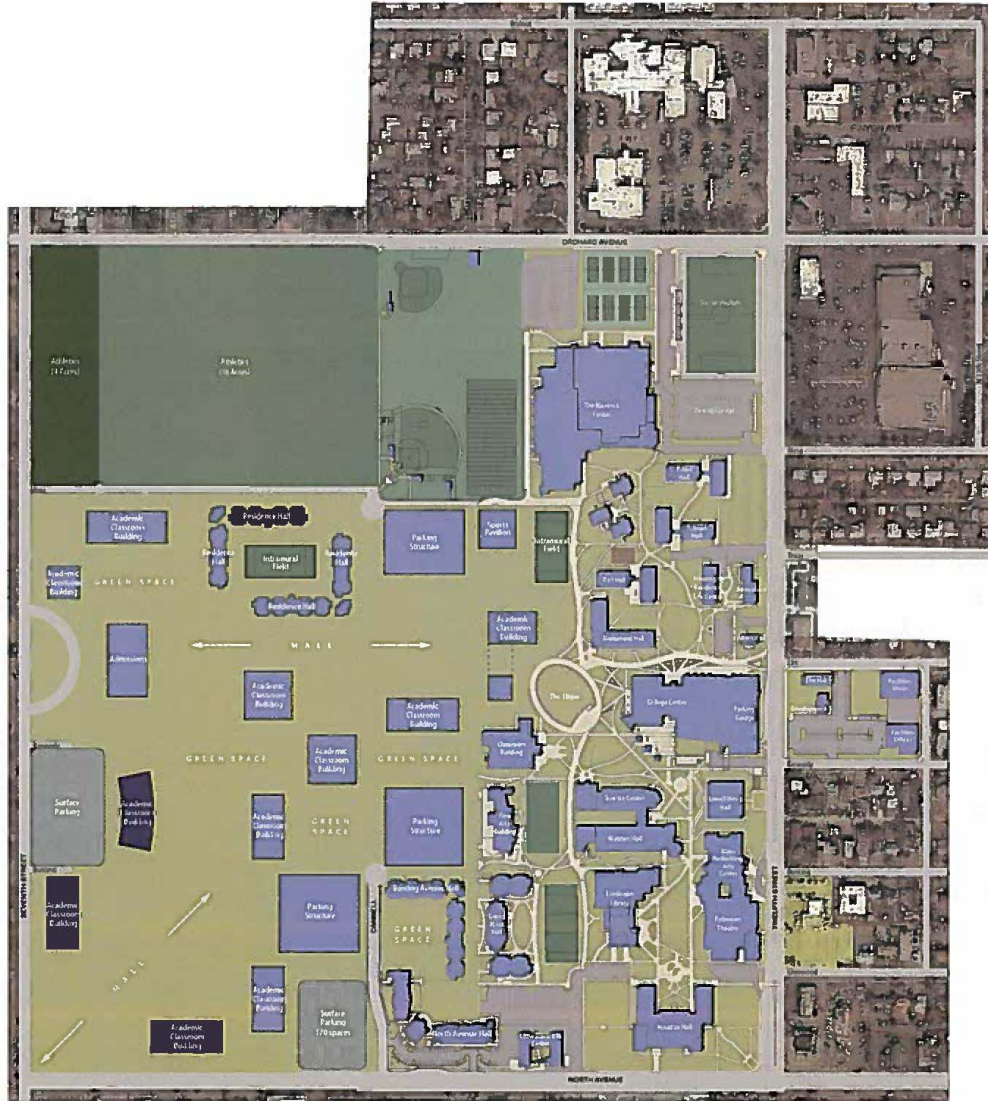
- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



- Building Future Consturction
- Sports Field Future construction
- Green Space
- Surface Parking



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking

**APPENDIX A
STUDENT DEMOGRAPHICS**

Actual Student and FTE Enrollment Data

<u>Year</u>	<u>Count</u>	<u>Head</u> <u>FTEs</u>
1997	4900	4135
1998	5042	4219
1999	4904	4096
2000	5212	4302
2001	5303	4405
2002	5572	4625
2003	5765	4751
2004	6235	5096
2005	6062	4992
2006	5994	4891
2007	6199	4961
2008	6261	4973
2009	7042	5661
2010	8131	6555

<u>Student</u> <u>Origin</u>	<u>Number of</u> <u>Students</u>	<u>Percent</u>
Mesa State's 14 County Region	5488	67.5%
All Other Colorado	1667	20.5%
Out of State	941	11.6%
International	35	0.4%
Total	8131	

**APPENDIX B
PROPERTY LISTING**

Number	PARCEL_NUM	LOCATION
1	2945-114-08-010	1825 CANNELL AVE
2	2945-114-11-008	850 TEXAS AVE
3	2945-114-08-023	1816 N 8TH ST
4	2945-114-10-009	1727 CANNELL AVE
5	2945-114-09-019	725 ORCHARD AVE
6	2945-114-10-012	1717 CANNELL AVE
7	2945-114-08-016	860 HALL AVE
8	2945-114-11-005	828 TEXAS AVE
9	2945-114-08-014	888 HALL AVE
10	2945-114-09-008	1720 N 7TH ST
11	2945-114-08-020	820 HALL AVE
12	2945-114-11-004	816 TEXAS AVE
13	2945-114-10-004	847 HALL AVE
14	2945-114-09-020	749 ORCHARD AVE
15	2945-114-09-006	1742 N 7TH ST
16	2945-114-09-018	1808 N 7TH ST
17	2945-114-09-014	1825 N 8TH ST
18	2945-114-09-007	1730 N 7TH ST
19	2945-114-08-021	810 HALL AVE
20	2945-114-10-011	1735 CANNELL AVE
21	2945-114-08-019	830 HALL AVE
22	2945-114-10-005	855 HALL AVE
23	2945-114-08-012	890 HALL AVE
24	2945-114-08-017	848 HALL AVE
25	2945-114-10-001	1750 N 8TH ST
26	2945-114-09-005	1752 N 7TH ST
27	2945-114-08-013	880 HALL AVE
28	2945-114-09-011	1801 N 8TH ST
29	2945-114-11-009	858 TEXAS AVE
30	2945-114-08-006	845 ORCHARD AVE
31	2945-114-09-010	1737 N 8TH ST
32	2945-114-10-007	875 HALL AVE
33	2945-114-11-010	866 TEXAS AVE
34	2945-114-09-002	1828 N 7TH ST
35	2945-114-09-951	730 MESA AVE
36	2945-114-08-015	868 HALL AVE
37	2945-114-08-018	840 HALL AVE
38	2945-114-09-001	1842 N 7TH ST

Mesa State College – Program Plan, West Expansion Property Acquisition Project

39	2945-114-08-025	905 ORCHARD AVE
40	2945-114-09-013	1815 N 8TH ST
41	2945-114-11-003	804 TEXAS AVE
42	2945-114-08-003	817 ORCHARD AVE
43	2945-114-10-010	895 HALL AVE
44	2945-114-10-002	829 HALL AVE
45	2945-114-08-002	809 ORCHARD AVE
46	2945-114-08-022	802 HALL AVE
47	2945-114-09-004	1806 N 7TH ST
48	2945-114-11-007	842 TEXAS AVE
49	2945-114-08-008	911 ORCHARD AVE
50	2945-114-11-002	1616 N 8TH ST
51	2945-114-08-001	759 ORCHARD AVE
52	2945-114-09-017	1816 N 7TH ST
53	2945-114-11-001	1622 N 8TH ST
54	2945-114-11-006	836 TEXAS AVE
55	2945-114-08-011	898 HALL AVE
56	2945-114-09-021	723 ORCHARD AVE #N
57	2945-114-09-009	1727 N 8TH ST
58	2945-114-10-006	865 HALL AVE
59	2945-114-10-013	1707 CANNELL AVE
60	2945-114-08-009	921 ORCHARD AVE
61	2945-114-10-003	835 HALL AVE
62	2945-114-08-005	841 ORCHARD AVE
63	2945-114-10-008	885 HALL AVE
64	2945-114-08-004	829 ORCHARD AVE
65	2945-114-10-014	825 HALL AVE
66	2945-114-09-012	1805 N 8TH ST
67	2945-114-08-024	901 ORCHARD AVE
68	2945-114-13-021	888 ELM AVE
69	2945-114-14-032	1416 N 7TH ST
70	2945-114-15-013	1343 CANNELL AVE
71	2945-114-13-017	873 TEXAS AVE
72	2945-114-14-006	843 ELM AVE
73	2945-114-12-011	727 MESA AVE
74	2945-114-14-026	830 KENNEDY AVE
75	2945-114-15-003	771 KENNEDY AVE
76	2945-114-13-001	1524 N 7TH ST
77	2945-114-13-024	860 ELM AVE
78	2945-114-12-009	1625 N 8TH ST
79	2945-114-12-003	1628 N 7TH ST
80	2945-114-15-004	775 KENNEDY AVE
81	2945-114-15-012	885 KENNEDY AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

82	2945-114-14-010	803 ELM AVE
83	2945-114-13-011	827 TEXAS AVE
84	2945-114-13-028	820 ELM AVE
85	2945-114-14-013	749 ELM AVE
86	2945-114-12-001	1630 N 7TH ST
87	2945-114-14-024	810 KENNEDY AVE
88	2945-114-13-007	755 TEXAS AVE
89	2945-114-14-019	740 KENNEDY AVE
90	2945-114-13-003	1516 N 7TH ST
91	2945-114-13-032	760 ELM AVE
92	2945-114-13-034	740 ELM AVE
93	2945-114-14-027	840 KENNEDY AVE
94	2945-114-13-019	889 TEXAS AVE
95	2945-114-13-031	774 ELM AVE
96	2945-114-13-014	849 TEXAS AVE
97	2945-114-13-016	865 TEXAS AVE
98	2945-114-13-033	748 ELM AVE
99	2945-114-11-014	898 TEXAS AVE
100	2945-114-13-005	743 TEXAS AVE
101	2945-114-15-020	824 BUNTING AVE
102	2945-114-14-007	833 ELM AVE
103	2945-114-15-005	805 KENNEDY AVE
104	2945-114-11-013	890 TEXAS AVE
105	2945-114-13-026	834 ELM AVE
106	2945-114-15-002	755 KENNEDY AVE
107	2945-114-14-011	769 ELM AVE
108	2945-114-13-027	830 ELM AVE
109	2945-114-13-004	735 TEXAS AVE
110	2945-114-15-015	874 BUNTING AVE
111	2945-114-12-008	1613 N 8TH ST
112	2945-114-13-972	704 ELM AVE
113	2945-114-13-009	811 TEXAS AVE
114	2945-114-15-009	845 KENNEDY AVE
115	2945-114-14-030	890 KENNEDY AVE
116	2945-114-14-002	883 ELM AVE
117	2945-114-13-002	1520 N 7TH ST
118	2945-114-15-019	834 BUNTING AVE
119	2945-114-13-035	730 ELM AVE
120	2945-114-15-008	835 KENNEDY AVE
121	2945-114-11-011	874 TEXAS AVE
122	2945-114-11-012	882 TEXAS AVE
123	2945-114-14-031	701 ELM AVE
124	2945-114-13-013	841 TEXAS AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

125	2945-114-14-004	863 ELM AVE
126	2945-114-14-012	761 ELM AVE
127	2945-114-13-012	835 TEXAS AVE
128	2945-114-12-012	1604 N 7TH ST
129	2945-114-14-018	1400 N 7TH ST
130	2945-114-13-030	780 ELM AVE
131	2945-114-15-006	815 KENNEDY AVE
132	2945-114-13-010	819 TEXAS AVE
133	2945-114-15-011	865 KENNEDY AVE
134	2945-114-13-029	818 ELM AVE
135	2945-114-15-017	854 BUNTING AVE
136	2945-114-14-005	855 ELM AVE
137	2945-114-14-001	889 ELM AVE
138	2945-114-13-008	803 TEXAS AVE
139	2945-114-14-021	760 KENNEDY AVE
140	2945-114-14-003	875 ELM AVE
141	2945-114-15-007	825 KENNEDY AVE
142	2945-114-12-007	1603 N 8TH ST
143	2945-114-12-010	1635 N 8TH ST
144	2945-114-12-004	1616 N 7TH ST
145	2945-114-13-022	886 ELM AVE
146	2945-114-13-023	880 ELM AVE
147	2945-114-13-025	850 ELM AVE
148	2945-114-14-023	800 KENNEDY AVE
149	2945-114-14-029	860 KENNEDY AVE
150	2945-114-14-028	850 KENNEDY AVE
151	2945-114-12-002	721 MESA AVE
152	2945-114-15-010	855 KENNEDY AVE
153	2945-114-13-036	1510 N 7TH ST
154	2945-114-13-015	859 TEXAS AVE
155	2945-114-13-018	881 TEXAS AVE
156	2945-114-14-017	1410 N 7TH ST
157	2945-114-14-008	817 ELM AVE
158	2945-114-14-025	820 KENNEDY AVE
159	2945-114-14-009	809 ELM AVE
160	2945-114-13-020	895 TEXAS AVE
161	2945-114-13-006	753 TEXAS AVE
162	2945-114-15-018	844 BUNTING AVE
163	2945-114-14-020	750 KENNEDY AVE
164	2945-114-15-016	864 BUNTING AVE
165	2945-114-14-014	745 ELM AVE
166	2945-114-14-022	780 KENNEDY AVE
167	2945-114-17-012	856 GLENWOOD AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

168	2945-114-16-014	752 GLENWOOD AVE
169	2945-114-19-006	865 GLENWOOD AVE
170	2945-114-18-001	763 GLENWOOD AVE
171	2945-114-17-013	846 GLENWOOD AVE
172	2945-114-17-014	836 GLENWOOD AVE
173	2945-114-17-017	804 GLENWOOD AVE
174	2945-114-16-006	727 BUNTING AVE
175	2945-114-19-007	875 GLENWOOD AVE
176	2945-114-16-012	730 GLENWOOD AVE #B
177	2945-114-15-023	768 BUNTING AVE
178	2945-114-17-024	888 GLENWOOD AVE
179	2945-114-15-028	710 BUNTING AVE
180	2945-114-16-010	720 GLENWOOD AVE
181	2945-114-16-003	749 BUNTING AVE
182	2945-114-15-025	750 BUNTING AVE
183	2945-114-17-021	866 GLENWOOD AVE
184	2945-114-19-005	845 GLENWOOD AVE
185	2945-114-17-006	853 BUNTING AVE
186	2945-114-19-008	911 GLENWOOD AVE
187	2945-114-16-008	1226 N 7TH ST
188	2945-114-19-003	825 GLENWOOD AVE
189	2945-114-17-018	867 BUNTING AVE
190	2945-114-15-024	762 BUNTING AVE
191	2945-114-15-021	814 BUNTING AVE
192	2945-114-17-009	887 BUNTING AVE
193	2945-114-21-951	1350 N 7TH ST
194	2945-114-19-002	815 GLENWOOD AVE
195	2945-114-16-004	745 BUNTING AVE
196	2945-114-19-001	805 GLENWOOD AVE
197	2945-114-16-016	1204 N 7TH ST
198	2945-114-17-002	815 BUNTING AVE
199	2945-114-18-003	751 GLENWOOD AVE
200	2945-114-17-003	825 BUNTING AVE
201	2945-114-16-005	739 BUNTING AVE
202	2945-114-17-005	843 BUNTING AVE
203	2945-114-19-004	835 GLENWOOD AVE
204	2945-114-16-001	769 BUNTING AVE
205	2945-114-18-005	727 GLENWOOD AVE
206	2945-114-18-002	759 GLENWOOD AVE
207	2945-114-17-015	824 GLENWOOD AVE
208	2945-114-17-016	814 GLENWOOD AVE
209	2945-114-17-004	833 BUNTING AVE
210	2945-114-16-013	740 GLENWOOD AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

211	2945-114-16-002	757 BUNTING AVE
212	2945-114-17-007	859 BUNTING AVE
213	2945-114-17-001	805 BUNTING AVE
214	2945-114-18-004	733 GLENWOOD AVE
215	2945-114-15-030	730 BUNTING AVE
216	2945-114-18-006	705 GLENWOOD AVE
217	2945-114-15-026	740 BUNTING AVE
218	2945-114-16-007	1236 N 7TH ST
219	2945-114-16-015	760 GLENWOOD AVE
220	2945-114-15-022	804 BUNTING AVE
221	2945-114-17-950	875 BUNTING AVE
222	2945-114-10-953	1704 N 8TH ST
223	2945-114-10-954	

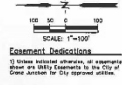
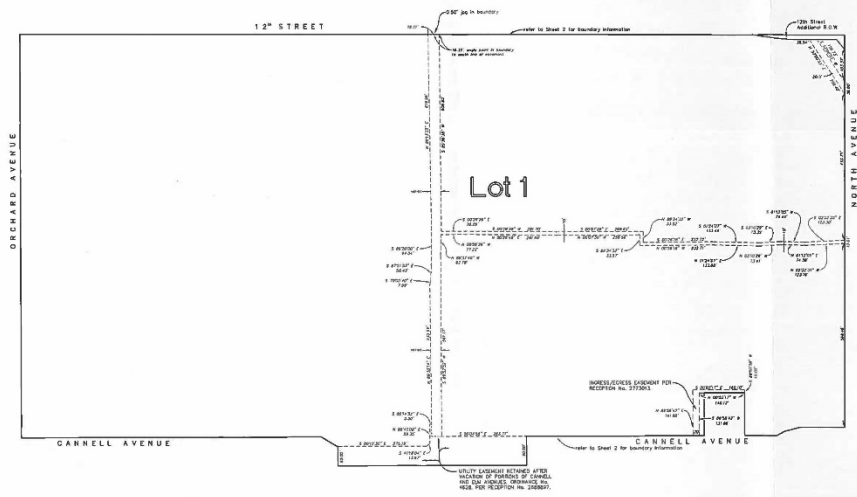
APPENDIX C
THIRD PARTY REVIEW

APPENDIX D
CCHE FORM CC-C

COLORADO MESA UNIVERSITY SUBDIVISION

A TRACT OF LAND ENCOMPASSING ALL THAT REAL PROPERTY PREVIOUSLY SUBDIVIDED AS LOT 1, BLOCK 1 OF ELAN SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2261431 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOT 1 OF ELAN II SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 245822, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, McWALLIN & GORNELY SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 348926, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, GARFIELD PARK SUBDIVISION, ACCORDING TO THE RE-PLAT THEREOF, A SUBDIVISION RECORDED AS RECEPTION NUMBER 444750, SAID MESA COUNTY RECORDS, LOTS 1 THROUGH 36, INCLUSIVE, AND LOT 40, SOUTH GARFIELD PARK SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 539508, SAID MESA COUNTY RECORDS, MESA COLLEGE CAMPUS SUBDIVISION, A SUBDIVISION RECORDED AT RECEPTION NUMBER 458210, SAID MESA COUNTY RECORDS, TOGETHER WITH THOSE RIGHTS-OF-WAY AND ALLEY WAYS INDICATED BY THE ABOVE REFERENCED SUBDIVISION PLATS AND VACATED BY THESE CITY OF GRAND JUNCTION ORDINANCES NUMBERED 1120, 1020, 1078, 2813, 3206, 3729, 4100, 4282, 4431, 4990 AND 4928, ALL IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

AREA = 73,848 ACRES +/-
Sheet 3 of 4



Cannell Dedication
I, [Name], Mayor of the City of Grand Junction, do hereby dedicate the above described land to the City of Grand Junction for City use and control.

COLORADO MESA UNIVERSITY SUBDIVISION
LOCATED IN THE SE 1/4 OF SECTION 11, TOWNSHIP
1 SOUTH, RANGE 1 WEST OF THE MERIDIAN,
CITY OF GRAND JUNCTION, COUNTY OF MESA,
STATE OF COLORADO.

Sheet 3 of 4 - Final Plat	
Prepared by:	Drewell, Brevett & Co., Incorporated
Checked by:	[Name]
Approved by:	[Name]
Date:	2021-02

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF CANNELL AVENUE RIGHT-OF-WAY
SOUTH OF ORCHARD AVENUE**

Recitals:

Colorado Mesa University (CMU) is requesting to vacate the remaining portion of the Cannell Street right-of-way (ROW) directly south of Orchard Avenue, consisting of 109 linear feet by 60 feet wide, to allow for the future north and westward expansion of the CMU campus. CMU owns the adjacent properties, as well as properties to the south where the Cannell Street ROW was vacated in 2015. The vacated ROW will be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*. Private easement for Xcel Energy's utilities will be provided and access to privately owned properties north of Hall Avenue and east of N. 8th Street via the alley will be maintained. This section of ROW falls outside of CMU's Institutional and Civic Master Plan, therefore the vacation request is not subject to an administrative review and must proceed through the codified process for right of way vacation requests.

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 the street right-of-way 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 IS VACATED SUBJECT TO THE FOLLOWING CONDITIONS:

1. CMU shall plan for and provide circulation and emergency access to standards mutually acceptable and agreed to by the City and CMU, to establish and preserve public safety and legal access for both public and private users; and,
2. All City utilities shall be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*; and,
3. CMU shall grant, as applicable, necessary utility easements to Xcel Energy.

Dedicated Right-of-Way to be vacated:

A Portion of Cannell Avenue Right-of-Way as dedicated on the plat Mesa Subdivision as recorded at Reception Number 449854 of the Mesa County Records, situated in the Southeast ¼ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows:

All of Cannell Avenue lying south of the south Right-of-Way line of Orchard Avenue Road Book 3, Page 21 and north of the north line of the Cannell Avenue Vacation recorded at Reception No. 2738781.

Containing an area of 6,540 square feet (0.150 acres) more or less, as described herein and depicted on "Exhibit A"

Introduced on first reading this 7th day of February, 2018 and ordered published in pamphlet form.

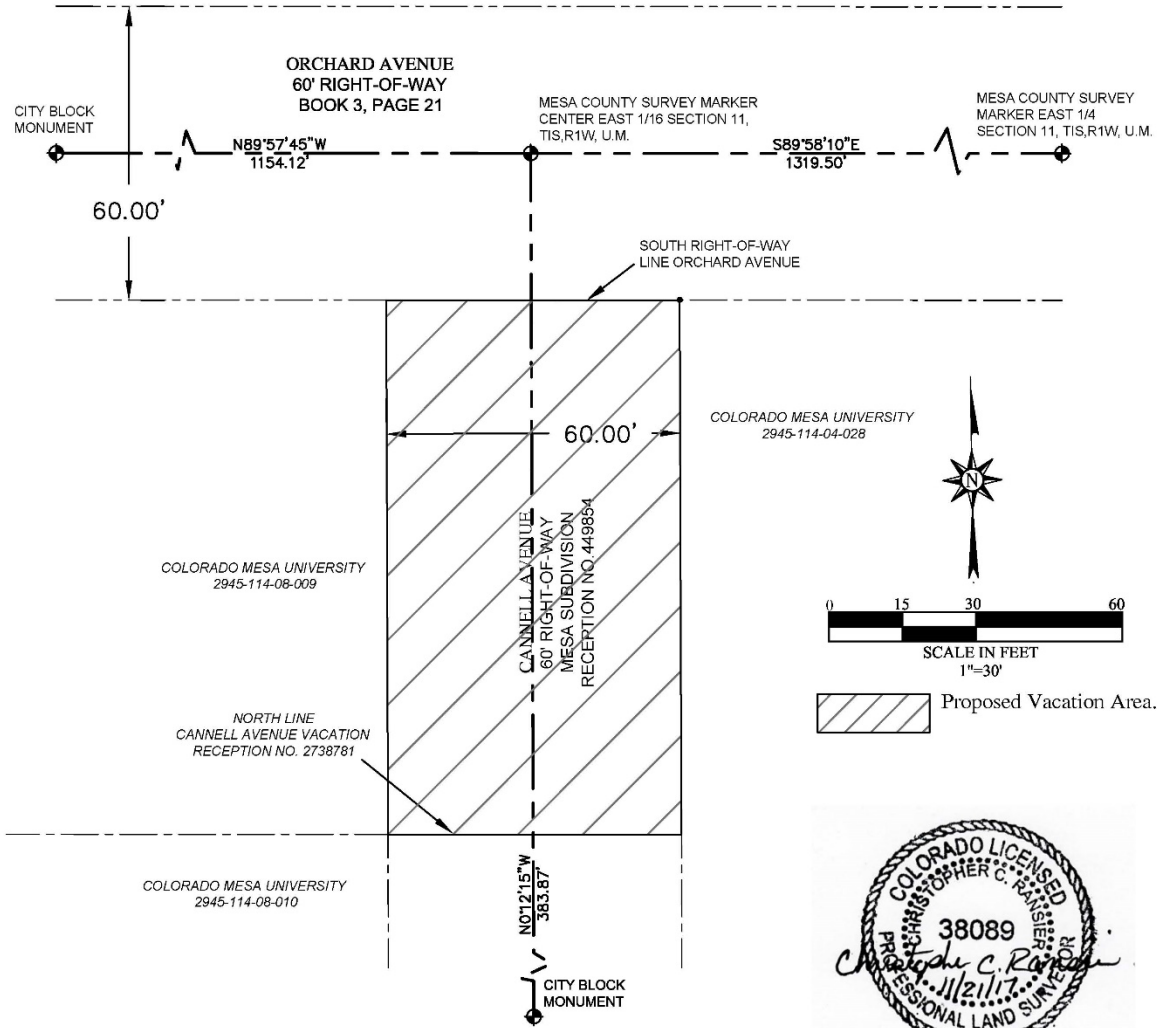
Adopted on second reading this _____ day of _____, 2018 and ordered published in pamphlet form.


ATTEST:

City Clerk

Mayor

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



 Proposed Vacation Area.



CHRISTOPHER C. RANSIER
 CO PLS 38089

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



Grand Junction City Council

Regular Session

Item #3.b.iv.

Meeting Date: February 21, 2018

Presented By: Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

An Ordinance Amending Ordinance No. 4565 Extending the Development Schedule for the Mesa State Development Outline Development Plan to December 15, 2022

RECOMMENDATION:

Planning Commission heard this item at the January 23, 2018 meeting and forwarded a recommendation of approval to City Council.

EXECUTIVE SUMMARY:

The Applicant, Colorado Mesa University, requests a five-year extension of the Outline Development Plan (ODP) for the 154-acre property located 2899 D ½ Road at the northwest corner of Riverside Parkway and 29 Road. The ODP was originally approved in 2008 and has been approved for two extensions. The ODP is a mixed-use development with light industrial, office, retail, service and multifamily residential uses and establishes a general circulation plan for the development, including access to 29 Road and Riverside Parkway, as well as site design standards. The Applicant requests the development schedule extension to allow for market conditions to improve to the point that development of the property becomes feasible. If granted, the extension would expire December 15, 2022.

BACKGROUND OR DETAILED INFORMATION:

The 154-acre property, located at 2899 D ½ Road (northwest corner of Riverside Parkway and 29 Road), was annexed into the City in 2008 and zoned PD (Planned Development) with a default zone of Mixed Use (M-U). The subsequent 2010 Comprehensive Plan Future Land Use Map designated this property as Village Center,

Residential Medium High (8 – 16 du/ac), Urban Residential Mixed Use (24+ du/ac) and Commercial/Industrial, consistent with the Outline Development Plan (ODP) approved for the subject property.

The ODP allows multi-family residential, commercial and industrial uses within four pods, as defined by Ordinance 4314 (see attached) and as shown on the included ODP Map. Pod A (44.3 acres) allows light industrial uses, Pods B (56.4 acres) and Pod C (15.5 acres) allow retail/service/restaurant and multi-family uses. Pod D (31.5 acres) allows multi-family uses and limited retail/service/restaurant uses. The ODP also establishes a general circulation plan for the property, including access points to 29 Road and Riverside Parkway. Site Design Standards include the establishment of a Design Review Committee, screening of mechanical and HVAC systems, unified site design and architecture, and detached trails.

The original approval of the PD zoning and Outline Development Plan in 2008 required that a preliminary development plan be submitted within 2 years. In 2010, the City Council approved a two-year extension until December 15, 2012 and in 2013 granted another extension of five years to December 15, 2017. The Applicant submitted their request for extension to the City on November 1, 2017, preserving the ability for an extension to be considered for this ODP. If granted, the extension would expire December 15, 2022.

NOTIFICATION REQUIREMENTS

Notice was completed consistent to the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. Mailed notice of the public hearing in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 12, 2018. The subject property was posted with an application sign on December 15, 2017 and notice of the public hearing was published on January 16, 2018 in the Grand Junction Sentinel.

ANALYSIS

(a) The decision-making body may extend any deadline if the applicant demonstrates why the original effective period or development phasing schedule was not sufficient and cannot be met.

The Applicant, in their letter dated November 1, 2017, requested an extension to the current ODP for a period of five more years to wait for market conditions to improve to the point that development of the property becomes feasible. The original effective period has not allowed for favorable market conditions for this site to develop.

(b) The decision-making body shall consider when deciding to extend or change any deadlines if development regulations have materially changed so as to render the

project inconsistent with the regulations prevailing at the time the extension would expire.

The original approval of the PD zoning and Outline Development Plan was in 2008. The extension granted in 2013 also required that the ODP be subject to the 2010 Zoning and Development Code, which did not substantially change the requirements applicable to this development. The only significant change made to the Planned Development section of the Code was to allow for administrative review and approval of a Preliminary Plan. The approved ODP meets the requirements of the most current Zoning and Development Code and is consistent with the Comprehensive Plan goals and policies, as well as the Future Land Use designation for this area. A process to update the Comprehensive Plan is anticipated to commence in late 2018, but to the degree staff can predict, this property's designation for intensive mixed-use development will likely still be an important component for infill development in this area, resulting in the ODP as originally approved continuing to be relevant.

(c) A request to extend any deadline shall be submitted in writing to the Director prior to the expiration of the original approval or deadline.

The Applicant submitted their request for extension to the City on November 1, 2017 prior to the expiration or their extended approval on December 15, 2017.

FISCAL IMPACT:

This action has no direct fiscal impact.

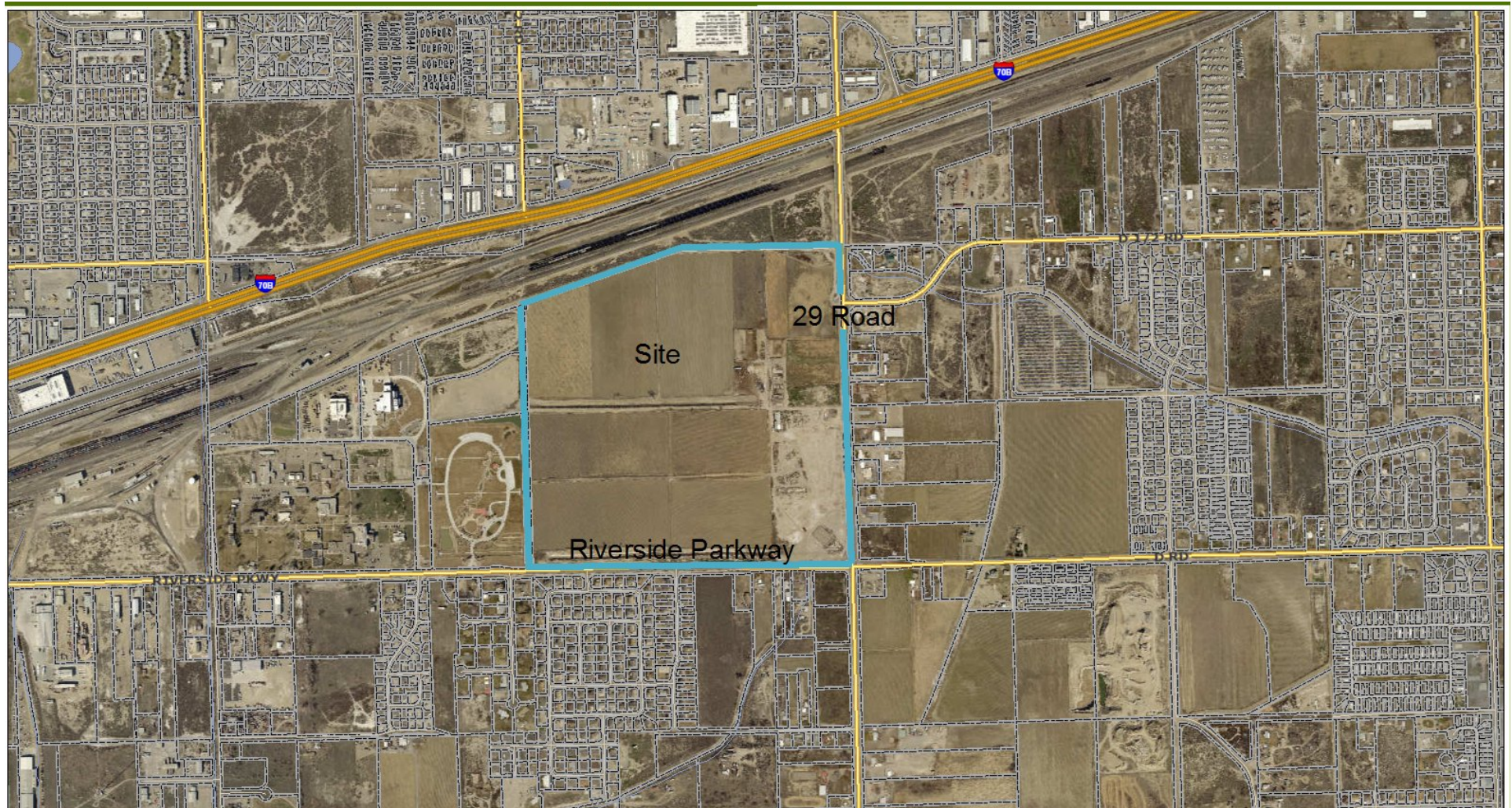
SUGGESTED MOTION:

I move to (adopt or deny) Ordinance 4790, an Ordinance amending Ordinance No. 4565 Extending the Development Schedule for the Mesa State Development Outline Development Plan to December 15, 2022, located at 2899 D 1/2 Road on final passage and order final publication in pamphlet form.

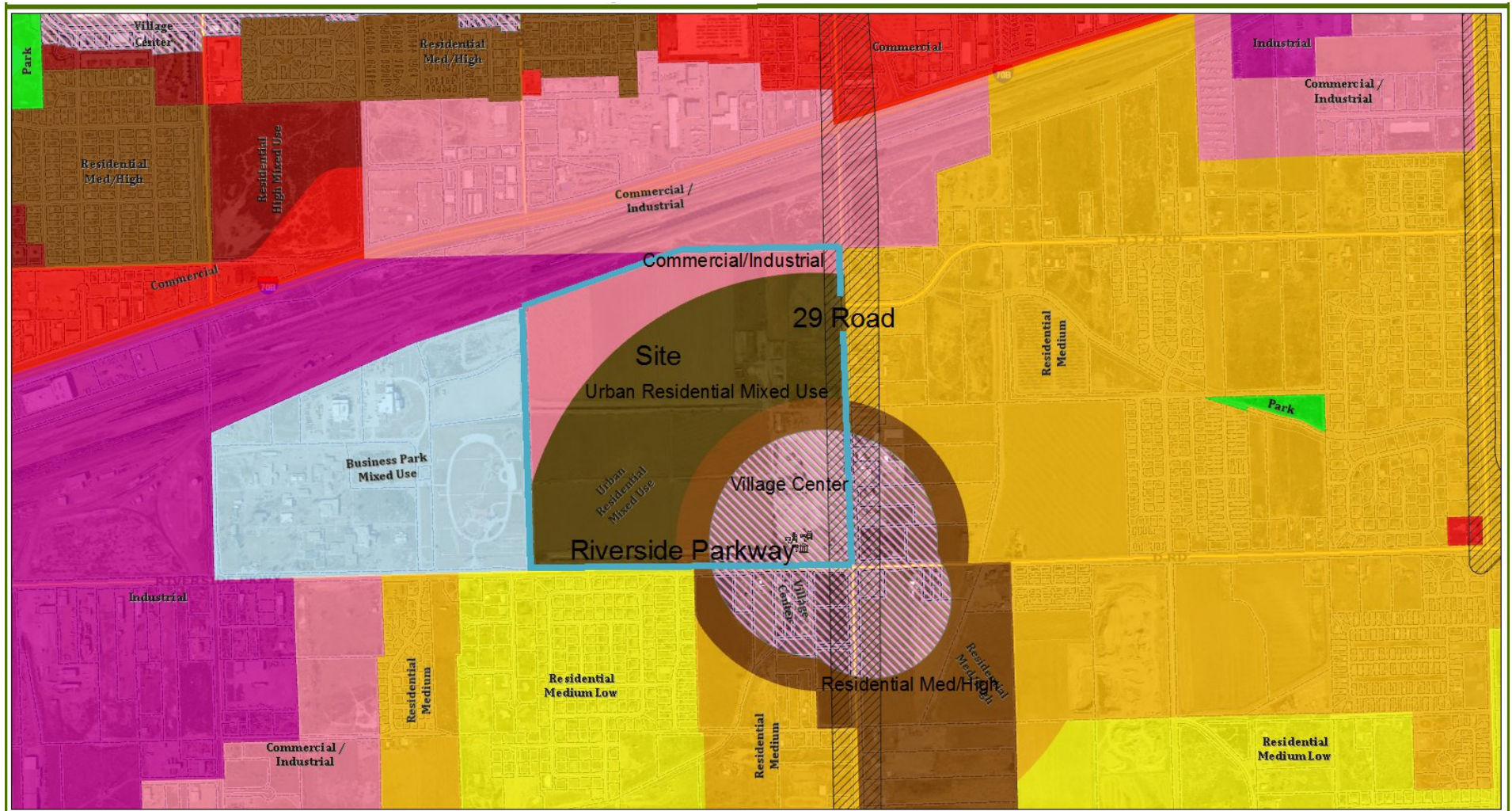
Attachments

1. Site Maps
2. Letter of Request
3. Outline Development Plan
4. Ordinance

Vicinity Map



Comprehensive Plan Future Land Use



Existing Zoning

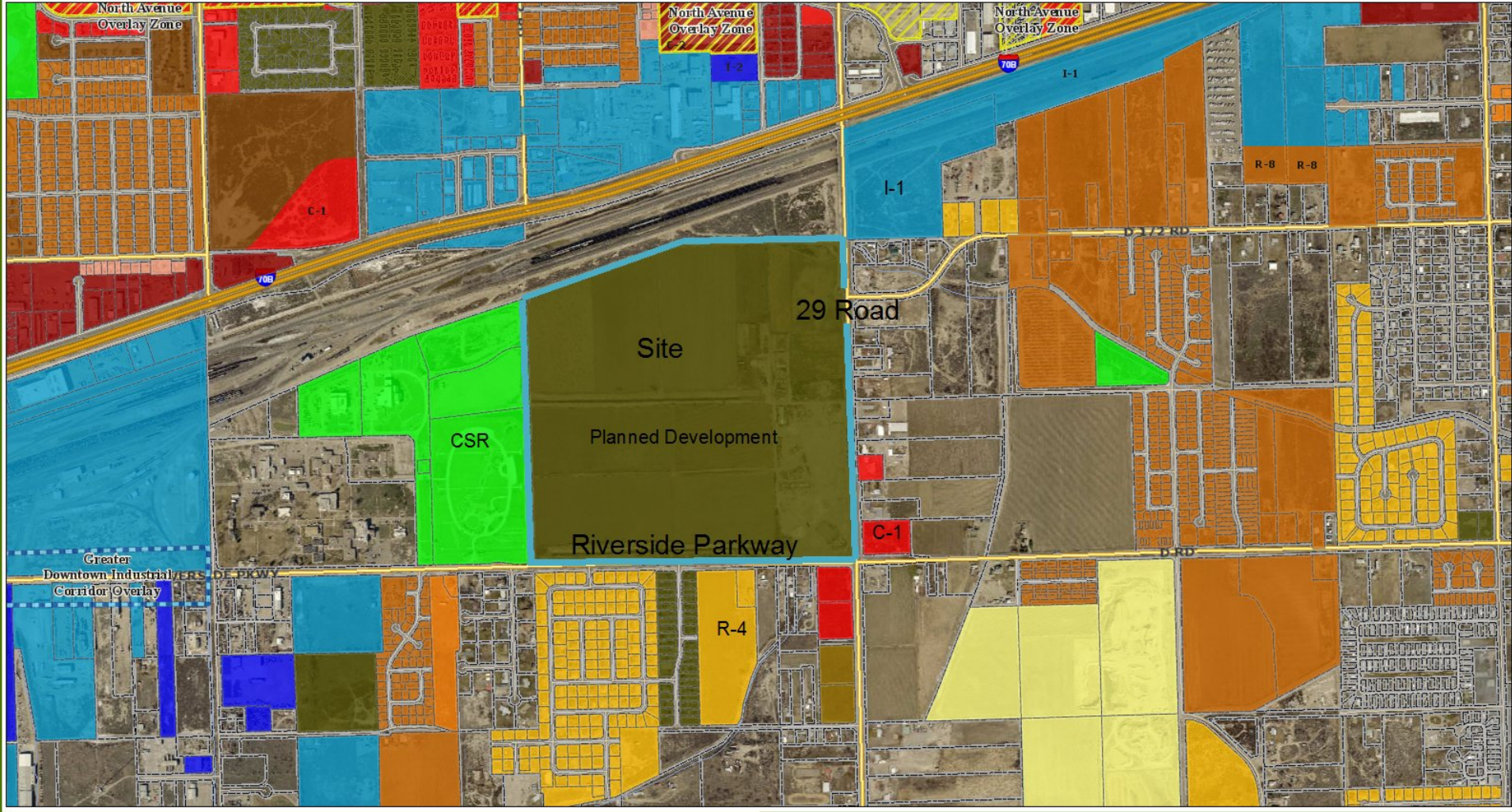


Exhibit 1



REAL ESTATE FOUNDATION

1100 North Avenue • Grand Junction, CO 81501-3122
970.248.1533 (o) • 970.248.1903 (f)

November 1, 2017

Ms. Tamra Allen, Community Development Director
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Dear Ms. Allen:

Thank you for taking time recently to visit with us about the status of the CMU Real Estate Foundation's property at the corner of 29 and D Roads. As you know, the City of Grand Junction has been very helpful to our organization in developing our Outline Development Plan (ODP) for the property.

It has come to my attention that the current ODP for the property is set to expire next month. It is the sense of our Board that we would like to extend the current ODP for a period of five more years as we wait for market conditions to improve to the point that development of the property becomes feasible.

We would welcome the opportunity to visit with you about the process needed to accomplish this extension. Please coordinate with Derek Wagner at: 970-248-1553 or via e-mail at: dawagner@coloradomesa.edu.

Thank you again for your assistance and I look forward to visiting with you.

Sincerely,



R. Arnold Butler, Chairman
Colorado Mesa University Real Estate Foundation

Cc: President Tim Foster

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4314

AN ORDINANCE TO ZONE THE MESA STATE DEVELOPMENT TO PD (PLANNED DEVELOPMENT) ZONE, BY APPROVING AN OUTLINE DEVELOPMENT PLAN WITH A DEFAULT M-U (MIXED USE) ZONE FOR THE DEVELOPMENT OF A MIXED USE DEVELOPMENT

LOCATED AT 2899 D 1/2 ROAD

Recitals:

A request to zone 154.05 acres to PD (Planned Development) by approval of an Outline Development Plan (Plan) with a default M-U (Mixed Use) zone has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (M-U) and adopt the Outline Development Plan for the Mesa State Development. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the M-U zone district.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Growth Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” by proposing more effective infrastructure, needed housing types and innovative design.

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

- A. A certain parcel of land located in the Southeast Quarter of (SE 1/4) of Section 18, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 18 and assuming the South line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18 bears N89°40'51"W with all other bearings contained herein being relative thereto; thence N89°40'51"W along said South line a distance of 1319.50 feet to the Southwest corner of said SE 1/4 SE 1/4; thence N00°21'19"W along the West line of said SE 1/4 SE 1/4 a distance of 30.00 feet to a point on the North line of Riverside Parkway (also known as D Road); thence N89°37'59"W along said North line a distance of 1328.65 feet to a point on the West line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 18,

said North line also being the North line of the Darren Davidson Annexation, City of Grand Junction, Ordinance No. 3205; thence N00°06'35"W along said West line a distance of 1288.69 feet to the Northwest corner of said SW 1/4 SE 1/4; thence N00°25'09"W along the West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 18 a distance of 903.48 feet to a point on the South line of the Southern Pacific Railroad Annexation, City of Grand Junction, Ordinance No. 3158; thence N73°01'14"E along said South line a distance of 1415.51 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 18; thence N00°15'05"E a distance of 30.00 feet; thence N89°35'13"E along a line being 30.00 feet North of and parallel with the North line of said NE 1/4 SE 1/4 a distance of 1292.57 feet; thence S00°13'55"E along the East line of said NE 1/4 SE 1/4 a distance of 1350.87 feet to the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18; thence S00°13'09"E along the East line of said SE 1/4 SE 1/4, a distance of 1321.23 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 154.05 acres (6,710,387 square feet), more or less, as described.

- B. Mesa State Development Outline Development Plan is approved with the Findings of Fact and Conclusions listed in the Staff Reports dated November 10, 2008 and November 17, 2008 including attachments and Exhibits.
- C. The default zone is M-U (Mixed Use) with deviations contained within this Ordinance.
- D. Unified Development

The project should be developed in a unified manner with similar architectural styles and themes throughout. Detached trails along the arterial frontages are intended to provide for safe multi-modal transportation haven and provide access to uses within the development. These detached trails will also provide connectivity from the development to other points of interest adjacent to the subject property including the Colorado River Front trail.

- E. Purpose

The proposed development will provide for a mix of light manufacturing, office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.

- F. Intensity

- 1. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0.

2. Nonresidential minimum lot size shall be one (1) acre, except commercial lots within a retail center.
3. Maximum building size of a retail commercial use shall be 250,000 square feet.
4. Maximum overall gross residential density shall not exceed twenty-four (24) units per acre.
5. Minimum overall net residential density shall be eight (8) units per acres.
6. The minimum and maximum density shall be calculated utilizing Pods B, C and D. Individual lots or sites do not have to be density compliant.

G. Performance Standards

1. Any applicable overlay zone district and/or corridor design standards and guidelines shall apply, unless otherwise approved by the City, to encourage design flexibility and coordination of uses.
2. Loading docks and trash areas or other service areas when located in the side or rear yards must be screened from adjacent right-of-ways with either a wall or landscaping. Front façade loading docks shall be recessed a minimum of 20 feet behind the front façade of the building.
3. Vibration, Smoke, Odor Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an M-U zone without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials.
 - a. Vibration: Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.
 - b. Noise: The owner and / or occupant shall regulate uses and activities on a lot so that the Day-Night Average Sound Level does not exceed sixty-five decibels (65 dB) at any point along the property line. This sound level is not intended apply to limited periods of landscape maintenance activity for the subject property.
 - c. Glare: Lights, spotlights, high temperatures processes or otherwise, whether direct or reflected, shall not be visible from any other lot, parcel or any right-of-way.
 - d. Solid and Liquid Waste: All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

- e. Hazardous Materials: Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Such information regarding the activity shall be provided to the Director at the time of any proposed change, use or expansion, even for existing uses.
- f. Outdoor Storage and Display: Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display or retail merchandise may be permitted as provided in Chapter four of the Zoning and Development Code.

H. Pod Character

The property will be developed into three distinct areas within the development that have a character similar to the following uses:

- 1. Pod A – Light Industrial (Commercial is allowed)
- 2. Pods B and C – Commercial (Multifamily residential is allowed)
- 3. Pod D – Multifamily Residential (Ground floor commercial is allowed)

I. Authorized Uses

- 1. The list of authorized uses allowed within the M-U zone is hereby amended to include and exclude the following. The following uses are allowed without the need for approval of a conditional use permit.

a) POD A – LIGHT INDUSTRIAL

- 1) All other community service
- 2) Golf Driving Ranges
- 3) Utility Basic (indoor or outdoor)
- 4) General Offices
- 5) Office with Drive-through
- 6) Commercial Parking
- 7) Skating Rink
- 8) Shooting Range, Indoor
- 9) All other indoor recreation
- 10) Animal Care / Boarding / Sales, Indoor
- 11) Delivery and Dispatch Services
- 12) Fuel Sales, automotive/appliance
- 13) General Retail Sales, outdoor operations, display and storage
- 14) Landscaping Materials Sales/Greenhouse/Nursery
- 15) All other sales and services
- 16) Auto and Light Truck Mechanical Repair
- 17) Body shop
- 18) Car wash

- 19) Gasoline Service Station
- 20) Quick Lube
- 21) All other vehicle service, limited
- 22) Indoor Operations and Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 23) Indoor Operations with Outdoor Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 24) Outdoor Operations and Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 25) Contractors and Trade Shops
- 26) Indoor operations and outdoor storage (heavy vehicles)
- 27) Warehouse and Freight Movement
- 28) Indoor Storage with Outdoor Loading Docks
 - i. Outdoor Storage or Loading
- 29) Sand or Gravel Storage
- 30) Wholesale Sales – allowed
 - i. Wholesale Business
 - ii. Agricultural Products
 - iii. All other Wholesale Uses
- 31) Telecommunications Facilities

b) PODS B & C – COMMERCIAL

- 1) Community Service
- 2) Cultural Uses
- 3) Multi-family residential
- 4) General Day Care
- 5) Entertainment Event,
 - i. Indoor Facilities
 - ii. Outdoor Facilities
- 6) Hotels / Motels
- 7) General Offices
- 8) Office with drive-through
- 9) Commercial Parking
- 10) Health Club
- 11) Movie Theater
- 12) Skating Rink
- 13) Arcade
- 14) Bar / Nightclub
- 15) Alcohol Sales
- 16) Drive-through Uses (restaurants)
- 17) Drive-through Uses (retail)
- 18) Food Service, Catering

- 19) Food Service, Restaurant (including alcohol sales)
- 20) Farmers Market
- 21) General Retail Sales, Indoor Operations, display and storage
- 22) Gasoline Service Station
- 23) Repair, small appliance
- 24) Repair, large appliance
- 25) Personal Service
- 26) All other retails sales and service
- 27) Utility Service Facilities (underground)
- 28) All other Utility, Basic
- 29) Transmission Lines, (above ground)
- 30) Transmission Lines, (underground)

c) POD D – RESIDENTIAL

- 1) Multifamily residential
- 2) Non-residential uses are limited to a combined total of 10,000 square feet in POD D.
 - i. Large Group Living Facilities
 - ii. Unlimited Group Living Facilities
 - iii. General Day Care
 - iv. Bar / Nightclub
 - v. Food Service, Restaurant (including alcohol sales)
 - vi. Farmers Market
 - vii. General Retail Sales, Indoor Operations, display and storage

d) Restricted Uses

The uses below are not allowed within any of the Pods.

- 1) Cemetery
- 2) Golf Course
- 3) Religious Assembly
- 4) Funeral Homes/Mortuaries/Crematories
- 5) Schools – Boarding, Elementary, Secondary
- 6) Transmission Lines (above ground)
- 7) Bed and Breakfast (1 – 3 guest rooms)
- 8) Bed and Breakfast (4 or more guest rooms)
- 9) Amusement Park
- 10) Miniature Golf
- 11) All other outdoor recreation
- 12) Adult Entertainment
- 13) Farm Implement / Equipment Sales / Service
- 14) Fuel Sales, heavy vehicle
- 15) Mini warehouse
- 16) Agriculture
- 17) Winery
- 18) Aviation
- 19) Helipads

J. Dimensional Standards

Minimum Lot Area	
Pod A	1 acre minimum
Pods B and C	No minimum when part of a retail center 1 acre when stand alone
Pod D	No minimum

Minimum Lot Width	
Pod A	100' Minimum
Pods B and C	No minimum when part of a retail center 100' when stand alone use
Pod D	No minimum

Minimum Street Frontage	
Pod A	100' Minimum
Pods B and C	No minimum when part of a retail center 100' when stand alone use
Pod D	No minimum

Pod A Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 25'
Side	5' / 5'
Rear	25' / 5' ^a

Pods B and C Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 25'
Side	0' / 0'
Rear	10' / 10'

Pod D Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 20'
Side	5' / 3'
Rear	10' / 5'

Maximum Lot Coverage	
Pod A	N/A
Pods B and C	N/A
Pod D	N/A

Maximum FAR	
Pod A	2.0 FAR
Pods B and C	2.0 FAR
Pod D	N/A

Maximum Height	
Pod A	40'
Pods B and C / Mixed Use Buildings	40'/65'
Pod D	65'

1. Footnotes: The applicable footnotes in Table 3.2 of the Zoning and Development Code shall be referenced including the following:
 - a. A 50 foot wide building setback is required along the western property line of the development adjacent to the Department of Military and Veterans Affairs Cemetery.

K. Other Regulations

1. Fencing: A fence is required along the western most boundary of the property (adjacent to the Department of Military and Veterans Affairs Cemetery).
2. Construction Cessation: During military funerals, services or veterans ceremonies, construction on any and all projects will cease until these funerals, service or ceremonies have ended. Each general contractor will contact the Department of Military and Veterans Affairs to work out details for construction cessation during the requested periods of time.
3. Landscape Buffer:
 - a. A 25 foot wide landscape buffer, including a six (6) foot fence, is required along the western property line of the development. The landscape buffer will count towards the overall landscape requirements of each site.
 - b. A 50 foot wide building setback is required along the western property line of the development adjacent to the Department of Military and Veterans Affairs Cemetery.
4. Parking per Section 6.6 of the Zoning and Development Code with the following modifications:
 - a. Commercial – Per Shopping Center Calculations (1 parking space per every 250 square feet of gross floor area).
 - b. Mixed-use structures – parking calculated per use per floor of structure (Shopping center parking calculation can be used for ground floor commercial uses at 1 parking space per every 250 square feet of gross floor area).
5. Landscaping shall meet Section 6.5 of the Zoning and Development Code.
6. Buildings shall meet Section 4.3 M. of the Zoning and Development Code.

7. Sign Regulations shall meet Section 4.2 with the following exceptions:
 - a. Freestanding signs shall be limited to monument type signage.
 - b. Freestanding signs shall not exceed 8' in height – sign face calculated per Section 4.2.
 - c. Only one freestanding monument sign shall be allowed at each intersection along Riverside Parkway and 29 Road.
 - d. A sign package will be required as part of each Preliminary Development Plan.
8. Hours of Operation:
 - a. Pod A – unrestricted
 - b. Pods B and C – unrestricted
 - c. Pod D – non-residential uses shall be restricted from 5 am to 11 pm.
9. Mixed-Use Development
 - a. The maximum residential densities within Pod C shall not exceed twenty-four (24) dwelling units per acre, minus (1) dwelling unit per 2,000 square feet of nonresidential development or portion thereof. In Pod C, residential uses shall not constitute more than seventy-five percent (75%) of the total floor area. In no case shall the total number of dwelling units in Pod C exceed 370 dwelling units.
 - b. The total number of residential dwelling units on the project shall not exceed 24 dwelling units per acre.
 - c. Mixed-use development in Pod D shall not exceed the plan density minus one (1) dwelling unit per 1,000 square feet of nonresidential development or portion thereof. No more than ten percent (10%) of the land area may be dedicated to commercial uses.
 - d. Multifamily residential development in Pod D is eligible for density bonuses pursuant to Chapter 3.6.B.10.
10. Definitions
 - a. Mixed-use structure: Any mix of residential and nonresidential uses in the same building.

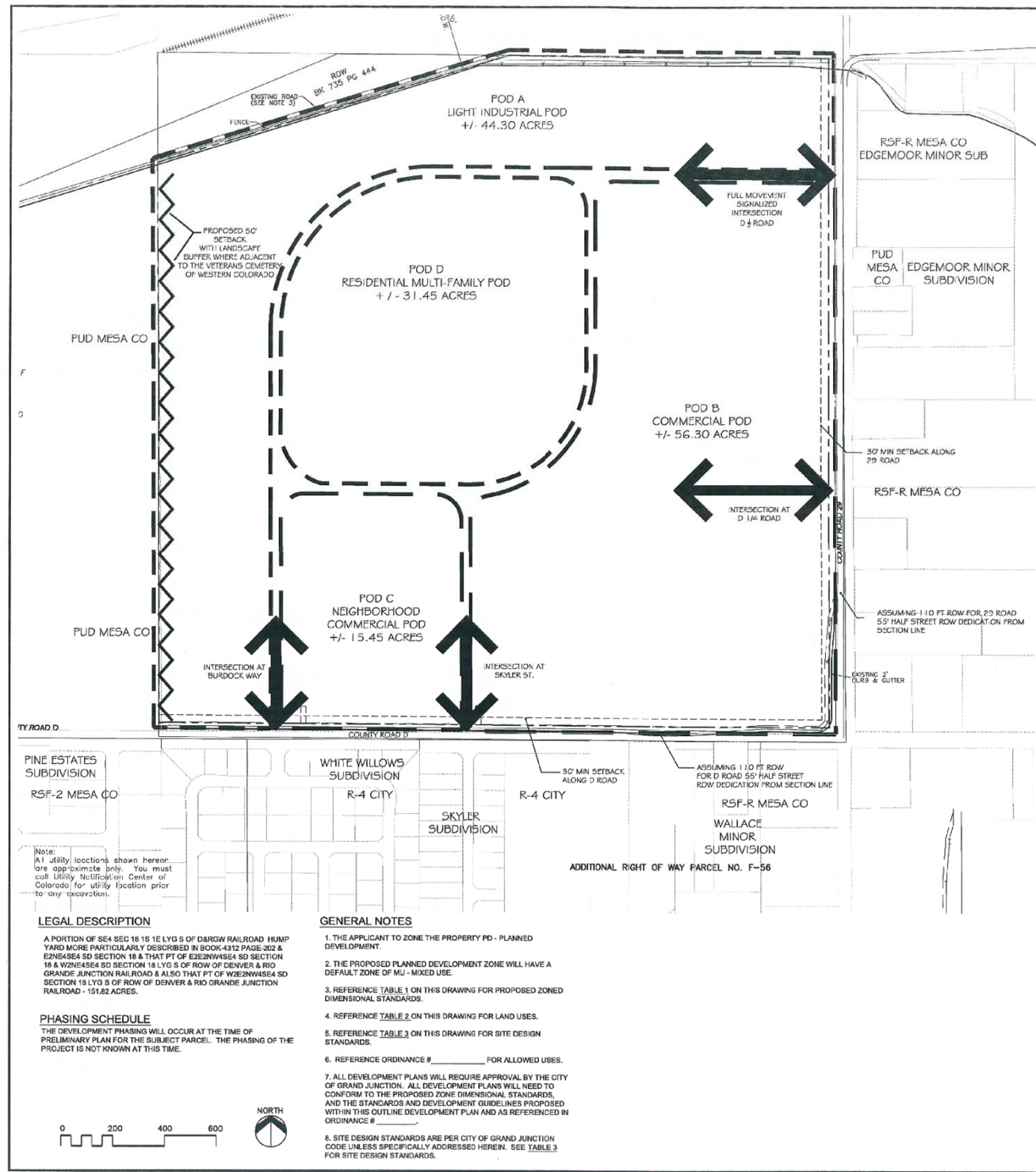
INTRODUCED on first reading on the 1st day of December, 2008 and ordered published.

ADOPTED on second reading this 15th day of December, 2008.

ATTEST:

/s/: Gregg Palmer
President of the Council

/s/: Stephanie Tuin
City Clerk



**TABLE 1
PROPOSED ZONE DIMENSIONAL STANDARDS (Table 3.2 ZDC)**

POD	DEFAULT ZONING DISTRICT	MIN LOT SIZE (SQ. FT.)	MIN STREET WIDTH (FT.)	MIN STREET FRONTAGE	MINIMUM SETBACKS (1), (2), (3), (5)	MAX LOT COVERAGE	MAX F.A.R. (4)	MAX HEIGHT (5)
POD A	MU	1 AC	100	N/A	15 / 25 5 / 5 25 / 5	N/A	2.0	40'
POD B	MU	N/A	N/A	N/A	15 / 25 0 / 0 10 / 10	N/A	2.0	40' / 65'
POD C	MU	N/A	N/A	N/A	15 / 25 0 / 0 10 / 10	N/A	2.0	40' / 65'
POD D	MU	N/A	N/A	N/A	15 / 20 5 / 3 10 / 5	80%	N/A	65'

- (1) PRINCIPAL / ACCESSORY BUILDING
- (2) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 30' FROM THE RIGHT-OF-WAY OF 29 ROAD AND D ROAD
- (3) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 15' FROM THE RIGHT-OF-WAY OF ALL NON-ARTERIAL STREETS.
- (4) UNDER GROUND PARKING OR PARKING UNDER BUILDINGS IS EXCLUDED FROM MAX F.A.R. CALCULATIONS.
- (5) IN COMMERCIAL PODS A COMMERCIAL USE BUILDING HEIGHT CAN BE LESS THAN OR EQUAL TO 47' IN HEIGHT. A MIXED-USE BUILDING IN COMMERCIAL PODS CAN BE LESS THAN OR EQUAL TO 62' IN HEIGHT. A MULTI-FAMILY RESIDENTIAL BUILDING IN ANY POD CAN BE LESS THAN OR EQUAL TO 65' IN HEIGHT.
- (6) REAR YARD SETBACKS IN POD D THAT ARE LOCATED ALONG THE WESTERN PROPERTY LINE ADJACENT TO THE VETERANS CEMETERY OF WESTERN COLORADO SHALL BE FIFTY FEET (50').

**TABLE 2
LAND USE TABLE**

LAND USE	AREA	% OF SITE	USES	ESTIMATED INTENSITY/DENSITY
GENERAL USES	TOTAL AREA	100 %	GENERAL USES PER POD	POD INTENSITY / DENSITY (3) (4)
INDUSTRIAL				
POD A	± 44.30 ACRES	29 %	LIGHT INDUSTRIAL	N/A
COMMERCIAL				
POD B	± 56.30 ACRES	37 %	RETAIL/SERVICE/RESTAURANT MULTI-FAMILY DWELLINGS	± 450,000 SQ FEET
POD C (1)	± 15.45 ACRES	10 %	RETAIL/SERVICE/RESTAURANT MULTI-FAMILY DWELLINGS	± 15,000 SQ FEET / RESIDENTIAL DENSITY RANGE ALLOWING BETWEEN 25 TO 75 DWELLING UNITS AND UP TO 10,000 SQ FEET OF GROUND-LEVEL COMMERCIAL USES IN MIXED-USE BUILDINGS
RESIDENTIAL (2)				
POD D (1)	± 31.45 ACRES	20 %	MULTI-FAMILY DWELLINGS WITH THE ABILITY FOR LIMITED RETAIL/SERVICE/RESTAURANT AS GROUND-LEVEL MIXED-USE BUILDING	RESIDENTIAL DENSITY RANGE ALLOWING BETWEEN 25 TO 75 DWELLING UNITS AND UP TO 10,000 SQ FEET OF GROUND-LEVEL COMMERCIAL USES IN MIXED-USE BUILDINGS
ARTERIAL RIGHT OF WAYS	± 6.58 ACRES	4 %	N/A	N/A
GROSS SITE AREA	± 154.08 ACRES	100 %	100 %	100 %

- NOTE (1): NON-RESIDENTIAL INTENSITY CAN BE CONVERTED TO RESIDENTIAL DENSITY. SEE ORDINANCE FOR DETAILS ON CONVERSION RATIOS.
- NOTE (2): DEVELOPMENT DENSITY - MINIMUM OF 8 DWELLING UNITS PER ACRE AND A MAXIMUM OF 24 DWELLING UNITS PER ACRE FOR PODS WITH RESIDENTIAL USES ALLOWED. DENSITY CAN BE AVERAGED ACROSS THE PODS.
- NOTE (3): THE MAXIMUM NUMBER OF RESIDENTIAL UNITS ALLOWED ON THE PROPERTY IS 1124
- NOTE (4): ADDITIONAL COMMERCIAL SQUARE FOOTAGE CAN BE CONSTRUCTED WITHIN PODS B AND C IF IT CAN BE ACCOMMODATED BY ADJACENT ARTERIAL STREETS. THE TRAFFIC IMPACT STUDY SHALL ADDRESS ANY ADDITIONAL COMMERCIAL SQUARE FOOTAGE REQUEST.

**TABLE 3
SITE DESIGN STANDARDS**

- (1) THE DESIGN REVIEW COMMITTEE MUST APPROVE ALL ARCHITECTURE PRIOR TO SUBMITTAL OF TO THE CITY OF GRAND JUNCTION.
- (2) IN PODS B AND C ALL ROOF TOP AND GROUND MOUNTED MECHANICAL AND HVAC EQUIPMENT SHALL BE SCREENED FROM ON-SITE PARKING LOTS.
- (3) ALL UTILITY METERS AND ABOVE GROUND MECHANICAL EQUIPMENT SHALL BE PAINTED THE SAME COLOR AS THE BUILDING OR SCREENED FROM VIEW.
- (4) IN POD D ALL HVAC EQUIPMENT LOCATED ON THE GROUND SHALL BE SCREENED FROM VIEW. LATTICE OR PLANT MATERIAL IS A SUFFICIENT SCREEN.
- (5) UNIFIED DEVELOPMENT
THE PROJECT SHALL BE DEVELOPED IN A UNIFIED MANNER WITH SIMILAR ARCHITECTURAL STYLES AND THEMES THROUGHOUT. DETACHED TRAILS ALONG THE ARTERIAL FRONTAGES ARE INTERDED TO PROVIDE A SAFE MULTIMODAL TRANSPORTATION HAVEN AND PROVIDE ACCESS USES WITHIN THE DEVELOPMENT. THESE DETACHED TRAILS WILL ALSO PROVIDE CONNECTIVITY FROM THE DEVELOPMENT TO OTHER POINTS OF INTEREST ADJACENT TO THE SUBJECT PROPERTY INCLUDING THE COLORADO RIVER FRONT TRAIL.
- (6) SIDE AND REAR YARD LOADING AREAS SHALL BE SCREENED FROM VIEW FROM ARTERIAL ROADWAYS. FRONT FACADE LOADING DOCKS SHALL BE RECESSED A MINIMUM OF 20' BEHIND THE FRONT FACADE OF THE BUILDING.
- (7) AN OPEN SIX FOOT (6') FENCE IS REQUIRED ALONG THE WESTERN MOST PROPERTY LINE OF POD D WHERE ADJACENT TO VETERANS CEMETERY OF WESTERN COLORADO.

LEGAL DESCRIPTION
A PORTION OF SE4 SEC 18 18 1E LYG 8 OF D&RGW RAILROAD HUMP YARD MORE PARTICULARLY DESCRIBED IN BOOK 4312 PAGE 202 & ENCASES 50 SECTION 18 & THAT PT OF E29W5E4 S0 SECTION 18 & W2E4S4 S0 SECTION 18 LYG 8 OF ROW OF DENVER & RIO GRANDE JUNCTION RAILROAD & ALSO THAT PT OF W2E2W5E4 S0 SECTION 18 LYG 8 OF ROW OF DENVER & RIO GRANDE JUNCTION RAILROAD - 151.82 ACRES.

PHASING SCHEDULE
THE DEVELOPMENT PHASING WILL OCCUR AT THE TIME OF PRELIMINARY PLAN FOR THE SUBJECT PARCEL. THE PHASING OF THE PROJECT IS NOT KNOWN AT THIS TIME.

GENERAL NOTES

1. THE APPLICANT TO ZONE THE PROPERTY PD - PLANNED DEVELOPMENT.
2. THE PROPOSED PLANNED DEVELOPMENT ZONE WILL HAVE A DEFAULT ZONE OF MU - MIXED USE.
3. REFERENCE TABLE 1 ON THIS DRAWING FOR PROPOSED ZONED DIMENSIONAL STANDARDS.
4. REFERENCE TABLE 2 ON THIS DRAWING FOR LAND USES.
5. REFERENCE TABLE 3 ON THIS DRAWING FOR SITE DESIGN STANDARDS.
6. REFERENCE ORDINANCE # _____ FOR ALLOWED USES.
7. ALL DEVELOPMENT PLANS WILL REQUIRE APPROVAL BY THE CITY OF GRAND JUNCTION. ALL DEVELOPMENT PLANS WILL NEED TO CONFORM TO THE PROPOSED ZONE DIMENSIONAL STANDARDS, AND THE STANDARDS AND DEVELOPMENT GUIDELINES PROPOSED WITHIN THIS OUTLINE DEVELOPMENT PLAN AND AS REFERENCED IN ORDINANCE # _____.
8. SITE DESIGN STANDARDS ARE PER CITY OF GRAND JUNCTION CODE UNLESS SPECIFICALLY ADDRESSED HEREIN. SEE TABLE 3 FOR SITE DESIGN STANDARDS.

**MESA STATE COLLEGE
REAL ESTATE FOUNDATION
29 & D ROAD MIXED-USE DEVELOPMENT**

DRAWN BY: JG
CHECKED BY: TC
JOB NO.: 0729
DATE: 05-01-08
REVISIONS:
09-16-08 Comments
10-20-08 Comments
10-30-08 Comments
DRAWING NO.: 0729_10-30-08

SHEET NO.: 1
STATUS:
● ODP & REZONE
○ PRELIMINARY PLAN
○ FINAL PLAN

CIAVONNE ROBERTS & ASSOC., INC.
LANDSCAPE AND PLANNING ARCHITECTS
222 NORTH 7TH STREET
GRAND JCT, CO 81501
PH: 970-241-0745
FAX: 970-241-0785
EMAIL: info@ciavonne.com

OUTLINE DEVELOPMENT PLAN

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 4565 EXTENDING THE
DEVELOPMENT SCHEDULE FOR THE MESA STATE DEVELOPMENT OUTLINE
DEVELOPMENT PLAN TO DECEMBER 15, 2022**

LOCATED AT 2899 D ½ ROAD

Recitals:

The Applicant, Colorado Mesa University, requests a five-year extension of the Outline Development Plan (ODP) for the 154-acre property located 2899 D ½ Road at the northwest corner of Riverside Parkway and 29 Road. The ODP was originally approved in 2008 and has been approved for two extensions. The ODP is a mixed-use development with light industrial, office, retail, service and multifamily residential uses and establishes a general circulation plan for the development, including access to 29 Road and Riverside Parkway, as well as site design standards. The Applicant requests the development schedule extension to allow for market conditions to improve to the point that development of the property becomes feasible. If granted, the extension would expire December 15, 2022.

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 for a five year extension of the Outline Development Plan for the 154 acre property, located at 2899 D ½ Road meets the criteria of Section 21.02.080(n)(2)(i) of the Zoning and Development Code in that Applicant has demonstrated why the original effective period or development phasing schedule was not sufficient and cannot be met and the development regulations have not materially changed so as to render the project inconsistent with the regulations prevailing at the time the extension would expire.

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

The development schedule approved by Ordinance 4565 is amended to provide for an allow an additional five (5) years to December 15, 2022 for the development of the project/land described in said ordinance. All other approvals made by and in accordance with Ordinance No. 4314 that established the Planned Development Zoning shall remain the same.

Introduced on first reading this 7th day of February, 2018 and ordered published in pamphlet form.

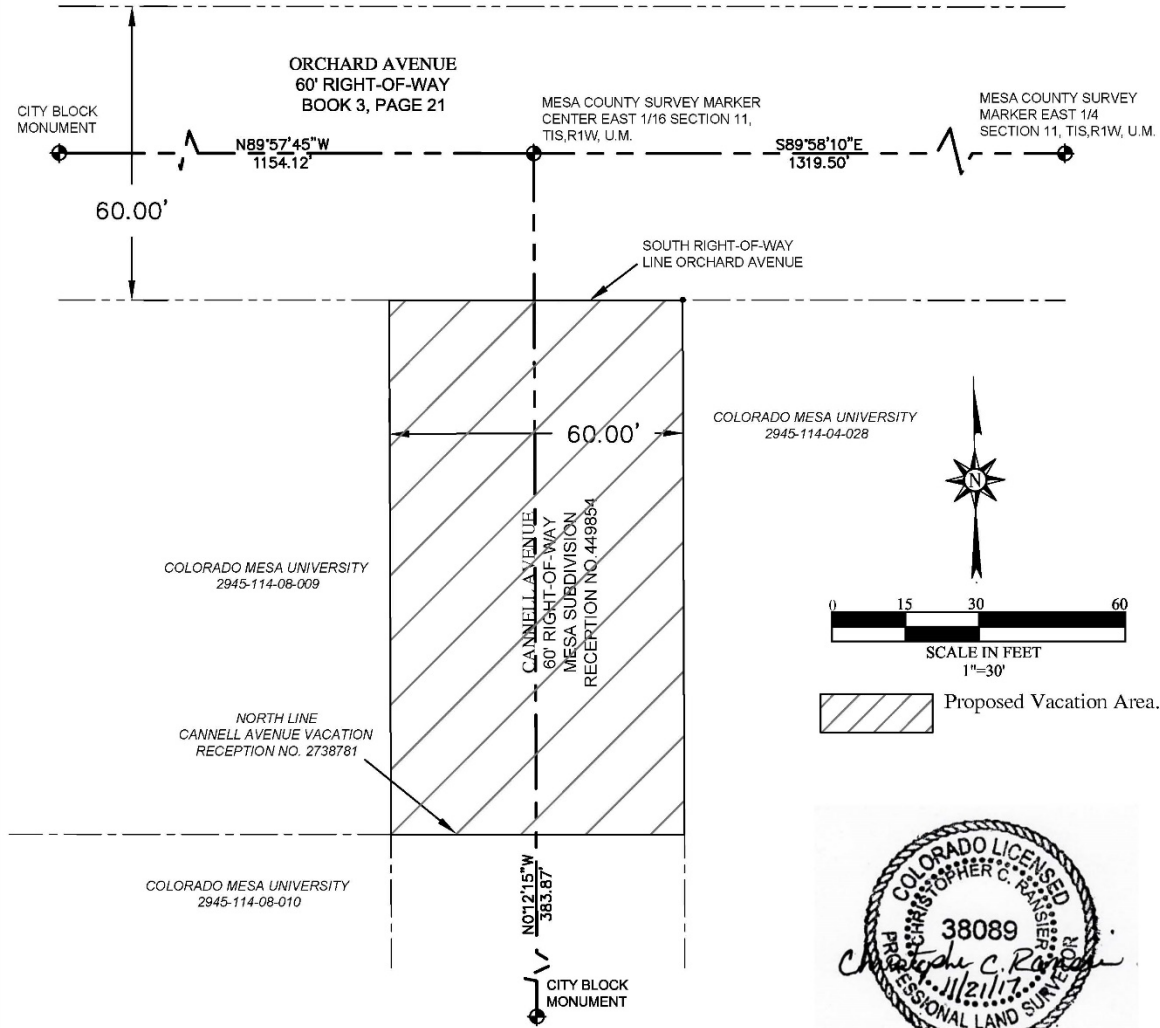
Adopted on second reading this _____ day of _____, 2018 and ordered published in pamphlet form.

ATTEST:


City Clerk

Mayor

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



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


 CHRISTOPHER C. RANSIER
 CO PLS 38089



Grand Junction City Council

Regular Session

Item #3.b.v.

Meeting Date: February 21, 2018

Presented By: Lori Bowers, Senior Planner

Department: Community Development

Submitted By: Lori Bowers

Information

SUBJECT:

An Ordinance Vacating the Remaining North-South Alley Right-of-Way of Block 7, Richard D. Mobley's First Subdivision

RECOMMENDATION:

Planning Commission heard this item at the January 23, 2018 meeting and forwarded a recommendation of approval to City Council.

EXECUTIVE SUMMARY:

The Applicant, CenterPoint Development Group, is requesting vacation of the remainder of the alleyway south of West Main Street and between South Spruce Street and South 1st Street. The remaining alley right of way to be vacated is divided into two pieces. The northern portion is a square, approximately 0.01 Acre; 20-feet by 25-feet in size. The second portion of the alley right-of-way is 0.02 Acres and is an irregularly shaped piece. The east side is 82.61 feet in length, the west side is 72.61 feet, with a 10-foot by 10-foot jog at the northern end. The attached survey map provides clarity regarding the exact dimensions and location of this vacate request. Another exhibit, a copy of the GCK Subdivision, shows how a previous portion of the alley was partially vacated and will be completed with this vacation request. The vacation of the alley will enable the Applicant to develop the property using their preferred site plan.

BACKGROUND OR DETAILED INFORMATION:

The building at 105 West Main was demolished in 2016. It was originally home to the accounting offices for City Market. The building located at 137 West Main was also demolished, clearing the way for the potential redevelopment of the area consisting of

1.06 acres, owned by Prinster Brothers LLC.

There are two areas as shown in the attached maps that are included in this request to vacate this alley. Of these two areas, the small area adjacent to and south of West Main Street created by instrument recorded in Book 237, Page 290, Reception No. 166098. The second portion, the irregularly shaped island of an area, was platted as part of the Richard D. Mobley's First Subdivision Reception No. 11306, Plat Book 1, Page 22. A portion of this alley was vacated by Ordinance #1344 in 1970 and Ordinance No. 4339 in 2009. The remaining portion of the alley was retained at that time. It also appears that the majority of physically present north/south alleyway was never actually platted as a public right of way but has been used for a long period of time for this purpose and should be considered as a public way by prescription.

Within the area used as a public way, of which some is right-of-way, there exists overhead power lines owned by Xcel. These lines are private lines and as such, the property owner is working with Xcel to grant an easement appropriate for Xcel's ongoing use of these lines. The Applicant is also working with the City to replat these properties. In the replat process, staff will ensure that the easements have been secured for Xcel's purposes.

The current property owner, Prinster Brothers, LLC, is currently under contract with CenterPointe Development Group to purchase the property located at the southwest corner of 1st Street and West Main Street. The Applicant, CenterPointe Development Group, is proposing to develop a new 2,400 square foot Starbucks with a drive-through on the property. The vacation of the alley will enable the Applicant to develop the property using their preferred site plan.

The property directly south is owned by Mesa County. It houses Motor Vehicle, Planning and the Building Department offices. The county does not utilize the alley as they have direct access to South Spruce Street.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on November 13, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Three citizens attended the meeting along with the Applicant's representative. All comments were supportive of the proposal but they questioned the traffic impacts to the area. In general, those in attendance did not object to the alley vacation.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on November 17, 2017. The subject property was posted with an application sign on December 4, 2017 and notice of the public hearing was published

January 16, 2018 in the Grand Junction Sentinel.

ANALYSIS

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

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

The proposed alley vacation is supported by the following Goals and Policies of the Comprehensive Plan.

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

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.
Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

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

The Grand Valley Circulation Plan does not address alley right-of-ways. The alley currently has overhead power lines in place but is surrounded by vacant land. Adjacent streets will not be impacted by the alley vacation.

This request conforms with the Comprehensive Plan, the Grand Valley Circulation Plan and other adopted plans of the City. Staff therefore finds this request conforms with this criterion.

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

The request to vacate the remaining alley in Block 7, Richard D. Mobley's First Subdivision, approximately 0.03 acres, will not leave any parcel landlocked as these portions of right of way do not currently provide contiguous access and the properties will continue to have access from West Main, South 1st Street, and South Spruce Street. Therefore, staff finds this request conforms with this criterion.

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.

No access to any parcel will be restricted. The properties will continue to have access from West Main, South 1st Street and from South Spruce Street. Due to the high traffic counts associated with the Applicant's proposed land use, the Applicants have been notified that access may become a right-in, right-out only from West Main Street when they develop due to safety and stacking issues. Staff has found 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).

This request was sent as a referral to the Fire Department, Police Department and City Sanitation for review and comment. These city review agencies expressed no concerns with this alley vacation. Xcel Energy reviewed the request and did not have a problem with the alley vacation as long as an easement is retained for the overhead power lines in this area. It is not anticipated that there will be any adverse impacts on the health, safety, and/or welfare of the general community, nor will the quality of public facilities and services provided to any parcel of land be reduced as a result of this vacation request. Staff, therefore has found 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.

Adequate public facilities exist for these parcels. No additional services will be impacted or inhibited by this request. Staff has therefore, found this request to conform with this criterion.

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

With the vacation of this alley, the City will be relieved of any future maintenance of this alley. Staff therefore finds this request to conform with this criterion.

FISCAL IMPACT:

Values of the real property associated with right-of-way differ depending on the current market and the area of the City. Staff's experience is that they can range from \$2 to \$6 per square foot. This right-of-way totals 1,306.8 square feet.

Maintenance requirements for the City will be reduced as a result of the street right-of-way vacation.

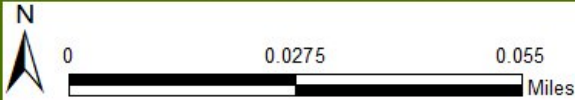
SUGGESTED MOTION:

I move to (adopt or deny) Ordinance No. 4791, an Ordinance Vacating the Remaining North-South Alley Right-of-Way of Block 7, Richard D. Mobley's First Subdivision on final passage and order final publication in pamphlet form.

Attachments

1. Site Maps
2. Ordinance

Vicinity Map / Alley ROW shown in Red

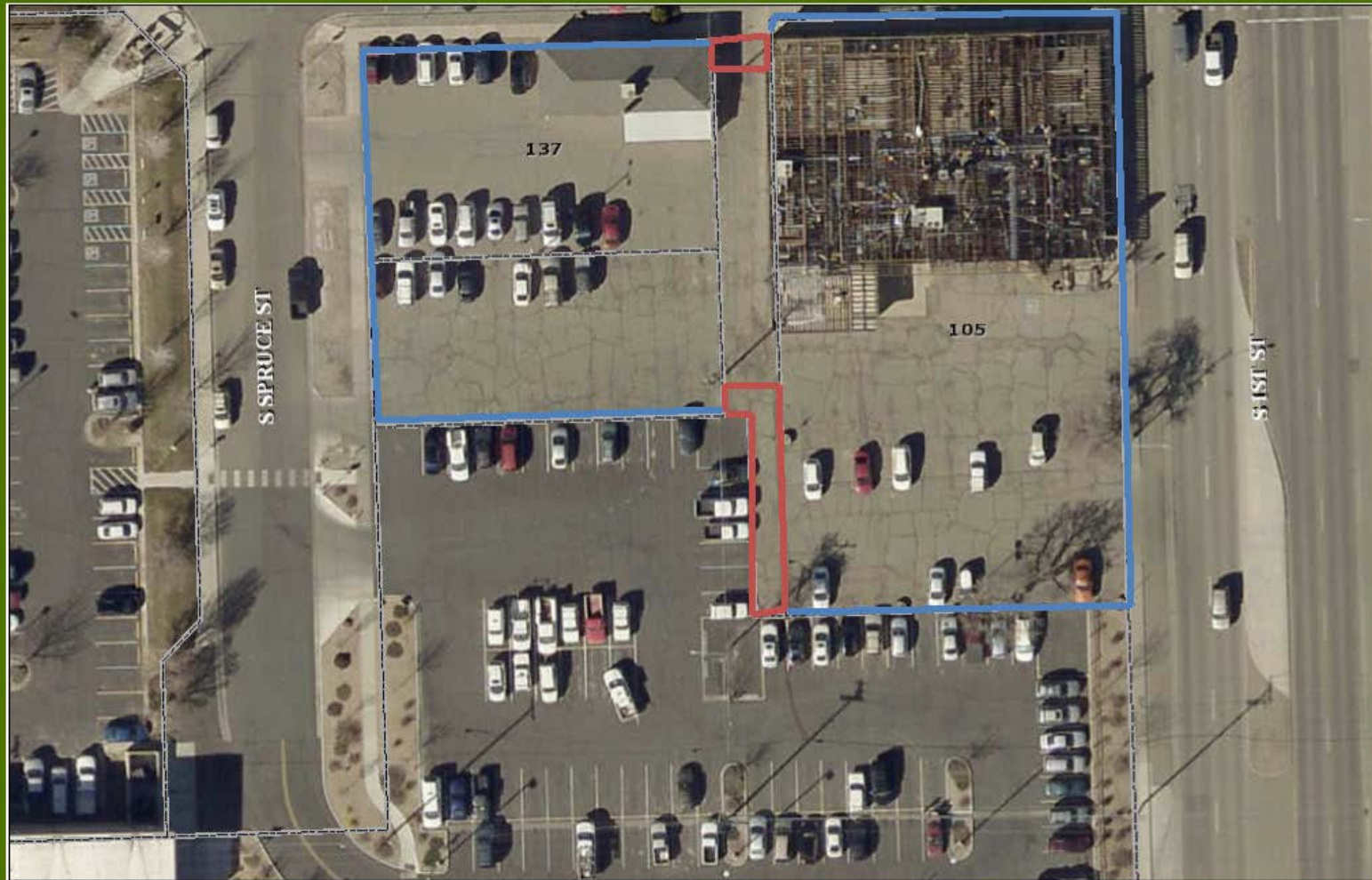


Printed: 1/4/2018

1 inch = 94 feet



Prinster Property in blue / Areas to be vacated red



Printed: 1/3/2018

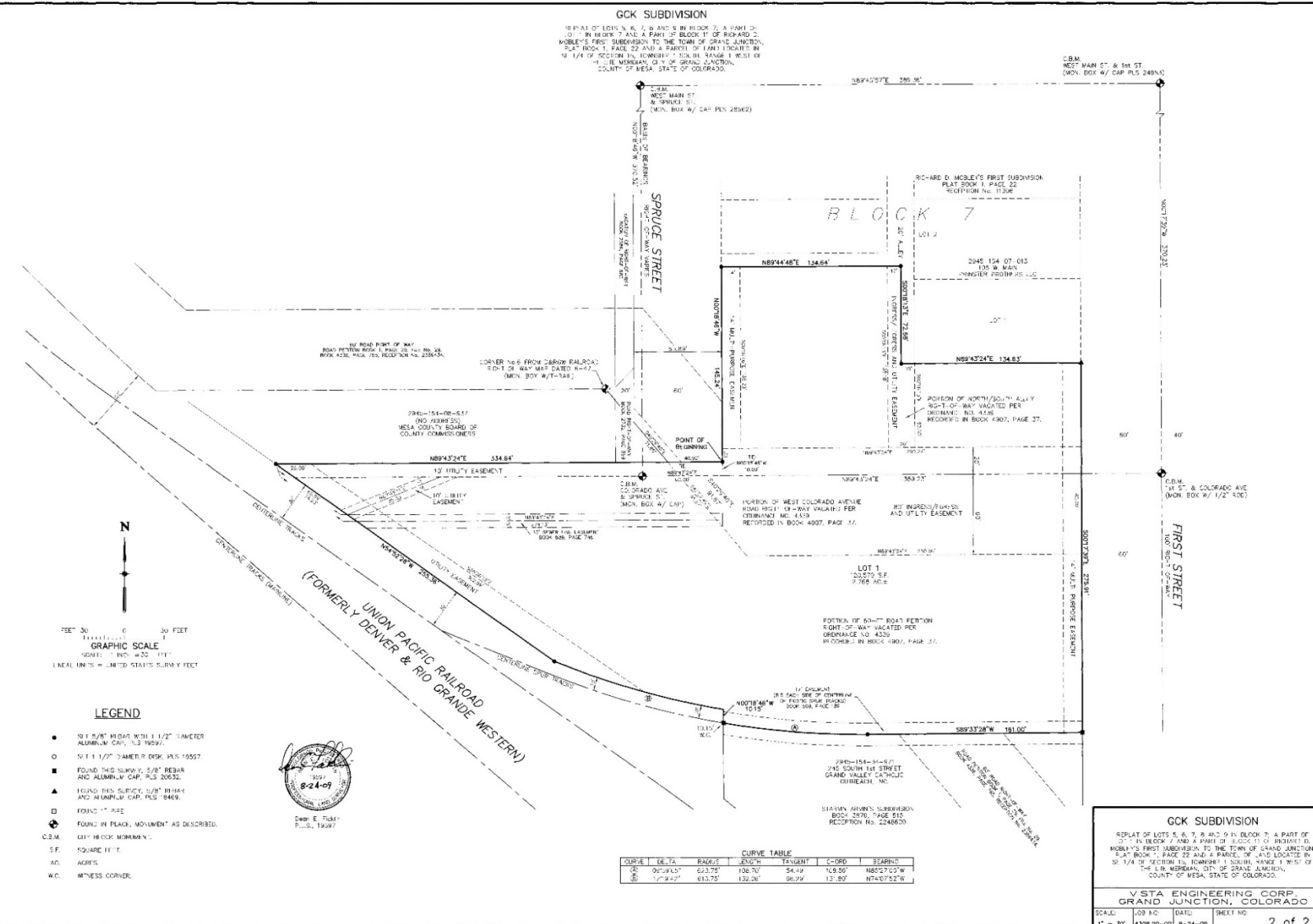
1 inch = 47 feet



GCK SUBDIVISION

REPLAT OF LOTS 5, 6, 7, 8 AND 9 IN BLOCK 7, A PART OF
 LOT 1 IN BLOCK 7 AND A PART OF BLOCK 11 OF RICHARD D.
 MOBLEY'S FIRST SUBDIVISION TO THE TOWN OF GRAND JUNCTION,
 S.A. BLOCK 7, PAGE 22 AND A PART OF LAND LOCATED IN
 S. 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF
 THE 10TH MERIDIAN, CITY OF GRAND JUNCTION,
 COUNTY OF MESA, STATE OF COLORADO.

C.B.M.
 WEST MAIN ST & 1st ST
 (MON. BOOK #7/ CAP PLS 24890)



N
 0 30 FEET
 GRAPHIC SCALE
 1" = 30'
 LINEAL UNITS = UNITED STATES SURVEY FEET

- LEGEND**
- SET 5/8" MONUMENT WITH 1/2" DIAMETER ALUMINUM CAP, PLS 19557
 - SET 1/2" DIAMETER DISK, PLS 19557
 - FOUND THIS SURVEY 5/8" BEAR AND ALUMINUM CAP, PLS 20632
 - ▲ FOUND IRON SURVEY 5/8" BEAR AND ALUMINUM CAP, PLS 8469
 - FOUND 1" PEE
 - ⊕ FOUND IN PLACE MONUMENT AS DESCRIBED.
- C.B.M. CITY BLOCK MONUMENT.
 S.F. SQUARE FEET.
 AC. ACRES.
 W.C. WITNESS CORNER.



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	C-CORD	STABING
CD	08°34.5'	623.75'	106.70'	54.49'	10.50'	N85°27'02"W
SD	1°27'42"	613.75'	132.26'	96.99'	13.83'	N74°07'52"E

GCK SUBDIVISION
 REPLAT OF LOTS 5, 6, 7, 8 AND 9 IN BLOCK 7, A PART OF
 LOT 1 IN BLOCK 7 AND A PART OF BLOCK 11 OF RICHARD D.
 MOBLEY'S FIRST SUBDIVISION TO THE TOWN OF GRAND JUNCTION,
 S.A. BLOCK 7, PAGE 22 AND A PART OF LAND LOCATED IN
 S. 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF
 THE 10TH MERIDIAN, CITY OF GRAND JUNCTION,
 COUNTY OF MESA, STATE OF COLORADO.

VISTA ENGINEERING CORP
 GRAND JUNCTION, COLORADO

SCALE: JOB NO. DATE: SHEET NO.
 1" = 30' 4308-00-02 8-24-09 2 OF 2

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE VACATING THE REMAINING NORTH-SOUTH
ALLEY RIGHT-OF-WAY OF BLOCK 7,
RICHARD D. MOBLEY'S FIRST SUBDIVISION**

Recitals:

The Applicant, CenterPoint Development Group, is requesting vacation of the remainder of the alleyway south of West Main Street and between South Spruce Street and South 1st Street. The remaining alley right of way to be vacated is divided into two pieces. The northern portion is a square, approximately 0.01 Acre; 20-feet by 25-feet in size. The second portion of the alley right-of-way is 0.02 Acres and is an irregularly shaped piece. The east side is 82.61 feet in length, the west side is 72.61 feet, with a 10-foot by 10-foot jog at the northern end. The attached survey map provides clarity regarding the exact dimensions and location of this vacate request. Another exhibit, a copy of the GCK Subdivision, shows how a previous portion of the alley was partially vacated and will be completed with this vacation request. The vacation of the alley will enable the Applicant to develop the property using their preferred site plan.

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 the alley right-of-way 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 IS VACATED SUBJECT TO THE GRANT OF A UTILITY EASEMENT TO XCEL ENERGY FOR EXISTING OVERHEAD POWER LINES:

A parcel of land located in block 7, Richard D. Mobley's first subdivision to the Town of Grand Junction as shown on plat recorded in Reception Number 11306 of the Mesa County records and in the Southeast Quarter (se¹/₄) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, in the City of Grand Junction, Mesa County, Colorado and being that alley right-of-way as described in Reception Number 166098, Mesa County records and more particularly described as follows:

Commencing at the Northeast corner of lot 4, said block 7, Richard D. Mobley's first subdivision; thence north 89°52'34" West, a distance of 124.73 feet, also being the basis of bearings with all bearings contained herein relative thereto, along the North line of said lot 4, block 7 to the point of beginning; thence South 00°05'34" West, a distance of 25.00 feet; thence North 89°52'34" West, a distance of 20.00 feet; thence North

00°05'34" East, a distance of 25.00 feet; thence South 89°52'34" East, a distance of 20.00 feet to the point of beginning.

said parcel containing an area of 0.01 acres, as herein described and as depicted on attached Exhibit A.

and

Commencing at the Southeast corner of lot 1, said block 7, Richard D. Mobley's first subdivision; thence North 89°52'34" West, a distance of 124.65 feet, along the South line of said lot 1, block 7, also being the basis of bearings, with all bearings contained herein relative thereto, to the point of beginning; thence N89°53'47"W, a distance of 10.00 feet; thence North 00°04'13" East, a distance of 72.61 feet; thence North 89°52'34" West, a distance of 10.00 feet; thence North 00°05'34" East, a distance of 10.00 feet; thence South 89°52'34" East, a distance of 20.00 feet; thence South 00°04'13" West, a distance of 82.61 feet to the Point of Beginning.

Said parcel containing an area of 0.02 acres, as herein described and as depicted on attached Exhibit B.

Introduced on first reading this 7th day of February, 2018 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2018 and ordered published in pamphlet form.

ATTEST:

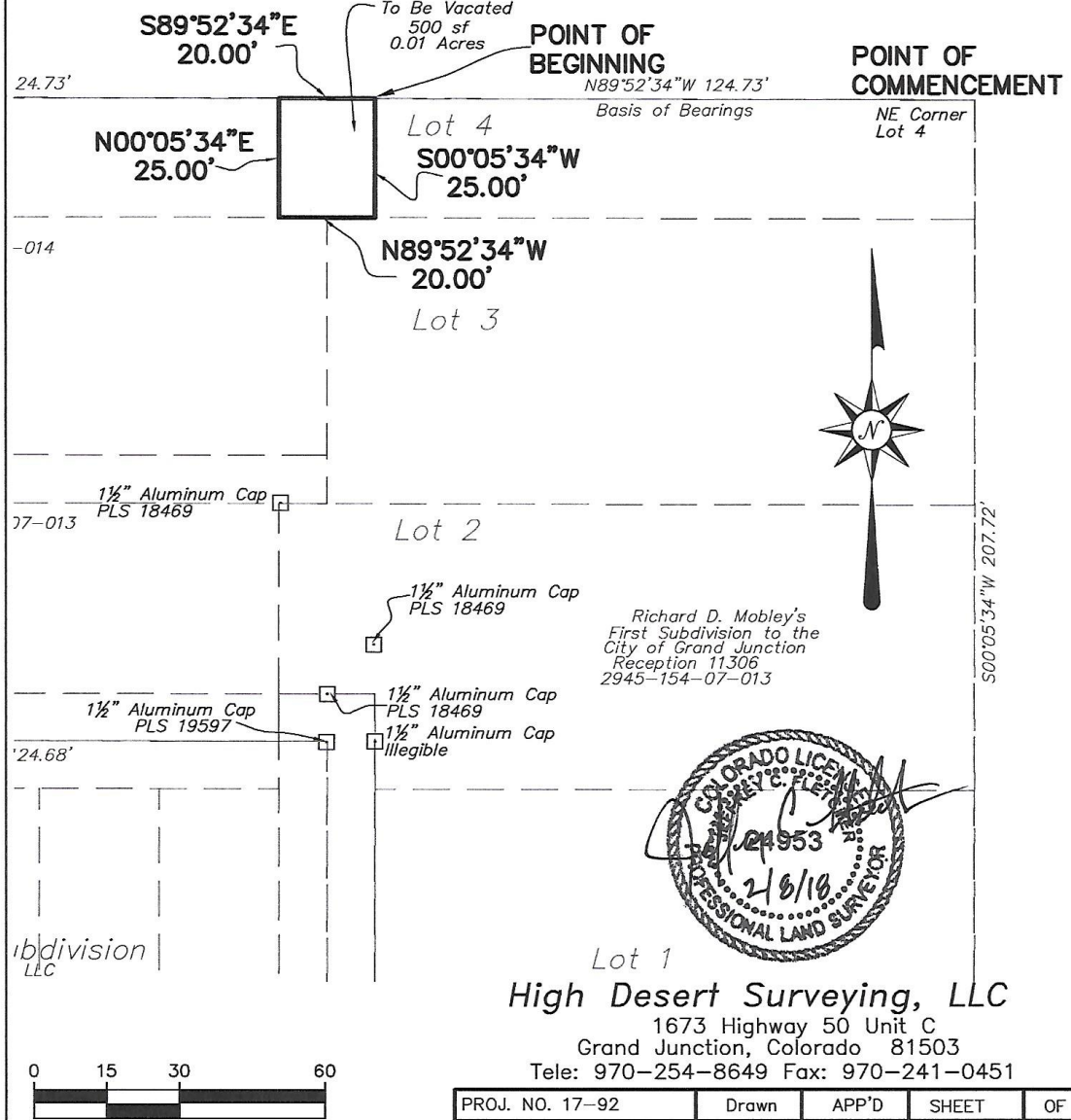
City Clerk

Mayor

EXHIBIT A ALLEY RIGHT-OF-WAY VACATION

Main Street

20.0' wide x 25.0' deep
Alley Right-of-Way
Reception 166098
To Be Vacated
500 sf
0.01 Acres

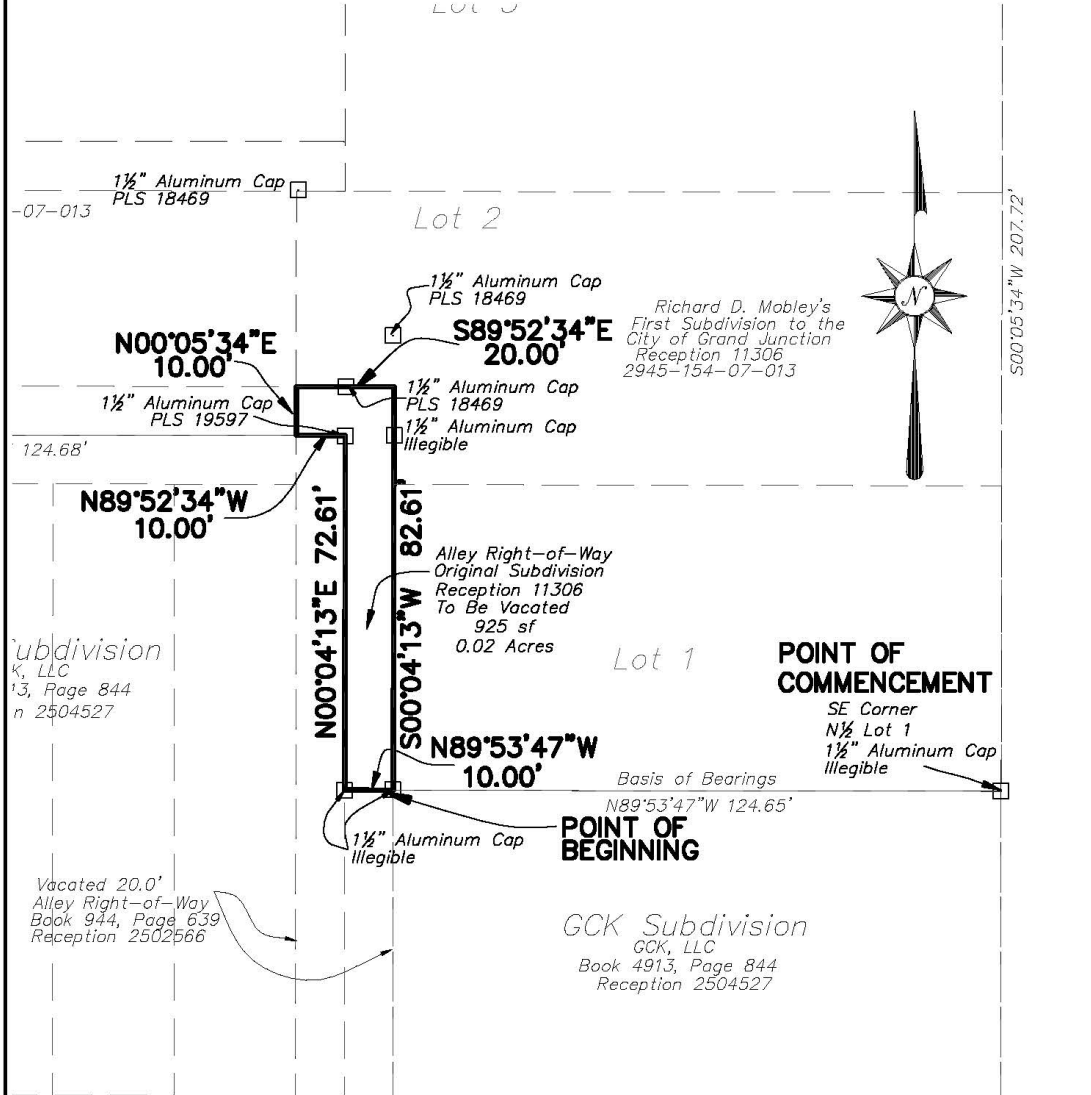


High Desert Surveying, LLC

1673 Highway 50 Unit C
Grand Junction, Colorado 81503
Tele: 970-254-8649 Fax: 970-241-0451

PROJ. NO. 17-92	Drawn	APP'D	SHEET	OF
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EXHIBIT B ALLEY RIGHT-OF-WAY VACATION



High Desert Surveying, LLC

1673 Highway 50 Unit C
Grand Junction, Colorado 81503

Tel: 970-254-8649 Fax: 970-241-0451



PROJ. NO. 17-92	Drawn knr	APP'D jcf	SHEET 1	OF 1
DATE: September, 2017				

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date
Citizen's Name	Bruce Lummell	
Subject	Violences "Watchlist"	
Phone Number (optional)		Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 2/21/18
Citizen's Name	Kimberly Langston	
Subject	Community Center public mtgs	
Phone Number (optional)	303 916 9539	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 2-21-18
Citizen's Name	Lawrence ANNA	
Subject	1. City boundaries 2. Roundabout redevelopment	
Phone Number (optional)	970-242-0097	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!

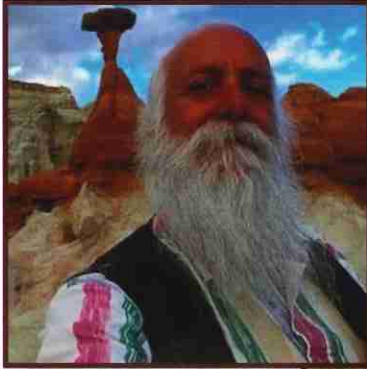
“Quiet Please!”

“Dupe in Progress”

Bruce Edward Lohmiller

for Colorado Governor 2018

***Denali's
National
Park
Adventures***



**Opening
Reception
Mar 3rd
at 6 pm**



Denali Daniels

March 2018

**Veteran's Art Center Gallery
307 S 12th St
Grand Junction, CO**

