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**CITY COUNCIL AGENDA  
WEDNESDAY, FEBRUARY 6, 2013  
250 NORTH 5<sup>TH</sup> STREET  
6:30 P.M. – PLANNING DIVISION CONFERENCE ROOM  
7:00 P.M. – REGULAR MEETING – CITY HALL AUDITORIUM**

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

**Call to Order**  
(7:00 p.m.)

Pledge of Allegiance  
Moment of Silence

**Proclamation**

Proclaiming February 19, 2013 as “Mosaic Day” in the City of Grand Junction

**Appointments**

To the Public Finance Corporation

To the Historic Preservation Board

**\*\*\* Certificate of Appointments**

To the Forestry Board

**Council Comments**

**Citizen Comments**

*Revised February 6, 2013*

*\*\* Indicates Changed Item*

*\*\*\* Indicates New Item*

*® Requires Roll Call Vote*

**REVISED**

**\*\*\* CONSENT CALENDAR \*\*\*®**

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

*Action: Approve the Minutes of the January 16, 2013 Regular Meeting and Approve the Minutes of the January 24, 2013 Special Meeting*

2. **Setting a Hearing for the Approval of a Five Year Extension of the Previously Approved Colorado Mesa University Outline Development Plan for Property Located at 2899 D ½ Road** [File #ODP-2008-154] [Attach 2](#)

A request for a five year extension from December 15, 2012 to December 15, 2017, for the previously approved Colorado Mesa University Outline Development Plan (ODP). The previously approved ODP allows multifamily residential, commercial, and industrial uses within four pods.

Proposed Ordinance Amending Ordinance No. 4314 Zoning the Colorado Mesa University Development to PD (Planned Development) to Extend the Development Schedule Until December 15, 2017, Located at 2899 D 1/2 Road

*Action: Introduction of a Proposed Ordinance and Set a Hearing for February 20, 2013*

Staff presentation: Scott D. Peterson, Senior Planner

3. **Setting a Hearing Zoning the Feuerborn Annexation, Located at 2902 and 2906 D Road** [File #ANX-2012-518] [Attach 3](#)

A request to zone the 3.40 acre Feuerborn Annexation, consisting of two parcels located at 2902 and 2906 D Road, to a C-1 (Light Commercial) zone district.

Proposed Ordinance Zoning the Feuerborn Annexation to C-1 (Light Commercial), Located at 2902 and 2906 D Road

*Action: Introduction of a Proposed Ordinance and Set a Hearing for February 20, 2013*

Staff presentation: Scott D. Peterson, Senior Planner

4. **Setting a Hearing to Amend Section 21.07 of the Grand Junction Municipal Code to Add a Section 21.07.070, North Avenue Overlay Zone District** [File #ZCA-2012-572] [Attach 4](#)

This amendment to Section 21.07 will add an Overlay Zone District establishing zoning standards specific to properties abutting North Avenue from First Street east to I-70 Business Loop. The North Avenue Overlay Zone District contains three areas of emphasis including 1) Mandatory Standards required of all new development along the corridor; 2) "Opt In" Standards for new development that chooses to develop under this section; and 3) the "Site Upgrade Point System" standards that provides a vehicle for a future incentive program when funding becomes available. The point system will be a part of a financial incentive to property owners to improve the streetscape and their property along the corridor, and implements the vision and goals of the City's adopted North Avenue Corridor Plans and this North Avenue Overlay Zone District.

Proposed Ordinance Amending Section 21.07 of the Grand Junction Municipal Code to Add an Overlay Zone District for Property Abutting North Avenue between First Street on the West and I-70 B on the East

*Action: Introduction of a Proposed Ordinance and Set a Hearing for February 20, 2013*

Staff presentation: Dave Thornton, Principal Planner

5. **Purchase Polymer for Persigo Wastewater Treatment Plant** [Attach 5](#)

This request is for the purchase of liquid polymer for use in dewatering digested sludge at Persigo Wastewater Treatment Plant.

*Action: Authorize the City Purchasing Division to Purchase Polymer from Polydyne, Inc. in the Amount of \$51,171*

Staff presentation: Greg Trainor, Public Works, Utilities, and Planning Director  
Dan Tonello, Wastewater Services Manager

- \*\*\* 6. **Policy Regarding Amendment 64 Relative to Marijuana Facilities in the City** [Attach 6](#)

The City Council hereby directs the City Manager and City Attorney to monitor and evaluate any and all legislature and or administrative actions regarding marijuana and to advise the Council of the State's action. The resolution also

directs the City Manager not to issue any permits or approvals for marijuana facilities.

Resolution No. 07-13—A Resolution Concerning Amendment 64 and Land Use Applications in the City of Grand Junction and Directing the City Manager Relative to Land Use Approvals and Sales Tax Licenses for Marijuana Facilities in the City

®Action: *Adopt Resolution No. 07-13*

Staff presentation: John Shaver, City Attorney

\*\*\* 7. **Park Designation of the Colorado National Monument** [Attach 7](#)

After many years of local debate, discussion, and deliberation, the City Council supports the designation of the Colorado National Monument as a National Park and urges Congress to act forthwith to designate and officially change the area, without changing its size or limiting access to established public and private uses, to a National Park.

Resolution No. 08-13—A Resolution Concerning the Designation of the Colorado National Monument as a National Park

®Action: *Adopt Resolution No. 08-13*

Staff presentation: John Shaver, City Attorney

\*\* 8. **Setting a Hearing to Amend the Grand Valley Circulation Plan, a Part of the Comprehensive Plan, Located Generally North of I-70 Business Loop Between 28 and 28 1/4 Roads** [File #CPA-2012-584] [Attach 8](#)

A request to amend the Grand Valley Circulation Plan on and near the property (35.8 acres) located generally north of I-70 Business Loop between 28 and 28 1/4 Roads to add two future collector streets and an unclassified street in the area to improve future capacity, connectivity, and circulation.

Proposed Ordinance Amending the Comprehensive Plan of the City of Grand Junction to Amend the Grand Valley Circulation Plan for the Area Located Generally North of I-70 Business Loop Between 28 and 28 1/4 Roads

Action: *Introduction of a Proposed Ordinance and Set a Hearing for February 20, 2013*

Staff presentation: Trent Prall, Engineering Manager

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

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

**\*\* 9. Purchase Two Ford Explorer XLT 4WD Vehicles [Attach 9](#)**

This purchase will provide two emergency response vehicles, one each for the Police Chief and Fire Chief. These vehicles will be additions to the fleet and will replace the automobile allowance currently paid to the Chiefs.

*Action: Authorize the City Purchasing Division to Purchase Two 2013 Ford Explorer XLT 4WD Vehicles from Columbine Ford, Rifle, Colorado in the Amount of \$28,832.68 each, for a Total Amount of \$57,665.36*

Staff presentation: Jay Valentine, Internal Services Manager

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

**11. Other Business**

**12. Adjournment**

## Minutes

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

January 16, 2013

The City Council of the City of Grand Junction convened into regular session on the 16<sup>th</sup> day of January, 2013 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Jim Doody, Tom Kenyon, Laura Luke, Sam Susuras, and Council President Bill Pitts. Councilmember Teresa Coons was absent. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pitts called the meeting to order. Councilmember Doody led the Pledge of Allegiance, followed by an invocation by Reverend Patty, Two Rivers Center for Spiritual Living.

#### **Presentations:**

Jamie Hamilton, on behalf of JUCO, advised City Council that he was pleased to bring the second half of the payment for the Stadium renovation from JUCO in the amount of \$500,000. There were no tax dollars for this portion and he thanked Councilmember Kenyon and the rest of City Council for their support. JUCO and the Lincoln Park Stadium have received a lot of national coverage. All of this says a lot about what this community has done. He distributed some cards to the City Council.

Councilmember Kenyon said the passion and commitment of JUCO to this community for the next 25 years went over and above the dollars that were contributed. He noted that tickets for JUCO are on sale.

Rob Schoeber, Parks and Recreation Director, introduced the next presentation. He introduced Dr. Gisela Flannigan, Grand Junction Commission on Arts and Culture Chairperson, who then presented the Champion of the Arts Award, and the Annual State of the Arts Report from the Grand Junction Commission on Arts and Culture. The business award went to Doyle Trading Consultants. They supported the founding of High Desert Opera. Without the Doyles, the High Desert Opera would not be celebrating their tenth anniversary. Present to receive the award were Steve and Sylvia Doyle from Doyle Trading Consultants. The Arts Commission presented the Doyles with the "Bookcliffs Tryptic" by Susan Stanton.

Dr. Flannigan presented the individual award to Harold P. Moss and his late wife Ruth for their support of the Arts Center and the Summer Art Program at the Center. They have

ensured it is accessible to all children. The Arts Commission presented “Whispering” by Mary Mansfield to Mr. Moss.

Dr. Flannigan then thanked the City Council for their support of the arts in Grand Junction. Lorie Gregor, Arts and Culture Coordinator, handed out the Annual Report for the Commission on Arts and Culture for 2012, while Dr. Flannigan highlighted the report. Dr. Flannigan commented that, as in years past, there will be exhibitions in City Hall, Two Rivers Convention Center, and Tiara Rado. The 1% for the Arts Project produced five different works last year including artwork for the Police and Fire Administration buildings at the new Public Safety Facility. The Commission also sponsored a writing competition in 2012, created in Honor of Arts and Humanities Month, called “What Art Means to Me,” which was open to children from 2<sup>nd</sup> grade to 12<sup>th</sup> grade. The Commission’s grant program’s main goal this last year was to make sure that grant money remained in the hands of local artists for local events. There were 29 grant requests for a total amount of \$47,266. Funding was awarded to 23 organizations for a total of \$43,300. Dr. Flannigan again thanked City Council for their support.

Council President Pitts called a short recess at 7:19 p.m. to allow those present for the Arts presentation to exit the room.

The meeting reconvened at 7:25 p.m.

### **Proclamation:**

#### **Proclaiming January 2013 as “National Mentoring Month” in the City of Grand Junction**

Councilmember Boeschstein read the proclamation. Representatives from Mesa County Partners, Blake Ammon and George Rossman, were present to receive the proclamation. Mr. Ammon introduced George Rossman, who is a long time senior mentor, and she expressed her appreciation, and noted that they are looking for more mentors.

### **Appointments**

Councilmember Susuras moved to appoint Teddy Hildebrandt, Carl Hochmuth, and Richard Edwards to three year terms expiring November 2015 and appoint Charles Thompson to the alternate position expiring November 2013, all to the Forestry Board. Councilmember Kenyon seconded the motion. Motion carried.

### **Council Comments**

Councilmember Luke said she received a call from a constituent who took issue with the way the City Council conducts their meetings. She read a prepared statement.

*"I received a call Tuesday from a constituent who expressed strong opposition to how City Council meetings are conducted – specifically with regard to what he called the 'lack of transparency' or 'back room' meetings and decisions. Also, he took issue with any City Councilmember voting to utilize Certificates of Participation without voter approval. Because of the nature of the call, and the issues he raised, I thought it important to advise Council, and to use this opportunity, to state my position lest it be restated or recharacterized.*

*"City Council meetings are open to the public, they are noticed in advance, and they are often televised, and often detailed minutes are taken. Our Staff and Council have demonstrated a commitment to operating effectively within transparent environments, and most citizens are satisfied that our meetings are accessible, invite participation, and are lawful.*

*"I don't always agree with the Council majority, but I have no disagreement with how our actions are taken – if I do, I speak up; I recognize and appreciate being part of a system that works towards the best interests of the community and I believe our meeting processes do just that.*

*"Regarding COP's, I am confident in our attorney's advice regarding Certificates of Participation, how they are defined by law, and what dictates the proper use of this type of instrument. I was not on this Council when the decision was made to utilize COP's to build our baseball stadium, nor would I second guess that Council's decision. The instruments have been used locally by Mesa County, and to my understanding, throughout the State.*

*"These recessionary times may dictate a very different approach by Council to financing public investment than what transpired 5 or 6 years ago. In this particular economic climate, I would think long and hard about securing Certificates of Participation without voter approval, but I also recognize that use of the instruments as we have done is lawful.*

*"I am sharing this information with Council so that you know my position regarding these two issues, and to brief you in the event you are also contacted."*

Councilmember Boeschstein commented that he met with the Incubator in their day long retreat today. He lauded all their efforts and projects. He also advised that the late Kathy Jordan will be recognized on February 7, 2013 at the Colorado Preservation Inc. Saving Places Conference for all her contributions toward historic preservation.

Councilmember Kenyon said the Airport Authority met last week and delayed the deadline for comments on the airport leasing policy, so comments are still being



accepted. They are also advertising for an at-large member for the Airport Authority Board.

Council President Pitts said he was at the grand opening of Sprouts and there were a lot of people, the parking lot was full, and the Grand Junction High School Marching Band Drum Line was there.

### **Citizen Comments**

Dennis Simpson, from Grand Junction, said he wanted to address the proposed ballot question. There are several issues with the ballot approved on Friday. The plan does not disclose that the plan is to issue debt. The cash flow will support \$60 to \$90 million of debt. The Staff report does not address that this is the plan. The ballot question limits the ability of future Councils to reprioritize. The possibility exists that the election to authorize the bonds may not succeed. Then the cash will have to be used on a pay-as-you-go basis. This ballot issue will preclude the option of redirecting funds to meet those needs. The other item on the ballot question leaves City Council with the option of excluding the electorate when it is time to borrow money. Mr. Simpson went on to restate what was said at the retreat on January 11, 2013.

Council President Pitts asked Mr. Simpson to take his seat as he had exceeded his allotted time.

### **CONSENT CALENDAR**

Councilmember Kenyon moved to adopt and then read the Consent Calendar items #1-7. Councilmember Luke seconded the motion. Motion carried.

1. **Minutes of Previous Meeting**

*Action: Approve the Minutes of the December 19, 2013 Regular Meeting*

2. **2013 Meeting Schedule and Posting of Notices**

State Law requires an annual designation of the City's official location for the posting of meeting notices. The City's Code of Ordinances, Sec. 2.04.010, requires the meeting schedule and the procedure for calling special meetings be determined annually by resolution.

Resolution No. 01-13—A Resolution of the City of Grand Junction Designating the Location for the Posting of the Notice of Meetings, Establishing the 2013 City Council Meeting Schedule, and Establishing the Procedure for Calling of Special Meetings for the City Council

*Action: Adopt Resolution No. 01-13*

3. **Conduct of the Regular Municipal Election on April 2, 2013**

The City has adopted the Municipal Election Code. In order to conduct the election by mail ballot, the Council must authorize it pursuant to 1-7.5-104 C.R.S. and the City Clerk must submit a Written Plan outlining the details and responsibilities to the Secretary of State. It is recommended that the City again contract with Mesa County to conduct this election by mail ballot. They have the equipment on site and are able to prepare, mail out, and process the ballots more efficiently than the City. The contract with Mesa County will not exceed \$44,000.

Resolution No. 02-13—A Resolution Authorizing a Mail Ballot Election in the City of Grand Junction for Regular Municipal Election on April 2, 2013, Authorizing the City Clerk to Sign the Intergovernmental Agreement with Mesa County Clerk and Recorder and Approving the Written Plan for the Conduct of a Mail Ballot Election

*Action: Adopt Resolution No. 02-13*

4. **Setting a Hearing on the Feuerborn Annexation Located at 2902 and 2906 D Road** [File #ANX-2012-518]

A request to annex 2.69 acres, located at 2902 and 2906 D Road. The Feuerborn Annexation consists of two parcels, including portions of the 29 Road and D Road rights-of-way. The total annexation area contains 3.40 acres of which 0.71 acres or 30,826 sq. ft. is right-of-way.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 03-13—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Feuerborn Annexation, Located at 2902 and 2906 D Road

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Feuerborn Annexation, Approximately 3.40 Acres, Located at 2902 and 2906 D Road

*Action: Adopt Resolution No. 03-13, Introduce Proposed Ordinance, and Set a Public Hearing for February 20, 2013*

5. **Setting a Hearing on the Rock Shop Enclave Annexation, Located South of D Road, East of S. 15<sup>th</sup> Street, and South of the Riverside Parkway, on both sides of 27 ½ Road, North of Las Colonias Park** [File # ANX-2012-574]

A request to annex 53.66 acres of enclaved property, consisting of 68 parcels and 3.84 acres of public right-of-way.

a. **Notice of Intent to Annex and Exercising Land Use Control**

Resolution No. 04-13—A Resolution of the City of Grand Junction Giving Notice that a Tract of Land Known as the Rock Shop Enclave, Located South of D Road, East of S. 15<sup>th</sup> Street, and South of the Riverside Parkway, on Both Sides of 27 ½ Road, North of Las Colonias Park, Consisting of Approximately 53.66 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado and Exercising Land Use Control

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rock Shop Enclave, Located South of D Road East of S. 15<sup>th</sup> Street, and South of the Riverside Parkway on Both Sides of 27 ½ Road North of Las Colonias Park, Consisting of Approximately 53.66 Acres

*Action: Adopt Resolution No. 04-13, Introduce Proposed Ordinance, and Set a Hearing for April 3, 2013*

6. **Sole Source Purchase of InfraMAP Software**

This request is for the sole source purchase of a software system required for remotely editing and updating City infrastructure data. The software interfaces with the City's Public Works Asset Management System (Lucity) and provides field access for Parks and Public Works employees to the data, maps, and work flow for that system.

*Action: Authorize the City Purchasing Division to Enter into a Sole Source Contract with iWater of Irvine, CA in the Amount of \$76,980*

7. **Contract for Electrical Equipment Upgrades for Water Treatment Facility**

Request to enter into a contract with EC Electric, Grand Junction, CO to relocate and replace the main electrical distribution switchgear at the Water Treatment Facility.

*Action: Authorize the City Purchasing Division to Enter into a Contract with EC Electric in the Amount of \$57,342.05*

## **ITEMS NEEDING INDIVIDUAL CONSIDERATION**

### **Setting a Ballot Title in Response to a Protest Against Ordinance No. 4295, An Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District Located at 347 and 348 27 ½ Road and 2757 C ½ Road**

The ordinance zoning these properties was protested through a successful referendum petition. The City Council at their September 5, 2012 meeting determined it was appropriate to refer the matter to the next regular election on April 2, 2013.

John Shaver, City Attorney, presented this item. He stated the purpose is to consider and set a ballot title for the electorate to consider Ordinance No. 4295. The recitals contain the record of the actions prior to this action. The request is the approval of the ballot language on the second page, identified as Ballot Measure A. The City Council decided on September 5, 2012 not to repeal the ordinance but rather to refer the matter to the ballot.

Council President Pitts asked the City Council if they would like to have public input. The Council agreed.

Harry Griff, one of the proponents of the petition that led to the election, said he received the proposed language the day before. He has concern with the recitals and the exact ballot language. It is his understanding the recitals will not be on the ballot, however, he asked if the recitals will be disseminated prior to the election. He wants them to be fair and objective in the background of how this got here. He believes the first two paragraphs need more clarification. The recommendation of City Staff and Planning Commission was to zone the property no higher than Industrial Office, and he feels strongly that this needs to be explained in the recitals as well. Neither the recitals, nor the ballot language state the actual adjacency to the properties, and he asked for an amendment to the language to clarify this.

Mike Russell, attorney for the property owner, said he thinks the recitals are for the purpose of giving the general background of how this occurred. The issues Mr. Griff raises are disputed issues, they are not objective. They are not here to get into an evidentiary hearing. City Attorney Shaver has set forth the critical facts and that is the purpose of the resolution, so he encouraged the City Council not to add anything to the resolution. Regarding the ballot language, the Charter states what the ballot title should

say. He discouraged any change to the ballot title. He asked the resolution be adopted as written.

Susan Alexander, not a resident, lives outside of Whitewater, noted that a member of Council had just lauded a new employer in Grand Junction. She noted that Brady Trucking has been fighting this for five years, and has spent a lot of money to contribute to the community. She thought it was despicable that Brady Trucking has had to fight this and contribute so much financially.

Resolution No. 05-13—A Resolution Setting a Ballot Title and Submitting to the Electorate on April 2, 2013 a Measure Regarding Zoning Property Located at 347 27 1/2 Road, 348 27 1/2 Road and 2757 C 1/2 Road in the City of Grand Junction, Colorado

Councilmember Kenyon moved to adopt Resolution No. 05-13. Councilmember Susuras seconded the motion.

Councilmember Boeschstein said they have worked really hard to come to a compromise but that hasn't happened. He thanked the Staff for all their hard work to find a solution. He thanked the petitioners and all others that supported the ballot initiative. He put forward an amendment to the motion to include the paragraph from Harry Griff's letter "SLB Enterprises, doing business as Brady Trucking, purchased the property at 347 and 348 27 1/2 Road and 2757 C 1/2 Road in 2006. At that time, the property was located in the County. Brady Trucking was advised that before it could operate on the property, the property had to be annexed into the City and zoned for the first time in accordance with applicable City zoning." He also read from the March 21, 2007 Staff report, "Due to environmental conditions on the site, Staff did not support industrial classification. It was recommended that Industrial Office be applied to all three parcels."

Councilmember Kenyon did not accept the amendment. Councilmember Susuras agreed with not accepting the amendment.

Motion carried by roll call vote with Councilmember Boeschstein voting NO.

### **Setting a Ballot Title on a Measure to Retain and Spend Current Sales and Property Tax Revenue**

In 1992, the Colorado electorate amended the Colorado Constitution by the passage of the "Taxpayers Bill of Rights" (TABOR Amendment). The Amendment requires, among other things, that any time fiscal year revenues exceed the limitation imposed by the Amendment for the fiscal year, then the local government must refund the revenues above the allowed limit unless the voters approve otherwise.

Approval of this ballot question would allow the City of Grand Junction to retain and spend current sales and property tax revenue to pay for continued investment in transportation improvements in the City.

John Shaver, City Attorney, presented this item. This item is proposed to be Referred Ballot Measure B. It is a similar process as the previous item. He identified the ballot language in the resolution. It does not create any debt, which would require another ballot question. Certificates of Participation (COP's), as Mr. Simpson referred to, would not be appropriate for any funding of transportation projects as identified in the ballot title.

Councilmember Kenyon clarified that COP's are for something that can actually be mortgaged like the jail or other buildings. City Attorney Shaver said yes, and there is no revenue stream associated with transportation projects.

Councilmember Kenyon noted the question is asking voters if they want to spend the excess on transportation projects. If the City Council decides to put a project forward and ask to issue debt, it would go back to the voters.

City Attorney Shaver said that is correct, if the voters do not support this option, the City Council could ask the question again in the future or else be obligated to refund the excess revenues after the Riverside Parkway bonds are retired. The excess could be refunded as a mill levy credit as one method of refunding.

Councilmember Kenyon noted that the Council is trying to plan ahead. Transportation projects take a long time to come to fruition, and an interchange is a huge undertaking. There are other transportation obligations and there are other funds for future Councils to allocate to the projects. City Attorney Shaver agreed.

Councilmember Susuras asked if bonding would be the best avenue for this project. City Attorney Shaver said for the interchange project, due to its high cost, the bonding indebtedness would be needed in order to do a project of that magnitude. Councilmember Susuras asked if there is an ending date for this particular waiver. City Attorney Shaver answered that the question says when the transportation costs have been paid in full.

Councilmember Susuras asked if all three projects would happen at the same time. City Attorney Shaver said there is no sequencing or priority in the ballot language, so he would defer to the City Manager or Deputy City Manager for that question.

City Manager Rich Englehart said Staff will bring to the Council, on an annual basis, the list of priorities and will address whether these dollars are available. Some of these projects could be done on a pay-as-you-go basis, however the interchange would likely require a debt question.

Councilmember Boeschstein asked about the estimated cost of the interchange. City Manager Englehart said around \$35 million without partners. However, they have talked to the County about partnering. Councilmember Boeschstein said he is opposed to this project being done without any partners, and noted that Mesa County is still collecting a 2% tax that was for 29 Road. He also thought Colorado Department of Transportation (CDOT) and the surrounding landowners should participate in the 29 Road project as well. Councilmember Boeschstein said he is going to propose a change to the language to include, "capital projects such as street improvements in Orchard Mesa, a new Community Recreation Center, bicycle and pedestrian trails as called for in the Grand Valley Trails Master Plan, riverfront parks and other projects". He said the projects do not have to be specified. The current language ties future Council to those specific projects.

With City Council's permission, Council President Pitts proposed public comment. City Council concurred.

Dennis Simpson spoke again. He said what City Attorney Shaver just said is different than what he told him. He believes that the City Council could still mortgage any building they own, and then spend the money on transportation. There was no revenue source for the Police Station. Mr. Simpson questioned some of what City Attorney Shaver has said. He said COP's are a silly bunch of rules, and bond salesmen figure out how to get away with it.

Councilmember Luke asked City Attorney Shaver if a transportation project can be funded using bonds, would this require a vote of the people. City Attorney Shaver said if COP's are used, that does not require a vote. City Attorney Shaver said a bond issue would require a vote. COP's are not defined as debt and do not require a vote. COP's are a lawful means of public finance and there needs to be a revenue stream for COP's to issue. This ballot question does not obligate or authorize any debt.

Council President Pitts asked about the last sentence in the ballot question, could the other projects mentioned by Councilmember Boeschstein be included? City Attorney Shaver said that would be a decision for Council. As proposed, the ballot language has specific projects, and there is an ending date. It would be his recommendation, if Councilmember Boeschstein's amendment is considered, to include the language just read to apply after the projects have been completed.

Parliamentary procedure and process were discussed briefly.

Councilmember Kenyon said the whole idea was the voters wanted the 29 Road and the interchange project done, so it doesn't make sense to substitute language that was the purpose of this whole ballot question. The other projects were added and will be ready to go sooner. He was not in favor of adding other projects.

Resolution No. 06-13—A Resolution Setting a Title and Submitting to the Electorate on April 2, 2013 a Measure to Retain and Spend Revenues as Defined by Article X, Section 20 of the Colorado Constitution

Councilmember Kenyon moved to adopt Resolution No. 06-13. Councilmember Doody seconded the motion. Motion carried by roll call vote with Councilmember Boeschstein voting NO.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting was adjourned at 8:20 p.m.

Stephanie Tuin, MMC  
City Clerk



## **GRAND JUNCTION CITY COUNCIL**

### **SPECIAL SESSION MINUTES**

**JANUARY 24, 2013**

The City Council of the City of Grand Junction, Colorado met in Special Session on Thursday, January 24, 2013 at 12:05 p.m. in the Administration Conference Room, 2<sup>nd</sup> Floor, City Hall, 250 N. 5<sup>th</sup> Street. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Laura Luke, Sam Susuras, and President of the Council Bill Pitts. Absent was Councilmember Tom Kenyon. Also present later was City Attorney John Shaver.

Council President Pitts called the meeting to order.

Councilmember Susuras moved to go into Executive Session to discuss personnel matters under Section 402 (4)(f) (I) of the Open Meetings Law Relative to City Council Employees Specifically the City Attorney and City Council will not return to open session. Councilmember Coons seconded the motion. Motion carried.

The City Council convened into executive session at 12:07 p.m.

Stephanie Tuin, MMC  
City Clerk



Date: January 23, 2013  
Author: Scott D. Peterson  
Title/ Phone Ext: Senior Planner/1447  
Proposed Schedule: 1<sup>st</sup> Reading:  
February 6, 2013  
2nd Reading: February 20, 2013  
File #: ODP-2008-154

**Attach 2**  
**CITY COUNCIL AGENDA ITEM**

**Subject:** Approval of a Five Year Extension of the Previously Approved Colorado Mesa University Outline Development Plan for Property Located at 2899 D 1/2 Road

**Action Requested/Recommendation:** Introduce a Proposed Ordinance and Set a Public Hearing for February 20, 2013

**Presenter(s) Name & Title:** Scott D. Peterson, Senior Planner

**Executive Summary:**

A request for a five year extension from December 15, 2012 to December 15, 2017, for the previously approved Colorado Mesa University Outline Development Plan (ODP). The previously approved ODP allows multifamily residential, commercial, and industrial uses within four pods.

**Background, Analysis and Options:**

The property was annexed into the City in 2007 but was not zoned pending a decision on a requested Growth Plan Amendment. On March 5, 2008 the City Council amended the Growth Plan – Future Land Use Map from Public to a Mixed Use designation. On December 15, 2008, the City Council approved the Mesa State Development Outline Development Plan (ODP) effectively rezoning the property to Planned Development (PD). The property is now known as the Colorado Mesa Development. In 2010, a new Comprehensive Future Land Use Map was adopted by the City and changed the designation for this property from Mixed Use to Village Center, Residential Medium High (8 – 16 du/ac), Urban Residential Mixed Use (24+ du/ac) and Commercial/Industrial to correspond to the general areas of the different Pods identified on the approved ODP.

The ODP allows multifamily residential, commercial and industrial uses within four pods. The uses for each Pod are defined by Ordinance No. 4314 (see attached). Pod A allows only commercial and industrial uses and does not allow residential uses. Pods B and C will contain a maximum of 450,000 square feet and 115,000 square feet of commercial respectively. The overall proposed residential density of the development is 1,124 dwelling units. These multifamily units can be located within Pods B, C, and D. Pod B allows a maximum 370 dwelling units and Pod D allows a maximum 754 dwelling units. A maximum density for Pod C has not been established therefore any units located in Pod C would be subject to the maximum overall density and would have

to be subtracted from the total 1,124 units. The maximum density of Pods B, C and D is 10.9 dwelling units per acre.

The ODP was approved prior to adoption of the Comprehensive Plan. The Comprehensive Plan Future Land Use Map designations allow additional residential density on the property. To take advantage of the additional density, the applicant would have to amend the Outline Development Plan. No amendment is proposed at this time. The current Comprehensive Plan Future Land Use Map was changed to match the approved ODP for this property and the different Pod configuration, therefore the ODP is consistent with the Comprehensive Plan.

This is the applicant's second request for an extension. In 2010, the City Council approved a two-year extension through December 15, 2012. No development proposal has been submitted to date. The applicant is requesting a second extension until December 15, 2017 in the hopes the market and economy will improve and that development of the property becomes more feasible. The owner is committed to completing the project and the existing ODP will continue to provide public benefits for additional residential and commercial mixed use opportunities within the next five years (see attached letter).

The applicant is also requesting that the ODP be brought under the current 2010 Zoning and Development Code. The only major change between the zoning codes is that an applicant does not have to submit a Preliminary Plan under the current 2010 Zoning Code, because the ODP serves as the preliminary application and therefore can go right to final design. The existing ODP has sufficient detail to comply with the current ODP requirements and approval criteria as identified in the Zoning and Development Code.

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

The proposed ODP extension request implements the future land use designations of Village Center, Residential Medium High (8 – 16 du/ac), Urban Residential Mixed Use (24+ du/ac) and Commercial/Industrial and meets the following goals 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.

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

The proposed mixed use development will create additional housing and commercial, light industrial opportunities identified for this area of the City by the Comprehensive

Plan. The property contains 150 acres of land and is adjacent to the Riverside Parkway and could potentially help spur the current and anticipated multi-family, commercial and light industrial development identified for this area of the City, for the creation of jobs, housing and maintaining a healthy and diverse economy.

**Board or Committee Recommendation:**

The Planning Commission recommended approval of the requested 5 year extension for the previously approved ODP at their January 22, 2013 meeting.

**Financial Impact/Budget:**

None.

**Legal issues:**

None.

**Other issues:**

None.

**Previously presented or discussed:**

City Council approved original ODP for this application on December 15, 2008 and granted a two year extension on April 19, 2010.

**Attachments:**

Background Information / Staff Report  
Letter of Extension Request from Applicant  
Location Map / Aerial Photo Map  
Future Land Use Map / City and County Zoning Map  
Letter from Colorado Mesa University Real Estate Foundation  
Ordinance No. 4314  
Previously Approved Outline Development Plan drawing  
Previously Approved Buffering Design Requirement adjacent to Veteran's Cemetery  
Proposed Ordinance

BACKGROUND INFORMATION			
<b>Location:</b>	2899 D ½ Road		
<b>Applicant:</b>	Owner: Colorado Mesa University Real Estate Foundation Representative: Derek Wagner, Colorado Mesa University		
<b>Existing Land Use:</b>	Agriculture/Vacant/CSU Facility/Electrical Lineman School		
<b>Proposed Land Use:</b>	Mixed Use: Residential/Commercial/Industrial		
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant land – Railroad Right-of-Way	
	<b>South</b>	Single Family Residential and vacant land	
	<b>East</b>	Single Family Residential	
	<b>West</b>	State of Colorado Offices/Veterans Cemetery	
<b>Existing Zoning:</b>	PD (Planned Development)		
<b>Proposed Zoning:</b>	N/A		
<b>Surrounding Zoning:</b>	<b>North</b>	I-1 (Light Industrial)	
	<b>South</b>	County RSF-R (Residential Single Family – Rural), County PUD (Planned Unit Development), City R-4 (Residential - 4 du/ac) City PD (Planned Development) and City C-1 (Light Commercial)	
	<b>East</b>	County RSF-R (Residential Single Family – Rural) and County PUD (Planned Unit Development)	
	<b>West</b>	CSR (Community Services and Recreation)	
<b>Growth Plan Designation:</b>	Village Center, Residential Medium High (8 – 16 du/ac), Urban Residential Mixed Use (24+ du/ac) and Commercial/Industrial		
<b>Zoning within density range?</b>	X	Yes	No

**Phasing Schedule:**

A Preliminary Development Plan was to be submitted within 4 years after approval of the ODP or by December 15, 2012. The Applicant is requesting that the approved schedule be extended from December 15, 2012 to December 15, 2017.

The Developer is only requesting that the submittal schedule be amended. All other conditions, criteria and standards contained within Ordinance 4314 will remain in effect.

Section 21.02.150 (e) (2) of the Zoning and Development Code states:

**Outline Development Plan.** The approved outline development plan may be amended only by the same process by which it was approved, except for minor amendments.....

Because the above schedule is part of the approved ODP, the ODP must be amended by the same process by which it was approved. Therefore the Developer requests that the Planning Commission forward a recommendation of approval to City Council.

**PLANNING COMMISSION RECOMMENDATION:**

After reviewing the Colorado Mesa University Outline Development Plan application, file number ODP-2008-154, a request for a five-year extension to the approved development schedule, the Planning Commission makes the following findings of fact and conclusions:

1. The requested Planned Development, Outline Development Plan is consistent with the Comprehensive Plan as the Comprehensive Plan Future Land Use Map was changed to match the Pod configuration of the ODP.
2. The Outline Development Plan review criteria in Section 21.02.150 (b) (2) of the Zoning and Development Code have all been met as the criteria has not changed from the previous Zoning and Development Code.
3. The Rezoning review criteria in Section 21.02.140 (a) of the Zoning and Development Code have all been met as the criteria has not changed from the previous Zoning and Development Code.



REAL ESTATE FOUNDATION

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

December 3, 2012

Ms. Lisa Cox, Planning Director  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

Dear Ms. Cox:

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.

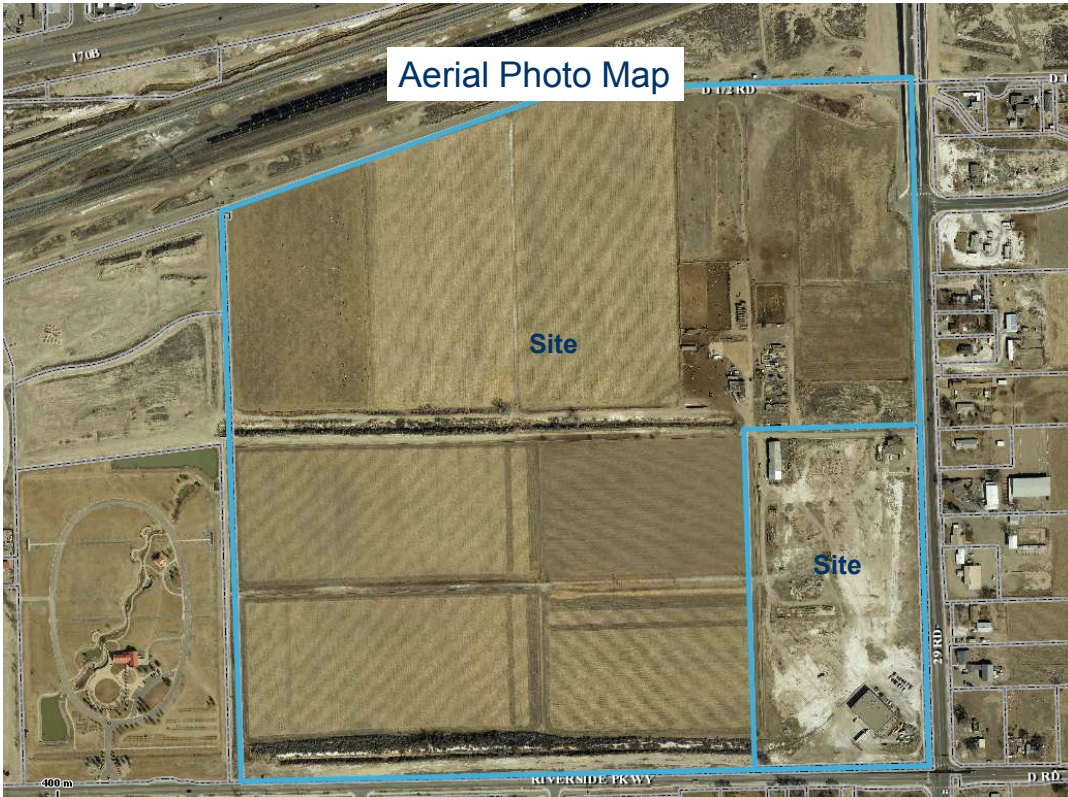
It has come to my attention that the current ODP for the property is set to expire this month. It is the sense of our Board that we would like to extend the current ODP for a period of five more years as we wait for market conditions to improve to the point that development of the property becomes feasible.

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](mailto:dawagner@coloradomesa.edu).

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

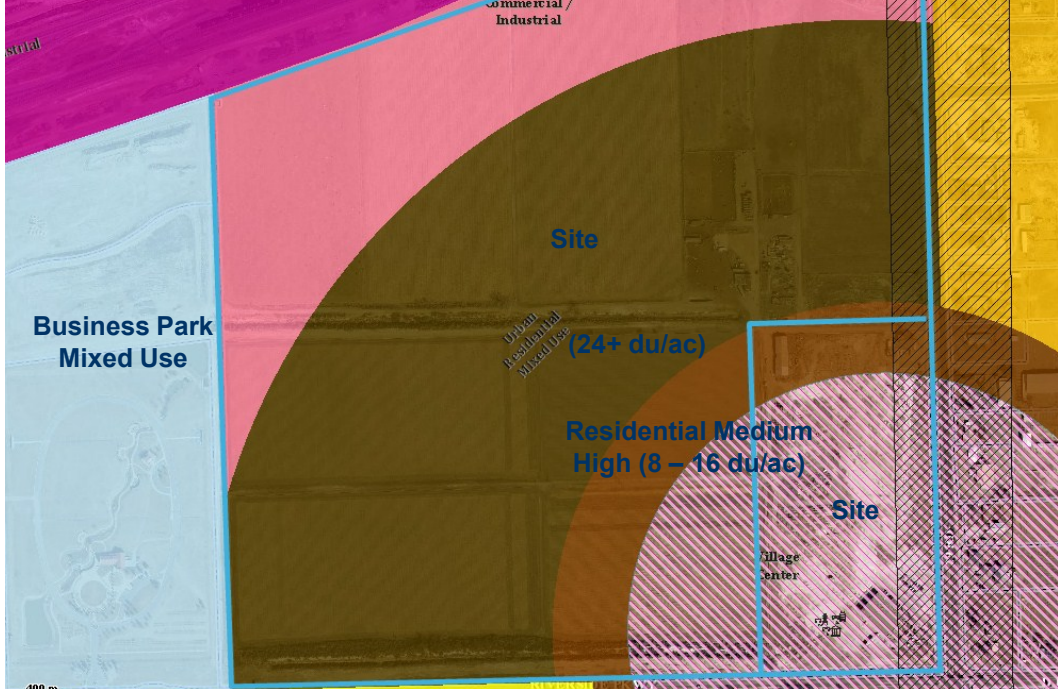
Sincerely,

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





# Comprehensive Plan Future Land Use Map



# Existing Zoning Map





REAL ESTATE FOUNDATION

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

January 11, 2013

Ms. Lisa Cox, Planning Director  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

RECEIVED  
JAN 11 2013  
COMMUNITY DEVELOPMENT  
DEPT.

Dear Ms. Cox:

I would like to thank you and Scott Peterson for taking time to visit with us yesterday about the issues surrounding our pending application for an extension of the Outline Development Plan (ODP) for our Foundation's property at 29 and D Roads. As always, we appreciate your open-door policy and your willingness to spend some time with us.

Based on your assurances that the only change associated with approving our extension request under the 2010 Code vs. the 2008 Code is a simplification of the process and the elimination of the need for a preliminary hearing before the Planning Commission once we come forward with an actual project, we are comfortable proceeding with an approval under the new Code.

Thank you again for your assistance and I look forward to seeing you at the Planning Commission meeting on January 22<sup>nd</sup>.

Sincerely,

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

**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

<b>Minimum Lot Area</b>	
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

<b>Minimum Lot Width</b>	
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

<b>Minimum Street Frontage</b>	
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

<b>Pod A Minimum Setbacks</b>	<b>Principle Structure / Accessory Structure</b>
Front	15' / 25'
Side	5' / 5'
Rear	25' / 5' <sup>a</sup>

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

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

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

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

<b>Maximum Height</b>	
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 15<sup>th</sup> day of December, 2008.

ATTEST:

/s/: Gregg Palmer  
President of the Council

/s/: Stephanie Tuin  
City Clerk

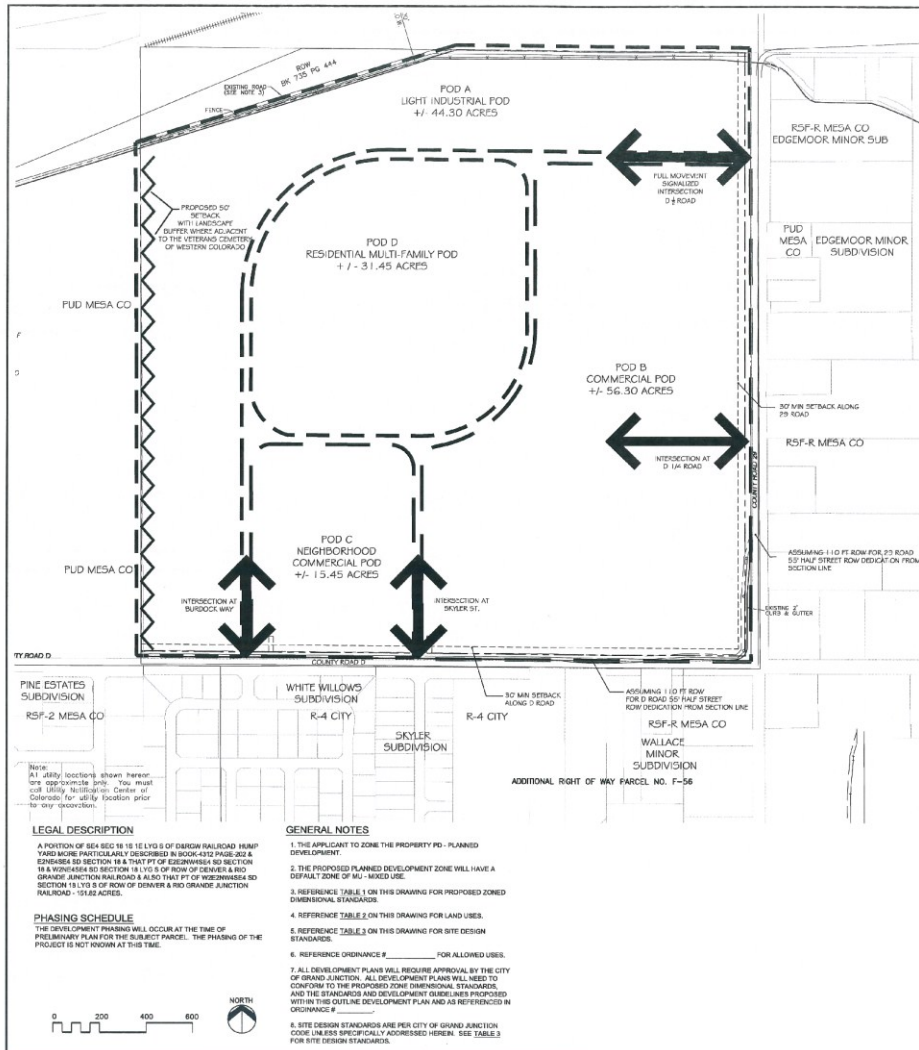


TABLE 1  
PROPOSED ZONE DIMENSIONAL STANDARDS (Table 3.2 ZDC)

POD	DEFAULT ZONING DISTRICT	MIN LOT SIZE (SQ. FT.)	MIN STREET FRONTAGE (FT.)	MIN FRONT SETBACK (FT.)	MIN SIDE SETBACK (FT.)	MIN REAR SETBACK (FT.)	MAX. LOT COVERAGE (%)	MAX. F.A.R. (%)	MAX. HEIGHT (FT.)	
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	10/0	N/A	2.0	40'/60'
POD C	MU	N/A	N/A	N/A	15/25	0/0	10/0	N/A	2.0	40'/60'
POD D	MU	N/A	N/A	N/A	15/20	0/3	10/5	80%	N/A	60'

- (1) PRINCIPAL / ACCESSORY BUILDING
- (2) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 30' FROM THE RIGHT-OF-WAY OF 39 ROAD AND D ROAD
- (3) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 10' FROM THE RIGHT-OF-WAY OF ALL NON-ARTERIAL STREETS.
- (4) UNDERGROUND 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 40' IN HEIGHT. A MIXED-USE BUILDING IN COMMERCIAL PODS CAN BE LESS THAN OR EQUAL TO 60' IN HEIGHT. A MULTI-FAMILY RESIDENTIAL BUILDING IN ANY POD CAN BE LESS THAN OR EQUAL TO 60' 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	TOTAL AREA	% OF SITE	USES	ESTIMATED DENSITY	
				GENERAL USES PER POD	POD INTENSITY / DENSITY (S) (H)
INDUSTRIAL					
POD A	± 44.30 ACRES	29%	LIGHT INDUSTRIAL		N/A
COMMERCIAL					
POD B	± 56.30 ACRES	37%	RESTAURANT/RESTAURANT ALL-SERVISE DWELLINGS	± 450,000 SQ FEET	
POD C (1)	± 15.45 ACRES	10%	RESTAURANT/RESTAURANT ALL-SERVISE DWELLINGS	± 150,000 SQ FEET / RESIDENTIAL DENSITY RANGE 40-140 PER ACRE (100 TO 375 DWELLING UNITS)	
RESIDENTIAL (2)					
POD D (1)	± 31.45 ACRES	20%	MULTI-FAMILY DWELLINGS WITH IN-SUIT UNITS RESTAURANT/RESTAURANT ALL-SERVISE BUILDING	250 TO 250,000 SQ FEET OF GROUND USE / RESIDENTIAL DENSITY RANGE 40-140 PER ACRE (100 TO 375 DWELLING UNITS)	
ARTERIAL RIGHT OF WAYS	± 6.88 ACRES	4%	N/A		N/A
GROSS SITE AREA	± 164.88 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 AVERAGE 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

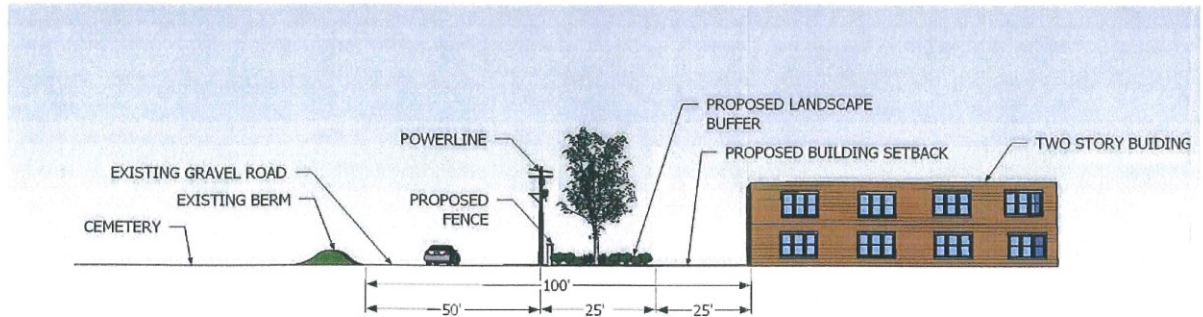
- (1) THE DESIGN REVIEW COMMITTEE MUST APPROVE ALL ARCHITECTURE PRIOR TO SUBMITTAL OF TO THE CITY OF GRAND JUNCTION.
- (2) IN PODS B AND C ALL ROOF TOP AND GROUND MOUNTED MECHANICAL AND HVAC EQUIPMENT SHALL BE SCREENED FROM ON-SITE PARKING LOTS.
- (3) ALL UTILITY METERS AND ABOVE GROUND MECHANICAL EQUIPMENT SHALL BE PAINTED THE SAME COLOR AS THE BUILDING OR BLENDED 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 INTENDED TO PROVIDE A SAFE MULTIMODAL TRANSPORTATION HAVEN AND PROVIDE ACCESS WITHIN THE DEVELOPMENT. THESE DETACHED TRAILS WILL ALSO PROVIDE CONNECTIVITY FROM THE DEVELOPMENT TO OTHER PORTALS 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 RECEIVED A MINIMUM OF 20' BEHIND THE FRONT FACADE OF THE BUILDING.
- (7) AN OPEN 8X FOOT (8') FENCE IS REQUIRED ALONG THE WESTERN BOUNDARY PROPERTY LINE OF POD D WHERE ADJACENT TO VETERANS CEMETERY OF WESTERN COLORADO.

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

DRAWN BY: JIC  
 CHECKED: TD  
 JOB NO.: 0729  
 DATE: 08-21-20  
 REVISIONS:  
 08-18-20 Comments  
 11-03-20 Comments  
 12-30-20 Comments  
 DRAWING NO.: 0729\_10-30-20

SHEET NO.: 1  
 STATUS:  
 ○ DDP & REZONE  
 ○ PRELIMINARY PLAN  
 ○ FINAL PLAN  
 CIAVONNE ROBERTS & ASSOC., INC.  
 LANDSCAPE AND PLANNING ARCHITECTS  
 222 NORTH 7TH STREET  
 GRAND JUNCTION, CO 81501  
 PH: 970-241-0748  
 FAX: 970-241-0768  
 EMAIL: info@civonne.com

**OUTLINE  
DEVELOPMENT  
PLAN**



PREFERRED OPTION

DRAWN BY	AS
CHECKED	JC
JOB NO.	5000
DATE	8-10-08
REVISIONS	

**MSC FOUNDATION**  
GRAND JUNCTION, COLORADO



MSC FOUNDATION  
GRAND JUNCTION,  
COLORADO

PRELIMINARY  
SUBMITTAL

SHEET NO.

**L01**

**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE AMENDING ORDINANCE NO. 4314 ZONING THE COLORADO  
MESA UNIVERSITY DEVELOPMENT TO PD (PLANNED DEVELOPMENT) TO  
EXTEND THE DEVELOPMENT SCHEDULE UNTIL DECEMBER 15, 2017**

**LOCATED AT 2899 D 1/2 ROAD**

Recitals:

On December 15, 2008 the City Council approved Ordinance No. 4314 zoning 154.05 +/- acres known as the Mesa State Development to PD (Planned Development) with an Outline Development Plan (ODP) (Plan) and a default M-U (Mixed Use) zone district. The property is now known as the Colorado Mesa University Development. On April 19, 2010 the City Council approved Ordinance 4421 to extend the development schedule for an additional two years through December 15, 2012.

Ordinance No. 4314 is referred to and incorporated by reference the "Findings of Fact and Conclusions" listed in the Planning Commission staff report dated November 10, 2008 and City Council staff report dated November 17, 2008 including attachments and exhibits. One of the findings of fact and conclusions in the staff reports was a development schedule for the project.

Due to the downturn in the economy and the applicant's desire to delay the project, the applicant has requested that the development schedule for the project be amended. The applicant also desires to bring the adopted ODP under the 2010 Zoning and Development Code.

Planning Staff and the Planning Commission have reviewed the applicant's request to extend the development schedule for an additional five years, to wit, to and through December 15, 2017, and supports the request.

All other aspects of Ordinance No. 4314 shall remain in effect.

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

The development schedule approved by reference in Ordinance No. 4314 is amended to provide for and allow an additional five (5) years to December 15, 2017 for the development of the project/land described in said Ordinance. The existing ODP shall also be subject to the 2010 Zoning and Development Code.

All other approvals made by and in accordance with Ordinance No. 4314 shall remain the same.

**INTRODUCED** on first reading on the \_\_\_\_ day of \_\_\_\_\_, 2013 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2013 and ordered published in pamphlet form.

ATTEST:

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

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





**Attach 3  
CITY COUNCIL AGENDA ITEM**

Date: January 23, 2013  
Author: Scott D. Peterson  
Title/ Phone Ext: Senior  
Planner/1447  
Proposed Schedule: 1<sup>st</sup> Reading:  
February 6, 2013  
2nd Reading: February 20, 2013  
File #: ANX-2012-518

<b>Subject:</b> Zoning the Feuerborn Annexation, Located at 2902 and 2906 D Road
<b>Action Requested/Recommendation:</b> Introduce a Proposed Ordinance and Set a Public Hearing for February 20, 2013
<b>Presenter(s) Name &amp; Title:</b> Scott D. Peterson, Senior Planner

**Executive Summary:**

A request to zone the 3.40 acre Feuerborn Annexation, consisting of two parcels located at 2902 and 2906 D Road, to a C-1 (Light Commercial) zone district.

**Background, Analysis and Options:**

The 3.40 acre Feuerborn Annexation consists of two parcels located at 2902 and 2906 D Road. The property owners have requested annexation into the City and a zoning of C-1. Under the 1998 Persigo Agreement between the City and Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or with a zone that implements the City's Comprehensive Plan Future Land Use Map. The proposed zoning of C-1 (Light Commercial) implements the Comprehensive Plan Future Land Use Map which has designated the properties as Village Center.

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

The proposed zoning to C-1, (Light Commercial) implements the future land use designation of Village Center and meets the following goals from the Comprehensive Plan:

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

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

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

The community will derive benefits from the proposed zoning by implementing land use decisions that are consistent with, and support, the Comprehensive Plan by the creation of “centers” throughout the community that provide services and commercial areas. The proposed zoning will provide the opportunity for a range of commercial development that supports the Comprehensive Plan designation of Village Center. The Village Center is intended to provide a broad mix of commercial and higher density residential land uses such as those allowed by the C-1 zone district.

**Board or Committee Recommendation:**

The Planning Commission recommended approval of the requested Zone of Annexation at their January 22, 2013 meeting.

**Financial Impact/Budget:**

N/A.

**Legal issues:**

None.

**Other issues:**

None.

**Previously presented or discussed:**

A Resolution Referring the Petition for Annexation was adopted on January 16, 2013.

**Attachments:**

Staff Report/Background Information  
Annexation - Site Location Map / Aerial Photo Map  
Comprehensive Plan Future Land Use Map / City Zoning Map  
Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2902 and 2906 D Road		
<b>Applicants:</b>		Maverik, Inc., Owners Don Lilyquist, Maverik, Inc., Representative		
<b>Existing Land Use:</b>		Single-family detached home and vacant land		
<b>Proposed Land Use:</b>		Maverik convenience store		
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family detached home		
	<b>South</b>	Single-family detached home and large acreage		
	<b>East</b>	Single-family detached home		
	<b>West</b>	Colorado Mesa University owned property, large acreage		
<b>Existing Zoning:</b>		RSF-R, (Residential Single Family – Rural) (County)		
<b>Proposed Zoning:</b>		C-1, (Light Commercial)		
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-R, (Residential Single Family – Rural) (County)		
	<b>South</b>	RSF-R, (Residential Single Family – Rural) (County)		
	<b>East</b>	RSF-R, (Residential Single Family – Rural) (County)		
	<b>West</b>	PD, (Planned Development) (City)		
<b>Future Land Use Designation:</b>		Village Center and Mixed Use Corridor along 29 Road		
<b>Zoning within density range?</b>		X	<b>Yes</b>	<b>No</b>

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

Zone of Annexation: The requested zone of annexation to the C-1 (Light Commercial) zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Village Center. The existing County zoning is RSF-R (Residential Single Family - Rural). Section 21.02.160 (f) of the Grand Junction Zoning and Development Code states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Grand Junction Zoning and Development Code must be made per Section 21.02.140 (a) as follows:

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

Subsequent events have not invalidated the original premises and findings. The requested annexation is triggered by the Persigo Agreement between Mesa County and the City of Grand Junction in anticipation of development. The Persigo Agreement states that new development requires annexation of land from unincorporated Mesa County into the City prior to development. Through the zone of annexation the City will apply a zone district that implements the Comprehensive Plan Future Land Map designation of Village Center. The property owner wishes to develop the two properties in the near future for a commercial use which is appropriate development for the Village Center land use designation.

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

The applicant is requesting a zone district that will implement the Comprehensive Plan Future Land Use Map designation of Village Center. The Village Center anticipates a mix of uses to provide a broad range of commercial uses and higher density residential uses. The character or conditions of the area near the intersection of 29 Road and Riverside Parkway/D Road will change in the future as more properties begin to annex and develop with a mix of commercial and high density residential uses that are anticipated by the Comprehensive Plan Village Center. The existing land uses of large acreage, single-family detached homes are not supported by the Comprehensive Plan.

(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, or could be provided at the time of development, to serve the range of allowed commercial and residential uses that are anticipated by the Comprehensive Plan. Ute Water and City Sanitary Sewer facilities are presently located in D Road and 29 Road. The existing street and road network support high traffic commercial land uses as anticipated by the Comprehensive Plan and allowed in the proposed zone district.

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

There is an inadequate supply of suitably designated land in this area to meet the commercial and high density residential development anticipated by the Comprehensive Plan (Village Center). The request to zone the subject property C-1 is consistent with the Village Center land use designation.

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

The requested zoning supports the following goals of the Comprehensive Plan:

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

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

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

The community will derive benefits from the proposed zoning by implementing land use decisions that are consistent with, and support, the Comprehensive Plan by the creation of “centers” throughout the community that provide services and commercial areas. The proposed zoning will provide the opportunity for a range of commercial development that supports the Comprehensive Plan designation of Village Center. The Village Center is intended to provide a broad mix of commercial and higher density residential land uses such as those allowed by the C-1 zone district.

Alternative zone district options. In addition to the C-1 zone district, the following zone districts would also implement the Comprehensive Plan designation of Village Center:

- a. B-1, (Neighborhood Business)
- b. MXG, (Mixed Use General – 3, 5)
- c. M-U (Mixed Use)
- d. R-8, (Residential – 8 du/ac)
- e. R-12, (Residential – 12 du/ac)
- f. R-16, (Residential – 16 du/ac)
- g. R-24, (Residential – 24 du/ac)
- h. R-O, (Residential Office)
- i. MXR – (Mixed Use Residential – 3, 5)
- j. MXS – (Mixed Use Shop – 3, 5)

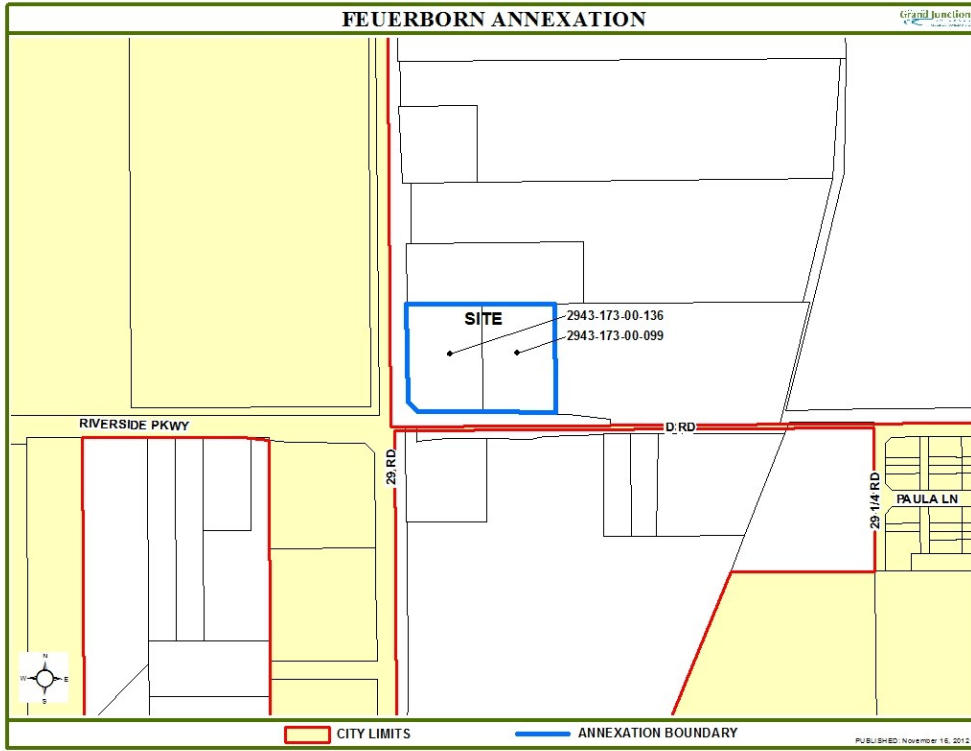
Options d through j are zone districts that implement the Village Center designation, however they do not permit the type of proposed commercial land use that is permitted in the C-1, B-1, MXG 3,5 or MU zone districts.

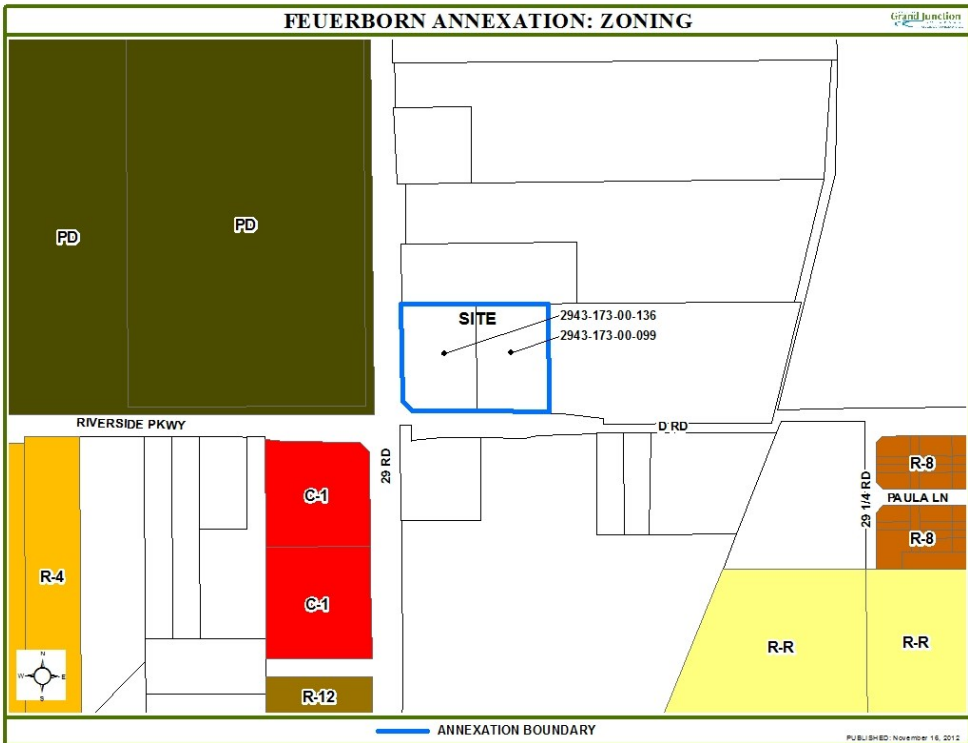
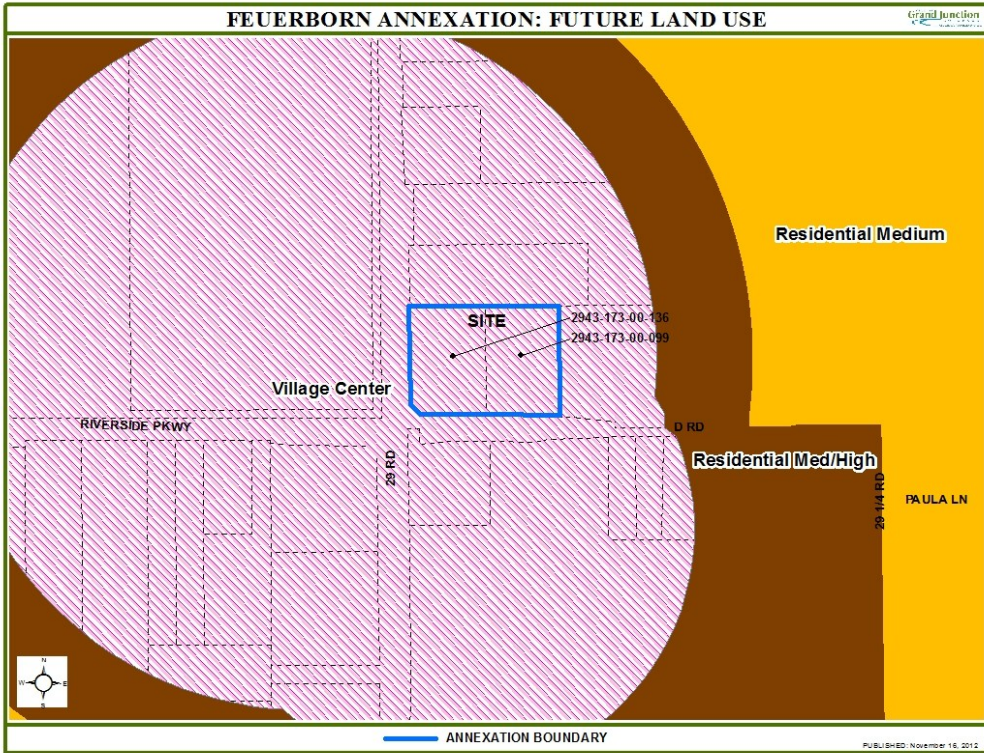
If the City Council chooses to approval an alternative zone designation, specific alternative findings must be made as to why the City Council is choosing an alternative zone designation.

**PLANNING COMMISSION RECOMMENDATION:**

After reviewing the Feuerborn Annexation, ANX-2012-518, for a Zone of Annexation, the Planning Commission made the following findings of fact and conclusions:

4. The requested zone district of C-1 (Light Commercial) is consistent with the goals and policies of the Comprehensive Plan and implements the Village Center land use designation.
5. The review criteria in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code have all been met for items (2) through (5). Item number (1) of the review criteria has not been met for this application.







**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE FEUERBORN ANNEXATION  
TO C-1 (LIGHT COMMERCIAL)**

**LOCATED AT 2902 AND 2906 D ROAD**

Recitals

The 3.40 acre Feuerborn Annexation consists of two parcels located at 2902 and 2906 D Road. The property owners have requested annexation into the City and a zoning of C-1 (Light Commercial). Under the 1998 Persigo Agreement between the City and Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement, the City shall zone newly annexed areas with a zone that is either identical to the current County zoning or with a zone that implements the City's Comprehensive Plan Future Land Use Map. The proposed zone district of C-1, (Light Commercial) implements the Comprehensive Plan Future Land Use Map, which has designated the properties as Village Center.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Feuerborn Annexation to the C-1, (Light Commercial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Comprehensive Plan and the Comprehensive Plan's goals and policies. The zone district meets the criteria found in Section 21.02.140 of the Grand Junction Municipal Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1, (Light Commercial) zone district is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property be zoned C-1, (Light Commercial).

**FEUERBORN ANNEXATION**

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, 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 Southwest corner of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian and assuming the West line of the SW 1/4 SW 1/4 of said Section 17 bears S 00°13'10" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, also being the East line of the Mesa State College Property Annexation, City of Grand Junction Ordinance No. 4081, as same is recorded in Book 4454, Page 809, Public Records of Mesa County, Colorado, a distance of 330.00 feet; thence N 89°58'45" E, a distance of 449.14 feet; thence S 00°01'15" E, a distance of 330.00 feet to a point on the South line of the SW 1/4 SW 1/4 of said Section 17; thence S 89°58'45" W, along the South line of the SW 1/4 SW 1/4 of said Section 17, also being the North line of Ephemeral Resources Annexation No. 2, City of Grand Junction Ordinance No. 3298, as same is recorded in Book 2765, Page 672, Public Records of Mesa County, Colorado, a distance of 448.00 feet, more or less, to the Point of Beginning.

CONTAINING 148,029 Square Feet or 3.40 Acres, more or less, as described.

**INTRODUCED** on first reading the \_\_\_ day of \_\_\_, 2013 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2013 and ordered published in pamphlet form.

ATTEST:

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

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



Date: January 22, 2012  
Author: Dave Thornton, AICP  
Title/ Phone Ext: Principal  
Planner/ Ext: 1450  
Proposed Schedule:  
1<sup>st</sup> Reading: Feb. 6, 2013  
2nd Reading: Feb 20, 2013  
File Number ZCA-2012-572

**Attach 4**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Amendment to Section 21.07 of the Grand Junction Municipal Code to Add a Section 21.07.070, North Avenue Overlay Zone District
<b>Action Requested/Recommendation:</b> Introduce a Proposed Ordinance and Set a Public Hearing for February 20, 2013
<b>Presenter(s) Name &amp; Title:</b> Dave Thornton, Principal Planner

**Executive Summary:**

This amendment to Section 21.07 will add an Overlay Zone District establishing zoning standards specific to properties abutting North Avenue from First Street east to I-70 Business Loop. The North Avenue Overlay Zone District contains three areas of emphasis including 1) Mandatory Standards required of all new development along the corridor; 2) "Opt In" Standards for new development that chooses to develop under this section; and 3) the "Site Upgrade Point System" standards that provides a vehicle for a future incentive program when funding becomes available. The point system will be a part of a financial incentive to property owners to improve the streetscape and their property along the corridor implements, and the vision and goals of the City's adopted North Avenue Corridor Plans and this North Avenue Overlay Zone District.

**Background, Analysis and Options:**

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code. City Council has requested that Staff propose amendments to Title 21 as needed to maintain a dynamic, responsive Zoning Code. This proposed amendment will add to the Code an overlay zoning that will apply to all property within the City abutting North Avenue from 1<sup>st</sup> Street on the west to I-70 Business loop on the east. The overlay is primarily incentive-based and encourages redevelopment and revitalization of North Avenue that furthers the vision and goals of the North Avenue corridor plans.

The vision for the North Avenue corridor was established in the 2007 and 2011 North Avenue Corridor Plans ("the Plans"). The North Avenue Overlay Zone encourages development features considered critical to implementing the Plans by establishing

guidelines, standards, development incentives and alternative approaches for development and redevelopment. The Plans envision buildings located near the street, front doors that are inviting and readily accessible, signage on the building rather than pole signs, more and safer pedestrian facilities, and an inviting streetscape, which will create an environment of vitality and livability.

The “streetscape” is the area between the street curb and the building façade. The combination of the adjacent land use and the public space of the streetscape can create a dynamic and inviting space. Streetscape features that create a visually interesting corridor and a safer pedestrian and transit experience create a dynamic sense of place inviting activity. The overlay also includes development incentives to encourage design and development of an attractive streetscape.

#### Advisory Committee Formed

In February of 2012 City Council appointed an Advisory Committee made up of business owners along the corridor. The Committee also included a representative from Planning Commission (Ebe Eslami) and City Council (Sam Susuras). The purpose of the Committee was to seek ways to implement the 2007 North Avenue Corridor Plan and the 2011 North Avenue West Corridor Plan and help to revitalize this corridor that has been in decline for many years. The Committee has been meeting monthly discussing ways to revitalize the corridor and giving planning staff input on overlay options. The Corridor Plans recommend establishing a Zoning Overlay district that will support the goals and vision of the North Avenue Corridor and provide incentives for business owners to take advantage of the overlay thereby improving their properties and bring additional life and vitality to the corridor.

The North Avenue Corridor Plan identifies the need for a multi-modal approach to transportation for North Avenue. With a large pedestrian population already using the corridor especially at key areas around Colorado Mesa University, near Grand Junction High School and Lincoln Park and Stadium facilities, existing pedestrian facilities are lacking. In some areas of North Avenue sidewalk does not currently exist. An overwhelming desire from the advisory committee is to improve the pedestrian facilities up and down the North Avenue corridor and create a streetscape that supports pedestrian activity. This and other provisions of the Overlay will help to revitalize the corridor, further the goals of the Comprehensive Plan and implement the North Avenue Corridor Plans.

#### Public Process

In addition to the advisory committee, a public open house was held September 18, 2012 at 2817 North Avenue. Notice of the open house was sent to all property owners/business owners that had frontage along North Avenue. In addition the local newspaper and television media picked up the story and broadcasted news regarding the open house and planning the City was conducting regarding the overlay and revitalization of the corridor. Approximately 90 people came to the open house and reviewed the draft overlay concepts.

Shortly after the North Avenue Advisory Committee was formed and met for the first time, area businesses on their own met to determine what they could do in the effort of revitalizing and promoting North Avenue as a business corridor. From these initial and

subsequent meetings, the North Avenue Owners Association (NAOA) was formed. This owners association established itself as a nonprofit that continues to add to its membership today. One of their goals is to become a voice for North Avenue, one voice that will represent the property and business owners on North Avenue, working with the City of Grand Junction and each other to promote and revitalize the North Avenue corridor. This group supports what the North Avenue Advisory Committee and City Staff are doing regarding this proposed overlay zone district.

The overlay zone district work of the advisory committee and city staff is complete and the North Avenue Overlay Zone District is ready for review and approval through a public hearing before Planning Commission. Following Planning Commission consideration, City Council will hold a public hearing and be asked to incorporate the North Avenue Overlay Zone District into the Grand Junction Municipal Code as part of Title 21.

This proposed amendment would add Section 21.07 (a subsection of Special Regulations of the Development Regulations) entitled "North Avenue Overlay Zone District" and thereby incorporate standards and guidelines for development within the North Avenue Overlay Zone District boundaries. The proposed amendment provides specific standards intended to implement the 2007 North Avenue Corridor Plan and the 2011 North Avenue West Corridor Plan, elements of the Grand Junction Comprehensive Plan.

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

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

#### **Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.**

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

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

Policy A. Design streets and walkways as attractive public spaces;

Policy B. Construct streets in the City Center, Village Centers, and Neighborhood Centers to include enhanced pedestrian amenities;

Policy C. Enhance and accentuate the City 'gateways' including interstate interchanges, and other major arterial streets leading into the City;

Policy E. Encourage the use of xeriscape landscaping;

Policy F. Encourage the revitalization of existing commercial and industrial areas.

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

Policy E. When improving existing streets or constructing new streets in residential neighborhoods, the City and County will balance access and circulation in

neighborhoods with the community's need to maintain a street system which safely and efficiently moves traffic throughout the community.

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

Policy A. The City and County will plan for the locations and construct new public facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth.

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

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

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

The proposed Code amendment supports the vision and goals of the Comprehensive Plan by creating an implementation tool which establishes specific requirements including mandatory standards for all new development; opt-in standards incentivizing new development to occur in a way that implements the vision of the North Avenue Corridor Plans; and creating a site upgrade point system that all property/business owners can participate in when they improve their site.

**CONSISTENCY WITH THE ZONING AND DEVELOPMENT CODE:**

**21.02.140 Code amendment and rezoning.**

(a) Approval Criteria. In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

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

Response: Recent growth trends in Grand Junction have brought new commercial growth to the west side of the City and downtown, whereas North Avenue has seen a decline in commercial businesses over the same time period. The City's 2010 Comprehensive Plan and 2007/2011 North Avenue Corridor Plans have identified a new vision and direction for the North Avenue Corridor. The North Avenue Overlay Zone will be an implementation tool for these long range plans in meeting the vision and goals of the community for North Avenue.

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

Response: The amendment is consistent with the Comprehensive Plan and the two North Avenue Corridor Plans. It encourages development features considered critical to implementing the Plans by establishing guidelines, standards, development incentives and alternative approaches for development and

redevelopment. The Overlay District amendment allows buildings located near the street, front doors that are inviting and readily accessible, signage on the building rather than pole signs, more and safer pedestrian facilities, and an inviting streetscape, which will create an environment of vitality and livability.

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

Response: The North Avenue Corridor is a major roadway that traverses the City Center area of Grand Junction, an area that the Comprehensive Plan has targeted for major growth and development in the community. It is a corridor that has existing utilities and infrastructure and is ready for developing a new streetscape and accommodates new business and residential development as part of that vision.

(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

Response: This criterion does not apply to this amendment.

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

Response: The North Avenue Corridor including businesses and residents will benefit the most from this proposed amendment. The Overlay District includes an "Opt In" standard where a property/business owner can decide for themselves if they want to develop under the overlay standards or develop under the base zoning of their property. Opting in provides some incentives that the base zone development does not provide.

### **Board or Committee Recommendation:**

The Planning Commission voted (7-0) to recommend approval of the proposed amendment at its January 22, 2013 meeting with the following findings of fact and conclusions:

1. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan which includes the 2007 North Avenue Corridor Plan and the 2011 North Avenue West Corridor Plan.
2. The proposed amendment is consistent with the approval criteria found in Section 21.02.040 of the Zoning and Development Code (Municipal Code).

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

There are no anticipated financial or budget impacts.

**Legal issues:**

The proposed amendment has been reviewed by the Legal Division and found to be compliant with applicable law.

**Other issues:**

N/A

**Previously presented or discussed:**

Staff presented information to City Council from the North Avenue Advisory Committee, their progress of work on the North Avenue Overlay planning at two Council workshops held July 16<sup>th</sup> and November 19<sup>th</sup> in 2012.

**Attachments:**

Proposed Ordinance



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING SECTION 21.07  
OF THE GRAND JUNCTION MUNICIPAL CODE  
TO ADD AN OVERLAY ZONE DISTRICT  
FOR PROPERTY ABUTTING NORTH AVENUE  
BETWEEN FIRST STREET ON THE WEST AND I-70 B ON THE EAST**

**Recitals:**

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances.

The Grand Junction City Council encourages updating of the Zoning and Development Code in order to maintain its effectiveness and responsiveness to the citizens' best interests.

Section 21.07 provides special regulations in the Code to address zoning requirements that are specific to a defined boundary within the City limits.

The City Council finds that this amendment promotes the health, safety and welfare of the community, implements the North Avenue corridor plans, and contributes to the revitalization of the North Avenue corridor.

The City Council also finds that the amendment is consistent with reasonable business owner, property owner, the community and neighborhood expectations.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendment for the following reasons:

1. The request is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that an amendment to add use-specific standards for Racing Pigeons will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

A new Section 21.07.070 is added follows:

# North Avenue Overlay Zone District

## 010 Background and Intent

### Overlay Zoning

Overlay zoning creates a special zoning district over a base zone. An overlay adds to or changes the regulations, standards or requirements of the base zone in order to protect or guide development within a specific area or corridor to meet specific needs or objectives. While the base zone determines the permitted land uses, the overlay zone establishes design or other standards that meet the overlay's purposes.

The overlay zone for North Avenue provides direction, vision and incentives for development in the corridor. The purpose of the overlay is to stimulate new development, redevelopment and business and other human activity along the corridor. The overlay supports and implements the Comprehensive Plan goal of making the City a more livable place. The overlay's standards and guidelines are intended to stimulate commercial, pedestrian and other activity in the corridor.

### (a) The Vision

The vision for the North Avenue corridor was established in the 2007 and 2011 North Avenue Corridor Plans ("the Plans"). The North Avenue Overlay Zone encourages development features considered critical to implementing the Plans by establishing guidelines, standards, development incentives and alternative approaches for development and redevelopment. The Plans envision buildings located near the street, front doors that are inviting and readily accessible, signage on the building rather than pole signs, more and safer pedestrian facilities, and an inviting streetscape, which will create an environment of vitality and livability.



The "streetscape" is the area between the street curb and the building façade. The combination of the adjacent land use and the public space of the streetscape can create a dynamic and inviting space. Streetscape features that create a visually interesting corridor and a safer

pedestrian and transit experience create a dynamic sense of place inviting activity. The overlay also includes development incentives to encourage design and development of an attractive streetscape.

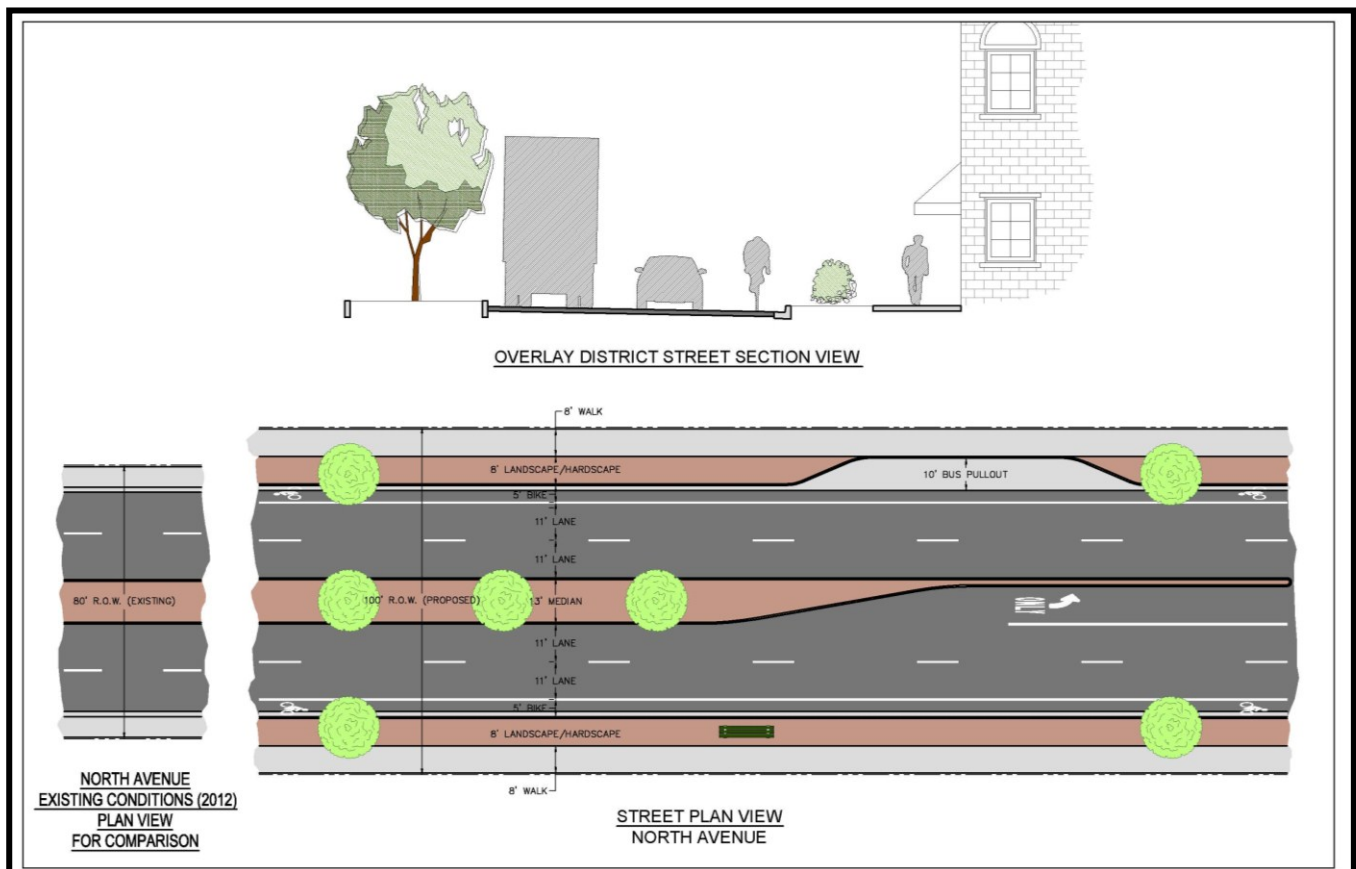
**(b) Revitalize North Avenue by establishing it as a “Complete Street”**

Development is encouraged to be designed and built according to the Plans, which establish a “Complete Street” vision for North Avenue.

The North Avenue “Complete Street” concept includes:

- A multi-modal corridor designed for not only the vehicle, but also for the pedestrian, bicyclist and the transit user.
- Wide sidewalks detached from the roadway.
- Buildings located close to the street with pedestrian access to the building at the streetscape.
- Safe access to businesses from the street and sidewalks and parcel interconnectivity to minimize multiple access points to North Avenue.
- Safe and efficient transit stops.
- Adequate lighting creating a safer vehicle and pedestrian experience.
- Landscaping, street furniture and other hardscape features and amenities that enhance the pedestrian and motoring public’s experience, but still allow buildings to be near the street.

The diagram below establishes the right-of-way standards for the overlay district.



### (c) Definitions

The following definitions apply to this Overlay:

*Abutting* means directly touching. For example, parcels across a public right-of-way from one another would not be abutting, but would be adjacent to one another.

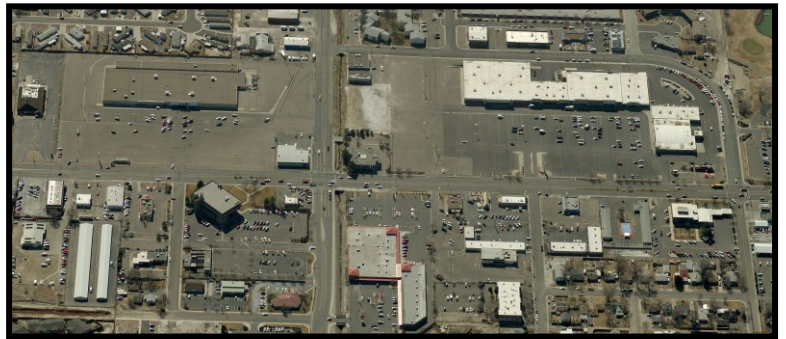
*Adjacent* to something means lying within a 100-foot radius of it. For purposes of adjacency, public right-of-way, easements, canals, waste ditches and waterways are not included in the 100-foot calculation.

## **020 Options for Development within the District**

The North Avenue Zoning Overlay establishes mandatory standards, “opt-in” standards, and a point-system for specific site upgrades. Any and all property development within the District must adhere to the mandatory standards, and in addition must choose among the following three options:

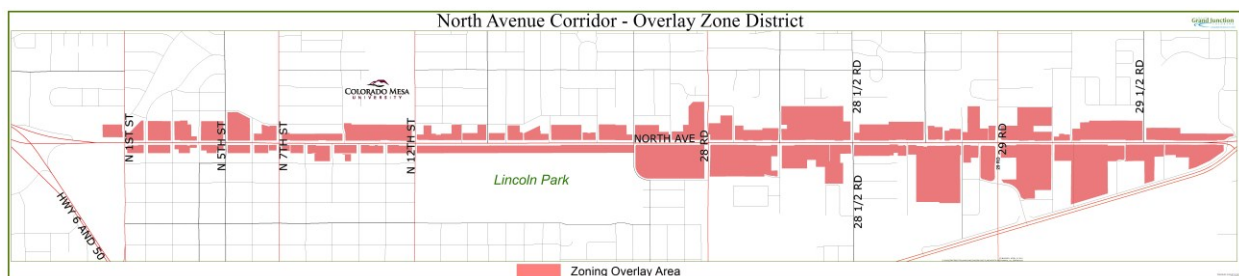
- (1) follow all of the “opt-in” standards,
- (2) develop according to the “base” zone standards, or
- (3) upgrade a site using the point system.

The mandatory standards of the Overlay Zone establish the right-of-way width and streetscape features for the corridor. The opt-in standards include incentives which relax some of the base-zone standards (landscaping requirements, for example) in exchange for meeting specified standards which will shape the desired character of the built environment. The point system allows a landowner to improve the site in specific ways which will help create the desired character of the built environment and provides framework for distribution of financial incentives that may become available. (The Overlay Zone does not establish those financial incentives, but merely establishes a point system for accessing such funds if and when they become available.)



## **030 Boundaries of the Overlay District**

The North Avenue Overlay District applies to all properties abutting the North Avenue right-of-way from First Street on the west to I-70 Business Loop on the east.



## **040 Overlay Zone District Standards and Guidelines**

(a) **Applicability/conflicts.** Where the standards or requirements of this Overlay Zone conflict with another overlay zone, area plan or the balance of the Zoning and Development Code, this Overlay shall control. Where another overlay zone or area plan gives the Director authority to waive, vary or diverge from a development standard, a requirement of a zone district or another land use regulation, that authority shall not apply to property within the boundaries of this Overlay District. The variance procedure and criteria set forth in Section 21.02.200 shall apply.

### **(b) Mandatory Standards**

#### (1) Right-of-way Standards

All development in the Overlay District shall include dedication of sufficient right-of-way so that there are 50 feet of half right-of-way for North Avenue.

#### (2) Pedestrian / Sidewalk Standards

The North Avenue standard for public sidewalks is an 8 ft. detached sidewalk with an 8 ft. park strip separating the sidewalk from the street. In connection with any development in the Overlay District, the landowner shall dedicate the appropriate amount of land to meet those standards, and the landowner/developer shall construct the sidewalk and park strip areas to City specifications. Exception: The sidewalk and/or park strip widths may be adjusted if a building existing on the property that is not being demolished or substantially remodeled encumbers all or part of the area 16' from the back of curb of North Avenue, provided that the adjustment is the minimum necessary to accommodate the building. Neither the sidewalk nor the park strip, however, can be eliminated altogether, and the sidewalk shall be the higher priority between the two.

The park strip is part of the streetscape and shall include pedestrian and transit amenities including landscaping and hardscape features. It shall include different features which distinguish it from the sidewalk; in other words, the park strip cannot be solid concrete pavement like the sidewalk.

Hardscape features and materials include, but are not limited to the following:

Benches	Bike Racks	Pedestrian lighting
Transit pullouts	Transit shelters	Trash cans
Planters	Water features	Art / sculptures
News Stands	Mail boxes	Banners, hanging baskets

Landowner/developer may select among these and other appropriate (as approved by the Director) hardscape features to install in the park strip. A minimum of two such features shall be installed in the park strip in front of the parcel being developed, improved or re-developed.

(3) Multipurpose easement

No multi-purpose easement is required along the North Avenue frontage. Utilities shall be located in the street right-of-way, to the rear of the property, in an alley, or in another appropriate location. If public utilities are located on private property, an easement shall be granted or dedicated for those utilities.

All other development standards of the Zoning and Development Code relating to right-of-way, sidewalk and park strip shall apply. Development of property within the District shall in all other respects not addressed in this Overlay meet the requirements of the balance of the Zoning and Development Code.

**(c) Opt-In Standards**

The Opt-In Section includes guidelines and standards. Guidelines are permissive recommendations for development; standards are mandatory requirements once the developer/landowner has opted in.

- (1) Benefits/incentives. There are significant benefits to opting in to the standards of this section. Opting into **all** these standards entitle a landowner/developer to the following reductions to the base-zone and other Zoning and Development Code standards:

(i) Landscaping and Buffering:

Landscaping is required only in parking areas.

- No landscaping / screening buffer is required between adjacent properties.
- No street-frontage landscaping is required.
- Where all parking is located behind a building, no landscaping along access from North Avenue is required.
- No street trees are required in front of buildings that abut or are within 10 ft. of North Avenue right-of-way. If a parking area abuts the North Avenue right-of-way, street trees are required along the North Avenue street frontage of the parking area.
- A 30 inch tall decorative screen wall may be substituted for the required parking lot screening between the parking lot located at the right-of-way / property line and North Avenue. Shrub planting in front of the wall is not required for this option.



All other landscaping regulations of the Grand Junction Municipal Code shall apply.

Purpose: North Avenue is a major commercial district located within the City Center. Historically its development pattern has been both urban and suburban in scale. The Comprehensive Plan identifies high growth in the City Center area through 2035 as the community nearly doubles in population. The Plans likewise emphasize urban growth along the North Avenue corridor, including more building mass, hardscape areas, less landscaping, and more pedestrian activity.

## (ii) Setbacks

The building setback is reduced to zero.

- Minimum building setbacks:  
Front = 0 ft.  
Side = 0 ft.  
Rear = 0 ft.

Purpose: Reducing the setbacks to zero creates more buildable area and creates a more urban built environment. This standard also encourages better site design and compliments the streetscape by emphasizing a pedestrian experience.

## (iii) Parking space credits (See below).

### (2) Standards:

#### (i) Maximum Building Setback = 10 ft.

The maximum building setback of 10 feet applies to all building construction including additions with exceptions for public plazas, outdoor seating areas and other pedestrian spaces.

Purpose: A maximum building setback of 10 feet supports the streetscape vision for North Avenue. Buildings close to the street enhance the pedestrian experience and create visual interest along the corridor.

#### (ii) Drive thru lanes

Drive thru lanes shall not be installed between the North Avenue right-of-way and the building.

Purpose: This standard will reduce conflict between vehicles and pedestrians entering the building from the front and therefore enhance pedestrian activity and safety. In the first two examples pictured below, there are potential conflicts between motorists and pedestrians because a drive lane interferes with pedestrian access from North Avenue. The third picture (Taco Bell) shows a drive thru lane that does not interfere with the front door access into the restaurant reducing pedestrian/vehicle conflicts and making pedestrian access to the building safer.



#### (iii) Parking

(A) Parking shall not be permitted between the building and the North Avenue right-of-way.

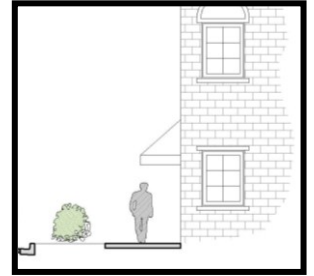
Purpose: The purpose of this standard is to reduce the amount of parking along the North Avenue frontage and to emphasize the buildings and pedestrian friendly streetscape.

(B) All development shall meet the parking requirements established for the use and the base zone with the following exception. Parking space credit shall be allowed under the following conditions:

- a. Providing shared parking between two abutting properties through a recorded, permanent shared parking easement.
- b. When on-street parking is available (for corner lot development only), two on-street spaces may count as one onsite parking space.

#### (iv) Awning Standards

Awnings and other façade enhancements are encouraged. One or more awnings extending from the building may be erected. Awnings shall be at least 8 feet above the sidewalk and shall be at least 4 feet wide, along the building frontage on North Avenue, and shall not overhang into the right-of-way more than 6 ft. Awnings shall otherwise meet with the requirements of the Grand Junction Municipal Code and Colorado Department of Transportation (CDOT) regulations.



Purpose: Awnings provide visual interest to the corridor and enhance the pedestrian experience.

#### (v) Building Entry Standards

The main entrance to the building shall be on the North Avenue face of the building. Additional entrance(s) may be provided on the side and/or rear of the building to parking areas or other pedestrian facilities. A front door may be constructed anywhere along the front façade of the building including at the corner of the front façade as shown in the two examples pictured to the right.



Purpose: When an entrance is visible from the North Avenue corridor, it invites in the pedestrian and motorist alike. A front door also provides direct pedestrian access from the public sidewalk within the streetscape, supporting the revitalization of North Avenue as envisioned by the Plans.

(vi) Development of property within the District shall in all other respects not addressed in this Overlay meet the requirements of the balance of the Zoning and Development Code.

### (3) Guidelines

Whenever possible North Avenue development/redevelopment should:

- (i) Minimize the number of traffic conflict points into and out of a business.
- (ii) Create pedestrian, bike and transit friendly amenities.
- (iii) Better define and consolidate driveways into businesses and access between/among businesses to minimize vehicle access points onto North Avenue.
- (iv) Provide turn lanes where appropriate.



- (v) Maximize the use of existing local streets and alleys for access to eliminate vehicle access points onto North Avenue.
- (vi) Include awnings or other visually interesting building features on the front of the building to provide visual interest and enhance the pedestrian experience.
- (vii) Include living landscaping within the parkstrip. The use of xeric landscape is encouraged.

Purpose: These guidelines promote pedestrian safety and efficient vehicle movement and provide visual interest along the corridor.

#### **(d) Site Upgrade Point System**

- (1) This section is known and may be cited as the “Site Upgrade Point System for the North Avenue Overlay Zone District.” It establishes a rating system whereby points are awarded in the development review process when a developer/owner upgrades a site or structure to meet the standards established by the North Avenue Overlay Zone and/or to achieve the vision of the Plans. An owner may choose to develop under this section in lieu of the “opt-in” section of the Overlay District. Also, an owner who “opts in” can receive points for those aspects of the development that are listed in the “Improvement Table”.
- (2) Purpose. The purpose of this Site Upgrade Point System is to encourage property owners along North Avenue to take steps that will bring their existing structures and sites more into alignment with the vision for the corridor as established by the Plans and by this Overlay.
- (3) Use with nonconformities. When installing only one or more specific site upgrade(s) selected from table below, without making other site improvements, a landowner with a nonconforming use, site or structure is not required to bring the site or structure into conformance with the Code as prescribed in the “non-conformities” section of the Zoning and Development Code. However, if such landowner undertakes a site or structure remodel that includes improvements not listed in the table below, the non-conforming section of the Zoning and Development Code applies, or, if the developer/owner has opted in, the opt-in standards apply.
- (4) Validity of points. Points may be awarded by the Director according to the table below. The points are assignable (subject to any expiration date or time established in the program), but may only be assigned one time. Points can also be shared by two or more landowners (for example, where adjacent owners agree to consolidate and eliminate access points and establish cross-access between or among parcels). If points are shared, the owners must agree in writing to the allocation of points between/among themselves.
- (5) Improvement Table and Point Values. The Improvement Table below establishes the improvements to the right-of-way, streetscape and private property that are encouraged by the Plans and by this Overlay and the points that will accrue upon completion of said improvements. The Improvement

Table may be amended by the City Council by resolution. Regardless of the point values in the Improvement Table, no points shall be awarded for improvements to private property or to right-of-way that are part of a capital improvement program or project of any governmental entity, including but not limited to the City, the County or the Colorado Department of Transportation.

### Improvement Table

First Priorities	Points
Construction of detached sidewalk/parkstrip running the entire length of the property along North Avenue and meeting the overlay standards. Total points are determined by dividing proposed streetscape area sq ft by 1600 sq. ft. and multiplying by 30 pts. <a href="#">Benefit: Aesthetics and Pedestrian Safety</a>	30
Right-of-way dedicated along North Avenue for entire frontage sufficient to allow 8 ft. detached sidewalk and 8 ft. park strip. Total points are determined by dividing the dedicated ROW area sq ft by 1000 sq. ft. and multiplying by 30 pts. <a href="#">Benefit: Pedestrian Safety</a>	30
Elimination of a North Avenue street access point <sup>1</sup> , including construction of curb and gutter and removing the driveway apron and must include dedication of all required North Avenue right-of-way. <a href="#">Benefit: Pedestrian and Vehicle Safety</a>	20
Second Priorities	Points
Pole or free-standing sign removed and sign placed on building façade <a href="#">Benefit: Aesthetic Value</a>	7
Addition of plaza, fountain or outdoor dining in front of building along North Avenue <a href="#">Benefit: Pedestrian Access and Aesthetic Values</a>	7
Construction of an addition to building that meets maximum setback (10 or fewer feet from property line); shall include the addition of a front door facing North Avenue; and 50 ft. half right-of-way must be dedicated. <a href="#">Benefit: Pedestrian and Aesthetic Values</a>	6
Elimination of parking along North Avenue frontage and placing all parking behind building(s) <a href="#">Benefit: Pedestrian Safety and Aesthetic Values</a>	5
Pole sign removed and replaced with a monument sign <a href="#">Benefit: Aesthetic Value</a>	5
Elimination of parking along North Avenue in front of the building(s) and all parking placed along the side and/or behind the building(s) <a href="#">Benefit: Pedestrian Safety and Aesthetic Values</a>	3
Parking shared with adjacent properties <sup>2</sup> <a href="#">Benefit: Aesthetic Value</a>	3
Permanent elimination of front yard display or storage <sup>3</sup> <a href="#">Benefit: Aesthetic Value</a>	2
Two hardscape features installed in park strip (maximum for point system) <a href="#">Benefit: Aesthetic Value</a>	2

One hardscape feature installed in park strip

Benefit: Aesthetic Value

1

<sup>1</sup>Can be accomplished by sharing access point with neighbor by a cross access easement (which must be reviewed and approved by the City Attorney), or by one property taking access from a lower order street.

<sup>2</sup>Must be established by recorded permanent easement appurtenant, not by shared parking agreement.

<sup>3</sup>Must be established by amended site plan, CUP or other land use approval.

- (6) Incentive program. If and when funding becomes available, the Director shall develop a program and process for allocating funds to points under the Improvement Table.
- (7) Appeals. Any person aggrieved by a decision of the Director regarding an award of points or incentive funds under this section may appeal that decision to the City Council within 30 days of the decision.

All other provisions of Section 21.07 shall remain in full force and effect.

INTRODUCED on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2013 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the \_\_\_\_ day of \_\_\_\_\_, 2013 and ordered published in pamphlet form.

ATTEST:

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

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



**Attach 5  
CITY COUNCIL AGENDA ITEM**

Date: 01-16-2013  
 Author: Jay Vancil  
 Title/ Phone Ext: Persigo Operations  
Sprvsr/ #4166  
 Proposed Schedule: February 6, 2013  
 2nd Reading  
 (if applicable): \_\_\_\_\_  
 File # (if applicable): \_\_\_\_\_  
 \_\_\_\_\_

<b>Subject:</b> Polymer Purchase for Persigo Wastewater Treatment Plant
<b>Action Requested/Recommendation:</b> Authorize the City Purchasing Division to Purchase Polymer from Polydyne, Inc. in the Amount of \$51,171
<b>Presenter(s) Name &amp; Title:</b> Greg Trainor, Public Works, Utilities and Planning Director Dan Tonello, Wastewater Services Manager

**Executive Summary:** This request is for the purchase of liquid polymer for use in dewatering digested sludge at Persigo Wastewater Treatment Plant.

**Background, Analysis and Options:** This chemical is used to dewater and thicken sludge at Persigo. Polymer is added to the influent sludge stream prior to distribution on the belt press. It is critical that polymer viscosity and other physical or chemical characteristics are compatible with the existing storage, feed and other appurtenant equipment associated with sludge thickening and/or dewatering operations at Persigo.

A formal Statement of Qualifications was issued via BidNet (an on-line site for government agencies to post solicitations) and advertised in The Daily Sentinel. Four companies submitted responses, but only two were found to be responsive and responsible. The other two submitted a No Bid response.

<b>FIRM</b>	<b>LOCATION</b>	<b>Approx # of polymer/year</b>	<b>Cost of polymer/pound</b>	<b>Estimated Annual polymer cost</b>
Polydyne Inc.	Riceboro, GA	48,734	\$1.05	\$51,171
BASF	Suffolk, VA	46,104	\$2.26	\$104,197

The evaluation process consisted of two steps. In the first step, each prospective vendor was asked to perform a jar test where they collected sludge samples. The second step required that all vendors submit a 55 gallon container of the chosen polymer for side by side testing with the existing product used in the process.

Pricing is submitted as cost per pound. The amount of product used to produce a dry ton is then determined to find the actual price.

The recommendation is to purchase the polymer from Polydyne, Inc.

**Board or Committee Recommendation:**

N/A

**Financial Impact/Budget:**

\$253,100 has been allocated for chemical expenses in the approved 2013 Persigo budget to cover the cost of this and other chemical purchases.

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

N/A



**Attach 9**  
**CITY COUNCIL AGENDA ITEM**

Date: 01-22-2013  
Author: Jay Valentine  
Title/ Phone Ext: Internal Services  
Manager/ #1517  
Proposed Schedule: February 6, 2013  
2nd Reading  
(if applicable): \_\_\_\_\_  
\_\_\_\_\_  
File # (if applicable):

<b>Subject:</b> Purchase Two Ford Explorer XLT 4WD Vehicles
<b>Action Requested/Recommendation:</b> Authorize the City Purchasing Division to Purchase Two 2013 Ford Explorer XLT 4WD Vehicles from Columbine Ford, Rifle, Colorado in the Amount of \$28,832.68 each, for a Total Amount of \$57,665.36.
<b>Presenter(s) Name &amp; Title:</b> Jay Valentine, Internal Services Manager

**Executive Summary:**

This purchase will provide two emergency response vehicles, one each for the Police Chief and Fire Chief. These vehicles will be additions to the fleet and will replace the automobile allowance currently paid to the Chiefs.

**Background, Analysis and Options:**

When responding to emergencies, both during business and after hours, the Police and Fire Chiefs respond to the scene in their personal vehicles. Their personal vehicles are not equipped with emergency lighting, siren, or dispatch radios, making for a potentially delayed and unsafe response. As a result, the Chiefs are not easily identified as emergency responders, making it difficult to access the scene, and without vehicle radios they must communicate with dispatch or other responding units via handheld radios. In the case of the Police Chief, the vehicle would also be utilized by the Chief for routine patrol, and the emergency equipment would provide the opportunity to make traffic stops when necessary.

The Ford Explorer was selected as an appropriate vehicle for both emergent and non-emergent business use and will be equipped with emergency lighting, siren and radio, providing a safe and efficient response to the scene. Both Chiefs are required to make frequent business trips throughout the state, so the 4WD feature will provide for safer travel during the winter months.

A formal Request for Quotes was issued to a list of five Ford Dealers in Colorado including Western Slope Ford in Grand Junction. Two of the five responded with quotes for the two vehicles.

<b>FIRM</b>	<b>LOCATION</b>	<b>COST (2)</b>
Columbine Ford	Rifle, CO	\$57,665.36
Spradley Barr Ford	Greeley, Colorado	\$58,668.00

The recommendation is to award to low bid, Columbine Ford in Rifle, Colorado in the amount of \$57,665.36.

**Board or Committee Recommendation:**

N/A

**Financial Impact/Budget:**

This purchase is budgeted and will be funded out of the Fleet Replacement Fund. The Fleet Replacement Fund will then lease these vehicles to the General Fund at a cost of \$700 per month. This amount is equal to what is currently being paid out of the General Fund to the Chiefs for City business use of their personal vehicles.

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

N/A

**RESOLUTION NO. \_\_-13**

**A RESOLUTION CONCERNING AMENDMENT 64 AND LAND USE APPLICATIONS  
IN THE CITY OF GRAND JUNCTION AND DIRECTING THE CITY MANAGER  
RELATIVE TO LAND USE APPROVALS AND SALES TAX LICENSES FOR  
MARIJUANA FACILITIES IN THE CITY**

Recitals.

A stated goal of the City Council is to make Grand Junction the most livable community west of the Rockies by 2025. While the Council acknowledges the rights of those members of the community that are clearly conferred by the recent passage by Colorado voters of Amendment 64, (which amended Article XVIII of the Colorado Constitution by the addition of a new section 16 regarding the personal use and regulation of marijuana) the City Council further acknowledges that the use and possession of marijuana is illegal under federal law and that much of Amendment 64 and the implementation thereof is not clear and unless and until the legislative and regulatory processes are complete that the passage of Amendment 64 confers no rights for businesses and/or commercial operations involving marijuana.

NOW, THEREFORE BE IT RESOLVED THAT:

The City Council hereby directs the City Manager and the City Attorney to monitor and evaluate any and all bill(s) brought to the legislature and/or administrative actions regarding marijuana and to advise the City Council of the State's action.

Consistent with the City's authority and obligation to promote the health, safety and general welfare of the citizens and residents of the City, the City Council does hereby direct the City Manager to not accept any land use or development application(s) or issue any permits for use or development of any land, business, activity or action that is a marijuana facility and/or a marijuana operation or reasonably may be construed as the same or any form of the same. Furthermore, the City Manager shall by and through all reasonable means available to him, including but not limited to utilization of the Grand Junction Police Department, investigate and as necessary or required refer to the City Attorney for prosecution any and all persons and/or entities that engage in or attempt to engage in the growth, sale, trade and/or consumption of marijuana in any manner that is, as stated in Amendment 64, conducted openly and publicly or in any manner that endangers others. The Council is specifically concerned about the assembly of persons for the collective consumption of marijuana and seeks to prevent the same according to applicable law.

The City Manager shall issue no sales tax licenses for any use, business or activity that is known as, functions as or may reasonably be construed as a marijuana facility or operation.

The policies stated in this resolution shall apply to any person or entity applying to function, to do business as or hold itself out as a marijuana facility, business, or



operation of any sort in the City of Grand Junction. The policies shall equally apply to any person or entity regardless of zoning and/or compliance with other applicable City regulation(s) including but not limited to home occupation.

By its terms Amendment 64 requires the State to develop and adopt laws, regulations and processes to “fill the gaps” in the current body of law concerning marijuana. The City Council will reconsider the policies declared in this resolution following completion of the State’s legislative and regulatory actions.

The resolution is reasonable and proper because there are no applications pending at this time and by and through this resolution the City Council does make clear to the community its intentions, expectations and understandings relative to Amendment 64 and marijuana related businesses and land uses.

**The foregoing constitutes the policy of the City Council and that the same shall continue with full force and effect until modified by subsequent action of the City Council.**

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Bill Pitts  
President of the Council

Attest:

\_\_\_\_\_  
Stephanie Tuin  
City Clerk

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

**A RESOLUTION CONCERNING THE DESIGNATION OF THE COLORADO NATIONAL MONUMENT AS A NATIONAL PARK**

RECITALS:

From 1906 to the present day there has been debate in and among the community about the designation of the 20,534 acre preserve to the south and west of Grand Junction currently known as the Colorado National Monument. The founder, John Otto, supported the area being designated as a national park, but since May 24, 1911 by proclamation of President William Howard Taft it has been a national monument. In 1916 the National Park Service (NPS) was created and assumed administration of the Colorado National Monument. The NPS administers the Monument today.

After many years of local debate, discussion and deliberation the City Council, by and with this resolution hereby states its support for the designation of the Colorado National Monument as a National Park and for the following reasons urges Congress to act forthwith to designate and officially change the area, without changing its size or limiting access to established public and private uses, to a National Park.

For some in the community, and equally if not more so for persons passing through, the designation of the area as a monument does not explain or describe the natural features and beauty that is found there. It has been reported that some visitors may have thought that "the monument" was a plaque, statue or dedication to someone, something or some event rather than a place. It has been stated that domestic and international tours do not visit national monuments with the same frequency as they visit national parks.

The City Council trusts that with the change to a National Park that visitors and locals alike will increase their visitation to the Park. Increased visitation will cause increased economic vitality in the community and the region. A form of visitation, encouraged by the Council and which will result in greater utilization of the area without significant detriment to it are bicycle races. Bicycle racing is just one way of increasing visitation; with the National Park designation the Council anticipates many other positive events and opportunities for our citizens as well as those that travel here.

The City Council recognizes and thanks the many citizens that have supported the Monument over the years and have contributed to the recent thoughtful and well intentioned community dialogue surrounding the change. The City Council especially

thanks Steve Acquafresca, Barb Bowman, Warren Gore, Lynn Grose, Ken Henry, Bill Hood, Tom Kenyon, Scott McInnis, Greg Mikolai, Jack Neckels, Owen O'Fallon, Bonnie Petersen, John Redifer, Jay Seaton and Diane Schwenke for their work last year on this topic.

NOW, THEREFORE, BE IT RESOLVED BY THE GRAND JUNCTION CITY COUNCIL THAT THE CITY DOES HEREBY STATE ITS SUPPORT FOR THE COLORADO NATIONAL MONUMENT TO BE OFFICIALLY DESIGNATED AS A NATIONAL PARK; and

FURTHERMORE, be it resolved that the City Council does authorize and direct staff to transmit this resolution to Representative Tipton and Senators Bennet and Udall and ask for their support of the necessary Congressional action to encourage and direct the change.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_ 2013.

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

ATTEST:

\_\_\_\_\_  
Stephanie Tuin, City Clerk



Date: January 23, 2013  
Author: Scott D. Peterson  
Title/ Phone Ext: Senior  
Planner/1447  
Proposed Schedule: First  
Reading February 6, 2013  
Second Reading March 6, 2013  
File #: CPA-2012-584

**Attach 8  
CITY COUNCIL AGENDA ITEM**

**Subject:** Request to Amend the Grand Valley Circulation Plan, a Part of the Comprehensive Plan, Located Generally North of I-70 Business Loop Between 28 and 28 1/4 Roads

**Action Requested/Recommendation:** Introduce a Proposed Ordinance and Set a Public Hearing for March 6, 2013

**Presenter(s) Name & Title:** Trent Prall, Engineering Manager

**Executive Summary:**

A request to amend the Grand Valley Circulation Plan on and near the property (35.8 acres) located generally north of I-70 Business Loop between 28 and 28 1/4 Roads to add two future collector streets and an unclassified street in the area to improve future capacity, connectivity, and circulation.

**Background, Analysis and Options:**

The City's home rule powers and Section 212 of Article 23 of Title 31 of the Colorado Revised Statutes grants authority to the City to make and adopt a plan for the physical development of streets and roads located within the legal boundaries of the municipality and all lands lying within three miles of the municipal boundary. This proposed amendment to the Plan lies within the incorporated boundaries of the City of Grand Junction and the unincorporated areas of Mesa County.

The proposed amendment was requested by representatives of the property owners of a 35+ acre parcel of land located at the northeast corner of Grand Avenue and 28 Road (parcel #2943-182-00-046) to provide guidance in developing the transportation infrastructure for future planning and development of the property. City and Regional Transportation Planning Office (RTPO) staff reviewed the existing circulation plan, existing street rights-of-way and potential development scenarios and determined that amendments to the existing circulation plan would be beneficial at this time.

The capacity of the future street network was analyzed by the RTPO utilizing the Transcad Model that exists for Mesa County for the year 2035 projected traffic volumes. The modeling work indicates there is no capacity issue with the existing circulation plan; however, the addition of the proposed collector streets and unclassified street on the property presents a validation of the need for the future major collector streets as the property develops per the identified densities of the Comprehensive Plan.

The proposed major collector streets are Gunnison Avenue from 28 Road east to 28 1/2 Road and the extension of Grand Avenue east to 28 1/4 Road at Ouray Avenue right-of-way, as well as an unclassified street that runs generally north-south between the two collectors. These proposed streets would provide connectivity and circulation for the development of the parcel and to surrounding properties.

Mesa County staff has also reviewed the proposed changes to the circulation plan and is supportive of the proposed request.

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

The proposed Amendment to the Grand Valley Circulation Plan meets with Goal 9 of the Comprehensive Plan by identification of future transit corridors to be reserved during development review and consider functional classification in terms of regional travel, area circulation and local access.

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

**Board or Committee Recommendation:**

The Planning Commission recommended approval of the proposed Amendment to the Grand Valley Circulation Plan at their January 8, 2013 meeting.

**Financial Impact/Budget:**

None.

**Legal issues:**

None.

**Other issues:**

None.

**Previously presented or discussed:**

N/A.

**Attachments:**

Staff Report Excerpt  
Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing Zoning Map  
Grand Valley Circulation Plan  
Existing Circulation Plan  
Proposed Circulation Plan  
Proposed Ordinance

**Section 21.02.130 (c) (2) of the Zoning and Development Code:**

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

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

There was no error. The proposed Grand Valley Circulation Plan is being amended to anticipate and accommodate future growth patterns for the subject area and also the community at large.

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

As this central core area of the City grows in the future, City and RTPPO (Regional Transportation Planning Office) staff finds that the community and area will benefit with a more safe and efficient circulation and interconnectivity around and through the property with the anticipated development of the subject 35+ acre parcel of land. The City's Comprehensive Plan has identified the property for high density (16 – 24 dwelling units per acre) residential development. Such development will require good access and connectivity to surrounding streets. Streets such as Grand Avenue and Gunnison Avenue need to continue through this property providing a better circulation plan for the community as well as for future residents and commercial opportunities of this property.

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

The existing Grand Valley Circulation Plan predates the adopted 2010 Comprehensive Plan, therefore, the Circulation Plan is being updated to what the Comprehensive Plan anticipates how future development will be taking place for this growing area of the community as identified on the Comprehensive Plan Future Land Use Map for the anticipated higher residential densities and possible commercial development.

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

The benefits to the area include a more safe and efficient circulation and street interconnectivity around and through the property.

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

The change will provide good access and circulation for users of the transportation system with multiple ways to travel through the area and connect to the larger transportation network, and will facilitate safe and efficient vehicular access.

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

Good access to and through this large property will guide development to provide the appropriate street network for all users.

#### **PLANNING COMMISSION RECOMMENDATION:**

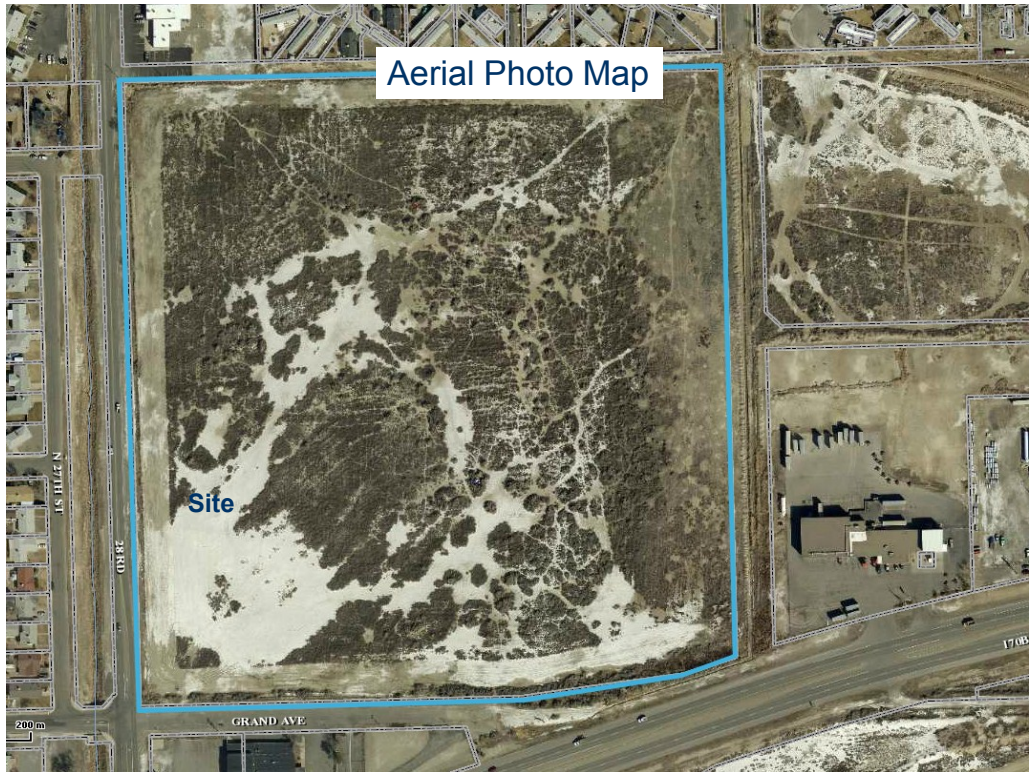
After reviewing the application, CPA-2012-584 for a Comprehensive Plan Amendment to amend the Grand Valley Circulation Plan for the area generally located north of I-70 Business Loop between 28 and 28 1/4 Roads located north of I-70 Business Loop, the Planning Commission makes the following findings of fact and conclusions:

1. The proposed Grand Valley Circulation Plan amendment is consistent with the goals and policies of the Comprehensive Plan by anticipating future development of the area as identified by the residential and commercial densities on the Comprehensive Plan Future Land Use Map.
2. The review criteria in Section 21.02.130 (c) (2) of the Zoning and Development Code have been met or addressed.

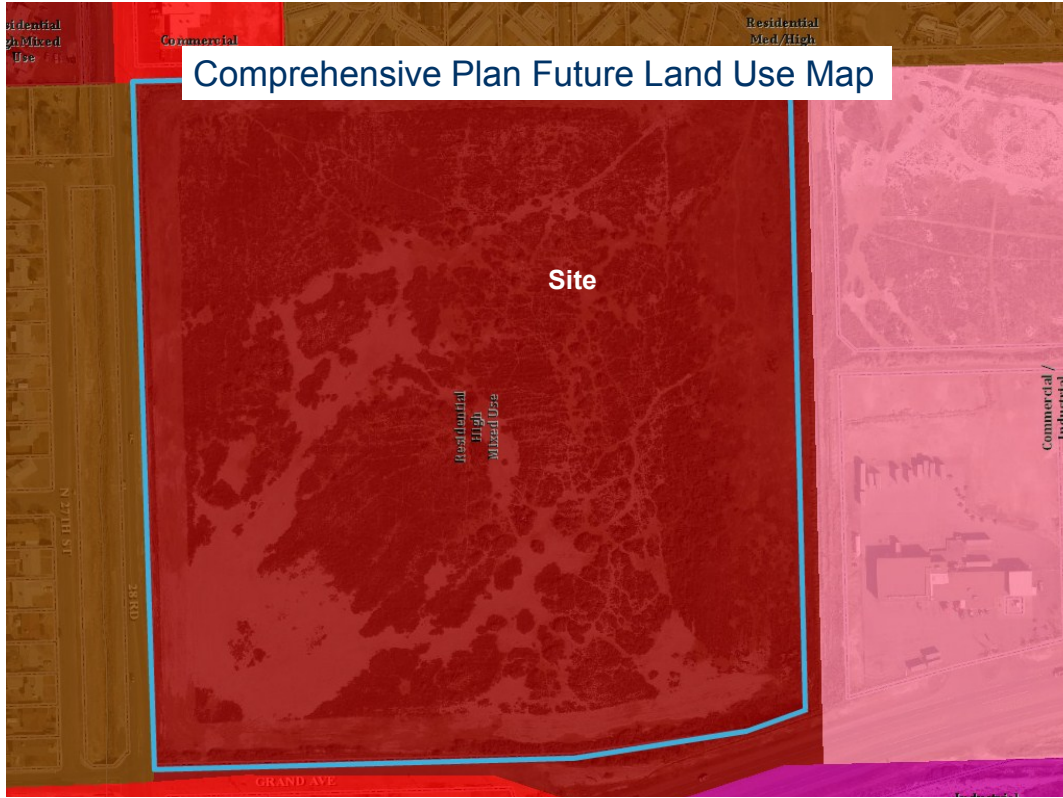




Site Location Map



Aerial Photo Map



Comprehensive Plan Future Land Use Map



Existing Zoning Map

# Grand Valley Circulation Plan

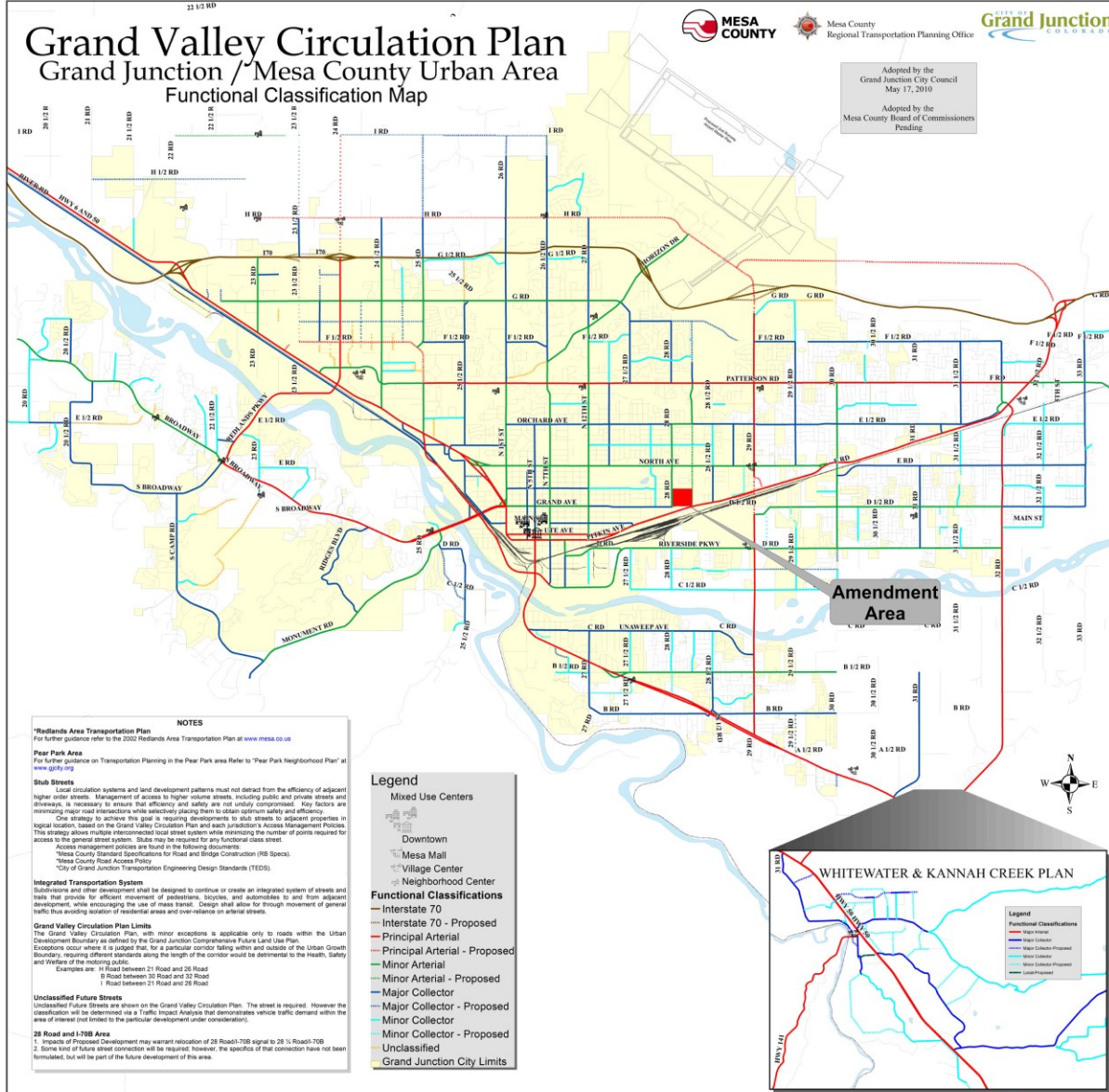
## Grand Junction / Mesa County Urban Area

### Functional Classification Map



Adopted by the Grand Junction City Council  
May 17, 2010

Adopted by the Mesa County Board of Commissioners  
Pending



**NOTES**

**Redlands Area Transportation Plan**  
For further guidance refer to the 2002 Redlands Area Transportation Plan at [www.mesa.co.us](http://www.mesa.co.us)

**Pear Park Area**  
For further guidance on Transportation Planning in the Pear Park area refer to "Pear Park Neighborhood Plan" at [www.gcity.org](http://www.gcity.org)

**Sub Streets**  
Local circulation systems and land development patterns must not detract from the efficiency of adjacent higher order streets. Management of access to higher volume streets, including public and private streets and alleways, is necessary to ensure that efficiency and safety are not unduly compromised. Key factors are minimizing major road intersections while selectively placing them to obtain optimum safety and efficiency. One strategy to achieve this goal is requiring developments to abut streets to adjacent properties in logical location, based on the Grand Valley Circulation Plan and each jurisdiction's Access Management Policies. This strategy allows multiple disconnected local street systems while minimizing the number of points required for access to the general street system. Slubs may be required for any functional class street.  
Access management policies are found in the following documents:  
Mesa County Standard Specifications for Road and Bridge Construction (SS Specs)  
Mesa County Road Access Policy  
City of Grand Junction Transportation Engineering Design Standards (TEDS)

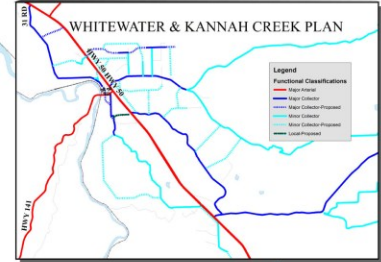
**Integrated Transportation System**  
Subdivisions and other developments should be designed to continue or create an integrated system of streets and trails that provide for efficient movement of pedestrians, bicycles, and automobiles to and from adjacent development, while encouraging the use of mass transit. Design shall allow for through movement of general traffic from existing location of residential areas and over-reliance on arterial streets.

**Grand Valley Circulation Plan Limits**  
The Grand Valley Circulation Plan, with minor exceptions is applicable only to roads within the Urban Development Boundary as defined by the Grand Junction Comprehensive Future Land Use Plan. Exceptions occur where it is judged that, for a particular corridor falling within and outside of the Urban Growth Boundary, requiring different standards along the length of the corridor would be detrimental to the Health, Safety and Welfare of the motoring public.  
Examples are: A Road between 21 Road and 26 Road  
B Road between 30 Road and 32 Road  
C Road between 21 Road and 28 Road

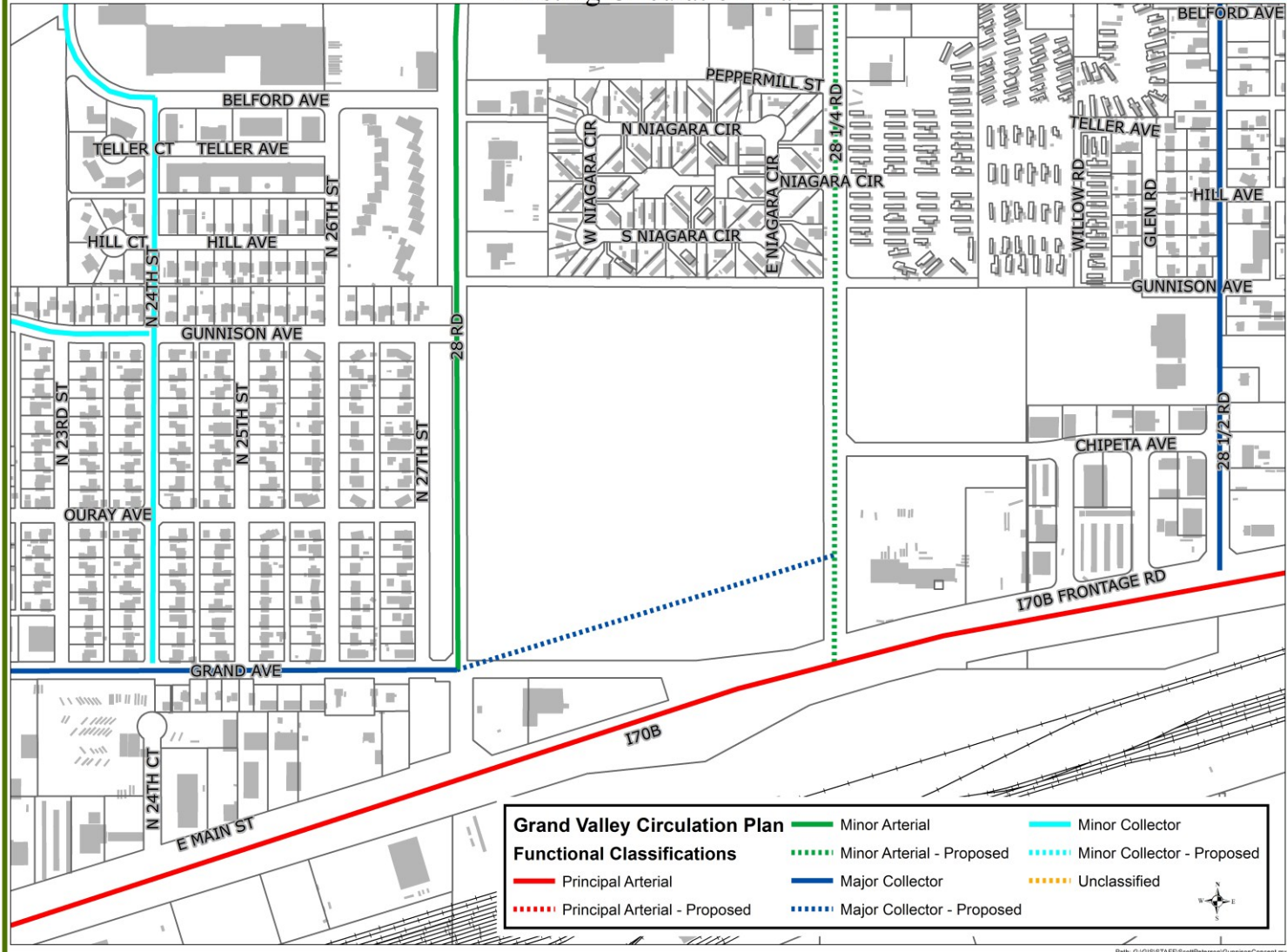
**Unclassified Future Streets**  
Unclassified Future Streets are shown on the Grand Valley Circulation Plan. The street is required. However the classification will be determined via a Traffic Impact Analysis that demonstrates vehicle traffic demand within the area of interest (not limited to the particular development under consideration).

**28 Road and 17th Area**  
1. Impact of Proposed Development may warrant relocation of 28 Road's 708 signal to 28 1/2 Road's 708  
2. Some form of future street connection will be required; however, the specifics of that connection have not been formulated, but will be part of the future development of this area.

- Legend**
- Mixed Use Centers
    - Downtown
    - Mesa Mall
    - Village Center
    - Neighborhood Center
  - Functional Classifications
    - Interstate 70
    - Principal Arterial - Proposed
    - Principal Arterial - Proposed
    - Minor Arterial
    - Minor Arterial - Proposed
    - Major Collector
    - Major Collector - Proposed
    - Minor Collector
    - Minor Collector - Proposed
    - Unclassified
    - Grand Junction City Limits

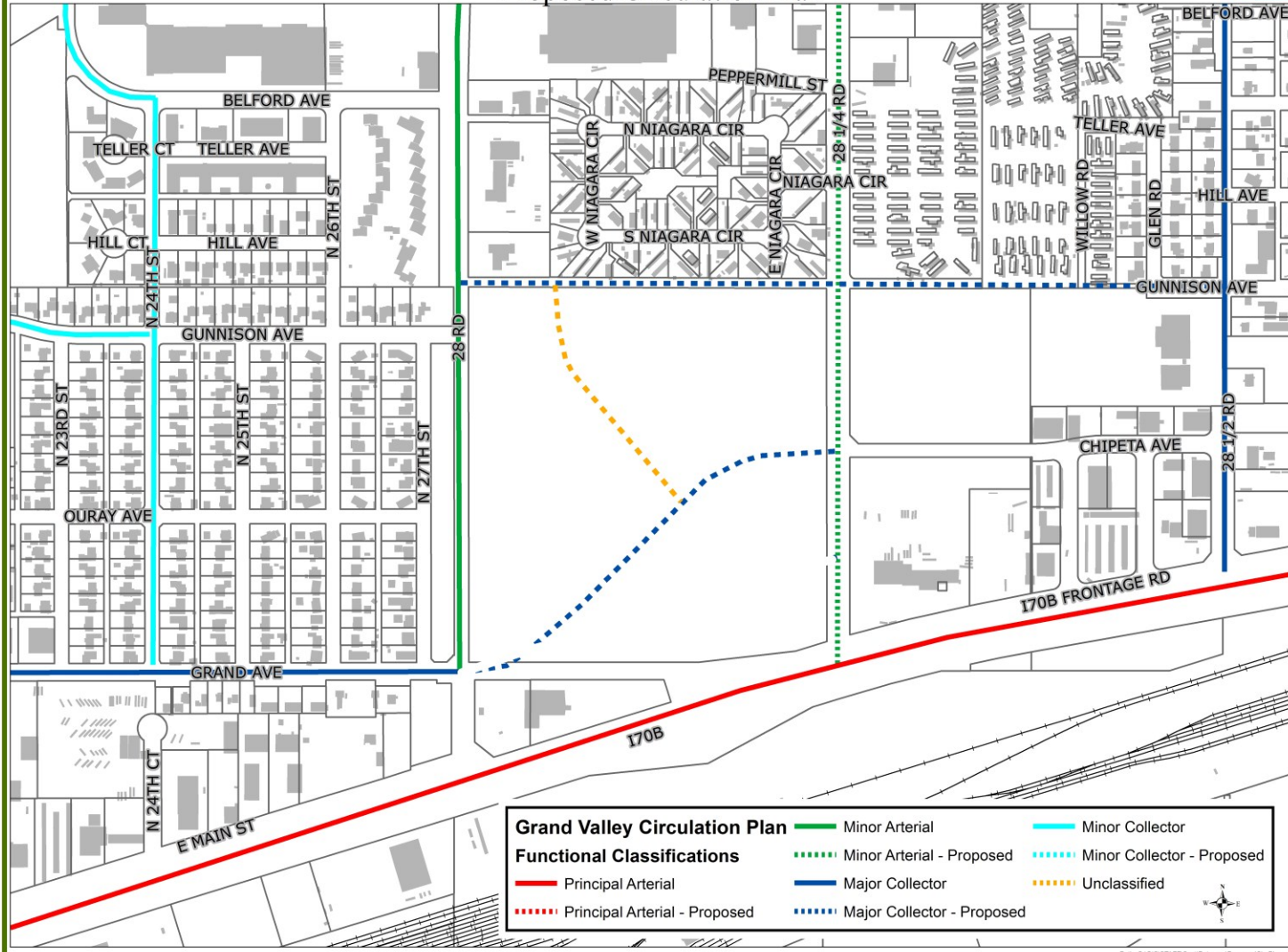


# Existing Circulation Plan



# Proposed Circulation Plan

Grand Junction  
Colorado



Grand Valley Circulation Plan			
	Minor Arterial		Minor Collector
	Minor Arterial - Proposed		Minor Collector - Proposed
	Principal Arterial		Major Collector
	Principal Arterial - Proposed		Major Collector - Proposed
			Unclassified

CITY OF GRAND JUNCTION, COLORADO

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

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF GRAND JUNCTION TO AMEND THE GRAND VALLEY CIRCULATION PLAN FOR THE AREA LOCATED GENERALLY NORTH OF I-70 BUSINESS LOOP BETWEEN 28 AND 28 1/4 ROADS**

Recitals:

A request for a Comprehensive Plan Amendment to amend the Grand Valley Circulation Plan has been submitted in accordance with the Zoning and Development Code. The applicant has requested that the area generally located north of the I-70 Business Loop between 28 and 28 1/4 Road, be amended as identified on Exhibit A to include Gunnison Avenue and a rerouted Grand Avenue as a Proposed Major Collector along with an Unclassified new street that will connect Gunnison Avenue with Grand Avenue to improve future capacity, connectivity and circulation.

In a public hearing, the City Council reviewed the request for the proposed Comprehensive Plan Amendment to amend the Grand Valley Circulation Plan and determined that it satisfied the criteria as set forth and established in Section 21.02.130 (c) (2) of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE GRAND VALLEY CIRCULATION PLAN BE AMENDED AS IDENTIFIED ON EXHIBIT A.

**INTRODUCED** on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and ordered published in pamphlet form.

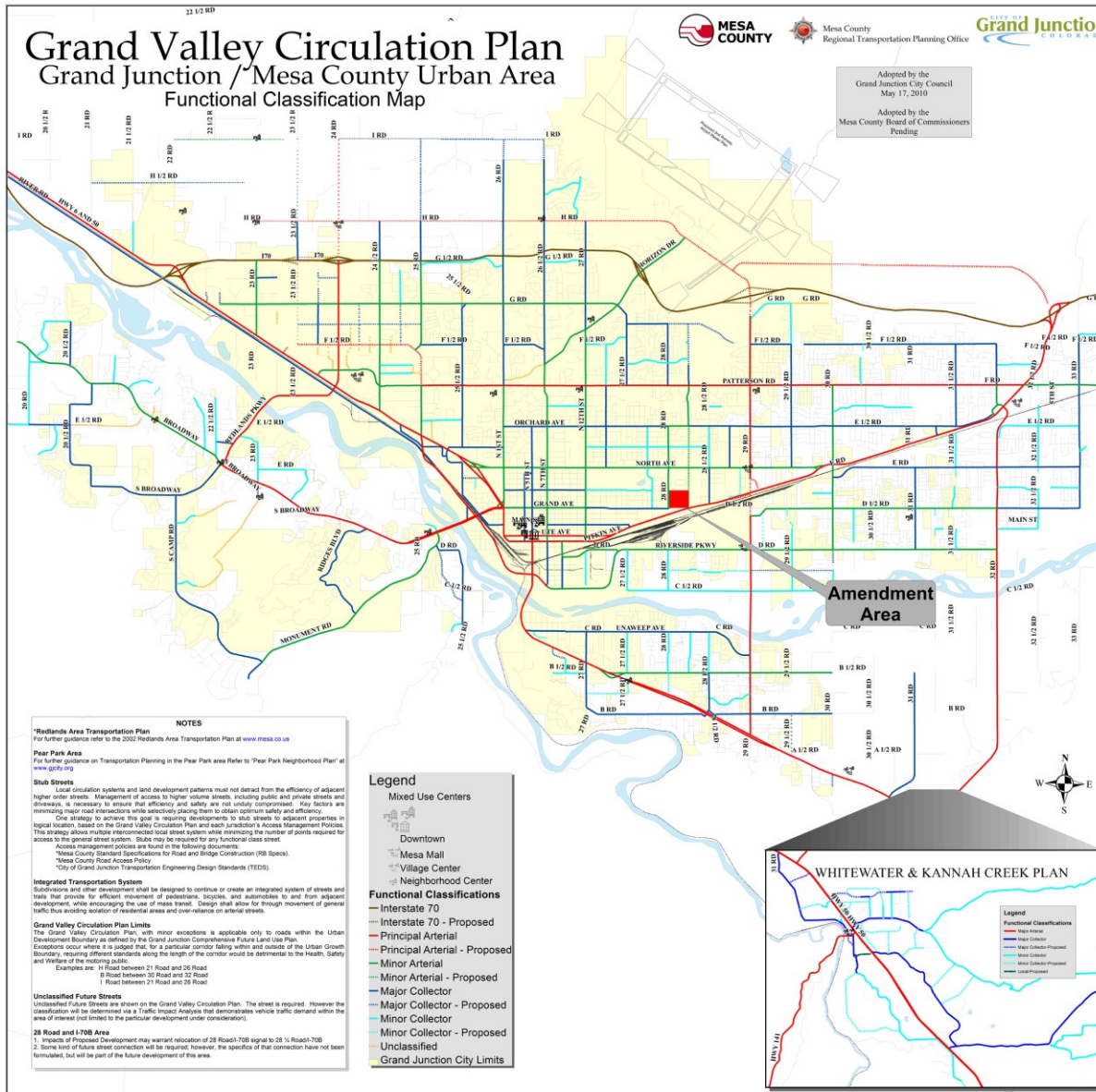
**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and ordered published in pamphlet form.

ATTEST:

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

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

# Exhibit "A"



# Circulation Plan

